

Corangamite Shire

AGENDA

Ordinary Council Meeting

7.00 pm • Tuesday 28 June 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 24 May 2016, Special Council meeting held on Tuesday 24 May 2016 and Special Council meeting held on Tuesday 14 June 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

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

Table of Contents

Item No.		Page No.
1.	PRAYER	1
2.	APOLOGIES	1
3.	DECLARATIONS OF CONFLICT OF INTEREST	1
4.	CONFIRMATION OF MINUTES	1
5.	DEPUTATIONS & PRESENTATIONS.....	4
6.	MAYOR'S REPORT	5
6.1	MAYOR'S REPORT.....	5
7.	COMMITTEE REPORTS.....	7
8.	INFORMATION BULLETIN.....	8
8.1	CORPORATE RISK REGISTER.....	8
8.2	CODE OF CONDUCT DECLARATION - COUNCILLOR CHRIS O'CONNOR.....	12
9.	PLANNING REPORTS	16
10.	OFFICERS' REPORTS.....	17
10.1	RECREATION RESERVES MANAGEMENT POLICY	17
10.2	COMPLAINTS HANDLING POLICY	25
10.3	RETAIL AREA FACADE IMPROVEMENT PROGRAM POLICY	38
10.4	DOMESTIC ANIMAL MANAGEMENT PLAN 2013-2017 ANNUAL REVIEW.....	46
10.5	LEASE AGREEMENT - 137 HIGH STREET, TERANG	49
10.6	PROPOSED PLANNING AND ENVIRONMENT (FEES) REGULATIONS 2016 AND SUBDIVISION (FEES) REGULATIONS 2016 - REGULATORY IMPACT STATEMENT	56
10.7	FINANCIAL PERFORMANCE REPORT TO 31 MAY 2016	63
10.8	INVESTMENT POLICY - OUT OF SCOPE INVESTMENT	82
10.9	LOCAL GOVERNMENT PERFORMANCE REPORT FOR PERIOD ENDING 31 MARCH 2016	85
10.10	PLANNING AND ENVIRONMENT ACT 1987 - INSTRUMENT OF APPOINTMENT AND AUTHORISATION.....	88
10.11	RECORDS OF ASSEMBLY OF COUNCILLORS.....	91
11.	OTHER BUSINESS	95

Table of Contents

12. OPEN FORUM	96
13. CONFIDENTIAL ITEMS	97
13.1 GREAT OCEAN ROAD REGIONAL TOURISM BOARD AGREEMENT 2016-2019	97
13.2 CONTRACT 2017001 FOR THE PROVISION OF HOME AND COMMUNITY CARE HOME MAINTENANCE SERVICES	97

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: D16/432

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

The past month has presented a number of opportunities for me to represent the Shire in meetings with State Government ministers, local government representatives from throughout Australia and most importantly members from several local community groups.

On 28 May I attended a funding announcement for the Shipwreck Coast Master Plan (SCMP) made by the new Minister for Environment, the Hon. Lily D'Ambrosio MP. The announcement of \$9.8 million towards stage one of the SCMP will enable the construction of new lookouts at the Twelve Apostles and The Blowhole, as well as a new pedestrian bridge over Campbell's Creek in Port Campbell. With an estimated 2.6 million tourists a year visiting this iconic region, the projects will benefit the Shire by encouraging visitors to stay longer, spend in our local communities and enjoy a more positive and memorable visitor experience.

Over the past several weeks the impacts felt within our dairying community have been utmost in my thoughts. On 3 June the CEO and I met with the Minister for Agriculture, the Hon. Jaala Pulford MP, along with other Great South Coast mayors and CEOs. The meeting was a great opportunity to discuss the State Government's initiatives to assist our dairy farmers and associated businesses that are now beginning to experience the real impact of the milk price cuts. This where we were able to contribute not only our own thoughts and ideas, but also the concerns we hold for the entire region.

The CEO, Cr Gstrein and I travelled to Canberra to attend the Australia Local Government Association's National General Assembly (NGA) on 11-22 June. The NGA was a great opportunity to meet with other representatives of local government from across Australia. As you can imagine Canberra seemed awfully empty as our nation's leaders are kept busy on the campaign trail, however the opportunity to discuss common topics and shared issues with fellow delegates was invaluable.

During the past month I also had the privilege of visiting the Camperdown Community House on 7 June, and view firsthand the incredible work that is being achieved and delivered within the district. I also attended a meeting of the Port Campbell Progress Group on 9 June. I was grateful for their invitation and impressed by their passion for the Port Campbell and interest in the Shire as a whole.

Our Corangamite communities are a real testament to the region. We have amazing residents who go above and beyond for the benefit of others. Great achievements are happening right across our Shire and this would not be without the dedication, pride, and care of all those involved.

Information only.

7. COMMITTEE REPORTS

Nil.

8. INFORMATION BULLETIN

8.1 Corporate Risk Register

Author: Michele Stephenson, Manager Human Resources/Risk

File No: D16/402

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

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

Author - Michele Stephenson

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

Summary

This report presents to Council the current status of Council's risk profile and Council's Corporate Risk Register. The report is provided in accordance with the Local Government Performance Reporting Framework.

Introduction

The Corangamite Shire Council Risk Management Framework, incorporating the Risk Policy, was approved by the Audit Committee in December 2014. The Risk Policy was adopted by Council in February 2015. Both documents govern the management of risk within Council. The Corporate Risk Register details the strategic and operating risks to Council's operations, including their likelihood and consequence of occurring and the associated risk mitigation strategies.

Issues

Significant operational risks are recorded in the Corporate Risk Register (CRR). These risks are linked to an overarching strategic risk which is aligned with Council Plan objectives.

It is essential all risks are managed, communicated and considered consistently at all levels within Council. Through the CRR all risks and the implementation of the associated controls can be monitored and reported in accordance with the Risk Management Framework.

The CRR is regularly reviewed with risks adapted due to changing and emerging circumstances. Council's risk profile is determined after identifying and assessing each risk. This profile is then used to manage risk in a systemic manner, including the allocation and prioritisation of resources. Council has no high residual risks at present.

Council's top ten residual risks, residual risk profile and the trend of residual operating risks is detailed below.

Top Ten Residual Risk (June 2016)

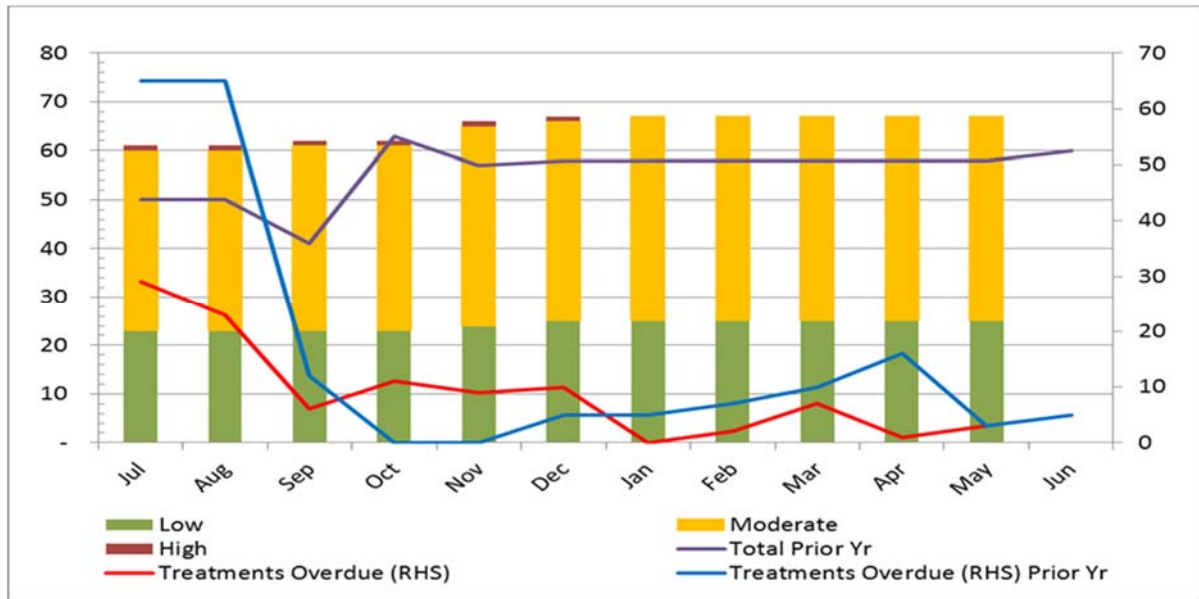
Risk No	Risk Description	Residual Risk
14	As a result of road works a section of road is left unsafe for travel at the legal speed limit and contributes to an accident.	Medium
26	As a result of ineffective planning for climate change Corangamite Shire is adversely effected.	Medium
31	Staff are not protected from threatening behaviour leading to a detrimental effect on their health and wellbeing.	Medium
92	Due to Rate Capping Council's financial position is compromised.	Medium
1	As a result of Government requirements not being met by a Council service area, accreditation and / or licence to provide a service is lost.	Medium
6	Due to a breach of duty of care to children/young people attending Council's services / programs, their health and wellbeing is adversely affected.	Medium
15	As a result of major fire / flood not being managed effectively, environmental damage occurs and lives are lost.	Medium
16	Leachate from Landfill is not effectively managed resulting in groundwater being contaminated.	Medium
17	Due to data being lost or corrupted, access to systems is prevented.	Medium
18	Due to Information Management Hardware failure Council services cannot be provided.	Medium

Residual Risk Profile (June 2016)

Likelihood (Probability)	Consequence (Impact)				
	Insignificant	Minor	Moderate	Major	Catastrophic
Almost Certain Is almost certain to occur in most circumstances (80% plus)					
Likely Will probably occur (50-80%)					
Possible Might occur at some time in future (20-50%)	1	8	16		
Unlikely Could occur but doubtful (5-20%)		11	15		
Rare May occur but only in exceptional circumstances (<5%)	1	3	11	13	

Low	Medium	High	Extreme
-----	--------	------	---------

Residual Operating Risks Trend (2015-2016)



Further detail on Council’s risks including the mitigation strategies, can be obtained from the Corporate Risk Register which is attached under separate cover.

Policy and Legislative Context

Consideration of this report is in accordance with the following objectives in the 2013-2017 Council Plan:

- Model contemporary standards of corporate governance and professional standards

- 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 report is also provided in accordance with the Local Government Performance Reporting Framework.

Internal / External Consultation

The Risk Management Framework and Risk Policy have been developed by Council’s Human Resource and Risk department in consultation with the Senior Officer Group. Both documents were approved by the Audit Committee in December 2015. The Risk Policy was adopted by Council in February 2015. The Leadership Group has been consulted in developing the Corporate Risk Register. Managers continue to manage and monitor risks in consultation with the Senior Officer Group.

Financial and Resource Implications

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

Conclusion

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

In order to manage these uncertainties it is essential that consistent processes are adopted within a comprehensive framework. The Corporate Risk Register is a critical element of the framework and regular reporting to Council assists in the management and oversight of risk effectively, efficiently and coherently across the organisation. This report and the accompanying Corporate Risk Register informs Council on the organisation's risk profile as at June 2016.

Information only.

Attachments

1. Risk Profile 15 June 2016 - Under Separate Cover

8.2 Code of Conduct Declaration - Councillor Chris O'Connor

Author: Andrew Mason, Chief Executive Officer

File No: D16/435

Previous Council Reference: 24 May 2016 (Special), Item 5.1

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.

Summary

This report documents Councillor Chris O'Connor's declaration to abide by the Councillor Code of Conduct made before the Chief Executive Officer on 23 June 2016.

Introduction

Amendments to the *Local Government Act 1989*, by the *Local Government Amendment (Improved Governance) Act 2015*, required Council to review its Code of Conduct within four months of the 2015 Act commencing operation. In accordance with these amendments, Council held a special meeting on 24 May 2016 to adopt the revised Councillor Code of Conduct. At this meeting, the Councillors in attendance signed the Councillor Code of Conduct and declared to abide by the Code. These declarations were made in writing and witnessed by the Chief Executive Officer.

Councillor Chris O'Connor was an apology for the meeting and later signed the Code and made his declaration before the Chief Executive Officer on 23 June 2016.

Issues

Within one month of any amendment being made to the Code, all Councillors must make a declaration stating that they will abide by the revised Code, and this declaration must be signed and witnessed by the Chief Executive Officer. Failure to make a declaration to abide by the Code is grounds for disqualification as a Councillor.

As Councillor O'Connor was absent from the meeting on 24 May 2016, he was unable to sign the Code or make his declaration to abide by it. On 23 June 2016, Councillor O'Connor met with the Chief Executive Officer, signed the Code and made a declaration to abide by the Councillor Code of Conduct. This declaration was made in writing and is attached to this report.

Policy and Legislative Context

As required by section 76C of the *Local Government Act*, Councillor Chris O'Connor met with the Chief Executive Officer, signed the Code and made a declaration in writing to abide by the Councillor Code of Conduct.

Conclusion

In accordance with section 76C of the *Local Government Act 1989*, Council held a special meeting on 24 May 2016 to adopt the revised Councillor Code of Conduct. As Councillor Chris O'Connor was absent from the meeting, he was unable to sign the Code or make his declaration to abide by it. On 23 June 2016, Councillor O'Connor met with the Chief Executive Officer, signed the Councillor Code of Conduct and made a declaration to abide by the Code. The declaration was made in writing and witnessed by the Chief Executive Officer.

Information only.

Attachments

1. Declaration Cr O'Connor Code of Conduct 23-06-2016



Declaration

Section 76C, *Local Government Act 1989*

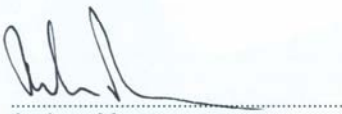
I do solemnly, sincerely and truly declare that I will abide by the
Corangamite Shire Councillor Code of Conduct, in accordance with
section 76C of the *Local Government Act 1989*



Chris O'Connor
Councillor

Witnessed by

23/6/2016
Date



Andrew Mason
Chief Executive Officer

RECOMMENDATION

That the Information Bulletin be received.

9. PLANNING REPORTS

Nil.

10. OFFICERS' REPORTS

10.1 Recreation Reserves Management Policy

Author: Jarrod Woff, Manager Facilities and Recreation

File No: D16/420

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

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

Author - Jarrod Woff

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

Summary

This report recommends Council adopt the Recreation Reserves Management Policy as a guide to the funding and management arrangements for recreation reserves located within the Corangamite Shire. The policy has been reviewed with minor changes recommended.

Introduction

There are a number of recreation reserves throughout the Corangamite Shire, providing recreational opportunities for residents and visitors to the region.

Corangamite Shire contributes to the operation of 10 township recreation reserves in Camperdown, Cobden, Derrinallum, Lismore, Noorat, Port Campbell, Simpson, Skipton, Terang and Timboon. The Recreation Reserve Management Policy applies to township reserves, rural recreation reserves and lake reserves in the Corangamite Shire which provide general public access and are used predominantly for sport and recreation purposes on both Council owned land and land not owned by Council.

Issues

The Recreation Reserves Management Policy identifies and outlines the funding and management responsibilities for each.

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

This policy does not include Princetown Recreation Reserve, whose management and maintenance are supported substantially by the operations of the caravan and camping park, Lake Tooliorook Reserve, which is managed and operated by a special committee of Council under section 86 of the *Local Government Act 1989* and subject to an Instrument of Delegation, or Lake Purrumbete Foreshore Reserve, whose management and maintenance are supported substantially by the operations of the Lake Purrumbete Caravan Park.

The reserves are used predominantly for sporting activity and recreation purposes.

The policy outlines the allocation of Council funds to each recreation reserve committee based on a tiered structure.

The tiered structure takes into account:

- The existing quality of reserves.
- The size of the population for which the reserves cater.
- The levels of utilisation at reserves (i.e. participation).
- The level of infrastructure to be maintained at reserves.
- The variety of use of the reserves (e.g. sporting, community etc.).

The policy has been reviewed with only minor changes recommended including:

- Council will consider allocation of funding as a part of its annual budget development.
- An adjustment to the allocation of funding to the Port Campbell Recreation Reserve due to rate capping.

Policy and Legislative Context

The Recreation Reserves Management Policy is a Council policy which provides an approach to the funding and management arrangements for recreation reserves throughout the Corangamite Shire. The policy has been developed in accordance with Council's Policy Development Framework.

The Recreation Reserves 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.

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.

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 Recreation Reserves Management policy is an existing policy that has been reviewed internally by Council's Facilities and Recreation team and senior officers.

Financial and Resource Implications

The Recreation Reserves Management Policy recommends Council allocate a financial contribution as a part of its recurrent budget to assist reserve committees with managing their facilities.

This level of service is a financial contribution of \$150,309 and has been reduced by \$4,250 in the 2016-2017 financial year as a result of the introduction of rate capping.

Options

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

Conclusion

Recreation reserves continue to provide recreational and health benefits to residents and visitors to the Corangamite Shire. With the provision of active sport and recreation opportunities, a number of reserves are managed and maintained by volunteers. This policy recommends a continuation of the current financial arrangements to ensure the reserves are managed and maintained appropriately into the future.

The Recreation Reserves Management Policy outlines the role of Council in the management and maintenance of reserves across the Corangamite Shire.

RECOMMENDATION

That Council:

- 1. Revokes Recreation Reserves Management Policy dated June 2013.**
- 2. Adopts the Recreation Reserves Management Policy dated June 2016.**

Attachments

1. Policy Recreation Reserve Management June 2016
2. Policy Recreation Reserve Management with changes tracked June 2016 - Under Separate Cover



**CORANGAMITE
SHIRE**

Recreation Reserves Management Policy

Corangamite Shire

June 2016

Council Policy



Recreation Reserves Management

Introduction

Sport and recreation play an important role in promoting a sense of community, social inclusion and community wellbeing. Recreation reserves are important assets that encourage broad community use and opportunities for a well-balanced lifestyle with a range of physiological, mental, social and educational benefits.

Purpose

This policy aims to detail Council's involvement in the funding and management arrangements of Recreation Reserves located within Corangamite Shire.

Scope

This policy applies to township recreation reserves in Camperdown, Cobden, Derrinallum, Lismore, Noorat, Port Campbell, Simpson, Skipton, Terang and Timboon, rural recreation reserves and lake reserves in the Corangamite Shire which provide general public access and are used for community purposes on both Council owned land and land not owned by Council.

This policy does not include Princetown Recreation Reserve whose management and maintenance are supported substantially by the operations of the caravan and camping park.

This policy does not include Lake Tooliorook Reserve which is managed and operated by a special committee of Council under section 86 of the *Local Government Act 1989* and subject to an Instrument of Delegation.

This policy does not include Lake Purrumbete Foreshore Reserve whose management and maintenance are supported substantially by the operations of the Lake Purrumbete Caravan Park.

Council will provide an annual operating allocation consistent with current arrangements to assist with reserve operations during the term of the policy and may need to review the policy, subject to Council's annual budget and evidence of ongoing facility use.

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

References

Corangamite Shire Recreation Facilities Development Policy INFRA 06-01
Corangamite Shire Lakes & Waterways Strategy (2004)
Corangamite Shire Facility Grants Program Guidelines
Corangamite Shire Recreation & Public Open Space Strategy 2010-2015
Corangamite Shire Health and Wellbeing Plan 2013-2017

Definition

‘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. .

‘Instrument of Delegation’ – charter of responsibility, terms and conditions of committees delegated under Section 86 of the *Local Government Act 1989*.

‘Lake Reserve’ – a reserve collocated with Deep Lake, Lake Elingamite and South Beach Lake Bullen Merri which provides general public access and is extensively used for community recreation purposes particularly due to lake associated water activities.

‘Rural recreation reserve’ – a reserve located within Corangamite Shire that is not specified as a ‘Township Recreation Reserve’ but which provides general public access and is used for community recreation purposes.

‘Township Recreation Reserve’ – a recreation reserve located in Camperdown, Cobden, Derrinallum, Lismore, Noorat, Port Campbell, Simpson, Skipton, Terang and Timboon and which provides general public access and is used for community recreation purposes.

Policy Detail

Township Recreation Reserve

1. Council will allocate an amount for each township recreation reserve as a part of its recurrent budget to assist with operational expenses.

Funding will be allocated in accordance with the following funding levels as a percentage of Council’s budget discussions in each financial year.

Funding Levels:

	2016-2017	2017-2018	2017-2018
Category 1	Funding Allocation	Funding Allocation	Funding Allocation
Cobden Recreation Reserve	12.9%	12.9%	13.2%
Leura Oval	12.9%	12.9%	13.2%
Terang Recreation Reserve	12.9%	12.9%	13.2%
Category 2	Funding Allocation	Funding Allocation	Funding Allocation
Noorat Recreation Reserve	10.3%	10.3%	10.6%
Simpson Recreation Reserve	10.3%	10.3%	10.6%
Skipton Recreation Reserve	10.3%	10.3%	10.6%
Timboon Recreation Reserve	10.3%	10.3%	10.6%
Category 3	Funding Allocation	Funding Allocation	Funding Allocation
Derrinallum Recreation Reserve	10.3%	10.3%	10.6%
Lismore Recreation Reserve	7.2%	7.2%	7.4%

Category 4	Funding Allocation	Funding Allocation	Funding Allocation
Port Campbell Recreation Reserve	2.8%	2.8%	0%

2. Council will maintain building and contents (limited) insurance for the buildings.
3. Council will reimburse Derrinallum and Noorat Recreation Reserves Committees (delegated under Trustees) costs incurred for public liability insurance.
4. Township Recreation Reserve Committees will be responsible for all operational expenses.
5. Township Recreation Reserve Committees will be responsible for maintaining relevant contents insurance above that provided by Council.
6. Township Recreation Reserve Committees will retain all income received through the hire of the facility.
7. Township Recreation Reserve Committees will co-ordinate hiring of the facility and will ensure that all hiring arrangements are appropriately documented.
8. Township Recreation Reserve Committees will forward a report to Council at the end of each financial year which will include a financial statement and usage figures.
9. Township Recreation Reserve Committees will be responsible for sound asset planning and implementation of facility improvements.
10. Township Recreation Reserve Committees can seek funding for capital works in accordance with Council's Recreation Facilities Development Policy.
11. Township Recreation Reserve Committees will be invited to apply to Council's Facilities Grants Program each year for minor infrastructure works or related projects.

Rural Recreation Reserve

1. Rural Recreation Reserve Committees will be responsible for all day to day operational and maintenance costs.
2. Rural Recreation Reserve Committees will be responsible for maintaining relevant contents insurance above that provided by Council.
3. Rural Recreation Reserve Committees will be invited to apply to Council's Facilities Grants Program each year for minor infrastructure works or related projects.
4. Council will reimburse Boorcan Recreation Reserve Committee (delegated under Trustees) costs incurred for public liability insurance.
5. Council will maintain building and contents (limited) insurance for the buildings.

Lake Recreation Reserve

1. Lake Recreation Reserve Committees will be responsible for all day to day operational and maintenance costs including utility costs.
2. Lake Recreation Reserve Committees will be responsible for maintaining relevant contents insurance above that provided by Council.
3. Lake Recreation Reserve Committees will be invited to apply to Council's Facilities Grants Program each year for minor infrastructure works or related projects
4. Council will maintain building and contents (limited) insurance for the buildings.

5. Council will provide an annual operating allocation and/or service support consistent with current arrangements to assist with operations, toilet cleaning and waste disposal subject to Council's annual budget and evidence of high demand as demonstrated by reserve usage and where relevant facilities are present.

Facility	Operating Allocation	Toilet Cleaning / Consumables	Electricity	Waste Collection
Deep Lake	Nil	Nil	Nil	Yes
Lake Elingamite	Nil	Nil	Nil	Yes
Lake Bullen Merri	Yes	Yes	Nil	Yes

Review Date

June 2019

10.2 Complaints Handling Policy

Author: Rory Neeson, Manager Community Relations

File No: D16/345

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

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

Author - Rory Neeson

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

Summary

In 2015, the Victorian Ombudsman completed a report using information it compiled from Victorian councils and key stakeholders relating to complaints and complaint handling in local government.

The report acknowledged that due to the large amount of services that are provided in the sector, councils receive many complaints from residents regarding service provision. It also discussed that the actual definition of what constitutes a complaint compared to a request for service varied across the sector and that some standard practices should be established to ensure complaints are dealt with in a consistent and efficient manner.

To assist councils improve the way they handle complaints, the Victoria Ombudsman prepared *Councils and complaints – A good practice guide*. This document aims to provide practical and useful advice to councils to ensure their complaint handling mechanisms are effective, promote fairness and integrity and provide ways for Council to improve its services using the data it collects. The guide also recommended that all councils adopt a complaint handling policy and included a template which has been used as a basis for the development of this policy.

Introduction

This report proposes the adoption of a Complaint Handling Policy for Council.

Issues

Corangamite Shire is committed to providing the highest level of customer service. As part of this commitment, Council encourages feedback as a way to continue to improve the wide variety of services it provides to its community.

Due this commitment and in line with recommendations from Victorian Ombudsman, Council has developed this Complaint Handling Policy.

The policy aims to:

- Provide a standardised approach to managing customer complaints.
- Provide a framework for the management of complaints and feedback with a view to continually improving the services Council provides.
- Increase the level of customer satisfaction by resolving issues in an effective, fair, respectful and professional manner.
- Ensure all statutory requirements are satisfied, and escalation options for customers are communicated clearly.
- Ensure Council is collecting data regarding complaints lodged and using this data to improve the delivery of Council services.

This policy relates to all complaints made by customers in relation to Council operations with the exception of the following complaint areas which already have separate processes in place:

- complaints relating to a Council resolution
- complaints relating to a planning application decision
- complaints already reviewed by an external agency
- Freedom of Information (FOI) requests
- complaints relating to a Councillor outside their role as a Councillor
- complaints by staff (Complaints, Grievances and Disputes Procedure)
- complaints relating to legal issues
- work-related grievances from Council employees (i.e. complaints relating to their employment)
- complaints or disclosures made under the *Protected Disclosure Act 2012* including complaints made about Councillors
- complaints about the CEO which are subject to Section 105 of the *Local Government Act 1989*.

This policy relates solely to the management of complaints made to Council, and does not provide guidance for the management of customer requests for service or feedback provided to Council.

The policy seeks to provide clear definitions around what is a complaint, compared to a request for service or feedback provided to Council. It also aims to provide guidelines as to what roles and responsibilities exist within Council when handling complaints as well as making it clear as to how a resident can make a complaint.

A complaint handling procedure is included in the policy that provides guidance and clear expectations for residents around:

- frontline resolution by Council staff
- investigation
- internal reviews
- external reviews.

The procedure also discusses the process for when a complaint is received by a Councillor, how complaints regarding specific matters not included in this policy are dealt with, remedies for when Council has made an error and the steps that will be taken to address the situation as well as what a resident can expect regarding privacy and confidentiality. The process for the recording of complaints and how Council will report on its performance is also detailed.

A section on unreasonable complaint conduct is included in the policy. While the majority of customers have legitimate concerns and genuinely seek resolution, a small proportion of

customers demonstrate unreasonable concerns and unreasonable and uncooperative behaviour. To address these types of customers, a list of unreasonable complaint conduct is provided to assist staff in identifying and dealing with these types of complaints.

Policy and Legislative Context

The adoption of this Complaints Handling Policy is consistent with the following Council Plan 2013-2017 objective as part of the Stewardship, Governance Advocacy and Collaboration theme to “model contemporary standards of corporate governance and professional standards”.

It is also consistent with the following Council Plan 2013-2017 objectives as part of the Our Organisation themes “strengthen our reputation as an organisation” and “deliver exception standards of customer service”.

Internal / External Consultation

This policy has been reviewed internally by Council’s Senior Officer Group and Leadership Group. Further training and consultation with staff will be completed when the policy is implemented across the organisation.

Financial and Resource Implications

No additional financial resources are proposed through the adoption of this policy.

Options

Council may choose to adopt this Complaint Handling Policy, amend the policy before adoption or it may choose to not adopt the policy.

Conclusion

This Complaint Handling Policy seeks to ensure that Corangamite Shire can continue to provide the highest levels of service to its customers. It addresses all of the issues raised in the report prepared by Victoria Ombudsman *Councils and complaints – A good practice guide* and looks to ensure Council can continue to improve in its service provision through the feedback that is provided by its customers.

RECOMMENDATION

That Council adopts the Complaints Handling Policy dated June 2016.

Attachments

1. Complaints Handling Policy June 2016



**CORANGAMITE
SHIRE**

Complaints Handling Policy

Corangamite Shire
June 2016

Council Policy



CORANGAMITE
SHIRE

Complaints Handling Policy

Introduction

Corangamite Shire Council is committed to providing the highest level of customer service in a friendly, helpful and professional manner. As part of this commitment, Council values and encourages any feedback and will use this as a way to consistently improve the service it provides to the community.

The policy has also been developed modelling the Victorian Ombudsman "Council's and complaints – A good practice guide"

Purpose

The purpose of this policy is to:

- provide a standardised approach to managing customer complaints;
- provide a framework for the management of complaints and feedback with a view to continually improving the services Council provides;
- increase the level of customer satisfaction by resolving issues in an effective, fair, respectful and professional manner;
- ensure all statutory requirements are satisfied, and escalation options for customers are communicated clearly;
- ensure Council is collecting data regarding complaints lodged and using this data to improve the delivery of Council services.

Scope

This policy applies to all Council Officers and contractors carrying out work on behalf of Council. In all instances where a Council officer is the subject of a complaint, the complainant will be directed to that officer's Manager, Director or CEO.

This policy relates to all complaints made by customers in relation to Council operations with the exception of the following complaint areas which already have separate process in place:

- Complaints relating to a Council resolution;
- Complaints relating to a planning application decision;
- Complaints already reviewed by an external agency;
- Freedom of Information (FOI) requests;
- Complaints relating to a councillor outside their role as a councillor
- Complaints by staff (Complaints, Grievances and Disputes Procedure)
- Complaints relating to legal issues;
- Work-related grievances from Council employees (i.e. complaints relating to their employment);
- Complaints or disclosures made under the *Protected Disclosure Act 2012*;
- Complaints about the CEO which are subject to Section 105 of the *Local Government Act 1989*.

This policy relates solely to the management of complaints made to Council, and does not provide guidance for the management of customer requests for service or feedback provided to Council.

Definitions

Complaint

A complaint is an expression of dissatisfaction with a service provided by Council, the behaviour of a Council employee or contractor or a delay or failure in providing a service, taking an action, or making a decision by or on behalf of Council.

Request for service

Contact with Council to seek assistance, to access a new service, to seek advice, or to inform or make a report about something for which Council has responsibility.

Feedback

Can take the form of comments, both positive and negative, about services provided by Council without necessarily requiring a corrective action, change of services or formal review of a decision.

Complainant

A person or organisation that makes a complaint.

Complaint Handling System

The way in which Council deals with complaints, including policy and procedures, electronic systems and reporting mechanisms.

References

- Corangamite Shire Customer Service Charter
- Corangamite Shire Councillor Code of Conduct
- Corangamite Shire Staff Code of Conduct
- Victorian Ombudsman "Councils and complaints – A good practice guide"
- *Local Government Act 1989*
- *Victorian Charter of Human Rights and Responsibilities Act 2006*
- *Protected Disclosure Act 2012*
- *Privacy and Data Protection Act 2014*
- *Information Privacy Act 2000*
- *Freedom of Information Act 1982*

Policy Detail

Guiding Principles

This policy is based on seven principles, as outlined in the Victorian Ombudsman's Councils and complaints – A good practice guide.

1. Commitment

We are committed to resolving complaints that we receive. Our culture recognises people's right to make a complaint and considers complaint handling to be part of our core business of providing customer service and improving service delivery.

2. Accessibility

People can easily find out how to complain to us, and we actively assist them with the complaint process.

3. Transparency

The complaint handling system clearly sets out how to complain, where to complain, and how the complaint will be handled. The steps taken to respond to a complaint are recorded and will stand up to scrutiny.

4. Objectivity and fairness

Under the complaint handling system, complainants and staff are treated with respect and courtesy and complaints are judged on merit and fact.

5. Confidentiality

The complaint handling system protects the personal information of people making a complaint, and Council staff are informed only on a 'need to know' basis.

6. Accountability

We are accountable, both internally and externally, for our decision making and complaint handling performance. We provide explanations and reasons for decisions, and ensure that our decisions are subject to appropriate review processes.

7. Continuous improvement

We regularly analyse complaint data to find ways to improve how we operate and how we deliver our services. We then implement these changes.

Roles and Responsibilities

Frontline Staff

- Receive complaints and record into Council's CRM system, assess and where possible resolve the complaint at the point of contact, within the scope of their role.
- Where a frontline staff member requires the assistance of the supervisor, the supervisor will assist and investigate to enable the complaint to be resolved at this point of contact.
- Complaints that cannot be managed at this first point of contact are to be referred to the appropriate Manager/Director for investigation and management of the complaint.

Managers and Directors

- Provide training and support to staff so that they understand the complaint handling process and are empowered to manage complaints within the scope of their role.
- Receive, investigate and manage any referred complaints through to resolution at this stage.
- Where a complainant requests a review of the decision made, refer to an appropriate Director or the CEO for internal review.
- Conduct any internal reviews through to completion at this stage.

Chief Executive Officer

- Receives and manages any escalated complaints that cannot be resolved at the Manager and Director level.
- Manages complaints that relate to other policies (e.g. Freedom of information) as applicable.

How to make a Complaint

A person can make a complaint to Council in a number of different ways.

Mail

Complaints Management
Corangamite Shire Council
PO Box 84
Camperdown Vic 3260

Telephone

Customer Service Team (03) 5593 7100
National Relay Service 133 677

Email

Complaints Management
shire@corangamite.vic.gov.au

Website

www.corangamite.vic.gov.au
"Contact Us"

In person

Corangamite Shire Council Civic Centre
181 Manifold Street
Camperdown
Monday – Friday 8.30 am – 5.00 pm

Fax

Complaints Management
(03) 5593 2695

Social Media

<http://www.facebook.com/CorangamiteShire/>

Accessibility

Anyone who has been affected by an action or inaction of Council can make a complaint.

Council has the following services in place to assist people with specific needs to make a complaint.

- Council can be contacted through the National Relay Service (NRS)
- TTY users can phone the NRS on 13 3677 then ask for (03) 5593 7100
- Speak & Listen (speech-to-speech) users can phone NRS 1300 555 727 and ask for (03) 5593 7100
- Internet Relay users can connect to the NRS via www.relayservice.com.au and ask for (03) 5593 7100
- A hearing loop located at the Corangamite Shire Council Civic Centre, 181 Manifold Street, Camperdown.

Complaint Handling Procedure

Overview

Corangamite Shire Council takes a four-tiered approach to complaint handling, as follows:

1. Frontline resolution - Frontline staff will receive the complaint and resolve it immediately, if possible. This may be with or without the assistance of a supervisor or team member.
2. Investigation, if required - If frontline staff cannot resolve the complaint, it will be referred to a council officer for investigation.
3. Internal review - If the complainant is not satisfied with the outcome of the investigation, they can request an internal review.
4. Access to external review - If the complainant is not satisfied with the process or outcome of the internal review, they will be informed of any external avenues through which they can pursue their complaint.

Frontline Resolution

Frontline staff will:

- Define whether the contact with the customer is considered to be a complaint or whether it should be defined as a request for service or feedback.
- Receive the complaint and register it in Council's Customer Request System.
- Acknowledge all complaints as per Council's Customer Service Charter.
- Clarify the complaint and the outcome the complainant is seeking.
- Assess the complaint to determine how it should be dealt with.
- If frontline staff are unsure about any of the above steps due to the nature of the complaint, discuss with Council's Community Relations Manager or their Department Manager.

Investigation

- If frontline staff cannot resolve the complaint, it will be assigned to a council officer for investigation.
- The officer handling the complaint will advise the complainant who the contact person is and how long it will take to respond to the complaint.
- Complaint handling staff will aim to resolve all complaints within 28 days.
- If it takes longer than 28 days to resolve a complaint, the contact person will contact the complainant prior to or at this time and explain why.
- Complaints that are not resolved within 28 days will be subject to review and staff may need to escalate the complaint if necessary to ensure that a resolution is expedited.
- The officer responsible for handling the complaint will write to the complainant to advise them of the outcome. The outcome letter will contain reasons for the decision made and the contact information for the responsible officer.
- Where appropriate, the officer handling the complaint will contact the complainant via telephone to discuss the outcome of their complaint prior to sending the outcome letter.
- A complainant can withdraw a complaint at any point during its review.

Internal Review

- The complainant may request an internal review of their complaint if they are not satisfied that the complaint has been resolved or was handled correctly.
- When allocating a matter for internal review, the reviewing officer must not be involved in the original decision, action or investigation or be from the same work area. The allocated officer may be another Manager, Director or the CEO. The allocation of the review will be guided by the nature and complexity of the complaint.

- The officer reviewing the complaint is required to review the history of the matter, including any findings from any previous investigations and any responses and information provided to the complainant.
- The complainant will be provided with a written acknowledgement of their request for a review within ten business days of its receipt.
- This acknowledgement will include the contact details of the officer, how the complaint will be handled and how long it will take to resolve.
- A written outcome letter signed by the officer responsible for the internal review will be provided to the complainant at the conclusion of every internal review.
- Where available, the outcome letter will advise the complainant of any avenues of external review available in relation to the matter.

Complaints received by Councillors

When a Councillor receives a complaint from a member of the public, he or she will refer it to the CEO or the relevant Director.

Council staff will then respond to the complaint in accordance with this policy.

A Council officer may sign the outcome letter.

Complaints about Contractors

Council retains a level of responsibility for services carried out by contractors on its behalf.

This policy applies to all contractors carrying out services on Council's behalf.

Where a complaint is made regarding a contractor with Council, the contract manager will follow up with the contractor and ensure the steps outlined in this policy regarding complaint handling are followed and any appropriate action is undertaken.

Complaints about specific matters - alternative procedures

There are specific complaint procedures that will apply to certain types of complaints. If the complaint received would be better handled with another process outside this policy, this will be explained to the complainant at the start. This includes:

- Complaints about allegations of corrupt conduct. Where a complaint involves allegations of corrupt conduct, it will be handled in accordance with the *Protected Disclosure Procedures 2012*
- Complaints about Councillors will be dealt with in accordance with the Councillor Code of Conduct and the *Protected Disclosure Procedures 2012*
- Complaints about the Chief Executive Officer will be handled according to the *Local Government Act 2013*, the *Protected Disclosure Act 2012* or the Employee Code of Conduct and should be made in writing to the Director Corporate Services, the Personal Disclosure Coordinator or directly to IBAC of the Victorian Ombudsman.

Remedies

Where we have found that we have made an error, we will take steps to redress the situation. Possible remedies include, but are not limited to:

- An explanation of why the error occurred and steps taken to prevent it from repeating
- A correction of misleading records
- A reversal of a decision
- A change to policy, procedure or practice
- Disciplinary action taken against a staff member
- Providing the means of redress requested by the complainant.

Where we identify an error, we will consider offering a genuine apology to the complainant, in addition to any other remedies offered, irrespective of whether the complainant specifically requests this.

Privacy and Confidentiality

When gathering information to respond to a complaint, we will only:

- Use it to deal with the complaint or to address systemic issues arising from the complaint.
- Disclose it in a de-identified format when disclosing data to the public.
- Share it with Council staff on a need to know basis.

Recording Complaints

All complaints are recorded within Council's customer request management system and document management system where appropriate.

We analyse our complaint data and provide reports to Council on how we can reduce complaints and improve services. Senior management is responsible for acting on the recommendations in these reports.

We record the following information for each complaint:

- The complainant's details
- How the complaint was received
- A description of the complaint
- The complainant's desired outcome (if known)
- The Council officer responsible for handling the complaint
- Any action taken, including contact with the complainant, response times and the outcome
- Any recommendations for improvement, and who is responsible for implementing them.

Any queries regarding the recording of complaints should be directed to the Manager Community Relations.

Reporting on Performance

To measure our performance, we have the following key performance indicators:

- Complaints received
- Complaints upheld
- Complaints partially upheld
- Complaints not upheld

We will report against our complaint handling key performance indicators monthly via the Corporate Services Reporting that is presented to Council quarterly. These results will also be made available publically via the Corangamite Shire Council Annual Report.

Unreasonable Complainant Conduct

While the majority of customers have legitimate concerns and genuinely seek resolution, a small proportion of customers demonstrate unreasonable concerns and unreasonable and uncooperative behaviour.

When customers behave unreasonably in their dealings with staff, their conduct can have a negative impact on Council's service delivery to other customers. Due to this, Council will take immediate action to manage customer conduct that negatively and unreasonably affects the organisation, and support staff to do the same.

Unreasonable Complainant Conduct (UCC) is any behaviour by a complainant which, because of its nature or frequency, raises substantial health, safety, resource or equity issues for the Council, staff, other service users and customers or the customer himself/herself or that is considered frivolous or vexatious in nature.

UCC can be divided into five categories of conduct:

- Unreasonable persistence
- Unreasonable demands
- Unreasonable lack of cooperation
- Unreasonable arguments
- Unreasonable behaviours

Unreasonable Persistence

Unreasonable persistence is continued, incessant and unrelenting conduct by a complainant that has a disproportionate and unreasonable impact on our organisation, staff, services, time and/or resources. Some examples of unreasonably persistent behaviour include:

- An unwillingness or inability to accept reasonable and logical explanations including final decisions that have been comprehensively considered and dealt with.
- Persistently demanding a review simply because it is available and without arguing or presenting a case for one.
- Pursuing and exhausting all available review options when it is not warranted and refusing to accept further action cannot or will not be taken on their complaints.
- Reframing a complaint in an effort to get it taken up again.
- Bombarding our staff/organisation with phone calls, visits, letters, and emails (including cc'd correspondence) after repeatedly being asked not to do so.
- Contacting different people within our organisation and/or externally to get a different outcome or more sympathetic response to their complaint – internal and external forum shopping.

Unreasonable Demands

Unreasonable demands are any demands (express or implied) that are made by a complainant that have a disproportionate and unreasonable impact on our organisation, staff, services, time and/or resources. Some examples of unreasonable demands include:

- Issuing instructions and making demands about how we have/should handle their complaint, the priority it was/should be given, or the outcome that was/should be achieved.
- Insisting on talking to a senior manager or the (CEO / Director) personally when it is not appropriate or warranted.
- Emotional blackmail and manipulation with the intention to guilt trip, intimidate, harass, shame, seduce or portray themselves as being victimised – when this is not the case.
- Insisting on outcomes that are not possible or appropriate in the circumstances – e.g. for someone to be sacked or prosecuted, an apology and/or compensation when there is no reasonable basis for expecting this.
- Demanding services that are of a nature or scale that we cannot provide when this has been explained to them repeatedly.

Unreasonable Lack of Cooperation

Unreasonable lack of cooperation is an unwillingness and/or inability by a complainant to cooperate with our organisation, staff, or complaints system and processes that results in a disproportionate and unreasonable use of our services, time and/or resources. Some examples of unreasonable lack of cooperation include:

- Sending a constant stream of comprehensive and/or disorganised information without clearly defining any issues of complaint or explaining how they relate to the core issues being complained about – only where the complainant is clearly capable of doing this.
- Providing little or no detail with a complaint or presenting information in ‘drips and drabs’.
- Refusing to follow or accept our instructions, suggestions, or advice without a clear or justifiable reason for doing so.
- Arguing frequently and/or with extreme intensity that a particular solution is the correct one in the face of valid contrary arguments and explanations.
- Displaying unhelpful behaviour – such as withholding information, acting dishonestly, misquoting others, and so forth.

Unreasonable Arguments

Unreasonable arguments include any arguments that are not based in reason or logic, that are incomprehensible, false or inflammatory, trivial or delirious and that disproportionately and unreasonably impact upon the organisation, staff, services, time, and/or resources.

Arguments are unreasonable when they:

- Fail to follow a logical sequence
- Are not supported by any evidence and/or are based on conspiracy theories
- Lead a complainant to reject all other valid and contrary arguments
- Are trivial when compared to the amount of time, resources and attention that the complainant demands
- Are false, inflammatory or defamatory

Unreasonable behaviours

Unreasonable behaviour is conduct that is unreasonable in all circumstances – regardless of how stressed, angry or frustrated that a complainant is – because it unreasonably compromises the health, safety and security of our staff, other service users or the complainant himself/herself. Some examples of unreasonable behaviours include:

- Acts of aggression, verbal abuse, derogatory, racist, or grossly defamatory remarks
- Harassment, intimidation or physical violence.
- Rude, confronting and threatening correspondence.
- Threats of harm to self or third parties, threats with a weapon or threats to damage property including bomb threats.
- Stalking (in person or online).
- Emotional manipulation.

All staff should note that Corangamite Shire Council has a zero tolerance policy towards any harm, abuse or threats directed towards Council employees. Any conduct of this kind will be dealt with under the Equal Opportunity Policy, in accordance with our duty of care and occupational health and safety responsibilities.

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)*.

10.3 Retail Area Façade Improvement Program Policy

Author: Rory Neeson, Manager Community Relations

File No: D16/344

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

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

Author - Rory Neeson

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

Summary

This report proposes to revoke the current Retail Area Façade Improvement Program Policy and adopt an updated policy that has had minor changes made to improve how the program will be implemented in 2016-2017. This report also proposes the endorsement of associated documents including an application form, program guidelines and brochure.

Introduction

The Retail Area Façade Improvement Program has been a great success with 31 businesses across the Shire receiving funding as part of the program in 2015-2016.

This led to over \$200,000 being spent on improvements to business façades in the Shire with majority of the works being completed by local tradespeople.

It is because of its initial success that it is proposed to complete a second round of the program. \$30,000 has been allocated in the 2016-2017 Budget by Council, which will allow businesses who missed out on funding in the first round to complete an application and apply for a grant as part of the 2016-2017 program.

Below are some before and after photos from some of the successful businesses from the program in 2015-2016, which demonstrates the impact that the program has had on improving facades and the streetscapes in the Shire.

Kelly Building (six businesses) - Terang



The Shed - Noorat



Trevor Lee's Camperdown Auto Sales - Camperdown



Issues

The aim of the Retail Area Façade Improvement Program is to have businesses located throughout the Shire to complete façade improvements.

Businesses from the following towns are eligible to apply to the program

- Camperdown
- Cobden
- Darlington
- Derrinallum
- Lismore
- Noorat
- Port Campbell
- Princetown
- Skipton
- Simpson
- Terang
- Timboon.

To apply for funding as part of the program, businesses are required to complete an application form and provide all required documentation, as well as have understanding of the program guidelines to ensure they are aware of what is required to be completed as part of the program.

Examples of works that can be completed through the program include:

- painting of the façade
- cleaning the existing façade
- removal of redundant signage, air conditioning units and hoardings
- minor repair, maintenance or reinstatement of missing elements
- minor repairs to existing facade tile or stone accents
- minor repairs to structural facade elements and awnings
- new, repairs or replacements of verandahs.

The program is open to any business located in the commercial area of a town in our Shire that has street frontage. Home based businesses with no street frontage will not be eligible.

The changes that have been made to this updated policy relate to making it clearer when a building and/or planning permit is needed, clearer explanations around how GST is applied to the program and a minor change to how the acquittal process will be completed in regards to inspections of businesses following the completion of works.

The program is also compliant with all the requirements listed in Council's Grant Policy.

Policy and Legislative Context

The adoption of this updated Retail Area Façade Improvement Program Policy is consistent with the following Council Plan 2013-2017 strategies as part of the Positioning for Economic Growth themes "create attractive and liveable towns" and "support and nurture existing businesses".

Internal / External Consultation

Following the implementation of the program in 2015-2016, consultation has been completed internally with all departments at Council who were involved in the program. This consultation has led to the identification of some minor improvement opportunities which are reflected in this updated policy.

If the updated policy is adopted and the program continues to receive support by Council, external consultation will be completed through local progress associations and business

networks as well as extensive promotion through various Council communications channels including media releases, radio interviews, advertisements and social media posts.

Financial and Resource Implications

The Retail Area Façade Improvement Program has a \$30,000 budget allocation in the 2016-2017 Budget to create a fund for businesses to apply to as part of the program.

Businesses can apply on a \$1:\$1 basis to complete improvements to their facades with the amount capped at \$3,000 (exc. GST) per business.

Planning fees will be waived by Council as part of the program to encourage participation, however, any relevant building permit fees would still apply. Buildings within heritage areas of the Shire will need to comply with relevant guidelines.

Options

Council may choose to revoke the current Retail Area Façade Improvement Program Policy and adopt this updated Retail Area Façade Improvement Program Policy, including endorsement of the program application form, guidelines and brochure, or may choose to not adopt the policy.

Conclusion

The Retail Area Façade Improvement Program will provide businesses from across the Shire with an incentive to complete works to improve the appearance of their facades.

The program is innovative and helps address a gap that has been identified regarding the funding of improvements to businesses facades and through this second round of funding, the program will continue to improve the appearance of streetscapes in the towns throughout the Shire.

RECOMMENDATION

That Council:

- 1. Revokes the existing Retail Area Façade Improvement Program Policy dated June 2015.**
- 2. Adopts the Retail Area Façade Improvement Program Policy dated June 2016.**
- 3. Endorses the updated program application form, guidelines and brochure for use as part of the program.**

Attachments

1. Retail Area Façade Improvement Program Policy June 2016
2. Guidelines Council Retail Area Facade Improvement Program 2016-2017 - Under Separate Cover
3. Application Form Council Retail Area Facade Improvement Program 2016-2017 - Under Separate Cover
4. Brochure Council Retail Area Facade Improvement Program 2016-2017 - Under Separate Cover



**CORANGAMITE
SHIRE**

Retail Area Façade Improvement Program Policy

Corangamite Shire

June 2016

Council Policy



Retail Area Façade Improvement Program Policy

Introduction

This policy provides details on how Council will implement a second round of its Retail Area Façade Improvement Program.

Purpose

The purpose of the Retail Area Façade Improvement Program is to provide an incentive for businesses from across the Corangamite Shire to complete improvements to their business facades.

Scope

All businesses located in the commercial area of a town within the Corangamite Shire that have street frontage will be eligible to be part of this program.

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

Definitions

Council – Corangamite Shire Council

Program – Retail Area Façade Improvement Program

References

- Realising Terang - Community Plan
- Imagining Camperdown - Community Plan
- Blueprint for Timboon - Community Plan
- Corangamite Shire Economic Development Strategy 2011-2016
- Corangamite Shire Grants Policy

Policy Detail

The aim of the Retail Area Façade Improvement Program is to have businesses located throughout the Shire to complete façade improvements.

Examples of works that could be completed as part of the program include:

- Painting of the façade
- Cleaning the existing façade
- Removal of redundant signage, air conditioning units and hoardings
- The minor repair, maintenance or reinstatement of missing elements
- Minor repairs to existing facade tile or stone accents
- Minor repairs to structural facade elements and awnings
- New, repairs and replacements of verandahs

The following restrictions apply for businesses to participate as part of the program:

- Council will not grant funds from the program retrospectively.
- Council will not provide funds for ongoing or administrative costs not directly related to the project.

- Grants will not be provided for new business identification methods or promotion
- Council will not provide funds for purchasing equipment (e.g. ladders, gurneys, scaffolding, and safety barriers.) Hiring of equipment is permitted when related directly to the project.
- Applicants must be able to fund the cost of the works upfront and then Council will pay its contribution following the completion of works.
- Applications will not be considered for projects that have already received funding from Council.
- Council will not grant funds for works where a planning permit has been refused.

The program is open to any business located in the commercial area of a town in Corangamite Shire that has street frontage. Home based or businesses with no street frontage are not eligible.

To be eligible for the program applicants must:

- Complete a Retail Area Façade Improvement Program Application Form including all associated documentation and application forms
- Have the building owners consent

Businesses can apply on a \$1:\$1 basis to complete improvements to their facades with the amount capped at \$3,000 (exc. GST) per business.

An example of a business applying to the program would be:

- Business - \$3,000 (exc. GST)
- Council - \$3,000 (exc. GST)

Businesses would be able to contribute over the \$3,000 amount if they wanted to complete more significant works but would still only be eligible for \$3,000 (exc. GST) from Council.

If a business only wanted to complete minor works they could apply to the fund for an amount under \$3,000. An example of this would be:

- Business - \$1,000 (exc. GST)
- Council - \$1,000 (exc. GST)

Businesses from the following towns would be eligible to apply to the program

- Camperdown
- Cobden
- Darlington
- Derrinallum
- Lismore
- Noorat
- Port Campbell
- Princetown
- Skipton
- Simpson
- Terang
- Timboon

To apply for funding as part of the program, businesses would be required to complete an application form and provide all required documentation as well as have understanding of the program guidelines to ensure they are aware of what is required to be completed as part of the program.

Planning fees would be waived by Council as part of the program to encourage participation however any relevant building permit fees would still apply. Buildings within heritage areas of the Shire will need to comply with relevant guidelines.

If painting is proposed to be completed as part of an application, a proposed colour palette would need to be submitted to Council as part of the application process that would be approved prior to works commencing in a meeting with Council Officers.

The funding that will be made available as part of the program, will only be provided to the businesses following the conclusion of the works.

As part of the financial reconciliation process, businesses would be required to provide proof of all purchases and works before being able to access the funding which would be provided following the conclusion of works.

The second round of the program will commence with an application period running from July 2016 until August 2016. Following this period an internal committee will evaluate the applications and a report would be prepared for a Council Meeting to allow Councillors to decide which businesses would be funded as part of the program.

Once a decision has been made by Council, business would then have until 31 May 2017 to complete all proposed works and would need to forward all associated documentation including invoices and proof of works so that Council can reimburse agreed expenses. All claims must be submitted by 31 May 2017 so the grant can be acquitted in the 2016-2017 financial year.

Reference to linked Procedure or Guidelines, if applicable

- Retail Area Façade Improvement Program Guidelines
- Retail Area Façade Improvement Program Application Form
- Retail Area Façade Improvement Program Brochure

Review Date

June 2017.

10.4 Domestic Animal Management Plan 2013-2017 Annual Review

Author: Lyall Bond, Manager Environment and Emergency

File No: D16/401

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 the issues identified during the annual review process for the Domestic Animal Management Plan 2013-2017 (the Plan) and adopt the reviewed Domestic Animal Management Plan 2013-2017.

Introduction

Council is required to adopt and review a domestic animal management plan, as per the statutory requirements of the *Domestic Animals Act 1994* (the Act), Section 68A. The approved plan must be provided to the Secretary of the Department of Economic Development, Jobs, Transport and Resources (DEDJTR).

Issues

The structure of the Plan must be compliant with the 2012 template provided by the Bureau of Animal Welfare (Department of Economic Development, Jobs, Transport and Resources). Domestic Animal Management Plans are effective for a four year period and must be reviewed annually by Council. The Domestic Animal Management Plan 2013-2017 (the Plan) was adopted by Council in August 2013 after receiving a one (1) year extension from DEDJTR due to a conflict between the requirements of the Act and the Council election process. Councils across Victoria have again received correspondence from DEDJTR providing an extension for the Development of new Domestic Animal Management Plans until November 2017. Councils are still required to undertake the annual review process and provide a copy of the updated plan to DEDJTR. Once the 2016 review is completed, work will commence on the development of the new Domestic Animal Management Plan in accordance with the Act and DEDJTR guidelines.

The Domestic Animal Management Plan 2013-2017 is a comprehensive document that refers to and addresses areas such as existing domestic animal controls and services, domestic animal management statistics and priorities in domestic animal management within the municipality.

To enhance the overall management of domestic animals within the municipality, the Plan identifies eight key areas for action relating to:

- officer training
- registration and identification of domestic animals
- nuisance animals
- dog attacks
- dangerous, menacing and restricted breed dogs
- over population and euthanasia rates
- domestic animal businesses
- annual review and reporting of the plan.

Since the adoption of the Plan and the 2015 annual review, a range of actions have been implemented to improve domestic animal management within Corangamite Shire including:

- Implementation of a rehoming program for dogs.
- Increased use of social media to identify owners and return animals.
- Education and media relating to animal management.
- Increased feral cat trapping.
- Signage review in public areas.
- Microchip audits against Council records.
- Domestic Animal Business compliance audits.
- Annual restricted breed and declared dog property inspections.
- Priority patrols undertaken in domestic animal problem areas.

When the Domestic Animal Management Plan 2013-2017 was first adopted by Council and provided to the Secretary of DEDJTR, confirmation was received that the Plan met Council's legislative requirements.

DEDJTR also provided advice in relation to potential improvement opportunities that should be considered as part of the annual review process. Each improvement area identified by DEDJTR was considered in the 2014 annual review and where appropriate changes have been made. The Plan was subsequently provided to DEDJTR after the 2015 review and no further recommendations for changes were proposed.

The 2016 annual review process considered feedback received from the community, consultation with Council staff and changes to policy and legislation since the 2015 review.

To ensure the Plan continues to meet the needs of our community and DEDJTR the following changes are proposed:

- Replace General Local Law No.1 2009 with General Local Law No.1 2015.
- Replace the previous policy relating to animals with the new Animals Policy.

The Plan which includes the proposed changes is circulated under separate cover for Council's consideration.

Policy and Legislative Context

The development of the Domestic Animal Management Plan aligns with the following commitments from the 2013-2017 Council Plan. We will:

Advocate on behalf of our communities.

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

The development and review of the Corangamite Shire Domestic Animal Management Plan 2013-2017 meets Council's responsibilities in relation to the *Domestic Animals Act 1994*.

Internal / External Consultation

Council's Local Laws unit has undertaken the review of the Plan, based on feedback received from the community, legislative changes and feedback received from DEDJTR.

Financial and Resource Implications

The review of the Plan has identified a small number of administrative changes that do not alter the financial or resource implications for Council. Existing actions identified within the Plan will continue to be considered through Council's normal budget processes over the life of the Plan.

Options

Council may decide to adopt the proposed changes to the Plan. Alternatively, Council may decide to retain the current plan until a new plan is developed in 2017.

Conclusion

The Domestic Animal Management Plan 2013-2017 guides the direction for domestic animal management within the Corangamite Shire. It has been reviewed in accordance with the requirements of the *Domestic Animal Act 1994*. The Plan aims to improve the standard of domestic animal management while also meeting the needs and expectations of the community.

RECOMMENDATION

That Council adopts the revised Domestic Animal Management Plan 2013-2017.

Attachments

1. Domestic Animal Management Plan 2013-2017 - Under Separate Cover

10.5 Lease Agreement - 137 High Street, Terang

Author: Jane Hinds, Property Officer

File No: D16/354

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

This report is for Council to consider a lease agreement with Coinda Terang Inc. for the use of the former Maternal Child Health Centre, located at 137 High Street, Terang, for the purpose of a retail shop (coffee shop, art and pottery sales).

Introduction

The former Maternal Child Health Centre located at 137 High Street, Terang, is Crown land, with Corangamite Shire Council recently appointed as the delegated Committee of Management.

Council acts as Committee of Management for this parcel of Crown land which comprises the former Maternal Child Health Centre, Apex Park playground, BBQ shelter and public toilets.

Since the relocation of the maternal child health service to the new Terang Children's Centre, the building has remained vacant, although Council continues to manage the building in accordance with their obligations as Committee of Management and within the allocated recurrent budget.



Figure 1: Former Maternal Child Health Centre, 137 High Street, Terang

Issues

In accordance with Council's Property Leasing Policy, expressions of interest were sought for the future use of the Terang former Maternal Child Health Centre for commercial operators and community organisations wishing to lease the building under a commercial lease arrangement. Expressions of interest closed 31 August 2015, no submissions were received. Expressions of interest were again sought with submissions closing 31 March 2016. One submission was received from Cooinda Terang Inc. as outlined below.

Cooinda Terang Inc.

- *Proposed Use:* A coffee shop offering tea, coffee, cakes and slices and light lunch options to capture the through traffic, access to public toilets and the playground. The shop would be a social enterprise offering Cooinda participants the opportunity to undertake traineeships and complete short courses to increase opportunities for employment.
- *Expected Outputs and Outcomes:* Community engagement and participation for clients of Cooinda. Increased skills and employment opportunities. Encourage commuters to stop for a break, access to playground and public toilets. Cooinda would display and sell other items such as art and pottery made at Cooinda.
- *Outline relevant previous experience with relation to the proposal:* Cooinda runs a number of cooking programs and all items for sale would be cooked at Cooinda's commercial kitchen, which has a qualified chef on site.
- *Outline the commencing rental and terms and conditions offered:* In consultation with the relevant Shire personnel, Cooinda would like to undertake some property improvements such as painting, service areas, hand washing facilities, storage and works areas. Cooinda would meet the costs of improvements in lieu of rent for the first year of operation.
- *Other information:* Ongoing rental to be negotiated. Five (5) year lease, option of renewing. Cooinda is a not for profit disability service provider with our mission "A builder of a socially inclusive community where people of all abilities are engaged and valued".

As outlined within the business plan which was also submitted, the objectives of Cooinda Café are to develop a sustainable enterprise that provides adults with a disability the opportunity to undertake training in areas of hospitality, engage with the local community and to provide the community with an alternative café environment that provides healthy food options.

Cooinda Café will provide seating for approximately 20 customers as well as offering a take away service. The café will also provide a space for showcasing and selling items produced at Cooinda including pottery, art works, screen printing and sewing. In addition, it will allow for other local artists to showcase their products.

The café will be staffed by a dedicated staff member and 1-3 Cooinda participants at any time. Participants will have the opportunity to undertake food handling, hospitality and barista training, as well as being involved in the everyday operations of the café including serving, money handling, waiting on tables and cleaning and hygiene of the premises.

The café will operate initially between the hours of 9.00 am and 3.00 pm Monday to Friday, possibly extending to weekends. Cooinda Terang Inc. plans to adapt the hours as needed, including being open over weekends and public holidays. At peak periods of traffic such as long weekends, the café would remain open until the evening with hours to be determined. It will not be a licensed premises. Should a lease agreement be granted, it is anticipated that the opening of the café will be in September/October 2016, following refurbishment to the building and relevant permits are obtained.

As part of Coinda's expression of interest in the property, they are seeking an exemption on the first year's lease fee, in lieu of minor improvements to be carried out on the building, in order for the building to function as a café. Building improvements which are being proposed are outlined in Figure 3.

Minor improvements include kitchen servery areas, installation of hand and food preparation basins, removal of carpet and polishing timber floors in the main dining area, internal painting throughout the building, replacing the lino in the kitchen and replacing some blinds. This is at an estimated cost of \$12,000. A proposed building plan of Coinda Café has been illustrated in Figure 2, whilst necessary appliances to purchase for operation of a café has been listed in Figure 4 with an estimated cost of \$8,500.

These minor building improvements are considered a necessary requirement to update the internal design of the building, to meet the required food safety legislation, whilst improving the overall aesthetics and condition of the building.

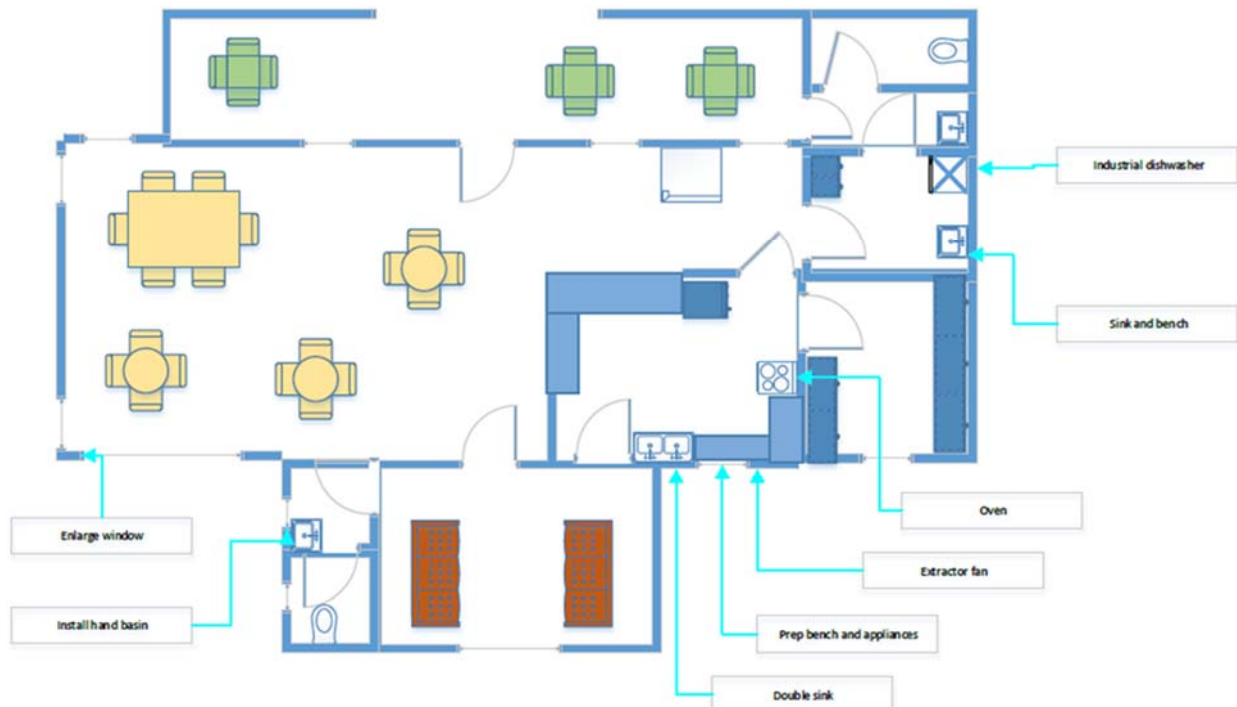


Figure 2: Draft Plans, Coinda Café, 137 High Street, Terang

Location	Item
Cabnetry	
Kitchen servery area	Counter benches
	Food prep bench
	Food Display cabinet
	Cabinetry for appliances
Wash up kitchen	Wet area for dishes
Plumbing	
Kitchen Servery	Handwash basin
	Food wash basin
Bathroom (SE corner)	Install hand basin
Wash up kitchen	Replace sink and install dishwahr
Floors	
Main dining area	Remove carpet/polish floors
Kitchen Servery area	Replace lino
Lounge	Clean carpet
Painting	
All areas	Repaint
Windows	
Dining area	Replace blinds
Lounge	Replace blinds
Electrical /IT	
Electronic til	
EFTPOS	
? WiFi	
Refurbish lighting	
General	
Thoughtout	Refurbish any surfaces required
	Garden refurbishment
	Signage
	Thourough pest proofing

Figure 3: Proposed Minor Improvements, Cooida Café, 137 High Street, Terang

Appliances	Item
Kitchen servery	
	Coffee machine
	Oven
	Pie warmer
	Juicer
	Counter fridge
	Bar fridge
Dining area	
	Drinks fridge
	Heating / cooling
Wash up kitchen	
	Dishwasher

Figure 4: Proposed Appliances to Purchase, Cooina Café, 137 High Street, Terang

A lease agreement has been negotiated with Cooina Terang Inc. to commence 1 July 2016 for a five (5) year term. An option to lease the building for a further term, of five (5) years, has also been agreed upon. The lease area is to include the building known as the Terang former Maternal Child Health Centre including the front and side garden beside the Terang Library.

It is proposed that a special condition be inserted within the lease agreement, outlining that an exemption of the first years lease fee be applied on the condition that Cooina Terang Inc. undertakes the above mentioned minor improvements to the building.

Given the building is situated on Crown land, consultation has occurred with the Department of Environment, Land, Water and Planning (DELWP). They have suggested that a standard *Crown Land (Reserves) Act 1978* Section 17D retail lease be used, given the nature of the business operation.

Policy and Legislative Context

Agreement to lease the building to Cooina Terang Inc. would be in keeping with the 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.

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.

The lease has not been advertised for submissions. Section 191 of the *Local Government Act 1989* allows Council to enter into lease agreements without public notice as the proposed lease is situated on Crown land.

The lease agreement will be developed in accordance with the *Crown Land (Reserves) Act 1978* and Council's Property Leasing Policy.

The land is zoned Public Park and Recreation Zone.

Internal / External Consultation

The Department of Environment, Land, Water and Planning have been consulted and have been issued with a draft copy of the lease agreement and have approved its initial content. Following a Council Resolution, the lease agreement will need approval from the delegate for the Minister for Energy, Environment and Climate Change.

Cooinda Terang Inc. have been in consultation with Council's Planning, Building and Environmental Health Services Departments to ensure they meet the required standards and governing legislation. All proposed developments and alterations at the building will be subject to Council planning approval and in accordance with planning zones and overlays attached to the property.

Financial and Resource Implications

In accordance with Council's Property Leasing Policy, Opteon Property Valuers provided a desktop valuation of the lettable area for rental purposes. It was determined to be between \$12,000 and \$15,000 (ex. GST) per annum as of July 2015.

If Council were to pursue the lease arrangement, it could do so with the application of a fixed rental for the first year rental, a discounted rental for the first year or a \$0 rental fee for the first year.

Given no other expression of interests were received for the commercial use of this building, there is a risk to Council of Cooinda Terang Inc. retracting their expression of interest as a tenant if Council were to charge them a rental for the first year, as they are not deriving an income from the business to cover the minor works and improvements they are prepared to complete. The application of a rental fee, combined with building improvements, provides Council with commercial monetary compensation and a building with capital improvements.

Negotiations have occurred between Council Officers and Cooinda Terang Inc. and it is suggested a lease payment schedule be based on the desktop valuation provided and as such has been implemented incrementally over the first five year term, as follow:

- Year 1 – \$0 per annum

An exemption on the first years lease fee \$12,000 (exc. GST) will be applied, on the condition that Cooinda Terang Inc. undertakes the minor improvements as outlined in Figure 2 and Figure 3 to the building by 30 June 2017.

- Year 2 - \$12,000 (plus GST) per annum
- Year 3 - \$13,000 (plus GST) per annum
- Year 4 - \$14,000 (plus GST) per annum
- Year 5 - \$15,000 (plus GST) per annum.

At the expiration of the five (5) year term the amount of rent payable shall be reviewed, with the assessment method being determined by market valuation. The annual rental would also be subject to annual CPI adjustments.

In accordance with the *Crown Land (Reserves) Act 1978*, all maintenance and capital works will be the responsibility of the tenant. Cooinda Terang Inc. will also be responsible for all service charges to the property including electricity, phone, water, municipal rates and charges and a fire services levy.

All revenue received from the establishment of this lease agreement will be treated as general revenue in the year it is received and will be considered as part of Council's annual budget.

Options

Council may choose to grant a lease as prepared, with amendments, or choose not to grant a lease.

Conclusion

Council has sought expressions of interest for the future use of the Terang former Maternal Child Health Centre following the relocation of the maternal child health service to the new Terang Children's Centre. Expressions of Interest were sought for a commercial operation at the site, with one submission being received from Coinda Terang Inc. for the establishment of Coinda Café.

The project objectives are to develop a sustainable enterprise that provides adults with a disability the opportunity to undertake training in areas of hospitality and engage with the local community and to provide the community with an alternative café environment that provides healthy food options.

It is recommended the best economic and social benefit to the community and financial outcome for Council, is to enter into a lease agreement with Coinda Terang Inc. for use of the Terang former Maternal Child Health Building. The proposed lease agreement will allow Coinda Terang to expand their operations and offer an alternative café environment to the town of Terang, whilst capturing the passing traffic.

The lease agreement will be developed in accordance with the *Crown Land (Reserves) Act 1978* and Council's Leasing Policy. The agreement is for a five (5) year term with the option of a further five (5) years, a commercial rental return, whilst passing responsibility of all maintenance, capital works, services and on-going charges to the tenant.

RECOMMENDATION

That:

- 1. Council enter into a five (5) year lease agreement with Coinda Terang Inc. for use of 137 High Street, Terang located at the former Terang Maternal Child Health Building, for the purpose of a retail shop (coffee shop, art and pottery sales).**
- 2. The lease has the option of one further term of five (5) years.**
- 3. The annual lease fee be set as follows:**
 - (a) Year 1 – \$0 per annum being an exemption on the first years lease on the condition that Coinda Terang Inc. undertakes minor improvements to the building by 30 June 2017 which are to be specified in the lease agreement.**
 - (b) Year 2 - \$12,000 (plus GST) per annum**
 - (c) Year 3 - \$13,000 (plus GST) per annum**
 - (d) Year 4 - \$14,000 (plus GST) per annum**
 - (e) Year 5 - \$15,000 (plus GST) per annum.**
- 4. The Common Seal of Council be affixed to the lease agreement.**

10.6 Proposed Planning and Environment (Fees) Regulations 2016 and Subdivision (Fees) Regulations 2016 - Regulatory Impact Statement

Author: Stephanie Durant, Planning Officer

File No: D16/353

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

It is proposed that Council make a submission to the Department of Environment, Land, Water and Planning (DELWP) on the planning and subdivision fees proposed as part of the *Planning and Environment (Fees) Regulations 2016* and *Subdivision (Fees) Regulations 2016*. There is a concern that some increases in fees may stifle economic activity.

Introduction

Councils have responsibilities under the *Planning and Environment Act 1987* and the *Subdivision Act 1988* to perform actions such as processing planning permit applications, issuing planning certificates, amending planning schemes and certifying and issuing statement of compliance on plans of subdivision. The legislation also allows councils to charge a fee to recover the cost of providing that statutory service.

Most of the statutory planning and subdivision fees currently in place were set in 2000 and have remained unchanged since this time. Further, the existing fees have not been reviewed in light of changes in the processes followed by councils, such as the introduction of Vicsmart and the ability of Council to amend or remove a Section 173 agreement.

Recent data analysis by DELWP identified that the actual cost to councils for providing planning and subdivision services was significantly higher in most cases than the current fees covered. It was estimated that current fees only recover about 20-30 per cent of the actual cost to Council of providing the service. DELWP estimate that in 2014-2015 the total fee revenue across all councils for planning permit applications was approximately \$34 million. The actual cost to councils in providing the services (based on the findings from the data analysis) was approximately \$100 million.

As a result of continued lobbying by the Municipal Association of Victoria (MAV), DELWP has released a Regulatory Impact Statement (RIS) on the proposed *Planning and Environment (Fees) Regulations 2016* and *Subdivision (Fees) Regulations 2016* (Regulations). The RIS proposes changes in statutory fees for planning permit applications,

subdivisions and planning scheme amendments. The statement assesses the proposed Regulations against the requirements in the *Subordinate Legislations Act 1994* and the *Victorian Guide to Regulation* and to facilitate public consultation on the proposed Regulations prior to them being finalised.

In summary the following key changes are proposed:

- Fees will be charged in fee units and will automatically index each financial year in line with the *Monetary Units Act 2004*.
- The new Regulations are proposed to commence in October 2016 and will expire in 2026.
- Transitional arrangements for Planning Scheme Amendments in the first year would be to charge only 50% of the fee for developments over \$50 million.
- New fee categories for Vicsmart applications, consideration of section 173 agreements, statement of compliance for subdivision, amendments to subdivision plans and privately initiated planning scheme amendments that attract greater than 10 submissions.
- An increase in fees for use, development, subdivision, amendments to permits, certification of subdivision plans and satisfaction matters.
- A reduction in fees for Vicsmart permits and Council fees when submitting planning scheme amendments to the Minister for Planning.
- The removal of the per lot subdivision certification fee and replacement with a \$300 flat fee.

The proposed new fees aim to recover a greater percentage of costs from those making applications. However, some categories of fees do not fully recover costs in order to achieve fairness or other Victorian policy objectives.

In the proposed Regulations, fees will be expressed in fee units and these will be automatically indexed in line with the *Monetary Units Act 2004*. Expressing fees in units is consistent with the statutory fees charged for building applications. The value of one fee unit for the 2016-2017 financial year will be \$13.94. A summary of the current and proposed fees is given in the table below with greater detail being found in Attachment 1.

Class	Application Type	Current Fee	Proposed Fee October 2016
Planning Application Fees			
1	Use only	\$502	\$1,240.66
2-6	Single dwelling	\$0 to \$490 (depending on value of works)	\$188 to \$54,282
7 & 8	Vicsmart	Fee charged as standard permit fee	\$188 or \$404 <i>(New fee category)</i>
9-14	Development	\$102 to \$16,130 (depending on value of works)	\$1,080 to \$54,282
15-19	Subdivision	\$249 to \$781 (depending on nature of change)	\$1,241 per 100 lots

Class	Application Type	Current Fee	Proposed Fee October 2016
20	Permit application other than use, development or subdivision	–	\$1,241 (<i>New fee category</i>)
	Amend an application after notice but before decision	\$102	40% of fee applicable to the original permit class plus the difference in fees if the amendment moves the application into a different class.
	Amend an existing planning permit	\$102 to \$815 (depending on type of permit and value)	75% of fee applicable to the original permit class plus the difference in fees if the amendment moves the permit into a different class.
Subdivision Fees			
		Current Fee	Proposed Fee October 2016
	Certify a subdivision plan	\$100 + \$20 per lot	\$132
	Amend an application to certify a subdivision plan	–	\$105 (<i>New fee category</i>)
	Request to amend a certified subdivision plan	–	\$132 (<i>New fee category</i>)
	Statement of Compliance (subdivision)	–	\$32 (<i>New fee category</i>)
	Consider engineering plans	Cap of 0.75% of works	Cap of 0.75% of works
	Prepare engineering plans	Cap of 3.5% of works	Cap of 3.5% of works
	Supervision of works	Cap of 2.5% of works	Cap of 2.5% of works
Other Statutory Planning Fees			
		Current Fee	Proposed Fee October 2016
	Issue a certificate of compliance	\$147	\$307
	Issue a planning certificate	\$18.20	\$21
	Satisfaction matter	\$102	\$307
	Amend or end a s.173 agreement	-	\$620 (<i>New fee category</i>)
Planning Scheme Amendments			
		Current Fee	Proposed Fee October 2016
	<u>Stage 1</u> Receipt, notice, authorisation, exhibition, decision.	\$798	\$2871.64
	<u>Stage 2</u> Considering up to 10 submissions and refer submissions to a panel.	\$798	\$14,232.74

Class	Application Type	Current Fee	Proposed Fee October 2016
	Considering up to 20 submissions and refer submissions to a panel.		\$28,438.60
	Considering more than 20 submissions refer submissions to a panel.		\$38,014.38
	<u>Stage 3</u> Adopting an amendment and submitting the amendment for approval.	\$524	\$453.05
	<u>Stage 4</u> Approve an amendment and giving notice of approval. <i>NOTE: Stage 4 Paid to the Minister for Planning</i>	\$798	\$453.05
	Amend a planning scheme under 20 (4) of Planning and Environment Act 1987 <i>NOTE: Paid to the Minister for Planning</i>	\$2,918	\$3,764
	Amend a planning scheme under s. 20A of Planning and Environment Act 1987 <i>NOTE: Paid to the Minister for Planning</i>	\$2,918	\$906

Table 1: Summary of current and proposed planning fees

The State Government’s setting of the proposed fees was informed by collecting data from a sample of councils and the Department on the time (and other costs) spent on processing various applications. The data was used to estimate average costs across sample councils, and to estimate how the average costs varied if various factors that affect costs (‘cost drivers’) were taken into account. These cost drivers were used in an attempt to distinguish between different applications as to the time and cost to councils of considering them and in doing so create a like-for-like assessment. Further detail on the methodology used to formulate the fees can be found in the RIS at Attachment 2.

Issues

Council officers have reviewed the proposed Regulations and on a whole are supportive of the proposed changes, however have some concerns regarding fees charged for some categories. Common application types such as the use fee, and development applications under \$100,000 attract significantly high fees that may stifle economic development in rural towns, or result in use and development being carried out without permits. These points are expanded on below and form the basis of Council’s submission found in Attachment 3.

General

1. The change to express fees in fee units is supported.
2. The transitional arrangements of charging only 50% for the first year of the fees for some planning scheme amendments is supported, however it is recommended that this be widened to include all development applications so as to allow the opportunity for some councils to move some straightforward planning applications such as farm sheds into the Vicsmart process.
3. Matters and reporting able to be considered for a waiver or reduction of fees is too prescriptive and burdensome. There is a need for greater flexibility to allow individual councils to consider local circumstances and balance economic delivery with the weight of regulations and assessment.
4. Greater clarity over if, for each step that is itemised under stage fees, for an amendment to the Planning Scheme should attract a fee.

Planning Fees

5. Whilst the increase in the 'use only' fee from \$502 to \$1240.66 for larger scale use applications may be appropriate it is considered significantly high for use applications for small business. For example, an application for a restaurant or café in a Township Zone would trigger a use fee of \$1240.66 and potentially further fees of \$1860.99 if they wish to erect advertising signage, waive car parking and obtaining a liquor licence. The combined proposed fee of over \$3,000 is likely to act as a deterrent for small businesses who are wishing to operate in rural towns and has the potential to stifle economic activity. It is recommended that the 'use only' fee is reduced by half a fee unit to \$620.33 to ensure that smaller business in rural areas are not unreasonably disadvantaged.
6. The fee of \$1080 for development (other than dwellings) under \$100,000 is a large increase from the current fee of \$604.00. This fee would encompass the majority of farm sheds and other agricultural development that require a planning permit in rural zones. These would ordinarily require a low level of assessment whilst the increase would add a significant cost to these developments. Council is currently completing a Planning Scheme Review which is considering moving applications such as farm sheds into Vicsmart, which would reduce the planning application fee to \$404.26. However, this will not be completed prior to the implementation of the proposed fees. It is recommended that appropriate transitional arrangements are put in place until councils can complete planning scheme amendments to place these developments within Vicsmart.
7. A reduction in the fee for Vicsmart permits is supported. This reflects the relatively straightforward nature in assessing these applications.
8. A new fee of \$620.33 for section 173 agreements is supported.
9. The increased fees to amend a planning permit are supported. This will result in a reduction in the practice of increasing the scope of a proposal through continuous amendments and provides an incentive to 'get it right the first time'.

Subdivision Fees

10. The \$1,240 fee for an application to realign boundaries or consolidate lots (class 17) is significant. Boundary realignments and land consolidation are common planning applications in rural areas and often provide beneficial planning and land use outcomes. The increase from \$386 to \$1240.66 is likely to impose a cost on this type of subdivision

that provides a benefit in rural areas as they can reduce fragmentation of agricultural land and improve land ownership arrangements. It is recommended that the fee for consolidation and boundary realignments is separated from the other subdivision class and offered a reduction in fee to \$620 (half the planning fee units proposed).

11. The \$32 fee for statement of compliance of a subdivision should be combined with the certification fee as this will reduce administration tasks associated with charging and following up fees when statement of compliance is ready to be issued.

Planning Scheme Amendments

12. The increase in fees from \$798.00 to \$2,871.65 for a Council to consider a request to amend the planning scheme by individuals supported.
13. The introduction of three different fee levels, based on the number of submissions Council has to consider to a planning scheme amendment, is supported.
14. A reduction in the cost paid to the Minister for Planning for approving planning scheme amendments from \$798 to \$453 is supported.

Policy and Legislative Context

This submission in response to the Regulatory Impact Statement on Planning and Subdivision Fees accords with the *Council Plan 2013-2017*, in particular “making decisions that reflect our financial circumstances”.

Internal / External Consultation

DELWP convened a stakeholder reference group to provide feedback on the data collection and analysis, and also to provide advice on the principles and options examined in the RIS. The group included six councils, the Municipal Council of Victoria, Planning Institute of Australia, Property Council, Surveying and Spatial Sciences Institute and Association of Consulting Surveyors. Fifteen other councils from across metropolitan, growth areas and regional Victoria also provided assistance through the collection of activity based costing. Data from rural and regional councils were included in the analysis underpinning the setting of the new fees.

After consultation closes, the Minister for Planning must consider all submissions and comments received about the Regulatory Impact Statement and proposed Regulations. The Department will provide a statement that provides reasons for the direction taken in the final regulations that broadly addresses the issues raised in submissions. Any changes made to the regulations as a result of submissions must be approved by the Minister. New regulations are proposed to be in place by October 2016.

Financial and Resource Implications

There are no financial implications in making a submission. If the new fees are introduced it is expected to have a positive impact on Council’s finances and resources, as the new fees will better reflect the cost and time involved in processing planning and subdivision applications and planning scheme amendments.

Options

Council may choose to:

1. Endorse the attached submission on the Regulatory Impact Statement on the *Planning and Environment (Fees) Regulations 2016 and Subdivision (Fees) Regulations 2016*, or
2. Amend the submission in some way, or
3. Reject the submission.

Conclusion

It is recommended Council endorse the submission to the Regulatory Impact Statement on the *Planning and Environment (Fees) Regulations 2016* and *Subdivision (Fees) Regulations 2016* through the Department of Environment, Land, Water and Planning. The positive impact on Council resources and costs is offset by some new fees that may stifle economic activity or unfairly disadvantage proponents.

RECOMMENDATION

That Council:

- 1. Notes the release of the Regulatory Impact Statement on the *Planning and Environment (Fees) Regulations 2016* and *Subdivision (Fees) Regulations (2016)* prepared by the Department of Environment Land Water and Planning.**
- 2. Authorises the Chief Executive Officer to make a submission noting the matters raised in this report.**

Attachments

1. Attachment 1: Planning Fees Table - Under Separate Cover
2. Attachment 2: Regulatory Impact Statement - Under Separate Cover
3. Corangamite Shire Council submission - Under Separate Cover

10.7 Financial Performance Report to 31 May 2016

Author: Jude Murfitt, Management Accountant

File No: D16/428

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 - Jude Murfitt

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

Summary

To provide a copy of the finance report for the period ended 31 May 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. There are some minor forecast adjustments to the forecast cash position of (\$50,895) reflected in this report.

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.

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 \$4.06 million. The major variations are:

- Capital program behind target by \$2.67 million. This is primarily a consequence of \$1.19 million revenue received ahead of budget and the following major projects yet to be completed:
 - Resealing program (final seals) \$80,000
 - Skipton Drainage Infrastructure program \$150,000
 - Castle Carey Bridge initial works \$1.007 million
 - Terang Kindergarten \$109,000
 - Port Campbell transfer station wall \$53,000
 - Integration of Technology one and mobility solutions \$153,000
 - New website development \$63,000.
- Operating projects are behind target by \$564,000. This is a consequence of revenue being \$163,000 ahead of budget, specifically in the drainage program and the following projects proceeding to completion:
 - Stage 1 Waste Management Innovations project \$239,000
 - Noorat PAN investigation \$43,000
 - The façade program \$22,000.
- Recurrent operations are currently below budget by \$228,000. The construction of new cells and leachate dam at the landfill are currently behind schedule and contributing to this favourable variance by \$705,000. Several areas within recurrent operations income are indicating unfavourable variances due to both timing and a lower utilisation:
 - Landfill operations income \$293,000
 - Saleyards income \$23,000.
- The remaining variations are associated with timing differences for loans and reserve transfers.
- Projects that will be carried forward into next financial year are yet to be identified, and will be finalised following the end of financial year.

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

This report has no alteration to the financial and resource implications for Council.

Conclusion

Council's financial performance for 2015-2016 is currently better than budget with capital and projects yet to completed, totalling \$1.9 million. The year to date cash variance of \$4.06 million is favourable compared to budget, but expected to change in the next month as projects are completed. Those that will not be completed are likely to be carried forward, however, this amount is yet to be ascertained. Council's "cash position" is projected to remain above the target range of the \$5 million or greater.

RECOMMENDATION

That Council receives the financial performance report for the period ending 31 May 2016.

Attachments

1. Financial Performance Report May 2016



**CORANGAMITE
SHIRE**

**Council Financial Performance
Report
May 2016**

Table of Contents

1. Performance Summary
2. Cash Budget
3. Recurrent Operations
4. Projects
5. Capital
6. Project Delivery
7. Investments
8. Outstanding Debtors
9. Purchasing and Procurement

Appendix

Detailed Reports – Financial Statements

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

Financial Performance Report

For the period 1 July 2015 to 31 May 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.

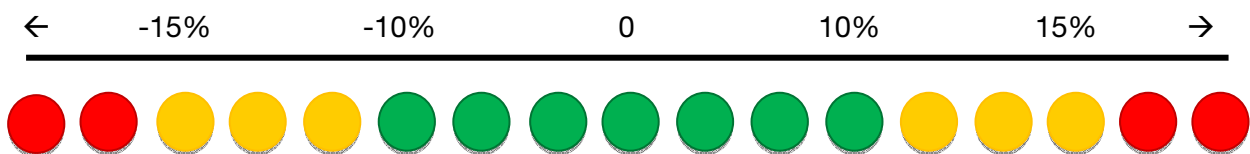
Definitions

- 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

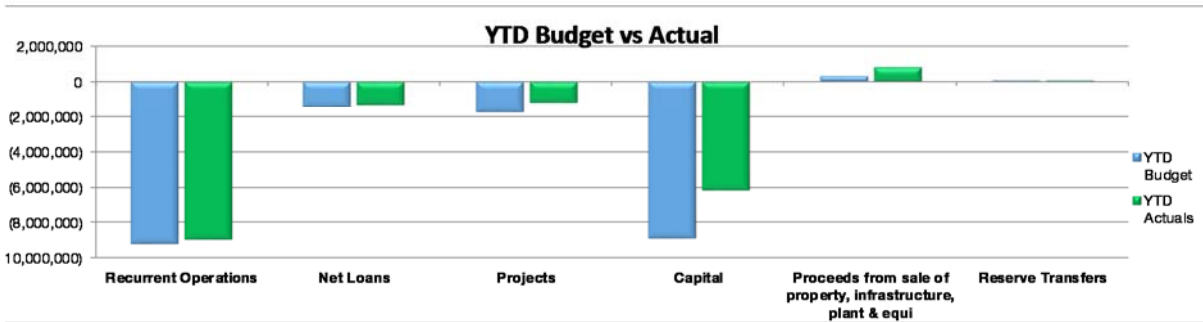


1. Performance Summary

	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)	(9,189,635)	(8,962,088)	227,548	2% ●
Rate Income	19,522,259	19,522,259	19,566,001	19,566,001	19,569,620	3,619	0% ●
Net Loans	(1,587,538)	(1,587,538)	(1,587,538)	(1,443,220)	(1,359,943)	83,277	(6%) ●
Projects	(1,056,500)	(2,071,974)	(2,075,546)	(1,778,677)	(1,214,504)	564,173	32% ●
Capital	(8,160,600)	(10,006,593)	(10,005,346)	(8,854,379)	(6,156,653)	2,697,726	30% ●
Proceeds from sale of property, infrastructure, plant & equi	758,000	825,000	888,339	282,344	771,348	489,005	173% ●
External Loan Funds	(4,352)	(4,352)	(4,352)	95,648	90,421	(5,227)	(5%) ●
Reserve Transfers	(527,648)	(527,648)	(527,648)	50,000	50,000	0	0% ●
Surplus/(Deficit)	(274,506)	(7,462,922)	(7,513,817)	(1,271,918)	2,788,201	4,060,119	(319%) ●
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



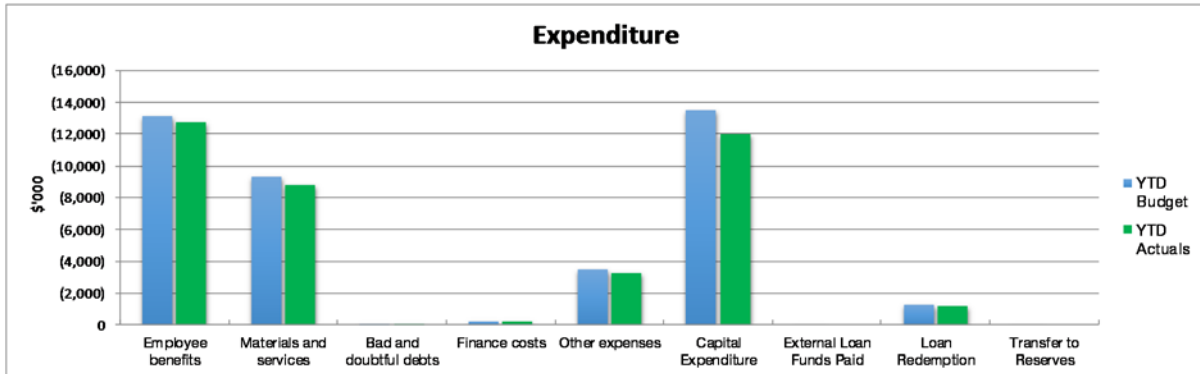
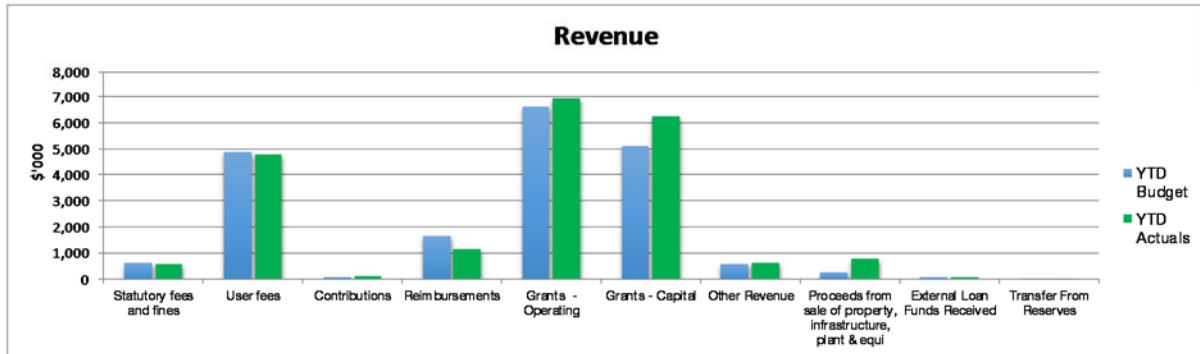
Key Performance Indicators	Annual Budget	Reviewed Budget	Forecast Budget	YTD Actuals	Trend
Underlying Result (VAGO) (Total operating result/Total revenue)	7.1%	-2.5%	-2.6%	39.3%	↑
Working capital ratio (current assets/Current liabilities)	200.7%	200.7%	196.3%	501.0%	↑
Self-financing (cash generated from operating activities/Revenue)	31.3%	22.9%	24.5%	31.9%	↑
Indebtedness (non-current liabilities/Own source revenue)	6.0%	6.5%	6.5%	9.5%	↑
Debt commitment ratio (interest and loan repayments as a % of rate revenue)	8.1%	8.1%	8.1%	6.9%	↓

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	19,569,620	3,619	0%	●
Statutory fees and fines	180,218	180,218	173,758	617,366	580,561	(36,806)	(6%)	●
User fees	6,103,035	5,662,528	5,369,278	4,878,355	4,771,446	(106,909)	(2%)	●
Contributions	61,942	398,344	398,344	91,595	119,022	27,426	30%	●
Reimbursements	1,536,590	1,540,961	1,536,261	1,629,678	1,153,932	(475,746)	(29%)	●
Grants - Operating	9,989,677	7,241,178	7,125,048	6,601,118	6,952,315	351,197	5%	●
Grants - Capital	4,505,000	6,687,568	6,678,685	5,087,685	6,245,460	1,157,775	23%	●
Other Revenue	330,414	480,414	640,414	604,766	627,008	22,242	4%	●
Proceeds from sale of property, infrastructure, plant & equi	758,000	825,000	888,339	282,344	771,348	489,005	173%	●
External Loan Funds Received	95,648	95,648	95,648	95,648	90,421	(5,227)	(5%)	●
Transfer From Reserves	50,000	50,000	50,000	50,000	50,000	0	0%	●
Total Revenue	43,132,783	42,684,119	42,521,777	39,504,556	40,931,132	1,426,576	96%	●
EXPENDITURE								
Employee benefits	(14,342,471)	(14,419,440)	(14,667,067)	(13,086,439)	(12,775,077)	311,362	2%	●
Materials and services	(10,469,576)	(13,255,608)	(12,959,141)	(9,329,325)	(8,822,511)	506,814	5%	●
Bad and doubtful debts	(2,000)	(2,000)	(2,000)	(1,833)	(469)	1,364	74%	●
Finance costs	(205,752)	(205,752)	(205,752)	(176,583)	(170,747)	5,836	3%	●
Other expenses	(3,623,456)	(3,984,244)	(3,931,767)	(3,450,940)	(3,224,625)	226,314	7%	●
Capital Expenditure	(12,704,600)	(16,220,563)	(16,210,433)	(13,464,717)	(11,960,305)	1,504,412	11%	●
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)	(1,266,637)	(1,189,196)	77,441	6%	●
Transfer to Reserves	(577,648)	(577,648)	(577,648)	0	0	0	(0%)	●
Total Expenditure	(43,407,289)	(50,147,041)	(50,035,594)	(40,776,474)	(38,142,931)	2,633,543	(76%)	●
Surplus/(Deficit)	(274,506)	(7,462,922)	(7,513,817)	(1,271,918)	2,788,201	4,060,119	(319%)	●

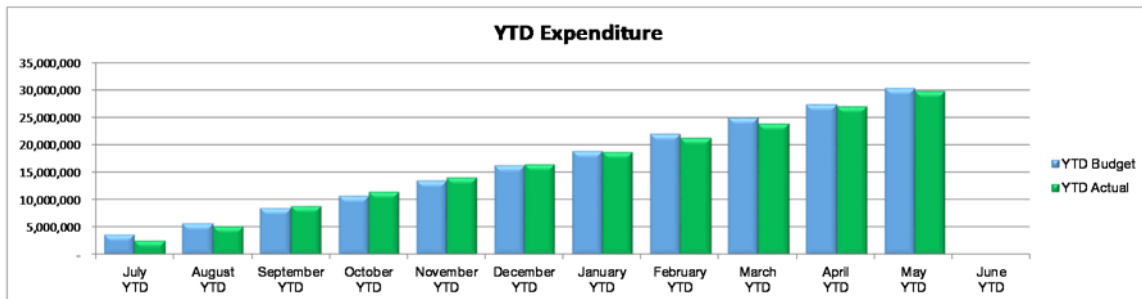
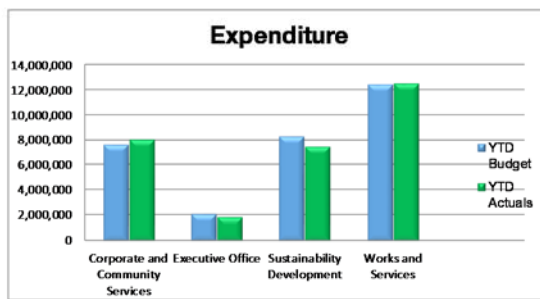
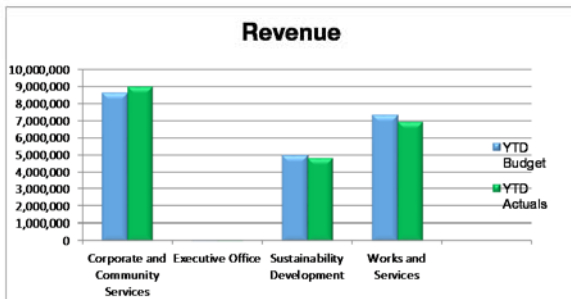
Note: Figures in brackets indicate cost to Council

Unfavourable variances shown in bra



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	8,691,820	9,022,184	330,364	4%
Executive Office	41,000	41,409	41,409	32,895	43,071	10,175	31%
Sustainability Development	6,057,733	5,528,938	5,507,478	5,032,363	4,816,209	(216,153)	(4%)
Works and Services	7,847,656	7,850,856	7,603,229	7,366,703	6,942,657	(424,048)	(6%)
Revenue Total	26,524,831	22,741,022	22,327,855	21,123,781	20,824,121	(299,660)	(1%)
Expenses							
Corporate and Community Services	8,763,789	8,950,493	8,680,967	7,609,791	7,981,890	(372,099)	(5%)
Executive Office	2,208,259	2,494,069	2,440,088	2,102,445	1,896,584	205,861	10%
Sustainability Development	9,696,397	9,806,259	9,872,250	8,219,146	7,467,336	751,810	9%
Works and Services	15,074,513	15,102,277	15,102,277	12,382,035	12,440,399	(58,364)	(0%)
Expenses Total	35,742,958	36,353,098	36,095,582	30,313,416	29,786,208	527,208	2%
Recurrent Operations Total	9,218,127	13,612,076	13,767,727	9,189,635	8,962,088	227,548	2%



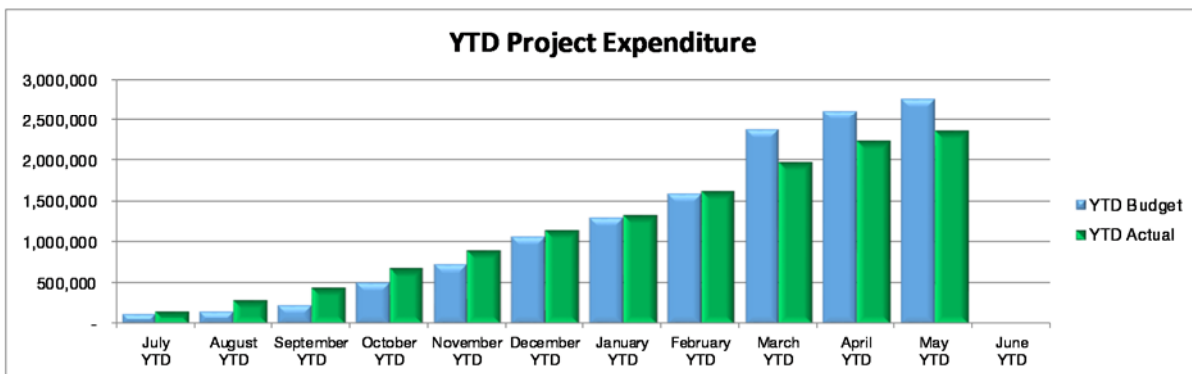
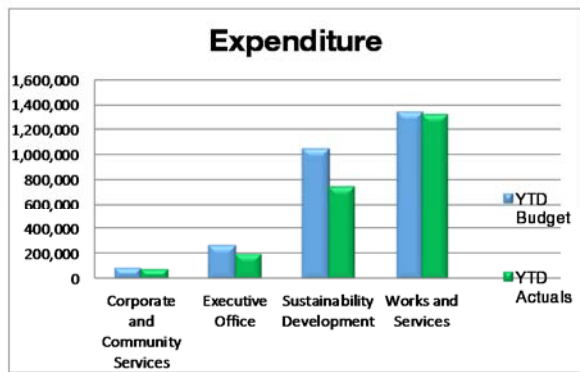
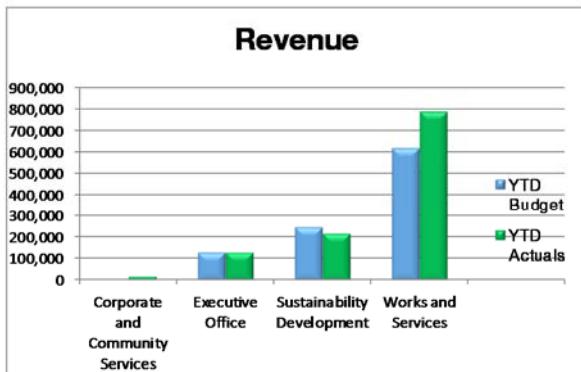
Comments:

Total revenue is currently \$300,000 (1%) under the projected budget. The Works & Services Directorate is 6% 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 \$228,000 (2%) under expended against a total year to date budget of \$30.3 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	129,500	(3,000)	(2%) ●
Sustainability Development	103,000	382,190	282,190	248,690	221,789	(26,901)	(11%) ●
Works and Services	50,000	1,136,196	1,136,196	619,196	789,725	170,529	28% ●
Revenue Total	153,000	1,662,886	1,567,886	1,000,386	1,163,714	163,328	16% ●
Expenses							
Corporate and Community Services	100,000	131,040	136,040	98,886	88,304	10,582	11% ●
Executive Office	160,000	286,800	307,372	273,308	207,836	65,472	24% ●
Sustainability Development	564,500	1,507,725	1,390,725	1,054,438	754,817	299,622	28% ●
Works and Services	385,000	1,809,295	1,809,295	1,352,430	1,327,261	25,169	2% ●
Expenses Total	1,209,500	3,734,860	3,643,432	2,779,063	2,378,218	400,844	14% ●
Projects Total	1,056,500	2,071,974	2,075,546	1,778,677	1,214,504	564,173	32% ●



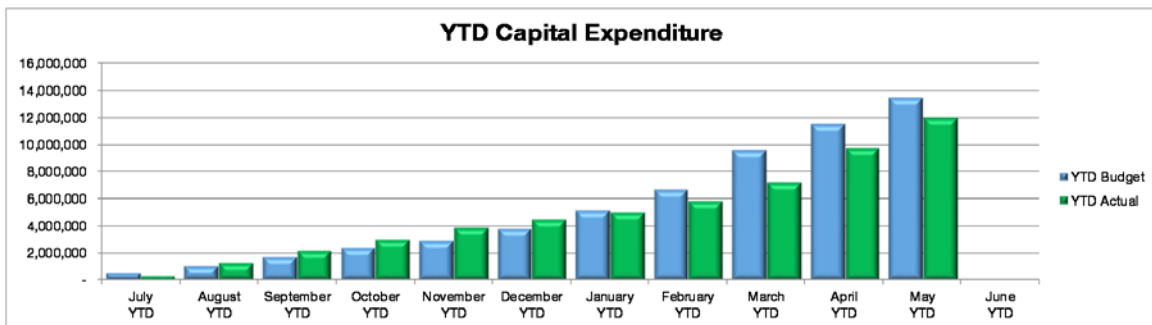
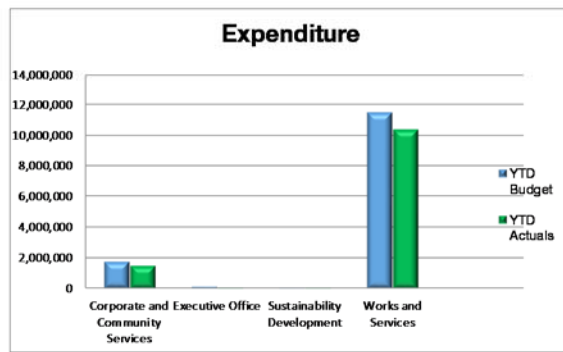
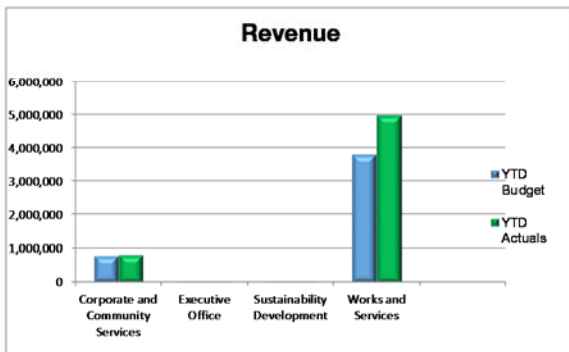
Comments:

Total income for the project area is \$163,000 or 16% above the year to date profiled budget. This is primarily within the drainage program of the Works and Services directorate, with the roads to recovery grant payment being \$160,000 above the scheduled target.

Total expenditure is \$401,000 below the year to date profiled target. Projects that are considerably under their profiled year to date budget are: The facade program (\$22,000) this project near completion with a small amount of funds likely to be carried forward into next financial year. Stage 1 waste management innovations (\$239,000), and the Noorat PAN investigation (\$43,000), whilst progressing, these projects are also likely to be carried into the next financial year.

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	818,582	28,262	4% ●
Executive Office	0	39,883	31,000	22,333	13,883	(8,450)	(38%) ●
Sustainability Development	0	17,776	17,776	17,776	17,818	42	0% ●
Works and Services	4,544,000	5,365,991	5,365,991	3,779,909	4,953,370	1,173,461	31% ●
Revenue Total	4,544,000	6,213,970	6,205,087	4,610,338	5,803,652	1,193,314	25% ●
Expenses							
Corporate and Community Services	156,500	1,755,945	1,755,945	1,741,363	1,479,455	261,908	15% ●
Executive Office	135,000	200,550	190,420	143,670	34,378	109,292	76% ●
Sustainability Development	135,000	156,152	156,152	83,447	26,345	57,103	68% ●
Works and Services	12,278,100	14,107,916	14,107,916	11,496,237	10,420,128	1,076,110	9% ●
Expenses Total	12,704,600	16,220,563	16,210,433	13,464,717	11,960,305	1,504,412	11% ●
Capital Total	8,160,600	10,006,593	10,005,346	8,854,379	6,156,653	2,697,726	(30%) ●



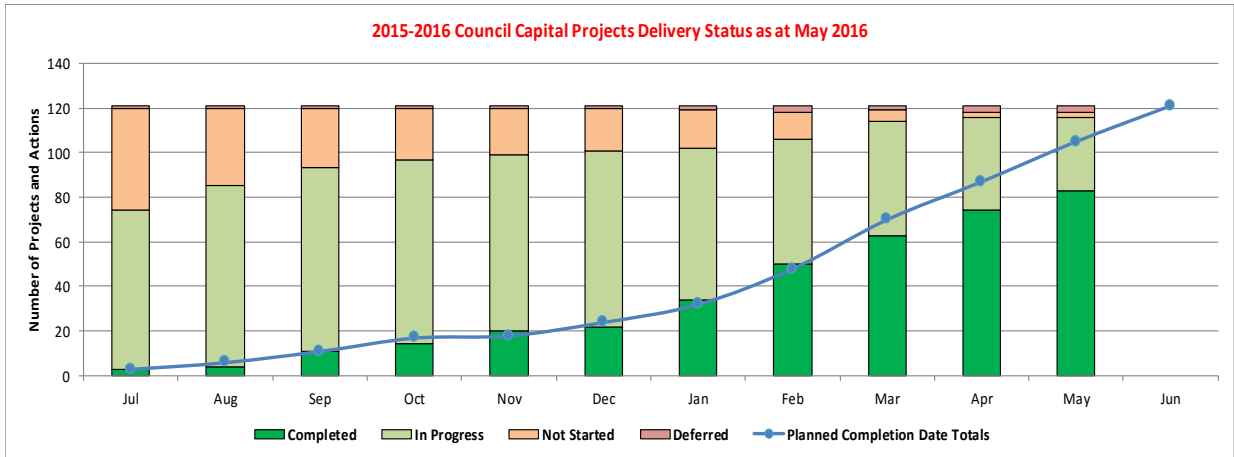
Comments:

Total income for the capital works area is \$1.19million or 25% above the expected year to date recognition. This is primarily due to the Roads to Recovery funding being \$1.17 million ahead of the profiled schedule. Total expenditure is \$1.5 million or 11% underspent as compared to the profile year to date budget. This can primarily attributed to the following projects, where profiled budgets are underspent : The Terang kindergarten (\$109,000) is awaiting any final remedial works that may be required. Several projects relating to the integration of Technology one and mobility solutions for the product are awaiting completion (\$153,000). The development of the new website (\$63,000), is currently out to tender, the project will not be completed by year end and will likely be carried forward. The Port Campbell transfer station wall (\$53,000), the project is likely to be carried forward for completion in the new financial year. The Castle Carey bridge (\$1.007 million), any underspent funds on this project will likely be carried forward. The Jubilee Park overflow pipe upgrade (\$150,000) is working towards completion as are Final seals on several roads (\$80,000).

6. Project delivery

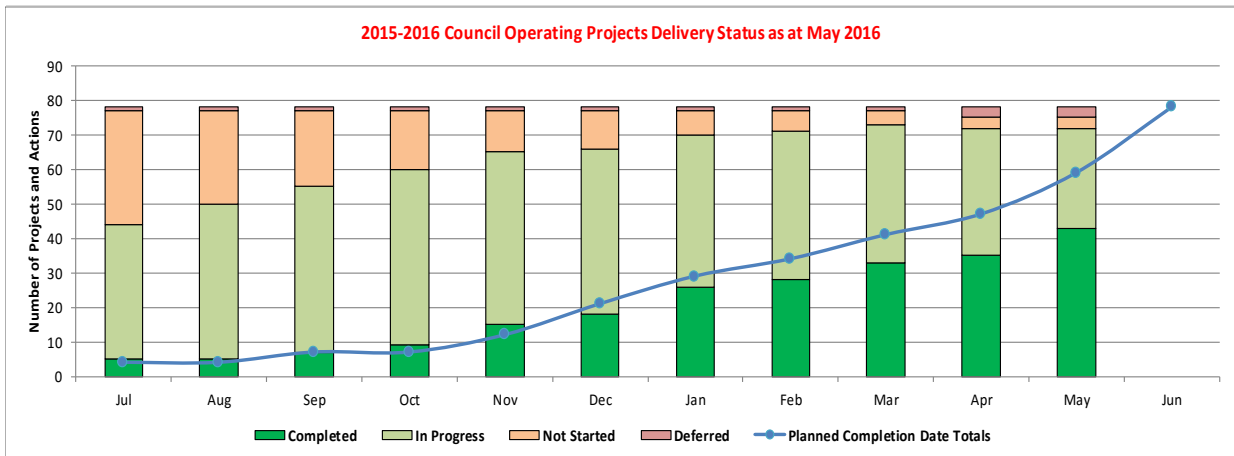
The graphs and tables below provide an overview of the status of Council’s capital and operating projects for the reporting period. As reflected in the financial reports, project delivery is under target at the end of the reporting period. Significant emphasis will be placed on delivery during the last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

Capital Projects



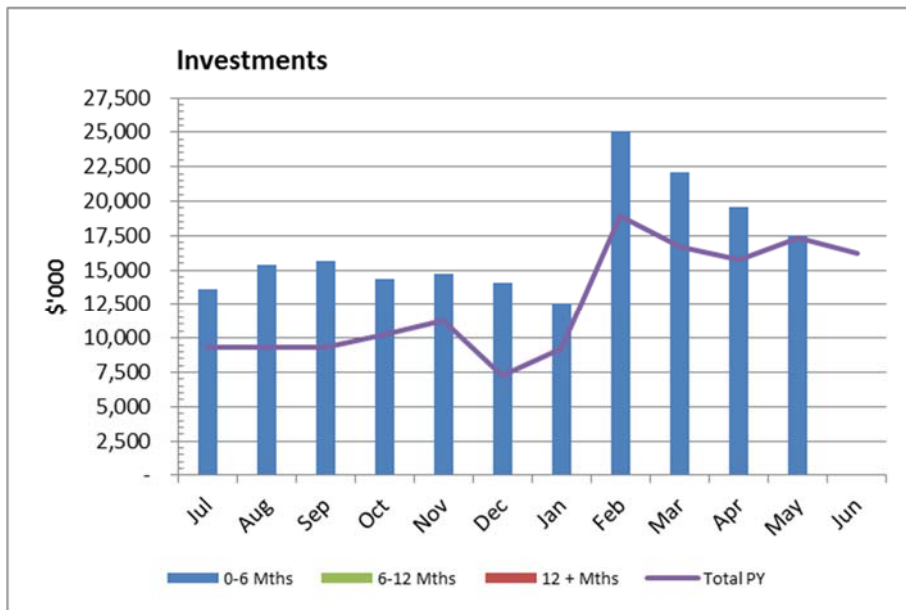
Directorate	Council	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Project	Capital Projects												
Not Started		46	35	27	23	21	19	17	12	5	2	2	0
In Progress		71	81	82	83	79	79	68	56	51	42	33	0
Completed		3	4	11	14	20	22	34	50	63	74	83	0
Deferred		1	1	1	1	1	1	2	3	2	3	3	0
Total		121	121	121	121	121	121	121	121	121	121	121	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 Proj												
Not Started		33	27	22	17	12	11	7	6	4	3	3	0
In Progress		39	45	48	51	50	48	44	43	40	37	29	0
Completed		5	5	7	9	15	18	26	28	33	35	43	0
Deferred		1	1	1	1	1	1	1	1	1	3	3	0
Total		78	78	78	78	78	78	78	78	78	78	78	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 approximately equal as compared to the same time last year. All areas of Council operations (Recurrent operations, Projects and Capital) are below their expected year to date net totals. The amounts for each of these areas are:

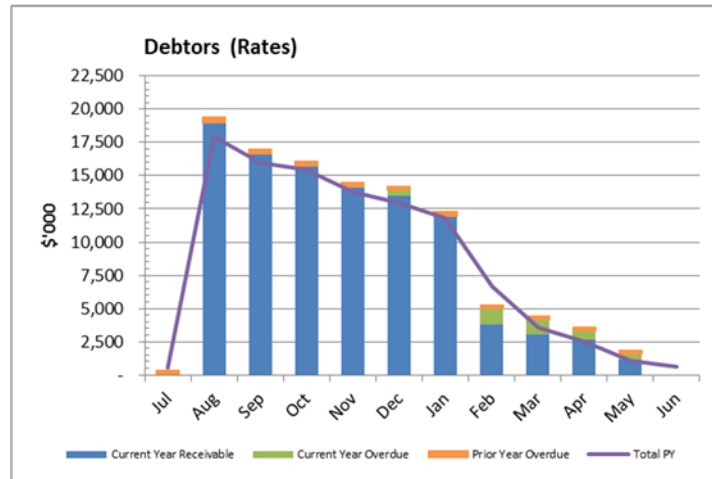
- Capital – \$2.7 million
- Recurrent Operations - \$228,000
- Projects - \$564,000

These items culminated, and coupled with the low outstanding debtors, show why there is significant amounts invested, when a decline in investment should be occurring to the target estimated year end forecast of \$13.5 million. The profiled budget of \$500,000 for investment interest will be achieved, as it is currently \$496,000. This is a very favourable result considering the low interest rates during the current economic climate, but a direct result of operations being below expected year to date targets.

8. Outstanding Debtors

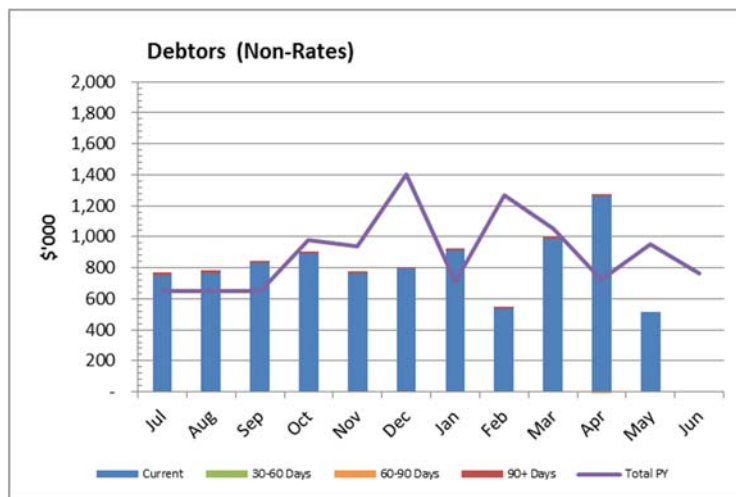
Rate Debtors

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.



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 prior year outstanding debt is lower than the same time last year by \$120,000. The current year overdue debt has profiled a little higher as compared to the previous financial year.

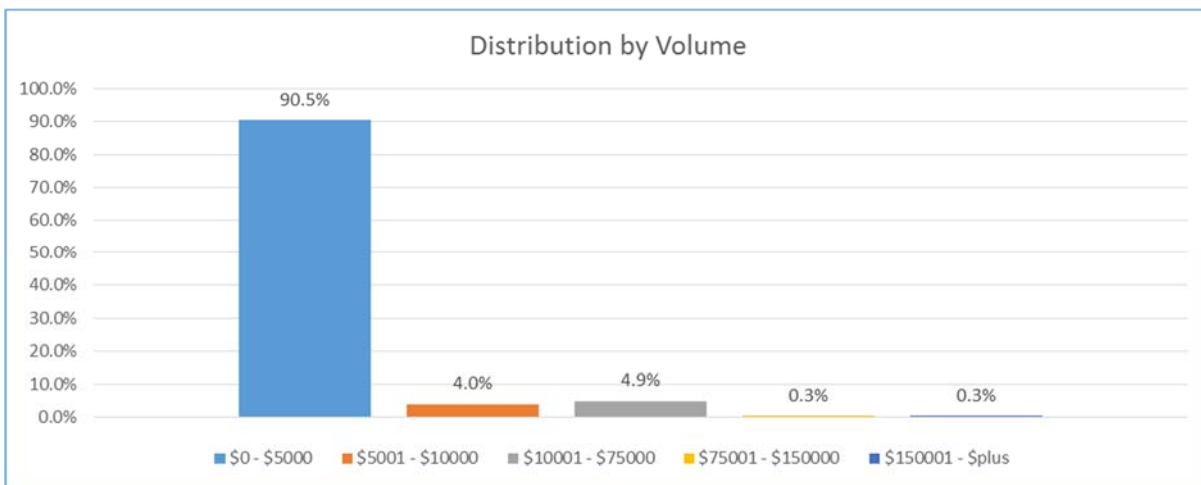
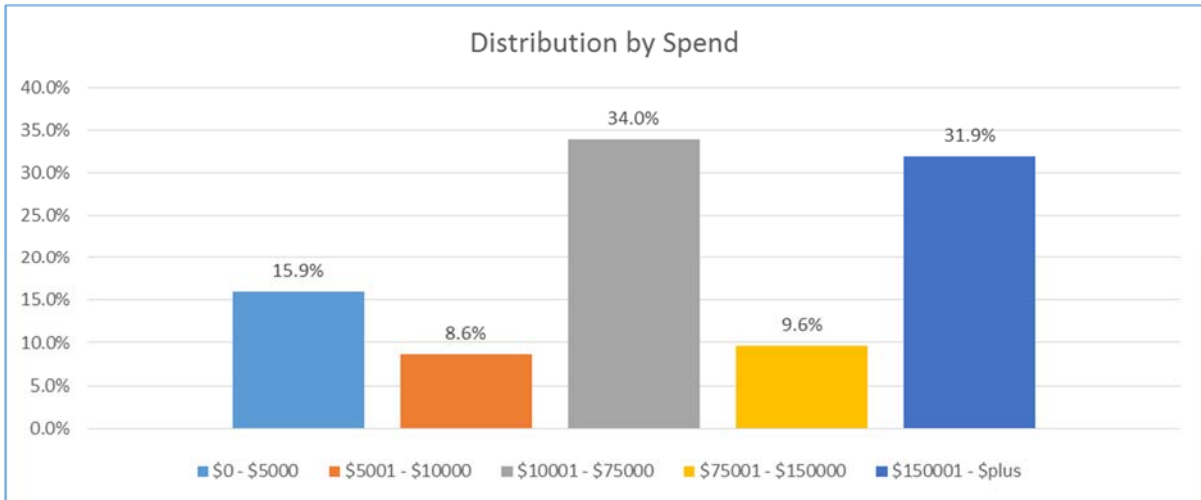
Sundry Debtors



Sundry Debtors are \$400,000 lower than the same time last 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 90.5% of transactions for the period were for a value of \$5,000 or less with a cumulative value representing 15.9% of total procurement.



Appendix

Financial Statements

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

1. Balance Sheet for the period ended 31 May 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	13,448,000	20,727,614
Financial Assets	102,273	96,000	96,000	121,000	11,853
Rate Receivables	521,501	1,875,000	550,000	550,000	1,322,166
Other Trade Receivables	1,559,536	625,000	1,550,000	1,531,000	1,130,399
Inventories	93,360	75,000	75,000	93,000	201,067
Other assets	569,213	656,000	656,000	569,000	291,256
Total Current Assets	23,280,388	14,438,000	15,776,081	16,312,000	23,684,355
NON CURRENT ASSETS					
Investments in associates	214,371	311,000	215,000	214,000	214,371
Financial Assets	367,252	457,000	457,000	353,000	367,252
Trade and other receivables	89,383	84,000	84,000	89,000	68,838
WIP - Capital	1,209,456	12,704,600	16,220,563	16,210,433	13,169,761
Fixed assets	408,169,017	405,301,900	397,209,903	398,074,567	408,169,017
Total Non Current Assets	410,049,479	418,858,500	414,186,466	414,941,000	421,989,240
Total Assets	433,329,867	433,296,500	429,962,547	431,253,000	445,673,595
CURRENT LIABILITIES					
Trade and other payables	3,284,098	2,500,500	3,500,000	3,196,000	849,689
Trust funds and deposits	161,676	388,000	388,000	205,000	177,378
Interest bearing liabilities	1,387,846	956,000	956,000	957,000	198,650
Provisions - current	3,505,696	3,350,000	3,500,000	3,506,000	3,486,768
Total Current Liabilities	8,339,316	7,194,500	8,344,000	7,864,000	4,712,485
NON CURRENT LIABILITIES					
Interest bearing liabilities - non-current	3,181,316	2,241,000	2,241,000	2,230,000	3,181,316
Provisions - non-current	5,264,773	5,963,000	5,152,000	5,264,000	5,438,051
Total Non Current Liabilities	8,446,089	8,204,000	7,393,000	7,494,000	8,619,367
Total Liabilities	16,785,405	15,398,500	15,737,000	15,358,000	13,331,852
Net Assets	416,544,462	417,898,000	414,225,547	415,895,000	432,341,743
EQUITY					
Operating Surplus/Deficit	4,358,503	3,043,880	(628,573)	(689,598)	15,797,282
Accumulated surplus	207,816,922	209,678,120	209,678,120	211,730,598	212,175,425
Asset revaluation reserve	203,523,260	203,844,000	203,844,000	203,523,000	203,523,260
Reserves	845,778	1,332,000	1,332,000	1,331,000	845,778
Suspense Accounts	0	(0)	0	0	0
Total Equity	416,544,462	417,898,000	414,225,547	415,895,000	432,341,744

Corangamite Shire Council

Key financial indicators

for the period ended

31 May 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%	207.43%	502.59%
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%	0.87%

2. Income Statement for the period ended 31 May 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	19,569,620	3,619
Statutory fees and fines	180,218	180,218	173,758	617,366	580,561	(36,806)
User fees	6,103,035	5,662,528	5,369,278	4,878,355	4,771,446	(106,909)
Contributions	61,942	398,344	398,344	91,595	119,022	27,426
Reimbursements	1,536,590	1,540,961	1,536,261	1,629,678	1,153,932	(475,746)
Grants - Operating	9,989,677	7,241,178	7,125,048	6,601,118	6,952,315	351,197
Grants - Capital	4,505,000	6,687,568	6,678,685	5,087,685	6,245,460	1,157,775
Other Revenue	330,414	480,414	640,414	604,766	627,008	22,242
Total Revenue	42,229,135	41,713,471	41,487,790	39,076,564	40,019,363	942,799
EXPENDITURE						
Employee benefits	14,342,471	14,419,440	14,667,067	13,086,439	12,775,077	311,362
Materials and services	10,469,576	13,255,608	12,959,141	9,329,325	8,822,511	506,814
Bad and doubtful debts	2,000	2,000	2,000	1,833	469	1,364
Depreciation	10,650,000	10,650,000	10,650,000	0	0	-
Finance costs	205,752	205,752	205,752	176,583	170,747	5,836
Other expenses	3,623,456	3,984,244	3,931,767	3,450,940	3,224,625	226,314
Total Expenditure	39,293,255	42,517,044	42,415,727	26,045,119	24,993,429	1,051,690
(Surplus)/Deficit from Operatio	2,935,880	(803,573)	(927,937)	13,031,445	15,025,934	1,994,489
Proceeds from sale of property, infrastructure, plant & equi	758,000	825,000	888,339	282,344	771,348	(489,005)
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	282,344	771,348	(489,005)
(Surplus) / deficit for period	3,043,880	(628,573)	(689,598)	13,313,788	15,797,282	2,483,494

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

	Annual Budget	Reviewed Budget	Forecast Budget	YTD Actuals	Budget vs Actual favourable/ (unfavourable)
Cash flows from operating activities					
Rates and charges	18,147,259	18,147,259	19,566,000	18,768,956	621,697
Statutory fees and fines	180,218	180,218	174,000	580,561	400,343
User fees	7,057,035	6,616,528	5,367,000	5,200,114	(1,856,922)
Contributions	61,942	398,344	398,000	119,022	57,080
Grants - Operating	9,989,677	7,241,178	7,125,000	6,952,315	(3,037,362)
Grants - Capital	4,505,000	6,687,568	6,679,000	6,245,460	1,740,460
Reimbursements	1,536,590	1,540,961	1,536,000	1,153,932	(382,658)
Other Revenue	330,414	480,414	640,496	627,008	296,594
Payments to employees	(14,092,471)	(14,169,440)	(14,667,000)	(12,620,727)	1,471,745
Payments to suppliers	(14,525,532)	(17,672,351)	(16,891,000)	(14,311,295)	214,237
Net cash provided by operating activities	13,190,132	9,450,679	9,927,496	12,715,344	(474,788)
Cash flows from investing activities					
Payments for property, infrastructure, plant and equipment	(12,704,600)	(16,220,563)	(16,210,000)	(11,960,305)	744,295
Repayment of loans and advances from/(to) Organisations	(53,000)	(53,000)	(4,000)	110,965	163,965
Proceeds from sale of property, infrastructure, plant and equipment	758,000	825,000	888,000	771,348	13,348
Net cash flow from investing activities	(11,999,600)	(15,448,563)	(15,326,000)	(11,077,992)	921,608
Cash flows from financing activities					
Finance costs	(205,752)	(205,752)	(206,000)	(170,747)	35,005
Trust funds and deposits	0	0		15,702	15,702
Proceeds from interest bearing loans and borrowings	0	0		0	0
Repayment of interest bearing loans and borrowings	(1,381,786)	(1,381,786)	(1,382,000)	(1,189,196)	192,590
Net cash from financing activities	(1,587,538)	(1,587,538)	(1,588,000)	(1,344,241)	243,297
Net increase (decrease) in cash and cash equivalents	(397,006)	(7,585,422)	(6,986,504)	293,111	690,117
Cash and cash equivalents at beginning of the year	11,508,000	20,434,504	20,434,504	20,434,504	8,926,504
Cash and cash equivalents at end of the year	11,110,994	12,849,081	13,448,000	20,727,614	9,616,620

10.8 Investment Policy - Out of Scope Investment

Author: Adam Taylor, Manager Finance

File No: D16/386

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

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

Author - Adam Taylor

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

Summary

This report seeks Council approval to make an investment which is outside of the current investment policy.

Introduction

Council's Investment Policy was adopted in April 2016. The policy seeks to optimise the balance between risk and return and sets out guidance for the investment of Council funds which can be made by the officers. The policy allows investments to be made for a period of up to two (2) years. Given the current climate of declining interest rates, greater investment returns can be generated by making a longer term investment (up to five years).

Issues

Council has generated between \$400,000 and \$500,000 in investment earnings per annum for the past two years. In an environment of declining interest rates, maintaining this level of return is problematic. To provide some certainty, it is appropriate Council invest some funds for a longer term to help achieve this. As this is beyond the scope of exiting policy, Council approval is required. The rationale for a longer term investment includes:

- Interest rates are trending down and will impact on interest income.
- Bond yields are currently low which indicates a likely decrease in future interest rates.
- Income certainty can be provided by investing for a longer term.
- Investment returns are maximised in a depressed investment environment.

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

The risks are:

- Council will lose access to these funds for a longer period of time. Whilst the funds can be accessed with 31 days' notice, the investment return may be greatly reduced as there is a penalty for the early release of funds. However, Council's target "net cash position" as projected in the Strategic Resource Plan can accommodate a long term investment.

- Investment rates may increase over the term of the investment and as such Council will not be making the best return. However, surplus funds will remain available to take advantage of any upside in interest rates.

Policy and Legislative Context

Consideration of this report is in accordance with the following 2013-2017 Council Plan commitments:

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.

Council will recognise and make decisions that reflect our financial circumstances.

Council's Investment Policy precludes officers from investing funds for a term greater than two years. This report seeks Council authorisation to invest funds for a period up to five years with an Authorised Deposit-taking Institution. If approved the investment will comply with the *Local Government Act 1989*, specifically Section 143 – Investments.

Internal / External Consultation

Council's investment officers have sought longer term investment rates with Authorised Deposit-taking Institutions (ADI). These rates are only being sought from ADI's which have a Standard & Poors (S&P) long term credit rating of greater than AA-. The following table is for information purposes only and represents the rates being offered as at 17 June 2016. These rates will likely have changed since this paper has been developed but show the difference in investments rates dependant on the length of investment.

Bank	Rating	6 Month Rate	12 Month Rate	2 Year Rate	5 Year Rate
Westpac	AA-	2.54%	2.48%	2.46%	3.02%
NAB	AA-	2.90%	2.80%	2.70%	2.90%
CBA	AA-	2.80%	2.77%	2.77%	2.77%
ANZ	AA-	TBC	TBC	TBC	TBC

Financial and Resource Implications

A long term investment will mean that cash allocated to this investment is not able to be used to fund operating costs. However, Council's target "net cash position" of \$5 million annually can accommodate the investment. The funds may be withdrawn with 31 days' notice, however, this will incur a penalty on the interest earned. This penalty varies between the ADIs and will be a factor in choosing the investment provider. An investment of \$2 million for five years based on the rates provided above would yield up to \$302,000.

Options

Council can resolve to authorise the Chief Executive Officer to invest up to \$2 million for a term not exceeding five years or not.

Conclusion

Council has an Investment Policy which establishes the basis for the investment of Council funds. With investment rates being very low at present and likely to decline, officers believe a longer term investment will provide a higher financial return with the additional risks acceptable.

RECOMMENDATION

That Council authorise the CEO to invest up to \$2 million for a term not exceeding five (5) years within the next 30 days with an Authorised Deposit-taking Institution with a Standard & Poor's (S&P) long term credit rating of no lower than 'AA-'.

10.9 Local Government Performance Report for period ending 31 March 2016

Author: David Rae, Director Corporate and Community Services

File No: D16/411

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 provide Council with a report on the Local Government Performance Reporting Framework (LGPRF) results for the 9 month period ending 31 March 2016, as required under the *Local Government (Planning and Reporting) Regulations 2014*.

Introduction

The LGPRF is a mandatory system of reporting to ensure all councils are measuring and reporting their performance through a consistent set of indicators.

The aim of the LGPRF is to strengthen accountability and transparency across local government. All councils are required to report their performance information in their annual reports which is also published on the 'MyCouncil' website.

Issues

The *Local Government (Planning and Reporting) Regulations 2014* sets out the financial planning and reporting framework for local government.

The half yearly results, and where applicable comparative results for the same period last year and 2014-2015 full financial year, are reported in the attachment (under separate cover). Council's performance for the nine month period ending 31 March 2016 is not dissimilar to the same period last year. Some indicators have performed strongly, whereas some require monitoring over the remainder of the financial year. Care should also be taken when interpreting the data provided in this report, as it only pertains to half the financial year. Non-financial elements reported are not always uniform throughout the year and the timing of revenue or expenditure recognition often varies from year-to-year.

There are currently 90 indicators in the framework of which 89 are mandated. The indicators need to be reported in the 2015-2016 Annual Report and will help councils to monitor their own performance over time and benchmark performance on an annual basis with other councils. Some of the indicators will be audited by the Victorian Auditor General's Office.

Over time the data will become more useful, as Council will ultimately report up to four years of historical data and four years of forecast data to enable both the Council and community to observe trends.

The mandated indicators and measures are grouped into three areas:

- Service performance. 48 indicators (47 mandatory) across 10 services*:
- Financial performance. 12 finance indicators (all mandatory)
- Sustainability. Six indicators relating to sustainable capacity, 24 indicators relating to governance and management (all mandatory).

* In addition to the mandated services Council will also report on two optional services being Immunisations and Economic Development. Council has elected not to report on the remaining two optional services at this time due to difficulties associated with data collection. These service areas are Sportsgrounds and Street Sweeping.

Policy and Legislative Context

Consideration of this report is in accordance with the *Local Government Act 1989*, *Local Government (Planning and Reporting) Regulations 2014* and the following 2013-2017 Council Plan commitments:

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.

Council will recognise and make decisions that reflect our financial circumstances.

Internal / External Consultation

The reporting of results of the half yearly performance for 2015-2016 has been coordinated by Council's Organisational Development Coordinator, with data collation completed by nominated department managers. The Senior Officer Group has reviewed the results.

Financial and Resource Implications

There are no financial and resource implications as a consequence of this report. However, it is estimated the recurrent cost, through lost productivity, associated with the LGPRF is \$10,000 per annum. Additionally, the promised reduction in the reporting burden by Local Government to State Government has disappointingly been inadequate and has not resulted in any cost or time savings.

Conclusion

Effective performance reporting by councils is essential for ensuring accountability to residents and ratepayers. The primary objective of the LGPRF is to provide comprehensive performance information for this purpose. The data generated by the LGPRF can also provide an incentive to improve the performance once trend data becomes available. Council's performance for the 9 month period ending 31 March 2016 is favourable and comparable to the same period last year.

RECOMMENDATION

That Council notes the results for the period ending 31 March 2016 for the legislated performance indicators under the *Local Government (Planning and Reporting) Regulations 2014*.

Attachments

1. LGPRF Report for period ending 31 March 2016 - Under Separate Cover

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

Author: Andrew Mason, Chief Executive Officer

File No: D16/408

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 provides advice and information on the preparation of a revised Instrument of Appointment and Authorisation for the exercise of powers under the *Planning and Environment Act 1987*.

Introduction

Council authorises a range of staff to act on its behalf in the enforcement of a variety of different State legislation specific to their roles. The Instrument of Appointment and Authorisation covers the roles of Planning Officers and Environmental Health Officers in the administration and enforcement of the *Planning and Environment Act 1987*.

Issues

The Instrument of Appointment and Authorisation dated 1 March 2016 requires updating due to changes in Environmental Health personnel.

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

- Andrew John Mason
- Ian William Gibb
- Gregory James Hayes
- Darren Stanley Frost
- Lyall Robert Bond
- Stephanie Alexandra Durant
- Emily Kate Lanman
- Scott David Matheson
- William Albert Fidler.

Policy and Legislative Context

The authorisation of officers using this Instrument is consistent with legal advice provided by Maddocks Lawyers. The authorisation is also consistent with the Council Plan 2013-2017 commitment that 'Council will demonstrate high levels of ethical behaviour and corporate governance standards'.

Internal / External Consultation

Relevant managers and directors have been consulted in the preparation of this report.

Options

Council can determine to appoint and authorise the officers in this Instrument for the purposes of the *Planning and Environment Act 1987*, the regulations made under that Act and under Section 232 of the *Local Government Act 1989*. The authorisation allows officers to institute proceedings for offences against the acts and regulations described in this Instrument. Council can choose not to proceed with the authorisation.

Conclusion

Adoption of the Instrument of Appointment and Authorisation fulfils Council's requirement to ensure its officers are appropriately authorised.

RECOMMENDATION

That:

- 1. In exercise of the powers conferred by Section 224 of the Local Government Act 1989 (the Act) and the other legislation referred to in the attached Instrument of Appointment and Authorisation, Council resolves that the members of Council staff:**
 - a) Andrew John Mason**
 - b) Ian William Gibb**
 - c) Gregory James Hayes**
 - d) Darren Stanley Frost**
 - e) Lyaall Robert Bond**
 - f) Stephanie Alexandra Durant**
 - g) Emily Kate Lanman**
 - h) Scott David Matheson**
 - i) William Albert Fidler**

as referred to in the Instrument be appointed and authorised as set out in the Instrument.
- 2. The Instrument comes into force immediately the common seal of the Council is affixed to the Instrument, and remains in force until Council determines to vary or revoke it.**
- 3. The Instrument of Appointment and Authorisation (Planning and Environment Act 1987) dated 1 March 2016 be revoked.**
- 4. The common seal of Council be affixed to the Instrument.**

Attachments

1. Instrument of Appointment and Authorisation Planning And Environment Act 1987 June 2016



Corangamite Shire Council

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

In this instrument "**officer**" means

- Andrew John Mason
- Ian William Gibb
- Gregory James Hayes
- Scott David Matheson
- Darren Stanley Frost
- Lyall Robert Bond
- Stephanie Alexandra Durant
- Emily Kate Lanman
- William Albert Fidler

By this instrument of appointment and authorisation Corangamite Shire Council

1. under section 147(4) of the *Planning and Environment Act 1987* - appoints the officers to be authorised officers for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. under section 232 of the *Local Government Act 1989* authorises the officers generally to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument

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

This instrument is authorised by a resolution of the Corangamite Shire Council on 28 June 2016.

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

.....
Chief Executive Officer

.....
Date

10.11 Records of Assembly of Councillors

Author: Andrew Mason, Chief Executive Officer

File No: D16/421

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 24 May 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 24 May 2016
- Councillor Briefing 14 June 2016.

RECOMMENDATION

That Council accepts the attached Records of Assembly of Councillors.

Attachments

1. Record of an Assembly of Councillors 24 May 2016
2. Record of an Assembly of Councillors 14 June 2016

Council

Record of an Assembly of Councillors

Councillor Briefing

Date: Tuesday 24 May 2016

Time: 2.00pm

Place: Killara Centre (in addition to visits to various heritage buildings in Camperdown)

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 type="checkbox"/> Cr O'Connor | <input checked="" type="checkbox"/> Cr Smith | <input checked="" type="checkbox"/> Cr Trotter | |

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 |
|--|---|--|---|

Jarrold Woff (Item 1 and 4)

Rory Neeson (Item 1)

Steve Dawkins (Item 5)

Michael Emerson (Item 6)

Guests:

Lindsay Ferguson, WestVic Dairy (Item 6)

Issues Discussed:

Item	Discussion Topic
1	Visit to Court House, Heritage Museum and Theatre Royal – Commencing at Court House
2	Hot Topics: <i>Heritage Council Hearing, Federal Election Priorities, Burns Festival, Budget Submissions, Manager Works, Dairy Update, Skipton Transfer Station Meeting, Great South Coast Update, Emergency Management Act Changes, Roads to Recovery, Truck Accident, Camperdown Cruise, Street Trees in Port Campbell, Agenda Items</i>
3	Councillor Items: <i>12 Apostles Sewerage, Real Estate Signs, Brooke Street Works, Timboon Streetscape, Timboon School, Lochard Energy, Building Infrastructure Support Fund, Derrinallum Toilet, EPA Review, Clashing Engagement Sessions, Higher Education, ICE Challenge</i>
4	Heritage Buildings
5	Social Justice Policy
6	Dairy Update

Conflicts of Interest declared: Cr Beard declared a direct interest in the Quick Response Grants discussion during Hot Topics (Item 2)

Councillors left the meeting at: 5.35 pm

Councillors returned to the meeting at: 5.40 pm

Councillor Conflict of Interest Form Completed: Yes

Meeting close: 6.00 pm

Note taker: Andrew Masor



Council

Record of an Assembly of Councillors

**Councillor Briefing****Date:** Tuesday 14 June 2016**Time:** 10.00am**Place:** Killara Centre**Present****Councillors:**

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

*Cr Harkin arrived at 10.15am; Cr Gstrein arrived at 2pm***Officers:**

- Ian Gibb Brooke Love Andrew Mason David Rae

Adam Taylor (Item 1)

Rory Neeson (Item 1)

Michael Emerson (Item 4)

Greg Hayes (Item 5)

Guests:

Luke Edwards, Controller, Port Campbell SES; Murray Kelson, Controller, Cobden SES Unit;
 Tim Healey, President, Camperdown Associated Agents; Ian Judd; Michael Sproules and
 Jan Murphy, Skipton Progress Association; Mark Taylor, Club Development Officer, South
 West Sports Assembly; Alan Collins and Annie Dumnesny, Port Campbell Recreation
 Reserve (Item 1)

Anthony Fowler (CEO), Barry Clough (Head of Operations), Lochard Energy (Item 4)


Stev Staalesen (Future Energy Pty Ltd) (Item 5)

Elizabeth White (CEO) (Item 6)

Issues Discussed:

Item	Discussion Topic
1	2016-2017 Draft Budget Submissions
2	Proposed Closure of Skipton Transfer Station
3	Hot Topics: <i>Saleyards, Dairy Update, GSC Update, Heritage Council Hearing, Councillor Requests Process, Infrastructure Victoria Submission, Roads Congress</i>
4	Lochard Energy
5	Update on Timboon and Skipton Wind Farm Proposals
6	Caravan and Camping Association
7	Councillor Items: <i>Containers on Residential Properties, East West Road and Squibbs Road Damage, Mt Noorat, Visitor Information Centre, Study</i>

Conflicts of Interest declared: Cr Trotter declared an indirect interest by conflicting duty involving a Budget Submission (Item 1).

Councillors left the meeting at: 11.08 am**Councillors returned to the meeting at:** 11.19 am**Councillor Conflict of Interest Form Completed:** Yes**Meeting close:** 5.00 pm

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 Great Ocean Road Regional Tourism Board Agreement 2016-2019

13.2 Contract 2017001 for the Provision of Home and Community Care Home Maintenance Services