

Focus area 2b. Improve sexual and reproductive health

What is sexual and reproductive health?

Sexual health is an important element of health and wellbeing. Sexual health requires respect, safety and freedom from discrimination and violence. It is critically influenced by power dynamics, gender norms and expectations and is expressed through diverse sexualities ³².

Sexually transmissible infections and blood-borne viruses place a significant burden on the Victorian community. ³³

Healthy Wellington 2017 - 2021 acknowledges the close relationship between sexual and reproductive health and gender equity. Healthy Wellington 2017 – 2021 will focus on sexual health in regard to safe sex being a protective factor for sexually transmitted infections and unplanned pregnancy.

Why do we need to focus on sexual and reproductive health?

The local 2016 YOUTH Speak survey reports that 61% of respondents aged 16-18 years, and 92% of respondents aged 18-25 were sexually active ³⁴. Elevated teenage fertility and chlamydia notification rates suggest that young people lack access to, or lack the motivation or understanding to use contraception effectively, to prevent pregnancy and sexually transmitted infections.

What do we want to achieve?

Priority area	Focus area	Shared outcome	Shared measure	Current measure	Target for 2021
2. Increase gender equality	2c. Improve Sexual and Reproductive Health	Increase sexual and reproductive health	Proportion of people testing positive for Chlamydia	Wellington Shire 307.2 per 100,000 adults (2014) Vic 330.7 per 100,000 adults ²	Decrease by 10% (276.5 per 100,000 adults)
		Decrease teenage pregnancy	Birth rate for young women 15 – 19 years	Wellington Shire 18.1 per 1000 (2014) Vic 10.4 per 1000 ²	Decrease by 10% (16.29 per 1000)

Action areas:	<i>Healthy Wellington 2017 -2021 future direction</i>
Policy:	<i>Support the development and implementation of policies which encourage positive and respectful approaches to sexual health.</i>
Physical environment:	<i>Deliver actions to ensure essential resources, including information and contraception, are accessible to all in our physical environment</i>
Capacity building within environments:	<i>Work towards creating environments which promote respectful relationships and encourage safe sex</i>
Community voice and advocacy:	<i>Raise the community voice for equitable access to resources and education on sexual and reproductive health, particularly focusing on at risk populations</i>
Programs and events:	<i>Deliver and support programs which educate on both sexual and reproductive health and encourage safe practices</i>

What else is influencing our work?

The state-wide direction from the Victorian Public Health and Wellbeing Plan is to promote and support positive, respectful, non-coercive and safe sexual relationships and reproductive choice (including planned, safe and healthy pregnancy and childbirth) .

Gippsland Women's Health is the lead agency for the Gippsland Sexual and Reproductive Health Strategy 2013-2017. This is the second Sexual and Reproductive Health Strategy for Gippsland and is guided by a Reference Group comprising workers from health services, community agencies and the Department of Education and Early Childhood Development.

Priority area 3: Improve healthy living

In order to address some of the key causes of poor health in Wellington, we will strive to improve healthy living in Wellington. This is a broad concept, however in the context of Healthy Wellington 2017 - 2021 it will relate to three areas:

- 3a. Increase Physical Activity & Healthy Eating
- 3b. Decrease Smoking

The approach to these health issues will be based on the guiding concepts previously discussed, however will be addressed using a more in-depth systems thinking approach.

Systems thinking provides a way to examine complex problems, considering the bigger picture and context of those problems.

Systems thinking is a relatively new concept in health promotion field, however has stimulated a way of working which challenges collectives to consider the whole 'system' and identifying points of greatest impact.

Systems thinking has strong concepts of community development, encouraging the community to find their point of influence in the systems and make change where possible.

Systems thinking is characterised by the following approaches:

- Conceptualising and mapping all the parts and interconnected elements of the issue.
- Examining potential leverage points for impacting the issue and testing the outcomes, both positive and negative, from different intervention options.
- Identifying approaches to impact the issue that recognise the complexity of the system.
- Implementing changes to influence the issue, and reflecting on effects and revising strategies ³³.

Focus area 3a. Increase physical activity and healthy eating

What is physical activity and healthy eating?

This priority area includes promoting diets which are healthy, sustainable and are safe in line with the Australian Dietary Guidelines. A nutritious diet and adequate food supply are central for promoting health and wellbeing.

Excess intake, particularly of 'discretionary foods', contributes to the risk of obesity, cardiovascular diseases, diabetes, some cancers and dental caries. A diet in line with the Australian Dietary Guidelines will help reduce the risk of overweight and obesity, heart disease and certain cancers.

Poor levels of physical activity and high levels of sedentary behaviour are major risk factors for ill health and mortality from all causes.

People who do not do sufficient physical activity have a greater risk of other health issues, including:

- cardiovascular disease
- colon and breast cancers
- type 2 diabetes
- Osteoporosis

Being physically active is also a protective factor for mental and musculoskeletal health and reduces other risk factors such as overweight, high blood pressure and high blood cholesterol.

A healthy diet and physical activity are important protective factors for a healthy weight, as well as many other health conditions mentioned. ¹¹

Why do we need to focus on physical activity and healthy eating?

Wellington is following the national trend of increasing rates of overweight and obesity in the population which is a major area of concern. Increasing physical activity and healthy eating will act as major protective factors for the community.

Percentage of persons reporting type 2 diabetes 6.6 (Vic 5.0; 7 in LGA) (2014)¹¹

People with food insecurity 6.1 (Vic 4.6; 20 in LGA) (2013)².

In 2012 Wellington Shire Council developed a Walking and Cycling Strategic Plan that has resulted in a significant increase in funding allocated to walking and cycling infrastructure. This strategic document guides what is built and continues to be helpful when improving Wellington's physical environment to increase walking, cycling and active transport ³⁴.

What do we want to achieve?

Priority area	Focus area	Shared outcome	Shared measure	Current measure	Target for 2021
3. Increase healthy living	3a. Increase physical activity and healthy eating	Increase healthy eating and active living	Proportion of adults, adolescents and children who are overweight and obese	Wellington Shire 54.1% (2014) Vic 50.0% ₁₁	Decrease by 2.5% (52.75%)
			Proportion of adults, adolescents and children who consume sufficient fruit and vegetables	Wellington Shire 52.6% (2014) Vic 48.6% ₁₁	Increase by 10% (57.86%)
			Proportion of adults, adolescents and children who consume sugar sweetened beverages daily	Wellington Shire 20.6% (2014) Vic 11.2% ₁₁	Decrease by 10% (18.54%)
			Proportion of adults, adolescents and children who are sufficiently physically active	Wellington Shire 43.8% (2014) Vic 41.4% ₁₁	Increase by 10% (48.18%)

What else is influencing our work?

State:

The State-wide direction from the Victorian Public Health and Wellbeing Plan is:

- Promote consumption of healthy, sustainable and safe food consistent with the Australian dietary guidelines.
- Support healthy food choices to be the easier choices for all Victorians by working across the entire food system.
- Encourage and support people to be as physically active as often as possible throughout their lives. Strategies may include active transport (such as walking or cycling to work), neighbourhood design that promotes activity and social connectedness and participation in sport and recreation.
- Encourage interaction with nature in Victoria's parks and open spaces.

Local:

The Wellington Shire Council Plan 2017 - 2021, specifically:

- Maintain friendly, safe communities providing opportunities for residents to lead healthy and active lifestyles. (community theme)

Action areas:	<i>Healthy Wellington 2017 -2021 future direction</i>
Policy:	<i>Support the development and implementation of policies that promote healthy eating and physical activity.</i>
Physical environment:	<i>Influence the development of our settings that increase access to opportunities for physical activity for all in the community.</i> <i>Influence the development of our settings that increase access to healthy food options, and restrict access to unhealthy food options.</i>
Capacity building within environments:	<i>Strengthen and support capacity building within our settings to increase the capacity to provide healthy options of food & physical activity.</i>
Community voice and advocacy:	<i>Continue to engage with the community to promote messages of healthy eating and physical activity.</i>
Programs and events:	<i>Support the development and implementation of programs, events and resource that promote healthy eating and physical activity.</i>

Focus area 3b. Decrease smoking

What is smoking?

Smoking rates have had significant improvements over the past 30 years, and Australia is experiencing an incredible culture change to counter the drivers of smoking.

Tobacco still accounts for 25% of all deaths and is strongly linked to stroke and cardiovascular disease. It is a major cause of poor health ¹¹.

There is still a significant proportion of our population who continue to smoke on a daily basis. The rate of decline has not been experienced equally. Vulnerable groups are over represented in smoking statistics, highlighting a need for a more specific and targeted approach to increasing smoking cessation in Wellington. These vulnerable groups include Aboriginal people, people who experience psychological distress, people with a lower level of education, people who live in rural areas and people on low incomes or who are unemployed ¹¹.

Why do we need to focus on smoking cessation?

The Wellington community experiences higher rates of smoking compared to the State average.

What do we want to achieve?

Priority area	Focus area	Shared outcome	Shared measure	Current measure	Target for 2021
3. Increase healthy living	3b. Decrease smoking	Reduce smoking	Proportion of adults who smoke daily	Wellington Shire 14.3% (2014) Vic 9.8% ¹¹	Decrease by 15% (12.16%)

Action areas:	<i>Healthy Wellington 2017 -2021 future direction:</i>
Policy:	<i>Develop policies to support smoke-free settings, provide support to those who want to quit smoking and reduce harm from secondhand smoke exposure</i>
Physical environment:	<i>Support the development of smoke-free settings</i>
Capacity building within environments:	<i>Strengthen and support capacity building within our settings to increase the capacity to provide smoking cessation support</i>

Community voice & advocacy:	<i>Continue to engage with the community to promote messages of smoking cessation</i>
Programs and events:	<i>Support the development and implementation of programs, events and resource that promote smoking cessation</i>

What else is influencing our work?

The state-wide direction from the Victorian Public Health and Wellbeing Plan is to:

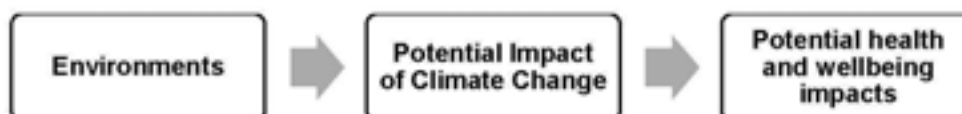
- Continue to further reduce smoking rates with the ultimate aim of achieving a tobacco-free Victoria.
- Continue legislative and non-legislative approaches to tobacco reform, such as smoking cessation support, in order to continue the downward trend in smoking rates.
- Focus on smoking cessation support at the community level (via hospitals, GPs and community health services).
- Target smoking cessation measures for those groups with disproportionately high smoking prevalence, particularly Aboriginal Victorians.

Priority area 4. Address climate change

What is climate change?

Climate change refers to a statistical significant change (or trend) in climate over many decades.³⁵ Changes are directly or indirectly attributed to human activity and include an increase in extreme weather events and long-term changes to weather patterns.

Specific environments will be impacted by changing climate which will impact on individual and communities health and wellbeing.



Environments	Potential impacts of climate change	Potential health and wellbeing impacts
Built	Damage or loss of built environment and public infrastructure (for example roads, drains, parks, waste facilities, sports area, urban forest, etc)	Public services may be restricted. Reduced social connectivity, and decrease in individual/community wellbeing.
Natural	<p>Climate change may decrease the natural environment's capacity to act as a buffer and limit negative impacts.</p> <p>Increase in environmental degradation.</p> <p>Loss of biodiversity and changing landscapes (i.e. more weeds and pests).</p> <p>Problems with water quality and security.</p>	<p>The duration, frequency and severity of risks (such as extreme weather events) may increase. This may increase associated health impacts. Increased risk of property damage.</p> <p>The natural environment provides benefits for local communities and degradation will cause economic hardship and personal anxiety.</p> <p>People have a cultural connection to the natural environment, and will grieve change and loss.</p> <p>Decrease quality. Increase risk of water borne disease.</p>

Environments	Potential impacts of climate change	Potential health and wellbeing impacts
Economic	<p>Problems with reliability of food security</p> <p>Changes to rural community's due to seasonal conditions and economic pressures.</p> <p>Problems with water quality and security</p>	<p>Increase cost of food, and decrease in availability of fresh produce may have negative health impacts</p> <p>Loss of income, social connections, family support and decrease in wellbeing. Increase in anxiety, suicide, and psychological trauma.</p> <p>Increase in cost of water will cause economic hardship.</p>
Social	<p>Increase in pollutants and allergens</p> <p>Changing patterns of disease</p> <p>More extreme temperatures</p>	<p>Increased risks to human health will increase pressure on health services. This may reduce quality and accessibility of healthcare especially for vulnerable people.</p>

Why do we need to focus on Climate change?

Local Government and health agencies are on the frontline in dealing with the impact of climate change. They are well positioned to understand local circumstances and build resilience, to involve and communicate with the local community, and to support vulnerable people. ³⁶

Some global warming has already occurred – Australia has warmed by 0.9°C since 1950, and some effects have already occurred that include decreased cool season rainfall, more hot days, and increase in extreme weather. Australia's CSIRO and Bureau of Meteorology have released climate projections for future emission scenarios. ³⁶

Climate projections for the West Gippsland Region include an increase in average temperatures with more hot days, less rainfall and more frequent and heavy rainfall events; increased frequency of drought; decline in snow, harsher fire weather; higher sea levels and more frequent storm surge. ³⁷

Within the priority area of Climate Change, we acknowledge the complexity and interconnection between several focus areas. However, for clear strategic direction for Healthy Wellington 2017 – 2021 we have chosen the following focus areas:

- 4a. Increase capacity for climate change adaptation.
- 4b. Improve community resilience and municipal relief and recovery planning in the event of extreme weather and or a natural disaster.

Focus area 4a. Increase capacity for climate change adaptation

What is climate change adaptation?

Climate change adaptation is the ability of natural or human systems to prepare for actual or expected changes in the climate to minimise harm, act on opportunities or cope with the consequences. ³⁵

Why do we need to focus on climate change adaptation?

Climate change poses significant risks to our economies, communities and the natural environment. Each risk will affect individual people and community in varying degrees, and impacts will amplify existing pressures. Impacts of a changing climate are likely to be felt most acutely by those people who can least afford to bear them. ³⁶

Adaptation responses should be a collaborative response with shared responsibility. The level of priority given to each risk and adaptation response needs to consider the immediacy of the threat, the resources available, the vulnerabilities of the location, and community expectations. Some effects of a changing climate may require immediate planning and action; other risks may present extreme risks that are very unlikely to occur, and other risks may not require a response until sometime in the future. The climate is a dynamic system; therefore, there may be changes to the risks over time, as will community views, knowledge, resources and capacity. Adaptation strategies are strongly linked to building community resilience and all actions need to consider changing circumstances and be flexible, appropriate and capture emerging opportunities. ³⁸

What do we want to achieve?

Priority area	Focus area	Shared outcome	Shared measure	Current measure	Target for 2021
4. Climate Change	4a. Increase capacity for climate change adaptation	Demonstrate leadership and build capacity for adaptation	<i>Please refer to annual 'Sustainability snapshot' for specific measures that link to the progress of capacity of climate change adaptation.</i>	-	-

What else is influencing our work?

National

The Australian Government is reviewing its climate change policies to take stock of Australia's progress in reducing emissions, and ensure the Government's policies remain effective in achieving Australia's 2030 target and Paris Agreement commitments.

State

On 23 February 2017, the Climate Change Bill 2016 was successfully passed by the Victorian Parliament to create a new Climate Change Act 2017.

The Victorian Government has also released the first, Victorians Climate Change Adaption Plan 2017 – 2020. Within that plan, the priorities are:

- More effectively manage risks to the Government's own assets and services from climate change;
- Help the community to understand and manage the risks and impacts of climate change
- Encourage adaptation action across all policy areas and sectors of the economy ³⁸

Local

The Wellington Shire Council plan 2017 – 2021, specifically:

- Build resilience in our communities and landscapes to mitigate risks from a changing climate (Natural Environment theme).
- Enhance resilience in our towns and our communities. (Community theme) ³⁹

Action areas:	<i>Healthy Wellington 2017 -2021 future direction:</i>
Policy:	<i>Support the development and implementation of government policies that guide practice in sustainable living, and climate adaptation / mitigation.</i>
Physical environment:	<i>Improve biodiversity values on Council managed land. Support agricultural business and community groups with sustainable agriculture and adaptation strategies.</i>
Capacity building within environments:	<i>Implement and support the delivery of programs that promote sustainable living and climate adaptation / mitigation. These programs can be delivered across different settings such as early childhood sector, schools and workplaces.</i>
Community voice & advocacy:	<i>Continue to engage with the community to raise awareness of the importance of sustainable living to adapt to and mitigate climate change in our communities. Advocate and promote environmental sustainable design principles.</i>
Programs and events:	<i>Support the development and implementation of programs, resources and events that educate the community on sustainable living and climate adaptation.</i>

Focus area 4b. Improve community resilience and municipal relief and recovery planning in the event of extreme weather and or a natural disaster.

The Victorian Community Resilience Framework for Emergency Management supports "the capacity of local communities to be ready to withstand, and recover from an emergency, using community, social and business networks to raise awareness, share responsibility and build self-reliance to strengthen resilience." ³⁹

What is relief and recovery planning?

Relief and recovery are responsibilities that require collaboration and coordination shared between individuals and communities, non- government organisations (NGOs), businesses, governments at all levels and government agencies. ⁴⁰

In the Wellington Shire relief and recovery planning is led by the Municipal Emergency Management Planning Committee. ⁴¹

Relief and recovery planning supports communities to successfully deal with the impacts of an emergency, such as a bushfire or flood, on the social, built, economic and natural environments helping to build cohesion and resilience to better cope with emergencies. ⁴²

Why do we need to focus on relief and recovery planning in the event of extreme weather and or natural disaster?

Over the years, relief and recovery planning has transitioned from implementing a set of activities during relief and recovery phases of an emergency, to now focusing on working towards meeting outcomes.

These outcomes include:

- Wellbeing – the safety, security, physical and mental health of individuals, families, and their community, including the most vulnerable.
- Liveability – the continuity, restoration and reconstruction of essential services, critical infrastructure and community infrastructure, to enable the functioning of a community.
- Sustainability – the reconnection, re-establishment and integration of local social and economic systems and networks.
- Viability – social and economic systems provide opportunities for growth, renewal and innovation.
- Community connection – Community systems and networks are understood, informed and work together to participate in planning and leading recovery through to long-term community resilience. ⁴²

There are direct and indirect health implications due to extreme weather and natural disaster. They include:

Direct health impacts	Indirect health impacts
Increases in bushfires may cause property loss or damage, psychological, and physical distress, injury or death.	Increase in the number and intensity of bushfires may lead to respiratory illness due to increased exposure to smoke; increase anxiety and psychological trauma where property damage, and income and social networks are affected.
Increases in major flooding may cause property damage, psychological, and physical distress, injury or death.	Increase in the number of major floods may lead to increase anxiety and psychological trauma where property damage, and income and social networks are affected; respiratory illness due to increased exposure to air pollutants from moulds and increases in mosquito-related illnesses.
Extreme heat events can cause physiological effects in response to thermal stress. <i>Climate change is already increasing the intensity and frequency of heatwaves in Australia.</i>	As temperatures rise, so does the risk of contracting a heat related illness, a medical condition that results from the body's inability to cope with heat and cool itself. If left untreated, a heat illness can lead to serious complications, even death.
Extended periods of serious or severe rainfall deficiency causing drought can cause physiological effects in response to downward pressure on farm incomes which flow through to service industries and rural communities.	Drought may increase depression, anxiety and psychological trauma in communities where incomes and social networks are affected.
Research has demonstrated a strong correlation between natural disasters and the increase in incidence and severity of domestic violence, and alcohol/substance abuse.	Extreme weather events causing bushfires, floods, windstorms and drought can change the face of communities with people having to leave their land or change the way they farm.

What do we want to achieve?

Priority area	Focus area	Shared outcome	Shared measure	Current measure	Target for 2021
4. Climate Change	4a. Decrease the impacts of climate change on individual and community health and wellbeing	Decrease the impacts of climate change on individual and community health and wellbeing	Excess death during extreme heat and heatwaves	Wellington Shire: (12-18 January 2014) 11 deaths ⁴³ Wellington Shire: (12-18 January 2011-2013 average) 7 deaths ⁴³	Zero excess deaths attributed to extreme weather and or natural disaster.

What else is influencing our work?

State

The Victorian government and Emergency Management Victoria have developed the 'Community Resilience Framework' which includes a guide on how state and local emergency services will work towards relief and recovery planning⁴⁸. The framework includes seven characteristics, and the following characteristics link closely with health and wellbeing:

- Safe and Well – Personal Health and Wellbeing, Personal and Community Safety
- Connected, inclusive and empowered - Community Connectedness Service availability/accessibility
- Sustainable built and natural environment - Open greenspace
- Culturally rich and vibrant - Arts and cultural activities, Leisure and recreation
- Reflective and aware - Emergency management and mitigation plans, Responsibility and self-organisation.

Local

The Wellington Municipal Emergency Management Committee has developed a number of emergency plans, structures and processes in place mitigate and recovery from emergencies:

- Municipal Emergency Management Plan
- Municipal Relief & Recovery Plan
- Municipal Fire Management Plan
- Municipal Heat Health Plan
- Municipal Flood Emergency Plan
- Municipal Influenza Pandemic Plan

The Wellington Shire Council plan 2017 – 2021, specifically:

- Enhance resilience in our towns and our communities. (community theme)
- Build resilience in our communities and landscapes to mitigate risks from a changing climate. (natural environment theme)

Action areas:	Healthy Wellington 2017 -2021 future direction:
Policy:	<p><i>Support the development and implementation of government policies that guide practice in relief and recovery planning within Wellington Shire.</i></p> <p><i>Support the development of emergency plans and policies that support local communities to adapt and minimise the health impacts of extreme weather events.</i></p>
Physical environment:	<i>Ensure appropriate risk and mitigation strategies are in place to maintain key infrastructure during extreme weather events.</i>
Capacity building within environments:	<i>Build community resilience within townships to appropriately prepare, respond and recover from emergencies.</i>
Community voice & advocacy:	<i>Continue to engage with the community to raise their awareness on appropriate response and recovery from emergencies.</i>
Programs and events:	<i>Support the development and implementation of programs, events and resources that educate and inform about appropriate actions during extreme weather and or natural disaster.</i>

Evaluation and reporting

Due to being an integrated plan, Healthy Wellington is accountable to a range of stakeholders, including:

- Individual organisations
- Healthy Wellington Action Group
- Wellington Shire Councillors
- Department of Health and Human Services (DHHS)
- Wellington Community

While utilising the Outcomes Framework to measure change over time, these indicators are a long-term measure. To ensure our work is on track and to share this with stakeholders Healthy Wellington will meet accountability requirements in a number of ways.

Healthy Wellington 2017 – 2021 will strive to be transparent and accountable, ensuring the action we undertake results in a positive impact on the Wellington Community. This accountability will include reporting on activities undertaken, successes and impacts measured.

The success of Healthy Wellington 2017 – 2021 will not be based solely on the outcome measures. Success will also be based on the Healthy Wellington Partnership, defined by:

- Retention and growth of number and variety of partners
- Community awareness of work of Healthy Wellington 2017-2021
- Community is engaged and driving action planning
- Strong collaboration having occurred

Annual Reporting to DHHS, Councillors and Partner Organisations

We will compile an annual report to DHHS, which will incorporate a range of evaluation methods and requirements.

DHHS requirements:

Health Promotion Funded Agencies are required to report to DHHS on an annual basis on actions implemented, with a focus on impacts measured. These reports are to meet the current reporting guidelines provided by DHHS for Health Promotion Funded Agencies. Municipal Public Health and Wellbeing Plans are also required to be reported to DHHS and the associated requirements will be incorporated into this report.

For other areas in the action plans, the requirements of reporting will be less stringent, acknowledging the different evaluation capabilities within partner agencies. Reporting will capture the story, using case studies where appropriate.

To meet these accountability requirements to DHHS and partner organisations, Healthy Wellington 2017 – 2021 will collate an annual report, highlighting achievements, impacts measured and outputs where appropriate.

Quarterly Reporting to Healthy Wellington Action Group (HWAG)

The purpose of the HWAG is to ensure, development implementation and evaluation of the Healthy Wellington 2017 – 2021 Plan. To provide this guidance progress on annual action plans will be reported to HWAG on a quarterly basis. These reports will identify strengths as well as barriers, with the intention to improve progression. Quarterly reporting will also go to relevant working groups.

Community Commitment

Above all else, Healthy Wellington 2017 – 2021 acknowledges that we are accountable directly to the Wellington community. Throughout the implementation of this strategic document, we will share achievements and impacts back to the community, through a variety of means. This communication will be ongoing, and will be written with language appropriate to the audience.

This commitment by all partners will ensure that we remain accountable to our community always.

HEALTHY WELLINGTON 2017 – 2021

Part 2: Theory, research and references

Integrated Municipal Public Health and Wellbeing Plan &
Health Promotion Funded Agencies Health Promotion Plan



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Healthy Wellington 2017 – 2021 consist of a suite of four documents:

- Part 1: Strategic plan
- Part 2: Theory, research and references (this document)
- Part 3: Municipal scan
- Part 4: Annual action plan (in development)

Theory

This document provides details into the theories and research which will guide the implementation of Healthy Wellington 2017 – 2021.

What is public health planning?

Public Health and Health Promotion is a proactive approach to improving the health and wellbeing of a population. Public health goes beyond the health system and takes into account the factors which lead to poor health outcomes for the community. It is a proactive approach to the health of the community, strengthening protective factors and reducing the factors which cause poor health. This is further explained through the Public Health Model. Public Health works behind the scenes to protect health, prevent illness and promote the wellbeing of all in a community. Public health can be defined as "policies, programs and safeguards to protect maintain or promote the health of the community at large, and prevent or reduce the incidence of disease, injury or disability within the community"⁴⁴. Addressing public health is not a simple solution for the whole of a community; it requires consideration to the disparities in health and wellbeing between different social groups. Research shows that there are subgroups within our population who do not enjoy the same level of health as the general population, which can be further addressed with acknowledgement to the social model of health.

Public health model

The framework for Healthy Wellington 2017 – 2021 incorporates a Public Health Model with a strong focus on universal and secondary intervention to address the causes of poor health and wellbeing. Due to the diversity of partners involved, strategies implemented to address our priority areas will move along the spectrum of the public health model dependant on the nature of the organisation leading the work.



Health promotion is the process of enabling people to increase control over, and to improve, their health. It moves beyond a focus on individual behaviour towards a wide range of social and environmental interventions ⁴⁵. Healthy Wellington 2017 – 2021 recognises that improving health requires involvement from those outside of the health sector.

Community development:

Healthy Wellington 2017 – 2021 will utilise existing strengths in community development practices in the implementation of Healthy Wellington 2017 – 2021. Community development involves changing the relationships between ordinary people and people in positions of power, so that everyone can take part in the issues that affect their lives. Community development practitioners work alongside people in communities to help build relationships with key stakeholders and to identify common concerns. They create opportunities for the community to learn new skills and, by enabling people to act together, community development practitioners help to foster social inclusion and equality ⁴⁶. Health Promotion and Community Development are similar in their understanding that social conditions affect health & well-being and in the appreciation that a Community Development approach is most effective to build community capacity for long-term change.

Social determinants of health:



Evidence on the close relationship between living and working conditions reinforces how our health is influenced by the social environment. Factors such as income, education, conditions of employment, power and social support act to strengthen or undermine the health of individuals or communities. Due to the influence on health these factors are known as the 'social determinants of health' ⁴⁷. Healthy Wellington 2017 – 2021 will take into account the social determinants of health when identifying strategies to implement.

Lenses:

Population health work can impact and affect people of different demographics in different ways. The diversity of our community means that many considerations need to be applied to our work. Organisational systems, including policies, plans, programs, services and communication, can cause or lead to discriminatory effects and inequity in access, or may

reinforce harmful stereotypes. To ensure our work is not further causing inequities in health, it is important to look through certain lenses. When looking through a lens, this can mean involving people from particular population groups to determine how their experience of health and health services can vary.

The lenses which will be applied throughout the work of Healthy Wellington 2017 – 2021 include:

- Aboriginal & Torres Strait Islander
- Culturally and Linguistically Diverse (CALD) Individuals
- Age
- Disability
- Gender
- LGBTIF

Place-based:

Place-based and 'whole of community' approaches recognise the important role location plays in health and wellbeing. In recognising that people and places are connected inter-related and that the places where people spend their time play an important role in shaping their health and wellbeing, action can be delivered with the local context considered. A place-based approach enables us to take comprehensive action within and across the range of settings in Wellington to promote health and wellbeing.

Settings focus:

Healthy Wellington 2017 – 2021 will have a focus on settings as a place of influence. Throughout this document 'settings' will be used to represent the key environments where people live, learn, work and play. These include, but are not limited to:

- Early childhood care settings and schools,
- Workplaces & Organisations
- Community groups
- Sporting clubs, sports, recreation, social and leisure spaces
- Health, family and community services
- Art and cultural spaces
- Media

'Systems thinking' takes into account that public health problems are complex and are not caused by a single factor. By using a systems perspective Healthy Wellington 2017 – 2021 can acknowledge that many points in a system can be altered to create change, calling for an integrated top-down and bottom-up approach. By looking at the whole 'system' Healthy Wellington 2017 - 2021 is able to address an issue from a multitude of angles and a range of action areas, creating a greater impact.

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Outcomes framework:

The Outcomes Framework provides an approach that helps understand and measure whether the actions being delivered are having a real and lasting impact on people's lives. The Outcomes Framework is a collation of a comprehensive set of indicators drawn from multiple data sources. These indicators will help us track whether our efforts are improving the health and wellbeing of Victorians over time.

By utilising the Outcomes Framework, Healthy Wellington 2017 – 2021 will strive to create a shared vision for our community, using agreed upon shared outcomes indicators to measure our success.

It is important to note that there are limitations in the data available within particular priority areas. To overcome this, we will focus on ensuring local evaluation on actions being delivered.

Research

National, state and local policy context

When developing Healthy Wellington 2017 – 2021, a review of the following national, state and local policies was conducted:

National

Australian Dietary Guidelines 2013
Australia's Physical Activity and Sedentary Behaviour Guidelines July 2014
Change the Story: a shared framework for the primary prevention of violence against women and their children in Australia 2015
Fifth National Mental Health Plan 2017 - 2022
National Climate Resilience and Adaptation Strategy 2015
National Drug Strategy 2017-2022
National Health and Medical Research Council – Alcohol guidelines: reducing the health risks 2016
National Mental Health Policy 2008
National Strategy on Binge Drinking 2013
National Tobacco Strategy 2012-2018

State

Absolutely Everyone: State Disability Plan 2017-2020
Department of Education and Training - Education State
Department of Health and Human Services 2017, *Inequalities in the social determinants of health and what it means for the health of Victorians: findings from the 2014 Victorian Population Health Survey*, State of Victoria, Melbourne
Department of Health and Human Services - Racism in Victoria and what it means for the health of Victorians 2017
Department of Health – Using policy to promote mental health and wellbeing: a guide for policy makers 2012
Ending family violence: Victoria's Plan for Change 2016
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VicHealth Behavioural Insights and Gender Equality
VicHealth Tobacco Strategy 2016-19
Victorian Public Health and Wellbeing Outcomes Framework
Victorian Public Health and Wellbeing Plan 2015-2019
Victoria's Multicultural Policy
Youth Policy: Building Stronger Youth Engagement in Victoria

Local

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Central Gippsland Health Service Strategic Plan
Wellington Shire Council Plan 2017-2021
Gippsland Close the Health Gap Plan
Gippsland Medicare Local Strategic Plan
Gippsland Prevention of Men's Violence Against Women (PMVAW) Strategy
Gippsland Sexual and Reproductive Health Promotion Strategy 2013-2017
Gippsland Women's Health Strategic Plan

Ramahyuck District Aboriginal Corporation Strategic Plan
Wellington 2030 Community Vision 2.0
Wellington Best Start Action Plan
Wellington Community Early Years Plan 2017-2021
Wellington Primary Care Partnership Strategic Plan including service coordination and integrated Chronic disease management
Wellington Shire Council Municipal Emergency Management Plan
Wellington Walking and Cycling Strategy
Yarram and District Health Service Strategic Plan

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HEALTHY WELLINGTON 2017 – 2021

Part 3: Municipal scan

Integrated Municipal Public Health and Wellbeing Plan and
Health Promotion Funded Agencies Health Promotion Plan



DRAFT Healthy Wellington 2017 – 2021 Part 3. Municipal scan
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Healthy Wellington 2017 – 2021 consist of a suite of four documents:

- Part 1: Strategic plan
- Part 2: Theory, research and references
- Part 3: Municipal scan (this document)
- Part 4: Annual action plan (in development)

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<p style="text-align: center;">Summary of Wellington Shire Municipal Scan.</p> <p style="text-align: center;">For further information on each of the areas please refer to the full Scan.</p>			
PRIORITY AREA (Taken from VPHWP)	Prevalence <i>(Is the problem widely experienced? i.e. % of Pop of Wellington affected,</i>	LGA Data compared to State;	Trend <i>(Is this issue improving, remaining the same or getting worse?)</i>
1. Healthier eating and Active living	34.0% persons pre-obese (Vic 31.2%) ranked 27 out of 79 LGAs & 20.1% obese (Vic 18.8%) ranked 40 out of 79 LGAs (2015) ¹ .	Above state average	Worse
2. Tobacco-free living	14.8 % of Wellington population over 18 years smoke (Vic 13.1%) (2015) ¹ .	Above state average	Improving
3. Reducing harmful alcohol and drug use	Drug usage and possession offences 5.6 people per 1000 population (Vic 5.1) ranked 23 out of 79 LGAs (2015) ¹ . 76.0% of the Wellington adult population with increased lifetime risk of alcohol related harm (Vic 59.2%) (2015) ¹ .	Above state average	Worse
4. Improving mental health	11.7% percentage of persons in Wellington reporting high/very high degree of psychological distress (Vic 12.6%) ranked 40 in LGAs (2015) ¹ . Prevalence of depression and anxiety in Wellington is 27.1% (Vic 24.2%) (2014) ² .	Above state average	Worse
5. Preventing violence and injury	Family incidents per 1000 population is 18.9* (Vic 12.4) ranked 12 out of 79 LGAs (2015) ¹ . Intentional injuries treated in hospital per 1,000 population is 6.7* (Vic 3.0) ranked 2 in LGAs (2015) ¹ .	Above state average	Worse
6. Improving sexual and reproductive health	Teenage fertility rate (per 1000 women aged 15-19) is 18.10* (Vic 10.28) ranked 20 out of 79 LGAs (2015) ¹ . Notifications of chlamydia per 1,000 females aged 20-24 years is 22.0 (Vic 18.4) (2014) ² .	Above state average	Worse

Introduction

Healthy Wellington 2017 – 2021 is an integrated document of the 'Municipal Public Health and Wellbeing Plan' and health promotion funded agencies, 'Health Promotion Strategic Plan'.



When preparing for the next Municipal Public Health and Wellbeing Plan six interdependent planning stages will occur. The first four stages will occur over a 12-month planning period and the remaining two within a four-year implementation and evaluation period.

What is a municipal scan?

A municipal scan provides a preliminary understanding of the health and wellbeing status of the community and the determinants that contribute to this status. It needs to consider the context of other local, state and national health policy and issues.

The municipal scan alone will not provide the information needed to identify priorities however, it can indicate the areas where further analysis and discussion with stakeholders and the community needs to occur to identify priorities.

To perform this municipal scan, a variety of measures regularly used to measure health and illness in a population were examined, to build an understanding of the health challenges facing our community.

Primarily, data from the following sources was used (other sources have been used and referenced in the document);

- Victorian Government Data: LGA Profile 2015¹,
- The Victorian Population Health Survey 2014²,
- The 2016 Australian Census³ and Australian Bureau of Statistics 2011⁴,
- The VicHealth Indicators Surveys from 2011⁵ and 2015⁶.

While there are many additional government reports and data sources which could be included in the scan, many draw on the original data from these primary sources, and therefore were not included. Effort was made to include as much gendered data as possible, where it was available.

To provide an evidence base with which to inform and develop Wellington Shire Council's 2017-2021 Municipal Public Health and Wellbeing Plan, data has been presented alongside the health priorities from the Victorian Population Health and Wellbeing Plan 2015-2019⁷. The Victorian Population Health and Wellbeing Plan 2015-2019 must be used as a guide when planning and selecting health priorities for Wellington's next Municipal Public Health and Wellbeing Plan.

To give an indication of the local context, this scan focussed on identifying health and wellbeing areas in which Wellington's performance was better or worse than the state average. These areas were identified by indicators which either varied from the state average by a statistically significant amount, or ranked in the top or bottom 20 (out of 79) of Victorian LGA rankings.

The top and bottom 20 state LGA rankings were considered to identify more favourable and less favourable measures, considering whether measures were framed in positive or negative language. For example, it is most favourable for measures which are framed positively, eg. 'Percentage of 19-year-olds completing year 12' to have a ranking in the top twenty, and least favourable to be ranked in the bottom 20. Conversely, for measures which are negative eg. 'Gambling machine losses per head of adult population', it is *least* favourable to rank in the top 20, and most favourable to rank in the bottom 20.

Top and bottom 20 rankings which are favourable, and statistically significant measures which indicate a strength are highlighted green, for clarification. Measures written in grey are not statistically significant, but provide supporting evidence.

Reference Key	
	Areas in which Wellington Shire is doing well against the State average
*	Statistically significant as determined by Victorian Population Health Survey OR ranks within the top or bottom 20 LGAs.
Frequently used References – please refer to Reference Page for Full List	
1	Victorian Government Data: LGA Profile 2015 ¹ ,
2	The Victorian Population Health Survey 2014 ² ,
3 and 4	The 2016 Australian Census ³ and Australian Bureau of Statistics 2011 ⁴ ,
5 and 6	The VicHealth Indicators Surveys from 2011 ⁵ and 2015 ⁶ .

Wellington Shire

Wellington Shire is located about 212km east of Melbourne in the Gippsland Region. Wellington is a large LGA, covering 10,817km², with nine major towns based around the largest community, Sale. The population of Wellington is growing more slowly than the Victorian average, and is projected to increase by 0.7% in 2014-2024¹.

In the Socio-economic Indexes for Areas (SEIFA), which is a measure of relative socio-economic advantage and disadvantage across Australia, Wellington has a score of 961 (in the index of relevant socioeconomic advantage and disadvantage). Scores less than 1000 in this index indicate relatively greater disadvantage and lack of advantage in general. Wellington scores similarly in other SEIFA indexes which measure access to economic resources (eg. housing) and education and occupation (eg. skilled vs. unskilled occupations, high qualifications etc.). Wellington is neither one of the most advantaged or disadvantaged regions in Australia⁴.

Our population

Compared to other municipalities in Victoria, Wellington has a larger Aboriginal and Torres Strait Islander community, and little cultural diversity. The proportion of residents born overseas is 19.4%; 13.1% of residents speak a language other than English at home, compared to the Victorian average of 32.1%. People aged over 45 are overrepresented in the community, and people aged 15-44 years old are underrepresented. There are more people with disability in Wellington, who require care and/or financial support compared to the Victorian average⁵. Consideration must be given to these vulnerable groups in public health and wellbeing planning, to ensure improved outcomes for all, including the most disadvantaged⁷.

Population by age³

	% total Wellington population	% total Victoria population
00-14yo	17.7%	18.2%
15-24yo	10.9%	13.0%
25-44yo	22.7%	28.6%
45-64yo	28.5%	24.6%
65-84yo	17.9%	13.4%
85+yo	2.4%	2.2%

Diversity, economic and employment characteristics

	Wellington measure	Victoria measure	LGA rank (out of 79)
Aboriginal and Torres Strait Island Population ¹	1.5%*	0.8%	
Percentage of population born overseas ¹	19.4%	35.1%	
Percentage speaking a language other than English at home ¹	13.1%	32.1%	
Percentage of families headed by one parent ¹	14.3%	15.3%	
Proportion who are female ¹	82.6%	82.2%	
Proportion who are male ¹	17.4%	17.8%	
Full-time equivalent students ¹	15.6%	n/a	

Unemployment rate ¹	5.2%	6.3%	48
Percentage of individuals with income of less than \$400 per week ²	44.0%	39.9%	25
Median weekly personal income for people aged 15 years and over ³	\$562	\$644	

Aged and disability characteristics¹

	Wellington measure	Victoria measure	LGA rank (out of 79)
Percentage of people with need for assistance with core activity	6.0%	5.0%	25
People with severe and profound disability living in the community (all ages)	4.9%	4.0%	23
People receiving disability services support (per 1,000 population)	32.7*	8.9	1
Disability support pension recipients (per 1000 eligible population)	75.3	51.3	28
Age pension recipients per 1,000 eligible population	756.7	7.7.4	36

Victoria's population health and wellbeing priorities in the local context

The Victorian Population Health and Wellbeing sets out six health priorities to guide action over the next four years across the state. Selection of these priorities by the Government recognises that many diseases and conditions are interrelated, sharing common determinants, protective and risk factors, and that focussing on these common factors will allow prevention measures to improve outcomes across a range of physical and mental health conditions.

The six priority areas are discussed below, considering the local context.

1. Healthier eating and active living

Poor diets and physical inactivity are major risk factors for ill health and mortality from all causes, particularly cardiovascular disease, diabetes, obesity, and cancer. 10.5% of Australia's total burden of disease is due to dietary risks, and 4.6% is due to physical inactivity. High body mass index, is responsible for an additional 8.5% of the disease burden⁶.

Local data suggests that Wellington residents experience increased chronic disease related risk factors, particularly associated with poor diets. Wellington residents appear to be more active at work than Victorian counterparts, sit less, and are more likely to achieve recommended physical activity guidelines. Fewer Wellington residents however, walk for transport, so are less likely to participate in incidental physical activity by transport.

The Wellington Primary Care Partnership ('WPCP'), Central Gippsland Health Service ('CGHS'), Yarram and District Health Service ('YDHS'), and the Gippsland Primary Health Network ('Gippsland PHN') are all key external stakeholders who prioritise work in this area. The Gippsland PHN has identified 'lifestyle factors' for disease as a key area for influence in their priorities for 2016-2018⁹. In

the national context, projections of the prevalence of chronic diseases are rapidly increasing beyond the capacity of health services to manage. As such, even though local data does not show Wellington falling significantly behind the state average, the impact of poor diets, high BMI, and physical inactivity cannot be disregarded at a local level, and preventative measures should be supported.

Healthy eating

	Wellington measure	Victorian measure	LGA rank (out of 79)
People reporting poor dental health ¹	6.1	5.6	33
Proportion of children (aged 0-5) presenting with at least one decayed, missing or filled primary (baby) or permanent (adult) tooth, attending public dental services, 2014-16 (Dental health services VIC) ¹⁰	30.0	31.0	
Proportion of children (aged 6-8) presenting with at least one decayed, missing or filled primary (baby) or permanent (adult) tooth, attending public dental services, 2014-16 (Dental health services VIC) ¹⁰	55.0	57.0	
Proportion of children (aged 9-12) presenting with at least one decayed, missing or filled primary (baby) or permanent (adult) tooth, attending public dental services, 2014-16 (Dental health services VIC) ¹⁰	65.0	64.0	
Proportion of children (aged 13-17) presenting with at least one decayed, missing or filled primary (baby) or permanent (adult) tooth, attending public dental services, 2014-16 (Dental health services VIC) ¹⁰	65.0	70.0	
Proportion of adults (aged 18-24) presenting with at least one decayed, missing or filled primary (baby) or permanent (adult) tooth, attending public dental services, 2014-16 (Dental health services VIC) ¹⁰	70.0	83.0	
Proportion of adults (aged 25-44) presenting with at least one decayed, missing or filled primary (baby) or permanent (adult) tooth, attending public dental services, 2014-16 (Dental health services VIC) ¹⁰	87.0	92.0	
Proportion of adults (aged 45-64) presenting with at least one decayed, missing or filled primary (baby) or permanent (adult) tooth, attending public dental services, 2014-16 (Dental health services VIC) ¹⁰	96.0	98.0	
Proportion of adults (aged 65+) presenting with at least one decayed, missing or filled primary (baby) or permanent (adult) tooth, attending public dental services, 2014-16 (Dental health services VIC) ¹⁰	100	97.0	
Proportion of the adult population who consume sugar sweetened beverages daily ²	20.6*	11.2	7
Proportion of the adult population who consume sugar sweetened beverages daily, once or several times per week ¹	41.4*	30.7	
Proportion of adult population who never eat takeaway meals or snacks ²	12.7*	16.6	
Percentage of population with low food security ¹	6.1*	4.6	20
Percentage of population who ran out of food and could not afford to buy more (female) ¹¹	6.5	6.8	

Percentage of population who ran out of food and could not afford to buy more (male) ¹¹	1.7*	5.2	
Percentage of persons who share a meal with family at least 5 days per week ⁵	74.4*	66.3	15
Proportion of population who met both fruit and vegetable consumption guidelines ²	2.9	4.4	
Proportion of population who do not meet with fruit and vegetable consumption guidelines ¹	52.6	48.6	26
Proportion of females who do not meet with fruit or vegetable consumption guidelines ¹	50.4*	43.4	7
Proportion of males who do not meet with fruit or vegetable consumption guidelines ¹	53.1	54.0	55
Percentage of the population consuming 2+ serves fruit daily ²	43.5	47.8	

Physical activity

	<i>Wellington measure</i>	<i>Victorian measure</i>	<i>LGA rank (out of 79)</i>
Percentage of people who do not meet physical activity guidelines ¹	50.0*	54.0	60
Percentage of females who do not meet physical activity guidelines ¹	53.8	56.1	44
Percentage of males who do not meet physical activity guidelines ¹	47.6	52.0	59
% population physical activity status 'sedentary' ²	3.7	3.6	
% population physical activity status 'insufficient time and/or sessions' ²	47.0	50.4	
% population physical activity status 'sufficient time and sessions' ²	43.8	41.4	
% population physical activity status 'sufficient time and sessions' (female) ¹¹	57.9	59.7	
% population physical activity status 'sufficient time and sessions' (male) ¹¹	54.8	61.0	
Percentage of persons who sit for at least 7 hours per day ⁵	20.5*	32.6	69
Predominant type of physical activity (sitting) undertaken at work among those employed ²	34.8*	49.6	
Predominant type of physical activity (standing) undertaken at work among those employed ²	15.9	18.4	
Predominant type of physical activity (walking) undertaken at work among those employed ²	27.1	16.0	
Predominant type of physical activity (heavy labour/physically demanding work) undertaken at work among those employed ²	15.9	12.8	
Proportion of adult population who walked for transport for trips longer than 10 minutes on one day in the preceding week ²	3.2*	7.3	
Proportion of adult population who walked for transport for trips longer than 10 minutes on 2-3 days in the preceding week ²	21.9	16.8	

Proportion of adult population who walked for transport for trips longer than 10 minutes on 4+ days in the preceding week ²	11.7	18.1	
Proportion of adult population who did not walk for transport for trips longer than 10 minutes at all in the preceding week ²	62.8	57.4	

Overweight and obesity

	Wellington measure	Victorian measure	LGA rank (out of 79)
Percentage of persons overweight ¹	34.0	31.2	27
Percentage of females overweight ¹	22.7	24.3	48
Percentage of males overweight ¹	44.8*	38.4	19
Percentage of persons obese ¹	20.1	18.8	40
Percentage of females obese ¹	21.4	17.2	30
Percentage of males obese ¹	17.8	20.4	53
Proportion of adult population with BMI 'underweight' ²	1.4	1.8	
Proportion of adult population with BMI 'normal' ²	35.9	39.8	
Proportion of adult population with BMI 'pre-obese' ²	34.0	31.2	
Proportion of adult population with BMI 'obese' ²	20.1	18.8	

Chronic disease (contributed to by poor diets and physical inactivity, as well as smoking (2), use of alcohol and drugs (3))

	Wellington Measure	Victorian Measure	LGA Rank (out of 79)
Avoidable deaths per 100,000 population, 0-74 years, due to cancer ¹	28.2*	23.8	18
Avoidable deaths per 100,000 population, 0-74 years, due to cardiovascular disease ¹	26.3	23.0	39
Avoidable deaths per 100,000 population, 0-74 years, due to respiratory disease ¹	10.5	8.1	25
Percentage of persons reporting type 2 diabetes ¹	6.6*	5.0	7
Prevalence of type 2 diabetes ²	5.9%	5.3%	
Percentage of persons reporting high blood pressure ¹	29.1*	25.9	15
Percentage of persons reporting heart disease ¹	7.0	6.9	36
Prevalence of heart disease ²	7.3%	7.2%	
Cancer incidence per 1,000 population ¹	6.2	5.2	33
Cancer incidence per 1,000 females ¹	5.2	4.8	43
Cancer incidence per 1,000 males ¹	7.1	5.6	30
Prevalence of cancer ²	6.7%	7.4%	
Percentage of breast screening participation ¹	56.2%*	52.0%	17
Percentage of cervical cancer screening participation ¹	57.5%*	61.5%	61
Percentage of bowel cancer screening participation ¹	41.8%	37.6%	22

2. Tobacco-free living

Smoking is a significant contributor to the national burden of coronary heart disease, lung cancer and chronic obstructive pulmonary disease⁸.

There is an increased prevalence of smoking in Wellington, particularly among males, aged 18 and over, when compared to the rest of Victorians, although smoking rates have dramatically decreased nationally over the last 30 years¹².

It should be noted however, that on a national level, decline in smoking has not been experienced evenly across the population. Disadvantaged and vulnerable populations, for example people who experience psychological distress, people who live in rural areas, people on low incomes and people with lower levels of education (all of which are particularly relevant to the local context) have higher smoking rates, and bear a greater burden of smoking related morbidity and mortality¹.

	Wellington measure	Victorian measure	LGA rank (out of 79)
Prevalence of smoking ²	14.8	13.1	
Prevalence of ex-smokers ²	26.4	24.8	
Prevalence of non-smokers ²	58.0	61.5	
Percentage of persons, 18+ who are current smokers ¹	14.8	13.1	33
Percentage of females, 18+ who are current smokers ¹³	14.3	12.9	33
Percentage of males, 18+ who are current smokers ¹³	25.0*	18.5	15
Percentage of population who smoke daily ²	14.3*	9.8	

3. Reducing harmful alcohol and drug use

Harmful alcohol and drug use is associated with crime, violence, injury, loss of life, road traffic accidents, mental illness, and suicide. Long-term regular alcohol consumption is also related to some cancers and heart disease⁷.

In Wellington, data shows significantly higher drug use and possession offences than the rest of Victoria. This may reflect increased drug use in the community. Alcohol measures clearly show increased alcohol consumption and increased short and long term alcohol related harm in Wellington. The Trends in Alcohol and Drug Related Ambulance Attendances in Victoria 2012-2013 report shows upward trends in the number of drug related attendances, for almost all drugs, by ambulance from 2011-2013 in regional Victoria¹⁴.

One strategy in Healthy Wellington 2013-17 Social Connections and Inclusion priority focussed on preventing alcohol consumption, through the delivery of educational programs in schools¹⁵. It is likely that consumption of alcohol and drug use among young people will become a greater priority area in Wellington's Youth Strategy 2017-2020.

	Wellington measure	Victorian measure	LGA rank (out of 79)
Drug usage and possession offences per 1000 population ¹	5.6	5.1	23
Rate of drug offences per 100,000 population ¹⁶	617	499	25
People at increased risk of alcohol-related harm on a single occasion of drinking ³	52.5%	42.5%	21
Drug and alcohol clients per 1000 population ¹	6.9*	5.0	19
Proportion of the adult population who abstain or no longer drink alcohol ²	9.3%*	20.8%	

Proportion of the adult population with increased lifetime risk of alcohol related harm ²	76.0%*	59.2%	
Proportion of adult population at increased risk of alcohol-related injury on a single occasion ²	52.5%*	42.5%	
Proportion of residents who agree getting drunk every now and then is okay ¹³	30.9	27.9	

4. Improving mental health

A person's level of mental wellbeing is a culmination of many factors, in addition to the presence or not of a clinical mental impairment or illness. A person's physical health, social circumstances, environment and interactions with their community play significant roles in determining mental wellbeing².

The data below suggests that while people feel safe and supported in their neighbourhoods in Wellington, psychological distress is high, as is the prevalence of clinical depression and anxiety.

Healthy Wellington 2013-17 took a broad primary prevention approach to mental health through the Social Connections and Inclusion Priority, which focussed on enhancing community connections for vulnerable groups, particularly people with disability. Rural Access and GippSport are significant local partners working in this space.

	Wellington measure	Victorian measure	LGA rank (out of 79)
Percentage of persons reporting high/very high degree of psychological distress ^{1,2}	11.7%	12.6	40
Prevalence of depression and anxiety ²	27.1%	24.2%	
Registered mental health clients per 1000 population ¹	14.8	11.9	33
Percentage of persons with adequate work life balance ¹	57.8%*	53.1%	11
Perceptions of Neighbourhood – people willing to help each other (% agree) ⁵	84.3*	74.1	
Perceptions of Neighbourhood – this is a close knit neighbourhood (% agree) ⁵	76.5*	61.0	
Perceptions of Neighbourhood – people can be trusted (% agree) ⁵	80.5*	71.9	
Percentage who help as a volunteer ²	26.4%	19.3%	33
People aged over 75 years living alone ¹	41.2%*	35.9%	16
Females aged over 75 year living alone ¹	71.8%	73.9%	54
Males aged over 75 years living alone ¹	28.2%	26.1%	26
High/very high levels of social isolation among adults ¹⁸	18.5%	17.3%	
People who live near public transport ¹	26.6%	73.9%	
Proportion of adults who belong to an organised group - Sport ¹⁸	30.5%	25.6%	
Proportion of adults who belong to an organised group - School ¹⁸	25.7%	13.6%	
Proportion of adults who attended a local community event ¹⁸	75.2%	58.9%	
Life satisfaction of adults ²	91.9%	92.4%	

Proportion of adults who feel valued by society ²	47.8%	51.4%	
Proportion of adults who definitely feel there are opportunities to have a real say on important matters ¹⁶	31.0%	35.2%	
Proportion of adults able to get help from friends ¹⁸	86.3%	79.7%	
Proportion of adults able to get help from family ¹⁸	76.9%	81.6%	
Proportion of children who report being bullied Year 7 to Year 9 ²⁶	22.4%	18.0%	
Proportion of children who report feeling connected to school Year 7 to Year 9 ²⁷	66.5%	62.3%	
Proportion of children at school entry whose parents report high levels of family stress in the past month ²⁸	11%	9.9%	

Inside mental health: gaming

Use of gaming machines increases social isolation (associated with poor mental health), financial insecurity and disadvantage¹⁹. In 2015-16 financial year in Wellington, more than \$21.74 million was lost through electronic gaming machines in Sale, Maffra and Yarram²⁰. The average adult in Wellington spends \$657.00 on gaming machines each year, nearly \$100 more than the average Victorian. In addition to this, only a small section of the population uses gaming machines, and therefore bear a substantial annual financial burden.

Furthermore, the burden of gaming is exacerbated by other gaming mediums, online gaming, TAB etc. which are reported to be equally popular in Wellington, but have no formal measurement or data available.

	Wellington measure	Victorian measure	LGA rank (out of 79)
Gambling			
Gaming machine losses per head of adult population ¹	\$657.00*	553.00	15

5. Preventing violence and injury

Violence and injury includes family violence, street and community violence, workplace injury, falls injury associated with suicide and transport-related injury⁷.

With the Royal Commission into Family Violence, family violence has become a major priority for the Victorian Government. Family violence has profound impacts, which disproportionately affect women and children, and is mostly perpetrated by men⁷.

Conversely, street violence primarily affects men, and perpetrators are most often other males⁷.

In Wellington, family incidents, sexual offences and violent offences are all more common than in the rest of Victoria. Significant numbers of intentional and unintentional injuries are treated in hospital, although a relatively small proportion of these are due to falls.

Prevention of Violence Against Women and Children was a priority area of Healthy Wellington 2013-17. Strategies in this area focussed on primary prevention by raising awareness of gender inequality as a primary driver of violence against women, and up skilling early years services to identify and

respond to violence against children. Gippsland Women's Health and Uniting Care Gippsland are key agencies working in this area.

To work effectively in crime prevention (particularly street and community crime), the Healthy Wellington partnership should engage with the police and justice sector, including agencies such as Victoria Police.

	Wellington measure	Victorian measure	LGA rank (out of 79)
Total offences per 1000 population ¹	102.8*	82.6	14
Family violence incidents per 1000 population ¹	18.9*	12.4	12
Rate of sexual offences per 100,000 population ¹⁶	683	207	n/a
Rate of stalking, harassment, and threatening behaviour per 100,000 population ¹⁶	469	211	n/a
Rate of violent offences per 100,000 population ¹⁶	2769	1265	5
Unintentional injuries treated in hospital per 1,000 population ¹	112.2*	61.0	8
Intentional injuries treated in hospital per 1,000 population ¹	6.7*	3.0	2
Percentage of unintentional injuries due to falls ¹	31.6	38.7	69

6. Improving sexual and reproductive health

Sexual health is a vital element of health, though sexual health seeking behaviour is easily influenced and often prevented by social taboo, gender norms and power dynamics⁷.

The local 2016 YOUTH Speak survey reports that 61% of respondents aged 16-18 years, and 92% of respondents aged 18-25 were sexually active²¹. Elevated teenage fertility and chlamydia notification rates presented below suggest that young people lack access to, or lack the motivation or understanding to use contraception effectively, to prevent pregnancy and sexually transmitted infections.

Sexual and reproductive health was not included in the 2013-2017 MPHWP, but is emerging as an important issue in the community. In 2016, council approved the installation of one free condom vending machine in the future Port of Sale Cultural Hub, however the political climate is such that the Council could contribute further to sexual health in the Shire, considering the rollout of the Respectful Relationships curriculum in Victorian schools in 2017. Gippsland Women's Health, Central Gippsland Health Service and Yarram and District Health Service prioritise work in this area locally.

	Wellington measure	Victorian measure	LGA rank (out of 79)
Teenage fertility rate (per 1000 women aged 15-19) ¹	18.1*	10.4	20*
Notifications of chlamydia per 100,000 population ¹	307.2	330.7	30
Rates of chlamydia notifications per 1,000 females, aged 15-19 years ²²	14.5	10.5	
Rates of chlamydia notifications per 1,000 females, aged 20-24 years ²²	22.0	18.4	

Other issues in Wellington

Gender equity and disability inclusion are two other health issues in Wellington that are significant, and closely related to the health outcomes of women and people with disability in our community. Principles related to gender equality and inclusion of people with disability should be applied across all work done as part of the Municipal Public Health and Wellbeing Plan.

Gender Equity

Gender inequalities and harmful gender stereotypes can have negative impacts on health and wellbeing for both men and women²³. For example, sexist behaviours and attitudes which objectify and value the physical image of women perpetuate violence against women, and ideals around masculine stoicism, or 'being tough' can impact negatively on the mental health of men, resulting in alarmingly high rates of male suicide in Australia²⁴.

Gender equality is related to sexual and reproductive health, and violence and injury, as discussed above. More broadly, gender issues also influence women's and men's ability to participate in general healthy behaviours. For example, women may be unable or reluctant to participate in physical activity and sport due to caring responsibilities, body image concerns, personal safety fears, lower SES/income, being time poor (from engaging in addition unpaid work – housework, meal preparation care giving etc.)²⁵.

In Wellington, gender inequality is evident in higher rates of family and sexual violence, and disparate social outcomes in education and employment between women and men, particularly for people not working as managers or professionals. Great disparity in outcomes is evident between women experiencing general disadvantage, for example those who are unemployed or earn less than \$400/week.

A focus of the 2013-2017 MPHWP was the Prevention of Violence Against Women and Children, which allowed strong partnerships to be formed between Wellington Shire Council and Gippsland Women's Health, GippSport (Women in Sport) and Uniting Care. Outcomes were achieved in increasing the reach of prevention of violence activities, and thus community awareness of the prevalence, causes, and impacts of violence against women was improved. In some ways, the focus on prevention of violence specifically prevented broader action in gender equality. For example, the working group did not have the ability to contribute to sexual and reproductive health, or respond to community feedback related to LGBTIQIA inclusion and equality.

	Wellington measure	Victorian measure	LGA rank (out of 79)
Percentage of females with income less than \$400 per week ¹	52.5*	47.1	18
Percentage of males with income less than \$400 per week ¹	35.1	32.1	33
Proportion of families headed by a single parent who is female ¹	82.1	82.8	43
Proportion of families headed by a single parent who is male ¹	17.9	17.2	37
Percentage of females aged 22-24 who are not employed or enrolled in education ¹⁶	22.0%		
Percentage of males aged 22-24 who are not employed or enrolled in education ¹⁶	13.5%		

Percentage of females aged 20-64 who are in paid employment ¹⁶	65%		
Percentage of males aged 20-64 who are in paid employment ¹⁶	74%		
Percentage of employed females working as managers and professionals ¹⁶	34.3%		
Percentage of employed males working as managers and professionals ¹⁶	32.2%		
Rate of sexual offences per 100,000 population ¹⁰	683*	207	n/a

Inclusion of people with disability

People living with intellectual, physical and sensory impairments face additional barriers in participating in community life, education and employment, while experiencing poorer health outcomes and often reduced access to healthcare²⁵. These barriers are exacerbated in rural areas, where lack of services, public transport etc. further reduce an individual's opportunity to engage in community life.

4.9% of Wellington residents (approx. 2000 individuals) experience severe and profound disability living in the community¹.

	Wellington measure	Victoria measure	LGA rank (out of 79)
Percentage of people with need for assistance with core activity ¹	6.0%	5.0%	25
People with severe and profound disability living in the community (all ages) ¹	4.9%	4.0%	23
Disability support pension recipients (per 1000 eligible population) ¹	75.3	51.3	30

Victorian Public Health and Wellbeing Plan: considerations for health at all ages in Wellington:

Starting well

Children's early experiences have significant impacts on their learning, development, health and future prospects. Developing and supporting positive health knowledge and behaviours in children is likely to achieve lasting, lifelong benefits for health and wellbeing².

Children in Wellington are at increased risk of child abuse, resulting in higher than average rates of child protection orders, and a larger number of children living in out of home care. Children are also developmentally vulnerable, and are much more likely than their Victorian counterparts to experience, emotional, behavioural, speech or language problems at school entry.

Key partners to the 2013-2017 MPHWP, UnitingCare Gippsland, Wellington Best Start and Central Gippsland Health Services work in this area, alongside the Council's Early Years Project Officer.

	Wellington measure	Victorian measure	LGA rank (out of 79)
Early Years			
Percentage of infants fully breastfed at three months ¹	46.0%*	51.8%	61
Percentage of children attending 3.5 year old maternal and child health checks ¹	66.9%	66.1%	45
Kindergarten participation rate ¹	100%	98.1%	31
Percentage of children with kindergarten subsidy ¹	39.4%	26.8%	22
School readiness			
Percentage of children with emotional or behavioural problems at school entry ¹	5.7%	4.6%	27
Percentage of children with speech or language problems at school entry ¹	16.9%	14.2%	33
Percentage of children developmentally vulnerable in one or more domains ¹	21.9%	19.5%	26
Percentage of children developmentally vulnerable in two or more domains ¹	10.1%	9.5%	31
Child safety			
Child protection investigations completed per 1,000 eligible population ¹	32.8*	19.4	12
Child protection substantiations completed per 1,000 eligible population ¹	17.5*	11.4	17
Child FIRST assessments per 1,000 eligible population ¹	16.1	10.1	29

Resilient adolescence and youth

Youth is a critical time for developing modifiable protective and risk factors for health (e.g. participation in exercise, smoking), which are often carried into adulthood. For young people, school is a key setting for developing these behaviours or not⁷. There is little youth-specific data available which relates to health behaviours, however the measures which are available do give an indication that young people in Wellington are at greater risk of becoming disengaged from education or employment – both of which are important social determinants of health.

Wellington's YOUth Speak survey conducted in 2016, provides local, youth-specific data from a sample of 1084 young people²¹. This data is not strong enough to stand alone, but can contribute to an understanding of the challenges facing youth to achieve health and wellbeing in Wellington, and provides insight to the factors which influence young people's ability to access education, employment, healthcare etc. The Youth Strategy, being developed by the Wellington Youth Services Network in light of the YOUth Speak findings will work towards enhancing the health and wellbeing of young people in Wellington.

	Wellington measure	Victorian measure	LGA rank (out of 79)
Percentage of year 9 students who attain national minimal standards in numeracy ¹	97.1%	95.6%	24
Percentage of year 9 students who attain national minimal standards in literacy ¹	91.8%	92.0%	36
People 19 years old having completed year 12 ¹	75.1%*	88.2%	72
People who did not complete year 12 ¹	63.9%*	43.7%	20
People who completed a higher education qualification ¹	25.5%*	45.7%	67
YOUth Speak 2016 results²¹			
Percentage of respondents looking for work	35%		
Percentage of respondents who did not have difficulty finding work	41%		
Percentage of respondents who want to/do not want to/are not sure if they want to live in Wellington in the future	25%/32%/43%		

Healthy adulthood

Adulthood can be a time of significant transition for individuals establishing and ending relationships, having families, growing careers etc. Those who experience long term unemployment face disadvantage and subsequent negative impacts on their health and wellbeing, and those who become parents face growing stressors and responsibilities associated with parenting⁷. In Wellington, general health services, maternal and child health services and community service organisations exist to support adults in times of transition.

Healthy and active ageing

Wellington is home to a growing older population. It has a larger and growing population of older people when compared to Victoria. As such, healthy ageing, which enables older people to remain active and participating in community life is important to prevent disengagement and deterioration of health and wellbeing⁷. There is little age-specific data available, but anecdotally, we know healthy ageing is an important issue in Wellington.

In 2016, Wellington received funding from the Department of Health and Human Services to implement a series of Age Friendly projects that support social connections, inclusion and participation for older people living in Wellington. These community led projects are being implemented in 2017.

Conclusion

Wellington is facing a range of health and wellbeing challenges. There is existing evidence which supports Wellington's action in all the six Victorian health priorities. In planning the new Municipal Public Health and Wellbeing Plan, consideration must be made for promoting health at every stage of life, and promoting health for Wellington's most disadvantaged groups, including Aboriginal and Torres Strait Islanders, people with disability and women, who experience poorer social outcomes associated with inequity and discrimination.

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ITEM C5.2**SPECIAL COMMITTEES OF COUNCIL – INSTRUMENTS OF DELEGATION AND TERMS OF REFERENCE**

DIVISION: COMMUNITY AND CULTURE
 ACTION OFFICER: MANAGER COMMUNITY WELLBEING
 DATE: 3 OCTOBER 2017

IMPACTS									
Financial	Communication	Legislative	Council Policy	Council Plan	Resources & Staff	Community	Environmental	Consultation	Risk Management
		✓	✓	✓				✓	

OBJECTIVE

For Council to approve the revised Instruments of Delegations and Terms of Reference (as attached) for the:

- Briagolong Quarry Reserve Committee of Management
- Briagolong Recreation Reserve Committee of Management
- Cameron Sporting Complex Committee of Management
- Gordon Street Recreation Reserve Committee of Management
- Maffra Recreation Reserve Committee of Management
- Newry Recreation Reserve Committee of Management

For Council to maintain the current exemption under Section 81 of the *Local Government Act 1989* that exempts a member of a special committee who is not a Councillor from being required to submit a primary return or an ordinary return.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**RECOMMENDATION**

That:

- 1. Council approve the revised Instruments of Delegations and Terms of Reference (as attached) for the:***
 - ***Briagolong Quarry Reserve Committee of Management***
 - ***Briagolong Recreation Reserve Committee of Management***
 - ***Cameron Sporting Complex Committee of Management***
 - ***Gordon Street Recreation Reserve Committee of Management***
 - ***Maffra Recreation Reserve Committee of Management***
 - ***Newry Recreation Reserve Committee of Management***
- 2. Council maintain the current exemption under Section 81 of the Local Government Act 1989 that exempts a member of a special committee who is not a Councillor from being required to submit a primary return or an ordinary return.***

BACKGROUND

Council currently has six Section 86 Special Committees of Council delegated with responsibility for managing community facilities on behalf of Council. The Instruments of Delegation for these six Special Committees were last adopted by Council on 20 August 2013.

In line with Section 81 of the *Local Government Act 1989*, Council's Instruments of Delegation for Special Committees and any exemptions in force relating to primary and ordinary returns require review within 12 months of a general election.

The list of Special Committees having their Instruments of Delegation reviewed, is as follows:

- Briagolong Quarry Reserve Committee of Management
- Briagolong Recreation Reserve Committee of Management
- Cameron Sporting Complex Committee of Management
- Gordon Street Recreation Reserve Committee of Management
- Maffra Recreation Reserve Committee of Management
- Newry Recreation Reserve Committee of Management

New Instruments of Delegation and Terms of Reference for the above Special Committees are attached for Council's information and adoption. Only minor amendments have been made to each.

OPTIONS

Council has the following options:

1. Approve the revised Instruments of Delegation for the six Special Committees that manage and maintain public reserves in force under Section 86 of the *Local Government Act 1989* and the revised Terms of Reference for each Committee (as attached); or
2. Seek further information to be considered at a future Council Meeting.

PROPOSAL

That Council approve the revised Instruments of Delegations and Terms of Reference (as attached) for the:

- Briagolong Quarry Reserve Committee of Management
- Briagolong Recreation Reserve Committee of Management
- Cameron Sporting Complex Committee of Management
- Gordon Street Recreation Reserve Committee of Management
- Maffra Recreation Reserve Committee of Management
- Newry Recreation Reserve Committee of Management

That Council maintain the current exemption under Section 81 of the *Local Government Act 1989* that exempts a member of a special committee who is not a Councillor from being required to submit a primary return or an ordinary return.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a Conflict of Interest.

LEGISLATIVE IMPACT

Council's Instruments of Delegation for Special Committees and any exemptions in force relating to primary and ordinary returns require review within 12 months of a general election in accordance with the requirement Section 86 and 81 of the *Local Government Act 1989*.

COUNCIL POLICY IMPACT

This report is in accordance with Council Policy 5.1.4 which establishes a framework for the guidance of Council in relation to the roles and responsibilities of Committees.

COUNCIL PLAN IMPACT

The Council Plan 2017-21 Theme 6 Organisational states the following strategic objective and related strategy:

Strategic Objectives

6.3 Maintain a well governed, transparent, high performing, ethical and accountable organisation.

Strategy 6.3.3 Ensure sound governance processes that result in responsive, ethical, transparent and accountable decision making.

Strategy 6.3.4 Ensure effective and accountable risk management and occupational health and safety systems.

CONSULTATION IMPACT

The amended Instrument of Delegation and Terms of Reference will be sent to all section 86 Committees with a brief explanation of process and changes.



Wellington Shire Council Instrument of Delegation Briagolong Quarry Reserve Committee

Wellington Shire Council (Council) delegates to the special committee established by resolution of Council passed on 16 September 2003 and known as the "Briagolong Quarry Reserve Committee" (the Committee), the powers and functions set out in the Schedule, and declares that:

1. this Instrument of Delegation is authorised by a resolution of Council passed on XX/XX/2017;
2. the delegation:
 - 2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 2.2 remains in force until Council resolves to vary or revoke it; and
 - 2.3 is to be exercised in accordance with the Terms of Reference, guidelines and policies of Council; and
3. all members of the Committee will have voting rights on the Committee.

Dated this _____ day of _____ 2017

The Common Seal of WELLINGTON)
SHIRE COUNCIL was hereunto affixed)
this _____ day of _____ 2017)
in accordance with Local Law No. 1)
in the presence of:)

.....
Chief Executive Officer

SCHEDULE

Powers and functions

To exercise Council's functions and powers to perform Council's duties in relation to the management of the Briagolong Quarry Reserve, and for those purposes:

1. To manage, operate and maintain the Briagolong Quarry Reserve for the community in an efficient, effective and practical manner.
2. To undertake activities designed to protect, promote, utilise and develop the Briagolong Quarry Reserve for the use and enjoyment of the local community in line with Council policy and relevant Council strategic documents.
3. To keep the Council informed on the operations, improvements and advancements of the Briagolong Quarry Reserve by forwarding copies of all minutes of all ordinary and extraordinary meetings and the Annual Report.
4. To set, maintain and collect appropriate user charges.
5. To ensure that the Briagolong Quarry Reserve's capital assets are adequately maintained.
6. To provide advice to Council on matters relating to the Briagolong Quarry Reserve.

Exceptions, conditions and limitations

1. The Committee is not authorised by this Instrument to make amendments to this Instrument of Delegation. The Committee may propose amendments to the Council.
2. The Committee may not expend without the written approval of the Council total expenditure in any one financial year in excess of the approved annual budget
3. The Committee may not expend without the written approval of a Council Officer (with correct delegation) expenditure on any single purchase order or item in excess of \$5000 (inc GST) made for replacement or renewal of existing items.
4. The Committee may not expend without the written approval of Council expenditure on any single purchase order or item in excess of \$5000 (inc GST) made for capital improvements.
5. The Committee may not provide financial sponsorship for any event or program without written approval from the Coordinator Community Committees.
6. Except as otherwise provided herein, the Special Committee does not have power to:
 - a. Delegate its functions.
 - b. Declare a rate or charge (except the fixing and collection of user charges, admittance fees to functions or events and registration fees)
 - c. Borrow money or obtain other advances from or on behalf of Council.
 - d. Enter into contracts or leases for or on behalf of Council.

Interest Returns

Under the provisions of Section 81 of the *Local Government Act 1989* Council exempts individual Committee members of the Briagolong Quarry Reserve Committee of Management from the requirement to submit Primary or Ordinary Returns.



Wellington Shire Council Instrument of Delegation Briagolong Recreation Reserve Committee

Wellington Shire Council (Council) delegates to the special committee established by resolution of Council passed on 16 September 2003 and known as the "Briagolong Recreation Reserve Committee" (the Committee), the powers and functions set out in the Schedule, and declares that:

4. this Instrument of Delegation is authorised by a resolution of Council passed on XX/XX/2017;
5. the delegation:
 - 5.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 5.2 remains in force until Council resolves to vary or revoke it; and
 - 5.3 is to be exercised in accordance with the Terms of Reference, guidelines and policies of Council; and
6. all members of the Committee will have voting rights on the Committee.

Dated this _____ day of _____ 2017

The Common Seal of WELLINGTON)
SHIRE COUNCIL was hereunto affixed)
this _____ day of _____ 2017)
in accordance with Local Law No. 1)
in the presence of:)

.....
Chief Executive Officer

SCHEDULE

Powers and functions

To exercise Council's functions and powers to perform Council's duties in relation to the management of the Briagolong Recreation Reserve, and for those purposes:

7. To manage, operate and maintain the Briagolong Recreation Reserve for the community in an efficient, effective and practical manner.
8. To undertake activities designed to protect, promote, utilise and develop the Briagolong Recreation Reserve for the use and enjoyment of the local community in line with Council policy and relevant Council strategic documents.
9. To keep the Council informed on the operations, improvements and advancements of the Briagolong Recreation Reserve by forwarding copies of all minutes of all ordinary and extraordinary meetings and the Annual Report.
10. To set, maintain and collect appropriate user charges.
11. To ensure that the Briagolong Recreation Reserve's capital assets are adequately maintained.
12. To provide advice to Council on matters relating to the Briagolong Recreation Reserve.

Exceptions, conditions and limitations

1. The Committee is not authorised by this Instrument to make amendments to this Instrument of Delegation. The Committee may propose amendments to the Council.
2. The Committee may not expend without the written approval of the Council total expenditure in any one financial year in excess of the approved annual budget
3. The Committee may not expend without the written approval of a Council Officer (with correct delegation) expenditure on any single purchase order or item in excess of \$5000 (inc GST) made for replacement or renewal of existing items.
4. The Committee may not expend without the written approval of Council expenditure on any single purchase order or item in excess of \$5000 (inc GST) made for capital improvements.
5. The Committee may not provide financial sponsorship for any event or program without written approval from the Coordinator Community Committees.
6. Except as otherwise provided herein, the Special Committee does not have power to:
 - e. Delegate its functions.
 - f. Declare a rate or charge (except the fixing and collection of user charges, admittance fees to functions or events and registration fees)
 - g. Borrow money or obtain other advances from or on behalf of Council.
 - h. Enter into contracts or leases for or on behalf of Council.

Interest Returns

Under the provisions of Section 81 of the *Local Government Act 1989* Council exempts individual Committee members of the Briagolong Recreation Reserve Committee of Management from the requirement to submit Primary or Ordinary Returns.



Wellington Shire Council Instrument of Delegation Cameron Sporting Complex Committee

Wellington Shire Council (Council) delegates to the special committee established by resolution of Council passed on 16 September 2003 and known as the "Cameron Sporting Complex Committee" (the Committee), the powers and functions set out in the Schedule, and declares that:

7. this Instrument of Delegation is authorised by a resolution of Council passed on XX/XX/2017;
8. the delegation:
 - 8.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 8.2 remains in force until Council resolves to vary or revoke it; and
 - 8.3 is to be exercised in accordance with the Terms of Reference, guidelines and policies of Council; and
9. all members of the Committee will have voting rights on the Committee.

Dated this _____ day of _____ 2017

The Common Seal of WELLINGTON)
SHIRE COUNCIL was hereunto affixed)
this _____ day of _____ 2017)
in accordance with Local Law No. 1)
in the presence of:)

.....
Chief Executive Officer

SCHEDULE

Powers and functions

To exercise Council's functions and powers to perform Council's duties in relation to the management of the Cameron Sporting Complex, and for those purposes:

13. To manage, operate and maintain the Cameron Sporting Complex for the community in an efficient, effective and practical manner.
14. To undertake activities designed to protect, promote, utilise and develop the Cameron Sporting Complex for the use and enjoyment of the local community in line with Council policy and relevant Council strategic documents.
15. To keep the Council informed on the operations, improvements and advancements of the Cameron Sporting Complex by forwarding copies of all minutes of all ordinary and extraordinary meetings and the Annual Report.
16. To set, maintain and collect appropriate user charges.
17. To ensure that the Cameron Sporting Complex's capital assets are adequately maintained.
18. To provide advice to Council on matters relating to the Cameron Sporting Complex.

Exceptions, conditions and limitations

1. The Committee is not authorised by this Instrument to make amendments to this Instrument of Delegation. The Committee may propose amendments to the Council.
2. The Committee may not expend without the written approval of the Council total expenditure in any one financial year in excess of the approved annual budget
3. The Committee may not expend without the written approval of a Council Officer (with correct delegation) expenditure on any single purchase order or item in excess of \$5000 (inc GST) made for replacement or renewal of existing items.
4. The Committee may not expend without the written approval of Council expenditure on any single purchase order or item in excess of \$5000 (inc GST) made for capital improvements.
5. The Committee may not provide financial sponsorship for any event or program without written approval from the Coordinator Community Committees.
6. Except as otherwise provided herein, the Special Committee does not have power to:
 - i. Delegate its functions.
 - j. Declare a rate or charge (except the fixing and collection of user charges, admittance fees to functions or events and registration fees)
 - k. Borrow money or obtain other advances from or on behalf of Council.
 - l. Enter into contracts or leases for or on behalf of Council.

Interest Returns

Under the provisions of Section 81 of the *Local Government Act 1989* Council exempts individual Committee members of the Cameron Sporting Complex Committee of Management from the requirement to submit Primary or Ordinary Returns.



Wellington Shire Council Instrument of Delegation Gordon Street Recreation Reserve Committee

Wellington Shire Council (Council) delegates to the special committee established by resolution of Council passed on 16 September 2003 and known as the "Gordon Street Recreation Reserve Committee" (the Committee), the powers and functions set out in the Schedule, and declares that:

10. this Instrument of Delegation is authorised by a resolution of Council passed on XX/XX/2017;
11. the delegation:
 - 11.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 11.2 remains in force until Council resolves to vary or revoke it; and
 - 11.3 is to be exercised in accordance with the Terms of Reference, guidelines and policies of Council; and
12. all members of the Committee will have voting rights on the Committee.

Dated this _____ day of _____ 2017

The Common Seal of WELLINGTON)
SHIRE COUNCIL was hereunto affixed)
this _____ day of _____ 2017)
in accordance with Local Law No. 1)
in the presence of:)

.....
Chief Executive Officer

SCHEDULE

Powers and functions

To exercise Council's functions and powers to perform Council's duties in relation to the management of the Gordon Street Recreation Reserve, and for those purposes:

19. To manage, operate and maintain the Gordon Street Recreation Reserve for the community in an efficient, effective and practical manner.
20. To undertake activities designed to protect, promote, utilise and develop the Gordon Street Recreation Reserve for the use and enjoyment of the local community in line with Council policy and relevant Council strategic documents.
21. To keep the Council informed on the operations, improvements and advancements of the Gordon Street Recreation Reserve by forwarding copies of all minutes of all ordinary and extraordinary meetings and the Annual Report.
22. To set, maintain and collect appropriate user charges.
23. To ensure that the Gordon Street Recreation Reserve's capital assets are adequately maintained.
24. To provide advice to Council on matters relating to the Gordon Street Recreation Reserve.

Exceptions, conditions and limitations

1. The Committee is not authorised by this Instrument to make amendments to this Instrument of Delegation. The Committee may propose amendments to the Council.
2. The Committee may not expend without the written approval of the Council total expenditure in any one financial year in excess of the approved annual budget
3. The Committee may not expend without the written approval of a Council Officer (with correct delegation) expenditure on any single purchase order or item in excess of \$5000 (inc GST) made for replacement or renewal of existing items.
4. The Committee may not expend without the written approval of Council expenditure on any single purchase order or item in excess of \$5000 (inc GST) made for capital improvements.
5. The Committee may not provide financial sponsorship for any event or program without written approval from the Coordinator Community Committees.
6. Except as otherwise provided herein, the Special Committee does not have power to:
 - m. Delegate its functions.
 - n. Declare a rate or charge (except the fixing and collection of user charges, admittance fees to functions or events and registration fees)
 - o. Borrow money or obtain other advances from or on behalf of Council.
 - p. Enter into contracts or leases for or on behalf of Council.

Interest Returns

Under the provisions of Section 81 of the *Local Government Act 1989* Council exempts individual Committee members of the Gordon Street Recreation Reserve Committee of Management from the requirement to submit Primary or Ordinary Returns.



Wellington Shire Council Instrument of Delegation Maffra Recreation Reserve Committee

Wellington Shire Council (Council) delegates to the special committee established by resolution of Council passed on 16 September 2003 and known as the "Maffra Recreation Reserve Committee" (the Committee), the powers and functions set out in the Schedule, and declares that:

13. this Instrument of Delegation is authorised by a resolution of Council passed on XX/XX/2017;
14. the delegation:
 - 14.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 14.2 remains in force until Council resolves to vary or revoke it; and
 - 14.3 is to be exercised in accordance with the Terms of Reference, guidelines and policies of Council; and
15. all members of the Committee will have voting rights on the Committee.

Dated this _____ day of _____ 2017

The Common Seal of WELLINGTON)
SHIRE COUNCIL was hereunto affixed)
this _____ day of _____ 2017)
in accordance with Local Law No. 1)
in the presence of:)

.....
Chief Executive Officer

SCHEDULE

Powers and functions

To exercise Council's functions and powers to perform Council's duties in relation to the management of the Maffra Recreation Reserve, and for those purposes:

25. To manage, operate and maintain the Maffra Recreation Reserve for the community in an efficient, effective and practical manner.
26. To undertake activities designed to protect, promote, utilise and develop the Maffra Recreation Reserve for the use and enjoyment of the local community in line with Council policy and relevant Council strategic documents.
27. To keep the Council informed on the operations, improvements and advancements of the Maffra Recreation Reserve by forwarding copies of all minutes of all ordinary and extraordinary meetings and the Annual Report.
28. To set, maintain and collect appropriate user charges.
29. To ensure that the Maffra Recreation Reserve's capital assets are adequately maintained.
30. To provide advice to Council on matters relating to the Maffra Recreation Reserve.

Exceptions, conditions and limitations

1. The Committee is not authorised by this Instrument to make amendments to this Instrument of Delegation. The Committee may propose amendments to the Council.
2. The Committee may not expend without the written approval of the Council total expenditure in any one financial year in excess of the approved annual budget
3. The Committee may not expend without the written approval of a Council Officer (with correct delegation) expenditure on any single purchase order or item in excess of \$5000 (inc GST) made for replacement or renewal of existing items.
4. The Committee may not expend without the written approval of Council expenditure on any single purchase order or item in excess of \$5000 (inc GST) made for capital improvements.
5. The Committee may not provide financial sponsorship for any event or program without written approval from the Coordinator Community Committees.
6. Except as otherwise provided herein, the Special Committee does not have power to:
 - q. Delegate its functions.
 - r. Declare a rate or charge (except the fixing and collection of user charges, admittance fees to functions or events and registration fees)
 - s. Borrow money or obtain other advances from or on behalf of Council.
 - t. Enter into contracts or leases for or on behalf of Council.

Interest Returns

Under the provisions of Section 81 of the *Local Government Act 1989* Council exempts individual Committee members of the Maffra Recreation Reserve Committee of Management from the requirement to submit Primary or Ordinary Returns.



Wellington Shire Council Instrument of Delegation Newry Recreation Reserve Committee

Wellington Shire Council (Council) delegates to the special committee established by resolution of Council passed on 16 September 2003 and known as the "Newry Recreation Reserve Committee" (the Committee), the powers and functions set out in the Schedule, and declares that:

16. this Instrument of Delegation is authorised by a resolution of Council passed on XX/XX/2017;
17. the delegation:
 - 17.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 17.2 remains in force until Council resolves to vary or revoke it; and
 - 17.3 is to be exercised in accordance with the Terms of Reference, guidelines and policies of Council; and
18. all members of the Committee will have voting rights on the Committee.

Dated this _____ day of _____ 2017

The Common Seal of WELLINGTON)
SHIRE COUNCIL was hereunto affixed)
this _____ day of _____ 2017)
in accordance with Local Law No. 1)
in the presence of:)

.....
Chief Executive Officer

SCHEDULE

Powers and functions

To exercise Council's functions and powers to perform Council's duties in relation to the management of the Newry Recreation Reserve, and for those purposes:

31. To manage, operate and maintain the Newry Recreation Reserve for the community in an efficient, effective and practical manner.
32. To undertake activities designed to protect, promote, utilise and develop the Newry Recreation Reserve for the use and enjoyment of the local community in line with Council policy and relevant Council strategic documents.
33. To keep the Council informed on the operations, improvements and advancements of the Newry Recreation Reserve by forwarding copies of all minutes of all ordinary and extraordinary meetings and the Annual Report.
34. To set, maintain and collect appropriate user charges.
35. To ensure that the Newry Recreation Reserve's capital assets are adequately maintained.
36. To provide advice to Council on matters relating to the Newry Recreation Reserve.

Exceptions, conditions and limitations

1. The Committee is not authorised by this Instrument to make amendments to this Instrument of Delegation. The Committee may propose amendments to the Council.
2. The Committee may not expend without the written approval of the Council total expenditure in any one financial year in excess of the approved annual budget
3. The Committee may not expend without the written approval of a Council Officer (with correct delegation) expenditure on any single purchase order or item in excess of \$5000 (inc GST) made for replacement or renewal of existing items.
4. The Committee may not expend without the written approval of Council expenditure on any single purchase order or item in excess of \$5000 (inc GST) made for capital improvements.
5. The Committee may not provide financial sponsorship for any event or program without written approval from the Coordinator Community Committees.
6. Except as otherwise provided herein, the Special Committee does not have power to:
 - u. Delegate its functions.
 - v. Declare a rate or charge (except the fixing and collection of user charges, admittance fees to functions or events and registration fees)
 - w. Borrow money or obtain other advances from or on behalf of Council.
 - x. Enter into contracts or leases for or on behalf of Council.

Interest Returns

Under the provisions of Section 81 of the *Local Government Act 1989* Council exempts individual Committee members of the Newry Recreation Reserve Committee of Management from the requirement to submit Primary or Ordinary Returns.



WELLINGTON SHIRE COUNCIL

BRIAGOLONG QUARRY RESERVE COMMITTEE

TERMS OF REFERENCE SCHEDULE

- 1. Definitions**

In this Schedule unless inconsistent with the context or subject matter;

“Council” means the Wellington Shire Council

“Financial Year” means the period from 1 July to the following 30 June

“Special Committee” means the persons who are appointed and/or elected to the Committee in the manner hereinafter provided
- 2. Objectives**

The objectives of the Special Committee shall be:

 - 2.1. To manage, operate and maintain the Briagolong Quarry Reserve for the community in an efficient, effective and practical manner.
 - 2.2. To undertake activities designed to protect, promote, utilise and develop the Briagolong Quarry Reserve for the use and enjoyment of the local community in line with Council policy and relevant Council strategic documents.
 - 2.3. To keep the Council informed on the operations, improvements and advancements of the Briagolong Quarry Reserve by forwarding copies of all minutes of all ordinary and extraordinary meetings and the Annual Report.
 - 2.4. To set, maintain and collect appropriate user charges.
 - 2.5. To ensure that the Briagolong Quarry Reserve’s capital assets are adequately maintained.
 - 2.6. To provide advice to Council on matters relating to the Briagolong Quarry Reserve.
- 3. Appointment and Membership of the Committee**

The method of appointment and the membership of the Special Committee shall be:

 - 3.1 the Special Committee shall consist of a minimum of 5 ordinary members appointed by the Council as follows:
 - a) One Councillor
 - b) Up to ten (10) Representatives of the community of Briagolong.Expressions of interest shall be sought embracing an agreed range of skills and experience appropriate to the functioning of a public recreation reserve
 - 3.2 the Special Committee takes its authority from Section 86 of the Local Government Act 1989.
 - 3.3 the term of office of the Members shall be until 18 December 2018 or as otherwise determined by the Council.
 - 3.4 in the event of a vacancy on the Special Committee, the Committee may submit nominations to the Council and the vacating member shall be replaced by a person

drawn from the same membership category in clause 3.1. The Council may chose to fill the vacancy from the names submitted or call for public nominations.

- 3.5 all nominations and appointments to the Special Committee must be confirmed by the Council and any person appointed as a Member may be removed from that position at any time by resolution of the Council. Any such removal shall cause an extraordinary vacancy which must be filled in accordance with clause 3.4.
- 3.6 the office of a Member may be declared vacant by the Council if that Member fails to attend 3 consecutive meetings without leave being granted by the Special Committee by a resolution duly passed.

4. Conditions

That the Special Committee observe and maintain the following conditions between the Committee and the Council as provided under this Section.

Notwithstanding Clauses below, the Council shall be the arbitrator of any disputed or uncertain maintenance responsibility and the Council's decision will be final.

4.1 Procurement

The Special Committee is authorised by the Instrument of Delegation to make procurement (purchasing) decisions in relation to the purchase of goods, services and works on behalf of Council. In making procurement decisions, the Committee shall also give consideration to Council's Procurement Policy.

4.2 Works

- 4.2.1. It is provided that the responsibility for repairs, maintenance and improvements will be divided between the Committee and the Council as provided in Appendix 1.
- 4.2.2. Major maintenance or improvement works will be the responsibility of the Council. Such works will be scheduled within the constraints of the Council's budget capability and will be consistent with any relevant policies and procedures adopted by the Council.
- 4.2.3. Sub-clause (4.2.2) is not intended to prevent the Committee of Management from suggesting or requesting the undertaking of major works which, subject to Council consent, it may do at its cost.
- 4.2.4. Any additions, modifications or improvements made to the property remain the property of the Council.
- 4.2.5. The Committee of Management is responsible for maintenance and replacement of all fittings, furniture and equipment within the facility with the exception of those items listed in accordance with Appendix 1.
- 4.2.6. If it is deemed that any Council supplied equipment (fixed or portable) is no longer available for use due to age or it is unable to be repaired, the Committee shall advise the Council of the condition of the equipment and the Committee's recommendation for the future of the equipment.

4.3 Insurance

4.3.1 Building and Contents

The Council will be responsible for the insurance cover of buildings, other identifiable physical structures and Council owned contents. Contents cover does not include sporting equipment and other items owned by the Committee or user groups. The Committee shall ensure that user groups are aware of their responsibility to obtain and maintain insurance on their own equipment.

4.3.2 Committee Members

Subject to the Special Committee and its members acting within the scope, powers and functions set out in the Instrument of Delegation and these Terms of Reference, the Public Liability insurance held by the Council shall protect individual members from liability other than for criminal matters.

4.3.3 Volunteers

Any volunteers co opted to assist the Committee to discharge its obligations will be covered by the Council's insurance policies where the names of the volunteers have been recorded in the Committee's Volunteer Register. The Committee will be responsible for ensuring that all volunteers complete a Volunteer Registration Form which is to be held by the Committee.

4.3.4 Hirers / Users

All regular users/hirers or organised clubs, associations or organisations using the Briagolong Quarry Reserve must have their own public liability insurance cover when using the reserve facilities. Casual hirers, being individuals or unincorporated groups of individuals, will, subject to completion of a documented hire agreement, be covered by the Wellington Shire Council casual hirers insurance policy.

4.4 Use of Facility

4.4.1 The Committee of Management is responsible for the formulation and administration of terms and conditions for use of the facility, including the setting of hire fees and security deposits. All terms and conditions of use and access must be consistent with any Council policy(s).

4.4.2 The Committee of Management must formulate a written Hire Agreement inclusive of an indemnity to be entered into with users of the facility.

4.4.3 The Committee of Management must ensure that all users of the facility, execute the hire agreement and indemnity prior to any use.

4.5 Books of Account

The Committee shall operate such bank accounts and books of accounts as the Committee thinks necessary and may receive all monies and meet routine expenditure in connection with the Conditions set out in Clause 5 and associated with the operation of the various Briagolong Quarry Reserve functions.

4.6 Fundraising

All fundraising activities for or related to the facility, including any undertaken by the Committee of Management, must not occur until after all applicable permits and licences have been obtained.

4.7 Rules for Behaviour of Users

Subject to approval by the Council, the Special Committee may make such rules as it deems expedient for the safety, conduct and well being of people using the Briagolong Quarry Reserve and may ensure compliance by whatever lawful means the Committee considers fit. A copy of such rules shall be supplied to the Council by the Committee within one month of being approved by the Committee. Council may approve or reject such rules as soon as practicable thereafter. If approved by Council, such rules shall have immediate effect thereafter.

5. Reporting

The following reports shall be provided to Council outlining the activities of the Special Committee:

- 5.1 Copy of all Committee Meeting Minutes (including ordinary meetings, extraordinary meetings and Annual General Meetings), within a month of the meeting being held.
- 5.2 Monthly GST Returns, detailing total income and expenditure and total GST received and paid during the month [form supplied by Shire]. Returns due within the first week of the month following.
- 5.3 The Annual General Meeting reporting requirements are:
 - Audited financial statements for previous financial year
 - Annual operating budget
 - Works and projects planned for next 12 months
 - Schedule of fees
 - Committee's Rules for the Reserve

6. Meetings of the Special Committee

The following rules and regulations apply to meetings of the Special Committee:

- 6.1 the provisions of Section 86, 87, 89 and 90 of the Local Government Act 1989 shall apply to this Special Committee (Copy attached at Appendix 2).
- 6.2 the conduct of meetings held by the Special Committee shall be subject to the provisions of Wellington Shire Council – Local Law No. 1, "Processes of Municipal Government (Meeting and Common Seal) Local Law."
- 6.3 the Committee shall appoint the Chairperson, Secretary and Treasurer from the persons appointed by Council to the Special Committee.
- 6.4 the Chairperson, Secretary and Treasurer shall be elected on an annual basis.
- 6.5 the Special Committee shall meet at least 4 times per year on a quarterly basis, or more frequently if so determined by the Committee.
- 6.6 notice specifying the date, time and business of the meeting must be given to all members at least seven days before any meeting of the Special Committee.
- 6.7 no meeting of the Special Committee shall be held and no business shall be transacted unless a majority of members are present (half the membership plus one) creating a quorum. If a quorum is not present within ½ an hour of the time appointed for a meeting, then the meeting shall stand adjourned until the same time and place on the same day of the following week and notice to this effect shall be given to all members.
- 6.8 an extraordinary meeting shall be called by the Chairperson on the written request of any three members, such request specifying the purpose of the extraordinary meeting.
- 6.9 a record of the minutes and proceedings of all meetings together with those present shall be kept in the files of the Committee.
- 6.10 minutes are to be confirmed at the next meeting with or without corrections. Such minutes are to be signed by the Chairperson of the confirmatory meeting and shall be kept in the files of the Committee.

7. Operating Subsidy

Council will pay the Special Committee an annual operating subsidy in the amount of no less than \$1,022.00. The operating subsidy must be used by the Special Committee to go

towards the costs of operating and maintaining the facility as per the terms and conditions herein.

8. Review

This Terms of Reference will be due for review in line with the Instruments of Delegation for Special Committees under Section 81 of the *Local Government Act 1989*, requiring a review within 12 months of a general election.

MAINTENANCE

The division of responsibility for the maintenance of the facility is as follows:-

(1) COMMITTEE OF MANAGEMENT

- Car Parking On-site (where applicable).
- Cooking Equipment - repair.
- Doors and Door Furniture.
- Electrical Fittings & Fixtures - repair and replacement.
- Fences – repair.
- Fire Fighting Equipment – Portable (eg extinguishers), fire blankets.
- Fire Fighting Equipment inc extinguishers & hose reels - Testing
- Fly-wire screens - repair and replace.
- Floor coverings – carpet – repair & replace.
- Floor coverings – vinyl – repair & replace.
- Floor coverings – other – repair & replace.
- Floor - resurfacing
- Heating Equipment and Air Conditioning – repair & maintenance.
- Hot water systems – repair & maintenance.
- Internal Lining – repairs.
- Lawns, nature strips, gardens, trees, shrubs and play areas within the area defined by the Agreement.
- Light fittings, Globes & Tubes – inc Exit & Emergency lighting and testing.
- Painting – internal & external.
- Paths/Paved areas – repair & maintenance.
- Playground equipment.
- Roof cladding - repairs
- Roof gutters, downpipes & fascias – cleaning and repairs.
- Sanitary fixtures inc toilet cisterns - repair and replacement
- Security.
- Sewerage lines, Septic systems and storm water drains – repair & maintenance inc pump out and clearance of blockages.
- Taps, valves and pipework.
- Windows - frames and glazing.
- Other minor maintenance.
- Essential Safety Measures Manual – keeping records current.

(2) WELLINGTON SHIRE COUNCIL

- Cooking equipment – replace fixtures assessed as non repairable or beyond serviceable life.
- Electrical Rewiring where necessary to comply with regulatory requirements.
- External Cladding – full replacement of wall(s).
- Fences – full replacement where assessed as unserviceable.
- Fire Fighting Equipment – Replacement and repair of fixed hose reels and hydrants.
- Floor – replacement or reblocking.
- Heating equipment & air conditioning – replacement of fixed items assessed as non repairable or beyond serviceable life.
- Hot Water Systems - replacement.
- Internal Lining – Full Replacement.
- Paths/Paved areas – replacement.
- Roof Cladding – Full Replacement and major repairs.
- Septic systems – replacement.
- Structural defects (major).

Note: Any maintenance items not identified in either (1) or (2) above will be the subject of discussion and agreement between the Wellington Shire Council and the Committee.

**EXTRACT FROM THE LOCAL GOVERNMENT ACT, SECTIONS 86, 87, 89 AND 90.
- SPECIAL COMMITTEES OF COUNCIL.**

86. Special committees of the Council

- (1) In addition to any advisory committees that a Council may establish, a Council may establish one or more special committees of the following:
 - (a) Councillors;
 - (b) Council staff;
 - (c) other persons;
 - (d) any combination of persons referred to in paragraphs (a), (b) and (c).
 - (2) A Council may appoint members to a special committee and may at any time remove a member from a special committee.
 - (3) Except as provided in sub-section (4), a Council may by instrument of delegation delegate any of its functions, duties or powers under this or any other Act to a special committee.
 - (4) A Council cannot delegate to a committee the following powers—
 - (a) this power of delegation;
 - (b) to declare a rate or charge;
 - (c) to borrow money;
 - (d) to enter into contracts for an amount exceeding an amount previously determined by the Council;
 - (e) to incur any expenditure exceeding an amount previously determined by the Council;
 - (f) any prescribed power.
 - (5) A Council may require a special Committee to report to the Council at intervals determined by the Council.
 - (6) The Council must review any delegations to a special committee in force under this section within the period of 12 months after a general election.
- S. 86(7) inserted by No. 67/2008 s. 37, repealed by No. 63/2012 s. 15.

87. Special committee meetings

- (1) The Council must keep a register of delegations to special committees.
- (2) The Council may appoint a Chairperson for a special committee.
- (3) If the Council has not appointed a Chairperson under subsection (2), the members of a special committee must appoint a Chairperson.
- (4) If the Chairperson is not present at a meeting of a special committee the members must appoint a Chairperson for that meeting.
- (5) A meeting of a special committee must be held at a time and place determined by the special committee.
- (6) If the special committee has not appointed a time and place for a meeting under subsection (5), the Chairperson, or if the Chairperson is incapable of doing so, the Council, must fix the time and place of the next meeting.
- (7) Until approved by the Council a decision of a special committee which does not relate to a matter delegated to the special committee cannot be given effect to.
- (8) A Council may specify in the instrument of delegation that a member of a special committee who is a member of the public or of Council staff does not have voting rights on the special committee.

89. Meetings to be open to the public

- (1) Unless sub-section (2) applies, any meeting of a Council or a special committee must be open to members of the public.
- (2) A Council or special committee may resolve that the meeting be closed to members of the public if the meeting is discussing any of the following—
 - (a) personnel matters;
 - (b) the personal hardship of any resident or ratepayer;
 - (c) industrial matters;
 - (d) contractual matters;
 - (e) proposed developments;
 - (f) legal advice;
 - (g) matters affecting the security of Council property;
 - (h) any other matter which the Council or special committee considers would prejudice the Council or any person;

- (i) a resolution to close the meeting to members of the public.
- (3) If a Council or special committee resolves to close a meeting to members of the public the reason must be recorded in the minutes of the meeting.
- (4) Unless subsection (4A) applies, a Council must at least 7 days before the holding of—
 - (a) an ordinary council meeting; or
 - (b) a special council meeting; or
 - (c) a meeting of a special committee comprised solely of Councillors
 — give public notice of the meeting.
- (4A) If urgent or extraordinary circumstances prevent a Council from complying with subsection (4), the Council must—
 - (a) give such public notice as is practicable; and
 - (b) specify the urgent or extraordinary circumstances which prevented the Council from complying with subsection (4) in the minutes.
- (5) The Chairperson of a special committee that is not comprised solely of Councillors must provide reasonable notice to the public of meetings of the special committee.

90. Voting

- (1) A question before a meeting of a Council or special committee is to be determined as follows—
 - (a) each Councillor present at a meeting of the Council and each member of a special committee present at a meeting of the special committee who is entitled to vote is entitled to one vote;
 - (b) S. 90(1)(b) repealed by No. 63/2012 s. 16(1).
 - (c) unless the procedures of a Council or special Committee otherwise provide, voting must be by a show of hands;
 - (ca) voting at a meeting that is open to members of the public must not be in secret;
 - (d) the question is determined in the affirmative by a majority of the Councillors or members of the special committee present at a meeting at the time the vote is taken voting in favour of the question;
 - (e) except where subsection (2) applies, if the number of votes in favour of the question is half the number of Councillors or members of the special committee present at the meeting at the time the vote is taken, the Chairperson has a second vote.
- (2) If there is an equality of votes on a question arising under section 71(1), 87(2), 87(3) or 87(4), the matter is to be determined by lot.



WELLINGTON SHIRE COUNCIL

BRIAGOLONG RECREATION RESERVE COMMITTEE

TERMS OF REFERENCE SCHEDULE

- 1. Definitions**

In this Schedule unless inconsistent with the context or subject matter;

"Council" means the Wellington Shire Council

"Financial Year" means the period from 1 July to the following 30 June

"Special Committee" means the persons who are appointed and/or elected to the Committee in the manner hereinafter provided
- 2. Objectives**

The objectives of the Special Committee shall be:

 - 2.1. To manage, operate and maintain the Briagolong Recreation Reserve for the community in an efficient, effective and practical manner.
 - 2.2. To undertake activities designed to protect, promote, utilise and develop the Briagolong Recreation Reserve for the use and enjoyment of the local community in line with Council policy and relevant Council strategic documents.
 - 2.3. To keep the Council informed on the operations, improvements and advancements of the Briagolong Recreation Reserve by forwarding copies of all minutes of all ordinary and extraordinary meetings and the Annual Report.
 - 2.4. To set, maintain and collect appropriate user charges.
 - 2.5. To ensure that the Briagolong Recreation Reserve's capital assets are adequately maintained.
 - 2.6. To provide advice to Council on matters relating to the Briagolong Recreation Reserve.
- 3. Appointment and Membership of the Committee**

The method of appointment and the membership of the Special Committee shall be:

 - 3.1 the Special Committee shall consist of a minimum of 5 ordinary members appointed by the Council as follows:
 - a) One Councillor
 - b) Two Representatives from the Briagolong Junior Football Netball Club
 - c) Two Representatives from the Briagolong Tennis Club
 - d) Two Representatives from the Boisdale-Briagolong Cricket Club
 - e) Two Representatives from the Briagolong & District Pony Club
 - f) Four Representatives of the community of Briagolong.Expressions of interest shall be sought embracing an agreed range of skills and experience appropriate to the functioning of a public recreation reserve

- 3.2 the Special Committee takes its authority from Section 86 of the Local Government Act 1989.
- 3.3 the term of office of the Members shall be until 18 December 2018 or as otherwise determined by the Council.
- 3.4 in the event of a vacancy on the Special Committee, the Committee may submit nominations to the Council and the vacating member shall be replaced by a person drawn from the same membership category in clause 3.1. The Council may choose to fill the vacancy from the names submitted or call for public nominations.
- 3.5 all nominations and appointments to the Special Committee must be confirmed by the Council and any person appointed as a Member may be removed from that position at any time by resolution of the Council. Any such removal shall cause an extraordinary vacancy which must be filled in accordance with clause 3.4.
- 3.6 the office of a Member may be declared vacant by the Council if that Member fails to attend 3 consecutive meetings without leave being granted by the Special Committee by a resolution duly passed.

4. Conditions

That the Special Committee observe and maintain the following conditions between the Committee and the Council as provided under this Section.

Notwithstanding Clauses below, the Council shall be the arbitrator of any disputed or uncertain maintenance responsibility and the Council's decision will be final.

4.1 Procurement

The Special Committee is authorised by the Instrument of Delegation to make procurement (purchasing) decisions in relation to the purchase of goods, services and works on behalf of Council. In making procurement decisions, the Committee shall also give consideration to Council's Procurement Policy.

4.2 Works

- 4.2.1. It is provided that the responsibility for repairs, maintenance and improvements will be divided between the Committee and the Council as provided in Appendix 1.
- 4.2.2. Major maintenance or improvement works will be the responsibility of the Council. Such works will be scheduled within the constraints of the Council's budget capability and will be consistent with any relevant policies and procedures adopted by the Council.
- 4.2.3. Sub-clause (4.2.2) is not intended to prevent the Committee of Management from suggesting or requesting the undertaking of major works which, subject to Council consent, it may do at its cost.
- 4.2.4. Any additions, modifications or improvements made to the property remain the property of the Council.
- 4.2.5. The Committee of Management is responsible for maintenance and replacement of all fittings, furniture and equipment within the facility with the exception of those items listed in accordance with Appendix 1.
- 4.2.6. If it is deemed that any Council supplied equipment (fixed or portable) is no longer available for use due to age or it is unable to be repaired, the Committee shall advise the Council of the condition of the equipment and the Committee's recommendation for the future of the equipment.

4.3 Insurance

4.3.1 Building and Contents

The Council will be responsible for the insurance cover of buildings, other identifiable physical structures and Council owned contents. Contents cover does not include sporting equipment and other items owned by the Committee or user groups. The Committee shall ensure that user groups are aware of their responsibility to obtain and maintain insurance on their own equipment.

4.3.2 Committee Members

Subject to the Special Committee and its members acting within the scope, powers and functions set out in the Instrument of Delegation and these Terms of Reference, the Public Liability insurance held by the Council shall protect individual members from liability other than for criminal matters.

4.3.3 Volunteers

Any volunteers co opted to assist the Committee to discharge its obligations will be covered by the Council's insurance policies where the names of the volunteers have been recorded in the Committee's Volunteer Register. The Committee will be responsible for ensuring that all volunteers complete a Volunteer Registration Form which is to be held by the Committee.

4.3.4 Hirers / Users

All regular users/hirers or organised clubs, associations or organisations using the Briagolong Recreation Reserve must have their own public liability insurance cover when using the reserve facilities. Casual hirers, being individuals or unincorporated groups of individuals, will, subject to completion of a documented hire agreement, be covered by the Wellington Shire Council casual hirers insurance policy.

4.4 Use of Facility

4.4.1 The Committee of Management is responsible for the formulation and administration of terms and conditions for use of the facility, including the setting of hire fees and security deposits. All terms and conditions of use and access must be consistent with any Council policy(s).

4.4.2 The Committee of Management must formulate a written Hire Agreement inclusive of an indemnity to be entered into with users of the facility.

4.4.3 The Committee of Management must ensure that all users of the facility, execute the hire agreement and indemnity prior to any use.

4.5 Books of Account

The Committee shall operate such bank accounts and books of accounts as the Committee thinks necessary and may receive all monies and meet routine expenditure in connection with the Conditions set out in Clause 5 and associated with the operation of the various Briagolong Recreation Reserve functions.

4.6 Fundraising

All fundraising activities for or related to the facility, including any undertaken by the Committee of Management, must not occur until after all applicable permits and licences have been obtained.

4.7 Rules for Behaviour of Users

Subject to approval by the Council, the Special Committee may make such rules as it deems expedient for the safety, conduct and well being of people using the

Briagolong Recreation Reserve and may ensure compliance by whatever lawful means the Committee considers fit. A copy of such rules shall be supplied to the Council by the Committee within one month of being approved by the Committee. Council may approve or reject such rules as soon as practicable thereafter. If approved by Council, such rules shall have immediate effect thereafter.

5. Reporting

The following reports shall be provided to Council outlining the activities of the Special Committee:

- 5.1 Copy of all Committee Meeting Minutes (including ordinary meetings, extraordinary meetings and Annual General Meetings), within a month of the meeting being held.
- 5.2 Monthly GST Returns, detailing total income and expenditure and total GST received and paid during the month [form supplied by Shire]. Returns due within the first week of the month following.
- 5.3 The Annual General Meeting reporting requirements are:
 - Audited financial statements for previous financial year
 - Annual operating budget
 - Works and projects planned for next 12 months
 - Schedule of fees
 - Committee's Rules for the Reserve

6. Meetings of the Special Committee

The following rules and regulations apply to meetings of the Special Committee:

- 6.1 the provisions of Section 86, 87, 89 and 90 of the Local Government Act 1989 shall apply to this Special Committee (Copy attached at Appendix 2).
- 6.2 the conduct of meetings held by the Special Committee shall be subject to the provisions of Wellington Shire Council – Local Law No. 1, "Processes of Municipal Government (Meeting and Common Seal) Local Law."
- 6.3 the Committee shall appoint the Chairperson, Secretary and Treasurer from the persons appointed by Council to the Special Committee.
- 6.4 the Chairperson, Secretary and Treasurer shall be elected on an annual basis.
- 6.5 the Special Committee shall meet at least 4 times per year on a quarterly basis, or more frequently if so determined by the Committee.
- 6.6 notice specifying the date, time and business of the meeting must be given to all members at least seven days before any meeting of the Special Committee.
- 6.7 no meeting of the Special Committee shall be held and no business shall be transacted unless a majority of members are present (half the membership plus one) creating a quorum. If a quorum is not present within ½ an hour of the time appointed for a meeting, then the meeting shall stand adjourned until the same time and place on the same day of the following week and notice to this effect shall be given to all members.
- 6.8 an extraordinary meeting shall be called by the Chairperson on the written request of any three members, such request specifying the purpose of the extraordinary meeting.
- 6.9 a record of the minutes and proceedings of all meetings together with those present shall be kept in the files of the Committee.

6.10 minutes are to be confirmed at the next meeting with or without corrections. Such minutes are to be signed by the Chairperson of the confirmatory meeting and shall be kept in the files of the Committee.

7. Operating Subsidy

Council will pay the Special Committee an annual operating subsidy in the amount of no less than \$15,251.00. The operating subsidy must be used by the Special Committee to go towards the costs of operating and maintaining the facility as per the terms and conditions herein.

8. Review

This Terms of Reference will be due for review in line with the Instruments of Delegation for Special Committees under Section 81 of the *Local Government Act 1989*, requiring a review within 12 months of a general election.

MAINTENANCE

The division of responsibility for the maintenance of the facility is as follows:-

(1) COMMITTEE OF MANAGEMENT

- Car Parking On-site (where applicable).
- Cooking Equipment - repair.
- Doors and Door Furniture.
- Electrical Fittings & Fixtures - repair and replacement.
- Fences – repair.
- Fire Fighting Equipment – Portable (eg extinguishers), fire blankets.
- Fire Fighting Equipment inc extinguishers & hose reels - Testing
- Fly-wire screens - repair and replace.
- Floor coverings – carpet – repair & replace.
- Floor coverings – vinyl – repair & replace.
- Floor coverings – other – repair & replace.
- Floor - resurfacing
- Heating Equipment and Air Conditioning – repair & maintenance.
- Hot water systems – repair & maintenance.
- Internal Lining – repairs.
- Lawns, nature strips, gardens, trees, shrubs and play areas within the area defined by the Agreement.
- Light fittings, Globes & Tubes – inc Exit & Emergency lighting and testing.
- Painting – internal & external.
- Paths/Paved areas – repair & maintenance.
- Playground equipment.
- Roof cladding - repairs
- Roof gutters, downpipes & fascias – cleaning and repairs.
- Sanitary fixtures inc toilet cisterns - repair and replacement
- Security.
- Sewerage lines, Septic systems and storm water drains – repair & maintenance inc pump out and clearance of blockages.
- Taps, valves and pipework.
- Windows - frames and glazing.
- Other minor maintenance.
- Essential Safety Measures Manual – keeping records current.

(2) WELLINGTON SHIRE COUNCIL

- Cooking equipment – replace fixtures assessed as non repairable or beyond serviceable life.
- Electrical Rewiring where necessary to comply with regulatory requirements.
- External Cladding – full replacement of wall(s).
- Fences – full replacement where assessed as unserviceable.
- Fire Fighting Equipment – Replacement and repair of fixed hose reels and hydrants.
- Floor – replacement or reblocking.
- Heating equipment & air conditioning – replacement of fixed items assessed as non repairable or beyond serviceable life.
- Hot Water Systems - replacement.
- Internal Lining – Full Replacement.
- Paths/Paved areas – replacement.
- Roof Cladding – Full Replacement and major repairs.
- Septic systems – replacement.
- Structural defects (major).

Note: Any maintenance items not identified in either (1) or (2) above will be the subject of discussion and agreement between the Wellington Shire Council and the Committee.

**EXTRACT FROM THE LOCAL GOVERNMENT ACT, SECTIONS 86, 87, 89 AND 90.
- SPECIAL COMMITTEES OF COUNCIL.**

86. Special committees of the Council

- (1) In addition to any advisory committees that a Council may establish, a Council may establish one or more special committees of the following:
 - (a) Councillors;
 - (b) Council staff;
 - (c) other persons;
 - (d) any combination of persons referred to in paragraphs (a), (b) and (c).
 - (2) A Council may appoint members to a special committee and may at any time remove a member from a special committee.
 - (3) Except as provided in sub-section (4), a Council may by instrument of delegation delegate any of its functions, duties or powers under this or any other Act to a special committee.
 - (4) A Council cannot delegate to a committee the following powers—
 - (a) this power of delegation;
 - (b) to declare a rate or charge;
 - (c) to borrow money;
 - (d) to enter into contracts for an amount exceeding an amount previously determined by the Council;
 - (e) to incur any expenditure exceeding an amount previously determined by the Council;
 - (f) any prescribed power.
 - (5) A Council may require a special Committee to report to the Council at intervals determined by the Council.
 - (6) The Council must review any delegations to a special committee in force under this section within the period of 12 months after a general election.
- S. 86(7) inserted by No. 67/2008 s. 37, repealed by No. 63/2012 s. 15.

87. Special committee meetings

- (1) The Council must keep a register of delegations to special committees.
- (2) The Council may appoint a Chairperson for a special committee.
- (3) If the Council has not appointed a Chairperson under subsection (2), the members of a special committee must appoint a Chairperson.
- (4) If the Chairperson is not present at a meeting of a special committee the members must appoint a Chairperson for that meeting.
- (5) A meeting of a special committee must be held at a time and place determined by the special committee.
- (6) If the special committee has not appointed a time and place for a meeting under subsection (5), the Chairperson, or if the Chairperson is incapable of doing so, the Council, must fix the time and place of the next meeting.
- (7) Until approved by the Council a decision of a special committee which does not relate to a matter delegated to the special committee cannot be given effect to.
- (8) A Council may specify in the instrument of delegation that a member of a special committee who is a member of the public or of Council staff does not have voting rights on the special committee.

89. Meetings to be open to the public

- (1) Unless sub-section (2) applies, any meeting of a Council or a special committee must be open to members of the public.
- (2) A Council or special committee may resolve that the meeting be closed to members of the public if the meeting is discussing any of the following—
 - (a) personnel matters;
 - (b) the personal hardship of any resident or ratepayer;
 - (c) industrial matters;
 - (d) contractual matters;
 - (e) proposed developments;
 - (f) legal advice;
 - (g) matters affecting the security of Council property;
 - (h) any other matter which the Council or special committee considers would prejudice the Council or any person;

- (i) a resolution to close the meeting to members of the public.
- (3) If a Council or special committee resolves to close a meeting to members of the public the reason must be recorded in the minutes of the meeting.
- (4) Unless subsection (4A) applies, a Council must at least 7 days before the holding of—
 - (a) an ordinary council meeting; or
 - (b) a special council meeting; or
 - (c) a meeting of a special committee comprised solely of Councillors
 — give public notice of the meeting.
- (4A) If urgent or extraordinary circumstances prevent a Council from complying with subsection (4), the Council must—
 - (a) give such public notice as is practicable; and
 - (b) specify the urgent or extraordinary circumstances which prevented the Council from complying with subsection (4) in the minutes.
- (5) The Chairperson of a special committee that is not comprised solely of Councillors must provide reasonable notice to the public of meetings of the special committee.

90. Voting

- (1) A question before a meeting of a Council or special committee is to be determined as follows—
 - (a) each Councillor present at a meeting of the Council and each member of a special committee present at a meeting of the special committee who is entitled to vote is entitled to one vote;
 - (b) S. 90(1)(b) repealed by No. 63/2012 s. 16(1).
 - (c) unless the procedures of a Council or special Committee otherwise provide, voting must be by a show of hands;
 - (ca) voting at a meeting that is open to members of the public must not be in secret;
 - (d) the question is determined in the affirmative by a majority of the Councillors or members of the special committee present at a meeting at the time the vote is taken voting in favour of the question;
 - (e) except where subsection (2) applies, if the number of votes in favour of the question is half the number of Councillors or members of the special committee present at the meeting at the time the vote is taken, the Chairperson has a second vote.
- (2) If there is an equality of votes on a question arising under section 71(1), 87(2), 87(3) or 87(4), the matter is to be determined by lot.



WELLINGTON SHIRE COUNCIL

CAMERON SPORTING COMPLEX COMMITTEE

TERMS OF REFERENCE SCHEDULE

1. **Definitions**
In this Schedule unless inconsistent with the context or subject matter;
"Council" means the Wellington Shire Council
"Financial Year" means the period from 1 July to the following 30 June
"Special Committee" means the persons who are appointed and/or elected to the Committee in the manner hereinafter provided
2. **Objectives**
The objectives of the Special Committee shall be:
 - 2.1. To manage, operate and maintain the Cameron Sporting Complex for the community in an efficient, effective and practical manner.
 - 2.2. To undertake activities designed to protect, promote, utilise and develop the Cameron Sporting Complex for the use and enjoyment of the local community in line with Council policy and relevant Council strategic documents.
 - 2.3. To keep the Council informed on the operations, improvements and advancements of the Cameron Sporting Complex by forwarding copies of all minutes of all ordinary and extraordinary meetings and the Annual Report.
 - 2.4. To set, maintain and collect appropriate user charges.
 - 2.5. To ensure that the Cameron Sporting Complex's capital assets are adequately maintained.
 - 2.6. To provide advice to Council on matters relating to the Cameron Sporting Complex.
3. **Appointment and Membership of the Committee**
The method of appointment and the membership of the Special Committee shall be:
 - 3.1 the Special Committee shall consist of a minimum of 5 ordinary members appointed by the Council as follows:
 - a) One Councillor
 - b) One Representative from Maffra Gymnastics Inc
 - c) One Representative from Maffra & District Basketball Association
 - d) One Representative from Maffra Cricket Club
 - e) One Representative from Maffra Junior Football Club
 - f) One Representative from Maffra Hockey Association
 - g) Five Representatives of the community of Maffra.Expressions of interest shall be sought embracing an agreed range of skills and experience appropriate to the functioning of a public recreation reserve

- 3.2 the Special Committee takes its authority from Section 86 of the Local Government Act 1989.
- 3.3 the term of office of the Members shall be until 18 December 2018 or as otherwise determined by the Council.
- 3.4 in the event of a vacancy on the Special Committee, the Committee may submit nominations to the Council and the vacating member shall be replaced by a person drawn from the same membership category in clause 3.1. The Council may choose to fill the vacancy from the names submitted or call for public nominations.
- 3.5 all nominations and appointments to the Special Committee must be confirmed by the Council and any person appointed as a Member may be removed from that position at any time by resolution of the Council. Any such removal shall cause an extraordinary vacancy which must be filled in accordance with clause 3.4.
- 3.6 the office of a Member may be declared vacant by the Council if that Member fails to attend 3 consecutive meetings without leave being granted by the Special Committee by a resolution duly passed.

4. Conditions

That the Special Committee observe and maintain the following conditions between the Committee and the Council as provided under this Section.

Notwithstanding Clauses below, the Council shall be the arbitrator of any disputed or uncertain maintenance responsibility and the Council's decision will be final.

4.1 Procurement

The Special Committee is authorised by the Instrument of Delegation to make procurement (purchasing) decisions in relation to the purchase of goods, services and works on behalf of Council. In making procurement decisions, the Committee shall also give consideration to Council's Procurement Policy.

4.2 Works

- 4.2.1. It is provided that the responsibility for repairs, maintenance and improvements will be divided between the Committee and the Council as provided in Appendix 1.
- 4.2.2. Major maintenance or improvement works will be the responsibility of the Council. Such works will be scheduled within the constraints of the Council's budget capability and will be consistent with any relevant policies and procedures adopted by the Council.
- 4.2.3. Sub-clause (4.2.2) is not intended to prevent the Committee of Management from suggesting or requesting the undertaking of major works which, subject to Council consent, it may do at its cost.
- 4.2.4. Any additions, modifications or improvements made to the property remain the property of the Council.
- 4.2.5. The Committee of Management is responsible for maintenance and replacement of all fittings, furniture and equipment within the facility with the exception of those items listed in accordance with Appendix 1.
- 4.2.6. If it is deemed that any Council supplied equipment (fixed or portable) is no longer available for use due to age or it is unable to be repaired, the Committee shall advise the Council of the condition of the equipment and the Committee's recommendation for the future of the equipment.

4.3 Insurance

4.3.1 Building and Contents

The Council will be responsible for the insurance cover of buildings, other identifiable physical structures and Council owned contents. Contents cover does not include sporting equipment and other items owned by the Committee or user groups. The Committee shall ensure that user groups are aware of their responsibility to obtain and maintain insurance on their own equipment.

4.3.2 Committee Members

Subject to the Special Committee and its members acting within the scope, powers and functions set out in the Instrument of Delegation and these Terms of Reference, the Public Liability insurance held by the Council shall protect individual members from liability other than for criminal matters.

4.3.3 Volunteers

Any volunteers co opted to assist the Committee to discharge its obligations will be covered by the Council's insurance policies where the names of the volunteers have been recorded in the Committee's Volunteer Register. The Committee will be responsible for ensuring that all volunteers complete a Volunteer Registration Form which is to be held by the Committee.

4.3.4 Hirers / Users

All regular users/hirers or organised clubs, associations or organisations using the Cameron Sporting Complex must have their own public liability insurance cover when using the reserve facilities. Casual hirers, being individuals or unincorporated groups of individuals, will, subject to completion of a documented hire agreement, be covered by the Wellington Shire Council casual hirers insurance policy.

4.4 Use of Facility

4.4.1 The Committee of Management is responsible for the formulation and administration of terms and conditions for use of the facility, including the setting of hire fees and security deposits. All terms and conditions of use and access must be consistent with any Council policy(s).

4.4.2 The Committee of Management must formulate a written Hire Agreement inclusive of an indemnity to be entered into with users of the facility.

4.4.3 The Committee of Management must ensure that all users of the facility, execute the hire agreement and indemnity prior to any use.

4.5 Books of Account

The Committee shall operate such bank accounts and books of accounts as the Committee thinks necessary and may receive all monies and meet routine expenditure in connection with the Conditions set out in Clause 5 and associated with the operation of the various Cameron Sporting Complex functions.

4.6 Fundraising

All fundraising activities for or related to the facility, including any undertaken by the Committee of Management, must not occur until after all applicable permits and licences have been obtained.

4.7 Rules for Behaviour of Users

Subject to approval by the Council, the Special Committee may make such rules as it deems expedient for the safety, conduct and well being of people using the

Cameron Sporting Complex and may ensure compliance by whatever lawful means the Committee considers fit. A copy of such rules shall be supplied to the Council by the Committee within one month of being approved by the Committee. Council may approve or reject such rules as soon as practicable thereafter. If approved by Council, such rules shall have immediate effect thereafter.

5. Reporting

The following reports shall be provided to Council outlining the activities of the Special Committee:

- 5.1 Copy of all Committee Meeting Minutes (including ordinary meetings, extraordinary meetings and Annual General Meetings), within a month of the meeting being held.
- 5.2 Monthly GST Returns, detailing total income and expenditure and total GST received and paid during the month [form supplied by Shire]. Returns due within the first week of the month following.
- 5.3 The Annual General Meeting reporting requirements are:
 - Audited financial statements for previous financial year
 - Annual operating budget
 - Works and projects planned for next 12 months
 - Schedule of fees
 - Committee's Rules for the Reserve

6. Meetings of the Special Committee

The following rules and regulations apply to meetings of the Special Committee:

- 6.1 the provisions of Section 86, 87, 89 and 90 of the Local Government Act 1989 shall apply to this Special Committee (Copy attached at Appendix 2).
- 6.2 the conduct of meetings held by the Special Committee shall be subject to the provisions of Wellington Shire Council – Local Law No. 1, "Processes of Municipal Government (Meeting and Common Seal) Local Law."
- 6.3 the Committee shall appoint the Chairperson, Secretary and Treasurer from the persons appointed by Council to the Special Committee.
- 6.4 the Chairperson, Secretary and Treasurer shall be elected on an annual basis.
- 6.5 the Special Committee shall meet at least 4 times per year on a quarterly basis, or more frequently if so determined by the Committee.
- 6.6 notice specifying the date, time and business of the meeting must be given to all members at least seven days before any meeting of the Special Committee.
- 6.7 no meeting of the Special Committee shall be held and no business shall be transacted unless a majority of members are present (half the membership plus one) creating a quorum. If a quorum is not present within ½ an hour of the time appointed for a meeting, then the meeting shall stand adjourned until the same time and place on the same day of the following week and notice to this effect shall be given to all members.
- 6.8 an extraordinary meeting shall be called by the Chairperson on the written request of any three members, such request specifying the purpose of the extraordinary meeting.
- 6.9 a record of the minutes and proceedings of all meetings together with those present shall be kept in the files of the Committee.

6.10 minutes are to be confirmed at the next meeting with or without corrections. Such minutes are to be signed by the Chairperson of the confirmatory meeting and shall be kept in the files of the Committee.

7. Operating Subsidy

Council will pay the Special Committee an annual operating subsidy in the amount of no less than \$46,531.00. The operating subsidy must be used by the Special Committee to go towards the costs of operating and maintaining the facility as per the terms and conditions herein.

8. Review

This Terms of Reference will be due for review in line with the Instruments of Delegation for Special Committees under Section 81 of the *Local Government Act 1989*, requiring a review within 12 months of a general election.

MAINTENANCE

The division of responsibility for the maintenance of the facility is as follows:-

(1) COMMITTEE OF MANAGEMENT

- Car Parking On-site (where applicable).
- Cooking Equipment - repair.
- Doors and Door Furniture.
- Electrical Fittings & Fixtures - repair and replacement.
- Fences – repair.
- Fire Fighting Equipment – Portable (eg extinguishers), fire blankets.
- Fire Fighting Equipment inc extinguishers & hose reels - Testing
- Fly-wire screens - repair and replace.
- Floor coverings – carpet – repair & replace.
- Floor coverings – vinyl – repair & replace.
- Floor coverings – other – repair & replace.
- Floor - resurfacing
- Heating Equipment and Air Conditioning – repair & maintenance.
- Hot water systems – repair & maintenance.
- Internal Lining – repairs.
- Lawns, nature strips, gardens, trees, shrubs and play areas within the area defined by the Agreement.
- Light fittings, Globes & Tubes – inc Exit & Emergency lighting and testing.
- Painting – internal & external.
- Paths/Paved areas – repair & maintenance.
- Playground equipment.
- Roof cladding - repairs
- Roof gutters, downpipes & fascias – cleaning and repairs.
- Sanitary fixtures inc toilet cisterns - repair and replacement
- Security.
- Sewerage lines, Septic systems and storm water drains – repair & maintenance inc pump out and clearance of blockages.
- Taps, valves and pipework.
- Windows - frames and glazing.
- Other minor maintenance.
- Essential Safety Measures Manual – keeping records current.

(2) WELLINGTON SHIRE COUNCIL

- Cooking equipment – replace fixtures assessed as non repairable or beyond serviceable life.
- Electrical Rewiring where necessary to comply with regulatory requirements.
- External Cladding – full replacement of wall(s).
- Fences – full replacement where assessed as unserviceable.
- Fire Fighting Equipment – Replacement and repair of fixed hose reels and hydrants.
- Floor – replacement or reblocking.
- Heating equipment & air conditioning – replacement of fixed items assessed as non repairable or beyond serviceable life.
- Hot Water Systems - replacement.
- Internal Lining – Full Replacement.
- Paths/Paved areas – replacement.
- Roof Cladding – Full Replacement and major repairs.
- Septic systems – replacement.
- Structural defects (major).

Note: Any maintenance items not identified in either (1) or (2) above will be the subject of discussion and agreement between the Wellington Shire Council and the Committee.

**EXTRACT FROM THE LOCAL GOVERNMENT ACT, SECTIONS 86, 87, 89 AND 90.
- SPECIAL COMMITTEES OF COUNCIL.**

86. Special committees of the Council

- (1) In addition to any advisory committees that a Council may establish, a Council may establish one or more special committees of the following:
 - (a) Councillors;
 - (b) Council staff;
 - (c) other persons;
 - (d) any combination of persons referred to in paragraphs (a), (b) and (c).
 - (2) A Council may appoint members to a special committee and may at any time remove a member from a special committee.
 - (3) Except as provided in sub-section (4), a Council may by instrument of delegation delegate any of its functions, duties or powers under this or any other Act to a special committee.
 - (4) A Council cannot delegate to a committee the following powers—
 - (a) this power of delegation;
 - (b) to declare a rate or charge;
 - (c) to borrow money;
 - (d) to enter into contracts for an amount exceeding an amount previously determined by the Council;
 - (e) to incur any expenditure exceeding an amount previously determined by the Council;
 - (f) any prescribed power.
 - (5) A Council may require a special Committee to report to the Council at intervals determined by the Council.
 - (6) The Council must review any delegations to a special committee in force under this section within the period of 12 months after a general election.
- S. 86(7) inserted by No. 67/2008 s. 37, repealed by No. 63/2012 s. 15.

87. Special committee meetings

- (1) The Council must keep a register of delegations to special committees.
- (2) The Council may appoint a Chairperson for a special committee.
- (3) If the Council has not appointed a Chairperson under subsection (2), the members of a special committee must appoint a Chairperson.
- (4) If the Chairperson is not present at a meeting of a special committee the members must appoint a Chairperson for that meeting.
- (5) A meeting of a special committee must be held at a time and place determined by the special committee.
- (6) If the special committee has not appointed a time and place for a meeting under subsection (5), the Chairperson, or if the Chairperson is incapable of doing so, the Council, must fix the time and place of the next meeting.
- (7) Until approved by the Council a decision of a special committee which does not relate to a matter delegated to the special committee cannot be given effect to.
- (8) A Council may specify in the instrument of delegation that a member of a special committee who is a member of the public or of Council staff does not have voting rights on the special committee.

89. Meetings to be open to the public

- (1) Unless sub-section (2) applies, any meeting of a Council or a special committee must be open to members of the public.
- (2) A Council or special committee may resolve that the meeting be closed to members of the public if the meeting is discussing any of the following—
 - (a) personnel matters;
 - (b) the personal hardship of any resident or ratepayer;
 - (c) industrial matters;
 - (d) contractual matters;
 - (e) proposed developments;
 - (f) legal advice;
 - (g) matters affecting the security of Council property;
 - (h) any other matter which the Council or special committee considers would prejudice the Council or any person;

- (i) a resolution to close the meeting to members of the public.
- (3) If a Council or special committee resolves to close a meeting to members of the public the reason must be recorded in the minutes of the meeting.
- (4) Unless subsection (4A) applies, a Council must at least 7 days before the holding of—
 - (a) an ordinary council meeting; or
 - (b) a special council meeting; or
 - (c) a meeting of a special committee comprised solely of Councillors
 — give public notice of the meeting.
- (4A) If urgent or extraordinary circumstances prevent a Council from complying with subsection (4), the Council must—
 - (a) give such public notice as is practicable; and
 - (b) specify the urgent or extraordinary circumstances which prevented the Council from complying with subsection (4) in the minutes.
- (5) The Chairperson of a special committee that is not comprised solely of Councillors must provide reasonable notice to the public of meetings of the special committee.

90. Voting

- (1) A question before a meeting of a Council or special committee is to be determined as follows—
 - (a) each Councillor present at a meeting of the Council and each member of a special committee present at a meeting of the special committee who is entitled to vote is entitled to one vote;
 - (b) S. 90(1)(b) repealed by No. 63/2012 s. 16(1).
 - (c) unless the procedures of a Council or special Committee otherwise provide, voting must be by a show of hands;
 - (ca) voting at a meeting that is open to members of the public must not be in secret;
 - (d) the question is determined in the affirmative by a majority of the Councillors or members of the special committee present at a meeting at the time the vote is taken voting in favour of the question;
 - (e) except where subsection (2) applies, if the number of votes in favour of the question is half the number of Councillors or members of the special committee present at the meeting at the time the vote is taken, the Chairperson has a second vote.
- (2) If there is an equality of votes on a question arising under section 71(1), 87(2), 87(3) or 87(4), the matter is to be determined by lot.



WELLINGTON SHIRE COUNCIL

GORDON STREET RECREATION RESERVE COMMITTEE

TERMS OF REFERENCE SCHEDULE

1. **Definitions**
In this Schedule unless inconsistent with the context or subject matter;
"Council" means the Wellington Shire Council
"Financial Year" means the period from 1 July to the following 30 June
"Special Committee" means the persons who are appointed and/or elected to the Committee in the manner hereinafter provided
2. **Objectives**
The objectives of the Special Committee shall be:
 - 2.1. To manage, operate and maintain the Gordon Street Recreation Reserve for the community in an efficient, effective and practical manner.
 - 2.2. To undertake activities designed to protect, promote, utilise and develop the Gordon Street Recreation Reserve for the use and enjoyment of the local community in line with Council policy and relevant Council strategic documents.
 - 2.3. To keep the Council informed on the operations, improvements and advancements of the Gordon Street Recreation Reserve by forwarding copies of all minutes of all ordinary and extraordinary meetings and the Annual Report.
 - 2.4. To set, maintain and collect appropriate user charges.
 - 2.5. To ensure that the Gordon Street Recreation Reserve's capital assets are adequately maintained.
 - 2.6. To provide advice to Council on matters relating to the Gordon Street Recreation Reserve.
3. **Appointment and Membership of the Committee**
The method of appointment and the membership of the Special Committee shall be:
 - 3.1 the Special Committee shall consist of a minimum of 5 ordinary members appointed by the Council as follows:
 - a) One Councillor
 - b) One Representative from the Heyfield Cricket Club
 - c) One Representative from the Heyfield Football Netball Club
 - d) One Representative from the Heyfield Junior Football Club
 - e) One Representative from the Heyfield Junior Netball Club
 - f) One Representative from the Heyfield Basketball Club
 - g) One Representative from the Heyfield Vintage Machinery Group

- h) One Representative from the Heyfield Pigeon Club
- i) One Representative from the Heyfield Tennis Club
- j) One Representative from the Heyfield Traders & Tourism Association
- k) Five representative of the Community of Heyfield.

Expressions of interest shall be sought embracing an agreed range of skills and experience appropriate to the functioning of a public recreation reserve

- 3.2 the Special Committee takes its authority from Section 86 of the Local Government Act 1989.
- 3.3 the term of office of the Members shall be until 18 December 2018 or as otherwise determined by the Council.
- 3.4 in the event of a vacancy on the Special Committee, the Committee may submit nominations to the Council and the vacating member shall be replaced by a person drawn from the same membership category in clause 3.1. The Council may chose to fill the vacancy from the names submitted or call for public nominations.
- 3.5 all nominations and appointments to the Special Committee must be confirmed by the Council and any person appointed as a Member may be removed from that position at any time by resolution of the Council. Any such removal shall cause an extraordinary vacancy which must be filled in accordance with clause 3.4.
- 3.6 the office of a Member may be declared vacant by the Council if that Member fails to attend 3 consecutive meetings without leave being granted by the Special Committee by a resolution duly passed.

4. Conditions

That the Special Committee observe and maintain the following conditions between the Committee and the Council as provided under this Section.

Notwithstanding Clauses below, the Council shall be the arbitrator of any disputed or uncertain maintenance responsibility and the Council's decision will be final.

4.1 Procurement

The Special Committee is authorised by the Instrument of Delegation to make procurement (purchasing) decisions in relation to the purchase of goods, services and works on behalf of Council. In making procurement decisions, the Committee shall also give consideration to Council's Procurement Policy.

4.2 Works

- 4.2.1. It is provided that the responsibility for repairs, maintenance and improvements will be divided between the Committee and the Council as provided in Appendix 1.
- 4.2.2. Major maintenance or improvement works will be the responsibility of the Council. Such works will be scheduled within the constraints of the Council's budget capability and will be consistent with any relevant policies and procedures adopted by the Council.
- 4.2.3. Sub-clause (4.2.2) is not intended to prevent the Committee of Management from suggesting or requesting the undertaking of major works which, subject to Council consent, it may do at its cost.
- 4.2.4. Any additions, modifications or improvements made to the property remain the property of the Council.
- 4.2.5. The Committee of Management is responsible for maintenance and replacement of all fittings, furniture and equipment within the facility with the exception of those items listed in accordance with Appendix 1.

- 4.2.6. If it is deemed that any Council supplied equipment (fixed or portable) is no longer available for use due to age or it is unable to be repaired, the Committee shall advise the Council of the condition of the equipment and the Committee's recommendation for the future of the equipment.

4.3 Insurance

4.3.1 Building and Contents

The Council will be responsible for the insurance cover of buildings, other identifiable physical structures and Council owned contents. Contents cover does not include sporting equipment and other items owned by the Committee or user groups. The Committee shall ensure that user groups are aware of their responsibility to obtain and maintain insurance on their own equipment.

4.3.2 Committee Members

Subject to the Special Committee and its members acting within the scope, powers and functions set out in the Instrument of Delegation and these Terms of Reference, the Public Liability insurance held by the Council shall protect individual members from liability other than for criminal matters.

4.3.3 Volunteers

Any volunteers co opted to assist the Committee to discharge its obligations will be covered by the Council's insurance policies where the names of the volunteers have been recorded in the Committee's Volunteer Register. The Committee will be responsible for ensuring that all volunteers complete a Volunteer Registration Form which is to be held by the Committee.

4.3.4 Hirers / Users

All regular users/hirers or organised clubs, associations or organisations using the Gordon Street Recreation Reserve must have their own public liability insurance cover when using the reserve facilities. Casual hirers, being individuals or unincorporated groups of individuals, will, subject to completion of a documented hire agreement, be covered by the Wellington Shire Council casual hirers insurance policy.

4.4 Use of Facility

4.4.1 The Committee of Management is responsible for the formulation and administration of terms and conditions for use of the facility, including the setting of hire fees and security deposits. All terms and conditions of use and access must be consistent with any Council policy(s).

4.4.2 The Committee of Management must formulate a written Hire Agreement inclusive of an indemnity to be entered into with users of the facility.

4.4.3 The Committee of Management must ensure that all users of the facility, execute the hire agreement and indemnity prior to any use.

4.5 Books of Account

The Committee shall operate such bank accounts and books of accounts as the Committee thinks necessary and may receive all monies and meet routine expenditure in connection with the Conditions set out in Clause 5 and associated with the operation of the various Gordon Street Recreation Reserve functions.

4.6 Fundraising

All fundraising activities for or related to the facility, including any undertaken by the Committee of Management, must not occur until after all applicable permits and licences have been obtained.

4.7 Rules for Behaviour of Users

Subject to approval by the Council, the Special Committee may make such rules as it deems expedient for the safety, conduct and well being of people using the Gordon Street Recreation Reserve and may ensure compliance by whatever lawful means the Committee considers fit. A copy of such rules shall be supplied to the Council by the Committee within one month of being approved by the Committee. Council may approve or reject such rules as soon as practicable thereafter. If approved by Council, such rules shall have immediate effect thereafter.

5. Reporting

The following reports shall be provided to Council outlining the activities of the Special Committee:

- 5.1 Copy of all Committee Meeting Minutes (including ordinary meetings, extraordinary meetings and Annual General Meetings), within a month of the meeting being held.
- 5.2 Monthly GST Returns, detailing total income and expenditure and total GST received and paid during the month [form supplied by Shire]. Returns due within the first week of the month following.
- 5.3 The Annual General Meeting reporting requirements are:
 - Audited financial statements for previous financial year
 - Annual operating budget
 - Works and projects planned for next 12 months
 - Schedule of fees
 - Committee's Rules for the Reserve

6. Meetings of the Special Committee

The following rules and regulations apply to meetings of the Special Committee:

- 6.1 the provisions of Section 86, 87, 89 and 90 of the Local Government Act 1989 shall apply to this Special Committee (Copy attached at Appendix 2).
- 6.2 the conduct of meetings held by the Special Committee shall be subject to the provisions of Wellington Shire Council – Local Law No. 1, "Processes of Municipal Government (Meeting and Common Seal) Local Law."
- 6.3 the Committee shall appoint the Chairperson, Secretary and Treasurer from the persons appointed by Council to the Special Committee.
- 6.4 the Chairperson, Secretary and Treasurer shall be elected on an annual basis.
- 6.5 the Special Committee shall meet at least 4 times per year on a quarterly basis, or more frequently if so determined by the Committee.
- 6.6 notice specifying the date, time and business of the meeting must be given to all members at least seven days before any meeting of the Special Committee.
- 6.7 no meeting of the Special Committee shall be held and no business shall be transacted unless a majority of members are present (half the membership plus one) creating a quorum. If a quorum is not present within ½ an hour of the time appointed for a meeting, then the meeting shall stand adjourned until the same time and place on the same day of the following week and notice to this effect shall be given to all members.

- 6.8 an extraordinary meeting shall be called by the Chairperson on the written request of any three members, such request specifying the purpose of the extraordinary meeting.
- 6.9 a record of the minutes and proceedings of all meetings together with those present shall be kept in the files of the Committee.
- 6.10 minutes are to be confirmed at the next meeting with or without corrections. Such minutes are to be signed by the Chairperson of the confirmatory meeting and shall be kept in the files of the Committee.

7. Operating Subsidy

Council will pay the Special Committee an annual operating subsidy in the amount of no less than \$32,063.00. The operating subsidy must be used by the Special Committee to go towards the costs of operating and maintaining the facility as per the terms and conditions herein.

8. Review

This Terms of Reference will be due for review in line with the Instruments of Delegation for Special Committees under Section 81 of the *Local Government Act 1989*, requiring a review within 12 months of a general election.

MAINTENANCE

The division of responsibility for the maintenance of the facility is as follows:-

(1) COMMITTEE OF MANAGEMENT

- Car Parking On-site (where applicable).
- Cooking Equipment - repair.
- Doors and Door Furniture.
- Electrical Fittings & Fixtures - repair and replacement.
- Fences – repair.
- Fire Fighting Equipment – Portable (eg extinguishers), fire blankets.
- Fire Fighting Equipment inc extinguishers & hose reels - Testing
- Fly-wire screens - repair and replace.
- Floor coverings – carpet – repair & replace.
- Floor coverings – vinyl – repair & replace.
- Floor coverings – other – repair & replace.
- Floor - resurfacing
- Heating Equipment and Air Conditioning – repair & maintenance.
- Hot water systems – repair & maintenance.
- Internal Lining – repairs.
- Lawns, nature strips, gardens, trees, shrubs and play areas within the area defined by the Agreement.
- Light fittings, Globes & Tubes – inc Exit & Emergency lighting and testing.
- Painting – internal & external.
- Paths/Paved areas – repair & maintenance.
- Playground equipment.
- Roof cladding - repairs
- Roof gutters, downpipes & fascias – cleaning and repairs.
- Sanitary fixtures inc toilet cisterns - repair and replacement
- Security.
- Sewerage lines, Septic systems and storm water drains – repair & maintenance inc pump out and clearance of blockages.
- Taps, valves and pipework.
- Windows - frames and glazing.
- Other minor maintenance.
- Essential Safety Measures Manual – keeping records current.

(2) WELLINGTON SHIRE COUNCIL

- Cooking equipment – replace fixtures assessed as non repairable or beyond serviceable life.
- Electrical Rewiring where necessary to comply with regulatory requirements.
- External Cladding – full replacement of wall(s).
- Fences – full replacement where assessed as unserviceable.
- Fire Fighting Equipment – Replacement and repair of fixed hose reels and hydrants.
- Floor – replacement or reblocking.
- Heating equipment & air conditioning – replacement of fixed items assessed as non repairable or beyond serviceable life.
- Hot Water Systems - replacement.
- Internal Lining – Full Replacement.
- Paths/Paved areas – replacement.
- Roof Cladding – Full Replacement and major repairs.
- Septic systems – replacement.
- Structural defects (major).

Note: Any maintenance items not identified in either (1) or (2) above will be the subject of discussion and agreement between the Wellington Shire Council and the Committee.

**EXTRACT FROM THE LOCAL GOVERNMENT ACT, SECTIONS 86, 87, 89 AND 90.
- SPECIAL COMMITTEES OF COUNCIL.**

86. Special committees of the Council

- (1) In addition to any advisory committees that a Council may establish, a Council may establish one or more special committees of the following:
 - (a) Councillors;
 - (b) Council staff;
 - (c) other persons;
 - (d) any combination of persons referred to in paragraphs (a), (b) and (c).
 - (2) A Council may appoint members to a special committee and may at any time remove a member from a special committee.
 - (3) Except as provided in sub-section (4), a Council may by instrument of delegation delegate any of its functions, duties or powers under this or any other Act to a special committee.
 - (4) A Council cannot delegate to a committee the following powers—
 - (a) this power of delegation;
 - (b) to declare a rate or charge;
 - (c) to borrow money;
 - (d) to enter into contracts for an amount exceeding an amount previously determined by the Council;
 - (e) to incur any expenditure exceeding an amount previously determined by the Council;
 - (f) any prescribed power.
 - (5) A Council may require a special Committee to report to the Council at intervals determined by the Council.
 - (6) The Council must review any delegations to a special committee in force under this section within the period of 12 months after a general election.
- S. 86(7) inserted by No. 67/2008 s. 37, repealed by No. 63/2012 s. 15.

87. Special committee meetings

- (1) The Council must keep a register of delegations to special committees.
- (2) The Council may appoint a Chairperson for a special committee.
- (3) If the Council has not appointed a Chairperson under subsection (2), the members of a special committee must appoint a Chairperson.
- (4) If the Chairperson is not present at a meeting of a special committee the members must appoint a Chairperson for that meeting.
- (5) A meeting of a special committee must be held at a time and place determined by the special committee.
- (6) If the special committee has not appointed a time and place for a meeting under subsection (5), the Chairperson, or if the Chairperson is incapable of doing so, the Council, must fix the time and place of the next meeting.
- (7) Until approved by the Council a decision of a special committee which does not relate to a matter delegated to the special committee cannot be given effect to.
- (8) A Council may specify in the instrument of delegation that a member of a special committee who is a member of the public or of Council staff does not have voting rights on the special committee.

89. Meetings to be open to the public

- (1) Unless sub-section (2) applies, any meeting of a Council or a special committee must be open to members of the public.
- (2) A Council or special committee may resolve that the meeting be closed to members of the public if the meeting is discussing any of the following—
 - (a) personnel matters;
 - (b) the personal hardship of any resident or ratepayer;
 - (c) industrial matters;
 - (d) contractual matters;
 - (e) proposed developments;
 - (f) legal advice;
 - (g) matters affecting the security of Council property;
 - (h) any other matter which the Council or special committee considers would prejudice the Council or any person;

- (i) a resolution to close the meeting to members of the public.
- (3) If a Council or special committee resolves to close a meeting to members of the public the reason must be recorded in the minutes of the meeting.
- (4) Unless subsection (4A) applies, a Council must at least 7 days before the holding of—
 - (a) an ordinary council meeting; or
 - (b) a special council meeting; or
 - (c) a meeting of a special committee comprised solely of Councillors
 — give public notice of the meeting.
- (4A) If urgent or extraordinary circumstances prevent a Council from complying with subsection (4), the Council must—
 - (a) give such public notice as is practicable; and
 - (b) specify the urgent or extraordinary circumstances which prevented the Council from complying with subsection (4) in the minutes.
- (5) The Chairperson of a special committee that is not comprised solely of Councillors must provide reasonable notice to the public of meetings of the special committee.

90. Voting

- (1) A question before a meeting of a Council or special committee is to be determined as follows—
 - (a) each Councillor present at a meeting of the Council and each member of a special committee present at a meeting of the special committee who is entitled to vote is entitled to one vote;
 - (b) S. 90(1)(b) repealed by No. 63/2012 s. 16(1).
 - (c) unless the procedures of a Council or special Committee otherwise provide, voting must be by a show of hands;
 - (ca) voting at a meeting that is open to members of the public must not be in secret;
 - (d) the question is determined in the affirmative by a majority of the Councillors or members of the special committee present at a meeting at the time the vote is taken voting in favour of the question;
 - (e) except where subsection (2) applies, if the number of votes in favour of the question is half the number of Councillors or members of the special committee present at the meeting at the time the vote is taken, the Chairperson has a second vote.
- (2) If there is an equality of votes on a question arising under section 71(1), 87(2), 87(3) or 87(4), the matter is to be determined by lot.



WELLINGTON SHIRE COUNCIL

MAFFRA RECREATION RESERVE COMMITTEE

TERMS OF REFERENCE SCHEDULE

1. **Definitions**
In this Schedule unless inconsistent with the context or subject matter;
"Council" means the Wellington Shire Council
"Financial Year" means the period from 1 July to the following 30 June
"Special Committee" means the persons who are appointed and/or elected to the Committee in the manner hereinafter provided
2. **Objectives**
The objectives of the Special Committee shall be:
 - 2.1. To manage, operate and maintain the Maffra Recreation Reserve for the community in an efficient, effective and practical manner.
 - 2.2. To undertake activities designed to protect, promote, utilise and develop the Maffra Recreation Reserve for the use and enjoyment of the local community in line with Council policy and relevant Council strategic documents.
 - 2.3. To keep the Council informed on the operations, improvements and advancements of the Maffra Recreation Reserve by forwarding copies of all minutes of all ordinary and extraordinary meetings and the Annual Report.
 - 2.4. To set, maintain and collect appropriate user charges.
 - 2.5. To ensure that the Maffra Recreation Reserve's capital assets are adequately maintained.
 - 2.6. To provide advice to Council on matters relating to the Maffra Recreation Reserve.
3. **Appointment and Membership of the Committee**
The method of appointment and the membership of the Special Committee shall be:
 - 3.1 the Special Committee shall consist of a minimum of 5 ordinary members appointed by the Council as follows:
 - a) One Councillor
 - b) Two Representatives from the Maffra Football Club
 - c) Two Representatives from the Maffra Agricultural Society
 - d) One Representative from the District Kennel Club
 - e) One Representative from the Poultry Club
 - f) One Representative from the Maffra Municipal Band
 - g) One Representative from the Maffra Rockhounds
 - h) One Representative from the Eastern Victorian Pleasure Harness Club Inc

- i) One Representative from the American Truck Historical Society (Australian Charter)
- j) Four representatives of the Community of Maffra.

Expressions of interest shall be sought embracing an agreed range of skills and experience appropriate to the functioning of a public recreation reserve

- 3.2 the Special Committee takes its authority from Section 86 of the Local Government Act 1989.
- 3.3 the term of office of the Members shall be until 18 December 2018 or as otherwise determined by the Council.
- 3.4 in the event of a vacancy on the Special Committee, the Committee may submit nominations to the Council and the vacating member shall be replaced by a person drawn from the same membership category in clause 3.1. The Council may choose to fill the vacancy from the names submitted or call for public nominations.
- 3.5 all nominations and appointments to the Special Committee must be confirmed by the Council and any person appointed as a Member may be removed from that position at any time by resolution of the Council. Any such removal shall cause an extraordinary vacancy which must be filled in accordance with clause 3.4.
- 3.6 the office of a Member may be declared vacant by the Council if that Member fails to attend 3 consecutive meetings without leave being granted by the Special Committee by a resolution duly passed.

4. Conditions

That the Special Committee observe and maintain the following conditions between the Committee and the Council as provided under this Section.

Notwithstanding Clauses below, the Council shall be the arbitrator of any disputed or uncertain maintenance responsibility and the Council's decision will be final.

4.1 Procurement

The Special Committee is authorised by the Instrument of Delegation to make procurement (purchasing) decisions in relation to the purchase of goods, services and works on behalf of Council. In making procurement decisions, the Committee shall also give consideration to Council's Procurement Policy.

4.2 Works

- 4.2.1. It is provided that the responsibility for repairs, maintenance and improvements will be divided between the Committee and the Council as provided in Appendix 1.
- 4.2.2. Major maintenance or improvement works will be the responsibility of the Council. Such works will be scheduled within the constraints of the Council's budget capability and will be consistent with any relevant policies and procedures adopted by the Council.
- 4.2.3. Sub-clause (4.2.2) is not intended to prevent the Committee of Management from suggesting or requesting the undertaking of major works which, subject to Council consent, it may do at its cost.
- 4.2.4. Any additions, modifications or improvements made to the property remain the property of the Council.
- 4.2.5. The Committee of Management is responsible for maintenance and replacement of all fittings, furniture and equipment within the facility with the exception of those items listed in accordance with Appendix 1.

- 4.2.6. If it is deemed that any Council supplied equipment (fixed or portable) is no longer available for use due to age or it is unable to be repaired, the Committee shall advise the Council of the condition of the equipment and the Committee's recommendation for the future of the equipment.

4.3 Insurance

4.3.1 Building and Contents

The Council will be responsible for the insurance cover of buildings, other identifiable physical structures and Council owned contents. Contents cover does not include sporting equipment and other items owned by the Committee or user groups. The Committee shall ensure that user groups are aware of their responsibility to obtain and maintain insurance on their own equipment.

4.3.2 Committee Members

Subject to the Special Committee and its members acting within the scope, powers and functions set out in the Instrument of Delegation and these Terms of Reference, the Public Liability insurance held by the Council shall protect individual members from liability other than for criminal matters.

4.3.3 Volunteers

Any volunteers co opted to assist the Committee to discharge its obligations will be covered by the Council's insurance policies where the names of the volunteers have been recorded in the Committee's Volunteer Register. The Committee will be responsible for ensuring that all volunteers complete a Volunteer Registration Form which is to be held by the Committee.

4.3.4 Hirers / Users

All regular users/hirers or organised clubs, associations or organisations using the Maffra Recreation Reserve must have their own public liability insurance cover when using the reserve facilities. Casual hirers, being individuals or unincorporated groups of individuals, will, subject to completion of a documented hire agreement, be covered by the Wellington Shire Council casual hirers insurance policy.

4.4 Use of Facility

4.4.1 The Committee of Management is responsible for the formulation and administration of terms and conditions for use of the facility, including the setting of hire fees and security deposits. All terms and conditions of use and access must be consistent with any Council policy(s).

4.4.2 The Committee of Management must formulate a written Hire Agreement inclusive of an indemnity to be entered into with users of the facility.

4.4.3 The Committee of Management must ensure that all users of the facility, execute the hire agreement and indemnity prior to any use.

4.5 Books of Account

The Committee shall operate such bank accounts and books of accounts as the Committee thinks necessary and may receive all monies and meet routine expenditure in connection with the Conditions set out in Clause 5 and associated with the operation of the various Maffra Recreation Reserve functions.

4.6 Fundraising

All fundraising activities for or related to the facility, including any undertaken by the Committee of Management, must not occur until after all applicable permits and licences have been obtained.

4.7 Rules for Behaviour of Users

Subject to approval by the Council, the Special Committee may make such rules as it deems expedient for the safety, conduct and well being of people using the Maffra Recreation Reserve and may ensure compliance by whatever lawful means the Committee considers fit. A copy of such rules shall be supplied to the Council by the Committee within one month of being approved by the Committee. Council may approve or reject such rules as soon as practicable thereafter. If approved by Council, such rules shall have immediate effect thereafter.

5. Reporting

The following reports shall be provided to Council outlining the activities of the Special Committee:

- 5.1 Copy of all Committee Meeting Minutes (including ordinary meetings, extraordinary meetings and Annual General Meetings), within a month of the meeting being held.
- 5.2 Monthly GST Returns, detailing total income and expenditure and total GST received and paid during the month [form supplied by Shire]. Returns due within the first week of the month following.
- 5.3 The Annual General Meeting reporting requirements are:
 - Audited financial statements for previous financial year
 - Annual operating budget
 - Works and projects planned for next 12 months
 - Schedule of fees
 - Committee's Rules for the Reserve

6. Meetings of the Special Committee

The following rules and regulations apply to meetings of the Special Committee:

- 6.1 the provisions of Section 86, 87, 89 and 90 of the Local Government Act 1989 shall apply to this Special Committee (Copy attached at Appendix 2).
- 6.2 the conduct of meetings held by the Special Committee shall be subject to the provisions of Wellington Shire Council – Local Law No. 1, "Processes of Municipal Government (Meeting and Common Seal) Local Law."
- 6.3 the Committee shall appoint the Chairperson, Secretary and Treasurer from the persons appointed by Council to the Special Committee.
- 6.4 the Chairperson, Secretary and Treasurer shall be elected on an annual basis.
- 6.5 the Special Committee shall meet at least 4 times per year on a quarterly basis, or more frequently if so determined by the Committee.
- 6.6 notice specifying the date, time and business of the meeting must be given to all members at least seven days before any meeting of the Special Committee.
- 6.7 no meeting of the Special Committee shall be held and no business shall be transacted unless a majority of members are present (half the membership plus one) creating a quorum. If a quorum is not present within ½ an hour of the time appointed for a meeting, then the meeting shall stand adjourned until the same time and place on the same day of the following week and notice to this effect shall be given to all members.

- 6.8 an extraordinary meeting shall be called by the Chairperson on the written request of any three members, such request specifying the purpose of the extraordinary meeting.
 - 6.9 a record of the minutes and proceedings of all meetings together with those present shall be kept in the files of the Committee.
 - 6.10 minutes are to be confirmed at the next meeting with or without corrections. Such minutes are to be signed by the Chairperson of the confirmatory meeting and shall be kept in the files of the Committee.
7. **Operating Subsidy**
- Council will pay the Special Committee an annual operating subsidy in the amount of no less than \$17,594.00. The operating subsidy must be used by the Special Committee to go towards the costs of operating and maintaining the facility as per the terms and conditions herein.
8. **Review**
- This Terms of Reference will be due for review in line with the Instruments of Delegation for Special Committees under Section 81 of the *Local Government Act 1989*, requiring a review within 12 months of a general election.

MAINTENANCE

The division of responsibility for the maintenance of the facility is as follows:-

(1) COMMITTEE OF MANAGEMENT

- Car Parking On-site (where applicable).
- Cooking Equipment - repair.
- Doors and Door Furniture.
- Electrical Fittings & Fixtures - repair and replacement.
- Fences – repair.
- Fire Fighting Equipment – Portable (eg extinguishers), fire blankets.
- Fire Fighting Equipment inc extinguishers & hose reels - Testing
- Fly-wire screens - repair and replace.
- Floor coverings – carpet – repair & replace.
- Floor coverings – vinyl – repair & replace.
- Floor coverings – other – repair & replace.
- Floor - resurfacing
- Heating Equipment and Air Conditioning – repair & maintenance.
- Hot water systems – repair & maintenance.
- Internal Lining – repairs.
- Lawns, nature strips, gardens, trees, shrubs and play areas within the area defined by the Agreement.
- Light fittings, Globes & Tubes – inc Exit & Emergency lighting and testing.
- Painting – internal & external.
- Paths/Paved areas – repair & maintenance.
- Playground equipment.
- Roof cladding - repairs
- Roof gutters, downpipes & fascias – cleaning and repairs.
- Sanitary fixtures inc toilet cisterns - repair and replacement
- Security.
- Sewerage lines, Septic systems and storm water drains – repair & maintenance inc pump out and clearance of blockages.
- Taps, valves and pipework.
- Windows - frames and glazing.
- Other minor maintenance.
- Essential Safety Measures Manual – keeping records current.

(2) WELLINGTON SHIRE COUNCIL

- Cooking equipment – replace fixtures assessed as non repairable or beyond serviceable life.
- Electrical Rewiring where necessary to comply with regulatory requirements.
- External Cladding – full replacement of wall(s).
- Fences – full replacement where assessed as unserviceable.
- Fire Fighting Equipment – Replacement and repair of fixed hose reels and hydrants.
- Floor – replacement or reblocking.
- Heating equipment & air conditioning – replacement of fixed items assessed as non repairable or beyond serviceable life.
- Hot Water Systems - replacement.
- Internal Lining – Full Replacement.
- Paths/Paved areas – replacement.
- Roof Cladding – Full Replacement and major repairs.
- Septic systems – replacement.
- Structural defects (major).

Note: Any maintenance items not identified in either (1) or (2) above will be the subject of discussion and agreement between the Wellington Shire Council and the Committee.

**EXTRACT FROM THE LOCAL GOVERNMENT ACT, SECTIONS 86, 87, 89 AND 90.
- SPECIAL COMMITTEES OF COUNCIL.**

86. Special committees of the Council

- (1) In addition to any advisory committees that a Council may establish, a Council may establish one or more special committees of the following:
 - (a) Councillors;
 - (b) Council staff;
 - (c) other persons;
 - (d) any combination of persons referred to in paragraphs (a), (b) and (c).
 - (2) A Council may appoint members to a special committee and may at any time remove a member from a special committee.
 - (3) Except as provided in sub-section (4), a Council may by instrument of delegation delegate any of its functions, duties or powers under this or any other Act to a special committee.
 - (4) A Council cannot delegate to a committee the following powers—
 - (a) this power of delegation;
 - (b) to declare a rate or charge;
 - (c) to borrow money;
 - (d) to enter into contracts for an amount exceeding an amount previously determined by the Council;
 - (e) to incur any expenditure exceeding an amount previously determined by the Council;
 - (f) any prescribed power.
 - (5) A Council may require a special Committee to report to the Council at intervals determined by the Council.
 - (6) The Council must review any delegations to a special committee in force under this section within the period of 12 months after a general election.
- S. 86(7) inserted by No. 67/2008 s. 37, repealed by No. 63/2012 s. 15.

87. Special committee meetings

- (1) The Council must keep a register of delegations to special committees.
- (2) The Council may appoint a Chairperson for a special committee.
- (3) If the Council has not appointed a Chairperson under subsection (2), the members of a special committee must appoint a Chairperson.
- (4) If the Chairperson is not present at a meeting of a special committee the members must appoint a Chairperson for that meeting.
- (5) A meeting of a special committee must be held at a time and place determined by the special committee.
- (6) If the special committee has not appointed a time and place for a meeting under subsection (5), the Chairperson, or if the Chairperson is incapable of doing so, the Council, must fix the time and place of the next meeting.
- (7) Until approved by the Council a decision of a special committee which does not relate to a matter delegated to the special committee cannot be given effect to.
- (8) A Council may specify in the instrument of delegation that a member of a special committee who is a member of the public or of Council staff does not have voting rights on the special committee.

89. Meetings to be open to the public

- (1) Unless sub-section (2) applies, any meeting of a Council or a special committee must be open to members of the public.
- (2) A Council or special committee may resolve that the meeting be closed to members of the public if the meeting is discussing any of the following—
 - (a) personnel matters;
 - (b) the personal hardship of any resident or ratepayer;
 - (c) industrial matters;
 - (d) contractual matters;
 - (e) proposed developments;
 - (f) legal advice;
 - (g) matters affecting the security of Council property;
 - (h) any other matter which the Council or special committee considers would prejudice the Council or any person;

- (i) a resolution to close the meeting to members of the public.
- (3) If a Council or special committee resolves to close a meeting to members of the public the reason must be recorded in the minutes of the meeting.
- (4) Unless subsection (4A) applies, a Council must at least 7 days before the holding of—
 - (a) an ordinary council meeting; or
 - (b) a special council meeting; or
 - (c) a meeting of a special committee comprised solely of Councillors
 — give public notice of the meeting.
- (4A) If urgent or extraordinary circumstances prevent a Council from complying with subsection (4), the Council must—
 - (a) give such public notice as is practicable; and
 - (b) specify the urgent or extraordinary circumstances which prevented the Council from complying with subsection (4) in the minutes.
- (5) The Chairperson of a special committee that is not comprised solely of Councillors must provide reasonable notice to the public of meetings of the special committee.

90. Voting

- (1) A question before a meeting of a Council or special committee is to be determined as follows—
 - (a) each Councillor present at a meeting of the Council and each member of a special committee present at a meeting of the special committee who is entitled to vote is entitled to one vote;
 - (b) S. 90(1)(b) repealed by No. 63/2012 s. 16(1).
 - (c) unless the procedures of a Council or special Committee otherwise provide, voting must be by a show of hands;
 - (ca) voting at a meeting that is open to members of the public must not be in secret;
 - (d) the question is determined in the affirmative by a majority of the Councillors or members of the special committee present at a meeting at the time the vote is taken voting in favour of the question;
 - (e) except where subsection (2) applies, if the number of votes in favour of the question is half the number of Councillors or members of the special committee present at the meeting at the time the vote is taken, the Chairperson has a second vote.
- (2) If there is an equality of votes on a question arising under section 71(1), 87(2), 87(3) or 87(4), the matter is to be determined by lot.



WELLINGTON SHIRE COUNCIL

NEWRY RECREATION RESERVE COMMITTEE

TERMS OF REFERENCE SCHEDULE

1. **Definitions**

In this Schedule unless inconsistent with the context or subject matter;

"Council" means the Wellington Shire Council

"Financial Year" means the period from 1 July to the following 30 June

"Special Committee" means the persons who are appointed and/or elected to the Committee in the manner hereinafter provided
2. **Objectives**

The objectives of the Special Committee shall be:

 - 2.1. To manage, operate and maintain the Newry Recreation Reserve for the community in an efficient, effective and practical manner.
 - 2.2. To undertake activities designed to protect, promote, utilise and develop the Newry Recreation Reserve for the use and enjoyment of the local community in line with Council policy and relevant Council strategic documents.
 - 2.3. To keep the Council informed on the operations, improvements and advancements of the Newry Recreation Reserve by forwarding copies of all minutes of all ordinary and extraordinary meetings and the Annual Report.
 - 2.4. To set, maintain and collect appropriate user charges.
 - 2.5. To ensure that the Newry Recreation Reserve's capital assets are adequately maintained.
 - 2.6. To provide advice to Council on matters relating to the Newry Recreation Reserve.
3. **Appointment and Membership of the Committee**

The method of appointment and the membership of the Special Committee shall be:

 - 3.1 the Special Committee shall consist of a minimum of 5 ordinary members appointed by the Council as follows:
 - a) One Councillor
 - b) One Representative from the Newry-Nambrok Junior Football Club
 - c) One Representative from the Newry Golf Club
 - d) One Representative from the Maffra-Sale Motorcycle Club
 - e) Five Representatives of the community of Newry.Expressions of interest shall be sought embracing an agreed range of skills and experience appropriate to the functioning of a public recreation reserve

- 3.2 the Special Committee takes its authority from Section 86 of the Local Government Act 1989.
- 3.3 the term of office of the Members shall be until 18 December 2018 or as otherwise determined by the Council.
- 3.4 in the event of a vacancy on the Special Committee, the Committee may submit nominations to the Council and the vacating member shall be replaced by a person drawn from the same membership category in clause 3.1. The Council may choose to fill the vacancy from the names submitted or call for public nominations.
- 3.5 all nominations and appointments to the Special Committee must be confirmed by the Council and any person appointed as a Member may be removed from that position at any time by resolution of the Council. Any such removal shall cause an extraordinary vacancy which must be filled in accordance with clause 3.4.
- 3.6 the office of a Member may be declared vacant by the Council if that Member fails to attend 3 consecutive meetings without leave being granted by the Special Committee by a resolution duly passed.

4. Conditions

That the Special Committee observe and maintain the following conditions between the Committee and the Council as provided under this Section.

Notwithstanding Clauses below, the Council shall be the arbitrator of any disputed or uncertain maintenance responsibility and the Council's decision will be final.

4.1 Procurement

The Special Committee is authorised by the Instrument of Delegation to make procurement (purchasing) decisions in relation to the purchase of goods, services and works on behalf of Council. In making procurement decisions, the Committee shall also give consideration to Council's Procurement Policy.

4.2 Works

- 4.2.1. It is provided that the responsibility for repairs, maintenance and improvements will be divided between the Committee and the Council as provided in Appendix 1.
- 4.2.2. Major maintenance or improvement works will be the responsibility of the Council. Such works will be scheduled within the constraints of the Council's budget capability and will be consistent with any relevant policies and procedures adopted by the Council.
- 4.2.3. Sub-clause (4.2.2) is not intended to prevent the Committee of Management from suggesting or requesting the undertaking of major works which, subject to Council consent, it may do at its cost.
- 4.2.4. Any additions, modifications or improvements made to the property remain the property of the Council.
- 4.2.5. The Committee of Management is responsible for maintenance and replacement of all fittings, furniture and equipment within the facility with the exception of those items listed in accordance with Appendix 1.
- 4.2.6. If it is deemed that any Council supplied equipment (fixed or portable) is no longer available for use due to age or it is unable to be repaired, the Committee shall advise the Council of the condition of the equipment and the Committee's recommendation for the future of the equipment.

4.3 Insurance

4.3.1 Building and Contents

The Council will be responsible for the insurance cover of buildings, other identifiable physical structures and Council owned contents. Contents cover does not include sporting equipment and other items owned by the Committee or user groups. The Committee shall ensure that user groups are aware of their responsibility to obtain and maintain insurance on their own equipment.

4.3.2 Committee Members

Subject to the Special Committee and its members acting within the scope, powers and functions set out in the Instrument of Delegation and these Terms of Reference, the Public Liability insurance held by the Council shall protect individual members from liability other than for criminal matters.

4.3.3 Volunteers

Any volunteers co opted to assist the Committee to discharge its obligations will be covered by the Council's insurance policies where the names of the volunteers have been recorded in the Committee's Volunteer Register. The Committee will be responsible for ensuring that all volunteers complete a Volunteer Registration Form which is to be held by the Committee.

4.3.4 Hirers / Users

All regular users/hirers or organised clubs, associations or organisations using the Newry Recreation Reserve must have their own public liability insurance cover when using the reserve facilities. Casual hirers, being individuals or unincorporated groups of individuals, will, subject to completion of a documented hire agreement, be covered by the Wellington Shire Council casual hirers insurance policy.

4.4 Use of Facility

4.4.1 The Committee of Management is responsible for the formulation and administration of terms and conditions for use of the facility, including the setting of hire fees and security deposits. All terms and conditions of use and access must be consistent with any Council policy(s).

4.4.2 The Committee of Management must formulate a written Hire Agreement inclusive of an indemnity to be entered into with users of the facility.

4.4.3 The Committee of Management must ensure that all users of the facility, execute the hire agreement and indemnity prior to any use.

4.5 Books of Account

The Committee shall operate such bank accounts and books of accounts as the Committee thinks necessary and may receive all monies and meet routine expenditure in connection with the Conditions set out in Clause 5 and associated with the operation of the various Newry Recreation Reserve functions.

4.6 Fundraising

All fundraising activities for or related to the facility, including any undertaken by the Committee of Management, must not occur until after all applicable permits and licences have been obtained.

4.7 Rules for Behaviour of Users

Subject to approval by the Council, the Special Committee may make such rules as it deems expedient for the safety, conduct and well being of people using the Newry

Recreation Reserve and may ensure compliance by whatever lawful means the Committee considers fit. A copy of such rules shall be supplied to the Council by the Committee within one month of being approved by the Committee. Council may approve or reject such rules as soon as practicable thereafter. If approved by Council, such rules shall have immediate effect thereafter.

5. Reporting

The following reports shall be provided to Council outlining the activities of the Special Committee:

- 5.1 Copy of all Committee Meeting Minutes (including ordinary meetings, extraordinary meetings and Annual General Meetings), within a month of the meeting being held.
- 5.2 Monthly GST Returns, detailing total income and expenditure and total GST received and paid during the month [form supplied by Shire]. Returns due within the first week of the month following.
- 5.3 The Annual General Meeting reporting requirements are:
 - Audited financial statements for previous financial year
 - Annual operating budget
 - Works and projects planned for next 12 months
 - Schedule of fees
 - Committee's Rules for the Reserve

6. Meetings of the Special Committee

The following rules and regulations apply to meetings of the Special Committee:

- 6.1 the provisions of Section 86, 87, 89 and 90 of the Local Government Act 1989 shall apply to this Special Committee (Copy attached at Appendix 2).
- 6.2 the conduct of meetings held by the Special Committee shall be subject to the provisions of Wellington Shire Council – Local Law No. 1, "Processes of Municipal Government (Meeting and Common Seal) Local Law."
- 6.3 the Committee shall appoint the Chairperson, Secretary and Treasurer from the persons appointed by Council to the Special Committee.
- 6.4 the Chairperson, Secretary and Treasurer shall be elected on an annual basis.
- 6.5 the Special Committee shall meet at least 4 times per year on a quarterly basis, or more frequently if so determined by the Committee.
- 6.6 notice specifying the date, time and business of the meeting must be given to all members at least seven days before any meeting of the Special Committee.
- 6.7 no meeting of the Special Committee shall be held and no business shall be transacted unless a majority of members are present (half the membership plus one) creating a quorum. If a quorum is not present within ½ an hour of the time appointed for a meeting, then the meeting shall stand adjourned until the same time and place on the same day of the following week and notice to this effect shall be given to all members.
- 6.8 an extraordinary meeting shall be called by the Chairperson on the written request of any three members, such request specifying the purpose of the extraordinary meeting.
- 6.9 a record of the minutes and proceedings of all meetings together with those present shall be kept in the files of the Committee.

6.10 minutes are to be confirmed at the next meeting with or without corrections. Such minutes are to be signed by the Chairperson of the confirmatory meeting and shall be kept in the files of the Committee.

7. Operating Subsidy

Council will pay the Special Committee an annual operating subsidy in the amount of no less than \$6,169.00. The operating subsidy must be used by the Special Committee to go towards the costs of operating and maintaining the facility as per the terms and conditions herein.

8. Review

This Terms of Reference will be due for review in line with the Instruments of Delegation for Special Committees under Section 81 of the *Local Government Act 1989*, requiring a review within 12 months of a general election.

MAINTENANCE

The division of responsibility for the maintenance of the facility is as follows:-

(1) COMMITTEE OF MANAGEMENT

- Car Parking On-site (where applicable).
- Cooking Equipment - repair.
- Doors and Door Furniture.
- Electrical Fittings & Fixtures - repair and replacement.
- Fences – repair.
- Fire Fighting Equipment – Portable (eg extinguishers), fire blankets.
- Fire Fighting Equipment inc extinguishers & hose reels - Testing
- Fly-wire screens - repair and replace.
- Floor coverings – carpet – repair & replace.
- Floor coverings – vinyl – repair & replace.
- Floor coverings – other – repair & replace.
- Floor - resurfacing
- Heating Equipment and Air Conditioning – repair & maintenance.
- Hot water systems – repair & maintenance.
- Internal Lining – repairs.
- Lawns, nature strips, gardens, trees, shrubs and play areas within the area defined by the Agreement.
- Light fittings, Globes & Tubes – inc Exit & Emergency lighting and testing.
- Painting – internal & external.
- Paths/Paved areas – repair & maintenance.
- Playground equipment.
- Roof cladding - repairs
- Roof gutters, downpipes & fascias – cleaning and repairs.
- Sanitary fixtures inc toilet cisterns - repair and replacement
- Security.
- Sewerage lines, Septic systems and storm water drains – repair & maintenance inc pump out and clearance of blockages.
- Taps, valves and pipework.
- Windows - frames and glazing.
- Other minor maintenance.
- Essential Safety Measures Manual – keeping records current.

(2) WELLINGTON SHIRE COUNCIL

- Cooking equipment – replace fixtures assessed as non repairable or beyond serviceable life.
- Electrical Rewiring where necessary to comply with regulatory requirements.
- External Cladding – full replacement of wall(s).
- Fences – full replacement where assessed as unserviceable.
- Fire Fighting Equipment – Replacement and repair of fixed hose reels and hydrants.
- Floor – replacement or reblocking.
- Heating equipment & air conditioning – replacement of fixed items assessed as non repairable or beyond serviceable life.
- Hot Water Systems - replacement.
- Internal Lining – Full Replacement.
- Paths/Paved areas – replacement.
- Roof Cladding – Full Replacement and major repairs.
- Septic systems – replacement.
- Structural defects (major).

Note: Any maintenance items not identified in either (1) or (2) above will be the subject of discussion and agreement between the Wellington Shire Council and the Committee.

**EXTRACT FROM THE LOCAL GOVERNMENT ACT, SECTIONS 86, 87, 89 AND 90.
- SPECIAL COMMITTEES OF COUNCIL.**

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 - (b) Council staff;
 - (c) other persons;
 - (d) any combination of persons referred to in paragraphs (a), (b) and (c).
 - (2) A Council may appoint members to a special committee and may at any time remove a member from a special committee.
 - (3) Except as provided in sub-section (4), a Council may by instrument of delegation delegate any of its functions, duties or powers under this or any other Act to a special committee.
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 - (a) this power of delegation;
 - (b) to declare a rate or charge;
 - (c) to borrow money;
 - (d) to enter into contracts for an amount exceeding an amount previously determined by the Council;
 - (e) to incur any expenditure exceeding an amount previously determined by the Council;
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 - (5) A Council may require a special Committee to report to the Council at intervals determined by the Council.
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- S. 86(7) inserted by No. 67/2008 s. 37, repealed by No. 63/2012 s. 15.

87. Special committee meetings

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- (4) If the Chairperson is not present at a meeting of a special committee the members must appoint a Chairperson for that meeting.
- (5) A meeting of a special committee must be held at a time and place determined by the special committee.
- (6) If the special committee has not appointed a time and place for a meeting under subsection (5), the Chairperson, or if the Chairperson is incapable of doing so, the Council, must fix the time and place of the next meeting.
- (7) Until approved by the Council a decision of a special committee which does not relate to a matter delegated to the special committee cannot be given effect to.
- (8) A Council may specify in the instrument of delegation that a member of a special committee who is a member of the public or of Council staff does not have voting rights on the special committee.

89. Meetings to be open to the public

- (1) Unless sub-section (2) applies, any meeting of a Council or a special committee must be open to members of the public.
- (2) A Council or special committee may resolve that the meeting be closed to members of the public if the meeting is discussing any of the following—
 - (a) personnel matters;
 - (b) the personal hardship of any resident or ratepayer;
 - (c) industrial matters;
 - (d) contractual matters;
 - (e) proposed developments;
 - (f) legal advice;
 - (g) matters affecting the security of Council property;
 - (h) any other matter which the Council or special committee considers would prejudice the Council or any person;

- (i) a resolution to close the meeting to members of the public.
- (3) If a Council or special committee resolves to close a meeting to members of the public the reason must be recorded in the minutes of the meeting.
- (4) Unless subsection (4A) applies, a Council must at least 7 days before the holding of—
 - (a) an ordinary council meeting; or
 - (b) a special council meeting; or
 - (c) a meeting of a special committee comprised solely of Councillors
 — give public notice of the meeting.
- (4A) If urgent or extraordinary circumstances prevent a Council from complying with subsection (4), the Council must—
 - (a) give such public notice as is practicable; and
 - (b) specify the urgent or extraordinary circumstances which prevented the Council from complying with subsection (4) in the minutes.
- (5) The Chairperson of a special committee that is not comprised solely of Councillors must provide reasonable notice to the public of meetings of the special committee.

90. Voting

- (1) A question before a meeting of a Council or special committee is to be determined as follows—
 - (a) each Councillor present at a meeting of the Council and each member of a special committee present at a meeting of the special committee who is entitled to vote is entitled to one vote;
 - (b) S. 90(1)(b) repealed by No. 63/2012 s. 16(1).
 - (c) unless the procedures of a Council or special Committee otherwise provide, voting must be by a show of hands;
 - (ca) voting at a meeting that is open to members of the public must not be in secret;
 - (d) the question is determined in the affirmative by a majority of the Councillors or members of the special committee present at a meeting at the time the vote is taken voting in favour of the question;
 - (e) except where subsection (2) applies, if the number of votes in favour of the question is half the number of Councillors or members of the special committee present at the meeting at the time the vote is taken, the Chairperson has a second vote.
- (2) If there is an equality of votes on a question arising under section 71(1), 87(2), 87(3) or 87(4), the matter is to be determined by lot.

ITEM C5.3**COMMUNITY ENGAGEMENT POLICY**

DIVISION:

COMMUNITY AND CULTURE

ACTION OFFICER:

MANAGER COMMUNITY WELLBEING

DATE:

3 OCTOBER 2017

IMPACTS									
Financial	Communication	Legislative	Council Policy	Council Plan	Resources & Staff	Community	Environmental	Consultation	Risk Management
				✓	✓			✓	✓

OBJECTIVE

For Council to approve the Community Engagement Policy (Attachment A).

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**RECOMMENDATION**

That Council approve the Community Engagement Policy (Attachment A).

BACKGROUND

In September 2016, Council approved the Community Engagement Strategy 2017-2020. As part of implementing this Strategy, a Policy has been written to underline the need for individual responsibility and management support to ensure a consistent and effective approach to community engagement across the Shire.

The Community Engagement Policy supports Council to achieve the three recommendations made by the Victorian Auditor General's Office in their May 2017 report, Public Participation and Community Engagement: Local Government Sector.

OPTIONS

Council has the following options:

1. Approve the Community Engagement Policy; or
2. Request changes to the Community Engagement Policy and present to a future Council meeting.

PROPOSAL

That Council approve the Community Engagement Policy (Attachment A).

COUNCIL PLAN IMPACT

The Council Plan 2017–21 Theme 6 Organisational states the following strategic objective and related strategy:

Strategic Objective 6.2

“Community Engagement and customer service excellence is central to Council’s decision-making process.”

Strategy 6.2.3

“Ensure sound processes are in place to facilitate input into Council deliberations and decision making.”

This report supports the above Council Plan strategic objective and strategy.

CONSULTATION IMPACT

The Community Engagement Strategy was open for public comment for six weeks in 2016. Being an internal document, the related Policy has been developed by Wellington Engagement Network – Direction and Innovation (WENDI). This is a working group including members from all Divisions and has been endorsed by senior management.

RESOURCES AND STAFF

The Policy commits staff and supervisors to planning and evaluating community engagement (internal and external) for all projects that may affect community and staff.

The minimum requirement is for staff to fill in Part A and Part B. Part A is a one-page proforma that gives an overview of the project whether engagement is required. Where engagement is required Part B, the engagement plan is completed.

RISK MANAGEMENT

Poor engagement poses a significant risk to Council:

- Loss of trust from community members.
- Increased workload for staff handling complaints. This includes customer service staff and those who do outreach visits to community who must spend time listening to complaints rather than completing work required by their visit.
- Inconsistent communication leading to inefficient work practices and project delay.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a Conflict of Interest.

COMMUNITY ENGAGEMENT POLICY

Policy Number:	The next number in the index of entries (to be determined after adoption/endorsement).
Approved by:	Council
Date Approved:	DRAFT
Date Effective:	2017
Date of Next Review:	2020
Related Policies:	
Applicable to Unit(s):	Whole Organisation
Responsible Officer:	General Manager Community & Culture
Statutory Reference:	<i>Local Government Act 1989</i>

OVERVIEW

The purpose of this policy is to establish the expectations of Wellington Shire Council for staff in effective community engagement during council planning, decision making and management of projects.

THE POLICY

Staff at Wellington Shire Council will conduct genuine and effective engagement that involves those who will be impacted by decisions and projects.

Individual Responsibilities

It is the responsibility of all staff to follow appropriate processes for effective community engagement.

Responsibilities for Managers and Supervisors

It is the responsibility of Managers and Supervisors to ensure staff follow the appropriate processes and store community engagement plans for audit.

The Community Engagement Process

The Wellington Shire approach to engagement is set out in the Community Engagement Strategy 2017-2020 and associated Promapp process available at the following link:

<https://au.promapp.com/wellington/Process/Minimode/Permalink/Dp95u1wvTgMr98jqKrMwrg>

The Community Engagement Strategy 2017-20 provides:

- meaning to the term community engagement;
- the context in which community engagement is undertaken;
- core values in community engagement; and
- an explanation of why community engagement is an effective way of doing business leading to better outcomes for the organisation and the community.

The Promapp process includes a range of templates and additional information that will support an effective and consistent approach to community engagement across the organisation. Members of WENDI (Wellington Engagement Network – Direction and Innovation) and the Wellington Shire Community Engagement Officer are available to support staff to write and implement engagement plans.

HUMAN RIGHTS

Wellington Shire Council is committed to upholding the Human Rights principles as outlined in the *Charter of Human Rights and Responsibilities Act 2006 (Vic)* and referred to in Council's Human Rights Policy. The Human Rights Checklist has been completed and this policy accords with Council's policy commitment to uphold human rights principles.

Related Documents

Type:	Details:
Strategy	Wellington Shire Council Community Engagement Strategy 2017-2020
Process	Promapp Process - https://au.promapp.com/wellington/Process/Minimode/Permalink/Dp95u1wvTgMr98jqKrMwrg



D. URGENT BUSINESS



E. FURTHER GALLERY AND CHAT ROOM COMMENTS



F. CONFIDENTIAL ATTACHMENT/S

F. CONFIDENTIAL ATTACHMENT/S

ITEM F1.1

SALE OF PROPERTIES FOR UNPAID RATES AND CHARGES
(Refer to Agenda Item C2.2)



ORDINARY COUNCIL MEETING
3 October 2017

On this 13th day of September 2017, in accordance with Section 77 Clause (2)(c) of the *Local Government Act 1989*; I, Arthur Skipitaris declare that the information contained in the attached document **ITEM F1.1 SALE OF PROPERTIES FOR UNPAID RATES AND CHARGES** is confidential because it relates to the following grounds under Section 89(2) of the *Local Government Act 1989*:

- b) the personal hardship of any resident or ratepayer

.....
General Manager Corporate Services (Delegate)



**ORDINARY COUNCIL MEETING
3 OCTOBER 2017**

On this day 12th September 2017, in accordance with Section 77 Clause (2) (c) of *the Local Government Act 1989*; I, Chris Hastie General Manager Built and Natural Environment declare that the information contained in the attached document **ITEM F1.2 CONTRACT 2018-012 BOAT RAMP UPGRADE PORT ALBERT** is confidential because it relates to the following grounds under Section 89(2) of the *Local Government Act 1989*:

d) Contractual matters



CHRIS HASTIE
General Manager Built and Natural Environment



G. IN CLOSED SESSION

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COUNCILLOR

That the meeting be closed to the public pursuant to Section 89(2) of the Local Government Act 1989 to consider:

- a) personnel matters*
- b) the personal hardship of any resident or ratepayer*
- c) industrial matters*
- d) contractual matters*
- e) proposed developments*
- f) legal advice*
- g) matters affecting the security of Council property*
- h) any other matter which the Council or special committee considers would prejudice the Council or any person*

IN CLOSED SESSION

COUNCILLOR

That Council move into open session and ratify the decision made in closed session.