

minutes



CORANGAMITE
SHIRE

CORANGAMITE SHIRE

MEETING OF COUNCIL TUESDAY 27 JULY 2021

Held virtually and livestreamed
on the internet at 7.00 pm

COUNCIL:

Cr Ruth Gstrein (Central Ward)
MAYOR

Cr Jo Beard
DEPUTY MAYOR

Cr Geraldine Conheady (Central Ward)

Cr Laurie Hickey (Central Ward)

Cr Kate Makin (South West Ward)

Cr Jamie Vogels (Coastal Ward)

Cr Nick Cole (North Ward)

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**MINUTES OF THE MEETING OF THE CORANGAMITE SHIRE
COUNCIL HELD VIRTUALLY AND LIVESTREAMED
ON THE INTERNET 7.00 PM ON
27 JULY 2021**

PRESENT

Councillors	R. Gstrein (Chairperson), J. Beard, N. Cole, G. Conheady, L. Hickey, K Makin, J Vogels
Officers	Andrew Mason, Chief Executive Officer Justine Linley, Director Sustainable Development Brooke Love, Director Works and Services David Rae, Director Corporate and Community Services

1. PRAYER

The prayer was read by the Mayor, Cr R. Gstrein

“We ask for guidance and blessing on this Council. May the true needs and wellbeing of our communities be our concern. Help us, who serve as leaders, to remember that all our decisions are made in the best interests of the people, culture and the environment of the Corangamite Shire.

Amen.”

2. ACKNOWLEDGEMENT OF COUNTRY

An Acknowledgement of Country was made by the Mayor, Cr R. Gstrein

“We acknowledge the Traditional Owners of the land around Corangamite Shire, the Eastern Maar and Wadawurrung people.

We pay our respects to all Aboriginal Elders and peoples past and present.”

3. APOLOGIES

Nil.

DISCLAIMER

The advice and information contained herein is given by the Council without liability or responsibility for its accuracy. Before placing any reliance on this advice or information, a written enquiry should be made to the Council giving the entire reason or reasons for seeking the advice or information and how it is proposed to be used.

Council meetings are livestreamed on the Internet to provide members of the community greater access to Council decisions and debate. A recording of the meeting will be available on Council’s website after the meeting (usually within 48 hours). Visitors in the public gallery may be filmed and/or recorded during the meeting. By attending the meeting, it is assumed consent is given in the event that this occurs.

4. DECLARATIONS OF CONFLICT OF INTEREST

The Mayor, Cr R. Gstrein, declared a conflict of interest in Agenda item 9.4, Council Grants Programs 2021-2022, and left the meeting before any discussion or vote on the relevant application.

Cr K. Makin declared a conflict of interest in Agenda item 9.4, Council Grants Programs 2021-2022, and left the meeting before any discussion or vote on the relevant application.

Cr L. Hickey declared a conflict of interest in Agenda item 9.4 Council Grants Programs 2021-2022, and left the meeting before any discussion or vote on the relevant application.

Cr N. Cole declared a conflict of interest in Agenda item 9.4, Council Grants Programs 2021-2022, and left the meeting before any discussion or vote on the relevant application.

5. CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the Corangamite Shire Council meeting held on Tuesday 29 June 2021 be confirmed.

COUNCIL RESOLUTION

MOVED: Cr Cole
SECONDED: Cr Makin

That the recommendation be adopted.

CARRIED

6. DEPUTATIONS & PRESENTATIONS

Nil.

7. COMMITTEE REPORTS

7.1 Cobden Recreation Centre Committee of Management 2021-2023

Author: Jane Hinds, Sport and Recreation Coordinator

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author - Jane Hinds

In providing this advice to Council as the Sport and Recreation Coordinator, I have no interests to disclose in this report.

Summary

This report is presented to Council to endorse the membership of the Committee of Management for the Cobden Recreation Centre for 2021-2023.

Introduction

The Cobden Recreation Centre is managed by a Committee of Management appointed in accordance with an agreement between the Corangamite Shire, Cobden Technical School and Cobden Recreation Centre Committee of Management (the Agreement).

The Agreement outlines that the Committee shall be responsible for the determination of matters of policy and administration of the Centre in accordance with relevant terms and guidelines.

The Committee consists of the following persons:

- up to two members appointed by Council
- up to two members appointed by School Council
- up to two members representing the student body of the Cobden Technical School
- two members elected by user organisations
- co-opted members (maximum of two) as determined by the Committee.

Issues

The Annual General Meeting of the Cobden Recreation Centre Committee was held on 15 June 2021.

The following people were nominated for appointment by the relevant groups to the Committee of Management, for a two year term:

Group	Representative
Basketball Association	Brett Taylor
Basketball Association	Michelle de Bie
Cobden Technical School	Belinda Savage
Cobden Technical School	Rohan Keert
Council	Jane Hinds
Martial Arts	Tania Rohan
Centre Manager	As appointed by the Committee
Netball Association	Leah Buckle
Student Representatives (x2)	As nominated by the School Principal
Volleyball Association	Kelvin White
Volleyball Association	Gabby Bellman

Mr Rohan Keert was appointed as Chairperson.

The role of the committee member is voluntary, and each member is acknowledged for their commitment and support in managing and operating the Cobden Recreation Centre.

Policy and Legislative Context

The Cobden Recreation Centre Committee complies with the Agreement established in 2001 under the *Local Government Act* and *Education Act 1985*.

The endorsement of members appointed to this Committee aligns with the following Council Plan 2021-2025 commitments:

Access to infrastructure that supports a healthy and active lifestyle for our community.

Supporting our communities to move on from COVID.

Improving the health and wellbeing of our residents.

Corangamite residents have access to a range of sport and recreation opportunities.

Our community groups and clubs are engaged and supported and facilities are fit for purpose.

Protecting and improving our built and natural environment.

Having strong governance practices.

We listen to and engage with our community.

Internal / External Consultation

Notification of the Annual General Meeting was provided in the Cobden Times on the 2 and 9 June 2021 and on Council's Facebook Page, to allow the opportunity for community members to attend.

Financial and Resource Implications

Council has provided an annual allocation in its 2021-2022 budget of \$9,142 for maintenance items as identified in Council’s building asset condition and compliance assessment and during annual maintenance inspections.

Options

Council can endorse the Committee’s recommendation to appoint the nominated members for the forthcoming year or reject the recommendation and suggest an alternate committee membership.

Conclusion

The Committee representatives have been proposed in accordance with the Agreement between the Corangamite Shire, Cobden Technical School and Cobden Recreation Centre Committee of Management and reflect a cross representation from each of the facility users.

RECOMMENDATION

That Council endorses the Committee of Management for the Cobden Recreation Centre for 2021-2023 as follows:

Group	Representative
Basketball Association	Brett Taylor
Basketball Association	Michelle de Bie
Cobden Technical School	Belinda Savage
Cobden Technical School	Rohan Keert
Council	Jane Hinds
Martial Arts	Tania Rohan
Centre Manager	As appointed by the Committee
Netball Association	Leah Buckle
Student Representatives (x2)	As nominated by the School Principal
Volleyball Association	Kelvin White
Volleyball Association	Gabby Bellman

COUNCIL RESOLUTION

MOVED: *Cr Beard*

SECONDED: *Cr Makin*

That the recommendation be adopted.

CARRIED

7.2 Audit and Risk Committee Annual Assessment

Author: David Rae, Director Corporate and Community Services

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author - David Rae

In providing this advice to Council as the Director Corporate and Community Services, I have no interests to disclose in this report.

Summary

The purpose of this report is for the Chief Executive Officer to table the results of the Audit and Risk Committee's annual assessment as required by section 54(4)(b) of the *Local Government Act 2020*. The results of the assessment are attached under separate cover.

Introduction

The Audit and Risk Committee (the Committee) is a committee of Council. The objectives of the Committee are contained within the *Local Government Act 2020* (the Act) and its Charter. The Act requires the Committee to undertake an annual assessment of its performance against the Charter and for the Chief Executive Officer to table the results of the assessment at a Council meeting.

Issues

A self-assessment survey was sent to committee members to complete in early June 2021. The survey is based on the "Audit Committees - A Good Practice Guide for Local Government" as published by Local Government Victoria in January 2011. The guide is current.

Matters for consideration by the Committee as part of the assessment included assessing:

- The effectiveness of the Committee as a whole and the performance of individual members; and
- Compliance with the Audit and Risk Committee's charter.

Committee members were also asked to consider whether they have:

- A good understanding of, and commitment to, the Audit and Risk Committee's role and responsibilities;
- An ability to act objectively and independently;
- A good understanding of Council's business;
- A good understanding of Council's risk management processes;
- Have sufficient business, industry, financial and regulatory knowledge; and
- Adequately prepared for, and participated in, Audit and Risk Committee meetings.

Results of assessments were discussed at the Committee's June meeting. Results indicate some opportunities for improvement. However, given this is the first review of a new Council term the results should be seen as a baseline. Similarly, it was also recognised by the Committee there has been a significant change in membership which may be reflected in the assessment. It was also identified Committee members would benefit from professional development to assist them in their role and to build capacity and capability. Council's Director Corporate and Community Services will facilitate this professional development.

Policy and Legislative Context

Reporting of the Audit and Risk Committee's annual assessment is in accordance with the *Local Government Act 2020* and is consistent with the Council Plan 2021-2025 which includes the following objectives:

Having strong governance practices.

Ensuring that we maintain our strong financial position.

Internal / External Consultation

The Committee's annual assessment was facilitated by the Director Corporate and Community Services. Results were discussed at the Committee's 11 June meeting.

Financial and Resource Implications

There are no financial and resource implications as a consequence of this report.

Conclusion

The *Local Government Act 2020* requires Council's Audit and Risk Committee to undertake an annual assessment of its performance. The Committee has taken advantage of the opportunity to do so and identified improvement opportunities as a consequence. The *Local Government Act 2020* also requires the Chief Executive Officer to table the results at a Council meeting.

RECOMMENDATION

That Council receives the results of the Audit and Risk Committee annual assessment for 2021 as tabled by the Chief Executive Officer in accordance with section 54(4)(b) of the *Local Government Act 2020*.

COUNCIL RESOLUTION

MOVED: *Cr Conheady*

SECONDED: *Cr Hickey*

That the recommendation be adopted.

CARRIED

Attachments

1. Audit and Risk Committee Annual Assessment June 2021 - Under Separate Cover

8. PLANNING REPORTS

8.1 Planning Scheme Amendment C51 - Council Adoption

Author: Aaron Moyne, Manager Planning and Building Services

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author - Aaron Moyne

In providing this advice to Council as the Manager Planning and Building Services, I have no interests to disclose in this report.

Summary

Public exhibition of Planning Scheme Amendment C51 (the Amendment) has been undertaken. A total of nine (9) submissions were received – each in support of the Amendment and proposed changes.

One (1) late submission was received from the Country Fire Authority (CFA), focusing upon future staged implementation of the Rural Living Strategy (RLS) and managing bushfire risk. Consultation with the CFA has occurred, the submission does not affect this stage of the Amendment.

This report seeks Council's adoption of the Amendment, without changes, and authorisation to submit the Amendment to the Minister for Planning for approval.

Introduction

Amendment C51 seeks to implement Stage 1 recommendations of the RLS and make consequential updates to existing Township Framework Plans contained within the Planning Policy Framework (PPF) of the Corangamite Planning Scheme.

Public exhibition of the Amendment has been undertaken in accordance with the *Planning and Environment Act 1987* with no changes required as a result of submissions.

Adoption of the Amendment and submission to the Minister for Planning for approval represents an important milestone in implementation the RLS and providing future direction for rural-residential development within the Shire.

Issues

The RLS applies a 'Shire-wide' planning approach to position Corangamite Shire as a premier rural lifestyle municipality and seeks to respond to the Shire's immediate and projected rural-residential housing needs.

The RLS provides staged recommendations to manage the release of rural-residential land and support future investment and development opportunities. Stage 1 recommendations focus on rationalising and encouraging the development of existing rural-residential land supply, whilst future Stage 2 and 3 will focus upon new rural-residential development opportunities.

The Amendment implements Stage 1 of the RLS and makes consequential updates to existing Township Structure Plans. Changes made by the Amendment can be summarised as:

Camperdown

- Applying the Development Plan Overlay (DPO) to existing Low Density Residential Zone land north of Gellie Street and east of Clarke Street, to coordinate future rural-residential development and housing.
- Land affected by the Restructure Overlay rezoned from Rural Living Zone to Farming Zone.

Lismore

- Rezoning small rural-residential lots adjoining the Camperdown-Lismore Road identified as part of a 'legacy' rural subdivision from Farming Zone to Rural Living Zone.

Terang

- Introducing a reduced two (2) hectare minimum lot size for subdivision in the existing Rural Living Zone between Princes Highway and Noogee Road.

All Townships

- Introduction of updated strategic direction, planning policy and framework plans to support future rural-residential development and staged delivery consistent with the RLS.

A copy of the Amendment documents and Explanatory Report is provided under separate cover, outlining specific changes to be made.

Since the RLS was adopted by Council in 2019 and during preparation of the Amendment, COVID-19 has influenced a significant upturn in the regional property market and prompted a population shift from cities to the regions, along with positive economic conditions and low interest rates. These factors have subsequently influenced the rural-residential land supply data within the RLS, as many 'market ready' properties have been recently purchased and developed, placing current pressure on land availability across the Shire's townships.

Cobden is a key example of this situation, with the RLS recommending that the existing land supply be retained and supported for development, which has now largely occurred and availability for rural-residential properties, as an attractive property option, has now diminished.

Following completion of Stage 1 implementation of the Amendment, a review of future Stage 2 and 3 recommendations of the RLS will be undertaken, for Council to consider implementation through a subsequent planning scheme amendment, or inclusion in the forward strategic planning work program (e.g. structure plan reviews).

Policy and Legislative Context

The Amendment has been prepared in accordance with:

- Ministerial Direction No. 11 Strategic Assessment of Amendments
- Ministerial Direction on the Form and Content of Planning Schemes.

Corangamite Shire Council Plan 2021-2025 objective:

More housing and subdivision to cater for population growth.

Supporting strategies include to:

Undertake a proactive role in delivery and development of residential land to increase population and new housing.

Ensure the Corangamite Planning Scheme supports new residential development and growth.

Internal / External Consultation

Public exhibition of the Amendment was undertaken in accordance with the *Planning and Environment Act 1987* between 13 May and 15 June 2021, involving:

- Letters to affected landowners.
- Letters for relevant Ministers and authorities.
- Notices in the Warrnambool Standard, Camperdown Chronicle, Cobden Timboon Coast Times, Terang Express and Lismore News.
- Council Website.
- Civic Centre hard copies.
- Government Gazette.

A total of nine (9) submissions have been received – each in support of the Amendment and proposed changes. Two (2) of these submissions originally raised issues or sought changes to the Amendment, which were resolved following meetings and further consultation with parties.

A late submission was received after the public exhibition period from the CFA, focusing upon the future staged implementation of the RLS and management of bushfire risk. Consultation has been undertaken with the CFA and the submission is not being considered as part of the Amendment. Further consultation will occur with the CFA regarding the RLS and Council's upcoming strategic planning work program.

Copies of all submissions are provided under separate cover.

Financial and Resource Implications

Implementation of the RLS via a planning scheme amendment is funded through Council's budget, including administrative costs and amendment fees.

Resolution of submissions enables Council to adopt the Amendment and submit it to the Minister for Planning for approval, without the need for a Planning Panel to be appointed.

The Amendment will enable more efficient planning decision making and support ongoing investment in rural-residential development across the Shire's townships.

Options

The recommended option is for Council to adopt the Amendment and authorise it to be submitted to the Minister for Planning for approval.

Other options include to defer adoption or abandon the Amendment.

Conclusion

Amendment C51 seeks to implement Stage 1 Recommendations of the Corangamite Rural Living Strategy and make other consequential updates to Township Framework Plans.

The Amendment represents an important milestone in planning scheme implementation to provide direction for future rural-residential growth and development across the Shire.

The report presents the Amendment for Council adoption and seeks authorisation for it to be submitted to the Minister for Planning for approval.

RECOMMENDATION

That Council:

1. **Resolves to adopt Planning Scheme Amendment C51 without changes in accordance with Section 29 of the *Planning and Environment Act 1987*.**
2. **Authorises Planning Scheme Amendment C51 to be submitted to the Minister for Planning for approval in accordance with Section 31 of the *Planning and Environment Act 1987*.**

COUNCIL RESOLUTION

MOVED: *Cr Beard*
SECONDED: *Cr Conheady*

That the recommendation be adopted.

CARRIED

Attachments

1. Combined Submissions C51cora - Under Separate Cover
2. Explanatory Report C51cora - Under Separate Cover
3. Instruction Sheet C51cora - Under Separate Cover
4. Combined Planning Scheme Amendment Documentation C51cora - Under Separate Cover
5. Map Sheets C51cora - Under Separate Cover
6. Late Submission 10 [CFA] C51cora - Under Separate Cover

9. OFFICERS' REPORTS

9.1 Domestic Wastewater Contribution Program Policy

Author: Rory Neeson, Manager Growth and Engagement

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author - Rory Neeson

In providing this advice to Council as the Manager Growth and Engagement, I have no interests to disclose in this report.

Summary

This report proposes to revoke the current Domestic Wastewater System Contribution Program (DWSCP) Policy and adopt an updated DWSCP Policy to be implemented in 2021-2022.

Introduction

The DWSCP aims to provide a financial incentive for the development of new housing in the Shire on lots in township areas that are not serviced by a reticulated sewage system.

This includes the towns of Darlington, Derrinallum, Lismore, Noorat and Princetown.

The program has been developed in response to feedback provided to Council, that the high costs associated with wastewater treatment on small blocks in these towns is a barrier to development.

Through this program it is envisaged that Council can encourage more development in these towns, leading to increases in both population and economic activity for the Shire.

The program is unique with no other councils in the State having completed anything similar.

In the two years of the program Council saw seven applications resulting in one successful project. The unsuccessful applications were unable to be granted due to the location of the proposed build, the capital improved value of the lot proposed to be built on or that the house had already been constructed.

The one successful applicant is currently still building their house in Lismore with funding only to be transferred following the completion of the build.

Issues

The Corangamite Shire Council Domestic Waste Water Management Plan provides a risk framework of the potential ability for sustainable wastewater management for every property within the Shire.

The risk framework is based on collated information of environmental and built constraints including lot size, township zone, slope, soil type, flooding potential, as well as the proximity to surface water, groundwater and bores.

Based on a risk assessment of these constraints, there are three summary classes provided to lots when Council officers are completing an assessment – Low, Medium and High.

Through this risk assessment, constraints are identified where a greater level of investigation and design may be required to identify a sustainable domestic wastewater management system.

This investigation often includes the requirement for the completion of a Land Capability Assessment (LCA) by a suitably qualified engineer, to identify the suitable location and sizing of the proposed effluent disposal area, taking into consideration any constraints on the lot.

Conventional systems (septic tanks and trenches) are typically not appropriate for these townships and therefore properties must have an EPA approved secondary wastewater treatment system that is capable of meeting waste water requirements.

These LCA investigations and secondary systems can be costly to the property owner and are often seen as a deterrent for people developing land in non-sewered towns in the Shire. This program aims to help address these issues by providing a financial incentive for the development of new housing in non-sewered towns in the Shire.

Under this program, the owner of a lot of land would be eligible for a one-off grant of up to \$5,000 if the completion of a Land Capability Assessment (LCA) and/or the installation of an EPA approved secondary wastewater treatment system that is capable of achieving a 20/30 standard effluent is required.

Council only makes payment to the applicant once the works are completed using an acquittal process similar to other grants programs in the Shire.

The funding is only made to the applicant and not the property meaning that if the lot was to be sold the new property owner would have to reapply for the grant.

The proposed changes for the updated DWSCP Policy are increasing the capital improved value (CIV) for the block value from \$120,000 to \$150,000 reflecting increases in land values in the Shire over the past 12 months, the inclusion of a statement around the policy being developed in accordance with the *Gender Equality Act 2020* and some minor administrative changes to ensure the program can be delivered again in 2021-2022.

Policy and Legislative Context

The review of the Domestic Wastewater System Contribution Program (DWSCP) Policy is in accordance with the following Council Plan 2021-2025 commitments:

Infrastructure and services that deliver population growth and new housing.

Facilitating and supporting economic development.

More housing and subdivision to cater for population growth.

We retain and grow our population.

Internal / External Consultation

The program and policy review was undertaken in consultation with Council's Environmental Health Unit and Council's Senior Officer Group.

Financial and Resource Implications

Successful applicants will be eligible for a one-off contribution of up to \$5,000 to their Land Capability Assessment (LCA) or secondary wastewater system costs.

Options

Councillors may choose to adopt the updated DWSCP Policy, make changes to the policy or not adopt the policy.

Conclusion

The DWSCP aims to provide a financial incentive for the development of housing in the Shire on lots in township areas that are not serviced by a reticulated sewage system.

If uptake to this program increases, Council may look to complete further rounds of the program in future years to continue to encourage development in these towns while providing economic, environmental and social benefits to the Shire.

RECOMMENDATION

That Council:

- 1. Revokes the existing Domestic Wastewater Contribution Program Policy dated June 2020.**
- 2. Adopts the Domestic Wastewater Contribution Program Policy dated July 2021.**

COUNCIL RESOLUTION

MOVED: *Cr Hickey*

SECONDED: *Cr Cole*

That the recommendation be adopted.

CARRIED

Attachments

1. Policy Council Domestic Wastewater System Contribution Program July 2021 - Tracked Changes - Under Separate Cover
2. Policy Council Domestic Wastewater System Contribution Program July 2021

Domestic Wastewater System Contribution Program Policy

Corangamite Shire

July 2021

Council Policy



Domestic Wastewater System Contribution Program Policy

Introduction

This policy provides details how Council will implement a Domestic Wastewater System Contribution Program (DWSCP).

Purpose

The purpose of the DWSCP is to provide a financial incentive for the development of housing in the Shire on lots in township areas that are not serviced by a reticulated sewage system (Darlington, Derrinallum, Lismore, Noorat and Princetown).

This financial incentive is being offered to encourage the construction of new housing in these towns as the high costs often associated with the installation of a wastewater septic system can be seen as a barrier to new developments in some townships, also taking into account the prevailing housing market conditions.

Scope

The program will be managed by Council's Growth and Engagement team with eligibility for funding through the DWSCP to be completed via an assessment process coordinated by Council's Environmental Health Unit in accordance with Corangamite Shire Domestic Wastewater Management Plan.

The assessment includes a variety of factors including township location, lot size, land zoning, soil type and type of wastewater system required for the property.

An internal panel would then meet to assess any applications made to the program and provide a recommendation to Council.

Funding would only be available to new dwellings and not extensions or additions to existing dwellings.

Definitions

Council – Corangamite Shire Council

Program – Domestic Wastewater System Contribution Program

References

Corangamite Shire Council Domestic Waste Water Management Plan 2014

Corangamite Shire Planning Scheme.

Adopted at Council on:
Agenda Item:
Responsibility: Manager Growth and Engagement
Document Number:

Department: Growth and Engagement
To be reviewed by:
Policy Number:
Page Number: 2

Corangamite Shire Council Policy – Domestic Wastewater System Contribution Program Policy

Policy Detail

Some of the towns in the north of the Corangamite Shire, (Darlington, Derrinallum, Lismore and Noorat) as well as Princetown in the south, do not have reticulated township sewage systems like other towns in the Shire.

This means that blocks in these towns require individual wastewater management systems which can be expensive for potential development, especially on small lot sizes.

The Corangamite Shire Council Domestic Waste Water Plan provides a risk framework of the potential ability for sustainable wastewater management for every lot within the Shire.

The risk framework is based on collated information of environmental and built constraints including lot size, township zone, slope, soil type, flooding potential as well as the proximity to surface water, groundwater and bores and identifies properties that require expensive design and/or wastewater treatment systems.

This program aims to help address these issues by providing a financial incentive for the development of new housing in non sewerred towns in the Shire.

Under this program, the owner of a lot of land would be eligible for a one-off grant of up to \$5,000 if the completion of a Land Capability Assessment (LCA) and/or the installation of an EPA approved secondary wastewater treatment system is required.

To access funding through this program the following steps would occur:

1. The applicant's lot must be located in the township zone of Darlington, Derrinallum, Lismore, Noorat or Princetown.
2. The lot must not have a site value in excess of \$150,000.
3. The lot must be the applicant's primary place of residence.
4. The applicant must make contact with Council to have an assessment of the lot completed by Council's Environmental Health Team in accordance with the DWMP.
5. The lot be assessed as needing a LCA and/or a secondary wastewater system for the property.
6. An application form for the funds is completed by applicant.
7. A meeting of DWSCP panel is held (consisting of a member of the Environmental Health Team, Manager Environmental and Emergency and Manager Growth and Engagement), where the application is discussed and a funding recommendation is decided.
8. The applicant is advised of the decision within 28 days.
9. The applicant must then obtain all relevant permits and then complete works in line with permit conditions under the *Environment Protection Act 1970*.
10. Proof of purchase of the relevant septic system including invoices, photos of the works provided and final 'Approval to Use' certificate issued in line with program guidelines.
11. Acquittal form completed that provides relevant details for transfer of funding. Works would need to be completed within 12 months.
12. Funding transferred to applicant.

Council would only make payment to the applicant once the works are completed using an acquittal process similar to other grants programs in the Shire.

Adopted at Council on:
Agenda Item:
Responsibility: Manager Growth and Engagement
Document Number:

Department: Growth and Engagement
To be reviewed by:
Policy Number:
Page Number: 3

Corangamite Shire Council Policy – Domestic Wastewater System Contribution Program Policy

The funding would be made to the applicant and not the property meaning that if the lot was to be sold the new property owner would have to reapply for the grant.

It is considered that this Policy does not impact negatively on any rights identified in the *Charter of Human Rights and Responsibilities Act (2006)*.

It is considered that this policy does not adversely impact community members or employees of different genders and has been developed in accordance with the *Gender Equality Act 2020*.

Review Date

July 2023.

Adopted at Council on:
Agenda Item:
Responsibility:
Document Number:

Department:
To be reviewed by:
Policy Number:
Page Number: 4

9.2 Quick Response Grants Policy Review

Author: Rory Neeson, Manager Growth and Engagement

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author - Rory Neeson

In providing this advice to Council as the Manager Growth and Engagement, I have no interests to disclose in this report.

Summary

This report recommends Council adopt the Quick Response Grants Policy dated June 2021 as attached and revoke the Quick Response Grants Policy dated February 2018.

Introduction

The Quick Response Grants Policy establishes the framework by which Council can achieve its objectives in supporting the distribution of funds to community groups in a variety of ways and in a responsive manner. The Quick Response Grants Policy has been reviewed and updated in accordance with Council's Policy Development Framework and is attached for Council's approval.

Issues

The current Quick Response Grants Policy was adopted in June 2018. Only minor changes are proposed as part of the 2021 review of this policy which include:

- Clearly stating that the program is not open to private individuals or businesses.
- Ensuring community groups claim the grants they have been provided within three months to ensure funding awarded to groups is being utilised.
- Giving Council the ability to alter the equity provisions for ward funding to ensure the maximum number of community groups are able to be funded each financial year.
- The transition of the policy ownership from the Finance department to the Growth and Engagement department.
- Updating reference to the new *Local Government Act 2020*.
- Adding a statement ensuring that the policy has been developed in accordance with the *Gender Equality Act 2020*.
- Minor formatting edits.

The Policy's intent remains by ensuring it is sufficiently flexible to meet a variety of community needs whilst ensuring it remains administratively efficient to administer.

Policy and Legislative Context

The review of the Quick Response Grants Policy is in accordance with the following Council Plan 2021-2025 commitments:

Corangamite's townships are attractive, accessible and appealing to visitors and are presented in a way in which our residents can be proud.

Encourage opportunities for residents to volunteer with the Shire to support community life.

Promote diversity and inclusion including gender, age and ability.

Our community groups and clubs are engaged and supported and facilities are fit for purpose.

Have strong governance practices.

We listen to and engage with our community.

Council promotes best value and value for money for its rate payers.

Internal / External Consultation

The recommended changes to this policy have been developed in response to issues observed through its operation. They aim to provide greater clarity and transparency to applicants to maximise the benefits the policy can deliver to community groups.

Consultation has also been completed internally with Council's Senior Officer Group.

Financial and Resource Implications

Council's Quick Response Grants Program is efficient to administer \$17,500 per annum (2021-2022 Budget) with flexibility to amend with future budgets.

Options

Council may adopt the revised Quick Response Grants Policy with or without amendment. Alternatively, Council may resolve to not adopt the revised Policy and revoke the Quick Response Grants Policy dated June 2018.

Conclusion

The revised Quick Response Grants Policy is attached for Council's consideration and approval.

RECOMMENDATION

That Council:

1. Revoke the Quick Response Grants Policy dated June 2018.
2. Adopt the Quick Response Grants Policy dated July 2021.

COUNCIL RESOLUTION

MOVED: Cr Makin

SECONDED: Cr Cole

That the recommendation be adopted.

CARRIED

Attachments

1. Policy Council Quick Response Grants July 2021 - Tracked Changes
2. Policy Council Quick Response Grants July 2021

Quick Response Grants

Corangamite Shire

July 2021

Council Policy



Quick Response Grants

Introduction

Council, subject to the annual budget and in accordance with this Policy, will have the discretion to grant Council funds to community groups within the Shire. Grants will need to result in beneficial projects and activities for Shire communities.

Purpose

Council supports the distribution of funds to community groups in a variety of ways. The flexibility in being able to grant small amounts to community groups in a responsive manner can result in positive outcomes by enabling the delivery of small-scale projects and activities which benefit Shire communities.

Definitions

Quick Response Grants program is a fixed amount Council provides annually for the distribution of funds to Shire community groups. The granting of these funds shall be in accordance with this Policy.

A Community Group is an organisation (incorporated or unincorporated) that has social, religious, educational, recreational, environmental or other group sharing objectives, characteristics or interests whose purpose is for the provision of services for or within Corangamite Shire. A Community Group includes services clubs, committees of management and local emergency service brigades/branches but excludes schools (primary and secondary) and health services. The Quick Response Grants program is not open to applications from private individuals or businesses.

References

- *Local Government Act 2020*;
- Local Government Investigations and Compliance Inspectorate – Review of Councillor Discretionary Funds (October 2013).
- Policy Events and Festivals Grant Program

Policy Detail

1. Council will set the budget for the Quick Response Grants program when formulating the Annual Budget.
2. Funds may only be granted to a community group that will undertake beneficial projects and activities for local communities that meet the assessment criteria described in clause 8 below.
3. A maximum grant limit of \$500 will apply to any community group in any given financial year, unless otherwise approved by Council.

Adopted at Council on:
Agenda Item:
Responsibility: Manager Growth and Engagement
File Number:

Department: Growth and Engagement
To be reviewed by:
Policy Number:
Page Number: 1

Corangamite Shire Council Policy – Quick Response Grants

4. Except with the approval of Council, any approved grant will lapse unless it is claimed by the applicant within three months of the date of its approval by Council.
5. A previous applicant may submit a subsequent application in any given financial year for an amount equal to the maximum allocation less the cumulative amount of all previous applications approved by Council in the same financial year.
6. An auspice body will not be considered an applicant when applying on behalf of a community group.
7. Equity:
 - a. The allocation of grants across the Shire shall be representative of the elected Council and distributed proportionately by the number of wards and councillors.
 - b. Annual allocations for each Ward shall not exceed 1/7th of the fund's annual budget in the case of North, South West, Coastal and South Central Wards, and 3/7th of the fund's annual budget in the case of Central Ward.
 - c. Applicants may apply for funding from one or more Wards (ie Multi-ward allocation) but for no more than the maximum grant limit in aggregate.
 - d. In addition to the above equity provisions, Council may choose to vary the annual Ward funding distribution so as to extend the benefits of the program to as many Community Groups as possible and to fully expend the Quick Response Grants fund in a given financial year.
8. Applications:
 - a. Applications will be considered by Council at each monthly meeting.
 - b. Applications must be received three weeks prior to the intended Council meeting at which it will be considered.
 - c. Grants can only be allocated by Council resolution.
 - d. Applications will be accepted until such time the annual budget is expended.
 - e. Applications must be in writing and in a form to be determined by the Chief Executive Officer, however must include:
 - i. The applicants details;
 - ii. The amount of funds requested, including quotation if relevant;
 - iii. Purpose for the funds;
 - iv. How the application meets the assessment criteria described in clause 8 below.
9. Assessment and Approval of Applications:
 - a. Council must assess each application against the following criteria as having met, partially/somewhat met or not met:
 - i. Eligible applicant being a community group as defined above.
 - ii. Alignment of initiative with Council Plan objectives.
 - iii. Derivation of community benefit.
 - iv. Eligible expenditure consistent with clause 11 below.
 - b. Applications that do not sufficiently meet the above criteria will not be funded:

Adopted at Council on:

Agenda Item:
Responsibility: Manager Growth and Engagement
Document Number:

Department: Growth and
Engagement
To be reviewed by:
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Page Number: 3

Corangamite Shire Council Policy – Quick Response Grants

- i. Applications must be from an eligible applicant under 8(a)(i) above.
- ii. Applications must meet or partial/somewhat meet the criteria under clause 8(a)(ii), 8(a)(iii) and 8(a)(iv) above.
- c. Applications that meet the criteria will be eligible to receive grants up to the amount applied but no more than the maximum amount described in clause 3 above.
- d. The Chief Executive Officer, or delegate, will advise successful and unsuccessful applicants following each Council meeting. Successful applications will be provided details as to how grants can be claimed and acquitted.

10. Acquittals:

- a. Applicants in receipt of a grant must provide Council with an acquittal within six (6) months of being granted the funds.
- b. The Chief Executive Officer shall determine the nature of the acquittal.
- c. Unspent or surplus grant funds must be returned by applicants to Council within six (6) months of being granted the funds.

11. Annual Reporting:

- a. The Annual Report shall provide details of the Quick Response Grants allocated each year.
- b. The Annual Report shall disclose each of the Quick Response Grants recipient's name and how much was granted.

12. What Can Be Funded

Grants may only be allocated for a specified project or activity including but not limited to:

- a. Printing, advertising, catering and promotional costs.
- b. Costs incurred in hiring a venue that may include hire costs and public liability insurance.
- c. Materials and other items essential for a project or activity.
- d. Celebration of religious holidays to the extent the event is open to the public, widely advertised and the grant not used for expenditure on alcohol.
- e. Grants may not be allocated for:
 - i. Recurrent programs or activities which are a core service of State or Federal Government, or large non-profit organisation.
 - ii. Projects that depend on recurrent funding from Council for continuation.
 - iii. Projects completed or currently in progress at the date of application.
 - iv. Fundraising events for or by charitable causes and organisations where there is no certainty of fundraising proceeds being retained within the Shire.
 - v. Applicants with an outstanding grant acquittal or outstanding debts owed to Council.
 - vi. Events able to apply for funding under the *Events and Festivals Grants Program Policy* unless such events are for the celebration of religious holidays or for fundraising events.

Adopted at Council on:

Agenda Item:
Responsibility: Manager Growth and Engagement
Document Number:

Department: Growth and
Engagement
To be reviewed by:
Policy Number:
Page Number: 4

Corangamite Shire Council Policy – Quick Response Grants

13. Acknowledgement

- a. Grant recipients must acknowledge Council's contribution and provide evidence of such in the acquittal.

14. Administrative

- a. The Chief Executive Officer shall advertise and promote the Quick Response Grants Program in an appropriate manner.
- b. Funds not granted by Council in any given financial year cannot be carried forward into a subsequent financial year.

Legislative compliance

In addition to this Policy the awarding of grants must comply with the *Local Government Act 2020*, relevant regulations and Ministerial guidelines.

It is considered that this Policy does not impact negatively on any rights identified in the *Charter of Human Rights and Responsibilities Act (2006)*.

It is considered that this policy does not adversely impact community members or employees of different genders and has been developed in accordance with the *Gender Equality Act 2020*.

Review Date

July 2025.

Adopted at Council on:

Agenda Item:
Responsibility: Manager Growth and Engagement
Document Number:

Department: Growth and
Engagement
To be reviewed by:
Policy Number:
Page Number: 5

9.3 Support for Councillor Professional Development Policy Review

Author: Penny MacDonald, Executive Services and Governance Coordinator

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author - Penny MacDonald

In providing this advice to Council as the Executive Services and Governance Coordinator, I have no interests to disclose in this report.

Summary

This report facilitates Council's review of the Support for Councillor Professional Development Policy which governs the criteria for professional development undertaken by Councillors.

Introduction

Councillors undertake professional development and training to provide them with the necessary knowledge and skills required for their role as elected representatives of their communities. Professional development also provides Councillors with the opportunity to expand their networks within the local government sector for information and support during their term on Council.

The Support for Councillor Professional Development Policy promotes good governance and determines the criteria for how and when Councillors can access professional development.

Issues

The Support for Councillor Professional Development Policy is reviewed every four years following the Council election, or as required. The policy aims to provide guidance on the types of activities and training available to Councillors in addition to the associated costs involved when accessing professional development. The policy should be read in conjunction with the Council Expenses Policy.

As part of the current review, the policy (attached) has been updated to include:

- An increase to the threshold requiring a Council decision from \$2,000 to \$2,500.
- Workshops as a form of professional development.
- Commitment for annual internal training relating to governance matters or legislative changes.
- Mention of the mandatory induction training, required by the *Local Government Act 2020*.
- Accommodation on the night following a professional development activities where travel is problematic.
- Mention that there is no individual budget limit for each Councillor's professional development activities.

It is current practice for Councillors to pay any costs associated with their partner accompanying them to conferences or other professional development activities, and provisions relating to this have been retained in the policy.

The policy also retains the requirement for Councillors to report back to fellow Councillors about their key learnings, which enhances the benefits Councillor professional development provides to the organisation.

Policy and Legislative Context

Review of the Support for Councillor Professional Development Policy is consistent with the following 2021-2025 Council Plan objectives identified as important to Corangamite Shire:

Having strong governance practices.

Ensuring that we maintain our strong financial position.

Council promotes best value and value for money for its ratepayers.

Internal / External Consultation

Councillors and senior staff have been consulted during the review of this policy.

Financial and Resource Implications

Council's annual budget provides for Councillor professional development. There is no individual financial limit for professional development prescribed for each Councillor.

The threshold at which Council approval must be sought for a single professional development opportunity is currently \$2,000, and it is recommendation this be increased to \$2,500 per Councillor. The threshold includes all costs associated with the activity including any flights, accommodation and meals.

Options

Council may choose to adopt the Councillor Support for Professional Development Policy as presented or determine to make further amendments prior to adoption.

Conclusion

Councillors undertake professional development to provide them with the networks, skills and knowledge necessary for them to carry out their role as Councillors.

The support for Councillor Professional Development Policy provides guidance on the types of activities and training available to Councillors and has been recently reviewed to ensure it remains relevant.

RECOMMENDATION

That Council:

- 1. Revokes the Support for Councillor Professional Development Policy 2016.**
- 2. Adopts the Support for Councillor Professional Development Policy dated July 2021.**

COUNCIL RESOLUTION

MOVED: Cr Conheady

SECONDED: Cr Hickey

That the recommendation be adopted.

CARRIED

Attachments

1. Councillor Professional Development Policy 2021
2. Councillor Professional Development Policy 2021 with tracked changes - Under Separate Cover

Support for Councillor Professional Development Policy

Corangamite Shire

July 2021

Council Policy



Support for Councillor Professional Development

Introduction

Councillors are committed to undertake training or professional development activities in order to effectively perform the role of a Councillor. Professional development enables Councillors to increase their networks, knowledge and skills and is strongly encouraged.

Corangamite Shire Council strives to seek a balance between the appropriate expenditure of public funds, while at the same time ensuring that the community is represented by well-informed, highly skilled Councillors.

Purpose

This policy provides guidance on the types of professional development supported by Council and the payment of costs incurred by Councillors related to professional development activities undertaken in their official capacity.

Scope

This policy applies to all Councillors representing the Corangamite Shire Council and applies from the date adopted.

The policy should be used by:

- a) Individual Councillors when considering professional development opportunities.
- b) Council when considering requests from Councillors for the payment of costs associated with professional development.
- c) Finance and other related staff in implementing payments for professional development activities.

Definitions

In this policy:

Expenditure means funds paid in support of an activity.

Professional Development

means short courses, conferences, seminars, forums, training, workshops, trade delegations and friendship visits that will assist a Councillor in their broad civic leadership role, in addition to undergraduate and post-graduate studies that is beneficial to both Council and a Councillor for the performance of their role.

References

Local Government Act 2020
Corangamite Shire Councillor Code of Conduct

Adopted by Council on:
Agenda Item:
Responsibility: Governance Coordinator
Document Number: 968605

Department: Governance
To be reviewed by: January 2025
Policy No: GOV 13-03
Page: 2

Corangamite Shire Council Policy – Support for Councillor Professional Development

Policy Detail

Events, Conferences and Seminars

Events, conferences and seminars provide an opportunity for Councillors to receive information on topics related to local government. These may be provided by both government bodies and commercial providers. Some examples of these include the ALGA National General Assembly, ALGA National Roads Congress and the MAV State Conference.

Training, Workshops and Other Professional Development Activities

Professional development activities undertaken by individual Councillors include formal accredited and non-accredited training related to a Councillor's role. Requests for professional development support must have a direct relationship to the role of a Councillor, and support for training with this focus will be prioritised.

Other Events

On occasion, there may be an opportunity for Councillors to attend trade delegations, industry investigations or other types of activities aimed at increasing the profile of Corangamite Shire². These activities should be assessed in accordance with the assessment principles prior to support being granted.

Internal Training Opportunities

Where Councillors believe that a significant training or professional development need is required which would benefit all Councillors and is not addressed by publicly available training and development opportunities, internal training and development may be sourced and delivered. Examples of this type of training may include familiarisation with Council activities or procedures, or legislative changes. In these circumstances, Councillors should contact the Chief Executive Officer to discuss the specific training need so that training can be sourced and delivered.

Each year, the Chief Executive Officer will provide Councillors with internal training related to Governance matters or legislative changes, to support Council's commitment to good governance and ethical leadership.

Councillor Induction Program

In addition to professional development opportunities for Councillors, the Chief Executive Officer will determine an induction program for all Councillors, conducted every four years after the election of a new Council. The induction program will meet the mandatory induction requirements prescribed by the *Local Government Act 2020*.

Where a by-election has been held, the newly elected Councillor will individually receive the mandatory induction training.

² It is important that any gifts, including travel and accommodation provided at lower or no cost, are appropriately recorded in the Council's Gift Register.

Corangamite Shire Council Policy – Support for Councillor Professional Development

Approved expenditure

Approved expenditure under this policy includes:

- Conference or training registration fees.
- Travel costs, including road travel, flights, public transport or taxis, and car parking fees.
- Accommodation and meals, but not alcohol, directly related to the event, including accommodation from the day prior to the event, and/or the night following the event where travel is problematic.

Other types of reimbursement (e.g. respite carer payments) may be made available under Council's *Councillor Expenses Policy*).

Where a Councillor's partner accompanies a Councillor to a conference, the registration, accommodation and travel arrangements may be organised by Council, with the Councillor to pay the additional costs incurred by Council due to the partner's attendance, including registration fees, travel expenses, meals and accommodation.

Procedure for Approval

The following process will be strictly observed when assessing requests for expenditure for Councillor professional development.

Approval by CEO

The Chief Executive Officer will approve Councillor professional development expenses where it is calculated that the total amount of expenditure on a single professional development opportunity will not exceed \$2500 per Councillor. This assessment will be undertaken using the assessment principles contained in this policy.

Approval by Council resolution

In the event that the proposed expenditure on a single professional development opportunity exceeds \$2500 per Councillor, the expenditure must be approved by a decision of Council. This approval must be subject to the assessment principles contained within this policy.

Assessment Principles

All expenditure by Council on Councillor attendance at any type of professional development activity should be assessed against the following criteria:

Applicability of content to current or future likely future Council issues

1. Does the event provide an opportunity to receive or upgrade relevant and necessary knowledge or skills, directly related to a councillor role?
2. Does the event provide an opportunity to learn key information about an issue of public policy related to the Corangamite community?
3. Does the event have the potential to foster broad economic development opportunities within Corangamite Shire?
4. Does the event provide an opportunity for a councillor to build their networks both within and across sectors, in a way which will be of benefit to the Corangamite community?

Available funds

The annual budget for Councillors' training will be adequate for Councillors to attend annual conferences plus provision for an annual Councillor Workshop and a sum for other Councillor training needs. This budget item is developed in consultation with Councillors and reflects the need to ensure ongoing professional development, while also ensuring that public funds are expended in a responsible manner.

Adopted by Council on:
Agenda Item:
Responsibility: Governance Coordinator
Document Number: 968605

Department: Governance
To be reviewed by: January 2025
Policy No: GOV 13-03
Page: 4

Corangamite Shire Council Policy – Support for Councillor Professional Development

Each individual Councillor does not have a budgeted financial limit for professional development, as training needs may vary and the budget covers all Councillors collectively.

Reporting

Following participation in an event the Councillor is expected to submit a verbal report at the next available Councillor briefing detailing:

- Whether the objectives of the participation were met.
- The benefits to the Councillor, Council and the community.
- The value of future attendance by Council at similar events.

A written report to Council by a Councillor may be required following attendance at national events.

Costs associated with professional development activities undertaken by Councillors will be reported in Council's annual report, as required by local government legislation.

Reference to linked Procedure or Guidelines

Council Expenses Policy

Review Date

This policy will be reviewed by Council by January 2025, or earlier if required.

It is considered that this Policy does not impact negatively on any rights identified in the *Charter of Human Rights and Responsibilities Act (2006)*.

Adopted by Council on:
Agenda Item:
Responsibility: Governance Coordinator
Document Number: 968605

Department: Governance
To be reviewed by: January 2025
Policy No: GOV 13-03
Page: 5

9.4 Council Grants Programs 2021-2022

Author: Roland Herbert, Environment Project Officer

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Assessor – Roland Herbert

In providing this advice to Council as the Environment Project Officer, I have a general conflict of interest due to a friendship with applicant Graham Arkinstall for the Friends of Mt Leura Inc. I have not been involved in the evaluation or assessment of the grant submitted on behalf of the Friends of Mt Leura Inc.

Author / Assessor – Jane Hinds

In providing this advice to Council as the Sport and Recreation Coordinator, I have no interests to disclose in this report.

Author / Assessor – Tammy Young

In providing this advice to Council as the Economic Development and Events Officer, I have no interests to disclose in this report.

Assessor - Lyall Bond

In providing this advice to Council as the Manager Environment and Emergency, I have no interests to disclose in this report.

Assessor – Jacqui Heffernan

In providing this advice to Council as the Accountant, I have no interests to disclose in this report.

Assessor – Jarrod Woff

In providing this advice to Council as the Manager of Recreation and Facilities, I have no interests to disclose in this report.

Assessor – Lauren Molan

In providing this advice to Council as the Community Projects Officer, I have no interests to disclose in this report.

Assessor – Lauren Hester

In providing this advice to Council as the Administration Officer - Works, I have no interests to disclose in this report.

Assessor – Gisele Couto

In providing this advice to Council as the Civil Engineer - Buildings, I have no interests to disclose in this report.

Assessor – Samantha Fox

In providing this advice to Council as the Coordinator Economic Development and Tourism, I have no interests to disclose in this report.

Assessor – Adam Taylor

In providing this advice to Council as the Manager Finance, I have no interests to disclose in this report.

Summary

The purpose of this report is to approve the allocation of funds for the 2021-2022 Community Grants, Facility Grants, Environment Grants and Events and Festivals Grants Programs.

Introduction

Council's 2021-2022 annual funding programs include the Community Grants, Facility Grants, Environment Support Grants and Events and Festivals Grant programs.

In total, 109 grant submissions were received across all four grant programs, requesting a total of \$271,804. Following an assessment process, it is proposed to allocate funding to 106 applications at a total value of \$229,158.

Issues

Community Grants

The purpose of the program is to provide 'one off' financial assistance to community groups operating in the Corangamite Shire for:

- workshops or equipment purchases
- development of new community, leisure, cultural or recreational programs
- community events
- planning activities (e.g. business plans).

Funding of up to \$1,000 is provided on a matching dollar for dollar basis (matching contributions can be cash and/or in-kind).

The Community Grants program received 20 grant submissions from 19 organisations with a total application for funds of \$17,077. This is a decrease from the number of grant submissions received in 2020-2021, when 33 applications were received for a total of \$30,590 in funding.

Community Events Comparison

Council officers have undertaken an analysis of the type of applications received, to identify the impact that COVID-19 may or may not have had on the number of submissions, particularly looking at community events.

In comparing the submissions that related to community events, a total of 5 submissions were received in 2021-2022, whilst 13 submissions were received in 2020-2021. Three applications were received from regular annual events who have submitted applications previously to the program, and it is noted that two new community events have been planned for this financial year in the townships of Derrinallum and Terang.

It is also noted that Council Officers have had discussions with last year's community event grant recipients, to advise that funds could be held and rolled over for those events which were postponed due to the restrictions of COVID.

Applications were evaluated independently by three Council officers, based on the Community Grants assessment criteria. Results of the evaluation were then averaged, and grant applications were ranked based on these results. Funding was allocated to the highest-ranking applications and budget allocated to these projects accordingly.

The total amount of funding being recommended in the Community Grants program is \$17,077 to 19 organisations, resulting in a surplus of \$32,923 funds from the \$50,000 2021-2022 budget allocation for Community Grants.

Facility Grants

The aim of the Facility Grants program is to provide financial assistance to committees of management to assist with improvements at Council's halls and recreation reserves. It is expected that applications will be submitted for:

- equipment purchases
- minor repairs
- minor works.

The Facility Grants program provides funding up to and not exceeding \$2,000 per project on a dollar for dollar funding basis.

The Facility Grants program received 41 submissions from 37 organisations, with a total application for funds of \$63,048. This was a decrease from 50 submissions in 2020-2021 with a total application for funds of \$78,196.

One application was received from Courthouse Camperdown Inc. and following assessment by Council officers has been deemed to be better suited under the Community Grants program and has been transferred and assessed under the Community Grants program guidelines.

Two applications were received and marked as late applications and were evaluated accordingly.

Second applications from organisations were also evaluated in line with the program guidelines, should surplus funds become available from undersubscribed grant programs.

Applications were evaluated independently by three Council officers, based on the Facility Grants assessment criteria. Results of the evaluation were then averaged, and grant applications were ranked based on these results. Funding was allocated to the highest-ranking applications and budget allocated to these projects accordingly.

These projects have been identified and are outlined in Attachment 1.

The project evaluation panel has identified a total funding allocation of \$49,170 to 32 Facility Grant applicants, within the budget provision of \$50,000. If Council opt to use the surplus funds from the Community Grants program, Council can fund 9 additional eligible Facility Grant applications, leaving a surplus balance in the Community Grants program of \$19,875.

This would leave a surplus balance in the Community Grants program of \$19,875.

It is proposed that a portion of the surplus funds from the Community Grants program (\$13,048) be transferred to the Facility Grants program and that 41 projects be funded at a total of \$63,048. This would provide a remaining balance of \$19,875.

Environment Support Grants

The aim of the Environment Support Grants program is to provide financial assistance to incorporated community groups, organisations, and individuals to undertake environmental and sustainability projects within Corangamite Shire. It is expected that applications will be submitted for:

- Weed control to protect and enhance environmental assets.
- Protection and enhancement of remnant native vegetation.
- An increase in the extent, condition and connectivity of native vegetation.
- Improvements to soil health and water quality.
- Waste reduction and education.
- Increased community understanding of environmental and sustainability issues.
- Projects related to climate change and sustainable agriculture.

The Environment Support Grants program provides funding up to and not exceeding \$2,500 per project on a dollar for dollar funding basis, matched with cash or in-kind.

The Environment Support Grants program received 33 submissions with a total application for funds of \$73,233. This is an increase from the number of grant submissions received in 2020-2021, when 23 applications were received for a total of \$33,708 in funding.

Partial funding is recommended for one project due to budget restrictions and projects achieving identical ranking. This enables Council to support a greater number of projects.

It is acknowledged that some projects appear to be similar to others, or are providing the same benefit, but have been scored differently; this is as a result of the scoring of projects based on previous funding compared to new projects, and poorly matched in-kind or cash funding between applicants.

33 applications were considered with total funding requested equalling \$73,233, which is \$23,233 greater than the \$50,000 allocation in the 2021-2022 budget.

It is proposed that a portion of the surplus funds from the Community Grants program (\$15,755) be transferred to the Environment Support Grants program to fund 30 projects totalling \$65,755 in funding. This would provide a remaining balance of \$4,120.

The projects recommended for funding are provided as Attachment 1 to this paper.

Events and Festivals Grants Program

The Events and Festivals Grant Program (EAFGP) was open to community groups and incorporated not-for-profit organisations to apply for grant funding and in-kind support.

Commercial organisations and individuals with an ABN can only apply for in-kind support.

The Grants Policy (June 2019) and the Events and Festivals Grant Program Policy (January 2019) provide the overall guidance for the program. The objectives of event and festival funding are to:

- stimulate economic activity in the Shire
- increase visitation and overnight stay
- assist in the growth of existing events
- assist the development and implementation of new events
- attract new events to the region
- promote greater social connection
- build the capacity of the local community.

Funding of up to \$15,000 is available per application. This is made up of a maximum of \$10,000 grant funding and \$5,000 of in-kind support.

In-kind support is a non-monetary form of funding that assists event organisers with covering the costs of using Council resources and services. In-kind support consists of fee waivers, venue hire, road closures, road grading, equipment use, waste removal and cleaning services.

Following the application period, 15 applications were received requesting a total \$118,446 support. This comprised \$85,500 grant funding, \$32,946 of in-kind support.

Applications were received for:

- one new event
- two existing events, that have not previously received Council support
- twelve existing events, that have previously received Council support.

Due to the large number of applications received and applicants applying for high levels of grant funding, the proposed allocations of funding are less than amounts applied for in most cases.

It is proposed to allocate a total of \$70,500 in grant funding, \$12,800 in-kind support for the use of Council services, and a further \$10,410 in-kind support for fee waivers.

Fee waivers are not included as part of the overall budget allocation of \$80,000 for the Events and Festivals Grant Program.

In-kind support for the use of costed Council services includes road closures, sign installation, road grading, water tanker use, waste removal, temporary fencing, facility cleaning, mowing, use of generator, use of waste bins, and landfill costs. Fee waivers include venue hire, PoPE and application fees.

The EAFGP has a funding allocation of \$80,000 for the 2021-2022 grants program. This budget encompasses contributions as well as in-kind service costs with the total request from applications totalling \$83,300.

It is proposed that a portion of the surplus funds from the Community Grants program (\$3,300) be transferred to the Events and Festivals Grants program and that 15 projects be funded at a total of \$83,300. This would provide a remaining balance of \$820.

Policy and Legislative Context

All grants programs are consistent with the following 2021-2025 Council Plan objectives:

- Facilitating and supporting economic development.
- Helping business recover from COVID and capitalise on opportunities.
- Arts and culture that is supported and accessible.
- A local tourism industry that is valued and recognised for its significant role to the Shire.
- Supporting our communities to move on from COVID.
- Improving the health and wellbeing of our residents.
- Corangamite residents have access to a range of sport and recreation opportunities.
- Our community groups and clubs are engaged and supported and facilities are fit for purpose.
- Protecting and improving our built and natural environment.
- Helping our community plan and respond to climate change.
- We listen to and engage with our community.

Council's Grants Policy provides guidance for the administration of the grant programs.

The Environment Support Grants program aligns with the following objective from the Environment and Sustainability Strategy 2014-2019:

- Engage and empower the community to address environmental and sustainability concerns in Corangamite Shire.

Internal / External Consultation

Applicants for all grant programs were invited to apply through various forms of media including online and print form. The programs have been the subject of media releases and advertisements in Council's Noticeboard in newspapers, community newsletters and posts placed on the Corangamite Shire Council Facebook page.

Applicants were invited and encouraged to discuss their project with Council officers prior to applying. The grant applications were assessed by officers and funding allocations proposed in consultation with the Senior Officer Group. Councillors were briefed on the applications and proposed allocations on 13 July 2021.

Financial and Resource Implications

Council has allocated \$230,000 to the Council grants programs in the 2021-2022 budget.

Through the annual Council budget process, the funding allocation for the Environment Support Grants program was increased to \$50,000 in 2021-2022. This is an increase of \$20,000 on previous funding allocations for the program and is in line with allocations received for the Community and Facility Grant programs.

Applicants were assessed for eligibility and requests for funding amounts adjusted to reflect a 50% contribution from Council. The contribution from the applicants can include financial and/or in-kind labour.

Evaluation of all applications considers funding of 20 Community Grants, 41 Facility Grants, 30 Environment Support Grants and 15 Events and Festivals Grants. This would see a total funding allocation of \$229,158 to applicants, comprised of \$17,077 to the Community Grants program, \$63,048 to the Facility Grants program, \$65,755 to the Environment Grants program and \$83,300 to the Events and Festivals Grant Program.

It is proposed to reallocate surplus funds from the Community Grants Program of \$32,081 to the Facility, Environment Support and Events and Festivals Grants programs in order to achieve the funding allocation outlined above. This would leave a surplus of \$820 in the Community Grants Program.

Options

Community Grants Program

Councillors may consider the following options for allocation of funds under the Community Grants Program 2021-2022:

1. Allocate funds of \$17,077 to Community Grant applications and fund recommended projects. This is the preferred option.
2. Allocate surplus funds of \$32,923 to other grant programs.
3. Retain surplus funds of \$32,923 and provide a second round of community grants mid-financial year.
4. Consider adjusting the proposed funding allocations.

Facility Grants Program

Councillors may consider the following options for allocation of funds under the Facility Grants Program 2021-2022:

1. Allocate funds of \$50,000 to Facility Grant applications and fund recommended projects and transfer \$13,048 of surplus funds from the Community Grants Program and fund a total of \$63,048 Facility Grant applications, including applications which were submitted as a second project submission from organisations.
This is the preferred option.
2. Consider adjusting the proposed funding allocations.

Environment Grants Program

Councillors may consider the following options for allocation of funds under the Environment Support Grants Program 2021-2022:

1. Allocate funds of \$50,000 to Environment Support Grant applications and fund recommended projects and transfer \$15,755 of surplus funds from the Community Grants Program and fund a total of \$65,755 Environment Support Grant applications.
This is the preferred option.
2. Consider adjusting the proposed funding allocations.

Events and Festivals Grant Program

Councillors may consider the following options for allocation of funds under the Events and Festivals Grants Program 2021-2022:

1. Allocate funds of \$80,000 to Events and Festivals Grant applications and fund recommended projects and transfer \$3,300 of surplus funds from the Community Grants Program and fund a total of \$83,300 Events and Festivals Grant applications. This is the preferred option.
2. Consider adjusting the proposed funding allocations.

Conclusion

Council's grants programs provide financial assistance and/or in-kind support to community groups, not-for-profit organisations, committees of management, individuals with an ABN, commercial organisations and schools located in Corangamite Shire.

The Community Grants program provides funding for community groups for workshops and equipment purchases, development of new community and cultural programs, community events and planning activities.

Redevelopment, refurbishment and upgrades to the ageing infrastructure at Council's facilities are entirely reliant on the local committee's time, input and minimal financial income. The Facility Grants program reflects the nature of management of these facilities being dependent on volunteers, by allowing both cash and in-kind labour as the committees' matching contribution.

The Environment Support Grants program provides funding to incorporated community groups, organisations and individuals to undertake environmental and sustainability projects within Corangamite Shire, on a dollar for dollar basis, to further enhance the environment and support sustainability projects within the community.

The Events and Festivals Grant Program provides funding and in-kind support for bigger events and festivals that increase visitation and stimulate economic activity in the Shire. The program is open to community groups and incorporated not-for-profit organisations.

RECOMMENDATION

That Council:

1. Allocates funds of \$1,000 to the following Community Grant applicant:

COMMUNITY GRANTS	
ORGANISATION	AMOUNT
Courthouse Camperdown Inc	\$1,000

2. Allocates funds of \$1,237.50 to the following Facility Grant applicant:

FACILITY GRANTS	
ORGANISATION	AMOUNT
Timboon Recreation Reserve Committee of Management	\$1,237.50

3. Allocates funds of \$5,000 to the following Events & Festivals Grant applicant:

EVENTS AND FESTIVALS GRANT PROGRAM		
ORGANISATION	FUNDING	IN-KIND (Service cost & fee waiver)
2022 Camperdown Cup	\$5,000	-

4. Allocates in kind contributions of \$1,166 to the following Events & Festivals Grant applicant:

EVENTS AND FESTIVALS GRANT PROGRAM		
ORGANISATION	FUNDING	IN-KIND (Service cost & fee waiver)
Inner Varnika	-	\$1,166

5. Allocates funds of \$16,077 to the following Community Grant applicants:

COMMUNITY GRANTS	
ORGANISATION	AMOUNT
Camperdown & District Historical Society Inc	\$695
Camperdown Bowling Club Inc	\$1,000
Camperdown Pre School Association	\$1,000
Camperdown Theatre Company Inc	\$863
Camperdown Timboon Rail Trail Committee of Management	\$494
Camperdown Toy Library Inc	\$501
Camperdown Uniting Church	\$1,000
Cobden Auskick	\$1,000
Cobden Riding Club Inc	\$1,000
Derrinallum Progress Association	\$1,000
Derrinallum Yacht and Power Boat Club	\$1,000
Ecklin Public Hall	\$725
Lions Club of Camperdown Inc	\$249

Simpson and District Community Centre Inc	\$1,000
Terang Adult Riding Club	\$1,000
Terang and District Lions Club	\$1,000
Terang and District Lions Club	\$1,000
Terang and District Netball Association	\$1,000
Terang Bowling Club	\$550

6. Allocates funds of \$61,810.50 (including surplus funds from the Community Grants Program) to the following Facility Grant applicants:

FACILITY GRANTS	
ORGANISATION	AMOUNT
Boorcan Recreation Reserve Inc	\$851.25
Camperdown Cricket Club	\$2,000
Camperdown Pastoral and Agricultural Society	\$1,407
Camperdown Timboon Rail Trail	\$2,000
Carpentait Public Hall	\$402.50
Cobden Bowling Club	\$1,520
Cobden Civic Hall	\$1,462
Cobden Recreation Reserve	\$2,000
Cobrico Public Hall	\$190
Cobrico Recreation Reserve	\$2,000
Darlington Recreation Reserve	\$450
Darlington Recreation Reserve	\$475
Derrinallum Bowling Club	\$1,743
Derrinallum Progress Association	\$2,000
Ecklin Cricket Club	\$2,000
Ecklin Hall	\$1,155
Ecklin Hall	\$979
Glenormiston South Hall	\$2,000
Kennedys Creek Public Hall	\$2,000
Lismore Golf Club Inc	\$2,000
Lismore Land Protection Group Building	\$1,196.50
Lismore Pool Committee	\$785.26
Lismore Recreation Reserve Committee	\$2,000
Mt Leura Reserve	\$1,720
Pomborneit Recreation Reserve	\$1,614.10
Rotary Club of Camperdown Inc	\$1,420
Scotts Creek Cowleys Creek Hall	\$2,000
Skipton Golf and Bowls Club	\$1,900
Skipton Golf Club Inc	\$1,739
Skipton Mountain Trail Group	\$2,000
Skipton Mountain Trail Group	\$2,000
Skipton Recreation Reserve	\$2,000

South Purrumbete Recreation Reserve	\$2,000
Terang Cricket Club	\$1,250
Terang Golf Club Inc	\$993
Terang Golf Club Inc	\$2,000
Terang Public Park Reserve	\$2,000
Terang Recreation Reserve	\$2,000
Terang Swimming Pool Committee	\$558
Timboon Bowling Club	\$2,000

7. Allocates funds of \$65,755 (including surplus funds of \$15,755 from the Community Grants program) to the following Environment Support Grant applicants:

ENVIRONMENT SUPPORT GRANTS	
ORGANISATION	AMOUNT
12 Apostles Farmstay	\$2,500
Anna Carrucan (Individual)	\$2,000
Babche Wines	\$2,500
Camperdown Golf Club	\$1,800
Chris Darcy (Individual)	\$2,500
Chris Worrall (Individual)	\$560
Cindy Goulet (Individual)	\$1,025
Curdies Valley Landcare Group Inc	\$959
Ecklin Cricket Club	\$1,595
Friends of Mt Leura Inc.	\$2,305
Greg Darcy (Individual)	\$2,500
Heytesbury District Landcare Network	\$2,500
Heytesbury District Landcare Network	\$2,500
John Woodward (Individual)	\$2,500
Leena Pradhan (Individual)	\$2,500
Lismore Land Protection Group	\$2,048
Lismore Primary School	\$1,560
Matt Grant (Individual)	\$2,500
Mount Elephant Community Management	\$2,500
Nicky Schonkala (Individual)	\$2,500
Philip Russell (Individual)	\$2,500
Port Campbell Biolinks	\$2,491
Port Campbell Community Group Inc.	\$2,500
Port Campbell Recreation Reserve	\$2,500
Richard Chin (Individual)	\$2,500
Shaun Mahony (Individual)	\$2,412
Steve & Dianne Wright (Individual)	\$2,000
Terang and District Indoor Sports and Recreation Centre	\$2,500
Terang College	\$2,500
Timboon P12 School	\$2,500

8. Allocates funds of \$65,500 to the following Events & Festivals Grant applicants and a further \$12,280 of in-kind service costs and an additional \$9,764 for fee waivers to the following Events and Festivals Grant applicants

EVENTS AND FESTIVALS GRANT PROGRAM		
ORGANISATION	FUNDING	IN-KIND (Service cost & fee waiver)
12 Apostles Food Artisan's festival	\$3,500	-
2021 Noorat Show	\$7,500	-
Camperdown Pastoral & Ag Show 150th Year Celebration	\$7,500	\$1,500
Cobden Spring Festival	\$2,500	\$613
CrayFest	\$7,000	\$2,173
Dining Room Tales Phoenix with Wang Zheng-Ting	\$5,000	\$765
Lakes & Craters International Horse Trials	\$5,000	\$4,060
Loch Hart Music Festival	-	\$646
Robert Burns Scottish Festival Camperdown	\$10,000	\$5,211
Rock the Clock Festival	-	\$5,876
Terang Kids Day Out Races	\$5,000	-
The Terang Colour Festival	\$7,500	\$700
Yachting Western Victoria Easter Regatta	\$5,000	\$500

The Mayor, Cr R. Gstrein, declared a conflict of interest in Agenda item 9.4, Council Grants programs 2021-2022, and left the meeting before any discussion or vote on the relevant application at 7.26pm .

Deputy Mayor, Cr. J. Beard, assumed the Chair.

COUNCIL RESOLUTION

MOVED: *Cr Conheady*
SECONDED: *Cr Hickey*

That Council allocates funds of \$1,000 to the following Community Grant applicant:

COMMUNITY GRANTS	
ORGANISATION	AMOUNT
Courthouse Camperdown Inc	\$1,000

CARRIED

The Mayor, Cr R. Gstrein, returned to the meeting at 7.27 pm and assumed the Chair.

Cr K. Makin declared a conflict of interest in Agenda item 9.4, Council Grants Programs 2021-2022, and left the meeting before any discussion or vote on the relevant application at 7.28pm.

COUNCIL RESOLUTION

MOVED: *Cr Cole*
SECONDED: *Cr Beard*

That Council allocates funds of \$1,237.50 to the following Facility Grant applicant:

FACILITY GRANTS	
ORGANISATION	AMOUNT
Timboon Recreation Reserve Committee of Management	\$1,237.50

CARRIED

Cr. K. Makin returned to the meeting at 7.28 pm.

Cr L. Hickey declared a conflict of interest in Agenda item 9.4, Council Grants Programs 2021-2022, and left the meeting before any discussion or vote on the relevant application at 7.29pm.

COUNCIL RESOLUTION

MOVED: *Cr Beard*
SECONDED: *Cr Cole*

That Council allocates funds of \$5,000 to the following Events & Festivals Grant applicant:

EVENTS AND FESTIVALS GRANT PROGRAM		
ORGANISATION	FUNDING	IN-KIND (Service cost & fee waiver)
2022 Camperdown Cup	\$5,000	-

CARRIED

Cr. L. Hickey returned to the meeting at 7.29 pm.

Cr N. Cole declared a conflict of interest in Agenda item 9.4, Council Grants Programs 2021-2022, left the meeting before any discussion or vote on the relevant application at 7.29 pm.

COUNCIL RESOLUTION

MOVED: *Cr Hickey*
SECONDED: *Cr Makin*

That Council allocates in kind contributions of \$1,166 to the following Events & Festivals Grant applicant:

EVENTS AND FESTIVALS GRANT PROGRAM		
ORGANISATION	FUNDING	IN-KIND (Service cost & fee waiver)
Inner Varnika	-	\$1,166

CARRIED

Cr. N. Cole returned to the meeting at 7.30 pm.

COUNCIL RESOLUTION

MOVED: *Cr Cole*
SECONDED: *Cr Makin*

That Council allocates funds of \$16,077 to the following Community Grant applicants:

COMMUNITY GRANTS	
ORGANISATION	AMOUNT
Camperdown & District Historical Society Inc	\$695
Camperdown Bowling Club Inc	\$1,000
Camperdown Pre School Association	\$1,000
Camperdown Theatre Company Inc	\$863
Camperdown Timboon Rail Trail Committee of Management	\$494
Camperdown Toy Library Inc	\$501
Camperdown Uniting Church	\$1,000
Cobden Auskick	\$1,000
Cobden Riding Club Inc	\$1,000
Derrinallum Progress Association	\$1,000
Derrinallum Yacht and Power Boat Club	\$1,000
Ecklin Public Hall	\$725
Lions Club of Camperdown Inc	\$249
Simpson and District Community Centre Inc	\$1,000
Terang Adult Riding Club	\$1,000
Terang and District Lions Club	\$1,000
Terang and District Lions Club	\$1,000
Terang and District Netball Association	\$1,000
Terang Bowling Club	\$550

CARRIED

COUNCIL RESOLUTION

MOVED: *Cr Beard*
SECONDED: *Cr Conheady*

That Council:

- Allocates funds of \$61,810.50 (including surplus funds from the Community Grants Program) to the following Facility Grant applicants:**

FACILITY GRANTS	
ORGANISATION	AMOUNT
Boorcan Recreation Reserve Inc	\$851.25
Camperdown Cricket Club	\$2,000
Camperdown Pastoral and Agricultural Society	\$1,407
Camperdown Timboon Rail Trail	\$2,000
Carpentait Public Hall	\$402.50
Cobden Bowling Club	\$1,520
Cobden Civic Hall	\$1,462
Cobden Recreation Reserve	\$2,000
Cobrico Public Hall	\$190
Cobrico Recreation Reserve	\$2,000
Darlington Recreation Reserve	\$450
Darlington Recreation Reserve	\$475
Derrinallum Bowling Club	\$1,743
Derrinallum Progress Association	\$2,000
Ecklin Cricket Club	\$2,000
Ecklin Hall	\$1,155
Ecklin Hall	\$979
Glenormiston South Hall	\$2,000
Kennedys Creek Public Hall	\$2,000
Lismore Golf Club Inc	\$2,000
Lismore Land Protection Group Building	\$1,196.50
Lismore Pool Committee	\$785.26
Lismore Recreation Reserve Committee	\$2,000
Mt Leura Reserve	\$1,720
Pomborneit Recreation Reserve	\$1,614.10
Rotary Club of Camperdown Inc	\$1,420
Scotts Creek Cowleys Creek Hall	\$2,000
Skipton Golf and Bowls Club	\$1,900
Skipton Golf Club Inc	\$1,739
Skipton Mountain Trail Group	\$2,000
Skipton Mountain Trail Group	\$2,000
Skipton Recreation Reserve	\$2,000
South Purrumbete Recreation Reserve	\$2,000

Terang Cricket Club	\$1,250
Terang Golf Club Inc	\$993
Terang Golf Club Inc	\$2,000
Terang Public Park Reserve	\$2,000
Terang Recreation Reserve	\$2,000
Terang Swimming Pool Committee	\$558
Timboon Bowling Club	\$2,000

2. **Allocates funds of \$65,755 (including surplus funds of \$15,755 from the Community Grants program) to the following Environment Support Grant applicants:**

ENVIRONMENT SUPPORT GRANTS	
ORGANISATION	AMOUNT
12 Apostles Farmstay	\$2,500
Anna Carrucan (Individual)	\$2,000
Babche Wines	\$2,500
Camperdown Golf Club	\$1,800
Chris Darcy (Individual)	\$2,500
Chris Worrall (Individual)	\$560
Cindy Goulet (Individual)	\$1,025
Curdies Valley Landcare Group Inc	\$959
Ecklin Cricket Club	\$1,595
Friends of Mt Leura Inc.	\$2,305
Greg Darcy (Individual)	\$2,500
Heytesbury District Landcare Network	\$2,500
Heytesbury District Landcare Network	\$2,500
John Woodward (Individual)	\$2,500
Leena Pradhan (Individual)	\$2,500
Lismore Land Protection Group	\$2,048
Lismore Primary School	\$1,560
Matt Grant (Individual)	\$2,500
Mount Elephant Community Management	\$2,500
Nicky Schonkala (Individual)	\$2,500
Philip Russell (Individual)	\$2,500
Port Campbell Biolinks	\$2,491
Port Campbell Community Group Inc.	\$2,500
Port Campbell Recreation Reserve	\$2,500
Richard Chin (Individual)	\$2,500
Shaun Mahony (Individual)	\$2,412
Steve & Dianne Wright (Individual)	\$2,000
Terang and District Indoor Sports and Recreation Centre	\$2,500
Terang College	\$2,500
Timboon P12 School	\$2,500

3. Allocates funds of \$65,500 to the following Events & Festivals Grant applicants and a further \$12,280 of in-kind service costs and an additional \$9,764 for fee waivers to the following Events and Festivals Grant applicants

EVENTS AND FESTIVALS GRANT PROGRAM		
ORGANISATION	FUNDING	IN-KIND (Service cost & fee waiver)
12 Apostles Food Artisan's festival	\$3,500	-
2021 Noorat Show	\$7,500	-
Camperdown Pastoral & Ag Show 150th Year Celebration	\$7,500	\$1,500
Cobden Spring Festival	\$2,500	\$613
CrayFest	\$7,000	\$2,173
Dining Room Tales Phoenix with Wang Zheng-Ting	\$5,000	\$765
Lakes & Craters International Horse Trials	\$5,000	\$4,060
Loch Hart Music Festival	-	\$646
Robert Burns Scottish Festival Camperdown	\$10,000	\$5,211
Rock the Clock Festival	-	\$5,876
Terang Kids Day Out Races	\$5,000	-
The Terang Colour Festival	\$7,500	\$700
Yachting Western Victoria Easter Regatta	\$5,000	\$500

CARRIED

Attachments

1. Evaluation of Community, Facility, Environment, Events & Festivals Grants Program Attachment 2021-2022 - Under Separate Cover

9.5 Quick Response Grants Allocation July 2021

Author: Garry Moorfield, Community Development Officer

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have a general conflict of interest in the grant application from the Camperdown Junior Hockey Club, as one of my children is a member the Club. I have had no involvement in the assessment of this grant application.

Author – Garry Moorfield

In providing this advice to Council as the Community Development Officer, I have no interests to disclose in this report.

Summary

The purpose of this report is to approve the July 2021 allocation of funds under the Quick Response Grants Program.

Introduction

The Quick Response Grants Program is beneficial in supporting instances of community need that are not readily able to be considered under the Community, Events and Festivals, Facilities or Environmental Grants Programs. Applications for Quick Response Grants are considered by Council as they are received.

Issues

The Quick Response Grants Program has a fixed budget that Council provides annually for the distribution of funds to Shire community groups. The Quick Response Grants Program has a rolling intake and this flexible approach allows Council to allocate small amounts to various community groups which results in positive outcomes.

Applications received for this allocation are attached under separate cover. Each application has been assessed against the following criteria, as detailed in the Quick Response Grants Policy:

- a. Eligible recipient
- b. Council Plan alignment
- c. Community benefit
- d. Eligible expenditure.

The assessment has also been provided as a separate attachment to this report. Applications have been received from:

- Progressing Cobden for Cobden Business Network Hub set-up costs for \$500.
- Camperdown Junior Hockey Club for purchase of team hoodies for Development Squad for \$500.

Policy and Legislative Context

Consideration of applications for the Quick Response Grants Program is in accordance with the Quick Response Grants Policy and the 2021-2025 Council Plan commitments and objectives, including the following:

Corangamite has great communities and we want to make sure they are economically and socially vibrant.

Encourage opportunities for residents to volunteer with the Shire to support community life.

Promote diversity and inclusion including gender, age and ability.

Our community groups are engaged and supported and facilities are fit for purpose.

Protecting and improving our built and natural environment.

Work with community groups to enhance local natural features.

Internal / External Consultation

Applications for the Quick Response Grants Program are available from Council's website or by contacting Council's Community Relations team. Applicants are encouraged to discuss their application with the respective Ward Councillor prior to submission. Applicants can also contact Council's Community Development Officer for further information. Applicants will be advised of the outcome of their application following the Council meeting. Successful applicants will also be requested to provide a grant acquittal following completion of the event or project, including the return of any unexpended amounts.

Financial and Resource Implications

The 2021-2022 Quick Response Grants Program budget allocation is \$17,500. Annual allocations for each Ward shall not exceed 1/7th of the fund's annual budget in the case of North, South West, Coastal and South Central Wards, and 3/7th of the fund's annual budget in the case of Central Ward. Should the allocations be approved as recommended in this report, the remaining allocation is outlined in the table below.

Ward	Annual Allocation \$	Previous Allocations \$	This Allocation \$	Remaining Allocation \$
Coastal	2,500.00	0.00	0.00	0.00
North	2,500.00	0.00	0.00	0.00
South Central	2,500.00	0.00	500.00	500.00
South West	2,500.00	0.00	0.00	0.00
Central	7,500.00	0.00	500.00	500.00
	17,500.00	0.00	1,000.00	16,500.00

Options

Council can consider:

1. Allocating the funds as requested by the applicants.
2. Allocating the funds for a reduced amount.
3. Not allocating funds.

Conclusion

The Quick Response Grants Program provides financial assistance to community groups to undertake beneficial projects and activities. The applications recommended for funding in this allocation are in accordance with Quick Response Grants Policy and will result in positive outcomes for the community.

RECOMMENDATION

That Council:

1. **Funds the Quick Response Grant application from Progressing Cobden for CBN Hub set-up costs for \$500.**
2. **Funds the Quick Response Grant application from Camperdown Junior Hockey Club for purchase of team hoodies for Development Squad for \$500.**

COUNCIL RESOLUTION

MOVED: *Cr Beard*

SECONDED: *Cr Hickey*

That the recommendation be adopted.

CARRIED

Attachments

1. Quick Response Grants Applications and Assessment July 2021 - Under Separate Cover
2. Application Quick Response Grant Camperdown Junior Hockey Club - Under Separate Cover
3. Application Quick Response Grant_Progressing Cobden - Under Separate Cover

9.6 Provision of Electricity Agreement 2021

Author: Jarrod Woff, Manager Facilities and Recreation

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author - Jarrod Woff

In providing this advice to Council as the Manager Facilities and Recreation, I have no interests to disclose in this report.

Summary

The purpose of this report is to approve the purchase of electricity through the tender process undertaken by MAV for the electricity supply to Council's metered sites for the period July 2021 to 30 June 2024.

Introduction

MAV, acting as the tendering agent for multiple local government authorities and business agencies including Corangamite Shire, has received an offer for the provision of electricity supply to Council's small metered sites such as Council's buildings, barbecues, etc.

Council currently receives electricity supply from AGL through a contract arrangement. This agreement was entered into for the period 1 July 2018 to 30 June 2021.

Issues

Council has ninety three metered sites throughout the Shire for which AGL currently supplies electricity. The current contract expired on 30 June 2021, with AGL continuing to provide supply, whilst the tender process was completed by MAV. Council has been under contract through MAV since 1 July 2018.

The supply contract is for a three (3) year period.

The tender was advertised as a public tender process and advertised online and in the Age. The process was open for a period of 24 days. Submissions were received from retailers in the industry.

A detailed evaluation and analysis report has been undertaken on behalf of MAV and is provided under separate cover.

An option for a contribution to accredited greenpower can be provided by the tendering agent at rates of 10%, 20% or 100%. Greenpower charges are billed as a premium in addition to standard energy costs. Council has an option to contribute to GreenPower, with an estimate of costs per annum provided below:

GREENPOWER ESTIMATES			
Supplier	10%	20%	100%
MAV	\$20,485	\$40,970	\$204,851

Table 1: Estimate of Greenpower costs

A contribution to greenpower would be a financial payment only. It should be noted that Council has made and continues to make investment in environmentally friendly initiatives, including solar power on Council buildings, installation of LED lighting and alternate solutions to heating and cooling of facilities, each of which have had a payback period to ensure that there is value in investment. These initiatives provide tangible and financial benefit to Council and its ratepayers. An allocation to greenpower has not been allowed for in the agreement as it is proposed that Council continue to invest in sustainability initiatives rather than purchasing green power.

Policy and Legislative Context

MAV has undertaken a competitive tender process in accordance with the *Local Government Act* for the establishment of a new contract agreement. The process is in keeping with Council's Procurement Policy as the purchase price is in excess of \$150,000 for the term of the contract.

Corangamite Shire's Council Plan 2021-2025 emphasises the importance of making budgetary decisions that meets the current and future needs of our community, and the following relevant objectives apply:

- Reducing the carbon footprint of Council operations.
- Having strong governance practices.
- Ensuring that we maintain our strong financial position.
- Council promotes best value and value for money for its ratepayers.

Internal / External Consultation

Council has worked closely with MAV and the tendering agent throughout the procurement process. The tender was advertised by the tendering agent in line with procurement requirements.

Financial and Resource Implications

The cost of electricity supply to Council's metered sites is apportioned as a part of Council's recurrent operating budget. The current contract price is \$233,602.

The estimated cost for retail supply of electricity to Council's metered sites for 2021-2022 is \$204,851. The rates are not fixed for the life of the agreement and will change from the current values, however, this agreement offers a 15% energy and supply discount for the life of the agreement.

This figure does not include an allocation for GreenPower.

Options

Council can opt to approve procurement of electricity supply under this agreement (MAV EC8310-2021) or can opt to undertake a different tender process in accordance with Council's Procurement Policy. The latter could have impacts on Council's current supply contract and result in a default of service.

Council can also opt to make a contribution to greenpower between 0% and 100%. This option is not recommended and is not included in the proposed agreement.

Conclusion

MAV, acting as the tendering agent for the electricity supply to Council's metered sites achieves significant efficiencies through collaboration with other local government organisations. The tender process has been undertaken and evaluated with a discount of 15% being offered for the life of the agreement. The offer from AGL under the MAV procurement is considered the best overall value for Council.

RECOMMENDATION

That Council accepts the collaborative tender of MAV to be included in the agreement MAV EC8310-2021 for Council's metered sites for the period July 2021 to 30 June 2024

COUNCIL RESOLUTION

MOVED: Cr Conheady

SECONDED: Cr Vogels

That the recommendation be adopted.

CARRIED

Attachments

1. MAV Procurement Evaluation and Analysis Report - Supply of Electricity - Under Separate Cover - Confidential
2. Electricity Supply Agreement 2021 - Under Separate Cover - Confidential
3. Electricity Supply Terms of Agreement 2021 - Under Separate Cover - Confidential

9.7 Contract 2022006 Provision of Roadside Vegetation Management including Tree Services, Roadside Slashing and Spraying to the Corangamite Shire

Author: Pulkit Pahwa, Projects Engineer

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author - Pulkit Pahwa

In providing this advice to Council as the Projects Engineer, I have no interests to disclose in this report.

Summary

This report seeks Council approval for the award of Contract 2022006 Provision of Roadside Vegetation Management including Tree Services, Roadside Slashing and Spraying to the Corangamite Shire for a period of 24 months, commencing 1 August 2021 and expiring 31 July 2023.

Introduction

The Corangamite Shire covers an area of 4,400 square kilometres with over 12,500 street and park trees and more than 2,100km of road network which requires road reserve vegetation maintenance and management on an ongoing basis.

The existing Contract for Provision of Roadside Vegetation Management, including tree services, roadside slashing and spraying to the Corangamite Shire expired on 30 June 2021.

Issues

Tenders were sought from providers of vegetation management services for inclusion in the Corangamite Shire's list of approved contractors.

The tender was advertised as per Council's decision to implement a 20% weighting on Local Content for all tender evaluations. The tender evaluation criteria were:

- Tendered price 40%
- Demonstrated capability and past performance 30%
- Provision of copy of OH&S Information 10%
- Local Content 20%.

Thirteen tenders were received for the Contract. An assessment of the submissions against the evaluation criteria has determined that some tenderers have only submitted a tender for specific portions of the Contract.

The evaluation panel recognises it is advantageous to have multiple suppliers with the ability to complete a wide variety of work to ensure there is always capacity available to deliver works at short notice, during peak periods or specific works requiring specific machinery and expertise.

This contract is for Tree Maintenance Services, Roadside Spraying and Roadside Slashing Services. Not all tenderers tendered for each work type.

This Contract will also include the use of vegetation management contractors in Council's response to emergency situations where multiple resources may be required at short notice. Best value can be achieved when selecting the most appropriate contractor for work by considering price, availability, capability, and proximity to jobs. This process also facilitates the updating of all relevant insurances, which protects Council from engaging contractors who are not appropriately insured.

The Technical Evaluation Report (Attachment 1) provides a detailed analysis of the tender submissions and includes reasons for unsuccessful submissions.

Policy and Legislative Context

This Contract will meet the objectives stated in the Corangamite Shire Council Plan 2021-2025:

Roads that are fit for purpose

Corangamite's townships are attractive, accessible and appealing to visitors and are presented in a way in which our residents can be proud

Protecting and improving our built and natural environment

This Contract will ensure Council's obligations are met for the following policies, acts and plans:

- *Local Government Act 2020*
- *Council's Procurement Policy*
- *Emergency Management, Fire and Flood plans*
- *Urban Street Tree Asset Management Plan 2018-2028*
- *Rural Road Management Plan 2012*
- *Road Management Plan 2021*
- *Road Safety Strategy*

Internal / External Consultation

The tender was publicly advertised in Warrnambool Standard and WD Newspapers.

Internal consultation was completed via the assessment of tenders by multiple directorates with a direct interest to the Contract. The tender assessment panel consisted of members from the Works, Environment and Finance Departments. Each member of the assessment panel had relevant and extensive experience and knowledge in the requirements of contractors engaged under this Contract.

Financial and Resource Implications

Council does not currently have a qualified arborist as a member of staff, therefore specialist expertise in this area is required by way of external contractor.

A variety of contractors available in the tender submissions ensure that Council staff are able to select the most suitable contractor for individual works. There is a sufficient number of contractors for each portion of the contract to complete the programmed and unplanned maintenance and management of roadside vegetation in the 2021-2023 financial years. Contractors will be awarded work based on an assessment of individual project scope, budget and timeframes to ensure best value for Council is achieved.

This contract 2022006 had a different 'Schedule 5 – Rates' as compared to the last contract 2021004 as such a comparison on the changes in contractor rates cannot be made. All the submission rates have been determined as reasonable and within current industry practice expectations. The provided rates will meet the expectations of the adopted operational budget for the vegetation management works.

Options

Council may award this contract to any or all the tenderers. Any services sourced from unsuccessful tenderers will be initiated based on quotations.

If the Contract is awarded to recommended suppliers, Council will have the ability to choose from a select variety of suppliers which are best value and still have a sufficient number of suppliers on the Contract for emergency works. These suppliers can be engaged under a range of individual evaluations made at the time of the specific works including price, location, timeframe, and scope of works.

Conclusion

All elements of Council's Procurement Policy were adhered to in this tender process. All tender submissions were received in accordance with the tender specification criteria and offer a wide variety of services for use in the 2021-2023 road vegetation management program. The assessment panel have concluded that four submissions should not be accepted, and that the remaining nine submissions should be accepted on a panel contract as this would offer the best solution for Council's road vegetation management program and emergency response.

RECOMMENDATION

That Council awards Contract 2022006 - Provision of Roadside Vegetation Management including Tree Services, Roadside Slashing and Spraying, by letter of award, to:

- (a) Assassins Weed and Vermin Control**
- (b) Carter Tree Services**
- (c) Colac Trees**
- (d) PGAB Pty Ltd**
- (e) Gellibrand River Tree Fern Nursery P/L**
- (f) Roadside Mowing**
- (g) South West Vermin and Weed Control**

- (h) Theos Gardens
- (i) TM & LA Sloane.

COUNCIL RESOLUTION

MOVED: Cr Hickey

SECONDED: Cr Cole

That the recommendation be adopted.

CARRIED

Attachments

1. Technical Evaluation Report - 2022006 - Under Separate Cover - Confidential
2. Schedule of Rates - Under Separate Cover - Confidential
3. Tender Evaluation Panel Declarations - Under Separate Cover - Confidential

9.8 Contract 2021026 Construction of Twelve Apostles Trail Stage 1 – Package D Along Timboon-Peterborough Road & Timboon-Port Campbell Road between Haywards Road and Glerums Road

Author: Brooke Love, Director Works and Services

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author - Brooke Love

In providing this advice to Council as the Director Works and Services, I have no interests to disclose in this report.

Summary

The purpose of this report is to recommend the award of Contract 2021026 Construction of Twelve Apostles Trail Stage 1 – Package D Along Timboon-Peterborough Road & Timboon-Port Campbell Road between Haywards Road and Glerums Road.

Introduction

Council has undertaken a competitive tender process to recruit a suitably qualified and experienced contractor to construct a 2.5m wide unsealed path and associated works as a part of the Twelve Apostles Trail Stage 1 Timboon to Port Campbell.

The works include:

- Supply and installation of drainage culverts and end-walls;
- Filling of low-lying areas;
- Preparation of path subgrade;
- Construction of a 2.5m wide gravel path;
- Construction of concrete floodway;
- Construction of steel board walk;
- Supply and installation of signage;
- Supply and installation of fencing, chicanes and bollards; and
- Associated works.

Four submissions were received. An evaluation of the tenders was undertaken in accordance with Council's Procurement Policy and the *Twelve Apostles Stage 1 Strategic Procurement Plan*. A strategic procurement plan was developed due to the high value of procurement activity (i.e. equal to or greater than \$500,000), risk and complexity of the project to define the specific evaluation process. A summary of issues is provided in the section below with further details provided in the technical evaluation report attached under separate cover.

Issues

A panel of suitably qualified and experienced Council staff and an independent consultant undertook an evaluation of the submissions in accordance with the strategic procurement plan and the specified criteria. A panel meeting was held to validate the evaluations, aggregate the scores and provide a recommendation of award for Council’s resolution.

An assessment of Conformance and mandatory requirements deemed all tenderers as conforming.

Tendered price (30%) and Local Content (20%) make up 50% of the evaluation weighting for the procurement of works. An assessment on Tendered Price and Local Content was conducted in order to shortlist tenderers to proceed to the Technical Evaluation. Three tenderers were considered for further technical evaluation.

The evaluation was undertaken in two stages including primary evaluation of submissions and an evaluation following request for additional information as identified by the evaluation panel.

Each of the shortlisted tenderers demonstrated capacity and capability to deliver on the project and are experienced and familiar with the local area. All tenderers provided evidence of a comprehensive management system. All indicated an ability to meet the specified timelines although there was a difference in the nominated length of time for the works to be completed. The evaluation panel discussed the differences associated with delivery timeframes and the methodology detail provided by each tenderer. It was determined that the practical completion date was the key point for consideration.

The tenderers allowances for vegetation removal was scrutinised. One tenderer highlighted in their tender they had made no allowance for vegetation removal at all. Two tenderers had low allowances and were asked to review their allowance. Consequently, there was an adjustment to the lump sum tendered amount for these two tenderers.

An aggregate of the scores for each of the conforming tender submissions, against the criteria and with the applied weighting, following the secondary evaluation is provided in Table 1 below.

Tenderer	Tendered Amount (exc. GST)	Score out of 5	Price	Local Content	Performance Capability	Time Management	Contractor Systems	TOTAL SCORE
	Weighting		30%	20%	15%	15%	20%	
1	\$458,603.00		4.1	1.7	4.7	4.3	4.3	75.6
2	\$628,484.84		1.3	5.0	4.3	4.3	4.3	71.3
Civilnow Pty Ltd	\$430,985.00		5.0	4.0	4.3	3.7	4.3	87.3
4	\$545,749.14		2.0	1.0	Not evaluated			16.0

Table 1: Aggregate Submission Assessment

Civilnow Pty Ltd were considered to provide the best value to Council having regard to:

- The capacity and capability to deliver the project.
- Previous experience with civil infrastructure projects.
- Resourcing and experience of personnel responsible for delivery of key tasks.
- Ability to meet the required timeframes.
- Comprehensive internal quality assurance systems and processes.
- Lowest tendered lump sum within 15% of benchmark.
- High local content (75% of total expenditure) using Corangamite based contractors.

Policy and Legislative Context

The contract for Construction of Twelve Apostles Trail Stage 1 – Package D Along Timboon-Peterborough Road & Timboon-Port Campbell Road between Haywards Road and Glerums Road was advertised and assessed in accordance with Council's Procurement Policy and the Strategic Procurement Plan for the project.

The Twelve Apostles Trail Strategic Procurement Plan (SPP) specifies the local content weighting as 20%. The SPP was developed during Council's COVID Economic Stimulus Policy and has been assessed by the Industry Capability Network as providing local capability in accordance with Local Jobs First Policy, 2020.

Council's COVID Economic Stimulus policy has sunset and local content weighting has reduced to 5% in accordance with Council's Procurement policy. This tender has retained the local content weighting of 20% to conform with these strategic documents.

The awarding of this contract is in keeping with the following Council Plan 2021-2025 objectives:

A range of public and/or active transport options for Corangamite Shire residents.

Access to infrastructure that supports a healthy and active lifestyle for our community.

Facilitating and supporting economic development.

Improving the health and wellbeing of our residents.

Having strong governance practices.

Internal / External Consultation

In accordance with section 186 of the *Local Government Act 1989*, the tender was advertised in the Herald Sun and Warrnambool Standard. The contract was also advertised on Council's website.

An evaluation panel was established to assess the submissions against the evaluation criteria. Each member of the panel who conducted the evaluation was considered to have appropriate experience to undertake the evaluation and indicated they had no conflict of interest to declare.

Financial and Resource Implications

Council has \$6.2million in its 2020-2021 budget to deliver on the Twelve Apostles Trail Stage 1 Timboon to Port Campbell.

Council has received \$4.5million towards the project from the State Government’s Crisis Committee of Cabinet – Infrastructure Stimulus Fund. The lump sum rate of \$430,985 for this contract is within the current available budget.

Any variations will be considered in accordance with Council officer delegations as per the Procurement Policy.

Options

Council may choose to award the contract or may choose not to award the contract.

Conclusion

The tender has sought suitably qualified and experienced contractors to construct a 2.5m wide unsealed path and associated works as a part of the Twelve Apostles Trail Stage 1 Timboon to Port Campbell. Four submissions were received, three of which were shortlisted for technical evaluation. Following an evaluation of the shortlisted submissions, it is considered that the best value and most satisfactory outcome for Council will be achieved by awarding the contract to Civilnow Pty Ltd.

RECOMMENDATION

That Council:

1. **Awards Contract 2021026 Twelve Apostles Trail Stage 1 – Package D Along Timboon-Peterborough Road & Timboon-Port Campbell Road between Haywards Road and Glerums Road to Civilnow Pty Ltd for the amount of \$430,985 (exc. GST).**
2. **Enters into a contract agreement with Civilnow Pty Ltd and provide a Letter of Award (subject to satisfactory agreement between the parties).**
3. **Delegates to the Chief Executive Officer authority to approve any variations to the contract sum.**
4. **Affixes the common seal of Council to the contract.**

COUNCIL RESOLUTION

MOVED: Cr Makin
SECONDED: Cr Vogels

That the recommendation be adopted.

CARRIED

Attachments

1. 2021026 Twelve Apostles Trail Package D Technical Evaluation Report - Under Separate Cover - Confidential
2. 2021026 Declaration of No Conflict of Interest - Under Separate Cover - Confidential

9.9 Procurement of Burrupa Road Bridge Replacement

Author: Brooke Love, Director Works and Services

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author - Brooke Love

In providing this advice to Council as the Director Works and Services, I have no interests to disclose in this report.

Summary

This report is to seek Council resolution to enter into a contract for the replacement of the Burrupa Road bridge due to emergency circumstances as defined in the *Local Government Act*.

Introduction

On 16 June 2021, one of Council's bridge assets, the Burrupa Road bridge, collapsed. An onsite structural assessment has been undertaken on the bridge by structural engineers to determine the extent of remedial works required. Council is now reviewing potential solutions to expedite the establishment of a replacement bridge at the site. A timeline for the re-establishment of the bridge is still to be confirmed.

Burrupa Road is a public road on Council's asset register. Burrupa Road is an unsealed Access Road that connects the Great Ocean Road in the South and Lavers Hill Cobden Road in the North. The Burrupa Road bridge traverses the Gellibrand River which forms the Municipal Boundary between Corangamite Shire and Colac Otway Shire.

In 1995 the boundary adjustment settlement between Corangamite Shire and Colac Otway Shires, following amalgamation of Council's, determined that the bridge on Burrupa Road would be the responsibility of Corangamite Shire.

The bridge also provides access for a Corangamite Shire resident whose farm and dairy operations is intersected by the Gellibrand River and bridge.

Issues

Council officers have sought indicative cost estimates from reputable companies to design, supply and install the replacement bridge. The estimated cost of this work is above Council's tender threshold of \$200,000 for construction works therefore requiring a full public tender.

The *Local Government Act 1989* requires councils to seek best value for their communities and publicly tender contracts worth \$150,000 or more for goods and services, and \$200,000 or more for capital works. The Act permits council to enter into contracts without going to public tender if the council resolves the contract must be entered into because of an emergency.

Emergency is not defined in either of the 1989 Act or 2020 Act, however is defined in Council's *Procurement Policy* (the Policy) as:

Emergency – applies when there is extreme urgency brought about by events unforeseen by the organisation and the property or services cannot be obtained in time through an open tender or quotation process.

To ensure public use of the road is reinstated as quickly as possible, and to minimise the impact to adjoining land owners, it is proposed that Council resolve to approve entering into a contract for the replacement bridge based on emergency circumstances and to not undertake a public tender.

If Council were to undertake a competitive tender process this would require a minimum tender advertisement period, specification development, evaluation and report to Council which could mean the contract may not be awarded until September Council meeting. This does not take into account any time for the design of the new bridge and any required geotechnical testing.

Should Council resolve to enter into a contract for the replacement of the Burrupa Road bridge, Council officers will ensure that the principles outlined in Council's *Procurement Policy*, responsible financial management (s2.2.5) and achieving value for money (s3.2), will be observed through the following actions:

- the specification will provide a clear understanding of the works required in accordance with the detailed design;
- options for replacement of the bridge will be sought from reputable suppliers; and
- an analysis of the cost of the bridge replacement will be undertaken against Council's comparable bridge replacements.

Policy and Legislative Context

The *Local Government Act 2020* s108 (7) specifies that until a Council adopts a Procurement Policy under this section:

- (a) the procurement policy approved by the Council under section 186A of the Local Government Act 1989 which is in effect before the commencement of this section applies as if the procurement policy had been adopted under this section; and
- (b) the restrictions on the power of a Council to enter into a contract under sections 186 and 186A of the Local Government Act 1989 as in force before the commencement of this section continue to apply as if those sections had not been repealed.

Section 186 (5a) of the *Local Government Act 1989* relieves the restrictions on Council's power to enter into contracts where Council resolves that the contract must be entered into because of an emergency.

Council's *Procurement Policy* stipulates exemptions from purchases requiring a purchase order can be authorised by Council or the CEO under emergency circumstances as defined by the Act.

This procurement is in keeping with the Council Plan 2021-2025 objectives as follows:

Maintain the condition of our existing local road network.

Recognising the vital role agriculture plays within the Shire.

Internal / External Consultation

This procurement approach has been discussed with the Senior Officer Group and Council's Contract Administration Coordinator.

Discussions have also occurred with Colac Otway Shire officers in relation to municipal boundary maintenance agreements and potential for a contribution from Colac Otway Shire towards the works.

Financial and Resource Implications

The cost of the bridge replacement is estimated to be \$350,000-\$600,000 allowing for design and supply and install. Council has no allocation for this capital project in its 2021-2022 budget.

Council can:

- reallocate budget from another capital project / asset type to fund the works;
- utilise reserve funds set aside for undefined infrastructure projects; or
- fund the cost from accumulated surplus' from 2020-2021 year end position (Council officer preferred).

These adjustments will be accounted for in the September quarter budget review.

Council will also request a contribution to the project from Colac Otway Shire Council.

Options

Council can choose to approve the Burrupa Road bridge replacement works as emergency works and exempt Council officers from a tender procurement process.

Alternatively, Council may choose to undertake a competitive tender process.

Council has multiple options as identified above to fund the replacement work.

Conclusion

Council is required to replace the Burrupa Road bridge which forms a crossing of the Gellibrand River on the public road. Council may resolve to enter into a contract for the construction works in accordance with its *Procurement Policy* and the *Local Government Act 1989* based on emergency circumstances.

RECOMMENDATION

That Council:

1. Approves replacement of the Burrupa Road bridge.
2. Resolves under section 186(5)(a) of the *Local Government Act 1989* due to an emergency to enter into a contract for the replacement of the bridge and not undertake a public tender.
3. Funds the emergency works from its accumulated surplus which will be recognised as an additional financial commitment in the 2021-2022 financial year.
4. Authorises the CEO to approve works and any variations associated with the Burrupa Road bridge replacement project up to \$650,000.
5. Advises Colac Otway Shire of the bridge replacement works and request a contribution towards the project.

COUNCIL RESOLUTION

MOVED: Cr Vogels

SECONDED: Cr Hickey

That the recommendation be adopted.

CARRIED

9.10 Corporate Risk Register - Strategic Risk Report

Author: Michele Stephenson, Manager Human Resources/Risk

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author - Michele Stephenson

In providing this advice to Council as the Manager Human Resources/Risk, I have no interests to disclose in this report.

Summary

This report presents the six-monthly report on Council's strategic risk profile. The Corporate Risk Register (CRR) Strategic Risk Report Executive Summary, which includes the strategic risk profile, is attached under separate cover. The report is provided in accordance with the Local Government Performance Reporting Framework requirement for '*six-monthly reports of strategic risks to Council's operations, their likelihood and consequences of occurring and risk minimisation strategies*'.

Introduction

It is essential that all risks are managed, communicated and considered consistently at all levels within Council.

The Corangamite Shire Risk Management Framework, incorporating the Risk Register, has been developed to provide an integrated approach to managing risk across Council. Part 2 of the Framework (Risk Strategy) deals with risk appetite and strategic risk profile, and it describes how the risk profile is managed through the CRR. The CRR documents the strategic and operating risks to Council's operations, including their likelihood and consequence of occurring and the associated risk mitigation strategies.

Issues

Council's risk management process conforms to the international standard for risk management - AS/NZ ISO 31000:2009. Through the CRR, all risks and the implementation of the associated controls and treatments can be monitored and reported. The CRR is regularly reviewed, with operational risks adapted due to changing and emerging circumstances.

The Risk Assessment Process

The CRR is not static, and the identification of new operational risks, controls and treatments is ongoing by ‘risk owners’.

For each risk the CRR contains:

- A description of the risk
- The likelihood that the risk may occur
- The impact or consequence if the risk occurs
- Existing controls in place to mitigate the risk
- The Risk Rating (likelihood x consequence)
- Treatment plans to mitigate the risk.

From this analysis the Current Risk Level is determined.

The following Risk Matrix is used to determine the **Risk Rating** for a risk.

	Consequence / Likelihood	Insignificant	Minor	Moderate	Major	Catastrophic
Is almost certain to occur in most circumstances (80% plus)	Almost Certain	Medium	High	Extreme	Extreme	Extreme
Will probably occur (50-80%)	Likely	Medium	High	High	Extreme	Extreme
Might occur at some time in future (20-50%)	Possible	Low	Medium	Medium	Extreme	Extreme
Could occur but doubtful (5-20%)	Unlikely	Low	Low	Medium	High	Extreme
May occur but only in exceptional circumstances (<5%)	Rare	Low	Low	Low	Medium	High

Level	Description
Low	Manage by routine procedures
Medium	Specific Management responsibility
High	Needs senior management attention
Extreme	Detailed action plan required

Council's Strategic Risk Profile (July 2021)
 Current Strategic Risk Profile – All Strategic Risks

Likelihood (Probability)	Consequence (Impact)				
	Insignificant	Minor	Moderate	Major	Catastrophic
Almost Certain Is almost certain to occur in most circumstances (80% plus)					
Likely Will probably occur (50-80%)		<i>(Numerals indicate no. of risks)</i>			
Possible Might occur at some time in future (20-50%)		1	12		
Unlikely Could occur but doubtful (5-20%)					
Rare May occur but only in exceptional circumstances (<5%)					
	Low	Medium	High	Extreme	

The Strategic Risk profile is contained in the Strategic Risk Report, detailing the top ten current strategic risks (before treatment plans). The risk assessment of each risk shows current controls, and additional identified treatments to further reduce the risk. There were no outstanding treatments at the time of this report.

Policy and Legislative Context

Consideration of this report is in accordance with the following objectives in the 2021-2025 Council Plan:

Having strong governance practices.

Ensuring that we maintain our strong financial position.

The report is also provided in accordance with the requirements of the Local Government Performance Reporting Framework and in accordance with the Council's Risk Management Framework.

Internal / External Consultation

The Leadership Group and other risk owners continue to manage and monitor risks in consultation with the Senior Officer Group. After the development of each four-year Council Plan, councillors and senior officers identify the strategic risks to its objectives.

Financial and Resource Implications

There are no financial or resource implications as a consequence of this report.

Conclusion

Corangamite Shire Council objectives are set out in the Council Plan, and the management of risks to the achievement of these objectives is the primary aim of the Risk Management Framework.

In order to manage these risks, it is essential that consistent processes are adopted within the framework. The Corporate Risk Register is a critical element of the Risk Management Framework, and regular reporting to Council assists in the management and oversight of risk effectively and efficiently across the organisation. This report and the accompanying Corporate Risk Register Strategic Risk Report inform Council about the organisation's strategic risk profile as at 15 July 2021.

RECOMMENDATION

That Council receives the Corporate Risk Register Strategic Risk Report.

COUNCIL RESOLUTION

MOVED: Cr Beard
SECONDED: Cr Conheady

That the recommendation be adopted.

CARRIED

Attachments

1. Strategic Risk Report - July 2021 - Under Separate Cover

9.11 Proposed Investment - Victorian Funds Management Corporation

Author: Adam Taylor, Manager Finance

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author - Adam Taylor

In providing this advice to Council as the Manager Finance, I have no interests to disclose in this report.

Summary

This report seeks Council approval for investment officers to place an additional investment with the Victorian Funds Management Corporation.

Introduction

Council's Investment Policy was adopted in March 2021. The Policy seeks to optimise the balance between risk and return and sets out guidance for the investment of Council funds which can be made by the investment officers. Council officers believe that given the current climate of low interest rates, greater investment returns may be generated by making longer-term investments with managed funds alongside shorter-term investments in term deposits.

Issues

The VFMC is a statutory authority and ultimately responsible to the Treasurer of Victoria. The VFMC invests money on behalf of the Victorian Government and Public Sector. They currently have \$60+ billion under management. Municipal councils are eligible to place investments with the VFMC. Currently, no other council has an investment placed with the VFMC.

Council has generated between 2-3% in investment earnings per annum for the past five years. In the current environment of historically low interest rates, maintaining this level of return is not possible. To ensure investment returns remain strong, it is appropriate Council consider investing additional funds in a managed investment scheme (managed fund) through the VFMC. An additional amount of \$5 million is proposed.

Council has already invested \$5 million with the VFMC in a Capital Stable Fund in November 2019. This investment has an average annual yield of 3.52%.

The Policy requires that investments in managed funds require a Council resolution. The rationale for longer-term managed investments includes:

- Interest rates are currently at historic lows.
- Longer term bond yields are low which indicates that interest rates are likely to remain low for some time.
- Investment returns are maximised in a depressed investment environment.

In generating a higher investment return, a greater amount of risk must be taken by Council.

The risks are:

- The security of the capital investment is not guaranteed. However, the historical fund performance suggests the VFMC manage this risk well. Notwithstanding this, investment funds generally flow to capital markets (shares) when cash yields (term deposit returns) are low.
- To maximise the return on the investments and avoid market volatility the funds should be invested over the medium to long term. This means the Council requires good long-term financial planning to ensure the funds are not required at short notice.

Council has met all the due diligence requirements of the Victorian Funds Management Corporation. Investment propose an additional investment into a balanced fund. The current asset allocation of the balanced fund is 48% Australian and International Shares, 28% Australian and US Bonds, 20% Cash and 4% emerging markets. The risk profile is considered medium and the targeted timeframe is at least 4 years. The Balanced Fund has an earnings target of CPI plus 3%.

Policy and Legislative Context

Consideration of this report is in accordance with the following 2021-2025 Council Plan objectives:

Having strong governance practices.

Ensuring we maintain our strong financial position.

Council promotes best value and value for money for its ratepayers.

Council's Investment Policy precludes investment officers from investing in a managed fund without a Council resolution.

Internal / External Consultation

Council investment officers have discussed the additional investment with Victorian Funds Management Corporation. The VFMC has completed some modelling on behalf of Council to help officers and Councillors further understand the risks. This modelling has been attached under separate cover.

Council has been briefed on this proposed investment. During this briefing Council was advised of the potential risks.

Financial and Resource Implications

The proposed investment will mean that the principal will not be accessible without 30 days notification. However, Council's Long Term Financial Plan indicates these funds are not required in the medium-term. Similarly, Council's target "net cash position" of \$5 million plus annually can accommodate the investment.

An investment in a managed fund is not without risk, however, the VFMC's historical performance suggest this can be well managed. A managed fund investment will attract both capital growth opportunity plus cash and dividend yields.

Modelling suggests a \$5 million investment in the Balanced Fund would have a nominal return of approximately 4% per annum over 5 years. In comparison cash investments (i.e. term deposits) would have a nominal return of 0.8% over the 5 years.

The increase in risk to the capital investment can be managed by ensuring Council maintains good long-term financial planning and/or use of borrowings to avoid withdrawing the investment in turbulent markets.

Options

Council can authorise investment officers to invest an additional amount of up to \$5 million in a managed fund with the Victorian Funds Management Corporation or not.

Conclusion

Council's Investment Policy establishes the basis for the investment of Council funds. With investment rates being very low at present, investment officers believe a further investment into longer-term managed funds will provide a higher financial return with the additional risks acceptable.

RECOMMENDATION

That Council authorises investment officers to invest an amount of \$5 million with the Victorian Managed Fund Corporation.

COUNCIL RESOLUTION

MOVED: Cr Hickey

SECONDED: Cr Beard

That the recommendation be adopted.

CARRIED

Attachments

1. Victorian Funds Management Corporation - Corangamite Shire Portfolio Modelling - July 2021 - Under Separate Cover - Confidential

9.12 Council to Chief Executive Officer Delegation

Author: Penny MacDonald, Executive Services and Governance Coordinator

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author - Penny MacDonald

In providing this advice to Council as the Executive Services and Governance Coordinator, I have no interests to disclose in this report.

Summary

The purpose of this report is for Council to remake the Instrument of Delegation to the Chief Executive Officer (CEO), due to commencement of the *Environment Protection Act 2017* (the EP Act) and *Environment Protection Regulations 2021* (the EP Regulations).

Introduction

The *Local Government Act* (the Act) and other legislation enables Council to delegate some of its powers, duties and functions to others so that they may act on Council's behalf. This is because Council is a legal entity comprised of individual councillors that can only act by resolution at a Council meeting, or through others acting on its behalf by way of instruments of delegation. Essentially, delegations enable day to day decisions to be made for the effective operation of the organisation.

Under changes to environment protection legislation, Council has new powers in relation to its role as a joint regulator. While the scope of the role of councils under the new legislation has not changed, the new legislation provides powers to Council that the CEO may sub-delegate to relevant, authorised Council officers.

Issues

Legal advice from Maddocks Lawyers recommends Council remake its instrument of delegation to the CEO to ensure the CEO is able to appoint and authorise relevant Council officers and sub-delegate powers to them under the new EP Act and EP Regulations.

The Instrument of Delegation to the CEO has not changed since it was last reviewed by Council in April 2020. It is only being remade to ensure it captures the powers conferred by the new environment protection legislation.

Within the new environment protection legislative framework, the Environment Protection Authority (EPA) delegates certain powers to Council by way of an instrument of delegation. These powers are separate to those provided directly to Council in the legislation and relate to on-site wastewater management systems ≤ 5000 litres on any day, and noise from construction, demolition and removal of residential premises. It is proposed that Council directly appoint and authorise relevant officers and sub-delegate these powers from the EPA

to them. All other appointments and authorisations and sub-delegation of Council powers from the EP Act and EP Regulations will be done by the CEO once this Instrument of Delegation has been remade.

Policy and Legislative Context

Section 11 of the Act enables Council to delegate powers through an instrument of delegation.

The Instrument of Delegation to the CEO is required to be remade due to the commencement of the EP Act and EP Regulations.

Remaking the Council to Chief Executive Officer Instrument of Delegation is consistent with the Council Plan 2021-2025 objective of “having strong governance practices”.

Internal / External Consultation

The Instrument of Delegation has been prepared based on a template provided by Maddocks’ delegations service, and is being remade without changes following legal advice by Maddocks Lawyers.

Financial and Resource Implications

The review of the Council to Chief Executive Officer Instrument of Delegation, following the commencement of new environment protection legislation, has been carried out within existing budget resources. There are no financial implications associated with the consideration of this report.

Options

Council is required to remake its Instrument of Delegation to the CEO to ensure that the CEO is appropriately empowered to sub-delegate new Council powers under the EP Act and EP Regulations. Council may choose to either:

1. Endorse the Instrument of Delegation to the Chief Executive Officer as presented.
or
2. Make changes to the Instrument before endorsement.

Conclusion

Council is a legal entity only capable of making decisions by resolution at a Council meeting, so must delegate its powers to Council staff to enable day to day decisions to be made.

Changes to environment protection legislation requires Council is remake its Instrument of Delegation to the CEO, to ensure the CEO can appointment and authorise relevant Council officers and sub-delegate to them powers and functions under the EP Act and EP Regulations.

RECOMMENDATION

That Council, in the exercise of the power conferred by section 11(1)(b) of the *Local Government Act 2020* (the Act), resolves that:

1. There be delegated to the person holding the position, acting in or performing the duties of Chief Executive Officer, the powers, duties and functions set out in the attached Instrument of Delegation to the Chief Executive Officer, subject to the conditions and limitations specified in that Instrument.
2. The Instrument comes into force immediately the common seal of Council is affixed to the Instrument.
3. On the coming into force of the Instrument all previous delegations to the Chief Executive Officer are revoked.
4. The duties and functions set out in the Instrument must be performed, and the powers set out in the Instrument must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.
5. The common seal be affixed to the Instrument.

COUNCIL RESOLUTION

MOVED: Cr Conheady
SECONDED: Cr Hickey

That the recommendation be adopted.

CARRIED

Attachments

1. Instrument of Delegation Council to Chief Executive Officer July 2021

S5. Instrument of Delegation to Chief Executive Officer



**CORANGAMITE
SHIRE**

Corangamite Shire Council

Instrument of Delegation

to

The Chief Executive Officer

Instrument of Delegation

In exercise of the power conferred by section 11(1) of the *Local Government Act 2020* (**the Act**) and all other powers enabling it, the Corangamite Shire Council (**Council**) delegates to the member of Council staff holding, acting in or performing the position of Chief Executive Officer, the powers, duties and functions set out in the Schedule to this Instrument of Delegation,

AND declares that

1. this Instrument of Delegation is authorised by a Resolution of Council passed on [date];
2. the delegation
 - 2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 2.2 is subject to any conditions and limitations set out in the Schedule;
 - 2.3 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
 - 2.4 remains in force until Council resolves to vary or revoke it.

The Common Seal of)
CORANGAMITE SHIRE COUNCIL)
was affixed in the presence of)

.....
Chief Executive Officer

.....
Date

SCHEDULE

The power to

1. determine any issue;
2. take any action; or
3. do any act or thing

arising out of or connected with any duty imposed, or function or power conferred on Council by or under any Act.

Conditions and Limitations

The delegate must not determine the issue, take the action or do the act or thing

1. if the issue, action, act or thing is an issue, action, act or thing which involves
 - 1.1 awarding or entering into a contract or making an expenditure that exceeds the value of \$250,000;
 - 1.1.1 excluding expenditure made under a contract already entered into, or expenditure which Council is, by or under legislation, required to make, or the following procurement activities, in which case it must not exceed the value of \$500,000:
 - (a) payment of all Council insurances;
 - (b) purchase of heavy fleet approved through the annual budget and procured in accordance with Council's Procurement Policy;
 - (c) Schedule of Rates contracts up to an anticipated amount not exceeding \$500,000 for the term of the contract;
 - 1.2 appointing an Acting Chief Executive Officer for a period exceeding 28 days;
 - 1.3 electing a Mayor or Deputy Mayor;
 - 1.4 granting a reasonable request for leave by a Councillor under section 35 of the Act;
 - 1.5 making any decision in relation to the employment, dismissal or removal of the Chief Executive Officer;
 - 1.6 approving or amending the Council Plan;
 - 1.7 adopting or amending any policy that Council is required to adopt under the Act;
 - 1.8 adopting or amending the Governance Rules;

- 1.9 appointing the chair or the members to a delegated committee;
- 1.10 making, amending or revoking a local law;
- 1.11 approving the Budget or Revised Budget;
- 1.12 approving the borrowing of money;
- 1.13 subject to section 181H(1)(b) of the *Local Government Act 1989*, declaring general rates, municipal charges, service rates and charges and specified rates and charges;
2. if the issue, action, act or thing is an issue, action, act or thing which is required by law to be done by Council resolution;
3. if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council;
4. if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
 - 4.1 policy; or
 - 4.2 strategyadopted by Council; or
5. if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of section 11(2)(a)-(n) (inclusive) of the Act or otherwise; or
6. the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff;
7. with the exception of instances when a State of Emergency has been declared by the State or Federal Government that relates to Corangamite Shire, and Council meetings cannot be held or a quorum cannot be achieved. In such cases, to ensure the continuation of good governance and the operations of Council in the best interests of the Corangamite Shire, the delegate may determine any issue, take any action or do any act or thing that does not require a Council decision under the *Local Government Act*, or any other Act or Regulation.

9.13 Environment Protection Act 2017 - Instrument of Appointment and Authorisation and Instrument of Sub-delegation

Author: Penny MacDonald, Executive Services and Governance Coordinator

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author - Penny MacDonald

In providing this advice to Council as the Executive Services and Governance Coordinator, I have no interests to disclose in this report.

Summary

The commencement of the new *Environment Protection Act 2017* (the Act) and *Environment Protection Regulations 2021* (the Regulations) has resulted in changes to the framework of laws and powers relating to councils as joint regulators under the Act. Although the scope of local government's role has not changed, the new framework includes a delegation of certain powers from the Environment Protection Authority (EPA) to councils which are not provided directly to councils in the legislation.

This report ensures relevant Council officers are properly authorised and sub-delegated EPA powers and functions necessary for them to undertake their roles in accordance with the EPA Instrument of Delegation and Instrument of Direction to councils.

Introduction

Council authorises a range of officers to act on its behalf in the enforcement of various State laws that are specific to their roles.

Under the new *Environment Protection Act 2017*, the EPA has delegated to councils certain powers and functions by way of an instrument of delegation.

Authorised officers appointed and sub-delegated EPA powers by Council in accordance with the EPA Instrument of Delegation are only authorised to exercise the powers as set out under the EPA's Instrument of Direction.

The attached Instrument of Appointment and Authorisation and Instrument of Sub-Delegation authorises and empowers staff relevant to environmental health to undertake functions delegated to Council by the EPA.

Issues

Under the Instrument of Delegation to Council by the EPA dated 4 June 2021, Council is able to directly appoint and authorise relevant members of staff and sub-delegate to them EPA powers related to on-site wastewater management systems ≤ 5000 litres on any day, and noise from construction, demolition and removal of residential premises.

The new Instrument of Appointment and Authorisation would apply to the following officers:

- Raymon Michael Barber
- Belinda Anne Bennett
- Lyall Robert Bond
- Emily Kate Lanman
- Justine Ruth Linley
- Andrew John Mason
- Sofia June Myers.

Once authorised, the officers will be sub-delegated EPA powers in the attached Instrument of Sub-delegation. As previously mentioned, the authorised officers are only authorised to exercise the powers as set out under the EPA's Instrument of Direction.

Policy and Legislative Context+

The authorisation of officers and sub-delegation of powers using the attached instruments is consistent with legal advice provided by Maddocks Lawyers. The authorisation and sub-delegation is also consistent with the Council Plan 2021-2025 objective of "having strong governance practices".

The instruments ensure officers are appropriately authorised and empowered to act in accordance with the EPA Instrument of Delegation and Instrument of Direction.

Internal / External Consultation

The Manager Environment and Emergency and Senior Officer Group have been consulted in the preparation of the Instrument of Appointment and Authorisation and Instrument of Sub-Delegation.

Financial and Resource Implications

There are no financial implications associated with the consideration of this report.

Options

Council is required to establish a new Instrument of Appointment and Authorisation and Instrument of Sub-Delegation for EPA powers provided to Council by the EPA Instrument of Delegation.

Conclusion

Commencement of new environment protection legislation includes an Instrument of Delegation by the EPA for powers not directly provided to councils under the legislation. A new Instrument of Appointment and Authorisation and Instrument of Sub-Delegation by Council is required to properly appoint authorised officers and sub-delegate to them EPA powers related to on-site wastewater management systems ≤ 5000 litres on any day, and noise from construction, demolition and removal of residential premises.

RECOMMENDATION

That Council:

- 1. In the exercise of the powers conferred by s 224 of the *Local Government Act 1989* (the Act) and the other legislation referred to in the attached Instrument of Appointment and Authorisation, resolves that:**

-
- (a) The members of Council staff referred to in the Instrument of Appointment and Authorisation and listed below, be appointed and authorised as set out in the Instrument of Appointment and Authorisation:
- (i) Raymon Michael Barber
 - (ii) Belinda Anne Bennett
 - (iii) Lyall Robert Bond
 - (iv) Emily Kate Lanman
 - (v) Justine Ruth Linley
 - (vi) Andrew John Mason
 - (vii) Sofia June Myers.
2. In the exercise of the powers conferred by the legislation referred to in the attached Instrument of Sub-delegation, resolves that:
- (a) There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached Instrument of Sub-delegation to members of Council staff, the powers, duties and functions set out in that Instrument of Sub-Delegation, subject to the conditions and limitations specified in that Instrument of Sub-delegation.
 - (b) The duties and functions set out in the Instrument of Sub-delegation must be performed, and the powers set out in the Instrument of Sub-delegation must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.
3. Resolves that the instruments come into force immediately the common seal of Council is affixed to the instruments and remain in force until Council determines to vary or revoke them.
4. Affixes the common seal of Council to the instruments.
-

COUNCIL RESOLUTION

MOVED: Cr Beard
SECONDED: Cr Cole

That the recommendation be adopted.

CARRIED

Attachments

1. S18 Instrument of Sub-delegation Environment Protection Act Council to Council Staff - Under Separate Cover
2. Instrument of Appointment and Authorisation (Environment Protection Act 2017) July 2021

*S11B Instrument of Appointment and Authorisation
(Environment Protection Act 2017)*



CORANGAMITE
SHIRE

Corangamite Shire Council

Instrument of Appointment and Authorisation

(Environment Protection Act 2017 only)

**Instrument of Appointment and Authorisation
(Environment Protection Act 2017)**

In this instrument "officer" means -

- Raymon Michael Barber**
- Belinda Anne Bennett**
- Lyall Robert Bond**
- Emily Kate Lanman**
- Justine Ruth Linley**
- Andrew John Mason**
- Sofia June Myers**

By this instrument of appointment and authorisation, Corangamite Shire Council -

under s 242(2) of the *Environment Protection Act 2017* ('Act') and the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021 - appoints the officers to be authorised officers for the purposes of exercising the powers and functions set out in the Instrument of Direction of the Environment Protection Authority under the Act dated 4 June 2021.

It is declared that this instrument -

- comes into force immediately upon its execution;
- remains in force until varied or revoked.

This instrument is authorised by a resolution of the **Corangamite Shire Council** on [date]

The Common Seal of)
CORANGAMITE SHIRE COUNCIL)
was affixed in the presence of :)

.....
Chief Executive Officer

.....
Date

9.14 Planning and Environment Act 1987 - Instrument of Appointment and Authorisation

Author: Penny MacDonald, Executive Services and Governance Coordinator

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author - Penny MacDonald

In providing this advice to Council as the Executive Services and Governance Coordinator, I have no interests to disclose in this report.

Summary

Council's Instrument of Appointment and Authorisation for the exercise of powers under the *Planning and Environment Act 1987* and the *Local Government Act 2020* has been revised due to personnel changes. This report provides advice on the changes and recommends a new Instrument be made.

Introduction

Council authorises a range of officers to act on its behalf in the enforcement of various State laws that are specific to their roles.

This Instrument of Appointment and Authorisation covers the roles of Planning Officers and Environmental Health Officers in the administration and enforcement of the *Planning and Environment Act 1987*.

Issues

The Instrument of Appointment and Authorisation dated 17 September 2020 requires updating due to personnel changes within the Sustainable Development directorate.

The new Instrument of Appointment and Authorisation would apply to the following officers who are appointed as Planning Officers or Environmental Health Officers with responsibilities under the *Planning and Environment Act 1987*.

- Raymon Michael Barber
- Belinda Anne Bennett
- Lyall Robert Bond
- Jennifer Katherine Camp
- Gisele Couto
- Darren Stanley Frost
- Emily Kate Lanman
- Justine Ruth Linley
- Andrew John Mason
- Aaron Gerard Moyne

- Sofia June Myers
- Melanie Osborne.

Policy and Legislative Context

The authorisation of officers using this Instrument is consistent with legal advice provided by Maddocks Lawyers. The authorisation is also consistent with the Council Plan 2021-2025 objective of “having strong governance practices”.

The Instrument ensures officers are authorised for the purposes of the *Planning and Environment Act 1987*, the regulations made under that Act, and under section 313 of the *Local Government Act 2020*, which allows officers to institute proceedings for offences under those acts and regulations.

Internal / External Consultation

Relevant managers and directors have been consulted in the preparation of the Instrument of Appointment and Authorisation.

Financial and Resource Implications

There are no financial implications associated with the consideration of this report.

Options

Council is required to update the Instrument of Appointment and Authorisation for functions under the *Planning and Environment Act* to ensure officers are appropriately authorised to carry out their roles.

Conclusion

Personnel changes within the Environment and Emergency department requires Council to update the Instrument of Appointment and Authorisation for functions under the *Planning and Environment Act 1987*. Adoption of the Instrument of Appointment and Authorisation fulfils Council’s requirement to ensure its officers are appropriately authorised.

RECOMMENDATION

That Council, in exercise of the powers conferred by section 147(4) of the *Planning and Environment Act 1987*, resolves that:

- 1. The members of Council staff referred to in the Instrument and listed below, be appointed and authorised as set out in the Instrument:**
 - (a) Raymon Michael Barber**
 - (b) Belinda Anne Bennett**
 - (c) Lyall Robert Bond**
 - (d) Jennifer Katherine Camp**
 - (e) Gisele Couto**
 - (f) Darren Stanley Frost**
 - (g) Emily Kate Lanman**
 - (h) Justine Ruth Linley**
 - (i) Andrew John Mason**

- (j) **Aaron Gerard Moyne**
 - (k) **Sofia June Myers**
 - (l) **Melanie Osborne.**
2. **The Instrument comes into force immediately the common seal of the Council is affixed to the Instrument and remains in force until Council determines to vary or revoke it.**
 3. **The Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) dated 17 September 2020 be revoked.**
 4. **The common seal of Council be affixed to the Instrument.**

COUNCIL RESOLUTION

MOVED: Cr Hickey

SECONDED: Cr Cole

That the recommendation be adopted.

CARRIED

Attachments

1. Instrument of Appointment and Authorisation Planning and Environment Act July 2021

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



CORANGAMITE
SHIRE

Corangamite Shire Council

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

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

In this instrument "officer" means -

- Raymon Michael Barber
- Belinda Anne Bennett
- Lyall Robert Bond
- Jennifer Katherine Camp
- Gisele Couto
- Darren Stanley Frost
- Emily Kate Lanman
- Justine Ruth Linley
- Andrew John Mason
- Aaron Gerard Moyne
- Sofia June Myers
- Melanie Osborne

By this instrument of appointment and authorisation Corangamite Shire Council -

1. under s147(4) of the *Planning and Environment Act 1987* - appoints the officers to be authorised officers for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. under s313 of the *Local Government Act 2020* authorises the officers either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument -

- (a) comes into force immediately upon its execution;
- (b) remains in force until varied or revoked.

This instrument is authorised by a resolution of the Corangamite Shire Council on [date].

The Common Seal of)
CORANGAMITE SHIRE COUNCIL)
 was affixed in the presence of :)

.....
Chief Executive Officer

.....
Date

10. OTHER BUSINESS

The Mayor, Cr R. Gstrein, invited Councillors to raise items of other business.

The following item was raised:

- Cr K. Makin acknowledged the passing of Eric Ward of Timboon on 12 July 2021 aged 90. Cr Makin noted that two months ago Mr Ward attended the May Council meeting to announce he was donating a four acre parcel of land in Timboon for the purpose of building an aged care home for Timboon residents. On behalf of Council and the Timboon community, Cr Makin extended her sincere sympathies to Mr Ward's family and friends and expressed her gratitude for his wonderful gesture to the community.

11. OPEN FORUM

Nil.

12. CONFIDENTIAL ITEMS

Nil.

Meeting Closed: 8.01 pm.

I hereby certify that these minutes have been confirmed and are a true and correct record.

CONFIRMED:

(Chairperson)

DATE:
