

Corangamite Shire

MINUTES

Ordinary Council Meeting

Held 7.00 pm • Tuesday 24 April 2018

*Killara Centre
210-212 Manifold Street, Camperdown*

Table of Contents

Item No.		Page No.
1.	PRESENT.....	3
2.	APOLOGIES.....	3
3.	DECLARATIONS OF CONFLICT OF INTEREST.....	3
4.	CONFIRMATION OF MINUTES.....	3
5.	DEPUTATIONS & PRESENTATIONS.....	4
6.	COMMITTEE REPORTS.....	5
6.1	AUDIT COMMITTEE REPORT - 8 MARCH 2018 MEETING.....	5
6.2	MT LEURA AND MT SUGARLOAF MANAGEMENT COMMITTEE ANNUAL REPORT, BUDGET 2018-2019 AND COMMITTEE APPOINTMENTS.....	7
7.	PLANNING REPORTS.....	12
8.	OFFICERS' REPORTS.....	13
8.1	DRAFT BUDGET 2018-2019.....	13
8.2	SALE OF COUNCIL LAND AND BUILDING POLICY REVIEW 2018.....	19
8.3	PROPERTY LEASING POLICY REVIEW 2018.....	26
8.4	URBAN STREET TREE ASSET MANAGEMENT PLAN 2018-2028.....	46
8.5	INFORMATION AND COMMUNICATIONS TECHNOLOGY STRATEGY 2018 - 2022.....	50
8.6	GOVERNANCE OF THE GREAT OCEAN ROAD REGION ISSUES PAPER SUBMISSION.....	53
8.7	FINANCE REPORT - MARCH 2018.....	64
8.8	SOUTH WEST COMPLEX FIRES - PROCUREMENT OF EMERGENCY CLEAN-UP WORKS.....	82
8.9	QUICK RESPONSE GRANTS ALLOCATION APRIL 2018.....	85
8.10	MAV STATE COUNCIL SUBSTITUTE REPRESENTATIVE.....	88
8.11	RECORDS OF ASSEMBLY OF COUNCILLORS.....	90
9.	OTHER BUSINESS.....	95
10.	OPEN FORUM.....	96
11.	CONFIDENTIAL ITEMS.....	97
11.1	CEO PERFORMANCE REVIEW MARCH 2018.....	97

**MINUTES OF THE ORDINARY MEETING OF THE CORANGAMITE
SHIRE COUNCIL HELD AT KILLARA CENTRE, 210-212 MANIFOLD
STREET, CAMPERDOWN 7.00 PM ON
24 APRIL 2018**

1. PRESENT

Councillors J. Beard (Chairperson), L. Brown, H. Durant, S. Illingworth,
B. McArthur, N. Trotter.

Officers Andrew Mason, Chief Executive Officer
Ian Gibb, Director Sustainable Development
David Rae, Director Corporate and Community Services
Lyle Tune, Acting Director Works and Services
Adam Taylor, Manager Finance
John van Nieuwkerk, Manager Information Services
Jane Hinds, Property Officer

2. APOLOGIES

An apology was lodged for the absence of Cr R. Gstrein.

3. DECLARATIONS OF CONFLICT OF INTEREST

Nil.

4. CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the Corangamite Shire Ordinary Council meeting held on
Tuesday 27 March 2018 be confirmed.

COUNCIL RESOLUTION

MOVED: Cr Brown
SECONDED: Cr Durant

That the recommendation be adopted.

CARRIED

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.

5. DEPUTATIONS & PRESENTATIONS

Nil.

6. COMMITTEE REPORTS

6.1 Audit Committee Report - 8 March 2018 Meeting

Author: David Rae, Director Corporate and Community Services

File No: D18/156

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

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

Author - David Rae

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

Summary

This report provides Council with a summary of business considered at the 8 March 2018 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 Bev McArthur, Cr Neil Trotter (Alternate)

Independent Members: Colin Hayman (Chairperson), Simon Buccheri, Andrew Jeffers

Apologies: Cr Helen Durant

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

Guests: Andrew Zavitsanos, Crowe Horwath (Internal Auditor)
Chris Kol, McLaren Hunt (VAGO Agent)

Declaration of Conflict of Interest: Nil

Preceding the meeting the Committee completed a tour of the Camperdown Depot.

The Committee considered the following matters at the meeting:

- 2018 Annual Work Plan
- 2017-2018 External Audit Strategy
- 2016-2017 External Audit Management Letter - Outstanding Recommendations
- Management of the Security over Attractive and Valuable Minor Assets Review
- Risk Management Framework Review
- Corporate Risk Register Update
- Finance Report as at 31 December 2017
- Governance and Management Attestation as at 31 December 2017

Policy and Legislative Context

Reporting of the Audit Committee's activities is consistent with the Council Plan 2017-2021 which includes the following commitments:

We are committed to ensuring the ethical behaviour of Councillors and staff, maintaining good governance and remaining financially sustainable.

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

Council will make budgetary decisions that ensures Council remains in a strong financial position now and into the future.

Council will deliver value for money by ensuring that services are required and delivered efficiently and sustainably.

Financial and Resource Implications

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

Conclusion

The next meeting of the Audit Committee is scheduled for June 2018 and a report on that meeting will be presented at the July 2018 Council meeting.

RECOMMENDATION

That Council receives the Audit Committee Report.

COUNCIL RESOLUTION

MOVED: *Cr Trotter*
SECONDED: *Cr McArthur*

That the recommendation be adopted.

CARRIED

6.2 Mt Leura and Mt Sugarloaf Management Committee Annual Report, Budget 2018-2019 and Committee Appointments

Author: Roland Herbert, Environment Project Officer

File No: D18/145

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 - Roland Herbert

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

Summary

The purpose of this report is to present the Mt Leura and Mt Sugarloaf Management Committee's annual report and proposed 2018-2019 budget. The report also provides advice to Council on the appointment of two community representatives to the Committee.

Introduction

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

Issues

Annual Report

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

Committee achievements over the past year include:

- Securing external funding, such as Corangamite CMA Victorian Landcare and Biodiversity Grants totalling \$13,100
- Developing and implementing joint activities with the Mount Elephant Management Committee, inclusive of NAIDOC week activities (the first NAIDOC event ever held in the Shire) and the development of community awareness resources for the rare Volcanic Plains Silver Banksia
- Installation of pedestrian counters to assist site management
- Commencement of the Grow-a-Hollow project

- Development of educational resource packs
- Planting 2,500 seedlings including Victorian Volcanic Plain groundcover species
- Tours of the reserves for school students
- Widening, upgrading steps and developing geo-caching resources with various school groups
- Installation of a wildlife water trough along the Southern Loop trail.

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

- Planning and implementation of the Nature Playspace area and activities has commenced and is ongoing
- Maintenance of walking tracks, signage and facilities
- Annual risk assessments, including reviewing the emergency management strategy
- Planning and implementation of the fire management plan and fuel reduction planning in partnership with the CFA
- Weed control
- View-line management (tree thinning)
- Monitoring programs for local wildlife and reserve visitors
- Events delivered in partnership with the Friends of Mt Leura including tours, presentations, propagation of native plants at community workshops and wildlife monitoring surveys.

Additional activities to be completed by the end of 2017-2018 include:

- Installation of 7 Geotrail signs
- Tanks to be connected to Rotary shelter and Southern Loop shelter

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

Duties carried out by the Project Officer/s in 2017-2018 include:

- Maintenance and repair of tracks, signage and facilities
- Coordination and supervision of volunteers and contractors
- Engagement with members of the public, research scientists, community groups, agency representatives and local primary and secondary schools
- Promotion of projects through print media and social media
- Assistance with delivery of community workshops and events.

The committee continues to value-add via its volunteers and partnerships. Volunteers have played an important role in the year's achievements, with Committee members contributing over 1000 volunteer hours and community members contributing approximately 700 hours to projects over the past 12 months. In 2017-2018 this labour has contributed an estimated value of \$42,500 to the committee's activities.

The committee continues to undertake activities related to fire risk management and planning consistent with the Mount Leura and Mount Sugarloaf Risk Management Plan 2013. For the 2017/18 year, the committee has:

- Inspected and maintained vegetative fuel breaks on reserve boundaries
- Undertaken spraying, mowing and slashing of flammable grasses and other weed species in high risk areas

- Liaised with the CFA Vegetation Management Officer to plan fuel reduction burns on the reserves when weather conditions are suitable
- Commenced communications with the CFA to develop a community awareness program for fire prevention and management
- Communicated with the Emergency Services Telecommunications Authority (ESTA) and other emergency services agencies to update the reserves' profile to include the Mount Sugarloaf section of the reserve
- Updated walking and emergency access tracks and installed emergency location points.

Committee Appointments

In accordance with the Committee's Instrument of Delegation, Council is required to advertise two vacant Committee positions annually. These positions were advertised for a period of four weeks during March 2018. Council received three nominations for the two available positions. It should be noted that one of the nominees, Ammie Jackson, is currently employed by Council on a casual basis.

Four Committee members considered the nominations according to the selection criteria, in order to provide advice to Council. The recommendation of the Committee is for Graham Arkinstall and Ammie Jackson to be appointed to the Committee.

At its last AGM in 2017, the office bearers elected were Graham Arkinstall as Chairperson and Treasurer, and Pat Robertson as Secretary.

Policy and Legislative Context

Council's support for the natural environment and community-led management of the Mt Leura and Mt Sugarloaf Reserves aligns with the following commitments of the Council Plan 2017–2021:

Council is committed to improving the liveability of Corangamite Shire through the management of our facilities, town planning and environmental sustainability.

Council will preserve the natural environment of Corangamite Shire.

Council will engage with and listen to our communities.

Council also supports the management of the reserves via the objectives of the Environment & Sustainability Strategy 2014-2019:

Council will increase the protection and enhancement of natural assets in Corangamite Shire.

Council will engage and empower the community to address environmental and sustainability concerns in Corangamite Shire.

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

Internal / External Consultation

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

Financial and Resource Implications

An allocation of \$22,000 was included in the 2017-2018 Budget for implementation of the Mt Leura and Mt Sugarloaf Management Plan. The proposed 2018-2019 committee budget is outlined in Table 1.

Item	Council Budget	Other Grants and Contributions	In-kind Contributions	Total
Project Coordination				
0.4 FTE Project Officer (inc. travel expenses)	\$14,500	\$1,500	\$0	\$16,000
Committee labour - volunteer (1000 hrs @ \$25/hr)	\$0	\$0	\$25,000	\$25,000
Management Plan Implementation				
Safety improvements and Reserve maintenance including: <ul style="list-style-type: none"> • track mowing/slashing (6 annually@ \$400) • safety improvements to reserves • track and facilities maintenance • vandalism repairs 	\$3,500	\$0	\$0	\$3500
Weed control	\$250	\$2000	\$2,000	\$4,250
Fire Management	\$150	\$200	\$200	\$550
Nature Playspace development -Stage 1	\$0	\$1,500	\$1,000	\$2,500
Brochures and other signage	\$300	\$3,000	\$1000	\$4,300
Tree thinning/view line management	\$100	\$200	\$0	\$300
Community engagement <ul style="list-style-type: none"> • Website hosting and maintenance • Community events and workshops • Promotional and education materials • Expert advice eg Nesting Hollow logs project 	\$200 \$400 \$200 \$300	\$0 \$600 \$500 \$1000	\$0 \$0 \$0 \$0	\$200 \$1,000 \$700 \$1300
Equipment	\$400	\$500	\$0	\$900
Monitoring - ecological and social	\$200	\$2000	\$0	\$2,200
Mesh seedling guards/fencing – macropod proof plus labour	\$0	\$200	\$0	\$200
Solar power for Volcanic Education Centre - lighting and pump	\$1,000	\$300	\$0	\$1,300
200 plant guards @ \$0.35 each	\$0	\$70	\$0	\$70
Spot spraying for revegetation (300 spots @ \$0.10 each)	\$0	\$30	\$100	\$130
Nursery upkeep and plant purchase	\$1000	\$900	\$0	\$1,900
Volunteer community labour for reserve management (700 hrs @ \$25/hr)	\$0	\$0	\$17,500	\$17,500
Total	\$22,500	\$14,500	\$46,800	\$83,800

Table 1: Proposed Mt Leura and Mt Sugarloaf Management Committee 2018-2019 Budget

Options

Council may proceed with the appointment of Graham Arkinstall and Ammie Jackson to fill the two vacant positions. Alternatively, Council may decide not to appoint the two current applicants and readvertise the vacancies.

Conclusion

Over the past year, the Mt Leura and Mt Sugarloaf Management Committee has continued to work towards the Management Plan's vision in which the reserves are an environmental and geological asset, a place for diverse recreational and education activities, and a regional tourist destination where people can connect with nature.

RECOMMENDATION

That Council:

- 1. Receives the 2017-2018 Mt Leura and Mt Sugarloaf Management Committee Annual Report.**
- 2. Appoints Graham Arkinstall and Ammie Jackson as community representatives on the Mt Leura and Mt Sugarloaf Management Committee for a three year term.**

COUNCIL RESOLUTION

MOVED: *Cr Durant*

SECONDED: *Cr Brown*

That the recommendation be adopted.

CARRIED

7. PLANNING REPORTS

Nil.

8. OFFICERS' REPORTS

8.1 Draft Budget 2018-2019

Author: Adam Taylor, Manager Finance

File No: D18/118

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

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

Author - Adam Taylor

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

Summary

To consider the proposed 2018-2019 Budget, incorporating the 2018-2019 Fees and Charges Schedule in accordance with the *Local Government Act 1989* (the Act). The proposed 2018-2019 Budget is attached to this report under separate cover.

Introduction

The proposed 2018-2019 Budget for the financial year commencing 1 July 2018, has been developed in consultation with Councillors and officers and with reference to asset management and community plans.

The Budget document has been prepared on the basis of the legislative requirements contained in the 'model budget' as developed by the Local Government industry taskforce and issued to all municipalities across Victoria. The proposed Budget document has been developed under the following sections:

- Overview
- Budget Reports
- Long Term Strategies
- Appendices, including fees and charges.

In accordance with the *Local Government Act 1989*, the Budget includes linkages to the Council Plan 2017-2021 and details:

- Activities and initiatives to be funded.
- How the activities and initiatives will contribute to achieving the strategic objectives.
- The service performance indicators.

Issues

An operating surplus of \$2.564 million has been budgeted with a capital works program of \$13.278 million. Key performance indicators include delivery of a year-end unrestricted working capital ratio of 252%. Council has met the requirement of the rate cap and

increased Rates and Charges by 2.25%. An additional 3.77% of rate income has been budgeted for income associated with new developments that have occurred during the current financial year, otherwise known as supplementary rate income, and increased costs associated with kerbside waste collection.

The Budget is an essential planning and resource tool produced annually and is vital to the ongoing operational and financial viability of Council. It sets out the expected income and expenditure of both operational and capital activities for the coming year and also incorporates Council's rating and borrowing strategies. The Budget also ensures the accountability of Council's operations and forms part of the public accountability process.

The Budget has been prepared to ensure that Council continues to maintain its services and meet the objectives of Council's asset management framework and Strategic Resource Plan. The principles of sound financial management require Council to deliver recurrent operating surpluses, continue to invest in asset renewal and maintain adequate liquidity; the Budget presented delivers these outcomes.

The Budget document details the processes to be undertaken in order to adopt the Budget in accordance with the Act and the *Local Government (Planning and Reporting) Regulations 2014* (the Regulations). As required by the Regulations, the Budget also includes the prescribed performance indicators.

2018-2019 Budget Outcomes

Key financial outcomes for the 2018-2019 Budget are as follows:

	2018-2019 Budget
Operating result	\$
Rate income	\$21,531,951
Underlying rate increase	2.25%
Total Increase in rates & charges on 2017-2018 Forecast	3.77%
Operating expenditure	\$29,016,146
Capital expenditure	\$13,277,500
Loan redemption including interest	\$nil
Transfer to reserves	\$5,805,250
Total budget commitments	\$48,094,896
Cash balance at year end	\$16,104,000
New loans	nil
Working Capital Ratio (Unrestricted)	252%

Rate Income

Rates and Charges will account for 51% of the total Council revenue in 2018-2019. An increase in rate income is required to meet Council's aspirations and community expectations for new and existing infrastructure. The Strategic Resource Plan includes rate increases equal to an estimate of CPI over the next four years.

The proposed underlying increase in rates and charges subject to the rate cap for 2018-2019 is 2.29%. The increase in the recycling collection charge will be 21.62% to cover the cost of increasing cost of providing the service. This equates to an increase in total rates and charges of 3.77% on the 2017-2018 forecast. This is detailed below.

Type of Charge	2017-2018 Forecast	2018-2019 Budget	Increase	Comments
General Rates	17,522,695	17,923,738	2.29%	
Municipal Charge	1,635,082	1,672,119	2.27%	
	19,157,777	19,595,857	2.29%	Increase in rates and charges including supplementary rates
Garbage Charge	1,591,944	1,936,094	21.62%	Increase cost of service
TOTAL	20,749,721	21,531,951	3.77%	Total increase in rates & charges

Council is also responsible for collecting the Victorian State Government Fire Services Property Levy. The levy appears on rate notices as a separate charge. Council does not derive any benefit and is required to remit amounts collected to the State Revenue Office quarterly.

Differential Rates

Section 4.1 of the Budget includes details on the differential rates contained within the adopted Rating Strategy for 2014-2017. The differential rates include a reduction in the Farm Rate from 91% to 90% in accordance with Council's Rating Strategy.

User Fees and Charges

User fees and charges are projected to decrease by 3.33% or \$0.19 million to \$5.76 million. All user fees have been increased by an average of 2.5% in line with expected inflationary trends over the budget period to maintain parity between user charges and the costs of service delivery.

Operating Expenditure

Council's budgeted operating expenditure for 2018-2019 will be \$29.02 million (on a "cash" basis). This represents an increase of \$0.90 million, or 3.2% over the 2018-2019 Adopted Budget as per the following table:

	2017-2018 Adopted Budget	2018-2019 Draft Budget	2017-2018 v 2018-2019 Favourable / (Unfavourable)	
Operating Expenditure (Cash)	\$28,123,540	\$29,024,316	(\$900,776)	(3.20%)

The total operating initiatives are contained within the budget (refer to Section 2) and total \$1.64 million, of which \$1.55 million will come from council operations, \$67,000 from external grants and \$21,700 from community contributions.

Capital Expenditure

The total Capital Works program will be \$13.28 million, of which \$10.13 million will come from Council operations, \$2.89 million from external grants, \$0.25 million from special charge schemes and community contributions. Details are provided in Section 4.5 of the

attached Budget document. Council will continue to heavily invest in its road network through capital renewal, which is also supplemented by programmed maintenance.

The 2018-2019 Capital works program includes:

- \$6.83 million on road assets with grant income of \$1.99 million budgeted.
- \$1.24 million on bridge assets including stage 3 of Castle Carey Road Bridge realignment.
- \$2.10 million of heavy plant and light fleet replacements.
- \$0.42 million of streetscapes
- \$2.68 of other projects including building, kerb and channel, information technology, footpaths and recreation projects.

A substantial part of the capital works program is based on existing asset management plans. Other projects have been included to take advantage of external funding opportunities and to deliver community planning outcomes. Council's asset renewal gap for 2018-2019 is projected to be 95% against a long-term target of 100%. Council's four year Strategic Resource Plan forecasts an average annual renewal ratio of 121%.

Borrowings

The Budget provides for no new borrowings in 2018-2019.

Reserve Transfers

The Naroghid landfill has an estimated remaining life of 55 years. The current net present value estimate for restoration and monitoring is \$5.199 million and was recently reviewed in January 2017. The draft budget includes a \$92,000 transfer to the Landfill Restoration Reserve. This additional allocation will create a reserve of \$467,939 as at 30 June 2019.

A new reserve has been created to allocate funds required for future large-scale projects which have been identified by Council. These projects include Port Campbell streetscape and the 12 Apostles Trail. The amount allocated to this reserve is \$5.7 million in 2018-2019 million and will be reduced over the life of the project completion.

Statutory Disclosures

The 2018-2019 Budget includes the disclosure requirements of the *Local Government Act 1989* and the *Local Government (Finance and Reporting) Regulations 2014*. The required statutory information pertaining to Rates and Charges is detailed within Section 4.1.

Policy and Legislative Context

Council is required under the Act to adopt the Budget by 30 June 2018. Council is required to undertake public consultation as part of the process. The Budget is Council's annual financial strategic document and has been prepared in accordance with its commitment in the Council Plan 2017-2021 that:

Council will make budgetary decisions that ensures Council remains in a strong financial position now and into the future.

Council will deliver value for money by ensuring that services are required and delivered efficiently and sustainably.

Council will advocate strongly in relation to roads, cost shifting, and other Council and community priorities.

Internal / External Consultation

Council will advertise the 2018-2019 Budget and call for public submissions under Section 223 of the *Local Government Act 1989*. Any person making a submission and wishing to be heard in support of their submission will have an opportunity to do so at a meeting of a Committee of the whole Council at 10.00 am on 5 June 2018. It is recommended a special Council meeting be held at 5.00 pm on 12 June 2018, to which the outcomes from those discussions and submissions will be reported and the Budget may be adopted with or without amendment.

Financial and Resource Implications

The Budget has been prepared in accordance with the direction provided by Council and in accordance with Council's Long Term Financial Plan. The Budget has been prepared within the following parameters:

- A 3.81% increase in rates and charges which results from compliance with the rate cap of 2.25% plus 1.56% due to supplementary rates and costs associated with kerbside waste collection.
- An operating result of \$2.564 million.
- A capital works program of \$13.278 million.
- An unrestricted working capital ratio of 252% to maintain a solid liquidity buffer for Council to meet its short term obligations.
- Capital budgets have been prepared in accordance with good asset management principles.

Contained within the 2018-2019 Budget document is:

- Detailed information on project initiatives, staffing and resources.
- Detailed capital works program included proposed future capital expenditure (Section 3 and Appendix B).
- 2018-2019 Fees and Charge Schedule (Appendix A).

Options

Council may approve the 2018-2019 Budget for public exhibition, incorporating the 2018-2019 Fees and Charges Schedule, as presented with or without amendments.

Conclusion

The 2018-2019 Budget maintains Council's sound financial position with a strong commitment to a high standard of services, complemented by a significant capital works program.

The 2018-2019 Budget presented to Council is balanced and has regard to the key indicators that reflect Council's financial sustainability.

The attached Budget has been prepared in accordance with the best practice "model budget" and constitutes the public document that will be subject to public review.

RECOMMENDATION

That:

1. The 2018-2019 Budget, incorporating the 2018-2019 Fees and Charges Schedule (Appendix A), annexed to this resolution be the Budget prepared by Council in accordance with Section 127 of the *Local Government Act 1989*.
2. Public notice and inspection:
 - (a) Public notice of the preparation of the 2018-2019 Budget, incorporating the 2018-2019 Fees and Charges Schedule (Appendix A), in accordance with Section 129(1) of the *Local Government Act 1989* be given.
 - (b) The 2018-2019 Budget, incorporating the 2018-2019 Fees and Charges Schedule (Appendix A) be made available for public inspection at the Camperdown Civic Centre, Camperdown Library, Cobden Library, Derrinallum Library, Terang Library, Timboon Library, Port Campbell Visitor Information Centre and on Council's website.
3. Submissions:
 - (a) Any person who lodges a written submission in respect of the 2018-2019 Budget, incorporating the 2018-2019 Fees and Charges Schedule and has requested to be heard in support of such written submission be heard by the Committee of the whole Council at a meeting commencing at 10.00 am on 5 June 2018.
4. A special meeting of Council be held to adopt the 2017-2018 Budget, incorporating the 2017-2018 Fees and Charges Schedule at 5.00 pm on 12 June 2018 at the Killara Centre, 210-212 Manifold Street, Camperdown.

COUNCIL RESOLUTION

MOVED: Cr Illingworth

SECONDED: Cr Trotter

That the recommendation be adopted.

CARRIED

Attachments

1. Draft Budget 2018-2019 - Under Separate Cover

8.2 Sale of Council Land and Building Policy Review 2018

Author: Jane Hinds, Property Officer

File No: D18/143

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

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

Author - Jane Hinds

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

Summary

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

Introduction

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

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

Issues

The Sale of Council Land and Building Policy has been developed to ensure a consistent approach is taken in the administration of the sale, exchange or transfer of Council land holdings. The policy has also been developed to comply with existing government legislation and regulations.

Council's policy for Sale of Council Land and Building provides a criteria for identification of surplus land and buildings assets. The criteria includes history of the land, size and location, demonstrated past and current usage, surrounding usage, community or Council plans, strategic relevance, access to the property, demonstrated community need and future foreseeable use. Any rationalisation of services and infrastructure is fully explored with relevant service departments and community groups before proceeding to sale.

Council approval is sought to proceed with disposal of any land or building, after which a public submission process is undertaken. Council's notice of intention to sell in accordance with the provisions of the Local Government Act is advertised. Onsite or direct community consultation is also facilitated to seek community input as to whether there is current or future community use of the Council asset.

The Sale of Council Land and Building Policy was last reviewed in 2016, with a comprehensive review undertaken and some amendments implemented. As part of the 2018 review the following minor amendments are proposed:

1. Update reference to the current Council Plan
2. Update reference to other Council documents
3. Inclusion of community consultation plan and outcomes.

Policy and Legislative Context

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

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

The Sale of Council Land and Building Policy is also in keeping with the commitments in the Council Plan 2017-2021:

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

Council will make budgetary decisions that ensures Council remains in a strong financial position now and into the future.

Council will deliver value for money by ensuring that services are required and delivered efficiently and sustainably.

Internal / External Consultation

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

Financial and Resource Implications

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

Options

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

Conclusion

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

RECOMMENDATION

That Council:

1. **Revokes the previous Sale of Council Land and Building Policy dated April 2016.**
2. **Adopts the Sale of Council Land and Building Policy dated April 2018.**

COUNCIL RESOLUTION

MOVED: *Cr Trotter*

SECONDED: *Cr Brown*

That the recommendation be adopted.

CARRIED

Attachments

1. Council Sale of Council Land and Buildings Policy Review 2018 - Under Separate Cover
2. Sale of Council Land and Buildings Policy 2018



**CORANGAMITE
SHIRE**

Sale of Council Land and Buildings

Corangamite Shire

April 2018

Council Policy



Sale of Council Land and Buildings

Introduction

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

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

Purpose

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

This framework should assist to ensure that Council land and buildings are disposed in a responsible manner, in accordance with the outlined policy, legislative requirements and consistent with the Council Plan 2017-2020:

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

Council will make budgetary decision that ensure Council remains in a strong financial position now and into the future.

Council will deliver value for money by ensuring that services are required and delivered efficiently and sustainably.

Scope

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

References

Local Government Act 1989 (including any future reviews of the Act)

Valuation of Land Act 1960

Council Plan 2017-2021

Laws and regulations

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

Surplus Council Land and Buildings

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

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

Adopted at Council on: 24 April 2018
Agenda Item:
Responsibility: Property Officer
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Department: Works & Services
To be reviewed by: April 2020
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Corangamite Shire Council Policy – Sale of Council Land and Building Policy

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

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

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

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

Requirement for a Current Valuation of Land

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

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

General Principles

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

Council will aim to maximise the price of asset sales.

Different sale methods that can be considered are:

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

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

- The sale of land is not permitted before an auction or close of tenders.
- The reserve price will be set prior to an auction, close of tenders or receipt of offers and remain confidential.
- The valuation will be used as the reserve price.

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Corangamite Shire Council Policy – Sale of Council Land and Building Policy

- If land fails to sell at auction, it is to be passed in for negotiation with the highest bidder and offered for sale to that person at not less than the reserve price.
- If the land remains unsold following negotiations after an auction or unsuccessful tender, it should be left on the market for private sale at not less than the reserve price for an appropriate or reasonable period of time as determined by the CEO or delegated officer.
- A decision to accept a written offer which is lower than the valuation can only be made by Council decision. Having considered relevant factors and Council having formed an opinion that the offer is reasonable, the land may be sold. Council will disclose the reasons for its decision, in a future Council Report, to sell the land for a price lower than the valuation.

Use of Proceeds

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

Dating of Documents

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

Reference to linked Procedure or Guidelines

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

- Local Government Best Practice Guideline for the Sale, Exchange and Transfer of Land, Department of Planning and Community Development, June 2009
- Procurement Policy, Corangamite Shire, February 2018 or the most recent version where it is endorsed by Council
- Sale of Council Land and Buildings Procedures, Corangamite Shire, March 2018 or its most recent version where it is endorsed by the Chief Executive Officer.

Review Date

This policy will be reviewed in 2020, or earlier as required by changed circumstances including changes to the legislation and policies of Corangamite Shire, the Victorian Government and its agencies or Federal Government and its agencies.

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

Adopted at Council on: 24 April 2018
Agenda Item:
Responsibility: Property Officer
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8.3 Property Leasing Policy Review 2018

Author: Jane Hinds, Property Officer

File No: D18/144

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

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

Author - Jane Hinds

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

Summary

The Property Leasing Policy governs the way in which Council administers the granting of leases and licenses for Council controlled land and buildings. The policy has been reviewed and updated and is recommended for adoption.

Introduction

Council owns both community and operational land and manages Crown land where Council is the delegated Committee of Management. The aim of this policy is to establish a framework for Council when developing agreements. This framework is intended to streamline the use of Council land holdings for the benefit of the community and recover costs associated with managing Council assets.

Issues

The policy is designed to ensure a consistent approach is taken and provides a strategic framework for the development of all types of agreements which aligns with Council practices and with relevant legislative requirements.

It is intended that this policy provides a framework by which use of Council property by community groups, commercial entities and other groups will be developed for the benefit of the community and to recover costs associated with managing Council assets.

The policy was last reviewed in 2016 with a comprehensive review undertaken and some minor changes implemented. As part of the 2018 review the following amendments are proposed:

1. Update reference to the current Council Plan
2. Clarification of occupants who are included under this policy
3. Changes in accordance with the Retail Leases Act
4. Changes in accordance with DELWP requirements
5. Addition of a fee for a transfer of lease.

Policy and Legislative Context

The Property Leasing Policy is a Council policy that has been reviewed in accordance with Council's Policy Development Framework.

The policy is consistent with relevant legislation including the *Local Government Act 1989* and the *Crown Land (Reserves) Act 1978*. This policy should be read along with these Acts and other relevant legislation as referred to within the body of the document.

The Property Leasing Policy is also in keeping with the commitments in the Council Plan 2017-2021:

Council will make budgetary decisions that ensures Council remains in a strong financial position now and into the future.

Council will deliver value for money by ensuring that services are required and delivered efficiently and sustainably.

The Property Leasing policy also takes into consideration other Council policies including but not limited to Community Initiated Projects and Essential Safety Measures.

Internal / External Consultation

The Property Leasing Policy is an existing policy that has been reviewed internally by Council's Facility and Recreation department and Senior Officers.

Financial and Resource Implications

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

Some existing tenants may see an increase in rental fees and other tenants may see a reduction, this would be based on the rental and operating cost subsidy categories as the policy is implemented and when agreements are renewed.

Options

Council may choose to adopt the reviewed Property Leasing Policy as prepared, with amendments, or choose not to adopt the policy.

Conclusion

The review of Council's Property Leasing Policy was undertaken to ensure that Council has a clear strategic framework for the development of all types of agreements which aligns with Council practices, to streamline the use of Council land holdings for the benefit of the community and to recover costs associated with managing Council assets.

RECOMMENDATION

That Council:

- 1. Revokes the previous Property Leasing Policy dated February 2016**
- 2. Adopts the Property Leasing Policy dated April 2018**

COUNCIL RESOLUTION

MOVED: *Cr Trotter*

SECONDED: *Cr Brown*

That the recommendation be adopted.

CARRIED

Attachments

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2. Council Property Leasing Policy 2018



**CORANGAMITE
SHIRE**

Property Leasing

Corangamite Shire

April 2018

Council Policy

Property Leasing

Introduction

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.

Council owns both community and operational land and manages Crown land where Council is the delegated Committee of Management. Council will attempt to streamline the use of its land holdings for the benefit of the community and/ or to maximise the amount of revenue received from its assets.

Purpose

The purpose of this policy is to establish a framework for Council arrangements when developing leases for use of Council property. This framework is intended to maximise the use of its community assets in a responsible manner and be consistent with the Council Plan 2017-2021:

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

Council will make budgetary decision that ensure Council remains in a strong financial position now and into the future.

Council will deliver value for money by ensuring that services are required and delivered efficiently and sustainably.

Scope

This policy is applicable to all Council owned and occupied land and buildings and where Council acts as Committee of Management on Crown land.

This policy does not apply to premises that are exclusively occupied by Council operated services such as pre-schools, libraries and maternal child health services.

Committees appointed by Council under Section 86 of the *Local Government Act 1989* are also not considered to be occupants. The Section 86 Committees operate through delegation of duties and powers from Council.

References

[Local Government Act 1989](#)

[Local Government \(General\) Regulations \(2004\)](#)

[Crown Land \(Reserves\) Act 1978](#)

[Leasing Policy for Crown Land in Victoria 2010](#)

[Land Act 1958](#)

[Planning and Environment Act 1987 \(Vic\)](#)

Adopted at Council on: 24 April 2018

Agenda Item:

Responsibility: Property Officer

File Number: D/18/15190

Department: Works & Services

To be reviewed by: 2020

Policy Number: INFRA 32-04

Page Number: 2

Corangamite Shire Council Policy – Property Leasing

Retail Leases Act 2003
Coastal Management Act 1995 (Vic)

Policy Detail

1. Laws and Regulations

There are many laws and regulations that apply to the way in which Council manages its land holdings. A brief summary of the major legislation and regulations governing the granting of leases for Corangamite Shire Council is provided below.

Local Government Act 1989

In the *Local Government Act 1989* the main provisions with regards to the leasing of land are defined in Section 190, which is as follows:

- Council's power to lease any land to any person is limited to leases for a term of 50 years or less.
- Subject to any other Act, if a Council leases any land to any person subject to any exceptions, reservations, covenants and conditions, it must comply with this section.
- If a lease is to be -
 - a. For 1 year or more and-
 - i. The rent for any period of the lease is \$50,000 or more a year; or
 - ii. The current market rental value of the land is \$50,000 or more a year; or
 - b. For 10 years or more; or
 - c. A building or improving lease

The Council must at least 4 weeks before the lease is made publish a public notice of the proposed lease.

- A person has a right to make a submission under Section 223 of the Act on the proposed lease.

The purpose of a public notice is to inform ratepayers and residents of the intention by Council to enter into a lease agreement and to give an indication that Council is genuinely open to the best offer for that land, either on a price basis or alternative use basis.

The public notice should be clear and informative to ratepayers and residents and should include the following:

- Reference to the Act that Council is acting under e.g. Section 190 and 223 of the *Local Government Act 1989*
- The location of the property by street address or title details
- A map or plan of the land
- The term of the agreement including any further terms
- The annual rent payable
- How submissions can be made.

Local Government (General) Regulations (2004)

Under the Local Government Regulations, Council should maintain a register of all leases entered into by Council. Under Section 11(m) information to be made available to the public include, 'details of all property, finance and operating leases involving land, buildings, plant, computer equipment or vehicles entered into by the Council as

Adopted at Council on: 24 April 2018
Agenda Item:
Responsibility: Property Officer
File Number: D/18/15190

Department: Works & Services
To be reviewed by: 2020
Policy Number: INFRA 32-04
Page Number: 3

Corangamite Shire Council Policy – Property Leasing

lessor or lessee, including the name of the other party to the lease and the terms and the value of the lease’.

Crown Land (Reserves) Act 1978

The leasing provisions in the *Crown Land (Reserves) Act 1978* are used to authorise a wide range of leases for commercial and non-commercial purposes on reserved Crown land.

- Under Section 17(2) Committees of Management are authorised to issue licences and agreements for purposes consistent with the purpose of the reserve for a maximum term of 3 years, without any further approval from DELWP required This is only allowed for reserves that are certified under Section 17(1). A list of all reserves applicable under Section 17(2) are attached to this policy.
- Section 17B provides for licences for any purpose which is not detrimental to the purpose of the reserve for a maximum term of 10 years. This term includes all further terms.
- Section 17BAA can be used in some circumstances, allowing for a longer licence term.
- Sections 17D and 17DA provide that the Minister should be a signatory to lease agreements for Crown land over which the Council is Committee of Management. The terms and conditions of the lease can be determined by Council.
- Reserves vested in Council pursuant to section 16(1) of the Act generally provide for Council to grant leases and licences for a maximum term of 21 years. The grant of licences under section 16(2) require no further approval from DELWP however leases required the prior approval of the Governor in Council pursuant to section 16(7).

Agreements involving Crown land where Council is Committee of Management must be prepared in accordance with the guidelines provided by the Department of Environment, Land, Water and Planning. All leases situated on Crown land will use the standard lease agreement as prescribed by the Department of Environment, Land, Water and Planning. Initial consent is required by DELWP through a ‘Grant and Purpose’ request by Council, outlining the proposed terms and conditions of the lease. Once initial approval is given by DELWP, and the documents have been compiled, signing of the agreement can occur by Council, the tenant and then final approval is given by DELWP under the *Crown Land (Reserves) Act 1978* by the Minister or their delegate.

Leasing Policy for Crown Land in Victoria 2010

The objectives of this policy are to provide a consistent framework for the leasing of Crown land by formalising ‘Crown Land Leasing Principles’ at a State-wide level and to manage Crown land in an ecologically sustainable manner. These principles will:

- Guide land manager, existing occupants and prospective occupants
- Help inform decision making around leasing
- Improve community awareness of government policy for the leasing of Crown land.

Land Act 1958

The Land Act 1958 involves the sale, grant and occupation of unreserved Crown land, Crown water frontages and government roads in Victoria.

Adopted at Council on: 24 April 2018
 Agenda Item:
 Responsibility: Property Officer
 File Number: D/18/15190

Department: Works & Services
 To be reviewed by: 2020
 Policy Number: INFRA 32-04
 Page Number: 4

Corangamite Shire Council Policy – Property Leasing

Planning and Environment Act 1987 (Vic)

The *Planning and Environment Act 1987* applies to both Crown land and freehold land. This Act outlines the planning use, development and protection of land in Victoria. Occupants need to comply with the Corangamite Shire Planning Scheme and obtain any required planning permits associated with the use and development of leased premises.

Retail Leases Act 2003

The *Retail Leases Act 2003* governs the way in which retail and commercial premises are leased. The *Retail Lease Act 2003* will apply to some Council leases where the retail premises is used wholly or predominantly for:

- a) The sale or hire of goods by retail or the retail provision of services; or
- b) The carrying on of a specified business or a specified kind of business that the Minister determines under Section 5 is a business.

The term of a retail premises lease, including any further terms must be at least 5 years.

On 6 October 2014 a new determination excluding premises leased for certain community and charitable purposes, subject to a maximum annual rental, was made. This determination will apply to leases entered into after 1 January 2015, revoking a determination made in 2008 relating to local council premises leased for certain community and charitable purposes.

Coastal Management Act 1995 (Vic)

The *Coastal Management Act 1995* provides a co-ordinated approach for the use and development of coastal Crown land. The objectives of this Act are to protect, maintain and raise public awareness about Victoria's coastal resources.

2. Types of Tenure

The Corangamite Shire Council has three main forms of tenure which are used to grant the use of Council land holdings. They are as follows:

Lease

A lease is a contract by which the landlord (owner) grants exclusive use and possession of land to an occupant (lessee), in consideration for a payment (rent) for a specified term and purpose.

Licence

A licence is an agreement that generally allows the non-exclusive use of land for a fixed term to an occupant.

Occupancy Agreement

An occupancy agreement is an agreement that is not a residential tenancy agreement and is not subject to residential tenancies legislation. It will generally apply for an occupancy that occurs for a portion of the year, such as the hire of a venue.

Fees for casual hire will be charged in accordance with the fees and charges set out in Council's Annual Budgeted fees and charges schedule.

3. Rental and Operating Cost Subsidy

Council may subsidise rental and operating costs for eligible tenants. There are seven categories based on the extent to which tenants meet the criteria outlined in Table 1.

Adopted at Council on: 24 April 2018
 Agenda Item:
 Responsibility: Property Officer
 File Number: D/18/15190

Department: Works & Services
 To be reviewed by: 2020
 Policy Number: INFRA 32-04
 Page Number: 5

Corangamite Shire Council Policy – Property Leasing

Council will make an assessment against these criteria and eligibility for rental and operating cost subsidy annually.

Council reserves the right to amend the rental if a tenant gains liquor or gaming licences, or gains access to any similar commercial means of income generation during the life of an agreement.

Council will negotiate rental and operating cost subsidy with eligible tenants after consideration of various factors, including but not limited to the following;

- Consistency with Council objectives, core business and Council Plan
- Location of the property/ building and its commercial nature
- Use of volunteers
- Service and program fees
- Access by Corangamite Shire residents
- Extent of external funding
- History and track record as a Council tenant
- Community benefit
- Service to the community

Council reserves the right to enter into an agreement and negotiate the terms and conditions, maintenance obligations, annual rent and operating subsidy on a case by case basis.

The following is provided as an indicative guide to the development of annual rent and operating costs.

Category	Annual Rent & Operating Costs	Eligibility
<p>A: Community Groups This type of rental group will include recreation community groups that provide for the community and are readily available to Corangamite Shire Council residents. E.g. sports clubs</p>	<ul style="list-style-type: none"> • Council to provide for municipal rates and charges and ensure compliance with essential safety measures. • The fire services property levy will be passed on to the tenant. • Subsidised rental \$104 per annum. • Terms and conditions of use and preventative maintenance will be negotiated with the tenant on a case by case basis. • Tenant to provide some maintenance. 	<ul style="list-style-type: none"> • Use approved by Council and • Provides significant community benefit and • Has limited revenue-raising ability (net of cost of service) e.g. service groups. • Where the tenant has other substantial income sources raised through fees and charges, recurrent operational grants and funding, or via fundraising the tenant will be assessed at the next rental level.
<p>B: Community Service Organisations in this category will provide a core service to the local community. The group will be reliant on funding and do not have the capacity to generate a significant amount of income. They will not engage in any type</p>	<ul style="list-style-type: none"> • Rent negotiated based on size, community benefit, terms of use, level of maintenance capacity. • Tenant to be responsible for all municipal rates and charges and utilities. • Council to ensure compliance with essential safety measures. • Terms and conditions of use 	<ul style="list-style-type: none"> • Use approved by Council and • Has revenue raising capacity or receives external funding assistance, e.g. Receives some State Government funding

Adopted at Council on: 24 April 2018
 Agenda Item:
 Responsibility: Property Officer
 File Number: D/18/15190

Department: Works & Services
 To be reviewed by: 2020
 Policy Number: INFRA 32-04
 Page Number: 6

Corangamite Shire Council Policy – Property Leasing

Category	Annual Rent & Operating Costs	Eligibility
of commercial activity. E.g. kindergarten, senior citizens, community house	and preventative maintenance will be negotiated with the tenant on a case by case basis. <ul style="list-style-type: none"> • The fire services property levy will be passed on to the tenant. • Subsidised rental amount minimum \$104 to maximum \$1250 / 0.05% of property value (CIV) / \$10 / sqm floor space. 	
C: Other This type of rental group falls on to commercial/ private tendencies but assessments will be made in comparison with Category B: Community Services and the level of funding the group receives and the capacity to generate a significant amount of income.	<ul style="list-style-type: none"> • A commercial rental is based on a market valuation undertaken by the Valuer General or a registered valuer. • All costs incurred by Council will be passed on to the tenant, with the exception of essential safety measures compliance. • Maintenance to be negotiated within the agreement. • Terms and conditions of use and maintenance to be negotiated with the tenant on a case by case basis. 	<ul style="list-style-type: none"> • Use approved by Council and • Provides services that are not targeted to the Corangamite Shire Council community or part of operations includes commercial activities • Has revenue raising capacity or receives external funding assistance, e.g. Receives some State Government funding.
D: Commercial/ Private Commercial leases are leases where the lessee; <ul style="list-style-type: none"> - Operates a business or, - Undertakes commercial activity, - Obtains income from the lease and/or there is private gain from the use of the premises. Residential tenants and Family Day Care (FDC) Educators also apply to this category.	<ul style="list-style-type: none"> • A commercial rental is based on a market valuation undertaken by the Valuer General or a registered valuer. • All costs incurred by Council will be passed on to the tenant, with the exception of essential safety measures compliance. • Maintenance to be negotiated within the agreement. • In the case of a FDC Educator, the rental will be \$70 per week. 	<ul style="list-style-type: none"> • Use approved by Council and • Provides services that are not targeted to the Corangamite Shire Council community or part of operations includes commercial activities.
E: Crown Land All agreements on Crown Land are subject to the <i>Crown Land (Reserves) Act 1978</i> .	Department of Environment, Land, Water and Planning nominal amount \$104 per annum or full market rent.	<ul style="list-style-type: none"> • Agreements involving Crown land where Council is Committee of Management.
F. Occupancy Agreement This occurs where a venue is hired from Council	Set in accordance with Council's annual fees and charges	Use approved by Council or regular users where Council is manager

Adopted at Council on: 24 April 2018
 Agenda Item:
 Responsibility: Property Officer
 File Number: D/18/15190

Department: Works & Services
 To be reviewed by: 2020
 Policy Number: INFRA 32-04
 Page Number: 7

Corangamite Shire Council Policy – Property Leasing

Category	Annual Rent & Operating Costs	Eligibility
G. Grazing Other than those permits issued through Local Laws.	<ul style="list-style-type: none"> · A commercial rental is based on a market valuation undertaken by the Valuer General or a registered valuer. · All costs incurred by Council will be passed on to the tenant. · Maintenance to be negotiated within the agreement · The fire services property levy will be passed on to the tenant. 	<ul style="list-style-type: none"> · Use approved by Council and · Provides services that are not targeted to the Corangamite Shire Council community or part of operations includes commercial/private activities.

Table 1: Rental and Operating Cost Subsidy Categories

4. Transition Arrangement for Current Leases

Currently most community organisations are charged an annual rental which has been previously specified. In order to provide a period of time for clubs and organisations to budget for an increase in rental and maintenance obligations, all existing agreements will be reviewed in line with the policy following expiry of the agreement or at the next scheduled rent review, following the adoption of this policy. Consultation with the tenant will occur between 3 to 6 months before the end of the current agreement, to ensure a timely renewal.

5. Maintenance Responsibilities

Each tenant is required to maintain the facility in accordance with a maintenance schedule attached to the agreement, using the services of registered and qualified tradespeople to undertake works that require a 'Certificate of Compliance'. Schedules will specify responsibilities of Council and tenant including responsibility for maintaining the structure including the building shell; fit out including fixtures and fittings; and grounds including ground surface. All tenants signing leases following commencement of this policy will be required to contribute towards maintenance of their facility. Generally this will include responsibility to fully maintain elements related to the function of the facility, such as playgrounds, specialist equipment, tennis courts and the like. The level of maintenance responsibility outlined in the relevant schedule will be determined by the function of the facility, the degree of community benefit, and the tenant's ability to generate revenue. In broad terms maintenance responsibilities are as outlined below in table 2 which should be seen as a general guide only. Specific responsibilities will be negotiated with each tenant taking into account the nature, age and condition of the facility and included in a schedule to that tenant's lease.

Maintenance Definitions

1. Maintain: Clean, keep in good condition and perform incidental maintenance not requiring a skilled tradesperson
2. Repair: Keep in good condition in accordance with Australian Standards. Ensure useful life of the asset is met in accordance with Council's Asset Management Plan for Buildings and Other Structures.
3. Replace: Replace at end of useful life. Replace if broken or damaged beyond repair.
4. Full Maintenance: Clean, maintain, repair, replace. Undertake: carry out specified activity.
5. NA: No maintenance

Adopted at Council on: 24 April 2018
 Agenda Item:
 Responsibility: Property Officer
 File Number: D/18/15190

Department: Works & Services
 To be reviewed by: 2020
 Policy Number: INFRA 32-04
 Page Number: 8

Corangamite Shire Council Policy – Property Leasing

Guide to Maintenance Responsibility

Council will assess its maintenance responsibility in line with the terms and conditions agreed to with the tenant, the rental category they fall within and those buildings and/ or structures which are Council assets (Council owned). Council reserves the right to schedule maintenance or replacement of items in accordance with budget considerations.

Category	Building Component	Tenant Responsibility	Council Responsibility
A: Community Groups	All elements	Maintain	Repair
B: Community Service	Building Shell	Maintain	Repair & Replace
	Fixtures / Fittings (toilet pans, taps, door furniture)	Maintain	Replace
	Interior Surfaces (painting, carpet, tiling)	Maintain	Replace
	Building Services (water supply, gas, sewerage, electrical)	Maintain	Replace
	Essential services		Full maintenance
	Routine services (gutter cleans,)		Full maintenance
	Grounds (landscape features, external furniture)	Maintain	Replace
	Trees		Full maintenance
	Specialist ground surface and equipment	Full maintenance	
C: Other & D: Commercial/ Private	Building Shell	Maintain	Repair & Replace
	Fixtures / Fittings (toilet pans, taps, door furniture)	Full maintenance	
	Interior Surfaces (painting, carpet, tiling)	Full maintenance	
	Building services (water supply, gas, sewerage, electrical)	Maintain	Replace
	Essential services		Full maintenance
	Routine services (gutter cleans,)	Full maintenance	
	Grounds (landscape features, external furniture)	Full maintenance	
	Trees	Maintain	Replace
	Specialist ground surface and equipment	Full maintenance	
E: Crown Land	As per Category B, C or D		

Adopted at Council on: 24 April 2018
 Agenda Item:
 Responsibility: Property Officer
 File Number: D/18/15190

Department: Works & Services
 To be reviewed by: 2020
 Policy Number: INFRA 32-04
 Page Number: 9

Corangamite Shire Council Policy – Property Leasing

	depending on type of use		
F. Occupancy Agreement			Full maintenance
G. Grazing	Trees	Maintain	Replace
	Fences & gates	Full Maintenance	
	Grounds (landscape features, external furniture)	Full maintenance	
	Existing infrastructure e.g. Troughs, culverts, access roads and entrances	Maintain	Replace
	New infrastructure / improvements	Full Maintenance	

Table 2: Maintenance Responsibilities

6. Renewal and End of Lease Arrangements

In order to ensure that agreements are signed by Council and the lessee on or before the day that the agreement comes into effect and the agreement is held by Council, Council must ensure the timely renewal of agreements.

It is imperative to start the renewal process between 3 to 6 months before the end of the current lease to ensure the best outcome for Council is achieved.

End of Lease

Where the agreement has no option to renew and the lease term is set to end, Council needs to commence negotiations with the tenant to ascertain whether both parties are interested in continuing the arrangement. Should both be willing to enter into a new lease, the lease terms can be negotiated without reference to the current lease, although it is likely that the current lease would be the starting point for negotiations. After seeking a current market rental valuation for the premises, Council should negotiate all of the essential terms of the agreement no less than 6 months before the end of the current lease for commercial arrangements and 3 months before the end of the current lease or all other arrangements.

Lease Renewal

Where the lease contains an option to renew, the option must be exercised strictly in accordance with the lease and the related laws and regulations governing the agencies.

In most cases, the lease terms state to exercise the option:

- There must be no breach of any lease term
- Notice is given to Council between 3 and 6 months before the end of the lease – notice given before or after the time period may not be a valid notice
- Where the option is exercised, the same lease terms apply for the new lease, subject to the rent being adjusted
- Whilst there is no requirement for Council and the tenant to vary any of the other lease terms, there is nothing to prevent the terms being varied where both parties agree.

7. Terms and Conditions

The terms and conditions of all Council tenure will be accessed on the nature of the agreement. Additional provisions will be included when necessary to meet specific

Adopted at Council on: 24 April 2018
 Agenda Item:
 Responsibility: Property Officer
 File Number: D/18/15190

Department: Works & Services
 To be reviewed by: 2020
 Policy Number: INFRA 32-04
 Page Number: 10

Corangamite Shire Council Policy – Property Leasing

requirements of Council or the other party involved. The following general terms and conditions should be included when developing an agreement.

Terms

The terms of the agreement will be assessed on a case by case basis depending on different factors including the occupant, use of the premises and community benefits. However it shall be noted that all land identified under the *Crown Land (Reserves) Act 1978* must not be leased for more than 10 years (including further terms) unless the Ministers approval has been given. In accordance with the *Local Government Act 1989* Council may not enter into a lease that exceeds 50 years.

Use of Premises

The use of the premises should be that of the permitted use of the premises only. Any changes will be subject to Council assessment. The premises should not be used for illegal purposes and Council's written consent is needed before any alterations or additions to the premises are made.

Optimum Use of Facilities

Council's goal is to ensure the greatest community benefit and value can be provided by the utilisation of Council's facilities. This is done by encouraging multi use of facilities and tailoring the services provided by tenants to best suit the community.

Rates, Taxes Charges and Outgoings

All rates, taxes, charges, levies and outgoings involved with the establishment, duration and termination of the tenure will reflect Table 1: Rental and Operating Cost Subsidy Categories. This may include municipal rates, service charges and the fire services property levy.

All land is rateable except the following, as summarised, under Section 154 of the *Local Government Act 1989*:

- a) Unoccupied land which is owned by the Crown, Council, public statutory body or trustees appointed under the Act
- b) Land used exclusively for public or municipal purposes
- c) Land used exclusively for charitable purposes
- d) Land which is held in trust for any religious body, which is used as a residence for a Minister or as education and training of persons to be Ministers of religion
- e) Land used for mining purposes
- f) Land held in trust and used exclusively by an RSL, Air Force Association or by the Australian Legion of Ex-Servicemen and Women.

All cultural and recreation lands shall be exempt from the payment of municipal rates, except where:

- The land is subject to a grazing lease, in which case it will attract the general rate or farm rate if applicable
- The land is used for housing gaming machines, in which case the portion of the premises used for housing gaming machines shall attract the commercial rates, and the balance of the property shall be exempt from the payment of municipal rates
- The land is used as a horse racing venue, in which case the property shall attract the cultural and recreational lands rate.

Transfer of Lease

Adopted at Council on: 24 April 2018
Agenda Item:
Responsibility: Property Officer
File Number: D/18/15190

Department: Works & Services
To be reviewed by: 2020
Policy Number: INFRA 32-04
Page Number: 11

Corangamite Shire Council Policy – Property Leasing

In the instance where by a current lease agreement is transferred to another party, Council reserves the right to charge a fee.

Landlord's Installations

A list of all Council installations on the premises or those installed by Council after the commencement of the lease must be noted on the agreement.

Occupant's Installations

A list of all occupant installations installed by the occupant after the commencement of the lease must be noted on the agreement.

Subletting

The occupant must not transfer the lease or sublet the premises without the written consent of Council.

Advertising

Permission must be obtained from Council when seeking sponsorship and conform to all Council policies when erecting commercial advertising or signage.

Accessible Toilets

Accessible toilets in the building are not to be used for storage purposes.

Emergency Procedures

All occupants are requested to have in place and maintain current emergency and evacuation plans and procedures.

Smoking

Smoking in any form is strictly prohibited in all Council owned and managed buildings.

Security

The occupant must inform Council immediately of any key that may be lost. Cost for the replacement of keys will be borne by the occupant.

Test and Tag

The occupant must ensure that any equipment which is supplied and used by the occupant is checked regularly to ensure it is safe to use and is compliant with the Australian Standards, including the test and tag of electrical equipment. Any faults caused to Council's equipment or property will be the responsibility of the occupant. Council can organise the test and tag of equipment if required, however this service will be at the occupant expense.

Essential Safety Measures

In accordance with Council's Essential Safety Measures policy Council will ensure that essential safety standards in Council owned and occupied buildings is maintained and complies with the appropriate regulation, legislation or Australian Standard.

Water and Energy

Tenants are encouraged to minimise water and energy usage.

Consumption of Liquor

No alcoholic beverage shall be sold at any time without the appropriate permit or licence.

Adopted at Council on: 24 April 2018
Agenda Item:
Responsibility: Property Officer
File Number: D/18/15190

Department: Works & Services
To be reviewed by: 2020
Policy Number: INFRA 32-04
Page Number: 12

Corangamite Shire Council Policy – Property Leasing

Rent

The rental fee for all agreements will be determined by the nature of the lease, whether it is of a not for profit, community, commercial or private nature and in accordance with the classification of rental category. The costs associated with the valuing of the property will be the responsibility of the occupant.

Fees and Charges

All fees and charges will be reviewed each year in accordance with the budget process.

Rent Review

The rent will be reviewed at the end of the term of the agreement at other intervals if nominated. Generally the rental amount will increase by the Consumer Price Index (CPI) each year or by obtaining a current valuation of the property, unless otherwise stated. The rent will not be reviewed on a CPI adjustment date if the effect of that review is to reduce the rent payable from the rent which was paid during the 12 period just ended. Each agreement will be assessed on an individual basis.

Insurance

All occupants are obligated to take out and keep current their own public liability insurance cover with Council noted as an interested party. A minimum cover amount of \$20 million is required or such other amount reasonably specified from time to time by Council. Council reserves the right to request a copy of the current certificate of currency each year for their records. Building insurance is covered by Council in the majority of cases. Council will not insure the contents of any leased premises, unless otherwise stated in the agreement.

Legal Costs

The tenant will pay all legal costs associated with the establishment of a new lease agreement that differs from Council's standard lease document, unless otherwise negotiated, except if the lease is subject to the *Retail Leases Act 2003*.

Maintenance and Alterations

Building and property maintenance will be assessed in accordance with the nature of the agreement and associated works. Maintenance conducted by the occupants must be reported to Council, carried out in a responsible manner and adhere to the conditions of the agreement and statutory requirements.

Council has no responsibility to maintain/improve buildings on Council owned land occupied by an organisation or group exclusively for private purposes, subject to the requirements of the *Retail Leases Act 2003* if the land is occupied pursuant to a lease subject to that Act.

Wear and tear maintenance and works of a recurrent nature are the responsibility of the occupier or management body of the building, subject to the requirements of the *Retail Leases Act 2003* if the land is occupied pursuant to a lease subject to that Act.

Major maintenance and capital works are the responsibility of Council unless agreement with the lessee.

Adopted at Council on: 24 April 2018
Agenda Item:
Responsibility: Property Officer
File Number: D/18/15190

Department: Works & Services
To be reviewed by: 2020
Policy Number: INFRA 32-04
Page Number: 13

Corangamite Shire Council Policy – Property Leasing

Maintenance Inspections

Council reserves the right to inspect the premises each year or more frequently as required. Council will give appropriate notice to the lessor in accordance with the lease or licence conditions.

Capital Works

In assessing maintenance requests for capital works, Council must consider the following:

- The reason for the request. For example: safety issues, damage, compliance
- Estimated cost of works
- Funds available and estimated additional annual works
- Alignment with Council policies e.g. Use of Council Land Policy

All capital upgrades will be considered as part of the budget process in the year which they are received.

Capital works undertaken by the lessee do not give the lessee any interest or claim in the works or improvements or the premises beyond the elements contained in the lease, nor do capital works give the lessee any claim to the site (premises or land) after the expiration date of the lease. Undertaking capital works during the lease term does not provide or confer any entitlements or residual rights to the lessee or enable the lessee to demand or expect a new lease following the expiry of the lease term.

Unless otherwise agreed by both parties in writing, all permanent buildings, structural improvements to those permanent buildings and essential safety measures constructed or installed on the premises (by Council, the tenant or any other person or organisation) during the term of the lease or licence shall become the property of Council.

Performing Rights

The tenant will be responsible for all performing rights and will indemnify Council against any claim for breach of copyright (e.g. APRA & PPCA).

Legislation and Regulations

All tenants must adhere to the conditions of any planning permit, issued by Council or other permits issued by other authorities. Tenants will also be required to comply with all legislation and regulations and obtain any permits or licences in order for the tenant to be able to use the premises for its permitted use.

Interest

The occupant shall reimburse Council for all rent, charges and costs by the due date issued on the invoice. Continued late payments could result in a rate of 2% per annum more than the rate from time to time fixed by the *Penalty Interest Rates Act 1983 (Vic)* being charged.

Renewal of Further Terms

Council has a legal obligation to renew a lease for any further terms stated in the agreement if:

- There is no unremedied breach of the agreement by the tenant of which Council has given the tenant written notice

Adopted at Council on: 24 April 2018
Agenda Item:
Responsibility: Property Officer
File Number: D/18/15190

Department: Works & Services
To be reviewed by: 2020
Policy Number: INFRA 32-04
Page Number: 14

Corangamite Shire Council Policy – Property Leasing

- The tenant has not persistently committed breaches of the agreement of which Council has given written notice during the term, and
- The tenant has requested the renewal in writing not more than 6 months nor less than 3 months before the end of the term. The latest date for exercising the option to renew should be stated in the attached schedule.

The renewed agreement must contain the same terms as the original agreement but with no option for renewal after the last option for a further term has been exercised. The agreement starts on the date after the original agreement ends and the starting rent will be determined in accordance with any rent reviews.

End of Lease Procedures

At the termination of an agreement, an inspection of the premises will take place to ensure vacant possession and the condition of the premises is that of the terms and conditions of the agreement.

Application of Rental Subsidy

Consideration should be given to the assessment and calculation of appropriate rental subsidy for those tenants of Council owned or controlled land and buildings whose operations is considered to be Community Service (Category B), Other (Category C) or Commercial/ Private (Category D), and where there is deemed to be a net community benefit.

Lease Holdover

Lease holdover occurs when a tenant continues to remain in possession of the property after the lease expires or terminates. The holdover clause is to be cited within all agreements. The holdover clause is as follows:

“If the Lessee shall remain in possession of the property, or any portion thereof, after expiration of this lease agreement, the lessee shall be deemed a lessee from month to month at the same monthly rental and in all other respects subject to the terms, covenants and conditions of this lease agreement. Such tenancy from month to month may be terminated by either party giving, written notice to the other. This provision shall not be constructed as giving lessee any right so to hold over”.

Property Leasing Policy

Council’s Property Leasing Policy is to be adhered to when developing, renewing and administering lease and licence agreements for Council controlled land and buildings.

Dating of Documents

In accordance with key findings determined from the Local Government Inspectorate Review in April 2015, Council is required to attach a copy of the legal advice received, regarding the dating of documents to all lease agreements. A file note will be included referring to the legal advice received.

Attachments

Attachments that should form part of the documentation include but are not limited to a plan and/or map of the property, planning or building permits that have been issued and a schedule of the agreement.

Adopted at Council on: 24 April 2018
Agenda Item:
Responsibility: Property Officer
File Number: D/18/15190

Department: Works & Services
To be reviewed by: 2020
Policy Number: INFRA 32-04
Page Number: 15

Corangamite Shire Council Policy – Property Leasing

8. Application of the Council Seal

The Council Seal is the signature of Council, therefore the Council Seal should be affixed to any agreement which is heard at Council or which is deemed appropriate by the Chief Executive Officer.

9. Procedures for the Granting of an Agreement

The following guidelines are a framework for the way in which Council establishes, maintains and reviews all arrangements when developing leases for use of Council buildings, land and property.

- a) Confirm current status of the land
- b) Review property legislation to find out what legislation applies to the subject property e.g. *Crown Land (Reserves) Act 1978*
- c) Liaise with other departments to conform with Council requirements e.g. Planning & Building Department
- d) Seek legal advice, dependant on the nature of the agreement
- e) Make contact with prospective occupant to discuss the proposed agreement
- f) Review proposed agreement against the Government guidelines e.g. 'DSE Leasing Policy' (attached) and the 'Local Government Best Practice Guideline for the Sale, Exchange and Transfer of Land' (attached)
- g) Forward a copy of the agreement to the occupant to review
- h) Advertise the agreement according to Section 190 of the *Local Government Act 1978* and invite submissions pursuant to Section 223 of the *Local Government Act 1978*
- i) Report to be written for next Ordinary Council Meeting recommending the proposed agreement. Details of all submissions must be included in the report
- j) Signature to be obtained by the occupant
- k) Council Sign and Seal on the agreement
- l) Copy of agreement to be sent to the occupant
- m) Update the lease register and advise the finance department of the agreement and arrange for invoicing of rent
- n) Regular monitoring of all agreements is essential, with particular attention being paid to renewal dates, collection of rent, rent reviews, evidence of current insurance cover and compliance of terms and conditions
- o) Retain a copy of the agreement. According to record management standards it is required that entries in the register be permanent and that a copy of the lease agreement is retained for a minimum of 7 years from the expiry date of the agreement.

In the case of a licence agreement for non-exclusive use of Council buildings, land or property, provisions in Section 190 of the *Local Government Act 1989* do not apply. Subject to the conditions and limitations of the Instrument of Delegation by Council to the Chief Executive Officer (CEO), a non-exclusive licence contract may be signed by the CEO and procedures h), i) and k) above would not be applicable.

Review Date

This policy will be reviewed in 2020, or earlier as required by changed circumstances including changes to legislation and policies of Corangamite Shire Council, the Victorian Government and its agencies or Federal Government and its agencies.

Attachments

The following attachments accompany this policy:

- *Local Government Act 1989*
- *Crown Land (Reserves) Act 1978*

Adopted at Council on: 24 April 2018

Agenda Item:

Responsibility: Property Officer

File Number: D/18/15190

Department: Works & Services

To be reviewed by: 2020

Policy Number: INFRA 32-04

Page Number: 16

Corangamite Shire Council Policy – Property Leasing

- Local Government Best Practice Guideline for the Sale, Exchange and Transfer of Land, Department of Planning and Community Development, 2009
- Leasing Policy for Crown Land in Victoria 2010, Department of Sustainability and Environment, 2010
- Email (D/15/15163) Advice SLM Law regarding Local Government Inspectorate Report and the need to date leases and sale documents 2015
- The standard Department of Environment, Land, Water and Planning Section 17(b) *Crown Land (Reserves) Act* Licence Document.
- A list of Crown Land Reserves applicable under Section 17(2)

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Agenda Item:
Responsibility: Property Officer
File Number: D/18/15190

Department: Works & Services
To be reviewed by: 2020
Policy Number: INFRA 32-04
Page Number: 17

8.4 Urban Street Tree Asset Management Plan 2018-2028

Author: Lyle Tune, Manager Works

File No: D18/117

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 - Lyle Tune

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

Summary

This Urban Street Tree Management Plan aims to provide a framework for the management of Corangamite Shire's urban street trees. Trees located outside the Council's Urban boundaries are to be managed under the existing "Rural Roadside Management Plan" February 2012, and therefore do not form any part of this plan. The Finlay Avenue on Manifold Street, Camperdown and the Camperdown Botanic Gardens and Arboretum are also outside the scope of this document, as they are covered by separate management plans.

The Plan's origins commenced with a review of the existing Urban Street Tree Asset Management Plan adopted in 2015 and an audit of all street trees in 2017.

Communities highly value street trees and their contribution to the built environment. They are an important part of townships, contributing to quality of life and environmental outcomes. Balanced against the many benefits of street trees there is considerable cost in terms of installation, maintenance, and negative impacts on services and infrastructure by trees.

The Plan has been through extensive community consultation in November and December 2017 and reviewed internally by Council staff. The reviewed Urban Street Tree Management Plan 2018-2028 is now recommended for adoption.

Introduction

The Draft Urban Street Tree Asset Management Plan 2018-2028 (the Plan) has been developed to formalise and guide the way in which Council manages its tree assets. The Plan also assists Council in meeting its obligations under the relevant codes, legislation, Australian Standards and guides.

Council has responsibility for a wide diversity (in terms of species, age, size and density) of trees in the public domain. Towns within Corangamite Shire have a very distinctive character; the township streets are wide and lined, in many cases with large deciduous trees, while others have predominately native species. The townships and precincts contain

a broad mix of native and exotic trees. There are a large number of vacant spaces where trees have not been replanted when removed over time.

The Urban Street Tree Asset Management Plan has been designed to maintain each town's unique character while managing risk and other potential conflicts. The Plan will provide principles and a policy framework for how Corangamite Shire addresses the following areas:

- Tree Management
- Risk Identification and Mitigation
- Tree Inspections and Assessments
- Tree Selection and Planting
- Tree Removal
- Tree Protection
- Infrastructure Protection
- Electric Line Clearance
- Tree Maintenance
- Environmental and Community Imperatives
- Pests and Disease control.
- Significant Trees
- Existing Tree Controls and Regulation.

In maintaining each town's unique character the Plan also considers, recommends and limits the appropriate replacement trees species. These replacement species have been selected based on the current town plantings and streetscape developments, town character, maintenance requirements and to reduce conflict between the tree assets and other assets close by, namely infrastructure and property. Changing weather patterns and the ability of trees to progress without high levels of watering and care, particularly in their early years, has also been considered.

The Plan acknowledges that trees are highly valuable in contributing to urban amenity and seeks to ensure that each town's identity is retained and recognized through its treescape and dedicated species list. An aspirational and visionary direction in the plan, consistent with Council's 2017-2021 Plan is to ensure that the number of trees planted throughout the Shire increases, contributing to not only the neighbourhood character but the amenity, liveability and built environment of our townships.

In order to achieve this, the Urban Street Tree Asset Management Plan requires the development of an Urban Street Tree Planting Map. This map will identify town by town and street by street which species will replace the current species in accordance with the town theme, and recommend replacement species for when a replacement program is implemented. The development of a 10 year program will help with structuring and implementation of the Urban Street Tree Asset Management Plan.

Issues

There are several main issues that currently cause concern in the community and within Council. These are:

- Large trees under power lines and the maintenance pruning by third parties.
- Species selection and plantings.
- Public liability, damage to private property and personal injury.
- Inappropriate selection of replacement trees.
- Conflict with infrastructure assets owned by Council, public and privately owned infrastructure both above and below ground and private property.
- Consultation with community and residents directly affected is *ad hoc*.
- The level of commitment to filling vacant tree spaces.

In order to address all these issues, the Urban Street Tree Asset Management Plan has been developed to formalise the way in which Council will respond to, and handle, any of these issues. The Urban Street Tree Asset Management Plan also assists Council in meeting its obligations under the relevant codes, legislation, Australian Standards and guides.

The framework looks at providing a whole-of-life tree management plan rather than the shorter term removal and replacement approach. It deals with appropriate species selection to minimise conflict between infrastructure assets and trees as well as the community, whilst maintaining the current town character as its basis for species selection.

The major changes in the 2017 plan when compared to the 2015 edition are:

- the deletion of themes for tree planting within each town, and
- a stronger commitment and plan for replanting.

The application of themes and the condensing of tree species prevalent in the 2015 Plan, restricted the selection of replacement trees and appropriate trees for the existing landscape. Whilst the themes were expected to ensure that Corangamite towns maintained their individuality, it is felt that the removal of themes will not constrain the individual and unique character of each town. The species list has been expanded to include existing tree species as well as species that will minimise impact on infrastructure and ongoing maintenance.

Council's 2017-2021 Council Plan identifies a key action to plant 500 trees across the life of the plan. The Urban Street Tree Asset Management Plan will guide and assist with the implementation of this.

Policy and Legislative Context

The Draft Urban Street Tree Asset Management Plan is in keeping with the commitments in the 2017-2021 Council Plan:

Improve the appearance of our towns and public spaces.

Township infrastructure will contribute to safe and accessible public areas.

The Draft Urban Street Tree Asset Management Plan will assist in delivering on Council's obligations in the following areas:

- *Road Management Act (2004)*
- *Local Government Act (1989)*
- *Electrical Safety (Electric Line Clearance) Regulation 2015*
- Victorian Native Vegetation Framework (DSE 2007)
- AS 4373 1996/07 – Pruning of Amenity Trees
- AS 4970 2009 – Protection of Trees on Development Sites
- Risk Management Policy
- Camperdown Electrical Line Clearance Management Plan
- VicRoads – “A Guide to Tree planting within the Road Reserve”
- Corangamite Shire – Planning Permit – Tree Removal
- Native Vegetation Retention Controls
- Rural Roadside Management Plan – Feb 2012
- Powercor: ‘Your Guide to Planting Near Electricity Lines’
- *Code of Practice for Powerline Clearance (Electricity Act).*

Internal / External Consultation

Internal consultation was initially held with the Parks and Gardens Team and comments were invited from the Environment, Planning and Works and Services areas with comments and guidance received taken into account in reviewing the plan.

External consultation occurred over an eight week period from November to December 2017 with the community invited to provide written submissions and to participate in the following workshops:

- Four Community Workshops (Skipton, Timboon, Terang, Camperdown)
- Three Shop front / Drop in Sessions (Port Campbell, Lismore, Cobden).

A copy of the draft plan was also be made available on the Council's website.

Financial and Resource Implications

The cost to manage Council's urban street trees is considered on an annual basis as a part of the development of the annual budget. The Urban Street Tree Asset Management Plan will provide direction for budget development.

Options

Council can choose to accept the Draft Urban Street Tree Asset Management Plan 2018-2028 and attachments as presented, or opt to amend or reject the plan and request further review and presentation to a future Council Meeting.

Conclusion

The Draft Urban Street Tree Asset Management Plan 2018-2028 aims to provide a framework around how the Council manages its tree assets, guide a greater commitment to street tree plantings and manage the risks that are associated with the tree assets.

The Plan is a comprehensive plan which deals with issues around tree management, planting schemes, tree species selection and risk management.

RECOMMENDATION

That Council adopts the Urban Street Tree Asset Management Plan 2018-2028.

COUNCIL RESOLUTION

MOVED: *Cr Durant*
SECONDED: *Cr McArthur*

That the recommendation be adopted.

CARRIED

Attachments

1. Attachment Urban Street Tree Asset Management Plan 2018-2028 - Under Separate Cover
2. Appendix B Urban Street Tree Asset Management Plan Township Management Plans - Vacant and Existing Sites 2018-2028 - Under Separate Cover

8.5 Information and Communications Technology Strategy 2018 - 2022

Author: John van Nieuwkerk, Manager Information

File No: D18/155

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 - John van Nieuwkerk

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

Summary

An Information and Communications Technology Strategy 2018-2022 (Strategy) has been developed to provide a framework for Council's future deployment of Information and Communications Technology (ICT) services. This framework is necessary to efficiently meet the growing need of the community and organisation to access Council services anywhere, anytime and on any device. The ICT Strategy is attached under separate cover and is recommended for adoption.

Introduction

Council's previous ICT Strategy 2013-2017 provided clear direction for the implementation of ICT services over the life of the strategy. The scope of ICT is developing rapidly, and it has become necessary to develop a new strategy ensuring Council can continue to meet the changing needs and demand. The Strategy is also important to ensure future investment by Council is appropriately directed and aligned with Council's strategic objectives.

Issues

In a dynamic environment it is appropriate Council avoid reacting to changing circumstances. This can result in the community and organisation becoming dissatisfied with service delivery and incurring increased costs as no long-term vision for service delivery guides investment. For a proactive approach, a framework needs to be established, which identifies a clear direction for investment in ICT.

Technology is evolving whereby ICT software is increasingly being delivered through "cloud-based" services as opposed to "on-premises" installation. The Strategy will also position Council to take advantage of these opportunities as they arise and transition as vendors business models evolve.

The purpose of the ICT Strategy is to:

- Enable the delivery of Council Plan objectives.
- Enable ongoing transformation of the way Council does business and provides services to its stakeholders.

- Support responsive customer service.
- Provides simple / effective / accessible ways for the community to interact with and use Council services.
- Support community input into decision making.
- Position Council to take advantage of shared services initiatives with other organisations as they arise.

Due to the large number of initiatives identified, initiatives are categorised in the Strategy as follows:

- Continue to do
- Must do*
- Should do
- Could do.

* The “Must do” category is further segmented into High, Medium and Low priority.

The Strategy includes cost estimates for each of the initiatives and the timing for implementation. Some of the strategic initiatives have been presented to Council during the preparation of the 2018-2019 budget.

“Continue to do” initiatives are those activities already being undertaken and should continue. “Must do” initiatives are those activities critical from a strategic perspective which must be initiated to maintain service delivery. “Should do” and “Could do” initiatives are those of a discretionary nature that are generally “nice to do” and contingent upon either annual budget allocation or business case development.

During the formulation of the Strategy consultation with staff to establish future opportunities in service delivery was undertaken. This was essential in being able to formulate a comprehensive framework for future ICT delivery.

Policy and Legislative Context

The development of a new ICT Strategy is consistent with the 2017-2021 Council Plan and the following Council Plan Commitments:

We are committed to ensuring the ethical behaviour of Councillors and staff, maintaining good governance and remaining financially sustainable.

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

Council will make budgetary decisions that ensures Council remains in a strong financial position now and into the future.

Council will deliver value for money by ensuring that services are required and delivered efficiently and sustainably.

Improved customer service through improved accessibility of services through online delivery.

Achieve improved efficiencies through shared services, innovative practices and joint procurement.

Internal / External Consultation

All relevant Council departments were consulted on both their current use of ICT to identify any shortcomings or gaps experienced and future opportunities. Council’s major ICT

vendors (i.e. suppliers) were also consulted regarding the direction their products are likely to follow over the next five years and the impact they may have on Council's service delivery. The draft Strategy was discussed with Council at the 10 April briefing.

Financial and Resource Implications

Development of a new ICT Strategy was budgeted at a cost of \$35,000. The Strategy's development occurred over the previous twelve months with Council staff participating in the current state assessment and the review of proposed initiatives. Costs associated with the implementation of the strategic initiatives will be considered as part of Council's annual budget cycle with business cases developed for consideration by Council as necessary. Initiatives will also be included in forward projections for long-term financial planning purposes.

Options

Council may choose to adopt the attached Information and Communications Technology Strategy 2018-2022 with or without amendment or choose not to adopt the Strategy.

Conclusion

In a constantly changing ICT environment it is essential that Council has a clear direction in developing ICT systems to meet the growing and changing needs of the community. An Information Technology and Communications Strategy will provide a clear framework. Council's adoption of the Strategy is important, as a major stakeholder, for positioning Council's ICT environment for the future ready state.

RECOMMENDATION

That Council adopts the Information and Communications Technology Strategy 2018-2022.

COUNCIL RESOLUTION

MOVED: *Cr Trotter*
SECONDED: *Cr Durant*

That the recommendation be adopted.

CARRIED

Attachments

1. Corangamite ICT Strategy 2018-2022 - Under Separate Cover

8.6 Governance of the Great Ocean Road Region Issues Paper Submission

Author: Ian Gibb, Director Sustainable Development

File No: D18/127

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I declare that I am a member of the Great Ocean Road Task Force.

Author - Ian Gibb

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

Summary

The purpose of this report is to inform Council of the ‘Governance of the Great Ocean Road Region Issues Paper’ and to consider matters to be raised in a submission in response to the issues paper.

Introduction

The Great Ocean Road is 243 kilometres long from Torquay to Allansford, encompassing 5 local government areas. The Great Ocean Road is a significant economic driver for Victoria. It attracts more than six million tourists each year – more than the Great Barrier Reef and Uluru combined. Thirty per cent of Victoria’s international visitors visit the Great Ocean Road primarily to see the Twelve Apostles.

The increasing number of travellers and especially day trippers is placing an increasing demand on the local environment, infrastructure and hinterland areas. Growth in visitation to the Great Ocean Road region is projected to continue.

In September 2017, the Victorian Government established the Great Ocean Road (GOR) Taskforce to review the effectiveness of current governance arrangements and recommend governance reforms by the end of 2018. The purpose of the reforms is to strengthen protections of the landscape setting, improve the visitor experience, provide greater certainty in land-use planning and attract investment proposals that will benefit visitors and local communities.

The GOR Taskforce is co-chaired by Hon Peter Batchelor and the Hon Terry Mulder. Membership included CEOs of all local government authorities, nominees of the traditional owners, and members with expertise in tourism and coastal management.

Background

The 'Governance of the Great Ocean Road Region Issues Paper' was released on 21 March 2018 to promote discussion and seek feedback on opportunities to improve the oversight and management of the GOR and its landscapes. The issues paper can be found at <https://engage.vic.gov.au/great-ocean-road> and has previously been provided to Councillors. The issues paper seeks to outline critical issues and opportunities, it deliberately touches lightly on matters relating to governance, funding and other management issues. However, it is seeking that respondents provide submissions on these matters to inform future deliberations of the taskforce.

Community forums and listening posts were held at places along the GOR. An open house consultation was held in Port Campbell on Friday 13 April and in Warrnambool on Saturday 14 April.

Submissions on the issues paper are due by Monday 30 April.

The community feedback the taskforce receives will inform the final report to be delivered to the Government later this year.

Key Challenges

Key challenges identified in the issues paper are briefly summarised as follows:

- A multitude of responsible public entities.
- The nature of the partnership with traditional owners is not clearly defined.
- Little or no holistic planning for the visitor experience.
- No shared overarching community vision for future direction of land uses.
- No forum for local community to voice their concerns about cumulative impacts of increased numbers of visitors travelling the length of the GOR.
- Tourism industry development proposals are being held back by lack of regional land constraints assessment, guidelines for land development proponents and plans for provisioning and sequencing of infrastructure.
- Councils have a lack of capacity to undertake work required for decision making on complex tourism and land development proposals in sensitive landscape settings.
- Balancing local and state priorities on major development proposals.
- Funding constraints and no mechanisms to target potential sources of funds for regional priority investments.
- Councils are bearing a high cost associated with increased visitation, with a high proportion of income generated by the visitation benefiting the businesses outside the region.
- Public land management is fragmented and inefficient.
- Digital data base for Crown land is inaccurate.

Future challenges identified include:

- Increased number of visitors.
- Impacts of changing climate.
- No single body with necessary powers to deliver planning, financing and implementation arrangements.
- Need for a more holistic GOR decision making framework with overarching co-ordinating mechanisms for planning and action.

Guiding Principles

The following goals and objectives/guiding principles have been developed by the taskforce to guide the governance changes.

Distinctive areas and landscapes protection

- Protect and conserve the unique features and special characteristics of the GOR and its landscapes for future generations.
- Touch the land, coastlines and waterways lightly and ensure there is a net gain for the environment out of any individual action, development or policy.
- Recognise, protect and promote the heritage, cultural and identity values of the GOR, its landscapes and towns.

Traditional Owner inclusion

- Acknowledge Eastern Maar and Wadawurrung people as the traditional custodians of the land, coastlines, waterways and seas along the GOR.
- Recognise, protect and promote the values, rights and interests of the Eastern Maar and Wadawurrung people.
- Partner with the Eastern Maar and Wadawurrung people in the development of policies, planning and management of the GOR, its coastlines, landscapes and seas.
- Support, and equip the Eastern Maar and Wadawurrung groups to play an active role in shaping the future for their traditional lands, waters and seas.

Coastal public estate vitality

- Enhance conservation of coastal environments along the GOR, the unique habitats, ecosystems and biodiversity.
- Prepare for, and manage, the impacts of climate change on coastal public land and assets.
- Maintain the coastal public land footprint and access for the enjoyment and appreciation of future generations

Thriving local, state, national and international significant visitor economy

- Recognise the importance of the GOR, its coastlines and landscapes to the economic vitality and liveability of coastal communities, the south-west region, Victoria and Australia.
- Enhance the experience of the touring route and its destinations for all visitors, including international tourists.
- Recognise the importance of liveable communities along the GOR.
- Ensure sustainable development of the GOR visitor economy is a responsibility shared by all levels of government, industry, business, communities and the people of Victoria.

Modern governance

- Provide visionary leadership and overarching direction to the management of the GOR and its landscapes – aligning the activities and decisions of responsible agencies and councils.
- Integrate policy development, strategic planning, implementation and decision-making for the entirety of the GOR and its landscapes across all levels of government.
- Develop a secure, long-term commitment to fund the delivery of strategic goals.
- Prioritise the involvement of the Eastern Maar and Wadawurrung people in the design of policies and planning for future of the GOR and its landscapes.
- Prioritise community engagement in the design of policies and planning for the future of the GOR and its landscapes.
- Maintain an ongoing dialogue with local communities along the GOR.

Issues

Following is a discussion of key issues. This includes a recommended Council position in relation to each issue to assist in informing Council's submission in response to the taskforce discussion paper.

Management Arrangements

There are currently approximately seventeen agencies involved in the management of the GOR (refer page 37 of the Issues Paper) including state government agencies, local governments and coastal committees.

Current management arrangements are complex and sometimes involve duplicated effort by different agencies (for example in relation to management of private and public land, or in relation to infrastructure planning). This is not efficient and the management fragmentation inhibits the achievement of policy objectives. Trying to align organisational processes, policies, priorities and budgets often results in inefficient use of limited resources.

There is scope to rationalise management arrangements, and to avoid duplicated processes. The fragmented nature of the management of the GOR is a major hindrance to the realisation of its economic potential both to the region and Victoria. Improved environmental management is also critical to long term economic return.

It is recommended Council strongly support the management of the GOR as a wholly integrated system and one entity.

Governance by a Single Authority

The taskforce has given some consideration to future governance arrangements. Council officers support in principle, the recommendation outlined in the issues paper; that a lead agency should be identified to manage the GOR as an entire ecosystem.

Whilst establishment of a single management entity is supported by Council officers, it is important that this does not simply add a further layer of complexity, and that there is a rationalisation process to simplify existing management arrangements, transferring responsibility to the new agency and dismantling existing entities. It will be necessary that existing agencies give up some level of control to ensure that appropriate powers are vested in a single authority. This will achieve benefits from a single entity authority managing the whole of the GOR. The authority must be responsive to the changing environment and be underpinned by strong research/data foundations.

Establishing an authority will require an appropriate and enduring governance structure. For example a skills based board. There will also be a need to ensure an adequate level of representation from communities along the GOR. This might be achieved by direct appointment to the board or through a separate advisory structure reporting to a skills based board.

A Strategic Framework Plan for the GOR

The authority should have the powers to develop an overarching Strategic Framework Plan for the GOR. The authority would be responsible for:

- Setting an overall vision and strategy for the GOR.
- Planning for the entire visitor journey.
- Planning for asset management including the road and visitor facilities.
- Management of crown land reserves that are currently managed by Committees of Management.

- Management of key visitor sites such as the 12 Apostles, Loch Ard, Point Grey, Lorne and Apollo Bay foreshores. This would include collection of income from a number of possible sources.

The Great Ocean Road Strategic Framework Plan should build on existing local government planning and include:

- Definition of the GOR region.
- Overarching vision for the GOR region.
- Identification of and protection plan for the region's natural assets.
- Identification/confirmation of coastal township boundaries.
- Traffic management plans for the GOR and hinterland roads.
- Emergency management plan for the region.
- Management of the increasing visitor experience including identification of necessary public and private sector infrastructure.
- Organisational chart of responsible agencies for service delivery.
- An implementation plan for the Framework identifying responsible agencies.

The process undertaken by the authority to develop the Great Ocean Road Strategic Framework Plan must be inclusive of all relevant communities including the traditional owners.

It is essential that once the strategic framework plan is completed, the authority has the power to:

- Coordinate responsible agencies for service delivery.
- Advocate for public and private sector investment including the need for a dedicated and recurrent funding source.
- Develop budget bids.
- Engage with local communities including the traditional owners.
- Advise on the potential to streamline existing management agencies.
- Advise on streamlining planning processes to facilitate private sector investment.
- Advise on potential for revenue raising opportunities to increase visitor yield.

This authority should be required to develop and report on the implementation of the strategic framework plan. It is essential that regular and independent auditing of the implementation of the strategic framework plan be held and the outcomes be made publicly available.

Strong partnerships with for example, traditional owners, the private sector, other government agencies and local communities will be essential. New funding models are also required to leverage the capacity of these key stakeholders.

Funding of an Authority

The taskforce recognises that given the current importance, and future potential of the GOR to the state economy, a dedicated and ongoing secure funding source is required, that is not dependent on the annual budget cycle and allocation (refer p45 of the taskforce report).

Council officers strongly support this proposition. Income generated on the GOR should be returned to the GOR. The authority needs to have an income source independent of Council or the State Government e.g. parking fees, entry fees, management of key tourism sites and income from caravan parks. The income would need to support the operations of the authority but the authority could still seek capital funding from the State Government as does Phillip Island Nature Park or Sovereign Hill.

In addition there must be a sufficient allocation of funds to the authority to:

- achieve the outcomes required by the long term strategic plan and ensure its continued implementation over time;
- enable transformation of the visitor experience and achieve change in the way the visitor consumes the GOR; and
- manage key visitor sites.

Income generated by the authority would be spent along the GOR. It is expected that the income would cover all operating costs of the authority and maintenance/renewal at key visitor sites.

Funding from the state government would still be available for major capital upgrades, as occurs at Sovereign Hill and Phillip Island Nature Park. This should include funding to support infrastructure provision and the delivery of key projects (for example the Glenample Visitor Experience Centre) even where there is a strong reliance on the private sector to deliver key infrastructure.

Parks Victoria would remain responsible for natural resource management outside the high use visitor sites managed by the authority.

Protecting the key landscape and environmental features

The GOR has a national heritage listing, and is located within some of Victoria's most spectacular coastal landscape. It is also abuts marine parks and the Great Southern Ocean. The attributes of the natural and marine environments underpin the experience of the GOR.

Appropriate environmental management, including planning for and responding to climate change impacts will be critical to the long term economic success of the GOR. The environment underpins the visitor economy. Ongoing environmental sustainability requires economic solutions.

An authority should have a strong role in ensuring the conservation and protection of significant environmental and landscape features, and in ensuring sites of cultural significance are protected for the long term. This could be achieved through appropriate research and overarching policy as well as further improvements to governance arrangements in relation to crown land. A further challenge is the need for increased provision and upgrading of infrastructure on public land.

There is scope to rationalise crown land management arrangements and to reduce the number of bodies responsible for crown land management. Parks Victoria should retain a role in the management of crown land, other than for sites of high visitation.

Management of key visitation sites and delivery of the Shipwreck Coast Master Plan

The authority should have a strong role in the management of key visitation sites and in the delivery of the Shipwreck Coast Master Plan, including the delivery and management of the Glenample Visitor Experience centre proposed in the Shipwreck Coast Master Plan.

The Shipwreck Coast Master Plan (SCMP) was released in December 2015. It is a significant piece of planning work for the 28 kilometre section of the coast between Princetown and Peterborough. Importantly it seeks to better manage visitation to the GOR in the vicinity of iconic sites such as the 12 Apostles and Loch Ard Gorge. The SCMP aims to change the way the precinct is consumed, improve the quality of the visitor experience at

the 12 Apostles and leverage private sector investment in quality tourism accommodation and product.

The authority has a key role to play in transforming the management of sites with high levels of visitation. For example, the 12 Apostles, Gibson's Steps, Loch Ard Gorge. This will require a strong focus on both long term planning and the delivery of improved visitor infrastructure.

Priority must be given to further detailed planning work for the Glenample Precinct, and to other initiatives within the SCMP which seek to transform the way the precinct is consumed, provide an improved visitor experience and to ensure that the precinct is well placed to manage the substantial projected increase in future visitation.

There is a need to ensure ongoing and adequate government funding to implement the SCMP to achieve transformation and a step change in the way visitors experience the Shipwreck Coast. Ongoing and substantial government investment in public infrastructure is critical to the achievement of the plan and to support investment by the private sector.

As the SCMP is now three years old, it is critical that the taskforce provide advice to government on the need for continued support for the achievement of the SCMP. Implementation of the SCMP must be accelerated to address the growing challenges of congestion, visitor safety and projected increases in visitor demand.

Council strongly supports the SCMP and will continue to advocate for appropriate levels of federal and state government funding to implement the master plan; to provide much needed upgrading of public infrastructure and to support ongoing private sector investment

Council seeks that the taskforce recommend accelerated implementation of the SCMP to address the growing challenges of congestion, visitor safety and projected increases in visitor demand.

The 12 Apostles Trail

Currently it is not possible to safely walk or cycle from the 12 Apostles Visitor Centre to Loch Ard Gorge – a distance of 3.7km. Every visitor must make a motorised transfer.

The 12 Apostles Trail is embedded into the SCMP. It is a key project to change visitor behaviour on the Shipwreck Coast and allow for non-car based movement between key coastal destinations and into the hinterland. In the context of increased visitor projections, it is important to advance the construction of the trail, so as to achieve some increased dispersion of visitation into the hinterland and away from congested coastal sites.

Shifting visitation from being a point to point passive experience at one or two locations to being an integrated experience of moving between multiple sites and key commercial hubs and the hinterland will be an important outcome of further investment in this initiative.

The Visitor Experience and Visitor Economy

Critical to the long term sustainability of the GOR and the visitor economy is changing consumer behaviour. With international day trip visitation to the GOR expected to increase from 785k in 2017 to 1.7m in 2026, infrastructure, products and services commensurate with this level of visitation are critical.

The current visitor experience is underwhelming. The landscape is spectacular but support infrastructure, product and experience is almost non-existent. There is little or no interpretation of the landscape, the history or the wildlife. There is limited orientation of the breadth of lookouts, sites and experiences. Visitors experience little weather protection and encounter limited seating, limited food and beverage offering, inadequate retail offering and limited integration or connection with other visitor experiences or commercial hubs.

Holistic planning of the visitor experience from end to end of the GOR is required – the interconnectedness and quality of the experience needs to be consistent and present from start to finish. The linear nature of the GOR also means that changes anywhere within the line have implications on other sections of the road. The capacity of the GOR to accommodate increasing numbers increases the importance of creating multiple touring options that meet visitor expectations.

There is need to ensure that the visitor experience is significantly enhanced, and that a greater diversity of tourism product is developed, including for all seasons. Unless there is substantial future investment in product development, there is a reputational risk.

The visitor economy is particularly important to regional and rural Victoria, with 56 per cent of Victoria's total tourism employment located in the regions. It is also important as a primary driver of employment on the coast, and in the diversification of the local economy in a region where the economic base is heavily reliant on agriculture.

The authority will have a key role in:

- Driving the visitor economy of the GOR region.
- Increasing regional economic yield and lengthening duration of stay.
- Achieving increased investment in accommodation and product along the whole of the GOR.
- Ensuring strong linkage between GOR and hinterland/wider region.
- GORRT would remain responsible for marketing and visitor servicing.

Statutory Planning Arrangements

A new management authority for the GOR should have a key role in relation to statutory land use planning and ensure that future planning outcomes are consistent with, and support the delivery of the overarching strategic framework plan.

Consideration should be given to changes to responsible authority arrangements for major projects. The state government should become responsible for major statutory planning applications (over \$10million), as these are likely to be projects of regional or indeed state significance. Councils and the authority would have input and be able to make submissions.

The authority should also have determining referral authority powers for applications of less than \$10 million in capital value to ensure statutory planning outcomes are consistent with the strategic plan developed by the authority.

There is also a need to develop a more pro-active approach to:

- The identification of suitable private sector opportunities (as per Amendment C30 and the business case process undertaken previously by Corangamite Shire); and
- The development of streamlined approval processes for key projects.

Such actions are consistent with the *Victorian Visitor Economy Strategy* (July 2016) which identifies the need to:

- Assign clear responsibility and leadership within government for progressing new investment projects of state and regional significance.
- Fast track approvals for visitor economy projects of state significance through the use of the *Project Development and Construction Management Act 1994* where appropriate.

Specific consideration could be given to making the new authority responsible for facilitating key projects of significance. For example projects with a capital investment of greater than \$10 million dollars. For projects of lesser value, the authority could be given a determining referral authority role. Such arrangements would assist in ensuring that on ground statutory planning outcomes are consistent with the implementation of the overarching strategic plan.

These arrangements would appropriately recognise the heavy reliance on ongoing private sector investment to deliver both accommodation and tourism product. Both are essential to transforming the visitor experience, and achieving important economic benefits for the region and the state.

It is imperative to increase accommodation in the GOR region and to provide and connect a breadth of tourism offers, beyond the 12 Apostles that visitors can access. This is currently inhibited by a complex regulatory regime including local applications of diverse land use zonings and overlays. An authority could take a lead role in streamlining current regulation, and in achieving greater consistency in planning control mechanisms for the duration of the GOR.

Infrastructure planning and provision

Infrastructure planning is often prioritised by agency priorities and budgets and often not addressed until the infrastructure is failing. It is critical that a new authority build a long term infrastructure plan to ensure timely renewal of infrastructure and maintenance. The authority should have the task of developing a transparent plan for future investment and renewal in the road network.

Given the GOR's iconic status and economic importance, it is essential that it is appropriately maintained and developed to meet current and forecast usage. The State and Federal governments have allocated \$50m each towards the maintenance of the GOR in recent years. A further \$53m has also been allocated by the state for infrastructure along the GOR including a barrier to prevent landslips from affecting the road at Wye River.

Council strongly supports the ongoing provision of both State and Federal recurrent funding to maintain and upgrade the GOR.

The majority of visitors to the GOR utilise hinterland routes such as the Port Campbell-Cobden Road to connect to the Princes Highway and return to Geelong. There has been a lack of recognition of the hinterland routes as part of the visitor journey, and insufficient investment by VicRoads in upgrading and maintaining these roads to a suitable standard.

Council strongly supports the ongoing provision of state recurrent funding to maintain and upgrade key hinterland routes connecting the GOR to the Princes Highway.

VicRoads should remain responsible for undertaking works on the GOR and key hinterland routes but should have dedicated funding, as occurs with the Westgate Bridge. The authority would provide guidance and input through its infrastructure planning function.

Policy and Legislative Context

The GOR taskforce has been established to provide advice to government. The co-chairs will provide a final report to the Minister for Planning in late 2018.

Terms of Reference for the taskforce are available via the following link:

https://www.planning.vic.gov.au/_data/assets/pdf_file/0021/110676/GORT-Terms-of-Reference.pdf

Internal / External Consultation

The taskforce is undertaking consultation through the release of the issues paper. In preparing the issues paper there has been consultation by DELWP with key stakeholder agencies. Following the release of the paper, community consultation opportunities have been provided through drop-in sessions, listening posts and through online engagement. Submissions on the issues paper are due by 30 April 2018.

Financial and Resource Implications

There are no significant financial or resource implications from the making of a submission in response to the taskforce issues paper. The longer term financial implications, should a GOR authority be established, would be subject of further review by Council once further information is available.

Options

This report has discussed key issues arising from the taskforce issues paper. Council can choose to support the positions outlined in this report as the basis for its submission on the GOR Taskforce Issues Paper. Alternatively, it could choose to make a submission based on an alternative approach as agreed by Council.

Conclusion

This report considers the 'Governance of the Great Ocean Road Region Issues Paper' released by the Great Ocean Road taskforce. The report considers key issues associated with the effectiveness and reform of governance arrangements and matters to be raised in Council's submission. It is recommended that Council authorise the Director Sustainable Development to finalise and lodge a submission on behalf of Council generally consistent with the position advocated in this report.

RECOMMENDATION

That Council:

- 1. Endorses the position advocated in relation to the key issues discussed in the Council report concerning the future governance of the Great Ocean Road.**
- 2. Authorises the Director Sustainable Development to finalise its submission to the Minister for Planning in response to the 'Governance of the Great Ocean Road Region Issues Paper'**

COUNCIL RESOLUTION

MOVED: *Cr Illingworth*

SECONDED: *Cr McArthur*

That the recommendation be adopted.

CARRIED

8.7 Finance Report - March 2018

Author: Adam Taylor, Manager Finance

File No: D18/161

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

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

Author - Adam Taylor

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

Summary

This report is to note Council’s current financial position as at 31 March 2018 and to approve changes to the 2017-2018 Reviewed Budget, that have resulted from additional information.

Introduction

Council adopted the 2017-2018 Budget at a special Council meeting in June 2017. At the October 2017 Ordinary Council meeting, Council approved a number of 2016-2017 capital and non-recurrent projects that were identified as incomplete, requiring remaining budgets to be carried forward to the 2017-2018 financial year. During November 2017, Managers conducted a comprehensive review of budgets with changes approved by Council at the January 2018 Ordinary Council meeting. This report notes further changes to the forecast cash position as at 30 June 2018. The changes will increase the cash position by \$1,125,131.

Issues

Budget Variations

Council’s target “cash position” is \$5 million or greater on an annual basis. The “cash position” as at 30 June 2017 was \$15.86 million, which was primarily due to incomplete capital works and non-recurrent projects and a favourable result to the adjusted forecast. The higher than forecast “cash position” as at 30 June 2017 will fund the carry forward budget adjustments approved in October 2017. A summary of the forecast 30 June 2018 “cash position” after the inclusion of the carry forward adjustments and budget reviews is as follows:

“Cash position” as at 30 June 2017	\$15.86 million
2017-2018 adopted Surplus/(Deficit)	(\$0.23) million
2016-2017 Carry forward adjustments	(\$5.14) million
2017-2018 December budget variations	(\$0.70) million
2017-2018 March budget variations	\$1.16 million
Forecast “cash position” as at 30 June 2018	<u>\$10.95 million</u>

After carry forward and mid-year budget adjustments, the forecast cash position of \$10.95 million is within the target of \$5 million or greater. A summary of the mid-year adjustments are as follows.

Council's 2017-2018 adopted budget is a "cash" deficit of \$234,477. As a result of the carry forwards and mid-year budget review, Council's operating 'cash' result is forecast to be a deficit of \$6,068,158. A detailed listing of the mid-year budget review adjustments is contained in the attached report.

2017-2018 adopted Surplus/(Deficit)	(\$234,477)
2016-2017 carry forwards (net)	(\$5,135,898)
2017-2018 December budget variations	(\$697,783)
2017-2018 March budget variations	\$1,125,131
2017-2018 Forecast "cash" Surplus/(Deficit)	<u>(\$4,943,027)</u>

Financial Performance

Council's financial performance for 2017-2018 is on target with a year to date favourable cash variance of \$2,882,034 compared to budget. Main contributors to the better than forecast result as at 31 December are:

- Recurrent operations are \$2,199,768 favourable to budget as a result of timing and forecasting differences.
- Operating project expenditure is \$587,700 unfavourable to budget due to timing of grant payments and projects being completed ahead of schedule.
- Capital expenditure is \$1,775,042 favourable to budget due to timing of grant payments and timing differences in capital project expenditure.
- Extraordinary Events expenditure which includes flood and fire related expenditure is \$488,958 unfavourable to budget due to timing of expenditure. The expenditure will be recovered through disaster assistance grants.
- Rate Income is \$16,550 favourable to budget due to supplementary rate income.
- Proceeds from sale of Plant & Equipment is \$70,740 unfavourable due to timing of asset sales in comparison to budget.
- The remaining variations are associated with timing differences for loans and reserve transfers.

Policy and Legislative Context

The report meets Council's requirements for reporting under the *Local Government Act 1989* and is in accordance with its Council Plan 2017-2021 commitment that:

Council will make budgetary decisions that ensures Council remains in a strong financial position now and into the future.

Council will deliver value for money by ensuring that services are required and delivered efficiently and sustainably.

Internal / External Consultation

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

Financial and Resource Implications

The report indicates that Council's forecast financial position at 30 June 2018 will differ from the Reviewed Budget due to the March 2018 forecast changes

Options

Council can choose to:

1. Accept the adjustments to the 2017-2018 forecast budget which include 2017-2018 March quarter adjustments.
2. Not accept the adjustments to the 2017-2018 forecast budget.

Conclusion

Council's financial performance for 2017-2018 remains on target. The year to date cash variance of \$2,882,034 is favourable compared to budget, this is primarily due to timing issues and project expenditure being behind schedule. After the proposed March quarter adjustments of \$1,125,131, Council's "cash position" will remain within the target range of \$5 million or greater.

RECOMMENDATION

That Council approves the forecast budget for 2017-2018, which includes 2017-2018 quarter adjustment items as presented.

COUNCIL RESOLUTION

MOVED: Cr Durant
SECONDED: Cr Trotter

That the recommendation be adopted.

CARRIED

Attachments

1. Finance Report - March 2018



**Monthly Financial Performance Report
31 March 2018**

Finance Report

Attestation

In my opinion the information set out in this report presents fairly the financial transactions for the period ended 31 March 2018. All statutory obligations which relate to the period of this report have been made.



Adam Taylor CPA

Table of Contents

1. Performance Summary
2. Cash Budget
3. Recurrent Operations
4. Projects
5. Capital Projects
6. Project Delivery
7. Investments
8. Procurement
9. Outstanding Debtors
10. March Quarter Budget Review
11. Balance Sheet for the period ended 31 March 2018
12. Income Statement for the period ended 31 March 2018
13. Cash Flow Statement for the period ended 31 March 2018

Synopsis

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

Definitions

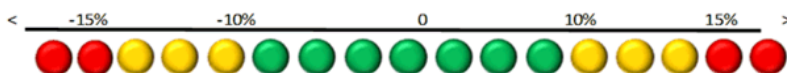
Adopted Budget represents the Budgeted adopted by the Council in June.

Reviewed Budget represents the adopted budget adjusted for approved budget amendments (such as carry forward or mid-year reviews)

Forecast Budget represents the most recent estimated financial position which has not been approved by Council

Variance indicator thresholds

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

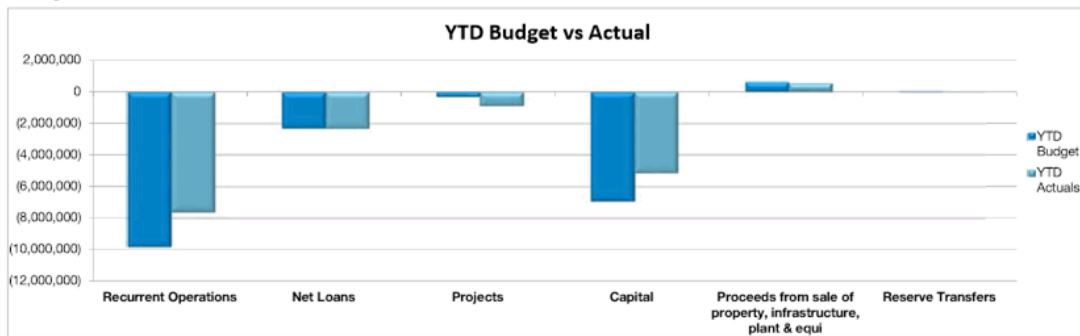


1. Performance Summary

	Adopted Budget	Reviewed Budget	Forecast Budget	YTD Budget	YTD Actuals	YTD Variance fav/(unfav)	
						\$	%
Recurrent Operations	(9,513,466)	(13,565,854)	(13,278,094)	(9,831,227)	(7,631,459)	2,199,768	22%
Rate Income	20,578,468	20,736,738	20,736,738	20,733,172	20,749,721	16,550	0%
Net Loans	(2,400,000)	(2,400,000)	(2,327,938)	(2,327,938)	(2,327,938)	0	(0%)
Projects	(1,083,381)	(1,743,141)	(1,415,161)	(305,658)	(893,358)	(587,700)	(192%)
Capital	(9,436,150)	(12,083,707)	(11,658,378)	(6,937,300)	(5,132,259)	1,805,042	26%
Proceeds from sale of property, infrastructure, plant & equi	664,880	934,880	934,880	643,142	572,402	(70,740)	(11%)
External Loan Funds	66,672	66,672	66,672	0	38,073	38,073	0%
Reserve Transfers	888,500	688,553	700,553	27,500	(2,500)	(25,000)	(91%)
Extraordinary Events	0	1,297,701	1,297,701	(791,779)	(1,280,737)	(488,958)	(62%)
Surplus/(Deficit)	(234,477)	(6,068,157)	(4,943,026)	1,209,912	4,091,946	2,882,034	238%
Surplus/(Deficit) B/forward	7,866,120	15,865,000	15,865,000				
Surplus/(Deficit) at end of year	7,631,643	9,796,843	10,921,974				

Note: Figures in brackets indicate cost to Council

Unfavourable variances shown in brackets

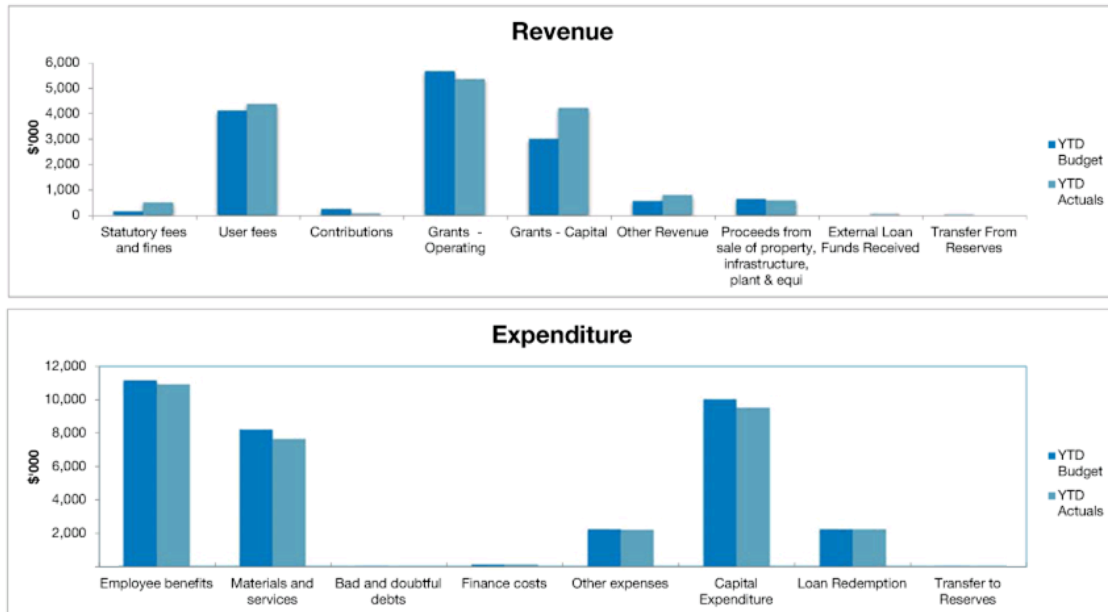


2. Cash Budget

	Adopted Budget	Reviewed Budget	Forecast Budget	YTD Budget	YTD Actuals	YTD Variance \$	YTD Variance %
REVENUE							
Rates and charges	20,578,468	20,736,738	20,736,738	20,733,172	20,749,721	16,550	0%
Statutory fees and fines	237,677	240,905	270,905	151,414	503,762	352,347	233%
User fees	5,912,924	5,892,539	5,964,349	4,113,265	4,371,296	258,031	6%
Contributions	260,101	580,199	552,899	236,816	71,119	(165,697)	(70%)
Grants - Operating	10,284,695	11,228,035	11,231,160	5,667,035	5,348,803	(318,232)	(6%)
Grants - Capital	5,824,000	6,842,000	6,122,000	3,010,333	4,216,931	1,206,597	40%
Other Revenue	642,522	831,242	831,242	548,869	776,354	227,485	41%
Proceeds from sale of property, infrastructure, plant & equi	664,880	934,880	934,880	643,142	572,402	(70,740)	(11%)
External Loan Funds Received	66,672	66,672	66,672	0	38,073	38,073	0%
Transfer From Reserves	1,030,000	1,030,000	1,042,000	30,000	0	(30,000)	(100%)
Total Revenue	45,501,940	48,383,210	47,752,846	35,134,046	36,648,460	1,514,413	76%
EXPENDITURE							
Employee benefits	14,996,078	14,984,150	14,797,685	11,151,117	10,902,764	248,353	(2%)
Materials and services	10,527,554	14,973,994	14,606,680	8,202,472	7,635,323	567,149	(7%)
Bad and doubtful debts	2,000	2,000	2,000	2,000	458	1,543	(77%)
Finance costs	175,889	175,889	103,827	103,827	103,827	0	(0%)
Other expenses	2,636,584	2,809,857	2,804,032	2,216,795	2,191,691	25,104	(1%)
Capital Expenditure	15,032,700	18,939,920	17,816,091	10,021,313	9,495,840	525,473	(5%)
Loan Redemption	2,224,111	2,224,111	2,224,111	2,224,111	2,224,111	(0)	0%
Transfer to Reserves	141,500	341,447	341,447	2,500	2,500	0	0%
Total Expenditure	(45,736,416)	(54,451,368)	(52,695,872)	(33,924,134)	(32,556,514)	1,367,621	(60%)
Surplus/(Deficit)	(234,477)	(6,068,157)	(4,943,026)	1,209,912	4,091,946	2,882,034	238%

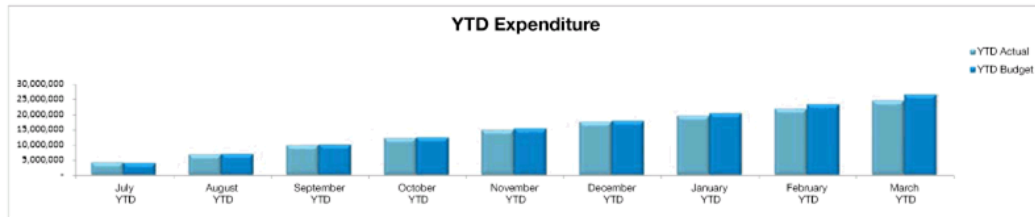
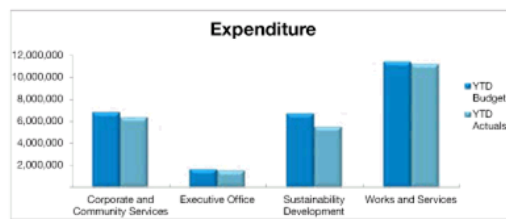
Note: Figures in brackets indicate cost to Council

Unfavourable variances shown in brackets



3. Recurrent Operations

	Adopted Budget	Reviewed Budget	Forecast Budget	YTD Budget	YTD Actuals	YTD Variance fav/(unfav)	
						\$	%
Recurrent Operations							
Revenue							
Corporate and Community Services	12,966,723	9,650,469	9,650,402	7,360,313	7,437,852	77,539	(1%) ●
Executive Office	58,450	61,678	61,678	34,251	33,229	(1,022)	3% ●
Sustainability Development	5,260,779	5,160,779	5,198,332	3,590,674	3,887,357	296,682	(8%) ●
Works and Services	7,453,194	7,464,306	7,419,306	5,723,754	5,590,777	(132,978)	2% ●
Revenue Total	25,739,147	22,337,232	22,329,718	16,708,992	16,949,214	240,222	(1%) ●
Expenses							
Corporate and Community Services	9,070,615	9,188,019	9,094,575	6,824,246	6,375,321	448,924	7% ●
Executive Office	2,191,355	2,212,698	2,152,408	1,615,564	1,507,700	107,865	7% ●
Sustainability Development	9,009,228	9,238,728	9,207,687	6,681,428	5,491,186	1,190,242	18% ●
Works and Services	(14,981,414)	(15,263,640)	(15,153,142)	(11,418,981)	(11,206,466)	212,515	2% ●
Revenue Total	35,252,612	35,903,086	35,607,812	26,540,219	24,580,673	1,959,546	(1%) ●
Recurrent Operations Total	(9,513,466)	(13,565,854)	(13,278,094)	(9,831,227)	(7,631,459)	2,199,768	22% ●



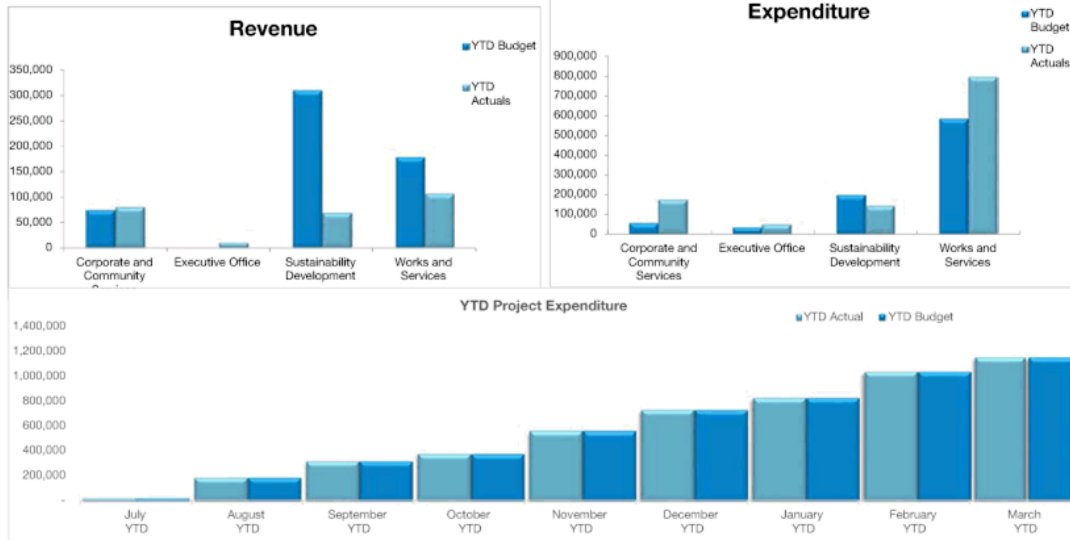
Comments:

Recurrent Operating Revenue is \$240,222 over budget.
 Corporate and Community Services is \$77,539 over budget by due to parental leave payments which are offset by associated expenses
 Sustainability Development is \$296,682 over budgeted income due additional landfill fees in comparison to budget
 Works and Services is \$132,978 under budget due to timing of materials and plant recovery which is offset by associated expenses

Recurrent Operating expenditure is \$1,959,546 under budget.
 Corporate and Community Services is \$448,924 under budget due to the following :
 - \$214k of long service leave budgeted that has not been taken.
 - \$200k contracts and quotes budgeted but not yet incurred.
 - \$69k of materials budget not expended.
 Sustainability Development is under budgeted expenditure due to the following :
 - \$359k behind budgeted expenditure on landfill Cell 11 & 12 capping.
 - \$383k behind budgeted expenditure on Naroghid Cell Construction.
 - \$252k behind budgeted expenditure on Naroghid landfill and transfer stations.
 - \$50k reduction in saleyards expenditure associated with a reduction in income.
 Works and Services is \$212,515 under budget due to lower than budget fleet expenditure and works related to South West Alliance

4. Projects

	Adopted Budget	Reviewed Budget	Forecast Budget	YTD Budget	YTD Actuals	YTD Variance fav/(unfav)	
						\$	%
Projects							
Revenue							
Corporate and Community Services	0	41,000	113,185	74,164	79,465	5,300	(7%) ●
Executive Office	0	0	0	0	9,000	9,000	0% ●
Sustainability Development	70,190	338,182	323,182	309,082	68,388	(240,694)	78% ●
Works and Services	427,500	613,500	613,500	178,000	106,109	(71,891)	40% ●
Revenue Total	497,690	992,682	1,049,867	561,246	262,961	(298,285)	53% ●
Expenses							
Corporate and Community Services	70,381	483,089	401,456	55,381	173,144	(117,763)	(213%) ●
Executive Office	57,500	101,753	101,753	32,818	48,094	(15,276)	(47%) ●
Sustainability Development	480,190	645,080	466,630	196,439	142,085	(54,354)	28% ●
Works and Services	973,000	1,505,901	1,495,189	582,266	792,996	(210,730)	(36%) ●
Expenses Total	(1,581,071)	(2,735,823)	(2,465,028)	(866,904)	(1,156,319)	(289,415)	(33%) ●
Projects Total	(1,083,381)	(1,743,141)	(1,415,161)	(305,658)	(893,358)	(587,700)	(192%) ●



Comments:

Project Revenue is \$298,285 under budget.

Sustainability Development \$240,094 under budgeted due to grant not yet received for Flood Damage

Works and Services is \$71,891 under budget due to grant not yet received for Dairy Supply chain study

Project expenditure is \$289,415 over budget.

Corporate and Community Services is over budget by \$117,763 due to timing differences with expenditure incurred earlier than budgeted

Sustainability Development is under budget by \$54,354 due to projects not yet completed

Works and Services is over budget by \$210,730 due to works being completed ahead of schedule

5. Capital

	Adopted Budget	Reviewed Budget	Forecast Budget	YTD Budget	YTD Actuals	YTD Variance fav/(unfav)	
						\$	%
Capital							
Revenue							
Corporate and Community Services	0	9,405	9,405	9,405	9,405	0	0%
Executive Office	0	26,000	26,000	0	0	0	0%
Sustainability Development	40,000	40,000	40,000	0	0	0	0%
Works and Services	5,586,550	6,810,808	6,112,308	3,104,607	4,354,176	1,249,569	(40%)
Revenue Total	5,626,550	6,886,213	6,187,713	3,114,012	4,363,581	1,249,569	(40%)
Expenses							
Corporate and Community Services	418,000	638,974	493,707	253,208	236,854	16,354	6%
Executive Office	10,000	65,250	65,250	0	0	0	0%
Sustainability Development	175,000	267,190	337,190	162,190	39,501	122,689	76%
Works and Services	14,429,700	17,968,506	16,919,944	9,605,914	9,219,175	386,739	4%
Expenses Total	(15,032,700)	(18,939,920)	(17,816,091)	(10,021,313)	(9,495,840)	525,473	5%
Capital Total	(9,406,150)	(12,053,707)	(11,628,378)	(6,907,300)	(5,132,259)	1,775,042	26%



Comments:

Capital Revenue is \$1,249,569 over budget.

Works and Services is \$1,249,569 under budget due to roads to recovery grants income being received ahead of schedule

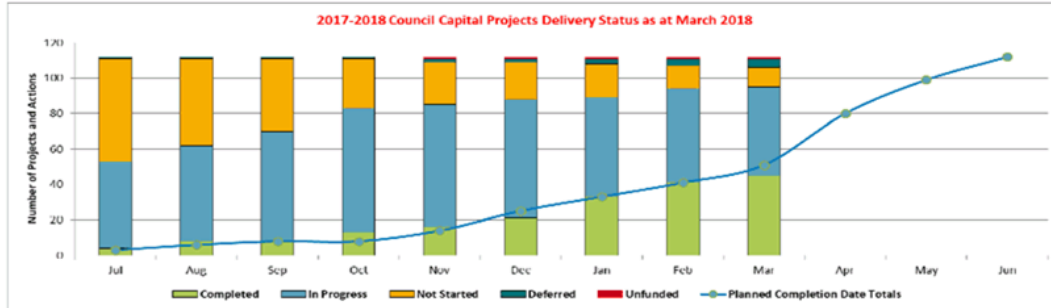
Capital expenditure is \$525,473 under budget.

Sustainability Development is \$122,689 under budget due to Naroghid Landfill Retaining Wall Restoration running behind schedule

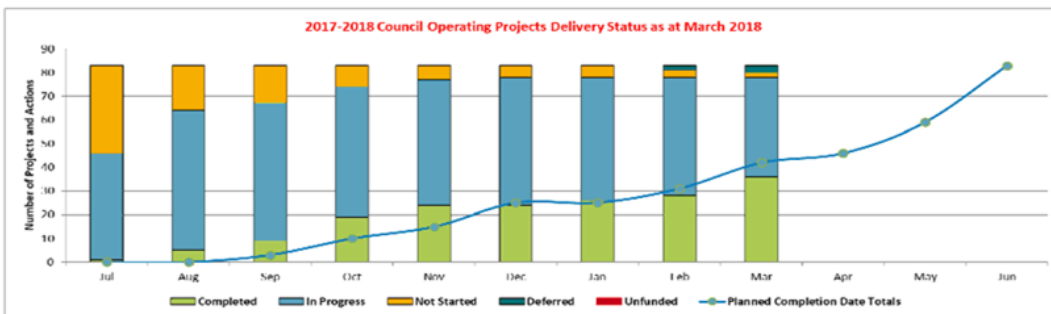
Works and Services \$386,739 under budget due to invoices not received for capital works completed.

6. Project Delivery

The graphs and tables below provide an overview of the status of Council's capital and operating projects for the reporting period. As reflected in the financial reports, project delivery has fallen behind schedule at the end of March.

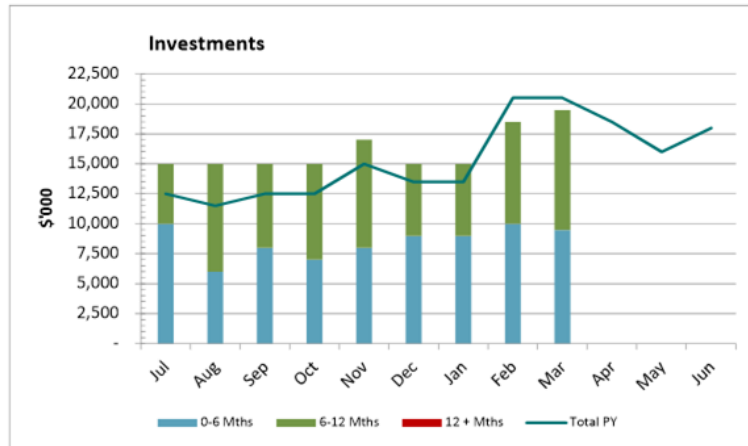


Directorate	Council	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Project	Capital Projects												
Not Started		58	49	41	28	24	21	19	13	11	0	0	0
In Progress		49	54	62	70	69	67	56	53	50	0	0	0
Completed		4	8	8	13	16	21	33	41	45	0	0	0
Deferred		1	1	1	1	2	2	3	4	5	0	0	0
Unfunded		0	0	0	0	1	1	1	1	1	0	0	0
Total		112	112	112	112	112	112	112	112	112	0	0	0
Planned Completion Date		3	6	8	8	14	25	33	41	51	80	99	112
Actual YTD		\$276,727	\$466,217	\$1,181,458	\$1,556,920	\$2,244,691	\$4,062,118	\$5,325,411	\$6,129,595	\$5,499,840			
Budget YTD		\$0	\$482,813	\$993,507	\$1,602,103	\$2,440,542	\$3,869,790	\$5,269,178	\$7,676,941	\$10,194,781	\$13,256,199	\$16,080,221	\$18,939,920



Directorate	Council	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Project	Operating Proj												
Not Started		37	19	16	9	6	5	5	3	2	0	0	0
In Progress		45	59	58	55	53	54	52	50	42	0	0	0
Completed		1	5	9	19	24	24	26	28	36	0	0	0
Deferred		0	0	0	0	0	0	0	2	3	0	0	0
Unfunded		0	0	0	0	0	0	0	0	0	0	0	0
Total		83	83	83	83	83	83	83	83	83	0	0	0
Planned Completion Date		0	0	3	10	15	25	25	31	42	46	59	83
Actual YTD		\$22,947	\$187,748	\$319,340	\$500,814	\$565,694	\$750,884	\$828,280	\$1,039,019	\$1,196,118			
Budget YTD		\$0	\$119,466	\$176,990	\$189,297	\$351,521	\$549,561	\$622,856	\$737,719	\$889,901	\$1,032,794	\$1,104,790	\$1,739,823

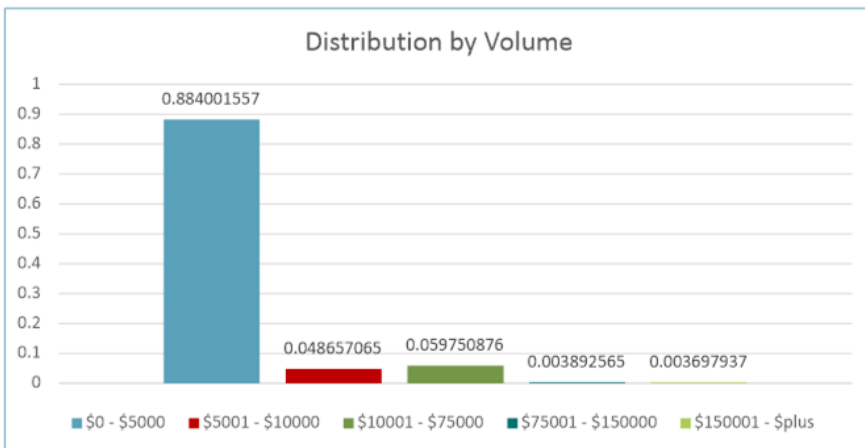
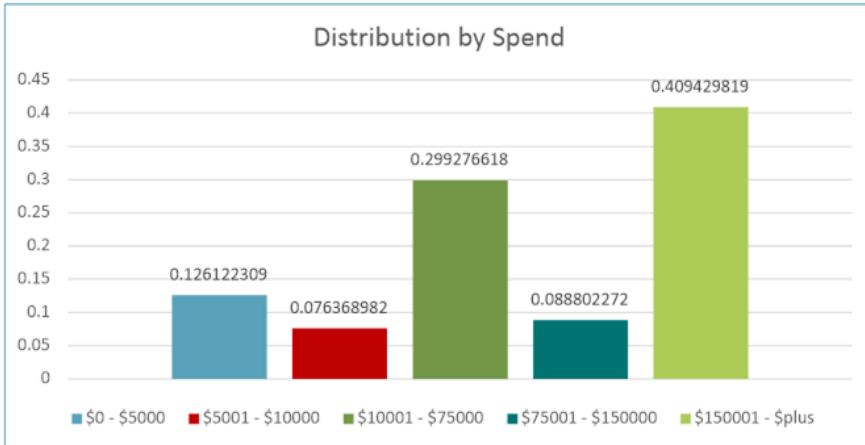
7. Investments



The above graph shows the 2016-2017 total investments as a comparative line and categorises current year investments by term. Term deposits are slightly lower than the level of investments at this time last year as additional cash was required to be available to cover South West fire related expenditure.

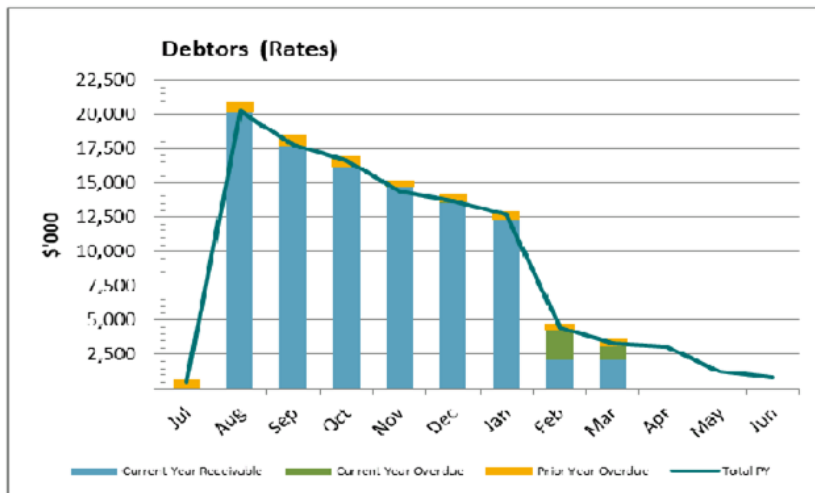
8. Purchasing and Procurement

The graph below details Council's procurement activity for the reporting period by spend and volume. The top graph details the cumulative expenditure by value whilst the bottom graphs details the cumulative transactions by volume. For example 88.4% of transactions for the period were for a value of \$5,000 or less with a cumulative value representing 12.6% of total procurement.



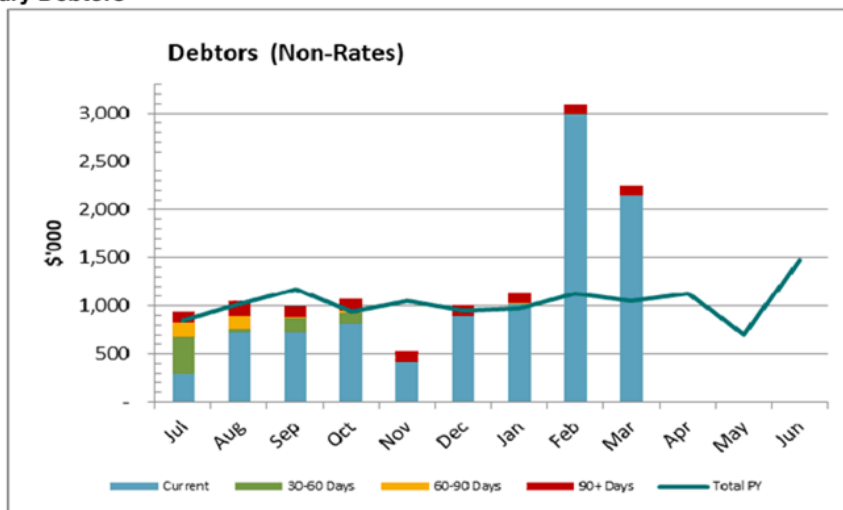
9. Outstanding Debtors
Rate Debtors

The below graph shows the total outstanding debt from the 2016-2017 financial year as a comparative line with the stacked bar graph showing the current year outstanding rates, categorised as current, current year overdue and prior year overdue.



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

Sundry Debtors



Sundry Debtors have increased due to large outstanding invoices in relation to capital projects (\$1.1m Castle Carey Bridge)



MINUTES - ORDINARY MEETING OF COUNCIL 24 APRIL 2018

10. March Quarter Budget Review

Project Name	2017-2018 adopted budget	2017-2018 reviewed budget	2017-2018 forecast budget	Variance (Favourable)/ Unfavourable	Details
Recurrent Operations					
Port Campbell Information Centre	248,110	254,510	268,310	13,800	Parts Victoria no longer providing contribution to Visitor Centre and resprayed lost income
Landfill Operations - Nangahill	(1,426,263)	(1,426,163)	(1,416,163)	10,000	Additional legal costs associated with Nangahill Landfill operation
School Crossings	49,176	49,176	41,823	(7,353)	Additional State Government funding received
Building Services	42,318	42,318	33,918	(9,000)	Additional income received for contracting services
Finance	680,345	680,345	655,345	(25,000)	Savings in employee costs due to vacant positions
Corporate & Community Services Mgt	238,188	238,188	210,688	(27,500)	Project to be delivered under budget
Planning Services	986,150	400,950	370,950	(30,000)	Additional income due to statutory fees increases
Engineering Administration	650,075	622,075	558,077	(63,998)	Savings in employee costs due to vacant positions
Aged & Disabled Services	136,561	77,288	36,019	(41,279)	Recognise additional income as per funding agreements
Corporate ICT	243,200	237,200	230,700	(6,500)	Saving in photocopies/priener lease following outright purchase of new items
Great South Coast Early Years Network	9,225	9,225	0	(9,225)	Project to be delivered under budget within existing resources
Council Hazard Removal	95,222	95,222	53,181	(42,041)	Project to be delivered under budget
Arts and Cultural Strategy Initiatives	95,000	95,000	35,000	(60,000)	Savings in employee costs due to vacant positions
Other minor budget variations	1,345,146	1,355,146	1,355,582	436	Other minor recurrent budget variations
Total recurrent operations amendments				(287,760)	
Net Loans					
Loan Repayments	2,400,000	2,400,000	2,327,938	(72,062)	To correct loan repayments in line with actual payout figure
Operating Projects					
Child safe standards	0	9,569	4,400	(5,169)	Project to be delivered under budget
Urban Street Tree Audit	0	79,348	73,137	(6,212)	Project to be delivered under budget
Develop marketing materials for emerging tourism markets	10,000	12,500	5,000	(7,500)	Project to be delivered under budget
VicSmart planning Scheme Amendment C43	15,000	15,000	0	(15,000)	Project to be combined with another amendment
Campground Daily Relocation	15,000	15,000	0	(15,000)	Project not to be implemented at this point in time
P5 Amendment to implement Planning Scheme Review	0	40,000	20,000	(20,000)	Project to be delivered under budget
Economic Development Strategy - Year 1 Implementation	30,000	30,000	50	(29,950)	Project to be delivered under budget
Food and fibre Strategy - Value Add Opportunity investigator	30,000	30,000	0	(30,000)	Project not to be implemented at this point in time
Safeguard future planning	40,000	40,000	0	(40,000)	Project not required
Age friendly communities project	0	95,758	43,390	(52,368)	Costs re-allocated to 2018-2019 budget
Vic Health Bright Futures Project	0	20,647	(65,534)	(86,181)	Grant money received in advance for Project Future expenditure included in 2018-2019 budget
Other minor budget variations	23,381	62,246	42,246	(20,000)	Other minor operating project budget variations
Total Operating Project amendments				(327,980)	
Capital Projects					
Valley View Road (3.33km to 4.28km & 4.76km to 5.38km) Rehab	0	0	135,000	135,000	Additional costs required for completion of project due to unstable underlying ground condition
Corporate Information System - Enterprise Content Management	100,000	114,000	200,000	86,000	Additional costs required for completion of project
Nangahill Landfill Retaining Wall Restoration	0	92,190	182,190	70,000	Additional costs required for completion of project
Bones Access Road Bridge (8084)	0	22,359	80,000	57,641	Additional costs required for completion of project. Tender approved by Council in February 2017
Paving prior to Rehabil	200,000	200,000	235,000	35,000	Additional costs required for completion of project
Lavers Hill Cobden Road Simpson Connection to Rec Reserve.	15,000	15,000	9,155	(5,845)	Project to be delivered under budget
Timbon - construction	0	(60,000)	0	(60,000)	Project to be delivered under budget
HP Records Manager Upgrade	17,000	17,000	0	(17,000)	Project reallocated to Enterprise Project Management
Tarang Children's Centre - construction	0	34,049	4,802	(29,247)	Funds not required for defects
Tarang Streetscape stage 3 - construction	0	50,000	18,000	(32,000)	Project to be delivered under budget
GC51 Trefra St, Morris St to Cairns St Port Campbell	0	32,500	0	(32,500)	Project to be considered as part of Port Campbell streetscape design
Accounts Payable Automation	100,000	100,000	60,000	(40,000)	Project to be delivered under budget and savings allocated to Enterprise Content Management
Technie predictive assets modelling	142,500	142,500	0	(142,500)	Project rescope and included in 2018-2019 budget
Port Campbell Streetscape - construction	500,000	500,000	0	(500,000)	Project will not be started in this financial year. Forecast in future budgets
Other minor budget variations	14,520	14,520	14,872	352	Other minor capital project budget variations
Total Capital Projects amendments				(425,329)	
Reserves					
Insurance Claims Excess-Council Property	35,000	35,000	23,000	(12,000)	Reimbursement of insurance claim from reserve
Total Reserve amendments				(12,000)	
Total March quarter adjustments				(1,125,131)	

11. Balance Sheet for the period ended 31 March 2018

	Prior Year Balance	Adopted Budget	Reviewed Budget	Forecast Budget	YTD Actuals
CURRENT ASSETS					
Cash and cash equivalents	21,968,371	12,807,104	14,566,419	15,679,550	20,998,496
Financial Assets	66,568	96,949	67,645	67,645	3,580
Rate Receivables	825,087	1,386,056	2,665,000	2,265,000	3,569,003
Other Trade Receivables	1,839,194	462,019	0	400,000	2,394,638
Inventories	82,588	67,000	80,000	80,000	154,920
Other assets	483,296	1,274,000	484,000	484,000	318,388
Total Current Assets	25,265,103	16,093,128	17,863,064	18,976,195	27,439,025
NON CURRENT ASSETS					
Investments in associates	260,096	237,000	260,096	260,096	260,096
Financial Assets	113,304	113,000	45,555	45,555	113,304
Trade and other receivables	45,200	68,000	45,000	45,000	49,846
WIP - Capital	1,390,953	15,032,700	18,939,920	17,816,091	9,846,627
Fixed assets	432,955,386	404,952,885	424,214,338	424,214,338	433,995,561
Total Non Current Assets	434,764,938	420,403,585	443,504,909	442,381,080	444,265,434
Total Assets	460,030,041	436,496,713	461,367,972	461,357,275	471,704,460
CURRENT LIABILITIES					
Trade and other payables	2,287,024	2,241,675	2,300,000	2,300,000	(247,089)
Trust funds and deposits	203,434	322,000	203,000	203,000	947,895
Interest bearing liabilities	2,224,111	0	0	0	0
Provisions - current	3,844,891	3,500,000	3,850,000	3,850,000	3,804,405
Total Current Liabilities	8,559,461	6,063,675	6,353,000	6,353,000	4,505,211
NON CURRENT LIABILITIES					
Provisions - non-current	5,693,155	5,593,457	5,693,780	5,693,780	5,680,229
Total Non Current Liabilities	5,693,155	5,593,457	5,693,780	5,693,780	5,680,229
Total Liabilities	14,252,616	11,657,132	12,046,780	12,046,780	10,185,441
Net Assets	445,777,425	424,839,581	449,321,192	449,310,495	461,519,019
EQUITY					
Operating Surplus/Deficit	5,309,832	5,270,282	3,543,768	3,533,070	15,741,584
Accumulated surplus	170,538,715	214,553,440	176,537,100	176,549,100	175,848,557
Asset revaluation reserve	267,201,045	203,162,000	267,201,045	267,201,045	267,201,045
Reserves	2,727,833	1,853,859	2,039,279	2,027,279	2,727,833
Total Equity	445,777,425	424,839,581	449,321,192	449,310,495	461,519,019

	Prudential Guideline	Adopted Budget	Reviewed Budget	Forecast Budget	YTD Actuals
Working capital ratio / Liquidity ratio (current assets to current liabilities)	150%	265.40%	281.18%	298.70%	609.05%
Debt servicing ratio (interest paid as % of total revenue)	5%	0.40%	0.38%	0.23%	0.29%
Debt commitment ratio (interest and loan repayments as a % of rate revenue)	15%	11.66%	11.57%	11.23%	0.50%

12. Income Statement for the period ended 31 March 2018

	Adopted Budget	Reviewed Budget	Forecast Budget	YTD Budget	YTD Actuals	YTD Variance favourable/ (unfavourable)
REVENUE						
Rates and charges	20,578,468	20,736,738	20,736,738	20,733,172	20,749,721	16,550
Statutory fees and fines	237,677	240,905	270,905	151,414	503,762	352,347
User fees	5,912,924	5,892,539	5,964,349	4,113,265	4,371,296	258,031
Contributions	260,101	580,199	552,899	236,816	71,119	(165,697)
Grants - Operating	10,284,695	11,228,035	11,231,160	5,667,035	5,348,803	(318,232)
Grants - Capital	5,824,000	6,842,000	6,122,000	3,010,333	4,216,931	1,206,597
Other Revenue	642,522	831,242	831,242	548,869	776,354	227,485
Total Revenue	43,740,388	46,351,658	45,709,294	34,460,904	36,037,985	1,577,081
EXPENDITURE						
Employee benefits	14,996,078	14,984,150	14,797,685	11,151,117	10,902,764	248,353
Materials and services	10,527,554	14,973,994	14,606,680	8,202,472	7,635,323	567,149
Bad and doubtful debts	2,000	2,000	2,000	2,000	458	1,543
Depreciation	10,132,000	10,132,000	10,132,000	0	0	0
Finance costs	175,889	175,889	103,827	103,827	103,827	0
Other expenses	2,636,584	2,809,857	2,804,032	2,216,795	2,191,691	25,104
Total Expenditure	38,470,105	43,077,890	42,446,223	21,676,211	20,834,063	842,148
Surplus/(Deficit) from Operations	5,270,282	3,273,768	3,263,070	12,784,694	15,203,923	2,419,229
Proceeds from sale of property, infrastructure, plant & equi	664,880	934,880	934,880	643,142	572,402	70,740
Written down value property, infrastructure, plant and equip	664,880	664,880	664,880	0	0	0
Net (gain)/loss on disposal of property, infrastructure, plant and equipment	0	270,000	270,000	643,142	572,402	70,740
Surplus/(Deficit) for Period	5,270,282	3,543,768	3,533,070	13,427,836	15,776,325	2,489,969

13. Cashflow Statement for the period ended 31 March 2018

	Adopted Budget	Reviewed Budget	Forecast Budget	YTD Actuals
Cash flows from operating activities				
Rates and charges	20,545,000	20,736,019	20,736,019	18,005,805
Statutory fees and fines	238,000	240,905	270,905	503,762
User fees	5,315,000	5,297,915	5,369,725	3,818,869
Contributions	260,000	580,199	552,899	71,119
Grants - Operating	10,285,000	11,228,035	11,231,160	5,348,803
Grants - Capital	5,824,000	6,842,000	6,122,000	4,216,931
Reimbursements	750,000	847,003	847,003	0
Other Revenue	477,000	576,863	576,863	776,354
Payments to employees	(14,982,000)	(14,979,556)	(14,793,090)	(10,956,177)
Payments to suppliers	(13,123,000)	(17,768,287)	(17,395,148)	(12,306,756)
Net cash provided by operating activities	15,589,000	13,601,096	13,518,336	9,478,709
Cash flows from investing activities				
Payments for property, infrastructure, plant and equipment	(15,033,000)	(19,604,800)	(18,480,971)	(9,495,850)
Repayment of loans and advances from/(to) Organisations	67,000	934,880	934,880	58,342
Proceeds from sale of property, infrastructure, plant and equipment	665,000	66,872	66,872	572,402
Net cash flow from investing activities	(14,301,000)	(18,603,048)	(17,479,219)	(8,865,107)
Cash flows from financing activities				
Finance costs	(176,000)	(175,889)	(103,827)	(103,827)
Trust funds and deposits	0	0	0	744,460
Repayment of interest bearing loans and borrowings	(2,224,000)	(2,224,111)	(2,224,111)	(2,224,111)
Net cash from financing activities	(2,400,000)	(2,400,000)	(2,327,938)	(1,583,477)
Net increase (decrease) in cash and cash equivalents	(1,112,000)	(7,401,952)	(6,288,821)	(969,875)
Cash and cash equivalents at beginning of the year	13,919,104	21,968,371	21,968,371	21,968,371
Cash and cash equivalents at end of the year	12,807,104	14,566,419	15,679,550	20,998,496

8.8 South West Complex Fires - Procurement of Emergency Clean-Up Works

Author: David Rae, Director Corporate and Community Services

File No: D18/163

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

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

Author - David Rae

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

Summary

The South West Complex Fires has resulted in emergency clean-up activities which includes asbestos audits, testing and removal. The urgent nature of these activities means compliance with the Procurement Policy has not been possible. This report seeks Council approval that expenditure, contracts and agreements related to the South West Complex Fires emergency clean-up activities, undertaken within the eight week period subsequent to the event, must be entered into because of an emergency. This report also seeks approval that the Chief Executive Officer's financial delegation be increased for payment of all associated fees and accounts.

Introduction

On 17 and 18 March 2018, south-west Victoria, and particularly Corangamite Shire, was affected by severe bushfires. Substantial damage occurred to property and livestock resulting in extensive clean-up activities. Council is now providing assistance in all facets of the recovery process and clean-up. This involves engaging various types of contractors to undertake urgent works including asbestos audits, testing and removal.

Issues

The *Local Government Act 1989* (the Act) and Council's Procurement Policy require Council to give notice and invite tenders before entering into contracts over \$150,000 for the purchase of goods and services, and \$200,000 for the carrying out of works. An evaluation of the tenders is carried out prior to the awarding of contracts, which is done by Council for contracts exceeding the financial delegation of officers. The urgent nature of clean-up works associated with the fires, means compliance with the *Local Government Act* and Procurement Policy has not been possible. The *Local Government Act* provides an exemption to the usual tender process for contracts when a council resolves that the contract must be entered into because of an emergency. Therefore Council is requested to consider resolving that all procurement activities associated with the clean-up from the South West Complex Fires, for a period of eight weeks from the 17 March 2018, must be entered into because of an emergency.

Costs associated with the clean-up works is expected to exceed the Chief Executive Officer's financial delegation limit, currently set at \$500,000 for schedule of rates contracts, heavy fleet purchases approved through the budget process, and Council insurances, and \$250,000 for all other contracts. As a result, Council is asked to consider raising the Chief Executive Officer's financial delegation to \$1.5m solely for the payment of all fees and accounts relating to the clean-up from the South West Complex Fires.

Policy and Legislative Context

Section 186 of the *Local Government Act* requires councils to give public notice and invite tenders or expressions of interest before it enters into contracts exceeding \$150,000 for the purchase of goods and services, and \$200,000 for the carrying out of works. Section 186(5)(a) of the Act provides an exemption to these restrictions if the Council resolves that the contract must be entered into because of an emergency.

Section 98(1) of the Act enables Council to delegate powers, duties or functions to the Chief Executive Officer.

Consideration of enacting the procurement exemption for urgent clean-up works relating to the South West Complex Fires, and the Chief Executive Officer's payment of subsequent accounts is consistent with the following commitments and objectives in the 2017-2021 Council Plan:

We are committed to ensuring the ethical behaviour of Councillors and staff, maintaining good governance and remaining financially sustainable.

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

Council will make budgetary decisions that ensures Council remains in a strong financial position now and into the future.

Financial and Resource Implications

It is anticipated that the financial implications for Council will be negligible, as the State Government has agreed to reimburse Council for all expenses relating to the clean-up of the South West Complex Fires.

The largest cost associated with the clean-up relate to asbestos and building removal. These costs are likely to be in the order of \$1,000,000.

Options

Council is required to resolve that all procurement activities associated with the clean-up from the South West Complex Fires must be entered into because of an emergency in order to remain compliant with the *Local Government Act*.

Council must continue to support the community following the South West Complex Fires, and it would be unreasonable for urgent clean-up works to be delayed because of the Chief Executive Officer's financial delegation limit. As such, raising the Chief Executive Officer's financial delegation for the payment of all fees and accounts relating to the clean-up from the South West Complex Fires is necessary to ensure contractors are paid and works can continue.

Conclusion

The South West Complex Fires has resulted in clean-up activities which includes asbestos audits, testing and removal. The urgent nature of these activities means compliance with the *Local Government Act* and Procurement Policy, in relation to restrictions on entering into contracts, has not been possible. In addition, costs associated with the clean-up works is expected to exceed the Chief Executive Officer's financial delegation limit, currently set at \$500,000 for schedule of rates contracts, heavy fleet purchases approved through the budget process, and Council insurances, and \$250,000 for all other contracts.

Council is requested to consider resolving that all procurement activities associated with the clean-up from the South West Complex Fires, for a period of eight weeks from the 17 March 2018, must be entered into because of an emergency. Council is also asked to consider raising the Chief Executive Officer's financial delegation to \$1.5m solely for the payment of all fees and accounts relating to the clean-up from the South West Complex Fires to ensure contractors are paid and works can continue.

RECOMMENDATION**That Council:**

1. Resolves, in accordance with Section 186(5)(a) of the *Local Government Act 1989*, that contracts entered into, or agreements made, or expenditure incurred, directly related to the clean-up from the South West Complex Fires, within an eight week period from 17 March 2018, must be entered into because of an emergency.
2. Delegates to the CEO the power to authorise expenditure up to \$1.5m on Council's behalf for expenses incurred in relation to the clean-up from the South West Complex Fires.
3. Records that this Resolution stands as an instrument of delegation for the purposes of s98 of the *Local Government Act 1989*.

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

That the recommendation be adopted.

CARRIED

8.9 Quick Response Grants Allocation April 2018

Author: David Rae, Director Corporate and Community Services

File No: D18/157

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 - David Rae

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

Summary

The purpose of this report is to approve the April 2018 allocation of funds under the Quick Response Grants Program.

Introduction

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

Issues

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

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

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

The assessment has also been provided as a separate attachment to this report.

Policy and Legislative Context

Consideration of applications for the Quick Response Grants Program is in accordance with the Quick Response Grants Policy and the following 2017-2021 Council Plan commitments:

We are committed to working towards ensuring the safety, health and wellbeing of our communities.

Council will continue to provide and support a range of community and social support services.

Council will provide and support a range of opportunities that support people to engage in healthy and active lifestyles, the arts, recreation and sport.

Improved educational outcomes in Corangamite Shire.

Support our small towns and dispersed population.

Improve the health and wellbeing of our community.

Internal / External Consultation

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

Financial and Resource Implications

The 2017-2018 Quick Response Grants Program budget allocation is \$14,000. Annual allocations for each Ward shall not exceed 1/7th of the fund's annual budget in the case of North, South West, Coastal and South Central Wards, and 3/7th of the fund's annual budget in the case of Central Ward. Should the allocations be approved as recommended in this report, the remaining allocation is as follows:

Ward	Annual Allocation	Previous Allocations	This Allocation	Remaining Allocation
Coastal	\$2,000.00	\$1,571.43	\$290.00	\$138.57
North	\$2,000.00	\$1,294.65	\$0.00	\$705.35
South Central	\$2,000.00	\$566.43	\$0.00	\$1,433.57
South West	\$2,000.00	\$571.43	\$0.00	\$1,428.57
Central	\$6,000.00	\$4,498.98	\$0.00	\$1,501.02
	\$14,000.00	\$8,502.92	\$290.00	\$5,207.08

Options

Council can consider:

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

Conclusion

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

RECOMMENDATION

That Council approves the following applications for funding from the Quick Response Grants Program for April 2018:

Applicant	Purpose	Ward	Amount
Port Campbell Singing Group	Resources (song books) for newly established singing group within Port Campbell. Group was established for the purposes of bringing likeminded individuals together resulting in improved health and wellbeing outcomes.	Coastal	\$290.00

COUNCIL RESOLUTION

MOVED: *Cr Illingworth*

SECONDED: *Cr Brown*

That the recommendation be adopted.

CARRIED

Attachments

1. Quick Response Grants Assessment - April 2018 Allocation - Under Separate Cover
2. Application Quick Response Grants - Port Campbell Singing Group - Under Separate Cover

8.10 MAV State Council Substitute Representative

Author: Penny MacDonald, Executive Services and Governance Coordinator

File No: D18/159

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

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

Author - Penny MacDonald

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

Summary

Council's Municipal Association of Victoria (MAV) representative, Cr Ruth Gstrein, and substitute representative, Cr Bev McArthur, are unable to attend the MAV State Council to be held in Melbourne on 18 May 2018. This report provides Council with an opportunity to appoint a substitute representative to attend the May 2018 meeting.

Introduction

The MAV holds two State Council meetings each year in order to determine the strategic direction of the organisation as well as other governance matters. MAV member councils appoint representatives to attend the State Council meetings and vote on matters on behalf of their council, amongst other responsibilities.

Each November Council appoints its MAV representative and a substitute representative. In November 2017, Cr Ruth Gstrein was appointed as Corangamite Shire's representative, with Cr Bev McArthur appointed as substitute should Cr Gstrein be unable to attend.

Issues

The next MAV State Council meeting has been scheduled for 18 May 2018 in Melbourne. Councillors Gstrein and McArthur have both indicated that they will not be available to attend this meeting due to travel commitments. As the MAV Rules of Association requires a council resolution to appoint a councillor representative, it is necessary for Council to consider appointing another substitute representative if Council is to be represented at the May 2018 State Council.

Policy and Legislative Context

Consideration of a further substitute representative to attend the May 2018 MAV State Council is consistent with the following 2017-2021 Council Plan commitments and objectives:

We are committed to ensuring the ethical behaviour of Councillors and staff, maintaining good governance and remaining financially sustainable.

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

Council will advocate strongly in relation to roads, cost shifting, and other Council and community priorities.

Council will build strong and effective partnerships with key stakeholders including peak organisations and the State and Federal Governments.

A council resolution to appoint an MAV representative and substitute representative is required by rule 6.2 of the MAV Rules of Association.

Internal / External Consultation

Councillors Gstrein and McArthur have indicated that they will be unable to attend the MAV State Council meeting on 18 May 2018.

Financial and Resource Implications

Travel and accommodation costs (if required) will be absorbed within existing budget allocations.

Options

Council may choose to appoint a further substitute representative to attend the MAV State Council on 18 May 2018, or choose not to send a representative.

Conclusion

Council's Municipal Association of Victoria (MAV) representative, Cr Ruth Gstrein, and substitute representative, Cr Bev McArthur, have both indicated that they are unable to attend the MAV State Council to be held in Melbourne on 18 May 2018 due to travel commitments. As the MAV Rules of Association requires a council resolution to appoint a councillor representative, it is necessary for Council to consider appointing another substitute representative if Council is to be represented at the May 2018 State Council.

It is recommended Council appoint a further substitute representative for the purposes of attending the May 2018 MAV State Council meeting, in order to ensure Council is appropriately represented to influence the strategic direction of the organisation.

RECOMMENDATION

That Council appoints a further substitute representative to the MAV for the purposes of attending the MAV State Council on 18 May 2018.

COUNCIL RESOLUTION

MOVED: *Cr McArthur*
SECONDED: *Cr Brown*

That Council appoints Cr Jo Beard as a further substitute representative to the MAV for the purposes of attending the MAV State Council on 18 May 2018.

CARRIED

8.11 Records of Assembly of Councillors

Author: Andrew Mason, Chief Executive Officer

File No: D18/135

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 27 March 2018.

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

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

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

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

Policy and Legislative Context

Tabling of the records of Assembly of Councillors ensures Council is compliant with the Act. In addition, this report is consistent with the Council Plan 2017-2021 objective that “Council will demonstrate high levels of ethical behaviour and governance standards”.

Conclusion

The records documenting the below Assembly of Councillors are attached:

- Councillor Briefing 27 March 2018
- Councillor Budget Briefing 28 March 2018
- Councillor Briefing 10 April 2018.

RECOMMENDATION

That Council accepts the attached Records of Assembly of Councillors.

COUNCIL RESOLUTION

MOVED: *Cr Illingworth*

SECONDED: *Cr Trotter*

That the recommendation be adopted.

CARRIED

Attachments

1. Record of an Assembly of Councillors 27-03-2018
2. Record of an Assembly of Councillors 28-03-2018
3. Record of an Assembly of Councillors 10-04-2018

Council

Record of an Assembly of Councillors

**Councillor Briefing****Date:** 27 March 2018**Time:** 2.00 pm**Place:** Cobden Civic Hall and Town Walk**Present:**

Cr Beard Cr Brown Cr Durant Cr Gstrein
 Cr Illingworth Cr McArthur Cr Trotter

*Cr McArthur was an apology.**Cr Gstrein arrived at 2.30 pm.***Officers:**

Ian Gibb Brooke Love Andrew Mason David Rae
 Lyle Tune, Mick Lodge (Item 1)
 Garry Moorfield (Item 5)

Guests:

Andrew Partos and Steve Schutt - Hansen Partnership (Item 2)

Issues Discussed:

Item	Discussion Topic
1	Urban Street Tree Asset Management Plan
2	Port Campbell Town Centre Draft Concept Plan – Consideration of Feedback
3	Hot Topics: <i>Fires, Courthouse Lease Review, Saleyards Lease Update, Agenda Items, Great South Coast, Easter, Brooke Love's Leave, Stubble Burning.</i>
4	Councillor Items: <i>Fire Response, Youth Council, Windfarms and Power Lines, Fire Debriefing, Port Campbell Streetscape, Blazeaid, Asbestos Clean Up.</i>
5	Cobden Town Walk

Conflict(s) of Interest declared: Nil**Councillor(s) left the meeting at:** NA**Councillor Conflict of Interest Form(s) Completed:** NA**Meeting close:** 6.00 pm**Note taker:** Andrew Mason

Council

Record of an Assembly of Councillors



Councillor Briefing

Date: 28 March 2018

Time: 10.00 am

Place: Old Chambers

Present:

- Cr Beard Cr Brown Cr Durant Cr Gstrein
 Cr Illingworth Cr McArthur Cr Trotter

Cr Gstrein arrived at 10.15am.

Cr McArthur was an apology.

Officers:

- Ian Gibb Brooke Love Andrew Mason David Rae
Adam Taylor (Item 1)

Guests:

Issues Discussed:

Item	Discussion Topic
1	2018-2019 Draft Budget

Conflict(s) of Interest declared: None

Councillor(s) left the meeting at: NA

Councillor Conflict of Interest Form(s) Completed: Nil

Meeting close: 4.00 pm

Note taker: Andrew Mason

Council

Record of an Assembly of Councillors

**Councillor Briefing****Date:** 10 April 2018**Time:** 10.00 am**Place:** Old Council Chambers**Present:**

Cr Beard Cr Brown Cr Durant Cr Gstrein
 Cr Illingworth Cr McArthur Cr Trotter

*Cr McArthur arrived at 10.45 am and left at 12.15 pm.**Cr Gstrein arrived at 12.30 pm.***Officers:**

Ian Gibb Brooke Love Andrew Mason David Rae

Lyle Tune

Jane Hinds (Items 1 and 2)

Greg Hayes (Item 4)

John Van Nieuwkerk (Item 5)

Samantha Fox (Item 6)

Guests:

Craig Lapsley, Kate Fitzgerald, Natalie Staaks (EMV), Adam Reilly (DHHS) (Item 3)

Richard Seymour (Infinerogy UK), Adam Terrill (Tract Consulting), James McArthur (McArthur Family Trust) (Item 4)

Phil Bourke (Corporate Strategic Systems) (Item 5)

Issues Discussed:

Item	Discussion Topic
1	Future Directions - Council Owned Land Update
2	Essential Safety Measures Policy Review 2018
3	Emergency Management Commissioner
4	Bookaar Solar Farm – Confidential Item
5	Draft ICT Strategy
6	Events and Festivals Grant Program, First Round 2018-2019
7	Hot Topics: <i>Future Transmission Lines, Fire Update, Saleyards Lease, GOR Taskforce, Class Action, Rates for Fire Effected Properties, Landfill Charge, Recovery Positions, Fonterra Land Sale EOI, Councillor Conflict of Interest, Staff Updates.</i>
8	Councillor Items: <i>Rubbish Bins Over Easter, EOI for Landscape Plan for Mt Elephant, Timboon Community Fire Plan, Native Vegetation Fires, Property Numbering.</i>

Conflict(s) of Interest declared: Cr McArthur declared an indirect conflict of interest by indirect financial interest, in Agenda Item 4.
Cr Brown declared an indirect conflict of interest by conflicting duty, in Agenda Item 6.

Councillor(s) left the meeting at: Cr McArthur left the meeting at 12.15 pm and did not return.
Cr Brown left the meeting at 2.30 pm and returned at 2.35 pm.

Councillor Conflict of Interest Form(s) Completed: Yes**Meeting close:** 4.30 pm**Note taker:** Andrew Mason

9. OTHER BUSINESS

Nil.

6. OPEN FORUM

Nil.

COUNCIL RESOLUTION

MOVED: *Cr Durant*

SECONDED: *Cr Brown*

That standing orders be suspended.

CARRIED

Standing orders were suspended at 8.22 pm for supper.

COUNCIL RESOLUTION

MOVED: *Cr McArthur*

SECONDED: *Cr Brown*

That standing orders be resumed.

CARRIED

The meeting resumed at 8.37 pm.

All Councillors attending the meeting were present.

Mr Ian Gibb, Mr David Rae, Mr Lyle Tune, Mr Adam Taylor, Mr John van Nieuwkerk, Mrs Jane Hinds and members of the public gallery left the meeting.

11. 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 personnel matters.

COUNCIL RESOLUTION

MOVED: *Cr Durant*
SECONDED: *Cr Trotter*

That the recommendation be adopted.

CARRIED

The meeting moved into confidential items at 8.37 pm.

11.1 CEO Performance Review March 2018

COUNCIL RESOLUTION

MOVED: *Cr Durant*
SECONDED: *Cr Trotter*

That the meeting move out of confidential items.

CARRIED

The meeting moved out of confidential items at 9.00 pm.

Meeting Closed: 9.00 pm

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

CONFIRMED:

(Chairperson)

DATE:
