

# **Corangamite Shire**

**MINUTES**

## **Ordinary Council Meeting**

*Held 7.00 pm • Tuesday 26 July 2016*

*Killara Centre  
210-212 Manifold Street, Camperdown*

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# Table of Contents

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Item No.		Page No.
<b>1.</b>	<b>PRESENT .....</b>	<b>4</b>
<b>2.</b>	<b>APOLOGIES .....</b>	<b>4</b>
<b>3.</b>	<b>DECLARATIONS OF CONFLICT OF INTEREST .....</b>	<b>4</b>
<b>4.</b>	<b>CONFIRMATION OF MINUTES .....</b>	<b>5</b>
<b>5.</b>	<b>DEPUTATIONS &amp; PRESENTATIONS.....</b>	<b>6</b>
<b>6.</b>	<b>MAYOR'S REPORT .....</b>	<b>7</b>
<b>7.</b>	<b>COMMITTEE REPORTS.....</b>	<b>8</b>
<b>8.</b>	<b>INFORMATION BULLETIN.....</b>	<b>9</b>
8.1	AUDIT COMMITTEE REPORT.....	9
<b>9.</b>	<b>PLANNING REPORTS .....</b>	<b>12</b>
9.1	ADOPTION PLANNING SCHEME AMENDMENT C46 - ROAD ZONE CHANGES PETERBOROUGH ROAD, TERANG.....	12
9.2	PP2015/141 PLANNING APPLICATION USE AND DEVELOPMENT OF LAND FOR A DWELLING 1464 TIMBOON PETERBOROUGH ROAD PETERBOROUGH.....	15
9.3	PP2016/026 PLANNING APPLICATION BUILDING AND WORKS ASSOCIATED WITH AN EXTENSION TO AN EXISTING DWELLING 18 DESAILLY STREET, PORT CAMPBELL.....	23
<b>10.</b>	<b>OFFICERS' REPORTS.....</b>	<b>31</b>
10.1	MEETING PROCEDURES LOCAL LAW NO.3 (2016).....	31
10.2	PUBLIC HALLS MANAGEMENT POLICY .....	77
10.3	CORANGAMITE SHIRE RECREATION AND OPEN SPACE STRATEGY 2016-2026 .....	84
10.4	COMMUNITY AND FACILITY GRANT FUNDING 2016-2017 .....	89
10.5	ENVIRONMENT SUPPORT FUND 2016 2017 .....	100
10.6	CAMPERDOWN PRE-SCHOOL ASSOCIATION LICENCE RENEWAL.....	105
10.7	CORANGAMITE REGIONAL LIBRARY CORPORATION LIBRARY SERVICE LEVEL AGREEMENT 2016-2018.....	113
10.8	COMMUNITY SATISFACTION SURVEY 2016.....	117
10.9	RECORDS OF ASSEMBLY OF COUNCILLORS.....	123
<b>11.</b>	<b>OTHER BUSINESS .....</b>	<b>129</b>

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# Table of Contents

---

<b>12. OPEN FORUM .....</b>	<b>130</b>
<b>13. CONFIDENTIAL ITEMS .....</b>	<b>131</b>
13.1 CONTRACT 2017004 - EXTERNAL PLANT HIRE AND ASSOCIATED SERVICES .....	131
13.2 LANDFILL CONSULTANCY AND ENVIRONMENTAL AUDIT SERVICES .....	131
13.3 CEO PERFORMANCE REVIEW 2016 .....	131

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**MINUTES OF THE ORDINARY MEETING OF THE CORANGAMITE  
SHIRE COUNCIL HELD AT KILLARA CENTRE, 210-212 MANIFOLD  
STREET, CAMPERDOWN 7.00 PM ON  
26 JULY 2016**

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Mr Andrew Mason, Chief Executive Officer, opened the meeting and called for nominations for Acting Chairperson, due to the absence of the Mayor, Cr J. Beard.

Cr N. Trotter nominated Cr C. O'Connor to be Acting Chairperson. Cr R. Gstrein seconded the nomination which was accepted by Cr O'Connor. There being no further nominations, Mr Mason declared Cr O'Connor as Acting Chairperson. Cr O'Connor assumed the chair.

## **1. PRESENT**

Councillors                    C. O'Connor (Chairperson), R. Gstrein, W. Oakes, G. Smith,  
N. Trotter.

Officers                        Andrew Mason, Chief Executive Officer  
Ian Gibb, Director Sustainable Development  
Brooke Love, Director Works and Services  
David Rae, Director Corporate and Community Services  
Lyle Tune, Manager Works  
Jarrod Woff, Manager Facilities and Recreation  
Belinda Bennett, Environment Coordinator  
Stephanie Durant, Planning Officer  
Scott Matheson, Planning Officer

## **2. APOLOGIES**

An apology was lodged for the absence of Cr J. Beard and Cr P. Harkin.

## **3. DECLARATIONS OF CONFLICT OF INTEREST**

Cr W. Oakes declared a direct conflict of interest in Agenda item 10.4 and left the meeting prior to discussion and vote involving the relevant matter. Full disclosure of the conflict was made in writing to the Chief Executive Officer prior to the meeting.

Cr G. Smith declared an indirect conflict of interest by conflicting duty in Agenda items 10.4 and 10.5 and left the meeting prior to discussion and votes involving the relevant matters. Full disclosure of the conflicts was made in writing to the Chief Executive Officer prior to the meeting.

Cr R. Gstrein declared an indirect conflict of interest by indirect financial interest in Agenda items 9.2 and 9.3 and left the meeting prior to any discussion or vote on the matters. Full disclosure of the conflicts was made in writing to the Chief Executive Officer prior to the meeting.

### **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.

#### 4. CONFIRMATION OF MINUTES

##### RECOMMENDATION

That the Minutes of the Corangamite Shire Ordinary Council meeting held on Tuesday 28 June 2016 be confirmed.

##### COUNCIL RESOLUTION

**MOVED:**            *Cr Oakes*  
**SECONDED:**      *Cr Trotter*

That the recommendation be adopted.

**CARRIED**

##### COUNCIL RESOLUTION

**MOVED:**            *Cr Gstrein*  
**SECONDED:**      *Cr Smith*

That standing orders be suspended for a Citizenship Ceremony.

**CARRIED**

Standing orders were suspended at 7.04 pm for a Citizenship Ceremony.

##### COUNCIL RESOLUTION

**MOVED:**            *Cr Oakes*  
**SECONDED:**      *Cr Trotter*

That standing orders be resumed.

**CARRIED**

Standing orders resumed at 7.11 pm. All Councillors attending the meeting were present.

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## 5. DEPUTATIONS & PRESENTATIONS

The Acting Chairperson, Cr C. O'Connor, invited members of the public who had requested to address Council to make their presentations.

The following items were submitted:

Having previously declared an indirect conflict of interest by indirect financial interest in Agenda items 9.2 and 9.3, Cr R. Gstrein left the meeting prior to the relevant deputations at 7.12 pm.

- Liz McKenzie regarding Agenda item 9.2 PP2015/141 Planning Application Use and Development of Land for a Dwelling 1464 Timboon Peterborough Road Peterborough.
- Julie McPhee regarding Agenda item 9.3, PP2016/026 Planning Application Building and Works associated with an extension to an existing dwelling 18 Desailly Street, Port Campbell.

Cr R. Gstrein returned to the meeting at 7.17 pm.

- Kylie Spokes regarding Agenda item 10.6, Camperdown Pre-School Association Licence Renewal.

**6. MAYOR'S REPORT**

Nil.

## **7. COMMITTEE REPORTS**

Nil.



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## 8. INFORMATION BULLETIN

### 8.1 Audit Committee Report

**Author:** David Rae, Director Corporate and Community Services

**File No:** D16/482

**Previous Council Reference:** 26 April 2016, Item 8.1

#### **Declaration**

Chief Executive Officer – Andrew Mason

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

Author - David Rae

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

#### **Summary**

This report provides Council with a summary of business considered at the 9 June 2016 meeting of the Audit Committee.

#### **Introduction**

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

#### **Issues**

Attendees at the Committee meeting were as follows:

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

**Independent Members:** Andrew Jeffers (acting Chairperson)  
Colin Hayman

**Apologies:** Nancy Johnson (Chairperson)

**Officers:** Andrew Mason, Chief Executive Officer  
Brooke Love, Director Works and Services  
David Rae, Director Corporate and Community Services  
Adam Taylor, Manager Finance

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

**Declaration of Conflict of Interest:** Nil

The Committee considered the following matters at the meeting:

- 2015-2016 External Audit Interim Management Letter
- Internal Audit Review – Management of Council Operated Kindergartens
- Procurement Policy Review 2016
- Status Update – Internal Audit Recommendations
- Risk Management Update
- 2016-2017 Budget
- Finance Report for period ending 31 March 2016.

### **Policy and Legislative Context**

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

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

Model contemporary standards of corporate governance and professional standards.

### **Financial and Resource Implications**

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

### **Conclusion**

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

**Information only.**

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**RECOMMENDATION**

That the Information Bulletin be received.

**COUNCIL RESOLUTION**

***MOVED:***            *Cr Gstrein*

***SECONDED:***      *Cr Oakes*

That the recommendation be adopted.

**CARRIED**

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## 9. PLANNING REPORTS

### 9.1 Adoption Planning Scheme Amendment C46 - Road Zone Changes Peterborough Road, Terang

**Author:** Stephanie Durant, Planning Officer

**File No:** D16/407

**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**

The purpose of this report is for Council to consider the adoption of Amendment C46 following the exhibition period. Planning Scheme Amendment C46 applies the Road Zone 1 to Peterborough Road, Terang, and consequently removes the Road Zone 1 from part of Cobden-Terang Road in Terang. The Amendment has been exhibited and one submission has been received from the Department of Environment, Land, Water and Planning (DELWP).

#### **Introduction**

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

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

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

#### **Issues**

Council requested permission to exhibit a Planning Scheme Amendment to effect these changes, and authorisation to exhibit Amendment C46 was received from the Minister for Planning in May 2016. In accordance with that permission, Amendment C46 was exhibited to Prescribed Ministers and one submission has been received from DELWP under delegation from the Minister for Energy, Environment and Climate Change. A summary of the submission and an officer response is summarised below:

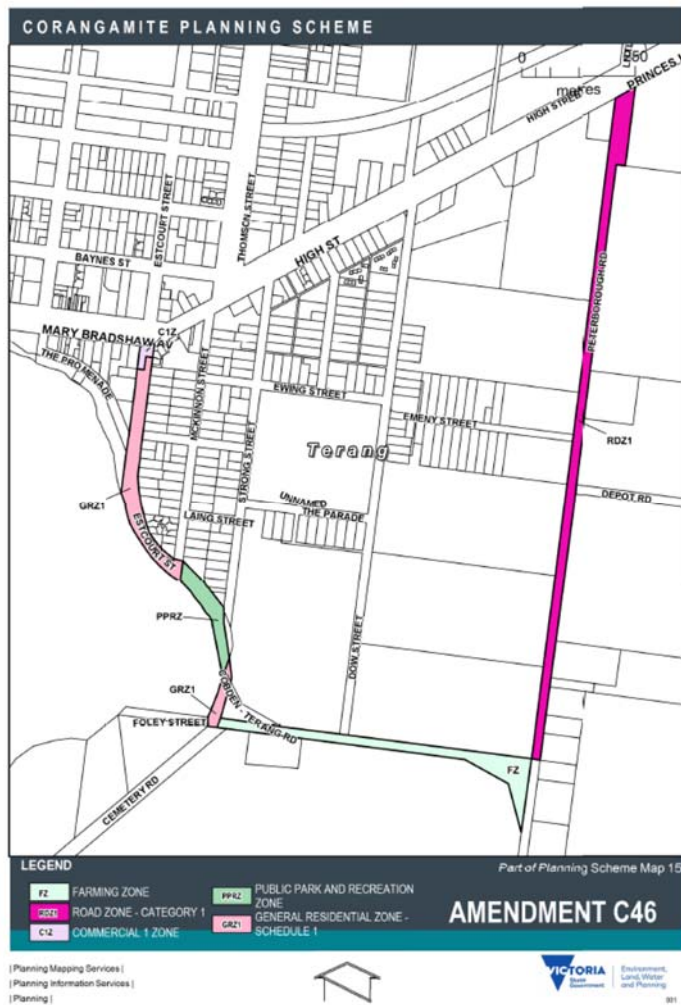
**Summary Submission**

The amendment proposes to rezone some Crown Land to General Residential Zone 1 between McKinnon and Strong Streets, Terang. This parcel is part of the permanently reserved Terang Public Park Reserve and managed by a committee of management. The road formation itself has dual Crown Land status both as a Public Park and a Government road. Given the status of this section of Crown Land and the removal of it as a Road Zone 1 (arterial road), it would be appropriate to zone this area Public Park and Recreation Zone in line with the rest of the Terang Public Park Reserve.

**Officer Response**

After discussion with DELWP, the rezoning of this area to Public Park and Recreation Zone is considered appropriate as it is part of the Terang Public Park Reserve. The zoning of the road to PPRZ will not affect its continued use as a road or its status as a Government road. The mapping has been altered accordingly and is shown in Figure 1 below.

This submission has been resolved and no further action is required.



**Figure 1: Amendment C46 Mapping**

**Policy and Legislative Context**

The amendment complies with the Ministerial Direction on *The Form and Content of Planning Schemes*.

**Internal / External Consultation**

Amendment C46 was exhibited to prescribed ministers in accordance with the *Planning and Environment Act 1987*. Due to the administrative nature of this amendment the Minister for Planning exempted Council from the notice requirements of sections 19(2) and 19(3) of the *Planning and Environment Act 1987*, which require notice in the Government Gazette and in the newspaper.

### **Financial and Resource Implications**

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

### **Options**

Council may choose either of the following options:

1. Adopt the Planning Scheme Amendment without any change and submit the Amendment to the Minister for Planning for approval.
2. Abandon the Amendment.

### **Conclusion**

Amendment C46 is required in order to reflect the changes proposed under the *Road Management Act 2004* for the declaration of Peterborough Road as an arterial road, and the revocation of Cobden-Terang Road Terang as an arterial road. As the submission has been resolved, it is recommended that Council adopt Amendment C46 and forward it to the Minister for Planning for approval.

### **RECOMMENDATION**

**That Council:**

1. **Adopt Amendment C46 to the Corangamite Planning Scheme in accordance with Section 29 of the *Planning and Environment Act 1987* without any changes.**
2. **Submit the adopted Amendment to the Minister for Planning for approval in accordance with Section 31 of the *Planning and Environment Act 1987*.**

### **COUNCIL RESOLUTION**

**MOVED:           Cr Smith**  
**SECONDED:     Cr Trotter**

**That the recommendation be adopted.**

**CARRIED**

### **Attachments**

1. Attachment 1: Comments from DELWP Amendment C46 Rezone RDZ1 Peterborough Road Terang - Under Separate Cover
2. Attachment 2: Planning Scheme Amendment Documentation C46 Approval - Under Separate Cover

Cr R. Gstrein declared an indirect conflict of interest by indirect financial interest in Agenda items 9.2 and 9.3 and left the meeting at 7.30 pm, prior to any discussion or vote on the matters.

## **9.2 PP2015/141 Planning Application Use and Development of Land for a Dwelling 1464 Timboon Peterborough Road Peterborough**

**Author:** Stephanie Durant, Planning Officer

**File No:** D16/442

**Previous Council Reference:** Nil

### **Declaration**

Chief Executive Officer – Andrew Mason

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

Author - Stephanie Durant

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

### **Summary**

A planning application has been received, proposing to use and develop land for a dwelling at 1464 Timboon Peterborough Road, Peterborough. One objection has been received to the application based on concerns about privacy and views. It is recommended to issue a Notice of Decision to Grant a Planning Permit subject to conditions set out in the recommendation.

### **Introduction**

#### ***Subject Land***

The site has an area of approximately 3.8 hectares and is irregular in shape. There is a storage shed located approximately 25 metres west of the Timboon Peterborough Road with the remainder of the site being vacant. The land has an undulating topography with areas that are low lying and potentially subject to inundation from Curdies River and Squirrel Creek. The site is fenced and there is existing access from Timboon Peterborough Road.

#### ***Surrounding Area***

The land directly to the south consists of a dwelling located approximately 63 metres from the site's southern boundary and approximately 144 metres west of the Timboon Peterborough Road. There is established vegetation located around this dwelling and driveway and along its southern and western boundaries. Land immediately to the north currently has a storage shed located on the land and there is a planning permit approved to construct a dwelling. Curdies River foreshore directly abuts the land to the west. The wider surrounds to the west of Timboon Peterborough Road consist of smaller allotments of between one to eight hectares. This area has developed over time as an area of rural living with dwellings located on the majority of these lots. The Great Ocean Road is located approximately 800 metres south of the site and the Peterborough township is located across the Curdies River approximately 1.2km away.



**Figure 1: Subject site and surrounds**

### ***Proposal***

The application proposes to use and develop the land for a dwelling. The dwelling will be located approximately 200 metres from Timboon-Peterborough Road boundary and approximately 15 metres from the southern boundary. The dwelling will be 113.8m<sup>2</sup> in size, 4.8 metres in height and consist of two bedrooms, a kitchen/living area, bathroom, laundry and deck. The dwelling will be constructed of a mix of timber cladding and zincalume. The access drive is proposed to be located approximately 6 metres north of the southern boundary. Landscaping and revegetation along the southern, northern and eastern boundaries and along Squirrel Creek is also proposed.

### **Policy and Legislative Context**

#### ***Zoning and Overlays***

The land is located within the Rural Conservation Zone-Schedule 1 (RCZ1). Pursuant to Clause 35.06 of the RCZ1, a planning permit is required to use and develop the land for a dwelling. The land is also partially covered by an Environmental Significance Overlay-Schedule 1 (ESO1). A planning permit is not required to develop land for a dwelling under the ESO1 as the proposed dwelling will be located outside of this overlay.

The purpose of the Rural Conservation Zone is:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To conserve the values specified in a schedule to this zone.
- To protect and enhance the natural environment and natural processes for their historic, archaeological and scientific interest, landscape, faunal habitat and cultural values.
- To protect and enhance natural resources and the biodiversity of the area.
- To encourage development and use of land which is consistent with sustainable land management and land capability practices, and which takes into account the conservation values and environmental sensitivity of the locality.
- To provide for agricultural use consistent with the conservation of environmental and landscape values of the area.



- To conserve and enhance the cultural significance and character of open rural and scenic non-urban landscapes.

### ***State Planning Policy Framework (SPPF)***

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

#### Clause 12.02-2 appropriate development of coastal areas

To ensure development is sensitively sited and designed and respects the character of coastal settlements and encourage revegetation of cleared land abutting coastal reserves.

#### Clause 12.04 Significant environments and landscapes

To ensure sensitive landscape areas such as the bays and coastlines are protected and that new development does not detract from their natural quality.

### ***Local Planning Policy Framework (LPPF)***

The following clause from Local Planning Policies is of relevance to this application.

#### Clause 22.02-4 Biodiversity

To ensure that the use and development of land takes into account the need to protect and enhance biological diversity by promoting ecologically sustainable land use and development.

### ***Particular Provisions***

#### Clause 65 Decision Guidelines

The following decision guidelines are of relevance to this application:

- The orderly planning of the area.
- The effect on the amenity of the area.
- The proximity of the land to any public land.
- Factors likely to cause or contribute to land degradation, salinity or reduce water quality.
- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.
- The extent and character of native vegetation and the likelihood of its destruction.
- Whether native vegetation is to be or can be protected, planted or allowed to regenerate.
- The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.

### **Internal / External Consultation**

#### ***Referrals***

The application was referred to the Corangamite Catchment Management Authority (CCMA) and Council's Assets and Environmental Health departments. No objections were received subject to conditions.

#### ***Advertising***

Notice of the application was provided in accordance with the *Planning and Environment Act 1987*, with all adjoining landowners and occupiers receiving notification and notice being placed on Council's website.

#### ***Objections***

One objection was received to the application. The issues raised in the objections and an officer response to each are provided below.

<b>Objection</b>	<b>Officer Response</b>
<p>The proximity of the proposed dwelling to the southern boundary will affect privacy and views. Recommends moving the dwelling a further 15 metres from the southern boundary and a further 55 metres closer to Timboon Peterborough Road.</p>	<p>The applicant has agreed to move the dwelling a further 15 metres north which will increase the setback to 30 metres from the southern boundary to the dwelling and 93 metres from the submitters dwelling. Vegetation is also proposed to be planted along the southern boundary and around the dwelling. While this does not address the objector's request that the dwelling setback is reduced 55 metres from the Timboon Peterborough Road, it is considered that the vegetation screening once matured and the re-siting of the dwelling a further 15 metres from the southern boundary will ensure that the amenity of the submitters adjoining property is not unreasonably affected. The objector remains unsatisfied.</p>
<p>Access will be too close to the southern boundary and will create dust and vehicle noise. Recommends planting a screen of vegetation along the southern boundary.</p>	<p>The applicant proposes to plant a 3-4 metre wide vegetation screen along the southern boundary. It is considered that this will alleviate any potential dust and vehicle noise so as not to have an unreasonable impact on the amenity of adjoining properties.</p>

### **Consultation**

An onsite consultation meeting was held with the applicant, objector, Councillors and planning officers on 5 July 2016.

### **Assessment**

The decision guidelines of the Rural Conservation Zone-Schedule 1 and Clause 65 are the primary planning scheme tools to assess this application. A response to the relevant decision guidelines of RCZ1 and Clause 65 are addressed below.

<b>Rural Conservation Zone</b>	
<b>Decision Guideline</b>	<b>Officer Response</b>
<p>The capability of the land to accommodate the proposed use or development.</p>	<p>The site has some constraints for development due to potential inundation from the Curdies River and Squirrel Creek. The proposed dwelling has been located outside of these areas and a Land Capability Assessment has been prepared that indicates that there is adequate room for wastewater to be treated and retained onsite.</p>

<b>Rural Conservation Zone</b>	
<b>Decision Guideline</b>	<b>Officer Response</b>
<p>How the use or development conserves the following values identified for the land in the schedule:</p> <p><i>“Maintain the environmental values of the Shire’s coastal areas, in particular the landscape values, vegetation, fauna habitat and protect ecological systems.”</i></p>	<p>The site’s size and proximity to the Curdies River and Squirrel Creek means that is not suitable for agriculture. The applicant is proposing to make environmental improvements through revegetation on the site which will improve the flora and faunal habitat. It is therefore considered that the use and development of the dwelling will facilitate an improved environmental outcome for the site through revegetation of these areas.</p>
<p>Whether the site is suitable for the use or development and the compatibility of the proposal with adjoining land uses.</p>	<p>The site is located amongst other land that are similar in size and have dwellings located on them. The proposed use and development is considered compatible with these adjoining uses.</p>
<p>An assessment of the likely environmental impact on the biodiversity and in particular the flora and fauna of the area.</p>	<p>Due to the revegetation proposed as part of the application it is considered that the biodiversity of the area will be improved and create further habitat for estuarine and terrestrial fauna.</p>
<p>The location of onsite effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.</p>	<p>The proposed location of the effluent disposal can meet the required setbacks to waterways and will prevent nutrient loads on the site.</p>
<p>Whether the dwelling will result in the loss or fragmentation of productive agricultural land.</p>	<p>The site is not currently utilised for an agricultural use, and agriculture is unlikely to be an appropriate use on this site due to its size. It is therefore considered that the dwelling will not result in the loss of fragmentation of agricultural land.</p>
<p>Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.</p> <p>Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.</p>	<p>The site is located amongst similar landholdings which are of a rural residential nature. There is a farm to the east, however there is a 200 metre separation between the dwelling and the farm which should be an adequate separation to ensure that there are no negative impacts on the adjoining farming land.</p>
<p>The need to minimise any adverse impacts of siting, design, height, bulk, and colours and materials to be used, on landscape features, major roads and vistas.</p>	<p>The proposed dwelling is relatively small scale and the majority of materials for the dwelling are muted which will make the impact on the landscape minimal. The revegetation of the site will also provide a visual screen once matured.</p>
<p>The location and design of roads and existing and proposed infrastructure services to minimise the visual impact on the landscape.</p>	<p>A new access will be located approximately 6 metres north of the southern boundary. This driveway will be screened from view by vegetation once it has matured.</p>

<b>Clause 65</b>	
<b>Decision Guideline</b>	<b>Officer Response</b>
The orderly planning of the area.	The majority of land in the vicinity of the site is rural residential in nature. Due to the size of the lot and the surrounding land use, the development of a dwelling is considered to be consistent with the orderly planning of this area.
The effect on the amenity of the area.	The dwelling is to be located 93 metres from the nearest dwelling and setback over 100 metres from the Curdies River and the Timboon Peterborough Road. These setbacks and the proposed vegetation planting will ensure that amenity impacts on adjoining land is not unreasonably reduced.
The proximity of the land to any public land.	The land is located adjacent to the Curdies River. It is considered that the dwelling will not restrict the continued use and management of the river.
Factors likely to cause or contribute to land degradation, salinity or reduce water quality.	The revegetation along Squirrels Creek is likely to improve soil stability and water quality. The land capability assessment submitted with the application demonstrates that the site is capable of treating and retaining all wastewater onsite and can meet required setbacks from waterways.
Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.	Stormwater created from the development will be retained onsite, which is the current arrangement.
The extent and character of native vegetation and the likelihood of its destruction.	There are indigenous estuarine wetland species located close to the Curdies River banks, with the remaining land being pasture. These species will be retained and will not be affected by the use and development.
Whether native vegetation is to be or can be protected, planted or allowed to regenerate.	Revegetation with indigenous species is proposed as part of the application.
The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.	The application was referred to the CCMA who are the statutory floodplain manager who advised that areas of the subject site may be subject to flooding associated with Curdies River and possibly Squirrel Creek. The CCMA have advised that as the dwelling is located outside of the 1% flood extent they have no objection to the grant of a permit subject to the finished floor level of the dwelling being a minimum of 300mm above flood level. This is a condition of the planning permit.

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### Options

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

### Conclusion

The proposed use and development of the land for a dwelling is considered to meet the aims of objectives of the Corangamite Planning Scheme. The siting of the dwelling a further 15 metres from the southern boundary and the proposed vegetation screening is considered to be adequate to address any potential amenity impacts on the adjoining property to the south and the revegetation of the waterways will provide for an improved environmental outcome on the site.

### RECOMMENDATION

**That Council, pursuant to Section 64 of the *Planning and Environment Act 1987*, resolves to issue a Notice of Decision to Grant a Planning Permit PP2015/141 for the Use and Development of Land for a Dwelling at 1464 Timboon Peterborough Road Peterborough subject to conditions:**

1. **Amended Plans Required**

**Before the use and development commences amended plans must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and a minimum of three copies provided. Such plans must be generally in accordance with the plan submitted but modified to show:**

- (a) **Location of the dwelling 30 metres north of the southern boundary.**

2. **CCMA Finished Floor Level**

**The finished floor level for the dwelling must be a minimum of 2.6 metres to Australian Height Datum (AHD).**

3. **Completion of Landscaping**

**Before the occupation of the dwelling or by such a later date is approved by the Responsible Authority in writing, the landscaping and vegetation works detailed within the Landscape/Revegetation Plan must be carried out and completed to the satisfaction of the Responsible Authority.**

4. **Waste Water Requirements for Dwelling**

**The dwelling must be connected to reticulated sewerage, if available. If reticulated sewerage is not available, all wastewater from the dwelling must be treated and retained within the lot in accordance with the State Environment Protection Policy (Waters of Victoria) and Code of Practice-Onsite Wastewater Management under the Environment Protection Act 1970. The onsite wastewater disposal area must be in accordance with the Land Capability Assessment submitted by Brian Consulting Civil Engineers Pty Ltd dated 2 February 2016 or in an alternative location approved by Councils Environment Health Officer.**

**5. Access**

Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles to the satisfaction of the Responsible Authority.

**6. Water Supply**

The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well for firefighting purposes to the satisfaction of the Responsible Authority.

**7. Power Supply**

The dwelling must be connected to a reticulated electricity supply or have an alternative energy source to the satisfaction of the Responsible Authority.

**8. Expiry of Permit – Use and Development**

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

- (a) The use and development is not commenced within two (2) years of the date of this permit.
- (b) The development is not completed within four (4) years of the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within six (6) months afterwards.

**COUNCIL RESOLUTION**

**MOVED:**            *Cr Trotter*  
**SECONDED:**      *Cr Smith*

**That the recommendation be adopted.**

**CARRIED**

**Attachments**

- 1. Attachment 1: Planning Application PP2015/141 - Under Separate Cover
- 2. Attachment 2: Submission PP2015/141 - Under Separate Cover
- 3. Attachment 3: Applicant Response to Submission PP2015/141 - Under Separate Cover
- 4. Attachment 4: CCMA Flood Advice - Under Separate Cover

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### **9.3 PP2016/026 Planning Application Building and Works associated with an extension to an existing dwelling 18 Desailly Street, Port Campbell**

**Author:** Scott Matheson, Planning Officer

**File No:** D16/417

**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 - Scott Matheson

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

#### **Summary**

This planning application proposes a first floor addition and an extension to a ground level deck on an existing single storey dwelling at 18 Desailly Street in Port Campbell. One objection has been received to the application based on concerns around view sharing. It is recommended to issue a Notice of Decision to Grant a Planning Permit subject to conditions set out in the recommendation.

#### **Introduction**

##### ***Subject Land***

The subject site is 818.3 square metres, rectangular in shape and is accessed from Desailly Street. The land slopes uphill towards the south, however the developed area is relatively flat. A two storey, four dock outbuilding with upstairs 'rumpus' room is set behind the existing dwelling. A single storey two dock 'garden shed', permitted under PP2015/087, is towards the rear of the site. The land is zoned General Residential Zone – Schedule 1 and is covered by a Bushfire Management Overlay and a Design and Development Overlay – Schedule 3.

##### ***Surrounding Area***

The site is bounded by Desailly Street to the north and private land on all other sides. Areas to the south, west and east of the site are predominantly residential in nature with the Port Campbell Recreation Reserve two lots to the east. To the north is the local CFA shed, some cleared open space and scrubby vegetation associated with the Port Campbell National Park. The land to the south slopes steeply uphill, providing a natural 'step-up' to residences along Hennessy Street. Several motels for short-term accommodation are further west from the site. Desailly Street is a quiet residential street with no footpaths and moderate amounts of vehicle traffic.



**Figure 1: Subject Land and Surrounds**

***Proposal***

The application proposes building and works associated with a first floor addition to a dwelling and an extension to the existing deck along the building’s façade. The first floor will add an additional bedroom, bathroom and walk-in-robe to the dwelling. The additional storey is proposed to be housed within the existing footprint of the dwelling’s ground level with a proposed setback of 910mm from the building’s frontage.

The additional first floor footprint is proposed to be 65.79 square metres, with 46.39 square metres covered rooms and 19.4 square metres balcony. The exterior is proposed to be of corrugated iron and ship-lap timber. The maximum height of the dwelling is proposed to be 6.5 metres above natural ground level. The balcony of the first floor includes visually permeable 1 metre high glass balustrades.

**Policy and Legislative Context**

***Zoning and Overlays***

The land is located within the General Residential Zone – Schedule 1 and is subject to a Design and Development Overlay – Schedule 3 and a Bushfire Management Overlay. The use of a dwelling is a Section 1 – Permit not required use under the zone. Clause 32.08 of the zone indicates that no permit is required for Building and Works normal to a dwelling. A planning permit is required under Clause 43.02 of the Design and Development Overlay for Buildings and Works. The Bushfire Management Overlay Clauses indicate that an extension to an existing dwelling less than 50 percent of the gross floor area does not need a planning permit.

The Design and Development Overlay – Schedule 3 covers the Port Campbell Township, excluding the Commercial Precinct. The Design Objectives for the Schedule are:

- To protect the existing low scale coastal character and identity of Port Campbell
- To ensure the new development in Port Campbell is site specific and site responsive



- To ensure that new development reinforces the diversity of building styles and landscape forms that define the character of Port Campbell
- To ensure that new development is designed to achieve view sharing

The Design Objectives are relevant to the decision guidelines discussed in the Assessment section below.

***State Planning Policy Framework***

*Clause 11.05-5 – Coastal Settlement* seeks to direct a diversity of housing types and redevelopment opportunities within existing coastal settlements.

*Clause 12.02-6 – The Great Ocean Road region* seeks to manage the growth of towns by respecting the character of coastal communities.

***Local Planning Policy Framework***

*Clause 21.04 (Port Campbell Structure Plan)* seeks development that respects the topography and landscape of the Port Campbell township. The low scale coastal village character of Port Campbell is sought to be protected through innovative, site responsive design.

***Particular Provisions***

*Clause 52.06 – Car Parking:* the need for an extra car parking space for the third bedroom is triggered pursuant to Clause 52.06. Given that a four-dock shed exists behind the existing dwelling, it is considered that there is adequate car parking on-site.

**Internal / External Consultation**

***Referrals***

The application was not required to be referred externally or internally.

***Advertising***

Notice of the application was given in accordance with Section 52 of the *Planning and Environment Act 1987* with all adjoining landowners and occupiers being given notice and the application placed on Council's website.

***Objections***

One objection was received to the application. The issues raised in the objection and an officer response to each are provided below.

<b>Objection</b>	<b>Officer Response</b>
<p>Lack of regard to the design objective to the Schedule: “To ensure that new development is designed to achieve view sharing”</p>	<p>The proposal impedes the view of the Port Campbell harbour from parts of the objector’s neighbouring property. This is particularly the case for the first floor living area which is a common area within that property. As such, Council officers sought a solution that allowed a genuine ‘sharing’ of views from both properties, in accordance with the relevant design objective.</p> <p>The objector has requested a further 600mm setback of the first floor frontage to adequately share views. Council officers proposed this to the applicant who felt it would not allow for any site-lines to ‘quality’ views including the Port Campbell harbour.</p> <p>Council officers have proposed a site responsive angled design compromise to provide a sharing of views from both properties. An angled frontage is thought to preserve elements of the ‘quality’ views from both dwellings. The objector remains opposed to this due to the imposition of views from the eave and the orientation of the first floor towards their property.</p>
<p>Blocking of existing views and a lack of genuine ‘sharing’ of views</p>	<p>The VCAT case <i>Healy v Surf Coast [2005] VCAT 990</i> offers the following principles with regard to views:</p> <ul style="list-style-type: none"> <li><i>(a) There is no legal right to a view;</i></li> <li><i>(b) Views form part of the existing amenity of a dwelling and their loss is a relevant consideration to take into account</i></li> <li><i>(c) The availability of views must be considered in the light of what constitutes a reasonable sharing of these views;</i></li> </ul> <p>An on-site consultation between the objector and the Council officer undertaken on 24 May indicated there would be some imposition on existing views. There will be visual amenity impacts to the objector’s property. Existing views to the headland and harbour would experience some imposition with the proposed frontage at 18 Desailly Street. Therefore a mutual sharing of the views between the two properties was sought by Council officers.</p>

**Consultation**

An onsite consultation meeting was held with the applicant, landowner, Councillors and Planning Officers on 5 July 2016.

**Assessment**

The decision guidelines of the Design and Development Overlay – Schedule 3 are the planning scheme instruments to assess this application. Clause 43.02-5 of the DDO3 sets out a range of decision guidelines that the responsible authority must consider. Schedule 3 of the DDO has a wide range of relevant decision guidelines specifically relating to the Port Campbell Township, excluding the commercial precinct. Several of these decision guidelines are framed through the Design Objectives outlined above. The following decision guidelines are considered relevant to this application.

<b>Decision Guideline</b>	<b>Officer Response</b>
Whether the bulk, location and appearance of any proposed buildings and works will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.	The surrounding area is residential in nature and has a mixture of single and two storey dwellings. A two-storey dwelling is not considered out of character with adjacent buildings. The character of the area, and of the township, is one of modest coastal living. The proposed cladding and expansion of the front deck will respond positively to the streetscape and surrounding area.
Whether the design, form, layout, proportion and scale of any proposed buildings and works is compatible with the period, style, form, proportion, and scale of any identified heritage places surrounding the site.	The expansion of the building is considered acceptable relative to this guideline. The form and design of the building is respectful of the surrounding neighbourhood. There are no heritage places in the immediate vicinity.
Design a scale and density that can fulfil the objectives of the landscape integration principles of this Overlay and be appropriate for the site topography and landscape type.	The siting of the dwelling at the base of a slope reduces concerns regarding the scale of the development. It is unlikely that the development will adversely impact the low scale character of Port Campbell.  The fourth design objective of the Schedule is considered to be least likely to be fulfilled by the current proposal. It is also grounds for the objection lodged. As discussed above, Council officers indicate that an amended proposal with an angled frontage would more appropriately share the views between the properties.
Design to increase the yield, diversity and affordability of housing options to meet the future growth of Port Campbell.	The development will allow for a two-storey single family home within the Port Campbell township. The extension allows for a more comfortable environment for a young growing family. This provides a positive response to increasing the yield, diversity and affordability of housing options in Port Campbell.

Decision Guideline	Officer Response
Respect and respond to the natural assets of Port Campbell.	The siting of this dwelling at the base of a slope minimises impacts on the surrounding landscape. Surrounding vegetation (and utility poles) are taller than the proposed development limiting the visual impacts to adjoining properties.
Provide modest dwellings of minimal bulk that form a minimal intrusion on the landscape and are efficient in their use of space and resources.	While the development will reduce the perceptual 'modesty' of the dwelling, the intrusion on the landscape and its visual impacts are seen to be minimal away from the immediate area. This neighbourhood of Port Campbell is away from areas where visual intrusion is an ongoing amenity concern.
Respect view lines of neighbours and from public places.	<p>The proposal has an imposition on views from the neighbouring property to the east at 20 Desailly Street. The view-line from that property to the Port Campbell harbour is affected. This is considered to be a 'quality' view that the neighbour might feel to be significant. Further, it is the only ocean view that is visible from that property given the topography in and around Port Campbell. Given the similarities in cases, the principles developed by VCAT in <i>Healy v Surf Coast</i> were applied when Council officers developed their recommendation.</p> <p>Council officers recommend the existing availability of views and a reasonable sharing of these views take precedent. A 'middle-ground' outcome for both parties is recommended through a site responsive design of an angled frontage. Officers feel this is respectful to the view-lines of the objector's property, while allowing the landowners of 18 Desailly Street access to a reasonable provision of the views.</p>
Form an active interface with the street.	The dwelling is sheltered from Desailly Street by a screen of vegetation. The expansion of the front deck and first floor balcony will allow for a greater activation of the streetscape.

### Options

Council has the following options:

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

### **Conclusion**

The proposed building and works are consistent with State and Local planning policy and the aims of the Corangamite Planning Scheme. The proposed planning conditions have been considered to address amenity impacts and allow for view sharing from a neighbouring property. Therefore, it is considered the Design Objectives of the Design and Development Overlay are met.

### **RECOMMENDATION**

**That Council, pursuant to Section 64 of the *Planning and Environment Act 1987*, resolve to issue a Notice of Decision to Grant a Planning Permit PP2016/026 for Buildings and works associated with an extension to an existing dwelling on land described as Crown Allotment 4 Section 11 Township of Port Campbell Parish of Paaratte, 18 Desailly Street Port Campbell subject to the following conditions:**

#### **Amended Plans Required**

- 1. Before the development commences amended plans must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and a minimum of three copies provided. Such plans must be generally in accordance with the plan submitted but modified to show:
  - (a) The first floor Bedroom 1 wall facing Desailly Street is to pivot at the western corner so as to further increase the setback of the northern corner by 600mm; the eave above this façade must mirror this change.**
  - (b) The correct orientation of the north point on all plan views.**
  - (c) A clear measurement of the maximum height of the first and second storey – the maximum height of the second storey should be no greater than 6.5 metres above natural ground level.****

#### **Muted Tones**

- 2. All external materials to be used in the extension of the dwelling must be of muted tones and be non-reflective and must not result in any adverse visual impact on the amenity of the surrounding area.**

#### **Expiry of Permit**

- 3. This permit will expire if one of the following circumstances applies:
  - (a) The development hereby approved has not commenced within two (2) years of the date of this permit.**
  - (b) The development hereby approved is not completed within four (4) years of the date of this permit.****

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

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

**COUNCIL RESOLUTION**

**MOVED:**            *Cr Oakes*  
**SECONDED:**      *Cr Trotter*

**That the recommendation be adopted.**

**CARRIED**

**Attachments**

1. Application for Planning Permit Alterations and Additions to Existing Dwelling  
PP2016/026 8381P - Under Separate Cover
2. Correspondence from Objector PP2016/026 8381P - Under Separate Cover

Cr R. Gstrein returned to the meeting at 7.40 pm.

Ms Stephanie Durant and Mr Scott Matheson left the meeting.

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## 10. OFFICERS' REPORTS

### 10.1 Meeting Procedures Local Law No.3 (2016)

**Author:** Andrew Mason, Chief Executive Officer

**File No:** D16/474

**Previous Council Reference:** 24 May 2016, Item 10.1

#### **Declaration**

Chief Executive Officer – Andrew Mason

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

#### **Summary**

The purpose of this report is for Council to adopt Meeting Procedures Local Law No. 3 (2016).

#### **Introduction**

Council has undertaken a comprehensive review of the existing *Processes of Municipal Government Local Law No. 3 (2009)*, as part of a review of all its local laws prior to them sunseting in 2019 due to changes in legislation and the need for amendment. As part of the review, *General Local Law No. 1 (2015)* and *Livestock Local Law No. 2 (2015)* were adopted at a meeting of Council on 15 December 2015.

As a result of the review, *Processes of Municipal Government Local Law No. 3 (2009)* has been updated and re-named Meeting Procedures Local Law No. 3 (2016). At its ordinary meeting on 24 May 2016, Council resolved to undertake the necessary statutory procedures for the making of the new Meeting Procedures Local Law No. 3 (2016). These procedures included advertising and inviting submissions in relation to the new local law.

#### **Issues**

Council has developed a new meeting procedures local law based on a review of the existing 2009 local law in order to improve its format and content, in addition to enhancing the understanding of meeting procedure processes by Councillors, officers and members of the community. The proposed Meeting Procedures Local Law No. 3 (2016) provides an important tool for Council to maintain the principles and practice of good governance through regulation of proceedings at Council and Special Committee meetings.

The objectives of Meeting Procedures Local Law No. 3 (2016) are to:

- a) provide for the election of the Mayor and for the election of a Deputy Mayor (if that position is agreed upon by the majority of Councillors)
- b) regulate the use of the Common Seal and prohibit unauthorised use of the Common Seal

- c) regulate proceedings of Ordinary and Special meetings of Council, and other meetings conducted by or on behalf of Council where Council has resolved that the provisions of the Local Law are to apply
- d) provide for the appointment of Councillors to Special Committee positions and external boards
- e) promote and encourage community participation in the system of local government by providing mechanisms for community members to ask questions on relevant information
- f) provide rules of conduct for those participating in or present at Council meetings and other meetings conducted by or on behalf of Council.

### **Policy and Legislative Context**

Council has the power to make local laws under section 111 of the *Local Government Act 1989*. Local laws can be made with respect to any Act, matter or thing for which the Council has a function or power subject to:

- The local law not being inconsistent with any Act or regulation.
- The local law being inoperative to the extent that it is inconsistent with any Act or regulation.
- The local law not duplicating or being inconsistent with the planning scheme.
- The local law being inoperative to the extent that it is inconsistent with a planning scheme that is in force in the municipal district of a council.
- The Council having regard to any guidelines made by the Minister under section 111A when making local laws.
- The Council complying with any prescribed details relating to the preparation and content of local laws when making local laws.

The proposed Meeting Procedures Local Law No. 3 (2016) has been prepared in accordance with the requirements of sections 91(1), 111 and 119 of the *Local Government Act 1989*.

The conduct of Council meetings and special committee meetings is also guided by the following Governance policies:

- Public Participation at Council Meetings Policy
- Committees of Council Policy
- Councillor Code of Conduct.

### **Internal / External Consultation**

Councillors and Council officers have been consulted during the review of the *Processes of Municipal Government Local Law No.3 (2009)*. Councillors have previously been briefed on the proposed changes and had opportunity to provide input into the review.

The proposed Meeting Procedures Local Law No. 3 (2016) has been reviewed legally by HWL Ebsworth and is considered to be compliant with the *Local Government Act 1989*.

In accordance with section 223 of the *Local Government Act 1989*, the community was provided with the opportunity to make a submission in relation to the proposed Meeting Procedures Local Law No. 3 (2016). A notice was placed in the Government Gazette on 26 May 2016 and public notices placed in local newspapers commencing 28 May 2016, as well as on Council's website.



To assist the community in understanding the changes that have been made to the proposed local law, a Community Impact Statement was prepared.

Copies of the proposed Meeting Procedures Local Law No. 3 (2016) and Community Impact Statement were sent to all libraries in Corangamite Shire and the Port Campbell Visitor Information Centre, as well as being made available on Council's website.

No submissions were received.

If adopted by Council, advertising will be undertaken in accordance with the *Local Government Act 1989*, which requires notification of the new local law in the Government Gazette and public notice in a newspaper generally circulating within the municipal district. A copy of Meeting Procedures Local Law No. 3 (2016) will be sent to the Minister for Local Government and the local law will be made available for public inspection at the Camperdown Civic Centre and on Council's website while in operation.

#### **Financial and Resource Implications**

Provision has been made in Council's budget for the cost of obtaining legal advice, advertising and promotion of the new Meeting Procedures Local Law No. 3 (2016). Administering the local law will continue within current budget allocations.

#### **Options**

Council may choose to adopt Meeting Procedures Local Law No. 3 (2016) as presented, or with amendment.

#### **Conclusion**

Meeting Procedures Local Law No. 3 (2016) provides an important tool for Council to maintain the principles and practice of good governance through regulation of proceedings at Council and Special Committee meetings. Council's existing *Processes of Municipal Government Local Law No.3 (2009)* was adopted in 2009 and is due to sunset in 2019. It was identified that there were sufficient amendments required to the local law to justify a review prior to 2019.

After undertaking public consultation in accordance with the *Local Government Act 1989* and advertising within the community, no submissions were received.

It is recommended Meeting Procedures Local Law No. 3 (2016) be adopted as presented.

### **RECOMMENDATION**

**That Council:**

- 1. Revokes *Processes of Municipal Government Local Law No.3 (2009)*.**
- 2. Adopts Meeting Procedures Local Law No. 3 (2016).**
- 3. Affixes the common seal to Meeting Procedures Local Law No. 3 (2016).**
- 4. Completes the necessary statutory procedures in accordance with section 111 and section 119 of the *Local Government Act 1989*, for the adoption of Meeting Procedures Local Law No. 3 (2016).**

5. Gives Notice in the Government Gazette and newspapers generally circulating within the municipal district stating the purpose and general purport of Meeting Procedures Local Law No. 3 (2016).

**COUNCIL RESOLUTION**

**MOVED:** *Cr Gstrein*

**SECONDED:** *Cr Oakes*

That the recommendation be adopted.

**CARRIED**

**Attachments**

1. Meeting Procedures Local Law No 3 2016



**CORANGAMITE  
SHIRE**

**MEETING  
PROCEDURES  
LOCAL LAW No. 3  
2016**



**CORANGAMITE  
SHIRE**

**Corangamite Shire Council**

**Meeting Procedures Local Law No. 3 2016**

**TABLE OF CONTENTS**

<b>A: Introduction.....</b>	<b>6</b>
1. Title.....	6
2. Authorising Provision.....	6
3. Objectives.....	6
4. Commencement and End Dates .....	6
5. Revocation of Local Law No. 3 .....	6
6. Definitions.....	6
<b>B: Election of Mayor and Deputy Mayor .....</b>	<b>9</b>
7. Electing the Mayor at a Council Meeting .....	9
8. Electing the Deputy Mayor at a Council Meeting .....	10
<b>C: Council's Common Seal .....</b>	<b>11</b>
9. The Common Seal.....	11
<b>D: Council's Office Holders.....</b>	<b>12</b>
10. Appointment of Councillors to Special Committees and Boards .....	12
<b>E: Meetings Procedure .....</b>	<b>13</b>
<b>Part 1: Notices of Council Meetings and Delivery of Agendas .....</b>	<b>13</b>
11. Calling Ordinary Meetings .....	13
12. Special Meetings of the Council .....	13
13. Special Committee Meetings.....	13
14. Publication of Council Meeting Dates .....	13
15. Meetings to be Open to the Public .....	13
<b>Part 2: Quorums .....</b>	<b>14</b>
16. Council Meetings .....	14
<b>Part 3: Conduct and Business of Meetings .....</b>	<b>15</b>

17.	Business at Meetings.....	15
18.	Councillors may Propose Notices of Motion .....	15
19.	Order of Business .....	16
20.	Change to Order of Business .....	16
21.	Chairperson .....	16
22.	Absence of Chairperson .....	16
23.	Leave of Absences and Apologies .....	16
24.	Interests and Conflicts of Interest.....	16
<b>Part 4: Motions and Debate.....</b>		<b>17</b>
25.	Introducing a Motion at a Council Meeting.....	17
26.	Unacceptable Motions at a Council Meeting .....	17
27.	Moving a Motion at a Council Meeting .....	17
28.	Right of Reply .....	18
29.	Moving an Amendment to a Motion .....	18
30.	Who may Propose an Amendment to a Motion .....	18
31.	How Many Amendments May be Proposed.....	18
32.	An Amendment to a Motion Once Carried .....	18
33.	Withdrawal of Motions.....	18
34.	Separation of Motions .....	18
35.	Priority of Address .....	18
36.	Motions in Writing.....	19
37.	Repeating Motion and/or Amendment of Motion .....	19
38.	Debate Must be Relevant to the Motion.....	19
39.	Speaking Times .....	19
40.	Addressing the Council Meeting.....	19
41.	Foreshadowing Motions .....	20
42.	Right to Ask Questions .....	20
43.	Lost Motions .....	20
<b>Part 5: Procedural Motions.....</b>		<b>21</b>
44.	Procedural Motions.....	21
<b>Part 6: Points of Order .....</b>		<b>22</b>
45.	When Does a Point of Order Occur .....	22
46.	Chairperson to Decide.....	22
47.	Chairperson may Suspend Standing Orders to Consider .....	22
48.	Dissent from Chairperson’s Ruling .....	22

49.	Procedure for Point of Order .....	23
50.	Valid points of order.....	23
<b>Part 7: Voting .....</b>		<b>24</b>
51.	How a Motion is Determined .....	24
52.	Casting Vote .....	24
53.	By Show of Hands .....	24
54.	Procedure for a Division .....	24
55.	No Discussion Once Declared .....	24
<b>Part 8: Rescinding Council Resolutions .....</b>		<b>25</b>
56.	Rescission of Council Resolutions .....	25
57.	If Lost .....	25
58.	If Not Moved .....	25
59.	May be Moved by any Councillor .....	25
60.	When Not Required .....	25
<b>Part 9: Minutes.....</b>		<b>26</b>
61.	Confirmation of Minutes .....	26
62.	No Debate on Confirmation of Minutes .....	27
63.	Deferral of Confirmation of Minutes.....	27
64.	Records of Council Meetings .....	27
65.	Recording of Meetings.....	27
<b>Part 10: Conduct at Council Meetings .....</b>		<b>28</b>
66.	Behaviour of Councillors.....	28
67.	Conduct of Visitors at Meetings .....	28
68.	Chairperson may Remove .....	28
69.	Suspensions .....	28
70.	Offences.....	28
71.	Chairperson may adjourn disorderly Council Meeting .....	29
72.	Removal from Chamber.....	29
73.	The Chairperson’s Duties and Discretions .....	29
<b>Part 11: Suspension of Standing Orders .....</b>		<b>30</b>
74.	Suspension of Standing Orders.....	30
<b>Part 12: Public Question Time and Public Representations .....</b>		<b>31</b>
<b>Part 13: Miscellaneous.....</b>		<b>32</b>
75.	Procedure Not Provided in Local Law .....	32
76.	Criticism of Members of Council Staff.....	32

---

<b>Part 14: Special Committees</b> .....	<b>33</b>
77. Application Generally .....	33
78. Application specifically .....	33
<b>F: Certification of Local Law No. 3</b> .....	<b>34</b>
<b>G: Council Adoption</b> .....	<b>35</b>
<b>Schedule 1</b> .....	<b>36</b>

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## **A: Introduction**

### **1. Title**

This Local Law will be known as the “Meeting Procedures Local Law No. 3, 2016.”

### **2. Authorising Provision**

The Meeting Procedures Local Law No 3, 2016 is made in accordance with Part 5 of the *Local Government Act 1989* (the Act).

This Local Law is intended to be consistent with the Act, particularly Part 4. In the event of any inconsistency, the provisions of the Act will prevail.

### **3. Objectives**

- 3.1. provide for the election of the Mayor and Deputy Mayor (if that position is agreed upon by the majority of Councillors);
- 3.2. regulate the use of the Common Seal and prohibit unauthorised use of the Common Seal;
- 3.3. regulate proceedings of Ordinary and Special meetings of Council, and other meetings conducted by or on behalf of Council where Council has resolved that the provisions of the Local Law are to apply;
- 3.4. provide for the appointment of Councillors to Special Committee positions and external boards;
- 3.5. promote and encourage community participation in the system of local government by providing mechanisms for community members to ask questions on relevant information;
- 3.6. provide rules of conduct for those participating in or present at Council meetings and other meetings conducted by or on behalf of Council.

### **4. Commencement and End Dates**

- 4.1. The Meeting Procedures Local Law No. 3, 2016 commences on [date]  
and
- 4.2. ends on the 10th anniversary of the day on which it commenced operation.

### **5. Revocation of Local Law No. 3**

On the commencement of the Meeting Procedures Local Law No 3, 2016, Council’s Processes of Municipal Government 2009 Local Law No.3 is revoked.

### **6. Definitions**

In the Meeting Procedures Local Law No 3, 2016:

“Act” means the Local Government Act 1989;

“Agenda” means the document setting out the business to be transacted at a Council Meeting and includes the reports and business papers for that business;

“Assembly of Councillors” has the same meaning as in the Act;



- “Authorised Officer” means a member of Council staff who is authorised by Council to carry out specific functions under this Local Law;
- “Chamber” means any room where Council holds a Council Meeting;
- “Chairperson” means the Chairperson of a Council meeting and includes an acting, temporary and substitute Chairperson;
- “Chief Executive Officer” means the Chief Executive Officer of the Council or any person acting in that position;
- “Common Seal” means the Common Seal of Council which is a device which formally records the collective will of Council;
- “Council” means the Corangamite Shire Council;
- “Council Meeting” includes an Ordinary Meeting, a Special Meeting, a Special Committee Meeting, but does not include an Assembly of councillors;
- “Councillor” means a Councillor of the Council and for the purposes of this Local Law includes any member of a Special Committee;
- “Division” means a formal count of those for and those against a motion generally to remove any doubt as to whether the motion is supported or opposed;
- “Majority” in relation to votes or Councillors means the number of votes of Councillors constituting more than half of the total number;
- “Mayor” means the Mayor of the Council;
- “Minutes” means the record of proceedings of a Meeting;
- “Municipal District: means the municipal district of Council;
- “Notice of Motion” means a notice setting out the text of a motion which it is proposed to move at the next relevant Council Meeting;
- “Notice of Rescission” means a Notice of Motion to rescind a resolution made by Council;
- “Offence” means an act or default in breach of this Local Law;
- “Officer” means an employee of the Council;
- “Ordinary Meeting” means any meeting of Council which is not a Special Meeting or a meeting of a Special Committee;
- “Penalty Units” mean penalty units prescribed by the *Sentencing Act 1991* for local laws;
- “Procedural Motion” means a motion which relates to the conduct of the meeting itself;
- “Special Committee” means a special committee established by Council under section 86 of the Act;

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“Special Committee Meeting” means a meeting of a Special Committee established by Council, convened and held in accordance with section 87 of the Act;

“Special Council Meeting” means a meeting of Council convened and held in accordance with section 84 of the Act;

“Suspension of Standing Orders” means the suspension of the provisions of this Local Law to facilitate full discussion on an issue without formal constraints

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## **B: Election of Mayor and Deputy Mayor**

### **7. Electing the Mayor at a Council Meeting**

- 7.1. A Mayor must be elected in accordance with section 71 of the Act.
- 7.2. The Chief Executive Officer must open the meeting at which the Mayor is to be elected, and preside until the meeting elects a temporary Chairperson.
- 7.3. The temporary Chairperson must invite nominations for the office of Mayor which must be seconded.
- 7.4. A Councillor may nominate themselves for the office of Mayor which must be seconded.
- 7.5. Where a Councillor is nominated by another Councillor for the office of Mayor, the nominee must be provided with the opportunity to either accept or decline the nomination.
- 7.6. Voting is by show of hands.
- 7.7. Nominees will be offered an opportunity to address fellow Councillors prior to a vote, for up to five (5) minutes each.
- 7.8. If there is only one (1) nomination, that nomination must still go to a vote.
- 7.9. If there are two (2) nominations, the Councillors present at the Meeting must vote for one (1) of the nominees.
- 7.10. In the event of a nominee receiving a Majority of the votes, that nominee is elected as Mayor.
- 7.11. If there are three (3) or more nominations, the Councillors present at the Meeting must vote for one (1) of the nominees.
- 7.12. The nominee with the lowest number of votes is a defeated nominee and voting is repeated until there are two (2) remaining nominees.
  - 7.12.1. If there is a tied vote between two or more nominees who receive the lowest number of votes, Councillors must vote for the tied nominees to determine the defeated nominee.
- 7.13. A final vote is taken with the remaining two (2) nominees and in the event of a nominee receiving a Majority of the votes, that nominee is elected as Mayor.
- 7.14. In the event of two (2) nominees having an equal number of votes, the office of Mayor will be determined by lot.
- 7.15. If a lot is conducted, the Chief Executive Officer will have the conduct of the lot and the following provisions will apply:
  - 7.15.1. each nominee will draw one (1) lot;
  - 7.15.2. the order of drawing lots will be determined by the alphabetical order of the surnames of the nominees who received an equal number of votes, except that if two (2) or more such nominees' surnames are identical, the order will be determined by the alphabetical order of the nominees' first names;
  - 7.15.3. a white and black marble must be placed in a receptacle;

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7.15.4. the nominee who draws the black marble must be declared the defeated nominee;

7.15.5. the nominee who draws the white marble must be duly elected as Mayor.

**8. Electing the Deputy Mayor at a Council Meeting**

8.1. Council may choose to elect a Deputy Mayor, if agreed by a majority of Councillors.

8.2. A Deputy Mayor, is to be elected by way of the same procedure as specified in clause 7.

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## C: Council's Common Seal

### 9. The Common Seal

- 9.1. The Chief Executive Officer must keep the Common Seal in safe custody and ensure that access to it is restricted.
- 9.2. Every document to which the Common Seal is affixed must be signed and dated by the Chief Executive Officer or his or her delegate.
- 9.3. The Council may, by resolution, give the Chief Executive officer authority to use the Common Seal for general classes of activities or transactions.
- 9.4. If the Chief Executive Officer uses the Common Seal in a manner prescribed by Clause 9.3, then he or she must advise Council of such use on a regular basis.
- 9.5. The Council's Common seal and words to be used accompanying it on any document to which it is affixed are as follows:

The COMMON SEAL of                    )  
CORANGAMITE SHIRE COUNCIL        )  
was affixed in the presence of        )

.....  
Chief Executive Officer

.....  
Date

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**D: Council's Office Holders**

**10. Appointment of Councillors to Special Committees and Boards**

Once every calendar year, the Council must resolve to:

- 10.1. allocate Councillors to nominated Special Committees or board positions; and
- 10.2. remove Councillors from Special Committees or board positions.

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## **E: Meetings Procedure**

### **Part 1: Notices of Council Meetings and Delivery of Agendas**

#### **11. Calling Ordinary Meetings**

- 11.1. Council must fix the date, time and place of all Ordinary Meetings for the year at the Council Meeting held in November of the previous year.
- 11.2. Council may by resolution change the date, time and place of any Ordinary Meeting which has been fixed and must provide notice of the change to the public at least seven (7) days before the Ordinary Meeting.
- 11.3. An Agenda for an Ordinary Meeting must be delivered to every Councillor at least 48 hours before an Ordinary Meeting.
- 11.4. An Agenda of an Ordinary Meeting must be available to the public at least 48 hours before the Ordinary Meeting.
- 11.5. If as a result of an emergency an Agenda is not provided at least 48 hours before an Ordinary Meeting, the Chief Executive officer must record in the minutes of the Meeting the nature of the emergency and the reason for an Agenda not being provided 48 hours before the meeting.

#### **12. Special Meetings of the Council**

- 12.1. Special Meetings of the Council will be called and held in accordance with the Act.
- 12.2. A notice of a Special Meeting and Agenda must be delivered to every Councillor at least 48 hours before the Special Meeting. A period less than 48 hours may, however, be justified if exceptional circumstances exist.

#### **13. Special Committee Meetings**

Special Committee Meetings will be called and held in accordance with the Act.

#### **14. Publication of Council Meeting Dates**

- 14.1. Council must publish the public notice of all Council Meetings on the Council's website.

#### **15. Meetings to be Open to the Public**

Any meeting of the Council or a Special Committee must be open to members of the public unless Council resolves that the meeting be closed to members of the public in accordance with sections 89 (2) and (3) of the Act.

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## Part 2: Quorums

### 16. Council Meetings

- 16.1. The quorum for Ordinary and Special Meetings is the presence of a Majority of the full Council.
- 16.2. The quorum for Special Committee Meetings is the presence of a Majority of the members of the Special Committee.
- 16.3. If after 30 minutes from the scheduled starting time of any Council Meeting, a quorum cannot be obtained:
  - 16.3.1. those Councillors present; or
  - 16.3.2. if there are no Councillors present, the Chief Executive Officer; or
  - 16.3.3. in the absence of the Chief Executive Officer, an Authorised Officer;must adjourn the Council Meeting for a period within seven (7) days from the date of adjournment.
- 16.4. If during any Council Meeting or any adjournment of the Council Meeting, a quorum cannot be maintained:
  - 16.4.1. those Councillors present; or
  - 16.4.2. if there are no Councillors present, the Chief Executive Officer; or
  - 16.4.3. in the absence of the Chief Executive Officer, an Authorised Officer;must adjourn the Council Meeting for a period not exceeding seven (7) days from the date of adjournment.
- 16.5. If a quorum cannot be achieved or maintained due to the disclosure of conflicts of interest of Councillors, the Chief Executive Officer will move onto to the next item of business, and defer the item in respect of which the quorum cannot be achieved, to the following Council Meeting or if necessary, for a length of time to enable dispensation for the affected Councillors to be obtained from the Minister administering the Act.
- 16.6. The Chief Executive Officer, or an Authorised Officer, must give notice to each Councillor of the date, time and place to which the Council Meeting stands adjourned and of the business remaining to be considered.



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### **Part 3: Conduct and Business of Meetings**

#### **17. Business at Meetings**

No business can be dealt with at an Ordinary Council Meeting, Special Council Meeting or Special Committee Meeting unless:

- 17.1. it is contained in the agenda, or
- 17.2. the majority of Councillors at the meeting vote in favour of a matter being dealt with as Urgent Business by resolution of Council and only then if it:
  - 17.2.1. relates to or arises out of a matter which has arisen since distribution of the Agenda; and
  - 17.2.2. cannot safely or reasonably be deferred until the next Ordinary Meeting
- 17.3. the Agenda for an Ordinary Meeting makes provision for Other Business, in which case the Other Business to be transacted will be:
  - 17.3.1. at the discretion of the Chairperson; and
  - 17.3.2. provided to the Chairperson before the commencement of the meeting; and
  - 17.3.3. must be of broad interest to the community or be of strategic significance; and
  - 17.3.4. must be approved by the majority of Councillors present.

#### **18. Councillors may Propose Notices of Motion**

- 18.1. Prior to a Council Meeting, Councillors wanting to include a matter on the Agenda, must complete a Councillor's Notice of Motion Form.
- 18.2. A Notice of Motion form must be signed by the Councillor and be lodged with the Chief Executive Officer to allow sufficient time for him or her to give each Councillor notice of such Notice of Motion and to allow sufficient time for the Notice of Motion to be put on the Agenda for the next Council Meeting.
- 18.3. The Chief Executive Officer may reject any Notice of Motion which is vague or unclear in intention but must:
  - 18.3.1. give the Councillor who lodged it an opportunity to amend it prior to rejection, if it is practicable to do so; and
  - 18.3.2. notify in writing the Councillor who lodged it of the rejection and reasons for the rejection.
- 18.4. The full text of any Notice of Motion accepted by the Chief Executive Officer must be included in the material accompanying the Agenda. The CEO may provide additional information or clarification on the matter.
- 18.5. Except by leave of Council, each Notice of Motion before any Council Meeting must be considered in the order in which they were received by the Chief Executive Officer.

- 18.6. If a Councillor who has given a Notice of Motion is absent from the Council Meeting or fails to move the motion when called upon by the Chairperson, any other Councillor may move the motion.
- 18.7. If a Notice of Motion is not moved at the Council Meeting at which it is listed, it lapses.

## **19. Order of Business**

The order of business at any Council Meeting is to be determined by the Chief Executive Officer so as to facilitate and maintain open, efficient and effective processes of government

## **20. Change to Order of Business**

Once an Agenda has been sent to Councillors, the order of business for that Council Meeting may be altered with the consent of Council.

## **21. Chairperson**

- 21.1. The Mayor must preside at all Council Meetings at which he or she is present, in the role of Chairperson.

## **22. Absence of Chairperson**

- 22.1. If the Mayor is unable to attend a Council Meeting for any reason the immediate Past Mayor (or Deputy Mayor if elected) will be appointed as Acting Chair.
- 22.2. If the Mayor is required to vacate the chair during a Council Meeting (whether on account of a conflict of interest or otherwise), the immediate Past Mayor (or Deputy Mayor if elected) will be appointed as temporary Chair for the period of the Mayor's absence.
- 22.3. In the event the immediate Past Mayor (or Deputy Mayor if elected) is absent, the Councillors must elect an Acting or temporary Chairperson.

## **23. Leave of Absences and Apologies**

- 23.1. If a Councillor plans to be absent from three (3) or more Council Meetings, the Councillor should request a leave of absence by giving notice to the Chief Executive Officer.
- 23.2. Council may by resolution grant a leave of absence for a Councillor.
- 23.3. Conditions for a Councillor's leave of absence is in accordance with the Act.
- 23.4. Councillors unable to attend a Council Meeting must give the Chief Executive Officer notice of an apology prior to the Council Meeting.
- 23.5. If a Councillor arrives following the commencement of the Council Meeting, leaves a Council Meeting and/or returns to the Meeting, the minutes shall record the Councillor's name and time of the arrival or departure.

## **24. Interests and Conflicts of Interest**

A Councillor must disclose any interest or conflict of interest in accordance with the Act.

Any conflict of interest disclosed must be recorded in the Minutes of the Council Meeting.

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## Part 4: Motions and Debate

### 25. Introducing a Motion at a Council Meeting

Before a motion at a Council Meeting is moved, a Councillor may introduce it by indicating, in not more than two (2) minutes:

- 25.1. its intent; or
- 25.2. the desired outcome, if it is passed.

### 26. Unacceptable Motions at a Council Meeting

Any motion which is determined by the Chairperson at a Council Meeting to be:

- 26.1. defamatory;
- 26.2. objectionable in language or nature;
- 26.3. vague or unclear in intention;
- 26.4. outside the powers of Council; or
- 26.5. irrelevant to the item of business on the Agenda and has not been admitted as Urgent Business, or purports to be an amendment but is not;

must not be accepted by the Chairperson.

### 27. Moving a Motion at a Council Meeting

The procedure for moving any motion is:

- 27.1. the mover must state the motion and be given an opportunity to introduce the motion in accordance with clause 25;
- 27.2. the motion must be seconded by a Councillor other than the mover;
- 27.3. if a motion is not seconded, the motion lapses for want of a seconder;
- 27.4. If a motion is moved and seconded the Chairperson may ask:

“Is the motion opposed?”

If no Councillor indicates opposition, the Chairperson will give each Councillor an opportunity to speak to the motion. Each Councillor may only speak once and for not more than three (3) minutes, unless the Chairperson offers a further opportunity to do so. If a Councillor indicates opposition, then the Chairperson must call on the mover to address the Council Meeting;

- 27.5. after the mover has addressed the meeting, the seconder may address the Council Meeting, or the seconder may reserve his or her right to speak later in the debate;
- 27.6. after the seconder has addressed the Council Meeting (or after the mover has addressed the Council Meeting if the seconder does not address the Council Meeting), the Chairperson must invite debate by calling on any Councillor who wishes to speak to the motion. If after the mover has addressed the Council Meeting, the Chairperson has invited debate and no Councillor speaks to the motion, then the Chairperson must put the motion to the vote.

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## **28. Right of Reply**

- 28.1. The mover of a motion has a right of reply to matters raised during debate.
- 28.2. After the right of reply has been taken, the motion must immediately be put to the vote without any further discussion or debate.

## **29. Moving an Amendment to a Motion**

- 29.1. Subject to clause 29.2, a motion which has been moved and seconded may be amended by leaving out or adding words. Any added words must be relevant to the subject of the motion.

**29.2.** A motion to confirm a previous resolution of Council cannot be amended.

## **30. Who may Propose an Amendment to a Motion**

An amendment to a motion may be proposed or seconded by any Councillor, except the mover or seconder of the original motion.

## **31. How Many Amendments May be Proposed**

- 31.1. Any number of amendments may be proposed to a motion but only one (1) amendment may be accepted by the Chairperson at any one time.
- 31.2. No second or subsequent amendment, whether to the motion or an amendment of it, may be taken into consideration until the previous amendment has been dealt with.

## **32. An Amendment to a Motion Once Carried**

- 32.1. If the amendment to a motion is carried, the motion as amended then becomes the motion before the Council Meeting.
- 32.2. Subject to clause 32.3 once the amended motion is before Council, the debate can resume from where it left off.
- 32.3. A Councillor who has already spoken on the original motion must not speak again on the amended motion unless the amended motion is so substantially different to the original motion so as change the debate.

## **33. Withdrawal of Motions**

- 33.1. Before any motion is put to the vote, it may be withdrawn by the mover and seconder at their request.

## **34. Separation of Motions**

- 34.1. The Chairperson may decide to put any motion to the vote in several parts.
- 34.2. Where a motion contains more than one (1) part, a Councillor may request the Chairperson to put the motion to the vote in separate parts.

## **35. Priority of Address**

In the case of competition for the right to speak, the Chairperson must decide the order in which the Councillors concerned will be heard.

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### **36. Motions in Writing**

- 36.1. The Chairperson may require that a complex or detailed motion be in writing.
- 36.2. Council may suspend Standing Orders while the motion is being written or Council may defer the matter until the motion has been written, allowing the Council Meeting to proceed uninterrupted.

### **37. Repeating Motion and/or Amendment of Motion**

The Chairperson may request the person taking the minutes of the Council Meeting to read the motion or amendment to the Council Meeting before the vote is taken.

### **38. Debate Must be Relevant to the Motion**

- 38.1. Debate must always be relevant to the motion before the Chair, and if not, the Chairperson must request the speaker to confine debate to the motion.
- 38.2. If, after being requested to confine debate to the motion before the Chair, the speaker continues to debate irrelevant matters, the Chairperson may direct the speaker to be seated and not speak further in respect of the motion then before the Chair.
- 38.3. A speaker to whom a direction has been given under clause 38.2 must comply with that direction.

### **39. Speaking Times**

A Councillor must not speak longer than the time set below, unless granted an extension by the Chairperson:

- 39.1. the mover of a motion or an amendment which has been opposed: five (5) minutes;
- 39.2. the amender of a motion that has been opposed: five (5) minutes;
- 39.3. the seconder of the motion: three (3) minutes;
- 39.4. any other Councillor: three (3) minutes; and
- 39.5. the mover of a motion exercising a right of reply: two (2) minutes.

### **40. Addressing the Council Meeting**

If the Chairperson so determines:

- 40.1. any person addressing the Chair may refer to the Chairperson as:
  - Mayor; or
  - Madam Mayor; or
  - Mr Mayor; or
  - Chair; or
  - Madam Chair; or
  - Mr Chair;as the case may be.

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40.2. all Councillors other than the Mayor, must be addressed as:

Councillor .....(surname).

40.3. all members of Council staff must be addressed as:

Mr, Ms, or Mrs .....(surname) as determined by the officer  
or by their official title.

#### **41. Foreshadowing Motions**

- 41.1. At any time during debate a Councillor may foreshadow a motion so as to inform Council of his or her intention to move a motion at a later stage in the Council Meeting, but this does not extend any special right to the foreshadowed motion.
- 41.2. A motion foreshadowed may be prefaced with a statement that in the event of a particular motion before the Chairperson being resolved in a certain way, a Councillor intends to move an alternative or additional motion.
- 41.3. The Chief Executive Officer or person taking the minutes of the Council Meeting is expected to record foreshadowed motions in the minutes, if sufficient detail of the foreshadowed motion is provided at the Council Meeting.
- 41.4. A foreshadowed motion may be considered directly after the debate and resolution of the original motion being considered. Additional motions not foreshadowed are to be considered in another section of the Agenda, (e.g. Other Business or Urgent Business).

#### **42. Right to Ask Questions**

- 42.1. Subject to clause 42.6, a Councillor may, at any time when no other Councillor is speaking, ask any question concerning or arising out of the motion or amendment before the Chairperson.
- 42.2. Questions are not to be asked between moving and seconding a motion, except to seek clarification on the motion moved.
- 42.3. Councillors must be seated after asking the questions and during any reply.
- 42.4. All questions must be directed to the Chairperson or to another Councillor through the Chairperson. The Chairperson, as he or she deems necessary, may direct any questions to the Chief Executive Officer, to answer or refer to the appropriate officer for response.
- 42.5. Questions are not to be asked after the right of reply and before the motion being voted upon.
- 42.6. The Chairperson has the right to disallow any question that does not specifically relate to the motion or amendment directly before it and to disallow any questions should they, in the reasonable opinion of the Chairperson, be considered irrelevant.

#### **43. Lost Motions**

If a motion is lost without a subsequent motion then being carried, it will not be automatically determined that the outcome is contrary to the lost motion. Councillors should therefore move a motion detailing further requirements or actions after any motion is lost.

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**Part 5: Procedural Motions**

**44. Procedural Motions**

- 44.1. Unless otherwise prohibited, a procedural motion may be moved at any time and must be dealt with immediately by the Chairperson.
- 44.2. Procedural motions require a seconder.
- 44.3. Notwithstanding any other provision in this Local Law, procedural motions must be dealt with in accordance with the table in Schedule 1.

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**Part 6: Points of Order**

**45. When Does a Point of Order Occur**

A point of order is taken when a Councillor officially draws the attention of the Chairperson of a Council Meeting to an alleged irregularity in the proceedings in accordance with clause 49.

**46. Chairperson to Decide**

The Chairperson must decide all points of order by stating the provision, rule, practice or precedent which he or she considers applicable to the point raised without entering into any discussion or comment.

**47. Chairperson may Suspend Standing Orders to Consider**

- 47.1. The Chairperson may suspend standing orders of the Council Meeting to consider a point of order but otherwise must rule on it as soon as it is raised.
- 47.2. All other questions before Council are suspended until the point of order is decided.
- 47.3. A Councillor may take a point of order by stating briefly the matter which is the subject of the point of order and if related to this Local Law by stating the clause or clauses that relate thereto.

**48. Dissent from Chairperson's Ruling**

- 48.1. A Councillor may move that the Council Meeting disagree with the Chairperson's ruling on a point of order, by moving:  
"That the Chairperson's ruling (setting out that ruling or part of that ruling) be dissented from"
- 48.2. When a motion in accordance with this clause is moved and seconded, the Chairperson must leave the Chair and a temporary Chairperson is appointed to take his or her place in accordance with clause 22.
- 48.3. The temporary Chairperson must invite the mover to state the reasons for his or her dissent and the Chairperson may then reply.
- 48.4. The temporary Chairperson must put the motion in the following form:  
"That the Chairperson's ruling be dissented from:"
- 48.5. If the vote is in the negative, the Chairperson resumes the Chair and the Council Meeting proceeds.
- 48.6. If the vote is in the affirmative, the Chairperson must then resume the Chair, reverse or vary (as the case may be) his or her previous ruling and proceed.
- 48.7. The defeat of the Chairperson's ruling is in no way a motion of censure or no confidence in the Chairperson, and should not be so regarded by the Council Meeting.



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**49. Procedure for Point of Order**

A Councillor raising a point of order must:

- 49.1. state the point of order; and
- 49.2. state any section, clause, paragraph or provision relevant to the point of order; before resuming his or her seat.

**50. Valid points of order**

A point of order may be raised in relation to:

- 50.1. a motion, which, under clause 26 should not be accepted by the Chairperson;
- 50.2. a question or procedure; or
- 50.3. any act of disorder;
- 50.4. rising to express a difference of opinion or to contradict a speaker is not a point of order.

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## Part 7: Voting

### 51. How a Motion is Determined

To determine a motion before a Council Meeting, the Chairperson must first call for those in favour of the motion and then those opposed to the motion, and must then declare the result to the Council Meeting.

### 52. Casting Vote

In the event of a tied vote, the Chairperson must exercise the casting vote in accordance with the Act.

### 53. By Show of Hands

Unless Council resolves otherwise, voting on any matter is by show of hands.

### 54. Procedure for a Division

- 54.1. Immediately after any question is put to a Council Meeting and before the next item of business has commenced, a Councillor may call for a division.
- 54.2. When a division is called for, the vote already taken must be treated as set aside and the division shall decide the question, motion or amendment.
- 54.3. When a division is called for, the Chairperson must:
  - 54.3.1. ask each Councillor wishing to vote in the affirmative to raise their hands, and then announce the names of these Councillors; and
  - 54.3.2. then ask each Councillor wishing to vote in the negative to raise their hands, and then announce the names of these Councillors.
- 54.4. The Chief Executive Officer or any Authorised Officer must record the names of those Councillors voting in the affirmative and in the negative, in the minutes of the meeting.
- 54.5. No Councillor is prevented from changing his or her original vote on the division, and the voting by division will determine whether the motion or amendment is carried or lost.
- 54.6. The Chairperson must announce the result of the vote immediately after the division is taken.

### 55. No Discussion Once Declared

Once a vote on a motion has been taken, no further discussion relating to the motion is allowed unless the discussion involves:

- 55.1. a Councillor requesting, before the next item of business is considered, that his or her opposition to a resolution be recorded in the minutes;
- 55.2. foreshadowing a Notice of Rescission where a resolution has just been made; and or a positive motion where a resolution has just been rescinded; or
- 55.3. foreshadowing a Notice of Rescission in which case what is foreshadowed must be noted in the minutes of the Council meeting.

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## Part 8: Rescinding Council Resolutions

### 56. Rescission of Council Resolutions

Resolutions of Council may be rescinded by following the procedures below:

- 56.1. A Councillor may propose a Notice of Rescission provided:
  - 56.1.1. the resolution proposed to be rescinded has not been acted on; and
  - 56.1.2. the Notice of Rescission must be received in writing to the Chief Executive Officer setting out:
    - 56.1.2.1. the resolution to be rescinded; and
    - 56.1.2.2. the meeting and date when the resolution was carried.
- 56.2. A Council officer may recommend rescission in their report to Council.
- 56.3. A resolution will be deemed to have been acted on if:
  - 56.3.1. its contents have, or substance has been formally communicated to, a person whose interests are materially affected by it; or
  - 56.3.2. a statutory process has been commenced so as to vest enforceable rights in or obligations on Council or any other person.
- 56.4. The Chief Executive Officer or an appropriate member of Council staff must defer implementing a resolution which:
  - 56.4.1. has not been acted on; and
  - 56.4.2. is the subject of a Notice of Rescission which has been delivered to the Chief Executive Officer in accordance with clause 56.1.2;unless deferring implementation of the resolution would have the effect of depriving the resolution of efficacy.

### 57. If Lost

If a Motion for Rescission is lost, a similar motion may not be put before Council for at least two (2) months from the date it was last lost, unless Council resolves that the Notice of Motion be re-listed at a future Council Meeting.

### 58. If Not Moved

If a Motion for Rescission is not moved at the Council Meeting at which it is listed, it lapses.

### 59. May be Moved by any Councillor

A Motion for Rescission listed on an Agenda may be moved by any Councillor present but may not be amended.

### 60. When Not Required

- 60.1. A Motion for Rescission is not required where Council wishes to change policy.
- 60.2. Any intention to change a Council policy must be included as a recommendation by Officers in their report to Council.

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- 60.3. If there is a recommendation for Council to adopt a new policy, the previous version of that policy must be revoked by resolution of Council.

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## Part 9: Minutes

### 61. Confirmation of Minutes

At every Council Meeting, the minutes of the preceding Council Meeting must be dealt with as follows:

- 61.1. a copy of the minutes must be given to each Councillor no later than 48 hours before the next Council Meeting;
- 61.2. if no Councillor indicates opposition, the minutes must be declared to be confirmed;
- 61.3. if a Councillor indicates opposition to the minutes:
  - 61.3.1. he or she must specify the item(s) to which he or she objects;
  - 61.3.2. the objected item(s) must be considered separately in the order in which they appear in the minutes and in accordance with clause 26;
  - 61.3.3. after all objections have been dealt with, the Chairperson ultimately asks: "That the minutes be confirmed"  
  
or  
  
That the minutes as amended, be confirmed"  
  
and he or she must put the question to the vote accordingly.
- 61.4. a resolution of Council must confirm the minutes and the minutes must, if practicable, be signed by the Chairperson of the Council Meeting at which they have been confirmed.
- 61.5. the confirmed minutes must be:
  - 61.5.1. placed in a bound book in chronological order and placed in a secure area until sent to the Public Record Office of Victoria; or
  - 61.5.2. stored electronically and backup copies retained securely in accordance with Council procedures.
- 61.6. the Chief Executive Officer (or other person authorised by the Chief Executive Officer to attend the Council Meeting and to take the minutes of such meeting) must keep minutes of each Council meeting and those minutes must record:
  - 61.6.1. the date, time and nature of the Council Meeting;
  - 61.6.2. the names of the Councillors present and the names of any Councillors who apologised in advance for their non-attendance;
  - 61.6.3. the names of members of Council staff present;
  - 61.6.4. any disclosure of an interest or a conflict of interest made by a Councillor;
  - 61.6.5. arrivals and departures (including temporary departures) of Councillors and Council staff during the course of the Council Meeting;

- 61.6.6. each motion, amendment moved and foreshadowed motions (including motions and amendments that lapse for the want of a seconder);
- 61.6.7. the vote cast by each Councillor upon a division;
- 61.6.8. the vote cast by any Councillor who has requested that his or her vote be recorded in the minutes;
- 61.6.9. questions upon notice;
- 61.6.10. the failure of a quorum;
- 61.6.11. any adjournment of the Council Meeting and the reasons for that adjournment; and
- 61.6.12. the time at which Standing Orders were suspended and resumed.

#### **62. No Debate on Confirmation of Minutes**

No discussion or debate on the confirmation of minutes is permitted except where their accuracy as a record of proceedings of the meeting to which they relate is questioned.

#### **63. Deferral of Confirmation of Minutes**

Council may defer the confirmation of minutes until later in the Council Meeting or until the next Council Meeting if considered appropriate.

#### **64. Records of Council Meetings**

Records should be kept of Council Meetings in accordance with the Act and clause 61.5.

#### **65. Recording of Meetings**

- 65.1. If Council resolves that the proceedings of a Council Meeting be recorded or broadcast, the Chief Executive Officer (or other person authorised by the Chief Executive Officer) must record or broadcast on suitable recording equipment all of the proceedings of the Council Meeting.
- 65.2. Subject to clause 65.1, a person must not operate any recording equipment at any Council Meeting without first obtaining the consent of Council or the Chairperson (as the case may be). Such consent may at any time during the course of such meeting be revoked by Council or the Chairperson (as the case may be).

**Penalty: 5 Penalty Units**

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## Part 10: Conduct at Council Meetings

### 66. Behaviour of Councillors

- 66.1. Having made a signed declaration stating they will abide by the Councillor Code of Conduct, Councillors must at all times observe the Councillor Code of Conduct.
- 66.2. A Councillor must not in any debate make any defamatory, indecent, abusive, offensive or disorderly statement or comment.
- 66.3. If such a statement is made, the Chairperson may require the Councillor to withdraw it and if that is required the Councillor concerned must immediately and unreservedly do so.
- 66.4. A Councillor must not be interrupted except by the Chairperson or upon a point of order being taken.
- 66.5. Except in cases of sickness or physical disability, a Councillor at any Meeting must stand when speaking.
- 66.6. The Chairperson may remain seated when speaking at any Meeting and he or she may speak on any matter under discussion.

### 67. Conduct of Visitors at Meetings

- 67.1. Visitors at a Meeting must not interject or take part in the debate.
- 67.2. Silence must be preserved by the gallery (other than by a person in the gallery who is invited to address the Meeting) at all times during a Meeting.
- 67.3. Any member of the public addressing Council must extend due courtesy and respect to Council and the processes under which it operates and must take direction from the Chairperson whenever called on to do so.

### 68. Chairperson may Remove

The Chairperson may order and cause the removal of any person, including a Councillor, who disrupts any Council Meeting or fails to comply with a direction.

### 69. Suspensions

Council may suspend from a portion of the Council Meeting, or for the balance of the Council Meeting, any Councillor whose actions have disrupted the business of Council at that Council Meeting, and have impeded its orderly conduct.

### 70. Offences

It is an Offence for:

- 70.1. a Councillor to not withdraw an expression considered by the Chairperson to be offensive or disorderly and apologise when called on twice by the Chairperson to do so;

**Penalty: 2 Penalty Units**

- 70.2. any person, not being a Councillor, who is guilty of any improper or disorderly conduct, to not leave the room when requested by the Chairperson to do so;

**Penalty: 5 Penalty Units**

- 70.3. any person to fail to comply with a direction of the Chairperson in relation to the conduct of the Council Meeting and the maintenance of order; or

**Penalty: 2 Penalty Units**

- 70.4. a Councillor to refuse to leave the Chamber on suspension.

**Penalty: 5 Penalty Units**

### **71. Chairperson may adjourn disorderly Council Meeting**

If the Chairperson is of the opinion that disorder at the Council table or in the gallery makes it desirable to adjourn the Council Meeting, he or she may adjourn the Council Meeting to a later time on the same day or to some later day as he or she thinks proper.

### **72. Removal from Chamber**

The Chairperson, or Council, in the case of a suspension, may ask the Chief Executive Officer or a member of the Victoria Police to remove from the Chamber any person who acts in breach of this Local Law and whom the Chairperson has ordered to be removed from the gallery under clause 70 of this Local Law or whom Council has suspended under clause 69 of this Local Law.

### **73. The Chairperson's Duties and Discretions**

In addition to the duties and discretions provided in this Local Law, the Chairperson:

- 73.1. must not accept any motion, question or statement which is derogatory, or defamatory of any Councillor, member of Council staff, or member of the community; and
- 73.2. must call to order any person who is disruptive or unruly during any Council Meeting.



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**Part 11: Suspension of Standing Orders**

**74. Suspension of Standing Orders**

- 74.1. The suspension of Standing Orders should be used to enable full discussion of any issue without the constraints of formal meeting procedures. Its purpose is to enable the formalities of meeting procedures to be temporarily disposed of while an issue is discussed.
- 74.2. Council may decide to suspend the Council Meeting to discuss the issues surrounding an item on the Agenda, or to facilitate a break in proceedings between ordinary and confidential items. Council may discuss in the Council Chamber or move to another room to discuss in private.
- 74.3. The suspension of standing orders should not be used purely to dispense with the processes and protocol of the government of Council. An appropriate motion would be:
- “That standing orders be suspended to enable discussion on...”
- 74.4. Once the discussion has taken place and before any motions can be put, the resumption of Standing Orders will be necessary. An appropriate motion would be:
- “That standing orders be resumed”.

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**Part 12: Public Question Time and Public Representations**

From time to time Council may adopt policies and procedures which allow for public submissions to be made and for questions from the public to be asked at Council Meetings. In the event that Council has resolved to adopt such policies or procedures, the processes outlined within them will be applied by the Chairperson.

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**Part 13: Miscellaneous**

**75. Procedure Not Provided in Local Law**

In all cases not specifically provided for by this Local Law, resort must be had to the Standing Orders and Rules of Practice of the Upper House of the Victorian Parliament (so far as the same are capable of being applied to Council proceedings).

**76. Criticism of Members of Council Staff**

- 76.1. A Councillor who proposes to express criticism of an officer or Council staff at a Meeting, must raise the matter by no later than six (6) hours before the Meeting with the Chief Executive Officer and the Chief Executive Officer must respond to that Councillor before the meeting.
- 76.2. The Chief Executive Officer may make a brief statement at a Council Meeting in respect of any statement by a Councillor made at the Council Meeting criticising him or her or any member of Council staff.
- 76.3. A statement under clause 76.2 must be made by the Chief Executive Officer, through the Chairperson, as soon as is practicable after the Councillor who made the statement has resumed his or her seat.

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**Part 14: Special Committees**

**77. Application Generally**

If Council establishes a Special Committee, for the purposes of this Local Law, a reference in this Local Law to:

- 77.1. a Councillor is to be read as a reference to a member of the Special Committee;
- 77.2. the Mayor is to be read as a reference to the Chairperson of the Special Committee.

**78. Application specifically**

Notwithstanding clause 77, if Council establishes a Special Committee:

- 78.1. Council may; or
- 78.2. the Special Committee may, with the approval of Council, resolve that any provision(s) of Parts 1 -11 is or are (as appropriate) not to apply, with the exclusion of provisions relating to Conflicts of Interest, which must be complied with, whereupon that provision or those provisions shall not apply until Council resolves, or the Special Committee with the approval of Council resolves, otherwise.

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**F: Certification of Local Law No. 3**

This is to certify that the above writing contained on 35 pages of paper is a true copy of the Local Law of the Corangamite Shire Council and that we have informed ourselves of the legislative requirements necessary to giving validity to such Local Law and as to our observance and belief that such requirements have been fulfilled.

We further certify that such Local Law came into force on the [date].

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**G: Council Adoption**

The Common Seal of )  
Corangamite Shire Council )  
was affixed in the presence of )

.....  
Chief Executive Officer

.....  
Date

Notices of the proposal to make and of the making of this Local Law were included in the Victorian Government Gazette dated \_\_\_\_\_\*.

Public Notice of the proposal to make and confirmation for the making of this Local Law were included on the Shire's website and Western District Newspapers the week commencing \_\_\_\_\_\*.

A copy of this Local Law was sent to the Minister for Local Government on \_\_\_\_\_\*.

**\* To be completed when adopted by Council**

## Schedule 1

Procedural Motion	Form	Mover and Secunder	Matter in respect of which motion may be moved	When motion prohibited	Effect if carried	Effect if lost	Debate permitted on motion
1. Adjournment of debate to later hours and/or date	That this matter be adjourned to *am/pm and/or *date	Any Councillor or Special Committee Member who has not moved or seconded the substantive motion or otherwise spoken to the substantive motion	Any matter	(a) During the election of a Chairperson; (b) When another Councillor is speaking	Motion and amendment is postponed to the stated time and/or date	Debate continues unaffected	Yes

MINUTES - ORDINARY MEETING OF COUNCIL 26 JULY 2016



Procedural Motion	Form	Mover and Seconder	Matter in respect of which motion may be moved	When motion prohibited	Effect if carried	Effect if lost	Debate permitted on motion
2. Adjournment of debate indefinitely	That this matter be adjourned until further notice	Any Councillor or Special Committee Member who has not moved or seconded the substantive motion or otherwise spoken to the substantive motion	Any matter except: (a) election of a chairperson (b) a matter in respect of which a call of the Council has been made for that Meeting	(a) During the election of a Chairperson; (b) When another Councillor or Member is speaking; (c) When the matter is one in respect of which a call of the Council has been made for that meeting in accordance with Section 85 of the Act; or (d) When the motion would have the effect of causing Council to be in breach of a legislative requirement	Motion and any amendment postponed but may be resumed at any later Council Meeting if on the Agenda	Debate continues unaffected	Yes
3. Adjournment of Meeting to later hour or date	That the Meeting be adjourned to *am/pm and/or *date	Any member	Any Meeting	(a) During the election of a Chairperson (b) When another member is speaking	Meeting adjourns immediately until the stated time and/or date	Debate continues unaffected	No



MINUTES - ORDINARY MEETING OF COUNCIL 26 JULY 2016



<b>Procedural Motion</b>	<b>Form</b>	<b>Mover and Seconder</b>	<b>Matter in respect of which motion may be moved</b>	<b>When motion prohibited</b>	<b>Effect if carried</b>	<b>Effect if lost</b>	<b>Debate permitted on motion</b>
4. The closure	That the motion be now put	Any Councillor who has not moved or seconded the substantive motion or otherwise spoken to the substantive motion	Any matter	During nominations for Chairperson	Motion or amendment in respect of which the closure is carried is put to the vote immediately without debate of this motion, subject to any Councillor exercising his or her right to ask any question concerning or arising out of the motion	Debate continues unaffected	No

Procedural Motion	Form	Mover and Seconder	Matter in respect of which motion may be moved	When motion prohibited	Effect if carried	Effect if lost	Debate permitted on motion
5. Laying question on the table	That the question lie on the table	Any Councillor who has not moved or seconded the substantive motion or otherwise spoken to the substantive motion	Any matter	(a) During the election of a Chairperson; (b) During a Council Meeting which is a call of the Council has been made for that meeting in accordance with section 85 of the Act; or (c) When the motion would have the effect of causing Council to be in breach of a legislative requirement	Motion and amendment is not further discussed or voted on until: (a) Council resolves to take the question from the table at the same Council Meeting; or (b) The matter is placed on a subsequent Agenda and Council resolves to take the question from the table	Debate continues unaffected	No

MINUTES - ORDINARY MEETING OF COUNCIL 26 JULY 2016



Procedural Motion	Form	Mover and Seconded	Matter in respect of which motion may be moved	When motion prohibited	Effect if carried	Effect if lost	Debate permitted on motion
6. Previous question	That the question be not now put	Any Councillor who has not moved or seconded the substantive motion or otherwise spoken to the substantive motion	Any matter except: (a) election of a chairperson (b) a matter in respect of which a call of the Council has been made for that Meeting	(a) During the election of a Chairperson; (b) When another Councillor is speaking; (c) When the matter is one in respect of which a call of the council has been made for that Council Meeting in accordance with section 85 of the Act; (d) When an amendment is before Council; or (e) When a motion would have the effect of causing Council to be in breach of a legislative requirement	(a) No vote or further discussion on the motion until it is placed on a subsequent Agenda for a later meeting; and (b) Proceed to next business	Motion (as amended up to that time) put immediately without further amendment or debate	Yes

Procedural Motion	Form	Mover and Seconded	Matter in respect of which motion may be moved	When motion prohibited	Effect if carried	Effect if lost	Debate permitted on motion
7. Proceeding to next business	<p>That the meeting proceed to the next business</p> <p>Note: This motion:</p> <p>(a) may not be amended;</p> <p>(b) may not be debated; and</p> <p>(c) must be put to the vote as soon as seconded</p>	Any Councillor who has not moved or seconded the substantive motion or otherwise spoken to the substantive motion	<p>Any matter except:</p> <p>(a) election of a chairperson</p> <p>(b) a matter in respect of which a call of the Council has been made for that Meeting</p>	<p>a) During the election of a Chairperson;</p> <p>(b) When another Councillor is speaking;</p> <p>(c) When the matter is one in respect of which a call of the council has been made for that Council Meeting in accordance with section 85 of the Act; or</p> <p>(d) When a motion would have the effect of causing Council to be in breach of a legislative requirement</p>	<p>If carried in respect of:</p> <p>(a) An amendment, Council considers the motion without reference to the amendment;</p> <p>(b) A motion – no vote or further discussion on the motion until it is placed on an Agenda for a later Council Meeting</p>	<p>Debate continues</p> <p>Unaffected</p>	No

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## 10.2 Public Halls Management Policy

**Author:** Jarrod Woff, Manager Facilities and Recreation

**File No:** D16/230

**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 Halls Management Policy as a guide to the funding and management arrangements for public halls located within the Corangamite Shire. The policy has been reviewed with minor changes recommended.

### Introduction

Corangamite Shire contributes to the operation of eight township public halls. The Halls Management Policy applies to township halls in Cobden, Derrinallum, Lismore, Port Campbell, Simpson, Skipton, Terang and Timboon, in addition to other rural halls 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.

### Issues

Corangamite Shire halls and community centres perform many functions. They are used for various cultural, recreational, sport and social activities. The halls and community centres provide public locations where members of our communities can gather for group activities, social support and public information and a community space which can contribute to the social fabric of our communities.

The Halls Management Policy defines the halls located throughout the Corangamite Shire as:

- Township Halls located in Cobden, Derrinallum, Lismore, Port Campbell, Simpson, Skipton, Terang and Timboon that provide general public access and are used for community purposes.
- Rural Halls located within Corangamite Shire that are not specified as a Township Hall but which provide general public access and are used for community purposes.

An update to the policy has been made to include an additional category of hall; Rural Halls that are owned by Council. This definition relates to the Berrybank and Ecklin Halls and identifies the management and financial arrangements for these facilities.

The Camperdown Theatre Royal is managed directly by Council with dedicated staff to operate the facility and its programs and as such is not included in this policy.

There is considerable burden on committee volunteers to monitor, maintain and upkeep their facilities with increasing utility and other operating costs. The majority of the local Committees of Management have limited revenue raising opportunities apart from hire use and fees. There are no changes recommended to the financial contribution percentages allocated to the halls.

### **Policy and Legislative Context**

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

The Halls 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**

An in depth service review of Council's halls and their operations was undertaken in 2015 to advise on hall operations and inform the Halls Management Policy.

Each of the hall committees were advised of the Halls Management Policy review and provided information for the review.

### **Financial and Resource Implications**

The Halls Management Policy recommends Council allocate a financial contribution as a part of its recurrent budget to assist hall committees with managing their facilities. The contribution from Council has been reduced by \$10,000 as a result of the introduction of rate capping. Council allocated approximately \$171,000 as a part of its recurrent budget to halls in 2015-2016, this will be adjusted to \$161,000 in 2016-2017. This service level reduction will be managed as a part of Council's maintenance budget. Allocations to hall committees will remain at the same level as per previous years.

### **Options**

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

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**Conclusion**

Halls and community centres continue to provide a number of benefits for their communities. They are used for various cultural, recreational, sport and social activities and provide public locations for members of our communities to gather for group activities, social support and public information.

The hall committees play an important role in ensuring these community facilities are utilised, maintained and managed in accordance with community needs. The review of Councils Public Halls Management Policy recommends a continuation of the support provided to the hall operations and outlines the management responsibilities of both Council and the committees.

**RECOMMENDATION**

**That Council:**

- 1. Revokes Halls Management Policy Adopted June 2013.**
- 2. Adopts the Halls Management Policy dated July 2016.**

**COUNCIL RESOLUTION**

***MOVED: Cr Trotter***

***SECONDED: Cr Oakes***

**That the recommendation be adopted.**

**CARRIED**

**Attachments**

1. Policy Public Halls Management 26 July 2016
2. Policy Public Halls Management 26 July 2016 with track changes - Under Separate Cover



**CORANGAMITE  
SHIRE**

# **Public Halls Management Policy**

**Corangamite Shire**

July 2016



# Council Policy



## Public Halls Management Policy

### Introduction

Public Halls provide a community space which can contribute to the social fabric of our communities. Quality facilities provide an opportunity for residents and visitors to participate in a wide range of social, recreational and cultural activities.

### Purpose

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

### Scope

This policy applies to township halls in Cobden, Derrinallum, Lismore, Port Campbell, Simpson, Skipton, Terang and Timboon and other rural halls 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 Camperdown Theatre Royal and Killara Community Centre as this facility is managed directly by Council.

This policy provides direction to Council consistent with current arrangements and may need to be reviewed, subject to circumstances.

### Definitions

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

'Rural Hall' – a hall or community centre located within Corangamite Shire that is not specified as a 'Township Hall' but which provides general public access and is used for community purposes.

'Rural Hall – Council Owned' – a hall or community centre located within Corangamite Shire that is not specified as a 'Township Hall' but which provides general public access, is used for community purposes and is owned by Corangamite Shire Council.

'Township Hall' – a hall or community centre located in Cobden, Derrinallum, Lismore, Port Campbell, Simpson, Skipton, Terang and Timboon and which provides general public access and are used for community purposes.

### Policy Detail

#### Township Halls

1. Council will allocate an amount for each township hall 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:

<b>1</b>	<b>Category 1</b>	<b>Funding Allocation</b>
	Cobden Civic	23%
	Timboon Hall	23%
	Terang Civic	23%
<b>2</b>	<b>Category 2</b>	<b>Funding Allocation</b>
	Simpson Hall	6%
	Skipton Mechanics Institute	6%
	Derrinallum Public Hall	6%
	Lismore Community Centre	6%
	Port Campbell Community Centre	6%

2. Council will provide a contribution for maintenance as a part of its recurrent budget which will be allocated according to the asset condition assessment, demonstrated need, financial capability and budget parameters.
3. Council will maintain building and contents (limited) insurance for the buildings.
4. Council will provide public liability insurance cover for otherwise uninsured casual hirers of halls (conditions apply).
5. Council will maintain costs for all property rates and charges.
6. Township Hall Committees will be responsible for all operational expenses outside those costs to be met by Council as identified above including phone, gas, electricity and water.
7. Township Hall Committees will retain all income received through the hire of the facility.
8. Township Hall Committees will co-ordinate hiring of the facility and will ensure that all hiring arrangements are appropriately documented.
9. Council and Township Hall Committees will be collectively responsible for sound asset planning and implementation of facility improvements in accordance with annual budget priorities and external funding opportunities.
10. Township Hall Committees will be invited to apply to Council's Facilities Grants Program each year for minor infrastructure works or related projects.

**Rural Halls**

1. Rural Hall Committees will be responsible for all day to day operational and maintenance costs.
2. Rural Hall Committees will be invited to apply to Council's Facilities Grants Program each year for minor infrastructure works or related projects.
3. Council will maintain building and contents (limited) insurance for the buildings.
4. Council will provide public liability insurance cover for otherwise uninsured casual hirers of halls (conditions apply).

**Rural Halls – Council Owned**

1. Rural Hall – Council Owned Committees will be responsible for all day to day operational and maintenance costs including utility costs.
2. Rural Hall – Council Owned Committees will be responsible for all capital costs.

3. Rural Hall – Council Owned 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 public liability insurance cover for otherwise uninsured casual hirers of halls (conditions apply).
6. Rural Hall – Council Owned Committees will retain all income received through the hire of the facility.
7. Rural Hall – Council Owned Committees will co-ordinate hiring of the facility and will ensure that all hiring arrangements are appropriately documented.
8. Council will provide an annual operating allocation and/or service support consistent with current arrangements to assist with facility operations, subject to Council’s annual budget and evidence of ongoing facility use.

Facility	Operating Allocation	Electricity
Berrybank Hall	Nil	Nil
Ecklin Hall	Yes	Nil

**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)*.

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## 10.3 Corangamite Shire Recreation and Open Space Strategy 2016-2026

**Author:** Jarrod Woff, Manager Facilities and Recreation

**File No:** D16/478

**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 provides background to the development of the draft Recreation and Open Space Strategy 2016-2026 and seeks approval of the strategy to be released for public consultation.

### **Introduction**

Corangamite Shire's Recreation and Open Space Strategy 2010-2015 has informed and directed the provision of recreation and open space over the past five years. The plan has been embraced and majority of actions delivered, including facility upgrades and improvements, development of policy and support of clubs and committees.

Council identified the need to develop a new strategy to inform and direct the delivery of recreation facilities and programs, identify public open space current and future uses and management of these areas across the Shire beyond 2015.

The Recreation and Open Space Strategy 2016-2026 is a critical strategic planning document that has been developed to direct Council on the current and future sport, recreation and general open space needs and opportunities for the community.

The strategy has been developed as a 10 year strategic plan which primarily references and concentrates on three key areas being Facilities, Open Space and Recreation Participation.

### **Issues**

Sport, recreation and the natural environment form an integral part of the Corangamite Shire culture and are recognised as an important part of a well-balanced lifestyle.

Sport, recreation and public open space provides a range of benefits to communities; it is an important resource for social interaction, rest and recuperation and an area for pursuing healthy activities. Benefits to the community include positive health and wellbeing outcomes, child development through play, improvement of physical fitness and community cohesion.

The objectives of the Recreation and Open Space Strategy 2016-2026 are to:

- Review Corangamite Shire's strategic direction for recreation and open space for the next ten years.
- Audit and analyse the current scope and quality of recreation services provided by Council and other stakeholders in Corangamite.
- Determine recreational needs for Corangamite for the next 10 years.
- Provide a framework that will assist Council to prioritise projects, activities and funding programs for the next 10 years.
- Develop an annual action plan of activities to deliver on Corangamite Shire's Recreation and Open Space Strategy.
- Gain a greater understanding of key issues and concerns of the community and other stakeholders in relation to recreation and open space in Corangamite.

The project has developed the following two key products:

1. A scoping paper, to:
  - a. Identify existing recreation services provided by Council, local clubs and organisations, other Governments and agencies, and what is successful and what needs improvement.
  - b. Map sport and recreation facilities and public open space across the Shire and identify the purpose for which it is being used.
  - c. Consult and engage with community and key stakeholders.
  - d. Develop a discussion paper which details the key issues and opportunities identified through consultation with the community and stakeholders.
2. Corangamite Shire's Draft Recreation and Open Space Strategy 2016-2026, to provide:
  - a. Strategic analysis of current recreation service and infrastructure provision, emerging trends, challenges, gaps and opportunities.
  - b. A key action plan for Sport and Recreation Facilities and active participation programming.

A significant amount of community consultation has been undertaken for this project including resident surveys, school activities and surveys, sport and recreation forums, face to face interviews with staff, phone interviews with peak sporting bodies and 'pop up' sessions in townships including Camperdown, Lismore, Port Campbell, Terang and Timboon.

The information provided through the consultation, coupled with a literature review, demographic and leisure trend analysis and audit of recreation and open space provision, has been used to develop the Draft Recreation and Open Space Strategy 2016-2026.

The Draft Recreation and Open Space Strategy 2016-2026 process has identified the following key findings:

***Community trends***

Corangamite Shire has an ageing population, with only a slight population increase projected over the next 20 years. The sport playing age cohorts across the Shire (0-59 years) are projected to decline significantly over the next 20 years. Further, there are significant variations in the age structures of the local communities across Corangamite. The strategy outlines Council should target its recreation programs and community engagement activities accordingly.

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***Facility provision***

For its size and location, Corangamite has a more than adequate supply of recreation facilities and open space areas. There are some deficits that have been identified and potentially, some areas of oversupply (football/cricket ovals, halls, tennis courts, outdoor pools). These deficits and potential oversupply are addressed in the strategy. Generally, the facilities and open space areas are maintained in a reasonable to good condition.

There is a wide range of natural features in the Corangamite Shire, such as lakes, trails and mounts that provide opportunity for residents to be active and the strategy outlines ways to achieve this.

***Participation***

Council is experiencing similar trends in recreation participation to other councils across Victoria. Participation in casual sporting pursuits such as social bowls is increasing, whilst competition tennis is seeing a decline. In addition, continued growth in organised, informal recreation activities is being experienced. AFL, cricket and netball remain relatively strong, whilst basketball and soccer is growing. A number of barriers to participation have been identified and acknowledged as a part of the Recreation and Open Space Strategy.

***Issues for local providers***

Corangamite Shire is experiencing significant challenges with respect to its ability to fund program and capital renewal and development projects. These challenges include rate capping, legislative change which can make facility construction costlier and growing community expectations about access to services and the quality of local recreation facilities and open space areas.

A number of issues are facing local providers of recreation, including the attraction and retention of volunteers, increases to running costs such as utilities, managing risk, changing demographics and maintaining and renewing facilities to accommodate the changing landscape.

The Recreation and Open Space Strategy 2016-2026 has outlined a range of actions for Council to undertake to address the findings.

**Policy and Legislative Context**

The development of the Recreation and Open Space Strategy 2016-2026 aligns with Corangamite Shire's 2013-2017 Municipal Public Health and Wellbeing Plan, as well as the 2013-2017 Council Plan strategies to:

Encourage the development of tourist products and infrastructure e.g. trails, routes, packages

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

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

Expand pedestrian and cycle network which provide greater connectivity, safety, social inclusion and healthy lifestyle

The strategy is also consistent with the Great South Coast Strategic Plan to:

Provide better access for rural communities and disadvantaged groups to employment, recreational and educational facilities

Enhance the quality and increase the use of community and sporting assets and open space areas in rural communities

### Internal / External Consultation

A Project Steering Committee has overseen the development of this strategy with membership from a broad range of stakeholders, including Council, Sport and Recreation Victoria, South West Primary Care Partnership and South West Sport.

A significant amount of community consultation has been undertaken for this project, as outlined in the table below.

Consultation Method	Location	#
Face to Face Interviews	Council Departments, Youth Council	15
Surveys	Residents, Primary Schools, Secondary Schools, Clubs	350
Recreation Forums	Camperdown, Lismore and Timboon	30
Telephone Interviews	Peak Sporting Bodies	12
Town Pop-Up Sessions	Camperdown, Lismore, Port Campbell, Terang, Timboon	100

### Financial and Resource Implications

Council has committed \$30,000 to the development of the Recreation and Open Space Strategy 2016-2026. An additional \$30,000 was secured through a successful application to the Victorian Governments *2015/2016 Community Facility Funding Program - Planning Category*.

Submissions for this project were sought and ASR Research was appointed to undertake the development of the new strategy in February 2016. The consultant is on track to deliver the project within the budget.

### Options

Council has the option to endorse the Draft Recreation and Open Space Strategy 2016-2026 and release the strategy for public comment, or Council can seek further information and changes to the Draft Recreation and Open Space Strategy 2016-2026 prior to releasing the strategy for public comment.

### Conclusion

Sport, recreation and the natural environment form an integral part of the Corangamite Shire culture and are recognised as an important part of a well-balanced lifestyle. Sport, recreation and public open space provides a range of benefits to our communities. The Recreation and Open Space Strategy 2016-2026 is a critical strategic planning document that will direct Council on the current and future sport, recreation and general open space needs and opportunities for the community. The strategy has been developed following a significant amount of community consultation, literature review, demographic and leisure trend analysis and audit of recreation and open space provision across the Corangamite Shire.

The strategy will provide Council with a 10 year strategic plan and is now ready to be released as a draft strategy for community feedback.

## RECOMMENDATION

That Council approves the Draft Recreation and Open Space Strategy 2016-2026 to be released for public consultation for the period 27 July to 12 August 2016.

## COUNCIL RESOLUTION

**MOVED:**            *Cr Gstrein*

**SECONDED:**      *Cr Trotter*

That the recommendation be adopted.

**CARRIED**

## Attachments

1. Corangamite Recreation and Open Space Strategy FINAL DRAFT 26 July 2016 - Under Separate Cover



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## 10.4 Community and Facility Grant Funding 2016-2017

**Author:** Angela Northcott, Recreation Development Officer

**File No:** D16/479

**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.

Director Works and Services – Brooke Love

In providing this advice to Council as the Director Works and Services, I have an indirect interest due to conflict of duty, as I hold an executive position with the Carpendeit Public Hall Committee of Management.

Author – Angela Northcott

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

### Summary

The purpose of this report is to approve the allocation of funds for Council's 2016-2017 community and facility grants program.

### Introduction

Council's 2016-2017 funding program includes the community grants and facility grants categories. Applications to both of these programs closed 17 June 2016.

The purpose of the program is to provide financial assistance to committees of management and community groups located in Corangamite Shire for facility improvements, workshops, equipment purchases or development of new community, leisure or recreational programs.

The community grants category provides funding up to and not exceeding \$1,000 per project on a \$ for \$ funding basis.

The facility grants category provides funding up to and not exceeding \$2,000 per project on a \$ for \$ funding basis.

### Issues

#### ***Community Grants***

##### Purpose

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

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

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

- community development activities
- community events
- cultural activities
- initiatives that address social disadvantage
- cultural acquisitions (one off only funding).

#### Eligibility

The scheme is open to community groups operating within the Corangamite Shire. These include, but are not limited to:

- youth groups
- self support groups
- health and welfare organisations
- cultural and recreational organisations
- charitable organisations
- information service providers
- church groups
- other community based organisations deemed eligible.

To be eligible for funding the applicant must:

- be an incorporated body
- be a non-profit organisation
- deliver projects within the physical boundaries of Corangamite Shire
- have an ABN or must be auspiced by an organisation that has an ABN.

#### Criteria

The assessment criteria for the community grants category is outlined below:

- What will you use Council's funding for?
- Who will benefit?
- Ability to attract other public funds.
- Is funding required or can applicant fund themselves?
- Previous Council support.
- Project planning.

#### Applications

In the community grants category 41 grant submissions were received from 36 organisations with a total application for funds of \$36,727. This was a decrease from 57 grant submissions in 2015-2016 with a total application for funds of \$46,878.

Many of the applications mentioned the impact on the community from the reduction in farm gate milk prices and how the funding will be used to assist farming families.

An initial review of the applications deemed the following two community grant applications eligible under the facility grants category:

1. Terang and District Historical Society - Reverse cycle air conditioner
2. Camperdown Bowling Club - Concrete surrounds of greens.

These applications were referred and evaluated under the facility grants category.

The following two applications were deemed ineligible for funding:

1. Cobden and District Health Service - Diabetes Program
2. Cobden and District Health Service - Road to Wellness Program.

These applications were deemed ineligible as they are projects 'considered the responsibility of other authorities' as per the program guidelines.

The following five applications were referred from the facility grants category for consideration in the community grants category:

1. Camperdown Golf Bowls Club - Mats and kitty
2. Camperdown Uniting Church - Portable PA system
3. Camperdown Bushwalking Club - GPS
4. Simpson and District Community Centre - Flagpole
5. Derrinallum Bowling Club - Kitchen equipment.

These applications were referred and evaluated under the community grants category.

A total of 42 applications were evaluated based on the community grants assessment criteria. Results of these evaluations were ranked from highest to lowest to provide the recommendation for groups to be funded.

The total amount of funding being recommended in the community grants category is \$36,727, resulting in a surplus of \$13,273 from the \$50,000 budget allocation for community grants in 2016-2017.

### ***Facility Grants***

#### Purpose

The aim of the facility grants category is to provide financial assistance to Committees of Management to assist with facility improvements.

The facility grants category provides funding up to and not exceeding \$2,000 per project on a \$ for \$ funding basis.

#### Eligibility

To be eligible for the facility grants category, applicants must be:

- Recreation Reserve Committees of Management delegated by Department of Environment, Land, Water and Planning (DELWP), Council or a Trust managing facilities located in Corangamite Shire.
- Hall Committees of Management delegated by DELWP, Council or a Trust managing facilities located in Corangamite Shire.
- Clubs or organisations whose primary function is located in the Corangamite Shire and who have support from the management committee.

#### Criteria

The assessment criteria for the facility grants category is outlined below:

- Is there a demonstrated need for the project?
- Who will benefit from the project?
- Previous financial assistance from Council?
- Is Council funding required or can the applicant fund the project themselves?
- Is the project supported by a clear and accurate budget, including quotes and information regarding in kind contributions?
- How does the project link with the facilities future plans?
- What planning has been undertaken in relation to the project?

### Applications

In the facility grants category 51 submissions were received from 45 organisations with a total application for funds of \$75,944. This was a decrease from 64 submissions in 2015-2016 with a total application for funds of \$102,587.

An initial review of the applications deemed the following five applications eligible under the community grants category and were referred for consideration:

1. Camperdown Golf Bowls Club - Mats and Kitty
2. Camperdown Uniting Church - Portable PA system
3. Camperdown Bushwalking Club Inc - GPS
4. Simpson and District Community Centre - Flagpole
5. Derrinallum Bowling Club - Kitchen equipment.

The following Two applications were referred from the community grants category to the facility grants category for consideration:

1. Terang and District Historical Society - Reverse Cycle Air Conditioner
2. Camperdown Bowling Club - Concrete surrounds of greens.

Further review of facility grant applications ruled out all applications for multiple projects at the same facility. The priority project for facilities with more than one application was reviewed in the evaluation process. This meant 40 applications were considered with total funding requested equalling \$63,072. This is \$13,072 greater than the \$50,000 allocation in the 2016-2017 budget.

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

The project evaluation has identified a total funding allocation of \$49,143 to 31 facility grant applications, within the budget provision.

Council's budget allocation for the 2016-2017 grants program is \$100,000. If Council opt to use the surplus funds from the community grants category, all eligible facility grants can be funded to a total of \$99,799.

### **Policy and Legislative Context**

The funding programs align with Council's Plan through the following objectives:

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

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

Ensure appropriate land use and development outcomes which make Corangamite more liveable.

The proposed funding allocations for both grant categories were determined in accordance with the program guidelines including:

- the number of applications and funds sought
- the organisation's contribution or capacity to contribute
- the assessment criteria.

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### **Internal/External Consultation**

Applications for the program were invited via public notices in The Warrnambool Standard, each of the Western District Newspapers and community newsletters at the commencement of the funding program. In addition, application forms and guidelines were mailed or emailed directly to all hall and reserve committees of management, clubs and organisations and a reminder public notice in each of the Western District Newspapers and community newsletters prior to applications closing.

Applicants for the grants program were invited to discuss their project/application with Council's Recreation Development Officer.

Committees intending to submit multiple applications in the facility grants category were advised of the requirement to outline the preferred project or priority for their facility on the application form. Committees were also advised to confirm endorsement of projects from the Hall/Reserve Committee of Management where applications were submitted by resident groups of that facility.

A review of community grant applications was undertaken by Council's Manager Community Relations and Director Corporate and Community Services to identify any organisations with outstanding acquittals through Council funding programs.

### **Financial and Resource Implications**

Council allocated \$100,000 to these funding schemes in the 2016-2017 budget.

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

In total 92 grant submissions were received for both the facility and community grant categories with a total application for funds of \$112,672. It is recommended 82 applications (40 facility grant and 42 community grant projects) be funded at a total cost of \$99,799, comprising of \$63,072 to the facility grants category and \$36,727 to the community grants category.

### **Options**

Council may consider the following options for allocation of funds under the funding program:

1. Allocate funds of \$36,727 to community grant applicants and fund projects outlined in 'Attachment Community Grants Project Submission Summary 2016 2017'.
2. Allocate funds of \$49,144 to facility grant applicants and fund projects outlined in 'Attachment Facility Grants Project Submission Summary 2016 2017'.
3. Re-evaluate grant applications and consider funding alternative projects.
4. Or as recommended, allocate funds of \$36,727 to community grant applicants, funding all eligible projects and allocate surplus funds of \$13,072 to provide a total of \$63,072 to the facility grants category, funding all remaining eligible projects.

### **Conclusion**

Council's grants program provides financial assistance to committees of management and community groups located in Corangamite Shire with facility improvements, workshops, equipment purchases or development of new community, leisure or recreational programs.

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

## RECOMMENDATION

That Council:

1. Allocates funds of \$1,550 to the following community grants applicants:

COMMUNITY GRANTS	
ORGANISATION	AMOUNT
Camperdown Lions Club	\$550
Lions Club Skipton Community Shop	\$1,000
	\$1,550

2. Allocates funds of \$35,177 to the following community grant applicants:

COMMUNITY GRANTS	
ORGANISATION	AMOUNT
Camperdown & District Historical Society Inc	\$861
Camperdown and District Community House	\$1,000
Camperdown Bushwalking Club Inc	\$325
Camperdown Golf Bowls Club	\$862
Camperdown Pastoral & Agricultural Society	\$1,000
Camperdown Uniting Church	\$1,000
Camperdown Uniting Church	\$1,000
Cobden Bowling Club Inc	\$997
Cobden Kindergarten Committee	\$1,000
Cobden Technical School	\$1,000
Corangamite Film Society	\$1,000
Derrinallum Bowling Club	\$208
Derrinallum Progress Association	\$335
Keilambete Music Club	\$1,000
Kennedys Creek Hall Committee	\$1,000
Lochard Pony Club	\$1,000
Lochard Pony Club	\$1,000
Mount Elephant Committee of Management	\$508
Noorat and District Agricultural and Pastoral Society	\$1,000
Noorat Residents Association	\$500
Port Campbell Community Group Inc	\$1,000
Progressing Cobden Inc for Cobden Business Network	\$1,000
Progressing Cobden Inc for Cobden Business Network	\$1,000
Quota International of Cobden Inc	\$600
Rotary Club of Camperdown	\$1,000
Shine Life Church	\$1,000
Simpson & District Community Centre	\$1,000

Simpson & District Community Centre	\$528
Skipton Playgroup	\$953
Skipton Primary School	\$1,000
South Western District Restoration Group	\$1,000
Terang Athletic Club Inc	\$1,000
Terang Progress Association	\$1,000
Terang RSL	\$1,000
Timboon Action Inc.	\$1,000
Timboon Action Inc.	\$1,000
Timboon Kinder Committee	\$1,000
Warrnambool Pipes and Drums	\$1,000
Weerite Public Hall	\$500
Yachting Western Victoria	\$1,000
	\$35,177

3. Allocates surplus community grant funding of \$13,273 to the facility grants category.
4. Allocates funds of \$63,072 to the following facility grant applicants:

<b>FACILITY GRANTS</b>	
<b>ORGANISATION</b>	<b>AMOUNT</b>
1st Cobden Scout Group	\$2,000
1st Timboon Scout Group	\$2,000
Camperdown & District Community House	\$1,640
Camperdown Bowls Club Inc	\$2,000
Camperdown Pastoral and Agricultural Society	\$2,000
Camperdown Timboon Rail Trail Committee	\$2,000
Carpendeit Public Hall & Recreation Reserve	\$1,472
Cobden Aero Club	\$869
Cobden Civic Hall Committee of Management	\$2,000
Cobden Football Netball Club	\$2,000
Cobden Olympic Basketball Association	\$1,134
Cobden Rotary Club	\$1,922
Corangamite District Girl Guides	\$951
Corangamite Recreation Clubrooms	\$1,199
Darlington Mechanics Hall and Recreation Reserve	\$522
Dixie Hall and Tennis Court Reserve Committee of Management	\$1,800
Emu Creek Pony Club	\$1,717
Emu District Scout Association	\$2,000
Heytesbury Pony Club	\$2,000
Kennedys Creek Hall Committee	\$2,000
Lake Elingamite Committee of Management	\$1,047
Lismore Memorial Bowling Club	\$1,250
Noorat Agricultural and Pastoral Society	\$1,010

Port Campbell Recreation Reserve Committee of Management	\$2,000
Port Campbell Rifle Club	\$1,930
Power Creek Reserve Committee	\$2,000
Prinetown Cricket Club	\$2,000
Red Hill Public Hall Committee	\$512
Scotts Creek Recreation Reserve Committee	\$357
South Beach Committee of Management	\$2,000
South Western District Restoration Group	\$2,000
South Western District Scout Association	\$1,035
Terang Adult Riding Club	\$1,500
Terang and District Historical Society	\$1,000
Terang Civic Centre Committee	\$2,000
Terang Public Park Reserve Committee	\$2,000
Timboon Recreation Reserve Committee of Management	\$1,205
Vite Vite North Hall	\$1,000
Weerite Public Hall	\$2,000
Wiridjil Playgroup	\$2,000
	<b>\$63,072</b>

Cr W. Oakes declared a direct conflict of interest in Agenda item 10.4 and left the meeting prior to discussion and vote involving the relevant matter at 7.57 pm.

## COUNCIL RESOLUTION

**MOVED:** *Cr Gstrein*

**SECONDED:** *Cr Trotter*

That Council Allocates funds of \$1,550 to the following community grants applicants:

COMMUNITY GRANTS	
ORGANISATION	AMOUNT
Camperdown Lions Club	\$550
Lions Club Skipton Community Shop	\$1,000
	<b>\$1,550</b>

**CARRIED**

Cr W. Oakes returned to the meeting at 7.59 pm.

Cr G. Smith declared an indirect conflict of interest by conflicting duty in Agenda item 10.4 and left the meeting prior to discussion and vote involving the relevant matter at 7.59 pm.



**COUNCIL RESOLUTION****MOVED:** *Cr Trotter***SECONDED:** *Cr Gstrein*

That Council allocates funds of \$508 to the following community grant applicant:

<b>COMMUNITY GRANTS</b>	
<b>ORGANISATION</b>	<b>AMOUNT</b>
Mount Elephant Committee of Management	\$508
	\$508

**CARRIED**

Cr G. Smith returned to the meeting at 8.00 pm.

**COUNCIL RESOLUTION****MOVED:** *Cr Gstrein***SECONDED:** *Cr Oakes*

That Council:

1. Allocates funds of \$34,669 to the following community grant applicants:

<b>COMMUNITY GRANTS</b>	
<b>ORGANISATION</b>	<b>AMOUNT</b>
Camperdown & District Historical Society Inc	\$861
Camperdown and District Community House	\$1,000
Camperdown Bushwalking Club Inc	\$325
Camperdown Golf Bowls Club	\$862
Camperdown Pastoral & Agricultural Society	\$1,000
Camperdown Uniting Church	\$1,000
Camperdown Uniting Church	\$1,000
Cobden Bowling Club Inc	\$997
Cobden Kindergarten Committee	\$1,000
Cobden Technical School	\$1,000
Corangamite Film Society	\$1,000
Derrinallum Bowling Club	\$208
Derrinallum Progress Association	\$335
Keilambete Music Club	\$1,000
Kennedys Creek Hall Committee	\$1,000
Lochard Pony Club	\$1,000
Lochard Pony Club	\$1,000
Noorat and District Agricultural and Pastoral Society	\$1,000
Noorat Residents Association	\$500
Port Campbell Community Group Inc	\$1,000

Progressing Cobden Inc for Cobden Business Network	\$1,000
Progressing Cobden Inc for Cobden Business Network	\$1,000
Quota International of Cobden Inc	\$600
Rotary Club of Camperdown	\$1,000
Shine Life Church	\$1,000
Simpson & District Community Centre	\$1,000
Simpson & District Community Centre	\$528
Skipton Playgroup	\$953
Skipton Primary School	\$1,000
South Western District Restoration Group	\$1,000
Terang Athletic Club Inc	\$1,000
Terang Progress Association	\$1,000
Terang RSL	\$1,000
Timboon Action Inc.	\$1,000
Timboon Action Inc.	\$1,000
Timboon Kinder Committee	\$1,000
Warrnambool Pipes and Drums	\$1,000
Weerite Public Hall	\$500
Yachting Western Victoria	\$1,000
	\$34,669

2. Allocates surplus community grant funding of \$13,273 to the facility grants category.
3. Allocates funds of \$63,072 to the following facility grant applicants:

<b>FACILITY GRANTS</b>	
<b>ORGANISATION</b>	<b>AMOUNT</b>
1st Cobden Scout Group	\$2,000
1st Timboon Scout Group	\$2,000
Camperdown & District Community House	\$1,640
Camperdown Bowls Club Inc	\$2,000
Camperdown Pastoral and Agricultural Society	\$2,000
Camperdown Timboon Rail Trail Committee	\$2,000
Carpentait Public Hall & Recreation Reserve	\$1,472
Cobden Aero Club	\$869
Cobden Civic Hall Committee of Management	\$2,000
Cobden Football Netball Club	\$2,000
Cobden Olympic Basketball Association	\$1,134
Cobden Rotary Club	\$1,922
Corangamite District Girl Guides	\$951
Corangamite Recreation Clubrooms	\$1,199
Darlington Mechanics Hall and Recreation Reserve	\$522
Dixie Hall and Tennis Court Reserve Committee of Management	\$1,800
Emu Creek Pony Club	\$1,717
Emu District Scout Association	\$2,000

Heytesbury Pony Club	\$2,000
Kennedys Creek Hall Committee	\$2,000
Lake Elingamite Committee of Management	\$1,047
Lismore Memorial Bowling Club	\$1,250
Noorat Agricultural and Pastoral Society	\$1,010
Port Campbell Recreation Reserve Committee of Management	\$2,000
Port Campbell Rifle Club	\$1,930
Power Creek Reserve Committee	\$2,000
Princetown Cricket Club	\$2,000
Red Hill Public Hall Committee	\$512
Scotts Creek Recreation Reserve Committee	\$357
South Beach Committee of Management	\$2,000
South Western District Restoration Group	\$2,000
South Western District Scout Association	\$1,035
Terang Adult Riding Club	\$1,500
Terang and District Historical Society	\$1,000
Terang Civic Centre Committee	\$2,000
Terang Public Park Reserve Committee	\$2,000
Timboon Recreation Reserve Committee of Management	\$1,205
Vite Vite North Hall	\$1,000
Weerite Public Hall	\$2,000
Wiridjil Playgroup	\$2,000
	\$63,072

**CARRIED**

**Attachments**

1. Attachment Facility Grants Project Submission Summary 2016-2017 - Under Separate Cover
2. Attachment Community Grants Project Submission Summary 2016-2017 - Under Separate Cover

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## 10.5 Environment Support Fund 2016 2017

**Author:** James Watson, Environment Project Officer

**File No:** D16/460

**Previous Council Reference:**

### Declaration

Chief Executive Officer – Andrew Mason

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

Author - James Watson

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

### Summary

The purpose of this report is to provide Council with recommendations for the allocation of \$30,000 funding through the Environment Support Fund.

### Introduction

The Environment Support Fund offers grants of up to \$2,000 matching funding for community groups, schools, organisations and individuals to undertake environmental and sustainability projects within Corangamite Shire. The program aims to produce on-ground outcomes on public and private land and foster environmental awareness and behaviour change. For the previous three years, applications from groups for projects to reduce energy and water use at community facilities have also been accepted under this funding program. Council has provided an allocation of \$30,000 for the Environment Support Fund in the 2016-2017 Budget.

### Issues

Applications for the 2016-2017 funding round opened 20 April 2016 and closed 17 June 2016. A total of 20 applications were received, with applicants requesting Council funding of \$35,802. Applicants also pledged to provide an additional \$42,430 of in-kind contributions and \$33,070.80 in cash towards projects.

Each application was evaluated by the assessment panel against the criteria listed below. The percentages listed indicate the level of weighting given to each criterion.

1. Ability to achieve direct environmental benefits and/or reductions in energy/water use (30%).
2. Ability to build community capacity and foster greater understanding of environmental issues (20%).
3. Level of community support and broader public benefit (20%)
4. Value for money, including the value of project contributions provided by the applicant (15%).
5. Level of demonstrated project planning and ability for the project to be sustained beyond the funding term (15%).

Applications were then ranked according to the panel’s assessment. The panel’s proposed recommendations are summarised in Table 1.

The panel proposes to fully fund 10 projects and partially fund a further nine projects. Projects to be recommended for full and partial funding are outlined in rank order in Table 2 (attached under separate cover). Partial funding is recommended for some projects due to the exclusion of ineligible items or items within the project that were considered to provide low environmental value. This enables Council to support a greater number of projects. The panel has also recommended some projects to be funded with conditions to achieve maximum environmental and community benefits and to ensure that projects are undertaken within the funding guidelines.

There is one project that will not be recommended for funding as the project scored lower than other applications, requested funding for ineligible items and/or the program was already oversubscribed. This project is outlined in Table 2 (attached under separate cover) under the heading ‘Recommend Not To Fund’.

Number of projects proposed for funding (full and partial)	19
Cash matching contributions	\$32,890.80
In-kind matching contributions	\$41,230.00
<b>Total of applicant contributions (cash and in-kind)</b>	<b>\$74,120.80</b>
<b>Total of recommended Council funding</b>	<b>\$30,000.00</b>
<b>Total value of Environment Support Fund projects</b>	<b>\$104,120.80</b>

**Table 1. Environment Support Fund proposed recommendations**

### **Policy and Legislative Context**

The Environment Support Fund is delivered in accordance with the following commitments of the Council Plan 2013–2017:

- Work closely with the community to address environmental issues.
- Work to improve and enhance community health, wellbeing and connectedness.
- Manage our environment for future generations.
- Reduce energy consumption and promote use of clean energy.
- Manage waste, including household waste, to minimise recyclables included in landfill.
- Build resilience in our communities to adapt to impacts of climate change.

### **Internal / External Consultation**

The Environment Support Fund was advertised across the Shire for a period of eight weeks through local newspapers, community newsletters, community group meetings and on Council’s website. Notification letters and emails were also sent to community groups and organisations across the Shire. The assessment process involved three Council officers independently assessing all applications against the criteria. This was followed by a round-table discussion between assessors to finalise rankings and proposed recommendations.

### Financial and Resource Implications

Council has committed \$30,000 to the Environment Support Fund in the 2016-2017 Budget. Of the applications received, 19 projects will be recommended for full or partial funding. In addition to Council funding, successful applicants will provide an additional \$75,500 in cash and in-kind contributions, representing an added value of \$2.50 for every dollar invested by Council.

### Options

Council may decide to adopt the funding recommendations as presented and allocate \$30,000 funding to 19 projects through the Environment Support Fund. Alternatively, Council may choose to amend the recommended funding allocations.

### Conclusion

A total of 20 applications requesting \$35,802 in funding were received during the 2016-2017 funding round. After assessing all applications against the criteria, the panel proposes to recommend 10 projects for full funding and 9 for partial funding. These projects have been assessed as providing the highest environmental and community benefit and value for money.

## RECOMMENDATION

### That Council:

1. Awards \$4,000 funding through the Environment Support Fund to the following applicant:

PROJECT	APPLICANT	FUNDING RECOMMENDED
<b>RECOMMEND TO FULLY FUND</b>		
2016-17/18	Mt Elephant Community Management	\$2,000.00
2016-17/3	Mt Elephant Community Management	\$2,000.00
<b>TOTAL</b>		<b>\$4,000.00</b>

2. Award \$26,000 funding through the Environment Support Fund to the following applicants:

PROJECT	APPLICANT	FUNDING RECOMMENDED
<b>RECOMMEND TO FULLY FUND</b>		
2016-17/19	Lismore Progress Association	\$2,000.00
2016-17/15	Camperdown Pastoral and Agricultural Society Inc.	\$2,000.00
2016-17/8	Cobden and District Kindergarten Inc.	\$1,996.00
2016-17/9	Timboon Bushland Co-operative Inc.	\$750.00
2016-17/14	Camperdown Timboon Rail Trail Committee	\$1,450.00
2016-17/17	Weerite Landcare	\$2,000.00
2016-17/6	Kennedys Creek Hall	\$1,000.00
2016-17/10	Darelono	\$2,000.00
<b>TOTAL</b>		<b>\$13,196.00</b>

PROJECT NO.	APPLICANT	FUNDING RECOMMENDED
<b>RECOMMEND TO PARTIALLY FUND</b>		
2016-17/4	Prinetown Landcare Group	\$1,100.00
2016-17/16	Lismore PS	\$920.00
2016-17/20	Lismore Land Protection Group	\$1,000.00
2016-17/11	T. Place	\$1,771.00
2016-17/5	Timboon P-12 School	\$1,500.00
2016-17/13	G. Place	\$1,771.00
2016-17/1	Worral	\$1,200.00
2016-17/12	Hoffmann	\$1,771.00
2016-17/7	Greig	\$1,771.00
<b>TOTAL</b>		<b>\$12,804.00</b>

Cr G. Smith declared an indirect conflict of interest by conflicting duty in Agenda item 10.5 and left the meeting prior to discussion and vote involving the relevant matter at 8.03 pm.

### COUNCIL RESOLUTION

**MOVED:** *Cr Trotter*

**SECONDED:** *Cr Oakes*

That Council awards \$4,000 funding through the Environment Support Fund to the following applicant:

PROJECT	APPLICANT	FUNDING RECOMMENDED
<b>RECOMMEND TO FULLY FUND</b>		
2016-17/18	Mt Elephant Community Management	\$2,000.00
2016-17/3	Mt Elephant Community Management	\$2,000.00
<b>TOTAL</b>		<b>\$4,000.00</b>

**CARRIED**

Cr G. Smith returned to the meeting at 8.04 pm.

**COUNCIL RESOLUTION****MOVED:** *Cr Trotter***SECONDED:** *Cr Oakes*

That Council awards \$26,000 funding through the Environment Support Fund to the following applicants:

PROJECT	APPLICANT	FUNDING RECOMMENDED
<b>RECOMMEND TO FULLY FUND</b>		
2016-17/19	Lismore Progress Association	\$2,000.00
2016-17/15	Camperdown Pastoral and Agricultural Society Inc.	\$2,000.00
2016-17/8	Cobden and District Kindergarten Inc.	\$1,996.00
2016-17/9	Timboon Bushland Co-operative Inc.	\$750.00
2016-17/14	Camperdown Timboon Rail Trail Committee	\$1,450.00
2016-17/17	Weerite Landcare	\$2,000.00
2016-17/6	Kennedys Creek Hall	\$1,000.00
2016-17/10	Darelono	\$2,000.00
<b>TOTAL</b>		<b>\$13,196.00</b>

PROJECT NO.	APPLICANT	FUNDING RECOMMENDED
<b>RECOMMEND TO PARTIALLY FUND</b>		
2016-17/4	Princetown Landcare Group	\$1,100.00
2016-17/16	Lismore PS	\$920.00
2016-17/20	Lismore Land Protection Group	\$1,000.00
2016-17/11	T. Place	\$1,771.00
2016-17/5	Timboon P-12 School	\$1,500.00
2016-17/13	G. Place	\$1,771.00
2016-17/1	Worral	\$1,200.00
2016-17/12	Hoffmann	\$1,771.00
2016-17/7	Greig	\$1,771.00
<b>TOTAL</b>		<b>\$12,804.00</b>

**CARRIED****Attachments**

1. Table 2 Environment Support Fund Funding Recommendations and Project Summary - Under Seperate Cover - Under Separate Cover



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## 10.6 Camperdown Pre-School Association Licence Renewal

**Author:** Jane Hinds, Property Officer

**File No:** D16/461

**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 licence agreement renewal for the Camperdown Pre-School Association for the premises located at 50 Campbell Street, Camperdown, for the purpose of early childhood activities and to consider the rental fee applicable following a review under a revised Council Property Leasing Policy.

### Introduction

At its meeting on 28 June 2011, Council adopted to enter into a licence agreement with Camperdown Pre-School Association, for the nominal rental amount of \$0 per annum. The first five year term expired 30 June 2016.

In accordance with the terms and conditions of the licence agreement and the revised policy, the licence agreement has been updated accordingly and a rental fee is to be introduced. Council policy classifies the rental amount for different groups that utilise Council facilities with the Camperdown Pre-School Association classified as *Category B, Community Service*. Organisations in this rental category provide a core service to the community and the cost for the Camperdown Pre-School Association has been determined at \$1,250 annually (exc. GST).

The Property Leasing Policy has been designed to be a robust and detailed policy to provide a strategic framework for the development of all types of agreements which aligns with Council practices and with relevant legislative requirements. Not all agreements will accurately align with policy categories, however it is intended to be an indicative guide, where Council has discretion to vary accordingly.

Council has considered a measure of the level of community benefit offered to Corangamite Shire residents by the Camperdown Pre-School Association, considering the below relevant factors:

- nature of the building function
- volunteerism
- funding capacity of the group
- access and service to Corangamite Shire residents
- contribution to building capital/ maintenance.

Council has determined that the Camperdown Pre-School Association is entitled to a subsidy of the \$1,250 fee, given the level of community benefit offered by the group. The cost for the Camperdown Pre-School Association has therefore been determined at \$527 annually (exc. GST).

A holdover agreement has been developed between Council and the Camperdown Pre-School Association, as they are requesting that the proposed rental fee be fully waived and as such have not signed a licence renewal.

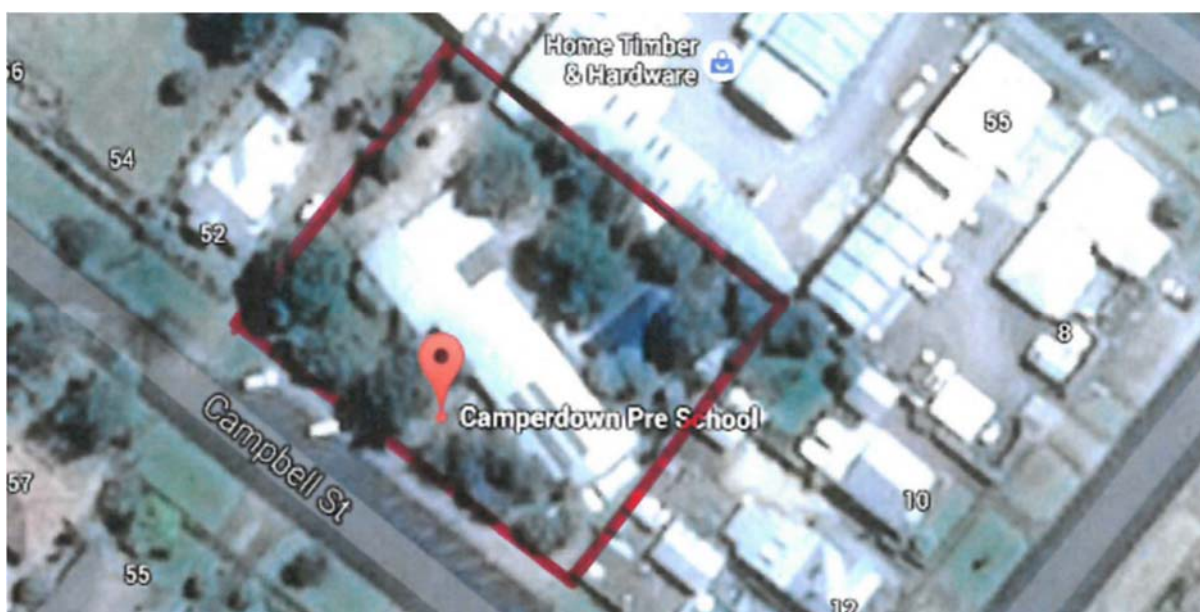


Figure 1: Camperdown Pre-School, 50 Campbell Street, Camperdown

### Issues

The building located at 50 Campbell Street, Camperdown, was acquired by Council on 16 August 1962 and is occupied by multiple users including the Camperdown Pre-School Association who operate a three and four year old kindergarten program, the Camperdown Playgroup and the Maternal and Child Health service which is run by Council.

All three user groups contribute to the operating costs of the facility based on a portion of the building utilised. Camperdown Pre-School Association contributes to 70% of all operating costs, whilst Council contributes 30% of costs. The Camperdown Playgroup are under a licence agreement with Council, which was updated in accordance with the Property Leasing Policy in 2015 and pay a nominal rental of \$104 in line with *Category A. Community Group*. They also contribute to 10% of the properties electricity expenses.

In addition, the Camperdown Pre-School Association seek reimbursement from the Camperdown Playgroup for the cost of cleaning, water, garbage charges and equipment use, of up to \$450 per term.

### ***Use of Council Buildings***

Where Council manages and utilises its own property, Council has not historically charged for use as it is considered to be outside the scope of the Property Leasing Policy and falls within the day to day operation of the service delivery. The Property Leasing Policy is designed to outline and assist the way in which Council administers the granting of leases and licences for Council controlled land and buildings.

This is particularly the case for meetings, functions and activities held in the Camperdown Theatre Royal and Camperdown Community Centre, the Maternal & Child Health service centres and Kindergartens. In these instances it is considered that an overall service delivery and facility management approach of these operations is absorbed within Council's general day to day functioning and therefore counteracts the need to raise internal charges for use of the facility. The kindergarten committees involved with Council's Cluster, act in a support role for the Kindergarten Director on a day to day basis and provide fundraising support for kindergarten operations.

All kindergartens within the Corangamite Shire are in the Corangamite Shire Kindergarten Cluster management model, which is run by Council, with the exception of the Camperdown Pre-School, which is managed by an independent committee of management. The Camperdown Pre-School Association are therefore considered an external user of Council's facility and as a result are required to enter into a tenure arrangement for use of the premises.

The Camperdown Pre-School Association were advised of the licence renewal and proposed fee in line with the leasing policy. A response to the proposed fee was received from the Association in June 2016 expressing:

- "Great disappointment that we learned of Corangamite Shire's intention to introduce a rental fee".
- "We do not believe you have fully considered the enormity of these contributions and the repercussions".
- "This charge will place programs within the day to day running of the Kindergarten program at unnecessary risk".

#### ***Application of Property Leasing Policy***

In accordance with Council's Property Leasing Policy, a Licence agreement to Camperdown Pre-School Association would fall into the category of community service.

The following criteria is also considered but not necessarily limited to:

1. *Consistency with Council objectives, core business and Council Plan*

Agreement to renew the licence agreement to the Camperdown Pre-School Association is consistent with the commitments in the Council Plan 2013-2017:

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

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.

2. *Location of the property/building and its commercial nature*

The property is located within close distance to Camperdown's retail precinct and is within walking distance to the town's amenities and train station.

3. *Use of volunteers*

The Camperdown Pre-School Association has a Committee of Management and parents who volunteer their time to the kindergarten service, contributing to working bees, problem solving, policies, fundraising, enrolments, improvement projects and staff management. In addition to the volunteers, there are also paid staff and administration personnel.

4. *Service and program fees*

The Camperdown Pre-School Association has the capacity to raise funds through service and program fees, whilst also attracting State Government funding. The State Government funding which the Pre-School is entitled to consists of \$4,192 per child per annum in 2016. The Pre-School currently charges user fees of \$220 per child per term (\$880 per annum). This is considered to be 30% below market rates.

Further, health care card holders are subsidised by the State Government at a rate of \$1,386 per child per annum for every eligible child. This suggests that the expectation from the State Government is that user fees will be at least \$346.50 per child per term (\$1,386 per annum). This highlights potential to increase historically set user fees in line with a revised 15 hours per week kindergarten delivery program which was introduced in 2013. A \$527 rental fee would equate to an increase of \$1.71 per child per term, based on 77 children, which is the number of enrolments in 2016.

The Pre-School would also be entitled to an early childhood teacher supplement for each eligible teacher in recognition of the higher cost of employing more experienced teachers. The Victorian Government provides funding to Pre-School services to contribute to the cost of operating a kindergarten service, this would include any lease fees associated with the functioning of the service. All Government funding rates are indexed every year.

5. *Access by Corangamite Shire residents*

In Victoria, kindergarten is the year before school entry (four-year-old kindergarten). Children are eligible to attend a funded, four-year-old kindergarten program for up to 15 hours per week (or 600 hours per year) if the child is four years old by 30 April in the year they will attend a kindergarten program. Camperdown also offers a three-year-old kindergarten program to children. The Camperdown Pre-School provides a quality pre-school education for 77 children who are all residents of the Corangamite Shire.

6. *Extent of external funding*

The Camperdown Pre-School Association operates as a not for profit organisation, although it is not registered with the Australian Charities and Not for Profits Commission. State Government funding is available for operation of the kindergarten service.

7. *History and track record as a Council tenant*

Formal lease documents between Council and Camperdown Pre-School Association for use of the building date back to 1996, however informal arrangements are believed to have been in place prior to Council amalgamation in 1994. There have been no issues with the arrangements in place.

8. *Community benefit*

The Camperdown Kindergarten provides childcare activities and a quality pre-school education to the children of Camperdown and the Corangamite Shire. The service provided to those utilising the facility would be considered valuable to the children and the wider community.

9. *Service to the community*

The services provided by the Camperdown Pre-School Association are consistent with key goals included within Council's Health and Wellbeing Plan 2013-2017 being:

Increase access to opportunities for all residents to improve their health and wellbeing

Improve the educational outcomes of our community

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Consider health and wellbeing across all areas of Council activity.

Based on the above criteria of the property leasing policy, a rental subsidy is considered applicable. The assessment, provided under separate cover to this report, suggests the rental amount of \$1,250 (exc. GST) per annum, be reduced to a proposed rental of \$527 (exc. GST) per annum.

### ***Facility Capital Investment***

When analysing the building condition data, the modelling shows the property to be in an overall fair condition with 15-22 years of life left and therefore requiring Council to contribute structurally to the building within the near future to maintain it. The current licencing arrangements only account for the Camperdown Pre-School Association to contribute to operating expenses. Given, in accordance with the licence agreements, the only capital improvements undertaken to date by the Camperdown Pre-School Association has been for the functionality of the centre itself, structural capital improvements would continue to be the responsibility of Council.

As determined in Council's Building Asset Management Plan and through the building condition data, Council will need to consider a cost of \$11,766 in its capital works budget to replace external cladding of the building in the 2019-2020 financial year.

The Camperdown Pre-School Association outlined the upgrades to the building which they have funded, these include capital works and maintenance to the office, storage room, kitchen, air conditioning, solar panels and shade structures. They are also implementing a new garden plan at a cost of more than \$20,000.

Camperdown Pre-School Association has invested in the facility over the years, which has been to improve its functionality for its operations and use in accordance with the licence agreement.

### **Policy and Legislative Context**

The renewal of the licence agreement will be in accordance with Council's Property Leasing Policy and in accordance with Section 190 and Section 223 of the *Local Government Act 1989*. The application of a rental subsidy to the Camperdown Pre-School Association in developing a licence agreement, aligns with a number of Council's objectives in the Council Plan:

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

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.

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

### **Internal / External Consultation**

Council officers informed the Camperdown Pre-School Association in March 2014 of the adoption of a reviewed Property Leasing Policy, in order to provide a period of time to budget for a possible increase in rental and maintenance obligations. Further correspondence occurred in May 2014, outlining that under a revised policy the classification proposed would be Category B. Community Service, which would be determined between \$104 and \$1,250 annually. A rental and operating cost subsidy would then be assessed if applicable.

In April 2016, Council advised the Camperdown Pre-School Association that the licence agreement had been reviewed and updated in accordance with the policy, along with the application of a rental subsidy being applied. Camperdown Pre-School Association has responded to Council in June 2016, requesting for the rental fee to be fully waived.

Council's Manager of Community Services has been consulted with in regards to the operation and service delivery of a kindergarten program.

### Financial and Resource Implications

Camperdown Pre-School Association fall within Category B, Community Service, of Council's Property Leasing Policy. Organisations in this rental category provide a core service to the community. The cost for the Camperdown Pre-School Association has been determined at \$1,250 annually (exc. GST). Council has determined that the Camperdown Pre-School Association is entitled to a subsidy of the \$1,250 fee, given the level of community benefit offered by the group. The cost for the Camperdown Pre-School Association has therefore been determined at \$527 annually (exc. GST). Under the previous terms of the leasing arrangements no rental fee has been charged.

Camperdown Pre-School Association are currently responsible for 70% of all operating costs at the facility including, electricity, water, municipal rates and charges and a fire services property levy.

The application of a rental fee would provide Council with some compensation to support the annual recurrent expenditure such as ongoing maintenance requirements, essential safety measures and property holding costs and expected capital investment required for this building in the future to ensure the long term integrity and viability of this building and in recognition of Council's responsibility for the building structure as landlord and owner.

Council's recurrent operating budget at the Camperdown Pre-School for the last five years is set out below.

Budget Year	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	Total
	\$6,607	\$8,522	\$9,622	\$9,349	\$10,384	\$44,484

**Table 1: Council's recurrent operating budget for the Camperdown Pre-School**

### Options

Council may consider the following options for the future arrangements for use of the Camperdown Pre-School building:

*1. Licence Agreement – Category B. Community Service \$1,250 annually (exc. GST)*

Council may choose to implement the rental in accordance with the Property Leasing Policy classification of Category B, Community Service at a cost of \$1,250 annually (exc. GST).

*2. Licence Agreement – Rental application subsidy \$527 annually (exc. GST)*

Council may choose to implement the rental fee in accordance with the application of the rental subsidy, recognising the net community benefit the Camperdown Pre-School Association provides. A \$527 (exc. GST) per annum rental fee would apply and operational expenses would remain the responsibility of the Camperdown Pre-School Association.

*3. Licence Agreement – Nominal \$104 rental fee*

Council could choose to maintain the same terms and conditions of the license agreement and offer a \$104 licence fee per annum, for the final five year term of the licence agreement. This would still be in line with Category B. Community Service of the Property Leasing Policy.

*4. Licence Agreement – Maintain \$0 rental fee*

Council could choose to maintain the same rental arrangements and offer a \$0 licence fee per annum, for the final five year term of the licence agreement. This would not be in line with Council's Property Leasing Policy.

**Conclusion**

The Camperdown Pre-School Association currently occupies the premises at 50 Campbell Street, Camperdown, for the purposes of early childhood activities. The agreement expired 30 June 2016. In March 2014 and April 2016 Council notified the Camperdown Pre-School Association of the pending expiry of its licence agreement and advised any new agreement would be considered in accordance with Council's Property Leasing Policy.

In accordance with Council's Property Leasing Policy, the Camperdown Pre-School Association has been categorised as a community service with a subsidised rental amount applicable. Given the net community benefit the Camperdown Pre-School Association provides, a rental subsidy has been applied.

This would see a rental increase from a current \$0 fee to \$527 (exc. GST) per annum. This income would contribute to Council's recurrent budget annually.

The Camperdown Pre-School Association has been informed of Council's decision to move towards the application of a rental fee throughout the process. The Camperdown Pre-School Association had expressed their disappointment with the idea of moving towards a rental fee and are requesting that the rental fee be fully waived.

Pre-Schools are an essential community service and it is not proposed that they be a revenue raising entity for Council to benefit from. Given that Camperdown Pre-School sits outside of Council's kindergarten cluster management system, the expectation to receive a building for service delivery at no cost is unreasonable and is inconsistent with the application of Council's Leasing Policy for use by external groups. In accordance with policy and in recognition that a licence agreement is in place, a rental fee is considered appropriate to support ongoing maintenance requirements and future capital investment into the building.

**RECOMMENDATION**

**That:**

- 1. Council agree to enter into the remaining five (5) year term of the licence agreement with the Camperdown Pre-School Association for use and occupation of the three and four year old Pre-Schools, located at 50 Campbell Street, Camperdown.**
- 2. The licence fee for the term be set at \$527 (exc. GST) per annum.**

**COUNCIL RESOLUTION**

**MOVED:**            *Cr Gstrein*

**SECONDED:**      *Cr Oakes*

**That the recommendation be adopted subject to the licence fee being changed to \$104. (exc. GST) per annum.**

**CARRIED**

**Attachments**

1. Advise Camperdown Pre-School Association Licence Renewal - Under Separate Cover
2. Response Camperdown Pre-School Association Licence Renewal - Under Separate Cover
3. Application of Rental Subsidy Camperdown Pre-School Association July 2016 - Under Separate Cover



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## 10.7 Corangamite Regional Library Corporation Library Service Level Agreement 2016-2018

**Author:** Brooke Love, Director Works and Services

**File No:** D16/471

**Previous Council Reference:** Nil

### **Declaration**

Chief Executive Officer – Andrew Mason

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

Author - Brooke Love

In providing this advice to Council as the Director Works and Services, I have no interests to disclose in this report. Being a member of the Corangamite Regional Library Corporation Board does not present a conflict of interest as I am acting as a representative of Council.

### **Summary**

This report is to endorse the Service Level Agreement between Corangamite Shire Council and the Corangamite Regional Library Corporation for the period from 1 August 2016 to 30 June 2018.

### **Introduction**

The Service Level Agreement (SLA) details various responsibilities and obligations of the Corangamite Regional Library Corporation (CRLC) and the member councils of the Corporation (Colac -Otway Shire Council, Corangamite Shire Council, Moyne Shire Council and the Warrnambool City Council).

The SLA is an extension to the Regional Library Agreement and constitutes a legally binding contract between the parties. It specifies the base level of services and standards to apply across the region, as well as council specific arrangements for library service points and service delivery.

### **Issues**

This Service Level Agreement operates in conjunction with, and supports, the underlying principles and objectives of the Regional Library Agreement. The proposed SLA applies for a period of 23 months from 1 August 2016 to 30 June 2018.

The term of the SLA being nearly two years, is the most significant change from previous agreements where the term has been a three year period. The proposal to reduce the term has been identified by the Board as a strategic action to ensure the SLA's become actionable and accountable documents that continue to focus both parties on achievement of the objectives whilst providing member Council's with the ability to negotiate variable service levels and standards within the broad parameters set by the SLA.

The proposed Service Level Agreement is a key strategic document to guide the scope of service and funding provision for library services in Corangamite. The SLA comprises six parts being:

- Part A General Conditions
- Part B Funding Arrangements
- Part C Core Services
- Part D Base Level Services And Standards
- Part E Service Point Obligations
- Part F Specific Municipal Services
  - Appendix A Building Maintenance Responsibilities Schedule
  - Appendix B Council Specific Services.

A detailed review of Parts A to F and Appendix A *Building Maintenance Responsibilities Schedule* has been undertaken by the CRLC Board with a number of changes as highlighted on the proposed Service Level Agreement under separate cover, including:

- Reduction in term of agreement from three years to two years.
- Clearer consultation responsibilities of a members Council should it wish to change its service provision.
- Recognition of early literacy programming as a core public library service and the role the library can play in cross agency support.
- Access to Wi-Fi as a minimum standard of service provision in all service points.
- Capital upgrade and renewal and maintenance responsibilities for service points.
- Minor administrative changes.

It should be noted that Part F and specifically Appendix B is reviewed annually as a part of discussions with CRLC in preparation for the annual budget and proposed financial contributions to be made to the Corporation.

The CRLC Library Service Level Agreement in essence presents the contractual arrangements for library service provision in Corangamite. Council has recently reviewed its library services and was resolute that it would not be reducing its service provision. The proposed agreement defines Council's library service provision as per the status quo.

### **Policy and Legislative Context**

This Service Level Agreement has been developed for implementation by the Corangamite Regional Library Corporation and Corangamite Shire in accordance with the Agreement to Form Corangamite Regional Library Corporation pursuant to section 196 of the *Local Government Act 1989*.

The Agreement and subsequent operation of Council's public libraries supports Council's Plan 2013-2017 in the following key themes of Stewardship and Governance and Strengthening Our Communities:

Model contemporary standards of corporate governance and professional standards.

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

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.

Improve the educational outcomes of our community.

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### **Internal / External Consultation**

The Corangamite Regional Library Corporation is governed by a Board consisting of one councillor and a senior officer appointed by each Council. The Board meet regularly to oversee the operations of the Library Corporation.

A Draft Service Level Agreement has been critiqued by senior officers of the Board with the proposed Service Level Agreement adopted by the Corangamite Regional Library Corporation Board on Thursday 30 June 2016.

### **Financial and Resource Implications**

The Service Level Agreement provides flexibility for member councils to alter their service levels to reflect the financial contribution on an annual basis.

Council has in the past considered a number of service enhancements for its library service such as an additional five hours per week of library programs across the five libraries; microfilm machine and mobile shelving.

Given the current financial climate, CRLC and Council resolved as a part of the 2016-2017 budget to maintain the current service provision in Corangamite.

Council's library service is budgeted at \$483,266 for 2016-2017. This includes allocations to CRLC administration (\$426,205) and building management and maintenance (\$57,061).

Funding for the operations of the Corangamite Regional Library Corporation is received from both State and Local Government. For 2016-2017 the State Government has offered CRLC \$748,844 from the Public Libraries Funding Program, which represents an increase of less than 1% over the allocation in 2015-2016 (\$742,457). This allocation is 25% of the total revenue received by CRLC. Member council contributions constitute nearly 72% of the operating revenue with user fees and charges and other miscellaneous income comprising the balance.

### **Options**

The Regional Library Agreement states that each Council will enter into a Service Level Agreement with the Regional Library Corporation.

Council can endorse the proposed Service Level Agreement or choose to propose changes to the Service Level Agreement.

### **Conclusion**

The CRLC Library Service Agreement provides contractual arrangements for library service provision in Corangamite. It defines the various responsibilities and obligations of the Corangamite Regional Library Corporation and Council. The service delivery model allows Council to restructure the library service in accordance with annual budget contributions. Council has recently reviewed its library services and resolved to maintain the current level of library service provision.

## RECOMMENDATION

### That Council:

1. Endorses the Service Level Agreement between Corangamite Shire Council and the Corangamite Regional Library Corporation for the period 1 August 2016 to 30 June 2018.
2. Authorises the Chief Executive Officer to sign the Service Level Agreement between Corangamite Shire Council and the Corangamite Regional Library Corporation for the period 1 August 2016 to 30 June 2018.

## COUNCIL RESOLUTION

**MOVED:** *Cr Gstrein*

**SECONDED:** *Cr Trotter*

That the recommendation be adopted.

**CARRIED**

### Attachments

1. Corangamite Shire Library Service Level Agreement 2016 Final - Under Separate Cover
2. Copy Council Service Level Agreement 2016-18 Parts A-F Markup Changes - Under Separate Cover

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## 10.8 Community Satisfaction Survey 2016

**Author:** Andrew Mason, Chief Executive Officer

**File No:** D16/463

**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

The attached Research Report, which is coordinated by the Department of Environment, Land, Water and Planning on behalf of Victorian Councils, provides an overview of results for the 2016 State-wide Local Government Community Satisfaction Survey for Corangamite Shire Council.

### Introduction

Corangamite Shire Council participated in the 2016 State-wide Local Government Community Satisfaction Survey. The main objective of participating in this survey is to assess the performance of Corangamite Shire Council across a range of performance measures and to seek insight into ways to provide improved or more effective service delivery. The survey also supports Council's statutory reporting requirements, in accordance with the *Local Government (Planning and Reporting) Regulations 2014*.

A total of 400 interviews were completed in the period 1 February to 30 March 2016. Minimum quotas of gender within age groups were applied and post-survey weighting was conducted to ensure accurate representation of the age and gender profile of Corangamite Shire.

The 2016 survey includes "core" measures which are compulsory for all participating councils. Corangamite Shire also selected from a range of optional questions, which facilitates analysis of our results over time, as well as benchmarking against State-wide and Large Rural Shires results. An additional question was also commissioned this year to identify specific roads which respondents had concerns about.

### Issues

#### ***Core Performance Measures***

Corangamite continues to outperform the Large Rural Shires group averages, as well as the State-wide averages on all core measures, with the exception of satisfaction with Sealed Local Roads.

The results for 2016 show a slight decline across most of the core measures, but this is reflective of a drop in scores for Large Rural Shires and State-wide. This is likely to be reflective of a general or state-wide decline in the perception of Local Government rather than specific to Corangamite Shire. It is speculated that the decline in perception is driven by a State Government that is more hostile to Local Government and impacts of rate capping and the associated state-wide media coverage.

Customer service increased by three points which is counter to the general trend.

In general, 65+ year olds and the central part of the Shire rate Council highest on a range of performance measures.

A comparison of index scores for each of the core measures is contained in Table 1.

Core Performance Measures	2012	2013	2014	2015	2016	Large Rural Shires 2016	State-wide 2016
Overall Performance	65	67	66	65	64	54	59
Community Consultation & Engagement	65	67	65	67	62	52	54
Advocacy/ Lobbying on behalf of the community	61	63	61	63	57	50	53
Making Community Decisions	n/a	n/a	64	64	61	50	54
Sealed Local Roads	n/a	n/a	38	38	36	44	54
Customer Service	74	74	76	74	77	67	69
Overall Council Direction	56	58	60	58	55	48	51

**Table 1**

***Individual Service Areas***

Most service areas' scores remain significantly higher than State-wide and Large Rural Shires averages.

The condition of Local Sealed, Unsealed Roads and Slashing and Weed Control continues to be Council's lowest rated areas, scoring lower than the Large Rural Shires and State-wide averages for both measures. Council has allocated significant attention and resources to these areas. An additional question was therefore commissioned to ask which specific roads were of concern. Interestingly, approximately 85% of the roads nominated were in fact the responsibility of the State Government. This would suggest that the residents in Corangamite Shire are rightly unimpressed with the condition of the arterial road network and are also confused about which roads are the responsibility of Council or VicRoads. The roads which were identified as being of most concern include the following:

- Camperdown-Lismore Road 21% (VicRoads)
- Cobden-Port Campbell Road 20% (VicRoads)

- Foxhow Road 19% (VicRoads)
- Princes Highway 13% (VicRoads)
- Darlington Road 9% (VicRoads)
- Lavers Hill-Cobden Road 9% (VicRoads)
- Lismore-Skipton Road 7% (VicRoads)
- Hamilton Highway 7% (VicRoads)
- Castle Carey Road 6% (Corangamite).

Performance ratings have fallen significantly for the Elderly Support Services measure. This could be reflective of a general concern about funding and changes at a State and Federal level in relation to the National Disability Insurance Scheme and Home and Community Care programs.

As previously discussed, there have been relatively minor declines across a lot of the service areas. In most cases these are commiserate with declines in the Large Rural Shires and State-wide scores.

A comparison of performance scores for individual service areas is contained in Table 2.

<b>Service Performance Measure</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>Large Rural Shires 2016</b>	<b>State-wide 2016</b>
Elderly Support Services	74	78	78	78	73	66	68
Recreational Facilities	75	74	77	76	74	65	69
Appearance of Public Areas	75	75	76	78	75	69	71
Family Support Services	72	74	75	71	69	64	63
Emergency and Disaster Management	73	73	74	74	72	70	69
Art Centres and Libraries	n/a	n/a	73	73	70	70	72
Disadvantaged Support Services	n/a	n/a	72	67	63	61	61
Community and Cultural Activities	68	73	72	71	69	67	69
Waste Management	71	70	72	72	69	66	70
Informing the Community	66	69	70	69	67	56	59
Tourism Development	n/a	n/a	69	68	66	64	63
Enforcement of Local Laws	67	68	68	66	68	63	63
Environmental Sustainability	67	67	67	66	64	62	63
Business and Community Development	n/a	n/a	64	63	63	58	60
General Town Planning Policy	n/a	n/a	64	63	60	51	52
Condition of Local	60	58	62	65	60	53	57

Service Performance Measure	2012	2013	2014	2015	2016	Large Rural Shires 2016	State-wide 2016
Streets and Footpaths							
Planning and Building Permits	57	58	56	57	59	50	50
Roadside Slashing and Weed Control	57	50	45	49	48	54	56
Maintenance of Unsealed Roads	45	40	40	37	39	43	43

**Table 2**

***Best Aspects and Areas for Improvement***

As in the previous year, residents were asked two open-ended questions:

- What is the one best thing about Corangamite Shire Council?
- What does Corangamite Shire Council most need to do to improve its performance?

Councillors were again nominated as the Shire's top attribute by 12% of residents, followed by Aged Support Services (7%), Customer Service (7%) and Recreation/Sporting Facilities (6%).

42% of residents indicated that Sealed Road Maintenance continues to be in greatest need of improvement, followed by Unsealed Road Maintenance (12%) and Community Consultation and Communication each (6%).

Table 3 shows the best aspects of Council and those in greatest need of improvement, as identified by residents.

Best aspects of Corangamite Shire Council	% of all respondents	Areas for Improvement	% of all respondents
Councillors	12	Sealed Road Maintenance	42
Aged Support Services	7	Unsealed Road Maintenance	12
Customer Service	7	Community Consultation	6
Recreation/Sporting Facilities	6	Communication	6
Community support Services	5	Rural/Regional communities	5
Parks and Gardens	5	Financial Management	4
Generally Good	5	Medium Strips/Nature Strips	4
Road and Street Maintenance	4	Infrastructure	3
Community/Public Events/Activities	4	Rates – too expensive	3
Council Management	3	Traffic Management	3
Family Support Services	3	Nothing	8
Public Areas	3		



Waste Management	3		
Youth/Kids	3		
Tourism	3		
Advertise/Promote/Inform	3		

**Table 3****Policy and Legislative Context**

Participation in the Community Satisfaction Survey is consistent with the Council Plan commitments to 'model contemporary standards of corporate governance and professional standards'.

In accordance with the *Local Government (Planning and Reporting) Regulations 2014*, some of the core performance results obtained through the Community Satisfaction Survey 2016 will form part of the mandatory reporting in the Annual Report of Operations and Performance Statement which will be included in the 2015-2016 Corangamite Shire Annual Report.

Survey results for individual service areas will also be used to provide a qualitative assessment of the performance of Council against the Council Plan 2013-2017 and will be published in the Annual Report.

**Internal / External Consultation**

Results of the Community Satisfaction Survey 2016 have been provided to the senior officers and Leadership Group to assist them with the departmental planning and reporting process.

**Financial and Resource Implications**

Participation in the State-wide Local Government Community Satisfaction Survey allows for more cost effective surveying than would be possible if councils commissioned surveys individually. The cost of this year's survey was \$17,000.

**Conclusion**

The 2016 Community Satisfaction Survey results demonstrate that the Council continues to perform well in terms of community perception when benchmarked against the Large Rural Shires and State-wide averages.

Maintenance of Sealed, Unsealed Roads and Roadside Slashing Weed Control continue to rate poorly and are perceived as the areas in greatest need of improvement by residents. Council will continue to focus on improving these area. However in relation to maintenance of sealed roads it is apparent that most of the concern relates to roads that Council has no responsibility for.

**RECOMMENDATION****That Council:**

1. **Publishes the results of the 2016 Community Satisfaction Survey required for the Report of Operations and Performance Statement in the 2015-2016 Annual Report, in compliance with Statutory Regulations.**
2. **Publishes all of the results of the 2016 Community Satisfaction Survey on the Corangamite Shire website for the information of the public.**

**COUNCIL RESOLUTION**

***MOVED:***            *Cr Trotter*

***SECONDED:***      *Cr Gstrein*

That the recommendation be adopted.

**CARRIED**

## 10.9 Records of Assembly of Councillors

**Author:** Andrew Mason, Chief Executive Officer

**File No:** D16/476

**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 28 June 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.

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### **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 28 June 2016
- Planning Inspection (1) 5 July 2016
- Planning Inspection (2) 5 July 2016
- Councillor Briefing 12 July 2016.

### **RECOMMENDATION**

**That Council accepts the attached Records of Assembly of Councillors.**

#### **COUNCIL RESOLUTION**

***MOVED: Cr Gstrein***  
***SECONDED: Cr Smith***

**That the recommendation be adopted subject to amendment of the record dated 5 July 2016 for Planning Permit PP2015/141 to reflect Elizabeth McKenzie was in attendance, and the record dated 12 July 2016 to reflect Cr Gstrein was in attendance.**  
**CARRIED**

#### **Attachments**

1. Record of an Assembly of Councillors 28 June 2016
2. Record of an Assembly of Councillors Planning Site Inspection (1) 5 July 2016 (Amended)
3. Record of an Assembly of Councillors Planning Site Inspection (2) 5 July 2016
4. Record of an Assembly of Councillors 12 July 2016 (Amended)

# Council

## Record of an Assembly of Councillors

**Councillor Briefing****Date:** Tuesday 28 June 2016**Time:** 2.00pm**Place:** Killara Centre**Present****Councillors:**

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

**Officers:**

Ian Gibb                       Brooke Love                       Andrew Mason                       David Rae

Lyll Bond (Item 3)

Greg Hayes (Item 4)

John Kelly and Beau Reilly (Item 6)

**Guests:**

Chris Nisbet, Byford Equipment (Item 6)

**Issues Discussed:**

Item	Discussion Topic
1	<b>Hot Topics:</b> <i>Mt Noorat, VFF Rural Rates, Botanic Gardens CMP, Timboon Streetscape, Local Law Meeting Procedures, Ombudsman's Report, NGA, Princes Highway Funding Announcement, Derrinallum Toilet, CEO Leave, Dairy Sector Update, Agenda Items, Planning Inspection</i>
2	<b>Councillor Items:</b> <i>Ecklin Hall, Regional Saleyards, Wind Towers, New Shops in Timboon, Origin Energy Update, Timboon Dump Point, New Picnic Tables in Timboon, VicRoads Road Crossing in Terang, Glenormiston Update, Contaminated Soil Proposal, Men's Shed in Lismore</i>
3	<b>Fuel Reduction Slashing on Roadsides Policy</b>
4	<b>Planning Fees Regulatory Impact Statement</b>
5	<b>Election Process</b>
6	<b>High Productivity Freight Vehicles and Higher Mass Limits</b>

**Conflicts of Interest declared:** Cr Gstrein declared an indirect interest by close association involving the Planning Inspection discussed at Item 1.

**Councillors left the meeting at:** 4.05 pm

**Councillors returned to the meeting at:** 4.10 pm

**Councillor Conflict of Interest Form Completed:** Yes

**Meeting close:** 6.00 pm



**Note taker:** Andrew Mason

# Planning Inspection

## Record of an Assembly of Councillors



**Date:** Tuesday, 5 July 2016

**Time:** 10.15 am

**Location:** 1464 Timboon-Peterborough Road Peterborough

**Application No:** PP2015/141

**Proposal:**

Use and Development of a Dwelling

**Present:**

Cr O'Connor

Cr Gstrein

Cr Oakes

Cr Harkin

Cr Beard (Mayor)

Cr Smith

Cr Trotter

**Officers:**

Greg Hayes

Steph Durant

Scott Matheson

**Applicant:**

Sally Stansmore

**Submitters:**

Elizabeth McKenzie

**Issues Discussed:**

- Siting of the dwelling

**Conflicts of Interest declared:**

Nil

**Meeting close:** 10:45am

**Note taker:** Steph Durant



# Planning Inspection

## Record of an Assembly of Councillors



**Date:** Tuesday, 5 July 2016

**Time:** 9.45 am

**Location:** 18 Desailly Street Port Campbell

**Application No:** PP2016/026

**Proposal:**

Building and works associated with an extension to an existing dwelling

**Present:**

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

**Officers:**

Greg Hayes                       Steph Durant                       Scott Matheson

**Applicant:**

Nathan Divall from Designing Spaces

**Submitters:**

Paul McPhee                       Julie McPhee

**Issues Discussed:**

Impacts on existing views from 20 Desailly Street were discussed and the Councillors viewed the approximate location of the development from the window where the impacts are proposed to occur. A compromise of an angled second storey setback was proposed but could not be reached between the submitter and the landowner.

**Conflicts of Interest declared:**

Cr Gstrein has indicated a conflict of interest and will not partake in the assessment process.

**Meeting close:** 10:10am

**Note taker:** Scott Matheson

# Council

## Record of an Assembly of Councillors

**Councillor Briefing****Date:** Tuesday 12 July 2016**Time:** 10.00 am**Place:** Killara Centre**Present****Councillors:**

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

**Officers:**

Ian Gibb       Brooke Love       Andrew Mason       David Rae

Matthew Dawson (Item 3)

Jarrod Woff and Angela Northcott (Item 4 and 5)

Lyll Bond (Item 4)

Greg Hayes and Steph Durant (Item 6)

**Guests:**

Adele Keneally (Item 3)

Adrian Fernon and Melissa Rathje, ASR Research (Item 5)

John Glossop, Glossop Consultants and John Keaney, Consultant (Item 6)

**Issues Discussed:**

Item	Discussion Topic
1	<b>Hot Topics:</b> <i>Noorat-Terang Walking Track, Investment Policy, Onshore Gas, CEO Leave, EHO Appointment, Declaration of Election Results Date Change</i>
2	<b>Councillor Items:</b> <i>Glenormiston, Terang Pedestrian Crossing, Timboon Streetscape, Timboon School, Timboon Lions Shelter, Ecklin Hall, ICE Project, Skipton Flood Infrastructure, Skipton Hotel, Op Shop, Terang Median Strip Drainage, 60 km Speed Sign near School</i>
3	<b>Beyond the Bell update</b>
4	<b>Community and Facility Grants Funding 2016-2017 and Environment Support Fund Grants 2016-2017</b>
5	<b>Corangamite Shire Recreation and Open Space Strategy 2016-2026</b>
6	<b>Corangamite Planning Scheme Review Stage 2 Amendment</b>
7	<b>Community Satisfaction Survey</b>
8	<b>Service Reviews</b>

**Conflicts of Interest declared:** Cr Oakes declared an indirect interest by close association involving an application discussed at Item 4.  
Cr Smith declared a direct interest involving an application discussed at Item 4.

**Councillors left the meeting at:** 1.40 pm**Councillors returned to the meeting at:** 1.45 pm**Councillor Conflict of Interest Form Completed:** Yes**Meeting close:** 5.00 pm

**Note taker:** Andrew Mason



## 11. OTHER BUSINESS

Acting Chairperson, Cr C. O'Connor, invited Councillors to raise items of other business.

The following items were submitted.

### 11.1 Port Campbell Discussion Group

Cr N. Trotter discussed the Port Campbell Discussion Group's plans to assist the local dairy community during the dairy crisis.

#### COUNCIL RESOLUTION

**MOVED:** *Cr Trotter*

**SECONDED:** *Cr Gstrein*

That Council allocates \$500 from the Quick Response Grant program to the Port Campbell Discussion Group to support plans for assisting the morale of the local dairy community, provided that the criteria for the grant is met.

**CARRIED**

### 11.2 Speed Restriction Signs on Princes Highway near Terang Primary School

Cr C. O'Connor discussed the Terang Primary School crossing on the Princes Highway, noting that sun glare in the morning during winter restricts motorists' vision of the nearby 60km/h speed signs. Cr O'Connor requested Council write to VicRoads highlighting the dangers of poor visibility of the signs near the school and the need for flashing speed signs to be installed.

## 12. OPEN FORUM

Nil.

### COUNCIL RESOLUTION

**MOVED:** *Cr Gstrein*

**SECONDED:** *Cr Oakes*

That standing orders be suspended for supper.

**CARRIED**

Standing orders were suspended at 8.31 pm.

### COUNCIL RESOLUTION

**MOVED:** *Cr Gstrein*

**SECONDED:** *Cr Trotter*

That standing orders be resumed.

**CARRIED**

Standing orders resumed at 8.52 pm. All Councillors attending the meeting were present.

Mr Jarrod Woff and members of the public gallery left the 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 and personnel matters.

#### COUNCIL RESOLUTION

**MOVED:** *Cr Trotter*

**SECONDED:** *Cr Oakes*

That the recommendation be adopted.

**CARRIED**

The meeting moved into confidential items at 8.52 pm.

### 13.1 Contract 2017004 - External Plant Hire and Associated Services

### 13.2 Landfill Consultancy and Environmental Audit Services

Ms Belinda Bennett, Mr Lyle Tune, Mrs Brooke Love, Mr Ian Gibb and Mr David Rae left the meeting at 9.00 pm.

### 13.3 CEO Performance Review 2016

#### COUNCIL RESOLUTION

**MOVED:** *Cr Oakes*

**SECONDED:** *Cr Smith*

That the meeting move out of confidential items.

**CARRIED**

The meeting moved out of confidential items at 9.17 pm.

**Meeting Closed: 9.17 pm**

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

**CONFIRMED:**

\_\_\_\_\_

**(Chairperson)**

**DATE:**