

Corangamite Shire

AGENDA

Ordinary Council Meeting

7.00 pm • Tuesday 26 April 2016

*Killara Centre
210-212 Manifold Street, Camperdown*

Order of Business

1. PRAYER
2. APOLOGIES
3. DECLARATIONS OF CONFLICT OF INTEREST
4. CONFIRMATION OF MINUTES
RECOMMENDATION
That the Minutes of the Corangamite Shire Ordinary Council meeting held on Tuesday 22 March 2016 be confirmed.
5. DEPUTATIONS & PRESENTATIONS
6. MAYOR'S REPORT
7. COMMITTEE REPORTS
8. INFORMATION BULLETIN
9. PLANNING REPORTS
10. OFFICERS' REPORTS
11. OTHER BUSINESS
12. OPEN FORUM
13. CONFIDENTIAL ITEMS

ANDREW MASON
CHIEF EXECUTIVE OFFICER

DISCLAIMER

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5. DEPUTATIONS & PRESENTATIONS

1. Members of the public may address Council under this section of the Agenda of an Ordinary Meeting of the Council if:
 - a) The person is addressing the Council in respect to a submission on an issue under Section 223 of the *Local Government Act*, or
 - b) The person has requested that they address Council on an issue and the Mayor has agreed that they be heard.
2. Requests to address Council must be received by 5.00 pm on the day prior to the scheduled Ordinary Meeting of the Council.
3. Presentations made to Council in this section of the Agenda may not exceed five minutes in length, although Councillors may ask questions proceeding each presentation. If a presentation exceeds five minutes in length, the Mayor may request that the presenter ceases to address Council immediately.

6. MAYOR'S REPORT

6.1 Mayor's Report

Author: Jo Beard, Mayor

File No: D16/242

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 - Jo Beard

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

Issues

Over the past month I have had the pleasure of attending a number of events and activities that have reminded me of why Corangamite is a wonderful and diverse place to live.

On 23 March I attended the Shire's New Residents Welcome BBQ at the Camperdown Botanic Gardens. The event was held as part of Council's population attraction program and provided our newest residents with an opportunity to meet and make new friends over a causal BBQ. I particularly enjoyed learning of their experiences in moving to Corangamite and how they have settled in.

The Australian Association of Live Steamers attracted hundreds of people to their 60th Convention in Cobden over the Easter weekend, which I was very pleased to attend along with my family. The convention is held in a different state each year, with members from all over Australia travelling to participate with their miniature trains. As part of the opening I joined organisers on the official train which travelled around the impressive miniature railway track at Cobden. The Cobden Miniature Railway is a terrific asset for Corangamite and I congratulate the dedicated volunteers from the South Western Model Engineers, Cobden Rotary Club and Cobden Scout Group for a successful event.

On 1 April I paid a visit to the Corangamite Youth Council's inaugural Rainbow Run in Terang. Rainbow Runs can be dated back 100's of years to the Indian "Holi" Festival of Colours. Participants in Corangamite's event wore white t-shirts and had a great time navigating an inflatable slide, as well as other obstacles, while volunteers threw coloured cornflour at them. I wish to congratulate the Youth Council for not only initiating this fantastic event, but for also organising it. I would also like to thank Corangamite Shire staff and volunteers for assisting with this wonderful event for people from across the region to enjoy.

On 21 April I joined Councillors, staff and Terang families for the official opening of the Terang Children's Centre by Gayle Tierney MLC, Member for Western Victoria. The Centre has been one of Council's biggest projects over the past year, and has provided the Terang community with a much needed, larger kindergarten facility and new Maternal and Child Health Centre. It was lovely to visit the Centre again for the opening, and now see it being used and enjoyed by the community, especially the kids. It's a fabulous centre that has been created by so many who all should be very proud.

During the past month many hours have been spent working with Councillors and staff on developing the draft budget for the next financial year. The introduction of rate capping has resulted in Council making some difficult decisions during the process. However, I am confident the work Council and staff have done in developing the draft budget will ensure Corangamite continues to be a wonderful place to live. I encourage our residents to take the time to view the draft budget when it is released and provide feedback to Council. We would appreciate comments during the consultation period, as developing the budget is not an easy task and this will help Council going forward.

Information only.

7. COMMITTEE REPORTS

7.1 Mt Leura and Mt Sugarloaf Management Committee Annual Report, Budget 2016-2017 and Committee Appointments

Author: Ammie Jackson, Environment Project Officer

File No: D16/132

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 - Ammie Jackson

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

Summary

The purpose of this report is to present the Mt Leura and Mt Sugarloaf Management Committee's annual report and recommended 2016-2017 budget. The report also provides advice to Council on the appointment of two community representatives to the Committee.

Introduction

The Mt Leura and Mt Sugarloaf Management Committee is a special committee of Council established in 1995 to implement the *Mt Leura and Mt Sugarloaf Landscape Master, Management and Implementation Plan*. Since 2013, the Committee's role has been to implement the *Mt Leura and Mt Sugarloaf Management Plan and Risk Management Plan*. The Committee comprises six community representatives and one Council representative. Community representatives are elected to the Committee for a three year term, with two positions advertised annually.

Issues

Annual Report

Over the past year, the Mt Leura and Mt Sugarloaf Management Committee has worked to achieve the Management Plan's vision in which the reserves are an environmental and geological asset, a place for diverse recreational and educational activities, and a regional tourist destination where people can reconnect with nature in a safe and scenic environment.

A key achievement of the past 12 months has been the official opening of the new Volcanic Education Centre (VEC) at the base of Mt Leura to provide an all-weather hub for educational activities. The VEC is used for monthly Management Committee meetings, as well as regular community events, educational activities and displays.

A new Geological Education Trail has recently been established to complement the existing network of walking trails on the reserves. The committee will continue to work in partnership with Federation University to develop associated brochures and signage to educate visitors about the geological significance of the area.

Ongoing activities and maintenance carried out by the committee, Project Officer and volunteers includes:

- restoration of three priority viewlines from the Mt Leura upper car park
- maintenance of walking tracks, signage and facilities
- annual risk assessments
- fire management plan and fuel reduction planning in partnership with CFA
- weed control
- securing external funding, such as the Corangamite CMA Victorian Landcare Grant of \$11,190
- propagation of native plants at community workshops
- the annual community planting day and BBQ
- events delivered in partnership with the Friends of Mt Leura including tours, presentations and wildlife monitoring surveys.

Additional activities to be completed by the end of 2015-2016 include:

- ongoing liaison with CFA regarding fuel reduction burns, with burns planned for Autumn and Winter this year
- more in-depth flora and fauna monitoring in partnership with the Geelong and Timboon Field Naturalist Groups
- continued development of the new Geo-trail and associated education material
- removal of large woody weeds, such as pines and coastal wattle to establish a seedbank of indigenous Basalt Plains form Silver Banksia (*Banksia marginata*) and Drooping Sheoak (*Allocasuarina verticillata*) in its place
- replacement of barbed wire with plain wires on the west side of Mt Sugarloaf.

Other Committee achievements of the past year include:

- control of weeds such as blackberry, ivy and sweet pea
- investigation into methods of pasture grass suppression and native grassland restoration
- further promotion of the reserves as an asset for ecological, geological and environmental education
- delivering two community plant propagation workshops
- planting of over 1000 indigenous plants at the annual community planting day in September
- five community events delivered in partnership with the Friends of Mt Leura including working bees, wildlife monitoring surveys and capacity building events
- hosting Corangamite's Green Army team for a number of days
- tours of the reserves delivered to primary and secondary school students
- upgrades to the plant nursery, watering system and storage area housed at Camperdown College.

The part-time Project Officer plays a pivotal role in coordinating many of the management activities. Employment of a Project Officer provides better value for money than engaging contractors to complete works on an *ad hoc* basis. The officer also plays an important community engagement role by providing educational tours, information to visitors and social media updates as required.

In 2015, the Committee farewelled Grant Coverdale and welcomed Becky McCann to the role of Mt Leura Project Officer. Ms McCann brings a wealth of local knowledge and practical skills to the role.

Duties carried out by the Project Officer/s in 2015-2016 include:

- maintenance and repair of tracks, signage and facilities
- coordination and supervision of volunteers and contractors
- engagement with members of the public, research scientists, community groups, agency representatives and local primary and secondary schools
- promotion of projects through print media and social media
- implementing a monthly working bee schedule for volunteers
- assistance with delivery of community workshops and events.

Volunteers have also played an important role in the year's achievements, with Committee members contributing over 1000 volunteer hours and community members contributing approximately 570 hours to the project over the past 12 months. In 2015-2016 this labour has contributed an estimated value of \$39,750 to the project.

Committee Appointments

In accordance with the Committee's Instrument of Delegation, Council is required to advertise two vacant Committee positions annually. These positions were advertised for a period of four weeks during March 2016. Council received three nominations for the two available positions. Five Committee members considered the nominations according to the selection criteria, in order to provide advice to Council. The recommendation of the Committee is for Patricia Robertson and Tania Moloney to be appointment to the Committee.

Policy and Legislative Context

Council's support for community-led management of the Mt Leura and Mt Sugarloaf Reserves aligns with the following commitments of the Council Plan 2013-2017:

Council will work closely with the community to address environmental issues.

Council will work to improve and enhance community health, wellbeing and connectedness.

All activities undertaken in the past 12 months are in accordance with the *Mt Leura and Mt Sugarloaf Management Plan and Risk Management Plan*. Committee appointments were conducted in accordance with the Committee's Instrument of Delegation and Section 86 of the *Local Government Act 1989*.

Internal / External Consultation

The Mt Leura and Mt Sugarloaf Reserves are managed in accordance with the *Mt Leura and Mt Sugarloaf Management Plan and Risk Management Plan*, which was developed through extensive consultation with the community and stakeholders. Nominations for the Committee vacancies were advertised through three local newspapers and on Council's website for a period of four weeks in March.

Financial and Resource Implications

An allocation of \$22,000 was included in the 2015-2016 Budget for implementation of the *Mt Leura and Mt Sugarloaf Management Plan*.

The Committee will again request that \$22,000 be allocated in the 2016-2017 draft budget to continue working on actions in the Management Plan and employment of the part-time Project Officer. The 2016-2017 committee budget is outlined in Table 1.

Item	Council Budget	Other Grants and Contributions	In-kind Contributions	Total
Project Coordination				
0.4 FTE Project Officer (inc. travel expenses)	\$14,000	\$800	\$0	\$14,800
Committee labour (1000 hrs @ \$25/hr)	\$0	\$0	\$25,000	\$25,000
Management Plan Implementation				
Reserve maintenance: <ul style="list-style-type: none"> • track mowing/slashing • track and facilities maintenance • vandalism repairs 	\$3000	\$0	\$0	\$3000
Safety improvements identified through risk assessment	\$500	\$0	\$0	\$500
Weed control	\$0	\$3000	\$0	\$3000
Fuel reduction trials (e.g. grazing and/or fuel reduction burns)	\$500	\$0	\$0	\$500
Fencing materials	\$300	\$200	\$0	\$500
Geological educational signage and publication design and print	\$500	\$1000	\$0	\$1500
Geo-trail brochure/booklet development	\$1000	\$3000		\$4000
Tree thinning/view line management	\$500	\$0		\$500
Community engagement: <ul style="list-style-type: none"> • Website hosting and maintenance • Community events and workshops • Promotional and education materials 	\$200 \$500 \$200	\$0 \$500 \$0	\$0	\$200 \$1000 \$200
Equipment	\$500	\$1600	\$0	\$2100
1000 indigenous seedlings @ \$1 each	\$0	\$1000	\$0	\$1000
200 plant guards @ \$0.35 each	\$0	\$70	\$0	\$70
Spot spraying for revegetation (200 spots @ \$0.10 each)	\$0	\$20	\$0	\$20
Nursery costs and upkeep	\$300	\$0	\$0	\$300
Volunteer labour at community events (500 hrs @ \$25/hr)	\$0	\$0	\$12,500	\$12,500
Total	\$22,000	\$11,190	\$37,500	\$70,690

Table 1: Proposed Mt Leura and Mt Sugarloaf Management Committee 2016-2017 Budget

Options

Council may decide to continue to provide financial support to the Mt Leura and Mt Sugarloaf Management Committee for ongoing management of the reserves and Management Plan implementation. Alternatively, Council may decide to discontinue financial support to the Committee and directly manage the reserves.

Council may also proceed with the appointment of Patricia Robertson and Tania Moloney to fill the two vacant positions. Alternatively, Council may decide to consider the third applicant for appointment or to readvertise the vacancies.

Conclusion

Over the past year, the Mt Leura and Mt Sugarloaf Management Committee has continued to work towards the Management Plan's vision in which the reserves are an environmental and geological asset, a place for diverse recreational and education activities, and a regional tourist destination where people can connect with nature. The Committee requests ongoing support and investment from Council to continue to implement the Management Plan and achieve its objectives.

RECOMMENDATION

That Council:

- 1. Receives the 2015-2016 Mt Leura and Mt Sugarloaf Management Committee Annual Report.**
- 2. Continues to support the Mt Leura and Mt Sugarloaf Management Committee with an allocation of \$22,000 in the 2016-2017 Draft Budget for implementation of the *Mt Leura and Mt Sugarloaf Management Plan and Risk Management Plan*.**
- 3. Appoints Patricia Robertson and Tania Moloney as community representatives on the Mt Leura and Mt Sugarloaf Management Committee for a three year term.**

7.2 Kilnoorat Cemetery Committee of Management

Author: Jarrod Woff, Acting Manager Facilities and Recreation

File No: D16/190

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 Acting Manager Facilities and Recreation, I have no interests to disclose in this report.

Summary

This report is presented to consider approval of the membership of the Committee of Management for the Kilnoorat Cemetery for 2016-2019.

Introduction

The Kilnoorat Cemetery is Crown Land with Corangamite Shire Council appointed as the delegated committee of management. The area is managed on behalf of Council by a special committee of management in accordance with Section 86 of the *Local Government Act 1989*.

The Committee is appointed to generally oversee the Kilnoorat Cemetery on behalf of Council in the best interests of the residents of the Corangamite Shire as per the Instrument of Delegation.

The Committee, comprising of up to 12 publicly elected representatives, is appointed for the period 1 July 2016 to 30 June 2019.

Issues

The Annual General Meeting of the Kilnoorat Cemetery Committee was held on 12 April 2016. The following members were nominated to the Committee for Council endorsement:

Committee	Kilnoorat Cemetery
Term	2016-2019
Meeting Date	12 April 2016
Committee	
Ruth Brain	Nick Cole
Graeme Fischer	Jock Hay
Pamela Jellie	Johnelle Kennedy
Margaret Nixon	Frank Rose

Office Bearers	
Chairperson	Frank Rose
Secretary	Margaret Nixon
Treasurer	Jock Hay

The Committee welcomes both Pamela Jellie and Johnelle Kennedy to the Committee.

Policy and Legislative Context

The Kilnoorat Cemetery Committee of Management is a special committee of Council. Election of Committee members is conducted in accordance with the instrument of delegation.

The establishment of this Committee aligns with Council's Plan 2013-2017 in the key commitment area of strengthening our community as follows:

Provide and advocate for a range of services, facilities and support to our people to enable them to fully engage and participate in the community.

Internal / External Consultation

The seventeenth Annual General Meeting of the Kilnoorat Cemetery Committee was held on Tuesday 12 April 2016 at the Old Bookaar School.

Financial and Resource Implications

Corangamite Shire holds an operating account on behalf of the Kilnoorat Cemetery Committee. Any costs incurred by the Committee, including all maintenance works at the cemetery is paid from this account.

Options

Council can accept the Committee's recommendation to appoint the nominated members for the forthcoming term or alternatively reject the recommendation and request an alternate committee membership.

Conclusion

The membership of the Committee is currently operating in an efficient manner. The recommended membership of the Committee should see a continuation of the effective management and maintenance of the facility for the benefit of the community and Council.

RECOMMENDATION

That Council approves the Kilnoorat Cemetery Committee of Management for 2016-2019, comprising:

Committee	
Ruth Brain	Nick Cole
Graeme Fischer	Jock Hay
Pamela Jellie	Johnelle Kennedy
Margaret Nixon	Frank Rose
Office Bearers	
Chairperson	Frank Rose
Secretary	Margaret Nixon
Treasurer	Jock Hay

8. INFORMATION BULLETIN

8.1 Audit Committee Report

Author: David Rae, Director Corporate and Community Services

File No: D16/224

Previous Council Reference: 27 January 2016, Item 7.1

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

This report provides Council with a summary of business considered at the 24 March 2016 meeting of the Audit Committee.

Introduction

The Audit Committee (the Committee) is an independent advisory committee to Council. The primary objective of the Committee is to assist Council in the effective conduct of its responsibilities for financial reporting, management of risk, maintaining a reliable system of internal controls and facilitating the organisation's ethical development.

Issues

Attendees at the Committee meeting were as follows:

Councillors: Cr Neil Trotter, Cr Jo Beard (ex officio member)

Independent Members: Nancy Johnson (Chairperson)
Colin Hayman
Andrew Jeffers

Apologies: Cr Ruth Gstrein

Officers: Andrew Mason, Chief Executive Officer
Ian Gibb, Director Sustainable Development
Brooke Love, Acting Director Works & Services
David Rae, Director Corporate and Community Services
Greg Hayes, Manager Planning and Building
Adam Taylor, Manager Finance

Guests: Andrew Zavitsanos, Crowe Horwath (Internal Auditor)
Chris Kol, Coffey Hunt (Victorian Auditor General's Office Agent)

Declaration of Conflict of Interest: Colin Hayman and Andrew Jeffers declared they were both members of Vision Super.

The Committee considered the following matters at the meeting:

- 2015-2016 External Audit Strategy
- 2014-2015 External Audit Management Letter - Outstanding Recommendations
- Internal Audit Review - Statutory Building Services
- Finance Policy Reviews
 - Investment Policy
 - Fraud Prevention and Control Policy
- Governance and Management Attestation as at 31 December 2015
- Risk Management Policy Review
- Finance Report as at November 2015
- Risk Profile Update.

Policy and Legislative Context

Reporting of the Audit Committee's activities is consistent with the Committee's Charter and the following commitments in the 2013-2017 Council Plan:

Council will demonstrate high levels of ethical behaviour and corporate governance standards. We will make budgetary decisions that are reflective of our financial circumstances. We will advocate for and with the community to achieve outcomes.

Model contemporary standards of corporate governance and professional standards.

Financial and Resource Implications

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

Conclusion

The next meeting of the Audit Committee is scheduled for June 2016 and a report on that meeting will be presented at the July 2016 Council meeting.

Information only.

RECOMMENDATION

That the Information Bulletin be received.

9. PLANNING REPORTS

9.1 Corangamite Planning Scheme Amendment C46 - Road Zone Changes Peterborough Road and Terang-Cobden Road, Terang

Author: Stephanie Durant, Planning Officer

File No: D16/186

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 - Stephanie Durant

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

Summary

A Planning Scheme Amendment to the Corangamite Planning Scheme is required as a result of changes to VicRoads classification of Peterborough Road in Terang. This report recommends that Council seek authorisation from the Minister for Planning to prepare and exhibit an amendment to apply the Road Zone 1 to Peterborough Road, Terang, and consequently remove the Road Zone 1 from part of Cobden-Terang Road in Terang.

Introduction

Under the Corangamite Planning Scheme all arterial roads are required to be designated Road Zone Category 1 (RDZ1). Following a review of arterial routes through Terang, VicRoads and Council have agreed to alter the declared arterial route. Peterborough Road in Terang is proposed to become an arterial road and part of Cobden-Terang Road is to be revoked as an arterial road. An amendment to the planning scheme is required in order to effect these changes.

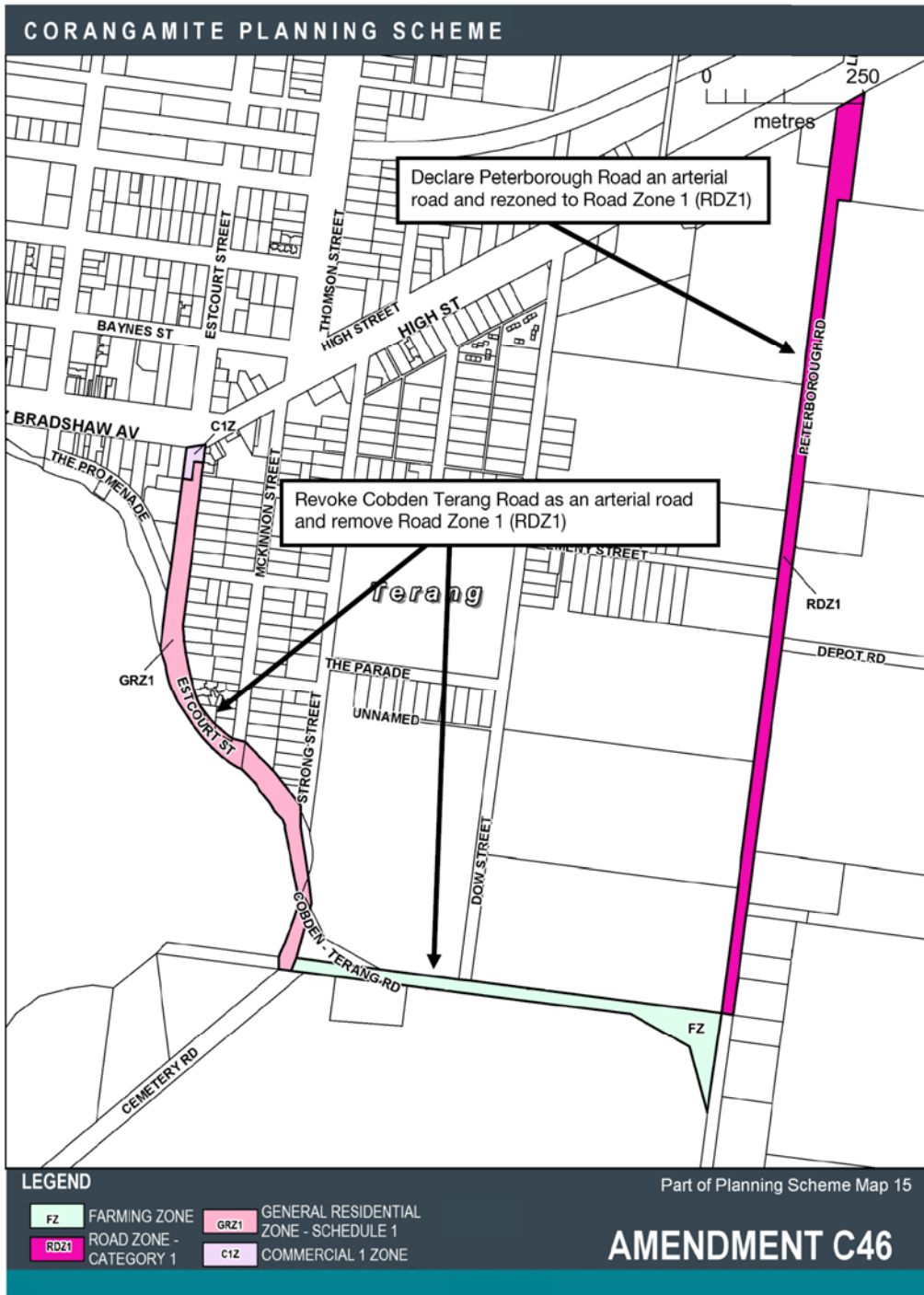
Issues

Using the *Road Management Act 2004*, VicRoads is revoking the arterial road status of Cobden-Terang Road in Terang between the Princes Highway and Peterborough Road and subsequently declaring this as a municipal road. So as to provide for an arterial route through Terang, VicRoads also will declare Peterborough Road for its entirety as an Arterial Road (and in doing so revoking Peterborough Road's municipal road status).

A planning scheme amendment is required to reflect these changes within the Corangamite Planning Scheme and Amendment C46 proposes to make the following changes:

1. Apply the Road Zone 1 (RDZ1) to Peterborough Road Terang to reflect its declaration as an arterial road under the *Road Management Act 2004*.
2. Remove the Road Zone 1 (RDZ1) from Cobden-Terang Road between the Princes Highway and Peterborough Road Terang and reflect its declaration as a municipal road under the *Road Management Act 2004*, along with the designation reflective of

the background zone (i.e. Commercial, General Residential and Farming Zones - see below).



| Planning Mapping Services |
| Planning Information Services |
| Planning |



VICTORIA State Government | Environment, Land, Water and Planning

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Figure 1: Road Zone Changes Proposed Under Amendment C46

Policy and Legislative Context

The amendment complies with the Ministerial Direction on *The Form and Content of Planning Schemes*. VicRoads is acting under the requirements of the *Road Management Act 2004*.

Internal / External Consultation

Discussions have been held with the regional office of the Department of Environment, Land, Water and Planning (DELWP), VicRoads and Council's Manager Assets Planning in relation to the amendment. DELWP has advised that the amendment is eligible to be considered under Section 20(2) of the *Planning and Environment Act 1987*, which is a streamlined amendment process with reduced notice used for amendments that propose minor changes to the planning scheme.

Financial and Resource Implications

VicRoads has agreed to cover the costs of preparation, exhibition and approval of the amendment. There are no ongoing financial implications for Council arising from this amendment.

Options

Council may choose either of the following options:

1. Seek authorisation from the Minister for Planning to prepare and exhibit a planning scheme amendment to make zone changes to the Corangamite Planning Scheme relating to Peterborough Road and Cobden-Terang Road in Terang.
2. Not proceed with a planning scheme amendment.

Conclusion

Amendment C46 is required in order to reflect the changes proposed under the *Road Management Act 2004* for the declaration of Peterborough Road as an arterial road and the revocation of Cobden-Terang Road Terang as an arterial road. It is recommended that Council seek authorisation from the Minister for Planning for Council to exhibit this amendment using 20(2) of the *Planning and Environment Act 1987*.

RECOMMENDATION

That Council:

1. **Seeks authorisation from the Minister for Planning under Section 8A(3) of the *Planning and Environment Act 1987* to prepare a Planning Scheme Amendment to:**
 - a) **Apply the Road Zone 1 (RDZ1) to Peterborough Road Terang to reflect its declaration as an arterial road under the Road Management Act 2004.**
 - b) **Remove the Road Zone 1 (RDZ1) from Cobden-Terang Road between the Princes Highway and Peterborough Road, Terang, to reflect its declaration as a municipal road under the Road Management Act 2004.**
2. **Following receipt of authorisation from the Minister for Planning, prepare and exhibit a planning scheme amendment under Section 20(2) that makes the following road zone changes within the Corangamite Planning Scheme:**
 - a) **Apply the Road Zone 1 (RDZ1) to Peterborough Road, Terang, to reflect its declaration as an arterial road under the Road Management Act 2004.**

-
- b) Remove the Road Zone 1 (RDZ1) from Cobden-Terang Road between the Princes Highway and Peterborough Road, Terang, to reflect its declaration as a municipal road under the Road Management Act 2004.

9.2 Planning Application PP2015/153 Development of Land for Service Station, Erection of Advertising Signage and Alteration of Access to a Road Zone 1.

Author: Stephanie Durant, Planning Officer

File No: D16/189

Previous Council Reference:

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 - Stephanie Durant

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

Summary

A planning permit application has been received, proposing to upgrade an existing service station in Lismore. The proposal seeks to update the facilities, seal the pavement, erect new advertising signage, alter the access to the Hamilton Highway and allow 24 hour operation. Four objections have been received to the application based primarily on amenity and safety concerns. It is recommended to issue a Notice of Decision to Grant a Planning Permit subject to conditions set out in the recommendation.

Introduction

Subject Land

The subject land is the service station and café (The White Swan) on the northern side of the Hamilton Highway centrally located within the township of Lismore. The site has an area of 6100 square metres and is rectangular in shape with a frontage of 60 metres to the Hamilton Highway. The land slopes to the north (rear) of the site with frontage to the northern boundary at Gray Street. The only access to the site is via three existing vehicle crossovers to the highway. The existing White Swan Café has already undergone internal changes. There is an attached dwelling at the rear of the café and the site has three fuel dispensers and an LPG gas tank facility. The site has a gravel seal and there is mature vegetation along the eastern boundary.

Surrounding Area

The site is bounded by the Hamilton Highway to the south, Gray Street to the north and private residential land to the east and west. Single storey dwellings are located to the north, east and west of the site. To the south of the highway, a 22 metre wide median strip separates the highway from a service road. The wider surrounds are a mix of residential, community and commercial uses reflective of the Township Zone.



Figure 1: Subject Site and Surrounds

Proposal

The application proposes to update the site as a service station. Specifically, it is proposed to:

- Install a new re-fuelling area with petrol, diesel and LPG dispensers.
- Construction of a 6.95 metre service station canopy.
- Install a new approved under canopy trade waste system.
- Widening of the eastern vehicle crossover and merging of the two western vehicle crossovers to create new access and egress onto the Hamilton Highway.
- Removal of existing underground fuel tanks and replacement with new underground fuel tanks.
- New advertising signage including canopy signage and an internally illuminated flag pole sign. All signage will be in Shell corporate logo and colours.
- New signage and cladding on existing food and drinks premises.
- Construction of a car parking area with six car parking spaces including one disabled car space.
- Extension of operating hours to 24 hours, seven days a week.
- No works are proposed to impact on the Stone Bakehouse (the subject of the Heritage Overlay).

Policy and Legislative Context

Zone and Overlay

The land is located within the Township Zone and is partially covered by a Heritage Overlay (H0114) which applies to a former bluestone bakehouse which is located approximately 20 metres north of the service station area. The application proposes no changes to the

remains of the Bakehouse. A planning permit is required to develop the land for a service station and erect advertising signage under clause 32.05-8 of the zone and clause 43.01-1 of the overlay.

The purpose of the Township Zone is:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To provide for residential development and a range of commercial, industrial and other uses in small towns.
- To encourage development that respects the neighbourhood character of the area.
- To implement neighbourhood character policy and adopted neighbourhood character guidelines.
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

State Planning Policy Framework (SPPF)

The following clauses of the State Planning Policies are of relevance to this application.

Clause 11.05-1 Regional Settlement Networks

To promote the sustainable growth and development of regional Victoria through a network of settlements identified in the Regional Victoria Settlement Framework plan.

Clause 13.04-1 Noise Abatement

Ensure that development is not prejudiced and community amenity is not reduced by noise emissions, using a range of building design, urban design and land use separation techniques as appropriate to the land use functions and character of the area.

Clause 17.01-1 Business

To encourage development which meet the communities' needs for retail, entertainment, office and other commercial services and provides net community benefit in relation to accessibility, efficient infrastructure use and the aggregation and sustainability of commercial facilities.

Local Planning Policy Framework (LPPF)

The following Local Planning Policies are of relevance to this application.

Clause 21.04 Lismore Structure Plan

- Consolidate commercial and retail use and development within the existing commercial precincts.
- Promote Lismore as a service centre for surrounding rural communities.

Particular Provisions

Clause 52.05 *Advertising Signage* regulates the display of signs and associated structures. Under Clause 52.05 a planning permit is required to erect business identification signage, internally illuminated signage and pole signs. Under the Township Zone the requirement is that signage be orderly, of good design and not detract from the appearance of the building on which a sign is displayed or the surrounding area. The proposed signage is standard signage that occurs at service stations, which often means that is more prevalent than other advertising signage as it needs to be visible for drivers. All signage will be located wholly within the site boundaries and will be internally illuminated in which the proposal states will not have an unreasonable impact on adjoining land or dazzle or distract drivers.

Clause 52.07 Loading and Unloading of Vehicles requires a minimum area of 27.4 square metres to be provide for loading and unloading of vehicles. There is sufficient room for this area to be provided on the site and will be a condition of the planning permit.

Clause 52.12 Service Station details specific requirements to be met to use and develop land for a service station. The purpose of the clause is:

- To ensure that amenity, site layout and design are considered when land is to be used for a service station, especially if the site adjoins a residential zone.
- To ensure that use of land for a service station does not impair traffic flow or road safety.

An assessment against the requirements of Clause 52.12 is provided later in the report.

Clause 52.29 Land Adjacent to a Road Zone, Category 1, or a Public Acquisition Overlay for a Category 1 Road requires a planning permit to create or alter access to a Road Zone 1 (Hamilton Highway) and requires a referral to VicRoads.

Internal / External Consultation

Referrals

The application was referred to VicRoads, Environment Protection Authority, Wannon Water and Council’s Assets and Environmental Health departments. No objections were received subject to standard conditions.

Advertising

Notice of the application was provide in accordance with the *Planning and Environment Act 1987*, with all adjoining landowners and occupiers receiving notification, and notice being placed in the Warrnambool Standard, Lismore Community Newsletter and on Council’s website.

Objections

Four objections were received to the application along with five letters of support for the proposal. The issues raised in the objections and an officer response to each are provided below:

Objection	Officer Response
Traffic impacts	The proposed development is likely to improve the traffic movements within the site as the fuel bowsers will be moved further into the site allowing more room for cars to queue and for trucks to manoeuvre. Swept path diagrams (which have been designed to meet AUSTRROADS standards) show that cars and trucks can adequately manoeuvre to enter and exit the site. VicRoads are a statutory referral authority for this application and have advised they are satisfied that cars and trucks can adequately access and egress the site. They have not expressed any concerns about traffic impacts of this development and have consented to the application subject to the crossovers being constructed to VicRoads standards.

<p>24 hours of operation</p>	<p>It is proposed that a planning permit condition should restrict the hours of operation between 5am and Midnight only. This is considered an appropriate compromise between allowing the business to operate whilst ensuring the amenity of the area is not unreasonably affected.</p>
<p>Noise Impacts</p>	<p>The premises would need to ensure that noise emitted from the premises does not exceed the recommended levels as set out within the EPA publication 'Noise from Industry in Regional Victoria NIRV: EPA Publication 1411. Reducing operating hours will also limit noise impact during night periods. It should be noted that noise impacts from existing trucks using the highway is outside the scope of what can be considered as part of this planning assessment.</p>
<p>Limited on street parking</p>	<p>The application has provided six car parking spaces onsite for the application where no car parking exists currently. There is no car parking requirement for a service station in the planning scheme and is therefore up to the discretion of the Responsible Authority to assess the adequacy of the car parking provided. It is considered that the car parking spaces will be utilised for patrons using the food and drinks premises and given the shop's size and its association with a service station, the number of car spaces provided is adequate and will therefore not have an unreasonable impact on on-street car parking.</p>
<p>Impact on the liveability and character of the township and development is unsuitable for this location.</p>	<p>The site is located within the Township Zone where commercial development such as a service station can be considered. It is considered that the site is suitable for the re development of a service station as it is already being utilised for a service station use, is located on a highway and is in close proximity to other commercial uses. The development is not of a scale that will substantially transform the character of the township.</p>
<p>Lack of transparency in planning application. Objectors were concerned that the application also proposed a truck stop with accommodation for trucks at the rear.</p>	<p>The applicant has confirmed that the site is not proposed to be used as a truck stop. A further planning permit application would be required for these uses to occur on the site</p>

Lack of demand for an additional service station within Lismore.	Commercial demand for a business or service is not a valid planning consideration under the <i>Planning and Environment Act 1987</i> and furthermore no evidence has been presented that this is the case.
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Consultation

An onsite consultation meeting was held with the objectors, Councillors and planning officers on 5 April 2016.

Assessment

Clause 52.12 Service Station is the primary planning scheme tool to assess applications for the use and development of a service station. Clause 52.12 offers the requirements below to be met for land to be used and developed for a service station. A permit may be granted to vary any of these requirements, if the responsible authority considers a better design solution will result. An assessment against these requirements is provided below:

Requirement	Comment
<p>Site area and dimensions</p> <ul style="list-style-type: none"> • The site must be at least 1,080 square metres. • The frontage must be at least 36 metres (30 metres if the site is on a corner) and the depth at least 30 metres. 	<p>Complies</p> <ul style="list-style-type: none"> • The site is 6,100 square metres. • The sites frontage is 60 metres and the depth of the site is 100 metres.
<p>Crossovers</p> <ul style="list-style-type: none"> • No more than two vehicle crossovers may service the site from a road and at the road alignment a crossover must be: <ul style="list-style-type: none"> • No wider than 7.7 metres. • At least 4.5 metres from another crossover on the site. • At least 4.5 metres from another road or if a splayed corner, at least 7.7 metres from the splay. • At least 1.8 metres from a crossover on another property. 	<p>Complies (in part)</p> <ul style="list-style-type: none"> • The site will be serviced by two crossovers from the Hamilton Highway • Both crossovers will be wider than 7.7 metres, which are required to enable adequate and efficient vehicle movements in and out of the site. • All crossovers are at least 4.5 metres from another crossover on the site, at least 4.5 metres from another road and at least 1.8 metres from a crossover on another property.
<p>Kerb or barrier</p> <p>Except at crossovers, a kerb or barrier must be built along the road alignment to prevent the passage of vehicles.</p>	<p>Complies</p> <ul style="list-style-type: none"> • New kerb and channel will be constructed along the Hamilton Highway road alignment.

<p>Road setbacks</p> <ul style="list-style-type: none"> • A wall of a building must be at least 9 metres from a road. • A canopy must be at least 2.5 metres from a road. • Petrol pumps, pump islands, water and air supply points and storage tank filling points must be at least 3.6 metres from a road. • Petrol tankers must be wholly on the site when storage tanks are being filled. • Driveway space must be sufficient to enable a vehicle 13.8 metres by 2.5 metres to enter and leave the site without reversing. • No vehicle may be serviced unless it is wholly on the site. 	<p>Complies (part)</p> <ul style="list-style-type: none"> • The food and drink premises is within the 9 metre setback form the road, however this is a pre-existing building and this variation is considered appropriate. • The canopy will be setback 5 metres from the road reserve. • Petrol pumps, pump islands, water and air supply point and storage tank filling points will be setback a minimum of 9 metres from the road reserve. • Swept path diagrams (which have been designed to meet AUSTRROADS standards) show that petrol tankers can be wholly within the site when storage tanks are being filled and that driveway space is sufficient to enable a vehicle of 19 metres by 2.5 metres to enter and leave the site without reversing. • No vehicles will be serviced on the site.
<p>Discharge of waste</p> <ul style="list-style-type: none"> • Waste from a vehicle wash area must drain into a public sewer or a settlement and oil separation system. The system must comply with the <i>Environment Protection Act 1970</i> and be installed to the satisfaction of the responsible authority. 	<p>Complies</p> <ul style="list-style-type: none"> • No car wash or vehicle wash area is proposed on the site. • All wastewater will be directed to a trade waste system which has a settlement and oil separation system and will be required to comply with <i>Environment Protection Act 1970</i>.
<p>Amenity</p> <ul style="list-style-type: none"> • The amenity of the locality must not be adversely affected by activity on the site, the appearance of any building, works or materials, emissions from the premises or in any other way. 	<p>Complies</p> <p>The following measures will be implemented as part of the development proposal to ensure that the amenity of the surrounding area is not unreasonably affected:</p> <ul style="list-style-type: none"> • Limiting operating hours (including deliveries) to 5am-12pm 7 days. • Landscaping and fencing along site boundaries. • Sealing of the site to prevent dust. • Requirement for noise emitted from the premises not exceeding the recommended levels as set out in EPA Noise from Industry in Regional Victoria.

<p>Trailers for hire If trailers are for hire on the site:</p> <ul style="list-style-type: none"> • The site must be at least 1,080 square metres. • All trailers must be wholly on the site and must not encroach on landscaping or car parking areas or accessways. • On a corner site, a trailer higher than 1 metre must be parked at least 9 metres from the corner. 	<p>Not applicable</p> <ul style="list-style-type: none"> • No trailer hire is proposed on the site.
<p>Adjoining residential zone If the site adjoins a residential zone:</p> <ul style="list-style-type: none"> • A landscape buffer strip at least 3 metres wide along the common boundary must be planted and maintained to the satisfaction of the responsible authority. • External lights must be directed away from the residential zone to prevent light spill and glare. 	<p>Complies (part)</p> <ul style="list-style-type: none"> • There is an existing mature landscape buffer along the eastern boundary which will be retained and enhanced through endorsed plans. The existing food and drink premises is located along the western boundary preventing landscaping along this boundary. A 2 metre high fence will be erected along the northern boundary of the development area. • External lights will be baffled to reduce any light spill into surrounding residential areas.
<p>Operating Hours</p>	<p>To ensure the amenity of the locality is not adversely affected by activity on the site, Council proposes to address the hours of operation in the conditions of the planning permit.</p> <p>The operating hours would be limited to (including deliveries) to 5am-12pm 7 days a week.</p>

The proposed 24 hour operation is considered inappropriate given the location of the development. The site is in the centre of the township and whilst being on a busy highway, the expectation would be that vehicles will travel through and not halt (with the associated noises of braking etc.) during the critical hour of Midnight to 5am. This still allows for a considerable period of economic benefit to the enterprise, as well as protecting the amenity of not only adjacent housing along the highway but dwellings to the rear as well.

Options

Council has the following options:

1. Issue a Notice of Decision to Grant a Planning Permit, subject to conditions as set out in the officer's recommendation. **This is the preferred option.**
2. Issue a Notice of Refusal to Grant a Planning Permit.

Conclusion

The proposed development of the land for a service station is consistent with the aims and objectives of the Corangamite Planning Scheme. It is appropriately located on the Hamilton Highway at an existing service station facility. The proposed planning permit conditions have been considered to address any potential amenity impacts on residential areas.

RECOMMENDATION

That Council, pursuant to Section 64 of the Planning and Environment Act 1987, resolves to issue a Notice of Decision to Grant Planning Permit PP2015/153 for the Development of Land for a Service Station, Erection of Advertising Signage and Alteration of Access to a Road Zone 1 at 50-54 High Street Lismore subject to the following conditions:

Amended Plans Required

1. Before the development commences amended plans must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and a minimum of three copies provided. Such plans must be generally in accordance with the plan submitted but modified to show:
 - (a) The sealing of ingress and egress, all internal carriageways and all car parking areas with a bitumen pavement or other approved sealing material;
 - (b) Location of a loading/unloading bay with a minimum area of 27.4 square metres;
 - (c) 2 metre high fence along the northern boundary of the development area;
 - (d) A 3 metre wide vegetated and landscaped buffer along the eastern boundary that retains the existing trees.

Layout not Altered

2. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.

Operating Hours

3. The use and development (including for deliveries) may only operate between the hours of 5am-Midnight Monday to Sunday (including public holidays). These times must not be altered without the written consent of the Responsible Authority.

Loading/Unloading

4. The loading and unloading of goods from vehicles must only be carried out on the land subject to this permit; within the designated loading bay(s) and must not disrupt the circulation and parking of vehicles on the land.

Advertising Signage

5. The location and details of signs shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
6. External sign lighting must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on adjoining land.

Control of Light Spill

7. External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction Responsible Authority.

Wastewater

8. All wastewater from the development must be treated and retained onsite in accordance with the State Environment Protection Policy (Waters of Victoria) and Code of Practice – Onsite Wastewater Management under the Environment Protection Act 1970.

Parking and Access

9. No fewer than 6 car parking spaces must be provided on the land for the development including 1 space clearly marked for use by disabled persons. These spaces must be made available to customers at all times. This requirement can only be varied with the written consent of the Responsible Authority.
10. All car parking spaces must be designed to allow all vehicles to drive forwards both when entering and leaving the property.
11. The ingress and egress to the subject land, all internal carriageways and all car parking required by this permit shall be surfaced with an all-weather bitumen pavement (or other approved sealing material) and drained to the satisfaction of the Responsible Authority.
12. Any damages caused to the existing footpath during construction must be reinstated to the satisfaction of the Responsible Authority and at no cost to the Responsible Authority.

VICROADS

13. Prior to the development coming into use the crossovers and driveways are to be constructed to the satisfaction of the Responsible Authority and at no cost to the Roads Corporation.

ENVIRONMENTAL PROTECTION AUTHORITY

14. Offensive odours must not be discharged beyond the boundaries of the premises.
15. Displaced petrol fumes must be collected with a vapour recovery system.
16. Noise emitted from the premises must not exceed the recommended levels as set out in Noise from Industry in Regional Victoria (NIRV; EPA Publication 1411, 2011) or as amended.
17. Sediment traps or similar, must be installed to prevent the transportation of sediment, litter and wastes oil, grease and detergents from vehicles to the stormwater system.
18. Stormwater contaminated with waste must not be discharged beyond the boundary of the premises.
19. A secondary containment system must be provided for liquids which if spilt are likely to cause pollution or pose an environmental hazard, in accordance with the EPA Publication 347 Bunding Guidelines 1992 or as amended.

Expiry of Permit- Development

20. This permit will expire if one of the following circumstances applies:

- (a) The development hereby approved has not commenced within two (2) years of the date of this permit.**
- (b) The development hereby approved is not completed within four (4) years of the date of this permit.**

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires; or

- (c) within six (6) months after the permit expires where the development has not yet started; or**
- (d) within twelve (12) months after the permit expires where the development allowed by the permit has lawfully commenced before the permit expiry.**

Attachments

- 1. Application Planning Permit Development of Service Station PP2015/153 972P - Under Separate Cover
- 2. Copy of Objections Planning Application PP2015/153 972P - Under Separate Cover
- 3. Copy of Letters of Support Planning Application PP2015/153 972P Received After Notice Finished - Under Separate Cover

10. OFFICERS' REPORTS

10.1 Council Plan Performance, July - December 2015

Author: Marilyn Lynch, Organisational Development Coordinator

File No: D16/181

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 - Marilyn Lynch

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

Summary

Local Government (Planning and Reporting) Regulations 2014 require the adoption of a Council Plan report which demonstrates the performance of the Council against the Council Plan for the first six months of the financial year. This requirement is included in the Governance and Management Checklist which certifies the status of Council's governance and management arrangements and forms part of Council's Annual Report of Operations.

Introduction

The Council Plan is reviewed by Council annually and specific key actions and initiatives are identified to support delivery of the Council Plan objectives and strategies, which are itemised in the Annual Action Plan. The attached performance report demonstrates Council's progress, from July to December 2015, in implementing the projects and initiatives contained in the Annual Action Plan for 2015-2016.

Issues

The attached report reveals the status of progress achieved against each of the Key Actions contained in the Annual Plan 2015-2016 as at December 2015. Of the 66 Key Actions:

- 19 were completed (29%)
- 43 were in progress (65%)
- 4 were not started (6%).

The report demonstrates good progress in the implementation of the Annual Action Plan in the first half of the year, with 94% of projects having either been completed or in progress. Of the four which were not started, three have been delayed until later in the year and one has been deferred due to budgetary constraints. The comments section in the status report provides additional clarification of the progress achieved and anticipated actions in the second half of the year.

Policy and Legislative Context

The *Local Government (Planning and Reporting) Regulations 2014* supports the operation of a planning and reporting framework for councils under the *Local Government Amendment (Performance Reporting and Accountability) Act 2014*.

The regulations require the adoption of a Council Plan report which demonstrates the performance of the Council against the Council Plan for the first six months of the financial year. This requirement is included in the Governance and Management Checklist which forms part of the Annual Report of Operations for 2015-2016.

A six month report of Council's performance against the Council Plan is consistent with the Council Plan commitment:

Council will demonstrate high levels of ethical behaviour and corporate governance standards.

Internal / External Consultation

Corangamite Shire's Leadership Group has been consulted and contributed to preparation of the Annual Action Plan Report for the period July–December 2015.

Financial and Resource Implications

Preparation of a six month performance report is part of the regular annual management reporting cycle and does not require additional resources.

Options

Council may adopt the attached Annual Action Plan Report, July-December 2015, or determine to make changes to the report.

Conclusion

Review of the Annual Action Plan Report July–December 2015 demonstrates transparency and accountability in Council's performance reporting. Adoption of the report by Council ensures compliance with regulations under the *Local Government Amendment (Performance Reporting and Accountability) Act 2014*.

RECOMMENDATION




That Council adopts the Annual Action Plan Report for July–December 2015.









Attachments

1. Annual Action Plan 2015-2016 Six Month Report



Annual Action Plan 2015-2016 – Six Month Report

	Not started	4
	In progress	43
	Completed	19

1. Stewardship, Governance, Advocacy and Collaboration					
Key Actions	Responsibility	Completion Date	Status at December 2015	Comment	
Prepare advocacy material suitable for the next Federal Election	CEO	June 2016		Completed	
Review and update Local Law Meeting Procedures	ODC	June 2016		Internal Review undertaken. Legal advice will be sought to ensure legislative compliance prior to gazetting and making available for public inspection	
Research and identify a preferred model for improving organisational efficiency and performance (ie service planning, lean thinking and/ or business excellence methodology)	DCCS	June 2016		Scheduled for completion in Quarter 4	
Develop Social Justice Policy	MCS	March 2016		Draft policy to be completed by June 2016	
Complete advocacy material for road and rail	DWS	June 2016		Completed	
Prepare advocacy material to facilitate implementation of the Shipwreck Coast Masterplan	DSD	June 2016		Commenced	
Completion of Business Case for Twelve Apostles Trail	MFR	June 2016		Project integrated with Shipwreck Coast Masterplan Implementation and Business Case project	
Update information and statements describing the Council and refresh	MCR	June 2016		Information statement about Corangamite complete, advocacy complete, new information signs still to be completed	











advocacy materials				
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2. Positioning for Economic Growth				
Key Actions	Responsibility	Completion Date	Status at December 2015	Comment
Identify and attend two additional Expo Events to attract population	MEDT	November 2015		Population Expo event was cancelled by the State Government. Alternative programs being developed.
Design a pilot project to attract migrant labour to dairy industry processing in Corangamite in partnership with industry and other relevant agencies	MEDT	December 2015		Discussions commenced with WestVic Dairy to hold a joint briefing day for prospective dairy farms to employ migrant labour
Develop/refresh new residents' kit and evaluate options for expanding a Welcome Program for new residents	MEDT	December 2015		First new resident welcome event to be held in Camperdown in March 2016
Hold quarterly meeting with West Vic Dairy and other industry groups to identify new opportunities and partnerships	MEDT	November 2015		Quarterly meetings being held - West Vic and the Shire are exploring holding a joint workshop on migrant labour attraction
Support an Industry Forum (Dairy Inspire) on dairy futures	MEDT	December 2015		Completed
Facilitate at least one new dairy processing opportunity to increase employment in dairying processing within Corangamite Shire	MEDT	June 2016		Dairy Australia is examining expanding operations and the Shire is working with planning consultants to facilitate this
Attract at least three new business operations to Corangamite Shire and facilitate expansion of five existing business opportunities already located within the Shire	MEDT	June 2016		Discussions with businesses to relocate to the Shire underway









Participate in the development of a Business Plan for the Food Artisans Group to strengthen niche food production in the Shire	MEDT	June 2016		Completed
Provide a workshop to encourage additional B&B/Farm Stay businesses and a training program for operators	MEDT	December 2015		B&B/Farm Stay workshop to be held in May 2016
Extend Welcoming Chinese Visitor Program and provide workshops to train business operators and work with other Great South Coast Councils to expand the program within the region	MEDT	December 2015		Project commenced
Participate in Regional Tourism Board and promote benefits of business participation in marketing	MEDT	March 2016		MEDT participates in regular subcommittee GORRT meetings
Develop and implement an accommodation booking service through Port Campbell Visitor Information Centre	MEDT	December 2015		Agreement has been signed with Bookeasy, an on line booking system
Complete a preliminary Feasibility Study in relation to future Visitor Information Centre operations	MEDT	August 2015		Project commenced with GORRT
Prepare an Event Strategy to expand the scale and economic benefit of the annual Camperdown Cruise Festival	MEDT	October 2015		Project commenced. Consultant brief to be issued shortly.
Complete a preliminary feasibility investigation in relation to the suitability of the Port Campbell Rifle	DSD	December 2015		Commenced

Range for a hot springs/spa facility					
Review export opportunities in China, focussing on how to increase opportunities for local product to be exported to Asia	MEDT	March 2016		Project commenced	
Advocate for greater levels of investment in renewable energy development within Corangamite Shire	DSD	June 2016		Commenced	
Implement CBD façade improvement program	MCR	June 2016		Program implemented, funding awarded, businesses still completing works	

3. Sustaining our Natural Assets					
Key Actions	Responsibility	Completion Date	Status at December 2015	Comment	
Undertake weed control on 250km of roadsides across the Shire	MEE	April 2016		All works have been quoted and allocated to contractors through the Council weed App	
Establish a Council policy and support framework for landowners to undertake fuel management on low conservation and low risk roadsides	MEE	November 2016		Policy development commenced to allow exemptions under the Local Laws	
Develop with Vic Roads a program for replacement of existing cost shared street lighting with more energy efficient type	MAP	March 2016		Great South Coast Group and MAV advocating for VicRoads to replace existing street lights on main roads with energy efficient types	
Develop a Stormwater Management Plan for Narroghid Landfill to improve water flows across the site and increase the potential to use stormwater in the composting process	MEE	May 2016		First draft has been provided which requires alteration before being finalised	
Establish a community bio-links project and commence the development of a strategy	MEE	February 2016		Project established with key partners and consultancy brief developed for commencement of strategy	



4. Strengthening our Communities					
Key Actions	Responsibility	Completion Date	Status at December 2015	Comment	
Develop the 2015-2016 Health and Wellbeing Action Plan	MCS	July 2015		Completed in July 2015. Draft presented to Council in June 2015.	
Investigate alternative wastewater management systems for towns identified as high risk within the Domestic Wastewater Management Plan	MEE	June 2016		New system requirements have delayed commencement of a standard design which is now in progress	
Develop and complete 2015-2019 Recreation and Open Space Strategy	MFR	June 2016		Tender awarded, initial meeting held. Scheduled for completion in October 2016	
Review inclusion of Footpaths within Special Charge Scheme Policy	MAP	November 2015		Footpath inclusion reviewed. Council adopted SCS policy in September 2015 with footpaths remaining in it	
Develop alcohol related information to distribute to Maternal and Child Health settings	MCS	November 2015		The following literature is now available in the Maternal & Child Health Centres: <ul style="list-style-type: none"> • The effects of alcohol on breast feeding • The effects of alcohol in pregnancy • Family Violence and alcohol The M&CH team will continue to source the latest, relevant information for families on this issue.	
Include oral health promotion in the assessment and care plans of HAACC clients	MCS	March 2016		The living at home assessment is a holistic detailed assessment that now includes an oral health discussion and if there are issues for the client, this forms part of the care plan following the assessment	
Conduct a HAACC Client Satisfaction Survey	MCS	May 2016		To be completed by end of June 2016	
Investigate technology required to extend access to Corangamite Shire libraries outside of current library hours	MFR	November 2015		Self-checkout with RFID possible, however with building security requirements and at a capital cost which has been included for consideration as a part of the 2016-2017 budget	


Implement the Corangamite Shire Education Attainment Project 'Beyond the Bell' community based action plan	MCS	June 2016		Action plan developed and launched in July 2015
Implement actions from Arts and Culture Strategy	MCR	June 2016		Strategy adopted, short term actions being completed
Commence new funding round for public art	MCR	March 2016		Cobden art to be installed in May/June 2016
Integrate mobile device technology into Council's emergency management and fire prevention functions	MEE	November 2015		Utilising ThinkPad technology and GPS
Commence Stage 2 of Planning Scheme Review to implement findings of Stage 1 review	MPBS	January 2016		Stage 2 output (Planning Scheme Amendment) to be authorised in 2016
Prepare a Conservation Management Plan for the Camperdown Botanic Gardens and Arboretum	DSD	July 2015		Due for completion 2016



5. Infrastructure				
Key Actions	Responsibility	Completion Date	Status at December 2015	Comment
Undertake condition assessment of bridges and major culverts on local road network and revise bridge asset management plan	MAP	March 2016		Works awarded to consultant to undertake condition assessments in April to June 2016. Bridges included in Road Asset Management Plan adopted by Council in February 2016.
Investigate capability of bridges on the local road network to cater for High Productivity Freight Vehicles	MAP	June 2016		Bridge load limit inhibitors to HPFVs identified. Price being obtained to determine extent of cost to review bridge network
Implement accessibility upgrades to Council's buildings in line with Council Building's Accessibility Audit 2015-2017	MFR	December 2015		Completed
Tender and award contracts for the construction of the Castle Carey Road Bridge Realignment and Skipton Flood Works Projects	MAP	February 2016		Skipton Flood works contract awarded and works underway. Due for completion in May 2016. Contract for Castle Carey Road Bridge project programmed for award in late 2016 following additional Federal funding being secured
Address issue of run-off road accidents by improving delineation of local roads with Increased signage and linemarking	MAP	April 2016		Edgelines to be introduced on various roads, including Old Geelong Road, Neylon Street and Castle Carey Road in 2016. Works to be completed by May 2016.
Treat identified gaps in footpath connectivity in towns	MAP	April 2016		2015-2016 works completed. Further footpath gaps programmed to be addressed in 2016-2017.
Implement second year of recommended improvements in towns from bicycle strategy	MAP	May 2016		Additional bicycle works programmed including bicycle lanes in Thompson St, Terang and median crossing in Lismore. Works to be completed by May 2016
Commence Port Campbell Streetscape	DWS	December 2015		Initial project planning has commenced. External funding for detailed design is required in order for this project to proceed



6. Our Organisation					
Key Actions	Responsibility	Completion Date	Status at December 2015	Comment	
Review workforce management strategy	MHRR	March 2016		Completion due by 30 June 2016	
Improve and update induction material	MHRR	March 2016		Completed	
Implement Scholarship Program/Summer Graduate Program	MHRR	March 2016		Deferred due to budgetary constraints	
Review Code of Conduct for Staff	MHRR	January 2016		Completion due after Leadership review on 17 March 2016	
Implement on-line performance management system	MHRR	September 2015		Purchased, configured and tested. Will be implemented in 2016 appraisals.	
Host a Regional Planners' Forum	MPBS	December 2015		Completed in November 2015. Huge success and increased goodwill.	
Implement on-line payment system	MI/MCR	June 2016		Awaiting the implementation of Enterprise Cash Receipting. Completion delayed until second half of 2016.	
Deliver new website for the Council	MCR	June 2016		Quote prepared and about to be released, slight delay due to alignment with MAV website CMS tender process	
Report on Document Storage Reduction due to Digitisation Plan implementation	MI	July 2015		Completed	
Develop GIS Strategy	MI	December 2015		In progress. Completion June 2016. Delayed due to work load.	
Develop Open Data Policy	MI	December 2015		Completed	
Implement Environmental Health Electronic Inspection Forms	MI	December 2015		In progress. Ready to put into Production environment. Completion due April 2016	

Review Community Plans for Camperdown, Terang, Lismore and Port Campbell	MCR	June 2016		Camperdown complete, other towns to be completed in 2016
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10.2 Sale of Council Land and Building Policy Review 2016

Author: Jane Hinds, Property Officer

File No: D16/172

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 Property Officer, I have no interests to disclose in this report.

Summary

The Sale of Council Land and Building policy outlines the way in which Council administers its real estate assets. The policy has been reviewed and updated and is recommended for adoption.

Introduction

Council owns a large number of land and building assets. The Sale of Council Land and Building policy will guide the way in which Council can review their status and determine if they are surplus to requirement.

Council asset requirements may change over time, thus all Council land and buildings should be reviewed regularly to ensure that the land or building is being held for a specific purpose for current or future use or identified as potential for disposal.

Issues

The policy was last reviewed in 2013, with a comprehensive review undertaken and significant changes implemented. As part of the 2016 review the following amendments are proposed:

1. In accordance with key findings following a Local Government Investigation and Compliance Inspection in April 2015, Council is required to attach a copy of the legal advice received, regarding the dating of documents to all transfer of land documents or sale contracts. A file note will be included referring to the legal advice received.
2. In the previous policy, a current valuation of the surplus property was required to accompany the Council report. In order to be efficient and achieve a cost saving, it is suggested Council use the valuation, as per the rating system, which is provided by the Valuer-General's Office. In accordance with Section 189(2)(b) of the *Local Government Act*, before a council sells or exchanges land, it must obtain a valuation of the land which is made not more than six months prior to the sale or exchange of that land. Thus, in some instances a valuation was being sought twice, as a six month period had elapsed between obtaining a valuation and selling the property. This change in process is an opportunity to reduce costs and accelerate administration processes.

Policy and Legislative Context

The Sale of Land and Building policy is a Council policy that has been reviewed in accordance with Council's Policy Development Framework.

The policy is consistent with relevant legislation including the *Local Government Act 1989*. This policy should be read along with these Acts and other relevant legislation as referred to within the body of the document.

The Sale of Council Land and Building policy is also in keeping with the commitments in the Council Plan 2013-2017:

Council will demonstrate high levels of ethical behaviour and corporate governance standards. We will make budgetary decisions that are reflective of our financial circumstances. We will advocate for and with the community to achieve outcomes

We will create a supportive, vibrant and exciting workplace which is diverse in culture, choice and opportunity. Our organisation will provide a high level of customer service and be responsive to community needs.

Internal / External Consultation

The Sale of Land and Building policy is an existing policy that has been reviewed internally by Council's Facility and Recreation department and senior officers.

Financial and Resource Implications

There will be no costs to Council associated with the implementation of the review of this policy.

Council may raise income from future sale of surplus land. Income from the sale of land will be treated as revenue in the year which it is received and considered as part of any budget considerations.

Options

Council may choose to adopt the reviewed Sale of Council Land and Building policy as prepared, with amendments, or choose not to adopt the policy.

Conclusion

The Sale of Council Land and Building policy review is a necessary update of Council's policy, which reflects the need to regularly review Council land and building assets to ensure they are being held for a specific purpose or identified as potential land holdings for disposal.

RECOMMENDATION

That Council:

- 1. Revokes the previous Sale of Council Land and Building policy dated June 2013.**
- 2. Adopts the Sale of Council Land and Building policy dated April 2016.**

Attachments

1. Sale of Council Land and Buildings Policy



**CORANGAMITE
SHIRE**

Sale of Council Land and Buildings

Corangamite Shire

April 2016

Council Policy



CORANGAMITE
SHIRE

Sale of Council Land and Buildings

Introduction

The Sale of Council Land and Building Policy outlines the way in which Council administers its real estate assets.

Council asset requirements may change over time, thus all Council land and buildings should be reviewed regularly to ensure that the land or building is being held for a specific purpose for current or future use or identified as potential land or building for disposal.

Purpose

The purpose of this policy is to establish a framework for Council decisions when considering the disposal of Council land or buildings.

This framework should assist to ensure that Council land and buildings are disposed in a responsible manner, in accordance with the outlined policy, legislative requirements and consistent with the Council Plan 2013-2017:

Council will demonstrate high levels of ethical behaviour and corporate governance standards. We will make budgetary decisions that are reflective of our financial circumstances. We will advocate for and with the community to achieve outcomes

We will create a supportive, vibrant and exciting workplace which is diverse in culture, choice and opportunity. Our organisation will provide a high level of customer service and be responsive to community needs.

Scope

This policy is applicable to all Council owned land and buildings.

References

Local Government Act 1989

Valuation of Land Act 1960

Council Plan 2013-2017

Laws and regulations

There are many laws and regulations that apply to the way in which Council disposes of its land holdings. The sale of Council land and buildings should be in accordance with the *Local Government Act 1989*.

Surplus Council Land and Buildings

Council will review, identify and evaluate, on an as needs basis, all Council land holdings. Properties that are designated as surplus to requirement may be made available for sale.

Surplus Council land and buildings will be identified and considered using the following criteria:

- history of the land
- size and location of the property

- demonstrated past and current usage
- surrounding usage
- community or Council plans
- strategic relevance
- access to the property
- demonstrated community need
- future foreseeable use. This may include Council, community, amenities, environmental and infrastructure usage.

All property marked as being surplus will be subject to a report to Council outlining:

- the reasons for the recommended sale
- a valuation (as per the rating system, which is provided by the Valuer-General's Office)
- the proposed method of sale.

The valuation will be listed separately and remain confidential to ensure the integrity of the sale process. Once Council approval has been received, a public submission process will take place advertising Council's notice of intention to sell in accordance with the provisions in the *Local Government Act*.

Requirement for a Current Valuation of Land

In accordance with Section 189(2)(b) of the Local Government Act, before a council sells or exchanges land, it must obtain a valuation of the land which is made not more than 6 months prior to the sale or exchange of that land.

The valuation must be conducted by a valuer that holds the qualifications or experience specified under Section 13DA(1A) of the Valuation of Land Act 1960. Under Section 13DA(1A) of this Act, councils are obligated to appoint a valuer who holds the experience or qualifications specified from time to time by the Minister by notice published in the Government Gazette.

General Principles

The method of sale chosen to sell the property will be determined by the nature of the land or building.

Council will aim to maximise the price of asset sales.

Different sale methods that can be considered are:

- sale through a real estate agent
- sale by public auction
- sale by public tender
- sale by public registration or expression of interest
- sale /exchange by private treaty.

Each sale method has its benefits of exposing the land to the market. The following principles will apply to the sale:

- The sale of land is not permitted before an auction or close of tenders.
- The reserve price will be set prior to an auction, close of tenders or receipt of offers and remain confidential.
- The valuation will be used as the reserve price.
- If land fails to sell at auction, it is to be passed in for negotiation with the highest bidder and offered for sale to that person at not less than the reserve price.
- If the land remains unsold following negotiations after an auction or unsuccessful tender, it should be left on the market for private sale at not less than the reserve price

for an appropriate or reasonable period of time as determined by the CEO or delegated officer.

- A decision to accept a written offer which is lower than the valuation can only be made by Council decision. Having considered relevant factors and Council having formed an opinion that the offer is reasonable, the land may be sold. Council will disclose the reasons for its decision, in a report at the next Council meeting, to sell the land for a price lower than the valuation.

Use of Proceeds

Income from the sale of land will be treated as revenue in the year which it is received and considered as part of any budget considerations.

Dating of Documents

Council will attach a copy of the legal advice received regarding the dating of documents, to all transfer of land documents or sale contracts. A file note will be included in Council's Records Management System referring to the legal advice received in relevant cases.

Reference to linked Procedure or Guidelines

Attachments accompanying this policy that should be reviewed when considering the sale of Council land include:

- Local Government Best Practice Guideline for the Sale, Exchange and Transfer of Land, Department of Planning and Community Development, June 2009
- Procurement Policy, Corangamite Shire, January 2015 or the most recent version where it is endorsed by Council
- Sale of Council Land and Buildings Procedures, Corangamite Shire, July 2015 or its most recent version where it is endorsed by the Chief Executive Officer.

Review Date

This policy will be reviewed in 2018, or earlier as required by changed circumstances including changes to the legislation and policies of Corangamite Shire, the Victorian Government and its agencies or Federal Government and its agencies.

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

10.3 Trails Management Policy

Author: Jarrod Woff, Acting Manager Facilities and Recreation

File No: D16/229

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 Acting Manager Facilities and Recreation, I have no interests to disclose in this report.

Summary

This report recommends Council adopt the Trails Management Policy as a guide to the maintenance and management arrangements for trails across the Corangamite Shire. The policy has been reviewed with only minor changes recommended, including identification of the Lismore Discovery Trail and the strategic context of trails in Victoria.

Introduction

There are a number of off-road trails throughout the Corangamite Shire, providing recreational opportunities for residents and visitors to the region. A range of management and maintenance responsibilities is outlined for each of the trails and Council's role varies from minimal involvement to complete responsibility for trail management and maintenance.

Issues

The Trails Management Policy identifies the trails and outlines the management and maintenance responsibilities for each.

The trails are located on either Council or Crown land and financial assistance has been provided in the past to trail committees.

A list of the trails is provided below:

- Ballarat to Skipton Rail trail (Corangamite section)
- Camperdown to Timboon Rail trail
- Jubilee Park Trail – Skipton
- Mt Elephant Trail
- Lake Terang Circuit Trail
- Terang to Noorat Trail
- Power Creek Trail
- Mt Leura and Sugarloaf Trail Network.

The policy does not include the Cobden Lake Trail or Lismore Discovery Trail as these are considered for ongoing maintenance responsibility on Council's asset register.

The trails continue to provide a recreation opportunity for residents and are positively contributing to our health and wellbeing (Corangamite Shire Health and Wellbeing Plan 2013-2017.)

The trails are used for walking, cycling, running, birdwatching, horse riding, orienteering and increasingly for small and large scale events.

There has been a focus from State Government on promoting these activities as effective and inexpensive exercise options and support for continued growth in this area.

Recognising the importance of trails to Victoria, the Victorian Government launched Victoria's Trails Strategy 2014–2024, the purpose of which is to provide a whole-of-government approach and clear vision regarding the planning, management and promotion of trails in Victoria.

The strategy was developed by the Victorian Trails Coordinating Committee in consultation with industry and key stakeholders and outlines a plan to achieve Victoria's vision to be recognised as a leading trail-based destination that provides a diverse range of quality trail experiences for visitors, while strengthening the State's economy and improving the health, wellbeing and lifestyle of the community. (tourism.vic.gov.au)

Council's Trail Management Policy may need to be reviewed in the event a new trail is developed.

Trail committees are volunteers, responsible for the management of trails across the Corangamite Shire. Support and financial contribution from Council have assisted the committees in order to appropriately maintain trails. This policy recommends maintaining the current level of funding and support provided to trails.

Policy and Legislative Context

The Trails Management Policy is a Council policy which provides an approach to the management and maintenance arrangements for trails throughout the Corangamite Shire. The policy has been developed in accordance with Council's Policy Development Framework, policy number: GOV 01-00.

The Trails Management Policy aligns with a number of actions outlined in Council's Plan 2013-2017:

Corangamite Shire's communities are welcoming and provide support and a sense of belonging. Council will work to improve and enhance community health, wellbeing and connectedness.

Provide opportunities to improve and enhance the health and wellbeing of our community.

Provide and advocate for a range of services, facilities and support to our people to enable them to fully engage and participate in the community.

We will maintain a focus on the importance of our assets and infrastructure to underpin service delivery. We will implement processes that ensure our infrastructure continues to meet the requirements of our community.

The policy also aligns with a number of Council's strategies including the Recreation and Open Space Strategy 2010-2015 and Municipal Public Health and Wellbeing Plan 2013-2017.

Financial and Resource Implications

The Trail Management Policy recommends Council allocate a financial contribution based on a per kilometre rate of \$200 as a part of its recurrent budget to assist trail committees with maintenance expenses. This level of service is consistent with previous years and poses no increase in financial commitment from Council. Council currently allocates approximately \$13,000 as a part of its recurrent budget to trails.

Committees will be responsible for all day to day operational, maintenance costs outside those costs to be met by Council and committees will be encouraged to apply to Council's Facility Grants Program to assist with minor capital work improvements.

Options

Council can opt to endorse the Trail Management Policy as proposed or choose to increase or reduce its service level.

Conclusion

Trails continue to provide recreational and health benefits to residents and visitors to the Corangamite Shire. A number of trails are managed and maintained by volunteers and this policy recommends a continuation of the current financial arrangements to ensure the trails are managed and maintained appropriately into the future. The Trails Management Policy outlines the role of Council in the management and maintenance of trails across the Corangamite Shire.

RECOMMENDATION

That Council:

- 1. Revokes Trail Management Policy adopted 25 June 2013.**
- 2. Adopts the Trail Management Policy dated April 2016.**

Attachments

1. Policy Trail Management 26 April 2016



**CORANGAMITE
SHIRE**

Trails Management Policy

Corangamite Shire
April 2016

Council Policy



CORANGAMITE
SHIRE

Trails Management Policy

Introduction

Recreation and open space facilities are recognised as important assets that contribute to providing a social focus and influencing peoples' perceptions of their community. Participation in sport and recreation is recognised as an important part of a well-balanced lifestyle with a broad range of physiological, mental, social and educational benefits. (Recreation and Open Space Strategy 2010-2015).

Trails are identified as providing an opportunity to improve the physical health of our community, by increasing levels of physical activity. A strategy from Councils Health and Wellbeing Plan is to 'Plan for and provide well-designed safe, inclusive and accessible public open space, buildings, infrastructure and facilities that also supports walking and active transport'.

Trails provide a path network within townships promoting active transport and recreation opportunities. Trails between towns and long distance trails linking key points of interest across the Shire encourage broad community use, events, tourism and contribute to the overall economic sustainability of the communities in which they exist.

Recognising the importance of trails to Victoria, State Government launched Victoria's Trails Strategy 2014 – 2024, the purpose of which is to provide a whole-of-government approach and clear vision regarding the planning, management and promotion of trails in Victoria.

Purpose

This policy aims to detail Council's involvement in the funding and management arrangements for off-road trails located within Corangamite Shire.

Scope

This policy applies to existing priority trails on Council or Crown Land as identified in the Corangamite Shire Trails Development Plan (2004) including:

- Ballarat to Skipton Rail trail (Corangamite section)
- Camperdown to Timboon Rail trail
- Jubilee Park Trail – Skipton
- Mt Elephant Trail
- Lake Terang Circuit Trail
- Terang to Noorat Trail
- Power Creek Trail
- Mt Leura and Sugarloaf Trail Network

This policy does not include the Cobden Lake Trail or Lismore Discovery Trail as these are considered for ongoing maintenance responsibility on Council's asset register.

This policy will also be considered for support of any new trails developed during the term of the policy and may need to be reviewed in the event a new trail is developed.

Definitions

‘Committee’ – Committee of Management responsible for the day to day management and operation of the Reserve as delegated by Department of Environment, Land, Water and Planning or Trustees.

‘Trail’ – off road trail providing single or multi-use public access for recreational walking, cycling, running and horse riding.

References

Corangamite Shire Trails Development Plan (2004)

Victoria’s Trail Strategy (2014-2024)

Policy Detail

1. Council will allocate an amount based on a per kilometre rate of \$200 as a part of its recurrent budget to assist trail Committees with maintenance expenses. This allocation is subject to Councils annual budget development process.

Trail	Length	Management Responsibility (including insurance)	Maintenance Responsibility	Councils role under this policy
Ballarat to Skipton Rail trail (Corangamite Section)	8 km	DELWP with Council as party to the nominated Committee of Management (along with Ballarat City Council and Golden Plains Shire)	Council in partnership with Skipton Progress Association	Representative on the committee of management. All management and maintenance excluding PLI insurance
Camperdown to Timboon Rail trail	34 km	DELWP Committee	DELWP Committee	Provide \$6,800 per year maintenance grant
Jubilee Park Trail (Skipton)		DELWP with parcel vested in Council	Council	All management and maintenance including PLI insurance
Mt Elephant Trail	5 km	Trustees	Mt Elephant Management Committee	Provide \$1,000 per year maintenance grant
Lake Terang Circuit Trail	4.5km	DELWP Committee	Terang Lions Club	Provide \$900 per year maintenance grant
Terang to Noorat Trail	6 km	Council with assistance from Terang Rotary Club	Council with assistance from Terang Rotary Club	All management and maintenance with support

				from Terang Rotary Club
Power Creek Trail	2.5 km	DELWP Committee	DELWP Committee	Provide \$500 per year maintenance grant
Mt Leura and Sugarloaf Trail Network	6km	Council with Section 86 Committee as the nominated Committee of Management	Council with Section 86 Committee as the nominated Committee of Management	Nil. Committee supported through separate maintenance grant

2. Committees will be responsible for all day to day operational and maintenance costs outside those costs to be met by Council as identified.
3. Committees will retain all income received through fundraising activities, leasing fees and product sales.
4. Committees will forward a report to Council at the end of each financial year which will include a financial statement and usage figures.
5. Committees will be responsible for sound asset planning and implementation of trail improvements.
6. Committees can seek funding for capital works in accordance with Council's Recreation Facilities Development Policy.
7. Committees will be invited to apply to Council's Facility Grants Program each year for minor infrastructure works or related projects.

Review Date

June 2019

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

10.4 Risk Management Policy

Author: David Rae, Director Corporate and Community Services

File No: D16/221

Previous Council Reference: 24 February 2015, Item 10.1

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

This report recommends Council adopts the Risk Management Policy (Policy) attached to this report. The Policy is an existing policy that has been reviewed which provides guidance for the management of risk across Council. There is a minor amendment to include a statement that the Policy does not impact negatively on any rights identified in the *Charter of Human Rights Act (2006)*.

Introduction

The Risk Management Policy provides an integrated approach to managing risk across Council. The Policy informs the Risk Management Framework and Corporate Risk Register and incorporates Council's "risk appetite" or the amount and type of risk that Council is willing to accept to achieve its strategic objectives. The strategic risk profile and the risk appetite assigned to each class of risk are described in Appendix 1 of the Risk Management Policy.

Issues

Integrated risk management of all Corangamite Shire Council operations is a key objective of Council. The Policy provides the guidance for management of risk across Council.

The purpose of the Policy is to manage the organisation's risks; protect employees, assets and the community against potential losses; minimise uncertainty and maximise opportunities when achieving Council's goals and objectives. The Policy applies to all activities, decisions and operations of the Corangamite Shire.

The Policy stipulates a Risk Management Framework be developed to both manage risk and continuously improve risk management. The Policy also defines the accountabilities and responsibilities for the management of risk within Council.

The "risk appetite", as contained in appendix 1 of the Policy, is the amount of risk that Council is willing to accept in pursuit of achieving its Council Plan objectives. "Risk appetite" can be categorised as:

1. Minimalist: risk averse - very little scope for compromise and innovation.
2. Cautious: risk tolerant - some scope for compromise and innovation.
3. Open: open for compromise and innovation.

The Audit Committee, in considering the Policy at its March 2016 meeting, recommends Council adopt the Policy as presented with this report. The Policy will be reviewed again in March 2017 by the Audit Committee to coincide with a review of Council's Risk Management Framework.

Policy and Legislative Context

Consideration of this report is in accordance with the Audit Committee's Annual Work Plan and the following commitments in the 2013-2017 Council Plan:

Council will demonstrate high levels of ethical behaviour and corporate governance standards. We will make budgetary decisions that are reflective of our financial circumstances. We will advocate for and with the community to achieve outcomes.

We will maintain a focus on the importance of our assets and infrastructure to underpin service delivery. We will implement processes that ensure our infrastructure continues to meet the requirements of our community.

Sustainability and preservation of our assets.

Plan for and deliver improved asset capacity to meet future needs.

The Policy is also a requirement of the Local Government Performance Reporting Framework as contained in the *Local Government (Planning and Reporting) Regulations 2014*.

Internal / External Consultation

The Risk Management Policy has been revised by Council's Human Resource and Risk team in consultation with the Senior Officer Group. The Policy was presented to the Audit Committee in March 2016 for review in accordance with its Annual Work Plan. The Audit Committee recommends Council adopt the Policy as presented.

Financial and Resource Implications

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

Options

Council may choose to adopt the Risk Management Policy with or without amendment. Alternatively, Council may choose not to adopt the Risk Management Policy.

Conclusion

Corangamite Shire Council objectives are set out in the Council Plan, and the management of uncertainties surrounding the achievement of these objectives is the primary aim of the Risk Management Policy. An effective Risk Management Policy is a critical element in the management of risk. It is therefore recommended Council adopt the Risk Management Policy.

RECOMMENDATION

That Council:

- 1. Revokes the Risk Management Policy dated February 2015.**
- 2. Adopts the Risk Management Policy dated April 2016.**

Attachments

- 1. Council Risk Management Policy April 2016**



**CORANGAMITE
SHIRE**

Risk Management Policy

Corangamite Shire Council

April 2016

Council Policy



CORANGAMITE
SHIRE

Risk Management

Introduction

Integrated risk management of all Corangamite Shire Council operations is a key objective of the Council management system. This policy provides the guidance for management of risk across Council.

Purpose

The purpose of this policy is to manage the organisation's risks, protect our employees, assets and the community against potential losses, minimize uncertainty and maximise opportunities when achieving Council's goals and objectives.

Scope

This policy applies to all activities, decisions and operations of the Corangamite Shire.

Definitions

- **Risk** – The chance that an event will occur that will impact upon the Council's objectives as defined in the Council Plan. It is measured in terms of consequence and likelihood.

References

- Local Government Act 1989
- AS/NZS ISO 31000:2009 *Risk management – Principles and guidelines*
- Corangamite Shire Council Plan 2013-2017
- Corangamite Shire Risk Management Framework

Policy Detail

Corangamite Shire Council is committed to managing risk and continuously improving risk management through:

- impediments to delivering benefits from Council Plan objectives being identified and addressed (downside risk).
- identifying opportunities for continual improvement (upside risk).
- an integrated risk management approach where risk is consciously addressed prior to making decisions with the view to adding value.
- all proposals and business cases identifying risks and treatment strategies to enable effective decision making.
- risk being acknowledged, communicated and reviewed across Council.
- risk being accepted by those with the appropriate authority.
- Strategic and Operational risks being MONITORED, REPORTED, and CONTROLLED.
- Contingency planning, including Business Continuity, and the establishment of a Council risk profile.
- all operational tasks and supporting activities being carried out using the systematic, structured approach within the Corangamite Shire Risk Management Framework.

This will be achieved through the Risk Management Framework which will provide:

- Confident and rigorous decision making and planning;
- Better identification of opportunities for improvement;
- Pro-active rather than re-active management;
- More effective allocation and use of resources;
- Improved incident management and reduction in loss and the cost of risk, including commercial insurance premiums;
- Improved stakeholder confidence and trust;
- Improved compliance with relevant legislation; and
- Better corporate governance.

Policies and Procedures. This policy should be read in conjunction with the Corangamite Shire Council Risk Management Framework along with health, safety and risk related policies and procedures.

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

Accountabilities and responsibilities

- **Council.** Approve the Strategic Risk Profile at appendix 1, including risk appetite, as defined in the Risk Management Framework.
- **Audit Committee.** Ensure that independent risk advice is provided to Council in accordance with Section 139 of the Local Government Act 1989. (Audit Committee responsibilities are detailed at the Audit Committee Charter.)
- **Chief Executive Officer.** Provide overall direction for the management of risk across all areas of Council's business.
- **Directors.** Act as Strategic/Operational Risk Owners in accordance with the Risk Management Framework.
- **Director Corporate & Community Services.** Monitor the implementation of the Risk Management Policy and Framework and provide advice and assistance to all areas on risk management matters through the Human Resources/Risk Management Unit. Provide support to the Audit Committee and coordinate internal audits.
- **Manager HR/RM.** Maintain and provide an annual review of the Risk Framework to the Senior Officer Group (SOG).
- **Risk Management Coordinator.** Coordinate risk management awareness and training throughout the organisation to address the needs of management and staff. Maintain the Corporate Risk Register and provide risk related reports.
- **Managers.** Implement the Risk Management Policy in their areas of responsibility and create an environment where each staff member is responsible for and actively

involved in managing risk. Act as Operational Risk Owners in accordance with the Risk Management Framework.

- **Staff.** Be actively involved in identifying, reporting and managing risks in the workplace.

Review Date

This policy will be reviewed in April 2017, or earlier as required by changed circumstances, including changes to legislation and policies.

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

Appendix:

1. Corangamite Shire Strategic Risk Profile 2013-2017

Corangamite Shire Strategic Risk Profile 2013-2017

1. Corangamite Shire Strategic Risks and appetites, as approved by Council and aligned with the Council Plan themes, are:

Council Plan Themes & Appetite*	Strategic Risks
<p><i>1. Stewardship, Governance, Advocacy and Collaboration.</i></p> <p>MINIMALIST</p>	<ul style="list-style-type: none"> • Finance is not managed effectively. • Inappropriate decision making/behaviour by Councillors or staff. • Non compliance with regulatory and authorised internal processes.
<p><i>2. Positioning for Economic Growth.</i></p> <p>OPEN</p>	<ul style="list-style-type: none"> • Business investment declines. • Tourism declines
<p><i>3. Sustaining our Natural Assets.</i></p> <p>CAUTIOUS</p>	<ul style="list-style-type: none"> • Damage to the natural environment. • Unable to adapt to the impacts of climate change and adverse environmental conditions.
<p><i>4. Strengthening our Communities.</i></p> <p>OPEN</p>	<ul style="list-style-type: none"> • Community Health & well being is adversely affected. • Failure to effectively engage the Community/stakeholders in decision making.
<p><i>5. Infrastructure</i></p> <p>CAUTIOUS</p>	<ul style="list-style-type: none"> • Infrastructure cannot be maintained to a safe standard on time and within budget.
<p><i>6. Our Organisation.</i></p> <p>OPEN</p>	<ul style="list-style-type: none"> • Skilled and experienced staff are not available or cannot be retained. • Workplace health and safety is degraded.

*MINIMALIST: risk averse - very little scope for compromise and innovation.

*CAUTIOUS: risk tolerant - some scope for compromise and innovation.

*OPEN: open for compromise and innovation.

2. These strategic risks and assigned appetites will be used to guide the realisation of benefits from Council Plan objectives. Controls for these strategic risks are embedded within the Council Plan, primarily through actions identified within the Plan, and thresholds for monitoring and controlling risks are provided at the Risk Management Framework, Part 4.

3. Operational risks are linked to the strategic risks through the Corporate Risk Register (CRR) – refer to the Risk Management Framework, Part 3 – Risk Governance for more detail.

10.5 Investment Policy Review

Author: David Rae, Director Corporate and Community Services

File No: D16/222

Previous Council Reference: 28 April 2015, Item 10.3

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

This report recommends Council adopt the revised Investment Policy dated April 2016 as attached.

Introduction

The current Investment Policy (Policy) was adopted by Council in April 2015 on the recommendation of Council's Audit Committee. This followed an extensive review to broaden Council's Investment Policy to include higher yielding investments.

Officers have reviewed the Policy and several minor amendments are proposed. The revised Policy was presented to Council's Audit Committee in March 2016. The Audit Committee recommends Council adopt the revised Policy.

Issues

The Investment Policy establishes the basis for the investment of Council's surplus funds and to optimise the balance between risk and return. The Investment Policy is an existing policy and was extensively reviewed in 2015. Three minor amendments to the Policy are proposed for Council's consideration:

1. Definition of Investment Officers: Amend to *"Director Corporate and Community Services, Manager Finance, Accountant(s)"*.
2. Delete *"(extract below)"* from the phrase *"All investments must comply with Section 143 of the Local Government Act 1989 (extract below), relevant regulations and Ministerial guidelines."* as it is not required.
3. Inclusions of statement on human rights: *"It is considered that this Policy does not impact negatively on any rights identified in the Charter of Human Rights Act (2006)."*

High Yield Investments

The Policy continues to support investments in managed investment schemes (managed funds) or Australian equities, however, requires a specific Council resolution and must:

1. Comply with ministerial guidelines, Approval of Authorised Manners of Investments for the Purposes of Section 143(f) of the *Local Government Act 1989* (Victorian Government Gazette, 26 July 2007, p.1733).
2. Comply with the requirements of the prudential statement, Investments Powers of Councils (Department of Treasury and Finance, February 1998).
3. Be supported by a specified cash backed reserve in Council's balance sheet.

Whilst the Policy conditions for high yield investments are somewhat restrictive, they do provide Council with the ability to invest in such investments within the constraints of the *Local Government Act* and without a significant compliance (or red-tape) cost burden.

Policy and Legislative Context

Consideration of this report is in accordance with the Audit Committee's Annual Work Plan and the following commitments in the 2013-2017 Council Plan:

Council will demonstrate high levels of ethical behaviour and corporate governance standards. We will make budgetary decisions that are reflective of our financial circumstances. We will advocate for and with the community to achieve outcomes.

The Investment Policy also complies with Section 143 of the *Local Government Act 1989*, relevant regulations and ministerial guidelines.

Internal / External Consultation

The revised Investment Policy has been developed and reviewed internally. Internal audit and sector findings or recommendations have been incorporated, including the aforementioned ministerial guidelines and prudential statement. The revised Policy was considered by Council's Audit Committee in March 2016. The Committee recommends Council approve the revised policy.

Financial and Resource Implications

There are no financial and resource implications as a consequence of adopting the revised Investment Policy.

Options

Council may choose to adopt the Investment Policy with or without amendment. Alternatively, Council may choose not to adopt the Investment Policy.

Conclusion

The revised Investment Policy is attached for Council's consideration and approval.

RECOMMENDATION

That Council:

1. **Revokes the previous Investment Policy dated April 2015.**
2. **Adopts the Investment Policy dated April 2016.**

Attachments

1. Council Investment Policy April 2016



**CORANGAMITE
SHIRE**

Investment Policy

Corangamite Shire

April 2016

Council Policy



Investment Policy

Introduction

This policy provides guidance on the effective and responsible utilisation of Council's surplus cash funds within the government legislative framework and will conform to applicable Federal and State regulations.

Particular emphasis is directed towards investment decisions that limit unnecessary exposure to risk and optimise return on investment whilst ensuring sufficient liquidity for Council's on-going operating commitments.

Purpose

This policy establishes the basis for the investment of Council's surplus funds and to optimise the balance between risk and return. The purpose of Council's investment policy is to ensure that:

- All funds are invested in accordance with legislative and Council requirements.
- Effective internal controls are in place to minimise investment risk and unauthorised appropriation of Council funds.
- All investment transactions are appropriately authorised and documented.
- Investment decisions are based on the security of funds by limiting unnecessary exposure to risk.
- The financial yield is enhanced through prudent investment of funds whilst ensuring sufficient liquidity for Council's day to day operational commitments.
- Legally restricted funds are appropriately invested so as to earn a reasonable income towards their purposes (whilst limiting unnecessary exposure to risk).

Scope

This policy applies to all Council officers (Investment Officers) who are involved in the investment of Council funds. It is considered that this Policy does not impact negatively on any rights identified in the Charter of Human Rights Act (2006).

Definitions

- The Act – Local Government Act 1989
- APRA – Australia Prudential Regulation Authority
- ADI – Authorised Deposit-taking Institution. It covers banks, building societies and credit unions.
- AFS – Australian Financial Services
- VFMC - Victorian Funds Management Corporation
- S&P – Standard and Poor's rating agency
- Moody's – Moody's rating agency
- Investment Officers – Director Corporate and Community Services, Manager Finance, Accountant(s).

References

- Local Government Act 1989 (specifically Section 143 – Investments)
- Ministerial Guidelines - Approval of Authorised Manners of Investments For The Purposes of Section 143(f) of the Local Government Act 1989 (Victorian Government Gazette 26 July 2007 Page 1733)
- Prudential Statement - Investments Powers of Councils (Department of Treasury and Finance, February 1998)
- Australia Prudential Regulation Authority

Policy Detail

1. Prudent Person Standard

The standard of prudence is to be used by Investment Officers when managing the overall portfolio. Investments will be managed with the care, diligence and skills that a prudent person would exercise in managing the affairs of other persons. This includes having in place appropriate reporting requirements that ensure the investments are being reviewed and overseen regularly.

Investment Officers are to manage the investment portfolios not for speculation, but for investment in accordance with this Policy. Investment Officers are to avoid any transaction that might harm confidence in Council. Investment Officers must consider the safety of capital and income objectives when making an investment decision.

2. Ethics and Conflicts of Interest

Investment Officers shall refrain from personal activities that would conflict with the proper execution and management of Council's investment portfolio. This includes activities that would impair the investment officer's ability to make impartial decisions.

The Policy requires that Investment Officers disclose to the Chief Executive Officer any conflict of interest on any investment positions that could be related to the investment portfolio.

3. Delegation of Authority

Authority for implementation of the Policy is delegated by the Council to the Chief Executive Officer in accordance with the Victorian Local Government Act 1989.

Authority for the day-to-day management of the Council's investment portfolio is delegated by the Chief Executive Officer to the Director Corporate and Community Services and Manager Finance. The Management Accountant and Finance Officer have the authority to review the reasonableness of an investment, initiate or redeem an investment in accordance with this policy.

3.1.1. Term to Maturity of Investments

Investment Officers are only permitted to invest in term to maturity deposits or similar products with an ADI. Such investment products must have a readily available market and may include any of the following types of investments:

- At call accounts
- Fixed term deposits
- Negotiable Certificates of Deposit
- Bank bills
- Promissory notes
- Bonds
- Floating Rate Notes
- Floating Rate Certificates of Deposit

3.1.2. All other investments

All other investments, including investments in managed investment schemes (managed funds) or Australian equities, will need a specific Council resolution and must:

- Comply with Ministerial Guidelines - Approval of Authorised Manners of Investments For The Purposes of Section 143(f) of the Local Government Act 1989 (Victorian Government Gazette 26 July 2007 Page 1733)
- Comply with the requirements of the Prudential Statement - Investments Powers of Councils (Department of Treasury and Finance, February 1998)
- Be supported by a specified cash backed reserve in Council's balance sheet.

Investments in Managed Fund, Fixed Interest Securities of an Australian Authorised Deposit Taking Institution and Shares listed on the Australian Stock Exchange must be managed by the Victorian Funds Management Corporation. Currently, investments with the VFMC must be for a minimum value of \$2million and for a minimum term of three years.

4. Investment Objectives

Council's overall objective is to invest its funds at the most advantageous rate of interest/return available to it at the time, for that investment type, and in a way that it considers most appropriate given the circumstances. In priority, the order of investment priority shall be preservation of capital, liquidity, and return.

4.1. Preservation of Capital

Preservation of capital shall be the principal objective of the investment portfolio. Investments are to be performed in a manner that seeks to ensure security of principal of the overall portfolio. This includes managing credit and interest rate risk within given risk management parameters and avoiding any transactions that would prejudice confidence in Council. Diversification of investments assists in reducing the overall risk of the investment portfolio.

4.2. Maintenance of liquidity

In addition to the balances held in its bank account for routine operating requirements, the investment portfolio will maintain sufficient liquidity to meet all reasonably anticipated operating cash flow requirements of Council, as and when they fall due, without incurring significant transaction costs due to being required to sell or redeem an investment.

4.3. Return on Investments

The portfolio is expected to achieve a market average rate of return and take into account Council's risk tolerance and current interest rates, budget considerations, and the economic cycle.

Investment Officers should aim to maximise where possible, favourable returns that do not jeopardise the security of funds invested. It would be anticipated that returns would exceed the Bank Bill Swap Rate (BBSW).

5. Portfolio Implementation

5.1. Authorised Personnel

The Investment Officers are authorised to invest Council's operating funds at their discretion in investments consistent with the Policy and legislation.

5.2. The Role of the Audit Committee

To ensure separation of duties, The Audit Committee will:

- Oversee the development and maintenance of the Policy and its guidelines.
- Recommend to the Council modification to the Policy.
- Monitor compliance with the Act.

The Audit Committee is not to direct investment decisions or become involved in the management of the investment portfolio. Its role is to review the policy, processes and refer investment decisions to the Council if required.

5.3. Internal Controls

The Manager Finance will establish internal controls and processes that will ensure investment objectives are met and that the investment portfolio is protected from loss, theft or inappropriate use.

The Audit Committee is responsible for reviewing the Policy and recommending amendments to Council.

To minimise the potential for investment risk and unauthorised appropriation of Council funds, the following internal controls will apply:

- All placement and redemption of investments must be authorised by any two of the Investment Officers, one of which must be Director Corporate and Community Services or Manager Finance.
- The investment authorisation process must be carried out in accordance with any other relevant policies and procedures.
- Each transaction will require written confirmation by the Financial Institution.
- Investments are to be reconciled monthly to the General Ledger

6. Investment Parameters

6.1. Prohibited Investments

This Policy prohibits any investment carried out for speculative purpose, including the following:

- Derivative based investments;
- Principal only investments or securities that provide nil or negative cash flow;
- Standalone securities issued that have underlying futures, options, forward contracts and swaps of any kind;
- Any investments or securities issued in non-Australian currency; and
- 'Enhanced cash Funds' or similar products that fall within the definition of a Collateralised Debt of Obligation (CDO).

6.2. Term to Maturity investments are required to be made with an APRA approved ADI.

6.3. Money is to be transferred using the General Bank Account

- Funds must be transferred electronically and be authorised by two officers who are authorised signatories on the general bank account.
- Interest earned on investments being rolled over may either be reinvested or redeemed to Council's general bank account at the time of maturity.
- All funds that are being redeemed, or interest being paid, must be directly credited to Council's general bank account.

6.4. Factors to consider when investing

In order to meet investment objectives, Investment Officers must take into consideration all of the following factors when carrying out investment functions:

6.4.1. Existence of Guarantee and security

Determine whether the investment is guaranteed by the Institution, or by the Government. Note the Commercial / Bank Bills guaranteed by the Institution, although guaranteed, rank as an unsecured creditor in the event of winding up.

6.4.2. Credit Rating of Institution and Portfolio Investment Parameters

a) Term to Maturity of Investments

A credit rating is used to determine the level of risk involved when investing with the ADI. All investments should not have a risk exposure greater than the minimum set out in the table below. The table also details the maximum percentage of funds that may be held by any one financial institution, the maximum term to maturity and the maximum percentage of total investment portfolio.

Short Term		Long Term		Maximum % of Funds With any Financial Institution	Maximum Term to Maturity	Maximum Percentage of Total Portfolio
S&P	Moody's	S&P	Moody's			
A-1+	P-1	AAA	Aaa	25%	2 Years	100%
		AA+	Aa1			
		AA	Aa2			
		AA-	Aa3			
A-1	P-1	A+	A1	25%	1 Year	50%
		A	A2			
A-2	P-2	A-	A3	25%	180 Days	25%
		BBB+	Baa1			

Where the aggregate of the portfolio decreases resulting in funds with an institution exceeding the limit, the Investment Officers will restructure the portfolio within a reasonable period (7 days after the existing investment matures).

b) Managed Investment Schemes (Managed Funds)

Investments in Managed Investment Schemes must have a rating as specified by Ministerial Guidelines - Approval of Authorised Manners of Investments For The Purposes of Section 143(f) of the Local Government Act. Investments in Managed Investment Schemes must also be in accordance with 3.1.2 above.

6.4.3. Prudential requirements of investment institution

Council will only invest in ADI's that meet the APRA prudential requirements, including:

- Liquidity Coverage Ratio
- Capital Adequacy Ratio

6.4.4. Investment Term and Amount

Investments can be made at any time where excess cash is available. It is prudent to have multiple investments with varying maturity dates to maximise returns to meet Council's cash flow requirements. Investment Officers should ensure a sufficient level of funds is available to meet short term debts. However, discretion of the Director of Corporate and Community Services or Manager Finance can be used in regards to diversification for funds placed in "At-Call" type accounts.

6.4.5. Other considerations

Council's aim is to invest funds to obtain the best return possible with the least risk, however, consideration must be given to any fees applicable to transferring funds between Institutions that may erode investment returns.

6.5. Use of Licenced Broker

Term to maturity Investments can be placed directly with an ADI or through an AFS licenced broker.

6.6. Quotation on Investments

Not less than three (3) quotations shall be obtained from an ADI whenever a Term to Maturity investment is proposed. The best quote will be successful after allowing for administrative and banking costs, as well as having regard to the limits set above.

Investment Officers shall take into account the following factors:

- The level of risk against return (i.e.: credit rating vs interest rate).
- The process required to transfer cash to the institution.
- The spread of Council's existing investments.

6.7. Shared Service Arrangement

Council may enter into a shared service arrangement (or similar) for investment purposes under this Policy. However, Council must retain beneficial interest in the underlying investment. Shared service arrangements under this Policy must be with other Victorian Local Government Authorities or through a scheme managed or co-ordinated by the Municipal Association of Victoria.

7. Investment Decision

All investments should be reviewed by another Investment Officer of which one must be either the Director Corporate and Community Services or Manager Finance. An investment decision is required to have sufficient documentation to meet the policy and audit requirements.

8. Reporting On Investments

- Investment activities and results must be reviewed on a monthly basis by the Manager Finance and reported to the Director Corporate and Community Services in the form of an Investment Activity Report.
- A register of investments will be maintained together with an investment file containing all letters of advice.
- Investment will be brought to account and valued at fair value plus transaction costs directly related to the acquisition of the financial asset in accordance with IFRS.
- Interest revenue will be recognised as it is earned.

Legislative compliance

All investments must comply with Section 143 of the *Local Government Act 1989*, relevant regulations and Ministerial guidelines.

Review Date

The Policy will be reviewed in April 2017 or as required by changed circumstances, including changes to legislation and policies.

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

10.6 Fraud Prevention and Control Policy Review

Author: David Rae, Director Corporate and Community Services

File No: D16/223

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

This report recommends Council adopt the Fraud Prevention and Control Policy dated April 2016 as attached.

Introduction

The current Fraud Prevention and Control Policy (Policy) was adopted by Council in April 2013 on the recommendation of Council's Audit Committee.

The Policy was reviewed by Council's Audit Committee in March 2016. The Audit Committee recommends Council adopt the revised Policy. There is a minor amendment to include a statement that the Policy does not impact negatively on any rights identified in the *Charter of Human Rights Act (2006)*.

Issues

The Fraud Prevention and Control Policy is an existing policy. The Policy was extensively reviewed in 2013 and included recommendations from the Victorian Auditor General's Office (VAGO) report on Fraud Prevention Strategies in Local Government (June 2012).

The Policy sets the framework for the prevention, identification and management of acts (or potential acts) of fraud that could be encountered by Council. The Policy also reflects the principles contained within the Councillor Code of Conduct and The Code of Conduct for Staff. The Policy applies to all:

- Councillors, employees and volunteers of Council.
- Persons who interact with Council including members of the public, contractors, consultants and committee members.

Since the policy was adopted in April 2013 several audits have been undertaken by Council's internal auditor (Crowe Horwath), the Local Government Investigations and Compliance Inspectorate and the Independent Broad-based Anti-corruption Commission (IBAC). All have made recommendations to reduce fraud risk. These recommendations have or will be implemented via other policies. For example, Staff Code of Conduct is currently under review and a Disposal of Assets Policy was adopted in 2015.

Policy and Legislative Context

Consideration of this report is in accordance with the Audit Committee's Annual Work Plan and the following commitments in the 2013-2017 Council Plan:

Council will demonstrate high levels of ethical behaviour and corporate governance standards. We will make budgetary decisions that are reflective of our financial circumstances. We will advocate for and with the community to achieve outcomes.

The Policy is also a requirement of the Local Government Performance Reporting Framework as contained in the *Local Government (Planning and Reporting) Regulations 2014*.

Internal / External Consultation

The Fraud Prevention and Control Policy has been developed and reviewed internally. Internal audit and sector findings or recommendations have been incorporated, including the VAGO report Fraud Prevention Strategies in Local Government. The Policy was considered by Council's Audit Committee in March 2016. The Committee recommends Council approve the Policy.

Financial and Resource Implications

There are no financial and resource implications as a consequence of adopting the Fraud Prevention and Control Policy.

Options

Council may choose to adopt the Fraud Prevention and Control Policy with or without amendment. Alternatively, Council may choose not to adopt the Fraud Prevention and Control Policy.

Conclusion

The revised Fraud Prevention and Control Policy is attached for Council's consideration and approval.

RECOMMENDATION

That Council:

- 1. Revokes the previous Fraud Prevention and Control Policy dated April 2013.**
- 2. Adopts the Investment Fraud Prevention and Control Policy dated April 2016.**

Attachments

1. Fraud Prevention and Control Policy April 2016



**CORANGAMITE
SHIRE**

Fraud Prevention and Control Policy

Corangamite Shire

April 2013

Council Policy

Fraud Prevention and Control

Introduction

This policy sets the framework for the prevention, identification, management and prosecution of acts or potential acts of fraud that could be encountered by Corangamite Shire Council (Council).

Purpose

The purpose of the Fraud Prevention and Control Policy is to:

- Identify areas of risk in relation to fraud within the organisation.
- Protect the reputation, revenue, expenditure and property of the organisation.
- Implement fraud prevention and detection controls within the organisation to minimise losses through fraud.
- Maintain an ethical climate within the organisation which encourages all councillors and staff to be active in protecting public money and property.
- Monitor and review fraud risk areas and controls on an ongoing basis.
- Prosecute offenders following appropriate investigation.

Scope

This policy reflects the principles contained within the Councillor Code of Conduct and The Code of Conduct for Staff and applies to all:

- councillors, employees and volunteers of Council.
- persons who interact with Council including members of the public, contractors, consultants and committee members.

All individuals associated with Council are responsible for ensuring there are adequate measures to prevent and detect fraud within the areas under their control by:

- complying with legislation and Council policies and practices;
- ensuring staff understand their responsibilities through adequate supervision, acting within their delegated powers, written procedures and position descriptions;

Definitions

- Fraud: A deception through an act, expression, omission or concealment which is deliberately practiced in order to secure unfair or unlawful advantage for personal gain while causing injury or loss to Council. Or more simply, fraud is dishonestly obtaining a benefit, or causing a loss, by deception or by other means. Fraud may include, but is not limited to, the following acts:
 - theft
 - obtaining property, a financial advantage or any other benefit by deception
 - providing false or misleading information to a statutory authority or failing to provide information where there is an obligation to do so
 - causing a loss, or avoiding or creating a liability by deception
 - creating, using or possessing forged or falsified documents
 - bribery, the acceptance of bribes, corruption or abuse of office

- unlawful (including unauthorised) use of Council resources and assets, including misuse of information technology, plant and machinery, light fleet vehicles, telephones and other property or services
- non declaration of Conflicts of Interest or receipt of gifts leading to personal or associated advantage
- disclosure of sensitive or confidential information with the discloser obtaining some benefit; and
- any offences of a like nature to those listed above.
- Fraud Control Officer: senior council officer responsible for the development and implementation of the Fraud Control Plan. The Director Corporate and Community Services assumes this function.
- Fraud Control Plan: The Fraud Control Plan is a summary of Council's fraud risks and controls in place, or being developed, to minimise and combat those risks. It is intended to clearly set out prescriptive measures to prevent and limit the effects of fraud.

References

Corangamite Shire Councillor Code of Conduct
Corangamite Shire Code of Conduct for Staff
Local Government Act 1989
Financial Management Act 1994
Protected Disclosure Act 2012
Victorian Auditor General's Office
Australian Standard AS 8001-2008: Fraud and Corruption Control

Policy Detail

Council will not tolerate any act or behaviour that is illegal, will materially damage Council and or is likely to bring Council's reputation into disrepute. Council will prosecute those acting illegally and take further legal action to recover any losses.

Council's Fraud Control Officer will implement a structured and ongoing Fraud Control Plan. The Fraud Control Plan will ensure that there are procedures, guidelines, programs and subsidiary policies in place that protect Council's assets and resources, integrity, security and consequently its reputation within the community from fraudulent acts.

All administrative and management practices will support the Fraud Control Plan through the fostering of an ethical culture, transparency and accountability. Councillors and employees are to maintain a high degree of integrity and ethical behaviour at all times. Ethical behaviour in all Council dealings will also foster an external environment that encourages the prevention, detection and reporting of any fraudulent act involving or impacting on Council.

Actual or suspected fraudulent acts must be reported immediately either directly or via senior management to the Chief Executive Officer (CEO). The CEO will investigate such acts, report to Council and involve the Police where necessary. The Fraud Control Officer will report such acts to the Audit Committee.

Where the actual or suspected fraud relates to the CEO the allegation may be reported to the Director Corporate and Community Services (DC&CS). The DC&CS is then delegated CEO responsibilities for the purposes of this policy. Alternatively, the allegation may be reported to the Independent Broad-based Anti-corruption Commission (IBAC) under the Protect Disclosure Act 2012.

Council's Human Resource policies and procedures will ensure that all staff are kept informed of this policy. A copy of this policy is to be made available to all staff.

Specific responsibilities

Council:

- demonstrate good governance and ethical behaviour in the provision of all services to the community and in the management of Council,
- ensure management has appropriate resources and measures to detect, prevent and control fraud.

Audit & Risk Management Committee:

- assist management to achieve sound managerial review and control over all Council activities through the use of internal and external audit functions,
- assist the Fraud Control Officer in the preparation of the Fraud Control Plan.
- monitor the effectiveness of the Fraud Control Plan
- review the Fraud Control Plan triennially

Chief Executive Officer;

- ensure procedures support the reporting of all fraudulent or suspected fraudulent acts,
- investigate fraudulent acts (reported or otherwise), report to Council and take legal redress when necessary, including criminal prosecution.

Senior Officer Group;

- ensure there are appropriate and adequate internal controls in place to provide reasonable assurance for the prevention and detection of fraud and corruption by;
 - promptly responding to concerns and issues raised,
 - monitoring compliance with Council policies, rules and regulations,
 - promoting staff awareness of their responsibilities supported by adequate training, supervision and documented procedures,
 - setting an example and advising employees of the acceptability or otherwise of their conduct,
 - reviewing procedures as prevailing circumstances change.

Employees/Volunteers/Contractors/Consultants;

- act with propriety in all Council activities,
- must NOT use their position with Council to gain personal advantage or to confer advantage, or disadvantage, on any other person,
- safeguard Council assets against theft, misuse or improper use,
- report any suspicion of fraudulent activity.

Fraud Control Officer;

- prepare a Fraud Control Plan in consultation with the Audit Committee
- implement the Fraud Control Plan

Fraud Control Plan:

The Fraud Control Plan, as a minimum, must give consideration to:

- Fraud Risk Profiling and Assessment including:
 - Areas of fraud including related party transactions
 - Associated risks
 - Controls and measures to mitigate risk
 - Officers responsible for implementing risk mitigation measures
- Ongoing monitoring and reporting;
- Identification of “red flag” indicators to assist in fraud detection;
- Employee awareness and conduct training;
- Internal controls to be maintained to minimise fraud;
- Fraud incident investigation protocol.

Fraud Investigation:

The Chief Executive Officer, or delegate, will respond to, investigate and assess allegations of fraud. All reported acts or suspected act of fraud will be investigation by:

- thoroughly reviewing reported incident to establish the facts,

- allowing for an investigation independent of management if appropriate,
- acting quickly to preserve evidence, being mindful to not in any way compromise a possible future criminal investigation,
- presenting a case to police if evidence is sufficient
- taking remedial action eg pursue legal action to recover lost funds or assets.
- maintaining confidentiality and disclosing information only to those who need to know in order not to prejudice any disciplinary or any criminal action.

At the conclusion of any fraud investigation, systems and procedures will be reviewed to identify deficiencies with internal controls.

Disciplinary Matters: Codes of conduct and discipline procedures

Any individual, including councillors and employees, who commits a fraudulent act that impacts upon Council can expect legal action for redress. All councillors and employees (including contractors and volunteers) are subject to the respective Code of Conduct. Employees will be summarily dismissed where a fraud has been committed.

Miscellaneous

Council will keep a register of fraud related risks as part of its risk register and will, as part of its human resource practices, where the nature of the position requires: -

- verify employees references and qualifications; and
- conduct police checks before engaging employees.

Review Date

The policy will be reviewed in April 2017 or earlier if necessary.

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

10.7 Finance Report - March 2016

Author: Adam Taylor, Manager Finance

File No: D16/182

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

To provide a copy of the finance report for the period ended 31 March 2016 and to note Council's forecast position for 2015-2016.

Introduction

Council adopted the 2015-2016 Budget at a special Council meeting in June 2015. At the October 2015 ordinary Council meeting, Council approved a number of 2014-2015 capital and non-recurrent projects that were identified as incomplete, requiring remaining budgets to be carried forward to the 2015-2016 financial year, and changes to other budget programs as a result of new information. During November 2015, Managers conducted a comprehensive review of budgets with changes approved by Council at the January 2016 ordinary Council meeting. This report notes further changes to the forecast cash position as at 30 June 2016. The changes will reduce the cash position by \$50,895.

Issues

Budget Variations

Council's target "cash position" is \$5 million or greater on an annual basis.

A summary of the forecast 30 June 2016 "cash position" after the inclusion of the carry forward adjustments and forecast changes is as follows

	\$
Cash Position as at 30 June 2015	15,159,000
2015-2016 Adopted Budget	(274,506)
2014-2015 Carry Forward Adjustments	(7,348,369)
2015-2016 September budget amendments	(28,801)
2015-2016 December budget amendments	188,754
2015-2016 March forecast variations	(50,895)
Forecast Cash Position as at 30 June 2016	<u>7,645,183</u>

After including the March forecast changes the projected cash balance at the end of the financial year remains within the target range of \$5,000,000 or greater.

The major forecast movements for the March 2016 quarter are:

- Investment income is projected to increase by \$100,000 due to deferral of capital works and prepayments by the Grants Commission.
- Family Day Care income has projected to fall by \$170k. This is only partly offset by a \$95,000 reduction in payments to Carers.
- The on costs projected to be recovered from Capital projects has been reduced by \$250,000.

Financial Performance

Council's financial performance for 2015-2016 is currently ahead of budget which has contributed to a year to date favourable cash variance of \$4.61 million. The major variations are:

- Capital program behind target by \$3.1 million. This is primarily a consequence of \$671,000 revenue received ahead of budget and the following major projects being behind schedule:
 - Resealing program \$1.35 million
 - Terang Framlingham Road \$337,000
 - Skipton Drainage Infrastructure program \$218,000
 - Castle Carey Bridge initial works \$189,000
 - Terang Kindergarten \$127,000
 - Streetscape programs \$182,000
 - Camperdown & Lismore Depot upgrades \$60,000
- Operating projects are behind target by \$442,000 primarily due to the Stage 1 Waste Management Innovations project being behind schedule.
- Recurrent operations are currently below budget by \$890,000. The construction of new cells and leachate dam at the landfill are currently behind schedule and contributing to this favourable variance by \$1.1 million.
- The remaining variations are associated with timing differences for loans and reserve transfers.

Policy and Legislative Context

The report meets Council's requirements for reporting under the *Local Government Act 1989* and is in accordance with its Council Plan 2013-2017 commitment that:

Council will demonstrate high levels of ethical behaviour and corporate governance standards. We will make budgetary decisions that are reflective of our financial circumstances. We will advocate for and with the community to achieve outcomes.

Internal / External Consultation

The report has been prepared in consultation with relevant department managers and has been reviewed by the Senior Officer Group. As there are no changes to rates or charges and no borrowings are proposed, the forecast budget is not required to be publicly advertised.

Financial and Resource Implications

The report indicates that Council's forecast financial position at 30 June 2016 will differ from the Reviewed Budget due to the March 2016 forecast changes. The projected impact is \$50,895 described above. However, inclusive of previous budget amendments, Council's financial position for the current financial year is forecast to improve by \$109,058 relative to the Adopted Budget.

Conclusion

Council's financial performance for 2015-2016 is currently better than budget with a large volume of capital projects yet to completed. The year to date cash variance of \$4.08m is favourable compared to budget, but expected to change in the next quarter as capital projects are completed. Council's "cash position" has forecast to improve for 2015-2016 and will remain above the target range of the \$5 million or greater.

RECOMMENDATION

That Council receives the finance report for the period ending 31 March 2016 and notes the forecast position for 2015-2016.

Attachments

1. Quarterly Financial Performance Report March 2016



**CORANGAMITE
SHIRE**

**Council Financial Performance
Report
March 2016**

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Quarterly Financial Performance Report

For the period 1 July 2015 to 31 March 2016

Synopsis

The purpose of this report is to provide Council an update and commentary on the financial performance of Council's operations on a quarterly basis.

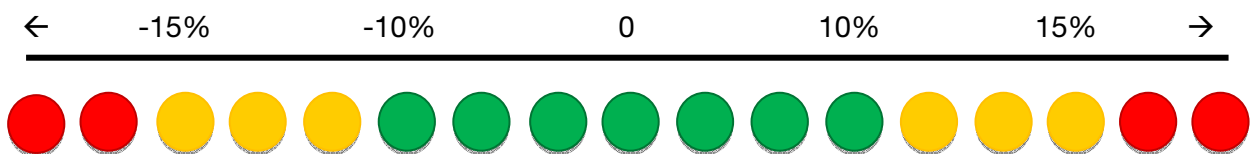
Definitions

- Annual Budget: represents the Budget adopted by Council in June.
- Reviewed Budget: the Annual Budget adjusted for approved budget amendments through either a Carry-forward Budget Review or Mid-Year Budget review.
- Forecast Budget: most recent estimated financial position including impact of proposed budget amendments.
- Positive amounts: represents income, contribution to Council or favourable variation.
- Negative amounts: represents expenditure, cost to Council or unfavourable variation. NB: Some sections in this report show expenditure as positive numbers. Where this occurs they are grouped as "expenditure" or "expenses".

Notes to the report

Variance indicator thresholds

The following tolerances are used on all reports represented by traffic light indicator

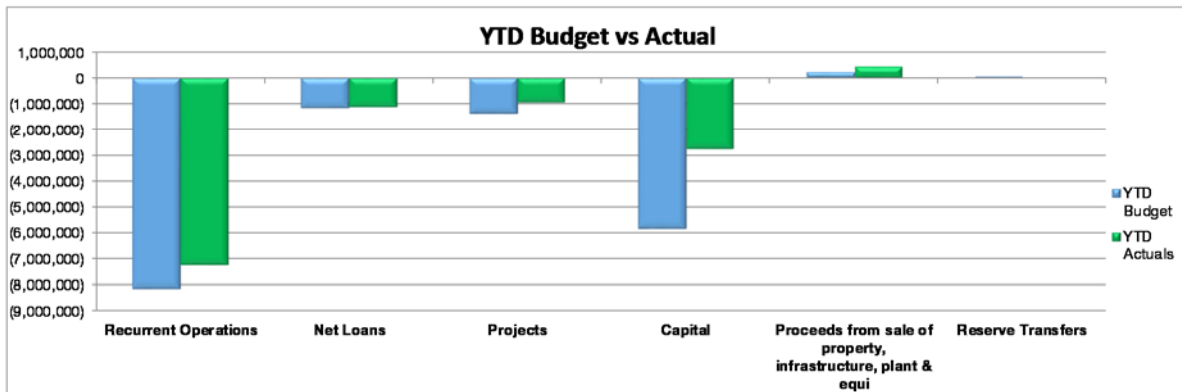


1. Performance Summary

	Annual Budget	Reviewed Budget	Forecast Budget	YTD Budget	YTD Actuals	YTD Variance fav/(unfav)	
						\$	%
Recurrent Operations	(9,218,127)	(13,612,076)	(13,767,727)	(8,157,393)	(7,258,684)	898,710	11% ●
Rate Income	19,522,259	19,522,259	19,566,001	19,566,001	19,566,807	806	0% ●
Net Loans	(1,587,538)	(1,587,538)	(1,587,538)	(1,194,679)	(1,147,761)	46,918	(4%) ●
Projects	(1,056,500)	(2,071,974)	(2,075,546)	(1,390,649)	(948,622)	442,027	32% ●
Capital	(8,160,600)	(10,006,593)	(10,005,346)	(5,873,974)	(2,765,421)	3,108,553	53% ●
Proceeds from sale of property, infrastructure, plant & equi	758,000	825,000	888,339	211,084	414,042	202,957	96% ●
External Loan Funds	(4,352)	(4,352)	(4,352)	71,736	77,992	6,256	9% ●
Reserve Transfers	(527,648)	(527,648)	(527,648)	50,000	0	(50,000)	(100%) ●
Surplus/(Deficit)	(274,506)	(7,462,922)	(7,513,817)	3,282,126	7,938,354	4,656,228	142% ●
Surplus/(Deficit) B/forward	6,035,967	6,035,967	15,159,000				
Surplus/(Deficit) at end of year	5,761,461	(1,426,955)	7,645,183				

Note: Figures in brackets indicate cost to Council

Unfavourable variances shown in brackets



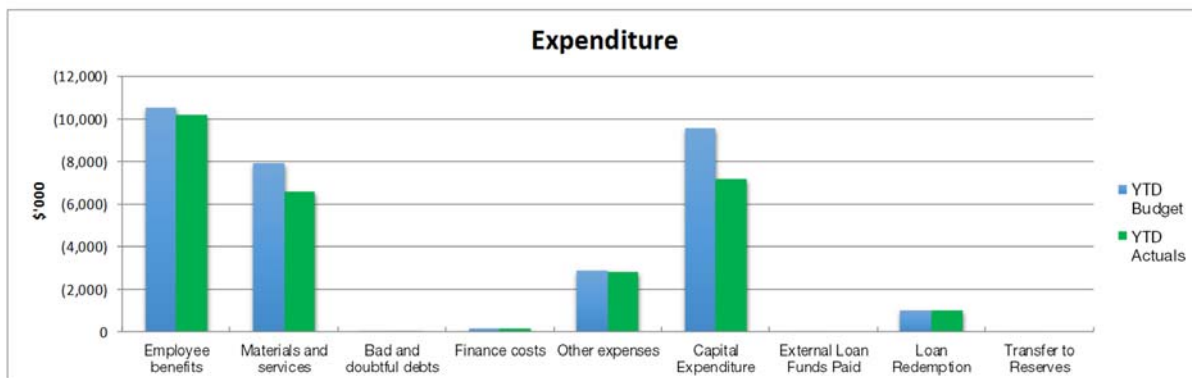
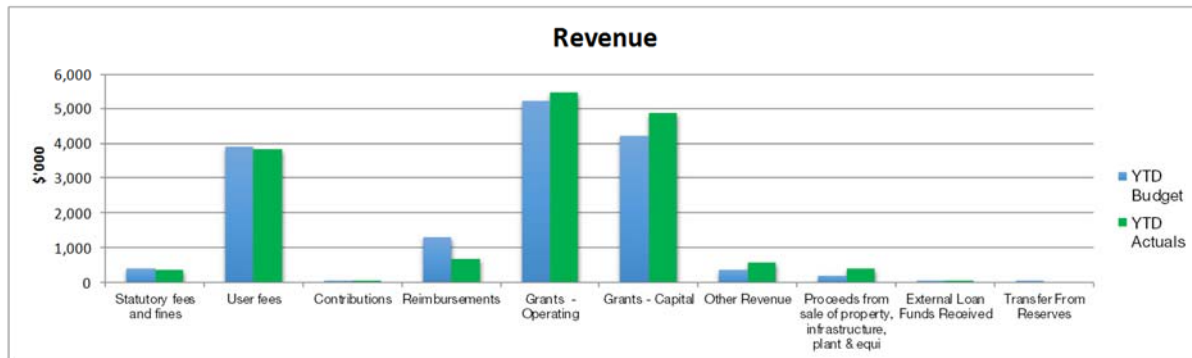
Key Performance Indicators	Annual Budget	Reviewed Budget	Forecast Budget	YTD Actuals	Trend
Underlying Result (VAGO) (Total operating result/Total revenue)	7.1%	-2.5%	-2.6%	45.2%	↑
Working capital ratio (current assets/Current liabilities)	200.7%	200.7%	196.3%	656.5%	↔
Self-financing (cash generated from operating activities/Revenue)	31.3%	31.9%	32.1%	0.0%	↓
Indebtedness (non-current liabilities/Own source revenue)	6.0%	6.5%	6.5%	10.4%	↔
Debt commitment ratio (interest and loan repayments as a % of rate revenue)	8.1%	8.1%	8.1%	5.9%	↓

2. Cash Budget

	Annual Budget	Reviewed Budget	Forecast Budget	YTD Budget	YTD Actuals	YTD Variance fav/(unfav) \$	%
REVENUE							
Rates and charges	19,522,259	19,522,259	19,566,001	19,566,001	19,566,807	806	0% ●
Statutory fees and fines	180,218	180,218	173,758	392,858	386,577	(6,281)	(2%) ●
User fees	6,103,035	5,662,528	5,369,278	3,884,399	3,813,342	(71,057)	(2%) ●
Contributions	61,942	398,344	398,344	74,062	68,975	(5,086)	(7%) ●
Reimbursements	1,536,590	1,540,961	1,536,261	1,317,207	685,818	(631,389)	(48%) ●
Grants - Operating	9,989,677	7,241,178	7,125,048	5,217,534	5,446,111	228,578	4% ●
Grants - Capital	4,505,000	6,687,568	6,678,685	4,191,429	4,864,120	672,691	16% ●
Other Revenue	330,414	480,414	640,414	357,601	586,054	228,454	64% ●
Proceeds from sale of property, infrastructure, plant & equi	758,000	825,000	888,339	211,084	414,042	202,957	96% ●
External Loan Funds Received	95,648	95,648	95,648	71,736	77,992	(30,223)	(42%) ●
Transfer From Reserves	50,000	50,000	50,000	50,000	0	(50,000)	(100%) ●
Total Revenue	43,132,783	42,684,119	42,521,777	35,333,910	35,909,839	539,449	84% ●
EXPENDITURE							
Employee benefits	(14,342,471)	(14,419,440)	(14,667,067)	(10,513,869)	(10,197,789)	316,080	3% ●
Materials and services	(10,469,576)	(13,255,608)	(12,959,141)	(7,877,004)	(6,598,246)	1,278,758	16% ●
Bad and doubtful debts	(2,000)	(2,000)	(2,000)	(1,500)	(469)	1,031	69% ●
Finance costs	(205,752)	(205,752)	(205,752)	(158,340)	(150,857)	7,483	5% ●
Other expenses	(3,623,456)	(3,984,244)	(3,931,767)	(2,894,009)	(2,843,166)	50,843	2% ●
Capital Expenditure	(12,704,600)	(16,220,563)	(16,210,433)	(9,570,723)	(7,184,053)	2,386,670	25% ●
External Loan Funds Paid	(100,000)	(100,000)	(100,000)	0	0	0	(0%) ●
Loan Redemption	(1,381,786)	(1,381,786)	(1,381,786)	(1,036,339)	(996,905)	39,435	4% ●
Transfer to Reserves	(577,648)	(577,648)	(577,648)	0	0	0	(0%) ●
Total Expenditure	(43,407,289)	(50,147,041)	(50,035,594)	(32,051,784)	(27,971,485)	4,080,299	(56%) ●
Surplus/(Deficit)	(274,506)	(7,462,922)	(7,513,817)	3,282,126	7,938,354	4,656,227	142% ●

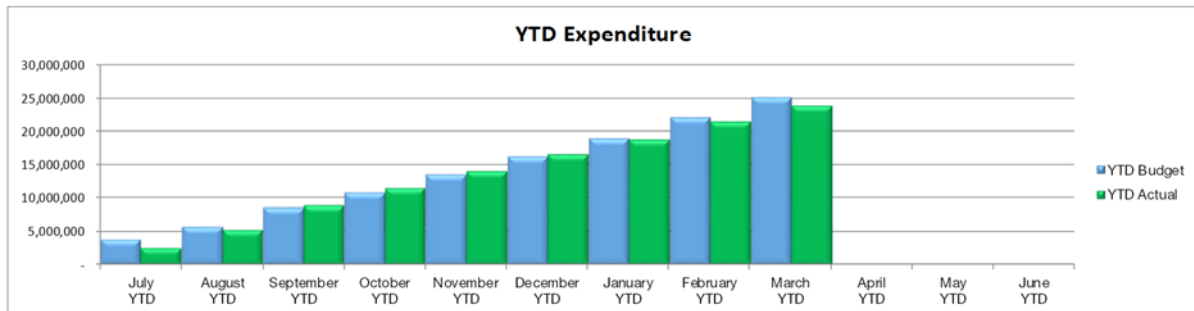
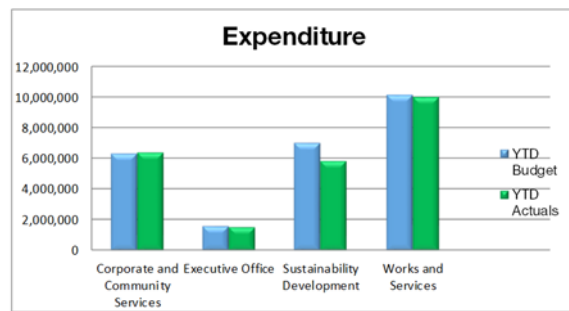
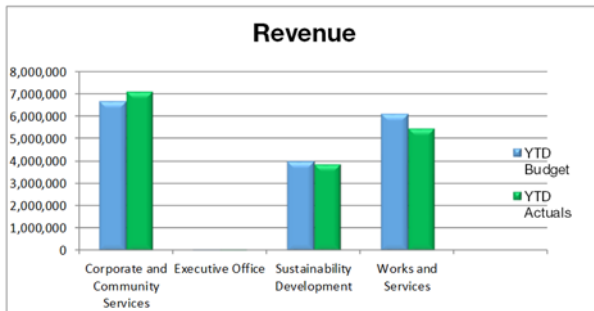
Note: Figures in brackets indicate cost to Council

Unfavourable variances shown in brackets



3. Recurrent Operations

Note: excluding rate income	Annual Budget	Reviewed Budget	Forecast Budget	YTD Budget	YTD Actuals	YTD Variance fav/(unfav)	
						\$	%
Recurrent Operations							
Revenue							
Corporate and Community Services	12,578,441	9,319,819	9,175,739	6,703,695	7,132,294	428,600	6%
Executive Office	41,000	41,409	41,409	18,474	18,326	(148)	(1%)
Sustainability Development	6,057,733	5,528,938	5,507,478	4,005,776	3,884,544	(121,232)	(3%)
Works and Services	7,847,656	7,850,856	7,603,229	6,136,839	5,476,520	(660,319)	(11%)
Revenue Total	26,524,831	22,741,022	22,327,855	16,864,783	16,511,683	(353,100)	(2%)
Expenses							
Corporate and Community Services	8,763,789	8,950,493	8,680,967	6,308,618	6,405,512	(96,894)	(2%)
Executive Office	2,208,259	2,494,069	2,440,088	1,574,023	1,557,850	16,172	1%
Sustainability Development	9,696,397	9,806,259	9,872,250	6,994,674	5,826,436	1,168,238	17%
Works and Services	15,074,513	15,102,277	15,102,277	10,144,861	9,980,568	164,293	2%
Expenses Total	35,742,958	36,353,098	36,095,582	25,022,176	23,770,367	1,251,810	5%
Recurrent Operations Total	(9,218,127)	(13,612,076)	(13,767,727)	(8,157,393)	(7,258,684)	(898,710)	11%



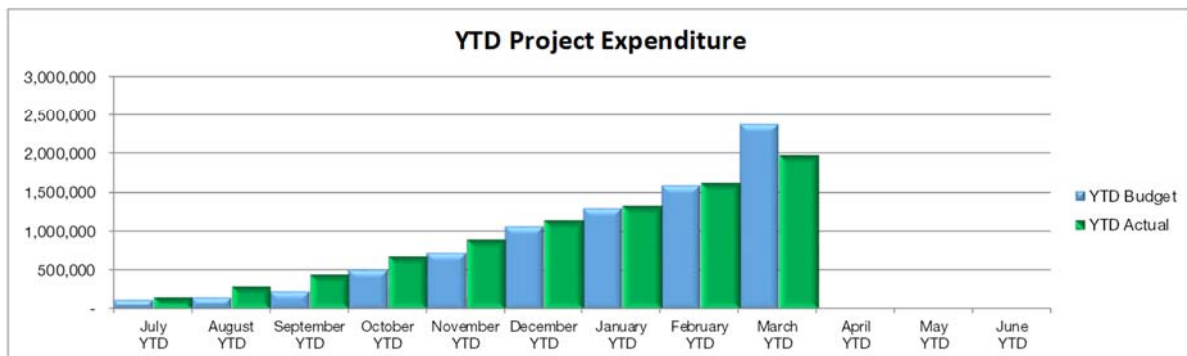
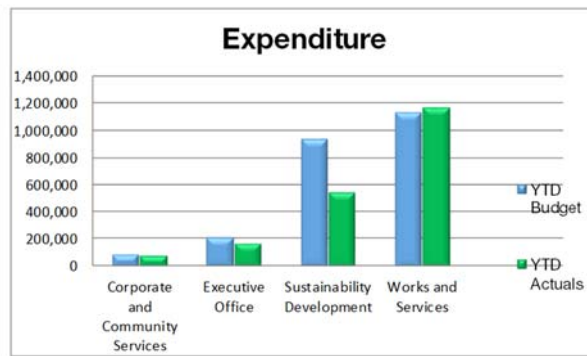
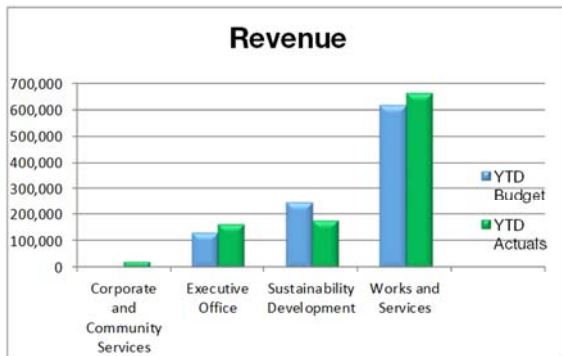
Comments:

Total revenue is currently \$362,000 (2%) under the projected budget. The Works & Services Directorate is 11% under projected revenue which is predominately due to the profiling of the budget and should be resolved prior to the end of the financial year.

Total Expenditure is currently \$1.25 million (5%) of the profiled year to date budget or \$1.25 million under expended against a total year to date budget of \$25 million. This is primarily within the landfill section of operations, especially the construction of Cell 14 and the leachate dam, these projects have now escalated construction and are progressing towards completion.

4. Projects

	Annual Budget	Reviewed Budget	Forecast Budget	YTD Budget	YTD Actuals	YTD Variance fav/(unfav)	
						\$	%
Projects							
Revenue							
Corporate and Community Services	0	12,000	17,000	0	22,700	22,700	0% ●
Executive Office	0	132,500	132,500	132,500	165,000	32,500	25% ●
Sustainability Development	103,000	382,190	282,190	248,690	180,589	(68,101)	(27%) ●
Works and Services	50,000	1,136,196	1,136,196	619,196	666,499	47,303	8% ●
Revenue Total	153,000	1,662,886	1,567,886	1,000,386	1,034,788	34,402	3% ●
Expenses							
Corporate and Community Services	100,000	131,040	136,040	96,002	80,798	15,204	16% ●
Executive Office	160,000	286,800	307,372	215,180	175,304	39,876	19% ●
Sustainability Development	664,500	1,607,725	1,490,725	939,423	554,673	384,750	41% ●
Works and Services	385,000	1,809,295	1,809,295	1,140,430	1,172,635	(32,205)	(3%) ●
Expenses Total	1,309,500	3,834,860	3,743,432	2,391,035	1,983,410	407,625	17% ●
Projects Total	(1,156,500)	(2,171,974)	(2,175,546)	(1,390,649)	(948,622)	(442,027)	32% ●



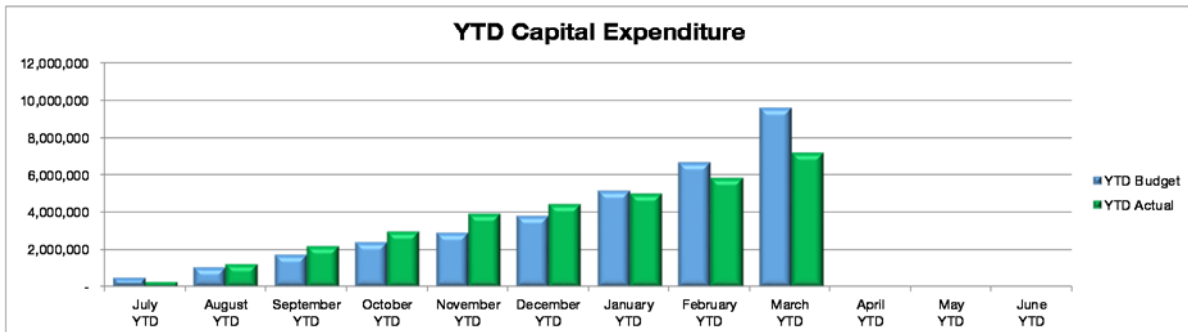
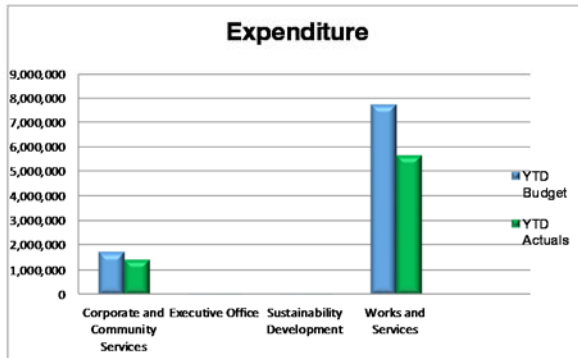
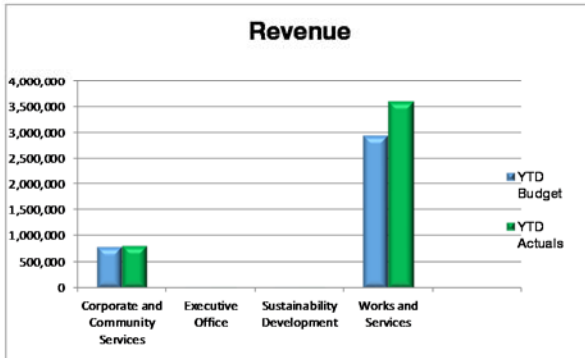
Comments:

Revenue: Revenue is within 3% of the profiled year to date budget, the waste management area is under the expected year to date target, awaiting a grant payment for the Stage 1 Waste Management Innovations project.

Expenditure: Total expenditure is 17% of the year to date profiled budget. Sustainability Development is \$384,750 lower than the expected year to date budget. This is primarily within the Waste Management area, with the Stage 1 Waste Management Innovations project being behind the estimated completion that was profiled.

5. Capital

	Annual Budget	Reviewed Budget	Forecast Budget	YTD Budget	YTD Actuals	YTD Variance fav/(unfav)	
						\$	%
Capital							
Revenue							
Corporate and Community Services	0	790,320	790,320	790,320	815,143	24,823	3%
Executive Office	0	39,883	31,000	5,000	13,883	8,883	178%
Sustainability Development	0	17,776	17,776	17,776	42	(17,734)	(100%)
Works and Services	4,594,000	5,415,991	5,415,991	2,933,653	3,589,565	655,912	22%
Revenue Total	4,594,000	6,263,970	6,255,087	3,746,749	4,418,633	671,884	18%
Expenses							
Corporate and Community Services	156,500	1,755,945	1,755,945	1,741,363	1,449,090	292,273	17%
Executive Office	135,000	200,550	190,420	50,170	33,833	16,337	33%
Sustainability Development	135,000	156,152	156,152	30,114	17,238	12,876	43%
Works and Services	12,278,100	14,107,916	14,107,916	7,749,076	5,683,893	2,065,183	27%
Expenses Total	12,704,600	16,220,563	16,210,433	9,570,723	7,184,053	2,386,670	25%
Capital Total	(8,110,600)	(9,956,593)	(9,955,346)	(5,823,974)	(2,765,421)	(3,058,553)	53%



Comments:

Revenue: Works and Services - The Roads to Recovery payments are ahead of profiled forecast, these are most prominent in the rehabilitation projects of Kilnoorat and Cramps roads and the reseal program.

Expenditure: Corporate and Community Services - The Terang kindergarten project is \$127,000 underexpended against the profiled budget. Although savings may be recognised within this project, the budget will remain, for the possibility of unforeseen remedial works.

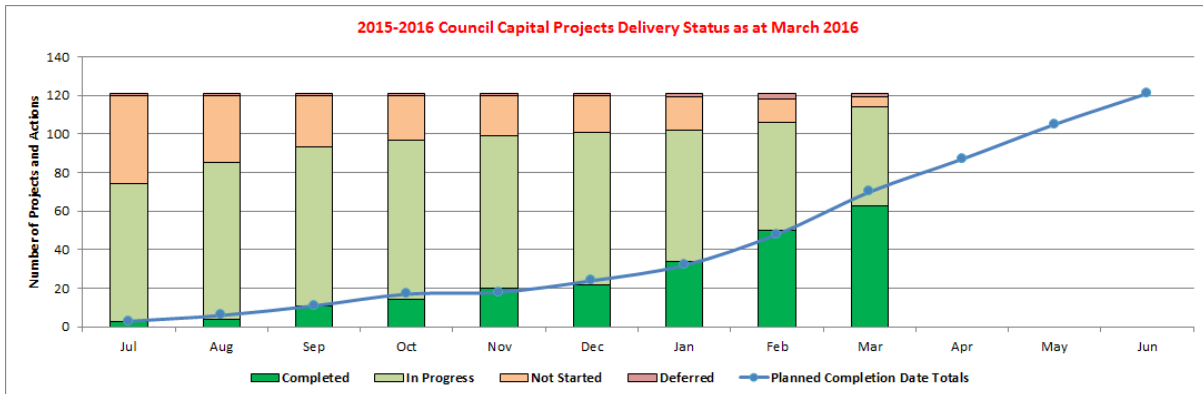
Works and Services - The Works and Services capital budget is currently \$2.065 million below the profiled expenditure. Major projects that are behind their profile are:- Castlerey bridge (\$189,000), the Skipton drainage infrastructure project (\$218,000), Lismore depot office renewal (\$30,000), Camperdown depot floor coverings (\$30,000), the resealing program(\$1.35 million, the invoicing for

this project has arrived but is awaiting allocation), Terang Framlingham road (\$337,000) and several of the streetscape program projects (\$182,000).

6. Project delivery

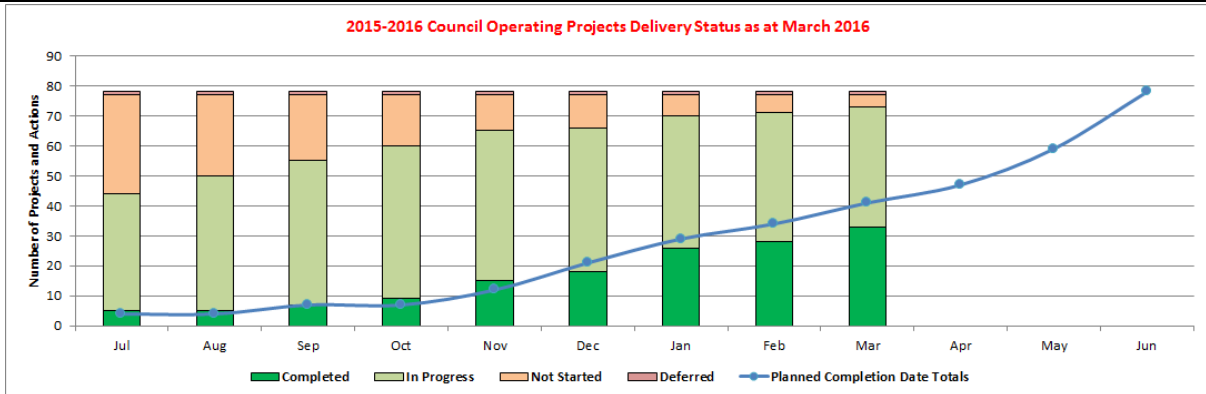
The graphs and tables below provide an overview of the status of Council’s capital and operating projects for the reporting period. As reflected in the financial reports, project delivery is under target at the end of the reporting period. Significant emphasis will be placed on delivery during the last quarter of the financial year.

Capital Projects



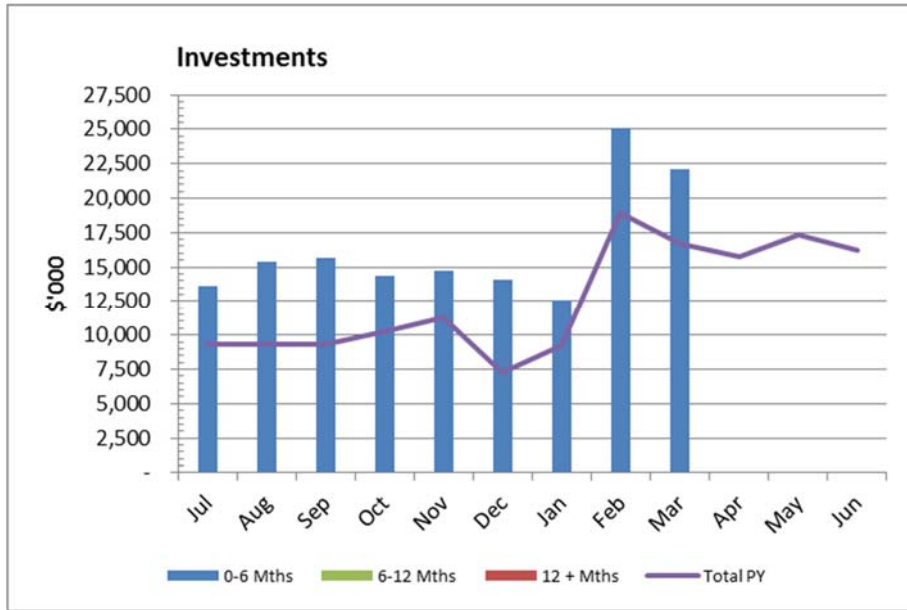
Directorate	Council	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Project	Capital Projects												
	Not Started	46	35	27	23	21	19	17	12	5	0	0	0
	In Progress	71	81	82	83	79	79	68	56	51	0	0	0
	Completed	3	4	11	14	20	22	34	50	63	0	0	0
	Deferred	1	1	1	1	1	1	2	3	2	0	0	0
	Total	121	121	121	121	121	121	121	121	121	0	0	0
	Planned Completion Date	3	6	11	17	18	24	32	48	70	87	105	121

Operating Projects



Directorate	Council	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Project	Operating Proje												
Not Started		33	27	22	17	12	11	7	6	4	0	0	0
In Progress		39	45	48	51	50	48	44	43	40	0	0	0
Completed		5	5	7	9	15	18	26	28	33	0	0	0
Deferred		1	1	1	1	1	1	1	1	1	0	0	0
Total		78	78	78	78	78	78	78	78	78	0	0	0
Planned Completion Date		4	4	7	7	12	21	29	34	41	47	59	78

7. Investments



The above graph shows the 2014-2015 total investments as a comparative line and categorises current year investments by term. Term deposits are 36% higher than the same time last year. All areas of Council operations (Recurrent operations, Projects and Capital) are below their expected year to date totals. The amounts for each of these areas are:-

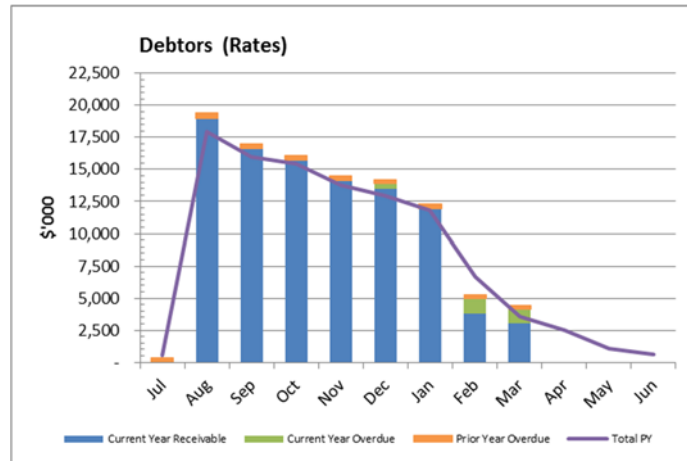
- Capital – \$3.058M
- Recurrent Operations -\$889,000
- Projects - \$949,000

These all culminate in the additional amount invested as compared to last financial year. Investment interest has now been profiled to complete the financial year at \$500,000. This is a very favourable result considering the low interest rates during the current economic climate.

8. Outstanding Debtors

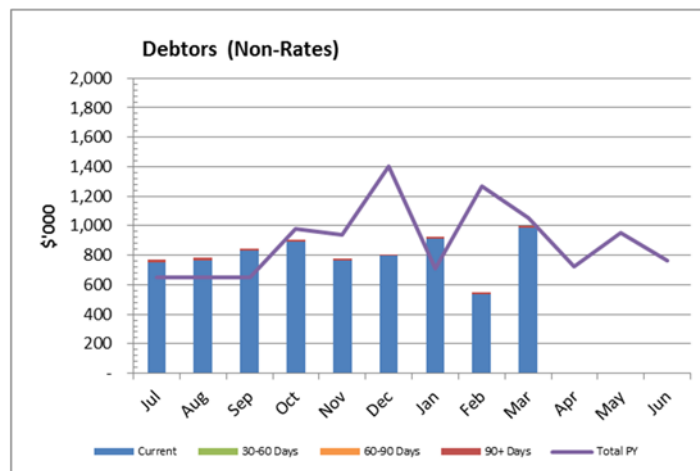
Rate Debtors

The below graph shows the total outstanding debt from the 2014-2015 financial year as a comparative line with the stacked bar graph showing the current year outstanding rates, categorised as current, current year overdue and prior year overdue. The overdue amount this year is higher as compared to the same time last year. Further analysis has shown that several, large rate debtors, had not paid by 31 March 2016, but since then, payment has been collected.



Rates are raised in August and the first instalment is due on 30 September, the second instalment 30 November, the third instalment 15 February and the final instalment 15 May. Rates debt relating to prior years is slowly reducing as payment arrangements are followed and collection through external collection agencies pursued. The overdue debt has profiled a little higher as compared to the previous financial year.

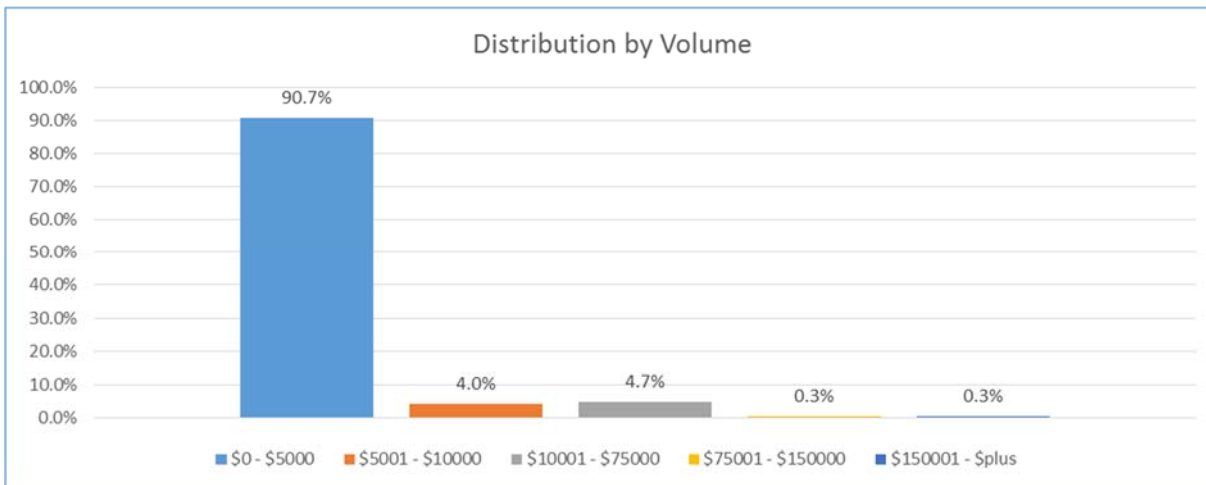
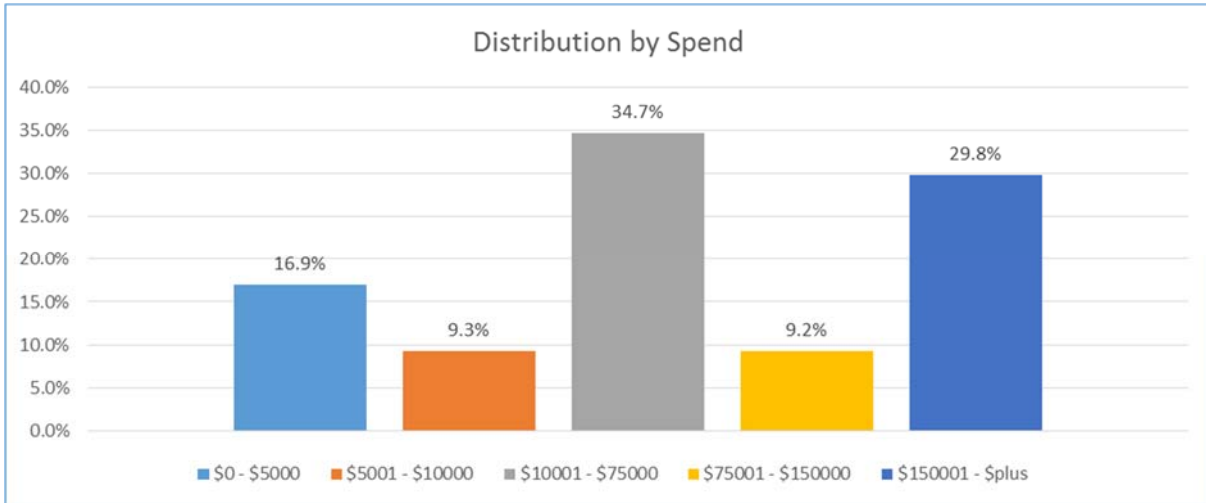
Sundry Debtors



Sundry Debtors are approximately the same as this time last financial year. Improvements in the timing of raising invoices and the collection practices of the Finance department, continue to show significant improvements in the ageing of outstanding debt with only 1.2% or \$12,000 of debt being in a greater than 30 day category.

9. Purchasing and Procurement

The graph below details Council's procurement activity for the reporting period by spend and volume. The top graph details the cumulative expenditure by value whilst the bottom graphs details the cumulative transactions by volume. For example 90.7% of transactions for the period were for a value of \$5,000 or less with a cumulative value representing 16.9% of total procurement.



Appendix

Financial Statements

1. Balance Sheet for the period ended 31 March 2016
2. Income Statement for the period ended 31 March 2016
3. Cash Flow Statement for the period ended 31 March 2016

1. Balance Sheet for the period ended 31 March 2016

	Prior Year Balance	Annual Budget	Reviewed Budget	Forecast Budget	YTD Actuals
CURRENT ASSETS					
Cash and cash equivalents	20,434,504	11,111,000	12,849,081	13,536,687	22,721,011
Financial Assets	102,273	96,000	96,000	96,000	24,281
Rate Recievables	521,501	1,875,000	550,000	550,000	3,292,163
Other Trade Recievables	1,559,536	625,000	1,550,000	1,550,000	1,682,554
Inventories	93,360	75,000	75,000	75,000	175,495
Other assets	569,213	656,000	656,000	656,000	333,446
Total Current Assets	23,280,388	14,438,000	15,776,081	16,463,687	28,228,950
NON CURRENT ASSETS					
Investments in associates	214,371	311,000	215,000	215,000	214,371
Financial Assets	367,252	457,000	457,000	457,000	367,252
Trade and other receivables	89,383	84,000	84,000	84,000	88,219
WIP - Capital	1,209,456	12,704,600	16,220,563	16,210,433	8,393,509
Fixed assets	408,169,017	405,301,900	397,209,903	398,968,707	408,169,017
Total Non Current Assets	410,049,479	418,858,500	414,186,466	415,935,140	417,232,369
Total Assets	433,329,867	433,296,500	429,962,547	432,398,827	445,461,319
CURRENT LIABILITIES					
Trade and other payables	3,284,098	2,500,500	3,500,000	3,500,000	281,249
Trust funds and deposits	161,676	388,000	388,000	388,000	162,737
Interest bearing liabilities	1,387,846	956,000	956,000	956,000	390,942
Provisions - current	3,505,696	3,350,000	3,500,000	3,500,000	3,440,266
Total Current Liabilities	8,339,316	7,194,500	8,344,000	8,344,000	4,275,193
NON CURRENT LIABILITIES					
Interest bearing liabilities - non-current	3,181,316	2,241,000	2,241,000	2,241,000	3,181,316
Provisions - non-current	5,264,773	5,963,000	5,152,000	5,152,000	5,419,029
Total Non Current Liabilities	8,446,089	8,204,000	7,393,000	7,393,000	8,600,344
Total Liabilities	16,785,405	15,398,500	15,737,000	15,737,000	12,875,538
Net Assets	416,544,462	417,898,000	414,225,547	416,661,827	432,585,781
EQUITY					
Operating Surplus/Deficit	4,358,503	3,043,880	(628,573)	(689,598)	16,041,319
Accumulated surplus	207,816,922	209,678,120	209,678,120	212,175,425	212,175,425
Asset revaluation reserve	203,523,260	203,844,000	203,844,000	203,844,000	203,523,260
Reserves	845,778	1,332,000	1,332,000	1,332,000	845,778
Total Equity	416,544,462	417,898,000	414,225,547	416,661,827	432,585,781

Corangamite Shire Council
Key financial indicators
for the period ended
31 March 2016

	Prudential Guideline	Annual Budget	Reviewed Budget	Forecast Budget	YTD Actuals
Working capital ratio / Liquidity ratio (current assets to current liabilities)	150%	200.68%	189.07%	197.31%	660.30%
Debt servicing ratio (interest paid as % of total revenue)	5%	0.49%	0.49%	0.50%	0.43%
Debt commitment ratio (interest and loan repayments as a % of rate revenue)	15%	8.13%	8.13%	8.11%	0.77%

2. Income Statement for the period ended 31 March 2016

	Annual Budget	Reviewed Budget	Forecast Budget	YTD Budget	YTD Actuals	YTD Variance favourable/ (unfavourable)
REVENUE						
Rates and charges	19,522,259	19,522,259	19,566,001	19,566,001	19,566,807	806
Statutory fees and fines	180,218	180,218	173,758	392,858	386,577	(6,281)
User fees	6,103,035	5,662,528	5,369,278	3,884,399	3,813,342	(71,057)
Contributions	61,942	398,344	398,344	74,062	68,975	(5,086)
Reimbursements	1,536,590	1,540,961	1,536,261	1,317,207	685,818	(631,389)
Grants - Operating	9,989,677	7,241,178	7,125,048	5,217,534	5,446,111	228,578
Grants - Capital	4,505,000	6,687,568	6,678,685	4,191,429	4,864,120	672,691
Other Revenue	330,414	480,414	640,414	357,601	586,054	228,454
Total Revenue	42,229,135	41,713,471	41,487,790	35,001,090	35,417,805	416,715
EXPENDITURE						
Employee benefits	14,342,471	14,419,440	14,667,067	10,513,869	10,197,789	316,080
Materials and services	10,469,576	13,255,608	12,959,141	7,877,004	6,598,246	1,278,758
Bad and doubtful debts	2,000	2,000	2,000	1,500	469	1,031
Depreciation	10,650,000	10,650,000	10,650,000	0	0	-
Finance costs	205,752	205,752	205,752	158,340	150,857	7,483
Other expenses	3,623,456	3,984,244	3,931,767	2,894,009	2,843,166	50,843
Total Expenditure	39,293,255	42,517,044	42,415,727	21,444,721	19,790,527	1,654,194
(Surplus)/Deficit from Operatio	2,935,880	(803,573)	(927,937)	13,556,368	15,627,277	2,070,909
Proceeds from sale of property, infrastructure, plant & equi	758,000	825,000	888,339	211,084	414,042	202,957
Written down value property, infrastructure, plant and equip	650,000	650,000	650,000	0	0	0
Net (gain)/loss on disposal of property, infrastructure, plant and equipment	108,000	175,000	238,339	211,084	414,042	202,957
(Surplus) / deficit for period	3,043,880	(628,573)	(689,598)	13,767,453	16,041,319	2,273,866

3. Cash Flow Statement for the period ended 31 March 2016

	Annual Budget	Reviewed Budget	Forecast Budget	YTD Actuals
Cash flows from operating activities				
Rates and charges	18,147,259	18,147,259	19,516,001	16,796,145
Statutory fees and fines	180,218	180,218	173,758	386,577
User fees	7,057,035	6,616,528	5,398,278	3,689,855
Contributions	61,942	398,344	398,344	68,975
Grants - Operating	9,989,677	7,241,178	7,125,048	5,446,111
Grants - Capital	4,505,000	6,687,568	6,678,685	4,864,120
Reimbursements	1,536,590	1,540,961	1,536,261	685,818
Other Revenue	330,414	480,414	640,414	586,054
Payments to employees	(14,092,471)	(14,169,440)	(15,078,067)	(10,108,964)
Payments to suppliers	(14,525,532)	(17,672,351)	(16,323,907)	(12,290,628)
Net cash provided by operating activities	13,190,132	9,450,679	10,064,815	10,124,064
Cash flows from investing activities				
Payments for property, infrastructure, plant and equipment	(12,704,600)	(16,220,563)	(16,210,433)	(7,184,053)
Repayment of loans and advances from/(to) Organisations	(53,000)	(53,000)	(53,000)	79,156
Proceeds from sale of property, infrastructure, plant and equipment	758,000	825,000	888,339	414,042
Net cash flow from investing activities	(11,999,600)	(15,448,563)	(15,375,094)	(6,690,855)
Cash flows from financing activities				
Finance costs	(205,752)	(205,752)	(205,752)	(150,857)
Trust funds and deposits	0	0	0	1,060
Proceeds from interest bearing loans and borrowings	0	0	0	0
Repayment of interest bearing loans and borrowings	(1,381,786)	(1,381,786)	(1,381,786)	(996,905)
Net cash from financing activities	(1,587,538)	(1,587,538)	(1,587,538)	(1,146,701)
Net increase (decrease) in cash and cash equivalents	(397,006)	(7,585,422)	(6,897,817)	2,286,508
Cash and cash equivalents at beginning of the year	11,508,000	20,434,504	20,434,504	20,434,504
Cash and cash equivalents at end of the year	11,110,994	12,849,081	13,536,686	22,721,011

10.8 Review of Native Vegetation Clearing Regulations Consultation Paper Submission

Author: Ammie Jackson, Environment Project Officer

File No: D16/218

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 - Ammie Jackson

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

Summary

The purpose of this report is for Council to consider its submission to the *Review of the Native Vegetation Clearing Regulations*.

Introduction

The State Government recently released a consultation paper which outlines proposed changes to the native vegetation clearing regulations. This report recommends that Council make a submission to DELWP in relation to the *Review of the Native Vegetation Clearing Regulations* consultation paper.

The *Review of the Native Vegetation Clearing Regulations* consultation paper was available in a 44 page document and is available for the community to download from the State Governments *Have your Say website*.

Submissions close on 29 April 2016.

Issues

The *Review of the Native Vegetation Clearing Regulations* consultation paper contains a number of key issues for Council and local government, including an increased reporting burden, changes to offset requirements, increased complexity for applicants, changes to thresholds for permit triggers and increased enforcement for native vegetation removal.

Table 1 below contains responses to each of the 29 proposed changes outlined in the *Review of the Native Vegetation Clearing Regulations* consultation paper. This table has been developed to ensure Council's submission considers each of the proposed changes and can be easily considered as part of the submission process.

Number	Improvement Opportunity	Comment
1	Clarify that the primary focus of the regulations is to ensure avoidance of native vegetation removal where possible	<p>Agree that the primary focus needs to move back to avoidance of clearing native vegetation as a first option, as this is not only the best outcome from an environmental perspective it can also be the most financially beneficial for the landowner (when the cost of offsets are considered) and reduces statutory workload for Council.</p> <p>There is however, also a need to acknowledge that vegetation removal will legitimately be required in some circumstances, such as maintenance of infrastructure, agriculture, under high voltage powerlines etc. It will not be possible to avoid removal all of the time and therefore exemptions need to be retained within the system.</p> <p>The system needs to be reviewed to make the process easier for applicants. This includes improvements to the offset system to provide options so that every offset type and quantity can be achieved through the system.</p> <p>Strongly oppose the introduction of offset requirements for vegetation removal under permit exemptions and particularly applying further reporting and offsetting requirements to existing agreements with local government.</p>
2	Consolidate comprehensive policy guidance for native vegetation removal	<p>Support the development of improved guidance, however believe that broadening the scope of considerations (i.e. focusing on other planning considerations) would lead to an increasingly complex assessment process and further inconsistencies.</p> <p>Oppose increased complexity and hurdles for native vegetation management including increased recording and data management for local government.</p>
3	Develop guidance to support strategic planning relating to native vegetation protection and management	<p>Whilst guidance is useful, DELWP needs to ensure that this does not lead to a prescriptive one size fits all approach and further work load for local government.</p>

4	<p>Improve monitoring to determine if the regulations are achieving their objective and make this information publicly available</p>	<p>Concerned with the proposal to improve monitoring and reporting. As councils deal with the majority of native vegetation permits under the 'low risk' category and also deal with all queries in relation to exemptions, the majority of the reporting/monitoring will fall back on local government who have limited resources to deal with this extra work load.</p> <p>The increased reporting burden for local government is inappropriate especially in the context of rate capping and current resource constraints.</p> <p>Oppose the introduction of reporting requirements for native vegetation removal that is being cleared under exemptions; and all classes of offset arrangements including first party offsets.</p>
5	<p>Reduce the low risk-based pathway threshold</p>	<p>Agree that the threshold for low risk pathways should be decreased as it is inappropriate for an applicant to remove up to 15 very large, old trees without the requirement for an avoid and minimisation statement.</p> <p>The application process however requires improvement to ensure it is simplified as more applications will move to the high risk category.</p> <p>No data is provided to support the assertion that inappropriate vegetation clearance is occurring under the current low risk based pathway system. Investigation should be completed to determine if scattered trees of this nature can still be considered under the low risk pathway but with additional criteria.</p> <p>There is potential that this will result in increased workloads as there will be no increase in resources or specialist skills to local government to manage these new requirements.</p>
6	<p>Replace the <i>Native vegetation location risk map</i> with an updated map of highly localised habitats</p>	<p>Agree that the risk mapping requires significant improvement and there needs to be the ability for property owners to view the information at the property level while being easily understood.</p> <p>Do not believe that this is a role for local government and although the detail is localised this task should be completed by the State Government and introduced into the planning scheme as a state wide planning scheme amendment process.</p>

7	Require an avoid and minimisation statement for all applications and consider this in decision making	<p>This change is introducing more red tape and new permit application requirements into an already complex planning system. There is no justification provided for this change.</p> <p>Consider the current system of requiring a minimisation statement only for moderate and high risk based pathway applications to be appropriate. This recommendation and associated changes to decision guidelines represent a tightening of requirements.</p>
8	Require an offset strategy for all applications and consider this in decision making	<p>This recommendation is supported for the new Lower and Higher assessment pathways.</p> <p>The offset system requires upgrading to ensure the system can achieve an offset for any application that is received. There are currently large gaps with obtaining offsets through the system as it is difficult to match class and quality.</p> <p>First party offsets also require an overhaul as the process is difficult and does not support offsetting where the clearing occurs.</p> <p>Oppose offset requirements being introduced for vegetation removed under permit exemptions. This will add to the administrative burden for the community and local government.</p> <p>Do not support other reform proposals which propose changes to tighten up offset requirements including reporting of first party offsets etc.</p> <p>The introduction of a requirement for offsets to be identified prior to permit being issued for lower and higher assessment pathway applications will assist councils to ensure offsets are secured and reduce the burden of enforcement for failing to meet offset requirements.</p>
9	Change to two pathways, a “lower assessment pathway” and a “higher assessment pathway	<p>Support removing medium risk pathways as it simplifies the process and supports applicants to follow the correct pathway for the clearing they are planning to undertake.</p> <p>Concerned that in some instances this will result in permit applications having to meet additional requirements and therefore only support this change if the system is simplified for all applications to reduce the burden on the community and councils assessing applications.</p>

<p>10</p>	<p>Provide clearer guidance on when to refuse an application to remove native vegetation.</p>	<p>The intention to provide additional criteria to assess whether a proposal will have a significant impact on Victoria's biodiversity may lead to more complex application and assessment requirements.</p> <p>If guidance material is developed it must be easily understood and simplify the current process.</p>
<p>11</p>	<p>Include a decision guideline that allows councils to consider locally important biodiversity when assessing applications</p>	<p>The introduction of such a decision guideline will have implications in terms of councils being required to reference local biodiversity assets in planning schemes.</p> <p>The suggestion that this be through reference in the planning scheme (rather than through overlays) will create increasing complexity. There is also a risk that inclusion by reference means that data about vegetation significance etc. will not be as rigorously tested when compared to the requirements for introduction of an overlay.</p> <p>This recommendation will likely have significant resource impacts for local government in terms of having to include local biodiversity assets into planning schemes. It is also possible that inclusion of local biodiversity assets by reference will lack transparency for people wishing to make permit applications (for example information as to content of a reference document is not available through planning schemes online.)</p> <p>If locally important biodiversity is going to be considered it must be included in the state-wide mapping process and therefore councils should have the option to contribute to this system which is then implemented by the State Government mapping update process as part of the initial amendment. There is a conflict between the determination of locally important vegetation and justification of its importance when it is not already included in the state mapping.</p>

12	<p>Allow habitat characteristic information collected at the site to be used to supplement the maps of a species habitat in the permit application process and for offset sites</p>	<p>The mapping, while more ‘user friendly’, is not always 100% accurate. Support options to use ‘on ground’ data as well if it is developed by a suitable qualified person and it must be at the commencement of the application in a similar way to a Land Capability Assessment as part of the wastewater process.</p> <p>This recommendation is proposing the collection of additional site specific information by a suitably qualified ecological consultant. It is unclear who is responsible for funding this work (Landowner, permit applicant or Council?). There is also no guidance as to the status of this information – is it proposed for inclusion by reference into the Scheme or as an expert planning report for a single application? This is again adding to the complexity of information requirements and application assessment processes and will require guidance on when this process should be activated e.g. incorrect site mapping.</p> <p>If this change is introduced there needs to be criteria around what constitutes “suitability qualified” consultant. An onsite assessment process must be supported by a standardised assessment form.</p>
13	<p>Increase the information available about the maps used in the regulations and improve their accessibility</p>	<p>Current maps are a problem. Focus should be on improving the current mapping system not on the introduction of additional material that will significantly change the strategic biodiversity score for a site.</p> <p>Maps aren’t useful in calculating small areas of removal or for scattered trees in some circumstances as you can’t zoom in close enough. Therefore often it’s a bit of a ‘guesstimate’ which is not ideal as this can often throw out strategic biodiversity scores and offset requirements.</p> <p>The accuracy of the current mapping is unknown or inadequate given that much is based on modelling, ground-truthing is required in many areas.</p>
14	<p>Place greater emphasis on key areas of habitat for dispersed species in decision making and offset requirements</p>	<p>Agree to this proposal. However it is not clear how this will be implemented in the planning scheme, especially in regard to offset requirements.</p>

15	Differentiate between the biodiversity value of scattered trees for use in decision making and offset requirement determination	This recommendation is opposed. Scattered trees are important, but the level of information required in relation to scattered trees and the assessment process needs to be better balanced to achieve a simplification of rules for applicants and council staff. There is potential that if the offset requirements are to be of equivalent value, applicants will not understand the criteria due to its complexity. This recommendation will make the removal of a scattered tree requiring a permit costly to achieve.
16	Increase the use and functionality of the Credit Register	<p>This recommendation is strongly opposed. It increases the reporting burden on local government. Local government has limited resources to capture and maintain this information. This role should be completed by State Government and managed at a central location.</p> <p>The system for achieving first party offsets needs to be simplified to encourage this type of offset over the purchase process.</p>
17	Support the development of the market for low availability offsets	<p>Support this recommendation if it results in a more simplified approach to access offsets, especially for types or locations with low offset availability.</p> <p>Council has experienced instances where offsets cannot be obtained through this process and therefore recommend that an alternative calculation should be available if the other offset criteria cannot be achieved e.g. class and quality.</p>
18	Require that all third party offsets are registered on the Credit Register and meet its standards, including standards for securing the offset	<p>Concerned that this will increase workloads for local government with no provision of additional financial or people resources or training.</p> <p>Agree that third party offsets through the credit register are more straightforward for applicants and councils as they remove the requirement for ongoing monitoring. However experience has been that they can be outrageously expensive, which is a significant deterrent for applicants to use this type of offset.</p> <p>First party offsets have become far too complex and this option needs to be made easier and more cost effective for people to establish.</p>
19	Redesign the Revegetation standards to ensure desirable revegetation can occur	<p>This recommendation will lead to increased complexity through redesigned criteria and new requirements (for example scattered trees and connections to remnant vegetation).</p> <p>The system must be improved to simplify the process and support applicants to achieve offsets.</p>

20	Create a framework for offsetting on Crown land	<p>Support this recommendation, however it is essential that all Crown offsets are subject to the same Credit register requirements and reporting.</p> <p>This needs to be extended to roadsides to allow councils to undertake offsets in close proximity to removals.</p>
21	Formalise a set of exemption purposes and principles	<p>The clarity for exemptions should be provided in an updated planning advisory note.</p> <p>There is a risk this approach will make the exemption process more onerous. As an example, greater requirements around evidence base etc. will increase complexity.</p> <p>The document proposes to increase accountability relating to exemptions, this will lead to increased reporting and monitoring burdens on local government. Do not support this approach.</p> <p>The current MOU process for local government requires inclusion as specific exemptions in the 52.17 table of exemptions and should be expanded to better cover existing uses and infrastructure upgrades/development such as bridges and intersections.</p> <p>The local government exemptions need to be based on a road formation envelope to ensure practical application on the ground. (See Figure 1 below).</p>
22	Clarify wording of exemptions	<p>Support this with the recommendation to continue to allow for some flexibility in interpretation. The danger is that increased levels of assessment will be required to determine if an exemption is satisfied. The aim of this should be to simplify understanding for the community. Exemptions for local government should be included in the table and not hidden away in planning scheme agreements or MOUs.</p>
23	Provide guidance on the intent and application of exemptions	<p>Support this recommendation.</p>

24	Adopt a consistent approach to agreements referenced in the exemptions	<p>This recommendation includes requirements of increased reporting and offsetting that occurs under permit exemptions (through agreements). This is onerous and will place greater burden on local government. Removals that are undertaken under exemption including MOUs should not be subject to reporting or offsets.</p> <p>Council MOUs should be included in the exemption list and not separately as MOUs, in order to provide transparency for the community about exemptions.</p> <p>It is essential that local government and utility providers continue to have access to exemptions to allow maintenance, renewal and safety improvements for infrastructure.</p>
25	Develop a compliance and enforcement strategy	<p>Agree with all the key issues raised in this section in relation to DELWP having a greater role in enforcement.</p> <p>Do not agree that DELWP should only assist councils with advice and resources to then go and complete enforcement. This will only increase financial burden for local government and staff resources.</p> <p>Enforcement should be undertaken by DELWP and not forced onto local government once breaches are identified.</p>
26	Provide guidance and support materials for compliance and enforcement activities	<p>Do not support increased responsibilities for enforcement as a result of DELWP compliance programs.</p> <p>DELWP need to have the ability to enforce native vegetation regulations.</p> <p>“Guidance and support” if it’s in the form of “training” will just increase the time commitment and burden on councils without providing actual support.</p>
27	Improve information gathering for compliance and enforcement	<p>The recommendation that DELWP will work in conjunction with councils will result in increased burden on councils with no additional resources “to gather and report on illegal clearing and non-compliance with permit conditions” and offset arrangements.</p> <p>Disagree with this approach and do not believe that local government should have the burden of undertaking further reporting, data management or enforcement. These roles should be implemented by DELWP to ensure they are consistent across the state.</p>

28	Promote co-regulatory support	Support expanded powers for DELWP Officers to allow DELWP to undertake direct enforcement processes across Victoria. Do not support DEWLP Officers increasing workloads for local government by increasing the number of investigations or driving councils into enforcement action.
29	Review the overarching compliance and enforcement framework	Currently, enforcement framework is complex and expensive. A review should focus on making this process easier and provide additional tools for local government and DELWP.

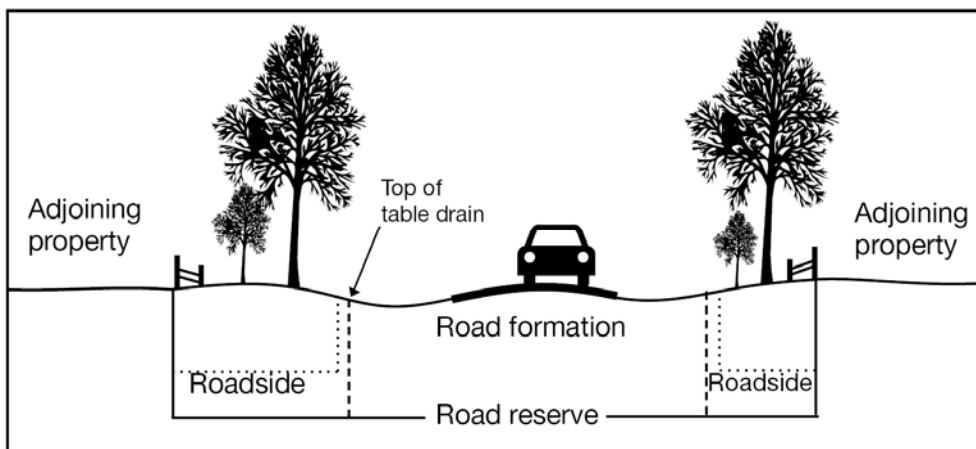


Figure 1 Illustration of the road reserve envelope comprising the road formation and roadside as identified in item 21.

Policy and Legislative Context

Making a submission on the *Review of the Native Vegetation Clearing Regulations* consultation paper is consistent with the following commitment in the Council Plan 2013-2017:

Council will demonstrate high levels of ethical behaviour and corporate governance standards. We will make budgetary decisions that are reflective of our financial circumstances. We will advocate for and with the community to achieve outcomes.

Internal / External Consultation

Consultation within Council has been undertaken. Staff from the Sustainable Development and Works and Services directorates were invited to make comment on the consultation paper.

Financial and Resource Implications

There are no financial implications involved in making this submission.

There are changes proposed within the *Review of the Native Vegetation Clearing Regulations* consultation paper that will impact local government and if adopted increase Council’s involvement in the sector. An increase in responsibilities for Council will also require the allocation of additional resources and increase costs for Council.

Options

Council may choose to provide the submission on the *Review of the Native Vegetation Clearing Regulations* in its current form or with minor alteration. Alternatively, Council may decide not to provide a submission to the consultation paper.

Conclusion

The *Review of the Native Vegetation Clearing Regulations* consultation paper provides an opportunity for Council to contribute to the future priorities and planning system for native vegetation in Victoria. The submission provides a range of feedback in relation to each of the focus areas and proposed changes within the *Review of the Native Vegetation Clearing Regulations* consultation paper.

RECOMMENDATION

That Council:

- 1. Approves the submission on the Review of the Native Vegetation Clearing Regulations consultation paper.**
- 2. Provides a copy of its submission to the MAV and Rural Councils Victoria.**
- 3. Seeks clarification from DELWP and the MAV regarding compliance with the State - Local Government Agreement in relation to cost shifting.**

10.9 Water for Victoria Discussion Paper Submission

Author: Lyall Bond, Manager Environment and Emergency

File No: D16/217

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 - Lyall Bond

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

Summary

The purpose of this report is for Council to consider its submission to the *Water for Victoria Discussion Paper*.

Introduction

The Victorian Government through DELWP has released the *Water for Victoria Discussion Paper* for consultation. The *Water for Victoria Discussion Paper* is a high level document for Victoria which outlines water related focus areas for the next 10 to 20 years. The discussion paper specifically outlines the need to balance agricultural, industrial, recreational and environmental needs, to get the most out of our water resources. The discussion paper also recognises that the water sector must work more closely with local communities when making critical decisions about their water supplies.

The *Water for Victoria Discussion Paper* was available in a 16 page summary paper and a full 156 page discussion paper. Both documents were available for the community to download from the Governments *Have your Say website*.

Submissions close on 29 April 2016 with a final Water Plan to be released in mid-2016.

Issues

The *Water for Victoria Discussion Paper* has significant implications for local government and communities while specifically considering future needs for agriculture, industry, recreation and the environment. The paper also intersects with the Great South Coast Regional Strategic Plan in a number of areas which have been highlighted in the draft submission. Other key issues for Council within the discussion paper include:

- Increased resource and financial burden for Local Government.
- A need to investigate future water availability for Agriculture.
- The need to invest and support all agricultural systems not just irrigation areas.
- The review of regulations controlling re-use of water to allow better use.
- Recognising the importance of providing subsidised water to community groups, recreation reserve committees (sporting grounds) and community gardens.

- Ensure Water and Catchment Authorities take responsibility for Blue Green Algae monitoring and reporting.
- The need to ensure that State Government take responsibility for installing and maintaining flood warnings for communities.

A draft submission has been provided under separate cover and is summarised in Table 1 below.

Focus Areas	Comment
<p>1. Responding to Climate Change</p>	<p>Recommend a review and investigation of available water resources in south-west Victoria for communities and agriculture, as traditional water sources alter.</p> <p>The requirements for the re-use of water must be reviewed, to enable fit for purpose recycling of water, and a cost effective pricing structure.</p> <p>Support for issues associated with lakes and recreational water bodies drying (dust) or being over used due to a lack of alternative recreational water bodies.</p> <p>Monitoring programs should be extended to include issues and changes in water availability for sectors including the dairy industry to ensure the true impact of climate change can be identified.</p>

Focus Areas	Comment
<p>2. Managing waterway and catchment health</p>	<p>Support the importance of funding Landcare and other groups to undertake community lead environmental works.</p> <p>Agree that investment in the Victorian Waterway Management Strategy needs to increase to achieve its objectives and be expanded to include ongoing Landcare funding.</p> <p>Agree that strategic planning is required to support water requirements for agriculture into the future.</p> <p>Raised concerns with the clarification of roles identified in the paper. This traditionally results in a transfer of roles and increased responsibility for local government.</p> <p>Identified concerns with the EPA's changes to Onsite Domestic Wastewater Systems and the proposed removal of EPA approvals for individual manufacturers systems.</p> <p>Propose a return of the Small Rural Towns Sewer Scheme to assist in preventing failing septic systems from impacting the environment.</p> <p>Propose that the responsibilities for monitoring and response to Blue Green Algae blooms need to be reviewed and allocation of responsibilities based around water and catchment management authorities.</p> <p>Recommend greater recognition and support for Lake Bullen Merri as an important recreational water body and increased investment and support for the management committee from State Government.</p>

Focus Areas	Comment
<p>3. Managing water for agriculture</p>	<p>Included the Great South Coast Food and Fibre Strategy priorities and actions to support agricultural development and expansion across the Great South Coast. These actions include improved water utilisation, improved water allocation for agriculture, a review of water availability and a specific water trading system tailored to the region.</p> <p>Support for a Rural Drainage Strategy, but identified concern with the potential application of the beneficiary pays principle as this typically identifies local government as best placed to collect contributions and deliver actions.</p> <p>Concern is raised with the proposal to introduce water resource information into Council planning, due to the increased resource requirements and the potential for more controls that deter investment.</p> <p>Recommend a balanced approach to supporting Agriculture and not focussing entirely on irrigation regions, which compete for similar markets with areas not supported by regional irrigation networks.</p> <p>Concern raised that the paper recommends for landowners without access to reliable water supplies to work with local government to understand and plan for the future. Local government are not resourced nor have the expertise to undertake this extension work. This action should be the responsibility of DELWP.</p> <p>Support the development of rural water infrastructure for stock and domestic supplies and recommend the expansion of this system to support growth in agriculture.</p> <p>Reinforce that emergency water supply points should not be the responsibility of local government when water authorities often manage the supply and have relevant resources.</p>

Focus Areas	Comment
<p>4. Developing resilient and liveable cities and towns</p>	<p>Identified a barrier to re-using water being the cost to treat the water to current standards and the need to improve these controls to allow fit for purpose use.</p> <p>Concern that using planning schemes to control waterway management would be costly and resource intensive for local government.</p> <p>Support programs and water subsidies are required for sporting grounds and community groups to ensure rural sporting grounds can be maintained into the future.</p> <p>Again, support increased re-use of water and a review of requirements for recycled water application in public areas.</p> <p>Raised concerns with the cost of treating water for re-use which results in the use of recycled water being more expensive than potable supplies.</p> <p>Identified the need for education programs relating to innovation and new water infrastructure for plumbers and industry.</p> <p>Raised concerns with the expectation that local government would develop and implement Integrated Water Management Plans and the associated issues with limited resources and expertise within local government. Suggest water authorities are best placed for this delivery.</p> <p>Recommend the Australian Design Standards are updated to recognise and provide direction in relation to climate change and water availability.</p> <p>Recommend that the State Government and Water Authorities should be responsible for funding installation and monitoring of flood warning infrastructure across Victoria.</p>
<p>5. Recognising and managing for Aboriginal values</p>	<p>Support the approach of recognising traditional values and consulting with Aboriginal communities.</p>

Focus Areas	Comment
6. Recognising recreational values	<p>Again, recommended further support for recreation reserve committees and sporting fields.</p> <p>Identified a need to support Lake Bullen Merri with increased investment and support for the committee of management with ongoing funding and planning for site management issues (e.g. access and blue green algae).</p> <p>Identified issues with the user pays principle and the ability for State Government to access income from boating registration, fishing licenses and vehicle registrations to fund recreational water body investment and ongoing management.</p>
7. Strengthening water entitlement and planning frameworks	<p>Identified the need to support agriculture and develop new water systems in South West Victoria, similar to previous irrigation schemes.</p> <p>Agree that Aboriginal and recreational values should be included in future sustainable water strategies.</p>
8. Realising the potential of the grid and markets	<p>Support the ability to trade water and improve agricultural efficiency.</p> <p>Reinforced the need to undertake further investigation into opportunities for groundwater extraction for the dairy industry in South West Victoria and develop advanced water trading systems specific for the region.</p> <p>Recommend the development of a water grid (which is currently not present in South West Victoria) to provide water security and meet future agricultural needs.</p>

Focus Areas	Comment
<p>9. Focussing on jobs, economy and innovation.</p>	<p>Support performance improvements in the water industry but are concerned about over regulation and inefficiencies with reporting that does not provide value to the industry.</p> <p>Recommend that CMAs be resourced to undertake flood mapping and planning across catchments.</p> <p>Again reinforced the need for Water authorities and CMAs to take responsibility for Blue Green Algae blooms.</p> <p>Support for expansion of reticulated sewerage and transparency of pricing across the entire service network.</p> <p>Recommend the review of barriers for recycling and re-use of water that increase pricing.</p> <p>Disagree that local government is the key to initiating innovative solutions to issues within the water industry.</p>

Policy and Legislative Context

Making a submission on the *Water for Victoria Discussion Paper* is consistent with the following commitment in the Council Plan 2013-2017:

Council will demonstrate high levels of ethical behaviour and corporate governance standards. We will make budgetary decisions that are reflective of our financial circumstances. We will advocate for and with the community to achieve outcomes.

Internal / External Consultation

This submission has been considered internally with Council officers who have attended information sessions for stakeholders and the community. These meetings have been held in various locations across Victoria.

The MAV is a member of the Water for Victoria stakeholder group and has provided input into the discussion paper. The MAV also hosted a local government briefing and workshop on the discussion paper and feedback from councils where relevant has been incorporated into Council’s draft submission.

The discussion paper has been developed with assistance and input from a stakeholder group, which in addition to the MAV has included water corporations, catchment management authorities, the environmental water holder, local government, Traditional Owners, farming groups, environmental groups and recreational groups.

Financial and Resource Implications

There are no financial or resource implications for Council in making this submission.

There are changes proposed within the *Water for Victoria Discussion Paper* that will impact local government and if adopted increase Council's involvement in the water sector, which will require the allocation of resources and financial considerations for Council.

Options

Council may choose to provide the submission on the *Water for Victoria Discussion Paper* (circulated under separate cover) in its current form or with minor alteration. Alternatively, Council may decide not to provide a submission to the Discussion Paper.

Conclusion

The *Water for Victoria Discussion Paper* provides an opportunity for Council to contribute to the future priorities and planning system for water in Victoria. The submission provides a range of feedback in relation to each of the focus areas and proposed strategic directions within the *Water for Victoria Discussion Paper*. The submission also incorporates regional and sector issues that have been identified while developing the submission.

RECOMMENDATION

That Council:

- 1. Approves the submission on the Water for Victoria discussion paper.**
- 2. Provides copy of the submission to the MAV, Rural Councils Victoria and Great South Coast Group.**
- 3. Seeks clarification from DELWP and the MAV regarding compliance with the State - Local Government Agreement in relation to cost shifting.**

Attachments

1. Water for Victoria Discussion Paper Submission - Under Separate Cover

10.10 Protecting Victoria's Environment - Biodiversity 2036 Draft Plan

Author: Ian Gibb, Director Sustainable Development

File No: D16/219

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 - Ian Gibb

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

Summary

The Victorian Government, through the Department of Environment Land Water and Planning, has released *Protecting Victoria's Environment – Biodiversity 2036* for consultation. The draft plan is a new 20 year plan for the state. It aims to stop the decline of biodiversity. It includes two primary goals; to encourage more Victorians to value nature and to ensure that Victoria's natural environment is healthy. The draft plan also outlines a range of supporting objectives and priorities.

The concurrent reviews of the Biodiversity Strategy, the *Flora and Fauna Guarantee Act*, and the native vegetation clearing regulations present the State with a unique opportunity to address some of the key shortcomings of the existing regulatory and policy framework protecting Victoria's biodiversity.

The *Protecting Victoria's Environment – Biodiversity 2036* paper is available for the community to download from the Government's *Have Your Say* website. It is available for public consultation from 17 March 2016 to 15 May 2016. Once the public consultation period has ended, a final plan will be prepared.

Introduction

The *Protecting Victoria's Environment – Biodiversity 2036* paper has significant implications for local government and communities, while specifically addressing the future needs of Victoria's natural environment.

Victoria is rich and unique in its natural assets, with spectacular forests and coastlines, green spaces and towns, all while supporting plant and animal life and providing fresh food and clean air and water. Our communities and visitors alike spend time enjoying these wondrous natural spaces and appreciate the vast array of recreational opportunities they provide.

Victoria's natural environment provides an abundance of economic advantages. It provides vital life-sustaining resources and supports many of the productive activities that generate

value for Victorians. Our iconic landscapes, such as the Great Ocean Road, boost jobs and attract millions of tourists each year.

The draft plan is looking to develop a new direction for the natural environment, by enhancing the health of the natural environment to benefit all. It is part of a broader plan to restore and sustain.

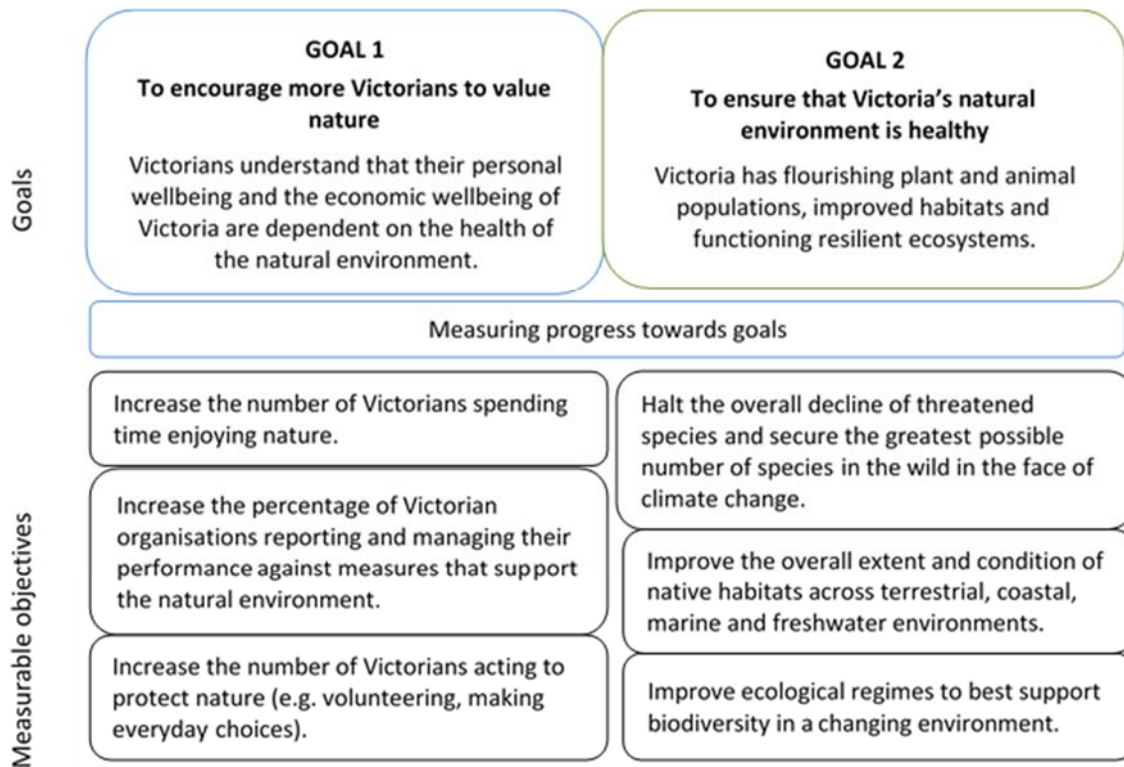
What is Biodiversity?

Biodiversity encompasses all the components of the living world: the numbers and variety of plants, animals and other living things, including micro-organisms, across our land, rivers, coast and ocean. It includes the diversity of their genetic information, the habitats and ecosystems within which they live, and their connections with other life forms and the natural world.

Indigenous biodiversity refers to the living things that originate in and are characteristic of a particular place – such as Victoria. (Protecting Victoria’s Environment – Biodiversity 2036)

While visitation to areas such as the Great Ocean Road increases, and we become more recreational focused, whilst also being more aware of the importance of biodiversity, the natural environment is not as healthy as it once was. The draft plan needs to ensure that we are positioned to cope with the effects of visitation and climate change, whilst addressing the decline of biodiversity in Victoria.

The plan’s vision seeks to ensure “Victoria’s Biodiversity is Healthy, Valued and Actively Cared For” through the two overarching goals outlined in the figure below.



Issues

Biodiversity loss is occurring in Victoria. Biodiversity gives us clean water, productive soils, oxygen and other essential resources for our existence and material prosperity. The draft Biodiversity Strategy indicates that the extent and condition of the State’s remaining areas of native vegetation is shrinking by approximately 4000 habitat hectares each year. The draft Biodiversity Strategy indicates 18 species of mammal, two birds, one snake, three freshwater fish, six invertebrates and 51 species of plants have become extinct since European settlement. Between one quarter and one third of all of Victoria’s terrestrial plants, marine, freshwater and terrestrial birds, reptiles, amphibians and mammals, along with numerous invertebrates and ecological communities, are considered threatened with extinction. Page 14 of the plan identifies pest plants and animals, fire regimes and reduction in old growth forests as some of the reasons behind the decline in native vegetation habitat condition.

Local government is an important and active participant in the management, protection and enhancement of Victoria’s biodiversity, including via its roles in:

- strategic and statutory land use planning
- road (and roadside) management
- parks and open space management
- partnering and supporting local community conservation groups.

In addition to the essential benefits that flow from healthy biodiversity, such as clean air and clean water, councils also recognise the multitude of social benefits that access to nature brings, including enhanced community cohesion and improved health and wellbeing. *Protecting Victoria’s Environment – Biodiversity 2036* rightly prioritises the need for all Victorians to have easy access to connect with nature. Councils already play a major role in this regard and will continue to do so.

The draft Biodiversity Plan is a high level document. The draft plan links one vision and two overarching goals with six measurable objectives and 22 priorities. The draft plan also sets out 26 consultation questions for stakeholder feedback. This report does not endeavour to respond to each consultation question, but instead provides comments on various elements of the draft plan including the identified goals and priorities.

GOAL / OBJECTIVE	COMMENT
Goal 1: To encourage more Victorians to value nature	
Increase the number of Victorians spending time enjoying nature	<p>Supported.</p> <p>The draft plan references the need to enrich places where Victorians live, work and travel. As road, parks, open space and land use planning managers, it is clear that local government will have a critical role to play in meeting this objective.</p> <p>The State needs to note that the regulatory frameworks in place for other agencies, such as the distribution businesses and water authorities, often hinder councils’ ability to</p>

GOAL / OBJECTIVE	COMMENT
	provide and protect the native trees and plants
Increase the percentage of Victorian organisations reporting and managing their performance against measures that support the natural environment	The text on page 26 indicates that this objective specifically refers to Victorian businesses. In principle this objective is supported. However further detail is required and there is a need to ensure this requirement does not result in an increased reporting burden for councils.
Increase the number of Victorians acting to protect nature (e.g. Volunteering, making everyday choices)	Supported. Education will be critical to achieve this.
Goal 2: To ensure that Victoria's natural environment is healthy	
Halt the overall decline of threatened species and secure the greatest possible number of species in the wild in the face of climate change	Supported. There is limited detail provided on how this will be achieved.
Improve the overall extent and condition of native habitats across terrestrial, coastal, marine and freshwater environments	Supported. There is limited detail provided on how this will be achieved. We note that the stated overall goal of "net gain" for terrestrial native vegetation is not reflected in the current objectives of the native vegetation clearing regulations.
Improve ecological regimes to best support biodiversity in a changing environment	Supported. No detail on how this will be achieved.

It is considered that the goals and objectives of the draft plan rely on protecting the current status of biodiversity, rather than being framed to meet the needs of the future, and specifically to respond to pressures arising from climate change in Victoria.

There are nine chapters in the draft biodiversity plan, with five key themes presented:

Chapter 5 – A healthy environment for healthy Victorians

Help people to connect to nature so that more people share in its benefits and contribute to a healthy environment.

Chapter 6 – Linking our society and economy to the environment

Assist people to understand the environment's value to our way of life, so that all Victorians – governments, businesses and communities – consider the environment in their decisions.

Chapter 7 – Investing together to protect our environment

Secure funding for on-ground actions to turn around the legacy of biodiversity decline, and bring together government, business and community and philanthropic sectors to work together.

Chapter 8 – Better, smarter management of our biodiversity

Set up a better system for managing our natural environment because we want to make the most of everyone's contribution and deal with climate change.

Chapter 9 – Biodiversity leadership across government

Government will lead by example and report on progress so all Victorians understand how we're tracking against our goals in halting biodiversity decline.

The draft Biodiversity Plan does not identify specific targets, but outlines the approach for setting targets to deliver the vision. There is no implementation plan, and no indication as to how implementation is to be achieved, or what further consultation will occur with local government in the setting of regional biodiversity targets to be included in the final plan. The draft plan provides little guidance on roles and responsibilities, future funding arrangements, targets and time frames. There is also little recognition of the need for improved weed and pest management, and the impacts of weeds on biodiversity.

It is also considered that the final Biodiversity Plan needs to place a much stronger emphasis on the following issues:

- The impacts of climate change on biodiversity and proposed measures to mitigate negative biodiversity impacts arising from climate change.
- The role of scientific research, and the importance of such research to inform approaches to the future management of biodiversity.
- The role of education and the need for all community members and stakeholders to have opportunities to learn about the natural environment.
- The future management of key nature based tourism destinations such as the Great Ocean Road and how to ensure the sustainability of key biodiversity assets.

These matters are not considered to be sufficiently addressed in the draft Plan.

At a consultation session hosted by the MAV, DELWP informed councils that there will be an implementation plan to accompany the final plan. It is unclear from the draft plan how and when this implementation plan will be prepared and what opportunities there will be to provide input. Given councils' critical role in protecting Victoria's biodiversity, it is considered that councils should be directly involved in the drafting of the implementation plan, together with other key stakeholders such as conservation groups, the scientific community, and private landholder representatives.

The implementation plan is the key to realising the various goals, objectives and priorities set out in *Protecting Victoria's Environment – Biodiversity 2036*, as such it is essential that it is drafted in a consultative and collaborative way.

The Plan *Protecting Victoria's Environment – Biodiversity 2036*, sets out 22 priorities and associated objectives as well as 26 consultation questions. Attached is a more detailed officer response to the priorities and objectives which is intended to form the basis of a submission on the draft Biodiversity Plan.

Policy and Legislative Context

Making a submission on the *Protecting Victoria's Environment – Biodiversity 2036* is consistent with the following commitment in the Council Plan 2013-2017:

Council will demonstrate high levels of ethical behaviour and corporate governance standards. We will make budgetary decisions that are reflective of our financial circumstances. We will advocate for and with the community to achieve outcomes.

Internal / External Consultation

The *Protecting Victoria's Environment – Biodiversity 2036* is currently open to public consultation until 15 May 2016. Following the consultation period, DELWP will prepare the final version to be released later in 2016. This draft plan, is coupled with the *Review of the Native Vegetation Clearing Regulations* and a review of the *Flora and Fauna Guarantee Act*.

Financial and Resource Implications

There are no ongoing financial or resource implications for Council in making a submission on the draft Biodiversity Plan. However, there is a need to further consider financial and resource implications, particularly that the final Biodiversity Plan is assessed against the *Victorian State Local Government Agreement 2014*, so as to ensure there is no cost shifting from the State Government to local councils and that the burden of reporting by local government is not increased.

Options

As a Council, we need to acknowledge that biodiversity is in decline. We have a responsibility to manage the consequences of our stewardship for current and future generations. We need to consider the consequences of losing biodiversity and its benefits, and the costs of incremental pre-emptive investment to protect the environment, against the cost of trying to recover a badly damaged system.

Council may choose to make a submission on *Protecting Victoria's Environment – Biodiversity 2036*, however should be cautious in its commitment to ongoing reporting and resourcing.

Conclusion

The *Protecting Victoria's Environment – Biodiversity 2036* draft plan provides an opportunity for Council to contribute to the future of the natural environment and biodiversity in Victoria. It aims to stop the decline of biodiversity. It includes two primary goals; to encourage more Victorians to value nature and to ensure that Victoria's natural environment is healthy. Whilst it is considered that many of the priorities of the draft Plan can be supported in principle, there is a need for further detail around proposed actions to achieve the intended outcomes. It is also important that there be further consultation with local government and other stakeholders in the development of an implementation plan and in the setting of regional targets. It is recommended that Council authorise the Director Sustainable Development to finalise a submission on the draft plan, generally in accordance with the content of this report. Submissions on the draft plan are due by 15 May 2016.

RECOMMENDATION

That Council authorises the Director Sustainable Development to finalise a submission to *Protecting Victoria's Environment – Biodiversity 2036* by 15 May 2016.

Attachments

1. Response Protecting Victorias Environment - Biodiversity 2036 Submission Table - Under Separate Cover

10.11 Quick Response Grants - April 2016 Allocation

Author: David Rae, Director Corporate and Community Services

File No: D16/233

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 to approve the April 2016 allocation of funds under the Quick Response Grants Program. This is the first allocation under the Program.

Introduction

Council, at its ordinary meeting in February 2016 approved the Quick Response Grants Policy for the purposes of supporting instances of community need that were not readily able to be considered under the Community and Facilities Grants Program or Environmental Grants Program. Applications for Quick Response Grants are considered by Council monthly.

Issues

The Quick Response Grants Program is 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 and results in positive outcomes.

The applications for consideration for this allocation were received under the former Council Discretionary Fund Program. As a transitional arrangement Council is requested to consider these applications as though they were received under the Quick Response Grants Program.

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 been provided as a separate attachment to this report.

Policy and Legislative Context

Consideration of applications for the Quick Response Grants Program is in accordance with the Quick Response Grants Policy and the following 2013-2017 Council Plan Commitments:

Corangamite Shire's communities are welcoming and provide support and a sense of belonging. Council will work to improve and enhance community health, wellbeing and connectedness. Council has an important role in planning to ensure townships grow in a sustainable manner.

Provide opportunities to improve and enhance the health and wellbeing of our community.

Improve the educational outcomes of our community.

Recognise the importance of Art and Culture to the community.

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 may also contact Council's Director Corporate and Community Services 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.

Financial and Resource Implications

The remaining 2015-2016 Quick Response Grants Program budget is \$ \$4,111.32, being the unallocated funds from the former Council Discretionary Fund Program which ceased in February 2016. 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 as follows:

Ward	Annual Allocation	Previous Allocations	This Allocation	Remaining Allocation
Coastal	\$2,000.00	\$2,000.00	\$0.00	\$0.00
North	\$2,000.00	\$1,550.00	\$450.00	\$0.00
South Central	\$2,000.00	\$1,350.00	\$0.00	\$650.00
South West	\$2,000.00	\$1,100.00	\$0.00	\$900.00
Central	\$6,000.00	\$3,888.68	\$900.00	\$1,211.32
	\$14,000.00	\$9,888.68	\$1,350.00	\$2,761.32

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 as requested by the applicants.

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. **Accepts the applications submitted under the former Council Discretionary Fund as applications submitted under the Quick Response Grants Program.**
2. **Approves the following applications for funding from the Quick Response Grants Program for April 2016:**

Applicant	Purpose	Ward	Amount
Pomorneit Community Hall	Assist with costs associated with Community progressive dinner and dance.	Central	\$450.00
Camperdown Hospital Trolley Auxiliary	Purchase cost of replacement trolley for volunteers.	Central	\$450.00
Lismore & Surrounding District Men's Shed	Assist with purchase of tools and promotional costs.	North	\$450.00

Attachments

1. Quick Response Grants Assessment - April 2016 Allocation - Under Separate Cover
2. Application - Pomorneit Community Hall - Under Separate Cover
3. Application - Camperdown Hospital Trolley Auxiliary - Under Separate Cover
4. Application - Lismore & Surrounding District Mens Shed - Under Separate Cover

10.12 Records of Assembly of Councillors

Author: Andrew Mason, Chief Executive Officer

File No: D16/225

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.

Summary

This report documents the Assembly of Councillors to be reported since the last Ordinary Meeting of Council on 22 March 2016.

Introduction

The *Local Government Act 1989* (the Act) requires that records of meetings which constitute an Assembly of Councillors be tabled at the next practicable meeting of Council and is incorporated in the minutes of the Council meeting.

Issues

An 'Assembly of Councillors' is defined in the Act as a meeting at which matters are considered that are intended or likely to be the subject of a Council decision or subject to the exercise of a delegated authority and which is either of the following:

- A meeting of an advisory committee where at least one Councillor is present; or
- A planned or scheduled meeting that includes at least half the Councillors and at least one Council officer.

Typical meetings giving rise to an Assembly of Councillors at Corangamite Shire include Councillor briefings, advisory committees and planning site inspections. However, from time to time additional records may be reported in accordance with the Act.

Section 80A of the Act requires that a record must be kept of an Assembly of Councillors which lists:

- The Councillors and members of Council staff attending.
- The matters discussed.
- Disclosures of conflict of interest (if any are made).
- Whether a Councillor left the meeting after making a disclosure.

Records of an Assembly of Councillors are documented by a Council officer present at a meeting designated as an Assembly of Councillors. Responsibility for the maintenance of records associated with Assembly of Councillors rests with the Chief Executive Officer.

Policy and Legislative Context

Tabling of the records of Assembly of Councillors ensures Council is compliant with the Act. In addition, this report is consistent with the Council Plan 2013-2017 strategy, "Council will demonstrate high levels of ethical behaviour and corporate governance standards".

Conclusion

The records documenting the below Assembly of Councillors are attached:

- Councillor Briefing 22 March 2016
- Councillor Budget Briefing 29 March 2016
- Planning Inspection 5 April 2016
- Councillor Budget Briefing 5 April 2016
- Councillor Briefing 12 April 2016.

RECOMMENDATION

That Council accepts the attached Records of Assembly of Councillors.

Attachments

1. Record of an Assembly of Councillors 22 March 2016
2. Record of an Assembly of Councillors 29 March 2016
3. Record of an Assembly of Councillors Planning Site Inspection 5-04-2016
4. Record of an Assembly of Councillors 5 April 2016
5. Record of an Assembly of Councillors 12 April 2016

Council

Record of an Assembly of Councillors

Councillor Briefing

Date: Tuesday 22 March 2016

Time: 1.30 pm

Place: Timboon Hall, Bailey Street, Timboon

Present

Councillors:

- | | | | |
|---|--|--|--|
| <input checked="" type="checkbox"/> Cr Beard | <input checked="" type="checkbox"/> Cr Gstrein | <input checked="" type="checkbox"/> Cr Harkin | <input checked="" type="checkbox"/> Cr Oakes |
| <input checked="" type="checkbox"/> Cr O'Connor | <input checked="" type="checkbox"/> Cr Smith | <input checked="" type="checkbox"/> Cr Trotter | |

Cr Gstrein arrived at 1.55pm

Officers:

- | | | | |
|--|---|--|---|
| <input checked="" type="checkbox"/> Ian Gibb | <input checked="" type="checkbox"/> Brooke Love | <input checked="" type="checkbox"/> Andrew Mason | <input checked="" type="checkbox"/> David Rae |
|--|---|--|---|

Adam Taylor (Item 4)

Michael Emerson (Item 5)

David Moloney, John Kelly and Garry Moorfield (Item 6)

Guests:

Peter and David Pope (Item 3)

Issues Discussed:

Item	Discussion Topic
1	Hot Topics: <i>Bailey Street Update, Cr Workshop Debrief, Deakin, Population Levers, HR Issues, Grader Sale, Timboon Announcement, Agenda Items, Elm Beetle</i>
2	Councillor Items: <i>Piggery, Recycled Materials in Road Making, VicRoads, Pony Club, Timboon Abbeyfield, Apex Park, Front Hedges, Port Campbell Service Station, Gas Pipeline, Peterborough Airfield, Resealing of Roads in the South of the Shire, Princetown Development, Youth Council, MAV Fellowship, Onshore Gas</i>
3	12A's Tourism Group, Timboon Abbeyfield, Public Transport
4	Budget Introduction
5	Review of Business Infrastructure Support Fund
6	Inspection of issues around Timboon

Conflicts of Interest declared: Nil.

Councillors left the meeting at:

Councillors returned to the meeting at:

Councillor Conflict of Interest Form Completed:

Meeting close: 6.00pm

Note taker: Andrew Mason



Council

Record of an Assembly of Councillors



Councillor Briefing

Date: Tuesday 29 March 2016

Time: 12.00 pm

Place: Old Chambers

Present

Councillors:

- Cr Beard Cr Gstrein Cr Harkin Cr Oakes
- Cr O'Connor Cr Smith Cr Trotter

Cr Gstrein arrived at 12.50 pm

Officers:

- Ian Gibb Brooke Love Andrew Mason David Rae

Adam Taylor

Guests:

Issues Discussed:

Item	Discussion Topic
1	Draft Budget

Conflicts of Interest declared: Cr O'Connor declared an indirect interest by close association during Castle Carey Bridge discussions.

Councillors left the meeting at: 12.55 pm

Councillors returned to the meeting at: 1.05 pm

Councillor Conflict of Interest Form Completed: Yes

Meeting close: 8.00pm

Note taker: Andrew Mason



Planning Inspection

Record of an Assembly of Councillors



Date: 5 April 2016

Time: 9:40am

Location: 50-54 High Street Lismore

Application No: PP2015/153

Present:

Cr O'Connor Cr Gstrein Cr Oakes Cr Harkin
 Cr Beard (Mayor) Cr Smith Cr Trotter

Officers:

Greg Hayes Steph Durant

Applicant:

Westside Petroleum c/o Lineaire Projects

Objectors:

Steven and Gail Baldock (Steven in attendance only)
 Delma Buchholz
 Judith Buchholz

Issues Discussed:

- Access for trucks
- 24 hour operation
- Noise
- Parking

Conflicts of Interest declared: Nil

Meeting close: 10:15am

Note taker Steph Durant

Council

Record of an Assembly of Councillors



Councillor Briefing

Date: Tuesday 5 April 2016

Time: 11.00 am

Place: Old Chambers

Present

Councillors:

Cr Beard

Cr Gstrein

Cr Harkin

Cr Oakes

Cr O'Connor

Cr Smith

Cr Trotter

Cr O'Connor arrived at 11.20 am; Cr Gstrein arrived at 4.20 pm

Officers:

Ian Gibb

Brooke Love

Andrew Mason

David Rae

Adam Taylor

Guests:

Issues Discussed:

Item	Discussion Topic
1	Draft Budget
2	Hot Topics: <i>Great South Coast Group, Refugee Settlement Meeting, Deakin University</i>

Conflicts of Interest declared: Cr O'Connor declared an indirect interest by close association during Castle Carey Bridge discussions.

Councillors left the meeting at: 12.55 pm

Councillors returned to the meeting at: 1.00 pm

Councillor Conflict of Interest Form Completed: Yes

Meeting close: 5.00pm



Note taker: Andrew Mason

Council

Record of an Assembly of Councillors

Councillor Briefing

Date: Tuesday 12 April 2016

Time: 10.00 am

Place: Old Chambers

Present

Councillors:

- Cr Beard Cr Gstrein Cr Harkin Cr Oakes
- Cr O'Connor Cr Smith Cr Trotter

Officers:

- Ian Gibb Brooke Love Andrew Mason David Rae

Jarrold Woff (Item 3)

Sara Napier and Michael Emerson (Item 6)

Lyll Bond and Belinda Bennett (Item 7)

Rory Neeson (Item 8)

Adam Taylor (Item 9)

Guests:

Julia Ogdin, Terang and Mortlake Health Service (Item 5)

Linda Kelly, BSW WRRG (Item 7)

Issues Discussed:

Item	Discussion Topic
1	Hot Topics: <i>GSC Group, Deakin University, HR Update, Timboon Streetscape, Lake Bullen Merri, Family Violence, Property Sales, Street Trees in Port Campbell, Botanic Gardens CMP, April Council Meeting, Hawks Nest Road, Reach Arm Excavator, Recreation Open Space</i>
2	Councillor Items: <i>Park Ave Speed Restrictions, Reseal of McArthur Street, Glenormiston EOI, Terang Park Trustees Path, Terang Football Clubrooms, 80km/h Speed Restrictions, Patch on Darlington Road, Flu Immunisation, Ice Challenge, Curdievale Road Pot Hole, Timboon Subdivision, Lions Shelter, Abbeyfield Update, Trestle Bridge, Community Engagement Training, Anzac Day</i>
3	Council Halls Review Update
4	Coroner's finding – Inquest into the death of Patiya May Schreiber and Review of Council's Current Tree Management Practice
5	Fluoridisation
6	Corangamite Shire Population Decline and Opportunities Report
7	Barwon South West Waste and Resource Recovery Group
8	Event Stall Debrief
9	Budget Wrap Up


Conflicts of Interest declared: Nil

Councillors left the meeting at:

Councillors returned to the meeting at:

Councillor Conflict of Interest Form Completed:

Meeting close: 5.00pm


Note taker: Andrew Mason *

11. OTHER BUSINESS

12. OPEN FORUM

Members of the public are very welcome to make statements or ask questions relevant to Corangamite Shire at the Open Forum section of Council meetings.

To assist with the smooth running of the meeting, we ask that you raise a maximum of two items at a meeting and please follow this procedure:

1. Wait until the Mayor asks if there are any items in Open Forum and invites you to speak.
2. Stand if you are able and introduce yourself.
3. Speak for a maximum of five minutes.

We will undertake to answer as many questions as possible at a meeting and if we cannot answer a question at the meeting we will provide a written response no later than five working days after the Council meeting.

13. CONFIDENTIAL ITEMS

RECOMMENDATION

That pursuant to the provisions of Section 89(2) of the *Local Government Act* the meeting be closed to the public to enable consideration of the following reports as they relate to contractual matters.

13.1 Tender for the Supply and Delivery of a Compactor