



## **DRAFT COUNCIL MEETING MINUTES**

Tuesday, 28 May 2024

6:00pm

Meeting held in person

Community Room 1, Community Hub, Maryborough  
and livestreamed on the internet.

### **MEMBERSHIP**

#### **Councillors:**

Liesbeth Long (Mayor)

Grace La Vella

Geoff Lovett

Chris Meddows-Taylor

Gerard Murphy

Wayne Sproull

Anna de Villiers

To be confirmed at the Council Meeting  
scheduled for 28 May 2024

## **DRAFT COUNCIL MEETING MINUTES – 28 May 2024**

### **1. COMMENCEMENT OF MEETING AND WELCOME**

The Mayor commenced the meeting at 6pm, welcoming all present, with an acknowledgement of country and the Council Prayer.

#### **PRESENT:**

##### **Councillors**

Liesbeth Long (Mayor)  
Grace La Vella  
Geoff Lovett  
Chris Meddows-Taylor  
Gerard Murphy  
Wayne Sproull  
Anna de Villiers

##### **Officers**

Chief Executive Officer Lucy Roffey  
Acting General Manager Assets Infrastructure and Planning Peter Field  
General Manager Community Wellbeing Emma Little  
General Manager Corporate Performance Mick Smith  
Manager Governance Property and Risk Cecilia Connellan

### **2. APOLOGIES**

Nil.

### **3. LEAVE OF ABSENCE**

Nil

### **4. DISCLOSURES OF CONFLICTS OF INTEREST**

Cr Murphy - Declared before item 11.1 Urgent Business as contractor to Council for operation of council pools.

## 5. CONFIRMATION OF THE MINUTES OF PREVIOUS COUNCIL MEETINGS

That Council confirm the following Minutes as a true and accurate record of the meeting:

5.1. Minutes from previous Council Meeting dated 23 April 2024.

Moved: Cr Murphy

Seconded: Cr La Vella

**Carried**

5.2. Confidential Minutes from Council Meeting Dated 23 April 2024  
(minutes provided under a separate cover)

Moved: Cr Lovett

Seconded: Cr La Vella

**Carried**

## 6. REPORTS FROM COMMITTEES

Nil.

## 7. PETITIONS

**7.1. PETITION TO PROVIDE MORE DISABILITY PARKING BAYS and ERECT "CLINIC PATIENTS ONLY" SIGNS NEAR THE DOCTORS CLINIC IN NEIL STREET**

### **MOTION**

That Council:

- 1) note the submitted petition and agree for be considered at the next Council Meeting
- 2) Refer the petition to the CEO for consideration as prescribed by the Governance Rules.

**Moved:** Cr La Vella

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**Seconded:** Cr Sproull

**Carried**

Crs who spoke to the motion: Cr La Valla, Cr Sproull, Cr Murphy.

### 8. OFFICER REPORTS

#### 8.1. COUNCIL PLAN ACTION PLAN Q3

The report provides Council with an update on the status of the actions identified in the Council Plan Annual Action Plan 2023-24, for the quarter ending 31 March 2024.

#### **MOTION**

That Council note the Council Plan Annual Action Plan 2023-24 Progress Report for Quarter three.

**Moved:** Cr De Villiers

**Seconded:** Cr Lovett

**Carried**

Crs who spoke to the motion: Cr De Villiers, Cr Lovett, Cr Meddows-Taylor

#### 8.2. COMMUNITY SUPPORT POLICY UPDATE

The purpose of this report is to present the updated Community Support Policy to Council for adoption.

#### **MOTION**

That Council adopt the revised Community Support Policy.

**Moved:** Cr Meddows-Taylor

**Seconded:** Cr Sproull

**Carried**

Crs who spoke to the motion: Cr Meddows-Taylor, Cr Sproull, Cr La Vella

**8.3. AWARD CONTRACT G1877-2023 TRANSFER STATION OPERATION AND MANAGEMENT AND ANCILLARY SERVICES**

The purpose of this report is to recommend that Council award Contract G1877-2023 Transfer Station Operations and Management and Ancillary Services to Veolia Environmental Services (Australia) Pty Ltd following the completion of a public tender process.

Contract G1877-2023 is combination of lump sum and schedule of rates contract and as the anticipated value of the recommended contract is above the Chief Executive Officer's financial delegation, the Contract is required to be awarded by Council in line with the requirements of the Procurement Policy.

**MOTION**

Based on the assessment the Evaluation Panel makes the following recommendations: That the Council:

1. awards Contract G1877-2023 Transfer Station Operation and Management and Ancillary Services to Veolia Environmental Services Pty Ltd for the total contract sum of \$3,002,179.57 (exclusive of GST) for two (2) years initial term and a one (1) year extension by mutual agreement by both parties.
2. authorises the Chief Executive Officer to do all things necessary to execute Contract G1877-2023, including advising the respondents of Council's decision in this matter.
3. authorises the Chief Executive Officer to do all things necessary to negotiate the extended terms and conditions of Contract G1877-2023 and sign the extended term of Contract G1877-2023.
4. Delegates to the Chief Executive Officer financial delegation to approve any expenditure made under the initial term and extended term of Contract G1877-2023.

**Moved:** Cr Sproull

**Seconded:** Cr Murphy

**Carried**

Crs who spoke to the motion: Cr Sproull

**8.4. 2023 ENERGY BREAKTHROUGH EVALUATION**

The purpose of this report is to seek endorsement from Council of the evaluation and review of the 2023 Energy Breakthrough Event as per the Terms of Reference for the Management Group

**MOTION**

That Council endorse the 2023 Energy Breakthrough Event Debrief Report.

**Moved:** Cr Lovett

**Seconded:** Cr de Villers

**Carried**

Crs who spoke to the motion: Cr Lovetts, Cr Meddows-Taylor

**9. COUNCILLOR REPORTS AND GENERAL BUSINESS**

Nil

**10. NOTICES OF MOTION**

Nil

Cr Murphy 6.25 left the meeting due to a conflict of interest.

**11. URGENT BUSINESS**

**MOTION**

That Council accepts the item of urgent business – Maryborough Olympic Pool Complex.

**Moved:** Cr Sproull

**Seconded:** Cr Meddows-Taylor

**Carried**

## **11.1 MARYBOROUGH OLYMPIC POOL COMPLEX**

**Author:** **Manager Project Services and Asset Management**

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

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

### **SUMMARY/PURPOSE**

The purpose of this report is to inform Council on the unsuccessful application to the Federal Governments' Growing Regions Fund (GRF) for the Maryborough Olympic Pool Complex.

Council has a second application for this project in the Victorian Governments' Sport and Recreation Victoria (SRV) Regional Community and Sports Infrastructure Fund (RCSIF), and this report is recommending that Council confirm its previous commitment to borrowings of \$4.0 M to support the RCSIF application.

### **RECOMMENDATION**

That Council:

1. note the unsuccessful outcome of the application to the Federal Governments' Growing Regions Fund for the Maryborough Olympic Pool Complex; and
2. Confirm Councils co-contribution to the Victorian Governments Sport and Recreation Victoria Regional Community and Sports Infrastructure Fund application for the Maryborough Olympic Pool Complex through \$4.0 M in future borrowings.

### **LEGISLATION AND POLICY CONTEXT**

Central Goldfields Shire Council's Council Plan 2021-2025 – Our Spaces and Places

The Community's vision                      3. Engaging places and spaces for people to live, work, play and connect.

Initiative:                                      Priority Projects Plan

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### **BACKGROUND INFORMATION**

At the July 2023 Council meeting, Council resolved to submit an Expression of Interest (EOI) to the Federal Governments' Growing Regions Fund (GRF) for the Maryborough Olympic Pool Complex.

The total project budget was scoped at \$8.0 M, with the application seeking \$4.0 M in Federal funding and Council committing to \$4.0 M in future borrowings as its' co-contribution.

Council was notified in November 2023 that it was successful in the EOI phase and formally invited to put forward a full application, which was subsequently submitted in January 2024.

At the March 2024 Council meeting, Council also resolved to apply to the Victorian Governments' Sport and Recreation Victoria (SRV) Regional Community Sport and Infrastructure Fund (RCSIF) for the Maryborough Olympic Pool Complex.

The funding strategy in the report to Council was to leverage a successful Federal Government GRF application (\$4.0M) with Victorian Government funding (\$3.0 M) and therefore reducing Councils future borrowing commitment for this project to \$1.0 M.

In mid-May 2024, Council was notified that it was unsuccessful in its application to the Federal GRF program.

The application with the Victorian Government through its RCSIF program is still live, with an outcome expected in July 2024.

### **REPORT**

The Maryborough Olympic Pool Complex holds large recreational and historic significance to the Central Goldfields community, as well as at a State and national level.

It is the only heritage listed outdoor Olympic sized pool in regional Victoria, with the only other heritage listed outdoor swimming pool operating in the State being the Harold Holt Swim Centre in metropolitan Melbourne.

The Maryborough Olympic Pool complex aligns with the RDA Loddon Campaspe Economic Growth Strategy which has been endorsed by the Federal Government, and is identified as a priority in the following strategic plans of Council:

- Priority Projects Plan
- Maryborough Major Reserves Master Plan
- Central Goldfields Shire Recreation and Open Space Strategy



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The State Government is currently supporting the upgrade to the Octagonal Pool and minor conservation works at the Pavilion within the Complex through the Living Heritage Grant program, which was originally to include upgrades to the Olympic pool.

However, in early 2022, further technical assessment of the pool determined that the asset had reached the end of its life and would require a full rebuild which was beyond the financial capacity of the State Government grant and Councils budget.

In July of the same year, Council resolved to close the pool until funding could be secured to demolish and re-build the pool and address other declining elements within the broader facility.

In the same resolution, Council committed to prioritise advocacy to State and Federal governments to assist in funding this project.

While the complex remains closed, there is no Olympic sized pool servicing the Central Goldfields Shire community, and several existing patrons and user groups have been displaced or are having to travel elsewhere to access the services required to meet their needs.

A wide range of community groups and community members as well as visitors to the Shire use the pool, including but not limited to:

- Swimming Club
- Triathlon Club
- Primary and Secondary Schools
- Organised Sporting Clubs (Football, Netball training)
- Energy Breakthrough, and other community events attendees, and
- The Central Goldfields Shire community.

In July 2022 Council endorsed a range of initiatives which support the community while the pool is closed.

The cost of implementation across the 2022/2023 swimming season was \$17,426.

### **Heritage Act 2017**

The Maryborough Olympic Pool Complex is listed on the Victorian Heritage Register. Council is the owner of the facility and there are provisions within the Heritage Act that require Council to ensure the protection and function of the asset:

- to maintain the asset to the extent that its conservation is not threatened (s153) and,
- ensuring that it does not fall into a state of disrepair (s152).

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As the custodian of the historically significant asset, Council has an obligation to ensure that the pool is maintained and upgraded to ensure its useful life is both preserved and prolonged.

### **Disability Discrimination Act (DDA)**

The works associated with the project will trigger several obligations regarding DDA compliance. This will include the requirement to provide compliant accessible paths of travel from arrival on site through to entry of the pool at a minimum.

The RCSIF fund outcomes directly align with the strategic directions identified in *Active Victoria 2022-2026: A strategic framework for sport and recreation in Victoria*.

The Fund aims to increase and promote opportunities so Victorians can participate in ways that suit them and is targeted towards individuals and communities who participate less.

The Fund will prioritise applications which can demonstrate how a project will ensure facilities are accessible and participation initiatives are organised to welcome more people with disabilities to community sport.

### **Project cost**

Since mid-2022, officers have been working with external consultants and Heritage Victoria to understand the extent of the work required to enable the pool to be opened to the public.

Based on cost-planning in 2023 (which has considered the required preservation of heritage, meeting the requirements under the Building Code Australia, Public Health and Wellbeing Act, and Disability Discrimination Act) the proposed project budget was \$8.0 M.

This would allow for full asset upgrade and renewal, extending the asset life for a further 80 years.

The application to the State Government currently assumes co-funding from the Federal Government through the GRF.

As Council has been unsuccessful in securing this Federal grant, it will need to self-fund its contribution through borrowings, noting that Council had resolved to borrow funds initially in making an application to the GRF.

The State Government Funding program has a maximum grant amount of \$3.0M, therefore if Council is to confirm its original commitment to \$4.0 M in borrowings, the total project funding available is reduced by \$1.0 M to \$7.0 M.

Council officers have undertaken a review of the project scope with specialist consultant advice and have reduced the overall project budget to \$7.0 M.

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This process included reviewing what must be addressed in relation to the funding guidelines and relevant legislation (Building Code, Disability Discrimination Act, Public Health and Wellbeing Act), and what elements may be able to be reconfigured and addressed at a later stage through future funding opportunities without significant constraints on the future use of the facility.

As part of Council's tender process, it will explore innovative technology that may reduce the overall cost of the project while delivering the benefits identified and extend the useful life of the pool assets.

Officers propose that should Council be successful in receiving funding to undertake the project, the procurement strategy would include calling for submissions which consider alternative and innovative technologies to remediate the pool as well as considering a traditional rebuild to ensure the best outcome is reached for the community.

### **Regional Community Sport and Infrastructure Fund (RCSIF)**

The RCSIF was established in response to the 2026 Commonwealth Games being cancelled. The program aims to maintain the expected provision of funding to renew and upgrade sport and recreation infrastructure in the regions.

Historically, funding for renewal of aquatic facilities has not been available in State and Federal government funding programs.

Instead, new aquatic facilities have been prioritised.

In recent years, the sector has strongly advocated to the Victorian Government, given the number of ageing pools across the State, with a large proportion nearing the end of their useful life (due to an uptick in mid-20<sup>th</sup> century popularity and subsequent construction because of the 1956 Melbourne Olympics).

The RCSIF is the first funding program in over a decade where applications to renew and upgrade existing outdoor aquatic facilities are eligible for consideration and prioritised through a specific stream.

There is no guarantee that funding will be available to renew aquatic facilities moving forward under the ordinary Local Sports and Infrastructure Fund, and it is expected that available funding for sports infrastructure in general under these programs will decrease in the future.

Officers sought advice from SRV in relation to the unsuccessful application to the Federal Government and have been advised that should Council want to continue with its application, it will need to commit to self-funding the balance of the project cost.

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Based on the review of the project scope, this report recommends that Council reconfirms its commitment to \$4.0 M in future borrowings as its co-contribution to this project.

### **Community benefit**

If successful in receiving the funding, the \$7.0M project will restore access to the complex and school groups, sporting clubs and recreational users can once again enjoy all the benefits of an outdoor Olympic-sized pool.

The reopening of the facility will contribute to:

- Providing equitable access and improved health and well-being for community members living with disabilities,
- Supporting social connectedness and cohesion,
- Supporting people of all ages to learn how to swim,
- Retaining, growing and attracting people to the Shire,
- Enhancing opportunities to activate the asset to increase participation and programming opportunities, and
- Attracting and promoting tourism through access to this iconic heritage asset.

### **CONSULTATION/COMMUNICATION**

In the preparation of this report, Council has consulted with Sport and Recreation Victoria, Councils Finance Manager and the Executive Management Team.

Officers have liaised with Councils contracted pool operator, Unified Leisure to provide an update and receive feedback on the revised scope of works.

### **FINANCIAL & RESOURCE IMPLICATIONS**

Applications to the RCSIF require cash co-contribution from Council (Maximum \$3 SRV: \$1 Council for the project). The total revised project budget is \$7.0 M and to ensure the application moves forward under assessment, Council would be required to fund its contribution to \$4.0 M.

Financial modelling has been undertaken to ascertain the impact of Council accessing future borrowings for its' co-contribution to the project.

Councils' liquidity and indebtedness in this scenario will fall into the medium risk category, and Council does have the capacity finance the project through the proposed approach.

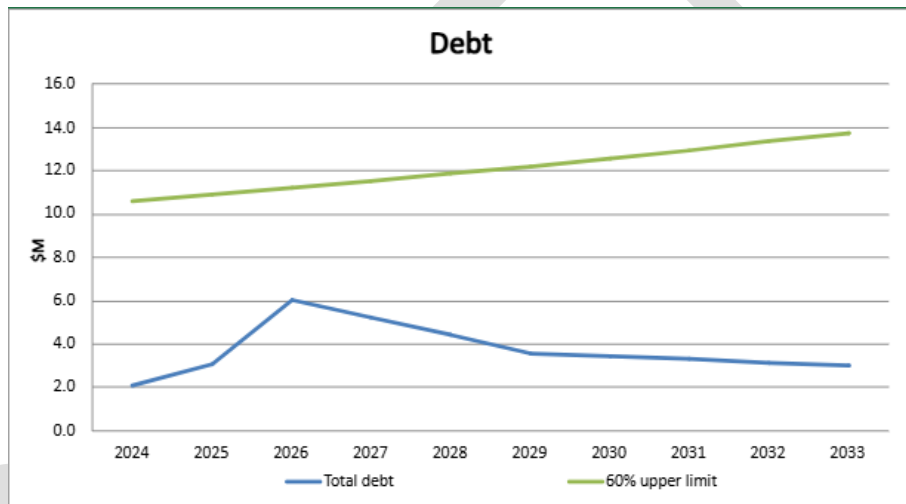
**Impact on long term financial sustainability**

Financial modelling has been completed to understand the impact the proposed funding strategy will have on Council’s long term financial viability.

Council has the capacity to finance the proposed approach through borrowings to continue to support its application to the RCSIF.

Council’s long term financial plan adopted in 2021 sets a target to maintain total borrowings in line with rate income and growth of the municipality with Total borrowings / Rate revenue to remain below 60%.

These borrowings keep this ratio well below the 60% target per the graph below.



While also keeping liquidity targets within the low-risk range greater than 100%.

Indicator	Measure	Budget 2024	Forecast 2024	Budget 2025	Budget 2026	Budget 2027
Liquidity	Current assets / Current liabilities	130%	117%	111%	121%	129%

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Council has sufficient project delivery staff, an approved supplier panel for specialist project services, and a project management framework to deliver the projects recommended in this report.

### **RISK MANAGEMENT**

This report addresses Council's strategic risk Property and Assets - Failure to maintain, renew and expand our assets in a timely and robust way, that considers service and delivery needs by seeking external funding to renew and upgrade critical community facilities.

Recently, Council has undertaken work on its Draft Risk Management Framework and Policy, including the development of a Draft Risk Appetite Statement.

These documents were presented to the March Audit and Risk Committee meeting for consideration.

In Council's Draft Risk Appetite Statement, Council has committed to an "Accepting Risk" Appetite for High-Risk Projects and Property and Assets.

An Accepting Risk Appetite is defined as "Willing to consider all options and choose the one that is most likely to result in successful delivery while also providing a reasonable degree of protection from high risks".

An accepting risk appetite is required to commit to the funding strategy outlined in this report.

To further mitigate the risk, officers are proposing that should Council be successful receiving Victorian Government funding, the procurement strategy would call on proposals that demonstrate innovative technology to reduce the project spend from a full rebuild to remediation if possible.

### **CONCLUSION**

Council was recently notified that its application to the Federal Government's Growing Regions fund for the Maryborough Outdoor pool was unsuccessful.

There is currently a live application in for the same project with the State Government's Regional Community and Sports Infrastructure fund.

As the funding strategy for the State Government application was reliant on a successful outcome with the Federal Government grant, Council is being asked to consider whether it increases its co-contribution in the State grant to maintain its application currently under assessment.

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Officers have undertaken work to reduce the project scope from \$8.0 M to \$7.0 M in consultation with the pool operator and SRV, ensuring the project still includes elements which align with the State grant guidelines and has no significant consequence to the asset or outcome for the community.

This report is recommending that Council confirm its' co-contribution for the State Governments' Regional Community Sports and Infrastructure fund of \$4.0M in future borrowings which is in line with its' original intent to commit the same amount to the Federal Government funding application.

### ATTACHMENTS

Nil

### MOTION

That Council:

1. note the unsuccessful outcome of the application to the Federal Governments' Growing Regions Fund for the Maryborough Olympic Pool Complex; and
2. Defer Councils co-contribution to the Victorian Governments Sport and Recreation Victoria Regional Community and Sports Infrastructure Fund application for the Maryborough Olympic Pool Complex through \$4.0 M in future borrowings until further discussion and clarification of issue and potential opportunities are heard.

**Moved:** Cr Lovett

**Seconded:** Cr Meddows-Taylor

**Carried**

Crs who spoke to the motion: Cr Lovett, Cr Lovett, Cr Meddows-Taylor, Cr La Vella

### 11. CONFIDENTIAL BUSINESS

Nil

### 12. MEETING CLOSURE

The meeting closed at 6.41pm.