



# LATROBE CITY COUNCIL

## MINUTES FOR THE COUNCIL MEETING

HELD IN NAMBUR WARIGA MEETING ROOM  
CORPORATE HEADQUARTERS, MORWELL  
AT 6PM ON  
08 FEBRUARY 2021

CM558

**PRESENT:**

<b>Councillors:</b>	Cr Sharon Gibson, Mayor	West Ward
	Cr Darren Howe, Deputy Mayor	East Ward
	Cr Tracie Lund	Central Ward
	Cr Graeme Middlemiss	Central Ward
	Cr Dan Clancey,	East Ward
	Cr Dale Harriman	East Ward (left the meeting at 7:26pm)
	Cr Kellie O'Callaghan	East Ward
	Cr Melissa Ferguson	South Ward
	Cr Brad Law	West Ward
<b>Officers:</b>	Steven Piasente	Chief Executive Officer
	Hanna Steevens	Manager Governance
	Kieran Stewart	Governance Officer

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## **COUNCILLOR AND PUBLIC ATTENDANCE**

### **PLEASE NOTE**

The Victorian Government's *COVID-19 Omnibus (Emergency Measures) Act 2020* has introduced into the Local Government Act 2020 new mechanisms that allow for virtual Council Meetings to ensure local government decision-making can continue during the coronavirus pandemic.

Pursuant to section 394 of the *COVID-19 Omnibus (Emergency Measures) Act 2020*, a Councillor may attend this Ordinary Council Meeting remotely by electronic means of communication; and

Pursuant to section 395 *COVID-19 Omnibus (Emergency Measures) Act 2020* this Ordinary Council Meeting may be closed to the attendance by members of the public by making available access to a live stream of the Meeting on the Council's internet site.

### **1. OPENING PRAYER**

The Mayor read the opening prayer.

### **2. ACKNOWLEDGEMENT OF THE TRADITIONAL OWNERS OF THE LAND**

The Mayor read the acknowledgement of the traditional owners of the land.

### **3. APOLOGIES AND LEAVE OF ABSENCE**

Nil.

### **4. DECLARATION OF INTERESTS**

Nil.

### **5. ADOPTION OF MINUTES**

#### **MOTION**

**Moved:** Cr O'Callaghan

**Seconded:** Cr Ferguson

**That Council confirm the minutes of the Council Meeting held on 7 December 2020.**

**CARRIED UNANIMOUSLY**

## **6. ACKNOWLEDGEMENTS**

Cr Middlemiss acknowledged the passing of Jack Vinall OAM, former Shire President and services on over 30 committees in the community. He will be remembered as a stalwart and pillar of local government.

## **7. PUBLIC PARTICIPATION TIME**

### **Attend as an observer**

The Victorian Government's *COVID-19 Omnibus (Emergency Measures) Act 2020* has introduced into the Local Government Act 2020 new mechanisms that allow for virtual Council Meetings and allow for Council Meetings to be closed to the public.

Therefore this Meeting was closed to physical participation by members of the public. To meet legislated obligations and in the spirit of open, accessible and transparent governance, the Council Meeting was livestreamed.

### **Public Questions on Notice**

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

The following questions were answered at the meeting.

**From:** Ian Schmutter

**Topic:** Speed Reduction – Moore Street, Moe

**Question:** Can Council place speed humps either side within of shared traffic zone? Concerns elderly citizen, put in danger. Traffic not heeding to speed limits.

**Response:** Moore Street, Moe, between George Street and Albert Street is marked as a shared zone at both ends plus supplementary signage is provided mid-block.

Unlike a road, in a shared zone the pedestrian has right of way over the entire area. In order to achieve this a shared zone should be constructed to reinforce that message to motorists by removing measures that would designate where pedestrians should be.

Unfortunately when it was originally designated as a shared zone Moore Street was not reconfigured to help define the pedestrian as the dominant road user.

The proposal to install road humps is supported in principle by Council Officers and further work will be done to investigate the costs of modification and presented to Council to be considered for inclusion in the 2021/22 program budget related to Traffic Calming.

**From:** Anne Christine Sindt

**Topic:** Deloitte Australia Review of the Latrobe Health Initiatives

**Question:** Does Latrobe City Council have a copy of the Deloitte Australia Review of the Latrobe Health Initiatives incorporating the Latrobe Health Innovation Zone, the Latrobe Health Assembly and the Latrobe Health Advocate?

**Response:** All Councillors, Council Executive and relevant officers have been provided with access to a copy of the Deloitte Australia Review of the Latrobe Health Initiatives incorporating the Latrobe Health Innovation Zone, the Latrobe Health Assembly and the Latrobe Health Advocate.

### **A Comment on Further Questions**

Council has received a number of questions from the public asking Council to pursue a judicial review of the Ministers decision in relation to the Used Lead Acid Battery Recycling Facility in Hazelwood North through amendment C129 to the Latrobe City Planning Scheme.

Council's Governance Rules set out the requirements and criteria for valid questions that can be answered during public question time. In this particular instance the question primarily relates to a matter that would normally be considered by Council during a closed section of the meeting as it relates to a legal matter. In reviewing the questions I note that a number of questions also did not meet the criteria in relation to the number of questions asked and the length of the question being well in excess of the limit allowed in the governance rules.

Rather than not answer the questions, I will provide a response to the primary question that has been asked of Council. This question will be included in the minutes of the meeting and communicated to those who lodged questions in addition to any outcome that may be determined by Council at tonight's meeting.

The primary question asked is as follows.

Will Council will pursue a Judicial review of the Ministers decision to implement planning scheme amendment C129 into the Latrobe City planning Scheme?

In response I can advise that the question of whether or not Council will pursue judicial review of the Ministers decision in relation to the Used Lead Acid Battery Recycling Facility is ultimately a matter for the Council to determine. This is a matter that is well known to Councillors though and is something that is being actively discussed. As has been raised by some of those who submitted questions to Council the matter is not currently listed on the agenda for tonight's meeting.

The appropriate process for Council to consider matters not listed on the agenda is for them to be introduced as Urgent Business.

An urgent Business item is introduced by a Councillor presenting a motion to seek consideration of the matter as urgent business on the basis that cannot reasonably or conveniently deferred until the next meeting.

This may occur in an open or closed session of the meeting, Subject to the supporting information being classified as confidential. I note that in this instance there may be matters of legal privilege to contemplate, therefore the matter could be classified as confidential under the *Local Government Act 2020*.

Ultimately in response to the question it is a matter that Council could consider tonight and if the matter is included on the agenda and debated any outcome would be communicated when appropriate to do so to the community.

### **Public Speakers**

Members of the public who registered before 12noon were invited to speak to an item on the agenda. The following people addressed the meeting.

<b>Item No.</b>	<b>Agenda Item</b>	<b>Name</b>
9.1	2021/01 Health Innovation Zone	Geraldine McClure
9.1	2021/01 Health Innovation Zone	Carolyne Boothman
9.1	2021/01 Health Innovation Zone	Maggie Jones
9.1	2021/01 Health Innovation Zone	Wendy Farmer

**8. ITEMS HELD OVER FOR REPORT AND/OR CONSIDERATION/QUESTIONS ON NOTICE**

Date of Council Meeting	Item	Notes
<b>Regional City Growth and Investment</b>		
23 October 2017	<p>Development Proposal - Expression of Interest</p> <p><i>Previously declared confidential under Section 89(2) (d) (e) of the Local Government Act 1989, as it deals with contractual matters; AND proposed developments.</i></p>	<p>Councillor Briefing reports presented 26 March 2018 and 24 July 2018.</p> <p>Report will be scheduled once an update is available.</p> <p><b>30 April 2020</b></p> <p>Council report to be presented at a future meeting that outlines a proposal wasn't forthcoming. We will continue to market the Airport in line with our investment prospectus in line with the investment roadmap.</p> <p><b>1 October 2020</b></p> <p>Have tried to contact First State Super on two occasions, with no response. Will prepare report for Council to finalise this matter.</p>
5 February 2018	Signage on Overhead Bridges on Freeway	<p><b>8 March 2018</b></p> <p>A report to Council will be prepared for a future Council meeting once a response is received from Vic Roads.</p> <p>Response from Vic Roads indicated their position is electronic signage on bridges is not permitted at this time.</p> <p>Further investigations being undertaken in 2018 and 2019.</p> <p><b>31 October 2019</b></p> <p>A future report to be presented to Council late 2020.</p> <p><b>22 April 2020</b></p>



Date of Council Meeting	Item	Notes
		<p>A briefing is to be provided in June 2020.</p> <p><b>16 June 2020</b></p> <p>Additional information is still being gathered for the report; it is now expected a report will be made to Council later in 2020.</p> <p><b>6 August 2020</b></p> <p>A letter is being sent from the CEO to the Regional Director Eastern Victoria Regional Roads Victoria regarding this matter; additional options are being determined for the report.</p> <p><b>23 September 2020</b></p> <p>Awaiting formal reply.</p>
3 April 2018	Future Use of the Visitor Information Centre Building	<p><b>4 April 2018</b></p> <p>The resolution is noted. A report outlining options for the future use of the existing Visitor Information Centre building in Traralgon will be presented to Council closer to the transition of the service to the foyer of the new performing arts centre (Latrobe Creative Precinct).</p> <p><b>20 July 2018</b></p> <p>No further updates - Update to be provided as the opening of the LCP approaches.</p> <p><b>28 November 2019</b></p> <p>A decision on the future use of the VIC building pending relocation to the foyer of the Latrobe Creative Precinct. This is scheduled for March/April 2021.</p> <p>New target date set at September 2020 so the process of identifying options and presenting them to Council can begin.</p> <p><b>11 June 2020</b></p> <p>A report is being prepared to present options to</p>

Date of Council Meeting	Item	Notes
		<p>Councillors.</p> <p><b>24 August 2020</b></p> <p>The briefing previously scheduled for 24 August has been delayed to sometime in the next few months.</p> <p><b>23 September 2020</b></p> <p>The reports to Council have been rescheduled to early 2021 due to Council election caretaker period.</p>
2 September 2019	<p>SEA Electric: Request for Land at the Gippsland Logistics Precinct</p> <p><i>Previously declared confidential under Section 89(2) (e) of the Local Government Act 1989, as it deals with proposed developments.</i></p>	<p><b>30 April 2020</b></p> <p>A further report to be prepared for Council consideration following work undertaken over the coming months.</p> <p><b>12 June 2020</b></p> <p>Draft lease being prepared.</p> <p><b>7 July 2020</b></p> <p>Discussions continuing with State Government in relation to milestones for the lease agreement</p> <p><b>1 October 2020</b></p> <p>Lease is currently being negotiated.</p>
3 June 2019	Latrobe Creative Precinct - Gippsland FM Proposal to Co-locate at the Precinct	<p><b>11 February 2020</b></p> <p>The expression of interest (EOI) is being publicly released on 17/2/2020. Timelines have allowed for a briefing to Councillors on 20 April 2020, followed by a report on 4 May 2020.</p> <p><b>9 April 2020</b></p> <p>The deadline for submissions of EOI extended at the request of potential submitters due to the COVID-19 pandemic. The deadline extended to 30 April 2020; a Councillor briefing report will be scheduled after this.</p>

Date of Council Meeting	Item	Notes
		<p><b>10 June 2020</b></p> <p>Submissions currently being assessed.</p> <p><b>4 August 2020</b></p> <p>The assessment panel decided to invite applicants to provide additional information to assess their submissions. This is currently occurring. Target date has been revised to 30 November 2020 to allow this activity.</p> <p><b>23 September 2020</b></p> <p>Report being presented to Council in October 2020 providing an update and seeking endorsement of change of direction to a creative hub environment.</p>
11 November 2019	Celebrating the 20th Anniversary of the Sister City Relationship with Taizhou - Taizhou Garden in Latrobe	<p>Present the final design for consideration at a future Council meeting.</p> <p><b>1 May 2020</b></p> <p>Survey work continues.</p> <p><b>11 June 2020</b></p> <p>The Infrastructure team provided a site survey map and photos to Taizhou on 23 March. Due to the lockdown in China, Taizhou Foreign Affairs Office returned to work in May.</p> <p>Taizhou indicated that the process may take longer than expected due to the COVID-19 pandemic. Once a draft design is received from Taizhou, a further meeting with interested parties will be arranged and an update will be provided.</p>
2 December 2019	<p>2019/17: NIEIR Report</p> <p><i>Previously declared confidential under Section 89(2) (h) of the Local</i></p>	<p><b>6 May 2020</b></p> <p>Data will be finalised following an analysis of the impact of the COVID-19 situation on information previously presented.</p>

Date of Council Meeting	Item	Notes
	<i>Government Act 1989, as it deals with a matter which the Council or special committee considers would prejudice the Council or any person.</i>	
7 December 2020	Social and Affordable Housing	<p><b>14 December 2020</b></p> <p>Report to be prepared for March 2021 Council Meeting.</p>
<b>Community Health and Wellbeing</b>		
01 June 2020	Managing Camping at the Lake Narracan Foreshore Reserve	<p>A further report presenting data collected from security and maintenance patrols to inform options for future utilisation of the area to its full potential.</p> <p><b>5 August 2020</b></p> <p>Following the collection of data from the period from 10 October 2020 until 1 May 2021, a report will be presented to Councillors outlining the results of the data and potential options to manage the foreshore area</p> <p><b>21 October 2020</b></p> <p>Security patrols engaged from 01/10/2020 as per resolution to collect data to be included in upcoming report.</p> <p><b>14 December 2020</b></p> <p>Patrols via security detail continue at Lake Narracan providing data to inform reporting and bring back to Council in June 2021.</p>
3 August 2020	2019/20 Outdoor Pool Season Review	<p><b>9 November 2020</b></p> <p>A report will be presented to Council at the June 2021 meeting providing data from the 2020/2021</p>

Date of Council Meeting	Item	Notes
		<p>outdoor pool season.</p> <p><b>14 December 2020</b></p> <p>Data continues to be collected from the 20/21 Outdoor pool season to inform a report due back to Council in June 2021.</p>
7 December 2020	School Crossings in Latrobe City Council	<p><b>14 December 2020</b></p> <p>A report will be presented to Councillor Briefing 1 on 1 February 2021.</p>
7 December 2020	Effectiveness of School Crossings in Latrobe City	<p><b>14 December 2020</b></p> <p>A report will be presented to Councillor Briefing 1 on 1 February 2021.</p>
<b>Organisational Performance</b>		
11 September 2017	Proposed Road Renaming - Ashley Avenue, Morwell	<p><b>20 September 2017</b></p> <p>Pending further discussions before a report is rescheduled for decision.</p> <p><b>9 August 2018</b></p> <p>A report for Council to consider the submissions received is being prepared for the September Meeting.</p> <p><b>17 September 2018</b></p> <p>A further report will be determined after Councillor speaks with property owner.</p> <p><b>17 January 2019</b></p> <p>Report expected to council in April 2019.</p> <p><b>8 August 2019</b></p> <p>Proposed road renaming to be referred to Road Naming Committee for consideration when convened.</p>

Date of Council Meeting	Item	Notes
		<p><b>14 April 2020</b></p> <p>Report considered at Councillor Briefing held on 23 March 2020.</p> <p><b>7 May 2020</b></p> <p>Letters sent to all property owners in Ashley Avenue advising of potential name change and inviting preliminary feedback.</p> <p><b>23 June 2020</b></p> <p>Feedback received from property owners to be considered at future meeting of the Road &amp; Place Names Committee following which a Briefing Report will be presented to Council with recommendation as to how to proceed.</p> <p><b>13 July 2020</b></p> <p>Road &amp; Place Names Committee meeting to be held on Monday, 13th July to consider the proposed renaming of Ashley Avenue. Report to be presented to a subsequent Councillor Briefing based upon recommendation from the committee as to which road should be renamed.</p> <p><b>19 November 2020</b></p> <p>Consideration of Briefing Report deferred until 2021.</p>
6 July 2020	Englobo Land Valuations	<p>Requests a report at the next available Council Meeting following receipt of this information from the Valuer-General Victoria.</p> <p><b>21 July 2020</b></p> <p>A letter has been sent to The Valuer General Victoria on 13 July 2020 requesting the value of each parcel of current englobo land previously zoned farm land as if it had remained zoned as farm land. To date, no substantive response has been received.</p>

Date of Council Meeting	Item	Notes
7 September 2020	2020/11: Naming of Reserves in Latrobe City	That Council receives a report in relation to options to identify how information about an individual after whom a reserve in Latrobe City has been named can be recognised and recorded.
7 December 2020	Englobo Land	
<b>Assets and Presentation</b>		
3 September 2018	2018/11 Explore alternate options available to replace the supply and use of single use water bottles	<p>Matter was researched and considered during 2018/19.</p> <p><b>14 August 2019</b> A briefing report will be presented to Council in September 2019.</p> <p><b>16 January 2020</b> A further Briefing Report will be presented in 2020.</p> <p><b>7 May 2020</b> A further report will be presented to Council in July for information.</p> <p><b>19 August 2020</b> A report will be presented to Council for discussion at Briefing Session in August 2020.</p> <p><b>4 September 2020</b> A further report will be provided in 2021 when GRAC is open and options can be explored.</p>
2 March 2020	2020/02 Review of Council Position 2010	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.

Date of Council Meeting	Item	Notes
		<p><b>18 August 2020</b></p> <p>The progression of a Discussion Paper to inform Council's future position on climate change is to be informed by research, benchmarking and engagement activities to be completed within the 2020/2021 financial year as part of the review and renewal of Latrobe City Council's Natural Environment Sustainability Strategy 2014 - 2019.</p>
7 December 2020	Main Street Yinnar	<p><b>7 January 2021</b></p> <p>A Briefing Paper will be presented at the 27 January 2021 Briefing session, followed by a report to Council on 8 February 2021</p>

Any proposed timings of reports listed above advised up to 20 January 2021, have been included in the above table. Items are removed only once a report has been tabled at Council and advised accordingly.

Any further updates after this time will be provided in the next Council Meeting Agenda.



# **NOTICES OF MOTION**

## **9. NOTICES OF MOTION**

### **9.1 2021/01 HEALTH INNOVATION ZONE**

**Cr Tracie Lund**

I, Cr Tracie Lund, hereby give notice of my intention to move the following motion at the Council Meeting to be held on Monday 8 February 2021.

#### **MOTION**

**Moved:** Cr Lund

**Seconded:** Cr O'Callaghan

**That Council request the Mayor write to the Premier of Victoria and the Victorian State Government Ministers for Health and for Planning, requesting responses to the following:**

- 1. Clarification on the roles and aims of the Health innovation Zone for Latrobe City.**
- 2. The reasons why the State Government did not make any reference in the Latrobe Planning Scheme of the Health Innovation Zone when it was announced, given its commitment for better health outcomes for the Latrobe community.**
- 3. How does our heavy industry zoning, which is a land use planning zone, work alongside the requirements of being a Health Innovation Zone – which is not a land use planning zone, which one should be prioritised in the consideration of planning applications?**
- 4. How does the Health Innovation Zone seek to improve the long-term health outcomes of our residents?**
- 5. What principles currently exist in State legislation to ensure the health of the Latrobe City residents is considered in decisions surrounding development proposals?**
- 6. What base line data will be collected by the State Government to measure the health of Latrobe City residents and the success of the Health innovation Zone?**

**CARRIED UNANIMOUSLY**

Signed  
Cr Tracie Lund

07/01/2021

**Attachments**

Nil

**ITEMS REFERRED BY  
THE COUNCIL TO THIS  
MEETING FOR  
CONSIDERATION**

**10. ITEMS REFERRED BY THE COUNCIL TO THIS MEETING FOR  
CONSIDERATION**

**Agenda Item: 10.1**

**Agenda Item:** Waiving of interest on overdue rates in respect of englobo land currently farmed where an objection to the current valuation has been lodged

**Sponsor:** General Manager, Organisational Performance

**Council Plan Objective:** Ensure Council operates openly, transparently and responsibly.

**Status:** For Decision

**Proposed Resolution:**

That Council, in accordance with the *Financial Hardship Policy*, considers on its merits any application for waiver of interest on overdue rates in respect of any englobo land currently farmed where an objection to valuation has been lodged with the Valuer-General Victoria until that objection has been determined by the Valuer-General Victoria.

**ALTERNATE MOTION**

**Moved:** Cr Harriman

**Seconded:** Cr Howe

**That Council, in relation to a ratepayer in respect of englobo land:**

- requires officers on request to provide advice about how to lodge an objection to valuation;
- defers the payment of rates and any applicable interest until the earlier of the determination of any objection to valuation and any appeal therefrom (provided the conduct of the appeal is not unduly delayed by the ratepayer) or any part of the englobo land is sold; and
- considers any application for further or other relief on its merits as Council may determine is appropriate in all the circumstances.

**CARRIED UNANIMOUSLY**

**Executive Summary:**

- At the Council Meeting on 7 December 2020, a Resolution was made requesting a report be presented at the February 2021 Council Meeting regarding the waiver of interest on overdue rates in respect of englobo land that is currently being farmed while any objection to the valuation was being considered by the Valuer-General Victoria (VGV).
- The recommended approach is to consider any application for a concession on an individual basis and generally along the lines applying to applications for relief due to hardship.
- In December 2020, there was one property in the municipality that met the criteria set out in the Resolution. In January 2021, the objection by that ratepayer was disallowed. As a result, there are currently no properties meeting the criteria.
- Objections to valuation are (as in the case of this ratepayer) usually determined within a few months of the application being made. A ratepayer who does not already have rates arrears will generally not incur interest on rates that are paid within the relevant rates' year, even if payment is delayed.
- Properties are currently valued annually. Any ratepayer may object to the valuation and may do so on each valuation (i.e. annually). Having a fixed policy that allowed any ratepayer or class of ratepayer to incur no interest on all overdue rates until the objection was determined by the VGV may encourage objections to be made, potentially annually, even where there is clearly no likelihood of success in order to obtain the interest concession.
- An objection to a valuation is only to the current valuation and therefore only impacts the current year's rates. Any reduction in the valuation obtained by the objection is not retrospectively applied to rates accrued in any other year. If circumstances change, any reduction in the valuation may not even be valid for the year following the objection. While the current year's rates may be reduced following a successful objection to valuation, overdue rates for any previous year remain unaffected; due and owing in full.
- As a result, there is no connection between an outstanding arrears balance and the current year objection. Even if successful all rates from previous years remain due and owing in full, unaffected by the current year revaluation. It is therefore not clear why interest would not continue to accrue on all previous years' outstanding rates until paid, even when an objection to the current valuation has been made.
- While any ratepayer may object to the annual valuation, the Resolution contemplates a concession only to one class of ratepayer:
  - The concession may be seen as providing a precedent to any other ratepayer or class of ratepayers who considers their property to be overvalued; and

- Although the quantum of change in rates due to an upwards revaluation in relation to any other class of ratepayer would not approximate that of an englobo land ratepayer, the relative revaluation for other ratepayers may cause similar difficulties in payment especially for those on fixed incomes.

### **Background:**

At the Council Meeting held the 7 December 2020, the following motion was passed;

*That Council receives a report in February 2021 regarding waiving all interest on overdue rates due in respect of englobo land that is currently farmed from the date any objection to the rating valuation is lodged by the ratepayer with the Valuer-General Victoria until the date the objection is determined by the Valuer-General Victoria.*

### **Valuation & Objection Process**

In accordance with the *Valuation of Land Act 1960*, the VGV is required to determine the value of land for each separate occupancy. In determining the valuation the Valuer is required to consider evidence of sales of other similar comparable land, along with taking into account;

- the use to which the land is being put at the relevant time, the highest and best use to which the land might reasonably be expected to be put at the relevant time, and to any potential use;
- the effect of any Act, regulation, local law, planning scheme or other such instrument which affects or may affect the use or development of such land;
- the shape size topography soil quality situation and aspect of the land;
- the situation of the land in respect to natural resources and to transport and other facilities and amenities;
- the extent condition and suitability of any improvements on the land; and
- the actual and potential capacity of the land to yield a monetary return.

The *Valuation of Land Act 1960*, provides the ratepayer with an opportunity to object to the valuation, this objection must be received within 2 months of the notice of valuation being provided. The VGV must respond within 4 months after receiving the objection with their decision in relation to the objection.

A ratepayer may only object to the current valuation, and any allowance provided by the VGV only applies to the current valuation and is not able to be applied retrospectively to previous valuations.

If the objector is dissatisfied with the decision of the VGV they may apply to VCAT for a review of the decision.

The Valuer General Victoria (VGV) received a total of 249 objections relating to Latrobe City Council's 2020/21 annual valuations.

### **Penalty Interest**

Section 172 of the *Local Government Act 1989* provides that Council may require a person to pay interest on any amount of rates and charges which have not been paid by the specified due date. The penalty interest rate to be applied is as per section 2 of the *Penalty Interest Rate Act 1983*, which is determined by the State Government and is currently set at 10% per annum.

Penalty interest is applied as an incentive for rates to be paid on time as rates are required in order for council to fund the continuation of services to the community.

Penalty interest is generated on the current years Rates and Charges where the ratepayer has failed to pay the rates owing by the due date. Depending on the method chosen by the ratepayer this is either the 15 February of the rating year, or for those who have qualified to pay by instalment, it is each instalment date.

Penalty interest is generated on arrears relating to previous rating years on a monthly basis until such time as the amount is paid in full.

### **Assessment of 2020/21 Objections**

Of the 249 objections received in the current year only one meets the criteria as outlined in the motion passed by Council on the 7 December 2020.

The objection was received by the VGV on the 24 October 2020 and relates to an assessment in Marshall's Road Traralgon, the property is 141 hectares in size and has increased in value from \$896,000 in 2008 to the current valuation of \$9,264,000. The valuation has remained unchanged since the 2018 valuation and no previous objections were received in relation to this valuation amount. The rates assessment has been in arrears since 2011 which was the year that the rezoning occurred, council agreed at this time to a request to defer part of the annual rates until such time as any part of the property was sold or transferred. It should be noted that council received written correspondence dated 12 December 2008 from the owners representative in which they requested that council progress with rezoning the land and that they "confirm their readiness to rezone and develop the property."

As a result of a motion passed by Council on the 6 May 2019, this assessment, and it being the only assessment, is currently receiving an annual interest waiver equivalent to the amount exceeding the Australian Bureau of Statistics published CPI for the 12 months to the March quarter. CPI to March 2020 was 2.7% therefore the ratepayer is currently being charged 73% less in penalty interest than all other ratepayers who have an arrears balance and are being charged penalty interest. In accordance with the motion this arrangement remains in place until such time that any part of the property is sold or otherwise transferred or the motion is rescinded by Council.

The VGV has assessed the current objection from this ratepayer and has deemed that the objection be disallowed on the basis that the current valuation has been determined as being correct.



### **Interest Waiver**

As previously stated, an objection can only be submitted in relation to the current valuation and any outcome of the objection to valuation is not retrospectively applied.

In general, ratepayers who are lodging an objection are advised that they are still required to pay the rates amount issued, by the due date, however where the determination has been delayed, the ratepayer is generally provided with additional time to pay the rates without penalty interest being applied to the current years rates amount. However, interest on any arrears amount continues to accrue.

There is no clear reason as to why interest should be waived on the arrears balance given that the arrears amount relates to previous rating years which are not affected by any review of the valuation for the current year.

A resolution that allowed an interest rate concession on all overdue rates while an objection to the current year's valuation was being determined may incentivise future unjustified use of the objection process in order to delay overdue interest charges on total arrears amounts.

### **Ratepayers meeting the criteria set out in the Resolution**

As of December 2020, the VGV had indicated that there was only one assessment which met the criteria set out in the resolution.

The VGV advised that the objection to the 2020/21 valuation was lodged on the 24 October 2020, the objection has been assessed and a notice of disallowance was provided to the ratepayer on the 15 January 2021 which indicated that the original valuation is deemed to be correct.

There is currently an arrangement in place with the ratepayer referred to above to allow the deferral of part of the annual rates until any part of the property is sold or transferred. The rates assessment has therefore been in arrears since 2011 following the rezoning of the land from farm to residential which occurred in May 2011 with the owner's support.

As a result of a motion passed by Council on the 6 May 2019, this assessment, being the only assessment, is currently receiving an interest waiver equivalent to 73% of penalty interest generated. This arrangement remains in place until such time that any part of the property is sold or otherwise transferred or the motion is rescinded by Council.

No penalty interest has been generated on the 2020/21 rates and charges to date, being the period relating to the objection, interest is only generated if the assessment remains unpaid after the 15 February 2021.

The estimated interest accrued on the arrears of \$235,694.40 for the period 24 October 2020 to 15 January 2021 (84 days) including the 73% waiver is \$1,464.53.

**Issues:**

*Strategy Implications*

This proposal does not align with the Council plan.

*Communication*

There are no planned communications associated with this proposal. There is a possibility that there may be a public backlash should the motion be granted, on the basis that there are several thousand ratepayers who currently have arrears balances and this motion provides significant relief to a single ratepayer who at a future point in time will receive a significant financial benefit as a result of the decision of council to rezone their land.

*Financial Implications*

The motion requires that all interest on overdue rates be waived for the period from the date the objection was lodged with the VGV until the date the objection is determined. Therefore the amount of interest forgone by council equates to;

	Arrears at 30 June 2020	2020/21 Rates & Charges
Objection Lodgement Date	24 October 2020	24 October 2020
Objection Determined Date	15 January 2020	15 January 2020
Total Days	84	84
Overdue Balance	\$235,694.40	\$0.00
Penalty Interest Rate	10%	10%
Penalty Interest (84 days)	\$5,424.20	\$0.00
Interest Waiver (motion 6 May 2019) 73%	-\$3,959.67	\$0.00
Interest Payable	\$1,464.53	\$0.00

If granted the current interest rate concession will result in a reduction in rates interest revenue of \$1,464.53. Council's 2020/21 annual budget for rates interest revenue is \$500,000.

*Risk Analysis*

<b>Identified risk</b>	<b>Risk likelihood*</b>	<b>Controls to manage risk</b>
<b>Financial Risk</b>  Reduction in rates interest revenue	Almost Certain	Revenue strategy required to be developed in accordance with the <i>Local Government Act 2020</i> .  While the proposed motion would result in an insignificant financial impact on council, if it was used as a precedence for all ratepayers this could have a significant impact on rates collections and rates interest revenue.
<b>Reputational Risk</b>  Inconsistent treatment of differing sectors of ratepayers	Unlikely	Revenue strategy.

\* Inherent likelihood ratings: 1 (Rare); 2 (Unlikely); 3 (Possible); 4 (Likely); 5 (Almost Certain)

*Legal and Compliance*

There are no foreseen legal implications associated with the motion.

*Community Implications*

The motion may be seen negatively by the majority of ratepayers as the motion singles out one ratepayer for what could be seen as preferential treatment at a time when many ratepayers have been significantly impacted by external factors associated with the COVID-19 pandemic.

*Environmental Implications*

There are no foreseen environment implications associated with this report.

*Consultation*

There is no planned community consultation associated with this report.

*Other*

The precedence associated with this motion may have far reaching implications that have not been considered as part of this report.

**Declaration of Interests:**

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*.

**Supporting Documents:**

Nil

**Attachments**

Nil

# **CORRESPONDENCE**

## **11. CORRESPONDENCE**

**Agenda Item: 11.1**

**Agenda Item: Community Grant - Request to Change Project from  
Glengarry Preschool Inc**

**Sponsor: General Manager, Community Health and Wellbeing**

**Council Plan Objective: Ensure Council operates openly, transparently and  
responsibly.**

**Status: For Decision**

### **MOTION**

**Moved: Cr O'Callaghan**

**Seconded: Cr Howe**

**That Council approves the request from the Glengarry Preschool Inc, seeking Council's approval to change the original 2019/20 community grant (project number MCW2019200042) for a new proposed project.**

**CARRIED UNANIMOUSLY**

### **Executive Summary:**

- In the 2019/20 Community Grants program the Glengarry Preschool Inc (Glengarry Preschool) applied for a grant for the Glengarry Preschool Bike Track.
- The project was assessed as eligible and the Glengarry Preschool was successful in their application and \$4,989.30 was awarded to the group.
- At the same time the Glengarry Preschool received the Community Grant from Latrobe City Council, Latrobe City's Preschool team on behalf of the Glengarry Preschool successfully lodged a \$15,000 grant application with the State Government for the construction of a larger bike track.
- The Glengarry Preschool intended to use the Latrobe City Council Community Grant and part of the State Government grant to fund the bike track. However due to current COVID-19 pandemic, bank restrictions, limited banking hours and their restrictions, the total amount of the bike track was paid for with the State Government grant funds.
- On 11 December 2020 Rebecca McMahon, Committee Member, wrote to

Council requesting to use the \$4,989.30 from project number MCW2019200042 for a new proposed project.

- The Glengarry Preschool is requesting that the funding be reallocated to purchase the following items:
  - Bike helmets
  - Scooters
  - Balance bikes
- A copy of the correspondence from the Glengarry Preschool is attached for Council's information.
- If the variation is approved and the cost of the approved items is less than \$4,989.30, the remaining funds will be returned to Latrobe City Council as per the Community Grant and Sponsorship Guidelines.
- Officers are requesting Councillors consider the revised proposal put forward by the Glengarry Preschool.

**Issues:**

*Strategy Implications*

The report aligns with Objective 6 of the Council Plan – Ensure Council operates openly, transparently and responsibly.

*Communication*

The Glengarry Preschool will be advised of the outcome of this report.

*Financial Implications*

There are no financial implications associated with this report.

*Risk Analysis*

<b>Identified risk</b>	<b>Risk likelihood*</b>	<b>Controls to manage risk</b>
<p><b>Reputational Risk</b></p> <p>Failure to approve the variation will result in the Glengarry Preschool returning the unspent funds to Latrobe City Council.</p>	3	<p>Officers have advised the applicant of the current process and that no funds can be spent until there is an outcome of this report.</p> <p>Once there is an outcome, the applicant will be</p>

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		notified.
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\* Inherent likelihood ratings: 1 (Rare); 2 (Unlikely); 3 (Possible); 4 (Likely); 5 (Almost Certain)

*Legal and Compliance*

The Community Grant Program Guidelines require all requests varying the scope of a project to be approved by Council.

*Community Implications*

There are no community implications associated with this report.

*Environmental Implications*

*There are not environmental impacts associated with this report.*

*Consultation*

No consultation was required for this report. The applicant has been advised of the process and will be advised of the outcome of this report.

**Declaration of Interests:**

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*.

**Supporting Documents:**

Nil

**Attachments**

1 [↓](#).  Correspondence to support request from Glengarry Preschool Inc



## **11.1**

### **Community Grant - Request to Change Project from Glengarry Preschool Inc**

- 1 Correspondence to support request from Glengarry  
Preschool Inc ..... 33**

**Caitlan Ponton**

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**From:** Rebecca McMahon <beclindsaymcmahon@gmail.com>  
**Sent:** Friday, 11 December 2020 4:11 PM  
**To:** Grants  
**Cc:** Jennie Bailey  
**Subject:** Re: Latrobe City Council Grant Acquittal due 13/12/2020 - MCW2019200042

**Categories:** Variation Request, Caitlan

Good afternoon,

After conversations with Caitlin Ponton, the Latrobe City Family Services Manager Nick and the Glengarry Preschool teachers here is the Glengarry Preschool update on our Latrobe city bike track grant.

At the same time the Latrobe City small grant application was lodged in 2019, Latrobe City on behalf of the Glengarry Preschool lodged a \$15,000 grant application with the state government.

Glengarry Preschool was successful on the \$15,000 grant as well as the Latrobe City smaller grant. This was approved late December 2019. Therefore a larger bike track, larger than the proposed figure 8 track was built in August due to COVID.

The Preschool planned to pay Rubber Tough for the bike track with the Latrobe City funds grant and part of the state government grant. However due to COVID, bank restrictions, issues with getting 2 signatures from the committee, limited banking hours and their restrictions, the full total of the track was paid with the state government grant.

The funds for the Latrobe City Grant have not been touched and are still sitting in a bank account. Nick the Family Services Manager and the Glengarry Preschool teachers have a copy of these bank details and the untouched money.

Therefore the Glengarry Preschool would like to change the details of the Latrobe City Grant to fund another component of the bike track.

The Glengarry Preschool would like to purchase bike helmets, scooters and balance bikes with the grant funds.

The Glengarry Preschool has a garden shed where the bikes would be stored to keep the bikes in good condition and out of the weather.

Currently Glengarry Preschool have an amazing bike track with limited bikes, helmets and scooters for the students to use.

In the foreseeable future the Glengarry Preschool teachers will provide 3 quotes for helmets, scooters and bikes.

Thankyou for your time and understanding. This year has been a difficult year and the Glengarry Preschool had every intention to use the funds as stated in our approved grant. Unfortunately this did not occur. If you require any further information please don't hesitate to contact myself, or the staff at the Glengarry Preschool.

Kindest regards

Bec McMahon  
0407867442

On Tue, 8 Dec 2020, 9:22 am Grants, <[grants@latrobe.vic.gov.au](mailto:grants@latrobe.vic.gov.au)> wrote:

Good Morning,

Just a friendly reminder that you have an Acquittal due from a **2019/2020** Grant that you received from the Latrobe City Council.

Your submission number for the Acquittal that is due on 13/12/2020 is MCW2019200042 for a Grant of \$4,989.30 for the Bike Track project.

Can you please log into SmartyGrants and complete the acquittal form, then submit. This will allow us to finalise the Grant process for you and will allow you to apply for further Latrobe City Council grants without hindrance.

If you would like assistance with completing the Acquittal form, please contact us either via email or phone on 0428 661 071; or if you require any further information, clarification or assistance, please don't hesitate to contact us.

Regards,

**Liz Driffield**

Administration Officer - Grants

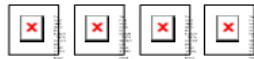
**P**

**E** [Liz.Driffield@latrobe.vic.gov.au](mailto:Liz.Driffield@latrobe.vic.gov.au)

**P** 1300 367 700

**W** [www.latrobe.vic.gov.au](http://www.latrobe.vic.gov.au)

PO Box 264, Morwell 3840





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# **PRESENTATION OF PETITIONS**

**12. PRESENTATION OF PETITIONS**

Nil reports

# **CHIEF EXECUTIVE OFFICE**

### **13. CHIEF EXECUTIVE OFFICE**

**Agenda Item: 13.1**

**Agenda Item: Authorisation of Council Officers under the Planning & Environment Act 1987**

**Sponsor: Chief Executive Office**

**Council Plan Objective: Ensure Council operates openly, transparently and responsibly.**

**Status: For Decision**

#### **MOTION**

**Moved:** Cr Middlemiss

**Seconded:** Cr Clancey

**That Council in exercising the powers conferred by Section 224 of the *Local Government Act 1989* and the other legislation referred to in the attached instrument of appointment and authorisation resolves that:**

- 1. That Nicholas Torcasio be appointed and authorised as set out in the instrument;**
- 2. The instrument comes into force either immediately the common seal of Council is affixed to the instrument and remains in force until Council determines to vary or revoke it; and**
- 3. The instrument be sealed.**

**CARRIED UNANIMOUSLY**

#### **Executive Summary:**

This report seeks to authorise Nicholas Torcasio, Statutory Planning Officer under section 147(4) of the *Planning and Environment Act 1987* and section 313 of the *Local Government Act 2020*.

Council utilises Instruments of Appointment and Authorisation to identify specific officer's incumbent in roles and, in turn, appoint the officers to be authorised officers for the administration and enforcement of legislation under applicable Acts.

By authorising Nicholas Torcasio, Statutory Planning Officer the officer will be able to perform their duties with respect to the statutory planning powers and functions



of the Council.

**Background:**

This report seeks to authorise Nicholas Torcasio under section 147(4) of the *Planning and Environment Act 1987* and section 313 of the *Local Government Act 2020*.

Council utilises Instruments of Appointment and Authorisation to identify specific officers incumbent in roles and, in turn, appoint the officers to be authorised officers for the administration and enforcement of legislation under applicable Acts.

Only a handful of Acts and Regulations require specific roles within an organisation to be identified to undertake a specific function. There are often clauses within Acts or Regulations that state that an “authorised officer” can undertake a specific function. This is why Council needs to identify the authorised officer by role and officer name.

Section 147(4) of the *Planning and Environment Act 1987* provides for the following:

*Any reference in this Act to an Authorised officer of a responsible authority or of the Department is a reference to an officer or employee of the authority or employee of the Department whom the authority or the Secretary to the Department (as the case requires) authorises in writing generally or in a particular case to carry out the duty or function or to exercise the power in connection with which the expression is used.*

Section 313 of the *Local Government Act 2020* provides for the following:

- (1) The Secretary, a Council or a person authorised by the Council either generally or in a particular case may institute proceedings in the corporate name of the Council for—
  - (a) the recovery of any municipal rates, service charges, special purpose charges, fees or other money due to the Council under any Act, regulation or local law; or
  - (b) the enforcement of any provision of any Act, regulation or local law for which the Council is responsible; or
  - (c) the recovery of any penalty or surcharge in relation to any offence under any Act, regulation or local law the enforcement of which is the responsibility of the Council; or
  - (d) any other purpose specified by the Council.
- (2) A Chief Executive Officer or person authorised by the Council either generally or in a particular case may represent the Council in all respects as though the Chief Executive Officer or person authorised by the Council was the party concerned in any proceedings in which the Council is a party or has an interest.

- (3) Proceedings for a summary offence under this Act may be commenced within the period of 3 years after the commission of the alleged offence.

Section 147(4) of the *Planning and Environment Act 1987* and section 313 of the *Local Government Act 2020* specifically state that the appointment of an authorised officer must come from the responsible authority being Council.

**Issues:**

*Strategy Implications*

Instruments of Appointment and Authorisation facilitate the statutory operations of Council and ensure that Council fulfils its obligations including Council Plan objective:

*'to ensure Council operates openly, transparently and responsibly'*.

*Communication*

Not Applicable.

*Financial Implications*

There are no financial or resource implications. However, if Council decides not to authorise the nominated officer, it will impede their ability to fully execute their duties.

*Risk Analysis*

If an officer is not authorised by Council, the officer will be unable to adequately perform their duties. Further implications to this are as follows:

- Delays in processing decisions on planning applications.
- Development and subdivision projects within the Latrobe City Council having time delays.
- Risk that developers will become frustrated with delays and appeal to the Victorian Civil and Administrative Tribunal.
- Planning officers that do not have the appropriate authorisation and delegation are unable to determine planning applications.

Appointments of authorised officers are also a risk management practice in that it clearly identifies which officer can act on a particular authorisation.

*Legal & Compliance*

Section 147(4) of the *Planning and Environment Act 1987* and section 313 of the *Local Government Act 2020* specifically state that the appointment of an authorised officer must come from the responsible authority being Council.

By authorising the nominated officer, they will be able to perform and fulfil their role as described in their position description.

*Community Implications*

No Community impact.

*Environmental Implications*

No environmental impact.

*Consultation*

There is no engagement required as part of this process.

**Supporting Documents:**

Nil.

**Declaration of Interests:**

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*.

**Attachments**

1 [↓](#).  S11A Instrument of Authorisation - Nicholas Torcasio

## **13.1**

### **Authorisation of Council Officers under the Planning & Environment Act 1987**

- 1 S11A Instrument of Authorisation - Nicholas Torcasio..... 44**

Maddocks Delegations and Authorisations

*S11A. Instrument of Appointment and Authorisation (Planning and  
Environment Act 1987)*



**Latrobe City Council**

**Instrument of Appointment and Authorisation**

***(Planning and Environment Act 1987 only)***

**Nicholas Torcasio**

**Statutory Planning Officer**

**February 2021**

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

In this instrument "officer" means -

**Nicholas Torcasio**

**By this instrument of appointment and authorisation Latrobe City Council -**

1. under section 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an authorised officers for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. under section 313 of the *Local Government Act 2020* authorises the officer generally to institute proceedings for offences against the Acts and regulations described in this instrument.

**It is declared that** this instrument -

- (a) comes into force immediately upon its execution;
- (b) remains in force until varied or revoked;
- (c) that any authority or appointment to the officer referred to in this Instrument is automatically revoked upon that officer ceasing employment with the Council.

This instrument is authorised by a resolution of the Council on the eighth of February 2021.

The Common Seal of **LATROBE CITY COUNCIL**  
was affixed in accordance with Local Law No. 1  
this    day of                    2020 in the presence of:

Steven Piasente – Chief Executive Officer

**Agenda Item: 13.2**

**Agenda Item: Consideration of Gifts, Benefits and Hospitality Policy**

**Sponsor: Chief Executive Office**

**Council Plan Objective: Ensure Council operates openly, transparently and responsibly.**

**Status: For Decision**

**MOTION**

**Moved: Cr Howe**

**Seconded: Cr Law**

**That Council:**

- 1. Adopts the Gifts, Benefits and Hospitality Policy with an effective date of 08 February 2020;**
- 2. Rescinds the previous version of the policy; and**
- 3. Makes the policy available on Council's website.**

**CARRIED UNANIMOUSLY**

**Executive Summary:**

Under section 138 of the *Local Government Act 2020* (the Act) Council must adopt a Councillor gift policy before 24 April 2021.

There is an existing policy in place applicable to Councillors, Council employees and contractors, adopted in August 2019. Accordingly officers have amended that policy to take the additional requirements of the Act into account, as well as making some descriptive, definitional and administrative additions and alterations to assist with clarity.

The principal change in the proposed Policy is inclusion of the Act requirement that Councillors are not to accept an anonymous gift. This requirement has been extended under the Policy to include staff and contractors.

The Act also stipulates that the policy must include procedures for the maintenance of a gift register. The existing Policy already includes procedure, but some additional information has been provided on details to be included on the Gift Disclosure Form.

The threshold value of a gift, benefit or hospitality below which disclosure is not

mandatory remains at \$30.00.

The draft Policy is provided at Attachment 1.

**Background:**

With the introduction of the *Local Government Act 2020* (the Act) all Councils must adopt a Councillor gift policy prior to 24 April 2021. The policy must include:

- procedures for the maintenance of a gift register; and
- any other matters prescribed by the regulations.

There have been no regulations made under the Act in relation to the matter at this time.

The current Gifts, Benefits and Hospitality Policy was adopted by Council in 2019. It applies to Councillors, but also to all Council employees and contractors acting in place of employees. It is considered that provided there is an appropriate policy adopted that encompasses Councillors, then the Act's requirement of a Councillor gift policy will be met regardless of whether the policy extends to other individuals.

The proposed amendments as set out in the attached draft Policy are reasonably minor. The principal change is to introduce a requirement that anonymous gifts not be accepted, including the option of disposing of such a gift to Council within 30 days where it has inadvertently been received. Section 137 of the Act states as follows:

- (1) Subject to subsection (2), a Councillor must not accept, directly or indirectly, a gift for the benefit of the Councillor the amount or value of which is equal to or exceeds the gift disclosure threshold unless—*
  - (a) the name and address of the person making the gift are known to the Councillor; or*
  - (b) at the time when the gift is made—*
    - (i) the Councillor is given the name and address of the person making the gift; and*
    - (ii) the Councillor reasonably believes that the name and address so given are the true name and address of the person making the gift.*
- (2) If the name and address of the person making the gift are not known to the Councillor for whose benefit the gift is intended, the Councillor is not in breach of subsection (1) if the Councillor disposes of the gift to the Council within 30 days of the gift being received.*
- (3) In addition to the penalty specified in subsection (1), a Councillor who is found guilty of a breach of that subsection must pay to the Council the amount or value of the gift accepted in contravention of that subsection.*



While this part of the Act only applies to Councillors, the prohibition on accepting anonymous gifts has been extended to staff and contractors in the Policy as officers considered this would be of benefit to Council's fraud and corruption framework.

The remaining proposed changes to the Policy are inclusion of additional details for the Gift Disclosure Form and some descriptive, definitional and administrative alterations for clarity purposes.

As there have been no changes to the requirements and recommendations around the low value threshold below which disclosure of an offer is not required, the figure of \$30 has been retained. This remains favourably comparable with the threshold set by similar local government and state government entities.

**Issues:**

*Strategy Implications*

Adoption of the Policy will achieve Objective 6 of the Council Plan - 'ensure Council operates openly, transparently and responsibly'

*Communication*

Internal communications will occur with Council officers to ensure awareness of the changes to the Policy and it will be made available on Council's website to satisfy public transparency requirements.

*Financial Implications*

Nil

*Risk Analysis*

<b>Identified risk</b>	<b>Risk likelihood*</b>	<b>Controls to manage risk</b>
<p><b>Reputational Risk</b></p> <p>Council is compromised by inappropriate acceptance of a gift</p>	2	The Policy together with the remaining fraud and corruption framework is intended to minimise this risk.
<p><b>Legal/Regulatory Risk</b></p> <p>Council is not strictly compliant with the Act by not having adopted the Policy by 24 April 2021, being the date by which the Act states the Policy is to be in place.</p>	2	By adopting the Policy Council will be taking appropriate action

\* Inherent likelihood ratings: 1 (Rare); 2 (Unlikely); 3 (Possible); 4 (Likely); 5 (Almost Certain)

### *Legal and Compliance*

Section 138 requires Council to adopt a Councillor gift policy before 24 April 2021. The Policy is also an important part of the overall fraud and corruption control framework.

### *Community Implications*

A clear and consistent Gifts, Benefits and Hospitality Policy will assist in providing a strong governance framework for the operation of Council, which in turn promotes the trust of the municipal community.

### *Environmental Implications*

Nil.

### *Consultation*

Community engagement is not mandatory under the Act for this Policy and has not been undertaken in this instance given the minimal changes. The Policy, if adopted, will be posted on the Council website. Targeted internal consultation and education can be provided if required.

### *Other*

Nil

### **Declaration of Interests:**

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*.

### **Supporting Documents:**

Nil

### **Attachments**

1   Draft 2021 Gifts Benefits and Hospitality Policy

## **13.2**

### **Consideration of Gifts, Benefits and Hospitality Policy**

- 1 Draft 2021 Gifts Benefits and Hospitality Policy ..... 51**



# Gifts, Benefits and Hospitality Policy

Version 4.0

Approval Date: 08 February 2021

Reviewed Date: February 2025



## Gifts, Benefits and Hospitality Policy

### DOCUMENT CONTROL

Responsible Manager	Manager Governance	
Division	Office of the CEO	
Last Updated (who & when)	Governance Officer	2021
DOCUMENT HISTORY		
Authority	Date	Description of change
Council		The 2020 Act requires a Council to adopt a Councillor gift policy within six months of when the section comes into operation, which was on 24 October 2020.
Council	5 August 2019	Revision of existing policy against internal audit findings and better practice requirements.
Administration Update	July 2016	Revision of existing policy against the Victorian Public Sector Commission applicable Framework, new template structure, renaming of policy
Council	22 August 2016	Adopted
References	Refer to Section 8 and 9 of this policy	
Next Review Date	February 2025	
Published on website		
Document Reference No		

WARNING - uncontrolled when printed.

Page 2 of 14

Responsible Division	Office of the CEO	Approved Date		Review Date	February 2025
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## Gifts, Benefits and Hospitality Policy

### 1. Purpose

Latrobe City Council is committed to ensuring that Councillors, Council employees and contractors act with integrity and honesty when performing their duties or while attending functions as Council representatives.

The acceptance of gifts, benefits and hospitality can create perceptions that a Councillor, staff member or contractor's integrity has been compromised.

This policy states Council's position on responding to offers of gifts, benefits and hospitality. It is intended to support Councillors and officers to avoid conflicts of interest and maintain high levels of integrity and public trust.

Latrobe City Council is a public body subject to the *Local Government Act 2020* (the Act). The objective of the Act is to establish a legislative framework that provides for councils to be accountable to their local communities in the performance of functions, exercise of power and use of resources.

~~Individuals have a duty to place the community's interest above their private interests when carrying out their role.~~

~~The *Local Government Act 1989* (Act) (Section 95) stipulates that council staff in the course of their employment must act impartially; act with integrity including avoiding real or apparent conflicts of interest; and accept accountability for results.~~

~~It is also a primary principle of Councillor conduct (Section 76B) for any Councillor in the performance of that role to act with integrity; to impartially exercise his or her responsibilities in the interests of the local community; and not improperly seek to confer an advantage (or disadvantage) on any person.~~

### 2. Objectives

The purpose and objective of this policy is:

- 2.1. To state the position of Latrobe City Council on responding to offers of gifts, benefits and hospitality;
- 2.2. Intended to support individuals and Latrobe City Council avoid conflicts of interest; and
- 2.3. To maintain high levels of integrity, transparency, accountability and public confidence in Council.

### 3. Scope

- 3.1. This policy applies to all Councillors and employees of Latrobe City Council as well as all contractors acting in place of an employee of Latrobe City Council.
- 3.2. All Councillors and employees of Latrobe City Council are accountable for compliance with this policy.

### 4. Principles of Management

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## Gifts, Benefits and Hospitality Policy

The following principles underline the application of this policy:

- 4.1. You must not seek or accept a bribe or other improper inducement;
- 4.2. You must not accept any gift, benefit or hospitality that could raise a perception of or actual bias or preferential treatment;
- 4.3. If you are unsure that acceptance of a gift, benefit or hospitality could give rise to the perception of actual bias or preferential treatment, the best course is to refuse the gift, benefit or hospitality;
- 4.4. You are not to accept gifts, benefits or hospitality from those where you exercise rights of decision or influence;
- 4.5. You must not seek or accept a gift, benefit, or hospitality from any actual or potential supplier or contractor during or approaching a Procurement activity and all such offers must be declared regardless of whether it is a Low Value Offer or an offer of Value.
- 4.6. You must refuse bribes and report any attempts to the Chief Executive Officer immediately. The Chief Executive Officer has a mandatory requirement to report these attempts to the *Independent Broad-based Anti-Corruption Commission*.

### 5. Management of Offers of Gifts, Benefits and Hospitality

#### Prohibited Gifts, Benefits and Hospitality

- 5.1. You must not accept any offer of a gift, benefit or hospitality (regardless of amount) in the following circumstances:
  - from a person or organisation where you make a decision or exercise influence within Council in relation to that person or organisation (examples include – but not limited to – procurement activities, contracts, grants, sponsorship, regulation, enforcement or licencing);
  - it is likely to be or is likely to be perceived to be a bribe or inducement to make a decision or act in a particular way;
  - it is cash, money, or a financial payment card (including a gift card);
  - acceptance is or could be perceived to be an endorsement of a product or service, or acceptance would unfairly advantage the person/organisation in future decisions (particularly procurement decisions); or
  - the primary purpose of the gift, benefit or hospitality is, or could be perceived to be, to lobby Council.

#### Anonymous Gifts

- 5.2. Section 137 of the Act–prohibits acceptance of anonymous gifts by Councillors, as follows:

1. *Subject to subsection (2), a Councillor must not accept, directly or*

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## Gifts, Benefits and Hospitality Policy

*indirectly, a gift for the benefit of the Councillor the amount or value of which is equal to or exceeds the gift disclosure threshold unless—*

- (a) the name and address of the person making the gift are known to the Councillor; or*
- (b) at the time when the gift is made—*
  - (i) the Councillor is given the name and address of the person making the gift; and*
  - (ii) the Councillor reasonably believes that the name and address so given are the true name and address of the person making the gift.*
- (2) If the name and address of the person making the gift are not known to the Councillor for whose benefit the gift is intended, the Councillor is not in breach of subsection (1) if the Councillor disposes of the gift to the Council within 30 days of the gift being received.*
- (3) In addition to the penalty specified in subsection (1), a Councillor who is found guilty of a breach of that subsection must pay to the Council the amount or value of the gift accepted in contravention of that subsection.*

*This policy also prohibits acceptance of anonymous gifts directly or indirectly by any individual to whom this policy applies. An individual will not be considered in breach of this policy if the gift is disposed of to Council within 30 days of receipt.*

### Low Value Offers

- 5.3. Subject to clause 5.1, acceptance of a Low Value Offer is at your discretion.
- 5.4. Disclosure of a Low Value Offer or a gift, benefit or hospitality of Low Value is not required unless:
  - 5.3.1. the total value of all Low Value Offers from the same source over a 12 month period exceeds Low Value; or
  - 5.3.2. the offer is from any actual or potential supplier or contractor during or approaching a Procurement activity
- 5.5. If disclosure is required, all Low Value Offers and all gifts, benefits or hospitality of Low Value from that source must be disclosed and approved in accordance with the requirements applying to gifts, benefits and hospitality of Value.

### Accepting Offers of Value

- 5.6. You must not seek gifts, benefits or hospitality of Value.
- 5.7. You must decline any Offer of Value if it could undermine or reasonably be perceived as undermining the integrity and impartiality of the Council or yourself.
- 5.8. You must take all reasonable steps to ensure that your immediate family members do not receive gifts, benefits or hospitality of Value that could undermine or reasonably be perceived as undermining the integrity and

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## Gifts, Benefits and Hospitality Policy

impartiality of the Council or yourself.

- 5.9. Individuals should consider the GIFT test (appendix 2) and the following requirements prior to accepting a non-token offer.

### Disclosure of all Offers of Value

- 5.10. You must disclose all Offers of Value, whether or not the offer is actually accepted.
- 5.11. The business reason for accepting an Offer of Value must be recorded in the register and provide sufficient detail to link the acceptance to the individual's work functions and benefit to Council.

### Requirements following acceptance

- 5.12. You must submit for approval and fully disclose all accepted Offers of Value using an applicable Gift Disclosure Form within five business days of receiving the offer (or in the case of invitations, prior to the event) to your General Manager or to the Chief Executive Officer, and your disclosure must be consistent with the following requirements:

- It does not raise a conflict of interest (real or perceived) or have the potential to bring you or Council into disrepute (refer to clause 5.76);
- There is a legitimate business reason for acceptance; and
- It is offered in the course of your official duties, relates to your responsibilities and has a benefit to Council.

- 5.13. Where an Offer of Value is made to a Councillor or Mayor, it must be disclosed in writing to the Chief Executive Officer on an applicable Gift Disclosure Form within five business days of receiving the offer.

- 5.14. Where an Offer of Value is made to the Chief Executive Officer, it must be disclosed in writing to the Mayor on an applicable Gift Disclosure Form within five business days of receiving the offer.

### Decisions in relation to gifts, benefits or hospitality of Value

- 5.15. All accepted gifts, benefits or hospitality of Value are deemed to be property of the Council until a decision is made by the General Manager, Chief Executive Officer or Mayor as the case may be.

- 5.16. The decision options following the acceptance of an Offer of Value are:

- Approve acceptance and allow the retention of the gift, benefit or hospitality by the individual or other individual as determined by the decision-maker;
- Approve acceptance and retain by Council (may also be required to be listed on Councils asset register)
- Approve acceptance and dispose (e.g. donate to a local charity, reward/recognition programs, sold/auctioned in accordance with any applicable procedures/policies)

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## Gifts, Benefits and Hospitality Policy

- Decline and return.

5.17. The decision as well as a reason for the decision must be recorded on the gift disclosure form by the decision maker.

The following examples show acceptable and unacceptable levels of detail to be included when recording the business reason:

Unacceptable:

- Networking
- Maintaining stakeholder relationships

Acceptable:

- Individual is responsible for evaluating and reporting outcomes of Latrobe City Councils sponsorship of Event A. Individual attended Event A in an official capacity and reported back to the Executive Management Team on the event.
- Individual made a presentation to a visiting international delegation. The delegation presented the Individual with a gift. Declining the gift would have caused offence. The gift was accepted, written approval was subsequently obtained for the gift which became Council's property.

### Acceptance of invitations and tickets to sporting, entertainment and cultural events

5.18. Where an individual is required to attend a sporting, entertainment or cultural event for the purpose of official duties (e.g. speech), and is therefore able to attend at no or reduced cost, the attendance is not considered to be a gift, however approval must be sought from the individual's General Manager or from the Chief Executive Officer and documented in the gift register.

Applicable Code of Conduct whilst in attendance applies.

5.19. All other invitations and complimentary tickets that are of Value are treated as an Offer of Value and must be dealt with in accordance with this policy.

### Acceptance of Hospitality

5.20. Individuals must balance the need for developing effective working relationships with contacts and community members with the requirements of this policy. **Gift offers of hospitality that exceed common courtesy must be avoided as they are often inconsistent with community expectations and have a high risk of creating a conflict of interest or the reasonable perception of one.**

5.21. The following examples are not considered to be a gift of Value for the purposes of this policy:

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## Gifts, Benefits and Hospitality Policy

- Functions where the individual has been invited to attend in an official capacity as a representative of Council;
- Hospitality has been included as part of a conference for which Council has paid a fee for attendance;
- Catered briefings or meetings where invitees from a range of external organisations are present or is hosted by Latrobe City Council; or
- Occasional working lunches where the hospitality is incidental and of low value – e.g. sandwiches and coffee.

5.22. The following examples are considered to be a gift of Value and must be approved in accordance with this policy:

- Restaurant meals (except where meets the definition above at clause 5.21);
- Invitations to corporate boxes or marquees;
- Discounted prices for goods or services of personal use;
- Invitations to functions held in private homes; and
- Invitations which extend to family members, relations, friends and associates.

### 6. Accountability and Responsibility

Accountability and responsibility for this policy is outlined below.

#### 6.1. Individuals:

- You must declare and disclose all Offers of Low Value where the cumulative value of all such offers made or accepted over a twelve month period exceeds the amount of Value;
- You must declare and disclose all Offers of Value

#### 6.2. The Chief Executive Officer and General Managers:

- Make the decision in relation to accepted Offers of Value.
- Publicise and establish awareness and compliance with this policy from all members of the organisation.
- Reinforce to all members that a breach of this policy could constitute a breach of the Code of Conduct and result in disciplinary action.

#### 6.3. Governance:

- Maintain the Gifts Register.
- Establish and regularly review processes, guidelines and training information to support compliance requirements of this policy.
- Undertake reporting requirements as specified in this policy.

### 7. Register, Evaluation and Review

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## Gifts, Benefits and Hospitality Policy

### 7.1. Gifts Register

The following procedures for the maintenance of the Gifts Register are listed below. Governance will maintain a Gifts Register for all gifts, benefits and hospitality. Upon receiving/accepting a gift the Councillor, Officer or Contractor must complete Gift Disclosure Form with the following information:

- the date of (and time – if available) on which the offer was made;
- the name of the recipient or group to whom the offer was made;
- position held at Council
- the person and or organisation offering the gift, benefit or hospitality;
- contact details of the person or organisation offering the gift;
- description of what was offered;
- reason/circumstances gift was offered;
- the date of disclosure;
- face value or estimated retail value of gift;
- whether the gift accepted or refused;
- date of approval or non-acceptance;
- if approved, who approved the acceptance;
- cumulative value of gifts offered by the individual or organisation with the last 12 months;
- form to be signed;
- any comment or disclosure relevant to acceptance or non-acceptance, the approval process, gift return or disposal.

Once the form is completed the gift receiver must forward the form to the appropriate person for approval – as per listing on form. The gift is to remain the property of Council until approval is given;

The Gifts Register may be made available for public inspection upon request. However, consideration will be given to maintaining reasonable confidentiality in situations where public disclosure will prejudice a proposed development or proposed business venture, legal advice or legal proceedings.

### 7.2. Evaluation

Ongoing evaluation and regular reporting against the objectives as outlined in this policy will occur as follows:

- Quarterly reports will be provided to the Executive Management team to ensure that unacceptable cultures do not develop within sections of the Council.
- A report will be provided every 6 months to the Audit and Risk Committee to

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## Gifts, Benefits and Hospitality Policy

ensure that there is transparent reporting of accepted gifts, benefits and hospitality, and that there is no evidence of attempts to improperly influence the decisions or actions of Councillors, Council employees or Council contractors.

- Councillors and Council employees are able to request an extract of their own gift disclosures from the Gift Register via a written request to the Governance team via the [egovernance@latrobe.vic.gov.au](mailto:egovernance@latrobe.vic.gov.au) email address.

### 7.3. Review

This policy will be reviewed and updated at least once every four years, unless one of the following occurs first:

- Significant changes to legislation applicable to the subject matter of the policy
- Upon request of the Council or Chief Executive Officer

Unless otherwise indicated, this policy will still remain applicable beyond the proposed review date until that review has been finalised by the Council.

### 7.4. Administrative Updates

It is recognised that from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this document, such a change may be made administratively. Examples include updating to the latest style/template for policy, a change to the name of a Council department, a change to the name of an applicable responsible position, a change to the name of a Federal or State Government department, and a minor update to legislation which does not have a material impact.

However, any change or update which materially alters this document must be by decision of Council.

### 8. Breaches

- Where an employee fails to comply with this policy, the issue shall be dealt with in accordance with Latrobe City Council's *Employee Code of Conduct*, and the *Managing Misconduct and Serious Misconduct Procedure*.
- Where a Councillor fails to comply with this policy, the issue shall be dealt with in accordance with the *Councillor Code of Conduct* and *Local Government Act 2020* requirements.

### 9. Definitions

In this policy –

Asset Register	Is the register of assets held or managed by Council. Significant gifts accepted on behalf of Council should be recorded on the asset register.
Audit & Risk Committee	Means the Committee appointed under the <i>Local Government Act 2020</i> by Council providing surety

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## Gifts, Benefits and Hospitality Policy

	of the adequacy of the Council's risk management framework and integrity of management reporting.
Benefit	Includes preferential treatment, privileged access, favours or other advantage offered (e.g. invitation to sporting, cultural or social events; access to discounts and loyalty programs; promises of further contracts or a new job) to an individual. The value may be difficult to define in dollars, but as they are valued to the individual, they may be used to influence the individual's behaviour.
Bribes	Are money or other inducements given to individuals to corruptly influence the performance of their role.
Ceremonial Gifts	<p>Ceremonial gifts are official gifts provided as part of the culture and practices of communities and government, within Australia or internationally.</p> <p>Ceremonial gifts are usually provided when conducting business with official delegates or representatives from another organisation or community.</p> <p>Ceremonial Gifts are the property of Latrobe City Council, irrespective of value, and but receipt should still be recorded on the Gifts Register.</p>
Conflict(s) of Interest	<p>The <i>Local Government Act 2020</i> requires Councillors and officers to declare General or Material conflicts of interest.</p> <p>A conflict of interest is a conflict between a person's public duty to act in the best interest of the Council and their private interests (financial or non-financial). A conflict exists whether it is:</p> <ul style="list-style-type: none"> <li>• Real – it currently exists;</li> <li>• Potential – it may arise, given the circumstances; or</li> <li>• Perceived – members of the public could reasonably form the view that a conflict exists, or could arise, that may improperly influence the person's performance of their duty to the Council, now or in the future.</li> </ul> <p><i>As described within Sections 77A-80 of the Local Government Act 1989.</i></p> <p><i>Conflict of Interest occur when a Councillor's or Council Officer's private interests conflict with their public duty. A</i></p>

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## Gifts, Benefits and Hospitality Policy

Gift(s)	<p><del>Councillor and Council Officer have a duty to always resolve a conflict in the public interest, not their own.</del></p> <p>A gift is anything of monetary or other value that is offered by an external organisation or individual to a Councillor, Officer or contractor as a result of their role with Council. It includes free or discounted items or services, benefits or hospitality that exceeds common courtesy.</p> <p><del>Is defined as free or discounted items, intangible benefits or hospitality exceeding common courtesy that are offered to employees in association with their work.</del></p> <p><del>Gifts may also be provided by organisations to, for example, a visiting delegation from another jurisdiction. They may be enduring such as a work of art or consumables such as a box of chocolates.</del></p>
Gifts Declaration	Is the form used to declare reportable gifts. Information on the form is transferred to the gifts register.
Gift Disclosure Threshold	<p>A disclosable gift means any gift valued at or above \$500 or a higher prescribed amount that a relevant person received in the preceding five years if:</p> <ul style="list-style-type: none"> <li>• the relevant person was a Councillor, officer or member of a delegated committee at the time the gift was received, or</li> <li>• the gift was an election campaign donation.</li> </ul> <p>If multiple gifts are received from a person, they must be treated as a single gift with an aggregate value.</p> <p>A gift includes any good or service (other than volunteer labour) that is provided for free or at an inadequate price. It includes a payment or contribution at a fundraising function.</p>
Gift, benefit and hospitality register	Is the register of gifts, benefits and hospitality declared. it records the date a gift was offered, information about the donor and recipient, the nature of the gift, its estimated value and how it was handled.
Hospitality	Is the friendly reception and treatment of guests, ranging from offers of light refreshment at a business meeting to restaurant meals and sponsored travel and accommodation.
Low Value	Is the estimated or actual value of \$30 Australian dollars or less.
Low Value Offer	Is an offer of a gift, benefit or hospitality where the reasonably estimated or actual value of the gift, benefit or hospitality is \$30 Australian dollars or less.

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## Gifts, Benefits and Hospitality Policy

Value

Is the estimated or actual value of \$30 Australian dollars or more.

**10. Related Documents**

- Councillor Code of Conduct
- Latrobe City Staff Code of Conduct
- Latrobe City Procurement Policy

**11. Reference Resources**

- *Local Government Act 2020*
- *Local Government Victoria – Conflict of Interest: A Guide for Councillors (2012)*
- *Local Government Victoria – Conflict of Interest: A Guide for Council Staff (2011)*
- *IBAC - Local Government Integrity Frameworks review (2019)*
- ~~Victorian Public Sector Commission, 'Gifts, Benefits and Hospitality Policy Framework'~~
- *IBAC - State Government Integrity Frameworks Review (2019)*

**12. Appendices**

- Appendix 1: Examples of Policy Application
- Appendix 2: Take the GIFT test

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## Gifts, Benefits and Hospitality Policy

### Appendix 1: Examples of Policy Application

<p><i>A manager attends a seminar related to their work duties. Latrobe City Council has paid a fee for the attendance. At the seminar, the manager is given a corporate satchel from the sponsor with an estimated value of \$25.00.</i></p> <p><i>The estimated value of the corporate satchel equates to a low value gift so is not required to be reported. In addition, it was received as part of attending the seminar, for which a fee was paid, so is not considered a gift.</i></p>
<p><i>The same manager wins the door prize whilst at the seminar. The prize is valued at \$60.00.</i></p> <p><i>Because the prize is not considered part of the fee paid for the seminar, it must be disclosed. Because the prize is valued at \$30.00 or above, the prize has been accepted on behalf of Latrobe City Council and the manager must seek permission from their General Manager.</i></p>
<p><i>A manager meets with a developer at a local restaurant at lunchtime. The developer offers to pay for the manager's lunch, which cost \$35.00. The manager declines the offer and pays for it themselves.</i></p> <p><i>Even though the manager did not accept the offer of a gift of value, the manager must still disclose the hospitality.</i></p>

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## Gifts, Benefits and Hospitality Policy

### Appendix 2: Take the GIFT Test

<b>G</b>	<b>Giver</b>	<p><b>Who is providing the gift, benefit or hospitality and what is their relationship to me?</b> Does my role require me to select contractors, award grants, regulate industries or determine government policies? Could the person or organisation benefit from a decision I make?</p>
<b>I</b>	<b>Influence</b>	<p><b>Are they seeking to gain an advantage or influence my decisions or actions?</b> Has the gift, benefit or hospitality been offered to me publicly or privately? Is it a courtesy or a token of appreciation or valuable non-token offer? Does its timing coincide with a decision I am about to make?</p>
<b>F</b>	<b>Favour</b>	<p><b>Are they seeking a favour in return for the gift, benefit or hospitality?</b> Has the gift, benefit or hospitality been offered honestly? Has the person or organisation made several offers over the last 12 months? Would accepting it create an obligation to return a favour?</p>
<b>T</b>	<b>Trust</b>	<p><b>Would accepting the gift, benefit or hospitality diminish public trust?</b> How would the public view acceptance of this gift, benefit or hospitality? What would my colleagues, family, friends or associates think?</p>

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**Agenda Item: 13.3**

**Agenda Item: Presentation of the Audit and Risk Committee Minutes  
- 15 December 2020**

**Sponsor: Chief Executive Office**

**Council Plan Objective: Ensure Council operates openly, transparently and responsibly.**

**Status: For Information**

**MOTION**

**Moved:** Cr Law

**Seconded:** Cr Clancey

**That Council receives and notes the attached Audit and Risk Committee Minutes for the 17 September 2020 and 15 December 2020 meeting.**

**CARRIED UNANIMOUSLY**

**Executive Summary:**

The Audit and Risk Committee (Committee) is a statutory committee of the Council. The Committee held its last meeting on 15 December 2020. It is a requirement of the *Audit and Risk Committee Charter* that the minutes are then subsequently tabled at an upcoming Council meeting. A number of motions were made at the meeting (as summarised in this report and set out in full in the attached minutes).

The meeting minutes from 17 September 2020 meeting are also attached as these have not yet been presented to Council. The motions are set out in full in the minutes.

**Background:**

At the meeting held on 15 December 2020, the Committee resolved the following:

Item	Motion
<b>Confirmation of Minutes</b>	That the minutes of the Audit and Risk Committee meeting held on 17 September 2020 be confirmed and ratified as true and correct.

<b>Item</b>	<b>Motion</b>
<b>Status of Actions Arising Report</b>	That the Audit and Risk Committee receives and notes the Status of Actions Arising Report.
<b>Review of Developer Contributions Framework and Processes Audit</b>	That the Audit and Risk Committee receives and notes the findings and management responses contained in the Review of Developer Contributions Framework and Processes audit report.
<b>Review of Project Management/Governance (Capital Projects) Audit</b>	That the Audit and Risk Committee receives and notes the findings and management responses contained in the Project Management/Governance (Capital Projects) audit report.
<b>Three Year Internal Audit Plan</b>	That the Audit and Risk Committee approves the three year internal audit plan.
<b>Review of Internal Auditors Performance</b>	That the Audit and Risk Committee recommends to council extension of the internal audit contract for one year.
<b>Internal Audit Recommendations Status Report</b>	That the Audit and Risk Committee receive and notes this report.
<b>Presentation of Internal Audit Scopes/Plans for Endorsement</b>	That the Audit and Risk Committee endorses the following scopes/plans: <ul style="list-style-type: none"> <li>● Review of Workforce Development and Succession Planning (with inclusion of adequate consideration to casual and volunteer staff as well as workforce flexibility).</li> </ul>
<b>VAGO, Ombudsman and IBAC Reports</b>	That the Audit and Risk Committee: <ol style="list-style-type: none"> <li>a) receives and notes this report into VAGO, Victorian Ombudsman, IBAC, Inspectorate and other reports; and</li> <li>b) notes detailed review of relevant reports will be included in the work plan for 2021.</li> </ol>
<b>Review and Update of Conflict of Interest</b>	That the Audit and Risk Committee receive and note this report.

<b>Item</b>	<b>Motion</b>
<b>Response to VAGO: Managing Development Contributions Report</b>	That the Audit and Risk Committee notes the report.
<b>Update on CCTV and Response to VAGO: Security and Privacy of Surveillance Technologies in Public Places</b>	That the Audit and Risk Committee notes the report.
<b>Internal Audit Recommendations Status Report</b>	That the Audit and Risk Committee receive and notes this report and approves the extensions to audit action due dates as set out in this report.
<b>Policy Register Update</b>	That the Audit and Risk Committee receive and note this report.
<b>Annual Report into the Provisions of Resources and Support to Councillors Policy</b>	That the Audit and Risk Committee receive and note this paper.
<b>Quarter 1 2020/21 People and Workcover Reports</b>	That the Audit and Risk Committee note the Quarterly People and WorkCover Reports for Q1 of the 2020/21 financial year.
<b>Quarter 1 2020/21 Performance Report Summary</b>	That the Audit and Risk Committee note the Quarterly Performance Summary Reports for Q1 2020-21.
<b>Quarterly Finance Report – September 2020</b>	That the Audit and Risk Committee receives and notes the Quarterly Finance Report for the period ended 30 September 2020, prepared in accordance with the requirements of the <i>Local Government Act 2020</i> .
<b>Quarterly Risk Management Update</b>	That the Audit and Risk Committee notes and receives the Risk Management Quarterly Report.
<b>Risk Actions: Update on Embedding Risk and Strategic Risks</b>	That the Audit and Risk Committee receive and note this report.

Item	Motion
<p><b>Public Interest Disclosure Procedure Review</b></p>	<p>That the Audit and Risk Committee endorse the adoption of the reviewed policy (subject to edits below) by the Public Interest Disclosures Coordinator.</p> <p><i>Manager Governance to:</i></p> <ul style="list-style-type: none"> <li>• <i>ensure use of employees, staff public language is consistent.</i></li> <li>• <i>Ensure where complaints are received orally (page 5) confirm with the discloser where possible.</i></li> <li>• <i>Page 20 include works ‘treated as innocent’.</i></li> </ul>
<p><b>Self Assessment Survey Results 2020</b></p>	<p>That the Audit and Risk Committee:</p> <ol style="list-style-type: none"> <li>1. Receives and notes the self-assessment undertaken; and</li> <li>2. Uses this self-assessment to inform the annual report by the Chairperson to Latrobe City Council.</li> </ol>
<p><b>Review and Confirmation of Meeting dates for 2021</b></p>	<p>That the Audit and Risk Committee confirm their meeting dates for 2021 as follows:</p> <ol style="list-style-type: none"> <li>1. Thursday 04 March 2021</li> <li>2. Thursday 03 June 2021</li> <li>3. Thursday 02 September 2021</li> <li>4. Thursday 02 December 2021</li> </ol>
<p><b>Council Election Results</b></p>	<p>That the Audit and Risk Committee receive and note this report.</p>
<p><b>VAGO Audit Sexual Harassment Audit</b></p>	<p>That the Audit and Risk Committee receive and note this report.</p>
<p><b>Review of the Work Plan 2021</b></p>	<p>That the Audit and Risk Committee confirm their indicative work plan with the change in order as below:</p> <ol style="list-style-type: none"> <li>1. <i>Move forward the Risk section until after Internal Audit.</i></li> </ol>

The full minutes are attached to this report.

**Issues:**

*Strategy Implications*

The Audit and Risk Committee provides advice to ensure that Council operates openly, transparently and responsibly.

*Communication*

The provision and circulation of the minutes to Council provides reassurance and awareness as a communication loop back to Council as part of good governance practices.

*Financial Implications*

The Audit and Risk Committee is managed through existing budget provisions. Recommendations and actions arising from the meeting are considered by management within the constraints of budget requirements.

*Risk Analysis*

The Audit and Risk Committee provides advice into the management of risk in the organisation.

*Legal and Compliance*

A number of reports tabled at each meeting of the Audit and Risk Committee relate to legal or compliance related matters. In addition, a report is tabled for the committee to consider any reports that have been published by the Victorian Ombudsman, Victorian Auditor-Generals Office, Inspectorate or the Independent Broad-based Anti-corruption Commission to ensure that practices within Council are compliant with current expectations of the public sector.

*Community Implications*

There are no known community implications.

*Environmental Implications*

There are no known environmental implications.

*Consultation*

There is no engagement required as part of this process.

*Other*



There are no other known issues identified.

**Declaration of Interests:**

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*.

**Supporting Documents:**

**Attachments**

- 1 [↓](#)  15 December 2020 meeting minutes
- 2 [↓](#)  17 September 2020 meeting minutes



## **13.3**

### **Presentation of the Audit and Risk Committee Minutes - 15 December 2020**

<b>1</b>	<b>15 December 2020 meeting minutes .....</b>	<b>73</b>
<b>2</b>	<b>17 September 2020 meeting minutes .....</b>	<b>85</b>



## Audit and Risk Committee Meeting Minutes - 15 December 2020

*I hereby designate that all matters in these minutes and any discussion about or arising from any such matters will remain confidential until:*

- *Council passes a resolution that the information is not confidential; or,*
- *a report on the matter has been released in a subsequent meeting agenda, minute's paper or is approved in writing by the Chief Executive Officer.*

*Gail Gatt, Acting Chief Executive Officer*

*15 December 2020*

### Held via Audio-Visual link

Meeting commenced at 10.09AM

#### Attendance

##### Members:

- Bev Excell (Chair)
- Joanne Booth
- Terry Richards
- Cr Melissa Ferguson
- Cr Sharon Gibson (Mayor) until 10:35am

##### In Attendance:

- Greg Drumm (General Manager Organisational Performance)
- Gail Gatt (Acting Chief Executive Officer)
- Suzanne Miller (General Manager Community Health and Wellbeing)
- Matthew Rogers (Manager Financial Performance)
- Mark Holloway (HLB Mann Judd) until 01:07pm
- Kapil Kukreja (HLB Mann Judd) until 01:07pm
- Hanna Steevens (Manager Governance)
- Nathan Frith (Compliance Officer)
- Louise Van Der Velden (Senior Compliance Officer) for part of the meeting
- Andrew Styles (Coordinator Risk) for part of the meeting

#### IN CAMERA MEETING

THERE WAS NO IN CAMERA MEETING.



## Audit and Risk Committee Meeting Minutes - 15 December 2020

### 1. OPENING AND WELCOME

The Chairperson opened the meeting and welcomed all present. As there were new members, the external committee members gave an introductions to themselves.

### 2. APOLOGIES

Justin Brook, Larry Sengstock and Steven Piasente gave their apologies prior to the meeting.

### 3. DECLARATIONS OF INTEREST

Nil.

### 4. PROBITY QUESTIONS

The Audit and Risk Committee Chair asked if the acting CEO was aware of any legislative non-compliance issues, any fraud incidents that have occurred or if there were any strategic risks been triggered since the last Audit and Risk Committee meeting.

The acting CEO responded no.

The Audit and Risk Committee Chair asked the Councillors:

- a. If there was any matter arising from the Council meetings that needed to be brought to the attention of the Committee
- b. If there was any feedback or direction required from Council relating to the Audit Committee members.

The Councillors identified an issue with compliance of grant agreement and acquittal processes. It was noted that Cr Ferguson has connections with organisations that apply for Council grants however this was a general conversation about process and a conflict declaration not required.

The Committee discussed options of an internal review or conducting an internal audit to understand the process and shortcomings. This matter was discussed further in Section 9 – Internal Audit.

The Audit and Risk Committee Chair then asked the auditor representatives if they were satisfied that their work had not been impeded.

The auditor representatives responded no.

### 5. CONFIRMATION OF MINUTES

#### RECOMMENDATION

That the minutes of the Audit and Risk Committee meeting held on 17 September



## Audit and Risk Committee Meeting Minutes - 15 December 2020

2020 be confirmed and ratified as true and correct.

### OUTCOME/ACTIONS ARISING:

1. Nil.

### 6. ITEMS REFERRED BY THE COMMITTEE TO THIS MEETING FOR CONSIDERATION

There are no Items Referred by the Committee to this Meeting for Consideration reports tabled for this meeting.

### 7. STATUS OF ACTIONS ARISING

#### 7.1 Status of Actions Arising

#### RECOMMENDATION

That the Audit and Risk Committee receives and notes the Status of Actions Arising Report.

#### OUTCOME/ACTIONS ARISING:

1. Governance Manager to arrange for Acknowledgement of Country to be included in Agendas going forward.
2. Manager Governance and Bev Excell to discuss and implement a process for external committee members to voluntarily complete a personal interest declaration under the *Local Government Act 2020*.
3. Governance Manager to circulate the complete actions arising table from the agenda by 16 December 2020.

#### NOTES

1. New councillor representatives were welcomed to contact Bev Excell for a further introduction to the Committee as required.
2. Council officers will arrange for Council to make an appointment of an additional councillor representative in early 2021.

### 8. EXTERNAL AUDIT

There are no External Audit reports tabled for this meeting.



## Audit and Risk Committee Meeting Minutes - 15 December 2020

### 9. INTERNAL AUDIT

#### 9.1 Review of Developer Contributions Framework and Processes Audit

##### RECOMMENDATION

That the Audit and Risk Committee receives and notes the findings and management responses contained in the Review of Developer Contributions Framework and Processes audit report.

##### OUTCOME/ACTIONS ARISING:

1. GMRCGI to reconsider management comment to recommendation 2. The manual is not for FYI. Updated comment to be included when entered into Cycle.

#### 9.2 Review of Project Management/Governance (Capital Projects) Audit

##### RECOMMENDATION

That the Audit and Risk Committee receives and notes the findings and management responses contained in the Project Management/Governance (Capital Projects) audit report.

##### OUTCOME/ACTIONS ARISING:

1. GMAP to reconsider management comment and timeline to recommendation 8. Updated comment and timeline to be included when entered into Cycle.
2. GMAP to reconsider management comment to recommendation 10, this requires an action. Updated comment to be included when entered into Cycle.

##### NOTE

1. Bev Excell and Mark Holloway to meet offline to discuss attachments to this report.

#### 9.3 Three Year Internal Audit Plan

##### RECOMMENDATION

That the Audit and Risk Committee approves the three year internal audit plan.

##### OUTCOME/ACTIONS ARISING:

1. Manager Governance to circulate three year audit plan to Senior Leaders and specific affected officers early in 2021 for awareness of the program for the year.



## Audit and Risk Committee Meeting Minutes - 15 December 2020

2. HLB Mann Judd to review scopes for cash handling audits to ensure there are methods in place to transfer learnings from audited sites across the organisation and these can be communicated to management.
3. HLB Mann Judd to discuss workloads for specific areas with management where areas are subject to multiple audits in any given year (eg financial services and information technology).
4. HLB Mann Judd and management to ensure that the hours dedicated to COVID-19 response is commensurate to the value to the organisation.
5. Management to consider grant agreement and acquittal processes and preferred option to review this at council. Management to liaise with HLB Mann Judd should it be determined to include in the audit program. An update on this matter to be provided at the March 2021 meeting.

### 9.4 Review of Internal Auditors Performance

#### RECOMMENDATION

That the Audit and Risk Committee recommends to council extension of the internal audit contract for one year.

#### OUTCOME/ACTIONS ARISING:

1. Nil.

#### NOTE

This item was discussed at the end of the meeting after the Internal Auditor had left the meeting.

### 9.5 Internal Audit Status Report

#### RECOMMENDATION

That the Audit and Risk Committee receives and notes the Internal Audit Plan Status report.

#### OUTCOME/ACTIONS ARISING:

1. Nil.

#### NOTE

1. HLB Mann Judd recognised the team effort in adapting to the challenges in 2020 and ensuring the program returned to schedule.



## Audit and Risk Committee Meeting Minutes - 15 December 2020

### 9.6 Presentation of Internal Audit Scopes/Plans for Endorsement

#### RECOMMENDATION

That the Audit and Risk Committee endorses the following scopes/plans:

- **Review of Workforce Development and Succession Planning (with inclusion of adequate consideration to casual and volunteer staff as well as workforce flexibility).**

#### OUTCOME/ACTIONS ARISING:

1. HLB Mann Judd and Management to review and finalise scope for Response to COVID-19 Pandemic (BCP effectiveness and lessons learnt) and bring this scope back to the March meeting or endorse out of session as needed.
2. HLB Mann Judd to consider inclusion of communication with external stakeholders in Response to COVID-19 Pandemic (BCP effectiveness and lessons learnt) scope.

## 10. MONITORING

### 10.1 VAGO, Ombudsman and IBAC Reports

#### RECOMMENDATION

That the Audit and Risk Committee:

- a) receives and notes this report into VAGO, Victorian Ombudsman, IBAC, Inspectorate and other reports; and
- b) notes detailed review of relevant reports will be included in the work plan for 2021.

#### OUTCOME/ACTIONS ARISING:

1. GMCHWB to prepare a paper at March 2021 on *Gender Equality Act* and actions Council is intending to take in response.

### 10.2 Review and Update of Conflict of Interest

#### RECOMMENDATION

That the Audit and Risk Committee receive and note this report.

#### OUTCOME/ACTIONS ARISING:

1. Manager Governance to ensure that conflict of interest reporting is included on workplan for 2021.



## Audit and Risk Committee Meeting Minutes - 15 December 2020

### 10.3 Response to VAGO: Managing Development Contributions report

**RECOMMENDATION**

That the Audit and Risk Committee notes the report.

**OUTCOME/ACTIONS ARISING:**

1. Nil.

### 10.4 Update on CCTV and Response to VAGO: Security and Privacy of Surveillance Technologies in Public Places

**RECOMMENDATION**

That the Audit and Risk Committee notes the report.

**OUTCOME/ACTIONS ARISING:**

1. Nil.

### 10.5 Internal Audit Recommendations Status Report

**RECOMMENDATION**

That the Audit and Risk Committee receive and notes this report and approves the extensions to audit action due dates as set out in this report.

**OUTCOME/ACTIONS ARISING:**

1. Governance to ensure expectations of addressing older audit actions are communicated and interim measures are considered where meaningful progress is not made. Use of executive team as an escalation measure to also be considered.
2. Progress report on each action and mitigation strategies for medium and high risk actions is required at March 2021 meeting for each audit action over two years old.

### 10.6 Policy Register Update

**RECOMMENDATION**

That the Audit and Risk Committee receive and note this report.





## Audit and Risk Committee Meeting Minutes - 15 December 2020

### OUTCOME/ACTIONS ARISING:

1. Compliance Officer to list policies by department and ensure that future reports are focussed on overdue policies and prioritising these based on a risk assessment.
2. Compliance officer to check dates and quality of data.
3. Compliance Officer to ensure future paper sets out policy management processes.

### 10.7 Annual report into the Provision of Resources and Support to Councillors Policy

#### RECOMMENDATION

That the Audit and Risk Committee receive and note this paper.

#### OUTCOME/ACTIONS ARISING:

1. Governance Manager to review Cr Law's data and ensure accurate (also review Annual Report and website).

## 11. PERFORMANCE REPORTING

### 11.1 Quarter 1 2020/21 People and Workcover Reports

#### RECOMMENDATION

That the Audit and Risk Committee note the Quarterly People and WorkCover Reports for Q1 of the 2020/21 financial year.

#### OUTCOME/ACTIONS ARISING:

1. Nil.

### 11.2 Quarter 1 2020/21 Performance Report Summary

#### RECOMMENDATION

That the Audit and Risk Committee note the Quarterly Performance Summary Reports for Q1 2020-21.

#### OUTCOME/ACTIONS ARISING:

1. Nil.



## Audit and Risk Committee Meeting Minutes - 15 December 2020

### 12. FINANCE

#### 12.1 Quarterly Finance Report - September 2020

##### RECOMMENDATION

That the Audit and Risk Committee receives and notes the Quarterly Finance Report for the period ended 30 September 2020, prepared in accordance with the requirements of the Local Government Act 2020.

##### OUTCOME/ACTIONS ARISING:

1. Nil.

### 13. RISK

#### 13.1 Quarterly Risk Management Update

##### RECOMMENDATION

That the Audit and Risk Committee notes and receives the Risk Management Quarterly Report.

##### OUTCOME/ACTIONS ARISING:

1. Coordinator Risk to ensure that there is a paragraph in future reports that capture emerging or heightened risks and discussion of what has changed and how it is monitored and controlled.
2. Coordinator Risk to ensure that the strategic risk register is not a static document. Seek to employ methods for Council to own risk management internally as a tool to inform and be embedded in decision making. This work will feed into the future reporting under the new charter in relation to reviewing changing risks from meeting to meeting.
3. Coordinator Risk to review Risk Management Audit from 2019 and ensure recommendations are still being implemented and acted upon.
4. Coordinator Risk to review of Department of Treasury and Finance Risk Management Framework and look for learnings and methods for Council to employ including how Council evidences and assures the Committee what they are doing in this space.

#### 13.2 Risk Actions: Update on Embedding Risk and Strategic Risks

##### RECOMMENDATION

That the Audit and Risk Committee receive and note this report.



## Audit and Risk Committee Meeting Minutes - 15 December 2020

### OUTCOME/ACTIONS ARISING:

1. Nil.

### 13.3 Public Interest Disclosure Procedure Review

#### RECOMMENDATION

That the Audit and Risk Committee endorse the adoption of the reviewed policy (subject to edits below) by the Public Interest Disclosures Coordinator.

#### OUTCOME/ACTIONS ARISING:

1. Manager Governance to:
  - ensure use of employees, staff public language is consistent.
  - Ensure where complaints are received orally (page 5) confirm with the discloser where possible.
  - Page 20 include works 'treated as innocent'.

### 14. REPORTING REQUIREMENTS

#### 14.1 Self Assessment Survey Results 2020

#### RECOMMENDATION

That the Audit and Risk Committee:

1. Receives and notes the self-assessment undertaken; and
2. Uses this self-assessment to inform the annual report by the Chairperson to Latrobe City Council.

#### OUTCOME/ACTIONS ARISING:

1. Nil.

### 15. GENERAL BUSINESS

#### 15.1 Review and Confirmation of Meeting dates for 2021

#### RECOMMENDATION

That the Audit and Risk Committee confirm their meeting dates for 2021 as follows:

1. Thursday 04 March 2021



## Audit and Risk Committee Meeting Minutes - 15 December 2020

2. Thursday 03 June 2021
3. Thursday 02 September 2021
4. Thursday 02 December 2021

### OUTCOME/ACTIONS ARISING:

1. Nil.

### 15.2 Council Election Results

#### RECOMMENDATION

That the Audit and Risk Committee receive and note this report.

#### OUTCOME/ACTIONS ARISING:

1. Nil.

### 15.3 VAGO Audit Sexual Harassment Audit

#### RECOMMENDATION

That the Audit and Risk Committee receive and note this report.

#### OUTCOME/ACTIONS ARISING:

1. Actions to be included with action officers and dates through the Sycle audit tracker.

### 15.4 Review of Work Plan for 2021

#### RECOMMENDATION

That the Audit and Risk Committee confirm their indicative work plan with the change in order as below (as attached).

#### OUTCOME/ACTIONS ARISING:

1. Move forward the Risk section until after Internal Audit.
2. Bev Excell and Manager Governance to discuss preparations for the annual report to Council and ensure that the draft report is circulated to Committee members for review.

#### NOTE

1. The committee thanked the persistence of attendees given the technology



## Audit and Risk Committee Meeting Minutes - 15 December 2020

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issues of this meeting.

### **Next Meeting Date**

The next Audit and Risk Committee meeting is to be held on 04 March 2021.

**Meeting Closed at 1:15pm.**



## Audit and Risk Committee Meeting Minutes - 17 September 2020

*I hereby designate that all matters in this agenda whether listed as 'Confidential' or 'Not Confidential' and any discussion about or arising from any such matters will remain confidential until:*

- *Council passes a resolution that the information is not confidential; or,*
- *In the case of matters listed as 'Not Confidential', a report on the matter has been released in a subsequent meeting agenda, minute's paper or is approved in writing by the Chief Executive Officer.*

*Steven Piasente, Chief Executive Officer*

### To be held via Audio-Visual Link 141 Commercial Road, Morwell

Meeting commenced at 10.00 am

#### Attendance

##### Members:

- Bev Excell (Chair)
- Joanne Booth
- Terry Richards
- Cr Darrell White OAM
- Cr Alan McFarlane

##### In Attendance:

- Steve Piasente (CEO) (10.44 am)
- Greg Drumm (General Manager Organisational Performance)
- Larry Sengstock (General Manager Assets and Presentation)
- Gail Gatt (General Manager Regional City Growth and Investment)
- Suzanne Miller (General Manager Community Health and Wellbeing)
- Matthew Rogers (Manager Financial Performance)
- Justin Brook (DMG Financial)
- Mark Holloway (HLB Mann Judd)
- Kapil Kukreja (HLB Mann Judd)
- Louise Mckendry (Governance Officer)

##### Teleconference: Nil



## Audit and Risk Committee Meeting Minutes - 17 September 2020

### IN CAMERA MEETING

THE AUDIT AND RISK COMMITTEE MET IN CAMERA, AND AT TIMES CONSULTED THE EXTERNAL AUDITOR FOR UPDATES ON VARIOUS MATTERS.

#### 1. OPENING AND WELCOME

The Chairperson opened the meeting and welcomed all present.

#### 2. APOLOGIES

Nil.

#### 3. DECLARATIONS OF INTEREST

Nil.

#### 4. PROBITY QUESTIONS

The Audit and Risk Committee Chair asked if the CEO was aware of any legislative non-compliance issues, any fraud incidents that have occurred or if there were any strategic risks been triggered since the last Audit and Risk Committee meeting.

In the absence of the CEO, the General Manager Organisational Performance responded no.

The Audit and Risk Committee Chair asked the Councillors:

- a. If there was any matter arising from the Council meetings that needed to be brought to the attention of the Committee
- b. If there was any feedback or direction required from Council relating to the Audit Committee members.

The Councillors responded no.

The Audit and Risk Committee Chair then asked the auditor representatives if they were satisfied that their work had not been impeded.

The auditor representatives responded no.



## Audit and Risk Committee Meeting Minutes - 17 September 2020

### 5. CONFIRMATION OF MINUTES

#### RECOMMENDATION

That the minutes of the Audit and Risk Committee meeting held on 4 June 2020 be confirmed and ratified as true and correct.

#### OUTCOME/ACTIONS ARISING:

1. Nil

### 6. ITEMS REFERRED BY THE COMMITTEE TO THIS MEETING FOR CONSIDERATION

#### 6.1 COVID-19 Response Update

#### RECOMMENDATION

That the Audit and Risk Committee receive and note this report.

#### OUTCOME/ACTIONS ARISING:

1. Page 14 on the agenda – The business continuity plan needs to be amended to state “plan has been activated”

### 7. STATUS OF ACTIONS ARISING

#### 7.1 Landfill Operation Audit - Action Progress

#### RECOMMENDATION

That the Audit and Risk Committee note this report.

#### OUTCOME/ACTIONS ARISING:

1. Future Land Fill reports to reconsider the title of the report.
2. Landfill Audit to be finalised on Action Register.





## Audit and Risk Committee Meeting Minutes - 17 September 2020

### 7.2 Status of Actions Arising Report

#### RECOMMENDATION

That the Audit and Risk Committee receives and notes the Status of Actions Arising Report.

#### OUTCOME/ACTIONS ARISING:

1. A number of items were due at this meeting, status and updates to be completed.
2. Officers are to reduce the size of this Actions Arising List, with a focus on closing items.

## 8. EXTERNAL AUDIT

### 8.1 External Auditor Closing Report

#### RECOMMENDATION

That the Audit and Risk Committee receive and note the closing report from DMG Financial.

#### OUTCOME/ACTIONS ARISING:

1. Spelling errors to be amended.
2. Performance Statement – finding around data calculations to be included in audit tracking.

## 9. INTERNAL AUDIT

### 9.1 Presentation of Audit: Follow Up Review

#### RECOMMENDATION

That the Audit and Risk Committee receives and notes the findings and management responses contained in the Follow Up of Agreed Actions audit report.

#### OUTCOME/ACTIONS ARISING:

1. All actions will be completed by 31 October 2020.



## Audit and Risk Committee Meeting Minutes - 17 September 2020

### 9.2 Presentation of Audit: Review of Asset Management

#### **RECOMMENDATION**

That the Audit and Risk Committee receives and notes the findings and management responses contained in the Review of Asset Management audit report.

#### **OUTCOME/ACTIONS ARISING:**

1. Update the process to say "update the system renewal" and add timeframe.
2. Further report to be presented at the December meeting. It was noted that a number of actions have long lead time, Management to consider the barriers to bring forward actions, update timeframes if appropriate and report back to the December meeting.

### 9.3 Presentation of Audit: HR System and Management

#### **RECOMMENDATION**

That the Audit and Risk Committee receives and notes the findings and management responses contained in the Review of HR System and Management audit report.

#### **OUTCOME/ACTIONS ARISING:**

1. It was noted that there were some alignment issues with the Spreadsheet used to produce the report.



## Audit and Risk Committee Meeting Minutes - 17 September 2020

### 9.4 Presentation of Audit: Review of Privacy and the Management of Personal Information

#### RECOMMENDATION

That the Audit and Risk Committee receives and notes the findings and management responses contained in the Review of Privacy and Management of Personal Information audit report.

#### OUTCOME/ACTIONS ARISING:

1. It was noted that the Senior Compliance Officer is to be responsible for Privacy.
2. Data Security – the committee queried whether non-compliance should have had a greater focus.

### 9.5 Internal Audit Status Report

#### RECOMMENDATION

That the Audit and Risk Committee receives and notes the Internal Audit Plan Status report.

#### OUTCOME/ACTIONS ARISING:

1. Project Status dates to be added:
  - Planning
  - Field Work
  - Report to Management
  - Report to Audit & Risk Committee.
2. Financial Planning dates to be determined.
3. 3 Year plan to be reviewed at December meeting.



## Audit and Risk Committee Meeting Minutes - 17 September 2020

### 10. MONITORING

#### 10.1 VAGO, Ombudsman and IBAC Reports

**RECOMMENDATION**

That the Audit and Risk Committee:

- a) receives and notes this report into VAGO, Victorian Ombudsman, IBAC, Inspectorate and other reports; and
- b) notes review of relevant reports will be included in the work plan for 2020-2021.

**OUTCOME/ACTIONS ARISING:**

1. Format of Report – Works well, where there is an action for management these are to be put into the audit tracker.

#### 10.2 Response to Integrity Body Conflict of Interest, Improper Conduct and Resource Management Reports

**RECOMMENDATION**

That the Audit and Risk Committee notes the report.

**OUTCOME/ACTIONS ARISING:**

1. Format of Report – Works well, where there is an action for management these are to be put into the audit tracker.
2. Mine rehabilitation report to come back to Audit Committee.
3. Conflict of Interest – Further report to be provided to the committee.
4. Page 209 – 4.5 in the table sale of plant and equipment, “Partially Compliant” use the wording “no further action” not “nil”



## Audit and Risk Committee Meeting Minutes - 17 September 2020

### 10.3 Gifts, Benefits and Hospitality Compliance

**RECOMMENDATION**

That the Audit and Risk Committee receives and notes this report into the Gift Register Review for the period of 01 January 2020 to 30 June 2020.

**OUTCOME/ACTIONS ARISING:**

1. Update the attachment from draft to the adopted Policy.
2. Gifts accepted by Council need to have a benefit to Council and a reason why they are a benefit to Council, Governance Officer to update Gift form.

### 10.4 Local Government Act 2020 Governance Transition

**RECOMMENDATION**

That the Audit and Risk Committee receives and notes the report.

**OUTCOME/ACTIONS ARISING:**

1. Nil

### 10.5 Monitoring Corruption Controls during COVID-19

**RECOMMENDATION**

That the Audit and Risk Committee receive and note this report.

**OUTCOME/ACTIONS ARISING:**

1. Remove the term partially compliant from reports, suggested wording "accept the residual risk, no further action required".



## Audit and Risk Committee Meeting Minutes - 17 September 2020

### 10.6 Internal Audit Recommendations Status Report

#### RECOMMENDATION

That the Audit and Risk Committee receive and notes this report.

#### OUTCOME/ACTIONS ARISING:

1. Summary Table at the front of the report to have new actions and closed out actions included so committee can see the movement of actions.
2. FN0101 – this has been open for 5 years and responsible officer to be added, update to be provided at December meeting, is this action superseded?
3. Management to review older Status actions and tell committee how many they have removed. Make comment no longer relevant.

### 11. PERFORMANCE REPORTING

#### 11.1 Quarter 4 2019/20 People and Workcover Reports

#### RECOMMENDATION

That the Audit and Risk Committee note the Quarterly People and WorkCover Reports for Q4 of the 2019/20 financial year.

#### OUTCOME/ACTIONS ARISING:

1. Nil

#### 11.2 Quarter 4 2019/20 Performance Report Summary

#### RECOMMENDATION

That the Audit and Risk Committee note the Quarterly Performance Summary Reports for Q4 2019-20.

#### OUTCOME/ACTIONS ARISING:

1. Nil



## Audit and Risk Committee Meeting Minutes - 17 September 2020

### 12. FINANCE

#### 12.1 Infrastructure Asset Revaluations 30 June 2020

##### RECOMMENDATION

That the Audit and Risk Committee note and endorse this report.

##### OUTCOME/ACTIONS ARISING:

1. Item 5.7 should be 5.8
2. Statement of Capital Works – note to be included to explain what the increase in funds used has been for.
3. Defined Benefits - check the notes on 9.3 of the annual report.

#### 12.2 Draft Financial Report & Performance Statement for the year ended 30 June 2020

##### RECOMMENDATION

That the Audit and Risk Committee having reviewed the Financial Report and Performance Statement for the year ending 30 June 2020, considers both documents to be complete, consistent with known information, reflective of appropriate accounting principles and recommends their signing by Cr White & Cr McFarlane.

##### OUTCOME/ACTIONS ARISING:

1. Underlying results – Finance to add a comment to the forecast.
2. Statement of Capital; works – Insert note in relation to annual building expenditure increase
3. Expenditure - Finance to add a comment to the forecast.
4. To be signed by Cr White & Cr McFarlane
5. The Chair thanked the Financial Management Team for their work on this report.
6. Manager Financial Performance also thanked DGM Financial for their assistance with this report and performance review.



## Audit and Risk Committee Meeting Minutes - 17 September 2020

### 13. RISK

#### 13.1 Quarterly Risk Management Report

##### RECOMMENDATION

That the Audit and Risk Committee notes and receives the Risk Management Quarterly Report from the Risk team

##### OUTCOME/ACTIONS ARISING:

1. Summary report to be provided at the December meeting.
2. Review of the current strategic risks to be provided at the December meeting.
3. Information to be provided on how Council is embedding risk and steps that Council is taking to manage this.
4. Risk Registers to be sent electronically to the Audit Committee before next meeting.

### 14. REPORTING REQUIREMENTS

There are no Reporting Requirements reports tabled for this meeting.

### 15. GENERAL BUSINESS

#### 15.1 Audit and Risk Committee - new Charter and requirements under Local Government Act 2020

##### RECOMMENDATION

That the Audit and Risk Committee receives and notes the report.

##### OUTCOME/ACTIONS ARISING:

1. Review of the Obligations Register to be conducted before December meeting.
2. GM Corporate Information to meet with Chair to discuss Compliance with Policies, Procedures and Governance rules before December meeting.

##### Next Meeting Date

The next Audit and Risk Committee meeting is to be held on Thursday 10 December 2020.

**Meeting Closed at 1.16 pm.**



**Agenda Item: 13.4**

**Agenda Item: Councillor Code of Conduct**

**Sponsor: Chief Executive Office**

**Council Plan Objective: Ensure Council operates openly, transparently and responsibly.**

**Status: For Decision**

**MOTION**

**Moved: Cr Lund**

**Seconded: Cr Howe**

**That Council:**

- 1. Adopts the Councillor Code of Conduct with an effective date of 09 February 2021;**
- 2. Notes that with the adoption of this Code, any previous version is now revoked;**
- 3. Requests a copy of the final formatted Code be provided to all Councillors; and**
- 4. Makes this Code available on Council's website and available for inspection at all Council Service Centres.**

**CARRIED UNANIMOUSLY**

**Executive Summary:**

Section 139 of the *Local Government Act 2020* (the 2020 Act) requires Council to review and adopt its Councillor Code of Conduct (the Code) within 4 months of a general election.

With various provisions of the 2020 Act commencing over time, the Code was updated last year prior to the general election to reflect the incoming provisions around confidentiality.

Officers have now made further proposed amendments to the Code for compliance with the 2020 Act or to reflect the terminology and definitions that Act uses along with a series of new introductions to strengthen the Code

Changes in relation to the 2020 Act are as follows:

- Replacement of the Councillor Conduct Principles from the *Local Government Act 1989* (the 1989 Act) with the Councillor Standards of Conduct prescribed by the *Local Government (Governance and Integrity) Regulations 2020*;
- Definitional clarification around directing or seeking to direct Council staff (formerly section 76E of the 1989 Act, now section 124 of the 2020 Act);
- Replacement of requirements for performing the role of Councillor set out at section 65(2) of the 1989 Act with the requirements set out at section 28(2) of the 2020 Act;
- Reference to the empowerment of the Chief Executive Officer under section 46 of the 2020 Act to implement policies, practices and protocols for managing interactions between Councillors and Council officers; and
- Replacement of the internal resolution procedure under the 1989 Act to deal with alleged contravention of the Code, with the internal arbitration process required by the 2020 Act.

Further changes introduced to strengthen the Code are as follows:

- Addition of statements to encourage best practice decision making, including reference to the Governance Rules and evidence based decisions.
- Strengthening existing content to ensure Councillors are committed to appropriate use of resources and media.
- Inclusion of sections to reflect commitments to:
  - Gifts, benefits and hospitality;
  - Reporting fraud and corruption;
  - Significant and/or intimate relationships;
  - Meeting planning permit applicants;
  - Political activity;
  - Human rights and equal opportunity;
  - Sexual harassment;
  - Bullying, vilification and victimisation;
  - Occupational health and safety;
  - Fitness to carry out duty;
  - Interacting with children; and
  - Commitment to best practice.

The changes to strengthen the Code have been identified for inclusion based on review of other Codes made within Victoria since the new 2020 Act provisions commenced.

All changes are set out in the proposed Code at Attachment 1.

**Background:**

With the commencement of section 139 of the *Local Government Act 2020* (the 2020 Act) Council is required to review and adopt a Councillor Code of Conduct (the Code), within 4 months of the general election. The current Councillor Code of Conduct adopted before the general election remains in force until such time as an updated Code is adopted.

The Act states the Code of Conduct (section 139(3)):

- (a) must include the standards of conduct prescribed by the regulations expected to be observed by Councillors; and
- (b) must include any provisions prescribed by the regulations for the purpose of this section; and
- (c) must include provisions addressing any matters prescribed by the regulations for the purpose of this section; and
- (d) may include any other matters which the Council considers appropriate, other than any other standards of conduct.

There are currently no regulations on the required contents of the Code other than the prescribed standards of conduct.

The current Code was last updated in 2020 to take important definitional changes to confidential information into account.

Officers have now prepared a draft Code incorporating changes occasioned by commencement of further provisions of the 2020 Act along with additional changes to strengthen the Code.

Changes in relation to the 2020 Act are as follows:

- Replacement of the Councillor Conduct Principles from the *Local Government Act 1989* (the 1989 Act) with the Councillor Standards of Conduct prescribed by the *Local Government (Governance and Integrity) Regulations 2020*;
- Definitional clarification around directing or seeking to direct Council staff (formerly section 76E of the 1989 Act, now section 124 of the 2020 Act);
- Replacement of requirements for performing the role of Councillor set out at section 65(2) of the 1989 Act with the requirements set out at section 28(2) of the 2020 Act;

- Reference to the empowerment of the Chief Executive Officer under section 46 of the 2020 Act to implement policies, practices and protocols for managing interactions between Councillors and Council officers; and
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  - Human rights and equal opportunity;
  - Sexual harassment;
  - Bullying, vilification and victimisation;
  - Occupational health and safety;
  - Fitness to carry out duty;
  - Interacting with children; and
  - Commitment to best practice.

Some minor administrative changes have also been made.

Officers wish to bring to the attention of Councillors that although repeated contravention of the Councillor conduct principles under the 1989 Act would constitute misconduct, under the 2020 Act misconduct is any breach of the prescribed Councillor Standards of Conduct. There does not need to be multiple repeated breaches.

In relation to the replacement of the internal resolution procedure with the internal arbitration process, the main practical changes are:

- Applications can only be in relation to alleged misconduct (breach of the Councillor Standards of Conduct), not any alleged breach of the Code;
- Applications must be made within 3 months of the alleged misconduct;
- Applications are made to the Council Conduct Officer, who then forwards the matter to the external Principal Councillor Conduct Registrar. The Registrar then determines whether to accept the application. If an application is rejected, a further application can still be made on the same subject matter. This does not apply to withdrawn applications;
- The Registrar appoints an arbiter from the panel list of eligible persons under the 2020 Act, and the Council Conduct Officer will assist the arbiter in administration of the arbitration process;
- The arbiter can set binding sanctions as opposed to the previous limitation under the 1989 Act of making recommendations only;
- If the arbiter believes the conduct in question appears to involve serious misconduct, they must refer the matter to the Principal Councillor Conduct Registrar, who will then notify the parties that the matter will go to the Panel;
- While information provided to an arbiter is confidential information, the arbiter's decision and their statement of reasons must be tabled and recorded in open session at the next Council meeting following receipt, with any confidential information redacted from the copy tabled.

Direct negotiation and external mediation are still options under the Code prior to the internal arbitration process.

Councillors should also note that it is now only allegations of serious misconduct that can be submitted to the Councillor Conduct Panel. The Panel can still determine conduct to constitute misconduct, if it does not find that conduct to have constituted serious misconduct.

Under the 1989 Act, it was a requirement to hold a Special Council Meeting to adopt a revised Code after a general election. However under the 2020 Act this may be done at a scheduled meeting where Council is considering other matters. To be adopted, the Code must be passed by at least a two thirds majority of the total number of Councillors elected to the Council.

Councillors are also requested to make a written declaration stating that they will abide by the Code. The declaration is to be witnessed by the CEO. Whilst this is no longer a legislated requirement, retention of this practice is recommended to signal commitment to abide by the Code.

### **Issues:**

#### *Strategy Implications*

Adoption of the Code will achieve Objective 6 of the Council Plan - 'ensure Council operates openly, transparently and responsibly'.

*Communication*

The Code sets expected standards of Councillor behaviour and provides guidance in the event of any Councillor breach of the Code of Conduct. It is intended to increase public confidence in the administration of Council therefore will be made publicly available after adoption by Council.

*Financial Implications*

Nil.

*Risk Analysis*

<b>Identified risk</b>	<b>Risk likelihood*</b>	<b>Controls to manage risk</b>
<p><b>Reputational Risk</b></p> <p>Council suffers reputational damage by not having adopted the Code by 24 February 2021, being 4 months from the general election which is the date by which the Act states a reviewed Code must be in place.</p>	3	By adopting the Code at the 8 February 2021 meeting Council will be taking appropriate action.
<p><b>Legal/Regulatory Risk</b></p> <p>Council is not strictly compliant with the Act by not having adopted the Code by 24 February 2021, being 4 months from the general election which is the date by which the Act states a reviewed Code must be in place.</p>	3	By adopting the Code at the 8 February 2021 meeting Council will be taking appropriate action.

\* Inherent likelihood ratings: 1 (Rare); 2 (Unlikely); 3 (Possible); 4 (Likely); 5 (Almost Certain)

*Legal and Compliance*

Council is required by section 139 of the *Local Government Act 2020* to review and adopt the Councillor Code of Conduct within 4 months of a general election. Section 139 also sets out mandatory inclusions for the Code.

*Community Implications*

A clear and consistent Councillor Code of Conduct will assist in providing a strong governance framework, which in turn promotes the trust of the municipal community.

*Environmental Implications*

Nil.

*Consultation*

There are no consultation requirements with Council officers or the public.

*Other*

Nil.

**Declaration of Interests:**

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*.

**Supporting Documents:**

*Local Government Act 2020*

*Local Government Act 1989*

**Attachments**

1 [↓](#).  Draft Councillor Code of Conduct

# **13.4**

## **Councillor Code of Conduct**

<b>1</b>	<b>Draft Councillor Code of Conduct.....</b>	<b>104</b>
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## Councillor Code of Conduct

Version:

Approval Date:

Review Date:

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## Latrobe City Council – Councillor Code of Conduct

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## Latrobe City Council – Councillor Code of Conduct

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### 1. Introduction

As Councillors, we are committed to working in the best interests of the people within our municipality and to discharging our responsibilities to the best of our skill and judgment.

### 2. Purpose of the Councillor Code Of Conduct

- 2.1. Councils are required to perform the functions and exercise the powers conferred by or under the *Local Government Act 2020 (the Act)*, the remaining provisions of the *Local Government Act 1989*, and any other legislation for the peace, order and good government of their municipal districts. Good governance is fundamental to a Council being able to perform its functions. Good governance relies on good working relations between Councillors.
- 2.2. The purpose of this Code is to:
  - 2.2.1. set out the standards of conduct expected of Councillors;
  - 2.2.2. endeavour to foster good working relations between Councillors to enable Councillors to work constructively together in the best interests of the local community; and
  - 2.2.3. mandate councillor conduct so as to build public confidence in the integrity of local government.

### 3. Councillor Standards of Conduct

As Councillors, we agree to comply with the Councillor Standards of Conduct specified in Schedule 1 of the *Local Government (Governance and Integrity) Regulations 2020*.

In performing our role as Councillors:

- 3.1. We will treat other Councillors, members of Council staff, the municipal community and members of the public with dignity, fairness, objectivity, courtesy and respect, including by ensuring that we:
  - 3.1.1. take positive action to eliminate discrimination, sexual harassment and victimisation in accordance with the *Equal Opportunity Act 2010*; and
  - 3.1.2. support the Council in fulfilling its obligation to achieve and promote gender equality; and
  - 3.1.3. do not engage in abusive, obscene or threatening behaviour in our dealings with members of the public, Council staff and Councillors; and
  - 3.1.4. in considering the diversity of interests and needs of the municipal community, treat all persons with respect and have due regard for their opinions, beliefs, rights and responsibilities.

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## **Latrobe City Council – Councillor Code of Conduct**

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- 3.2. We will do everything reasonably necessary to ensure that we perform our role effectively and responsibly, including by ensuring that we:
- 3.2.1. undertake any training or professional development activities the Council decides is necessary for all Councillors to undertake in order to effectively perform the role of a Councillor; and
  - 3.2.2. diligently use Council processes to become informed about matters which are subject to Council decisions; and
  - 3.2.3. are fit to conscientiously perform the role of a Councillor when acting in that capacity or purporting to act in that capacity; and
  - 3.2.4. represent the interests of the municipal community in performing the role of a Councillor by considering and being responsive to the diversity of interests and needs of the municipal community.
- 3.3. We will, to ensure the good governance of the Council, diligently and properly comply with the following:
- 3.3.1. any policy, practice or protocol developed and implemented by the Chief Executive Officer in accordance with section 46 of the Act for managing interactions between members of Council staff and Councillors;
  - 3.3.2. the Council expenses policy adopted and maintained by the Council under section 41 of the Act;
  - 3.3.3. the Governance Rules developed, adopted and kept in force by the Council under section 60 of the Act;
  - 3.3.4. any directions of the Minister issued under section 175 of the Act.
- 3.4. We will:
- 3.4.1. ensure that our behaviour does not bring discredit upon the Council;
  - 3.4.2. not deliberately mislead the Council or the public about any matter related to the performance of our public duties.

### **4. Council Decision Making**

- 4.1. We are committed to making all decisions impartially and in the best interests of the whole community and acknowledge that effective decision-making is vital to the democratic process and an essential component of good governance. The Governance Rules set out the procedures for decision making and we agree to adhere to them. Accordingly:
- 4.1.1. we will actively and openly participate in the decision-making process, striving to be informed to achieve evidence based decisions and the best outcome for the community;
  - 4.1.2. we will respect the views of the individual in the debate. However, we also accept that decisions are based on a majority vote; and

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## Latrobe City Council – Councillor Code of Conduct

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- 4.1.3. we accept that no Councillor can direct another Councillor on how to vote on any decision.

### 5. Confidential Information

- 5.1. We will comply with our obligations in relation to confidential information under section 125 of the *Local Government Act 2020* and recognise that this obligation extends to ensuring the safekeeping of confidential information.
- 5.2. We will also not intentionally or recklessly disclose information that is defined as *confidential information* under this Code (even where such information is not considered to be confidential information under the *Local Government Act 2020*) and will ensure the safekeeping of such *confidential information*.
- 5.3. *Confidential Information* under this Code includes:
- 5.3.1. all discussions during a meeting of an advisory committee of the Council if at least one Councillor is present or a planned or scheduled meeting of at least half of the Councillors and one member of Council staff which considers matters that are or are intended to be the subject of a decision of Council or subject to the exercise of a function, duty or power of Council that has been delegated to a person or committee, including Councillor briefing sessions;
- 5.3.2. all discussions between Councillors if one or more Councillors designates the discussion to be confidential;
- 5.3.3. all correspondence between Councillors designated “confidential”; and
- 5.3.4. all information (which may include any document and discussion related thereto) that is designated as *confidential information* by the Chief Executive Officer.
- 5.4. We agree to maintain confidentiality in relation to any alleged contravention of this Code dealt with through the Internal Resolution Procedure outlined in the Appendix.
- 5.5. Information that is *confidential information* under the *Local Government Act 2020* or this Code will cease to be *confidential information* only when:
- 5.4.1 Council passes a resolution that the information is not confidential; or
- 5.4.2 the circumstances set out in s125(3) of the *Local Government Act 2020* apply or otherwise as permitted by law.

### 6. Access to and use of Council Information

- 6.1. We will treat Council information appropriately, by:

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## Latrobe City Council – Councillor Code of Conduct

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- 6.1.1. not using information gained by virtue of our position as a Councillor for any purpose other than to exercise our role as a Councillor;
  - 6.1.2. respecting the Council's policies in relation to public comments and communications with the media;
  - 6.1.3. not releasing information deemed *confidential information* in accordance with section 125 of the *Local Government Act 2020* or part 5 of this Code; and
  - 6.1.4. recognising the requirements of the *Privacy and Data Collection Act 2014* regarding the access, use and release of personal information.
- 6.2. We acknowledge that all requests made by Councillors for briefings from Council officers or access to information on Council files should be registered and reported. This obligation does not apply to requests for clarification / explanation of items on a forthcoming Council agenda.

### **7. Use of Council Resources**

- 7.1. Council resources are to be used effectively and economically by ensuring:
- 7.1.1. we maintain adequate security over Council property, facilities and resources provided to us;
  - 7.1.2. we do not use or make requests for Council resources or support for frivolous, vexatious or inappropriate purposes;
  - 7.1.3. we do not seek to intentionally direct or influence members of Council staff in the exercise of their duties;
  - 7.1.4. we do not use Council resources, including services of Council staff, for private purposes, unless legally or properly authorised to do so, and ensure payments are made where appropriate;
  - 7.1.5. we ensure that any claim for expenses that we may make are in accordance with all legislative obligations and Council policies; and
  - 7.1.6. we do not use public funds or resources in a manner that is improper or unauthorised.

### **8. Candidature of Councillors at State or Federal Elections**

- 8.1. As Councillors, we will comply with the following if intending on standing for a State or Federal election:
- 8.1.1. a Councillor who becomes an endorsed candidate of a registered political party or publicly expresses an intention to run as an independent candidate for a state or federal election (a Prospective Candidate), must provide written advice to the Chief Executive Officer, as soon as practicable, who must then advise all councillors;
  - 8.1.2. a Councillor who is a Prospective Candidate, must declare his/her intended candidacy at a meeting of the Council as soon as

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## Latrobe City Council – Councillor Code of Conduct

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practicable after notifying the Chief Executive Officer pursuant to 8.1.1;

- 8.1.3. a Councillor who nominates as a candidate for a State or Federal election (a Nominated Candidate), must apply for leave of absence from the Council and this leave of absence must commence no later than the date of their nomination as a candidate with the relevant electoral commission for the election (Nomination Date) and conclude no earlier than the close of voting for the election. During this period, a Councillor who is on a leave of absence must not attend meetings of the Council or otherwise act as a Councillor;
- 8.1.4. any Councillor / staff relationship protocol which the Council has in place in respect of the caretaker period prior to a Council election, must be observed by a Nominated Candidate and this must apply from their Nomination Date until the close of voting for the election;
- 8.1.5. Council, upon receiving an application for a leave of absence from a councillor who is a Nominated Candidate or who intends to become a Nominated Candidate, must not unreasonably refuse that application;
- 8.1.6. a Councillor who is a Prospective Candidate or a Nominated Candidate, must take care to differentiate between his/her role as a State or Federal election candidate and role as a Councillor when making public comment;
- 8.1.7. a Councillor who is a Prospective Candidate or a Nominated Candidate, must not use Council resources, including Council equipment and facilities in relation to his/her candidacy;
- 8.1.8. a Councillor who is a Prospective Candidate or a Nominated Candidate, must not use Council activities, including committee meetings and Council-related external activities in relation to his/her candidacy; and
- 8.1.9. a Councillor who is a Prospective Candidate or a Nominated Candidate, must not attend any Council meeting, even as a member of the gallery, whilst on a leave of absence.

### **9. Relationships with Staff**

- 9.1. As Councillors we will work as part of the Council team with the Chief Executive Officer and other members of staff. There should be mutual respect and understanding between Councillors and officers in relation to our respective roles, functions and responsibilities.
- 9.2. Our role is one of advocacy and leadership rather than management and administration. The Chief Executive Officer is responsible for all staff matters.

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## **Latrobe City Council – Councillor Code of Conduct**

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9.3. As Councillors, we are aware of the requirements of section 124 of the Act and must not seek to intentionally direct or seek to direct members of Council staff in the exercise of their duties. It is appropriate to notify either the relevant General Manager or Manager when specific issues or particular functions are required to be undertaken.

### **10. Communication and Media**

10.1. We will endeavour to ensure that the messages communicated through the media are clear and consistent, and positively portray the Council as a decisive and responsible governing body.

10.2. The Mayor will provide official comment to the media on behalf of Council.

10.3. The Mayor may nominate a Councillor to make official comment on behalf of the Council, where appropriate.

10.4. The Chief Executive Officer is the official spokesperson for all operational matters pertaining to Council as an organisation including:

10.4.1. staffing and structure of the organisation; and

10.4.2. corporate issues relating to service provision or the day-to-day business of Council.

10.5. The Chief Executive Officer may nominate a Council officer spokesperson if appropriate.

10.6. As Councillors, we are entitled to express independent views through the media, however we will:

10.6.1. make it clear that any unofficial comment is a personal view, and does not represent the position of the Council as a whole;

10.6.2. respect Council's decisions by not criticising or actively undermining any decisions which have been made;

10.6.3. not bring Council into disrepute through any of our words or actions;

10.6.4. not speak on behalf of Council without authority;

10.6.5. ensure any personal opinions or views we express publicly are identified as our own and not those of Council; and

10.6.6. ensure any communications we make are not offensive, derogatory, insulting or otherwise damaging to the reputation of Council, members of the public, Council officers and Councillors.

### **11. Conflict of Interest Procedures**

11.1. We will comply with all the provisions of the Act in regard to conflicts of interest.

11.2. In addition to the requirements of the Act:



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## Latrobe City Council – Councillor Code of Conduct

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- 11.2.1. we will give early consideration to each matter to be considered by the Council, any delegated committee, community asset committee or other committee established by Council to which we belong, to ascertain if we have a conflict of interest;
- 11.2.2. we recognise that Council officers may be able to assist with accessing and providing resources in relation to potential conflicts of interest, however the legal onus to determine whether a conflict of interest exists rests entirely with each individual Councillor;
- 11.2.3. if we cannot confidently say that we do not have a conflict of interest, we will declare a conflict of interest and comply with the relevant requirements as if we had a conflict of interest and notify, as soon as possible, the Mayor or the Committee Chair, depending on whether the matter is to be considered by the Council or a committee, as well as the Chief Executive Officer; and
- 11.2.4. we will consider the implications of our publicly expressed personal views and relationships to ensure our participation in Council decision making is in accordance with the Governance Rules and conflict of interest requirements of the Act.

### 12. Gifts, Benefits and Hospitality

- 12.1. We commit to compliance with our statutory obligations in relation to gifts and hospitality. We also undertake to comply with Council's policy to disclose all gifts, benefits or hospitality received in our capacity as a Councillors, in accordance with the Gift, Benefits and Hospitality Policy. In addition, we commit to notify the Chief Executive Officer and Governance Manager if in the conduct of our duties, we receive an inappropriate offer or benefit of any kind.

### 13. Reporting Fraud and Corruption

- 13.1. Ethical behaviour is an integral part of responsible, effective and accountable government. We acknowledge Council's obligations under the *Public Interest Disclosures Act 2012* to facilitate the making of disclosures of improper conduct by public officers and public bodies, including Council, its employees and Councillors. We will immediately report to the Chief Executive Officer and/or appropriate integrity body, in line with the Council's Public Interest Disclosures Procedures, any suspected, potential or actual fraudulent, criminal, unethical, corrupt or other unacceptable behaviour that comes to our knowledge. We will participate as required to the best of our ability in any subsequent investigation whether undertaken internally or externally.

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## Latrobe City Council – Councillor Code of Conduct

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### 14. Significant and/or Intimate Relationships

14.1. We understand that conflict and bias can arise from situations where relatives or people with significant and/or intimate relationships work together, and this can potentially lead or be seen to lead to decisions we make as Councillors being made for reasons other than the public interest. Each of us undertakes that if we are involved in a relationship of a significant or intimate nature with another Councillor or an employee, we will disclose the fact of this relationship to the Mayor and the Chief Executive Officer.

### 15. Meeting Planning Permit Applicants

15.1. When proposing to meet with a known or proposed planning permit applicant (or property owner, or their representative), either for the purpose of discussing the application or where the application is likely to become a topic of discussion, we will hold the meeting with a planning officer present.

### 16. Political Activity

16.1. We are committed to ensuring that elections conducted by Latrobe City Council are conducted fairly and democratically and in accordance with the highest standards of governance. Where we are a sitting Councillor during an election period we will abide by the requirements of the applicable legislation and the Council-endorsed Election Period Policy (which forms part of the Council's adopted Governance Rules) and, whether or not we are standing for re-election, we will at all times act respectfully towards all candidates for the election.

### 17. Human Rights and Equal Opportunity

17.1. In performing their role Councillors must take positive action to eliminate discrimination in accordance with the *Equal Opportunity Act 2010* and support Council in fulfilling its obligation to achieve and promote gender equality.

17.2. We acknowledge the human rights that are protected under the *Victorian Charter of Human Rights and Responsibilities Act 2006* and undertake to exercise our duties in a manner that is compatible with the rights set out in the Charter. We acknowledge this undertaking extends to all relationships as a Councillor, including with other Councillors, the Chief Executive Officer and Council employees, as well as any member of the public with whom we may have contact, and any decisions we participate in as Councillors.

17.3. We are committed to treating all people with dignity and respect and recognise that there is no place for unlawful discrimination, harassment (sexual or otherwise), racial and religious vilification or victimisation of any individual.

17.4. We will:

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## Latrobe City Council – Councillor Code of Conduct

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17.4.1. take all reasonable steps to eliminate all forms of discrimination at Council; and

17.4.2. support Council to fulfil its obligation to achieve and promote gender equality.

### **18. Sexual Harassment**

18.1. Sexual harassment is against the law and will not be tolerated under any circumstances. In performing their role Councillors must take positive action to eliminate sexual harassment in accordance with the *Equal Opportunity Act 2010*.

18.2. We will not engage in any unwelcome conduct of a sexual nature towards another individual where a reasonable person, having regard to all the circumstances, would have anticipated the possibility that the individual harassed would be offended, humiliated or intimidated.

18.3. We will take all reasonable steps to eliminate sexual harassment at Council.

### **19. Bullying, Vilification and Victimisation**

19.1. Council is committed to maintaining a workplace that is free from bullying, vilification and victimisation, where all people are treated with dignity and respect. In performing their role Councillors must take positive action to eliminate victimisation in accordance with the *Equal Opportunity Act 2010*.

19.2. We will uphold Council's obligations to support a safe workplace, and will not engage in repeated unreasonable behaviour toward another Councillor or member of Council staff that creates a risk to the health and safety of that other Councillor or member of Council staff.

19.3. We will take all reasonable steps to eliminate bullying, vilification and victimisation at Council.

### **20. Occupational Health and Safety**

20.1. Council is committed to providing and maintaining a safe workplace for all and recognises the provisions of the *Occupational Health and Safety Act 2004* (OHSA) apply to Council and Councillors. The Chief Executive Officer has a clear accountability for OHS matters, given their mandate under the Act, and will put policies in place from time to time to ensure a safe workplace for Councillors to carry out their civic duties.

20.2. As Councillors, we understand that occupational health and safety is a shared responsibility. Accordingly, we will:

20.2.1. take reasonable care to protect our own health and safety as well as the health and safety of others in the workplace;

20.2.2. take reasonable care to make sure Council carries out, through the Chief Executive Officer, its general duties to ensure a safe

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## Latrobe City Council – Councillor Code of Conduct

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workplace that is without risks to health by ensuring appropriate systems and policies are in place to manage those risks; and

20.2.3. consider any health and safety implications of Council decisions.

### **21. Fitness to Carry out Duty**

21.1. Council is committed to providing and maintaining a work environment that is safe and without risks to health. Councillors must ensure that they are fit to conscientiously perform the role of a Councillor.

21.2. We acknowledge that a physical or psychological impairment may impact on our fitness to carry out duty and, left unaddressed, may negatively affect the health and safety of ourselves and others. We also acknowledge that a range of factors and circumstances can impact on the satisfactory performance of our duties, including the consumption of alcohol and other drugs, even if legal and prescribed.

### **22. Interacting with Children**

22.1. Council prides itself on being a child safe organisation and has zero tolerance for child abuse. Council adheres to the Victorian Child Safe Standards and related legislation which governs the protection of children and young people and deals with the failure to report harm, failure to protect and grooming offenses.

22.2. Accordingly, we undertake to:

22.2.1. maintain the highest standards of professional conduct in our attitude, behaviour and interactions with children and young people;

22.2.2. support and maintain Council's commitment to the safety and wellbeing of children and young people and including through any decision we make as Councillors; and

22.2.3. take all reasonable steps to protect children and young people from harm, including complying with Council's obligations under State and Federal child protection legislation.

### **23. Commitment to Best Practice**

23.1. We acknowledge that in fulfilling the statutory requirements of our role, a shared understanding of our obligation and the practical ways that we perform our duties is necessary for good governance. To achieve this shared understanding, we commit to take all reasonable steps to become familiar with Councillor policies and protocols and participate in any reviews of these documents.

### **24. Internal Resolution Procedure**

24.1. We agree to follow the Internal Resolution Procedure contained in the Appendix in the event of a dispute arising which concerns an alleged

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## Latrobe City Council – Councillor Code of Conduct

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contravention of this Code and we will use the Dispute Management Resolution Checklist, being a document incorporated by reference into this Code, to assist with that process.

24.2. All Councillors agree to participate in the three phase Internal Resolution Procedure outlined in the Appendix.

24.3. Before commencing the formal internal resolution procedure outlined below, the Councillors who are parties to an alleged contravention of this Code will endeavour to resolve the matter informally in a courteous and respectful manner, recognising that they have been elected to represent the best interests of the community.

### 25. Roles within Council

We recognise that being clear about the different roles and functions of Councillors and Council staff will assist us in achieving good governance.

#### 25.1. Mayor

The functions of the Mayor include:

- providing guidance to Councillors about what is expected of a Councillor including in relation to the statutory role of a Councillor, and the observation of the Councillor Standards of Conduct and this Code by Councillors;
- acting as the principal spokesperson for Council;
- supporting good working relations between Councillors; and
- carrying out the civic and ceremonial duties of the office of Mayor.

The Mayor is the leader of Latrobe City Council and as such should be the leader of all Councillors. The Mayor has a key role to help all Councillors participate and work together in the interests of the Latrobe City Council's community.

In fostering good governance, the most important roles of the Mayor are:

- to chair the Council meetings in a way which encourages participation and involvement by all Councillors;
- to encourage Councillors to treat each other with respect and courtesy;
- to model the type of behaviour which Latrobe City Council expects of all Councillors;
- to provide leadership in demonstrating and achieving good governance;
- to work with the Chief Executive Officer in providing leadership to the entire organisation;
- to be the public spokesperson in support of Council decisions;

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## Latrobe City Council – Councillor Code of Conduct

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- to liaise with all Councillors with a view to facilitating the capacity of Councillors to work together and to identify any possible issues or problems which may require assistance in resolution;
- to be the leader of all Councillors and not to align themselves with any particular group of Councillors;
- to meet with organisations and people on behalf of Council;
- to represent Council's position at meetings;
- to use best endeavours to invite other Councillors to such meetings; and
- to keep Councillors informed of matters discussed at meetings such as those outlined in the Councillor Bulletin newsletter.

### 25.2. Deputy Mayor

Council has a Deputy Mayor in order to enhance the leadership provided by the Mayor and also to ensure that Latrobe City Council can be represented by its political leadership wherever this is necessary or desirable. The Deputy Mayor should also assist the Mayor to facilitate the spirit of cooperation and inclusion between Councillors.

The appointment of a Deputy Mayor shall only apply when Council has elected to appoint a Councillor to the role of Deputy Mayor.

The Deputy Mayor is part of the leadership group and as such should participate in the meetings between the Mayor and the Chief Executive Officer.

The most important roles of the Deputy Mayor are:

- to deputise for the Mayor as required when the issue or function relates to the entire municipality (when the issue or function is more ward based, the Mayor may nominate a ward Councillor to be their representative);
- to liaise with all Councillors with a view to facilitating the capacity of Councillors to work together and to identify any possible issues or problems which may require assistance in resolution; and
- to model leadership and good governance behaviour internally and externally.

### 25.3. Councillors

The role of a Councillor is:

- to participate in the decision-making of Council;
- to represent the interests of the municipal community in that decision-making; and
- to contribute to the strategic direction of the Council through the development and review of key strategic documents of Council, including the Council Plan.

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## Latrobe City Council – Councillor Code of Conduct

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In performing the role of a Councillor, a Councillor must:

- consider the diversity of interests and needs of the municipal community;
- support the role of the Council;
- acknowledge and support the role of the Mayor;
- act lawfully and in accordance with the oath or affirmation of office;
- act in accordance with the standards of conduct;
- comply with Council procedures required for good governance;
- ensure transparency and accountability;
- abide by the confidentiality requirements of the *Local Government Act 2020*;
- avoid conflicts of interest;
- ensure that they do not misuse their position:
  - to gain or attempt to gain, directly or indirectly, an advantage for themselves or for another person;
  - to cause, or attempt to cause, detriment to the Council or another person.

The role of a Councillor does not include the performance of any functions that are specified as statutory functions of the Chief Executive Officer.

Councillors must not represent or speak on behalf of Council or another Councillor without written authorisation to do so.

### **25.4. Chief Executive Officer**

A key role of the Chief Executive Officer is to foster a culture of democratic governance within the organisation.

The Chief Executive Officer should support this process by:

- ensuring the provision of the best possible advice to Council;
- recognising that one of the highest priorities of the position is governance, and devoting time to managing relationships and facilitating the decision-making processes;
- modelling and leading the organisation in the culture of democratic governance;
- ensuring that the organisation understands its role in democratic governance and providing appropriate training;
- ensuring that all Councillors are treated with the courtesy and respect arising from their position;
- facilitating good communication between the officers and Councillors through appropriate strategies including the weekly Bulletin;

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## **Latrobe City Council – Councillor Code of Conduct**

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- not aligning themselves with any particular group of Councillors; and
- encouraging all parties to treat each other with courtesy and respect.

### **25.5. Latrobe City Officers**

The role of the administration is to implement Council's goals, strategies and services and to facilitate democratic governance through its support of and advice to Council.

Council officers also play other roles at times. This includes assisting Councillors with particular ward issues and providing Councillors with advice and information in accordance with Council's Councillor Requests and Interactions Operational Policy, together with any other policies, practices and protocols developed and implemented by the Chief Executive Officer in accordance with section 46 of the Act for managing interactions between members of Council staff and Councillors.

## **26. Organisational Relationships**

Good governance and a successful Code of Conduct at Latrobe City Council is based on good relationships between the different parts of the organisation.

### **26.1. Mayor / Councillors**

A good relationship between the Mayor and Councillors will assist all in working together to deliver the community plan and Latrobe 2026 vision. It will also increase the public credibility of the Latrobe City Council. Councillors understand that:

- the Mayor is the leader of the Council and this role should be respected by all Councillors;
- the Mayor should facilitate an inclusive approach to decision-making and involvement in Council activities in general;
- the Mayor is responsible for Councillors' training and development and should work with the Chief Executive Officer to ensure that Councillors receive necessary training opportunities; and
- the Mayor is a source of assistance for Councillors and also has the responsibility for facilitating resolution of any disputes between Councillors.

### **26.2. Councillors / Councillors**

Councillors need each other to achieve their individual and collective goals. Good relationships between Councillors assist in achieving a successful Council, a pleasant working environment and a Council with public credibility. Councillors recognise that:

- Councillors should have good working relationships in order to succeed individually and collectively;
- while they may have different views, Councillors should treat each other with respect and courtesy;



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- disagreements, if they must be aired, should be expressed in a way that causes no detriment to individual Councillors or the Council as a whole; and
- Councillors should not undermine each other, either within the organisation or in public.

In accordance with Council's Social Media Policy, Councillors shall:

- ensure that any information about Council, Councillors or the organisation is accurate and factual; and
- ensure no disparaging remarks are made about Council, Councillors, or the organisation.

### **26.3. Mayor / Chief Executive Officer**

This important relationship assists in the smooth running of the organisation through good communication and anticipation of issues. It should be outward looking – that is, focused on how the elected representatives and the organisation can be supported to best achieve the organisations goals. We understand that:

- the Mayor and Chief Executive Officer should work closely together and put energy into achieving a good working relationship;
- the relationship between the Mayor and Chief Executive Officer should be characterised by consistency, openness and good communication - each has the responsibility to keep the other informed about important and relevant issues and good communication ensures that an understanding develops about what is important and relevant;
- the Mayor and the Chief Executive Officer need to understand that each has different roles and authorities - while the Mayor is the leader of Latrobe City Council, this position has no specific authority, unlike the Chief Executive Officer who has particular authorities under the Act and the relationship between the Mayor and the Chief Executive Officer should be sensitive to this issue;
- the relationship between the Mayor and the Chief Executive Officer should aim to facilitate involvement and inclusion amongst the Councillors and the organisation - it does not seek to concentrate power in the relationship;
- to facilitate inclusion and information sharing, the Mayor and Chief Executive Officer will publish a list of key meetings attended in the previous week in the weekly Bulletin; and
- the Mayor and the Chief Executive Officer recognise the importance of consistent communication and, to support this, should have fixed weekly meetings which also involve the Deputy Mayor.

### **26.4. Councillors / Chief Executive Officer**

Good relationships between Councillors and the Chief Executive Officer assist

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good governance and support this Code. The Chief Executive Officer is often able to assist Councillors in addressing constituent issues. Similarly Councillors can keep the Chief Executive Officer informed about issues which may require additional resources. Good relationships between the Chief Executive Officer and Councillors can develop the relationship between Councillors and officers.

The Chief Executive Officer is also accountable to Councillors when they sit as Council. Councillors sitting as Council, are also responsible for performance management of the Chief Executive Officer.

It is recognised that:

- performance management of the Chief Executive Officer is important to the organisation achieving its goals and setting the goals for the Chief Executive Officer is as important as assessing whether they have been achieved;
- Councillors should commit themselves to spending the necessary time to set the goals as well as assessing their achievement;
- the relationship between Councillors and Chief Executive Officer is based on a good understanding of each others' roles;
- Councillors understand that the Chief Executive Officer can be a source of advice and support and that good communication between Councillors and the Chief Executive Officer can assist the Chief Executive Officer's role; and
- all Councillors have an interest in the selection and performance of the Chief Executive Officer and will ensure that any sub-committees charged with responsibilities in these areas will be broadly representative of the whole Council.

### 26.5. Councillors / Officers

Relationships between Councillors and Council staff should be based on:

- a mutual understanding and respect for each others' roles;
- a preparedness to identify, discuss and resolve issues and problems if they arise;
- on the part of the officers, a respect for and commitment to democratic governance and the primacy of Council in the organisational structure; and
- on the part of Councillors, an understanding that the officers carry, in addition to their normal bureaucratic role, an additional workload, which at other levels of government, is shared with electorate officers and researchers. This means that:
  - Councillor requests have implications both for workload and potential "politicisation" of officers and Councillors bear this in mind when requesting information and/or assistance from officers; and

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- Officers understand that they are the only direct resource Councillors have when they require information or assistance and should keep this in mind when they are approached.
- On occasions where Councillors wish to express any concerns regarding officer conduct or performance, these concerns shall be expressed directly to the Chief Executive Officer.

**Latrobe City Council – Councillor Code of Conduct**

**Councillor Declarations**

I, Cr Sharon Gibson, Mayor, declare that I have read, understand and will abide by the Councillor Code of Conduct 2021.

Signature \_\_\_\_\_ Date: \_\_\_\_\_

Witness Chief Executive Officer Steven Piasente

Signature \_\_\_\_\_ Date: \_\_\_\_\_

**Latrobe City Council – Councillor Code of Conduct**

I, Cr Darren Howe, Deputy Mayor, declare that I have read, understand and will abide by the Councillor Code of Conduct 2021.

Signature \_\_\_\_\_ Date: \_\_\_\_\_

Witness Chief Executive Officer Steven Piasente

Signature \_\_\_\_\_ Date: \_\_\_\_\_

**Latrobe City Council – Councillor Code of Conduct**

I, Cr Kellie O'Callaghan, declare that I have read, understand and will abide by the Councillor Code of Conduct 2021.

Signature \_\_\_\_\_ Date: \_\_\_\_\_

Witness Chief Executive Officer Steven Piasente

Signature \_\_\_\_\_ Date: \_\_\_\_\_

**Latrobe City Council – Councillor Code of Conduct**

I, Cr Graeme Middlemiss, declare that I have read, understand and will abide by the Councillor Code of Conduct 2021.

Signature \_\_\_\_\_ Date: \_\_\_\_\_

Witness Chief Executive Officer Steven Piasente

Signature \_\_\_\_\_ Date: \_\_\_\_\_

**Latrobe City Council – Councillor Code of Conduct**

I, Cr Dan Clancey, declare that I have read, understand and will abide by the Councillor Code of Conduct 2021.

Signature \_\_\_\_\_ Date: \_\_\_\_\_

Witness Chief Executive Officer Steven Piasente

Signature \_\_\_\_\_ Date: \_\_\_\_\_



**Latrobe City Council – Councillor Code of Conduct**

I, Cr Dale Harriman, declare that I have read, understand and will abide by the Councillor Code of Conduct 2021.

Signature \_\_\_\_\_ Date: \_\_\_\_\_

Witness Chief Executive Officer Steven Piasente

Signature \_\_\_\_\_ Date: \_\_\_\_\_

**Latrobe City Council – Councillor Code of Conduct**

I, Cr Bradley Law, declare that I have read, understand and will abide by the Councillor Code of Conduct 2021.

Signature \_\_\_\_\_ Date: \_\_\_\_\_

Witness Chief Executive Officer Steven Piasente

Signature \_\_\_\_\_ Date: \_\_\_\_\_

**Latrobe City Council – Councillor Code of Conduct**

I, Cr Tracey Lund, declare that I have read, understand and will abide by the Councillor Code of Conduct 2021.

Signature \_\_\_\_\_ Date: \_\_\_\_\_

Witness Chief Executive Officer Steven Piasente

Signature \_\_\_\_\_ Date: \_\_\_\_\_

**Latrobe City Council – Councillor Code of Conduct**

I, Cr Melissa Ferguson, declare that I have read, understand and will abide by the Councillor Code of Conduct 2021.

Signature \_\_\_\_\_ Date: \_\_\_\_\_

Witness Chief Executive Officer Steven Piasente

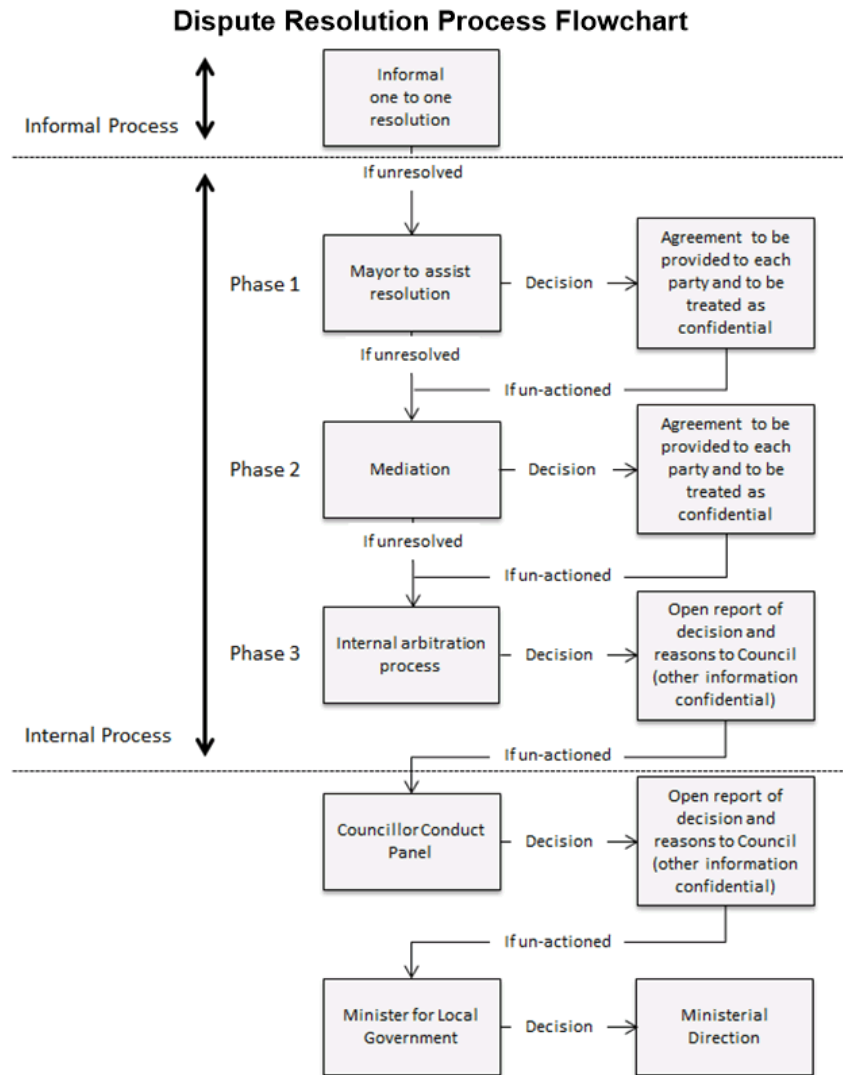
Signature \_\_\_\_\_ Date: \_\_\_\_\_

### **APPENDIX 1: Internal Resolution Procedure**

Before commencing the formal internal resolution procedure outlined below, the Councillors who are parties to an alleged contravention of this Code will endeavour to resolve the matter informally in a courteous and respectful manner, recognising that they have been elected to represent the best interests of the community.

The Council's three phase dispute resolution process involves:

- direct negotiation between the parties in dispute with the Mayor in attendance to provide guidance;
- external mediation by an independent mediator engaged by the Chief Executive Officer; and
- an internal arbitration process involving an independent arbiter appointed by the Principal Councillor Conduct Registrar.



**Phase 1 – Direct negotiation**

Where Councillors who are in dispute have not been able to resolve the dispute between them, either (or both) party (parties) may request the Mayor to convene a meeting of the parties.

A dispute referred for direct negotiation may relate to:

- an interpersonal conflict between Councillors where the conflict is or is likely to affect the operations of the Council; or
- an alleged contravention of the Councillor Code of Conduct.

The party requesting the direct negotiation meeting is to provide the Mayor with the name of the other Councillor and the details of the dispute in writing. The written request is to indicate that it is for a “direct negotiation” dispute resolution process.

Where the request relates to an alleged contravention of the Councillor Code of Conduct, the request must:

- specify the name of the Councillor alleged to have contravened the Code;
- specify the provision(s) of the Code that is alleged to have been contravened;
- include evidence in support of the allegation;
- name the Councillor appointed to be their representative where the request is made by a group of Councillors; and
- be signed and dated by the requestor or the requestor’s representative.

The requestor is to notify the other party of the request and provide him or her with a copy of the written request either at the same time as it is provided to the Mayor or as soon as practicable thereafter.

The Mayor is to ascertain whether or not the other party is prepared to attend a “direct negotiation” meeting.

If the other party is not prepared to attend a meeting, the Mayor is to advise the requestor forthwith. No further action is required of the Mayor.

If the other party declines to participate in a meeting, this does not constitute a contravention of this Councillor Code of Conduct.

If the other party consents to a meeting, the Mayor is to convene a meeting of the parties at the earliest available opportunity. Unless one or both parties are unavailable, this should be within 5 working days of receiving the consent of the other party.

The Mayor may present the parties with guidelines, in advance of the meeting or at the meeting, to help facilitate the meeting.

The role of the Mayor at the meeting is to provide guidance to Councillors about what is expected of a Councillor including in relation to the role of a Councillor under section 28 of the Act, and the observation of the Councillor Standards of Conduct and the Councillor Code of Conduct.

The Mayor is to document any agreement reached at the meeting and the parties are required to sign the agreement. Copies of the agreement are to be provided to both parties and are to be treated as *confidential information*.

Where one party does not comply with the agreement, the other party has recourse to external mediation, and if the other party is alleging a contravention of

the prescribed standards of conduct in the Councillor Code of Conduct, an internal arbitration process.

If the parties cannot resolve the dispute at the meeting, a further meeting may be convened with the consent of both parties. Where the dispute remains unresolved, either or both of the parties have recourse to external mediation. If a party is alleging a contravention of the prescribed standards of conduct in the Councillor Code of Conduct, that party may also make application for an internal arbitration process.

Where the Mayor is a party to the dispute, the request is to be made to the Deputy Mayor (if any) or the immediate past Mayor. The Deputy Mayor or the immediate past Mayor will perform the functions ascribed to the Mayor.

### **Phase 2 – External mediation**

A Councillor or a group of Councillors may make an application for a dispute to be referred for external mediation whether or not the dispute has been the subject of an application for “direct negotiation”.

An application made for a dispute to be referred for external mediation may relate to:

- an interpersonal conflict between Councillors where the conflict is or is likely to affect the operations of the Council; or
- an alleged contravention of the Councillor Code of Conduct.

The applicant is to submit a written application to the Councillor Conduct Officer appointed by the Chief Executive Officer under the Act, setting out the name of the Councillor and the details of the dispute. The application is to indicate that the application is for an “external mediation”.

Where the application relates to an alleged contravention of the Councillor Code of Conduct, the application must:

- specify the name of the Councillor alleged to have contravened the Code;
- specify the provision(s) of the Code that is alleged to have been contravened;
- include evidence in support of the allegation;
- name the Councillor appointed to be their representative where the application is made by a group of Councillors; and
- be signed and dated by the applicant or the applicant’s representative.

The applicant is to notify the other party of the request and provide him or her with a copy of the application either at the same time that it is submitted to the Councillor Conduct Officer or as soon as practical thereafter.

The Councillor Conduct Officer is to ascertain (in writing) whether or not the other party is prepared to attend an “external mediation”. If the other party declines to



participate in an external mediation, he or she is to provide their reasons for doing so in writing to the Councillor Conduct Officer. These reasons may be taken into account if the matter is, subsequently, the subject of an application for a Councillor Conduct Panel.

When the other party declines to participate in an external mediation, this does not constitute a contravention of this Councillor Code of Conduct.

If the other party agrees to participate in an external mediation, the Councillor Conduct Officer is to advise the applicant, the Mayor and Chief Executive Officer forthwith.

The Chief Executive Officer is to engage the services of an external mediator to conduct the mediation at the earliest practicable opportunity.

The mediator is to document any agreement reached at the meeting and both parties are required to sign the agreement. Copies of the agreement are to be provided to both parties and are to be treated as *confidential information*.

Where one party does not comply with the agreement and the other party is alleging a contravention of the prescribed standards of conduct in the Councillor Code of Conduct, the other party may make application for an internal arbitration process.

If the parties cannot resolve the dispute at the mediation, a further mediation may be convened with the consent of both parties. Where the dispute remains unresolved and a party is alleging a contravention of the prescribed standards of conduct in the Councillor Code of Conduct that party also has recourse to an internal arbitration process.

### **Phase 3 - Internal arbitration process**

An application cannot be made for an internal arbitration process during the election period for a general election. Any internal arbitration process that is in progress is to be suspended during the election period for a general election.

If the respondent to an application for an internal arbitration process is not returned to office as a Councillor in the election, the application lapses. If the respondent is returned to office in the election, the application may resume if:

- the application was made by the Council and the Council so resolves; or
- the application was made by a group of Councillors and any one (or more) of those Councillors who has been returned to office wishes to proceed with the application; or
- the applicant (individual Councillor) is returned to office and wishes to proceed with the application.

A Councillor, a group of Councillors, or the Council following a resolution, may make an application alleging misconduct by a Councillor. Misconduct is defined in the Act as any breach of the prescribed standards of conduct in the Councillor Code of Conduct. The application is to be submitted to the Councillor Conduct Officer and must:

- be made within 3 months of the alleged misconduct occurring;
- specify the name of the Councillor alleged to have breached the standards of conduct;
- specify the clause of the standards of conduct that is alleged to have been breached;
- include the misconduct the Councillor is alleged to have engaged in that resulted in the breach. in support of the allegation;
- name the Councillor appointed to be their representative where the application is made by a group of Councillors; and
- be signed and dated by the applicant or the applicant's representative.

The Councillor Conduct Officer will then without undue delay but not later than two working days from receipt of the application, forward the application to the Principal Councillor Conduct Registrar, advise the Mayor and Chief Executive Officer and provide a copy to the Councillor who is the subject of the application.

An applicant may withdraw an application for an internal arbitration process. Once an application has been withdrawn, a further application in respect of the same conduct by a Councillor that was the subject of the withdrawn application cannot be made by the applicant.

On receiving an application, the Principal Councillor Conduct Registrar will:

- consider whether to accept the application – to do so the Principal Councillor Conduct Registrar must be satisfied the application is not frivolous, vexatious, misconceived or lacking in substance, and that there is sufficient evidence to support an allegation of breach of the Councillor Code of Conduct as specified in the application;
- if the application is accepted, appoint an arbiter to hear the application from the panel list of eligible persons under the Act.

The rejection of an application by the Principal Councillor Conduct Registrar does not prevent a further application being made in respect of the same conduct by a Councillor that was the subject of the rejected application.

Once an arbiter has been appointed by the Principal Councillor Conduct Registrar, the Councillor Conduct Officer will:

- after consultation with the arbiter, advise the applicant and the respondent of the time and place for the hearing; and
- attend the hearing(s) and assist the arbiter in the administration of the process.

The role of the arbiter is to:

- consider applications alleging misconduct by a Councillor through failing to comply with the prescribed standards of conduct;

- make a finding in relation to any application alleging misconduct by a Councillor through failing to comply with the prescribed standards of conduct;
- give a written statement of reasons supporting the decision to the Council at the same time as the arbiter gives the decision to the Council;
- determine the appropriate sanction or sanctions to be applied where the arbiter has made a finding of misconduct by a Councillor.

In considering an application alleging misconduct by a Councillor, an arbiter will:

- in consultation with the Councillor Conduct Officer, fix a time and place to hear the application;
- authorise the Councillor Conduct Officer to formally notify the applicant and the respondent of the time and place of the hearing;
- hold as many meetings as he or she considers necessary to properly consider the application. The arbiter may hold a directions hearing;
- have discretion in how the hearings are conducted, including that the arbiter:
  - is not bound by the rules of evidence and may be informed in any manner the arbiter deems fit;
  - may hear each party to the application in person or solely by written or electronic means of communication;
- ensure that the hearings are conducted with as little formality and technicality as the proper consideration of the application allows;
- ensure that the parties to and affected by an application are given an opportunity to be heard by the arbiter;
- consider an application by an applicant or a respondent to have legal or other representation at the hearing, with such an application only to be granted if the arbiter considers that representation is necessary to ensure that the process is conducted fairly;
- ensure that the rules of natural justice are observed and applied in the hearing of the application;
- have discretion to discontinue the hearing if the arbiter considers that:
  - the application is vexatious, misconceived, frivolous or lacking in substance; or
  - the applicant has not responded, or has responded inadequately, to a request for further information; and
- ensure that the hearings are closed to the public.

Where an application to have legal representation is granted by an arbiter, the costs of the applicant's and/or the respondent's legal representation are to be borne by the applicant or the respondent in their entirety.

If at any time before, during or after the hearing the arbiter believes the conduct that is the subject of the appears to involve serious misconduct and would more appropriately be dealt with by a Councillor Conduct Panel, the arbiter must refer the matter to the Principal Councillor Conduct Registrar, who will then notify the parties that has taken place.

In accordance with the Act, if after completing the internal arbitration process the arbiter determines that a Councillor has failed to comply with the prescribed standards of conduct, the arbiter may make a finding of misconduct against the Councillor.

The arbiter is to give a copy of his or her decision and the statement of reasons to the Council, the applicant, the respondent and the Principal Councillor Conduct Registrar. At the same time, where the arbiter has made a finding of misconduct by a Councillor, the arbiter may also do any one or more of the following:

- direct the Councillor to make an apology in a form or manner specified by the arbiter;
- suspend the Councillor from the office of Councillor for a period specified by the arbiter not exceeding one month;
- direct that the Councillor be removed from any position where the Councillor represents the Council for the period determined by the arbiter;
- direct that the Councillor is removed from being the chair of a delegated committee for the period determined by the arbiter;
- direct a Councillor to attend or undergo training or counselling specified by the arbiter.

Information provided to an arbiter or produced by an arbiter for the purpose of an internal arbitration process, other than the findings and the reasons, is *confidential information*. However a copy of the arbiter's decision and statement of reasons must be tabled and recorded in the minutes at the next Council meeting following receipt, with any *confidential information* to be redacted from the copy tabled.

A Councillor who does not participate in the internal arbitration process may be guilty of serious misconduct. The Act provides that serious misconduct by a Councillor means any of the following:

- failure to comply with the internal arbitration process;
- failure to comply with a direction given to the Councillor by an arbiter under section 147 of the Act;
- failure to attend a Councillor Conduct Panel hearing in respect of that Councillor;
- failure to comply with a direction of a Councillor Conduct Panel;
- continued or repeated misconduct after a finding of misconduct has already been made in respect of the Councillor by an arbiter or by a Councillor Conduct Panel under section 167(1)(b) of the Act;
- bullying of another Councillor or a member of Council staff;

- conduct of the type that is sexual harassment of a Councillor or a member of Council staff;
- disclosure of information the Councillor knows, or should reasonably know, is *confidential information*;
- conduct that contravenes the requirement that a Councillor must not direct, or seek to direct, a member of Council staff;
- failure to disclose a conflict of interest and exclude themselves from the decision making process when required to do so in accordance with the Act.

**Allegations of serious misconduct are heard on application by a Councillor Conduct Panel.**

**Agenda Item: 13.5**

**Agenda Item: Audit and Risk Committee Councillor Appointment**

**Sponsor: Chief Executive Office**

**Council Plan Objective: Ensure Council operates openly, transparently and responsibly.**

**Status: For Decision**

**MOTION**

**Moved:** Cr Howe

**Seconded:** Cr Clancey

**That Council:**

- 1. Appoints Councillor Middlemiss to the Audit and Risk Committee for 2020-21; and**
- 2. Notifies the Audit and Risk Committee of the appointment.**

**CARRIED UNANIMOUSLY**

**Executive Summary:**

The Audit and Risk Committee Charter requires two councillor appointments and along with three external representatives. At the Council meeting in December 2020 it was resolved to appoint Councillor Ferguson to the Committee for the 2020/21 term with a further Councillor appointment to be resolved in early 2021.

Councillor Middlemiss has since nominated for the additional councillor appointment.

**Background:**

The Audit and Risk Committee is formally established under Section 53 of the *Local Government Act 2020*. The membership is required to be adopted by resolution of Latrobe City Council.

The Audit and Risk Committee's purpose is to support Council in discharging its oversight responsibilities related to financial and performance reporting, risk management, fraud prevention systems and control, maintenance of a sound internal control environment, assurance activities including internal and external audit and Council's performance with regard to compliance with its policies and legislative and

regulatory requirements. It acts in this capacity by monitoring, reviewing, endorsing and advising on the above matters.

**Issues:**

*Strategy Implications*

Council is required by law to have an Audit and Risk Committee. Doing so supports Objective 6 in the Council Plan: *Ensure Council operates openly, transparently and responsibly.*

*Communication*

Should Council proceed to appoint Councillor Middlemiss, the Committee will be notified and the information provided on Councils website.

*Financial Implications*

Nil.

*Risk Analysis*

Identified risk	Risk likelihood*	Controls to manage risk
<p><b>Service Delivery/Legal/Regulatory Risk</b></p> <p>Failure to make two appointments may mean the occasion may arise where the Committee does not have a quorum and therefore cannot fulfil their duties/statutory obligations</p>	<p>3 (Possible)</p>	<p>It is essential for the final appointment to be made in a timely fashion.</p>

\* Inherent likelihood ratings: 1 (Rare); 2 (Unlikely); 3 (Possible); 4 (Likely); 5 (Almost Certain)

*Legal and Compliance*

Council is required by law to have an Audit and Risk Committee and must meet at least four times per year.

*Community Implications*

There are some known expectations in the community that Council has an effective Audit and Risk Committee.

*Environmental Implications*

Not applicable.

*Consultation*

No consultation is proposed.

*Other*

Nil.

**Declaration of Interests:**

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*.

**Supporting Documents:**

Nil

**Attachments**

Nil



# **REGIONAL CITY GROWTH AND INVESTMENT**

**14. REGIONAL CITY GROWTH AND INVESTMENT**

Nil reports

# **ASSETS AND PRESENTATION**

## **15. ASSETS AND PRESENTATION**

**Agenda Item: 15.1**

**Agenda Item: GRAC Fees & Charges**

**Sponsor: General Manager, Assets and Presentation**

**Council Plan Objective: Ensure Council operates openly, transparently and responsibly.**

**Status: For Decision**

### **MOTION**

**Moved: Cr Lund**

**Seconded: Cr Harriman**

**That Council:**

- 1. Approve the proposed additional fees and charges for water slides on a sessional basis (Option three in Attachment 1) which provides unlimited rides for a session purchased in addition to the swim entry charge;**
- 2. Approve the proposed fees and charges for warm water program pool usage (Option one in Attachment 2) where access to the warm water pool is included in the entry cost of a swim;**
- 3. Approve the proposed additional fees and charges for access to all pools (including warm water program pool), spa, sauna and steam room (Option three in Attachment 2); and**
- 4. Announce the new pricing structure as part of the marketing collateral for the opening of the new centre.**

**CARRIED UNANIMOUSLY**

### **Executive Summary:**

- The soon to be opened Gippsland Regional Aquatic Centre contains elements such as the water slides and the dedicated warm water pool that are not available at Latrobe City's existing centres.
- The purpose of this report is to provide options for consideration for a proposed pricing structure to accommodate these new elements.
- The new centre is due to open in March and it is preferable to have the pricing structure available to include in any pre-opening marketing collateral.
- At the 4 May 2020 Council meeting, Council resolved to outsource the

operational management of the GRAC.

- After an exhaustive tender process, Council endorsed YMCA as the preferred contractor at the 7 September Council meeting.
- A contract has been entered into with YMCA who are now preparing for the opening of the GRAC in March 2021.
- To enable reciprocal membership rights to provide access for Latrobe Leisure existing members to GRAC (and vice versa), it is planned that the existing Latrobe Leisure fees and charges will be used at the GRAC for like for like services.
- The water slides and warm water program pool are unique to the GRAC and therefore a price is not reflected in the current Latrobe Leisure fees and charges.
- Council is being asked to consider the options as set out in this paper and approve the pricing structure in advance of the opening of the GRAC.
- Council officers are recommending that Council approve the pricing options as follows:
- (1) Option three (refer Table 3 below) provides access to the water slides is based on unlimited rides for a session purchased in addition to the swim entry charge – (a) for a 2.5 hour session, the price would be adult \$9.50 / child \$6.70 / concession \$7.10; and (b) on weekends and holidays for a 5 hour session, the price would be adult \$12.00 / child \$8.60 / concession \$9.00.
- (2) Option one (refer Table 5 below) provides access to the warm water program pool included in the existing entry fee for a swim, except for when programmed classes are in action or the space is used for other purposes to be managed by the operators.
- (3) Option three (refer Table 5 below) provides access to a swim (including warm water program pool), spa, sauna, steam room – adult \$12.50 / concession \$9.40.
- Final scheduling of the sessions times above will be determined in consultation between Latrobe City Council and the operator.

### **Background:**

The Gippsland Regional Aquatic Centre is a new \$57M Aquatic facility funded from the State Government's Latrobe Valley Sports and Community Initiative in response to the closure announcement of the Hazelwood Power Station and Mine.

GRAC has provided Council with a unique opportunity to review and consider how best to manage and operate a facility that is much larger and more diverse than anything Council currently operates.

Following a detailed assessment of similar aquatic and recreational facilities, potential operational models were presented to Council in May 2020, where Council agreed to embark on a tender process to find a suitable organisation to provide expert advice and support to Council to manage and operate the GRAC.

YMCA has been appointed through this tender process.

Through collaboration with Council, YMCA will help to deliver improved recreation, health and wellbeing outcomes to the community while ensuring the facility's financial sustainability.

To enable reciprocal membership rights to enable access for Latrobe Leisure existing members to GRAC (and vice versa), it is planned that the existing Latrobe Leisure fees and charges will be used at the GRAC. These fees and charges will be reviewed on an annual basis in collaboration with Latrobe Leisure and be endorsed by Council prior to implementation.

The GRAC construction includes water slides and a warm water program pool which are unique to the GRAC and therefore a price is not reflected in the current Latrobe Leisure fees and charges.

A benchmarking review has been conducted across a number of other facilities in areas with similar demographic profiles to Latrobe to determine their methodology for developing and applying their water slide and warm water program pool costs. The results are below:

**Table 1 - Benchmarking**

Centre	Swim (for comparison)		Water Slide  Entry Price	Warm Water Program Pool		Swim, Spa, Sauna, Steam  Entry Price
	Adult Entry Price	Child / Concession Entry Price		Warm Water Pool Only Entry Price	Warm Water and Swim Entry Price	
Latrobe Leisure *	\$6.60	Child \$4.70  Concession \$4.90	N/A	N/A	N/A	Morwell / Moe \$10.90 (swim, spa, sauna)  Churchill \$9.50 (swim and sauna)  Concession  Morwell / Moe \$8.20 (swim, spa, sauna)  Churchill \$7.10 (swim and sauna)

Centre	Swim (for comparison)		Water Slide	Warm Water Program Pool		Swim, Spa, Sauna, Steam
GRAC *	\$6.60	Child \$4.70 Concession \$4.90	TBC	TBC	TBC	TBC
Warragul Leisure Centre	\$7.40	\$5.90	N/A	\$7.60	\$9.50	
Casey RACE	\$9.20	\$7.60	Included in price of swim entry	Included in price of swim entry	Included in price of swim entry	Swim, spa, sauna Adult \$13.70 Concession \$10.70
Dandenong OASIS	\$7.30	\$5.80	N/A	N/A	Adult \$10.50 ^ Concession \$8.10	Adult \$10.30 ^ Concession \$8.10
Oak Park Sports and Aquatic Centre	\$6.70	Child \$4.40 Concession \$5.00	1 ride \$3.20 3 rides \$6.40 Day Pass \$10.80 #	N/A	N/A	N/A
Noble Park Aquatic Centre	\$7.30	\$5.80	1 ride \$2.30 5 Rides \$9.20 Unlimited day pass \$15.00	N/A	N/A	N/A
Peninsula Aquatic Recreation Centre (Frankston)	\$9.30	\$7.40	Included in price of swim entry	N/A	Adult \$13.10 Concession \$7.40	Adult \$13.10 ^ Concession \$7.40
WaterMarc (Greensborou gh)	\$8.00	Child \$6.10 Concession \$6.30	Includes swim Adult \$18.40 Child	Included in price of swim entry	Included in price of swim entry	Adult \$13.80 Concession \$11.10

Centre	Swim (for comparison)		Water Slide	Warm Water Program Pool		Swim, Spa, Sauna, Steam
			\$13.70  Concession \$14.70  Family \$54.80  Member upgrade prices:  Adult \$10.50  Child \$7.70  Concession \$8.50			
YAWA Aquatic Centre (Rosebud)	\$7.50	Child \$4.90  Concession \$6.00	N/A	Included in price of swim entry	Included in price of swim entry	Adult \$15.00  Concession \$12.00
Splash Aqua Park and Leisure Centre (Craigieburn)	\$7.95	Child \$5.00  Concession \$3.90	Includes swim  Adult \$13.85  Child \$10.90  Concession \$9.80	Included in price of swim entry	Included in price of swim entry	Adult \$13.85  Student \$10.90  Concession \$9.80
Melbourne Sports and Aquatic Centre	\$8.50	\$8.50	N/A	\$8.50	\$17.00	Price not listed
Harold Hold Swim Centre (Glen Iris)	\$7.60	Child \$5.90  Concession \$6.50	N/A	Included in price of swim entry	Included in price of swim entry	Swim / Spa / Sauna  Adult \$13.20  Concession \$11.50

\*Latrobe Leisure's existing 2020/2021 fees and charges

^Warm water program pool entry includes spa, steam, sauna

#Day pass is in addition to entry fee



The comparison of the prices of those sampled indicates:

- Latrobe Leisure’s swim entry price is the lowest sampled across adult, child and concession price points (exception child entry at Oak Park Sports and Aquatic Centre (outdoor centre) where a child entry is \$4.40)
- Latrobe Leisure have existing prices for swim and sauna at Churchill and swim, spa and sauna at Morwell and Moe to enable a suitable price at the GRAC to be benchmarked at a higher rate in line with the addition of the warm water program pool and steam room
- Waterslide access varies across the facilities between including the price of slides in the swim entry fee and a separate fee
- Pricing models vary between each of the facilities reviewed, where the price of the warm water pool is either included in the swim entry price or a separate fee is charged, however it should be noted that many of the larger facilities include the warm water pool in the cost of their swim entry price. It should also be noted that at the GRAC, the spa and warm water program pool are in the same pool, which is not the case for a majority of other facilities reviewed.
- Warm water programming costs (e.g. for water aerobics) are accounted for separately to the swim entry fees. Latrobe Leisure has existing fees and charges and therefore this is not addressed in this review.

The following table summarises the potential operational models for access to the water slides:

**Table 2 – Water slides Options, Risks and Benefits**

	<b>Option</b>	<b>Benefits</b>	<b>Risks</b>
1	Access to slides included in cost of swim entry	Accessible to all patrons	Removes any ability (now and in the future) to generate additional revenue to offset any losses due to the low entry fees.  Less financially viable, particularly given Latrobe Leisure’s existing low entry fees in comparison to other centres  Reputation of Council to be financially responsible  Crowd management due to demand may cause lengthy queuing leading to reputational risk

2	Access to slides on a per ride basis	Accessible to patrons who want 1-2 rides	Can be costly where patron wants multiple rides  Operationally time consuming to implement by centre staff with queues at reception area
3	Access to slides on a session or day pass purchased in addition to swim entry	Contributes to cost of running GRAC / more financially viable  Easy to manage operationally	Accessible upon payment of fee and receipt of wrist band

The following table summarises the potential pricing models for access to the water slides.

\*\* It should be noted that the operation of the slides requires a minimum of two (2) dedicated lifeguards (one at the outlet and one at the top of the slides), which therefore dictates a need to only have the slides open when there is a justifiable number of patrons wishing to use it.

**Table 3 – Water slide Pricing Options**

	<b>Option</b>	<b>Price Proposed</b>
1	Access to slides included in cost of swim entry	N/A
2	Access to slides on a per ride basis	1 ride \$1.00 3 rides \$2.00 Day pass (per option 3 below)
3	Access to slides on a session or day pass purchased in addition to swim entry	Session price Monday to Friday 4pm to 6:30 pm (2.5 hours unlimited slides including swim entry) <ul style="list-style-type: none"> <li>• Adult \$9.50 (includes swim price of \$6.60 plus \$2.90 for unlimited rides for 2.5 hours)</li> <li>• Child \$6.70 (includes swim price of \$4.70 plus \$2 for unlimited rides)</li> <li>• Concession \$7.10 (includes swim price of \$4.90 plus \$2.20 for unlimited rides)</li> </ul> Saturday, Sunday, public and school holidays

		<p>10am to 3pm (5 hours unlimited slides including swim entry)</p> <ul style="list-style-type: none"> <li>• Adult \$12.00 (includes swim price of \$6.60 plus \$5.40 for unlimited rides for 5 hours)</li> <li>• Child \$8.60 (includes swim price of \$4.70 plus \$3.90 for unlimited rides for 5 hours)</li> <li>• Concession \$9.00 (includes swim price of \$4.90 plus \$4.10 for unlimited rides for 5 hours)</li> </ul> <p>Adults have free access to slides with any child 10 and under</p>
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The following table summarises the potential operational models for access to the warm water program pool:

**Table 4 – Warm Water Program Pool Options, Risks and Benefits**

	<b>Option</b>	<b>Benefits</b>	<b>Risks</b>
1	Include access to warm water program pool in cost of swim entry	<p>Accessible to all patrons</p> <p>Easy to manage operationally (i.e. no wrist band)</p>	<p>Warm water and spa are in the same pool, therefore spa would require wrist band</p> <p>Less financially viable</p>
2	Include access to warm water program pool in addition to cost of swim entry	More financially viable	Warm water program pool would require wrist band entry
3	Include access to warm water program pool as an additional cost, but include as spa / sauna / steam / warm water program pool	More financially viable	

The following table summarises the potential pricing models for access to the warm water program pool:

**Table 5 – Warm Water Program Pool Pricing Options**

	<b>Option</b>	<b>Price Proposed</b>
1	Include access to warm water program pool in cost of swim entry	As per proposed fees and charges for pool entry
2	Include access to warm water program pool in addition to cost of swim entry	Adult \$9.50 (price includes swim entry) Concession \$7.10 (price includes swim entry)
3	Include access to swim / warm water program pool / spa / sauna / steam / warm water program pool	Adult \$12.50 Concession \$9.40

The warm water pool is a particularly important addition to Latrobe City as it can be used therapeutically for many conditions. It therefore should attract significant usage which will have significant health outcomes as well as financial benefits for the operational costs of GRAC.

**Issues:**

*Strategy Implications*

The outcomes expected from the delivery of these fees and charges at GRAC are aligned to all objectives of the Council Plan.

*Communication*

A detailed communications plan will be developed to ensure the messages are relayed positively and any negative responses will be pre-emptively identified and responded to. This plan will be approved through the appropriate channels and processes prior to the announcements.

*Financial Implications*

Available industry information demonstrates that the existing Latrobe Leisure fees and charges are on the lower end of the cost scale compared to other similar facilities to GRAC. The fees and charges are also lower than the base case / business model.

To ensure reciprocal membership is available, the current Latrobe Leisure prices must be applied, and any shortfall from the revenue projections should be addressed through increased patronage and by maximising the use of water slides and the warm water pool program.

By charging a small fee, the cost of these activities is covered (partially or fully) by those who use the water slides and/or the warm water pool rather than subsidised by all ratepayers across the municipality. It is generally understood that there are costs associated with an activity such as these

*Risk Analysis*

Questions may be raised regarding an additional entry fee to access the warm water program pool and spa / steam room / sauna. This model is consistent with existing fees and charges for Latrobe Leisure.

Questions may be raised regarding an additional fee for access to the water slides. Latrobe Leisure does not have water slides at any other facility and therefore does not have a price point for this unique item. Charging a fee is consistent with many other similar facilities in Victoria and reflects the costing associated with the earlier GRAC business case.

<b>Identified risk</b>	<b>Risk likelihood*</b>	<b>Controls to manage risk</b>
<b>Financial Risk</b>  Loss of revenue for warm water program pool and / or water slides	4	Select options to charge patrons for usage of warm water pool and or water slides
<b>Reputational Risk</b>  Selection option for low or no charge for warm water program pool and / or water slides, and they trying to introduce a charge at a later date	4	Select options initially to charge patrons for usage of warm water pool and / or slides, collect data on usage over time and make an informed assessment
<b>Strategic Risk</b>  Long term incremental loss of revenue over time will affect the subsidy per user and cost to Council / amount rate payers subsidise the use of the facility	4	Select options to charge patrons for usage of warm water pool and / or slides to maximise revenue opportunities

\* Inherent likelihood ratings: 1 (Rare); 2 (Unlikely); 3 (Possible); 4 (Likely); 5 (Almost Certain)

### *Legal and Compliance*

Pricing will need to comply with current Leisure fees and charges and special fees policy. It is proposed that further work be undertaken with YMCA and Latrobe Leisure to streamline membership offerings beyond reciprocal membership for access to aqua and gym offerings. This work is not the subject of this Council report

Each option will have associated flow on impact to net cost to Council. The lower the cost of the water slides and warm water pool program access, the higher the subsidy. However, the intention is to offset these costs with increased patronage.

### *Community Implications*

The operation of the GRAC has a key responsibility to deliver community health and social outcomes for the constituents. The programming and fee structure managed must be attractive, delivering appropriate programs and services, and affordable for all people across the municipality.

Access to the water slides and warm water program pool must be affordable for local and regional people / groups to be able to access and use. Fees need to be set at levels that:

1. User groups are able to afford
2. Make a reasonable contribution towards the Centre and program costs
3. Are in line with rates charged by similar facilities – market rates
4. Meet Council objectives and policies

The fees and charges must ensure access to the Centre is granted in an equitable, transparent and ethical manner, in line with Council's vision for the GRAC and its existing Leisure facilities.

### *Environmental Implications*

Nil implications.

### *Consultation*

The project team has engaged with a broad cross-section of internal stakeholders on various fee structures. In addition, data has been collected from several Councils across Victoria to identify the comparative pricing structures.

This consultation has been supported by the breadth of knowledge and experience of both the Otium Planning Group and YMCA have collected throughout the various projects they have either managed or been involved in.

Otium Planning Group provided the view that given that the existing fees and charges are low comparative to other like centres, that to ensure revenue is maximised, that access to the warm water program pool and water slides be in addition to the swim entry fee

YMCA have provided the view that they consider including the cost of the warm water pool with the swim entry is able to be achieved, however the impact on revenue must be considered. YMCA also provided the view that water slides should be charged a fee over and above the swim entry fee.

*Other*

N/a



**Declaration of Interests:**

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*.

**Supporting Documents:**

Nil.

**Attachments**

1   Attachment 1 (Table 3) – Water slide Pricing Options

2   Attachment 2 (Table 5) – Warm Water Program Pool Pricing Options

# 15.1

## GRAC Fees & Charges

1	Attachment 1 (Table 3) – Water slide Pricing Options.....	160
2	Attachment 2 (Table 5) – Warm Water Program Pool Pricing Options .....	161



**Attachment 1 (Table 3) – Water slide Pricing Options**

	<b>Option</b>	<b>Price Proposed</b>
1	Access to slides included in cost of swim entry	N/A
2	Access to slides on a per ride basis	1 ride \$1.00 3 rides \$2.00  Day pass (per option 3 below)
3	Access to slides on a session or day pass purchased in addition to swim entry	<p>Session price</p> <p>Monday to Friday 4pm to 6:30 pm (2.5 hours unlimited slides including swim entry)</p> <ul style="list-style-type: none"> <li>• Adult \$9.50 (includes swim price of \$6.60 plus \$2.90 for unlimited rides for 2.5 hours)</li> <li>• Child \$6.70 (includes swim price of \$4.70 plus \$2 for unlimited rides)</li> <li>• Concession \$7.10 (includes swim price of \$4.90 plus \$2.20 for unlimited rides)</li> </ul> <p>Saturday, Sunday, public and school holidays 10am to 3pm (5 hours unlimited slides including swim entry)</p> <ul style="list-style-type: none"> <li>• Adult \$12.00 (includes swim price of \$6.60 plus \$5.40 for unlimited rides for 5 hours)</li> <li>• Child \$8.60 (includes swim price of \$4.70 plus \$3.90 for unlimited rides for 5 hours)</li> <li>• Concession \$9.00 (includes swim price of \$4.90 plus \$4.10 for unlimited rides for 5 hours)</li> </ul> <p>Adults have free access to slides with any child 10 and under</p>

**Attachment 2 (Table 5) – Warm Water Program Pool Pricing Options**

	<b>Option</b>	<b>Price Proposed</b>
1	Include access to warm water program pool in cost of swim entry	As per proposed fees and charges for pool entry
2	Include access to warm water program pool in addition to cost of swim entry	Adult \$9.50 (price includes swim entry) Concession \$7.10 (price includes swim entry)
3	Include access to swim / warm water program pool / spa / sauna / steam / warm water program pool	Adult \$12.50 Concession \$9.40

**Agenda Item: 15.2**

**Agenda Item: Traralgon Recreation Reserve and Showgrounds  
Masterplan**

**Sponsor: General Manager, Assets and Presentation**

**Council Plan Objective: Improve the liveability and connectedness of Latrobe  
City.**

**Status: For Decision**

**MOTION**

**Moved:** Cr Howe

**Seconded:** Cr Harriman

**That Council:**

- 1. Releases the Draft Traralgon Recreation Reserve and Showgrounds Masterplan for public exhibition for a period of four weeks; and**
- 2. Is provided a future report detailing submissions received during this period.**

**CARRIED UNANIMOUSLY**

**Executive Summary:**

- The Traralgon Recreation Reserve and Showgrounds Masterplan has undergone a number of variations since it was initially drafted and exhibited in 2014.
- The Draft Masterplan has also undertaken community consultation on a number of occasions since 2014, with the most recent activities being in early 2020.
- Each version of the Draft Masterplan has raised a number conflicting views from the many groups who use the Traralgon Recreation Reserve and Showgrounds.
- Following community consultation in early 2020, further changes have been made to the masterplan to address some of the issues raised.
- Due to COVID-19 restrictions, community consultation on the most recent revised version of the Draft Masterplan has been delayed until now, however

informal direct consultation with the user groups has been undertaken which has again identified conflicting views with a number of changes being requested.

- Officers are now seeking Council authorisation to commence formal community consultation with the wider community to inform a further report that will be provided to Council presenting all submissions received to the current Draft Masterplan.
- Latrobe City Council will publically exhibit the Draft Masterplan for a period of four weeks, commencing early March 2021.

### **Background:**

This report presents Councillors with the most recent Draft of the Traralgon Recreation Reserve & Showgrounds Master Plan and seeks Council's authorisation to release the Masterplan for further public exhibition.

This master plan was initially developed following extensive community and stakeholder engagement activities in 2014 and 2015, before undertaking further community consultation in March 2020.

The primary objective of the master plan is to establish a clear direction for the future planning, provision, enhancement and improvements for infrastructure at the Traralgon Recreation Reserve & Showgrounds.

Some of the key initiatives identified in the Master Plan include:

- Replacing redundant and functionally obsolete buildings and amenities with facilities that meet current standards as well as the shared sport, community and education needs;
- Provide and enhance a diverse range of accessible recreational facilities and open space areas across the reserve to meet the needs of not only the user groups but that of the entire community;
- Facilitate an increased passive recreational use of the reserve by providing informal recreation facilities such as paths, seats, playgrounds and picnic areas;
- Develop best practice reserve and supporting facilities/amenities that provide for the existing and emerging demand for sports; and
- Strengthen the capacity of sporting clubs and user groups seeking to improve the quality of reserve facilities.

In developing the draft master plan, extensive consultation occurred with all stakeholders of the reserve and the wider Traralgon community. The initial Draft of Traralgon Recreation Reserve and Showgrounds master plan was not adopted in June 2014 due to a lack of consensus in relation to a number of key draft master plan recommendations.

Further consultation took place in 2015 and whilst this also did not achieve a majority consensus on the draft master plan recommendations, changes were made to the plan to reflect the feedback provided and where regulatory planning constraints of the Traralgon Recreation Reserve & Showgrounds allowed.

The 2015 version of the Draft Traralgon Recreation Reserve and Showgrounds master plan was also not adopted due to a lack of consensus in relation to a number of key draft master plan recommendations identified.

Some years passed before in March 2020, further community consultation was undertaken and further changes have been made to the master plan to reflect some of the feedback provided.

See Attachment 1 for the current version of the Draft Traralgon Recreation Reserve and Showgrounds Master Plan.

Due to COVID-19 restrictions, community consultation with the wider Traralgon community on the current revised version of the Draft Masterplan has been delayed until now.

It is however noted that informal direct consultation with the user groups was undertaken in late 2020, which has again identified conflicting views between user groups with a number of changes already being requested. See Attachment 2 for the submissions already received from some of the user groups.

Although feedback from some of the user groups has already been provided, it is considered that further consultation with the wider Traralgon community is required to attempt a heightened level of consensus and to ensure Councillors are fully informed when the plan is next presented to Council for adoption.

A master plan being endorsed by Council is important in ensuring for the Traralgon Recreation Reserve and Showgrounds and it's many user groups are provided with development opportunities and the site is developed in a well-planned manner.

Additionally, an endorsed master plan is a key criterion for a number of external and internal funding opportunities. Without an endorsed master plan this reserve will continue to be disadvantaged in the consideration of funding applications.

**Issues:**

*Strategy Implications*

Objective of the Council Plan 2017 – 2021 include, to *'provide a connected, engaged and safe community environment, which is improving the well-being of all Latrobe City citizens'* and to *'Improve the liveability and connectedness of Latrobe City'*.

The Draft Traralgon Recreation Reserve and Showgrounds Master Plan identifies the most equitable and necessary future direction for the site, ensuring the reserve will support Latrobe City and particularly the users of the reserve into the future.

### *Communication*

As mentioned previously in this report, the Traralgon Recreation Reserve and Showground Master Plan have been subject to a number of consultation activities since 2014.

The last consultation activities in March 2020 have assisted the development of the current Draft Master Plans.

It is proposed that the current version of the Draft Master Plan undergo a further four weeks of community engagement with the wider Traralgon community.

### *Financial Implications*

A Master Plan is an aspirational document, not a detailed design or plan and does not commit Council to fund the opportunities identified within a set timeframe.

It is noted that no projects identified within the Master Plan are currently proposed or require any Council budget allocation.

The Master Plan does however provide a clear direction for Council and the community should internal or external funds become available for particular types of projects identified within the plan.

Financial implications will result if and when funding opportunities become available requiring Council contributions or when funding is sought through Council's budget processes.

At this stage, there are no financial implications of this report.

### *Risk Analysis*

<b>Identified risk</b>	<b>Risk likelihood*</b>	<b>Controls to manage risk</b>
<p><b>Service Delivery Risk</b></p> <p>Funding availability from Council or external funding partners for implementation.</p>	3 (Possible)	<ul style="list-style-type: none"> <li>- Clear and strong advocacy to external funding bodies; and</li> <li>- Clear and constant communication with user groups about funding and budget processes.</li> </ul>
<p><b>Reputational Risk</b></p> <p>Community expectations that the entire master plan will be funded and delivered by Council</p>	4 (Likely)	<ul style="list-style-type: none"> <li>- Communicate clearly with the community and user groups about the master plan</li> </ul>

immediately.		actions; and - Ensure each project delivers a beneficial outcome for the community and the user groups.
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\* Inherent likelihood ratings: 1 (Rare); 2 (Unlikely); 3 (Possible); 4 (Likely); 5 (Almost Certain)

### *Legal and Compliance*

There are no legal or compliance matters arising from this report or the master plan.

### *Community Implications*

Following informal consultation of the current version of the Draft Master Plan with the user groups of the Traralgon Recreation Reserve and Showgrounds late in 2020, it is highly likely that a consensus on the current Draft Master Plan will not be achieved and further changes will be requested.

This will likely see some of the user groups responding negatively to the plan.

### *Environmental Implications*

There are no known environmental implications of the Draft Master Plan.

### *Consultation*

As mentioned previously in this report, there have been numerous consultation activities undertaken for this site over the past 7 years.

This round of community consultation is planned to include the following:

- Letters to be sent to all land owners and occupiers adjoin the reserve;
- Posts on Council's Facebook Page;
- Promotion of Council's Website and 'Have Your Say' page;
- Feature in the Council Noticeboard of the Latrobe Valley Express; and
- One on One meetings with interested stakeholders and community members where requested.

The consultation period will be for four weeks during March 2021 and formal submissions will be accepted in writing or via email.


### **Declaration of Interests:**

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*.

**Supporting Documents:**

Nil

**Attachments**

1. [Download](#)  Draft - Traralgon Recreation Reserve and Showgrounds Master Plan
2. Submissions - Usergroups (Published Separately)

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## **15.2**

### **Traralgon Recreation Reserve and Showgrounds Masterplan**

- 1 Draft - Traralgon Recreation Reserve and Showgrounds  
Master Plan..... 169**



**TRARALGON RECREATION RESERVE & SHOWGROUNDS  
MASTER PLAN UPDATE**

**Updated April 2020**



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## ABOUT THIS DOCUMENT (PART A)

The Traralgon Recreation Reserve and Showgrounds Master Plan was originally developed in 2015 and has recently been updated to reflect the current needs of user groups and the local community. The Master Plan is delivered in two parts:

### Part A – The Master Plan

Provides a summary of master plan objectives, planning and design principles, updated stakeholder needs and consultation methods, and a revised master plan with strategic recommendations and cost estimates.

### Part B – Background Report

Provides project context, literature review and full site assessment and existing condition plans. Outcomes and key findings from stakeholder consultation undertaken in 2014 and other relevant data collected during the development of the original Master Plan is also provided in the Background Report.

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## INTRODUCTION

The Traralgon Recreation Reserve and Showgrounds Master Plan was originally commissioned by Latrobe City Council in 2013 to establish a clear direction for the future planning and provision of sport and community infrastructure. The project was completed in 2015 and the Master Plan is now being updated to reflect the current needs and aspirations of tenants, local residents and casual users of the reserve.

Although the overall vision and use of the Traralgon Recreation Reserve has generally remained the same, project priorities and strategic recommendations have changed since 2015. These changes are reflected in this document and have been informed by recent engagement with key stakeholders and alignment with Council priorities.

The Traralgon Recreation Reserve and Showgrounds is defined in Council's Public Open Space Strategy as a 'Regional' reserve comprising of two sporting fields (main Traralgon Recreation Reserve Oval and Old Trafford Oval). The reserve hosts local sport, attracts regional sporting events and is home to the Traralgon and District Agricultural Show - coordinated by long term site tenants and part land owners, the Traralgon and District Agricultural Society.

Outside of organised sport and the Show, the reserve is also used frequently by local residents for passive recreation pursuits including walking, jogging, dog walking and community gatherings.

With a mixture of land ownership arrangements and a variety of community and recreation user groups, the site's complex nature and usage requirements has seen the establishment of a Council endorsed Advisory Committee. This Committee provides advice to Council on the operation of the reserve and assists with the ongoing management of community facilities.

Situated in the Traralgon flood plain, the reserve has both a flood overlay and a land subject to inundation overlay applied over approximately 95% of the site. These overlays, along with a number of other site constraints, have been considered when developing master plan recommendations. It is important to note that several projects recommended will require further investigation, consultation and approval from the West Gippsland Water Catchment Management Authority.

To improve overall reserve capacity and participation opportunities, the master plan aims to enhance the quality and accessibility of sport and community infrastructure. It also seeks to better connect facilities, user groups and the wider Traralgon community.

The development and update of the Traralgon Recreation Reserve and Showgrounds Master Plan included considerable community and stakeholder consultation. The outcomes of the consultation process has ensured that recommendations reflect current and future community needs, as well as meeting best practice and peak sporting body facility development guidelines.

The general themes from the consultation process related to the condition, functionality and connectivity of reserve infrastructure.

These themes have informed the development of strategic recommendations and improvement priorities that will guide the future planning and development of the Traralgon Recreation Reserve. The key focus areas for reserve improvements include:

- Improving site access.
- Replacing or renewing aged and dysfunctional buildings.
- Provision of high quality sport and event infrastructure
- Traffic management
- Provision of informal recreation opportunities
- Effective and efficient site management

Stakeholder and community input into the future direction and role of the Traralgon Recreation Reserve and Showgrounds has created the following reserve vision.

*'A multi-use open space venue that provides opportunities for organised sport, regional and community events and informal activities, whilst recognising and retaining the site's strong historical and cultural significance'.*



## THE PROJECT

### BACKGROUND AND CONTEXT

The 2015 Traralgon Recreation Reserve and Showgrounds Master Plan was developed to support the implementation of Council's 2006 Recreation Plan. The intent of the Master Plan was to provide clear direction for the future planning, provision and enhancement of sport and community infrastructure at Traralgon Recreation Reserve and Showgrounds.

Traralgon has a forecast population of approximately 34,500 by 2031 (32% increase on 2011). To service this growth a coordinated approach to the future planning, development and implementation of recreation services and associated sporting and community infrastructure at Traralgon's premier sporting precinct is required.

### PROJECT OBJECTIVES

The key objectives of the 2015 Traralgon Recreation Reserve and Showgrounds Master Plan were to:

- Identify reserve development opportunities for the Traralgon and surrounding communities for the next 10 years.
- Optimise sports facility and open space usage and increase multi-use and efficiency of recreational facilities.
- Provide a prioritised implementation plan, including cost estimates for master plan infrastructure recommendations.
- Provide advice on a sustainable management structure ensuring equitable access, usage and funding is provided to clubs and associations.

### DESIGN & DEVELOPMENT PRINCIPLES

To support the delivery of Master Plan recommendations the following design guidelines and development principles were adopted by Latrobe City Council.

The five key themes that underpinned the design guidelines, development principles and eventual reserve improvement recommendations include:

1. Future facility development.
2. Accessibility.
3. Community infrastructure and social amenity.
4. Sports field provision and suitability.
5. Reserve and facility management.

*The process for reviewing and updating the Traralgon Recreation Reserve and Showgrounds Master Plan commenced at the start of 2020. Meetings with sport and community user groups located at the reserve, and consultation with relevant peak sporting bodies, has informed the updated Master Plan.*



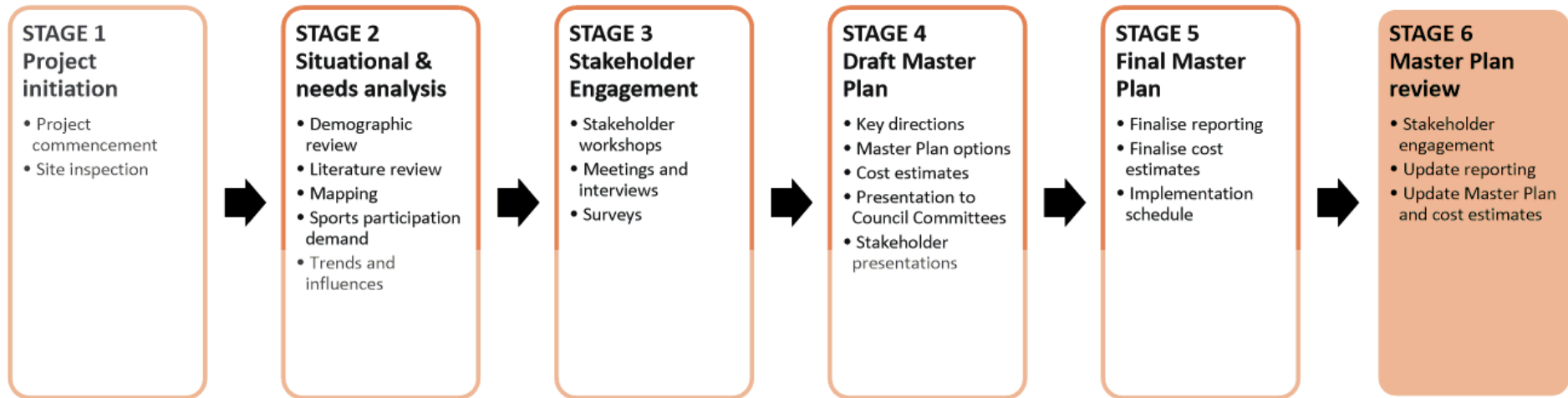
# METHODOLOGY & TIMELINES

THE 2015 TRARALGON RECREATION RESERVE AND SHOWGROUNDS MASTER PLAN WAS UNDERTAKEN IN FIVE KEY STAGES COMMENCING IN AUGUST 2013. THE REVIEW OF THE MASTER PLAN WAS COMPLETED IN APRIL 2020.

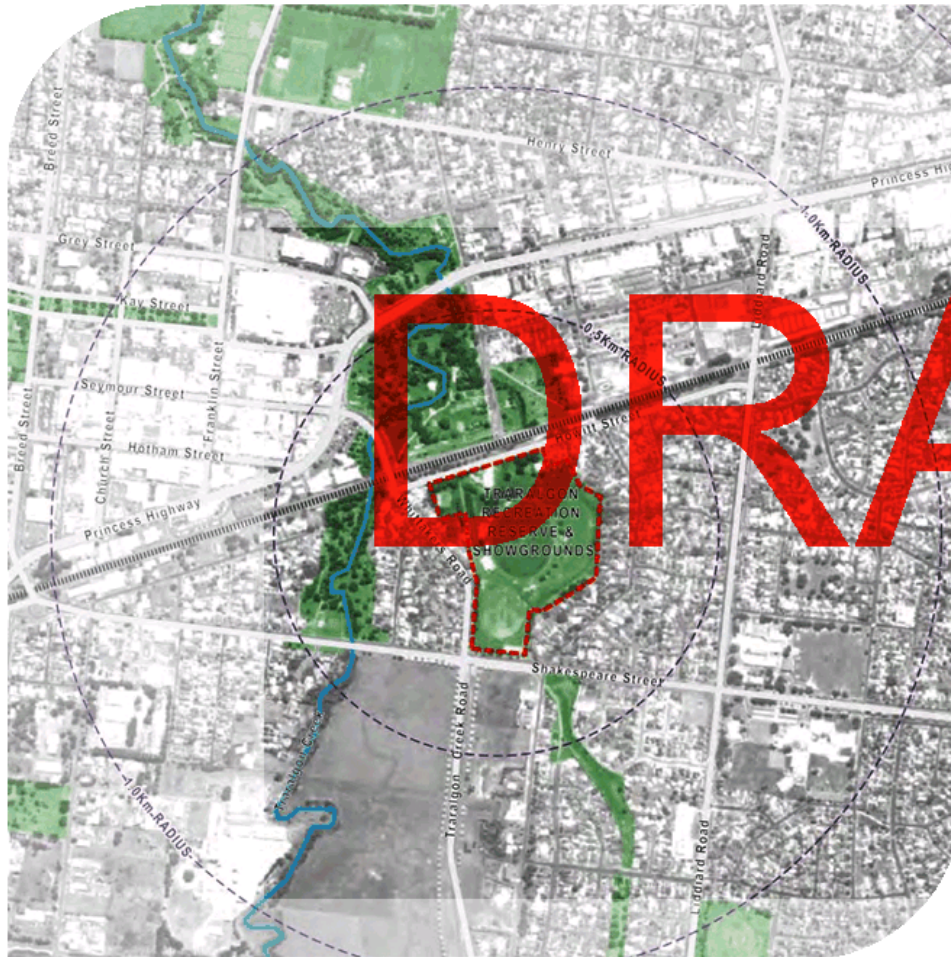
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← August 2013 to March 2015 →

March / April 2020



## RESERVE INFORMATION



The adjacent aerial image of the Traralgon Recreation Reserve and Showgrounds site shows the master plan project study area (red outline).

The site includes the main Traralgon Recreation Reserve and Showgrounds sporting field and Old Trafford Oval (to the south), along with multiple sporting club and community user group buildings.

### PUBLIC OPEN SPACE STRATEGY 2013

**Reserve Hierarchy Classification:** Regional

**Primary Function:** Sport

**Level Of Use:** High

The Traralgon Recreation Reserve and Showgrounds site plays host to over a dozen regular tenants with participation recorded for the following organised sporting/community activities and events:

- AFL
- Netball
- Pigeon Racing
- Wood chopping/Woodwork
- Bridge
- Roller Derby
- Traralgon and District Agricultural Show
- Cricket
- Fire Brigade Competitions
- Boxing



## RESERVE USERS

- Traralgon and District Agricultural Society.
- Traralgon Urban Fire Brigade.
- Traralgon Men's Shed.
- Traralgon Bridge Club.
- Traralgon and District Pigeon Club.
- Traralgon Football Netball Club.
- TEDAS Junior Football Club.
- Ex Students Cricket Club.
- Traralgon Amateur Boxing Club.
- Traralgon Playgroup.
- South and Central Gippsland Axeman Association.
- Gippsland Superules League.
- Gippsland Roller Derby.

## KEY RESERVE ISSUES/CONSTRAINTS

- Site subject to **flooding**.
- Some aged and **dysfunctional buildings** not meeting sport or community expectations.
- A gap in the **provision of amenities** for netball.
- Limited capacity of Old Trafford Oval to provide adequately for sport and events.
- Uncoordinated traffic movement resulting in vehicle congestion.
- Inadequate car parking/lack of definitive car parking spaces.
- Unclear site management, communication and stakeholder responsibilities.

## EXISTING RESERVE INFRASTRUCTURE

- Two sporting fields (one full size and one junior).
- Main sporting field is floodlit to 300 lux with an electronic scoreboard.
- Main pavilion/social rooms with unisex change rooms.
- Tony Lane Grandstand.
- TEDAS sports pavilion servicing Old Trafford Oval.
- One acrylic fully compliant netball court with lighting and one asphalt court.
- Temporary grandstand seating and netball storage/shelters.
- Multiple Traralgon and District Agricultural Society buildings.
- **Fire brigade running track and associated building.**
- **Traralgon Bridge Club and Men's Shed buildings.**
- **Cricket training nets.**
- **Cricket storage shed.**
- **BMX Track.**
- **Public toilet blocks (2).**

## VALUED RESERVE CHARACTERISTICS

- Site history and tradition.
- Centralised location.
- Large open space.
- Variety of facilities.
- Community atmosphere.

## PLANNING AND DESIGN GUIDELINES AND DEVELOPMENT PRINCIPLES

The following development principles have been used to guide the interpretation, consideration and preparation of design options for the Traralgon Recreation Reserve and Showgrounds Master Plan.

### 1. FUTURE FACILITY DEVELOPMENT

- 1.1 Replace redundant and functionally obsolete buildings and amenities with facilities that meet shared sport, community and education objectives.
- 1.2 The provision of recreation and leisure facilities shall maximise shared usage and flexibility to meet changing community needs and aspirations.
- 1.3 Support for tenants currently utilising separate buildings to consolidate into one building.
- 1.4 Priority shall be given to supporting the provision of sport and recreation facilities that cater for both municipal and local level needs.
- 1.5 Sport and recreation facilities shall provide safe and supportive environments for participants and an emphasis on the provision of new (unstructured) recreational pursuits and open space should be considered.
- 1.6 Universal, Healthy by Design, Female Friendly and Crime Prevention guidelines and principles will underpin the planning and design of future facility developments.

### 2. ACCESSIBILITY

- 2.1 Provide a diverse range of accessible recreation facilities and open space areas across the reserve to meet the needs of Latrobe's diverse community.
- 2.2 Ensure recreation reserves and supporting facilities are accessible, safe and appealing for people with a disability (Disability Discrimination Act compliance).
- 2.3 Ensure equitable provision of reserve infrastructure and supporting facilities according to age, gender, cultural background and ability.
- 2.4 Ensure reserve infrastructure and supporting facilities are safe and secure for older adults (security lighting, car park provision, access into and around facilities).
- 2.5 Improve and link bicycle paths, footpaths and road networks to encourage physical activity and promote liveability.
- 2.6 Continue to maintain and improve access to all reserves and open space areas.
- 2.7 Improve vehicle entry/egress and car parking provision at recreation reserves and open spaces to meet expected day-to-day usage and sporting/community event requirements.
- 2.8 Enhance connectivity between key sporting reserves and community infrastructure.
- 2.9 Provision of walking paths/tracks/trails that allow for both recreational opportunities and destination based routes.

### 3. COMMUNITY & SOCIAL AMENITY

- 3.1 Ensure reserve amenities and open space areas are available for informal recreation activities.
- 3.2 Facilitate increased passive recreational use of the reserve by providing informal recreation facilities (e.g. paths, seats, plantings, BBQ/picnic areas, playgrounds).
- 3.3 Develop and maintain community infrastructure that connects and meets the needs of the Latrobe community.
- 3.4 Promote and support opportunities for people to enhance their health and wellbeing through physical activity.
- 3.5 Enhance and develop the physical amenity and visual appearance of the reserve.
- 3.6 Continue to support event infrastructure to strengthen Latrobe's community well being and liveability.
- 3.7 Continue to build pride of place and recognise the historical significance of the reserve.
- 3.8 Enhance the visual amenity of the reserve through additional tree planting and landscaping.

### 4. SPORTS FIELD PROVISION & SUITABILITY

- 4.1 Continue to develop best practice reserve and supporting facilities/amenities that provide for emerging and high demand sports.
- 4.2 Promote and facilitate increased participation opportunities for target groups such as older adults, women and children via supporting reserve facilities and amenities.
- 4.3 Strengthen the capacity of sporting clubs and organisations seeking to improve the quality of reserve facilities.
- 4.4 Develop relationships with local schools to integrate management and use of school and public facilities.
- 4.5 Encourage and promote formalised sporting competitions, sports carnivals and elite training at the reserve.
- 4.6 Continue to ensure high levels of playing field provision and conditions are maintained to meet levels of training/competition requirements (e.g. sports field lighting).
- 4.7 Encourage shared use of sporting reserves, training facilities, building and amenities.
- 4.8 Identify opportunities to encourage increased use of existing fields before adding new playing areas.
- 4.9 Maintain dedicated playing field areas, ensure they are appropriately sized and dimensioned and maximise their use and flexibility for configuration and usage by additional sports or activities.
- 4.10 Minimise (where not mandatory) reserve fencing to allow for greater flexibility and shared usage.
- 4.11 Recognise and promote Traralgon Recreation Reserve as a regional venue with capacity to host high level sporting and community events.



## STAKEHOLDER NEEDS

A realistic and practical master plan which addresses the immediate needs of key stakeholders and responds to future sport and community demands requires significant consultation.

Key stakeholders consulted during the initial development and recent review of the master plan included Council staff, community user groups, local sporting clubs, leagues, associations, peak sporting bodies, government agencies and local community residents.

### CONSULTATION METHODS

The following consultation methods were undertaken to inform the development of the 2015 Traralgon Recreation Reserve and Showgrounds Master Plan.

- Meetings and presentations to Project Steering Group.
- One workshop with Latrobe City Council's Internal Reference Group.
- Councillor Briefing presentation.
- On-site presentations to key stakeholders.
- Individual meetings and interviews with reserve sporting/community user groups.
- One community meeting/workshop at Traralgon Recreation Reserve and Showgrounds.
- Written submissions from local residents.
- Two Project Bulletins.
- Online and hard copy organisation and general community member/resident reserve user surveys.
- Telephone interviews with key government agencies, peak sporting bodies and associations.
- Site visit/inspection.
- Project management design brief workshop.

- Opportunity for stakeholder groups to meet individually with Council officers to discuss Draft Master Plan and supporting Implementation Plan.
- Council's online 'Have your Say' promotion and encouragement of written submissions from stakeholders on Draft Master Plan.
- Final design workshop with Council officers, project consultants and landscape architects.

Meetings with the following user groups and stakeholders were undertaken in March 2020 to assist in reviewing and updating the Master Plan.

- TEDAS Junior Football Club
- Ex Students Cricket Club
- Gippsland Roller Derby
- Traralgon Bridge Club
- Traralgon Football Netball Club.
- Gippsland Masters Football Club
- Traralgon District Cricket Association
- Traralgon Playgroup
- Traralgon Agricultural Society
- Traralgon Urban Fire Brigade
- Peak sporting bodies (AFL, Cricket and Netball)

## SUMMARY OF CONSULTATION FINDINGS 2020

Reserve user groups were asked to provide an update on their current needs, facility development priorities and future aspirations for the updated Traralgon Recreation Reserve and Showgrounds Master Plan. A summary of responses are provided below.

### TEDAS Junior Football Club

- Improve the condition, playability and size of Old Trafford Oval.
- Community events held on Old Trafford Oval heavily impacts the surface.
- Other priorities include upgrading change rooms to unisex, oval fencing, electronic scoreboard, coaches boxes and spectator seating.

### Ex Students Cricket Club

- Sight screens on the main oval is the clubs highest priority. This will enable the club to utilise the field lighting and offer night cricket and regional events.
- Redeveloping Old Trafford Oval is required to meet senior cricket and junior football guidelines. Removal of old lighting infrastructure on main oval.
- Fencing Old Trafford Oval to eliminate pedestrian walk through on competition days.
- Other priorities include improving cricket practice wickets with a soft net roof, increasing shade for spectators and electronic scoreboard on Old Trafford Oval.

### Gippsland Roller Derby

- Three year lease with the Traralgon Agricultural Society and have secured external funds to refurbish their facility. The club have 100 members and 20 competitive skaters.
- Future project priorities include upgrade to female toilets (preference for gender neutral), full cladding of walls to make them vermin proof and replacing roof sheeting.
- The current access issues into the shed and security measures to address anti-social behavior also needs to be investigated.

### Traralgon Bridge Club

- Shares the recently refurbished hall with a community health group, band group and weight loss group.
- Additional parking and disabled parking bays are a priority to support members with mobility issues. Improvement also required to the rear of the hall.

### Traralgon Football Netball Club

- Enhancing netball amenities to provide change rooms, toilets, umpires and first aid room is the highest priority. A second netball court is also needed.
- Alternatively re-line marking and better floodlighting on the asphalt netball court would assist netball capacity.
- Increasing and improving spectator capacity and amenities to accommodate major events is required. Priorities include accessible public toilets, formalised car parking and amenities to service upstairs viewing room in the clubrooms.
- Support for the redevelopment of Old Trafford Oval and removal of old lighting infrastructure around the main oval.
- Longer term a full redevelopment of the building occupied by the football club is required.

### Traralgon Urban Fire Brigade

- Utilise the Fire Track and CFA building over summer. The old asphalt netball court is also used for car parking.
- Additional car parking behind the Playgroup would assist Fire Brigade operations. Supportive of old toilet block being refurbished.
- Old Trafford Oval is the designated staging area in the event of a bushfire which needs to be accessed by heavy vehicles.

### Traralgon Agricultural Society

- The Agricultural Society have been progressively upgrading their facility with the view of re-introducing the Traralgon Show back to the reserve. Installation of 3 phase power is a high priority.
- Plans in place to upgrade and activate the 'Craft Shed' including unisex toilet, full commercial kitchen and improvements to cladding and seal asbestos.
- Issues with security - CCTV surveillance needed as well as permanent lighting.
- Support for the upgrade of Old Trafford Oval and retaining it as a multi use sport, community and event space.
- Support for all abilities play space, disabled car parking and improving netball amenities.

## SUMMARY OF CONSULTATION FINDINGS CONTINUED

**Traralgon Playgroup**

- Vehicle access to the Playgroup is via the old netball court along the asphalt path to the beside the new netball court.
- A formalised car park and sealed path to the building is the highest priority.

**Gippsland Masters Football Club**

- A social group who utilises the reserve in winter for one training session per week and 5 Sunday games per year.
- The club see an opportunity to use Old Trafford for training if the surface and lights were upgraded.

**Traralgon Recreation Reserve Committee (community member)**

- The focus should be on the provision of high quality sporting infrastructure and investing in the upgrade of Old Trafford Oval to act as an overflow venue.
- Drainage at the reserve needs to be improved. The master plan provides an opportunity to identify where water flow and drainage could be improved.
- Support for netball amenities but these should be shared with other user groups.
- BMX track needs to be relocated.
- Issues with security and inadequate lighting.

**Community drop in sessions (local residents)**

- Support for the Traralgon Show to return to the reserve and refurbishment of the 'Craft Building' to support this.
- Residents would like to see the reserve as a designated RV/Caravan parking area.
- The Rodeo which has previously been held on Old Trafford Oval is better suited to the Racecourse.
- The 'open drain' is not ascetically pleasing and back fences are being impacted due to the drain not being properly maintained.

**Cricket Victoria**

- Supports the redevelopment of Old Trafford Oval to ensure the club has access to a suitable secondary venue to provide entry level programs and grow junior and female participation.
- There is limited demand for cricket events in Gippsland. Ted Summerton Reserve, being the regional cricket hub, is the preferred venue for hosting daytime premier cricket and BBL matches/
- The 300 lux lighting at Traralgon would only be suitable for hosting local community cricket and association level content. Premier cricket and above requires a minimum of 500 lux

**Netball Victoria**

- There is an urgent need to provide new player and spectator amenities to service the netball court. These should ideally be located on the western side of the court and replace the existing amenities.
- The master plan should also identify additional covered spectator amenities (shelter) on the eastern side where the uncovered grandstand is currently located.
- Support for the development of a second court to provide additional training and development opportunities.

**AFL Gippsland**

- AFL Gippsland were unable to be contacted for comment.

# MASTER PLAN

## RESERVE VISION

A multi-use open space venue that provides opportunities for organised sport, regional and community events and informal activities, whilst recognising and retaining the site's strong historical and cultural significance.

## RECOMMENDATIONS

This section of the report provides recommendations for the Traralgon Recreation Reserve.

Recommendations are designed to provide sport, government and community stakeholders with a schedule of prioritised improvements and upgrades. Each are supported by proposed stakeholder responsibilities, cost estimates and potential funding opportunities.

Ongoing ownership, monitoring and delivery of recommendations will require a planned approach from Council and project partners.

Recommendations focus on a 10 year timeframe, with several subject to further investigation and approvals.

## STAKEHOLDER RESPONSIBILITIES

Identifying stakeholder involvement and allocation of roles, responsibilities and resources provides a focused approach to delivery and implementation. Each master plan recommendation has been nominated a stakeholder responsible for the initiation, planning and funding of individual reserve recommendations.

## IMPLEMENTATION PLAN

Each master plan recommendation has been allocated a level of priority within the implementation plan. This is based on their relative impact on delivering project outcomes.

**HIGH:** Important recommendation that underpins the future delivery of sport and community infrastructure, open space and site management initiatives. High priority projects are considered to have the greatest potential of attracting external funding and require immediate planning to commence at the earliest opportunity.

**MEDIUM:** Recommendation that delivers on meeting the overall objectives of the Master Plan.

**LOW:** Recommendation that will contribute to the overall improvement of sport and community infrastructure at the reserve.

**It should be acknowledged that priorities can change and are based on funding availability. The presentation of new or unknown opportunities or changes in community demands can also alter priorities.**





#### OPINION OF PROBABLE COSTS

To assist Latrobe City Council and its strategic partners in the development of funding submissions, future capital works planning and general budget development, each individual reserve recommendation (with the exception of management related recommendations) has an 'opinion of probable cost'. Opinion of probable costs are estimated calculations based on current market trends, similar project costings and our professional consulting experience.

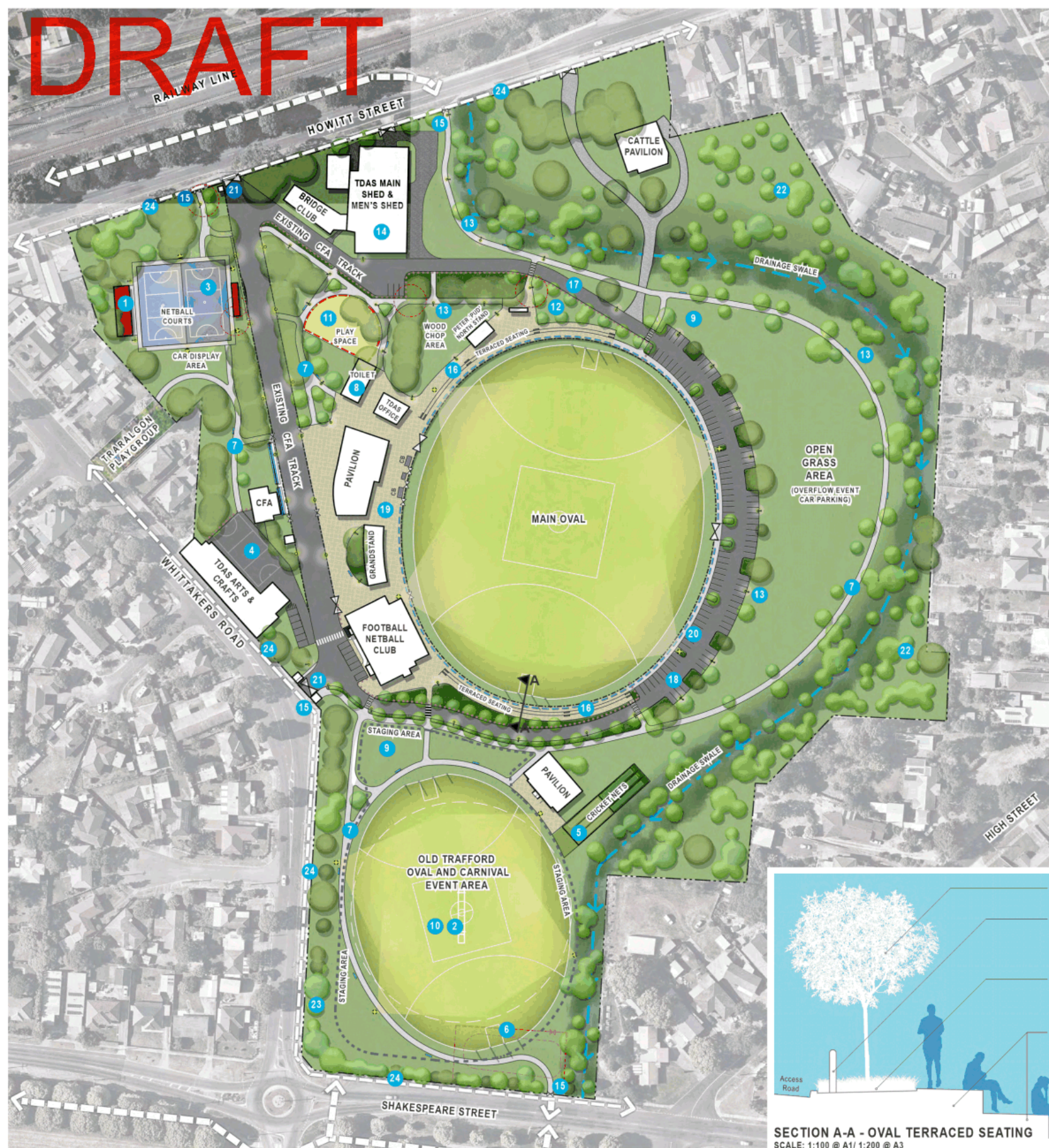
It should be noted that cost estimates exclude preliminaries, site establishment fees, builder's margin and services provision costs. Cost estimates for car parks, roads and related lighting are subject to further investigation and detailed design (it has been assumed re-sheeting over existing car parks is all that is required rather than a complete car park reconstruction). The design of asphalt road paving is dependent on geotechnical investigation and civil pavement design. Costs listed are indicative only (Ex GST) and provide a 15% contingency allowance.

#### POTENTIAL FUNDING PARTNERS

With an estimated total cost of just over **TBC** in recommended reserve improvements, Latrobe City Council will require support from a number of key stakeholders.

Potential funding partners have been identified in the supporting master plan implementation schedule to assist with the scoping and delivery of reserve enhancement recommendations.

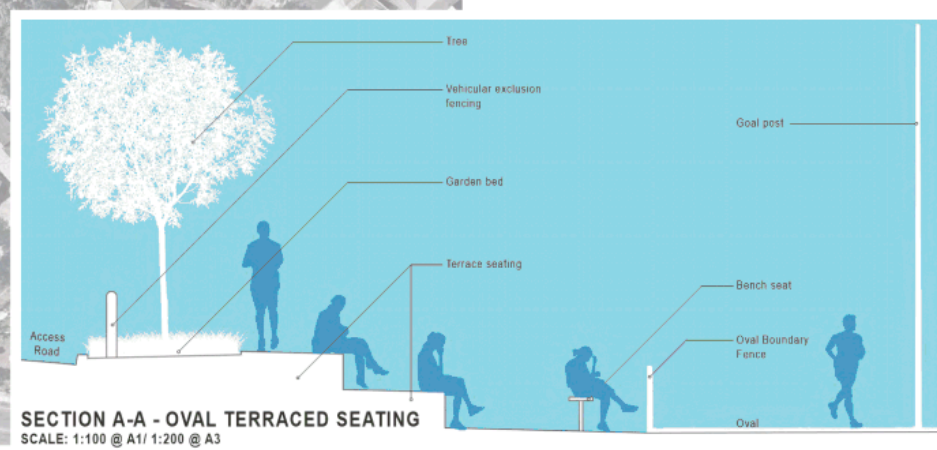




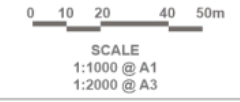
**LEGEND**

- Existing Trees
- Proposed Trees
- Asphalt Road Paving
- Proposed Pedestrian Crossing
- Proposed Pathway  
2.5m wide concrete paving
- Existing Gravel Driveway
- Proposed Shared Pedestrian/Vehicle Zone
- Proposed Building/Structure
- Proposed Low Fencing
- Proposed High Chain Mesh Fencing
- Proposed Vehicular Exclusion Fencing
- Proposed Access Gate
- Proposed Seats
- Proposed Lighting
- Existing Site Feature to be Demolished
- Existing Pathways

- RECOMMENDATIONS**
- SPORTS INFRASTRUCTURE**
- 1 Design and construct new local level netball amenities including player change rooms, spectator area, officials and first aid room. Locate on the west side of the existing netball court and design in accordance with Netball Victoria's Netball Court Planning Guide.
  - 2 Increase the capacity and playability of Old Trafford Oval for a range of sports training, competition and community events by upgrading and expanding the playing surface, lighting to a minimum of 50 lux and increase power supply.
  - 3 Explore opportunities to provide a second compliant netball court to the east of the existing netball court. This will require relocation of the existing light poles due to space restrictions. Alternatively, locate second court south of the existing court aligned east-west.
  - 4 Retain asphalt surfacing adjacent Traralgon and District Agricultural Society (TDAS) 'Craft' building for a range of uses including netball warm up and overflow car parking.
  - 5 At the end of their useful life, upgrade existing synthetic cricket training nets and consider relocating to facilitate bowlers runups off the oval surface.
- COMMUNITY RECREATION**
- 6 Relocate existing BMX track to a more suitable site in Traralgon. This will provide new passive open space opportunities and enable the extension of Old Trafford Oval.
  - 7 Expand the shared pathway network within the reserve to provide safe connectivity to facilities. A major connection is recommended between Howitt Street and Skakespeare Street along the existing drainage swale.
  - 8 Retain and upgrade existing public toilet facility with unisex / accessible toilets that can support large scale events.
  - 9 Provide three-phase electrical power supply to the site to support community event power requirements.
  - 10 Ensure the proposed redevelopment of Old Trafford Oval accommodates a 'Staging Area' for the CFA. The surface (oval) needs to be weight bearing and designed to withstand heavy vehicles.
  - 11 Support informal recreation opportunities through the provision of an accessible local level public playspace and picnic area between the netball facilities and wood chop area. Playspace design to compliment surrounding environment with no loss of commemorative trees
  - 12 Improve visual and social amenity through landscaping, tree planting (for natural shade) and park furniture (bench seating, picnic tables) to support for informal recreation and social events.
  - 13 Increase security lighting across site with a focus on the north end of the reserve surrounding the TDAS building, Bridge Club and Men's Shed.
  - 14 Retain Agricultural Society, Bridge Club and Men's shed buildings and associated access points and car parking.
  - 15 Promote historical significance of site through interpretative and directional signage throughout Reserve in accordance with Council's Signage Guidelines.
  - 16 Enhance and promote enjoyable spectator and casual visitor experiences through the provision of terraced seating to nominated sections around the main playing oval.
- TRAFFIC MANAGEMENT AND LANDSCAPING**
- 17 Improve access road interface and amenity North of Reserve via additional landscaping and tree planting.
  - 18 Upgrade, expand and formalise car parking around the main oval to better manage match day and event traffic. Car parking spaces to be designed around existing tree planting.
  - 19 Review site traffic management and car parking requirements and consider a vehicle exclusion zone/pedestrian plaza between Traralgon Football Netball Club change room facilities, grandstand and main social building.
  - 20 Improve pedestrian safety surrounding main oval through the separation of vehicles and pedestrians ensuring provision of DDA compliant access.
  - 21 Retain and enhance the existing Whittakers Road and Howitt Street Reserve entry points to accommodate match day and community event traffic flow.
  - 22 Provide additional tree planting along the eastern boundary to improve aesthetics and shade provision. Consider residential views into the Reserve when determining tree planting species and positioning.
  - 23 Improve tree planting along Whittakers Road.
  - 24 Replace all reserve perimeter fencing with uniformed fencing to improve overall aesthetics, facilitate site access and manage pedestrian traffic on event days.



**TRARALGON RECREATION RESERVE & SHOWGROUNDS**  
**DRAFT MASTER PLAN**



REVISION A - FOR REVIEW		
DATE 20.04.20	PROJECT NO. 2006	DRAWING NO. MP-01



## IMPLEMENTATION PLAN

Priority	Recommendations	Development principles	Stakeholders	Estimated cost (\$)	Potential funding partners
<b>Sporting facilities</b>					
High	1. Design and construct new local level netball amenities including player change rooms, spectator area, officials and first aid room. Locate on the west side of the existing netball court and design in accordance with Netball Victoria's Netball Court Planning Guide.	<ul style="list-style-type: none"> <li>• Facility development</li> <li>• Accessibility</li> <li>• Community &amp; social amenity</li> <li>• Sports field provision &amp; suitability</li> </ul>	Council, Netball Victoria, Traralgon Football Netball Club	TBC	Sport and Recreation Victoria, Netball Victoria
High	2. Increase the capacity and playability of Old Trafford Oval for a range of sports training, competition and community events by upgrading and expanding the playing surface, lighting to a minimum of 50 lux and increase power supply.	<ul style="list-style-type: none"> <li>• Facility development</li> <li>• Accessibility</li> <li>• Community &amp; social amenity</li> <li>• Sports field provision &amp; suitability</li> </ul>	Council, Traralgon Recreation Reserve Committee	TBC	Sport and Recreation Victoria, The Latrobe Valley Authority
Medium	3. Explore opportunities to provide a second compliant netball court to the east of the existing netball court. This will require relocation of the existing light poles due to space restrictions. Alternatively, locate second court south of the existing court aligned east-west.	<ul style="list-style-type: none"> <li>• Facility development</li> <li>• Accessibility</li> <li>• Community &amp; social amenity</li> <li>• Sports field provision &amp; suitability</li> </ul>	Council, Netball Victoria, Traralgon Football Netball Club	TBC	Sport and Recreation Victoria, Netball Victoria
Medium	4. Retain asphalt surfacing adjacent Traralgon and District Agricultural Society (TDAS) 'Craft' building for a range of uses including netball warm up and overflow car parking.	<ul style="list-style-type: none"> <li>• Facility development</li> <li>• Accessibility</li> <li>• Community &amp; social amenity</li> </ul>	Council, Traralgon Recreation Reserve Committee	TBC	Council
Low	5. At the end of their useful life, upgrade existing synthetic cricket training nets and consider relocating to facilitate bowlers runups off the oval surface.	<ul style="list-style-type: none"> <li>• Facility development</li> <li>• Sports field provision &amp; suitability</li> </ul>	Council, Ex Students Cricket Club	TBC	Cricket Victoria, Ex Students Cricket Club

Priority	Recommendations	Development principles	Stakeholders	Estimated cost (\$)	Potential funding partners
	<b>Community recreation and event infrastructure</b>				
High	6. Relocate existing BMX track to a more suitable site in Traralgon. This will provide new passive open space opportunities and enable the extension of Old Trafford Oval.	<ul style="list-style-type: none"> <li>Community &amp; social amenity</li> <li>Sports field provision &amp; suitability</li> </ul>	Council	TBC	Council
High	7. Expand the shared pathway network within the reserve to provide safe connectivity to facilities. A major connection is recommended between Howitt Street and Shakespeare Street along the existing drainage swale.	<ul style="list-style-type: none"> <li>Accessibility</li> <li>Community &amp; social amenity</li> </ul>	Council	TBC	Council, The Latrobe Valley Authority
High	8. Retain and upgrade existing public toilet facility with unisex / accessible toilets that can support large scale events.	<ul style="list-style-type: none"> <li>Facility development</li> <li>Accessibility</li> <li>Community &amp; social amenity</li> </ul>	Council, Traralgon Recreation Reserve Committee	TBC	Council
High	9. Provide three-phase electrical power supply to the site to support community event power requirements.	<ul style="list-style-type: none"> <li>Facility development</li> <li>Community &amp; social amenity</li> </ul>	Council, Traralgon Recreation Reserve Committee	TBC	Council, TDAS
Medium	10. Ensure the proposed redevelopment of Old Trafford Oval accommodates a 'Staging Area' for the CFA. The surface (oval) needs to be weight bearing and designed to withstand heavy vehicles.	<ul style="list-style-type: none"> <li>Facility development</li> <li>Accessibility</li> </ul>	Council, Traralgon Urban Fire Brigade	TBC	Council
Medium	11. Support informal recreation opportunities through the provision of an accessible local level public playspace and picnic area between the netball facilities and wood chop area. Playspace design to compliment surrounding environment with no loss of commemorative trees.	<ul style="list-style-type: none"> <li>Facility development</li> <li>Accessibility</li> <li>Community &amp; social amenity</li> </ul>	Council, Traralgon Recreation Reserve Committee	TBC	Council
Medium	12. Improve visual and social amenity through landscaping, tree planting (for natural shade) and park furniture (bench seating, picnic tables) to support for informal recreation and social events.	<ul style="list-style-type: none"> <li>Community &amp; social amenity</li> </ul>	Council, Traralgon Recreation Reserve Committee	TBC	Council

Priority	Recommendations	Development principles	Stakeholders	Estimated cost (\$)	Potential funding partners
	<b>Community recreation and event infrastructure</b>				
Medium	13. Increase security lighting across site with a focus on the north end of the reserve surrounding the TDAS building, Bridge Club and Men's Shed.	<ul style="list-style-type: none"> <li>• Accessibility</li> <li>• Community &amp; social amenity</li> </ul>	Council, Traralgon Recreation Reserve Committee	TBC	Council
Medium	14. Retain Agricultural Society, Bridge Club and Men's shed buildings and associated access points and car parking.	<ul style="list-style-type: none"> <li>• Accessibility</li> <li>• Community &amp; social amenity</li> </ul>	Council, TDAS	TBC	Council, TDAS
Low	15. Promote historical significance of site through interpretative and directional signage throughout Reserve in accordance with Council's Signage Guidelines.	<ul style="list-style-type: none"> <li>• Community &amp; social amenity</li> </ul>	Council, Traralgon Recreation Reserve Committee	TBC	Council
Low	16. Enhance and promote enjoyable spectator and casual visitor experiences through the provision of terraced seating to nominated sections around the main playing oval.	<ul style="list-style-type: none"> <li>• Facility development</li> <li>• Accessibility</li> <li>• Community &amp; social amenity</li> </ul>	Council, Traralgon Recreation Reserve Committee	TBC	Council

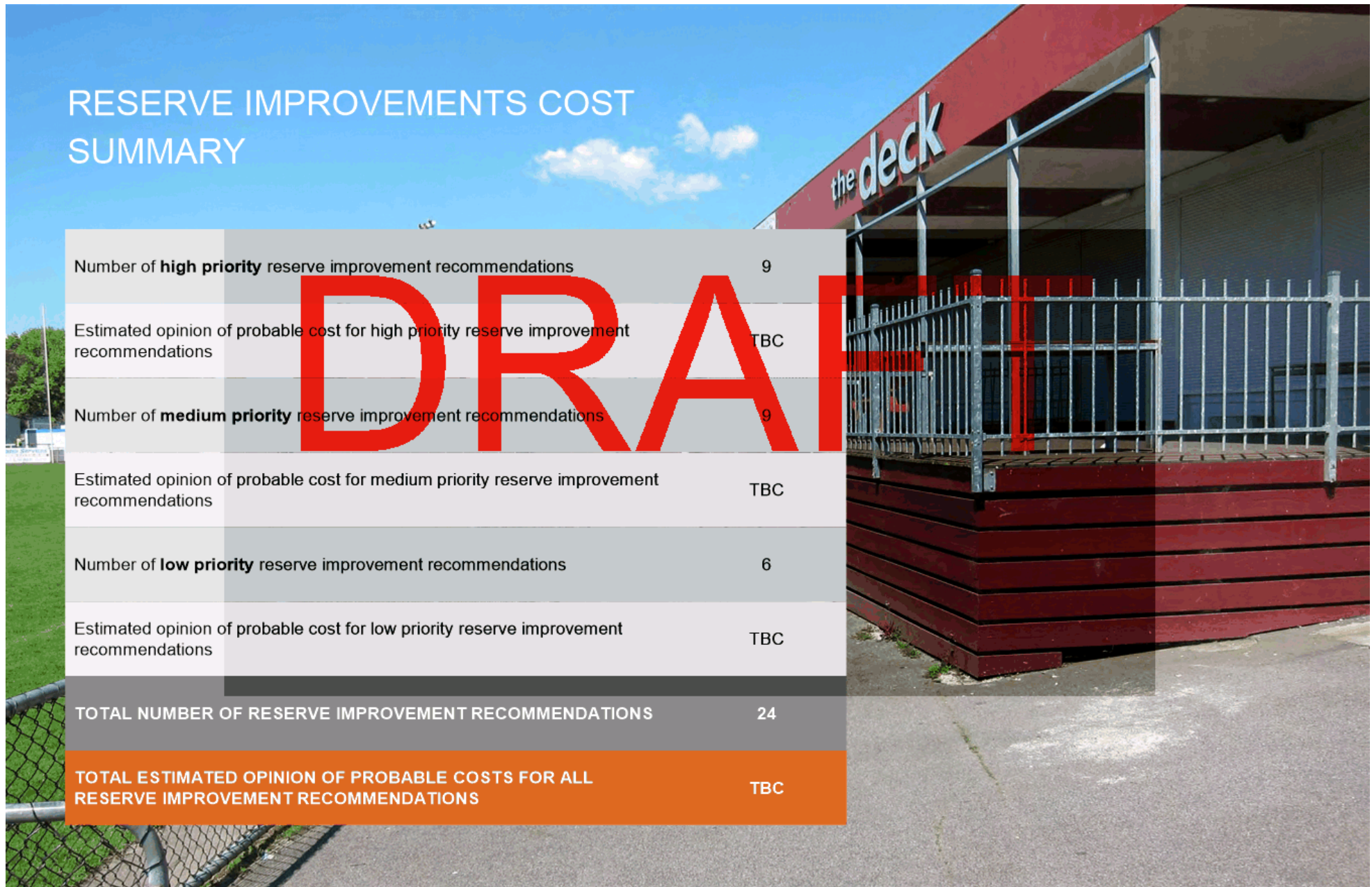
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Priority	Recommendations	Development principles	Stakeholders	Estimated cost (\$)	Potential funding partners
	<b>Traffic management and landscaping</b>				
High	17. Review site traffic management and car parking requirements and consider a vehicle exclusion zone/pedestrian plaza between Traralgon Football Netball Club change room facilities, grandstand and main social building.	<ul style="list-style-type: none"> <li>• Accessibility</li> <li>• Community &amp; social amenity</li> </ul>	Council, Traralgon Football Netball Club	TBC	Council
High	18. Replace all reserve perimeter fencing with uniformed fencing to improve overall aesthetics, facilitate site access and manage pedestrian traffic on event days.	<ul style="list-style-type: none"> <li>• Accessibility</li> <li>• Community &amp; social amenity</li> </ul>	Council, Traralgon Recreation Reserve Committee	TBC	Council
High	19. Retain and enhance the existing Whittakers Road and Howitt Street Reserve entry points to accommodate match day and community event traffic flow.	<ul style="list-style-type: none"> <li>• Accessibility</li> </ul>	Council, Traralgon Recreation Reserve Committee	TBC	Council
Medium	20. Upgrade, expand and formalise car parking around the main oval to better manage match day and event traffic. Car parking spaces to be designed around existing tree planting.	<ul style="list-style-type: none"> <li>• Accessibility</li> <li>• Community &amp; social amenity</li> </ul>	Council, Traralgon Recreation Reserve Committee	TBC	Council
Medium	21. Improve pedestrian safety surrounding main oval through the separation of vehicles and pedestrians ensuring provision of DDA compliant access.	<ul style="list-style-type: none"> <li>• Accessibility</li> <li>• Community &amp; social amenity</li> </ul>	Council, Traralgon Recreation Reserve Committee	TBC	Council
Low	22. Improve access road interface and amenity North of Reserve via additional landscaping and tree planting.	<ul style="list-style-type: none"> <li>• Community &amp; social amenity</li> </ul>	Council	TBC	Council
Low	23. Provide additional tree planting along the eastern boundary to improve aesthetics and shade provision. Consider residential views into the Reserve when determining tree planting species and positioning.	<ul style="list-style-type: none"> <li>• Community &amp; social amenity</li> </ul>	Council	TBC	Council
Low	24. Improve tree planting along Whittakers Road.	<ul style="list-style-type: none"> <li>• Community &amp; social amenity</li> </ul>	Council	TBC	Council

# RESERVE IMPROVEMENTS COST SUMMARY

Number of <b>high priority</b> reserve improvement recommendations	9
Estimated opinion of probable cost for high priority reserve improvement recommendations	TBC
Number of <b>medium priority</b> reserve improvement recommendations	9
Estimated opinion of probable cost for medium priority reserve improvement recommendations	TBC
Number of <b>low priority</b> reserve improvement recommendations	6
Estimated opinion of probable cost for low priority reserve improvement recommendations	TBC
<b>TOTAL NUMBER OF RESERVE IMPROVEMENT RECOMMENDATIONS</b>	<b>24</b>
<b>TOTAL ESTIMATED OPINION OF PROBABLE COSTS FOR ALL RESERVE IMPROVEMENT RECOMMENDATIONS</b>	<b>TBC</b>

DRAFT



**Agenda Item: 15.3**

**Agenda Item: Local Roads Community Infrastructure Funds -  
Proposed Projects**

**Sponsor: General Manager, Assets and Presentation**

**Council Plan Objective: Improve the liveability and connectedness of Latrobe City.**

**Status: For Decision**

**MOTION**

**Moved:** Cr Middlemiss

**Seconded:** Cr Howe

**That Council:**

- 1. Endorses the list of projects in Attachment 1 - Proposed Primary List of Projects of this report for submission for funding to the Local Road and Community Infrastructure Program; and**
- 2. Endorses the list of projects in Attachment 2 – Proposed Supplemental List of Projects of this report as replacement or supplemental projects to the Local Road and Community Infrastructure Program if a candidate project in Attachment 1 cannot be delivered or if there is a surplus developed through the delivery of the program.**

**CARRIED UNANIMOUSLY**

**Executive Summary:**

The Federal Government has allocated \$3,119,650 to the Latrobe City Council within their Local Roads and Community Infrastructure Program (LRCIP) for projects to be completed by 31 December 2021.

The basic criteria for candidate projects are:

- Roads: Construction or maintenance of roads, particularly those that support safety, and
- Community: Projects that deliver improved safety, accessibility, and/or visual amenity.

The preliminary list of potential projects totals more than the available \$3,119,650 and so the list was prioritised based on a simplistic assessment of the projects

score in relation to the following criteria: Safety/Environmental benefit; Improving an asset's function, the profile of the asset within the community, its impact on maintenance costs, community and councillor interest, and the Officers assessment for the project's importance considering other non-specific, intangible criteria.

Councillor feedback was sought to help refine the lists.

Table 2 (Attachment 1) is the prioritised list of candidate projects that meet the criteria up to the funding amount.

Table 3 (Attachment 2) is the Supplementary List of projects that were outside the funding amount. In addition to being considered for promotion to the candidate list, these will also form a source of "endorsed replacement projects in priority" if there is surplus funding in the program or if changes are required in the future.

Council endorsement is needed as soon as practical as much of the works will take the full 11 months to complete and delay will threaten the ability to get the works done by the deadline.

### **Background:**

The Federal Government has allocated \$3,119,650 to Latrobe City Council as part of its Local Roads and Community Infrastructure Program (LRCI) designed to support the economy impacted by the COVID-19 pandemic response.

The program has the following (simplified) parameters and criteria. More detail can be found in the Attachment 1 - LRCI Program guideline.

Table 1 – Funding program key information

Funding Package	Local Roads and Community Infrastructure
Government:	<ul style="list-style-type: none"> <li>▪ Federal</li> </ul>
Funding Parameters:	<ul style="list-style-type: none"> <li>▪ Allocation of \$3,119,650</li> <li>▪ Roads, Paths and Community Facilities</li> </ul>
Relevant Dates:	<ul style="list-style-type: none"> <li>▪ Open now</li> <li>▪ Complete by 31 December 2021</li> </ul>
Key Points of Note:	<ul style="list-style-type: none"> <li>▪ Must be additional normal capital works</li> <li>▪ Can bring projects forward</li> <li>▪ Must be additional to pre-COVID works program</li> </ul>
Program Preferred Outcomes:	<ul style="list-style-type: none"> <li>▪ Increased accessibility, visual amenity, and safety benefits</li> </ul>
Eligibility sample criteria:	<ul style="list-style-type: none"> <li>▪ Local Roads               <ul style="list-style-type: none"> <li>- Traffic signs</li> </ul> </li> </ul>



	<ul style="list-style-type: none"> <li>- Traffic control equipment</li> <li>- Bridge or tunnel</li> <li>- Heavy vehicle rest area/weigh station</li> <li>- Road and sidewalk maintenance</li> <li>▪ Community Infrastructure <ul style="list-style-type: none"> <li>- CCTV</li> <li>- Bike and walking paths</li> <li>- Painting or improvements to community facilities</li> <li>- Repair or replace fencing</li> <li>- Increased accessibility</li> <li>- Landscaping eg roundabouts</li> <li>- Picnic shelters</li> <li>- Playgrounds and skate parks</li> <li>- Off road car parks</li> </ul> </li> </ul>
<p>Ineligibility sample criteria</p>	<ul style="list-style-type: none"> <li>▪ 'Business as Usual' activities such as operational costs for running the business of Council</li> <li>▪ Project preparation works (e.g. Works Schedules)</li> <li>▪ Transport or road planning studies</li> <li>▪ Project ceremonies or events</li> <li>▪ Standalone Community or Public art</li> </ul>

As an allocated grant program Council can select projects that meet the funding criteria and present the selected projects to the Department of Infrastructure for ratification.

This (allocated grant program) is a rare opportunity to fund projects that potentially reduce the future renewal costs and improve the general health of Council's exiting asset base, whereas competitive grant programs are more likely to fund new assets, which generally increase Council's maintenance and renewal costs.

Council Officers have as part of the prioritisation process, primarily identified projects that reduce the future renewal and maintenance burden.

A list of candidate projects was developed based on the future known capital works and community ventures – see Table 1. The list does not include some high value items such as the construction of the signal at the intersection of Marshalls Road and Traralgon Maffra Road (approximately \$3.6m) that would not spread the funding across the broad range of assets, and be unlikely or impossible to deliver by the 31 December 2021 deadline.

The cost of the full list is more than the available \$3,119,650 and so has been prioritised based on a simplistic assessment of the projects score in relation to the following criteria:

- Safety/Environmental benefit;

- Improving an asset's function,
- Asset profile within the community,
- Maintenance cost impact,
- Community and councillor interest, and an estimate of the
- Intangible value (i.e. merits not covered in the other criteria).

The Supplemental Projects within Table 2 are included as a source of potential replacement projects for those in the list of Candidate Projects, but for endorsement now as replacement or additional projects should a surplus become available or a candidate project be found ineligible or cannot be delivered.

While the deadline to complete the projects is 31 December 2021, the additional approximately 25 projects at \$3.1 million will challenge the current resources and contractor availability. It is anticipated that in addition to funding the projects the funding will also pay for a project manager to assist delivery.

Councillor feedback and proposed changes whether to promote projects on the supplemental list or to suggest totally new projects, was sought at the 27 January 2021 Councillor Briefing. Minor adjustments have been made as a result, primarily to:

- Remove the project at the Franklin Street reserve dog park,
- To combine the netball surfacing projects into a larger program and increase their priority and funding, and
- To include a project to start minor traffic control works on Main Street in Yinnar.

Table 2 – List of projects prioritised for funding application

Candidate Project Name	Description of works	Estimate \$
Strzelecki Ranges Roads - Landslip repairs Stage 1	Stabilise and construct safer bypasses for 3 landslips	660,000
Strzelecki Ranges Roads - Landslip repairs Stage 2	Stabilise and construct safer bypasses for 4 landslips	300,000
Sandbanks Reserve Traralgon - Reserve rehabilitation	Fencing, Signs, Bollards, and Road Renewal at Sandbanks Reserve	90,000
Twin City Archery Building code compliance	address existing compliance issues as funding allows and support the erection of an adjacent shed	400,000
Gippsland Sports and Entertainment Precinct - Sewerage Upgrade	Upgrade the sewer connection and sump pump within the property	40,000

Candidate Project Name	Description of works	Estimate \$
Mathison Park, Churchill - Hare House stabilisation	Brace the walls to stabilise Heritage ruins or fence the area off to protect the public	50,000
Latrobe City - Gross Pollutant traps - Location 1	Installation of Gross Pollutant at key locations - Location 1 of 3	300,000
B-Grade Ovals - Drainage and Irrigation Year 1	Upgrade ovals drainage: Churchill pitch 1; Morwell East football; Apex Park; Andrews Park West	270,000
Haigh Street, Moe - New Footpath Construction	Haigh Street, Moe from end of path at "Freemasons Lodge" to Botanic Park path	40,000
Church Road- Hazelwood North Tennis Court entrance upgrade	Construct a driveway and ped access from the Tennis Court on Hazelwood Road at the school carpark	25,000
Moe Botanic Park - Disability Discrimination Act path improvements	Construct a new approach to the steel footbridge over Narracan Creek to meet DDA principles, and other minor improvements to the path	20,000
McNairn Road, Trarlgon - New footpath south of Prince Highway	Extend the footpath south to near the railway.	45,000
Netball Court surfacing - general renewal	Resurface hard surfaced courts and minor improvements. Candidates include Yinnar Netball, Ted Summerton Netball, Ronald Reserve Tennis - as funding allows	170,000
Agnes Brereton Reserve - Netball Courts resurfacing	Upgrade the surface, reduce the run-off slope and improve drainage management.	150,000
Glenview Racecourse - Building and code compliance - Stage 1	Kitchen and building code improvements	65,000
Moore Street, Moe - Footpath renewal	Remove deteriorated pavers and renew in Hotmix. Some kerb renewal and line marking	55,000
Narracan Caravan Park - DDA Access project	Construct a ramp, steps and kerb to provide DDA access and manage drainage	100,000

Candidate Project Name	Description of works	Estimate \$
Streetscape Planter Box Renewal - Stage 1	Replace boxes and plantings in streetscapes	60,000
Newborough Running Track - Boundary Fencing renewal	Newborough Running Track, Newborough - fencing replacement	70,000
Tennis and Netball Court fence renewal	Repair and replace fencing at Eric Taylor Reserve Traralgon, Ronald Reserve Morwell, and other reserves as funding allows	120,000
Monash Way Churchill - renew fencing	Replace the fence along Monash Way south of Switchback that has deteriorated (broken and leaning posts, rusted wires etc.)	20,000
Traralgon South Rec Reserve Oval - Replace Irrigation System	Replace oval surface irrigation system.	40,000
Yinnar Main Street - Traffic management improvements	Improve the traffic/public safety through specific line marking treatments	29,650

Table 2 – Supplemental Project List

Supplemental Project List	Description of works	Estimate \$
Victory Park, Traralgon Garden Bed Edging - New installation	Victory Park rose garden bed - install new edging	50,000
Commercial Road, Traralgon - Traffic Signal Controller Renewal	Upgrade the traffic signal controller gear at the traffic signal	40,000
Ollerton Avenue and Crinigan Road - Bushland Reserve Fencing	Ollerton Avenue, Crinigan Road	150,000
Development of Soccer Pitch at Crinigan Road South Reserve	Construct soccer pitch at south end of the oval at the Crinigan Road South Reserve.	40,000
B-Grade Ovals - Drainage and Irrigation Year 2	Upgrade ovals: - Andrew Park West - Drainage and Irrigation	200,000
Mathison Park Boardwalk renewal - Stage 1	Rehabilitate (and widen) the boardwalk (part) at Hyland Lake	100,000

Coalville Road, Moe South - New Footpath Construction	Stage 2 - to link existing paths across the Cemetery Rd intersection with Coalville Rd.	50,000
Lloyd Street Moe - Bicycle Lane	Widen shoulder and line mark from Waterloo to the overpass	100,000
Wesley Pump Memorial Oval, Callignee - Construction of Boundary Fence	Construct an oval boundary fence so to limit the frequency of cricket balls being lost in the surrounding native vegetation.	40,000
Latrobe City - Gross Pollutant traps - Location 2	Installation of Gross Pollutant at key locations - Location 2 of 3	300,000
Kernot Lake, Morwell - Supplemental water supply	To install a GPT and drainage system to divert stormwater from a nearby residential area to maintain water levels and enhance water quality	365,000
Rose Garden, Morwell - Concreting of gravel path Stage 3	Replace gravel paths and pedestrian areas in coloured exposed aggregate concrete paths. Stage 3 being areas not included in the Council funded upgrade	35,000
Franklin Street Reserve, Traralgon - Upgrade Off Leash Dog Park	Improve the Fenced Off Leash Dog Park with hard Landscaped items	15,000
Latrobe City - Gross Pollutant traps - Location 3	Installation of Gross Pollutant at key locations - Location 3 of 3	300,000
Mathison Park, Churchill - New Regional Play space	To design and construct a regional level play space	750,000
Traralgon Railway Reservoir Conservation Reserve - Pathway Project	Construct pathways along the south west side of the reserve and connect into the existing pathway network.	50,000
Legacy Place, Morwell - Replace park music instrument	To replace the stolen Vibraphone in the public music instrument installation	11,000
Walkley Park West - Install Solar path lighting	To install 5 new lights along the path within the reserve	50,000
Agnes Brereton Reserve, Traralgon - New Netball Court Fences	Install a fence to allow management of the court access during COVID-19 pandemic response	70,000

**Issues:**

*Strategy Implications*

The projects in the list strongly support the Council Plan namely in terms of providing improved community amenity and delivering economic benefit increased activity.

*Communication*

Once the program of projects is approved, a communications plan needs to be implemented to inform the community of the outcomes and benefits.

*Financial Implications*

This program provides all new funding and supports some existing budget provisions that would have been required in future budgets. The delivery of all of the projects will require existing human resources within Latrobe City. Additional project management resourcing will be required to be funded from the LRCI program funding directly.

*Risk Analysis*

Identified risk	Risk likelihood*	Controls to manage risk
<p><b>Service Delivery Risk</b></p> <p>The additional work will impact the delivery of Council's normal capital works program</p>	<p>Likelihood: Almost Certain</p> <p>Consequence: Minor</p> <p>Resulting Risk: Moderate</p>	<p>Council Officers are aware of this risk having noted the impact of other external works, and the difficulty of attracting competent people to deliver it.</p> <p>While the risk of the additional work is Almost Certain, the opportunity presented by the funding cannot be missed.</p> <p>The only practical methods to manage the risk are to</p> <ul style="list-style-type: none"> <li>• engage people to assist delivering the work be it external project managers for some of the works, or to work in-house with the team</li> <li>• Reassign officers from other duties (this will impact the delivery of their substantive roles).</li> </ul>
<p><b>Occupational Health and Safety Risk</b></p> <p>A person or worker will be injured as a</p>	<p>Likelihood: Rare</p> <p>Consequence: Minor</p> <p>Resulting Risk:</p>	<p>The works are normal for Council and will follow the usual management practices</p>

result of the works	Low	
<b>Financial Risk</b> The projects may cost more than the estimated amounts	Likelihood: Possible Consequence: Minor Resulting Risk: Medium	There is flexibility within the program to use surpluses to offset over-runs. In addition, as the works are all valuable to the normal operation, if some additional funding is required, considering the additional \$3m received a small Council expenditure on its own assets that can be absorbed into the existing budgets is considered acceptable.

\*Inherent likelihood ratings: 1 (Rare); 2 (Unlikely); 3 (Possible); 4 (Likely); 5 (Almost Certain)

#### *Legal and Compliance*

Meet the requirements of the funding agreements once signed.

#### *Community Implications*

This program will have a string positive benefit to the community at large as an economic stimulus package.

#### *Environmental Implications*

All works would be undertaken in accordance with the relevant legislation and good practice.

#### *Consultation*

Consultation has not taken place other than internally in the preparation of existing plans. Further consultation will occur during any detailed planning as required.




#### *Declaration of Interests:*

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*.

#### *Supporting Documents:*

Nil

#### **Attachments**

- 1 [↓](#)  LRCI Program Guidelines
- 2 [↓](#)  LRCI Proposed Primary Candidate List of Projects
- 3 [↓](#)  LRCI Proposed Supplemental List

## **15.3**

### **Local Roads Community Infrastructure Funds - Proposed Projects**

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<b>2</b>	<b>LRCI Proposed Primary Candidate List of Projects .....</b>	<b>229</b>
<b>3</b>	<b>LRCI Proposed Supplemental List .....</b>	<b>231</b>



## COVID-19 Local Roads and Community Infrastructure Program Guidelines – Phase 2

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<b>Opening date:</b>	<b>14 December 2020</b>
<b>Commonwealth policy entity:</b>	<b>Department of Infrastructure, Transport, Regional Development and Communications</b>
<b>Administering entity</b>	<b>Department of Infrastructure, Transport, Regional Development and Communications</b>
<b>Enquiries:</b>	<b>Any questions should be directed to: Program Manager Local Roads and Community Infrastructure Program IIP@infrastructure.gov.au</b>
<b>Date guidelines released:</b>	<b>14 December 2020</b>
<b>Type of grant opportunity:</b>	<b>Demand-driven (Eligibility-based)</b>

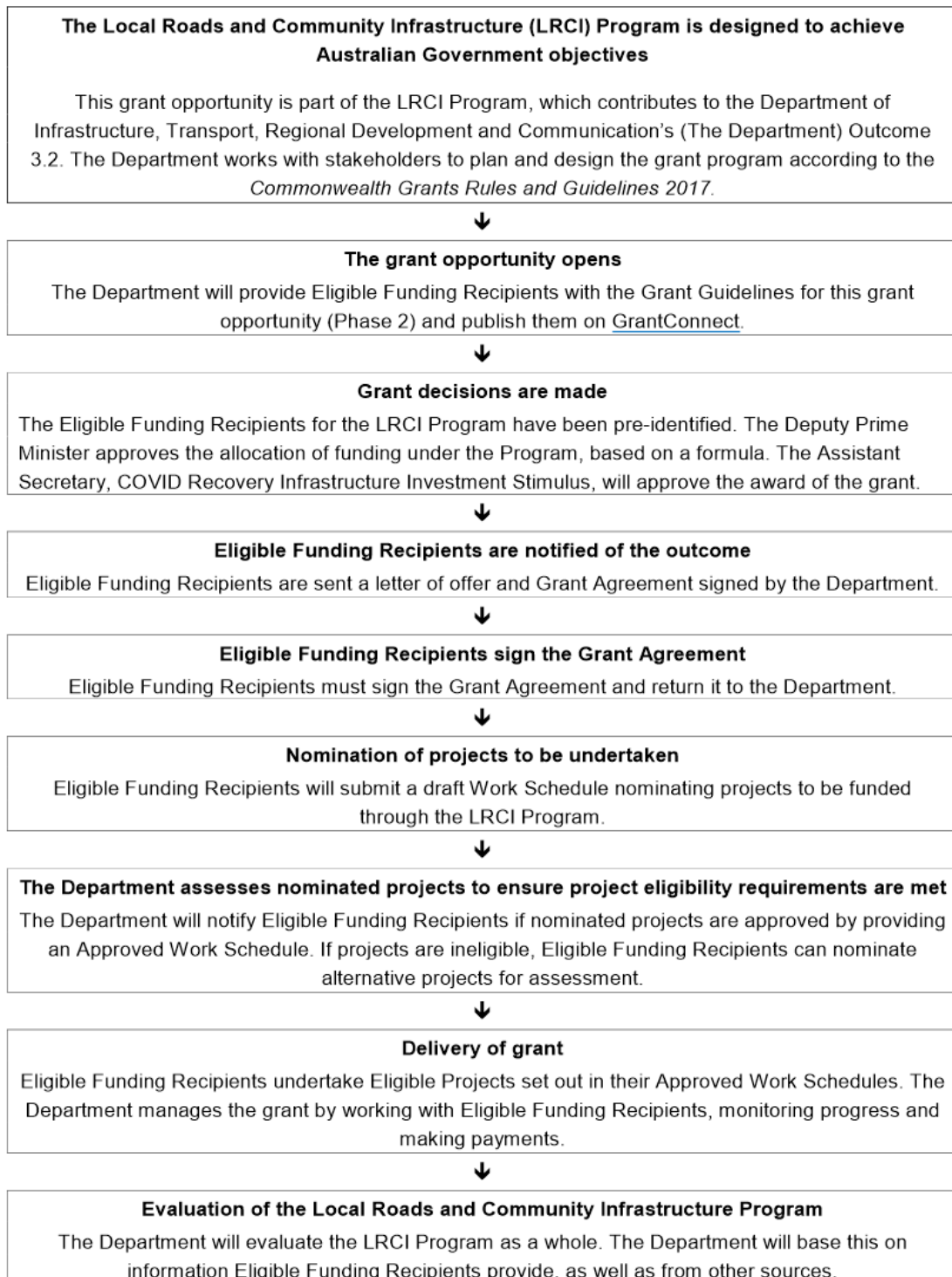
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## 1. Local Roads and Community Infrastructure Program Process



## 1.1 Introduction

These Guidelines contain information for the Extension (Phase 2) of the LRCI Program grants.

The LRCI Program was announced on 22 May 2020. On 6 October 2020, as part of the 2020-2021 Budget, the Government announced a further \$1 billion to extend the LRCI Program. The grant opportunity set out in these Guidelines is for Phase 2 of the LRCI Program only.

The LRCI Program supports local councils to create jobs by delivering priority local road and community infrastructure projects across Australia.

This document sets out:

- the purpose of the grant opportunity;
- the eligibility criteria;
- how Eligible Funding Recipients will be monitored and evaluated; and
- responsibilities and expectations in relation to the grant opportunity.

The LRCI Program is administered by the Department.

## 2. About the LRCI Program – Phase 2

Phase 2 of the LRCI Program will run from 14 December 2020 to 30 June 2022. Project construction can commence once Work Schedules are approved by the Department with projects required to be physically completed by 31 December 2021.

The extension of the LRCI Program is a temporary, targeted stimulus measure responding to the economic impacts of the COVID-19 pandemic. The LRCI Program assists a community-led recovery from COVID-19 by supporting local jobs, firms, and procurement.

As with the first funding round for the LRCI Program, Eligible Funding Recipients can select a broad range of projects to fund so that communities can continue to be provided with the infrastructure they require. It is expected that Eligible Funding Recipients will use local businesses and workforces to deliver projects wherever possible to ensure stimulus funding flows into local communities.

The LRCI Program is a demand driven (eligibility based) grant program.

The LRCI Program will be delivered under Outcome 3.2 of the Department's Portfolio Budget Statement 2020-2021:

- the local government program supports regional development and local communities through delivery of policy advice to the Australian Government and financial assistance to local governments to strengthen local government capacity and better support local communities.

The objective of the LRCI Program is to protect and create jobs by stimulating additional infrastructure construction activity in communities across Australia.

The intended outcomes of the LRCI Program are to:

- provide stimulus to protect and create local short-term employment opportunities through funding construction projects following the impacts of COVID-19; and

- deliver benefits to communities, such as improved road safety, accessibility and visual amenity.

The Department will administer the LRCI Program according to the [\*Commonwealth Grants Rules and Guidelines 2017 \(CGRGs\)\*](#).

### 3. Grant amount and grant period

The Australian Government has announced total funding of \$1 billion over two years, providing \$500 million in 2020-21 and \$500 million in 2021-22 for Phase 2 of the LRCI Program.

Each Eligible Funding Recipient will be allocated a grant amount calculated using a formula (this grant amount is the 'Phase 2 Allocation').

The formula used to determine the Phase 2 Allocations will comprise of two parts with the following weighting, added together:

- one third of the allocation calculated using the existing LRCI formula (based on the Roads to Recovery Program (R2R)); and
- two thirds of the allocation based on council population size.

Population was calculated using the Estimated Regional Population by Local Government Area data provided by the Australian Bureau of Statistics (28 August 2020). Where there was an insufficient breakdown to the level of Eligible Funding Recipients under this program (for example in relation to Christmas, Cocos and Norfolk Islands) the 2019 population was attributed to the component areas using percentages derived from 2016 Census data.

The formula has been consistently applied to determine the Phase 2 Allocation of each Eligible Funding Recipient under the LRCI Program.

This grant opportunity will open on 14 December 2020 and close on 31 July 2021. The First Instalment of the Phase 2 Allocation will be paid after the Eligible Funding Recipient's Work Schedule has been approved, and not before 1 January 2021.

#### 3.1 Phase 2 – 'use it or lose it' principle

If:

- an Eligible Funding Recipient has not applied for the full amount of their Phase 2 Allocation in a draft Work Schedule by 31 July 2021; or
- savings related to Eligible Projects have not been reallocated under an Eligible Funding Recipient's Phase 2 Allocation before 31 December 2021,

the Commonwealth has the right to not pay the amount of the Phase 2 Allocation not applied for or reallocated by the Eligible Funding Recipient.

Eligible Funding Recipients are to have in place an executed Grant Agreement in relation to their 'Nominal Funding Allocation' under Phase 1 of the LRCI Program before receiving their letter of offer and Grant Agreement for Phase 2 (see 4.3 below).

## 4. Eligibility criteria

Only Eligible Funding Recipients are able to participate in Phase 2 of the LRCI Program. Eligible Funding Recipients will receive a letter of offer to participate in Phase 2 of the LRCI Program.

### 4.1 Who is eligible for a grant?

The Eligible Funding Recipients for this grant program have been identified. They are:

- all local councils in Australia;
- the ACT Government in lieu of a system of local government;
- relevant state government, the shires of Christmas Island, Cocos (Keeling) Islands and Norfolk Island and the Lord Howe Island Board that provide local council services to 'unincorporated areas' in Australia;
- the NT Government for areas that were unincorporated until 2008 but are not yet transferred to the new councils; and
- the Victorian Department of Environment, Land, Water and Planning for the French Island.

The Eligible Funding Recipients have been selected for this grant opportunity as the intention is to fund local communities directly. By providing funding to the level of government closest to communities, the Australian Government can ensure that the economic boost is felt throughout every community across Australia.

### 4.2 Who is not eligible for the Grant Program?

Organisations are not eligible for the LRCI Program unless they have been identified by the Australian Government as an Eligible Funding Recipient (see: Section 4.1).

General applications by other organisations will not be accepted.

### 4.3 Eligibility linked to Phase 1

Eligible Funding Recipients will need to have in place an executed Grant Agreement in relation to their 'Nominal Funding Allocation' under Phase 1 of the LRCI Program before receiving their letter of offer and Grant Agreement for Phase 2.

If the Eligible Funding Recipient does not have in place an executed Grant Agreement under Phase 1, the Eligible Grant Recipient will not be eligible to receive any amount of the Phase 2 Allocation.

## 5. What the grant money can be used for

Grant money can only be used on Eligible Projects, which are projects that are a Local Road Project or Community Infrastructure Project (as set out below), and that meet the Eligible Project Requirements set out in subsections 5.2 to 5.6, and deliver benefits to the community.

## 5.1 Eligible grant activity

### Local Roads Projects

Eligible Local Road Projects are projects that involve the construction or maintenance of roads managed by local governments. Local governments are encouraged to consider works that support improved road safety outcomes. This could include projects involving any of the following associated with a road:

- traffic signs;
- traffic control equipment;
- street lighting equipment;
- a bridge or tunnel;
- a facility off the road used by heavy vehicles in connection with travel on the road (for example, a rest area or weigh station);
- facilities off the road that support the visitor economy; and
- road and sidewalk maintenance, where additional to normal capital works schedules.

### Community Infrastructure Projects

Eligible Community Infrastructure Projects are projects that involve the construction, maintenance and/or improvements to council-owned assets (including natural assets) that are generally accessible to the public.

'Generally accessible to the public' means that the project, or the amenity provided by the project, is generally accessible to the public at large. Some areas are clearly publicly accessible as they are areas that are open to all members of the public such as parks, playgrounds, footpaths and roads.

Projects will also be considered generally publically accessible if they are in a location that is:

- generally publically accessible to the wider public undertaking a specific activity (for example council operated sporting fields); or
- generally publically accessible for a limited age group of the Community as a whole i.e. a kindergarten building; or
- used for the provision of an essential service or community service, as determined by the Department, and the amenity of the asset is publicly accessible and benefits the community.

All projects whether carried out on council owned land, or another type of public land, must deliver benefits to the community, such as improved accessibility, visual amenity, and/or safety. Examples of eligible works include:

- Closed Circuit TV (CCTV);
- bicycle and walking paths;
- painting or improvements to community facilities;
- repairing and replacing fencing;
- improved accessibility of community facilities and areas;
- landscaping improvements, such as tree planting and beautification of roundabouts;



- picnic shelters or barbeque facilities at community parks;
- community/public art associated with an Eligible Project ( Eligible Funding Recipients will need to provide a clear description of the conceptual basis of the artwork);
- playgrounds and skate parks (including all ability playgrounds);
- noise and vibration mitigation measures; and
- off-road car parks (such as those at sporting grounds or parks).

#### Other Public Land

Projects that involve the construction, maintenance and/or improvements to state/territory and crown owned land/assets and Commonwealth owned land/assets, can also be eligible projects where the Council can confirm that they have the authority of the land or asset owner to undertake the project at the nominated site(s) and the sites are accessible to the public (including natural assets).

#### 5.2 Maintaining overall capital expenditure

The purpose of the LRCI Program funding is to support local councils to deliver priority local road and community infrastructure projects across Australia, supporting jobs and the resilience of local economies to help communities bounce back from the COVID-19 pandemic. As an economic stimulus measure, the intent is that Eligible Funding Recipients undertake infrastructure projects which are additional to projects that they had planned to undertake using their own funds.

Given the timing of funding under Phase 2 and taking into account that Eligible Funding Recipients may not yet have confirmed future infrastructure spending, the additionality principle, that applied to Phase 1, has been modified for Phase 2 only.

Under Phase 1, LRCI funds could not be used on existing projects. Under Phase 2, Eligible Funding Recipients are required to maintain their overall capital spending on roads and community infrastructure, funded by their own revenue, at or above their 2020-21 capital spending level. The focus on overall capital spending (in Phase 2) provides Eligible Funding Recipients with greater flexibility to set and deliver the infrastructure priorities in their communities.

Proof of maintaining capital expenditure will be a requirement for an Eligible Funding Recipient to receive their full Phase 2 Allocation. The Department will consider, in exceptional circumstances, exemptions to this requirement.

#### 5.3 Co-contributions

Co-contributions are not required under the LRCI Program, but are allowed to be used for projects. A project can be funded by a combination of LRCI Program funds, the Eligible Funding Recipient's funds, and other government programs (including state government programs), as long as the combined funding for the project does not exceed the estimated cost of a project.

An Eligible Funding Recipient using co-contributions for a project also needs to meet the conditions of other funding programs from which funds are sourced (i.e. a state program). Eligible Funding Recipients are responsible for determining if the funding conditions of another program would not permit the use of LRCI Program funding towards that project.

#### 5.4 Eligible construction time period

Construction activity on Eligible Projects must be undertaken before 31 December 2021, unless agreed by the Department due to exceptional circumstances. Planning issues and general delays associated with building projects are not considered exceptional circumstances.

If construction activity cannot be completed or savings related to Eligible Projects have not been reallocated to other Eligible Projects under their Phase 2 Allocation (through approval of an updated Work Schedule with amended funding and/or new project nominations) before 31 December 2021, an Eligible Funding Recipient may not receive their full Phase 2 Allocation.

#### 5.5 Combined Projects - LRCI Phase 1 and Phase 2 projects

Eligible Funding Recipients can nominate projects that utilise LRCI funding from both Phase 1 and Phase 2, but will need to demonstrate that the project is eligible under the respective program guidelines for each phase.

Eligible Funding Recipients can nominate later stages of projects that are already receiving funding under the LRCI Program, provided that the component funded under Phase 1 is not amended without approval by the Department and maintains its eligibility under the relevant program guidelines.

Eligible Funding Recipients are also able to submit projects previously nominated under Phase 1 that were not approved as meeting the eligibility requirements under the relevant program guidelines, but may be eligible under these Guidelines for Phase 2.

#### 5.6 What the grant money cannot be used for

Eligible Funding Recipients cannot use grant money to pay for business as usual activities and costs, or any other activities and costs not associated with Eligible Projects. These activities are Ineligible Projects or Ineligible Expenditures.

The following are examples of Ineligible Projects and Ineligible Expenditures:

- costs incurred in the preparation of a Work Schedule or related documentation;
- general administrative overheads and staff salaries not connected with Eligible Projects funded under the Program;
- subsidy of general ongoing administration of an organisation such as electricity, phone, rent, or costs incurred by the Council as a Landlord in the general course of a lease;
- commencement ceremonies, opening ceremonies or any other event associated with Eligible Projects;
- transport planning studies;
- road rehabilitation studies (if not part of an Eligible Project);
- road building plant or other capital equipment especially moveable equipment (e.g. graders or trailers);
- land;
- training (if not part of an Eligible Project);
- public liability insurance;

- fringe benefits tax;
- GST payable component of a supply;
- finance leases on equipment;
- depreciation, except for depreciation of plant and equipment directly attributable to a grant funded Eligible Project;
- stand-alone design and preliminary works;
- operating lease charges where the rental expense cannot be directly linked to the grant project (e.g. a grader may be hired for a period for a variety of tasks, only charges that specifically relate to the funded Eligible Project can be charged against the grant funds);
- overseas travel; and
- the covering of retrospective costs.

## 6. The grant selection process

### 6.1 Who will approve grants?

The Assistant Secretary, COVID Recovery Infrastructure Investment Stimulus (the Delegate) approves grants on the basis that the organisation is an Eligible Funding Recipient as identified in section 4.1.

The amount of grant money awarded to an Eligible Funding Recipient will be determined by the Department in accordance with the formula outlined at section 3.

The Delegate's decision is final in all matters, including:

- the approval of the grant; and
- the grant amount.

There is no appeal mechanism for the decision to approve or not approve a grant.

## 7. Letter of offer process

All Eligible Funding Recipients will receive a letter of offer to participate in Phase 2 of the LRCI Program. This letter will:

- a) specify the Phase 2 Allocation;
- b) include a Grant Agreement that sets out the terms and conditions of Phase 2 of the LRCI Program executed by the Commonwealth;
- c) provide information on the submission of Work Schedules.

Before accepting the offer, Eligible Funding Recipients must read and understand these Guidelines and the Grant Agreement. The Guidelines can be found on the Department's website and on [GrantConnect](#). Any alterations and addenda<sup>1</sup> will be published on [GrantConnect](#) and the Department's website. By registering on [GrantConnect](#), organisations will be automatically notified of any changes to the Guidelines.

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<sup>1</sup> Alterations and addenda include but are not limited to: corrections to currently published documents, changes to close times for applications, and Questions and Answers (Q&A) documents

Eligible Funding Recipients can return signed Grant Agreements and submit Work Schedules for their first projects between 14 December 2020 and 31 July 2021. As construction needs to be completed by 31 December 2021, after 31 July 2021 the Department expects to only be managing variations or additional project nominations to ensure that an Eligible Funding Recipient is able to fully utilise their Phase 2 Allocation.

## 8. Notification of outcomes

All Eligible Funding Recipients will receive a letter of offer to participate in Phase 2 of the LRCI Program and a Grant Agreement.

## 9. Successful grantees

### 9.1 The Grant Agreement

An Eligible Funding Recipient must enter into a legally binding grant agreement with the Commonwealth by signing the Grant Agreement. The Grant Agreement used for Phase 2 of the LRCI Program will be supplied to Eligible Funding Recipients. The Grant Agreement has standard terms and conditions that cannot be changed.

The Grant Agreement may also contain conditions specific to an Eligible Funding Recipient in a Schedule.

To accept the offer, the Eligible Funding Recipient must sign the Grant Agreement:

- provide all the information requested; and
- return the Grant Agreement to the LRCI Program - Program Manager.

A Grant Agreement must be executed with the Commonwealth before any payments can be made. The Department is not responsible for any of an Eligible Funding Recipient's expenditure until a Grant Agreement is executed and a Work Schedule is approved for the Eligible Funding Recipient.

Eligible Funding Recipients should keep a copy of the Grant Agreement and any supporting documents.

The Commonwealth may recover grant funds from an Eligible Funding Recipient if the Grant Agreement has been breached. If an Eligible Funding Recipient fails to meet the obligations of the Grant Agreement, the Grant Agreement may be terminated.

## 9.2 How we pay the Grant

**Table 1 Grant Payment Overview**

Payment milestone	Grant payment date	Amount
<p>First Instalment:</p> <p>Work Schedule approval payment</p>	<p>The First Instalment of the Phase 2 Allocation will be paid after 1 January 2021 and after the Eligible Funding Recipient's Work Schedule has been approved.</p>	<p>The first payment will be equal to 50 per cent of an Eligible Funding Recipient's Phase 2 Allocation, unless the Eligible Funding Recipient is the recipient of a Low Value Grant.</p> <p>For Low Value Grants, Eligible Funding Recipients will receive 70 per cent of their Phase 2 Allocation in their first instalment.</p>
<p>Progress Instalments:</p> <p>Eligible Funding Recipients can receive multiple progress payments.</p>	<p>Within four weeks of the Department's acceptance of a Quarterly Report</p>	<p>A Progress Instalment will be equal to the Eligible Funding Recipient's:</p> <ul style="list-style-type: none"> <li>• actual expenditure until the end of the period covered by the relevant Quarterly Report; and</li> <li>• projected expenditure on Eligible Projects in an Approved Work Schedule to the end of the subsequent quarter;</li> </ul> <p><b>less:</b></p> <ul style="list-style-type: none"> <li>• received instalments; and</li> <li>• 10 per cent of the Phase 2 Allocation.</li> </ul> <p>For Low Value Grants, Eligible Funding Recipients can apply to receive the residual of grant funds at the time of a Quarterly Report being submitted provided they also submit completed acquittal documentation.</p>
<p>Final Instalment:</p> <p>Final payment</p>	<p>Within four weeks of the Department's acceptance of the Annual Report and decision to release the Final Instalment</p>	<p>The Final Instalment will equal the smaller of:</p> <ul style="list-style-type: none"> <li>• the residual amount of an Eligible Funding Recipient's Phase 2 Allocation; or</li> <li>• the total eligible expenditure and projected expenditure to the end of the Eligible Projects;</li> </ul> <p><b>less</b> instalments paid to date.</p>

### Submission of a Work Schedule

Eligible Funding Recipients will nominate projects they intend to spend LRCI grant money on in their draft Work Schedule.

Eligible Funding Recipients will need to have an approved Work Schedule for the first funding round under the LRCI Program before they can receive an approved Work Schedule for the LRCI Program Extension (Phase 2).

- Eligible Funding Recipients can submit a draft Work Schedule for Phase 2 while they wait for a decision on approval of their Work Schedule for the first funding round.
- Eligible Funding Recipients can submit a draft Work Schedule for Phase 2 that includes funding from Phase 1 of the LRCI Program.

Eligible Funding Recipients are required to submit a draft Work Schedule in the manner and form stipulated by the Department. The manner and form for submitting a draft Work Schedule will be provided to Eligible Funding Recipients and made available on the Department's website.

- Eligible Funding Recipients should submit their draft Work Schedule when they return their signed Grant Agreement. Work Schedules can be submitted between 1 December 2020 and 31 July 2021, but failure to promptly return a Work Schedule will result in release of grant funds being delayed.
- In order for Eligible Funding Recipients to receive their full Phase 2 Allocation, they must have submitted a draft Work Schedule for the total amount of their Phase 2 Allocation by 31 July 2021.
  - If an Eligible Funding Recipient has not applied for their full Phase 2 Allocation in a draft Work Schedule by 31 July 2021, or savings related to Eligible Projects have not been reallocated under their Phase 2 Allocation before 31 December 2021, the Commonwealth has the right to not pay the amount of the Phase 2 Allocation not yet applied for or reallocated by the Eligible Funding Recipient.

The draft Work Schedule must contain the following information in relation to each of the nominated projects the Eligible Funding Recipient proposes to undertake using the grant:

- project description, including details of how the project meets the Project Eligibility Requirements detailed in Section 5;
- proposed timeframes for the project, including construction commencement date and estimated construction completion date;
- detail of any conflicts of interest and management actions to manage these conflicts;
- the amount of grant funding required and details of any other contributions to the total costs of the project, along with details of all proposed expenditure including confirmation that none of the proposed expenditure is Ineligible Expenditure; and
- expected number of full-time equivalent jobs supported by the project over the construction period.

If some of the jobs supported by a project are new jobs/redistribution of personnel in the Eligible Funding Recipient's own workforces, labour costs for work undertaken must be derived from timesheets or via an equally acceptable method. Project management time included in the expected number of jobs supported by a project must not include Ineligible Expenditure or costs associated with Ineligible Projects, and a clear and definable model needs to be in place to apportion these costs.

The total amount of grant funding sought under a draft Work Schedule cannot exceed the amount of the grant specified in the Grant Agreement.

### Approval of a Work Schedule

The Department will assess whether projects included in an Eligible Funding Recipient's Work Schedule meet the Eligible Project Requirements set out in these Guidelines and that all requested information has been provided.

If the Work Schedule or projects do not meet requirements, an Eligible Funding Recipient may submit an updated Work Schedule that includes additional nominated projects for approval. The Department may contact an Eligible Funding Recipient to request further information.

The Department will make a recommendation to the Delegate to approve/not approve the Work Schedule.

If an Eligible Funding Recipient nominates projects with a total value of more than 50 per cent of their Phase 2 Allocation and the Work Schedule is approved, the Delegate will approve release of the First Instalment of grant funds. The decision to release funds will be made on the basis of their assessment of the information provided by an Eligible Funding Recipient and any other information in the Program Guidelines. Approval may be subject to conditions detailed in the Grant Agreement. Only approved Eligible Projects will be included in the Approved Work Schedule.

Eligible Funding Recipients will be advised in writing if their Work Schedule and release of the First Instalment has been approved.

### First Instalment

The First Instalment will be paid to an Eligible Funding Recipient within four weeks of the Work Schedule and release of the First Instalment being approved by the Delegate, provided this date is after 1 January 2021.

The value of the First Instalment will be 50 per cent of an Eligible Funding Recipient's Phase 2 Allocation.

### Low Value Grants

A Low Value Grant is a Phase 2 Allocation under \$500,000. In application of the proportionality principle, different requirements relating to Instalments and Reporting apply to these grants.

For a Low Value Grant, the process for Work Schedule approval is the same as detailed above. However, Low Value Grant recipients can receive 70 per cent of their Phase 2 Allocation as their First Instalment provided they have nominated projects totaling 70 per cent or more of their Phase 2 Allocation.

### Progress Instalments

Progress Instalments will be made following submission of a Quarterly Report.

The Delegate will approve release of a Progress Instalment on the basis of:

- the Department's assessment of, and the information provided in, relevant Quarterly Report/s;
- whether or not a Eligible Funding Recipient is in breach, or suspected of being in breach, of the Grant Agreement; and
- consideration of other relevant information.

Further information may be requested by the Department at this stage and considered by the Delegate.

If the Delegate approves release of a Progress Instalment, payment will be made within four weeks of the Delegate making this decision. Eligible Funding Recipients will be advised in writing of the decision to release a Progress Instalment.

The payment value for a Progress Instalment will equal:

- actual expenditure up until the end of the relevant quarter; plus
- projected expenditure to the end of the next quarter.

**less:**

- the first instalment; and
- 10 per cent of the Phase 2 Allocation.

For Low Value Grants, Eligible Funding Recipients can apply to receive the residual of grant funds at the time of a Quarterly Report being submitted, provided they also submit completed acquittal documentation See Acquittal at 11.4.

### Final Instalment

The Delegate will decide whether to approve release of the Final Instalment on the basis of:

- an assessment of compliance with the Grant Agreement, including any investigations or audit reports;
- the information provided in the Annual Report;
- information in the Work Schedule and relevant Quarterly Reports; and
- any other relevant information.

The Final Instalment will be the lesser of the residual amount of an Eligible Funding Recipient's Phase 2 Allocation and the total actual expenditure and projected expenditure to the end of the Eligible Projects, less instalments paid to date. Projected expenditure should be limited to expenses expected to be incurred post 31 December 2021, which are not construction costs. These costs should be things such as noise monitoring contracts and outstanding bills unless otherwise agreed by the Department.



Further information may be requested by the Department at this stage and considered by the Delegate. The Final Instalment will be paid within four weeks of the Delegate's decision to release the grant payment.

### 9.3 Grant Payments and GST

In accordance with the Terms of the Australian Taxation Office ruling GSTR 2012/2, payments made under the LRCI Program, which are payments made by a government related entity to another government related entity, and for which the amount of the grant does not exceed the cost of providing the goods or services, do not attract GST. Consequently, the actual and projected expenditure Eligible Funding Recipients report to the Department must exclude the GST component on goods and services, and the payments the Department makes to Eligible Funding Recipients to cover the costs of the program will not include GST.

Grants are assessable income for taxation purposes, unless exempted by a taxation law. We recommend you seek independent professional advice on your taxation obligations or seek assistance from the Australian Taxation Office. We do not provide advice on your particular taxation circumstances.

## 10. Announcement of grants

The Department will publish details of the grants awarded on GrantConnect within 21 days after the date of effect of the Grant Agreement as required by section 5.3 of the [CGRGs](#).

The Department may also publish details of grants on its website or other government websites, including individual projects funded. This information may include, but is not limited to:

- title of the project;
- description of the project and its aims;
- amount of funding received and funding allocation; and
- project outcomes including estimates of jobs supported.

## 11. Reporting requirements

Eligible Funding Recipients must submit reports in line with the Grant Agreement and these Guidelines. The Department will remind Eligible Funding Recipients of their reporting obligations before reports are due.

Eligible Funding Recipients must also update their Work Schedules as required and in accordance with any other requirements notified by the Department.

The Department will monitor progress by assessing submitted reports and may conduct site visits to confirm details in Quarterly Reports and Work Schedules if necessary. Occasionally, the Department may need to re-examine claims, seek further information, or request an independent audit of claims and payments on a risk based or sampling basis.

### 11.1 Quarterly Reports

Eligible Funding Recipients must submit Quarterly Reports throughout the Grant Period.

Quarterly Reports must be submitted per the timeframes in **Table 2 –Quarterly Reports** and in accordance with the Grant Agreement.

Quarterly Reports are used to provide the Department with information on the progress of Eligible Projects and are a requirement for the receipt of funds for payment of Progress and Final Instalments of grant payments. Quarterly Reports must be submitted in the manner and form specified by the Department and include required details.

Eligible Funding Recipients must provide the following information in a Quarterly Report:

- the amount of grant funding spent (actual expenditure) for the period commencing on 1 January 2021 and ending on the last day of the quarter to which the Quarterly Report relates;
- the amount of grant funding (proposed expenditure) which the Eligible Funding Recipient intends to spend on Eligible Projects in the quarter following the report;
- details of progress towards completion of Eligible Projects; including any evidence required per the Grant Agreement; and
- estimated and/or confirmed jobs supported by the grant funding.

The figures in the Quarterly Reports should be prepared on an accrual basis. Quarterly Reports must be submitted within the period specified in the Grant Agreement.

If an Eligible Funding Recipient has expended their Phase 2 Allocation or returned any unspent grant funding, after providing the Quarterly Report for the quarter in which this occurs, an Eligible Funding Recipient will not be required to provide further Quarterly reports but will still be required to provide the Annual Report.

For a Low Value Grant, if the Eligible Funding Recipient has expended their Phase 2 Allocation or returned any unspent grant funds, after providing the Quarterly Report for the quarter in which this occurs, an Eligible Funding Recipient will not be required to provide further Quarterly reports. An Eligible Funding Recipient with a Low Value Grant can file acquittal documentation at this time.

**Table 2 –Quarterly Reports**

<b>Lodgement period for Quarterly Reports</b>	<b>Quarter: Actual expenditure period</b>	<b>Quarterly Report</b>
1–30 April 2021	1 January – 31 March 2021	Actual expenditure and eligible project updates for the period commencing on 1 January 2021 and ending on the last day of the quarter to which the Quarterly Report relates. Projected Expenditure for the next quarter.
1–31 July 2021	1 April – 30 June 2021	Actual expenditure and eligible project updates for the period commencing on 1 January 2021 and ending on the last day of the quarter to which the Quarterly Report relates. Projected Expenditure for the next quarter.
1–31 October 2021	1 July – 30 September 2021	Actual expenditure and eligible project updates for the period commencing on 1 January 2021 and ending on the last day of the quarter to which the Quarterly Report relates. Projected Expenditure for the next quarter.
1–31 January 2022	1 October – 31 December 2021	<b>Annual Report</b> Actual expenditure and eligible project updates from 1 January 2021 to 31 December 2021.
1–30 April 2022	1 January – 31 March 2022 (if required)	Actual expenditure for the period commencing on 1 January 2021 and ending on the last day of the quarter to which the Quarterly Report relates.
1–31 July 2022	1 April – 30 June 2022 (if required)	Actual expenditure for the period commencing on 1 January 2021 and ending on the last day of the quarter to which the Quarterly Report relates.

The Department must be informed of any reporting delays or significant delays affecting Eligible Projects on an Approved Work Schedule as soon as Eligible Funding Recipients become aware of them.

### 11.2 Annual Report

Eligible Funding Recipients must provide the Department with an Annual Report no later than 14 February 2022, unless otherwise agreed by the Department. The Annual Report will need to be in the manner and form specified by the Department. The Annual Report will need to include the following information:

1. Total amount of grant funding made available and subsequently received over the calendar year;
2. Total amount of grant funding spent on Eligible Projects;

3. Total amount (if any) of grant money unspent and either returned or will be returned to the Department:
- a) a written Financial Statement by the Chief Executive Officer or equivalent officer however named. The Financial Statement must be in the form specified by the Department and include:
    - i. the amount of grant payments which remained unspent from the calendar year;
    - ii. the amount of grant payments received by the Eligible Funding Recipient in the calendar year;
    - iii. the amount of grant payments available for expenditure by the Eligible Funding Recipient on Eligible Projects in an Approved Work Schedule in that year;
    - iv. the amount spent by the Eligible Funding Recipient during that year out of the grant payments available for expenditure by the Eligible Funding Recipient during that year;
    - v. the amount (if any) retained at the end of that year by the Eligible Funding Recipient out of grant payments available for expenditures by the Eligible Funding Recipient during that year and which remained unspent at the end of that year.

Note: The figures in the Chief Executive Officer's financial statement should be calculated on an accrual basis.
  - b) The Department may ask Eligible Funding Recipients to make a declaration that the grant funding was spent in accordance with the Grant Agreement and to report on any underspends of the grant money.

### 11.3 Audited financial statements

Under the Program Guidelines for Phase 1 of the LRCI Program, Eligible Funding Recipients are required to submit a report in writing and signed by an appropriate auditor providing the auditor's opinion on the use by Eligible Funding Recipients of proper accounts and records and preparation of financial statements.

In meeting this audit requirement for Phase 1, the Department requires that Eligible Funding Recipients also engage the auditor to consider the appropriateness of accounts and keeping of records that relates to any Phase 2 funding received during the financial period or periods considered for the Phase 1 audit report.

As part of the Annual Report process outlined in section 11.3 above, the Department requires that Eligible Funding Recipients submit a report in writing and signed by an appropriate auditor stating whether, in the auditor's opinion:

- i. the Chief Executive Officer's financial statement included with the Annual Report (refer section 11.3) is based on proper accounts and records;
- ii. the Chief Executive Officer's financial statement is in agreement with the accounts and records;
- iii. the expenditure has been on Eligible Projects under the LRCI Program;
- iv. the amount certified by the Chief Executive Officer in the Chief Executive Officer's financial statement as the Eligible Funding Recipient's own source expenditure is based on, and in agreement with, proper accounts and records.

The Department does not expect Eligible Funding Recipients to engage an auditor specifically to meet this reporting requirement, particularly where the engagement would be a significant additional cost and out of cycle to the normal course of audit activities. The Department requires the report be submitted as soon as practicable, if necessary as part of an auditor's consideration of annual financial statements.

#### 11.4 Acquittal process for Low Value Grants

For a Low Value Grant, the Eligible Funding Recipient can complete an Acquittal Report as soon as they have expended all funds. An Acquittal Report must include:

- (1) Total amount of grant funding made available and subsequently received over the calendar year;
- (2) Total amount of grant funding spent on Eligible Projects;
- (3) Total amount (if any) of grant money unspent and either returned or will be returned to the Department:
  - (a) a written Financial Statement by the Chief Executive Officer or equivalent officer however named. The Financial Statement must be in the form specified by the Department and include:
    - (i) the amount of grant payments which remained unspent from the grant period;
    - (ii) the amount of grant payments received by the Eligible Funding Recipient over the duration of the grant period;
    - (iii) the amount of grant payments available for expenditure by the Eligible Funding Recipient on Eligible Projects in an Approved Work Schedule over the duration of the grant period;
    - (iv) the amount spent by the Eligible Funding Recipient over the duration of the grant period;

Note: The figures in the Chief Executive Officer's financial statement should be calculated on an accrual basis.
- (4) photographs of projects completed using grant payments.

#### 11.5 Reconciliation Process

If any amount of grant funding provided to the Eligible Funding Recipient is not spent on Eligible Projects on an Approved Work Schedule between 1 January 2021– 30 June 2022, they will be required to repay that amount to the Department within four weeks of 30 June 2022.

#### 11.6 Compliance visits and Record Keeping

Eligible Funding Recipients must create and keep accurate and comprehensive records relating to grant payments received and retain those records for a minimum of five years.

Eligible Funding Recipients must, when requested to do so by the Department, provide, in the manner and form requested by the Department:

- copies of any or all of the records referred to in this subsection; and
- photographs of projects completed using grant payments.

The Department may visit the Eligible Funding Recipient during or at the completion of the grant program to review compliance with the Grant Agreement. Eligible Funding Recipients will be provided with reasonable notice of any compliance visit.

The Department may also inspect the records Eligible Funding Recipients are required to keep under the Grant Agreement.

### 11.7 Fraud

Eligible Funding Recipients must comply with fraud provisions in the Grant Agreement.

### 11.8 Specific legislation, policies and industry standards.

Eligible Funding Recipients must comply with all relevant laws and regulations in undertaking Eligible Projects on an Approved Work Schedule. The Eligible Funding Recipient may also be requested to demonstrate compliance with relevant legislation/policies/industry standards detailed in the Grant Agreement, including Environment and Planning Laws detailed below.

#### **Environment and Planning laws**

Projects on which grant payments are spent must adhere to Australian Government environment and heritage legislation including the *Environment Protection and Biodiversity Conservation Act 1999*. Construction cannot start unless the relevant obligations are met.

Eligible Funding Recipients must also meet other statutory requirements where relevant. These may include, but are not limited to: Native title legislation; State government legislation - for example, environment and heritage; and local government planning approvals.

## 12. How we monitor your grant activity

### 12.1 Keeping the Department informed

Eligible Funding Recipients must notify the Department of significant changes that are likely to affect an Eligible Project or their participation in the LRCI Program.

This includes any key changes to the Eligible Funding Recipient's organisation, particularly if it affects their ability to complete an Eligible Project, carry on their business and pay debts due.

Eligible Funding Recipients must also inform the Department of any changes to their:

- name;
- addresses;
- nominated contact details; or
- bank account details.

An Eligible Funding Recipient's bank account details for Phase 2 of the LRCI Program is the bank account the Eligible Funding Recipient currently uses for the LRCI Program. Any changes to an Eligible Funding Recipient's name, addresses, nominated contact details and bank account details must follow the process stipulated by the Department.

If an Eligible Funding Recipient becomes aware of a breach of terms and conditions of the Grant Agreement, or they cannot meet their obligations, they must contact the Department immediately. For example, if a funded Eligible Project is at risk of not being physically completed by 31 December 2021.

## 12.2 Department Contact Details

Email the mailbox at: [IIP@infrastructure.gov.au](mailto:IIP@infrastructure.gov.au)

Mail to: Program Manager

Local Roads and Community Infrastructure Grant Program

Infrastructure Investment Division

Department of Infrastructure, Transport, Regional Development and Communications

GPO Box 594

CANBERRA ACT 2601

## 12.3 Evaluation

The Department will evaluate the LRCI Program Extension to measure how well the outcomes and objectives have been achieved. Information provided by Eligible Funding Recipients, including through Work Schedules, submitted Quarterly and Ad hoc reports, and interviews may be used for evaluation purposes.

The Department may contact Eligible Funding Recipients up to two years after completion of projects to assist with this evaluation.

## 12.4 Public information conditions

Formal public statements, media releases or statements, displays, publications and advertising made by Eligible Funding Recipients must acknowledge and give appropriate recognition to the contribution of the Australian Government to that project.

If Eligible Funding Recipients propose to issue any media release relating to an Eligible Project under Phase 2 of the LRCI Program, they must:

- at least two business days prior to its proposed release, unless otherwise agreed by the Commonwealth, provide a copy of the proposed media release to the Commonwealth and obtain the Commonwealth's agreement to the media release; and
- provide the relevant local Federal Member of Parliament with the opportunity to participate in the media release.

## 12.5 Signage

Eligible Funding Recipients must ensure that signs are erected for each funded Eligible Project, at the time work on the Eligible Project commences unless the Eligible Projects are less than \$10,000. Signs are not needed for projects under \$10,000 in an Approved Work Schedule.

Signage guidelines will be available on the Department's website.

Eligible Funding Recipients must ensure that all signs erected as required by these Guidelines remain in place for the duration of the project to which they relate and for a minimum period of six months, after the day on which the project is completed.

## 12.7 Project Events

If an Eligible Funding Recipient proposes to hold a works commencement ceremony, opening ceremony, or any other event in relation to an Eligible Project they must inform the Department and the relevant local Federal Member of Parliament of the proposed ceremony or event at least two weeks before the proposed ceremony or event is to be held. The Eligible Funding Recipient should provide details of the proposed ceremony or event, including proposed invitees and order of proceedings.

If requested by the Department or the relevant local Federal Member of Parliament, Eligible Funding Recipients must arrange a joint Australian Government/Eligible Funding Recipient works commencement ceremony, opening ceremony or any other event.

If requested by the Minister, a member of the Minister's staff, the relevant local Federal Member of Parliament, or the Department, Eligible Funding Recipients must invite and, if the invitation is accepted, arrange for an Australian Government representative (nominated by the Minister or a member of the Minister's staff) to participate in any works commencement ceremony, opening ceremony or any other event proposed to be held in relation to a funded project.

## 13. Probity

The Australian Government will make sure that the grant opportunity process is fair; conducted according to the published Guidelines; incorporates appropriate safeguards against fraud, unlawful activities and other inappropriate conduct; and, is consistent with the CGRGs.

These Guidelines may be changed from time-to-time by the Department. In the event of a change to the Guidelines, the revised Guidelines will be published on GrantConnect and the Department's website.

### 13.1 Enquiries and feedback

For further information or clarification, the Department can be contacted at [IIP@infrastructure.gov.au](mailto:IIP@infrastructure.gov.au).

Frequently Asked Questions may be published at [https://investment.infrastructure.gov.au/infrastructure\\_investment/local-roads-community-infrastructure-program/index.aspx](https://investment.infrastructure.gov.au/infrastructure_investment/local-roads-community-infrastructure-program/index.aspx)

To make a complaint, the Department can be contacted on 13 28 46. Complaints will be referred to the appropriate manager.

Alternatively, complaints can be directed to:

General Manager  
COVID Recovery Infrastructure Investment Stimulus  
GPO Box 2013  
CANBERRA ACT 2601

If persons do not agree with the way the Department has handled your complaint, you may complain to the Commonwealth Ombudsman. The Ombudsman will not usually look into a complaint unless the matter has first been raised directly with the Department.



The Commonwealth Ombudsman can be contacted on:

Phone (toll free): 1300 362 072

Email: [ombudsman@ombudsman.gov.au](mailto:ombudsman@ombudsman.gov.au)

Website: [www.ombudsman.gov.au](http://www.ombudsman.gov.au)

### 13.2 Conflicts of interest

Any conflicts of interest could affect the performance of the grant opportunity or program.

Eligible Funding Recipients must disclose if any of their personnel:

- has a relationship with or interest in, an organisation, which is likely to interfere with or restrict them/the Eligible Funding Recipient from carrying out the proposed activities and/or implementing the Work Schedule fairly and independently; or
- has a relationship with, or interest in, an organisation from which may be awarded work in relation to a Eligible Project or is otherwise be involved on the implementation of the Work Schedule.

An Eligible Funding Recipient must include the following information in the Work Schedule:

- any details of any real, apparent, or potential conflicts of interests that may arise in relation to the Eligible Projects or the program;
- details of how they propose to manage these or any other conflicts of interest that may arise; or
- that to the best of their knowledge there are no conflicts of interest.

If an Eligible Funding Recipient later identifies an actual, apparent, or perceived conflict of interest, they must inform the Department in writing immediately.

### 13.3 How we manage conflicts of interest

Conflicts of interest for Australian Government staff will be handled as set out in the [Australian Public Service Code of Conduct \(Section 13 \(7\)\)](#) of the [Public Service Act 1999](#). Commonwealth officials including decision makers, must also declare any conflicts of interest.

Conflict of interest requirements form part of the Grant Agreement. Breach of conflict of interest requirements may result in termination of the Grant Agreement.

### 13.4 Privacy

The Department treats personal information according to the [Privacy Act 1988](#) and the [Australian Privacy Principles](#). This includes advising:

- what personal information is collected;
- why personal information is collected; and
- who personal information is given to.

Personal information can only be disclosed to someone for the primary purpose for which it was collected, unless an exemption applies.

The Australian Government may also use and disclose information about Eligible Funding Recipients under this grant opportunity in any other Australian Government business or function. This includes disclosing grant information on GrantConnect as required for reporting purposes and giving information to the Australian Taxation Office for compliance purposes.

The Department may share information it is provided with other Commonwealth entities for purposes including government administration, research or service delivery, according to Australian laws.

Eligible Funding Recipients must declare their ability to comply with the *Privacy Act 1988* and the Australian Privacy Principles and impose the same privacy obligations on officers, employees, agents and subcontractors that Eligible Funding Recipients engage to assist with the activity, in respect of personal information collected, used, stored, or disclosed in connection with the activity. Accordingly, Eligible Funding Recipients must not do anything, which if done by the Department would breach an Australian Privacy Principle as defined in the Act.

### 13.5 Confidential Information

Other than information available in the public domain, Eligible Funding Recipients agree not to disclose to any person, other than to the Department, any confidential information unless in accordance with these Guidelines or the Grant Agreement. The obligation will not be breached where required by law, Parliament, or a stock exchange to disclose the relevant information or where the relevant information is publicly available (other than through breach of a confidentiality or non-disclosure obligation).

The Department may at any time, require Eligible Funding Recipients to arrange for their employees, agents or subcontractors to give a written undertaking relating to nondisclosure of our confidential information in a form the Department considers acceptable.

The Department will keep any information in connection with the grant agreement confidential to the extent that it meets all the three conditions below:

- information is clearly identified as confidential and it has been explained why it should be treated as confidential;
- the information is commercially sensitive; and
- revealing the information would cause unreasonable harm to the Eligible Funding Recipient or someone else.

The Department will not be in breach of any confidentiality agreement if the information is disclosed to:

- the Minister and other Commonwealth employees and contractors to help the Department manage the program effectively;
- employees and contractors of the Department so it can research, assess, monitor and analyse our programs and activities;
- employees and contractors of other Commonwealth agencies for any purposes, including government administration, research or service delivery;
- other Commonwealth, State, Territory or local government agencies in program reports and consultations;
- the Auditor-General, Ombudsman or Privacy Commissioner;

- the responsible Minister or Parliamentary Secretary; and
- a House or a Committee of the Australian Parliament.

The grant agreement may also include any specific requirements about special categories of information collected, created or held under the grant agreement.

### 13.6 Freedom of information

All documents in the possession of the Australian Government, including those about this grant opportunity, are subject to the *Freedom of Information Act 1982* (FOI Act).

The purpose of the FOI Act is to give members of the public rights of access to information held by the Australian Government and its entities. Under the FOI Act, members of the public can seek access to documents held by the Australian Government. This right of access is limited only by the exceptions and exemptions necessary to protect essential public interests and private and business affairs of persons in respect of whom the information relates.

All Freedom of Information requests must be referred to the Freedom of Information Coordinator in writing.

Freedom of Information Coordinator  
Department of Infrastructure, Transport, Regional Development and Communications  
GPO Box 594  
CANBERRA ACT 2601

Tel: (02) 6274 6495  
Fax: (02) 6275 1347  
email: [foi@infrastructure.gov.au](mailto:foi@infrastructure.gov.au)

## 14. Consultation

The Australian Government sought assistance from local councils to identify potential projects that could be fast-tracked given the economic impacts being experienced from the COVID-19 pandemic. Projects nominated by councils have informed the scope of the LRCI Program. These Guidelines have also been influenced by engagement with local councils on projects during Phase 1.

## 15. Glossary

Term	Definition
accountable authority	see subsection 12(2) of the <i>Public Governance, Performance and Accountability Act 2013</i> (PGPA Act)
administering entity	when an entity that is not responsible for the policy, is responsible for the administration of part or all of the grant administration processes
commencement date	the expected start date for the grant activity
Commonwealth Grants Rules and Guidelines	establish the overarching Commonwealth grants policy framework and articulate the expectations for all non-corporate Commonwealth entities in relation to grants administration. Under this overarching framework, non-corporate Commonwealth entities undertake grants administration based on the mandatory requirements and key principles of grants administration
eligibility criteria	refer to the mandatory criteria which must be met to qualify for a grant.
Eligible Funding Recipient	the organisation that is eligible to receive funding under the LRCI Program
Eligible Project	A project that meets the Eligible Project Requirements contained in section 5 of these Guidelines
Eligible Project Requirements	The Eligible Project Requirements are the requirements contained in section 5 of these Guidelines
grant	for the purposes of the CGRGs, a 'grant' is an arrangement for the provision of financial assistance by the Commonwealth or on behalf of the Commonwealth: <ul style="list-style-type: none"> <li>a. under which relevant money<sup>2</sup> or other <u>Consolidated Revenue Fund</u> (CRF) money<sup>3</sup> is to be paid to a grantee other than the Commonwealth; and</li> <li>b. which is intended to help address one or more of the Australian Government's policy outcomes while assisting the grantee achieve its objectives</li> </ul>
Grant Agreement	sets out the relationship between the parties to the agreement, and specifies the details of the grant

<sup>2</sup> Relevant money is defined in the PGPA Act. See section 8, Dictionary.

<sup>3</sup> Other CRF money is defined in the PGPA Act. See section 105, Rules in relation to other CRF money.

Term	Definition
<u>GrantConnect</u>	is the Australian Government's whole-of-government grants information system, which centralises the publication and reporting of Commonwealth grants in accordance with the CGRGs
Personal information	<p>has the same meaning as in the <i>Privacy Act 1988</i> (Cth) which is:</p> <ul style="list-style-type: none"> <li>• Information or an opinion about an identified individual, or an individual who is reasonably identifiable;</li> <li>• whether the information or opinion is true or not; and</li> <li>• whether the information or opinion is recorded in a material form or not</li> </ul>
Approved Work Schedule	the Work Schedule that outlines Eligible Projects that the Eligible Funding Recipient can use grant money to pay for.
Work Schedule	a list of projects that an Eligible Funding Recipient proposes to be funded under the LRCI Program

**Attachment 1 – LRCI Proposed Primary Candidate List of Projects**

<b>Candidate Project Name</b>	<b>Description of works</b>	<b>Estimate \$</b>
Strzelecki Ranges Roads - Landslip repairs Stage 1	Stabilise and construct safer bypasses for 3 landslips	660,000
Strzelecki Ranges Roads - Landslip repairs Stage 2	Stabilise and construct safer bypasses for 4 landslips	300,000
Sandbanks Reserve Traralgon - Reserve rehabilitation	Fencing, Signs, Bollards, and Road Renewal at Sandbanks Reserve	90,000
Twin City Archery Building code compliance	address existing compliance issues as funding allows and support the erection of an adjacent shed	400,000
Gippsland Sports and Entertainment Precinct - Sewerage Upgrade	Upgrade the sewer connection and sump pump within the property	40,000
Mathison Park, Churchill - Hare House stabilisation	Brace the walls to stabilise Heritage ruins or fence the area off to protect the public	50,000
Latrobe City - Gross Pollutant traps - Location 1	Installation of Gross Pollutant at key locations - Location 1 of 3	300,000
B-Grade Ovals - Drainage and Irrigation Year 1	Upgrade ovals drainage: Churchill pitch 1 ; Morwell East football ; Apex Park ; Andrew Pk W	270,000
Haigh Street, Moe - New Footpath Construction	Haigh Street, Moe from end of path at "Freemasons Lodge" to Botanic Park path	40,000
Church Road- Hazelwood North Tennis Court entrance upgrade	Construct a driveway and ped access from Tennis Court on Hazelwood Road at the school carpark	25,000
Moe Botanic Park - Disability Discrimination Act path improvements	Construct a new approach to the steel footbridge over Narracan Creek to meet DDA principles, and other minor improvements to the path	20,000
McNairn Road, Traralgon - New footpath south of Prince Highway	Extend the footpath south to near the railway.	45,000

Candidate Project Name	Description of works	Estimate \$
Netball Court surfacing - general renewal	Resurface hard surfaced courts and minor improvements. Candidates include Yinnar Netball, Ted Summerton Netball, Ronald Reserve Tennis - as funding allows	170,000
Agnes Brereton Reserve - Netball Courts resurfacing	Upgrade the surface, reduce the run-off slope and improve drainage management.	150,000
Glenview Racecourse - Building and code compliance - Stage 1	Kitchen and building code improvements	65,000
Moore Street, Moe - Footpath renewal	Remove deteriorated pavers and renew in Hotmix. Some kerb renewal and line marking	55,000
Narracan Caravan Park - DDA Access project	Construct a ramp, steps and kerb to provide DDA access and manage drainage	100,000
Streetscape Planter Box Renewal - Stage 1	Replace boxes and plantings in streetscapes	60,000
Newborough Running Track - Boundary Fencing renewal	Newborough Running Track, Newborough - fencing replacement	70,000
Tennis and Netball Court fence renewal	Repair and replace fencing at Eric Taylor Reserve Traralgon, Ronald Reserve Morwell, and other reserves as funding allows	120,000
Monash Way Churchill - renew fencing	Replace the fence along Monash Way south of Switchback that has deteriorated (broken and leaning posts, rusted wires etc.)	20,000
Traralgon South Rec Reserve Oval - Replace Irrigation System	Replace oval surface irrigation system.	40,000
Yinnar Main Street - Traffic management improvements	Improve the traffic/public safety through specific line marking treatments	29,650

**Attachment 2 LRCI Proposed Supplemental List**

<b>Supplemental Project List</b>	<b>Description of works</b>	<b>Estimate \$</b>
Victory Park, Traralgon Garden Bed Edging - New installation	Victory Park rose garden bed - install new edging	50,000
Commercial Road, Traralgon - Traffic Signal Controller Renewal	Upgrade the traffic signal controller gear at the traffic signal	40,000
Ollerton Avenue and Crinigan Road - Bushland Reserve Fencing	Ollerton Avenue, Crinigan Road	150,000
Development of Soccer Pitch at Crinigan Road South Reserve	Construct soccer pitch at south end of the oval at the Crinigan Road South Reserve.	40,000
B-Grade Ovals - Drainage and Irrigation Year 2	Upgrade ovals: - Andrew Park West - Drainage and Irrigation	200,000
Mathison Park Boardwalk renewal - Stage 1	Rehabilitate (and widen) the boardwalk (part) at Hyland Lake	100,000
Coalville Road, Moe South - New Footpath Construction	Stage 2 - to link existing paths across the Cemetery Rd intersection with Coalville Rd.	50,000
Lloyd Street Moe - Bicycle Lane	Widen shoulder and line mark from Waterloo to the overpass	100,000
Wesley Pump Memorial Oval, Callignee - Construction of Boundary Fence	Construct an oval boundary fence so to limit the frequency of cricket balls being lost in the surrounding native vegetation.	40,000
Latrobe City - Gross Pollutant traps - Location 2	Installation of Gross Pollutant at key locations - Location 2 of 3	300,000
Kernot Lake, Morwell - Supplemental water supply	To install a GPT and drainage system to divert stormwater from a nearby residential area to maintain water levels and enhance water quality	365,000
Rose Garden, Morwell - Concreting of gravel path Stage 3	Replace gravel paths and pedestrian areas in coloured exposed aggregate concrete paths. Stage 3 being areas not included in the Council funded upgrade	35,000



Franklin Street Reserve, Traralgon - Upgrade Off Leash Dog Park	Improve the Fenced Off Leash Dog Park with hard Landscaped items	15,000
Latrobe City - Gross Pollutant traps - Location 3	Installation of Gross Pollutant at key locations - Location 3 of 3	300,000
Mathison Park, Churchill - New Regional Play space	To design and construct a regional level play space	750,000
Traralgon Railway Reservoir Conservation Reserve - Pathway Project	Construct pathways along the south west side of the reserve and connect into the existing pathway network.	50,000
Legacy Place, Morwell - Replace park music instrument	To replace the stolen Vibraphone in the public music instrument installation	11,000
Walkley Park West - Install Solar path lighting	To install 5 new lights along the path within the reserve	50,000
Agnes Brereton Reserve, Traralgon - New Netball Court Fences	Install a fence to allow management of the court access during COVID-19 pandemic response	70,000

**Agenda Item: 15.4**

**Agenda Item: Blackspot Application 21/22 - Airfield, Vary, Monash and Old Melbourne Roads**

**Sponsor: General Manager, Assets and Presentation**

**Council Plan Objective: Provide a connected, engaged and safe community environment, which is improving the well-being of all Latrobe City citizens.**

**Status: For Decision**

**MOTION**

**Moved: Cr Ferguson**

**Seconded: Cr Howe**

**That Council:**

- 1. Endorses in principle the following submissions to the Federal Government's Infrastructure Investment Black Spot Program 2021/22 nominated in this report for:**
  - **Airfield Road, Traralgon including Old Melbourne Road between Airfield Road and Scrubby Lane,**
  - **Vary Street, Morwell,**
  - **Monash Road, Moe from Shanahan Parade to Thorpdale Avenue, and**
  - **Maryvale Road, Morwell and Old Melbourne Road from Maryvale Road to the intersection with Derhams Lane.**
- 2. Endorses in principle subject to consultation and a further report, speed limit changes at the following locations:**
  - **Airfield Road, Traralgon from Princes Highway north to 60 Airfield Road,**
  - **Vary Street, Morwell, from Churchill Road to Junier Street, and**
  - **Monash Road, Moe from Shanahan Parade to Ellinbank Street.**

**CARRIED UNANIMOUSLY**

*Page 236 refers to a speed limit reduction from 60km/hr to 50km/hr on Airfield Road. This should refer to a speed limit change from 80km/hr to 60km/hr.*

**Executive Summary:**

- The Federal Government’s Infrastructure Investment Black Spot Program is an on-going road safety program committed to reducing the risk and severity of crashes.
- Each year, the Department of Transport reviews the road crash statistics for the previous five year period to identify potential locations that meet basic Black Spot eligibility criteria. This year they invited Latrobe City Council to submit their road safety improvement proposals for the sites identified in Table 1 – 2020/21 Black Spot submissions.
- Council officers engaged a traffic safety consultant to review the identified locations in light of the crashes recorded and to propose relevant treatments and their Benefit Cost ratio, and to prepare submissions to the program.
- These projects have been submitted to Regional Roads Victoria for assessment in 2020 as there was insufficient time to bring the submissions to Council before the deadline for submissions.
- Council officers will undertake community engagement with residents living near the proposed sites seeking their feedback on the proposed treatments and speed reduction proposal for each application.
- This proposed endorsement in principle is not endorsing the proposed speed limit reductions - a further report would be presented with the consultation results.
- Although normally the Black Spot Program projects are very competitive and Council would normally have a limited number of its proposals supported each year, due to the federal government’s desire to stimulate the economy through construction activity, it is anticipated that the large majority of applications will be approved.

Table 1 – 2020/21 Black Spot submissions

Road Name	Primary Treatments
Airfield Rd, Traralgon  Princes Highway to, and including the intersection with Old Melbourne Road	<ul style="list-style-type: none"> <li>• Reducing the speed limit from 60km/h to 50km/h from Princes Highway to 60 Airfield Road (north of the airfield entrance)</li> <li>• Intersection improvements,</li> <li>• Guardrail at specific locations,</li> </ul>

	<ul style="list-style-type: none"> <li>• Signage and line marking</li> <li>• Audio Tactile warning</li> </ul>
<p>Vary Street, Morwell</p> <p>Full Length</p>	<ul style="list-style-type: none"> <li>• Reduce the limit from 60km/h to 50km/h from Churchill Road to Junier Street</li> <li>• Signage</li> <li>• Edge line marking</li> <li>• Speed cushions</li> <li>• Raised pavements</li> <li>• Entry thresholds (on side streets)</li> <li>• Central median and pedestrian refuge</li> </ul>
<p>Monash Road, Newborough</p> <p>Shanahan Parade to Thorpdale Avenue</p>	<ul style="list-style-type: none"> <li>• Reduce the limit from 60km/h to 50km/h from Shanahan Parade to Ellinbank Street</li> <li>• Signage</li> <li>• Painted central median</li> <li>• Kerb outstands with ramps</li> <li>• Edge line marking</li> </ul>
<p>Maryvale Rd, Morwell,</p> <p>Hannah Street to Old Melbourne Road</p>	<ul style="list-style-type: none"> <li>• Intersection Improvements</li> <li>• Signage and line marking</li> </ul>

Each application has the common crash history trend of motorists running off the road at curves for the subject road section.

If considerable objection is received to the works generally, Council officers would return for Council's endorsement before proceeding, although withdrawal from projects may prejudice the success of future funding applications.

This report seeks Council's endorsement in principle for these submissions to 2021/22 Black Spot funding program. If Council does not endorse the submissions they can be withdrawn before the final assessment and approval.

**Background:**

The Federal Government's Infrastructure Investment Black Spot Program is an on-going road safety program committed to reducing the risk and severity of crashes.

Each year, the Department of Transport reviews the road crash statistics for the previous 5 year period to identify potential locations that meet basic Black Spot eligibility criteria. This year they invited Latrobe City Council to submit their road safety improvement proposals for the sites identified in Table 2 – 2020/21 Black Spot submissions.

Council officers engaged a traffic safety consultant to review the identified locations in light of the crashes recorded and to propose relevant treatments and their Benefit Cost ratio. Due to the timing of advice of proposed locations and the deadline for submissions, Council officers have submitted the projects within Table 2 - 2020/21 Black Spot submissions to Regional Roads Victoria for assessment.

It is noted that three of the submissions have proposed speed limit changes. As there was no time for consultation or reports to Council on the proposed speed limit changes it is proposed that this will occur in early 2021, preferably before the assessment of the submissions.

Should the speed limit changes not be endorsed by Council the submissions will need to be resubmitted as the benefit cost ratio will change (a notable benefit of crash severity reduction for a low cost measure).

Council officers fully support the proposed speed reduction from 80km/h on Airfield Drive as this is in the built up area of the road with driveways and pedestrians. On both Monash Road and Vary Road the proposed reduction will reduce the likelihood and severity of crashes, however as these are both urban collector roads and officers wish to ensure they are more likely to be used over adjacent local roads, Council officers would support the traffic calming measures alone without the speed reduction.

Table 2 – 2020/21 Black Spot submissions.

Road Name	Primary Treatments	Funding
<p><b>Airfield Rd, Traralgon</b></p> <p>Full Length including intersections with Princes Highway and Old Melbourne Road  (Attachment 1)</p>	<ul style="list-style-type: none"> <li>• Reducing the speed limit from 60km/h to 50km/h from Princes Highway to 60 Airfield Road (north of the airfield entrance)</li> <li>• Intersection improvements,</li> <li>• Guardrail at specific locations,</li> <li>• Signage and line marking</li> <li>• Audio Tactile warning</li> </ul>	<p>\$733,950</p>

Road Name	Primary Treatments	Funding
<b>Vary Street, Morwell</b> Full Length (Attachment 3)	<ul style="list-style-type: none"> <li>• Reduce the limit from 60km/h to 50km/h from Churchill Road to Junier Street</li> <li>• Signage</li> <li>• Edge line marking</li> <li>• Speed cushions</li> <li>• Raised pavements</li> <li>• Entry thresholds (on side streets)</li> <li>• Central median and pedestrian refuge</li> </ul>	\$928,200
<b>Monash Road, Newborough</b> Shanahan Parade to Thorpdale Avenue (Attachment 4)	<ul style="list-style-type: none"> <li>• Reduce the limit from 60km/h to 50km/h from Shanahan Parade to Ellinbank Street</li> <li>• Signage</li> <li>• Painted central median</li> <li>• Kerb outstands with ramps</li> <li>• Edge line marking</li> </ul>	\$346,500
<b>Maryvale Rd, Morwell,</b> Hannah Street to Old Melbourne Road (Attachment 2)	<ul style="list-style-type: none"> <li>• Intersection Improvements</li> <li>• Signage and line marking</li> </ul>	\$599,950

Council has been advised by the Department of Transport that this year the Federal Government will likely fund the majority of projects submitted to support economic activity.

Delivering this many new projects promptly is not possible with current resources and it is proposed to use part of this funding to engage project managers to deliver them under Council Officer's overall supervision.

**Overview of Treatments:**

**Airfield Road (Attachment 1)**

- Airfield Road has a total of four crashes between the periods of 1/1/2015 to 31/12/2020. This comprised one fatality, two serious injury crashes and one other injury crash.

- Reducing the speed limit from 80 km/h to 60 km/h in the southern section of Airfield Road, with dragons teeth line marking to further indicate the transition of speed limits for southbound traffic.
- Audio Tactile Line marking will also be installed to reduce the risk of run-off-road and head-on crash types on Airfield Road.
- Installing roadside barriers and terminals will significantly reduce the risk of run-off-road crashes along Airfield Road, particularly around the airport where there are utility poles in close proximity to the roadway.

### **Vary Street (Attachment 2)**

- A total of nine casualty crashes were recorded in the five years from 1/1/2015 to 31/12/2019. The predominant concern for Vary Street is the pattern of loss of control crash types. The lack of line marking and absence of traffic calming treatments in the midblock increase the risk of speeding and erratic 'hoon' behaviour, which can be noted in the crash history.
- Treatments involve implementing raised pedestrian thresholds to slow down vehicles approaching intersections with Vary Street and at the Morwell Park Primary School crossing.
- Splitter islands will be installed on the Alamein Street approaches to separate traffic and a central median on Vary St which will provide further delineation and allow for pedestrian refuge.
- A speed reduction from 60 km/h to 50 km/h will also reduce the risk of most crash types.
- Installing the speed cushions along the route will aid in 'traffic calming' and ultimately discourage speeding and hooning behaviours.
- Finally, implementing give-way signage and line marking at all minor legs will reduce the likelihood of cross-intersection crash types.

### **Monash Road (Attachment 3)**

- Monash Road has a total of seven casualty crashes in the last five years from 1/1/2015 to 31/12/2019. The predominant concern for Monash Road is the wide road environment. Four out of the seven crashes demonstrate a pattern of erratic and distracted driving along Monash Road.
- The proposed works will introduce the treatments such as installing kerb outstands and formalising crossing points at key locations across Monash Road which will reduce the likelihood of pedestrian crashes.
- A painted median strip will also be installed along Monash Road around the shopping strip to reduce the risk of head-on crashes.
- Finally, implementing give-way signage and line marking at all minor legs will reduce the likelihood of cross-intersection crash types.

- It is proposed to reduce the speed limit from 60km/h to 50km/h to further reduce the likelihood and severity of crashes.

#### **Maryvale Road (Attachment 4)**

- Maryvale Road has a total of eight casualty crashes between the period of 1/1/2015 to 31/12/2019. The predominant concern for Maryvale Road includes vehicles leaving their traffic lane and colliding with fixed roadside objects (e.g. trees) or other vehicles.
- This project will introduce the implementation of edge barriers and terminals, Audio Tactile Line marking (edge and centre), guideposts, RRPMs, curve warning and advisory speed signs which will reduce the likelihood of run-off-road and head-on crashes.
- This project will also provide additional delineation treatments at the Old Melbourne Road intersection to reduce the risk of cross-intersection (fail to give way) crash types, and seal the intersection of Derhams Lane further to reduce gravel ingress onto Old Melbourne Road.

#### **Options:**

##### **Option 1:**

That Council endorses the Black Spot project submissions nominated in this report for Federal Government funding under the 2021/22 Black Spot program.

##### **Option 2:**

That Council does not endorse some or all of the Black Spot project submissions nominated in this report and requests officers to withdraw the projects. It is noted that not endorsing the proposed submissions would likely lose the opportunity to obtain funding for road safety improvements.

#### **Issues:**

##### ***Strategy Implications***

This Briefing report is consistent with Council Plan Strategic Objective 5:

*Provide a connected, engaged and safe community environment, which is improving the well-being of all Latrobe City citizens*

##### ***Communication***

The council's officer has been in regular contact with the Department of Transport officers and with the consultant.

##### ***Financial Implications***

The Black Spot Program is a fully funded program and Council is not required to contribute any funding to approve projects. Projects that are not approved will be



delivered as part of Council's future Capital Works Program, whilst considering other Council priorities.

The estimates include an allowance for project management and if possible under the grant funding guidelines will source external project managers to assist with delivery using these funds.

***Risk Analysis***

<b>Identified risk</b>	<b>Risk likelihood*</b>	<b>Controls to manage risk</b>
<p><b>Service Delivery Risk</b></p> <p>The project will not be delivered in a timely manner due to resourcing</p>	Possible	<p>The consequence is that an extension will be required. It is proposed to manage this risk by sourcing external project management if possible</p> <p>Although Likelihood is possible, the Consequence is Possible and thus the Risk is Medium.</p>
<p><b>Occupational Health and Safety Risk</b></p> <p>There is a risk of injury during construction and after construction if not installed correctly</p>	Unlikely	<p>There are no unusual OHS Risks as this is routine works for Council Officers and the contractors and all designs will be in accordance with relevant codes.</p> <p>The Likelihood is Unlikely, the Consequence is Moderate and thus the Risk is Medium.</p>
<p><b>Reputational Risk</b></p> <p>If Council does not endorse the submissions there is a risk that it will be seen not to support road safety.</p>	Possible	<p>The consequence of a negative public reaction is moderate due to the association with safety.</p> <p>The Likelihood is Possible and the Consequence is Moderate and thus the Risk is Medium.</p>

***Legal and Compliance***

All works and activities will be undertaken in compliance with the relevant processes and legislation.

### ***Community Implications***

The change in speed limit will not have a significant impact on the driving times etc. and therefore the negative implication of this is outweighed by the enhanced safety.

### ***Environmental Implications***

There are no environmental implications in the proposed works.

### ***Consultation***









Council Officers will undertake the community consultation with residents who will directly affected by the proposal proposed in these applications.

### ***Declaration of Interests:***

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*.

### ***Supporting Documents:***

#### ***Attachments***

- 1   Airfield Road - Black Spot measures
- 2   Vary Road - Black Spot Measures
- 3   Monash Road - Black Spot Measures
- 4   Maryvale Road - Black Spot Measures

## **15.4**

### **Blackspot Application 21/22 - Airfield, Vary, Monash and Old Melbourne Roads**

<b>1</b>	<b>Airfield Road - Black Spot measures .....</b>	<b>243</b>
<b>2</b>	<b>Vary Road - Black Spot Measures.....</b>	<b>247</b>
<b>3</b>	<b>Monash Road - Black Spot Measures .....</b>	<b>252</b>
<b>4</b>	<b>Maryvale Road - Black Spot Measures .....</b>	<b>255</b>

Airfield Road



Overall section showing the plan numbers for details

Sheet 20:



Sheet 21



Sheet 22



Sheet 23



Sheet 24



Sheet 25



Sheet 26



Sheet 27



Sheet 28



Sheet 29



E			GENERAL NOTES
D			
C			
B			NOVEMBER 2020 SUBMISSION
A			SEPTEMBER 2020 SUBMISSION

	REVISED
	NOVEMBER 2020
	DATE: LATROBE CITY COUNCIL

**AIRFIELD ROAD**  
 BLACK SPOT PROGRAM - SAFETY IMPROVEMENTS  
 OLD MELBOURNE INTERSECTION  
 CONCEPT PLAN

Vary Street

Plans Sheet





Sheet 06



Sheet 07



Sheet 08



Sheet 09



Sheet 10



Sheet 11



Sheet 12



Monash Road, Moe

Plans Sheet



Sheet 14



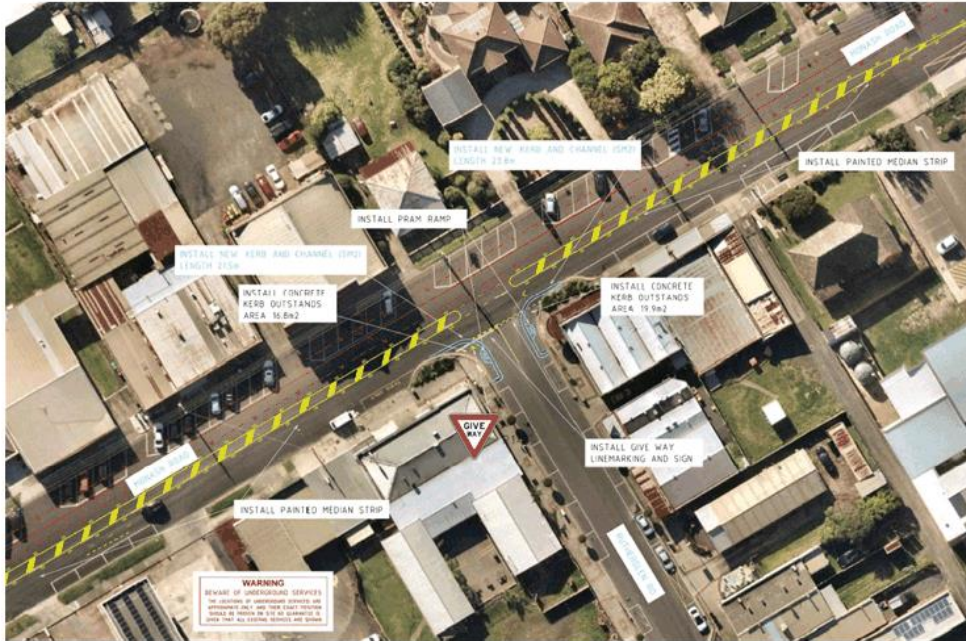
Sheet 15



Sheet 16



Sheet 17



Sheet 18



Maryvale Road

Plans sheet





Sheet 02



Sheet 03



Sheet 04



**Agenda Item: 15.5**

**Agenda Item: Main Street, Yinnar - Traffic Calming Options**

**Sponsor: General Manager, Assets and Presentation**

**Council Plan Objective: Improve the liveability and connectedness of Latrobe City.**

**Status: For Decision**

**MOTION**

**Moved:** Cr Ferguson

**Seconded:** Cr O'Callaghan

**That Council endorses further development of options noted in Attachment 1 of this report, engaging with the community and Regional Roads Victoria as required, to determine the suitability and feasibility of the options and presenting a future report with further detail and more accurate estimates.**

**CARRIED UNANIMOUSLY**

**Executive Summary:**

The Council resolution of 7 December 2020 requires a report to the 8 February 2021 Council meeting detailing options and costs to slow traffic on the main thoroughfare of Yinnar (specifically Main Street and the Jumbuck road entry to Main Street), and to upgrade the Yinnar Primary School crossing on school Main Street, Yinnar.

As with all traffic calming issues there are many possible options, but none can be considered with confidence without the time to review in detail, consider warrants, and seek authority from Regional Roads Victoria. Until that work is completed options remain as concepts only. Similarly, accurate cost estimates to construct an option is not possible without more detail such as a design.

Concern has been expressed for some time by the community, primarily through the community association but also by parents of school children etc., in respect of school children's safety and general motorist behaviour. Officers have developed several concepts to calm traffic, and support changing the street's traffic environment.

Table 1/Attachment 1 outlines options identified to calm traffic as requested. Table 1/Attachment 1 includes concept costs and some observations on the effectiveness etc. of the options.

Funding options for the measures naturally include Council's Annual Budget, although historically this has been for smaller measures. Council has been allocated \$3,119,650 under the Local Roads and Community Infrastructure Program and due to its nature is being treated as Council funding.

Larger measures would require external funding. There are no known regular grant funding opportunities for traffic measures of this scale. The Transport Accident Commission and Regional Roads Victoria do have community grants but their focus is on community member support projects (signage, programs, etc.) rather than larger scale infrastructure like many of these. Those grant programs that would fund a streetscape change are competitive and the criteria generally are about creating jobs, not traffic calming. In short there are rarely suitable grant programs specific to traffic calming capital works.

The most likely concepts to develop further are as follows as they are lower cost than most, likely to garner support of the residents and motorists alike, and appear achievable.

- Raised platform (not pedestrian prioritised) on Jumbuk Road at Main Street.
- Reduced speed limits on Main Street combined with some kerb outstands (for the signage and to act as a visual cue to the motorist) and a raised platform at the school crossing

Table 1 – Options and Rough order of measure estimates (Attachment 1)

<b>Option</b>	<b>Estimate (plus or minus 30%)</b>
<b>Main Street</b>	
Reconfiguring the intersection of Bennett St, Main St and the Main St Access road	Varies considerably based on the level of works \$400,000 to \$1,500,000.  Can be “soft implemented” with painted islands to introduce the concept of lane discipline while still allowing larger vehicle movements. This may be as low as \$15,000.
Raise the profile of the School Crossing to create an entrance	Kerb outstands and landscaping: \$20,000 to \$40,000

statement	Raised platform crossing with no kerb outstand improvements \$20,000
	Creating a pedestrian priority crossing (likely not allowable under guidelines) At grade: \$100,000 Raised: \$120,000 (plus ongoing cost of \$2,000 per year)
Reconfiguring the intersection of Jumbuk Road, Main Street.	Varies considerably based on the level of works \$400,000 to \$1,500,000
Kerb Outstands near the bus shelter access road	Kerb outstands \$50,000
Reduced Speed Limit 40km/h or 50km/h	Signage only \$4,000
Streetscape tree installations	\$200,000 to \$300,000 depending on the extent
<b>Jumbuk Road</b>	
Raised pavement crossing Jumbuk Road	Raised pavement: \$40,000
Modify the existing kerb outstands to narrow the entry	Kerb modification \$50,000

Raised Pavement intersection: Jumbuk Road and Wicks Street	Raised pavement: \$125,000  Proposed kerb outstands: \$150,000 to \$200,000 (additional)
School Crossing safety enhancements	
Enhanced landscaping within the existing footprint of the kerb outstands	Shrubs, kerbing, trees \$40,000 to \$70,000
Static signage and line marking	\$3,000 to \$5,000
Electronic school zone speed signage	\$30,000 to \$50,000  Plus \$1,700 per year maintenance (typical cost for all traffic signals and flashing lights)

**Background:**

At the 7 December 2020 Council meeting it was resolved:

*That Council receive a report at the February 2021 Council meeting detailing:*

- a) *the most effective roadworks for slowing traffic along the main thoroughfare of Yinnar (specifically Main Street and the Jumbuck road entry to Main Street);*
- b) *analysis of the ability to upgrade the Yinnar school Main Street crossing; and*
- c) *estimated costs and funding options related to points a) and b)*
- d) *options and costs to provide a school crossing supervisor for the Yinnar School crossing including options for the provision of a school crossing supervisor immediately until a permanent arrangement can be made.*

This report responds to items a, b and c of the resolution. A separate report is to be provided in response to Item d of the resolution.

It is important to realise that while options have been considered, due to the timing of presenting this report, few of the options have been designed and proven feasible, the estimated costs are rough order of measure only, and as Regional Roads Victoria approval is required to install some of the measures (those classified as “major traffic control devices”) it may not be possible to implement these.

It is understood that the resolution is in response to concerns raised by the community in respect of traffic safety on Main Street and Jumbuk Road, Yinnar, particularly in relation to school times. Council Officers have engaged over recent years on these issues with the community association and can provide the following information.

The community group and individual residents on occasion raised concerns in respect of:

- Pedestrians crossing Jumbuk Road at Main Street
- Pedestrians (primarily school patrons) crossing Jumbuk Road at Bolger Lane
- School children safety within Bolger Lane
- Speeds on Main Street
- The Main Street school crossing safety

**Item a) Part 1 - Methods to slow traffic on Main Street - Options**

Main Street functions as a typical shopping street with angled parking on both sides, a total width of 19.5m (nominal lanes of 3.0m with a 1.5m buffer zone beside the 5.2m deep angled parking). It is also a connector between Monash Way and Strzelecki Highway.

When the angled parking is not occupied this wide street along with the very low traffic volumes encourages higher motorist speeds. Council Officers when reviewing options to reduce speeds consider the best method is to change the traffic environment to send the message to the motorist that they are in a 'pedestrian activity' area and that lower speeds are appropriate.

Methods considered to achieve this include:

- Reducing the physical width of the road surface with kerb outstands, with street trees to visually intrude on the motorists perspective
- Lowering the speed limit through the main street to at least 50km/h, and potentially 40km/h to be consistent with other townships
- Marking the lane edge at approximately 3m from the centreline to visually reduce the lane width. This potentially could include a marked bicycle lane between the angled parking and the new lane edge line
- A roundabout at the intersection of Main Street and Jumbuk Road
- A large kerb outstand on the west side of Main Street at Jumbuk Road
- A raised intersection at the intersection of Main Street and Jumbuk Road
- Entry statements at the beginning of the built up area on Main Street and Jumbuk Road.

Yinnar is changing from what was a small country town with a wide main street and very little traffic that relied on the low traffic volumes to accommodate unusual traffic

motions such as the three-way split of Main Street near the Bowls Club entrance that at almost 30m wide also accommodates trucks reversing direction on Main Street.

It is becoming a busier town with through traffic and many more parking and unparking motions. The desire to control the speeds and enhance safety is normal but with that comes the need to change the street itself.

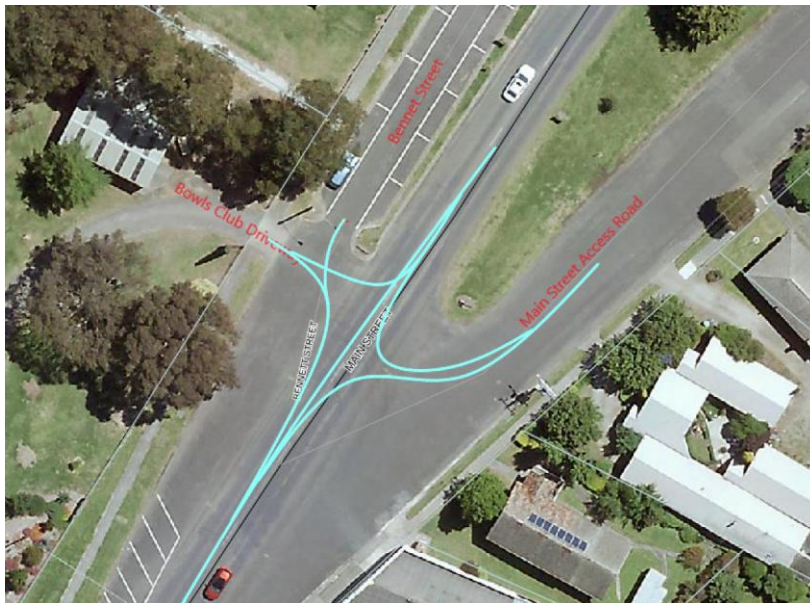


Figure 1 – Traffic motion conflict potential

Council Officers consider that the three-way split must be addressed to remove as many conflict points as possible – there are no give-way controls on either of the side streets and drivers entering or exiting the streets simply drive out (See Figure 3). In addition, the parking and unparking motions to Smee Automotive and the properties to the north within the intersection also conflict with through motions.

Options considered (but not proven possible) include:

- Installing a roundabout with legs being:
  - Bennett Street
  - Entrance to the bowls club
  - Main Street north and south of the roundabout
  - Main Street Service Road Access (to the community hall)
- Moving the Main Street Access road entrance north and creating a 'cul de sac' in front of Smee Automotive
- Moving the Bowls Club entrance south and reconfiguring the Bennett Street entrance
- Extensive painted medians and outstands to direct and guide motorists



The issue of traffic conflicts is mentioned because installing controls here would not only reduce the conflicts/danger, but make an excellent entrance statement to send the message to the motorist that they are entering a town, not passing through a town.

An alternative would be to change the school crossing near the Greenside Villas unit village and the school into a raised platform with more pronounced kerb outstands. It is however, south of the start of the shopping area and consideration could be made to relocate it further north. Any raised platform (or road hump) creates noise pollution and would likely affect the amenity of the residents of Greenside Villas. Doing so would reduce the usefulness for the residents of the Greenside Villas however as their destination would typically be south of their property.

Council Officers would prefer to also have a similar entrance statement such as a raised platform on the south end of town, however there is no obvious location available without removing car parking. Kerb outstands could be constructed at the southern entrance to the bus stop area.

In addition to the entrance statements, the main intersection of Main Street with Jumbuk Road could have either a roundabout or a raised platform. The warrant for a traffic signal would not be met and is not considered a viable option to explore.

The existing kerb outstands on Main Street either side of Jumbuk Road were installed to accommodate a roundabout. A roundabout would slow motorists down in that area, and particularly control/slow the right turning motions. Left turn motions are not as affected by a roundabout.

A raised platform ramp, while usually not steep enough to significantly slow motorists does also raise awareness of the intersection and the motorist's responsibility to take care.

Neither of these measures gives priority to a pedestrian, which is particularly pertinent on the Jumbuk Road leg where there is anecdotal evidence from residents of motorists not being aware of the potential for vulnerable pedestrians to be in the crossing. This issue was not part of the resolution however Council Officers are exploring ways to calm traffic approaching that crossing, and a raised platform crossing of Jumbuk Road, either as a pedestrian priority crossing or simply a slow point but leaving the priority with the motorist, has been considered.



Figure 2 – Main Street potential physical traffic calming measures

**Item a) Part 2 - Methods to slow traffic on Jumbuk Road - Options**

Like Main Street, the Jumbuk Road approach speeds could be moderated with an entry statement of some nature whether at-grade or raised, to reinforce the change in traffic environment to the motorist.

Considering expressed concerns regarding parents and children crossing Jumbuk Road combined with the drop-off and pick up activity at the intersection of Wicks Street (Bolger Lane) and Jumbuk Road, a slow point could be constructed such as kerb outstands (small) and/or a raised platform (may be too close to residential areas to garner community endorsement).

Similarly, as noted before there are concerns about motorists driving onto Main Street without due care and attention, and either a raised crossing with or without pedestrian priority can be considered. In either case Council Officers believe that a 'chicane' or similar method should be used to reduce the likelihood of a pedestrian assuming right of way and putting themselves in the path of an inattentive motorist.

The raised platform or crossing could be provided as part of a raised intersection (Figure 2).

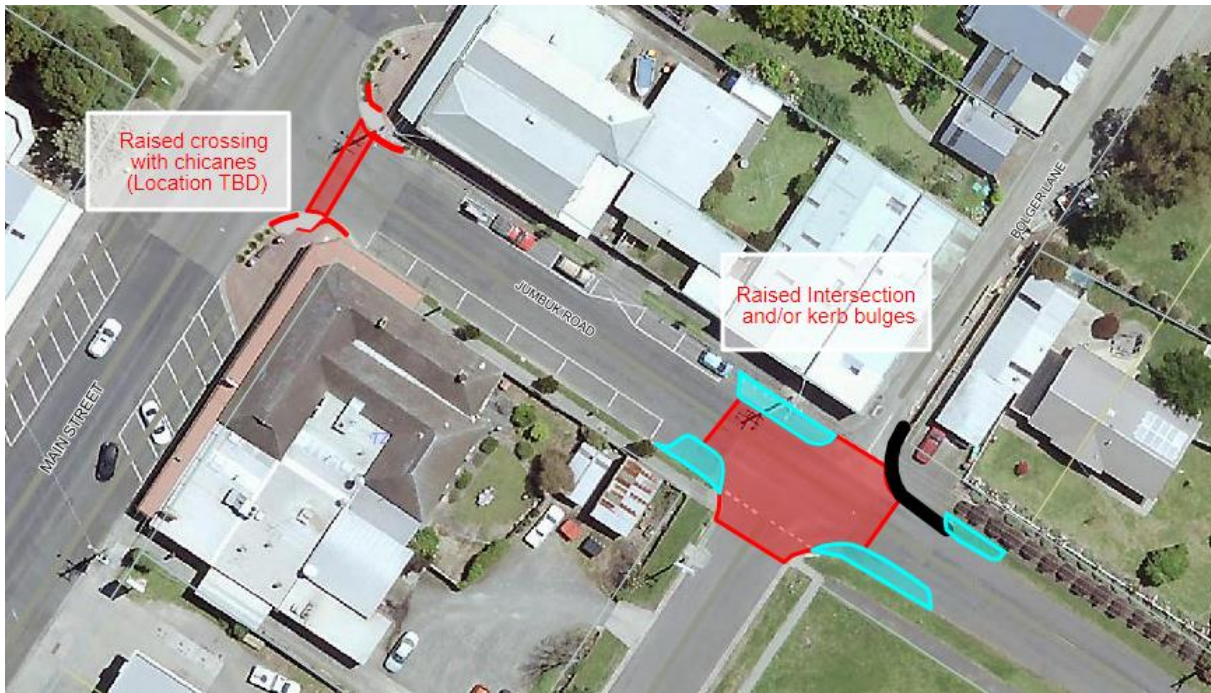


Figure 3 – Jumbuk Road potential traffic calming measures

**Item b) - Methods upgrade the School crossing on Main Street**

The current school crossing is constructed in accordance with current codes.

The kerb outstand is landscaped and the parking has been removed on each approach, however is demarcated only with precast kerb elements (no landscaping or infill).

Options to upgrade would be to:

- Improve the visibility of the location with:
  - More prominent landscaped kerb outstands (e.g. trees)
  - Enhanced signage and line marking on the approach to the location
  - Automated LED 40km/h regulatory school zone speed limit signs to replace existing standard regulatory signs
- Create a pedestrian priority crossing. This may impact the school crossing status, and would require flashing yellow lights and potentially flood lighting
- Make the crossing a raised platform.

The LED school zone signage is a project that is planned to be implemented by Regional Roads Victoria. They have a state wide program annual program to install electronic 40km/h regulatory signs at school crossings. Council Officers nominated this location as one of 5 candidates. This year, 2 different locations were funded, however Main Street may be funded next year from this program.

**Item c) – Estimated costs and funding options**

Without further development of the concepts to confirm things like the drainage required, impact on adjacent infrastructure and driveways, accommodation of utilities such as communication pits or water valves for example, accurate costing cannot be developed.

However, it is possible to make some broad assumptions and used default rates or estimating methods to rough order of measure cost that can be used to refine the decision making process by eliminating inappropriate options.

Table 2 – Rough order of measure estimates and observations

Option	Estimate (plus or minus 30%)	Pros and cons, and observations
<b>Main Street</b>		
Reconfiguring the intersection of Bennett Street, Main Street and Main Street Access road	Varies considerably based on the level of works  \$400,000 to \$1,500,000  Line Marking only may be as low as \$15,000.	Presents a good entrance statement Addresses traffic motion conflicts May impact parking further at Smee Automotive  Can be “soft implemented” with painted islands to introduce the concept of lane discipline while still allowing larger vehicle movements
Raise the profile of the School Crossing to create an entrance statement	Kerb outstands and landscaping: \$20,000 to \$40,000	No impact on parking Beautifies the location  Not as effective at slowing traffic as a physical measure
	Raised platform crossing with no kerb outstand improvements \$20,000	No impact on parking  Notable impact on speeds and motorist awareness
	Creating a pedestrian priority crossing  At grade: \$100,000 Raised: \$120,000 (plus ongoing cost of \$2,000 per year)	No impact on parking  Subject to RRV approval - It is highly unlikely that the warrant would be met  Impact on motorist convenience. May create confusion as to priority (increase danger to over-confident pedestrians)  Notable impact on speeds and motorist awareness.

<b>Option</b>	<b>Estimate (plus or minus 30%)</b>	<b>Pros and cons, and observations</b>
Reconfiguring the intersection of Jumbuk Road, Main Street.	Varies considerably based on the level of works \$400,000 to \$1,500,000	Present as a central focus of the Main Street.  Aid pedestrian motions across Jumbuk Rd and across Main Street linking Yinnar Bicentennial Park, ARC Yinnar and the Yinnar Hotel.
Kerb Outstands near the bus shelter access road	Kerb outstands \$50,000	Not a strong message to motorists entering the town unless well planted and maintained  Assists guiding motorists entering the bus shelter area
Reduced Speed Limit 40km/h or 50km/h	Signage only \$4,000	Needs Regional Roads Victoria authorisation  Likely disregarded by motorists local to the area unless accompanied by physical measures
Streetscape tree installations	\$200,000 to \$300,000 depending on the extent	Could be phased. Especially if a lowered speed limit is imposed as the signs should be on kerb outstands
<b>Jumbuk Road</b>		
Raised pavement crossing Jumbuk Road	Raised pavement: \$40,000	Needs care to not influence pedestrians to be over-confident (rely on the measure)  Could be combined with kerb outstands
Modify the existing kerb outstands to narrow the entry	Kerb modification \$50,000	Reduces pedestrian crossing distance  Can be combined with raised platform
Raised Pavement intersection: Jumbuk Road and Wicks Street	Raised pavement: \$125,000  Noted kerb outstands: \$150,000 to \$200,000 (additional)	No impact on parking  Kerb outstands would reduce the crossing distance  Strong message to motorists entering the township

<b>Option</b>	<b>Estimate (plus or minus 30%)</b>	<b>Pros and cons, and observations</b>
School Crossing safety enhancements		
Enhanced landscaping within the existing footprint of the kerb outstands	Shrubs, kerbing, trees \$40,000 to \$70,000	No impact on parking Surface and pavement to be removed Extent of planting (and expense) is variable. Could be hard surfaced instead of planting (lower maintenance and better visibility but the presence and effectiveness at changing the environment is less.
Static signage and line marking	\$3,000 to \$5,000	The effectiveness of the treatment is uncertain as it is highly likely that motorists are aware of the crossing but choose to drive at what they consider a safe speed.
Electronic school zone speed signage	\$30,000 to \$50,000 Plus \$1,700 per year maintenance (typical cost for all traffic signals and flashing lights)	This location was proposed by Officers to Regional Roads Victoria September 2020. Although not funded this financial year, if the program continues it is scheduled for next year or the year after The fact that the sign illuminates only during school times would encourage better compliance

Any of these projects would be in competition with similar projects in every township for any funding. The vast majority of streetscape works undertaken by Council is grant funded and the eligibility is dependent on the merits of the works. The recent Moe Revitalisation and the Morwell streetscape work funding was based on their respective projected economic benefits.

Council does have a small traffic control device budget of some \$25,000 per year that typically is spent on signage, minor kerb bulges etc. The 2020/21 budget was unusually large and is focused on long outstanding traffic calming proposals – typically road humps in residential streets.

These works, while supported from a traffic calming perspective are generally what would be considered streetscape improvements, designed to create a better environment – changing it from a strip parking lot with a road up the middle to be more of a destination.

Council Officers are always assessing funding opportunities as they arise for projects like this.

Table 3 – Rough order of measure estimates and observations

Option	Potential funding source
<b>Main Street</b>	
Reconfiguring the intersection of Bennett Street, Main Street and Main Street Access road	No external funding opportunities identified.  Benefits are improved traffic safety and flow but the project cannot be linked to known crashes or economic improvements
Raise the profile of the School Crossing to create an entrance statement <ul style="list-style-type: none"> <li>• Kerb outstands,</li> <li>• Raised platform</li> <li>• Pedestrian Priority</li> </ul>	No <i>specific</i> external funding opportunities identified, however due to its association with the school crossing there may be opportunities in the future.
Reconfiguring the intersection of Jumbuk Road, Main Street.	No <i>specific</i> external funding opportunities identified, however due to its association with the school pedestrian activity, there may be opportunities in the future.
Kerb Outstands near the bus shelter access road	No external funding opportunities identified.  Benefits are improved traffic safety and flow but the project cannot be linked to known crashes or economic improvements
40km/h zone (or 50km/h)	Funding possible under Council's annual budget.
Streetscape tree installations	No external funding opportunities identified.  The project would add to the "village" atmosphere but it does not stand out as a high profile project/location that is likely to compete with other projects.
<b>Jumbuk Road</b>	
Raised pavement crossing Jumbuk Road	No <i>specific</i> external funding opportunities identified, however due to its association with the school pedestrian activity, there may be opportunities in the future.

Option	Potential funding source
	It is also a candidate for Council's Annual Budget process if it can be designed to a lower budget.
Modify the existing kerb outstands to narrow the entry	<p>No <i>specific</i> external funding opportunities identified, however due to its association with the school pedestrian activity, there may be opportunities in the future.</p> <p>It is also a candidate for Council's Annual Budget process if it can be designed to a lower budget.</p>
Raised Pavement intersection: Jumbuk Road and Wicks Street	No <i>specific</i> external funding opportunities identified, however due to its association with the school pedestrian activity, there may be opportunities in the future.
School Crossing	
Enhanced landscaping within the existing footprint of the kerb outstands	<p>No <i>specific</i> external funding opportunities identified, however due to its association with the school crossing there may be opportunities in the future.</p> <p>It is also a candidate for Council's Annual Budget process if it can be designed to a lower budget.</p>
Static signage and line marking	A candidate for Council's Annual Budget process.
Solar LED school zone speed signage	This is already a candidate in an externally funded grant program.

### **Conclusion**

There are many options to manage speeds on Main Street and Jumbuk Road, Yinnar, and several options to improve the effectiveness of the school crossing on Main Street, and the costs vary considerably.

Council Officers' preferred approach is to develop entry statements that reinforce the changed traffic environment. The main limiting factor as always, is the cost.

Unfortunately, although there are some grant opportunities aimed at community traffic safety initiatives, few of these are aimed at larger traffic calming measures or streetscape improvements that are not aimed at improving the economy.



**Issues:**

*Strategy Implications*

This Briefing report is consistent with Council Plan Strategic Objective 5:

*Provide a connected, engaged and safe community environment, which is improving the well-being of all Latrobe City citizens.*

*Communication*

Council Officers have been in regular contact with the Yinnar Community over a number of years to discuss traffic issues as well as about specific traffic related issues. The treatment options included in this briefing have not been communicated with the community at this time; however several have been discussed with the local community group in the past.

*Financial Implications*

There are no financial implications arising from this report. It explores options and provides rough order of measure (ROM) estimated costs, however no commitment is made. All future works etc. would be subject to the normal budgetary process.

*Risk Analysis*

The exploratory nature of the report's assessment means that an analysis of the risks is premature – no action is suggested and each option has different risks.

Pros and cons of the options is briefly discussed in Table 2.

As projects are identified for action a risk assessment is appropriate.

The only risk of note is that the resolution may have created an expectation within the community that Council will take action, and to not do so would create a reputational risk.

*Legal and Compliance*

There are no legal or compliance implications associated with this Briefing report.

*Community Implications*

The community implications are generally positive, as it shows that Council has considered the feedback from the community, although as no action is proposed.

*Environmental Implications*

There are no environmental implications associated with this Briefing report.

*Consultation*

No consultation has been undertaken as a part of this Briefing report. Consultation or engagement has occurred previously on several of these concepts.

**Declaration of Interests:**

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*.

**Supporting Documents:**

Nil

**Attachments**

1 [↓](#).  Attachment 1 - Treatment Options for Road Safety in Yinnar

## **15.5**

### **Main Street, Yinnar - Traffic Calming Options**

- 1 Attachment 1 - Treatment Options for Road Safety in Yinnar ..... 275**

**Attachment 1 – List of Treatment Options for Public Road Safety in Yinnar**

Option	Estimate (plus or minus 30%)
<b>Main Street</b>	
Reconfiguring the intersection of Bennett St, Main St and the Main St Access road	Varies considerably based on the level of works \$400,000 to \$1,500,000.  Can be “soft implemented” with painted islands to introduce the concept of lane discipline while still allowing larger vehicle movements. This may be as low as \$15,000.
Raise the profile of the School Crossing to create an entrance statement	Kerb outstands and landscaping: \$20,000 to \$40,000
	Raised platform crossing with no kerb outstand improvements \$20,000
	Creating a pedestrian priority crossing (likely not allowable under guidelines)  At grade: \$100,000 Raised: \$120,000  (plus ongoing cost of \$2,000 per year)
Reconfiguring the intersection of Jumbuk Road, Main Street.	Varies considerably based on the level of works \$400,000 to \$1,500,000
Kerb Outstands near the bus shelter access road	Kerb outstands \$50,000

<b>Option</b>	<b>Estimate (plus or minus 30%)</b>
Reduced Speed Limit 40km/h or 50km/h	Signage only \$4,000
Streetscape tree installations	\$200,000 to \$300,000 depending on the extent
<b>Jumbuk Road</b>	
Raised pavement crossing Jumbuk Road	Raised pavement: \$40,000
Modify the existing kerb outstands to narrow the entry	Kerb modification \$50,000
Raised Pavement intersection: Jumbuk Road and Wicks Street	Raised pavement: \$125,000  Proposed kerb outstands: \$150,000 to \$200,000 (additional)
<b>School Crossing safety enhancements</b>	
Enhanced landscaping within the existing footprint of the kerb outstands	Shrubs, kerbing, trees \$40,000 to \$70,000
Static signage and line marking	\$3,000 to \$5,000
Electronic school zone speed signage	\$30,000 to \$50,000  Plus \$1,700 per year maintenance (typical cost for all traffic signals and flashing lights)

**Agenda Item: 15.6**

**Agenda Item: Latrobe City Council Significant Tree Register 2021**

**Sponsor: General Manager, Assets and Presentation**

**Council Plan Objective: Improve the amenity and accessibility of Council services.**

**Status: For Decision**

**Proposed Resolution:**

**That Council:**

- 1. Adopts the Latrobe City Council Significant Tree Register 2021 as detailed in Attachment 1; and**
- 2. Publishes the list on the Latrobe City website.**

#### **ALTERNATE MOTION**

**Moved: Cr Middlemiss**

**Seconded: Cr Howe**

**That Council:**

- 1. Adopts the Latrobe City Council Significant Tree Register 2021 as detailed in Attachment 1;**
- 2. Publishes the list on the Latrobe City website; and**
- 3. Is provided with a further report with options for discussion that explores the concept of having the ability for owners of significant trees on private land to have them included on the register without creating undue obligations on Council.**

**CARRIED UNANIMOUSLY**

#### **Executive Summary:**

- The Significant Tree Register is created to highlight and protect the significant trees located within the municipality.**
- The Register is important to protect Latrobe City Council's natural and cultural tree heritage. This will gain community support by increasing awareness of significant trees located within the City.**

- The Register will aid in future planning and decision making by protecting any significant trees. This will ensure any future planning is incorporating future developments and landscapes designs, allowing future generations to view and enjoy these trees.
- There are approximately 110 trees identified within The Register as being significant.
- Council officers have identified and developed and will continue to develop the Register of Council managed trees and vegetation. It is important for Council to preserve trees of significance for the community.
- The Register will have no additional financial impact to Council budgets. All trees identified within this document are currently maintained under current council tree budgets to Arboricultural standards AS 4373-2007.

### **Background:**

Latrobe City Council's Significant Tree Register is a document that provides reference to the tree species, of significance located with the recognised towns and trees that are located in a roadside reserve. Some of these trees are listed on the '*National Trust Tree Victoria - Significant Tree Registry*'

Currently only trees that are under the direct control of Latrobe City Council are included within this document. There are no privately owned trees on Council's tree registry. The only exception being some trees that are on Regional Road Victoria's road reserves which are maintained by Latrobe City Council, such as Shell Park on the Princes Highway, Traralgon. This includes, but is not limited to, trees located within the recognised towns, rural parks such as Martin Walker Reserve, Yinnar South, and trees also identified as significant that are located in rural roadside reserves. Indigenous trees in rural road side reserves are also already recognised and protected under various forms of Government Legislation as significant. It is therefore unnecessary to include such trees. Latrobe City Council maintains approximately 1000 kilometres of rural roadside vegetation which also adds an impractical argument for including such trees.

It is important to note that the: Kay Street Elm trees in Traralgon; the Victory Park Hawthorn tree in Traralgon; and the Sand Banks Reserve Tyers Elm trees, Plane trees and Oak tree are all recognised on the '*National Trust Tree Victoria Register*' as significant trees.

Latrobe City Council has identified and developed and will continue to develop its Significant Tree Register of Council managed trees and vegetation. It is important for Council to preserve trees of significance for the community.

This registry is not just designed for trees that are of a "remarkable" stature, remarkable meaning of exceptional mass, age and height. Many trees on this registry probably wouldn't even get a second glance on aesthetics alone. That is why each tree on this list has been categorized to help explain why it has been included.

The criteria for a tree to be listed on this registry are taken from Latrobe City Council's document titled '*Latrobe City Council Operation Frame Work for Tree Maintenance*'. The criteria for a tree to be deemed significant are:

1. Does the tree have any aboriginal and/or cultural significance?
2. Does the tree have genetic value that could be an important source of propagating stock into the future?
3. Does the tree significantly enhance the value of the landscape, remnant vegetation and important land marks?
4. Is the tree an outstanding example of its species?
5. Is the tree rare or not common to the locality?
6. Is the tree outstanding for its large height, trunk circumference or canopy spread?
7. Is the tree particularly old or venerable?
8. Is the tree commemorative or have association with an important historical event?

The Kay Street Elms are the most highly recognised trees throughout the community. People enjoy the open gardens on a daily basis. As well as two community markets that take place in this location nine months of the year, excluding the winter months.

The Significant Tree Register will help aid in future policy making as well as design decisions for new developments and other authority's works within the community.

For example the Kay Street Elms have previously been under threat by the telecommunications companies with the installation of a phone tower. The telecommunications companies were proposing to significantly lop/top some of these trees. Council was able to identify these trees as significant. Therefore the telecommunication company modified there tower design so that it didn't impact on the trees.

The Significant Tree Register document will be available for the all Council staff to access when making future planning decisions, and will be available on Council's web site. This will enable the community to access this document whenever they wish to. Future plans would also see this information being accessible through a GIS layer on Council's mapping system.

### **Issues:**

#### *Strategy Implications*

No issues have been identified with the introduction of Latrobe City's Significant Tree Register.

#### *Communication*

There has been no public consultation.



Council Arborists have prepared this document.

This document is to be displayed on Councils web site and on social media.

This document should be revised every five years.

*Financial Implications*

No financial implication has been identified with the introduction of Latrobe City's Significant Tree Register.

*Risk Analysis*

The introduction of this Significant Tree Register will have an Unlikely Risk to Council using Councils Likelihood Risk Matrix.

Currently all trees identified within this document are maintained under Councils current budgets.

All works undertaken on these trees will be in accordance with the Australian Standard AS 4373 - 2007 (Pruning of Amenity Trees)

<b>Identified risk</b>	<b>Risk likelihood*</b>	<b>Controls to manage risk</b>
<b>Service Delivery Risk</b> Planning	2 (Unlikely)	Working together with Planning teams when required
<b>Occupational Health and Safety Risk</b>	2 (Unlikely)	Maintained under current Council tree budgets to Arboricultural standards AS 4373-2007
<b>Financial Risk</b>	2 (Unlikely)	Maintained under current Council tree budgets to Arboricultural standards AS 4373-2007
<b>Reputational Risk</b>	2 (Unlikely)	Significant Tree Register
<b>Legal/Regulatory Risk</b>	2 (Unlikely)	Maintained under current Council tree budgets to Arboricultural standards AS 4373-2007

\*For example, likelihood ratings: 1 (Rare); 2 (Unlikely); 3 (Possible); 4 (Likely); 5 (Almost Certain)

*Legal and Compliance:*

No legal and compliance implications have been identified with the introduction of Latrobe City's Significant Tree Register.

*Community Implications*

The introduction of this Significant Tree Register will create a positive community impact, by highlighting Latrobe City's natural heritage and cultural heritage. In turn this will gain community support by increasing awareness of the magnificent trees located within Latrobe City. Future plans would also see this information being accessible through a GIS layer allowing other teams access to this information, aiding in future decision making.

*Environmental Implications*

The introduction of this Significant Tree Register will have positive Environmental implication. It will create public awareness of the significant trees and highlight to the community the importance of maintaining these trees for future generation.

Sites of cultural significance are afforded protection under the Planning scheme.

*Consultation*

Consultation for the Significant Tree Register has been undertaken with the appropriate stake holders.

Continued consultation would include Gunaikurnai Land and Waters Aboriginal Corporation (GLaWAC). As the Registered Aboriginal Party in the region to identify any trees with cultural heritage significance on Council land.

Engagement with GLaWAC and local heritage and conservation groups offers an opportunity for broader community understanding of the significance of these trees and their cultural and social value.

*Other*

Nil

**Declaration of Interests:**

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*.

**Supporting Documents:**

Nil

**Attachments**

**Attachments**

1   LATROBE CITY COUNCIL SIGNIFICANT TREE REGISTER 2021

## **15.6**

### **Latrobe City Council Significant Tree Register 2021**

<b>1</b>	<b>LATROBE CITY COUNCIL SIGNIFICANT TREE REGISTER 2021 .....</b>	<b>283</b>
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# LATROBE CITY COUNCIL



## SIGNIFICANT TREE REGISTER FEBRUARY 2021

## UNDERSTANDING THE REGISTRY

This registry is for trees under the direct control of Latrobe City Council. There are no privately owned trees on this registry. The only exception being some trees that are on Vic Roads reserves that are maintained by Latrobe City Council, such as Shell Park on the Princess Highway, Traralgon.

This registry is not just designed for trees that are of a “remarkable” stature. Remarkable meaning of exceptional mass, age and height. Many trees on this registry probably wouldn’t even get a second glance on sight alone. That is why each tree on this list has been categorized to help explain why it has been included. Each tree will show a number/s from 1-8 as shown below. A short comment may even be shown for added information. Some entries will be categorized in more than one category.

The criteria for a tree to be listed on this registry are taken from Latrobe City Council’s draft document titled “Latrobe City Tree Management”. The criteria are as follows:

1. Does the tree have any aboriginal and/or cultural significance?
2. Does the tree have genetic value that could be an important source of propagating stock into the future?
3. Does the tree significantly enhance the value of the landscape, remnant vegetation and important land marks?
4. Is the tree an outstanding example of its species?
5. Is the tree rare or not common to the locality?
6. Is the tree outstanding for its large height, trunk circumference or canopy spread?
7. Is the tree particularly old or venerable?
8. Is the tree commemorative or have association with an important historical event?

Only trees that are located within a recognized town are included on this registry, with the exception of Latrobe City Council rural parks e.g. Martin Walker Reserve, Yinnar South, and trees that are located in a rural roadside reserve that are listed on the “National Trust Significant Tree Registry”. Indigenous trees in rural road side reserves are already recognised and protected under various forms of government legislation as significant. It is therefore unnecessary to include such trees. Latrobe City Council maintains 964 kilometres of rural roadside vegetation which also adds an impractical argument for including such trees.

Members of the public can gain information about the significance of rural roadside reserve vegetation through the Department of Environment and Sustainability.

All trees are placed in order of town or formally recognised park or area. They are all numbered within these.

The trees have not been placed in alphabetical order as this makes it difficult to make changes to the registry.

It must be noted that no environmental weed species have been included on this list, however there are some small exceptions. Exceptions include historical significance eg the two Monterey Pines in Churchill marks the site of the now gone Hazelwood South School where Reverend John Flynn worked.

All different **species** of trees on the registry are entered as separate entries. The only exception to this is where there is a continuous avenue of trees. The two examples of this are The Elm tree avenue in Kay Street Traralgon where there are three different species of Elm trees making up the avenue and the Oak tree avenue in Tonners Lane, Morwell where there are two different species of Oak making up the avenue. The names and amount of all the different species that make up these avenues are entered under the same précis as all other entries.

If there are several **specimens** of the same species at the same location, then these are entered as one entry on the registry. The number of **specimens** of that species are shown on the entry under the précis "**Number of specimens:**"

#### **Definition of Aboriginal Cultural Heritage**

Aboriginal cultural heritage places, sites and objects (including culturally significant trees) are protected by Commonwealth (Aboriginal and Torres Strait Islander Heritage Protection Act 1984) and State legislation. These trees are identified through consultation with the Registered Aboriginal Party and a heritage advisor that is registered with Aboriginal Victoria. In Latrobe City the Registered Aboriginal Party is GLaWAC.

#### **Definition of Remnant and Old Growth**

Both remnant and old growth trees are left over trees of the original vegetation that was there pre-dating European settlement. Neither has been planted by man. The difference between them is that the particular remnant tree or particular trees that make up the piece of remnant vegetation may not have existed at the time of when the town was first settled. They may have grown since through self seeding or were still quite young at the time of settlement. An old growth tree is obviously still remnant, however they are of considerable age and were already of a good age at the time of European settlement. In recognised towns old growth trees are very rare within our municipality.

#### **Supplementary List**

The supplementary list is for trees that deserve some degree of extra protection/recognition that do not meet the above criteria (even though not everyone may agree with this). The species and specimens on this list are not considered rare or venerable. They are common species growing around the municipality. Many of them have poor structure and poor health as a result of severe pruning due to legislative requirements for tree clearances

near infrastructure. This supplementary list has been included as recognition of the public's desire to retain the trees in these areas.

Trees on this list must not be removed without the recommendation of a suitably qualified and experienced arborist. Any **major** arboriculture works undertaken to trees on this list will require every resident in that street to be informed by way of a written letter telling them of the pending works (with the exception of an emergency). At least one weeks notice must be given. This is to allow time for residents to voice any concerns they may have and for council to take these concerns into consideration before proceeding with the works. A public notice in the relevant local paper should also be undertaken. General pruning such as head/sight clearances and power line clearing is not regarded as major arboriculture works.

**Remnant *Eucalyptus tereticornis* ssp *mediana* (Forest Red Gums) in Glengarry, Toongabbie and Traralgon**

*Eucalyptus tereticornis* ssp *mediana* was once a very widespread and common species throughout the municipality. That was the case at least until the mid 1870's when numerous saw mills were built predominately around Toongabbie and areas north of Traralgon. From 1875 until the turn of the last century nearly all of the great Red Gum forests within our region were cut down to build houses, railways, roads, ships and for wood fires. When the railway was put through the townships of Toongabbie and Glengarry (Glengarry at the time was known as Toongabbie South until the full completion of the railway) wood production from these saw mills went from an average of 2,000 tons a year to a massive 7,000 tons a year.

Within a 25 year period virtually all of the Red Gums had completely vanished from our region. The only ones that were spared the wood cutters axe, were trees left for stock protection, trees that were too far away from the saw mills and specimens that weren't considered good enough for wood production.

*Eucalyptus tereticornis* ssp *mediana* belongs to an ecological community generally known as "Forest Red Gum Grassy Woodland". This community once covered 1,200 square kilometres of the state starting from just west of Traralgon to Lakes Entrance. Today there is only between 650-700 hectares of this community remaining. That is a 99.5% loss. This ecological community is usually dominated by *Eucalyptus tereticornis* often with co-dominant *Eucalyptus polyanthemos* (Red Box). *Eucalyptus bosistoana* (Coast Grey Box) occurs towards the coast and *Eucalyptus bridgesiana* (Apple Box) is often co-dominant in more sandy, gravelly sites such as the Toongabbie area. Lightwoods and Black She-Oaks were common smaller trees associated with this community. Grasses such as Kangaroo and Wallaby grass were a common occurrence especially within the Traralgon area. An example of this, although somewhat degraded, can still be seen today along with 12 remnant Forest Red Gums at the "Tararalgon Railway Conservation Reserve" located in Hickox Street.

With very little of this ecological plant community left remaining the last remaining isolated pockets of this community was nominated in 2007 as "Critically Endangered" under the federal legislation "Environment Protection

and Biodiversity Conservation Act 1999". On the 17<sup>th</sup> December 2008 this nomination was successful. This ecological community was previously listed as "Endangered" under the state legislation "Flora and fauna Guarantee Act 1988". With being protected under federal legislation more protection, recognition and funding will be available for this ecological communities protection.

In 1992 the "Victorian Scientific Advisory Committee (SAC)" stated "the community is very rare in terms of the local area it covers or it has a very restricted distribution or it has been recorded from only a few localities".

The last remaining remnant Forest Red Gums specimens throughout the eastern part of the municipality were once part of this ecological community. Not only are the Forest Red Gums remnant species of this community, one must be reminded that these remaining trees are actually surviving remnant specimens of a now prominently vanished ecological community.

With all of this in mind Latrobe City Council believes it is an absolute priority that these trees are given all of the protection and recognition that they deserve. That is why it is so important to have these surviving remnant specimens placed on this registry.

### **The "Lone Pines"**

The "Lone Pines" or botanically known as *Pinus brutia* are an extremely significant tree as they signify arguably one of our most historical events as a nation.

Lone Pine was the scene of some of the fiercest hand to hand battles between Turkish and Australian forces during the Gallipoli campaign in World War 1. It was called Lone Pine Ridge because it was distinguished by a solitary pine tree (*Pinus brutia*), which bore silent witness to the heroism and tenacity of the Australian forces.

The pine itself was destroyed during fighting, but at the end of the battle Sergeant Keith McDowell collected a cone and brought it back with him to Geelong at the end of the war. Seeds were grown from the cone. All "Lone Pines" growing around Australia are direct descendants of that original cone.

### **Old Homesteads**

We can thank many of our old pioneers for many of our significant trees on this registry. Most pioneers homesteads had beautiful large gardens with many large long lived species of trees. These old homesteads were predominately near a permanent water source such as a creek. Many of the homesteads have long since vanished, however many of their trees and in some cases some of their shrubs and garden plants still survive to this day. Most of these homesteads remnant trees and gardens are now part of public parklands.

One observation that has been made while compiling this document is that at least 90% of the early homesteads had at least one Peppercorn tree. It would



be easy to suggest that it was an era tree (fashionable tree at the time), however research suggests that there was a more practicable reason for the planting of a Peppercorn tree and that was to hang animal carcasses on for butchering. The sap and tannins within the Peppercorn tree is highly anaromic which deters flies and other insects away from spoiling the carcass. This is something that does not need to be thought of within today's society which has a readily supply of meat at the supermarket. The examples of the early homesteads remnant trees that now form part of Latrobe Cities parklands that are on this registry are as follows:

1. **Airlie Bank Homestead**, The Boulevard, Morwell. This homestead still exists today along with many of its old trees. The area where the homestead resides was first pegged out on the 1<sup>st</sup> February 1870 by Andrew Matthews. He built a five bedroom house made of slabs of timber which was lined with board and paper. He farmed this area until 1879 when he sold it to David Ogilvy Jr, who moved there with his wife Catherine. It is not known what happened to the first homestead. David Ogilvy had the Airlie Bank homestead built in 1879. It is still similar to this day. It is highly likely that the Ogilvy's planted the large trees near the homestead not long after they purchased the farm. This is because many of the trees are at least this age. David was the son of a wealthy highly respected and prominent Scottish emigrate solicitor David Ogilvy Snr. Wealthy prominent people of this period where renowned for there large ornamental gardens as they could afford it. It is most likely that David Snr set up his son David Jr on the Airlie Bank farm. The large trees where most likely a legacy of David Snr's gardens in Melbourne. David Ogilvy sold the homestead to Robert Bridle in 1897 where it remained in the Bridle family until it was donated to the Shire of Morwell in 1959. A series of people lived in the homestead after this period where it gradually fell into a state of disrepair until it was renovated and officially re-opened as the Airlie Bank Museum on April 16<sup>th</sup> 2000. The Bridle family where renowned for their large orchard on the north side of the homestead. This was their "pride and joy" and according to Margaret Donovan (nee Bridle) that the Bridles would never of planted large moisture sucking trees in amongst their orchard. With this statement it is very lucky the large trees in that area weren't cut down!
2. **Williams Homestead**, north east corner near the Princess Highway bridge, Victory Park, Traralgon. The original homestead was built about 1888 and was burnt down in 1935. The second homestead was built on the same spot in 1936 and was pulled down in 1978 as part of the then City of Traralgon's flood zone buy out scheme. Houses in flood zones where bought by the City of Traralgon as they came on the market and where pulled down and turned into parkland. Some of the homesteads large trees still survive today along with many of its garden shrubs. There are two very old *Camellia japonica* still surviving along with some prunus trees and cotoneasters. The large Cypress and Monterey Pine that are still there where on the west side of the homestead. The large lillypilly tree that still exists was touching the homestead's north west face. Many of the other large trees still surviving around the north east end of Victory Park where most likely planted by the Williams family.
3. **Couch Homestead**, Newmen Park west fence line of Miniature Railway Traralgon. The original homestead was made up of two houses. One

was from Yarram and the other was from Walhalla. It is thought to have been put there about 1910. The homestead was pulled down about 1980. The Canary Island Palm that is still there was planted about 1931. It was 12feet from the front of the homestead. The trees on the mound adjacent to the Palm where in the backyard of the homestead. The Peppercorn tree was planted in the 1950's. The loquat tree next to the Peppercorn is reported to be older than the Palm tree.

4. **Newman Homestead**, Newman Park Peterkin Street Traralgon. The original homestead was reported to be a bark hut approximately located where the scout hall is today. The second homestead was where the barbeque area of Newman Park is. The Newman family where most likely responsible for the planting of the large Poplar trees that still survive today. Many other of the younger trees where planted in the 1950's by a different family the T?. Many trees behind the scout hall where planted by the scouts over the years.
5. **Doorty Homestead**, was located on the banks of Doorty Creek in Peterkin street where the sole surviving brick house is opposite the barbeque area of Newmen Park. There are no large trees still surviving around the immediate site of the original homestead. It is probable though the Doorty family may be responsible for some of the plantings around Doorty Creek that still survive today near the scout hall.
6. **"Ewesbank" Burnet family**, was located in Hickox Street next to the Latrobe City outdoor works Depot Traralgon. The homestead is long gone, however many of the trees still survive. This is where Frank Burnet McFarlane, Noble Prize winner for Medicine, lived as a young boy. The three large Bunya Bunya Pines are included on this registry. The large Elm trees and many of the other exotic trees where most likely planted by the Burnet family.
7. **Hare Homestead**, Mathison Park, next to Hyland Land, Churchill. This area was first selected in 1876 by Thomas O'Halloran. He built the now gone original homestead and planted the still surviving Peppercorn tree around this time. The ruins that still exist today where once part of the second homestead built about 1925 by Robert Hare two years after the death of Thomas O'Halloran. The house was occupied by several people over the years up until 1968 where ever since it has laid abandoned and neglected.

### **Remnant Vegetation Bushland Reserves**

There are five areas of remnant indigenous vegetation bushland reserves under Latrobe City jurisdiction that deserve recognition in this registry. These areas are protected under the "Flora and Fauna guarantee Act 1988". They are all under a committee of management that are responsible for the management within legislative requirements of the vegetation within the boundaries of the reserves. They are significant as they are large areas of indigenous vegetation within town boundaries. Areas of indigenous remnant vegetation within town boundaries in Latrobe City are virtually non-existent outside of these reserves other than a few scattered individual trees. This therefore makes these areas very significant from a horticultural/arbicultural and heritage point of view.

## Boolarra

1. **Name:** *Catalpa bignonioides*  
**Common name:** Indian Bean Tree  
**Location:** Tarwin Street, in the former railway reserve opposite the milk bar.  
**Number of specimens:** 3  
**Category:** 4  
  
**Comments:** Three mature specimens that are rare within the municipality.
2. **Name:** *Cryptomeria japonica*  
**Common name:** Japanese Cedar  
**Location:** Reserve in Church Street, approximately midway between Mechanics and Christian Streets.  
**Number of specimens:** 1  
**Category:** 4  
  
**Comments:** This is quite a rare tree in our district.
3. **Name:** *Cedrus atlantica*  
**Common name:** Atlantic Cedar  
**Location:** Boolarra Recreation Reserve, Park Road Boolarra, at gateway.  
**Number of specimens:** 2  
**Category:** 7  
  
**Comments:** One pair of memorial trees (World War 1). One tree is of good form and structure while the other is in serious decline.
4. **Name:** *Pinus halepensis*  
**Common name:** Aleppo Pine  
**Location:** Old Railway Reserve, Duke Street.  
**Number of specimens:** 7  
**Category:** 3, 4, 5  
  
**Comments:** These seven specimens are the only specimens of this species known to exist under Latrobe City Council jurisdiction. They are of good health and structure.
5. **Name:** *Pinus nigra*  
**Common name:** European Black Pine  
**Location:** Old Railway Reserve, Duke Street.  
**Number of specimens:** 7  
**Category:** 3, 4, 5  
  
**Comments:** These are the only specimens of this species known to exist under Latrobe City Council jurisdiction. Although they are not classed as rare in Victoria they are rare within our municipality.

6. **Name:** *Pinus pinaster*

**Common name:**

**Location:** Old Railway Reserve, Duke Street

**Number of specimens:** 5

**Category:** 3, 4, 5

**Comments:** These are five out of six known examples of this species known to exist under Latrobe City Council jurisdiction.

7. **Name:** *Pinus pinaster*

**Common name:**

**Location:** Road verge in Penaluna Street opposite Duke Street.

**Number of specimens:** 1

**Category:** 3, 4, 5

**Comments:** This is one of only six known examples of this species to exist under Latrobe City Council jurisdiction.

8. **Name:** *Pinus canariensis*

**Common name:** Canary Island Pine

**Location:** Old Railway Reserve, Duke Street

**Number of specimens:** 3

**Category:** 3, 4, 5

**Comments:** These are the only three known examples of this species to exist under Latrobe City Council jurisdiction.

## Callignee

1. **Name:** *Quercus robur*, *Quercus canariensis*

**Common name:** English Oak, Algerian Oak

**Location:** Old Callignee Primary School site, Neaves Road

**Number of specimens:** *Q. robur* 3, *Q. canariensis* 1.

**Category:** 7, 5, 3, 1

**Comments:** These trees were planted about 1905 by a local family, the Tanners in the now closed school. These trees survived the bushfires of 1939, 1944 and all but one in the 2009 fires. They still remain strong and healthy which make them important genetic stock. One was removed in June 2009 as the Black Saturday fires killed much of the canopy and destroyed much of the trees main structure. The large *Quercus canariensis* was cabled & braced on June 16<sup>th</sup> 2009 to help pro-long its useful life as a split has started to develop in its main structural stems. This was most likely caused from the intense heat of the Black Saturday fires boiling the fermenting Slime Flux within a cavity inside the stem unions which has caused pressure to build up subsequently causing the split.

## Churchill

- Name:** *Pinus radiata*  
**Common name:** Moneterrey Pine  
**Location:** North side of Balfour Place, near Monash Way.  
**Number of specimens:** 2  
**Category:** 7

**Comments:** These two Pines were planted in the grounds of the first school in Churchill. First named Eel Hole Creek State School from 1900 - 1904 and then changed to Hazelwood South State School from 1904 until it closed in 1925. These two trees were once wrongly described as "Flynn's Pines" in which it was thought he preached under. John Flynn was appointed temporary Head Teacher for a short time. It is now reported that John Flynn had nothing to do with the Pines as they were planted there after he had left.

- Name:** *Schinus molle*  
**Common name:** Peppercorn Tree  
**Location:** Mathison Park, next to old homestead ruins.  
**Number of specimens:** 1  
**Category:** 7, 6

**Comments:** Thomas O'Halloran selected the site in 1876 and most likely planted the tree not long after he built the original homestead around this time. The ruins of the homestead that stands today was built in 1925 by a man by the name of Robert Hare two years after Thomas O'Halloran's death.

## Glengarry

- Name:** *Eucalyptus tereticornis ssp mediana*  
**Common name:** Forest Red Gum  
**Location:** Traralgon Maffra Road, next to fire danger sign, 40 metres north of Cairnbrook Road.  
**Number of Specimens:** 1  
**Category:** 2, 3, 5, 6

**Comments:** This is one of only four remnants of old growth Forest Red Gums remaining in the Glengarry town boundary. This specimen is in good health and has good structure.

- Name:** *Eucalyptus tereticornis ssp mediana*  
**Common name:** Forest Red Gum.  
**Location:** Cairnbrook Road, entrance into Fred King Oval.  
**Number of specimens:** 1  
**Category:** 2, 3, 5, 6

**Comments:** This is particularly old specimen, in excess of 200 years. The head of the tree was lost many years ago. Structurally the tree is

poor. The health is still fair and should be retained due to its age, size and its old growth remnant status.

3. **Name:** *Eucalyptus tereticornis* ssp *mediana*  
**Common name:** Forest Red Gum  
**Location:** Nature strip adjacent to number 9 Rhodes Court.  
**Number of specimens:** 1  
**Category:** 2, 3, 5, 6  
  
**Comments:** This particular specimen is extremely old. It would most likely be the largest tree on an urban nature strip within the municipality. Due to its age and size it has a high historical value. Being in the position it is in however, consideration must be given to the local residents if the tree ever poses a hazard. Removal may be an option that may have to be employed in that case.
4. **Name:** *Eucalyptus tereticornis* ssp *mediana*  
**Common name:** Forest Red Gum  
**Location:** Greenbelt, Traralgon Maffra Road, 50 metres south of Main Street  
**Number of specimens:** 1  
**Category:** 2, 6  
  
**Comments:** This specimen is not as old as the previous three Forest Red Gums on this registry in Glengarry, however, it does warrant listing as it is still large and a remnant of the original vegetation.
5. **Name:** *Eucalyptus tereticornis* ssp *mediana*  
**Common name:** Forest Red Gum  
**Location:** Greenbelt, Traralgon Maffra Road, opposite number 36  
**Number of specimens:** 1  
**Category:** 2  
  
**Comments:** This specimen is not an old growth tree, however it is a remnant of some size and still worthy of listing.
6. **Name:** *Eucalyptus polyanthemos*  
**Common name:** Red Box  
**Location:** Main Street, in playground next to kindergarten.  
**Number of specimens:** 3  
**Category:** 2, 6  
  
**Comments:** Remnant Red Box in the township of Glengarry are now extremely rare.
7. **Name:** *Eucalyptus polyanthemos*  
**Common name:** Red Box  
**Location:** Fred King Oval, eastern boundary  
**Number of specimens:** 1  
**Category:** 2, 6

**Comments:** This is not an aesthetically pleasing specimen. It is however a very old remnant tree. Red Box is not a rare species, but this species was a co-dominant species of the "Forest Red Gum Grassy Woodland" ecological community. Remnant specimens of this species are now extremely rare within the township. This specimen pre-dates the football oval and is the only thing that hasn't changed in the history of the oval.

## Gunyah

1. **Name:** *Eucalyptus regnans*  
**Common name:** Mountain Ash  
**Location:** Grand Ridge Road, west of Ryton Junction.  
**Number of specimens:** 1  
**Category:** 7

**Comments:** This specimen is known as the "Springboard Tree" and was Climbed by J Pattinson in 1927.

## Hazelwood Pondage

1. **Name:** *Eucalyptus pauciflora*  
**Common name:** Snowgum  
**Location:** Hazelwood Pondage, on the north side of the caravan park.  
**Number of specimens:** Several  
**Category:** 1, 3, 4

**Comments:** This is a natural remnant stand of this species. It is the only known area within the municipality that this species naturally occurs. This species main range is the alpine regions of Victoria. It is now very rare to find lowland natural stands of this species in Victoria and therefore this stand is very significant. There are some specimens on the road verge on the road that travels to Yinnar adjacent to the Snow Gum Reserve. It is reported that some of these may have been planted about 1963 by the "Latrobe Valley Field Naturalists Club". Seed was collected from the reserve to grow for future plantings. An extract from the field naturalists club newsletter dated 23<sup>rd</sup> November 1963 suggests many working bees were held in planting and weeding of the area. Many school children from Morwell were involved with this work. It is still inconclusive if the specimens on the road verge were planted even though it is likely that some were.

## Hazelwood South

1. **Name:** *Eucalyptus globulus* Aff. *Bicostata*  
**Common name:** Eurabbie  
**Location:** McKenzie Road, on road reserve beside creek  
**Number of specimens:** 1  
**Category:** 1, 4, 5

**Comments:** Listed on the National Trust Register (File No T11965). The girth of this tree and the sheer mass is very impressive.

## Jeeralang Junction

1. **Name:** *Eucalyptus globulus* ssp *bicostata*  
**Common name:** Eurabbie  
**Location:** Billy's Creek Reserve  
**Number of specimens:** 7  
**Category:** 2, 5, 6

**Comments:** This species is not a rare species, it is in fact quite common throughout this area, however these specimens are of considerable age, height and size. They are estimated to be in excess of 200 years. They are in a slow state of decline due to their age. There are not many specimens of this age left as the area has been extensively logged over the years and cleared for farmland.

## Moe

1. **Name:** *Quercus robur*  
**Common name:** English oak  
**Location:** Lloyd Street, in park land opposite Moe Court House.  
**Number of specimens:** 1  
**Category:** 2, 3, 5

**Comments:** This tree was in the back yard of the then Station Master's house. The house fronted the railway line and he could walk out the front door and onto the platform. The tree is thought to have been planted in the early 1920's as this is the right period for the house. A aerial photograph taken in 1936 shows the tree large enough to cast a shadow. The house was removed in the mid 1970's after the station master died in 1975.

2. **Name:** *Gingko biloba*  
**Common name:** Gingko  
**Location:** Moore Street, between George and Albert Streets.  
**Number of specimens:** 1  
**Category:** 4

**Comments:** This species is one of the oldest trees still surviving. Fossilized specimens have been found. It is a native to China. This is by far the largest specimen of a handful that is under Latrobe City Council jurisdiction.

3. **Name:** *Phoenix canariensis*  
**Common name:** Canary Island Date Palm  
**Location:** Roundabout at the intersection of Albert and Moore Street.  
**Number of specimens:** 1



**Category: 2, 3**

**Comments:** Quite an old specimen, the tree was transplanted and placed there in the early 1980's. It was the last remaining Palm tree of the old Yallourn township located at Jack Bailey's place in Railway Crescent. The SECV wanted it removed due to their expansion of the mine. The tree was first muted to be moved to the proposed "Power Museum" near W Station. This did not happen as the SECV wanted it removed or bulldozed as soon as possible. A John Mutsaers was party to these discussions. Rather than see the tree bulldozed he thought of giving it to his wife Mary for a wedding gift. Mary rejected this idea, instead she suggested it go to a more fitting place such as a public site where its heritage could be recognized. John rang Barry Peach at the former City of Moe who suggested it be planted in the roundabout where it is now located. Council rejected the location and suggested it be planted at a site near Narracan Creek. John thought this was totally inappropriate and lobbied the council. Eventually they took another vote and it was passed by council to plant it where it currently resides. Another little story about this tree deserves a mention. Jack Bailey's son Laurie decided as a youngster that the tree in his father's garden should be chopped down. He took to it with an axe. Fortunately he was not successful, however the axe cuts are still there to be seen today.

**Morwell**

1. **Name:** *Phoenix canariensis*  
**Common name:** Canary Island Date Palm  
**Location:** Travers Street  
**Number of specimens:** 9  
**Category:** 2, 3, 4, 6

**Comments:** An avenue of nine palms of significant size. Of historical importance as it reflects a common street tree planting theme of the 1920's California bungalow era.

2. **Name:** *Corymbia citriodora*  
**Common name:** Lemon Scented Gum.  
**Location:** Commercial Road, next to bus station.  
**Number of specimens:** 1  
**Category:** 2, 3, 5, 6

**Comments:** A Morwell iconic tree. It was thought to have been planted in 1904 as part of the first tree plantings of "Alexandra Park" which was founded in January 1904. Photographic evidence also suggests the tree was planted around this time. The park occupied the narrow strip of land between Commercial Road and the railway line starting from where the bus station is today and continued down past the Commercial Road Primary School. The park was named after Queen Alexandra, consort of King Edward VII. On June 15<sup>th</sup> 2009 this tree was cabled & braced to help pro-long its useful life as there has been major limb failures over its recent history.

3. **Name:** *Livistone australis*  
**Common name:** Cabbage Tree Palm  
**Location:** Freeway reserve, opposite former SECV gate no. 2  
**Number of specimens:** 1  
**Category:** 2, 4, 6

**Comments:** These trees originally stood at the gateway to the Morwell Butter Factory manager's residence. The factory functioned from the 1890's until it was burnt down in 1929. The manager's house burnt down in the 1944 bushfires but the palms survived.

4. **Name:** *Quercus robur*  
**Common name:** English Oak  
**Location:** Tarwin Street, adjacent to Commonwealth Bank  
**Number of specimens:** 1  
**Category:** 2

**Comments:** Photographic evidence shows us this specimen was planted in the 1880's. This makes this specimen locally very significant as it is the only surviving tree of the very first planted CBD trees of any town within the Latrobe City municipality boundary. The first official sale of land for business in Tarwin Street was in 1879. This tree was planted very soon after this and is still very healthy today, although it is very stunted for its age due to the local environmental conditions it has endured throughout its life.

5. **Name:** *Phoenix canariensis*  
**Common name:** Canary Island Palm  
**Location:** Roundabout at Heritage Boulevard and Skeldale Wynd  
**Number of specimens:** 1  
**Category:** 2, 3, 4, 6

**Comments:** This specimen has been transplanted there from a farm near Hazelwood Pondage in the early 1990's. It is a major landscape feature of the estate.

6. **Name:** *Araucaria bidwillii*  
**Common name:** Bunya Bunya Pine  
**Location:** Parkland behind Airlie Bank Homestead, The Boulevard  
**Number of specimens:** 1  
**Category:** 1, 2, 3, 4, 5, 6

**Comments:** This is one of only four mature specimens of this species under Latrobe City Council's jurisdiction. It is thought that this tree was planted by the Ogilvy's in the 1880's as it was there at the time of the Bridle's purchasing the homestead and farm in 1897. (The homestead was built in 1879). It is in good health and is an outstanding example of this species. This tree should be on the National Trust.

7. **Name:** *Cupressus torulosa*  
**Common name:** Bhutan Cypress

**Location:** Parkland, north side of Airlie Bank Homestead and two metres west of footpath along the creek.

**Number of specimens:** 2

**Category:** 1, 2, 3, 5, 6

**Comments:** The larger specimen on the north side of the homestead is thought to have been planted in the 1880's by the Ogilvy family. It is the oldest and largest example of this species under Latrobe City Council jurisdiction. This tree should be on the National Trust. The smaller specimen near the footpath is not an original planting, it is however significant as it was planted while under the ownership of the Bridle family. Robert Bridle who grew up in the homestead through the 1930's and 40's remembers this specimen being there in his childhood although it wasn't very large at the time. Based on this information and the size of the specimen places its time of planting around the 1920's or very early 1930's.

8. **Name:** *Schinus molle*

**Common name:** Peppercorn Tree

**Location:** Parkland behind Airlie Bank Homestead, The Boulevard

**Number of specimens:** 1

**Category:** 2, 6

**Comments:** This specimen is thought to have been part of the original plantings of the homestead. It has a large cavity in its trunk, which would have stunted its growth over the years. The cavity was lit on fire by vandals about 1982, ironically the tree bares no scars from the 1898, 1939 or 1944 fires that went through the Airlie Bank farm but does bare scars from an act of mindless vandalism! This tree should be on the National Trust. There was another smaller Peppercorn tree just a few metres away that was removed sometime in the 1970's for an unknown reason.

9. **Name:** *Araucaria heterophylla*

**Common name:** Norfolk Island Pine

**Location:** Parkland behind Airlie Bank Homestead, The Boulevard.

**Number of specimens:** 2

**Category:** 2, 3, 4, 5, 6

**Comments:** These two specimens are thought to be part of the original planting of the homestead. One specimen is in good health with good structure, while the other has a large cavity in its trunk. These are the largest and oldest specimens of this species under Latrobe City Council's jurisdiction. Robert Bridle, as a 12 year old boy, climbed to the top of the specimen closest to the creek in 1945 and placed a "Victory" flag there once he heard of the Japanese surrender that ended World War 2. They should be on the National Trust.

10. **Name:** *Eucalyptus yarraensis*

**Common name:** Yarra Gum

**Location:** Maryvale Crescent

**Number of specimens:** Several

**Category:** 1, 2, 4, 6

**Comments:** These remnant trees are on the National Trust (File No. T11966). This species has become very rare in Victoria. This is one of very few representative stands left in Victoria. Eric Lubke Reserve was set up at the extreme end of Maryvale Crescent in 1993 for their protection. Several hundred were planted in May 1993 to help insure their survival within the reserve.

11. **Name:** *Eucalyptus melliodora*  
**Common name:** Yellow Box  
**Location:** Morwell Park Primary School Oval, on east fence line.  
**Number of specimens:** 1  
**Category:** 2, 6

**Comments:** This specimen is the sole remnant indigenous surviving tree left in the township of Morwell outside of the Criningin Road Bushland Reserve and the Eric Lubke Yarra Gum Reserve. This tree was once part of the Hourigan farm which bordered the Bridle farm. It is not known why this tree was never cut down. This specimen is therefore very significant.

12. **Name:** *Phoenix canariensis*  
**Common name:** Canary Island Date Palm  
**Location:** Commercial Road, between Bus Stop and Subway.  
**Number of specimens:** 3  
**Category:** 2,7

**Comments:** These three specimens were planted in 1921 as part of the original World War 1 Memorial. The large stone cairn was originally placed in the middle of the three trees.

13. **Name:** *Quercus robur*, *Quercus canariensis*  
**Common name:** English Oak, Algerian Oak  
**Location:** Toners Lane, adjacent to LV Golf Driving Range.  
**Number of specimens:** *Quercus robur* 14, *Quercus canariensis* 2  
**Category:** 2

**Comments:** This is the largest row of these species within the municipality. They were planted in 1921 as part of a town beatification program. Commercial Road Primary School children planted them in conjunction with "Advance Morwell". This part of Tonners Lane was once part of the original Princes Highway. There was a large scale town beatification program at this time in the hope of luring the visiting Prince Of Wales to the area from his scheduled Albury visit. This never eventuated, however the beatification program still went ahead. At the time of the Prince of Wales Victorian visit he gave permission for the highway to be named after him. There are several more specimens still existing that once belonged to this avenue within Tru Energy owned land on the other side of the old SECV railway line.

14. **Name:** *Ilex aquifolium*  
**Common name:** Holly  
**Location:** Parkland, north side of Airlie Bank Homestead, The Boulevard  
**Number of specimens:** 1  
**Category:** 6

**Comments:** This is a particular old example of this species. It is not likely to be part of the original plantings of the homestead, however it can be confirmed to have been there at least as far back as the 1930's. This specimen has become smaller over the past 25 years due to its slow rate of declining health. Its significance is due to its remnant status of the gardens of the homestead.

15. **Name:** *Lagunaria patersonii*  
**Common name:** Norfolk Island hibiscus, Cow Itch Tree  
**Location:** Parkland, north west of Airlie Bank Homestead  
**Number of specimens:** 1  
**Category:** 3,6

**Comments:** This is one of the oldest and largest examples of this species under Latrobe City Council jurisdiction. It is a remnant of the Airlie Bank Homestead gardens. It is unlikely that it was part of the original plantings of the Airlie Bank Homestead of the 1880's, however it is still very old and it has been confirmed it was a mature tree in the late 1930's.

16. **Name:** *Quercus robur*  
**Common name:** English Oak  
**Location:** Alexandra Park, East side of Skate Park – Commercial Rd  
**Number of specimens:** 1  
**Category:** 2, 3, 5

Latrobe City Council has undertaken multiple works to upgrade and improve Alexandra Park in Morwell. The Park has been Re-Dedicated by the Governor of Victoria.

As part of the original dedication (Alexandra was Queen at the time) in 1902, three feature trees were planted and dedicated to Boer War veterans from the local area. During the Re-Dedication, the RSL had a plaque installed outlining the purpose of the plantings.

Initially, two English Oaks and one 'Washingtonia' were planted. By Re-Dedication, only the two English Oaks had survived. Council arborists speculated that these English Oaks were planted around 1930.

A replacement 'washingtonia' (now called *Sequoiadendron giganteum*) was planted at Re-Dedication but has since not survived. During wild weather in 2019 one the off original *Quercus robur* sustained complete root plate failure and required removal as of result.

## Newborough

- Name:** *Eucalyptus consideriana*  
**Common name:** Yertchuk  
**Location:** Murray Road Kindergarten, car park.  
**Number of specimens:** 14  
**Category:** 2

**Comments:** This is the largest remnant stand of this species left in the urban area of Newborough outside of the Ollerton Drive Bush Reserve. This is quite a common species throughout central Gippsland, however remnant specimens of this species in urban areas within Latrobe City are becoming quite rare.

## Toongabbie

- Name:** *Corymbia citriodora*  
**Common name:** Lemon Scented Gum  
**Location:** Cowen Street, just behind Toongabbie General Store.  
**Number of specimens:** 1  
**Category:** 3, 5, 6

**Comments:** A very large example of this species in the municipality. Very deep pink colour trunk, which is not common.

- Name:** *Eucalyptus tereticornis ssp mediana*  
**Common name:** Forest Red Gum  
**Location:** Corner of Campbell Street and Sparks Lane (in Campbell Street).  
**Number of specimens:** 1  
**Category:** 2

**Comments:** There are very few examples of this species left within the township of Toongabbie, and only a handful under Latrobe City Council's jurisdiction. This specimen is not an old growth tree, it is however a large remnant tree that is worthy of being listed.

- Name:** *Eucalyptus tereticornis ssp mediana*  
**Common name:** Forest Red Gum.  
**Location:** Greenbelt, south side of Traralgon Maffra Road, opposite Sparks Lane.  
**Number of specimens:** 1  
**Category:** 2

**Comments:** same as number 2 entry for Toongabbie.

- Name:** *Eucalyptus bridgesiana*  
**Common name:** Applebox  
**Location:** Greenbelt, south side of Traralgon Maffra Road, near gateway to Toongabbie Recreation Reserve.  
**Number of specimens:** 1

**Category:** 2, 3, 5, 6

**Comments:** This specimen is a large remnant example of this species. It is very old and would be a survivor of the "Forest Red Gum Grassy Woodland" ecological community that pre-dated European settlement of the area.

5. **Name:** *Ulmus procera*  
**Common name:** English Elm  
**Location:** Greenbelt, King Street through to Traralgon-Maffra Road.  
**Number of specimens:** 9  
**Category:** 7

**Comments:** These remaining nine specimens are thought to have been a World War 2 memorial planting. All have been lopped in the past and have poor structure and declining health.

## Traralgon

1. **Name:** *Populus x canadensis*  
**Common name:** Golden Poplar  
**Location:** Howitt Street, greenbelt, extreme west end  
**Number of specimens:** 1  
**Category:** 2, 3, 4, 5

**Comments:** This is quite a large example of this species. There are not many within the municipality.

2. **Name:** *Populus x canadensis*  
**Common name:** Golden Poplar  
**Location:** Newman Park, behind scout hall  
**Number of specimens:** 4  
**Category:** 2, 3, 4, 5, 6

**Comments:** These four specimens are extremely large, both in mass and height for this species. They are in good health and have good structure. They are also of considerable age for an introduced species in Traralgon. They are also not common within the municipality.

3. **Name:** *Ulmus procera*  
**Common name:** English Elm  
**Location:** Eric Taylor Reserve, off Whittakers Road, opposite Howitt Street.  
**Number of specimens:** 1  
**Category:** 2, 3, 5, 6

**Comments:** This specimen is one of the oldest Elm trees in the township. Estimated to be in excess of 100 years.

4. **Name:** *Araucaria bidwillii*  
**Common name:** Bunya Bunya Pine

**Location:** Burnett Park, Dunbar Road.

**Number of specimens:** 3

**Category:** 2, 4, 5

**Comments:** Native to south east Queensland, this species grows well here in a cooler climate. These are three of only four mature specimens of this species under Latrobe City Council's jurisdiction. Very large and of good age and also being rare in our district makes them worthy of listing. Note - a large old Bunya Bunya Pine was removed in Traralgon in Argyle Street in April 2008. This was not a Latrobe City Council tree.

5. **Name:** *Quercus robur*

**Common name:** English Oak

**Location:** Car park adjacent to Ryan's Hotel, Kay Street.

**Number of specimens:** 1

**Category:** 2

**Comments:** A large specimen of considerable age. A good landmark feature.

6. **Name:** *Cedrus atlantica*

**Common name:** Atlantic Cedar

**Location:** Tennis Complex, car park, Davidson Street

**Number of specimens:** 8

**Category:** 2, 5

**Comments:** Reported to be planted in 1902 at the site of an old over night coach stop (not unlike a modern caravan park). There were originally several more specimens. These have been removed over the years due to becoming hazardous.

7. **Name:** *Cupressus macrocarpa*

**Common name:** Monterey Cypress

**Location:** Tennis complex, gateway, Davidson Street

**Number of specimens:** 2

**Category:** 2, 5

**Comments:** These two specimens were most likely planted around the same time as the Cedars. Particularly large examples of this species.

8. **Name:** *Eucalyptus eximia*

**Common name:** Yellow Bloodwood.

**Location:** Traralgon Recreation Reserve, near gateway on Whittakers Road.

**Number of specimens:** 1

**Category:** 7

**Comments:** The tree is of historical significance as it was planted at the time of the Australian Bicentenary Exhibition in 1988. It is also an uncommon species in this locality.

9. **Name:** *Ulmus procera*



**Common name:** English Elm  
**Location:** Traralgon Recreation Reserve. North end  
**Number of specimens:** 12  
**Category:** 2, 3

**Comments:** A large line of mature old Elms. A good landscape feature of the reserve.

10. **Name:** *Schinus molle*  
**Common name:** Peppercorn Tree  
**Location:** Hotham Street, greenbelt adjacent to Argyle Street.  
**Number of specimens:** 1  
**Category:** 2, 3

**Comments:** Historical tree marking the site of the original Traralgon Swimming Pool.

11. **Name:** *Quercus robur*  
**Common name:** English Oak  
**Location:** Victory Park, behind elderly citizens building.  
**Number of specimens:** 1  
**Category:** 2, 3, 5, 6

**Comments:** This specimen is believed to be over 100 years old. The canopy is wider than what it is taller. This is an outstanding specimen for this species. This tree should be on the National Trust.

12. **Name:** *Sequoia sempervirens*  
**Common name:** Californian Red Wood  
**Location:** Victory Park, near rotunda  
**Number of specimens:** 2  
**Category:** 2, 4

**Comments:** These two specimens are the largest under Latrobe City Council's jurisdiction. They are a good landscape feature. They can potentially live for more than 300 years and grow to 100 metres tall (in their natural habitat).

13. **Name:** *Populus x canadensis*  
**Common name:** Golden Poplar  
**Location:** Victory Park, near music bowl stage.  
**Number of specimens:** 1  
**Category:** 3, 5, 6

**Comments:** This is a very large example of this species. It is nearly as wide as it is high, which is quite different to the four specimens in the adjacent Newman Park. It also has about 20% of one part of its canopy having a distinct different colour foliage. A large landscape feature of the park.

14. **Name:** *Cupressus macrocarpa*  
**Common name:** Monterey Cypress

**Location:** Victory Park, north east corner, 20 metres from creek next to footpath.

**Number of specimens:** 1

**Category:** 2, 3, 5, 6

**Comments:** This specimen is likely to be over 100 years old. It was most likely planted by either Thomas Albert Williams or a member of his family. The Williams family owned this site from 1888 and remained in the family until 1974. The original homestead was located near this tree.

15. **Name:** *Pinus radiata*

**Common name:** Monetary Pine

**Location:** Victory Park, next to entry 14 Traralgon.

**Number of specimens:** 1

**Category:** 2, 3, 5, 6

**Comments:** This specimen was most likely planted around the same time as the adjacent Cypress. Therefore it has significance.

16. **Name:** *Quercus robur*

**Common name:** English Oak

**Location:** Gateway into scout hall next to Newman Park, Peterkin Street.

**Number of specimens:** 1

**Category:** 3, 5

**Comments:** This is a large specimen that is partly hidden due to overgrowth of vegetation from Doorty Creek. It has good health and structure and is of a good age.

17. **Name:** *Ulmus procera*, *Ulmus x hollandica*, *Ulmus glabra*

**Common name:** English Elm, Dutch Elm, Wych Elm

**Location:** Kay Street, medium strip from Franklin Street to Loch Park Road. Including roundabouts within this area.

**Number of specimens:** 31 mature, 46 semi-mature. *U. procera* has 68 in total, *U. x hollandica* has two in total, *U. glabra* has two in total.

**Category:** 2, 3, 7

**Comments:** The 31 mature specimens are listed on the National Trust (File No. T11194). The other 46 trees have been added to continue the avenue and make a major landscape feature. The original plantings in the medium strip between Franklin Street and Church Street were planted as a World War 1 commemorative planting. This avenue is a major landscape feature icon of Traralgon.

18. **Name:** *Eucalyptus globulus ssp maidenii*

**Common name:** Maiden's Gum

**Location:** Latrobe City Offices grounds Kay Street, north side of building (Grey Street side)

**Number of specimens:** 1

**Category:** 4

**Comments:** This sub species of Blue Gum is rare within townships across the municipality.

19. **Name:** *Eucalyptus tereticornis* ssp *mediana*  
**Common name:** Forest Red Gum  
**Location:** Road verge, next to No. 44 Ellavale Drive  
**Number of specimens:** 1  
**Category:** 2, 3, 4, 6

**Comments:** This is a large remnant old growth example of this species.

20. **Name:** *Eucalyptus tereticornis* ssp *mediana*  
**Common name:** Forest Red Gum  
**Location:** Nature strip adjacent to No. 57 Ellavale Drive  
**Number of specimens:** 1  
**Category:** 2,3,4,6

**Comments:** This is a large remnant old growth example of this species. Unfortunately it has been incorrectly pruned due to power line clearing. Health status is fair, structure will need some work.

21. **Name:** *Eucalyptus tereticornis* ssp *mediana*  
**Common name:** Forest Red Gum  
**Location:** Nature strip adjacent to No. 7 Heighton Court.  
**Number of specimens:** 1  
**Category:** 1

**Comments:** This is a large remnant old growth example of this species. During construction of this part of the estate in 1995, the root system was extensively damaged. The tree went into severe decline. Its health has since improved dramatically and is therefore still worth retaining.

22. **Name:** *Eucalyptus tereticornis* ssp *mediana*  
**Common name:** Forest Red Gum  
**Location:** Corner of Ellavale Drive and Rybyrne Court  
**Number of specimens:** 1  
**Category:** 2, 3, 4, 6

**Comments:** This is an old remnant example of this species. While not as old as others in the area, it is still of great age.

23. **Name:** *Eucalyptus tereticornis* ssp *mediana*  
**Common name:** Forest Red Gum.  
**Location:** Ellavale Park Reserve, Ellavale Drive.  
**Number of specimens:** 3  
**Category:** 2, 3, 4, 6

**Comments:** Good large remnant examples of this species.

24. **Name:** *Eucalyptus tereticornis* ssp *mediana*  
**Common name:** Forest Red Gum  
**Location:** Roberts Street Reserve  
**Number of specimens:** 2

**Category:** 2, 3, 4, 6

**Comments:** 2 large remnant examples of this species.

25. **Name:** *Eucalyptus tereticornis* ssp *mediana*

**Common name:** Forest Red Gum.

**Location:** Think Big Reserve, between Tulloch Way and Liddiard Road.

**Number of specimens:** 13

**Category:** 2, 3, 4, 6

**Comments:** This is the second largest grouping of old remnant examples of this species under Latrobe City Council's jurisdiction. All are in good health and have good structure.

26. **Name:** *Eucalyptus tereticornis* ssp *mediana*

**Common name:** Forest Red Gum

**Location:** Riverslea Boulevard Reserve, between Cross's Road and Riverslea Boulevard.

**Number of specimens:** 18

**Category:** 2, 3, 4, 6

**Comments:** This is the largest grouping of old remnant examples of this species under Latrobe City Council's jurisdiction. This reserve was only handed over to Latrobe City Council in 2004 as part of a new housing estate. Prior to that it had been farmland. The health and structure of these trees are poor. More work needs to be done to insure their long term survival. These specimens are most likely older than they look due to retarded growth caused by poor soil structure and texture. Another clue that suggests they are older than what they look is that a registered Aboriginal scare tree exists just 200 metres away in the grounds of St Paul's Anglican school in Cross's Road. It is roughly the same size as the trees in Riverslea Reserve. The canoe that was carved out of that tree was most likely cut out over 100 years ago. The tree would have had to have been a good size and age at the time of this occurring.

27. **Name:** *Eucalyptus tereticornis* ssp *mediana*

**Common name:** Forest Red Gum

**Location:** The Downs Reserve, between Cross's Road and Grubb Avenue

**Number of specimens:** 3

**Category:** 2, 3, 4, 6

**Comments:** These are good examples of old remnant trees of this species. The specimen located behind No.75 Cross's Road is not old growth, but it is still of good age. The other two specimens in this reserve are on the Grubb Avenue side opposite Greenvalley Court. One of these is very old with good health and structure. The smaller example is still of good health but is much younger and most likely only 50-70 years old, however it is still a remnant and therefore worth retaining at this stage. Consideration to remove the smaller specimen may have to be given in the future if the larger specimen shows signs of decline.

28. **Name:** *Eucalyptus tereticornis* ssp *mediana*  
**Common name:** Forest Red Gum  
**Location:** Pentland Court, adjacent to West Traralgon Scout Hall.  
**Number of specimens:** 1  
**Category:** 2, 3, 4, 5, 6
- Comments:** This tree is one of a handful of this species under Latrobe City Council's jurisdiction that is estimated to be 200 years old or more. As of October 2008 the trees health was noticed to be declining. Works are currently underway to improve the trees health. This is an old growth tree that is very significant.
29. **Name:** *Eucalyptus tereticornis* ssp *mediana*  
**Common name:** Forest Red Gum  
**Location:** Greenbelt, at extreme end of Rangeview Drive, next to laneway that travels to Claire Court.  
**Number of specimens:** 1  
**Category:** 2,3,4,5,6
- Comments:** Estimated to be 300 years of age, this is arguably the oldest remnant old growth specimen under Latrobe City Council jurisdiction. Although the tree is not the tallest example, the mass is quite impressive. More arboriculture works are needed in and around this specimen to help insure its long term survival.
30. **Name:** *Eucalyptus tereticornis* ssp *mediana*  
**Common name:** Forest Red Gum.  
**Location:** Nature strip adjacent to Shell Park, Princess Highway, next to the Shell service station.  
**Number of specimens:** 1  
**Category:** 2,3,4,5,6
- Comments:** This is extremely large and old remnant old growth tree. It is on Vic Roads land however Latrobe City Council maintains the tree and the adjacent park. This is a specimen of considerable size and age. It is a large landscape feature of the area.
31. **Name:** *Eucalyptus tereticornis* ssp *mediana*  
**Common name:** Forest Red Gum  
**Location:** Shell Park, Princess Highway  
**Number of specimens:** Several  
**Category:** 2,4
- Comments:** The specimens in this park are quite young compared with most other specimens of this species on this registry. However it is an area that has several remnant self seeded examples of this species which is now virtually non-existent within the Traralgon urban area.
32. **Name:** *Eucalyptus tereticornis* ssp *mediana*  
**Common name:** Forest Red Gum.  
**Location:** Glenview Park, McNairn Road

**Number of specimens:** 19

**Category:** 2,3,4,6

**Comments:** There are six specimens located outside the track (north-west corner, near McNairn Road), the other 13 are located inside the track. The 13 inside the track are of considerable age and size with two in severe decline. The six outside the track are younger although still quite old and are in good health. At least three of the specimens inside the track could be considered old growth.

33. **Name:** *Quercus cerris*

**Common name:** Turkey Oak

**Location:** Council land adjacent to 109 Breed Street.

**Number of specimens:** 1

**Category:** 1,2,3,4

**Comments:** Although this is not a rare species, there are very few that are under Latrobe City Council jurisdiction. This specimen is in good health with excellent structure. A good landscape feature.

34. **Name:** *Quercus robur*

**Common name:** English Oak

**Location:** Greenbelt, at the far south end of Bradman Boulevard.

**Number of specimens:** 1

**Category:** 1,2,3,5

**Comments:** This specimen is part of the original homestead which still stands to this day. This Oak has an extremely wide form with good health with good structure. This Oak tree was planted in 1925 in memory of John Allison Campbell 13/11/1921 – 24/07/1925 infant son of Mr And Mrs J.D.Campell of "Traralgon Park" Traralgon.

35. **Name:** *Eucalyptus polyanthemos*

**Common name:** Red Box

**Location:** Hebert Osbourne reserve, near playground.

**Number of specimens:** 1

**Category:** 2,4,6

**Comments:** This specimen is the last remnant of this species in the township of Traralgon outside Ellavale estate. Therefore it has a very high historical value, and should be retained.

36. **Name:** *Eucalyptus polyanthemos*

**Common name:** Red Box

**Location:** Anzac Park, Ellavale Drive.

**Number of specimens:** 15

**Category:** 2,4,6

**Comments:** Although not a rare species, Red Box has become extremely rare within the municipality's urban areas. This is the largest stand still existing within any Latrobe City town. Traralgon marks the fringe of this species natural distribution.

37. **Name:** *Eucalyptus viminalis*  
**Common name:** Manna Gum  
**Location:** Newman Park  
**Number of specimens:** 3  
**Category:** 2,5,6

**Comments:** These are remnant specimens. They are the largest specimens of this species in any urban area within the municipality. They are estimated to be in excess of 100 years old. The specimen behind the scout hall is showing signs of decline. There was another specimen close by but it died and was removed in 2002. The other two specimens are located near the miniature railway. They were originally on the bank of the Traralgon Creek before the creek was re-directed by straightening out the meanders in the early 1980's. These are very large and are in good health.

38. **Name:** *Crataegus azarolus*  
**Common name:** Azarolus Hawthorn  
**Location:** Original site was the Old Salvation Army Community Church, Argyle Street. It was transplanted to Victory Park, Argyle Street.  
**Number of specimens:** 1  
**Category:** 1,4,6

**Comments:** This specimen is thought to be the only known mature example of this hybrid in Victoria. It is thought to be at least 70 years old (the old Salvation Army Church was built in 1936 that this tree was once part of). It was transplanted in October 2008 and moved to the adjacent Victory Park. As of October 2009 it is Latrobe City Council responsibility. On March 6<sup>th</sup> 2010 much of the tree's main scaffold structure sustained substantial damage. The structure and health of this specimen is currently classed as poor. It is listed with the National Trust (File No. T11195) and is also protected under the Victorian Heritage Act.

39. **Name:** *Eucalyptus camaldulensis* var *obtusa*  
**Common name:** River Red Gum  
**Location:** Brookes Street, in nature strip opposite number 26.  
**Number of specimens:** 1  
**Category:** 1,2,4

**Comments:** This specimen is an old remnant tree. It is the only known specimen of its species in existence within the urban area of Traralgon. This makes it very significant. Natural stands of River Red Gums in the Latrobe Valley area are very rare and this variety is even rarer.

40. **Name:** *Ulmus glabra* 'Lutescens'  
**Common name:** Golden Elm  
**Location:** Victory Park, Princess Highway  
**Number of specimens:** 1  
**Category:** 2

**Comments:** This specimen is a large landscape feature located in the central part of Victory Park. This specimen was originally located on the Princess Highway road verge where McDonald's restaurant is today. It was transplanted to its current location in the early 1980's to make way for that section of highways duplication.

41. **Name:** *Phoenix canariensis*  
**Common name:** Canary Island Palm  
**Location:** Newman Park, on west fence line of Miniature Railway  
**Number of specimens:** 1  
**Category:** 1,3,6

**Comments:** This specimen was planted about 1931 by the Couch family. It was about 12 feet away from the front of the homestead that was pulled down about 1980.

42. **Name:** *Calodendrum capense*  
**Common name:** Cape Chestnut  
**Location:** Victory Park, north east corner on creek bank.  
**Number of specimens:** 1  
**Category:** 3,4

**Comments:** This is the only known specimen of this species under Latrobe City Council jurisdiction. It was most likely part of the gardens from the old Williams family homestead that was just a few metres away. This species is from tropical African areas which makes them slow growing here in Traralgon. This specimen could be anywhere from 50-80 years old or even older. It is extremely ornamental and is in good health.

## Tyers

1. **Name:** *Quercus robur*  
**Common name:** English Oak  
**Location:** Sandbanks Reserve  
**Number of specimens:** 3  
**Category:** 1,2,3,5,6

**Comments:** The two smaller specimens are in good health and have good form and structure. The largest specimen located at the west end near the river is particularly old and large. This specimen is by far the largest example of this species under Latrobe City Council jurisdiction and arguably for the whole of Victoria. These three specimens are listed with the National Trust (File No.T11197).

2. **Name:** *Ulmus procera*  
**Common name:** English Elm  
**Location:** Sandbanks Reserve  
**Number of specimens:** 6  
**Category:** 2,3,5,6



**Comments:** These six specimens are the largest and oldest English Elms under Latrobe City Council jurisdiction. Estimated to be 130 years old. They are outstanding examples of this species and are registered with the National Trust, (File No. T11197).

3. **Name:** *Ulmus x hollandica*  
**Common name:** Dutch Elm  
**Location:** Sandbanks Reserve  
**Number of specimens:** 5  
**Category:** 1,2,3,5,6

**Comments:** These specimens are in good health and have good structure. They are estimated to be around 130 years old, making them the oldest examples of this species in the municipality under Latrobe City Council jurisdiction. They are listed with the National Trust (File No. T11197).

4. **Name:** *Ulmus x hollandica* "Vegata"  
**Common name:** ?  
**Location:** Sandbanks Reserve  
**Number of specimens:** 1  
**Category:** 2,3,5,6

**Comments:** This is the only example of this species in the reserve and the only example of this specimen under Latrobe City Council jurisdiction. It has poor structure (this is a feature of this species) and has had major limb failures in the past. The health status is generally fair. This is listed on the National Trust (File No. T11197).

5. **Name:** *Platanus x hispanica* (syn. *P. x acerifolia*)  
**Common name:** London Plane  
**Location:** Sandbanks Reserve  
**Number of specimens:** 3  
**Category:** 2,3,5,6

**Comments:** These are the largest and oldest examples of this species in the municipality under Latrobe City Council jurisdiction. They are registered with the National Trust, (File No. T11197).

6. **Name:** *Eucalyptus grandis*  
**Common name:** Rose Gum  
**Location:** Sandbanks Reserve, far western end near river.  
**Number of specimens:** 1  
**Category:** 2,4

**Comments:** This specimen is the only example known under Latrobe City Council jurisdiction. It is indigenous to NSW. This species is rare in our district. The tree has had major limb failures in recent times and is in decline.

7. **Name:** *Populus nigra var italica*

**Common name:** Lombardy Poplar  
**Location:** Sandbanks Reserve, south west corner  
**Number of specimens:** 8  
**Category:** 2,3,6

**Comments:** These specimens are very old and large for their species. They are listed on the National Trust (File No. T11197).

## Yallourn North

1. **Name:** *Phoenix canariensis*  
**Common name:** Canary Island Date Palm  
**Location:** George Bates Oval, Howlett Road  
**Number of specimens:** 2  
**Category:** 6

**Comments:** These two specimens were transplanted in 1996 from the Yallourn Works Area at the site of the original Yallourn Power Station that was demolished in 1998. They were originally planted in the early 1920's.

## Yinnar

1. **Name:** *Quercus robur*  
**Common name:** English Oak  
**Location:** Greenbelt, Main Street, opposite Yinnar District Memorial Hall.  
**Number of specimens:** 1  
**Category:** 7  
**Comments:** Planted in 1928 by the local scouts.
2. **Name:** *Quercus robur*  
**Common name:** English Oak  
**Location:** Greenbelt adjacent to No. 12 Main Street.  
**Number of specimens:** 1  
**Category:** 2

**Comments:** Quite an old specimen.

3. **Name:** *Picea pungens*  
**Common name:** *Blue Spruce*  
**Location:** Greenbelt adjacent to No. ?? Main Street.  
**Number of specimens:** 1  
**Category:** 7

**Comments:** Bought and planted in 2001 by members of the Yinnar and District Community Association. Planted as the town christmas tree and is decorated each year by community members.

## Yinnar South

1. **Name:** *Quercus robur*  
**Common name:** English Oak  
**Location:** Martin Walker Reserve  
**Number of specimens:** 7  
**Category:** 2,7

**Comments:** An original planting of eight Oak Trees (one failed and was removed in 2005). Part of a number of plantings by Lord Somers, Governor of Victoria in 1924. The specimen closest to the creek may fail due to a large longitudinal crack up its trunk.

2. **Name:** *Quercus robur*  
**Common name:** English Oak  
**Location:** Martin Walker Reserve  
**Number of specimens:** 1  
**Category:**  
**Comments:** This specimen was planted in 1928 from the Scouts at Yinnar.

## The “Lone Pines”

**Name:** *Pinus brutia*  
**Common names:** Aleppo Pine, Lone Pine, Turkish Pine.

**Locations:**

1. Boolarra, Parkland adjacent to Church Street
2. Glengarry, war memorial, parkland, Main Street
3. Moe, Anzac Parade, medium strip opposite No. 19
4. Morwell, Greenbelt, Old Princes Highway
5. Newborough, Newborough Square Reserve
6. Traralgon, Victory Park, x two specimens.
7. Yinnar, Main Street opposite Memorial Hall.
8. Tyers, Main Road next to Tyers Hall.

**Number of specimens:** 9  
**Category:** 7

### Comments

1. **Boolarra.** The original tree was grown from seed in 1965. This specimen failed in 2002 and replaced with a new specimen in 2003.
2. **Glengarry.** This specimen was grown from seed in 1965. It has a very upright form compared to the other Lone Pines in the Latrobe City.
3. **Moe.** This specimen was grown from seed in 1965. It is in good health and forms good structure.
4. **Morwell.** This specimen was grown from seed in 1965. It is in good health and has good structure.
5. **Newborough.** This specimen has good health and has good structure.
6. **Traralgon.** There are two specimens growing in Victory Park. The original plantings took place on the 25 April 1967. One original planting still survives while the other original specimen was removed in November 2006 as the roots had failed which made it a major hazard. This was replaced on the 2 February 2007.

7. **Yinnar.** This specimen was grown from seed in 1965. It has good health and good structure.
8. **Tyers.** Unable to obtain history.

## Supplementary List

### Newborough

1. **Name:** *Quercus palustris*  
**Common name:** Pin Oak  
**Location:** Thorpdale Street  
**Number of specimens:** 36

**Comments:** This avenue of Pin Oaks is a well known feature of Newborough. Most have good general health and structure with the exception of 11 specimens that have been extensively pruned numerous times for power line clearing. In 2002, the overhead powerlines were removed and replaced with ABC lines. This allows for less severe pruning. However the structure of these 11 specimens will never recover to be the same as the other remaining specimens. This is a very common species in Victoria.

### Morwell

1. **Name:** *Corymbia maculata*  
**Common name:** Spotted Gum  
**Location:** Catherine Street  
**Number of specimens:** 22

**Comments:** These specimens are structurally very poor. The health status is fair. The specimens underneath the overhead powerlines have particularly poor structure. These trees can reach 50 metres tall. Pruning them on a regular basis to comply with legislative requirements has had a very detrimental affect on their structure.

2. **Name:** *Platanus x hispanica* (syn. *P. x acerifolia*)  
**Common name:** London Plane  
**Location:** McLean Street, between Tarwin Street and Hazelwood Road.  
**Number of specimens:** 18

**Comments:** This is the only suburban street within the municipality that has such an avenue of London Plane trees of this size and age. They have all been "lopped" in the past causing bad structure. The streetscape is visually pleasing, however the structure of the specimens may render them as hazardous in the future. This is a very common species within our municipality.

### Traralgon

3. **Name:** *Quercus palustris*  
**Common name:** Pin Oak  
**Location:** Henry Street

**Number of specimens: 36**

**Comments:** There are 34 mature specimens in this avenue, and two semi-mature ones. The 17 mature specimens under the overhead powerlines have poor structure and poor-fair health. Extensive pruning for power line clearances is the reason for the poor structure. The 17 mature specimens on the opposite side of the road are generally in fair-good health and fair structure. The specimen at number 15 was removed in June 2008 due to a large limb failure and was replaced with a new Pin Oak in August 2008. The specimen at number 19 Breed Street was removed early in 2007 and replaced soon after. The oldest specimens are estimated to be 50 years. Pin Oaks are a very common species within the municipality.

## Remnant Indigenous Vegetation Reserves

1. **Name:** Edward Hunter Reserve  
**Location:** Coalville Road, Moe  
**Area:** 57 hectares

**Comments:** This reserve is report ably one of the largest areas of remnant indigenous vegetation close to a large urban area in Australia.

2. **Name:** Ollerton Drive Bushland Reserve  
**Location:** Ollerton Drive, Newborough  
**Area:**

**Comments:** This reserve is the largest area of remnant indigenous vegetation in the Newborough area. There is a lot of die back in the north east corner of the reserve. The bushland is somewhat depleted.

3. **Name:** Criningin Road Bushland Reserve  
**Location:** Fairway Drive, Morwell  
**Area:** 39 hectares

**Comments:** There is over 150 indigenous species growing within the reserve.

4. **Name:** Traralgon Railway Reservoir Conservation Reserve  
**Location:** Hicox Street, Traralgon  
**Area:** 29.5 hectares

**Comments:** This reserve has its roots as far back as the 1840's where this area was part of the Hobson's run. In 1853 it was spilt into two. Edward Hobson purchased one while James Purvis purchased the other. In 1859 Duncan Campbell bought James Purvis part. It then went through several owners until the Victorian Railways built a reservoir there to supply water for steam trains.

The reserve has never been fully cleared or fully cultivated. There are at least 12 large old growth remnant Forest Red Gums still in existence within the reserve. There are also a large amount of very old specimens of Peppermint trees along with many native grasses and orchards. The

only reason why these trees and vegetation still survive is because of the railways. Farmers leased the land from the state government to run livestock on but they weren't aloud to clear the vegetation or didn't bother because they only leased it and not owned it! The large dead Forest Red Gum stag near the car park in Hicox Street died in 1975. This is just one example of many important dead habitat trees this reserve offers wildlife. Unfortunately re-vegetation of the reserve has not used indigenous flora of the area instead they have used Australian natives that are native to Western Australia and New South Wales. This needs to be addressed asap. If it is not, the long term conservation value of the reserve will be compromised.

5. **Name:** Jean Galbraith Flora Reserve  
**location:** Mount Hope, Tyers  
**Area:**

**Comments:** This reserve was donated to the former Shire of Traralgon by the Galbraith family in 1967.

**Agenda Item: 15.7**

**Agenda Item: Building Better Regions Fund Application Approval**

**Sponsor: General Manager, Assets and Presentation**

**Council Plan Objective: Provide a connected, engaged and safe community environment, which is improving the well-being of all Latrobe City citizens.**

**Status: For Decision**

Cr Dale Harriman left the meeting, the time being 7.26pm.

**MOTION**

**Moved:** Cr Law

**Seconded:** Cr Middlemiss

**That Council:**

- 1. endorses Council officers to prepare and submit applications to Building Better Regions Fund Round 5 for the Moe Activation Plan Stage 2 for \$7.5 million and Kernot Hall Upgrade for \$2.5 million; and**
- 2. Provide a report back to Council once a response from the Federal Government has been received.**

**CARRIED UNANIMOUSLY**

**Executive Summary:**

This report provides Council with information about the Commonwealth government's *Building Better Regions Fund - Round Five (BBRF)* and proposes the support of two of Council's projects in line with the BBRF merit criteria. This follows on from a report made to the Ordinary Council Meeting on 11 November 2019 regarding Council's loan application to the Victorian government's Community Infrastructure Loan Scheme (CILS).

- The \$1.04 billion Building Better Regions Fund (BBRF) supports the Australian Government's commitment to create jobs, drive economic growth and build stronger regional communities into the future.
- For Round 5, \$200 million is available across two streams. There are two streams of funding available under the program:
  - Infrastructure Projects Stream



- Community Investments Stream
- The Infrastructure Projects Stream funds infrastructure projects (Attachment 1) that will create jobs, drive economic growth and build stronger regional communities into the future.
- The Community Investments Stream will fund new or expanded local events, strategic regional or sectoral plans, or leadership and capability strengthening activities.
- Applications for the fund opened on January 12 and close on March 5 2021. The minimum grant amount is \$20,000 and the maximum is \$10 million. Projects must be completed by 31 December 2023.
- For most projects, grant funding will be up to 50 per cent or up to 75 per cent of eligible project costs. The location of the project will determine the percentage of grant funding a Council can receive. A cash contribution is strongly encouraged for all projects, as projects without a cash contribution may not score as highly against the assessment criteria.
- Council Officers have previously confirmed (in rd 4) with the Federal Department of Business that Council is able to submit multiple funding applications to BBRF. The assessment of these projects will include an assessment of Council's capacity and ability to complete the work by the 31 December 2023 deadline.
- At the Ordinary Council Meeting of 11 November 2019, Council resolved to the following:
  - That Council:*
    1. *Endorse the action of officers to apply for a loan up to the value of \$10 million through the Community Infrastructure Loan Scheme (CILS) for the construction of the Moe Revitalisation Project Stage 2 up to \$7.5 million and Kernot Hall Upgrade up to \$2.5 million;*
    2. *Provide Council with a report outlining the outcome of the application and future plans if successful.*
- The loan that was successfully received from the Victorian Government's CILS can be utilised as matching funding for the BBRF funding application.
- Both the Moe Revitalisation Project Stage 2 project and the Kernot Hall upgrade have been listed as priority projects by Council.
- Additional funding accessed through the BBRF program will allow Council to fully fund the delivery of both projects.
- It is proposed that Council apply for matching funding for both projects, that being \$7.5 million for the Moe Revitalisation Project Stage 2 and \$2.5 million for the Kernot Hall Stage 1 Upgrade.

Officers are seeking endorsement to apply for the funding through the BBRF Rd 5 to match the amounts secured through the CILS program for Moe Activation Stage 2 (\$7.5M) and Kernot Hall (\$2.5M).

**Background:**

Infrastructure Projects Stream

The Infrastructure Projects Stream requires applications to meet four merit criteria. In addition to be eligible projects they must;

- be for new infrastructure or the upgrade or extension of existing infrastructure, the replacement of infrastructure will only be considered where there is a significant increase in benefit.
- not have started construction
- be ready to commence shortly after executing the grant agreement; (commencement is taking steps to allow construction to commence including the procurement of contractors, or, actual construction work commenced).
- be investment-ready; investment-ready projects have confirmed all funding contributions
- have identified all required regulatory and/or development approval
- demonstrate robust planning
- be able to commence their project soon after the execution of a grant agreement with the Commonwealth.

A preliminary assessment of Council's unfunded infrastructure projects against the merit criteria has identified the *Moe Revitalisation Project (Stage 2)* and the *Latrobe Convention Centre: Kernot Hall* as the infrastructure projects that best meets the evaluation criteria for the Infrastructure Projects Stream and therefore is the best placed to be looked on favourably for funding.

A previous review of the estimated cost of both projects advises that the complete Moe Stage 2 project (inclusive of the street upgrades) is estimated at \$15 million, and the Kernot Hall Upgrade at \$5 million.

Council resolved at the 11 November 2019 Ordinary Council meeting to submit a loan application for both projects to the Victorian Government's Community Loan Scheme for \$7.5 million for the Moe Stage 2 project and \$2.5 million for the Kernot Hall upgrade.

If Council were to submit an application, a funding contribution of 50% would be required. As Council was successful in obtaining the Community Loan Scheme funding for both projects, it is proposed that these funds can be utilised as the matching 50% contribution for the BBRF application.

Consideration needs to be given to Council's financial and resourcing capacity to undertake this project given the intensive capital works program already scheduled for the next few years. Successful applicants are required to commence the project shortly after executing a grant agreement. Announcements of the grants are expected in mid-2021.

### Community Investment Stream

Having reviewed the criteria for the Community Investment Stream and the short timeframes for applications to be developed, it is suggested that Council focus its attention on the Infrastructure Projects Stream at this stage.

#### **Issues:**

##### *Strategy Implications*

The content of this report relates to the following Council Plan objectives;

*Objective 3* - Improve the liveability and connectedness of Latrobe City;

*Objective 4* - Improve the amenity and accessibility of Council services;

*Objective 5* - Provide a connected, engaged and safe community environment which is improving the well-being of all Latrobe City citizens;

*Objective 7* - Grow the civic pride of our municipality and solidify Latrobe City's image as a key regional city;

##### *Communication*

Further communication with the community will be required should any funding applications be successful.

##### *Financial Implications*

If Council were to submit an application for either project under this stream a funding contribution of 50% would be required which in this case is proposed to be the money that has been acquired through a successful application to the Community Infrastructure Loans Scheme.

Consideration needs to be given to Council's resourcing capacity to undertake the *Moe Revitalisation Project (Stage 2)* and the *Latrobe Convention Centre: Kernot Hall Upgrade* project given the intensive capital works program already scheduled for the next few years. Successful applicants are required to commence the project shortly after executing a grant agreement.

##### *Risk Analysis*

<b>Identified risk</b>	<b>Risk likelihood*</b>	<b>Controls to manage risk</b>
Risk of the funding application not being	Possible	Council will continue to seek additional funding to support the identified

successful		projects from other sources as funding programs become available and will continue to plan and deliver the phased projects as previously approved
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\* Inherent likelihood ratings: 1 (Rare); 2 (Unlikely); 3 (Possible); 4 (Likely); 5 (Almost Certain)

#### *Legal and Compliance*

The content of this report does not have identified Legal and Compliance implications.

#### *Community Implications*

Community implications in relation to this report do not require consideration until after the outcome of the funding application is known.

#### *Environmental Implications*

The content of this report does not have identified environmental implications.

#### *Consultation*

Consultation is not required prior to submission of any funding applications, but will be required should any applications be successful.

#### *Other*

n/a

#### **Declaration of Interests:**

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*.

#### **Supporting Documents:**

Nil

#### **Attachments**

1   BBRF Round 5 Guidelines and Information

## **15.7**

### **Building Better Regions Fund Application Approval**

<b>1</b>	<b>BBRF Round 5 Guidelines and Information .....</b>	<b>325</b>
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Australian Government  
 Department of Industry, Science,  
 Energy and Resources  
 Department of Infrastructure, Transport,  
 Regional Development and Communications

## Grant Opportunity Guidelines

# Building Better Regions Fund – Infrastructure Projects Stream – Round Five

<b>Opening date:</b>	12 January 2021
<b>Closing date and time:</b>	5.00PM Australian Eastern Daylight Time on 5 March 2021 Please take account of time zone differences when submitting your application.
<b>Commonwealth policy entity:</b>	Department of Infrastructure, Transport, Regional Development and Communications
<b>Administering entity:</b>	Department of Industry, Science, Energy and Resources
<b>Enquiries:</b>	If you have any questions, contact us on 13 28 46.
<b>Date guidelines released:</b>	16 December 2020
<b>Type of grant opportunity:</b>	Open competitive

## A message from the Minister



Our regions have always been integral to our economic success and this has never been more important than right now.

Investing in local communities is at the heart of our plan for a more secure and stronger Australia. In the 2020-21 Budget, we committed a further \$200 million for a fifth round of the Building Better Regions Fund to benefit areas outside major capital cities.

Our regional communities are tough. Country and coastal people are strong. After the prolonged effects of bushfires, drought, flood and now a global pandemic, regional tourism has been hit hard. That's why Round Five of the program includes \$100 million of targeted support for tourism-related infrastructure, with \$100 million for broader community infrastructure and investment.

This brings our total commitment for this highly successful program to more than \$1 billion over seven years.

The Building Better Regions Fund has already delivered significant benefits —creating jobs and driving economic growth — and reflects the Government's commitment to supporting regional communities now and into the future.

I encourage all interested parties to read the grant guidelines and apply for funding under this program, because when our regions are strong, so too is our nation.

**The Hon Michael McCormack MP**

**Deputy Prime Minister**

**Minister for Infrastructure, Transport and Regional Development**

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## 1. Building Better Regions Fund: Infrastructure Projects Stream – Round Five processes

### **The Building Better Regions Fund is designed to achieve Australian Government objectives**

This grant opportunity is part of the above grant program, which contributes to the Department of Infrastructure, Transport, Regional Development and Communications' (DITRDC) Outcome 3. The DITRDC works with stakeholders to plan and design the grant program according to the [Commonwealth Grants Rules and Guidelines](#).



### **The grant opportunity opens**

We publish the grant guidelines on [business.gov.au](http://business.gov.au) and GrantConnect.



### **You complete and submit a grant application**

You complete the application form, addressing all the eligibility and assessment criteria in order for your application to be considered.



### **We assess all grant applications**

We review the applications against eligibility criteria and notify you if you are not eligible. We assess eligible applications against the assessment criteria including an overall consideration of value with relevant money and compare it to other eligible applications.



### **We make grant recommendations**

We provide advice to the decision maker on the merits of each application.



### **Grant decisions are made**

The decision maker decides which applications are successful.



### **We notify you of the outcome**

We advise you of the outcome of your application. Unsuccessful applicants will be notified after the announcement of successful applicants.



### **We enter into a grant agreement**

We will enter into a grant agreement with successful applicants. The type of grant agreement is based on the nature of the grant and proportional to the risks involved.



### **Delivery of grant**

You undertake the grant activity as set out in your grant agreement. We manage the grant by working with you, monitoring your progress and making milestone payments.



### **Evaluation of the Building Better Regions Fund**

We evaluate the specific grant activity and Building Better Regions Fund as a whole. We base this on information you provide to us and that we collect from various sources.

## 2. About the grant program

The Australian Government has committed a total of \$1.04 billion over seven years from 2017-18 to 2023-24 for the Building Better Regions Fund (the program). The Round Five grant opportunity was announced in Budget Paper 2, *Supporting Regional Australia*. \$200 million is available for this program, with \$100 million of this dedicated to tourism-related infrastructure projects.

The **objectives** of the program are to:

- drive economic growth
- build stronger regional communities into the future.

The intended **outcomes** of the program are to:

- create jobs
- have a positive impact on economic activity, including Indigenous economic participation through employment and supplier-use outcomes
- enhance community facilities
- enhance leadership capacity
- encourage community cohesion and a sense of identity.

There are two grant opportunity streams as part of this program:

- [Infrastructure Projects Stream](#), as outlined in these guidelines
- [Community Investments Stream](#).

Information about the Community Investments Stream is available on [business.gov.au](https://business.gov.au).

We will publish the [opening and closing dates](#) and any other relevant information on [business.gov.au](https://business.gov.au) and GrantConnect for each grant opportunity separately.

We administer the program according to the [Commonwealth Grants Rules and Guidelines](#) (CGRGs).<sup>1</sup>

### 2.1. About the Infrastructure Projects Stream Round Five grant opportunity

These guidelines contain information for the Infrastructure Projects Stream Round Five grant opportunity.

The Infrastructure Projects Stream will support investment ready projects (refer to 2.1.1.) for new infrastructure, or the upgrade or extension of existing infrastructure, that provide economic and social benefits to regional and remote areas.

Round Five will provide \$100 million for tourism-related infrastructure projects under the Infrastructure Projects Stream, and a further \$100 million for other projects under the Infrastructure Projects Stream and the Community Investments Stream combined, with the allocation of funding across these streams dependant on the volume and quality of applications.

As part of the application process, we will ask you to indicate if you are applying for funding for a tourism-related infrastructure project, and if so, to provide information about how your project is related to tourism as outlined below at section 2.1.2.

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<sup>1</sup> <https://www.finance.gov.au/sites/default/files/commonwealth-grants-rules-and-guidelines.pdf>

This document sets out:

- the eligibility and assessment criteria
- how we consider and assess grant applications
- how we notify applicants and enter into grant agreements with grantees
- how we monitor and evaluate grantees' performance
- responsibilities and expectations in relation to the opportunity.

The Department of Industry, Science, Energy and Resources (the department/we) is responsible for administering this grant opportunity on behalf of the DITRDC.

- We have defined key terms used in these guidelines in the glossary at section 14.

You should read this document carefully before you fill out an application.

### 2.1.1. Investment ready projects

The Infrastructure Projects Stream only supports investment ready projects. We consider a project to be investment ready where you have taken steps to allow construction to commence within 12 weeks of executing your grant agreement. This includes where you have:

- the authority of the land or infrastructure owner to undertake the project at the nominated site(s)
- confirmed funding contributions from all sources and can provide formal documentation to verify those contributions with your application
- identified and prepared submissions for all required regulatory and/or development approvals or have already submitted and/or obtained those approvals
- finalised project designs and costings.

For multi-stage projects, the first stage of the project must be investment ready within 12 weeks of executing the grant agreement. You must demonstrate that subsequent stages are investment ready in the progress report immediately preceding the next stage's agreed commencement date, and the entire project (as defined in the BBRF grant agreement) must be complete within the maximum grant period.

### 2.1.2. Tourism Related Infrastructure project funding - key points

- Round Five of the program incorporates \$100 million towards tourism-related infrastructure projects
- when applying through the online application form, you will be asked to indicate your intention to seek funding for your project from the tourism-related infrastructure projects funding pool
- you will be asked to demonstrate the impact the COVID-19 pandemic has had on your region's tourism industry (or the region that will benefit from your proposed project) and how your project will provide benefits to the tourism industry to assist in mitigating the impact from the COVID-19 pandemic
- you are required to provide evidence to support your claims. You must also meet the eligibility requirements set out in these guidelines
- note that you do not have to be a tourist organisation to apply for the tourism-related infrastructure funding

- [Austrade](#) may be consulted as part of the assessment process for tourism-related infrastructure project funding<sup>2</sup>.

If you do not clearly articulate how your project will provide benefits to the tourism industry in the region to assist in mitigating the impact of the COVID-19 pandemic, and support those claims with tangible evidence, your application will not be considered for the \$100 million tourism-related infrastructure project funding. It will be considered with the general infrastructure project applications instead.

### 3. Grant amount and grant period

Round Five will provide \$100 million for tourism-related infrastructure projects under the Infrastructure Projects Stream, and a further \$100 million for other projects under the Infrastructure Projects Stream and the Community Investments Stream combined, with the allocation of funding across these streams dependent on the volume and quality of applications.

#### 3.1. Grants available

Your grant amount will be a percentage of the total eligible project costs (grant percentage) based on your project circumstances as outlined in Table 1 below.

- The minimum grant amount is \$20,000
- The maximum grant amount is \$10 million.

You can fund your contribution from any source including state, territory and local government grants. Your contribution must be cash.

Where you receive a cash contribution from another source (e.g. state government), the source must provide you with formal documentation confirming the cash contribution so you can attach it to your application.

Your contribution can also come from the Aboriginal Benefits Account, Financial Assistance Grants to local government, and fully repayable loans from organisations such as Indigenous Business Australia and the Northern Australia Infrastructure Facility, as these are not considered Commonwealth funding. Please check the individual agreements to ensure you can use the funds as your contribution to your proposed BBRF project.

Where you receive other Commonwealth funding for your project, the total Commonwealth funding cannot exceed the percentage indicated in the table below.

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<sup>2</sup> <https://www.austrade.gov.au/>

Table 1: Project circumstance and your grant amount

Project circumstance	Total Commonwealth Government funding (including this grant) towards eligible project costs*
Projects classified as remote or very remote (see section 5.2.1)	Up to 75 per cent of total eligible project costs
Projects granted exceptional circumstances exemption from a cash contribution (see section 4.2.1)	Up to 100 per cent of total eligible project costs (we encourage any level of contribution)
All other classifications	Up to 50 per cent of total eligible project costs

\*Total eligible project costs include the grant amount and your cash contribution. We will pay the grant in accordance with the agreed grant percentage of total eligible project costs up to the approved grant amount.

### 3.2. Project period

You must complete your project by the project end date specified in your grant agreement, which cannot be after 31 December 2023.

## 4. Eligibility criteria

We cannot consider your application if you do not satisfy all eligibility criteria.

### 4.1. Who is eligible?

To be eligible you must be the key driver of the project and:

- have an Australian Business Number (ABN)

and be one of the following incorporated entities:

- an incorporated not-for-profit organisation. As a not-for-profit organisation you must demonstrate your not-for-profit status through one of the following:
  - Current Australian Charities and Not-for-profits Commission's (ACNC) Registration
  - State or territory incorporated association status
  - Constitutional documents and/or Articles of Association that demonstrate the not-for-profit character of the organisation
- an Australian local government agency or body as defined in the glossary
- non-distributing co-operatives.

For the purposes of the program, we also consider the following organisations to be an Australian local government agency or body:

- Anangu Pitjantjatjara, Maralinga, Gerard, Nepabunna and Yalata local governing bodies in South Australia
- Cocos (Keeling) Islands Shire Council
- Lord Howe Island Board
- Norfolk Island Regional Council
- The Outback Communities Authority

- The Shire of Christmas Island
- The Silvertown and Tibbooburra villages in New South Wales
- The Trust Account in the Northern Territory
- Australian Capital Territory Government.

#### 4.2. Additional eligibility requirements

We can only accept applications where:

- your project is located in an eligible location as outlined under section 5.2
- you can produce evidence of how you will provide your share of project costs:
  - if you will be making a cash contribution to the project you must use the Accountant Declaration form available on [business.gov.au](https://business.gov.au) and GrantConnect
  - if your project will receive cash contributions from other sources, you must provide formal documentation confirming the cash contributions from those sources (e.g. state government) such as a commercial finance agreement or letter of offer with your application.
- you can confirm that you have the authority of the land or infrastructure project owner to undertake the project at the nominated site(s). You are required to provide a letter from the land or infrastructure project owner using the letter template provided on [business.gov.au](https://business.gov.au).

We cannot waive the eligibility criteria under any circumstances.

##### 4.2.1. Seeking an exceptional circumstances exemption from your cash contribution to the project

We recognise that some applicants may be experiencing exceptional circumstances, including the particular impact the COVID-19 pandemic has had on regional tourism, which may limit their capacity to contribute to the project.

Exceptional circumstances may include:

- drought and/or disaster declaration
- limited financial capacity of the local council
- impact of industry decline
- significant recent change in population or community demographics
- other exceptional circumstances.

Where you can demonstrate you are experiencing exceptional circumstances, you may seek an exemption from your cash contribution to the project in your application.

Before you consider seeking an exemption, note:

- we will only grant exemptions in very limited circumstances
- if the evidence provided does not include how the exceptional circumstance is preventing you from meeting your cash contribution requirement, or is deemed insufficient, your application will be deemed ineligible and there will be no opportunity to resubmit your application in the same funding round
- we assess all applications, including those granted an exemption, against each of the assessment criteria.

If you seek an exemption, you must submit a supporting case that includes evidence demonstrating the exceptional circumstances you are experiencing, and how they are preventing you from making a cash contribution. This must also include evidence to demonstrate the capacity to maintain and fully utilise the project.

The Ministerial Panel will consider requests for exemption. If the Ministerial Panel grants an exemption, we will consider your application to have met the requirements under section 4.2.1. If you apply for, but are not granted an exemption, your application will not be assessed for funding.

#### 4.3. Who is not eligible?

You are not eligible to apply if you are:

- a for-profit organisation
- an individual, partnership or trust (however, an incorporated trustee may apply on behalf of a not-for-profit trust organisation)
- a Commonwealth, state or territory government agency or body (including government business enterprises) with the exception of those organisations referred to in section 4.1.
- a university, technical college, school or hospital
- a Regional Development Australia Committee.

#### 4.4. What qualifications or skills are required?

If you are successful, relevant personnel working on the project must maintain the following registration/checks:

- Working with Children check
- Working with Vulnerable People registration.

## 5. What the grant money can be used for

### 5.1. Eligible activities

To be eligible your project must:

- be aimed at the construction, upgrade or extension of infrastructure that provides economic and social benefits to regional and remote areas
- comprise one of the following activities:
  - the construction of new infrastructure
  - the upgrade to existing infrastructure
  - the extension of existing infrastructure
  - the replacement of infrastructure where there is a significant increase in benefit
- not have started construction.

We may also approve other activities.

### 5.2. Eligible locations

Your project must not be located in an excluded area unless you can clearly demonstrate the significant benefits and employment outcomes, which flow directly into an eligible area. A mapping tool is available on [business.gov.au](https://business.gov.au) to assist you in determining the eligibility of your project location. Your project can include activities at different sites, as long as they are in an eligible



location or you can demonstrate the significant benefits and employment outcomes, which flow directly into an eligible location.

Excluded areas are the Urban Centre and Locality (UCL) cities over 1 million people for Sydney, Melbourne, Brisbane, Perth and Adelaide as defined by the Australian Bureau of Statistics' Australian Statistical Geography Standard. For the city of Canberra, the excluded area is only the part of the Canberra-Queanbeyan Significant Urban Area that is located within the Australian Capital Territory.

### 5.2.1. Project remoteness classification and your grant amount

Your project location (latitude and longitude) determines your remoteness classification. We base the criteria for the remoteness classification on the Australian Bureau of Statistics' Remoteness Structure<sup>3</sup> under the Australian Statistical Geography Standard. A mapping tool is available on [business.gov.au](http://business.gov.au) to assist you in determining the location of your project.

Your contribution to the project depends on your remoteness classification. It is critical that you specify the correct remoteness classification in your application. An error may cause your contribution to be inadequate and your application to be ineligible.

Your project may include multiple site locations. Where there is a mix of regional and remote site locations we will consider your entire project location as remote for the purposes of your contribution.

### 5.3. Eligible expenditure

You can only spend grant funds on eligible expenditure you have incurred on an agreed project as defined in your grant agreement:

- for guidelines on eligible expenditure, see Appendix A
- for guidelines on ineligible expenditure, see Appendix B.

If your application is successful, we may ask you to verify project costs that you provided in your application are eligible. You may need to provide evidence such as quotes for major costs and evidence of investment-readiness as outlined under 2.1.1.

Not all expenditure on your project may be eligible for grant funding. The Program Delegate makes the final decision on what is eligible expenditure, and may give additional guidance on eligible expenditure if required.

To be eligible, expenditure must:

- be a direct cost of the project
- be incurred by you for required project audit activities.

You must incur the project expenditure between the project start and end date for it to be eligible.

You must not commence your project until you execute a grant agreement with the Commonwealth. **We will not make any payments to you for any expenditure you have incurred prior to the execution of your grant agreement.**

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<sup>3</sup> <http://www.abs.gov.au/websitedbs/d3310114.nsf/home/remoteness+structure>

## 6. The assessment criteria

You must address all assessment criteria in your application. We will assess your application based on the weighting given to each criterion.

The application form asks questions that relate to the assessment criteria below. The amount of detail and supporting evidence you provide in your application should be relative to the project size, complexity and grant amount requested. You must provide evidence to support your answers against each of the assessment criteria. The application form displays size limits for answers.

We will only consider funding applications that score at least 60 per cent against each assessment criterion, as these represent best value with relevant money.

### 6.1. Assessment criterion 1

#### **Economic benefits of your project for the region (15 points)**

You should demonstrate this by identifying:

- a. the extent to which your project meets the needs of the regional community
- b. the broader economic benefits that your project will deliver for the region and community during and beyond the term of funding.

**Economic** benefits for a region may cover increases in economic activity, improvements in productivity, wider access to markets or fairer and more equitable economic outcomes.

Examples of how your project could deliver economic benefits may include but is not limited to:

- increasing the number or value of jobs, new businesses or the production of goods and services in the region (this includes direct and indirect opportunities created through the project)
- providing opportunities for growth and/or increasing efficiencies in existing sectors, e.g. tourism, agriculture, manufacturing
- the use of local suppliers and goods, especially those that employ the use of sustainable work practices/goods
- increasing efficiency of the transport system or service delivery
- increasing Indigenous economic participation, including Indigenous employment and supplier-use outcomes.

In your application, you must include the total employment numbers you expect to create during and following your project. You will need to identify how many of these employees will be Indigenous. You must substantiate any employment numbers with evidence.

### 6.2. Assessment criterion 2

#### **Social benefits of your project for the region (15 points)**

You should demonstrate this by identifying:

- a. the extent to which your project meets the needs of the regional community
- b. the broader social benefits that your project will deliver for the region and community during and beyond the term of funding.

**Social** benefits for a region may cover increases in regional amenity, improving community connections and inclusion and providing opportunities for learning and knowledge creation.

Examples of how your project could deliver social benefits may include but is not limited to:

- making a region a more attractive place to live
- the degree to which the project fills a 'gap' within the community
- improving community connections and social inclusion
- supporting or protecting local heritage and culture
- increasing community volunteering
- addressing disadvantage within the community.

### 6.3. Assessment criterion 3

#### **Capacity, capability and resources to deliver the project (5 points)**

You should demonstrate this by identifying:

- a. your track record managing similar projects and access to personnel and/or partners with the right skills and experience
- b. your readiness to commence the project, including your access to any required resources such as infrastructure, capital equipment or technology. You should describe the steps you have taken to allow construction to commence in the immediate future including the status of:
  - required regulatory and/or development approvals
  - project designs and costings
  - authority from the land or infrastructure owner to undertake the project at the nominated site(s)
  - funding contributions from all sources.
- c. sound project planning to manage and monitor the project, which addresses scope, implementation methodology, timeframes, budget and risk management (including mitigation of health risks associated with the current COVID-19 pandemic)
- d. how you will operate and maintain the infrastructure and benefits of the project into the future.

**If your project is still in the planning or concept stage, it is not likely to be competitive.**

### 6.4. Assessment criterion 4

#### **Impact of funding on your project (5 points)**

You should demonstrate this by identifying:

- a. your plan for engagement and collaboration to ensure community support for your project. In your response you can describe:
  - the total investment the grant will leverage including additional cash contribution and in-kind support
  - the extent that your project increases investment and builds partnerships in your region.
- b. the likelihood the project would proceed without the grant. If not, why not? Explain how the grant will impact the project in terms of size, timing and reach.
- c. if you have already received Commonwealth funding for this project or an associated project, explain why you need additional funding.

## 7. How to apply

Before applying, you should read and understand these guidelines, the sample [application form](#) and the sample [grant agreement](#) published on [business.gov.au](#) and GrantConnect.

We encourage you to seek the support of your [Regional Development Australia<sup>4</sup>](#) (RDA) Committee for your project. Your RDA Committee can:

- assist you in identifying and developing a strong project proposal which is a priority within your region and will contribute to long term economic growth
- work with you to prepare a competitive application, including supporting documents and evidence.

If you are applying for tourism-related infrastructure project funding, you may also want to discuss your proposed project with independent regional, state/territory tourism organisations to assist in identifying key elements of your project that can support broader tourism stimulus and investment initiatives – evidence of which may be provided as a supporting document in your application.

You can only submit an application during a funding round.

To apply, you must:

- complete the online [program application form](#) on [business.gov.au](#)
- provide all the information requested
- address all eligibility and assessment criteria
- include all necessary attachments.

You will receive confirmation when you submit your application, and we recommend you view and print a copy of your submitted application from the portal at that time for your own records.

You are responsible for making sure your application is complete and accurate. Giving false or misleading information is a serious offence under the *Criminal Code 1995* (Cth). If we consider you to have provided false or misleading information, we may not progress your application. If you find an error in your application after submitting it, you should call us immediately on 13 28 46.

If we find an error or information that is missing, we may ask for clarification or additional information from you that will not change the nature of your application. However, we can refuse to accept any additional information from you that would change your submission after the application closing time.

If you need further guidance around the application process, or if you are unable to submit an application online, [contact us](#) at [business.gov.au](#) or by calling 13 28 46.

### 7.1. Attachments to the application

We require the following documents with your application as per Table 2:

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<sup>4</sup> <https://rda.gov.au/>

Table 2: Mandatory attachments to the application

Applicant type	Document
Mandatory for applicants seeking to classify their projects as tourism-related infrastructure	<ul style="list-style-type: none"> <li>• Evidence to demonstrate your case for the project being considered tourism-related infrastructure, and to demonstrate the region where the project is to be located, or the region which will benefit from the project, has sustained economic impact to the local tourism industry as a result of COVID-19, as per Section 2.1.2.</li> </ul>
Mandatory for all applicants making a cash contribution to the project	<ul style="list-style-type: none"> <li>• If you are making a cash contribution to the project, you must provide an Accountant Declaration that confirms you can fund your share of the project costs. You must use the Accountant Declaration form available on <a href="https://business.gov.au">business.gov.au</a> and GrantConnect.</li> <li>• If your project will receive cash contributions from other sources, you must attach a letter/s from each contributing organisation or individual that includes formal documentation confirming the cash contributions they will make towards the project. A template is provided on <a href="https://business.gov.au">business.gov.au</a> and <a href="#">GrantConnect</a>. Letters must: <ul style="list-style-type: none"> <li>○ be on the organisation's letterhead (not applicable for individuals)</li> <li>○ be signed and dated by an authorised person or the individual providing the contribution</li> <li>○ set out the value and timing of cash contributions and any conditions attached</li> <li>○ include the commercial agreement or letter of offer to verify that the cash contribution has been committed to the project (not applicable for individuals).</li> </ul> </li> </ul>
Mandatory for applicants seeking an exceptional circumstances exemption from the cash contribution requirements	Evidence to demonstrate your case for exemption as outlined in 4.2.1.
Mandatory for not-for-profit organisations	If you do not have an active Australian Charities and Not-for-profits Commission (ACNC) registration or state or territory incorporated association registration at the time of application, you must provide Constitutional documents and/or Articles of Association that demonstrate the not-for-profit character of the organisation.
Mandatory for not-for-profit organisations that are incorporated trustees applying on behalf of a trust	Trust documents showing the relationship of the incorporated trustee to the trust.

Applicant type	Document
Mandatory for projects with a grant request over \$1 million	Cost benefit analysis. Further information on how to prepare a cost benefit analysis is available on <a href="https://business.gov.au">business.gov.au</a> .
Mandatory for all organisations that do not own the land or infrastructure for their project, to demonstrate they have authorised access to the project location(s) and/or infrastructure	Evidence of the owner's authority to conduct the project at the nominated site(s) using the letter template at <a href="https://business.gov.au">business.gov.au</a> and <a href="#">GrantConnect</a> .

You must attach supporting documentation to the application form in line with the instructions provided within the form. You should only attach requested documents. We will not consider information in attachments that we do not request.

## 7.2. Timing of grant opportunity

The outcome of the grant selection process is expected to be announced mid-2021.

You can only submit an application between the published opening and closing dates. We only accept late applications where:

- a natural disaster has occurred in your area, which has affected the submission of an application.

If you are successful, you can commence your project from the date you execute a grant agreement with the Commonwealth.

Table 3: Expected timing for this grant opportunity

Activity	Timeframe
Assessment of applications	9 weeks
Approval of outcomes of selection process	8 weeks
Negotiations and award of grant agreements	1-5 weeks
Notification to unsuccessful applicants	2 weeks
Earliest start date of project	From execution of your grant agreement
End date of grant commitment	30 June 2024

## 8. The grant selection process

We first review your application against the eligibility criteria. If eligible, we will then assess it against the assessment criteria. Only eligible applications will proceed to the assessment stage.

We consider your application on its merits, based on:

- how well it meets the criteria
- how it compares to other applications
- whether it provides value with relevant money
- your past performance with project delivery.

When assessing whether the application represents value with relevant money, we will consider the:

- overall objectives of the grant opportunity
- evidence provided to demonstrate how your project contributes to meeting those objectives
- relative value of the grant sought.

We assess applications relative to the project size, complexity and grant amount requested. The amount of detail and supporting evidence you provide in your application should be relative to these factors.

We may seek advice regarding your project from state or territory government agencies, other Australian Government agencies, independent experts and other external parties, including Austrade if you are applying for tourism-related infrastructure project funding. This advice may be taken into consideration when assessing the project.

If we identify unintentional errors in your application during the assessment process, we may contact you to correct or clarify the errors, but you cannot make any material alteration or addition.

### 8.1. Who will approve grants?

A Ministerial Panel, chaired by the Minister for Infrastructure, Transport and Regional Development, will be established to make funding decisions for the program.

After considering the assessed application and availability of grant funds, the Ministerial Panel, in consultation with Cabinet, then decides which grants to approve. The Ministerial Panel may consider other factors when deciding which projects to fund, including, but not limited to:

- the spread of projects and funding across regions
- the regional impact of each project, including Indigenous employment and supplier-use outcomes
- other similar existing or planned projects in the region to ensure that there is genuine demand and/or no duplication of facilities or services
- other existing or planned projects in the region, and the extent to which the proposed project supports or builds on those projects and the services they offer
- the level of funding allocated to an applicant in previous programs
- reputational risk to the Australian Government
- the Australian Government's priorities. Round Five of the program includes \$100 million of funding dedicated to supporting tourism-related infrastructure projects.

The Ministerial Panel's decision is final in all matters, including:

- the approval of applications for funding
- the amount of grant funding awarded
- the terms and conditions of funding.

We cannot review decisions about the merit of your application.

## 9. Notification of application outcomes

We will advise you of the outcome of your application in writing. If you are successful, we will advise you of any specific conditions attached to the grant.

If you are unsuccessful, we will notify you in writing and give you an opportunity to discuss the outcome with us. You can submit a new application for the same (or similar) project in any future funding rounds. You should include new or more information to address the weaknesses that prevented your previous application from being successful.

## 10. Successful grant applications

### 10.1. Grant agreement

You must enter into a legally binding grant agreement with the Commonwealth. The grant agreement has general terms and conditions that cannot be changed. A sample [grant agreement](#) is available on [business.gov.au](http://business.gov.au) and GrantConnect.

We must execute a grant agreement with you before we can make any payments. Execute means both you and the Commonwealth have signed the agreement. We are not responsible for any expenditure you incur until a grant agreement is executed.

The approval of your grant may have specific conditions determined by the assessment process or other considerations made by the Ministerial Panel. We will identify these in the offer of funding.

The Commonwealth may recover grant funds if there is a breach of the grant agreement.

### 10.2. Standard grant agreement

We will use a standard grant agreement for all projects.

You will have 60 days from the date of a written offer to execute this grant agreement with the Commonwealth. During this time, we will work with you to finalise details.

The offer may lapse if both parties do not sign the grant agreement within this time. Under certain circumstances, we may extend this period. We base the approval of your grant on the information you provide in your application. We will review any required changes to these details to ensure they do not impact the project as approved by the Ministerial Panel.

### 10.3. Project specific legislation, policies and industry standards

You must comply with all relevant laws and regulations in undertaking your project. You must also comply with the specific legislation/policies/industry standards that follow. It is a condition of the grant funding that you meet these requirements. We will include these requirements in your grant agreement.

In particular, you will be required to comply with:

- State/territory legislation in relation to working with children
- *Code for the Tendering and Performance of Building Work 2016*<sup>5</sup> ([Building Code 2016](#))
- Australian Government Building and Construction WHS Accreditation Scheme<sup>6</sup> ([WHS Scheme](#))

These regulations are subject to the level of funding you receive as outlined below.

To be eligible, you must declare in your application that you comply with these requirements. You will need to declare you can meet these requirements in your grant agreement with the Commonwealth.

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<sup>5</sup> <https://www.abcc.gov.au/building-code>

<sup>6</sup> <http://www.fsc.gov.au/sites/fsc/needaccredited/accreditationscheme/pages/theaccreditationscheme>



### 10.3.1. Building and Construction Requirements

Wherever the government funds building and construction activities, the following special regulatory requirements apply.

- *Code for the Tendering and Performance of Building Work 2016*<sup>7</sup> ([Building Code 2016](#))
- Australian Government Building and Construction WHS Accreditation Scheme<sup>8</sup> ([WHS Scheme](#))

These regulations are subject to the level of funding you receive as outlined below.

#### 10.3.1.1. Building Code

The Building Code is administered by relevant state and territory administrations under relevant state or territory legislation on behalf of the Australian Building and Construction Commission.<sup>9</sup>

The Building Code applies to all construction projects funded by the Australian government through grants and other programs where:

- the value of Australian Government contribution to a project is at least \$5 million and represents at least 50 per cent of the total construction project value; or
- regardless of the proportion of Australian Government funding, where the Australian Government contribution to a project is \$10 million or more.

#### 10.3.1.2. WHS Scheme

The WHS Scheme is administered by the Office of the Federal Safety Commissioner.<sup>10</sup>

The Scheme applies to projects that are directly or indirectly funded by the Australian Government where:

- the value of the Australian Government contribution to the project is at least \$6 million and represents at least 50 per cent of the total construction project value; or
- the Australian Government contribution to a project is \$10 million (GST inclusive) or more, irrespective of the proportion of Australian Government funding; and
- a head contract under the project includes building work of \$4 million or more (GST Inclusive).

### 10.4. How we pay the grant

The grant agreement will state the:

- maximum grant amount we will pay
- proportion of eligible expenditure covered by the grant (grant percentage)
- any financial contribution provided by you or a third party.

We will not exceed the maximum grant amount under any circumstances. If you incur extra costs, you must meet them yourself.

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<sup>7</sup> <https://www.abcc.gov.au/building-code/building-code-2016>

<sup>8</sup> <http://www.fsc.gov.au/sites/fsc/needaccredited/accreditationscheme/pages/theaccreditationscheme>

<sup>9</sup> <https://www.abcc.gov.au/>

<sup>10</sup> <http://www.fsc.gov.au/sites/FSC>

We may make an initial payment on execution of the grant agreement. We will make subsequent payments as you achieve milestones in arrears, based on your actual eligible expenditure. Milestone payments are subject to satisfactory progress on the project.

Note that if you request an upfront initial payment, we will request additional financial information from you, to verify your organisation is unable to cover the costs associated with your project without that initial grant payment.

We set aside at least 10 per cent of the total grant funding for the final payment. We will pay this when you submit a satisfactory end of project report demonstrating you have completed outstanding obligations for the project. We may need to adjust your progress payments to align with available program funds across financial years and/or to ensure we retain a minimum 10 per cent of grant funding for the final payment.

The Program Delegate may approve alternative arrangements on a discretionary basis.

### 10.5. Tax obligations

If you are registered for the Goods and Services Tax (GST), where applicable we will add GST to your grant payment and provide you with a recipient created tax invoice. You are required to notify us if your GST registration status changes during the project period. GST does not apply to grant payments to government related entities<sup>11</sup>.

Grants are assessable income for taxation purposes, unless exempted by a taxation law. We recommend you seek independent professional advice on your taxation obligations or seek assistance from the [Australian Taxation Office](#). We do not provide advice on tax.

## 11. Announcement of grants

We will publish non-sensitive details of successful projects on GrantConnect. We are required to do this by the [Commonwealth Grants Rules and Guidelines](#) unless otherwise prohibited by law. We may also publish this information on [business.gov.au](#). This information may include:

- name of your organisation
- title of the project
- description of the project and its aims
- amount of grant funding awarded
- Australian Business Number
- business location
- your organisation's industry sector.

## 12. How we monitor your grant activity

### 12.1. Keeping us informed

You should let us know if anything is likely to affect your project or organisation.

We need to know of any key changes to your organisation or its business activities, particularly if they affect your ability to complete your project, carry on business and pay debts due.

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<sup>11</sup> See Australian Taxation Office ruling GSTR 2012/2 available at [ato.gov.au](#)

You must also inform us of any changes to your:

- name
- addresses
- nominated contact details
- bank account details.

If you become aware of a breach of terms and conditions under the grant agreement, you must contact us immediately.

You must notify us of events relating to your project and provide an opportunity for the Minister or their representative to attend.

## 12.2. Reporting

You must submit reports in line with the grant agreement. We will provide the requirements for these reports as appendices in the grant agreement. We will remind you of your reporting obligations before a report is due. We will expect you to report on:

- progress against agreed project milestones
- project expenditure, including expenditure of grant funds
- contributions of participants directly related to the project.

The amount of detail you provide in your reports should be relative to the project size, complexity and grant amount.

We will monitor the progress of your project by assessing reports you submit and may conduct site visits to confirm details of your reports if necessary. Occasionally we may need to re-examine claims, seek further information or request an independent audit of claims and payments.

### 12.2.1. Progress reports

Progress reports must:

- include details of your progress towards completion of agreed project activities
- include the agreed evidence as specified in the grant agreement
- show the total eligible expenditure incurred to date
- include evidence of expenditure (if requested)
- be submitted by the report due date (you can submit reports ahead of time if you have completed relevant project activities).

We will only make grant payments when we receive progress reports showing satisfactory progress on the project.

You must discuss any project or milestone reporting delays with us as soon as you become aware of them.

### 12.2.2. End of project report

When you complete the project, you must submit an end of project report.

End of project reports must:

- include the agreed evidence as specified in the grant agreement
- identify the total eligible expenditure incurred for the project

- include a declaration that the grant money was spent in accordance with the grant agreement and report on any underspends of the grant money
- be submitted by the report due date
- be in the format provided in the grant agreement.

### 12.2.3. Ad-hoc reports

We may ask you for ad-hoc reports on your project. This may be to provide an update on progress, or any significant delays or difficulties in completing the project.

### 12.3. Independent audits

We may ask you to provide an independent audit report. An audit report will verify that you spent the grant in accordance with the grant agreement. The audit report requires you to prepare a statement of grant income and expenditure. The report template is available on [business.gov.au](http://business.gov.au) and GrantConnect.

### 12.4. Compliance visits

We may visit you during the project period, or at the completion of your project to review your compliance with the grant agreement. We may also inspect the records you are required to keep under the grant agreement. For large or complex projects, we may visit you after you finish your project. We will provide you with reasonable notice of any compliance visit.

### 12.5. Grant agreement variations

We recognise that unexpected events may affect project progress. In these circumstances, you can request a variation to your grant agreement, including:

- changing project milestones
- extending the timeframe for completing the project but within the maximum time period (i.e. 31 December 2023) referred to in section 3.2.
- changing project activities.

Note the program does not allow for:

- an increase of grant funds.

If you want to propose changes to the grant agreement, you must put them in writing before the grant agreement end date.

If a delay in the project causes milestone achievement and payment dates to move to a different financial year, you will need a variation to the grant agreement. We can only move funds between financial years if there is enough program funding in the relevant year to allow for the revised payment schedule. If we cannot move the funds, you may lose some grant funding.

You should not assume that a variation request will be successful. We will consider your request based on factors such as:

- how it affects the project outcome
- consistency with the program policy objective, grant opportunity guidelines and any relevant policies of the department
- changes to the timing of grant payments
- availability of program funds.

## 12.6. Evaluation

We will evaluate the program to measure how well the outcomes and objectives have been achieved. We may use information from your application and project reports for this purpose. We may also interview you, or ask you for more information to help us understand how the grant impacted you, and to evaluate how effective the program was in achieving its outcomes.

We may contact you up to two years after you finish your project for more information to assist with this evaluation.

## 12.7. Grant acknowledgement

If you make a public statement about a project funded under the program, including in a brochure or publication, you must acknowledge the grant by using the following:

'This project received grant funding from the Australian Government.'

If you erect signage in relation to the project, the signage must contain an acknowledgement of the grant.

## 12.8. Maintaining project benefits

In your grant agreement, you will be required to commit to operate and maintain your project infrastructure and deliver project benefits into the future. In line with your grant agreement, the operational periods are relative to total eligible project cost.

Table 4 – Operational periods for maintaining project benefit

Project Cost	Number of years
< \$250,000	1 year
\$250,000 to \$1 million	3 years
> \$1 million	5 years
Projects granted an exceptional circumstances exemption from a cash contribution (see section 4.2.1)	5 years

## 13. Probity

We will make sure that the grant opportunity process is fair, according to the published guidelines, incorporates appropriate safeguards against fraud, unlawful activities and other inappropriate conduct and is consistent with the CGRGs.

### 13.1. Conflicts of interest

Any conflicts of interest could affect the performance of the grant opportunity or program. There may be a conflict of interest, or perceived conflict of interest, if our staff, any member of a committee or advisor and/or you or any of your personnel:

- has a professional, commercial or personal relationship with a party who is able to influence the application selection process, such as an Australian Government officer or member of an external panel

- has a relationship with or interest in, an organisation, which is likely to interfere with or restrict the applicant from carrying out the proposed activities fairly and independently or
- has a relationship with, or interest in, an organisation from which they will receive personal gain because the organisation receives a grant under the grant program/ grant opportunity.

As part of your application, we will ask you to declare any perceived or existing conflicts of interests or confirm that, to the best of your knowledge, there is no conflict of interest.

If you later identify an actual, apparent, or perceived conflict of interest, you must inform us in writing immediately.

Conflicts of interest for Australian Government staff are handled as set out in the Australian [Public Service Code of Conduct \(Section 13\(7\)\)](#)<sup>12</sup> of the *Public Service Act 1999* (Cth). Committee members and other officials including the decision maker must also declare any conflicts of interest.

We publish our [conflict of interest policy](#)<sup>13</sup> on the department's website.

## 13.2. How we use your information

Unless the information you provide to us is:

- confidential information as per 13.2.1, or
- personal information as per 13.2.3,

we may share the information with other government agencies for a relevant Commonwealth purpose such as:

- to improve the effective administration, monitoring and evaluation of Australian Government programs
- for research
- to announce the awarding of grants.

### 13.2.1. How we handle your confidential information

We will treat the information you give us as sensitive and therefore confidential if it meets all of the following conditions:

- you clearly identify the information as confidential and explain why we should treat it as confidential
- the information is commercially sensitive
- disclosing the information would cause unreasonable harm to you or someone else
- you provide the information with an understanding that it will stay confidential.

### 13.2.2. When we may disclose confidential information

We may disclose confidential information:

- to the Ministerial Panel and our Commonwealth employees and contractors, to help us manage the program effectively

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<sup>12</sup> <https://www.legislation.gov.au/Details/C2019C00057>

<sup>13</sup> [https://www.industry.gov.au/sites/default/files/July%202018/document/pdf/conflict-of-interest-and-insider-trading-policy.pdf?acsf\\_files\\_redirect](https://www.industry.gov.au/sites/default/files/July%202018/document/pdf/conflict-of-interest-and-insider-trading-policy.pdf?acsf_files_redirect)

- to the Auditor-General, Ombudsman or Privacy Commissioner
- to the responsible Minister or Assistant Minister
- to a House or a Committee of the Australian Parliament.

We may also disclose confidential information if

- we are required or authorised by law to disclose it
- you agree to the information being disclosed, or
- someone other than us has made the confidential information public.

### 13.2.3. How we use your personal information

We must treat your personal information according to the Australian Privacy Principles (APPs) and the *Privacy Act 1988* (Cth). This includes letting you know:

- what personal information we collect
- why we collect your personal information
- to whom we give your personal information.

We may give the personal information we collect from you to our employees and contractors, the Ministerial Panel, and other Commonwealth employees and contractors, so we can:

- manage the program
- research, assess, monitor and analyse our programs and activities.

We, or the Minister, may:

- announce the names of successful applicants to the public
- publish personal information on the department's websites.

You may read our [Privacy Policy](#)<sup>14</sup> on the department's website for more information on:

- what is personal information
- how we collect, use, disclose and store your personal information
- how you can access and correct your personal information.

### 13.2.4. Freedom of information

All documents in the possession of the Australian Government, including those about the program, are subject to the *Freedom of Information Act 1982* (Cth) (FOI Act).

The purpose of the FOI Act is to give members of the public rights of access to information held by the Australian Government and its entities. Under the FOI Act, members of the public can seek access to documents held by the Australian Government. This right of access is limited only by the exceptions and exemptions necessary to protect essential public interests and private and business affairs of persons in respect of whom the information relates.

If someone requests a document under the FOI Act, we will release it (though we may need to consult with you and/or other parties first) unless it meets one of the exemptions set out in the FOI Act.

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<sup>14</sup> <https://www.industry.gov.au/data-and-publications/privacy-policy>

### 13.3. Enquiries and feedback

For further information or clarification, you can contact us on 13 28 46, by [web chat](#) or through our [online enquiry form](#) on business.gov.au.

We may publish answers to your questions on our website as Frequently Asked Questions.

Our [Customer Service Charter](#) is available at business.gov.au. We use customer satisfaction surveys to improve our business operations and service.

If you have a complaint, call us on 13 28 46. We will refer your complaint to the appropriate manager.

If you are not satisfied with the way we handle your complaint, you can contact:

Head of Division  
AusIndustry – Support for Business  
Department of Industry, Science, Energy and Resources  
GPO Box 2013  
CANBERRA ACT 2601

You can also contact the [Commonwealth Ombudsman<sup>15</sup>](#) with your complaint (call 1300 362 072). There is no fee for making a complaint, and the Ombudsman may conduct an independent investigation.

## 14. Glossary

Term	Definition
Application form	The document issued by the Program Delegate that applicants use to apply for funding under the program.
AusIndustry	The division of the same name within the department.
Cash contributions	<p>Money contributed to the project from each contributing organisation (the grantee and other contributing organisations), and is provided to the grantee for the project and is immediately available for use on the project.</p> <p>Cash contributions can come from any source including state, territory and local government grants.</p> <p>Cash contributions can also come from the Aboriginal Benefits Account, Financial Assistance Grants to local government and fully repayable loans from organisations such as Indigenous Business Australia and the Northern Australia Infrastructure Facility, as these are not considered Commonwealth funding. Please check the individual agreements to ensure you can use the funds as your contribution to your proposed BBRF project.</p>

<sup>15</sup> <http://www.ombudsman.gov.au/>



Term	Definition
Decision Maker	The Ministerial Panel, chaired by the Minister for Infrastructure, Transport and Regional Development, which will be established to make funding decisions for the program.
Department	The Department of Industry, Science, Energy and Resources.
Eligible activities	The activities undertaken by a grantee in relation to a project that are eligible for funding support as set out in 5.1.
Eligible application	An application or proposal for grant funding under the program that the Program Delegate has determined is eligible for assessment in accordance with these guidelines.
Eligible expenditure	The expenditure incurred by a grantee on a project and which is eligible for funding support as set out in 5.3 and at Appendix A. You can only use BBRF grant funds or cash contributions for eligible expenditure directly related to the project.
Eligible expenditure guidance	The guidance that is provided at Appendix A.
Grant agreement	A legally binding contract between the Commonwealth and a grantee for the grant funding.
Grant funding or grant funds	The funding made available by the Commonwealth to grantees under the program.
<a href="#">GrantConnect</a>	The Australian Government's whole-of-government grants information system, which centralises the publication and reporting of Commonwealth grants in accordance with the CGRGs.
Grantee	The recipient of grant funding under a grant agreement.
Guidelines	Guidelines that the Minister gives to the department to provide the framework for the administration of the program, as in force from time to time.
Incurred	An incurred expense is a legal liability for receiving goods or services.
Infrastructure	Fixed physical structures and facilities (e.g. buildings, roads, power supplies) needed for the operation of a community.

Term	Definition
Investment ready project	<p>Project construction is ready to commence in the immediate future and where you have:</p> <ul style="list-style-type: none"> <li>▪ the authority of the land or infrastructure owner to undertake the project at the nominated site</li> <li>▪ confirmed funding contributions from all sources and can provide formal documentation to verify those contributions with your application</li> <li>▪ identified and prepared submissions for all required regulatory and/or development approvals or have already submitted and/or obtained those approvals, finalised project designs and costings.</li> </ul>
Local government agency or body	A local governing body as defined in the <i>Local Government (Financial Assistance) Act 1995</i> (Cth).
Minister	The Commonwealth Minister for Infrastructure, Transport and Regional Development
Ministerial Panel	The panel of Ministers that make decisions on projects to be funded.
Not-for-profit (NFP)	A not-for-profit is an organisation that does not operate for the profit, personal gain or other benefit of particular people (for example, its members, the people who run it or their friends or relatives). The definition of not-for-profit applies both while the organisation is operating and if it closes down.
Payment in advance	Payments made progressively in advance based on your forecast eligible expenditure and adjusted for unspent amounts from previous payments.
Payment in arrears	Payments made progressively based on actual expenditure.
Personal information	<p>Has the same meaning as in the <i>Privacy Act 1988</i> (Cth) which is:</p> <p>Information or an opinion about an identified individual, or an individual who is reasonably identifiable:</p> <ol style="list-style-type: none"> <li>a. whether the information or opinion is true or not; and</li> <li>b. whether the information or opinion is recorded in a material form or not.</li> </ol>
Program Delegate	An AusIndustry general manager or manager within the department with responsibility for the program.
Program funding or Program funds	The funding made available by the Commonwealth for the program.

Term	Definition
Project	A project described in an application for grant funding under the program.
Project location	Where the project is undertaken, as determined by its latitude and longitude.
Project period	The time between the project start date and project end date as detailed in the grant agreement.
Project start date	The date as detailed in the grant agreement, which cannot be before grant agreement execution.
Project end date	The date as detailed in the grant agreement, which cannot be after 31 December 2023.
Total eligible project costs	This is the grant amount plus your cash contribution to be spent on eligible activities directly related to the project.
Tourism-related infrastructure project	An Infrastructure project designed to assist in mitigating the economic impact of the COVID-19 pandemic on the region's tourism industry.
Value with relevant money	The processes, actions and behaviours employed by the Australian Government and grant recipients which result in public resources being used in an efficient, effective, economical and ethical manner.

## Appendix A. Eligible expenditure

This section provides guidance on the eligibility of expenditure.

The Program Delegate makes the final decision on what is eligible expenditure in accordance with the guidelines and may give additional guidance on eligible expenditure if required.

To be eligible, expenditure must:

- be incurred by you within the project period, and
- be a direct cost of the project, or
- be incurred by you to undertake required project audit activities, and
- meet the eligible expenditure guidelines.

You can only use BBRF grant funds or cash contributions for eligible expenditure. Non-cash contributions are not eligible. For BBRF purposes, non-cash contributions have the following characteristics:

- no impact on entity cash flow
- no record in the entity's statement of financial performance.

In-kind contributions are not eligible expenditure.

### A.1 How we verify eligible expenditure

If your application is successful, we will ask you to verify the project budget that you provided in your application when we negotiate your grant agreement. You may need to provide evidence such as quotes for major costs.

The grant agreement will include details of the evidence you may need to provide when you achieve certain milestones in your project. This may include evidence related to eligible expenditure.

If requested, you will need to provide the agreed evidence along with your progress reports.

You must keep payment records of all eligible expenditure, and be able to provide evidence as to how the costs relate to the agreed project activities. At any time, we may ask you to provide records of the expenditure you have paid. If you do not provide these records when requested, the expense may not qualify as eligible expenditure.

At the end of the project, you may be required to provide an independent financial audit of all eligible expenditure from the project.

### A.2 Materials for construction

We consider costs of acquiring materials for the construction of infrastructure as eligible expenditure. Where possible, you should use sustainable, recycled or repurposed materials. You must list material costs as a separate item within your project budget in the application form and in the expenditure table in your progress reports.

We will not make any payments to you for any expenditure you have incurred prior to the execution of your grant agreement. Examples of eligible material costs can include:

- building materials
- ICT cabling
- fit out of the infrastructure, such as window dressings
- fixed furniture (e.g. kitchen fit outs as part of the construction of a building)

- landscaping.

You may show expenditure on materials by providing evidence of:

- purchase price
- payments (e.g. tax invoices and receipts from suppliers confirming payment)
- commitment to pay for the materials (e.g. supplier contract, purchase order or executed lease agreement)
- receipt of materials (e.g. supplier or freight documents)
- associated costs such as freight and installation (e.g. supplier documents)
- photographs of the infrastructure on your premises.

If you claim expenditure for materials, we limit this to:

- the costs of materials
- freight costs.

### A.3 Hired/leased plant

You may lease plant and equipment to support your project, and where possible, you should use local suppliers.

You must calculate eligible expenditure for hired, rented, or leased plant by the number of payment periods where you use the plant for the project multiplied by the period hiring fee. If you purchase plant under a hire purchase agreement, or you use a lease to finance the purchase of the plant, the cost of the item of plant, excluding interest, is capitalised, and then depreciated.

Running costs for hired or leased plant are eligible expenditure but you must be able to verify them. They may include items such as rent, light and power, and repairs and maintenance.

### A.4 Contract expenditure

Eligible contract expenditure is the cost of work undertaken on any agreed eligible project activities that you contract others to do. This can include contracting:

- another organisation
- an individual who is not an employee, but engaged under a separate contract.

This does not include existing employees that you pay a salary or a wage.

Where possible, you should engage local contractor/operators. All contractors must have a written contract prior to starting any project work—for example, a formal agreement, letter or purchase order which specifies:

- the nature of the work they perform
- the applicable fees, charges and other costs payable.

Invoices from contractors must contain:

- a detailed description of the nature of the work
- the hours and hourly rates involved
- any specific plant expenses paid.

Invoices must directly relate to the agreed project, and the work must qualify as an eligible expense. The costs must also be reasonable and appropriate for the activities performed.

We will require evidence of contractor expenditure that may include:

- an exchange of letters (including email) setting out the terms and conditions of the proposed contract work
- purchase orders
- supply agreements
- invoices and payment documents.

You must ensure all project contractors keep a record of the costs of their work on the project. We may require you to provide a contractor's records of their costs of doing project work. If you cannot provide these records, the relevant contract expense may not qualify as eligible expenditure.

#### A.5 External labour hire and external consulting expenditure

Eligible external labour and external consulting expenditure for the grant covers the cost of contracting others on the core elements of the project related to construction. Where possible, you should engage local labour and services.

Eligible external labour hire and external consulting expenditure may include:

- Architect services
- Design services
- Project management
- Quantity surveying
- Building services.

Costs for pre-construction activities including architect services, design, surveying, planning, environmental or other regulatory approvals (A.5 and A.6), are limited to 20 per cent of the total amount of eligible project expenditure claimed.

#### A.6 Other eligible expenditure

Other eligible expenditures for the project may include:

- financial auditing of project expenditure
- costs you incur in order to obtain planning, environmental or other regulatory approvals during the project period. However, associated fees paid to the Commonwealth, state, territory and local governments are not eligible.
- agreed Building Better Regions Fund signage if applicable as outlined in 12.7 of these guidelines.

Other specific expenditures may be eligible as determined by the Program Delegate in accordance with the CGRGs and Government practice.

Evidence you need to supply can include but is not limited to supplier contracts, purchase orders, invoices and supplier confirmation of payments.

## Appendix B. Ineligible expenditure

This section provides guidance on what we consider ineligible expenditure. We may update this guidance from time to time, so you should make sure you have the current version from the [business.gov.au](http://business.gov.au) website before preparing your application.

The Program Delegate may impose limitations or exclude expenditure, or further include some ineligible expenditure listed in these guidelines in a grant agreement or otherwise by notice to you.

Examples of ineligible expenditure include:

- purchase of land or existing infrastructure, including the costs associated with sub-division of land
- repair or replacement of existing infrastructure where there is no demonstrated significant increase in benefit
- purchase and installation of manufacturing equipment
- purchase of unfixated furniture, such as desks and fridges
- ongoing operating costs, including utilities
- ICT equipment, including software or hardware that is not an integral part of the funded infrastructure project
- payment of salaries for the applicant's employees
- project overhead items including office equipment, vehicles or mobile capital equipment. Examples include trucks and earthmoving equipment and the applicant's internal plant operating costs
- business case development and feasibility studies
- costs related to registered training organisation training activities
- routine operational expenses, including communications, accommodation, office computing facilities, printing and stationery, postage, legal and accounting fees and bank charges
- writing the application and reporting for the grant
- making donations, gifts and sponsorships
- pre-construction activities, including architect services, design, surveying, planning, environmental or other regulatory approvals (A.5 and A.6), that exceed 20 per cent of the total eligible project expenditure
- costs incurred prior to the execution of a grant agreement
- fees paid to the Commonwealth, state, territory and local governments to obtain planning, environmental or other regulatory approvals.

This list is not exhaustive and applies only to the expenditure of the grant funds. Other costs may be ineligible where the Program Delegate determines they do not directly support the achievement of the planned outcomes for the project or, they are contrary to the objective of the program.

You must ensure you have adequate funds to meet the costs of any ineligible expenditure associated with the project.

# **COMMUNITY HEALTH AND WELLBEING**



## **16. COMMUNITY HEALTH AND WELLBEING**

**Agenda Item: 16.1**

**Agenda Item: Latrobe City Council Disability Action Plan. Year 2 Achievements and Year 3 Priorities.**

**Sponsor: General Manager, Community Health and Wellbeing**

**Council Plan Objective: Improve the liveability and connectedness of Latrobe City.**

**Status: For Decision**

### **MOTION**

**Moved:** Cr O'Callaghan

**Seconded:** Cr Lund

**That Council endorse the Latrobe City Council Disability Action Plan Year Three Priorities 2020/2021 as detailed in Attachments 1 and 2.**

**CARRIED UNANIMOUSLY**

### **Executive Summary:**

- The Latrobe City Council Disability Action Plan 2018 – 2021 (DAP) was adopted at the Council Meeting held on 6 August 2018.
- The Latrobe City Council DAP Year Two Priorities 2019/2020 were endorsed at the Council Meeting held on 11 November 2019.
- Progress has been made under each focus area to advance inclusion of people with disability as listed in the DAP Year Two Achievements document (Attachment 1).
- The *draft DAP Year Three Priorities 2020/2021* have been developed based on a mixed model of consultation.
- The aim of the mixed model of consultation was to engage with key stakeholders, groups and individuals to identify and prioritise outstanding actions from the DAP and Year Two Priorities.
- A wide range of people in the community were offered the opportunity to have input into the *draft DAP Year Three Priorities 2020/2021*, however the consultation process was affected by COVID-19 restrictions and the severe

impact the pandemic was having on the Disability community.

- This report provides the DAP Year Two Achievements for reference, and seeks Councillor Endorsement of the *draft DAP Year Three Priorities 2020/2021* (Attachment 2).
- Of particular note, a key action under the *draft DAP Year Three Priorities 2020/2021* is for officers to explore and investigate options for creating a Latrobe City Council Disability Inclusion and Reference Committee and present draft Terms of Reference for consideration by Council.

### **Background:**

The Latrobe City Council DAP 2018 – 2021 was adopted at the Council Meeting held on 6 August 2018. The DAP was developed around the focus areas of the Living Well Latrobe Health and Wellbeing Plan. A report of the achievements from Year One was provided to Council on 11 November 2019.

The Latrobe City Council DAP Year Two Priorities 2019/2020 were developed following a community forum in July 2019 and endorsed at the Council Meeting held on 11 November 2019. There were five focus areas for Year Two:

1. Improve access to information and services.
2. Increase employment opportunities for people with disability.
3. Increase community participation of people with disability.
4. Improve transport options for people with additional requirements.
5. Focus on preventing violence against women with disability.

Progress has been made under each focus area to advance inclusion of people with disability as listed in the DAP Year Two Achievements document (Attachment 1).

The *draft DAP Year Three Priorities 2020/2021* have been developed based on a mixed model of consultation including an online survey with 19 respondents (4 people with disability, 11 staff members from disability service providers and 4 family / friends of people with disability). Discussions also took place with 4 local self-advocacy groups (totalling 24 people with disability) and 7 external stakeholders representing over 400 local people with disability, in addition to local families who have a child with disability. The stakeholder interviews represent approximately 17% coverage of disability service providers in our community. Discussions were also had with the eight (8) internal teams who have actions listed in the *draft DAP Year Three Priorities 2020/2021*.

The aim of the mixed model of consultation was to engage with key stakeholders, groups and individuals to identify and prioritise outstanding actions from the DAP and Year Two Priorities.

A wide range of people in the community were offered the opportunity to have input into the *draft DAP Year Three Priorities 2020/2021*, however the consultation process was affected by COVID-19 restrictions and the severe impact the pandemic was having on the Disability community.

What we heard:

- Latrobe Leisure and Open Spaces are the most utilised services with 89% of survey respondents selecting this option. Service Centres and Libraries are the next most utilised service with 72% of survey respondents selecting this option. Latrobe Regional Gallery / Performing Arts Centre and Events were third, with 55% and 50% respectively.
- Physical access and staff understanding / awareness were the top two barriers to accessing Council services, seconded by communication methods.  
Comments included:
  - I am unaware of any transport available to me.
  - There is no lift access to upper indoor areas at Traralgon Racing Club - as it's often bad weather on race day, we aren't able to access comfortable indoor areas.
  - Find it difficult to attend with parking and road crossings.
  - Wheelchair access at the train crossing in Moe (next to the station) is extremely dangerous. Wheelchairs can get stuck and often have to be pulled backwards over the crossing putting the support worker in danger. I believe there was an incident with a man in a scooter last year.
  - Lack of knowledge on how to deal appropriately with complex disability, invisible disability and complex mental health.
  - People with disability wish to attend and use Council facilities on the same terms as other community members - they shouldn't have to ring ahead to be accommodated.
  - Lack of suitable ramps and disabled parking.
  - Written information not always accessible for people with low literacy skills.
  - Staff attitudes to people with a disability at the Morwell Leisure Centre is extremely negative and disrespectful.
  - Wheelchair access is at times limited.
  - Sometimes staff may not fully understand the client's needs.
- People mostly receive information from Council via the website and social media, followed by the Latrobe Valley Express and flyers or letters. People expressed that they would like more information on accessible activities, a disabled community newsletter and a calendar of events in visual format.

- People aged between 15 and 64 years with disability have both lower labour force participation (53.4%) and higher unemployment rates (10.3%) than people without disability (84.1% and 4.6% respectively). There are 2.1 million Australians of working age with disability. Of these, just under half were employed (47.8%), compared with 80.3% of people without disability (source Australian Network on Disability – Disability Statistics). In 2019 only 3% of Council staff identified as having a disability. 84% of survey respondents wanted to see Council provide work experience opportunities for people with disability and 74% wanted Council to advocate to local business about the benefits of employing people with disability.
- In response to Council's Disability Discrimination Act Footpath and Parking Upgrade Program, survey respondents advised:
  - Accessing the CBD in Moe is extremely difficult as not all drivers are considerate.
  - Better disabled parking enforcement. Better control over the issuing of disabled permits as per VicRoads guidelines, blue versus green permits.
  - No footpath down one side of Dunbar Road Traralgon. Due to a large disability service provider being towards the end of Dunbar Road, the current footpath set up is not suitable. Also, there needs to be a bus stop towards the end of Dunbar Road to make public transport more accessible for people with mobility support needs.
- Survey respondents returned an 88% strong average when asked the question 'How important is it for Council to raise awareness about access & inclusion for people with disability?'
- Comments by survey respondents when asked 'How accessible is local business & services?' included:
  - Many business do not even have access for wheelchair users or may have to have the humility for using staff entrances and bathrooms.
  - Some stores are difficult to access with wheelchairs or assisting a vision impaired person get through door ways to enter.
  - Lack of understanding of how to be of assistance, how to conduct conversation, how to help when someone is in distress.
  - Huge lack of affordable community housing.
  - Taxi rank lacks weather protection.
- Key themes from external stakeholder discussions were:
  - Community events and communication methods.
  - Physical access to Council infrastructure and local business.

- Current lack of all ability sports and other physical activities for people with disabilities.
- Utilising virtual seminars in current COVID-19 climate.
- Employment for people with disabilities.
- Parking and infrastructure accessibility.

Key themes arising from consultation are in line with Absolutely Everyone - State Disability Plan 2017 – 2020 priorities and actions for achieving inclusion: inclusive communities, health, housing and wellbeing, fairness and safety and contributing lives. The *draft DAP Year Three Priorities 2020/2021* reflect these themes for the local community.

Of particular note, a key action under the *draft DAP Year Three Priorities 2020/2021* is for officers to explore and investigate options for creating a Latrobe City Council Disability Inclusion and Reference Committee and present *draft Terms of Reference* for consideration by Council. This would be as an alternative to a Latrobe Disability Network (as endorsed by Council in 2016). This committee would provide strategic advice to Council on access and inclusion of people with disability. Latrobe City Council has a Cultural Diversity Advisory Committee, Braiakaulung Advisory Committee, Youth Council and a CBD Safety Committee to address issues in these specific cohorts. People with a disability make up almost 20% of our population, in comparison to local figures of 2.6% ATSI, 22% born overseas, and approximately 12% young people aged between 10-19 years. One key stakeholder and four members of an advocacy group indicated during consultation for the *draft DAP Year Three Priorities 2020/2021* that the people with disability would like to have their voices at the table to contribute in a meaningful way. In addition, all other local governments in the region have a disability reference committee:

- Bass Coast Shire Council's Access & Inclusion Advisory Committee
- Baw Baw Shire Council Disability Advisory Committee
- South Gippsland Shire Council Access & Inclusion Advisory Group
- Wellington Access & Inclusion Advisory Group
- East Gippsland Shire Council Disability Advisory Committee

All other actions have been agreed and will form part of relevant department's ongoing business operation.

**Issues:**

***Strategy Implications***

The *draft DAP Year Three Priorities 2020/2021* align with most of the current Council Plan objectives, but specifically; Improve the liveability and connectedness of Latrobe City, Improve the amenity and accessibility of Council services, Provide a connected,

engaged and safe community environment which is improving the well-being of all Latrobe City citizens.

**Communication**

Once endorsed, the final document will be distributed to those who participated in the consultation and published on the Latrobe City Council Intranet and Website.

**Financial Implications**

All actions have been agreed and will form part of relevant department's ongoing business operation and will have no additional financial implications.

**Risk Analysis**

Identified risk	Risk likelihood*	Controls to manage risk
<p><b>Service Delivery Risk</b></p> <p>Restructure of the Active Communities &amp; Partnerships Community Development Team and allocation of ongoing work and reporting obligations.</p>	3	Management and reporting of the DAP will be incorporated into the department's business operations.
<p><b>Reputational Risk</b></p> <p>Council unsupportive of continued improvements to access &amp; inclusion of people with disability.</p>	1	Information provided within report outlining legislative requirements of Council to have a DAP.
<p><b>Legal/Regulatory Risk</b></p> <p>Council unsupportive of continued improvements to access &amp; inclusion of people with disability.</p>	1	Information provided within report outlining legislative requirements of Council to have a DAP.

\*Inherent likelihood ratings: 1 (Rare); 2 (Unlikely); 3 (Possible); 4 (Likely); 5 (Almost Certain)

**Legal and Compliance**

Public sector organisations are obligated by law to create a DAP. The Victorian Disability Act 2006 under Section 38 requires plans for the purpose of:

1. reducing barriers to persons with a disability accessing goods, services and facilities

2. reducing barriers to persons with a disability obtaining and maintaining employment
3. promoting inclusion and participation in the community of persons with a disability
4. achieving tangible changes in attitudes and practices which discriminate against persons with a disability

### ***Community Implications***

By supporting the DAP Year Three Priorities 2020/2021 Council will demonstrate leadership and contribute towards continued advancement of access and inclusion of people with disability for the community.

### ***Environmental Implications***

Nil.

### ***Consultation***

The *draft DAP Year Three Priorities 2020/2021* have been developed based on a mixed model of consultation including an online survey with 19 respondents (4 people with disability, 11 staff members from disability service providers and 4 family / friends of people with disability). Discussions also took place with 4 local self-advocacy groups (totalling 24 people with disability) and 7 external stakeholders representing over 400 local people with disability, in addition to local families who have a child with disability. The stakeholder interviews represent approximately 17% coverage of disability service providers in our community. Discussions were also had with the 8 internal teams who have actions listed in the *draft DAP Year Three Priorities 2020/2021*.

The aim of the mixed model of consultation was to engage with key stakeholders, groups and individuals to identify and prioritise outstanding actions from the DAP and Year Two Priorities.

A wide range of people in the community were offered the opportunity to have input into the *draft DAP Year Three Priorities 2020/2021*, however the consultation process was affected by COVID-19 restrictions and the severe impact the pandemic was having on the Disability community.

<b>Development 2018</b>	<b>Year 2 2019</b>	<b>Year 3 2020</b>
Extensive mapping exercise identifying 31 local disability services and 22 disability groups and networks		
<b>Advertising of survey and</b>	<b>Advertising of forum:</b>	<b>Advertising of survey:</b>

<p><b>forum:</b></p> <ul style="list-style-type: none"> <li>• Direct email to 31 disability services and 22 groups containing flyer</li> <li>• Post flyer to community groups and letterbox drop</li> <li>• Flyer distribution at Latrobe City Council Service Centers and Libraries</li> <li>• Latrobe Valley Express Noticeboard</li> <li>• Latrobe City Council Facebook Post</li> <li>• Latrobe City Council Website / Have Your Say</li> <li>• Events Calendar listing</li> <li>• Councillor Bulletin Notice</li> <li>• Direct email to Latrobe City Coordinator's Network</li> </ul>	<ul style="list-style-type: none"> <li>• Direct email to 35 disability services and groups and 20 individual community members</li> <li>• Flyer distribution at Latrobe City Council Service Centres and Libraries</li> <li>• Latrobe City Council Facebook Post</li> <li>• Events Calendar listing</li> <li>• Councillor Bulletin Notice</li> <li>• Latrobe Valley Express Noticeboard</li> </ul>	<ul style="list-style-type: none"> <li>• Direct email to 41 disability services and groups and 25 individual community members</li> <li>• Latrobe City Council Facebook Post</li> </ul>
<p><b>Community forum</b></p> <p>15 community members in attendance</p>	<p><b>Community forum</b></p> <p>16 community members in attendance</p>	<p><b>Individual conversations with external stakeholders</b></p> <ul style="list-style-type: none"> <li>• Gippsland Disability Advocacy – representing 100 local people with disability</li> <li>• Gippsport</li> <li>• Moe Life Skills – representing 40 participants</li> <li>• Latrobe Valley</li> </ul>



		<p>Enterprises – representing 84 employees with disability</p> <ul style="list-style-type: none"> <li>• Interchange – representing 178 participants</li> <li>• Noahs Ark – representing families with children (up to 12 years) who have disability</li> <li>• Victorian Advocacy League for Individuals with Disabilities (VALID) – representing 12 local people with disability</li> </ul>
<p><b>Focus Groups</b></p> <ul style="list-style-type: none"> <li>• Interchange – 16 attendees</li> <li>• Gippsland Carers</li> <li>• Baringa Special Development School</li> </ul>	<p><b>Focus Groups</b></p> <ul style="list-style-type: none"> <li>• Traralgon Wheelchair Users Group – 5 members</li> <li>• New Wave – 6 members</li> <li>• Moe Peer Action Group – 6 members</li> </ul>	<p><b>Focus Groups</b></p> <ul style="list-style-type: none"> <li>• Traralgon Wheelchair Users Group – 5 members</li> <li>• New Wave – 3 members</li> <li>• Power of Self Advocacy Group – 4 members</li> <li>• Working Together Gippsland Group – 12 members</li> </ul>
<p><b>Completed Surveys</b></p> <p>35</p>		<p><b>Completed Surveys</b></p> <p>19</p>
<p><b>Internal discussions:</b></p> <ul style="list-style-type: none"> <li>• Executive Team</li> <li>• Management</li> <li>• Co-ordinators</li> </ul>	<p><b>Internal discussions:</b></p> <ul style="list-style-type: none"> <li>• Staff from: <ul style="list-style-type: none"> <li>○ Aged &amp; Disability</li> <li>○ Human Resources</li> </ul> </li> </ul>	<p><b>Internal discussions:</b></p> <ul style="list-style-type: none"> <li>• Staff from: <ul style="list-style-type: none"> <li>○ Leisure</li> <li>○ Libraries</li> </ul> </li> </ul>

<ul style="list-style-type: none"> <li>• Officers from:             <ul style="list-style-type: none"> <li>○ Community Development</li> <li>○ Aged &amp; Disability</li> <li>○ Children &amp; Family Services</li> <li>○ Resilient Communities</li> <li>○ Assets &amp; Infrastructure</li> <li>○ Recreation</li> <li>○ Economic Development</li> <li>○ Human Resources</li> <li>○ People &amp; Culture</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>○ People &amp; Culture</li> <li>○ Civil Works</li> <li>○ Leisure</li> </ul>	<ul style="list-style-type: none"> <li>○ Events</li> <li>○ Civil Works</li> <li>○ Grants</li> <li>○ Major Projects</li> <li>○ Community Strengthening</li> <li>○ Business Development</li> </ul>
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**Declaration of Interests:**

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*.

**Supporting Documents:**


Latrobe City Council Disability Action Plan 2018 – 2021

Latrobe City Council Disability Action Plan Year Two Priorities 2019/2020

Absolutely Everyone – State Disability Plan 2017 - 2020

**Attachments**

1 [↓](#).  DAP Year Two Achievements

2 [↓](#).  DAP Year Three Priorities

## **16.1**

### **Latrobe City Council Disability Action Plan. Year 2 Achievements and Year 3 Priorities.**

<b>1</b>	<b>DAP Year Two Achievements .....</b>	<b>371</b>
<b>2</b>	<b>DAP Year Three Priorities .....</b>	<b>374</b>

# Disability Action Plan Year Two Achievements 2019/2020

## Improve access to information and services

Provided support and consulted with local self-advocacy groups to amplify their voice and assist in removing barriers for people with disability within the community, including New Wave, Power of Self Advocacy Group, VALID Moe Peer Action Group and Traralgon Wheelchair Users Group

'Welcoming Customers with Disability' training provided via two online sessions for Leisure (17 attendees) and Library staff (14 attendees)

'This is Me' presentation by Brendan Stroud - AFL Wheelchair Collingwood Captain, during Social Inclusion Week (attended by 50 Latrobe City Council staff)

Developed Auslan Interpreter Position Description (halted by COVID)

Internal Corporate Style Guide produced outlining best practice for inclusive language

Continued delivery of the Home and Community Care for Younger People & Home Support for over 65 Programs, including referring people to NDIS if eligible

Referrals provided to emergency relief providers via COVID helpline for vulnerable members of the community, including those with disabilities

Latrobe City Council Website upgrade which upholds the Web Content Accessibility Guidelines (2.0)

Supported 'Healthy Mothers Workshop' (facilitated by Association for Children with Disability) held in March with 15 participants

Purchased a Australian Network on Disability membership, and nominated an internal Executive Disability Champion to advance access and inclusion across Council

## Increase employment opportunities for people with disability

Diversity & Inclusion Committee established and Human Resources continued work on actions contained in the strategy

Produced successful application for \$20,000 funding from MAV for a Disability Work Experience Program (delivery halted by COVID)

Improved connections with local Disability Employment Services

Participation in 'Connect 50 Program' through Australian Network on Disability. No successful participants as yet, but learnings will be used for future program

Supported 'I am Ready Program' run by Baw Baw Latrobe Local Learning & Employment Network by assisting with mock interviews and related activities

### **Increase community participation of people with disability**

Consulted with the community to identify issues for consideration under the DDA Parking & Footpath Upgrade Program

Continuation of the Building Maintenance Building Renewal Program

Major Recreation projects strived for Universal Design by including 'Changing Places' facilities at Gippsland Regional Aquatic Centre, Traralgon Sports Stadium and Latrobe Performing Arts Centre

Purchased floating sling and 3 shower chairs for Morwell Leisure in response to customer feedback

Purchased first aid bed and relocated pool hoist to Yallourn North Outdoor Pool to improve accessibility for Yallourn North Primary School's Swimming Carnival

Ran a pilot program with a local mental health service to support 5 people with severe mental health issues to access Leisure facilities and an evaluation completed to support ongoing program

Provided 'The Marveloo' at the 2019 International Rose Garden Festival, making the event accessible to people with severe and profound disability, their friends, families and carers (7 positive comments and 59 likes were received from the community on Latrobe City Council's Facebook post in support)

Assisted Victoria Police run the Special Olympics Torch Parade and All Abilities Sport Activities in Moe and Traralgon with large attendance numbers in September 2019

Held a number of activities to promote International Day of People with Disability including a large event at the Moe Service Centre attended by over 100 people, an Art Exhibition from Moe Life Skills and AFL Wheelchair presentations at three local schools

Ran the Disability Access Grants Program with 34 applications, and 9 successful projects with a funding amount of \$41,408 (15 applications were referred to Community Grants Program)

Criteria added to Community Grants Program to support initiatives that increase access & inclusion for vulnerable groups

### **Improve transport options for people with additional requirements**

Supported Inclusive Public Transport Forum held in March 2020, attended by approximately 30 community members

### **Focus on preventing violence against women with disability**

Participated as an active member of the Sexual Lives Respectful Relationships Gippsland Network

**THE MARVELOO AT  
THE ROSE GARDEN FESTIVAL**



**16 DAYS OF  
ACTIVISM EVENT**



**SPECIAL OLYMPICS  
TORCH RUN TRARALGON**



## Disability Action Plan Year Three Priorities 2020/2021

Action	Responsibility	Timeline
<b>Improve access to information and services</b>		
Support and consult with local self-advocacy groups to amplify their voice to assist in removing barriers for people with disability	Community Development	Ongoing
Continue delivery of Home and Community Care for Younger People & Home Support for over 65 Programs, and make referrals for people eligible to the NDIS	Family Services	Ongoing
Provide Auslan interpreting at major events	Community Development / Events	Ongoing
Use captioning on Latrobe Leisure pre-recorded sessions	Leisure	Ongoing
Subscribe to Australian Network on Disability Membership	Community Development / Organisational Development	September 2020 – August 2021
Work with Australian Network on Disability to provide staff training opportunities	Community Development / Organisational Development	September 2020 – August 2021
Work with Australian Network on Disability to complete the Access & Inclusion Index	Whole organisation	February – August 2021
Create flyer regarding Inclusive Language and Dignified Access to display internally	Community Development	March 2021

Disability Action Plan Year Three Priorities 2020/2021 | Page 2

<b>Increase employment opportunities for people with disability</b>		
Continue actions of the Workplace Inclusion & Diversity Strategy	Human Resources	Ongoing
Continue to strengthen relationships with local Disability Employment Services	Organisational Development / Community Development	Ongoing
Establish an internal Disability Employee Network	Human Resources / Community Development	June 2021
Run MAV Work Experience Program	Community Development / Human Resources	June 2021
Participate in the Connect 50 Internship Program	Organisational Development	August 2021
Promote benefits of employing people with disabilities to local businesses	Community Development / Business Development	September 2021
<b>Increase community participation of people with disability</b>		
Carry out Access Appraisals on Latrobe City Council owned buildings and prioritise key works under Building Renewal Program	Community Development / Major Projects / Building Maintenance	Ongoing
Ensure Community Grants support applications that improve access & inclusion for people with disability	Grants	Ongoing
Further promote accessible opportunities and programs of Latrobe Leisure	Leisure	Ongoing
Deliver accessible online International Rose Garden Festival	Events	December 2020
Introduce Autism hour and Sensitive Santa at Latrobe Libraries	Libraries & Customer Service	January 2021
Offer basic Key Word Sign training for service staff	Libraries & Customer Service	June 2021
Seek opportunities to partner and advocate for All Ability Sport opportunities to run at Traralgon Sports Stadium	Community Development / Leisure	June 2021
Provide Community Groups Training with a focus on increasing membership and participation of people with disability	Community Development	June 2021
Explore and investigate options for creating a Latrobe City Council Disability Inclusion and Reference Committee and present draft Terms of Reference for consideration by Council	Community Development	October 2021
Participate in raising awareness of International Day of People with Disability	Community Development	December 2021



Disability Action Plan Year Three Priorities 2020/2021 | Page 3

<b>Improve transport options for people with additional requirements</b>		
Accessible Parking and Footpath upgrade program	Community Development / Civil Works	Ongoing
<b>Focus on preventing violence against women with disability</b>		
Participate in the Sexual Lives Respectful Relationships Gippsland Network, with a focus on local program delivery	Community Development	Ongoing
Participate in the 16 days of Activism Against Gender Based Violence, with a focus on Women with Disability	Community Development	December 2021

**Agenda Item: 16.2**

**Agenda Item: School Crossing Supervision Program Service Review**

**Sponsor: General Manager, Community Health and Wellbeing**

**Council Plan Objective: Provide a connected, engaged and safe community environment, which is improving the well-being of all Latrobe City citizens.**

**Status: For Decision**

**MOTION**

**Moved: Cr Ferguson**

**Seconded: Cr Howe**

**That Council:**

- 1. notes the service alterations effective 28 January 2021 outlined in this report;**
- 2. writes to Regional Roads Victoria to seek funding outside standard guidelines for two single crossings in small towns and six crossings on busy thoroughfares that are currently staffed at full cost to Council;**
- 3. continues to advocate to the State Government and Municipal Association Victoria State Council meeting to request that the School Crossing Program is fully funded; and**
- 4. Supports the inclusion of a road safety advocacy approach within the revised Living Well Latrobe Health and Wellbeing Plan.**

**CARRIED UNANIMOUSLY**

**Executive Summary:**

At the Ordinary Council Meeting (OCM) held on 2 March 2020, the following Motion was carried unanimously:

*That Council:*

- a) *Advocates to the State Government, in conjunction with relevant membership organisations such as Municipal Association Victoria (MAV) and Gippsland Local Government Network (GLGN), requesting that the State Government increases the amount of funding to fully fund the*

*School Crossing Program;*

- b) *Endorses the following motion to be tabled at the MAV State Council meeting on 15 May 2020:*

*That the MAV advocates on behalf of Councils by writing to the State Government, including relevant Ministers, to fully fund the School Crossing Program.*

- c) *Requests a further report to Council for consideration of all available options in the event of the earlier of the State Government's confirmation that it will not fully fund the School Crossing Program in Latrobe City or 1 February 2021; and*
- d) *Releases these resolutions to the public.*

In addition, at the OCM held on 7 December 2020, the following Notices Of Motion (NoM) were carried unanimously:

*9.1 That Council receive a report at the February 2021 Council meeting detailing:*

- a) *the most effective roadworks for slowing traffic along the main thoroughfare of Yinnar (specifically Main Street and the Jumbuck Road entry to Main Street);*
- b) *analysis of the ability to upgrade the Yinnar Primary School Main Street crossing; and*
- c) *estimated costs and funding options related to points a) and b)*
- d) *options and costs to provide a school crossing supervisor for the Yinnar School crossing including options for the provision of a school crossing supervisor immediately until a permanent arrangement can be made.*

*9.2 That Council:*

- 1. Note concerns have been raised by the community in relation to the safety of children at a number of school crossings across Latrobe City;*
- 2. Requests Officers provide a further report to inform the current school crossing concerns, challenges, resourcing requests and recognised requirements together with an overview of work that has been undertaken by officers with stakeholders; and*
- 3. Engage with State Government authorities and representatives with the view to increasing resourcing for an expansion of school crossing support and infrastructure funding across Latrobe City.*

*9.3 That Council requests:*

- 1. Officers undertake an immediate review of all Latrobe City School crossings and assess their effectiveness and make recommendations*

*on ways in which these crossings will be more effective in providing for the safety and protection of the children in Latrobe City; and*

2. *Officers provide a report on associated costs of recommendations including but not limited to the provision of additional crossing supervisors and traffic works so that council can consider these for referral to the upcoming budget.*

**Re: March 2020 Motion**

- There have been a number of challenges in relation to undertaking advocacy given the current state of the pandemic, in particular, the postponement of the MAV State Council meeting originally scheduled for May 2020 and then September 2020 and then cancelled with no further meeting date scheduled. Given this, there has been no formal correspondence issued or received regarding the ongoing funding arrangements for the program. Advocacy will recommence once the COVID crisis has somewhat abated and Officers are in a position to focus on moving this motion forward.

**Re: December 2020 NoMs**

- A separate report will be provided detailing options for NoM 9.1(a-c).
- In reference to NoM 9.1(d), as part of the ongoing review process, Officers have assessed the data and reviewed the utilisation of the program. The review identified that four of the 12 unfunded crossings no longer require a Supervisor due to low utilisation and alternative access available to the school.
- To reduce disruption across the service, yet address the identified needs, an operational decision was made to remove the crossing supervisor from Liddiard Road Traralgon and Allen Crescent Traralgon, which are the lowest utilised in the area,
- By re-directing these supervisors, staffing has been allocated to Catterick Crescent Traralgon and Main Street Yinnar effective 28 January 2021. Both of these crossings have been assessed as meeting the funding requirements the re-direction of supervisors enabled the program to respond to the identified need within the available resources and 19/20 budget allocation.
- There has been no loss of staff or considerations of redundancy required as a result of these changes due to the planned retirement of one supervisor.
- Catterick Crescent Traralgon and Main Street Yinnar will be included in the 21/22 Regional Roads Victoria (RRV) funding application.
- Council also has an option to consider a further reduction of the cost of the service to rates by making 10 unfunded crossings redundant. This option involves Council continuing to subsidise the service at a reduced service level using RRV's warrant formula to objectively evaluate the 'need' for a

supervised school crossing (I.E. pedestrians multiplied by vehicles over the period of one hour. If the formula exceeds 5,000 for a Primary School and 25,000 for a Secondary school, co-funding is granted).

This report outlines the review and interim measures undertaken until funding for the 2021/2022 financial year is approved and received from RRV.

### **Background:**

School Crossings were introduced in Victoria somewhere after World War II and were placed on roads that were frequently crossed by pedestrians during school peak times. In 1973 the Victorian Government identified the need for supervisors on these crossings following a spate of serious accidents at flagged crossings.

It remains unclear as to how or why this responsibility was initially assumed by Local Government, particularly given the absence of any legislative requirements. Since that time, the State Government has partially subsidised the school crossing supervision service by providing grant funding to the 79 local councils.

The annual subsidy is made through the 'Children's Crossing Supervisor Subsidy Scheme', administered by RRV on the financial year cycle rather than the school calendar year. It provides partial financial assistance for the provision of supervisors at crossings that meet usage warrants across the state as determined by RRV. Whilst this funding has been advertised to be 50/50; RRV have acknowledged that this has not been achieved.

The funding currently covers approximately one-third of the actual cost to deliver the service in Latrobe City. In September 2019, RRV advised officers that Council cannot apply for additional funds – even though the grant funding does not meet 50% of the service cost.

There have been a number of requests over the past five years for assessments of traffic and pedestrian counts for secondary schools; however none of these have come close to the warrants required for inclusion in the funding application.

There have also been instances over the years where for reasons unknown Latrobe City Council has placed Supervisors on crossings that do not meet the funding warrants, resulting in 12 crossings with no funding whatsoever.

In preparation for the new school year, Council Officers have undertaken a review of the data that includes counts of crossing utilisation. In summary the review identified that four of the 12 unfunded crossings do not require a Supervisor due to low utilisation and alternative access available to the school.

In late 2020, due to the resumption of schools and influenced by the social distancing requirements of COVID-19 student drop offs, the community identified that two locations (Catterick Crescent, Traralgon and Main Street, Yinnar) were experiencing high usage, but had no crossing supervisor.

Council Officers undertook utilisation counts and identified that these two locations met the warrant for a crossing Supervisor. An operational decision to re-direct Supervisors to these crossings in the new school year was made. These two crossings will be included in the 2021/2022 application to RRV.

For further details and context:

- *(Attachment 1) contains an explanatory note for attachment 1.1*
- *(Attachment 1.1) summarises the current utilisation of crossings*
- *(Attachment 2) details the rationale for the retention or redirection of supervisors including addressing safety concerns.*

As articulated in *Attachment 2*, the following crossings are staffed at full cost to rates as they do not meet RRV warrant requirements for funding:

**Moe:**

- *King Street Moe – identified in review as no longer required*
- Elizabeth Street Moe
- Fowler Street Moe

**Newborough:**

- *Durham Road Newborough – identified in the review as no longer required*
- John Field Drive (North) Newborough
- Monash Road Newborough
- Murray Road Newborough

**Morwell:**

- Commercial Road Morwell (Traffic lights @ Sacred Heart Primary)

**Small town single crossing:**

- Carnibrook Road Glengarry
- Reserve Street Yallourn North

**Traralgon:**

- Liddiard Road (South) Traralgon – Supervisor relocated
- Allen Crescent Traralgon – Supervisor relocated

A full recount of all active crossings is scheduled for end of term three 2021 to ensure that the 2022/2023 funding application to RRV contains the most accurate data.

**Issues:**

*Strategy Implications*

The School Crossing Supervision program is a discretionary service with the Latrobe City Council, meaning that this is a service that Council is not legislatively required to operate.

Whilst the service itself is not specifically stated in any of Council's policies; the delivery of the service contextually aligns and supports the following Council Plan (2017-21) objectives and strategies:

- Objective 5: Provide a connected, engaged and safe community environment, which is improving the well-being of all Latrobe City citizens.
- Strategy 14: Provide services, infrastructure and advocacy to support the health, wellbeing and safety of our community.

*Communication*

Effectuated staff have been advised of the change in locations for the 2021 school year. Contact has been made via telephone to the Department of Education and a letter has been sent to the Liddiard Road Primary School to advise that two of the four crossings servicing the school will no longer be supervised and a telephone conversation with the Liddiard Road Primary School Principal has been held.

When future changes to service levels are required based on a reduction of utilisation of a crossing evidenced by data, the Department of Education will be notified along with the effected school providing time for the Principal to provide information to the school community about alternative options for the safe arrival and collection of children and general road safety messaging within the school area.

*Financial Implications*

Council receives annual grant funding from RRV via the 'Children's Crossing Supervisor Subsidy Scheme' to partially subsidise any supervised school crossings which meet the RRV warrant criteria. There is little information available as to what this is specifically intended to cover, and discussions with RRV have indicated that it is a nominal allocation to subsidise the overall service delivery.

The level of funding provided to Council is dependent upon the level of utilisation a crossing receives at peak times, and is calculated by multiplying the number pedestrians and vehicles over a one-hour period. If the formula exceeds 5,000 for a Primary School, and 25,000 for a Secondary school, co-funding is granted.

The cost to rates per school crossing supervisor where no RRV funding is provided is approx. \$17,260 p/a.

RRV funding for a supervisor where traffic and pedestrian warrants are met is approx. \$6,904 per crossing. This leaves a shortfall of \$10,356 per funded crossing and this cost is covered by rates.

These costs do not include staff supervision and support, uniforms or training.

Relocating staff from the two redundant crossings to cover the two newly identified crossings yet to be funded, results in no change to the 2020/2021 financial year budget.

If the option to reduce staffing to funded crossings only was considered, Council would continue to subsidise only those crossings that meet the funding guideline criteria. This would result in Council administering 22 school crossings (instead of 32) – as 10 other crossings do not meet the RRV threshold.

This option presents an annual cost saving to rates of approx. \$172,600 for the 21/22 financial year as a majority of staff are currently on 1D banding @ \$17,259.39 p/a.

<b>21/22 Budget</b>	<b>RRV funding</b>	<b>Cost of Service</b>	<b>Total Cost to Rates</b>
No change to current service	\$177,800	\$581,700	\$403,900
Staff funded crossings only	\$177,800	\$409,100	\$231,300

*Risk Analysis*

<b>Identified risk</b>	<b>Risk likelihood*</b>	<b>Controls to manage risk</b>
<p><b>Service Delivery Risk</b></p> <p>There is an inherent risk when making changes to historic service delivery arrangements, however this risk needs to be weighed up against the need to be flexible and adaptable to meet the challenging financial environment while continuing to service the community</p>	4	Engage with schools to support them to educate the community on their responsibilities regarding child safety in school zones
<p><b>Financial Risk</b></p> <p>Increase in cost of program to rates</p>	2	<p>Relocating staff from one crossing to another has nil effect on the current budget</p> <p>Reducing staffing that are currently operating</p>



		<p>unfunded crossings has the potential for savings of up to \$177,600 p/a</p> <p>The cost of redundancies have not been calculated at this point in time</p>
<p><b>Reputational Risk</b></p> <p>Effected schools may disagree with the removal of staff from redundant crossings</p>	4	<p>Communicate changes with school leaders and the Dept Education</p>

\*Inherent likelihood ratings: 1 (Rare); 2 (Unlikely); 3 (Possible); 4 (Likely); 5 (Almost Certain)

#### *Legal and Compliance*

Council's legislated responsibilities require Council to maintain the infrastructure of the school crossing; however this responsibility does not extend to staffing the crossing, therefore there are no legal or compliance issues addressed in this report.

#### *Community Implications*

Where the Supervisor is removed, there may be community concern that will be managed by a partnership approach with the school.

#### *Environmental Implications*

There are no environmental implications as a result of this report.

#### *Consultation*

Officers and Councillors have been involved in many interactions with community members regarding the need to address safety around school zones for a number of months leading up to the Motion of 2 March 2020 and the NoM's raised at the 7 December OCM.

The alterations to staff locations have been discussed with effected staff members and an email to Department of Education has been followed up with official notification via a letter to the associated school and a subsequent telephone conversation with the Principal of Liddiard Road Primary School.




#### **Declaration of Interests:**

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*.

#### **Supporting Documents:**

Nil

**Attachments**

- 1 [↓](#).  Attachment 1 – explanatory note
- 2 [↓](#).  Attachment 1.1 School Crossing Program Funding Application 2021
- 3 [↓](#).  Attachment 2 Unfunded School Crossing Program Review

## **16.2**

### **School Crossing Supervision Program Service Review**

<b>1</b>	<b>Attachment 1 – explanatory note .....</b>	<b>387</b>
<b>2</b>	<b>Attachment 1.1 School Crossing Program Funding Application 2021 .....</b>	<b>388</b>
<b>3</b>	<b>Attachment 2 Unfunded School Crossing Program Review .....</b>	<b>389</b>

***Attachment 1.1 – explanatory note***

For ease of reading:

- Green lines identify funded crossings;
- Orange lines identify unfunded crossings considered for reallocation of the supervisor;
- Yellow lines identify unfunded crossings without a supervisor that now meet the VicRoads funding criteria; and
- White identifies unfunded crossings where the supervisor should be retained.

In summary, based on this review, supervisors from Liddiard Rd South Traralgon and Allen Crescent Traralgon have been redirected because:

- Liddiard Rd South Traralgon
  - 6 children AM and 6 children PM Traffic Count (232 ; 252)

Liddiard Road South crossing services Chairo Christian College, Traralgon Secondary College and Liddiard Road Primary School. This school crossing has minimal patronage due to being away from the entrances to all schools and majority of students being conveyed to school by bus. All schools in this vicinity have significant amounts of safe and accessible parking for parents.

- Allen Crescent Traralgon
  - 16 children AM and 24 PM Traffic Count (98 ; 84)

Allen Crescent services Liddiard Road Primary School. This crossing has minimal patronage due to students using busses accessed via the Shakespeare Street school crossing. The school is accessible on all entrances for safe parking. This is one of 3 crossings that service this school (both others are funded).

No.	Road Name	Nearest Intersecting Road	Name of School(s) Served	No. of Supervisors	School Type <sup>1</sup>	Crossing Type <sup>2</sup>	Hourly Ped Count (P) AM	Hourly Ped Count (P) PM	Hourly Vehicle Count (V) AM	Hourly Vehicle Count (V) PM	PxV AM	PxV PM
1	Breed St, Traralgon	Kay Street	Grey Street & St Michaels	1	P	CX	26	61	1053	1038	27378	63318
2	Liddiard Rd Sth, Traralgon (tip rd)	Shakespeare St	Traralgon East, Liddiard Rd & Chario Christian School	1	P&S	CX	6	6	232	252	1392	1512
3	Grey St, Traralgon (Blundell Hall)	Stockdale Rd	Blundell Hall Kinder, Traralgon West Campus	1	P&S	CX	38	34	993	982	37734	33388
4	Liddiard Rd Nth, Traralgon	Shakespeare St	Liddiard Rd, Traralgon East, Chairo Christian School	1	P&S	CX	24	42	570	624	13680	26208
5	West End, Grey St, Traralgon	Grubb Ave	St Gabriels, Traralgon West Camp, Cath Regional Coll	1	P&S	CX	26	15	457	503	11882	7545
6	Catterick Crescent, Traralgon	Kosciusko Street Primary School	Kosciuszko St, Catholic Regional College	1	P	CX	38	184	138	139	5244	25576
7	Kosciuszko St, Traralgon	Coster Circ	Kosciuszko St	1	P&S	CX	45	44	409	346	18405	15224
8	Stockdale Rd, Traralgon	Johnson Cres	Stockdale Rd	1	P	CX	64	107	259	227	16576	24289
9	Johnson Cres, Traralgon	Stockdale Rd	Stockdale Rd	1	P	CX	50	109	122	136	6100	14824
10	Allen Cres, Traralgon	Liddiard Rd	Liddiard Rd, Traralgon West Camp	1	P	CX	16	24	98	84	1568	2016
11	Cairnbrook Rd, Glengarry	Main St	Glengarry Primary	1	P	CX	15	8	219	224	3285	1792
12	Grey St, Traralgon	Franklin St	Grey Street & St Michaels	1	P	CX	105	153	1069	1257	112245	192321
13	Shakespeare St, Traralgon	Liddiard Rd	Traralgon East, Liddiard Rd & Cario Christian School	1	P&S	CX	69	90	610	587	42090	52830
14	King St, Moe	Elizabeth St	Elizabeth St Primary	1	P	CX	8	18	72	52	576	936
15	Elizabeth Street, Moe	King St	Elizabeth St Primary	1	P	CX	7	4	96	122	672	488
16	Wirraway St Sth, Moe	South St	South St Primary	1	P	CX	25	28	333	474	8325	13272
17	Wirraway St Nth, Moe	Lloyd St	St Kierans	1	P	CX	6	30	504	604	3024	18120
18	Lloyd St, Moe	Truscott Rd	St Kierans	1	P	CX	7	16	672	727	4704	11632
19	Fowler St, Moe	South St	South St Primary	1	P	CX	15	13	310	326	4650	4238
20	Albert St, Moe	Anzac St	Albert St Primary	1	P	CX	18	28	441	666	7938	18648
21	Haigh St, Moe	Kirk St	Albert St Primary	1	P	CX	7	13	492	582	3444	7566
22	Old Sale Rd, Newborough	John Field Drv	Newborough East, Lowanna College	1	P&S	CX	95	213	657	732	62415	155916
23	John Field Drv Sth, Newborough	Old Sale Rd	Newborough East, Lowanna College Nth	1	P&S	IS	17	12	387	440	6579	5280
24	John Field Drv Nth, Newborough	Old Sale Rd	Newborough East, Lowanna College Sth	1	P&S	IS	15	11	312	398	4680	4378
25	Monash Rd, Newborough	Law St	St Mary's	1	P	CX	8	12	245	300	1960	3600
26	Murray Rd, Newborough	Durham St	Newborough, St Mary's	1	P	CX	17	24	96	91	1632	2184
27	Durham Rd, Newborough	Murray Rd	Newborough, St Mary's	1	P	CX	15	26	74	66	1110	1716
28	Reserve St, Yall Nth	Third St	Yallourn North Primary	1	P	CX	23	35	80	104	1840	3640
29	Vary St, Morwell	Hourigan Rd	Morwell Park	1	P	CX	36	49	313	388	11268	19012
30	Princes Drive, Morwell	McDonald St	Sacred Heart	1	P	POS	8	17	799	933	6392	15861
31	Commercial Rd, Morwell	McDonald St	Sacred Heart	1	P	IS	8	9	501	423	4008	3807
32	The Boulevard, Morwell	The Avenue	Kurnai College	1	S	CX	14	36	168	183	2352	6588
33	McDonald St, Morwell	Holmes Rd	Morwell Central Primary	1	P	CX	48	43	498	541	23904	23263
34	Yinnar	Yinnar Road	Yinnar Primary School	1	P	CX	35	98	179	288	6265	28224

Crossing location	Colour Code	Background	Recommendation
Liddiard Rd South – Traralgon  Line 2	Orange	Liddiard Road South Crossing services Chairo Christian College, Traralgon Secondary College and Liddiard Road Primary School. This School Crossing has minimal patronage due to being away from the entrances to all schools and majority of students being conveyed to school by bus. All schools in this vicinity have significant amounts of safe and accessible parking for parents.	Removal of unfunded supervisor
Catterick Crescent – Traralgon  Line 6	Yellow	This crossing will form part of our 21-22 funding application to VicRoads. Crossing meets and exceeds numbers for funding application. Strong public pressure to allocate a supervisor here.  The change on this crossing has come about by the school redesign which sees the main entrance on this street as well as Council restoring the car park at the basketball stadium which parents are using for parking.  This school is serviced by a staffed crossing on Kosciuszko Street that meets funding requirements.	Allocate supervisor from redundant location
Allen Crescent – Traralgon  Line 10	Orange	Allen Crescent services Liddiard Road Primary School. Minimal patronage due to students using busses accessed via the Shakespeare Street School Crossing.  School is accessible on all entrances for safe parking.  This is one of 3 crossings that service this school (both others are funded).	Removal of unfunded supervisor

Cairnbrook Road Glengarry  Line 11	White	This crossing services Glengarry Primary School and is the only crossing servicing the town & is on busy thoroughfare.	No change
King St – Moe  Line 14	Orange	This crossing services the Elizabeth Street Primary School. Crossing is in a back street and has low numbers due to students exiting via the unstaffed crossing (X2) at the front entrances to the school.  There is ample safe parking at the southern entrances to the school for parents to conduct pickups and this crossing is not used for student pickups.	Removal of unfunded supervisor
Elizabeth St – Moe  Line 15	White	This crossing services the Elizabeth Street Primary School and is on a busy thoroughfare.  Recommend leaving this resource in place given the number of issues historically in the area and Council's recent investment in the relocation of the crossing.	No change
Fowler St – Moe  Line 19	White	This crossing services South Street Primary School and is on a busy thoroughfare.  Road works adding a round-a-bout in area has already reduced two crossings to one	No change
John Field Drive North – Newborough  Line 24	White	This crossing services the Newborough East primary school and is on a stretch of road with an 80km/h speed limit.	No change
Monash Rd – Newborough  Line 25	White	This crossing services St Marys. Location of crossing is on busy road at school car park entrance with high number of cars using the car park	No change
Murray Road- Newborough	White	This crossing services the Newborough Primary School and adjacent kindergarten.	No change

Line 26		Using the main entrance to the school, parents and students often cross here as a link between school and the kindergarten and kindergarten car park.	
Durham Road – Newborough  Line 27	Orange	This crossing services Newborough Primary School and is one of two unfunded crossings here.  Ample safe parking for parents along 3 sides of school, most patronage is from parents parking in side streets crossing to collect their children from the school side gate.	Removal of unfunded supervisor
Reserve Street – Yallourn North  Line 28	White	This crossing services the Yallourn North Primary School. This is the only crossing staffed servicing Yallourn North.	No change
Commercial Road – Morwell  Line 31	White	This crossing services Sacred Heart Primary School is unfunded due to low pedestrian volume.  Crossing is a traffic light managed crossing at the crest of a hill. Students cross here to get to Princes Drive Crossing which is funded.  Princes Drive crossing has the same low pedestrian volume however is funded due to high vehicle volume.	No change
Yinnar Road – Yinnar  Line 34	Yellow	There is existing infrastructure of a School Crossing here. Recent counts show this area well exceeds funding warrants. It is intended that this will form part of the 21-22 funding application for a supervisor.	Allocate supervisor from redundant location



# **ORGANISATIONAL PERFORMANCE**

## 17. ORGANISATIONAL PERFORMANCE

Agenda Item: 17.1

Agenda Item: Quarterly Budget Report - December 2020

Sponsor: General Manager, Organisational Performance

Council Plan Objective: Ensure Council operates openly, transparently and responsibly.

Status: For Information

### **MOTION**

Moved: Cr Clancey

Seconded: Cr Law

**That Council receives and notes the Quarterly Budget Report for the six months ended 31 December 2020, prepared in accordance with the requirements of the *Local Government Act 2020*.**

**CARRIED UNANIMOUSLY**

### **Executive Summary:**

- The December 2020 Budget Report is presented for Council's consideration.
- This report meets the requirements of the *Local Government Act 2020 (the Act)* to present a quarterly budget report to Council as soon as practicable after the end of each quarter of the financial year.
- The report shows that Council overall is operating within the parameters of its adopted budget with most variances relating to carry forward funds from the previous year and the timing of revenue and expenditure within the current financial year.
- The report forecasts a surplus result for the full financial year of \$18.7M which is a favourable variance of \$2.7M to the original budget. It is important to note that surplus amounts shown in the Income Statement are required to be generated to enable Council to invest in new assets and to upgrade and expand existing assets along with enabling Council to repay its borrowings.
- The forecasted surplus result in 2020/21 is largely generated by Government grants for capital works \$33.6M for which the associated expenditure is not included in the "Comprehensive Income Statement" but is reported directly to

the balance sheet and is also reflected in the Statements of Cash Flow and Capital Works.

- Based on the results of the first six months of the financial year it is the Chief Executive Officer's recommendation that none of the three criteria for the preparation of a revised budget under section 95 of *the Act* exist nor are they required.
- The report is provided for Council's information.

**Background:**

Under Section 97 (1) of *the Act*, as soon as practicable after the end of each quarter of the financial year, the Chief Executive Officer must ensure that a quarterly budget report is presented to the Council at a Council meeting which is open to the public. This report ensures compliance with this legislative requirement.

Section 97 (3) of the Act adds "In addition, the second quarterly report of a financial year must include a statement by the Chief Executive Officer as to whether a revised budget is, or may be, required."

Furthermore under Section 95 (1) of *the Act* a Council must prepare and adopt a revised budget before the Council—

- (a) can make a variation to the declared rates or charges; or
- (b) can undertake any borrowings that have not been approved in the budget; or
- (c) can make a change to the budget that the Council considers should be the subject of community engagement.

The attached report as at 31 December 2020 is provided for the information of Council and the community. The financial report compares budgeted income and expenditure with actual results for the first quarter of the financial year. The key issues of note are:

- The "Comprehensive Income Statement" report forecasts a surplus result for the full financial year of \$18.7M which is a favourable variance of \$2.7M to the original budget. It is important to note that surplus amounts shown in the Income Statement are required to be generated to enable Council to invest in new assets and to upgrade and expand existing assets along with enabling Council to repay its borrowings. The forecasted surplus result is largely generated by Government grants for capital works \$33.6M. In accordance with the requirements of the Australian Accounting Standards the expenditure associated with these grants (i.e. Capital expenditure) is not included in the "Comprehensive Income Statement" but is reported directly to the balance sheet under the "Property, Infrastructure, Plant and Equipment" assets classification and is also reflected in the Statements of Cash Flow and Capital Works.

- The “Balance Sheet” shows that Council maintains a strong liquidity position with \$146.6M in current assets compared to \$22.6M current liabilities (a liquidity ratio of 6.5:1).
- The “Statement of Cash Flows” shows that Council has \$85.8M in Cash and Financial assets (i.e. investments). The level is higher than anticipated due to carry forward funds from previous financial years including capital works, reserves funds and government grants advanced earlier than expected.
- The “Capital Works Statement” shows a forecast expenditure of \$85.8M compared to the budget of \$80.1M. The variance is mainly a result of expenditure expected to be carried over from 2019/20 for some projects to be completed in the 2020/21 financial year together with additional unbudgeted government grant funding received.
- The “Financial Performance Ratios’ indicate that Council remains within the industry expected ranges.

Further details on these and other items are provided in the attached report including year to date and full year forecast income and expenditure variances and explanations, balance sheet and cash flow movements to date, capital works expenditure to date and full year forecasts, together with the financial performance ratios as per the Local Government Performance Reporting Framework (LGPRF).

Based on the results of the first six months of the financial year, it is the Chief Executive Officer’s recommendation that none of the three criteria for the preparation of a revised budget under section 95 of *the Act* exist nor are they required. As follows;

- (a) there is no requirement to vary the declared rates or charges; and
- (b) there is no requirement to undertake any new borrowings that have not been approved in the budget; and
- (c) there are no changes proposed to the budget that in Management’s opinion should be the subject of community engagement.

**Issues:**

*Strategy Implications*

This report provides information to the Council and community on how Council is performing against its adopted budget and supports the Council Plan objective of ensuring openness, transparency and responsibility.

*Communication*

No consultation required.

*Financial Implications*

The attached report provides details of budget variances for the year to date and the forecasted full financial year. The result indicates that Council remains in a strong

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financial position and has sufficient funds to meet current and forecast financial commitments.

*Risk Analysis*

This report ensures legislative requirements are met and informs Council as to whether it is acting within the parameters of its Adopted Budget.

*Legal and Compliance*

This report meets the requirements of the Section 97 of *the Act*.

*Community Implications*

Not applicable.

*Environmental Implications*

Not applicable.

*Consultation*

Not applicable.

*Other*

Not applicable.

**Declaration of Interests:**

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*.

**Supporting Documents:**

2020/21 Annual Budget

**Attachments**

1   Quarterly Budget Report 2020

# 17.1

## **Quarterly Budget Report - December 2020**

<b>1</b>	<b>Quarterly Budget Report 2020 .....</b>	<b>398</b>
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# Quarterly Budget Report December 2020



*In 2026 the Latrobe Valley is a liveable and sustainable region with collaborative and inclusive community leadership.*

# Quarterly Finance Report

## December 2020



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## **December 2020 Quarterly Budget Report Summary**

### **KEY ISSUES**

The attached report provides the overall outcomes to the end of the third quarter of the 2019/2020 financial year together with forecasted year end results compared to budget. The key issues of note are:

- The "Income Statement" report forecasts a surplus result for the full financial year of \$18.7M which is an favourable variance of \$2.7M to the original budget.
- The "Balance Sheet" shows that Council maintains a strong liquidity position with \$146.6M in current assets compared to \$22.6M current liabilities (a liquidity ratio of 6.5:1).
- The "Statement of Cash Flows" shows that Council has \$84.6M in Cash and Financial assets (i.e. investments). The level is higher than anticipated due to carry forward funds from previous financial years including capital works, reserves funds and government grants advanced earlier than expected.
- The "Capital Works Statement" shows a forecast expenditure of \$85.8M compared to the budget of \$80.1M. The variance is mainly a result of expenditure expected to be carried over from 2019/20 for some projects to be completed in the 2020/21 financial year together with additional unbudgeted government grant funding received.
- The "Financial Performance Ratios" indicate that Council remains within the industry expected ranges.

### **BACKGROUND**

Under the provisions of the *Local Government Act 2020 Section 97 (1) (the Act)*, As soon as practicable after the end of each quarter of the financial year, the Chief Executive Officer must ensure that a quarterly budget report is presented to the Council at a Council meeting which is open to the public.

In addition Section 97(3) of *the Act* states that the second quarterly report of a financial year must include a statement by the Chief Executive Officer as to whether a revised budget is, or may be, required.

Under section 95 (1) of *the Act* ;

A Council must prepare and adopt a revised budget before the Council—

- (a) can make a variation to the declared rates or charges; or
- (b) can undertake any borrowings that have not been approved in the budget; or
- (c) can make a change to the budget that the Council considers should be the subject of community engagement.

### **INCOME STATEMENT ANALYSIS**

#### **Overview**

The surplus amounts shown in the Income Statement are required to be generated to enable Council to invest in new assets and to upgrade and expand existing assets. They also enable Council to repay its borrowings. On a cash basis Council budgets for a break even result, with any cash remaining at year end required to meet current and future liabilities together with current commitments. Therefore any variances to budget in the operating result are generally caused by changes in non-cash items (e.g. depreciation), variances in grants and monetary contributions for capital works and expenditure that is funded from revenue that has been received in a previous financial year. At the end of the 2019/20 financial year Council held \$108.9M in cash and other financial assets (i.e. cash based investments with a maturity term greater than 90 days) which was \$19.2M favourable to budget largely due to funds generated that had not yet been spent for ongoing projects and commitments.

The "Income Statement" report forecasts a surplus result for the full financial year of \$18.7M which is an favourable variance of \$2.7M to the original budget. This result is due to a number of variances with a forecast increase in income of \$14.0M and additional expenditure of \$9.3M. The increased income is mainly a result of capital grants largely due to timing variances related to funds that were expected to be received in the 2019/20 financial year e.g. Latrobe Creative Precinct, Gippsland Regional Aquatic Centre and Morwell Recreation Reserve. The forecasted additional expenditure in materials and services (\$11.6M) is primarily a result of funding carried forward relating to works funded but not completed in 2019/20 together with unbudgeted government grants to be received in 2020/21.

## **December 2020 Quarterly Budget Report Summary**

### **Year to date**

The year to date result shows an operating position of \$58.464M surplus which is \$6.832M favourable to budget. The key items that make up this variance are as follows;

- Grants - Capital - (\$4.010M favourable) mainly related to funding for Latrobe Valley Sports and Community Initiative \$2.684M, Gippsland Logistics Precinct \$0.324M, Yinnar Hall \$0.234M, Monash Reserve \$0.200M, Kath Teychenne Centre \$0.193M and Future Morwell Commercial Road \$0.142M. In addition unbudgeted grant funds have been received for the Local Roads and Community Infrastructure program \$0.850M, Latrobe Leisure Churchill structural remediation & squash courts \$0.300M and a number of other smaller projects. These variances have been partially offset by an unfavourable timing variance in receipt of grant funding for the Latrobe Creative Precinct \$1.284M.
- User Fees (\$1.842M unfavourable) mainly due to COVID shutdowns and restrictions on council services. Latrobe Leisure programs \$1.045M, pre-school & pre-kinder \$0.294M (funded by state government) and aged Care services \$0.223M. In addition the budget did not allow for Council's transition out of the family day care program which accounts for \$0.221M of the variance which will be offset by decreased expenditure.
- Materials and Services (\$2.913M favourable) mainly due to savings as a result of Council programs that have been shutdown or restricted as a result of the COVID response measures e.g. Latrobe Leisure \$0.329M and creative venues, events and tourism \$0.293M together with various timing variances across the organisation.

### **Full year forecast**

The full year forecasted result shows an operating surplus of \$18.710M which is an \$2.655M unfavourable variance to the adopted budget. The key items that make up this variance are as follows;

- Grants – Capital (\$13.817M favourable) largely due to timing variances mainly related to funding for Latrobe Valley Sports and Community Initiative projects \$4.636M, Latrobe Creative Precinct \$2.990M, Future Morwell Commercial Road \$0.593M together with various other smaller amounts. In addition unbudgeted grant funds have been received for the Local Roads and Community Infrastructure program \$1.700M, the Safe Traffic in Local Streets program \$1.159M, Latrobe Leisure Moe Newborough multi purpose facility \$0.750M, Federal Blackspot Program \$0.737M and a number of other smaller projects. These variances have been partially offset by an unfavourable timing variance in receipt of grant funding for the Gippsland Logistics Precinct \$1.284M.
- Grants – Operating (\$2.852M favourable) mainly due to unbudgeted/increased grants for Working for Victoria \$2.216M, Flynn Hall \$2.000M, sports lighting projects \$1.682M, car parks early works package \$1.025M, Yinnar South bushfire recovery \$0.768M, pre school program (replaces parent fees) \$0.641M, outdoor eating package \$0.500M, Traralgon South tennis/netball courts \$0.341M, major recreation projects project directors office \$0.250M, and various other business development grants \$0.283M. These have been partially offset by unfavourable variances for the State Government advancing \$6.750M of the 2020/21 Grants Commission funding to Council in the 2019/20 financial year.
- User Fees (\$2.642M unfavourable) mainly due to COVID shutdowns and restrictions on council services. Latrobe Leisure programs \$1.211M, pre-School & pre-Kinder \$0.556M (funded by state government) and aged care services \$0.280M. In addition the budget did not allow for Council's transition out of the Family Day Care Program which accounts for \$0.588M of the variance which will be offset by decreased expenditure.
- Employee Costs (\$1.658M unfavourable) mainly as a result of the unbudgeted state government funded Working for Victoria Program \$2.730M. This is largely offset by lower wages costs in leisure facilities \$0.816M, aged care \$0.444M, creative venues, events and tourism \$0.235M largely as a result of the impacts of COVID, together with various other staff vacancies across the organisation. sult of the state government funded Working for Victoria Program \$2.734M) which was not included in the budget.
- Materials and Services (\$9.289M unfavourable) mainly due to unexpended funds carried over from the 2019/20 financial year to complete projects in 2020/21, combined with expenditure associated with unbudgeted government grant funding e.g. Flynn Hall \$1.252M, Outdoor Eating package \$0.496M, Startup Gippsland \$0.424M.

## **December 2020 Quarterly Budget Report Summary**

### **BALANCE SHEET**

The significant movements in the balance sheet over the first two quarters were as follows;

- Cash and Cash Equivalents together with Other Financial Assets (i.e. investments). The overall reduction of \$19.918M is mainly due to expenditure of funds carried over from prior financial years, together with the profile of receipt of rates income being minimal in the first half of the year.
- Trade and Other receivables (\$52.965M increase) this is primarily due to the annual rates notices being raised in the first quarter and is part of the normal pattern. This amount will continue to reduce as rate payments are received over the remainder of the year in line with the quarterly instalment and full payment due dates.
- Other Assets (\$2.086M decrease) is primarily due to prepayments and accrued revenue as at 30 June 2020 having now been reversed/received in the current financial year.
- Property, Infrastructure, Plant and Equipment (\$15.528M increase) total capital expenditure has exceeded depreciation to date as expected due to the large capital works program in 2020/21.
- Payables (\$20.078M decrease) is primarily due to amounts that were outstanding to suppliers and grants that were received in advance as at 30 June 2020. These amounts have now been paid/recognised in the current financial year.
- Provisions Landfill - current (\$1.712 decrease) reflects current year expenditure on landfill rehabilitation.
- Interest bearing liabilities non-current (\$5.000M increase) relates drawdown of borrowings for the Gippsland Regional Aquatic Facility.

### **STATEMENT OF CASH FLOWS**

The budgeted cash & cash equivalent investments at the beginning of the year was \$89.7 million, the actual opening balance was \$108.9 million. The additional \$19.2 million was largely the result of higher than anticipated surplus funds and carry forward funding for capital and operational projects and programs. Total Cash and financial assets (investments) as at the end of December stand at \$84.6M which represents a net outflow cash movement of \$24.3M from the start of the financial year.

### **STATEMENT OF CAPITAL WORKS**

The statement of capital works includes all expenditure that is expected to be capitalised during the financial year, it excludes some amounts which for "Accounting" purposes are not capitalised e.g. Landfill Rehabilitation which is a reduction in a provision liability and other items which are included in operating expenditure e.g. Community Minor Capital Grants Program.

As at the 31 December 2020 Council had spent \$29.712M on capital works mostly on Property (land & buildings) \$19.974M and Infrastructure projects \$8.774M (including Roads projects \$5.106M). Full year forecasted capital expenditure is \$85.824M compared to the budget of \$80.060M. This is mainly a result of funds carried forward from 2019/20 and additional government funding received for various programs e.g. Local Roads and Community Infrastructure program.

### **FINANCIAL PERFORMANCE RATIOS**

The final part of the report is the Financial Performance Ratios as per the *Local Government Performance Reporting Framework (LGPRF)*. The results of the financial year to date show that Council is expected to remain within the expected ranges by the end of the financial year. Some of the ratios when measured part way through the year will fall outside the ranges in the year to date figures purely because they are designed to look at an annual result.

**COMPREHENSIVE INCOME STATEMENT**

For The Quarter Ended 31 December 2020

		YTD Actual	YTD Budget	Variance YTD	Variance	Full Year	Annual	Variance
	NOTE	\$'000	\$'000	Act/Bud	Type	Forecast	Budget	Annual
				\$'000	(P)ermanent/ (T)iming	\$'000	\$'000	Budget /Forecast \$'000
<b>INCOME</b>								
Rates and charges	1	81,708	81,359	349	P	81,667	81,377	290
Statutory fees and fines	2	892	848	44	P	2,152	2,126	26
User fees	3	4,117	5,959	(1,842)	P	9,634	12,277	(2,642)
Grants - operating	4	16,818	17,153	(335)	T	28,126	25,274	2,852
Grants - capital	5	11,763	7,752	4,010	P	33,551	19,734	13,817
Contributions - monetary	6	538	38	500	P	429	90	338
Contributions - non monetary	7	0	0	0	P	4,000	4,000	0
Net gain (loss) on disposal of property, infrastructure, plant and equipment	8	60	0	60	T	0	0	0
Other income	9	1,487	1,970	(483)	P	3,047	3,707	(660)
<b>TOTAL INCOME</b>		<b>117,383</b>	<b>115,078</b>	<b>2,305</b>		<b>162,605</b>	<b>148,585</b>	<b>14,020</b>
<b>EXPENSES</b>								
Employee costs	10	27,538	28,026	487	T	61,688	60,030	(1,658)
Materials and services	11	14,977	17,890	2,913	T	46,505	37,216	(9,289)
Bad and doubtful debts	12	0	0	(0)	T	10	9	(2)
Depreciation	13	14,141	14,912	770	T	29,772	29,823	51
Amortisation - intangible assets	14	318	306	(12)	P	624	612	(12)
Amortisation - right of use assets	15	20	0	(20)	P	39	0	(39)
Borrowing costs	16	148	332	184	T	621	651	30
Finance costs - leases	17	17	0	(17)	P	29	0	(29)
Other expenses	18	1,758	1,980	222	T	4,606	4,189	(417)
<b>TOTAL EXPENSES</b>		<b>58,919</b>	<b>63,446</b>	<b>4,527</b>		<b>143,895</b>	<b>132,530</b>	<b>(11,365)</b>
<b>SURPLUS (DEFICIT) FOR THE YEAR</b>		<b>58,464</b>	<b>51,632</b>	<b>6,832</b>		<b>18,710</b>	<b>16,055</b>	<b>2,655</b>

**NOTES TO THE COMPREHENSIVE INCOME STATEMENT - Year to Date and Full Year Variances****1. Rates and charges****Year to Date - \$0.349M Favourable**

Higher than expected rates raised from supplementary valuations.

**Full Year - \$0.290M Favourable**

Higher than expected rates raised from supplementary valuations.

**2. Statutory fees and fines****Year to Date - \$0.044M Favourable**

Minor variance.

**Full Year - \$0.026M Favourable**

Minor variance.

**3. User fees****Year to Date - (\$1.842M) Unfavourable**

Lower than expected fees & charges mainly due to COVID shutdowns and restrictions on council services. Latrobe Leisure programs \$1.045M, pre-school & pre-kindergarten \$0.294M (funded by state government) and aged Care services \$0.223M. In addition the budget did not allow for Council's transition out of the family day care program which accounts for \$0.221M of the variance which will be offset by decreased expenditure.

**Full Year - (\$2.642M) Unfavourable**

Lower than expected fees & charges mainly due to COVID shutdowns and restrictions on council services. Latrobe Leisure programs \$1.211M, pre-School & pre-Kindergarten \$0.556M (funded by state government) and aged care services \$0.280M. In addition the budget did not allow for Council's transition out of the Family Day Care Program which accounts for \$0.588M of the variance which will be offset by decreased expenditure.

**4. Grants - operating****Year to Date - (\$0.335M) Unfavourable**

The unfavourable variance is mainly due to the State Government advancing \$6.750M of the 2020/21 Grants Commission funding to Council in the 2019/20 financial year and other timing variances e.g. libraries \$0.529M. These have been partially offset by favourable variances for unbudgeted grants for Working for Victoria \$1.773M, Flynn Hall \$1.000M, sports lighting projects \$1.048M, car parks early works package \$0.700M, pre school program (replaces parent fees) \$0.602M, Yinnar South bushfire recovery \$0.535M, outdoor eating package \$0.500M, major recreation projects project directors office \$0.250M, Traralgon South tennis/netball courts \$0.238M and various other business development grants \$0.180M.

**Full Year - \$2.852M Favourable**

The favourable variance is mainly due to unbudgeted/increased grants for Working for Victoria \$2.216M, Flynn Hall \$2.000M, sports lighting projects \$1.682M, car parks early works package \$1.025M, Yinnar South bushfire recovery \$0.768M, pre school program (replaces parent fees) \$0.641M, outdoor eating package \$0.500M, Traralgon South tennis/netball courts \$0.341M, major recreation projects project directors office \$0.250M, and various other business development grants \$0.283M. These have been partially offset by unfavourable variances for the State Government advancing \$6.750M of the 2020/21 Grants Commission funding to Council in the 2019/20 financial year.

**NOTES TO THE INCOME STATEMENT - Year to Date and Full Year Variances****5. Grants - capital****Year to Date - \$4.010M Favourable**

The favourable variance is largely due to timing variances mainly related to funding for Latrobe Valley Sports and Community Initiative \$2.684M, Gippsland Logistics Precinct \$0.324M, Yinnar Hall \$0.234M, Monash Reserve \$0.200M, Kath Teychenne Centre \$0.193M and Future Morwell Commercial Road \$0.142M. In addition unbudgeted grant funds have been received for the Local Roads and Community Infrastructure program \$0.850M, Latrobe Leisure Churchill structural remediation & squash courts \$0.300M and a number of other smaller projects. These variances have been partially offset by an unfavourable timing variance in receipt of grant funding for the Latrobe Creative Precinct \$1.284M.

**Full Year - \$13.817M Favourable**

The favourable variance is largely due to timing variances mainly related to funding for Latrobe Valley Sports and Community Initiative projects \$4.636M, Latrobe Creative Precinct \$2.990M, Future Morwell Commercial Road \$0.593M together with various other smaller amounts. In addition unbudgeted grant funds have been received for the Local Roads and Community Infrastructure program \$1.700M, the Safe Traffic in Local Streets program \$1.159M, Latrobe Leisure Moe Newborough multi purpose facility \$0.750M, Federal Blackspot Program \$0.737M and a number of other smaller projects. These variances have been partially offset by an unfavourable timing variance in receipt of grant funding for the Gippsland Logistics Precinct \$1.396M.

**6. Contributions - monetary****Year to Date - \$0.500M Favourable**

The favourable variance mainly a result of the higher than expected receipt of contributions for public open space, street trees and future infrastructure works from property developers.

**Full Year - \$0.338M Favourable**

The favourable variance mainly a result of the higher than expected receipt of contributions for public open space, street trees and future infrastructure works from property developers.

**7. Contributions - non monetary****Year to Date - \$0.000M Nil Variance**

No variance.

**Full Year - \$0.000M Nil Variance**

No variance identified to date.

**8. Net gain (loss) on disposal of property, infrastructure, plant and equipment****Year to Date - \$0.060M Favourable**

Minor gain to date on disposal of plant and vehicles.

**Full Year - \$0.000M Nil Variance**

At this stage no variance is forecasted for the full year

**9. Other income****Year to Date - (\$0.483M) Unfavourable**

The unfavourable variance is primarily due to current low interest rates resulting in decreased interest on investments income \$0.429M and reduced kiosk sales in Latrobe Leisure due to COVID closures \$0.214M. These have been partially offset by unbudgeted reimbursements \$0.145M.

**Full Year - (\$0.660M) Unfavourable**

The unfavourable variance is primarily due to low interest rates resulting in decreased interest on investments \$0.800M, and reduced kiosk sales in Latrobe Leisure due to COVID closures \$0.248M. These have been partially offset by unbudgeted reimbursements \$0.335M.

**NOTES TO THE INCOME STATEMENT - Year to Date and Full Year Variances****10. Employee costs****Year to Date -****\$0.487M Favourable**

The variance is mainly due to lower wages in leisure facilities \$0.646M, aged care \$0.444M and creative venues, events and tourism \$0.235M largely as a result of the impacts of COVID, together with various other staff vacancies across the organisation. These variances are partially offset by wages under the unbudgeted state government funded Working for Victoria Program \$1.578M which were not included in the budget.

**Full Year -****(\$1.658M) Unfavourable**

The additional expenditure is mainly as a result of the unbudgeted state government funded Working for Victoria Program \$2.730M. This is largely offset by lower wages costs in leisure facilities \$0.816M, aged care \$0.444M, creative venues, events and tourism \$0.235M largely as a result of the impacts of COVID, together with various other staff vacancies across the organisation.

**11. Materials and services****Year to Date -****\$2.913M Favourable**

The favourable variance is mainly due to savings as a result of Council programs that have been shutdown or restricted as a result of the COVID response measures e.g. Latrobe Leisure \$0.329M and creative venues, events and tourism \$0.293M together with various timing variances across the organisation.

**Full Year -****(\$9.289M) Unfavourable**

The unfavourable variance is mainly due to unexpended funds carried over from the 2019/20 financial year to complete projects in 2020/21, combined with expenditure associated with unbudgeted government grant funding e.g. Flynn Hall \$1.252M, Outdoor Eating package \$0.496M, Startup Gippsland \$0.424M.

**12. Bad and doubtful debts****Year to Date -****(\$0.000M) Unfavourable**

No variance.

**Full Year -****(\$0.002M) Unfavourable**

Minor variance.

**13. Depreciation****Year to Date -****\$0.770M Favourable**

Variance mainly due to later than expected capitalisation of some new facilities in Council's capital works program.

**Full Year -****\$0.051M Favourable**

Minor variance.

**14. Amortisation - intangible assets****Year to Date -****(\$0.012M) Unfavourable**

Minor variance.

**Full Year -****(\$0.012M) Unfavourable**

Minor variance.

**15. Amortisation - right of use assets****Year to Date -****(\$0.020M) Unfavourable**

Minor variance. New accounting requirement was not included in the budget.

**Full Year -****(\$0.039M) Unfavourable**

Minor variance. New accounting requirement was not included in the budget.

**NOTES TO THE INCOME STATEMENT - Year to Date and Full Year Variances****16. Borrowing costs****Year to Date - \$0.184M Favourable**

Reduced loan repayments due to later than expected drawdown of 2019/20 loan funds for the Gippsland Regional Aquatics Facility.

**Full Year - \$0.030M Favourable**

Reduced loan repayments due to later than expected drawdown of 2019/20 loan funds for the Gippsland Regional Aquatics Facility.

**17. Finance costs - leases****Year to Date - (\$0.017M) Unfavourable**

Minor variance. New accounting requirement was not included in the budget.

**Full Year - (\$0.029M) Unfavourable**

Minor variance. New accounting requirement was not included in the budget.

**18. Other expenses****Year to Date - \$0.222M Favourable**

The favourable variance is mainly due to later than expected timing of payment for the EPA landfill levy quarterly instalment.

**Full Year - (\$0.417M) Unfavourable**

The unfavourable variance is mainly due to unexpended community grants funds carried over from the 2019/20 financial year to be paid out in 2020/21.



**COMPARISON TO PREVIOUS FINANCIAL YEAR**  
For the corresponding December quarter

	2020/21			2019/20		
	YTD Actuals	YTD Budgets	Variance YTD Act/Bud	YTD Actuals	YTD Budgets	Variance YTD Act/Bud
<b>INCOME</b>						
Rates and charges	81,708	81,359	349	80,541	80,237	303
Statutory fees and fines	892	848	44	814	1,069	(256)
User fees	4,117	5,959	(1,842)	6,549	5,834	716
Grants - operating	16,818	17,153	(335)	11,721	10,056	1,665
Grants - capital	11,763	7,752	4,010	25,613	12,497	13,117
Contributions - monetary	538	38	500	81	38	44
Contributions - non monetary	0	0	0	0	0	0
Net gain (loss) on disposal of property, infrastructure, plant and equipment	60	0	60	191	0	191
Other income	1,487	1,970	(483)	2,590	1,795	795
<b>TOTAL INCOME</b>	<b>117,383</b>	<b>115,078</b>	<b>2,305</b>	<b>128,100</b>	<b>111,526</b>	<b>16,574</b>
<b>EXPENSES</b>						
Employee costs	27,538	28,026	487	27,737	28,675	938
Materials and services	14,977	17,890	2,913	17,215	16,350	(865)
Bad and doubtful debts	0	0	(0)	0	2	2
Depreciation	14,141	14,912	770	13,899	13,875	(24)
Amortisation - intangible assets	318	306	(12)	336	386	50
Amortisation - right of use assets	20	0	(20)	0	0	0
Borrowing costs	148	332	184	264	383	119
Finance costs - leases	17	0	(17)	0	0	0
Other expenses	1,758	1,980	222	1,432	1,335	(96)
<b>TOTAL EXPENSES</b>	<b>58,919</b>	<b>63,446</b>	<b>4,527</b>	<b>60,883</b>	<b>61,006</b>	<b>123</b>
<b>SURPLUS (DEFICIT) FOR THE YEAR</b>	<b>58,464</b>	<b>51,632</b>	<b>6,832</b>	<b>67,217</b>	<b>50,520</b>	<b>16,697</b>

**BALANCE SHEET**

As at 31 December 2020

	Current Balance \$'000s	Opening Balance 01/07/20 \$'000s	Movement for Year to Date \$'000s	Balance as at 31/12/19 \$'000s
<b>CURRENT ASSETS</b>				
Cash and Cash Equivalents	18,814	38,731	(19,918)	40,685
Other Financial Assets	65,800	70,169	(4,369)	61,969
Other Assets	2,317	4,403	(2,086)	1,708
Trade and Other Receivables	59,646	6,681	52,965	58,274
<b>Total Current Assets</b>	<b>146,577</b>	<b>119,984</b>	<b>26,592</b>	<b>162,636</b>
<b>NON CURRENT ASSETS</b>				
Property, Infrastructure, Plant and Equipment	1,238,125	1,222,598	15,528	1,192,228
Intangible Assets	405	724	(318)	1,039
Trade and Other Receivables	704	723	(20)	717
Financial Assets	9	9	0	15
<b>Total Non-Current Assets</b>	<b>1,239,246</b>	<b>1,224,056</b>	<b>15,190</b>	<b>1,194,000</b>
<b>TOTAL ASSETS</b>	<b>1,385,822</b>	<b>1,344,040</b>	<b>41,782</b>	<b>1,356,637</b>
<b>CURRENT LIABILITIES</b>				
Payables	2,123	22,201	(20,078)	31,424
Interest-bearing Liabilities	2,168	2,527	(359)	493
Provisions - Employee Benefits	13,690	14,093	(403)	11,922
Provisions - Landfill	1,046	2,758	(1,712)	5,589
Trust Funds and Deposits	3,560	3,247	312	3,133
Lease Liabilities	11	29	(17)	13
<b>Total Current Liabilities</b>	<b>22,598</b>	<b>44,855</b>	<b>(22,257)</b>	<b>52,573</b>
<b>NON CURRENT LIABILITIES</b>				
Interest-bearing Liabilities	12,749	7,749	5,000	5,826
Provisions - Employee Benefits	1,553	1,553	0	1,763
Provisions - Landfill	15,342	15,342	0	19,249
Lease Liabilities	706	706	0	704
<b>Total Non-Current Liabilities</b>	<b>30,349</b>	<b>25,349</b>	<b>5,000</b>	<b>27,543</b>
<b>TOTAL LIABILITIES</b>	<b>52,947</b>	<b>70,204</b>	<b>(17,257)</b>	<b>80,115</b>
<b>NET ASSETS</b>	<b>1,332,875</b>	<b>1,273,835</b>	<b>59,039</b>	<b>1,276,521</b>
<b>EQUITY</b>				
Current Year Surplus/(Deficit)	59,039	67,682	(8,642)	67,217
Accumulated Surplus	784,287	717,140	67,146	718,115
Reserves	489,549	489,013	535	491,190
<b>TOTAL EQUITY</b>	<b>1,332,875</b>	<b>1,273,835</b>	<b>59,039</b>	<b>1,276,521</b>

**STATEMENT OF CASH FLOWS**

For the Quarter ended 31 December 2020

	NOTE	YTD Cash Flow	Adopted Budget Annual Cashflow	Cash Flow 2019/20
		\$'000s	\$'000s	\$'000s
		Inflows (Outflows)	Inflows (Outflows)	Inflows (Outflows)
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>				
Rates and charges		34,167	81,775	80,047
Statutory fees & fines		809	2,136	2,385
User fees		4,158	12,337	12,651
Grants - operating		15,229	25,398	32,386
Grants - capital		6,554	19,830	52,930
Contributions - monetary		538	90	889
Interest received		889	1,500	2,955
Trust funds and deposits taken/(repaid)		312	54	608
Other receipts		(4,127)	2,218	3,587
Net GST refund/(payment)		688	9,172	(2,428)
Employee costs		(29,344)	(62,348)	(56,776)
Materials & services		(22,747)	(38,653)	(48,858)
Short-term, low value and variable lease payments		(99)	0	(36)
Other payments		(1,659)	(7,251)	(3,191)
<b>Net cash from operating activities</b>		<b>5,367</b>	<b>46,258</b>	<b>77,149</b>
<b>CASH FLOWS FROM INVESTING ACTIVITIES</b>				
Proceeds from sale of property, plant & equipment		103	670	808
Proceeds from sale of investments		100,169	176,285	147,512
Payments for property, infrastructure, plant & equipment		(34,218)	(88,067)	(86,627)
Payments for investments		(95,800)	(150,000)	(120,969)
Loans and advances made		0	0	0
Payments of loans and advances		2	0	7
<b>Net Cash Flows used in investing activities</b>		<b>(29,744)</b>	<b>(61,112)</b>	<b>(59,269)</b>
<b>CASH FLOWS FROM FINANCING ACTIVITIES</b>				
Finance costs		(147)	(651)	(435)
Proceeds from borrowings		5,000	10,000	4,450
Repayment of borrowings		(359)	(2,563)	(9,238)
Interest paid - lease liability		(17)	0	(29)
Repayment of lease liabilities		(17)	0	(14)
<b>Net Cash Flows from Financing Activities</b>		<b>4,459</b>	<b>6,786</b>	<b>(5,266)</b>
<b>Net Increase/(Decrease) in cash held</b>		<b>(19,918)</b>	<b>(8,068)</b>	<b>12,614</b>
<b>Cash &amp; cash equivalents at beginning of year</b>		<b>38,731</b>	<b>23,982</b>	<b>26,117</b>
<b>Cash &amp; cash equivalents at end of period</b>		<b>18,814</b>	<b>15,914</b>	<b>38,731</b>
<b>Summary of Cash &amp; Investments</b>				
		<b>Current Balance</b>	<b>Current year Movement</b>	<b>Opening Balance</b>
Cash & Cash Equivalents		18,814	(19,918)	38,731
Other Financial Assets (Investments)		65,800	(4,369)	70,169
<b>Total Cash &amp; Investments</b>	<b>1</b>	<b>84,614</b>	<b>(24,287)</b>	<b>108,900</b>
<b>Budgeted Opening Balance of Cash &amp; Investments</b>				<b>89,694</b>
<b>Variance in Opening Balance</b>				<b>19,206</b>

**NOTES**

1. The budgeted cash & investments at the beginning of the year was \$89.7 million, the actual opening balance was \$108.9 million. The additional \$19.2 million was largely the result of higher than anticipated surplus funds and carry forward funding for capital and operational projects and programs.

## STATEMENT OF CAPITAL WORKS

For The Quarter Ended 31 December 2020

	NOTE	YTD Actuals \$'000	Full Year Forecast \$'000	Annual Budget \$'000	Variance Annual Budget /Forecast \$'000
<b>Property</b>					
Land	1	22	300	0	(300)
Buildings	2	19,950	53,440	44,717	(8,723)
Heritage buildings	3	2	327	0	(327)
<b>Total Property</b>		<b>19,974</b>	<b>54,068</b>	<b>44,717</b>	<b>(9,351)</b>
<b>Plant and Equipment</b>					
Plant, machinery & equipment	4	832	2,504	2,987	483
Fixtures, fittings & furniture	5	0	10	10	0
Computers & telecommunications	6	132	569	600	31
Artwork collection	7	0	22	15	(7)
<b>Total Plant and Equipment</b>		<b>965</b>	<b>3,105</b>	<b>3,612</b>	<b>507</b>
<b>Infrastructure</b>					
Roads	8	5,106	16,862	13,778	(3,084)
Bridges & culverts	9	175	1,686	530	(1,156)
Footpaths & cycleways	10	346	2,084	1,248	(836)
Drainage	11	55	158	150	(8)
Waste management	12	945	2,311	2,638	327
Parks, open space and streetscapes	13	1,076	2,472	8,205	5,733
Recreational, leisure & community facilities	14	886	1,892	2,604	712
Aerodromes	15	0	0	0	0
Offstreet carparks	16	117	345	208	(137)
Other infrastructure	17	68	840	2,370	1,530
<b>Total Infrastructure</b>		<b>8,774</b>	<b>28,651</b>	<b>31,731</b>	<b>3,080</b>
<b>Total Capital Works expenditure</b>		<b>29,712</b>	<b>85,824</b>	<b>80,060</b>	<b>(5,764)</b>
<b>REPRESENTED BY;</b>					
New asset expenditure	18	18,959	50,905	50,984	79
Asset renewal expenditure	19	7,132	23,733	21,112	(2,621)
Asset expansion expenditure	20	510	965	0	(965)
Asset upgrade expenditure	21	3,111	10,221	7,965	(2,256)
<b>Total Capital Works expenditure</b>		<b>29,712</b>	<b>85,824</b>	<b>80,060</b>	<b>(5,764)</b>

### NOTES TO THE CAPITAL WORKS STATEMENT - Full Year Forecast Variances

#### 1. Land

(\$0.300M) Unfavourable

The unfavourable variance reflects the funds carried forward from 2019/20 associated with a land exchange in relation to the Churchill Central Activity Plan.

#### 2. Buildings

(\$8.723M) Unfavourable

The forecast additional expenditure is due to the timing of costs of projects spanning over multiple financial years e.g. Latrobe Creative Precinct \$3.7M and Gippsland Regional Aquatic Facility \$3.6M, Traralgon Sports Stadium \$1.0M together with unbudgeted grant funded projects e.g Multi Purpose Facility Development Latrobe Leisure Moe Newborough \$0.8M, Yinnar Hall \$0.7M and Latrobe Leisure Churchill Structural Remediation and Squash Courts \$0.6M. This is partially offset by expenditure on the Kernot Hall refurbishment that is now expected to be incurred in the 2021/22 financial year \$2.5M.

#### 3. Heritage buildings

(\$0.327M) Unfavourable

The unfavourable variance reflects the funds carried forward from 2019/20 associated with the Traralgon Courthouse upgrades together with \$0.1M of this budget being incorrectly classified under Buildings.

**NOTES TO THE CAPITAL WORKS STATEMENT - Full Year Forecast Variances****4. Plant, machinery & equipment****\$0.483M Favourable**

The forecast reduced expenditure mainly relates to a reduction in the forecasted Fleet Replacement program as a result of Council fleet being underutilised during the COVID pandemic.

**5. Fixtures, fittings & furniture****\$0.000M Nil Variance**

No variance

**6. Computers & telecommunications****\$0.031M Favourable**

The forecast favourable variance relates mainly to IT expenditure on items, that have been expressed in the Comprehensive Income Statement due to them not meeting Council's capitalisation criteria.

**7. Artwork Collection****(\$0.007M) Unfavourable**

Minor unfavourable variance reflecting funding carried over from the 2019/20 financial year.

**8. Roads****(\$3.084M) Unfavourable**

The forecast additional expenditure mainly relates to funds carried forward from 2019/20 and unbudgeted government funding e.g. Safe Traffic in Local Streets program (\$1.2M), Roads to Recovery Program (\$0.9M), and National Blackspot program (\$0.8M) projects.

**9. Bridges & culverts****(\$1.156M) Unfavourable**

The forecast additional expenditure is mainly due to unbudgeted government grant funding for the Downies Lane bridge (\$1.0M) and funding carried forward from 2019/20 for the Crinigan Road footbridge.

**10. Footpaths & cycleways****(\$0.836M) Unfavourable**

The forecast additional expenditure is mainly due to unbudgeted government grant funding for new footpaths (\$0.6M) and funding carried forward from 2019/20 to complete the Morwell to Traralgon Shared Pathway.

**11. Drainage****(\$0.008M) Unfavourable**

Minor variance.

**12. Waste management****\$0.327M Favourable**

The forecast additional expenditure reflects the funds carried forward from 2019/20 associated with the Landfill Biogas to Energy project.

**13 Parks, open space and streetscapes****\$5.733M Favourable**

The forecast reduced expenditure mainly relates the Moe Revitalisation Project Stage 2 \$7.2M which was budgeted for in 2019/20 but will span over multiple financial years, partially offset on expenditure on projects carried forward from 2019/20 e.g. Future Morwell Commercial Road project \$0.7M and Stage 2 Moe AAA/Apex/Lions Play Space Upgrade \$0.3M.

**14. Recreational, leisure & community facilities****\$0.712M Favourable**

The forecast expenditure reduction mainly reflects expected savings in the Morwell Recreation Reserve upgrade that will be offset against other Major Recreation projects.

**15. Aerodromes****\$0.000M Nil Variance**

No current year projects.

**16. Offstreet carparks****(\$0.137M) Unfavourable**

The additional expenditure is related to unbudgeted Drought Communities grant funding for Toongabbie CBD & recreation reserve projects.

**17. Other infrastructure****\$1.530M Favourable**

The reduced expenditure reflects reduced funding for the Gippsland Logistics Precinct due to the timing of some of the state government funding which will push out into future financial years.

**NOTES TO THE CAPITAL WORKS STATEMENT - Full Year Forecast Variances****18. New asset expenditure \$0.079M Favourable**

The overall reduction is due to the timing of project works spanning multiple financial years for the Moe Revitalisation project Stage 2 (\$7.2M) and the Gippsland Logistics Precinct (\$1.6M) largely offset by expenditure carried forward from the 2019/20 financial year e.g. Latrobe Creative Precinct (\$3.7M), Gippsland Regional Aquatic Centre \$3.6M and unbudgeted government grant projects e.g. Local Roads & Community Infrastructure - footpaths \$0.6M.

**19. Asset renewal expenditure (\$2.621M) Unfavourable**

The forecast additional expenditure is mainly due to unexpended funds carried over from the 2019/20 financial and unbudgeted additional government funding e.g. for Roads to Recovery and Local Roads and Community Infrastructure programs.

**20. Asset expansion expenditure (\$0.965M) Unfavourable**

The forecast additional expenditure is mainly due to unexpended funds carried over from the 2019/20 financial year for the Traralgon Sports Stadium & Catterick Crescent Pavilion.

**21. Asset upgrade expenditure (\$2.256M) Unfavourable**

The forecast additional expenditure is mainly due to unexpended funds carried over from the 2019/20 financial year and unbudgeted government grants e.g. Safe Traffic in Local Streets Program \$1.2M, Multi Purpose Facility Development Latrobe Leisure Moe Newborough \$0.8M, Yinnar Hall \$0.7M.

## LGPRF FINANCIAL PERFORMANCE RATIOS

As at 31 December 2020

	Year to Date Ratios					Expected Range
	\$'000s	Ratio at 31/12/20	Ratio at 31/12/19	Forecast at 30/06/21	Budget at 30/06/21	
<b>OPERATING POSITION</b>						
<b>Adjusted Underlying Result Indicator</b>						
(Indicator of the broad objective that an adjusted underlying surplus should be generated in the ordinary course of business. A surplus or increasing surplus suggests an improvement in the operating position)						
<b>Adjusted underlying surplus (or deficit)</b>						
<u>Adjusted net Surplus/(Deficit)</u>	46,163					
Adjusted underlying revenue	105,082	43.9%	66.4%	(13.1%)	(4.1%)	-20% - +20%
The ratio takes out the effect of once off capital grants & developer contributions.						
<b>Note:</b> The forecasted lower ratio of (16.9%) is mainly a result of unspent 2019/2020 recurrent project and program expenditure which led to a greater than expected 'cash' surplus result at the end of the financial year together with government funding advanced to Council in 2019/20 that was budgeted in 20/21.						
<b>LIQUIDITY</b>						
<b>Working Capital Indicator</b>						
(Indicator of the broad objective that sufficient working capital is available to pay bills as and when they fall due. High or increasing level of working capital suggests an improvement in liquidity)						
<b>Current assets compared to current liabilities</b>						
<u>Current Assets</u>	146,577					
Current Liabilities	22,598	648.6%	511.0%	202.3%	229.7%	100% - 300%
<b>Unrestricted Cash Indicator</b>						
(Indicator that sufficient cash which is free of restrictions is available to pay bills as and when they fall due. High or increasing level of cash suggests an improvement in liquidity )						
<u>Unrestricted Cash</u>	15,254					
Current Liabilities	22,598	67.5%	99.7%	39.4%	44.0%	0.0% - 200%
<b>Note:</b> Unrestricted cash does not include funds held in term deposits with a maturity term of greater than 90 days. These deposits are managed to ensure they mature in time for payment runs and are available to meet liabilities when they fall due.						

	Year to Date Ratios			Forecast at 30/06/21	Budget at 30/06/21	Expected Range
	\$'000s	Ratio at 31/12/20	Ratio at 31/12/19			
<b>OBLIGATIONS</b>						
<b>Loans and borrowings Indicator</b>						
(Indicator of the broad objective that the level of interest bearing loans and borrowings should be appropriate to the size and nature of a council's activities. Low or decreasing level of loans and borrowings suggests an improvement in the capacity to meet long term obligations)						
<b>Loans and borrowings compared to rates</b>						
<u>Interest Bearing loans and borrowings</u>	14,917	18.3%	18.4%	31.7%	31.8%	0% - 50%
Rate Revenue	81,708					
<b>Loans and borrowings repayments compared to rates</b>						
<u>Interest &amp; principal repayments</u>	507	0.6%	0.5%	3.9%	3.9%	0% - 10%
Rate Revenue	81,708					
<b>Indebtedness Indicator</b>						
(Indicator of the broad objective that the level of long term liabilities should be appropriate to the size and nature of a Council's activities. Low or decreasing level of long term liabilities suggests an improvement in the capacity to meet long term obligations)						
<b>Non-current liabilities compared to own source revenue</b>						
(to ensure Council has the ability to pay its long term debts & provisions)						
<u>Non Current Liabilities</u>	30,349	34.4%	31.5%	38.8%	39.5%	0% - 50%
Own Source Revenue	88,204					
Own Source Revenue is adjusted underlying revenue excluding revenue which is not under the control of council (including government grants)						
<b>Asset Renewal Indicator</b>						
(Indicator of the broad objective that assets should be renewed as planned. High or increasing level of planned asset renewal being met suggests an improvement in the capacity to meet long term obligations)						
<u>Asset Renewal Expenditure</u>	7,132	50.4%	45.2%	79.7%	70.8%	50%-100%
Depreciation	14,141					
<b>Note:</b> The forecasted increase in this ratio is a result of renewal works carried forward from the previous financial works.						



	Year to Date Ratios				Forecast at 30/06/21	Budget at 30/06/21	Expected Range
	\$'000s	Ratio at 31/12/20	Ratio at 31/12/19				
<b>STABILITY</b>							
<b>Rates Concentration Indicator</b>							
(Indicator of the broad objective that revenue should be generated from a range of sources. High or increasing range of revenue sources suggests an improvement in stability)							
<b>Rates compared to adjusted underlying revenue</b>							
	<u>Rate Revenue</u>	81,708	77.8%	88.1%	64.2%	63.9%	40% - 80%
	Adjusted underlying revenue	105,082					
<b>Rates Effort Indicator</b>							
(Indicator of the broad objective that the rating level should be set based on the community's capacity to pay. Low or decreasing level of rates suggests an improvement in the rating burden)							
<b>Rates compared to property values</b>							
	<u>Rate Revenue</u>	81,708	0.7%	0.7%	0.7%	0.7%	0.2% to 0.7%
	property values (CIV)	12,304,782					
<b>EFFICIENCY</b>							
<b>Expenditure Level Indicator</b>							
(Indicator of the broad objective that resources should be used efficiently in the delivery of services. Low or decreasing level of expenditure suggests an improvement in organisational efficiency)							
<b>Expenses per property assessment</b>							
	<u>Total expenses</u>	58,919	\$ 1,513	\$ 791	\$ 3,695	\$ 3,408	\$2000 - \$4000
	Number of property assessments	39					
Note: The forecasted increase in expenses per assessment is mainly related to employee costs and materials and services expenditure funded from additional government funding and carry forward funds.							
<b>Revenue Level Indicator</b>							
(Indicator of the broad objective that resources should be used efficiently in the delivery of services. Low or decreasing level of rates suggests an improvement in organisational efficiency)							
<b>Average residential rate per residential property assessment</b>							
	<u>Residential Rate Revenue</u>	61,428	\$ 1,745	\$ 1,731	\$ 1,745	\$ 1,745	\$800 - \$1,800
	Number of residential property assessments	35					

**Agenda Item: 17.2**

**Agenda Item: Mid Year Budget Review including 2019/20  
Accumulated Cash Surplus results**

**Sponsor: General Manager, Organisational Performance**

**Council Plan Objective: Ensure Council operates openly, transparently and responsibly.**

**Status: For Decision**

**MOTION**

**Moved:** Cr Clancey  
**Seconded:** Cr Ferguson

**That Council:**

- 1. Notes the 2019/20 financial year cash surplus of \$4.067M;**
- 2. Allocates \$3.663M of the cash surplus to organisation projects;**
- 3. Allocates the remaining 2019/20 financial year cash surplus balance of \$0.404M to the accumulated cash surplus reserve.; and**
- 4. Notes the results of the mid-year budget review.**

**CARRIED UNANIMOUSLY**

**Executive Summary:**

- Council began the 2019/20 financial year with an accumulated unallocated cash surplus of \$3.662M, a further \$0.728M was added in the 2019/20 adopted budget. During the year Council passed resolutions to allocate \$2.497M of the accumulated unallocated cash surplus reserve leaving a balance of \$1.893M which was subsequently fully allocated in the 2020/21 budget leaving a zero balance in the reserve.
- At the completion of the 2019/20 financial year, a cash surplus result of \$4.067M was realised for the year.
- The Mid Year Forecast indicates a current expectation of a minor cash surplus of \$0.31M for the 2020/21 financial year. This projected surplus is not proposed to be added to the reserve until it is realised.
- This report identifies 17 projects to a value of \$3.663M that have been

recommended by Management for funding from the 2019/20 unallocated cash surplus.

- In the event that funding is allocated to all proposed surplus bids, the balance remaining in the unallocated cash surplus reserve will be \$0.404M.

### **Background:**

#### **Accumulated Unallocated Cash Surplus Reserve**

Council finances are predominately managed on a cash basis with the annual budget set balancing budgeted expenditure with expected cash income. At the conclusion of the financial year the balancing up of the annual financial accounts will result in the recognition of either a cash surplus or a cash deficit. Latrobe City Council has generally realised a cash surplus at the end of each financial year which mostly represents savings against the adopted annual budget or the recognition of additional unexpected revenue.

The recognition of a cash surplus allows the organisation to consider the funding of additional expenditure into the following financial year, the funding of previous years deficits (where applicable) or the transfer of the surplus to a reserve for future consideration.

During the financial year Council may need to seek funding for a project or unforeseen circumstance that is unbudgeted within the current financial year. Council has the ability to allocate funding from the accumulated unallocated cash surplus reserve via a resolution, or the matter may be referred by Council for consideration at a future budget review opportunity.

Council has an opportunity at the end of each financial year to allocate any realised cash surplus to those projects or issues which have been referred to the end of year process. In addition there are also operational funding requirements as identified by the Chief Executive Officer that may relate to items unable to be funded during the budget process, audit action requirements or items that have eventuated since the setting of the budget.

For the financial year 2019/20 council has recognised a cash surplus of \$4.067M. The surplus is mainly as a result of;

Additional revenue received from;

- Supplementary rates revenue raised
- Planning permits issued

Savings/Reduced expenditure in the areas of;

- Employee related costs (mainly vacancies and reduced part time & casual hours due to COVID)
- Capital works

- Postage & stationery
- Street lighting electricity charges
- Plant and vehicle expenses
- Loan repayments (loan for GRAC was not fully drawn down as soon as allowed for in budget).

### **Mid-Year Forecast/Budget Review**

Throughout December and January of each financial year council officers undertake a mid-year review to compare how council is tracking against its Adopted Budget to ensure that there is no requirement to prepare a revised budget as per the *Local Government Act 2020* (the Act).

*The Act* requires that “Council must prepare and adopt a revised budget before the Council –

- a) Can make a variation to the declared rates or charges; or
- b) Can undertake any borrowings that have not been approved in the budget; or
- c) Can make a change to the budget that the Council considers should be subject of community engagement.

The 2020/21 adopted budget has been reviewed against the mid-year forecast to identify any financial issues that have arisen in the first six months of the 2020 financial year.

Following the review of all areas, a small cash surplus of \$0.31M has been forecast. It is generally expected that by the end of the year this result will be more favourable but at this point in time this represents a very small percentage (0.1%) of Council's budget and is therefore it is not recommended to commit the forecasted surplus to alternative projects, however a number of surplus and mid-year bid projects/funding allocations have been identified and recommended by Management for Council's consideration which could be funded from the 2019/20 Unallocated Cash Surplus of \$4.07M.

It is Management's opinion that the criteria has not been met for Council to prepare and adopt a revised budget and as such any budget funding allocated to projects on this list would be amended for forecast reporting purposes only.

Further analysis of Council's financial performance against the 2020/21 Adopted budget is provided in the Quarterly Budget Report – December 2020 which is provided in a separate report in this agenda.

### **Surplus Bid Process**

At the conclusion of each financial year there is a process undertaken to identify and fund opportunities that have not been included in the current years adopted budget which have arisen either as a result of a council decision, insufficient budget allocation, a previously unidentified operational requirement or an unforeseen

circumstance. This is typically undertaken in September but due to delays in the year end audit followed by the Council election it is being incorporated into the Mid-Year Budget review this year

Councillors are provided the opportunity to consider the following list of items prepared by Management which could be funded from the unallocated accumulated cash surplus of \$4.07M.

Project Description	Amount \$'000	Project Details
Reinstatement of Defined Benefit Reserve	1,500.00	Reinstatement of amount taken from this reserve to fund Council's COVID19 response in the 2020/21 budget.
Reinstatement of Developer Contribution Plan Reserve	1,000.00	Reinstatement of amount taken from this reserve to fund Council's COVID19 response in the 2020/21 budget (\$600K) plus additional \$400K towards Marshall's Road intersection as part of the Traralgon North DCP
Landslip repairs - Upper Middle Creek	100.00	Two major landslips have occurred. Geotechnical investigation indicates that excavation and filling with more stable material is required. Several less severe slips have occurred that require surface stabilisation.
New Morwell Depot boundary fencing	117.08	Current boundary fence is chain mesh fencing, persons just keep cutting holes in the mess to gain access, several break-ins and theft of Council small plant/equipment. CCTV and additional lighting has now been installed. Final stage is new more secure boundary fencing, heavy duty steel panels that would be very difficult to cut and gain access.
Upgrade water meters into all sporting reserve with irrigation	100.00	Directive from Gippsland Water, to comply with AS/NZS 3500.1:2015 Plumbing and Drainage - Part 1: Water Services. To stop backflow of water from irrigation systems on sporting oval playing surfaces into the water mains drinking water. If this did occur, Council would be held with liability and be a public health alerts. Note: Originally requested \$300k - GM recommendation to stage over 3 years x \$100k (This is the third year)

Project Description	Amount \$'000	Project Details
Moe Community Safety Lighting Project	30.00	An application is to be submitted to the Community Safety Infrastructure Grants for Community Safety Lighting in Moe. This budget allocation would be used as Council's financial contribution to the project if we are successful in receiving the grant funding.
Benchseats - Shared Pathway	10.00	Install 5 bench seats along the Traralgon to Morwell Shared Path. Between Alexanders Road and the top of Kay Street.
McNairn Road, Traralgon East - New Kerb south of Railway	150.00	To design and install a new kerb in conjunction with the LRCI funded footpath from the Railway south to the existing kerb and gutter
Monash Reserve - Signage	5.00	Erect new signage at Monash Reserve to identify the reserve from all road frontages and a feature sign at the intersection
Replace of windows in all LCC Preschools	35.00	The window glass in LCC Preschools that are below 1500mm all need to be replaced with safety glass due to OH & S reasons.
Inter-Township Trail Network - Planning/feasibility Stage	50.00	Undertake the Planning stage of the entire Council endorsed Inter-Township Trail Network

Project Description	Amount \$'000	Project Details
<p>School speed zones - Morwell Central</p> <p>Traralgon College (Liddiard Road)</p> <p>Traralgon College (Shakespeare Street)</p>	51.00	10 Year up front maintenance for new electronic school speed zone signs.
Replacement of the pool deck flooring at Latrobe Leisure Morwell	350.00	The pool deck at Latrobe Leisure Morwell has been assessed as an unacceptable risk following a slip hazard test. This pooldeck floor is the original floor constructed as part of the original building in 1994. The floor will be replaced with Monotek with is a fibreglass non slip resin, which will be laid over the top of the existing tiles. This is the same product as was recently applied to the pool deck at Latrobe Leisure Moe Newborough. A quote for works was obtained earlier in 2020 and the cost was estimated at \$350,000
Address critical climate control issues at LRG	15.00	This is the first stage to address critical climate control issues at LRG. The project involves expert assessment of the heating and cooling systems and how this can be better managed to ensure the material safety and conservation of the gallery's collections. There are issues with controlling relative humidity across the building to appropriate conservation standards. We need an asset management plan for the building and for the collections to forward plan for how they are both managed and their value preserved.
Centre for Australian Automotive Futures	100.00	Progress a Business Case to develop a Centre for Australian Automotive Futures in Latrobe City.

Project Description	Amount \$'000	Project Details
Works to address major structural issues with the Latrobe Performing Arts Centre (Old building).	50.00	There are cracks on the building that require immediate investigations. A structural assessment is required to determine the cause of the cracks, its effects on the super-structure of the building and further recommendations for possible remediation.
<b>Total</b>	<b>\$3,663.08</b>	

If Council were to support all items on this list there would be a remaining balance in the Unallocated Cash Reserve of \$0.404M.

**Issues:**

*Strategy Implications*

This report supports the Council Plan objective 'Ensure Council operates openly, transparently and responsibly'.

*Communication*

There are no communication and public relations implications associated with this report.

*Financial Implications*

There are no financial implications associated with this report, any proposed funding of surplus bids identified within the report can be financed from the existing unallocated accumulated cash surplus reserve

*Risk Analysis*

There is a risk that the allocation of additional budget funds may result in there being insufficient resources to enable the completion of all budgeted works within the financial year, thus resulting in project delays. There are inherent reputational and safety risks in not undertaking some of the projects recommended for funding.

*Legal and Compliance*

There are no identified legal implications associated with this report

*Community Implications*

The allocation of additional budget funds should create a positive community impact.



*Environmental Implications*

There are no identified environmental impacts associated with this report

*Consultation*

There is no identified engagement associated with this report

*Other*

Nil

**Declaration of Interests:**

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*.

**Supporting Documents:**

Nil

**Attachments**

Nil

# **URGENT BUSINESS**

## 18. 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.

### **MOTION**

**Moved:** Cr O'Callaghan

**Seconded:** Cr Ferguson

**That Council admits, in accordance with Clause 17 of the Governance Rules, the following item of business as it cannot reasonably or conveniently be deferred until the next ordinary Council Meeting.**

- **Possible judicial review regarding the Ministers decision to approve Amendment C129 to the Latrobe Planning Scheme to develop a Used Lead Acid Battery Recycling Facility in Hazelwood North**

**CARRIED UNANIMOUSLY**

**ITEM: 18.1**

**ITEM: Possible Judicial Review Regarding the Ministers Decision to Approve Amendment C129 to the Latrobe Planning Scheme to Develop a Used Lead Acid Battery Recycling Facility in Hazelwood North**

### **MOTION**

**Moved:** Cr O'Callaghan

**Seconded:** Cr Lund

**That Council:**

- 1. Requests that the Chief Executive Officer obtain a legal opinion from a Senior Counsel in relation to the likelihood of a successful judicial review of the Ministers decision to approve Amendment C129.**
- 2. Provide Councillors with the legal opinion detailed in point 1 as soon as reasonably possible.**
- 3. In the event that the legal opinion clearly identifies significant**

**justification for a review of the Ministers decision that the Chief Executive Officer be authorised to engage legal representatives to commence a judicial review.**

- 4. In the event that the legal opinion does not clearly identify significant justification for a review of the Ministers Decision that a Council meeting be called by the Mayor, in accordance with the Governance Rules, in order to consider the legal opinion during the closed section of that meeting.**

**For** Crs Clancey, O'Callaghan, Law and Lund

**Against:** Crs Middlemiss, Howe, Ferguson and Gibson

**LOST**

**FORESHADOWED MOTION**

**Moved:** Cr Middlemiss

**Seconded:** Cr O'Callaghan

**That Council:**

- 1. Requests that the Chief Executive Officer obtain a legal opinion from a Senior Counsel in relation to the likelihood of a successful judicial review of the Ministers decision to approve Amendment C129.**
- 2. Provide Councillors with the legal opinion detailed in point 1 as soon as reasonably possible.**
- 3. The legal opinion is referred to a Council meeting, called by the Mayor in accordance with the Governance Rules, in order to consider the legal opinion during the closed section of that meeting.**

**CARRIED UNANIMOUSLY**

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

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

The information in this section was declared to be confidential information under section 77 of the *Local Government Act 1989* and as a result this information is also confidential information under the *Local Government Act 2020*.

For the avoidance of doubt, section 66 of the *Local Government Act 2020* (which came into effect on 01 May 2020) also enables the Council to close the meeting to the public to consider confidential information as this term is defined under the *Local Government Act 2020*.

**MOTION**

**Moved:** Cr Law

**Seconded:** Cr Lund

**That Council closes this Ordinary Meeting of Council to the public to consider confidential information on the following grounds:**

**(a) the information to be considered has been declared to be confidential information under section 77 of the *Local Government Act 1989* and as a result this information is also confidential information under the *Local Government Act 2020*; and**

**(b) pursuant to section 66 of the *Local Government Act 2020* on the following grounds:**

**19.1 LCC-675 - Moe CBD Traffic Works**

**Agenda item 19.1 *LCC-675 - Moe CBD Traffic Works* is designated as confidential under subsection (g) of the definition of confidential information contained in section 3(1) of the *Local Government Act 2020*, as it relates to private commercial information, being information provided by a business, commercial or financial undertaking that—**

**(i) relates to trade secrets; or**

**(ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage. Releasing this information publicly and/or prematurely may prejudice the undertaking of this process.**

**CARRIED UNANIMOUSLY**

**The Meeting closed to the public at 8:29pm.**

**The meeting re-opened to the public at 8.34pm.**

**There being no further business the meeting was declared closed at 8.34pm.**

**I certify that these minutes have been confirmed.**

**Mayor:** \_\_\_\_\_

**Date:** \_\_\_\_\_