

Corangamite Shire

MINUTES

Ordinary Council Meeting

Held 7.00 pm • Tuesday 27 February 2018

*Killara Centre
210-212 Manifold Street, Camperdown*

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

1. PRESENT

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

Officers Andrew Mason, Chief Executive Officer
Ian Gibb, Director Sustainable Development
Brooke Love, Director Works and Services
David Rae, Director Corporate and Community Services
John Kelly, Manager Assets Planning

2. APOLOGIES

An apology was lodged for the absence of Cr S. Illingworth.

3. DECLARATIONS OF CONFLICT OF INTEREST

Cr H. Durant declared an indirect conflict of interest by close association in Agenda item 6.3 and left the meeting prior to any discussion or vote on the matter.

4. CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the Corangamite Shire Ordinary Council meeting held on Tuesday 23 January 2018 be confirmed.

COUNCIL RESOLUTION

MOVED: Cr Gstrein

SECONDED: Cr Brown

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

Author: David Rae, Director Corporate and Community Services

File No: D17/800

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 30 January 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 Helen Durant
Independent Members:	Colin Hayman (Chairperson), Andrew Jeffers, Nancy Johnson
Apologies:	Nil
Officers:	Ian Gibb, Director Sustainable Development Brooke Love, Director Works and Services David Rae, Director Corporate and Community Services
Guests:	Gabrielle Castree, Crowe Horwath (Internal Auditor)

Declaration of Conflict of Interest: Nil

The Committee considered the following matters at the meeting:

- Audit Committee meeting dates for 2018
- Review of Annual Work Plan
- Audit Committee Charter Annual Review
- Audit Committee Annual Performance Review
- Committee Chairperson for 2018
- Status update of outstanding Internal Audit recommendations
- Quarterly Finance Report as at September 2017
- Strategic Risks Review
- Information Communication and Technology vulnerability testing results
- Health and Safety Management System audit status update.
- Corangamite Shire Landfill Management Annual Report to the Audit Committee
- Victorian Auditor General's Office 2016-2017 Audit Results for Local Government
- Procurement Policy Review
- Corporate Purchase Card Review
- Internal Audit Service Provider Annual Performance Review (confidential item).

Review of Audit Committee Charter

In accordance with the Audit Committee's annual work plan, the Committee's Charter was reviewed. Amendments recommended by the Audit Committee are summarised below:

- Composition:
 - Independent members be appointed for a period up to three years as opposed to a fixed period as this provides Council great flexibility for the appointment of members.
 - Council's internal auditor may also be engaged to assist in the evaluations of expressions of interests for independent member vacancies.
- Meetings:
 - Should a Council appointed member not able to attend a scheduled meeting an alternate Councillor is able to attend as a substitute.
 - An additional requirement for Council's external auditor to attend meetings has been included when the external audit strategy is considered. Previously, the external auditor was only required to attend meetings when the financial statements and management letter were being considered. The proposed amendment codifies existing practice.
- Fraud: The reporting of fraud to occur at the first available opportunity. The Charter to also reflect occasions where protected disclosures are unable to be reported to the Committee.
- Remuneration of members recognises committee members may be requested by Council or management to attend meetings other than Audit Committee meetings in their official capacity and are entitled to an equivalent fee for doing so. This is existing practice.
- Conflicts of interest Amendment to *Local Government Act* references for direct and indirect conflicts of interest to *Division 1A – Conflicts and Interests* as opposed to specific sections.

The amendments are reflected in the revised Charter attached. A tracked changes version of the Charter is also attached under separate cover.

Committee Chairperson for 2018

Committee appointments, including the appointment of Chairperson, can only be made by Council. The Act requires the Committee's Chairperson to be an independent member.

Mr Colin Hayman has been Chairperson of the Committee since February 2017. Members of the Audit Committee are supportive of Mr Hayman's reappointment as Chairperson. Mr Hayman has the necessary skills and experience to serve as Chairperson. He has broad experience within the local government corporate services portfolio in a range of disciplines including finance, governance, human resource management, risk management and information technology. Mr Hayman also has experience serving on a range of community based advisory committees.

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

Financial and Resource Implications

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

Internal / External Consultation

The Audit Committee Charter was developed in consultation with both the Audit Committee and Council's internal auditor, Crowe Horwath, during 2012. The Charter was adopted by Council at its ordinary meeting in February 2013. The Charter was most recently reviewed by the Audit Committee in January 2018.

Options

Council may:

1. Approve the revised Audit Committee Charter, with or without amendment;
2. Appoint Mr Colin Hayman as Chairperson of the Audit Committee or an alternate independent member.

Conclusion

The next meeting of the Audit Committee is scheduled for March 2018 and a report on that meeting will be presented at the April 2018 Council meeting. Council is requested to approve the revised Audit Committee Charter as recommended by the Audit Committee. The appointment of a Chairperson of Council's Audit Committee is consistent with Council's Audit Committee Charter and the *Local Government Act 1989*.

RECOMMENDATION

That Council:

1. Revokes the Audit Committee Charter dated December 2016.
2. Adopts the Audit Committee Charter dated February 2018 as attached to this report.
3. Appoints Mr Colin Hayman to the position of Chairperson of the Corangamite Shire Audit Committee for 2018.

COUNCIL RESOLUTION

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

That the recommendation be adopted.

CARRIED

Attachments

1. Charter Audit Committee Revised February 2018
2. Charter Audit Committee Revised February 2018 (Tracked Changes) - Under Separate Cover



**CORANGAMITE
SHIRE**

Audit Committee Charter

Corangamite Shire

February 2018

Audit Committee Charter

Revised January 2018



CORANGAMITE
SHIRE

Purpose

The Audit Committee (Committee) is an independent advisory committee to Corangamite Shire Council (Council) and constituted in accordance with Section 139 of the *Local Government Act 1989* (the Act).

The primary objective of the Committee is to assist Council in the effective conduct of its responsibilities for financial reporting, internal control, risk management, business continuity, internal audit, external audit, organisation compliance and fraud. This Charter will assist Council in facilitating its objectives in this regard.

The Chief Executive Officer, or delegate, has responsibility to provide secretariat services and officer advice in respect of matters before the Committee.

Authority

The Committee has the authority for advising Council on:

- Seeking resolution on any disagreements between management and the external auditors on financial reporting.
- Reviewing all auditing matters, including audit planning and audit outcomes.
- Seeking any information it requires from Councillors, and Council officers via the Chief Executive Officer and external parties.
- Formally meeting with Council officers, internal and external auditors as necessary.
- The Chair, as permitted under Section 139(6A) of the Act, may require any report prepared by the Committee to be listed on the agenda for the next ordinary meeting of the Council.

Composition

- The Committee will consist of five members:
 - Two Council members (internal members);
 - Three independent members (external members).
- Council will appoint Committee members and the Committee chair:
 - External members are appointed for up to a three-year term following an expression of interest which is assessed by a panel consisting of Council members and the Chief Executive Officer, or delegate. Council's internal auditor maybe engaged to assist the panel evaluate expressions of interest if required.
 - Council members are appointed by Council annually.
- The Chair of the Committee must:
 - be an independent member, that is, must not be a Councillor;
 - not be a member of Council staff; and
 - be suitably qualified.
- At least one independent Committee member must be suitably qualified, that is, competent, including relevant tertiary qualifications, and experienced in financial matters.
- If Council proposes to remove an external member of the Committee, it must give written notice to the external member of its intention to do so.

Meetings

- The Committee will meet at least four times a year, with authority to convene additional meetings, as circumstances require. Additional meetings shall be convened at the discretion of the Chairperson or at the written request of any member of the Committee, the internal auditor or the external auditor.
- All Committee members are expected to attend each meeting, in person or through teleconference.
- The Chief Executive Officer, or delegate, will facilitate the meetings of the Committee and invite Council officers, auditors or others to attend meetings to provide pertinent information, as necessary.
- Meeting agendas will be prepared and provided at least one week in advance to members, along with appropriate briefing materials.
- A quorum shall be three members of the Committee including two external members. If a Council appointed member is not able to attend a scheduled meeting an alternate Councillor is able to attend as a substitute.
- Meetings are closed to the public given the sensitive nature of material considered by the Committee.
- Council's internal auditor shall be in attendance at all meetings.
- Council's external auditor must attend meetings considering the annual external audit strategy and draft annual financial statements, including results of the external audit. The external auditor must be extended an invitation for all other meetings.
- Councillors who are not members of the Committee are able to attend as observers.
- Minutes will be prepared and circulated to Committee members within seven days of the meeting.

Responsibilities

The Committee will carry out the following responsibilities.

Financial Reporting

- Review significant accounting and reporting issues, including complex or unusual transactions and highly judgemental areas, and recent accounting, professional and regulatory pronouncements and legislative changes, and understand their effect on the financial report.
- Review with management and the external auditors the results of the audit, including any difficulties encountered.
- Review the annual financial statements, and consider whether it is complete, consistent with information known to Committee members, and reflects appropriate accounting principles.
- Review with management and the external auditors all matters required to be communicated to the Committee under the Australian Auditing Standards.

Internal control

- Understand the scope of internal and external auditors' review of internal controls over financial reporting, and obtain reports on significant findings and recommendations, together with management's responses.

Risk management

- Monitor the systems and process via Council's risk profile to ensure that material operational risks to Council are dealt with appropriately.
- Monitor the process of review of Council's risk profile.
- Consider the adequacy of actions taken to ensure that the material business risks have been dealt with in a timely manner to mitigate exposures to Council.

Adopted by Council on: xx xxx 2018

Department: Corporate & Community Services

Agenda Item: x.x

Responsibility: Director Corporate & Community Services

File Number: D/18/xxxx

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Business continuity

- Monitor processes and practices of Council to ensure effective business continuity.

Internal audit

- Review with management and the internal auditor the charter, activities, staffing, and organisational structure of the internal audit function.
- Review and recommend the annual audit plan for approval by Council and all major changes to the plan.
- Monitor processes and practices to ensure that the independence of audit function is maintained.
- As part of the Committee's annual assessment of performance, determine the level of satisfaction with the internal audit function having consideration of the Institute of Internal Auditors' International Standards for the Professional Practice of Internal Auditing.
- Once every Council term develop a medium-term work plan for internal audit which is to be reviewed annually. This should be developed in the first year of a new Council term.
- Monitor that the internal auditor's annual plan is linked with and covers the material business risks.
- Provide an opportunity at each meeting for the Committee to meet with the internal auditor, when in attendance, to discuss any matters that the Committee or internal auditor believes should be discussed privately without management present.

External audit

- Note the external auditor's proposed audit scope and approach, including any reliance on internal auditor activity.
- Provide an opportunity at each meeting for the Committee to meet with the external auditors, when in attendance, to discuss any matters that the Committee or the external auditors believe should be discussed privately without management present.

Compliance

- Review the systems and processes to monitor effectiveness of the system for monitoring compliance with legislation and regulations and the results of management's investigation and follow-up (including disciplinary action) of any instances of non-compliance.
- Keep informed of the findings of any examinations by regulatory agencies, any auditor (internal or external) observations and monitor management's response to these findings.
- Obtain regular updates from management about compliance matters.

Reporting responsibilities

- Report regularly to Council about Committee activities, issues, and related recommendations through circulation of minutes. Additional updates may be appropriate should issues of concern arise.
- Monitor that open communication between the internal auditor, the external auditors, and Council occurs.
- Report annually to stakeholders, describing the Committee's composition, responsibilities and how they were discharged, and any other information required by regulation, including approval of non-audit services.
- Consider the findings and recommendations of relevant Performance Audits undertaken by the Victorian Auditor-General and to ensure Council implements relevant recommendations.
- Management is to report any material error in any financial statements to the Committee immediately it becomes known.

Fraud

- Ascertain whether fraud risks have been:
 - Identified, analysed, evaluated, have an appropriate treatment plan which has been implemented, communicated, monitored and there is regular reporting and ongoing management of fraud risks.
 - Included in the assessment of the risk profile of Council and have been appropriately addressed.
- Monitor Council's fraud prevention and detection framework, including any action taken with respect to actual and suspected instances of fraud.
- Monitor management's efforts to create and maintain a strong internal control environment, including the design and implementation of anti-fraud strategies and programs, conduct of fraud awareness seminars or training courses to increase staff awareness of activities that amount to fraud.
- Management is to report any incidents of actual or suspected fraud, where possible, at the first available opportunity. Protected disclosures to the Independent Broad-based Anti-Corruption Commission (IBAC) are unable to be immediately reported.

Other responsibilities

- Perform other activities related to this charter as requested by Council or Special Committees of Council.
- Develop an annual work plan.
- Review and assess the adequacy of the Committee's charter annually, requesting Council approval for proposed changes, and ensure appropriate disclosure as might be required by legislation or regulation.
- Confirm annually that all responsibilities outlined in this charter have been carried out.
- Evaluate the Committee's performance annually.

Remuneration of members

Section 139(7) of the Act allows Council, at its discretion, to pay a fee to a member of the Committee who is not a Councillor or member of Council staff (i.e. independent member). The amount of the fee paid to an independent member is at the discretion of the Council. The fee will reflect the time, commitment and responsibility involved in serving as a member of the Committee. Independent members are paid a fee for each Committee meeting attended. Where requested by Council or management to attend other meetings in their capacity as an independent member of Council's Audit Committee they shall be entitled an equivalent fee.

Conflicts of Interest

The Act identifies direct and indirect conflicts of interest which require disclosure as and when they may arise as they are likely to compromise the independence of a Committee member in relation to the matter to which they relate. Section 139(4A) of the Act subjects members of the Committee to the provisions of sections 76D and 79 of the Act.

The nature of the work of the Committee will provide its members with access to information about the day to day operations of Council including information that may be commercial in confidence. Members of the Committee must recognise the responsibilities associated with their access to this information, in particular with regard to its use or misuse. Section 76D of the Act makes it an offence for a member the Committee to misuse his or her position to:

- Gain or attempt to gain, directly or indirectly, an advantage for themselves or for any other person; and
- Cause, or attempt to cause, detriment to the council or to another person.

Members of the Committee must be fully aware of their responsibilities with regard to the management of interests in relation to the discharge of their duties as a member of the Committee. The management of interests includes the proper disclosure of any conflicts of interest as and when they may arise. Section 79 of the Act makes it mandatory for members of the Committee to disclose all conflicts of interest prior to the discussion of the matter for which the conflict of interest has arisen. Members of the Committee must also be fully aware of the statutory definitions of direct and indirect interests which may give rise to a conflict of interest. These are set out in Division 1A – Conduct and Interests of the Act.

Other Matters

- The Committee may request Council to obtain independent legal or professional advice if and when it requires.
- Council and Committee members are to have regard to the publication 'Audit Committees - A Guide to Good Practice for Local Government' as issued by Local Government Victoria, January 2011.

Revision

Council's Charter was developed and adopted in 2003 and revised by Council in 2008, and annually from 2012. In 2012 the Charter was extensively reviewed against 'Audit Committees - A Guide to Good Practice for Local Government' as issued by Local Government Victoria, January 2011. The Charter is reviewed annually by the Committee with amendments approved by Council.

6.2 Audit Committee Independent Member Appointment

Author: David Rae, Director Corporate and Community Services

File No: D18/50

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

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

Author - David Rae

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

Summary

The purpose of this report is to recommend the appointment of an independent member to Council's Audit Committee (the Committee).

Introduction

Council's Audit Committee is established under Section 139 of the *Local Government Act 1989* and is an advisory committee to Council. Committee appointments can only be made by Council.

In accordance with the Committee's Charter, the Committee is comprised of five members consisting of two Councillors and three external or independent members. The three independent members are appointed with varying expiration dates to ensure continuity and knowledge retention. Council advertised for Expressions of Interest to fill the vacancy in January 2018.

Issues

A panel consisting of the Councillor Durant, Councillor McArthur, David Rae, Director Corporate and Community Services and Adam Taylor, Manager Finance, interviewed applicants during February 2018. All applicants were assessed against a standardised evaluation criterion and are summarised on the evaluation separately attached.

The panel's preferred applicant is Mr Simon Buccheri, Retiring member. The retiring member, Ms Nancy Johnson, did not seek re-appointment. Mr Buccheri has the necessary skills and experience to serve as an independent member and possesses appropriate competencies, particularly in financial management and local government experience. A copy of the expressions of interest received from each applicant is attached under separate cover (confidential).

Policy and Legislative Context

The appointment of an independent member to Council's Audit Committee is consistent with the Committee's Charter and in accordance with the following commitments in the Council Plan 2017-2021 that:

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.

Internal / External Consultation

Expressions of interest were advertised in local newspapers in January 2018. Applicants were interviewed by Council appointed members of the Audit Committee, Director Corporate and Community Services and Manager Finance.

Financial and Resource Implications

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

Options

Council must appoint an independent member to the Audit Committee.

Conclusion

The appointment of independent external members is consistent with Council's Audit Committee Charter and 'Audit Committees - A Good Practice Guide for Local Government'.

RECOMMENDATION

That Council:

- 1. Appoint Mr Simon Buccheri as an independent (external) member of the Audit Committee for a three year period expiring 31 January 2021.**
- 2. Thank unsuccessful applicant for their interest.**

COUNCIL RESOLUTION

MOVED: *Cr McArthur*

SECONDED: *Cr Durant*

That the recommendation be adopted.

CARRIED

Attachments

1. Expression of Interest - Evaluation - Under Separate Cover - Confidential
2. Expression of Interest - Applicant One (Part A) - Under Separate Cover - Confidential
3. Expression of Interest - Applicant One (Part B) - Under Separate Cover - Confidential
4. Expression of Interest - Applicant Two (Part A) - Under Separate Cover - Confidential
5. Expression of Interest - Applicant Two (Part B) - Under Separate Cover - Confidential

Cr H. Durant declared an indirect conflict of interest in Agenda item 6.3 and left the meeting prior to any discussion or vote on the matter at 7.09 pm.

6.3 Mount Noorat Management Committee Delegation and Appointments

Author: Lyall Bond, Manager Environment and Emergency

File No: D18/43

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

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

Author - Lyall Bond

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

Summary

This report recommends that Council adopts the Instrument of Delegation for the newly established Mount Noorat Management Committee, and approves the appointment of 10 community members to this committee, in addition to Eve Black and Gina Black.

Introduction

Council is now the owner of a 145.9Ha parcel of land which contains Mount Noorat. This parcel of land was gifted to Corangamite Shire from the estate of the late Mr J.N. Black in November 2017 for the purpose of allowing community access into the future.

Council resolved at its September 2017 Council meeting that:

1. Council accepts the gifting of a parcel of land containing Mount Noorat from the estate of Mr J. N. Black.
2. Council establishes under the *Local Government Act 1989* a Section 86 Special Committee of Council to be known as the Mount Noorat Management Committee for the ongoing management of the site.
3. All existing leases operating on the property be maintained until the Section 86 committee is established and a review can be undertaken.
4. Upon completion of the title transfer, Council, in partnership with the Mount Noorat Management Committee and community, prepare a management plan for the site.

Issues

The Mount Noorat Management Committee is a new Section 86 special committee established by Council on 26 September 2017. Under Section 86 of the *Local Government Act* Council may delegate powers to a special committee through an Instrument of Delegation to act on Council's behalf. The Instrument of Delegation for the Mount Noorat Management Committee is provided as an attachment to this report.

The Noorat Progress Association wrote to Council requesting that once Council accepts the land and a Section 86 Committee is established, that Eve Black and Gina Black be appointed as ongoing members to the committee.

The nomination process was advertised between 10 November and 15 December 2017 on the Council website and via local media, including the Terang Express and Noorat News.

Council received a total of 17 nominations from interested community members for the 10 vacant committee positions. These nominations include those submitted by Eve Black and Gina Black.

One nomination was incomplete and therefore deemed ineligible. A second nominee requested that their nomination be withdrawn prior to assessment. Eve Black and Gina Black are identified in the Instrument of Delegation as ongoing members and therefore have not been considered further in the assessment process.

The remaining eligible 13 nominations were assessed and scored by a panel of three Council officers. The panel assessed the nominees' responses to the following questions on the nomination form:

1. Why are you interested in being a member of the Mt Noorat Management Committee?
2. As a member, how would you contribute to the Committee?
3. What skills and experience do you have to offer the Committee?

The Instrument of Delegation requires the 10 most suitable nominations to be appointed to the committee. The proposed committee composition is that 50% of the committee be appointed for two year terms and 50% as four year terms. This is to ensure that no more than 50% of the committee positions become vacant at any one time.

The recommended membership of the Mount Noorat Management Committee, as determined by the panel assessment, is outlined below in Table 1:

Nominee	Committee Term
Eve Black	Permanent member
Gina Black	Permanent member
Bernard Conheady	4 Years
Graham Arkinstall	4 Years
Chris O' Connor	4 Years
Jileena Cole	4 Years
Rob Durant	4 Years
Stephen Hampson	2 Years
Heather Hicks	2 Years
Peter McSween	2 Years
Dr. Craig Wood	2 Years
Harold Craven	2 Years

Table 1: Mount Noorat Management Committee – Recommended Membership

Two different options have been identified under which the committee could be structured.

The first option is that Council adopts the attached Instrument of Delegation to include Eve Black and Gina Black as ongoing committee members, and appoint 10 community members in accordance with Table 1 above. This option is in keeping with the wishes of the

Noorat community, who have requested that Eve Black and Gina Black be included on the committee as permanent members. This option also allows good governance to be achieved with seven members required at each meeting to reach a quorum and a diverse range of opinions to be included in decision making.

An alternative option is for Council not to adopt the Instrument of Delegation as presented, and resolve to specify a different committee structure. This option may result in Council returning to the community to obtain further nominations and/or increasing or decreasing the committee composition. This option will result in a delay in the formation of the committee and may also cause discontent amongst the current nominees and the broader Noorat community who expect the existing nomination process to be completed.

Policy and Legislative Context

Council's involvement with the ownership of Mount Noorat is consistent with the following strategies from the Council Plan 2017-2021:

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

Improve the appearance of our towns and public spaces.

Preserve the natural environment of Corangamite Shire.

Support and facilitate the development of the visitor economy.

Engage with and listen to our communities.

Support our small towns and dispersed population.

Township infrastructure will contribute to safe and accessible public areas.

The Instrument of Delegation has been developed in accordance with the Section 86 of the *Local Government Act 1989* and includes all functions the committee can perform on Council's behalf. The delegation includes the appointment of a Council officer to the committee for the purpose of assisting with the committee's formation and operation as outlined in the delegation.

The Instrument of Delegation includes the responsibility for the committee to support Council in the development of a Management Plan for Mount Noorat. Once developed and adopted by Council, the Management Plan will guide the committee's activities on the Mount.

Section 81(2A) of the *Local Government Act 1989* enables Council to exempt members of special committees from submitting primary or ordinary returns. As members of special committees are volunteers and the scope of their financial and policy responsibility is limited, it is considered that the requirement to complete primary and ordinary returns would be an administrative burden and deter community members from joining committees. It is recommended that members of the Mount Noorat Management Committee be required to observe the provisions relating to declaring pecuniary interests, but be exempt from the need to provide ordinary and primary returns.

Once formed, meetings of the Mount Noorat Management Committee should be consistent with the *Meeting Procedures Local Law No. 3, 2016*.

Internal / External Consultation

Officers have undertaken extensive discussions with the trustees and legal representatives of the Black Estate, and have met with the Noorat community through the Noorat Progress Association.

The nomination process was advertised between 10 November and 15 December 2017 on the Council website and via local media, including the Terang Express and Noorat News. An information drop-in session was held at the Noorat Scout Hall on Monday 27 November 2017, to answer questions regarding Mount Noorat and the nomination process.

Financial and Resource Implications

Council has now accepted the land from the estate of the late Mr J.N. Black, and is financially responsible for the ongoing management and maintenance of Mount Noorat.

The Mount Noorat land parcel is attracting income in a range of ways including grazing leases, communications tower leases, and quarry leases, and to a lesser extent tourism.

Section 86 committees are bound by the same leasing, financial management, purchasing and auditing requirements as Council and therefore all leases will need to follow Council's land management process. The Section 86 committee will also utilise Council's financial and banking system to ensure compliance with local government requirements.

Options

Council may choose to adopt the Instrument of Delegation attached to this report, and appoint the 10 community members as per the membership structure in Table 1, in addition to Eve Black and Gina Black as ongoing committee members.

Alternatively, Council may determine to not adopt the Instrument of Delegation as presented and resolve to form a new committee structure.

Conclusion

Council is now the owner of a parcel of land being 145.9Ha known as Mount Noorat. This parcel of land was gifted to Corangamite Shire from the estate of the late Mr J.N. Black for the purpose of allowing community access into the future.

Council resolved at the September 2017 Council meeting to establish under the *Local Government Act 1989* a Section 86 special committee of Council, to be known as the Mount Noorat Management Committee, for the ongoing management of the site. The committee will be authorised to act on Council's behalf by an Instrument of Delegation which establishes the powers and functions of the committee, including committee structure and electoral process.

Once the committee is formed it will have the primary responsibility of implementing a management plan which will be developed for the Mount Noorat site.

RECOMMENDATION

In the exercise of the powers conferred by sections 86 and 87 of the *Local Government Act 1989* (the Act), Council resolves that:

1. There be delegated to the Mount Noorat Management Committee the powers, duties and functions set out in the attached Instrument of Delegation, subject to the conditions and limitations specified in the Instrument.
2. The Instrument comes into force immediately the common seal of Council is affixed to the Instrument and remains in force until Council determines to vary or revoke it.
3. The powers, duties and functions conferred on the Committee by the Instrument must be exercised in accordance with any guidelines or policies of Council that it may from time to time adopt.
4. The common seal be affixed to the Instrument.
5. The members of the Committee, who are not Councillors, pursuant to Section 81(2A) of the Act, are exempted from being required to submit a primary or ordinary return.
6. Eve and Gina Black be appointed as ongoing committee members.
7. The following 10 community members be appointed to the Committee for the specified terms:

Committee Member	Committee Term
Bernard Conheady	4 Years
Graham Arkinstall	4 Years
Chris O' Connor	4 Years
Jileena Cole	4 Years
Rob Durant	4 Years
Stephen Hampson	2 Years
Heather Hicks	2 Years
Peter McSween	2 Years
Dr. Craig Wood	2 Years
Harold Craven	2 Years

8. Council's Environment Project Officer be appointed to the Committee as the Council officer representative.

COUNCIL RESOLUTION

MOVED: Cr Gstrein

SECONDED: Cr Brown

That the recommendation be adopted.

CARRIED

Attachments

1. Instrument of Delegation Mount Noorat Management Committee - Under Separate Cover

Cr Durant returned to the meeting at 7.17 pm.

6.4 Camperdown Botanic Gardens and Arboretum Reference Group

Author: Brooke Love, Director Works and Services

File No: D18/47

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

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

Author - Brooke Love

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

Summary

This report seeks Council approval to establish a Reference Group for the Camperdown Botanic Gardens and Arboretum and endorsement of the nominated membership and terms of reference for the Group.

Introduction

The Camperdown Botanic Gardens and Arboretum are located on Crown Land and managed by Council as Committee of Management. The Camperdown Botanic Gardens and Arboretum site occupies just over 25 hectares in the north-east of the original park reserve. The Botanic Garden occupies a 1.2-hectare fenced area at the centre of the Arboretum. The Camperdown Botanic Gardens and Arboretum are listed on the Victorian Heritage Register (VHR H2256).

Council undertakes maintenance activities on the Botanic Gardens as a part of its recurrent budget and any capital improvements are subject to annual budget discussions. The Arboretum comprises parcels of land which are subject to tenancy agreements, pursuant to the *Crown Land (Reserves) Act 1978*, for various uses including caravan and camping park, telecommunication towers, water supply and grazing as a means of maintaining the area and reducing the fire hazard.

In 2013 the restoration of the Camperdown Botanic Gardens and Arboretum was identified as a key priority by the community throughout the development of Camperdown's community plan "Imagine Camperdown". It was identified as fourth in overall priorities for the town, particularly with regard to succession planting before the last of the senescent trees are lost. On 5 September 2013 the Camperdown Botanic Gardens and Arboretum Trust "The Trust" was incorporated and formed to support the conservation and development of the Camperdown Botanic Gardens and Arboretum.

A Conservation Management Plan for the Gardens and Arboretum was prepared in 2017 and endorsed by Council as a guide only, to inform future Council decisions, noting that any

future allocation of Council resources would be subject to the annual Council budget process.

A short term action identified in the Conservation Management Plan was to investigate the formation of an Advisory Group for the site.

Issues

Council resolved at its September 2017 Council meeting to receive the Conservation Management Plan 2017 (CMP) for the Camperdown Botanic Gardens and Arboretum as a guide only, to inform future Council decisions.

The CMP offers guidance around the preservation and management of the Gardens enclosure as well as actions needed to enhance the Arboretum. It is considered that the establishment of an Advisory Committee, with equitable membership from all resident users will contribute to the future decisions related to the site for Council's ultimate approval.

This parcel of land (Figure 1) consists of:

- Botanic Gardens
- Arboretum
- leases for communications towers
- lease for grazing
- lease for caravan and camping park
- lease for water storage basin
- an inoperable water storage basin



Figure 1. Extent of Site – Camperdown Botanic Gardens and Arboretum

The Camperdown Botanic Gardens and Arboretum Reference Group will be a new Advisory Committee of Council established to provide Council with advice and guidance on the management of the Camperdown Botanic Gardens and Arboretum.

Advisory Committees of Council are formed in accordance with the Local Government Act. A draft terms of reference has been developed to guide the operation of the Reference Group and is provided as an attachment to this report.

The scope of the Reference Group will be to:

1. To make recommendations on implementation of the Conservation Management Plan Action Plan.
2. Provide recommendations to Council on any proposed major planting or other capital works for consideration as a part of Council's annual budget development.
3. Review tree management.
4. Recommend promotion and education of the site's local heritage and promote heritage tourism.

The Reference Group will operate at the direction by and discretion of Council.

Membership of the Reference Group is proposed to comprise all existing 'resident' users of the site and a representative from Heritage Victoria given the sites heritage significance.

Membership will comprise:

- a Councillor
- up to three Council officers
- up to two members from each of:
 - Camperdown Botanic Gardens and Arboretum Trust
 - Lakes and Craters Holiday Park operators
 - each lease holder; and
- a representative of Heritage Victoria.

This membership is designed to provide equitable representative of all parties with current agreements for use of the site.

Councillors should note a Memorandum of Understanding is currently in development between the Camperdown Botanic Gardens and Arboretum Trust and Council to form the basis of a formal agreement and to highlight the objectives and management arrangements of the partnership. This document will detail the roles and responsibilities of both groups with relation to maintenance and development of The Site, and formalise the processes for communication, information sharing and consultation.

Council could choose not to establish a reference group for the Camperdown Botanic Garden and Arboretum. In this instance, Council would continue to manage and maintain the site as is the current process. There would be minimal financial impact. Consideration of the future role and undertaking of works on the site by the Camperdown Botanic Garden and Arboretum Trust would need to be considered.

Policy and Legislative Context

The Camperdown Botanic Gardens Reference Group aligns with the following strategies from the Council Plan 2017-2021:

- Improve the appearance of our towns and public spaces.
- Preserve the natural environment of Corangamite Shire.
- Support and facilitate the development of the visitor economy.
- Engage with and listen to our communities.

The Camperdown Botanic Garden and Arboretum Reference Group will operate in accordance with Council's obligations under the Local Government Act. Advisory committees are established by Council to provide advice on particular matters involving Council activities. Advisory committees have no delegated powers to make decisions on Council's behalf.

A record of an assembly of Councillors, when one or more Councillors are present will be maintained and where matters discussed are likely to be the subject of a Council decision or subject to the exercise of a function, duty or power of Council that has been delegated to a person or committee.

Meeting procedures are to be consistent with Council's *Meeting Procedures Local Law No.3 2016*.

Internal / External Consultation

The Camperdown Botanic Garden and Arboretum Reference Group has been identified as a short term action in the Conservation Management Plan 2017. The Terms of Reference have been developed in consultation with Council's Executive Services and Governance Coordinator and Senior Officer Group.

Financial and Resource Implications

The Reference Group will not be responsible for managing finances.

A small amount of expenditure and council officer time will be required to administer the group on a quarterly basis.

Options

Council has the option to endorse the establishment of the Camperdown Botanic Garden and Arboretum Reference Group or not and accept the proposed terms of reference as presented or amend as necessary.

Conclusion

The Camperdown Botanic Gardens and Arboretum Reference Group is proposed to be established to provide Council with advice and guidance on the management of the Camperdown Botanic Gardens and Arboretum. The Reference Group will be responsible for reviewing the Conservation Management Plan Action Plan and providing recommendations to Council on any proposed major planting or other capital works for consideration as a part of Council's annual budget development as well as supporting promotion and education of the local heritage and tourism opportunities.

RECOMMENDATION

That Council:

- 1. Endorses the establishment of the Camperdown Botanic Garden and Arboretum Reference Group.**
- 2. Approves the Camperdown Botanic Garden and Arboretum Reference Group Terms of Reference as at 22 February 2018.**
- 3. Elects one Councillor to the committee.**
- 4. Delegates to the Chief Executive Officer the authority to approve the remaining members of the Camperdown Botanic Gardens and Arboretum Reference Group subject to the Terms of Reference endorsed by Council on 27 February 2018.**

COUNCIL RESOLUTION

MOVED: *Cr Durant*

SECONDED: *Cr Trotter*

That Council:

1. **Endorses the establishment of the Camperdown Botanic Garden and Arboretum Reference Group.**
2. **Approves the Camperdown Botanic Garden and Arboretum Reference Group Terms of Reference as at 22 February 2018.**
3. **Elects Councillor McArthur to the committee and Councillor Gstrein as an alternate representative.**
4. **Delegates to the Chief Executive Officer the authority to approve the remaining members of the Camperdown Botanic Gardens and Arboretum Reference Group subject to the Terms of Reference endorsed by Council on 27 February 2018.**

CARRIED

Attachments

1. **Terms of Reference Camperdown Botanic Gardens and Arboretum Reference Group February 2018 - Under Separate Cover**

7. PLANNING REPORTS

Nil.

8. OFFICERS' REPORTS

8.1 Procurement Policy Review 2017-2018

Author: David Rae, Director Corporate and Community Services

File No: D17/802

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

Council is required to annually review its Procurement Policy under the *Local Government Act 1989* (the Act). The Policy has been reviewed and is recommended for approval.

Introduction

Council's Procurement Policy is an important control for ensuring procurement practices are delivered consistently and in a manner that demonstrates good practice and accountability. The Policy is also important for establishing the standards required for operating in an ethical manner free of conflicts of interests and is binding on Councillors, Council officers, contractors and others involved in procurement activities undertaken by Council.

Issues

Section 186A of the *Local Government Act 1989* (the Act) requires Council, at least once in each financial year, to review its procurement policy and amend it if appropriate. The Act also requires Council to comply with its procurement policy.

A procurement policy defines the principles, processes and procedures that will apply to all purchases of goods, services and works by Council. The purpose of Council's Procurement Policy is to:

- Provide policy and guidance to Council to allow consistency and control over procurement activities;
- Demonstrate accountability to rate payers;
- Provide guidance on ethical behaviour in public sector purchasing;
- Demonstrate the application of elements of best practice in purchasing; and
- Increase the probability of obtaining the best value outcome when purchasing goods and services.

The Policy also defines the delegation limitations within which Council staff are permitted to undertake procurement activities. Delegation of procurement authority allows Council staff to approve purchases, quotation, tender and contractual processes without prior referral to Council. This enables Council to conduct procurement activities in an efficient manner whilst maintaining transparency and integrity. The Policy also provides minimum spend thresholds for obtaining quotations and reflects the relevant tender thresholds according to the *Local Government Act 1989*. To assist management in the review, Council's Procurement Policy and procurement practices in 2017 were reviewed by Council's internal auditor, Crowe Horwath.

The proposed amendments are incorporated into the attached revised Policy and summarised below.

- Inclusion of exemptions where purchase orders are not required, for example utility accounts.
- Revision of tender requirements to reflect existing practice.
- Permissible staff reimbursements outside of the payroll function.
- Discontinuing self-authorisation of purchase orders for amounts \$5,000 and above.
- Approval requirements for contract variations.
- Revision of delegation limits including an increase in the Chief Executive Officer delegation from \$250,000 to \$500,000 for the following purposes:
 - Payment of all Council insurances;
 - Purchase of heavy fleet that has been approved through the annual budget and procured in accordance with the Procurement Policy;
 - Schedule of Rates contracts up to an anticipated amount not exceeding \$500,000 for the term of the contract. Prior to approving a Schedule of Rates contract the Director of Corporate and Community Services or Manager Finance must review the associated financial costings before consideration by the Chief Executive Officer.

Policy and Legislative Context

The annual review of the Procurement Policy is in accordance with the following 2017-2021 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.

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

Under the *Local Government Act 1989* Council is also required to review its Procurement Policy at least once every financial year. It requires approval of Council.

The Audit Committee, in accordance with its Annual Work Plan, considered the draft revised policy on 30 January 2018.

Internal/External Consultation

The Director Corporate and Community Services and Contracts Administration Co-ordinator have reviewed the Policy. Council's Leadership Group was also engaged and contributed to the review. The revised Policy and proposed changes were discussed with Council at a briefing in November 2017, where additional input was also received. The draft Policy was considered by Council's Audit Committee on 30 January 2018.

Financial and Resource Implications

The proposed amendments will not have any significant financial or resource implications. The proposed amendments to CEO delegations will result in improved procurement efficiency.

Conclusion

The review of the Procurement Policy was undertaken and has proven to be beneficial in ensuring that Council has clear procurement processes which comply with the *Local Government Act 1989*. Council is required to approve the revised Policy.

RECOMMENDATION

That Council:

- 1. Revokes the previous Procurement Policy dated August 2016.**
- 2. Adopts the Procurement Policy dated February 2018.**

COUNCIL RESOLUTION

MOVED: *Cr Trotter*
SECONDED: *Cr Gstrein*

That the recommendation be adopted.

CARRIED

Attachments

1. Procurement Policy February 2018
2. Procurement Policy February 2018 (Tracked Changes) - Under Separate Cover



**CORANGAMITE
SHIRE**

Procurement Policy

Corangamite Shire

February 2018

Council Policy



Procurement Policy

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Responsibility: Director Corporate and
Community Services

Policy Number: n/a

1 Principles

1.1 Background

Corangamite Shire Council recognises that developing a procurement policy and adopting appropriate best practice contracting and procurement principles, policies, processes and procedures for all goods, services and works by Council, will enhance achievement of Council objectives such as bottom-line cost savings, giving the opportunity to support local economies, achieving innovation, better services for communities and sustainable procurement.

The elements of best practice applicable to local government procurement incorporate:

- broad principles covering ethics, value for money, responsibilities and accountabilities;
- guidelines giving effect to those principles;
- a system of delegations (i.e. the authorisation of officers to approve and undertake a range of functions in the procurement process);
- procurement processes, with appropriate procedures covering minor, simple procurement to high value, more complex procurement; and,
- a professional approach.

Best practice procurement requires that Council's contracting, purchasing and contract management activities:

- support Council's corporate strategies, aims and objectives including, but not limited to those related to sustainability, protection of the environment, and corporate social responsibility;
- span the whole life cycle of an acquisition from initial concept to the end of the useful life of an asset, including its disposal, or the end of a service contract;
- achieve value for money and quality in the acquisition of goods, services and works by Council;
- can demonstrate that public money has been well spent;
- are conducted, and are seen to be conducted, in an impartial, fair and ethical manner;
- seek continual improvement including the embrace of innovative and technological initiatives such as electronic tendering processes to reduce activity cost; and,
- generate and support business in the local community.

1.2 Scope

This Procurement Policy is made under Section 186a of the *Local Government Act 1989*.

This section of the Act requires Council to prepare, approve and comply with a Procurement policy encompassing the principles, processes and procedures applied to all purchases of goods, services and works by Council.

This policy applies to all contracting and procurement activities at Council and is binding upon Councillors, Council officers and temporary employees, contractors and consultants whilst engaged by Council.

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This policy does not apply to investment of Council funds which are not considered to be purchases of “goods, services or works” pursuant to Section 186A of the Act. Investments are made under Council's Investment Policy and comply with Section 143 of the Act.

1.3 Purpose

The purpose of this Policy is to:

- provide policy and guidance to Council to allow consistency and control over procurement activities;
- demonstrate accountability to rate payers;
- provide guidance on ethical behaviour in public sector purchasing;
- demonstrate the application of elements of best practice in purchasing; and,
- increase the probability of obtaining the best value outcome when purchasing goods and services.

1.4 Treatment of GST

All monetary values stated in this policy include GST.

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1.5 Definitions and Abbreviations

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Term	Definition
Act	<i>Local Government Act 1989.</i>
Commercial in Confidence	Information that, if released, may prejudice the business dealings of a party. For example, prices, discounts, rebates, profits, methodologies or process information.
Contract Management	The process that ensures both parties to a contract fully meet their respective obligations as efficiently and effectively as possible, in order to deliver the business and operational objectives required from the contract and in particular to provide value for money.
Council Staff	Includes full-time and part-time Council officers, and temporary employees, contractors and consultants while engaged by Council.
Probity	A Procurement process that conforms to the expected standards of probity is one in which clear procedures that are consistent with Council's policies and legislation are established, understood and followed from the outset. These procedures need to consider the legitimate interests of suppliers and ensure that all potential suppliers are treated equitably.
Standing Offer Arrangements (SOA)	A contract that sets out rates for goods and services which are available for the term of the agreement. However, no commitment is made under the agreement to purchase a specified value or quantity of goods or services.
Sustainability	Activities that meet the needs of the present without compromising the ability of future generations to meet their needs.
Procurement	Procurement is the whole process of acquisition of external goods, services and works. This process spans the whole life cycle from initial concept through to the end of the useful life of an asset (including disposal) or the end of a service contract.

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Tender Process

The process of inviting parties to submit a quotation by tender using public advertisement, followed by evaluation of submissions and selection of a successful bidder or tenderer.

Value for money

Value for money in Procurement is about selecting the supply of goods, services and works taking into account both cost and non-cost factors including:

- contribution to the advancement of Council's priorities;
 - non-cost factors such as fitness for purpose, quality, service and support; and
 - cost-related factors including whole-of-life costs and transaction costs associated with acquiring, using, holding, maintaining and disposing of the goods, services or works.
-

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Responsibility: Director Corporate and Community Services

Policy Number: n/a

2 Effective Legislation and Policy Compliance and Control

2.1 Ethics and Probity

2.1.1 Requirement

Council's procurement activities shall be performed with integrity and in a manner able to withstand the closest possible scrutiny.

2.1.2 Conduct of Councillors and Staff

2.1.2.1 General

Councillors and Council staff shall at all times conduct themselves in ways that are, and are seen to be, ethical and of the highest integrity and *will*:

- treat potential and existing suppliers with equality and fairness;
- not seek or receive personal gain;
- maintain confidentiality of Commercial in Confidence information;
- present the highest standards of professionalism and probity;
- deal with suppliers in an honest and impartial manner;
- provide all suppliers and tenderers with the same information and equal opportunity;
- and,
- be able to account for all decisions.

Council staff who are accountable for, responsible for managing or supervising contracts are prohibited from performing any works under the contract they are supervising.

2.1.2.2 Members of Professional Bodies

Councillors and Council staff belonging to professional organisations shall, in addition to the obligations detailed in this policy, ensure that they adhere to any code of ethics or professional standards required by that body.

2.1.3 Tender Processes

All tender processes shall be conducted in accordance with the requirements of this policy, applicable procedures and guidelines, relevant Australian Standards and the Act. Late tenders will not be considered and will be disqualified.

2.1.4 Conflict of Interest

Councillors and Council staff shall at all times avoid situations in which private interests conflict, or might reasonably be thought to conflict, or have the potential to conflict, with their Council duties.

Councillors and Council staff are subject to conflict of interest provisions in:

- The Act: [Division 1A - Conduct and Interests](#);
- [Conflict of Interest in Local Government – October 2011](#) guidelines;
- Councillor Code of Conduct; and,
- Staff Code of Conduct.

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Councillors and Council staff must refrain from procurement activities where they have a conflict of interest. Where a conflict exists this must be declared to the Chief Executive Officer and the Councillor and/or Council staff member must excuse themselves from participating in the associated procurement activity.

Councillors, Council staff and third party individuals involved in the evaluation of technical assessments, whether or not as part of an evaluation panel, associated with Quotations or Tenders must declare they do not have a conflict of interest. This must be certified by the Chief Executive Officer or Director Corporate and Community Services.

2.1.5 Fair and Honest Dealing

All prospective contractors and suppliers must be afforded an equal opportunity to tender or quote.

Impartiality must be maintained throughout the procurement process so it can withstand public scrutiny.

The commercial interests of existing and potential suppliers must be protected.

Confidentiality of information provided by existing and prospective suppliers must be maintained at all times, particularly commercially sensitive material such as, but not limited to prices, discounts, rebates, profit, manufacturing and product information.

In-house bids (tenders) are not permitted for tenders.

2.1.6 Accountability and Transparency

Accountability in procurement means being able to explain and provide evidence of the process followed. The test of accountability is that an independent third party must be able to see clearly that a process has been followed and that the process is fair and reasonable.

The processes by which all procurement activities are conducted will be in accordance with Council's procurement policies and procedures as set out in this policy and related, relevant Council policies and procedures.

Additionally:

- all Council staff must be able to account for all procurement decisions made over the lifecycle of all goods, services and works purchased by Council and provide feedback on them; and,
- all procurement activities are to provide for an audit trail for monitoring and reporting purposes.

2.1.7 Disclosure of Information

Commercial in-confidence information received by Council must not be disclosed and is to be stored in a secure location.

Councillors and Council staff are to protect, by refusing to release or discuss the following:

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- information disclosed by organisations in tenders, quotation or during tender negotiations;
- all information that is Commercial in Confidence information; and
- pre-contract information including but not limited to information provided in quotes and tenders or subsequently provided in pre-contract negotiations.
- Councillors and Council staff are to avoid references to current or proposed contracts in discussion with acquaintances or outside interests.

Details of the winning price will be released to improve the tender and quotation process and value for money. This will be done with the following conditions:

winning price will only be disclosed to unsuccessful tenderers upon request. Discussion with potential suppliers during tender evaluations should not go beyond the extent necessary to resolve doubt on what is being offered by that supplier.

At no stage should any discussion be entered into which could have potential contractual implications prior to the contract approval process being finalised other than authorized pre-contract negotiations.

2.2 Governance

2.2.1 Structure

The CEO is accountable for organisational procurement.

Management of the procurement policy is the responsibility of the Director of Corporate and Community Services.

Implementation of the policy throughout departments is the responsibility of the respective Director.

The Contracts Administration Officer is responsible for ensuring probity in procurement and monitoring and reporting against the procurement policy.

Council's procurement structure:

- is flexible enough to purchase in a timely manner the diverse range of material, goods, works and services required by Council;
- ensures that prospective contractors and suppliers are afforded an equal opportunity to tender/quote;
- encourages competition; and,
- is communicated to and implemented by all Councillors and Council staff.

Delegated officers are responsible for application of the policy in their respective areas.

2.2.2 Standards

Council's procurement activities shall be carried out to the professional standards required by best practice and in compliance with:

- *The Local Government Act 1989;*

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- *Council's Credit Card Policy*;
- *Contract Management Manual*;
- Councillor Code of Conduct
- Code of Conduct for Staff; and,
- Other relevant legislative requirements such as but not limited to the *Trade Practices Act*, *Goods Act* and the *Environmental Protection Act*.

2.2.3 Methods

Council's standard methods for purchasing goods, services and works shall be by:

- corporate credit card;
- purchase order following a quotation process from suppliers for goods or services that represent best value for money under directed quotation thresholds;
- under contract following a tender process; or,
- using aggregated purchasing arrangements with other Councils, MAV Procurement, Victorian Government, or other bodies.

2.2.4 Exemptions from purchases requiring a purchase order

Some purchases do not require a purchase order to be provided. These exceptions are contained within attachment three.

Other arrangements can only be authorised by Council or the CEO under emergency circumstances, as defined in the Act.

Council may, at its discretion and based on the complexity and cost of the project, conduct one stage or multi-stage tenders.

Typically a multi-stage tender process will commence with a registration of interest stage followed by a tender process involving the organisations selected as a consequence of the registration of interest stage.

Registrations of interest (ROI) may be appropriate where:

- the requirement is complex, difficult to define, unknown or unclear;
- the requirement is capable of several technical solutions;
- Council wishes to consider ahead of a formal tender processes such issues as whether those tendering possess the necessary technical, managerial and financial resources to successfully complete the project;
- tendering costs are likely to be high and Council seeks to ensure that companies incapable of supplying the requirement don't incur unnecessary expense;

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- it is necessary to pre-qualify suppliers and goods to meet defined standards; or,
- the requirement is generally known but there is still considerable analysis, evaluation and clarification required (both of the objective and the solution).

Additionally, Council may run sequential tenders, the first to solicit solutions, the second to compete to provide the solution selected by Council. Such sequential tenders may or may not be preceded by the registration of interest phase as required by Council based on the actual needs of the project.

2.2.5 Responsible Financial Management

The principle of responsible financial management shall be applied to all procurement activities.

Accordingly, to give effect to this principle, the availability of existing funds within an approved budget, or source of funds, shall be established prior to the commencement of any procurement action for the supply of goods, services or works.

This policy applies to all Council expenditure, with the exception of grant monies for and on behalf of community groups (refer to section 2.3.2.5).

Self-authorized purchase orders within delegation and to maximum value of \$5,000, including GST, is permissible. Amounts exceeding \$5,000, including GST, will need to be referred to a higher authority for authorisation.

2.3 Procurement Thresholds and Competition

2.3.1 Requirement

Council will publish in this policy clear guidelines for minimum spend competition thresholds. These will be decided by Council by analysing the historical size and complexity of the procurement activity and of proposed procurement activities.

2.3.2 Minimum Spend Competition Thresholds

2.3.2.1 Tenders

Purchase of all goods and services for which the estimated expenditure exceeds the following amounts must be undertaken by public tender as per the thresholds contained in the Act:

- \$150,000 for all purchases, except building and construction works; and,
- \$200,000 for building and construction works.

Should the CEO, or their delegate, consider that the nature of the requirement and the characteristics of the market are such that the public tender process would lead to a better result for Council, public tenders may be called for purchase of goods, services and works for which the estimated expenditure is below these thresholds, having regard to best value principles.

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The tendering process should comprise the following:

Obtain appropriate approval to tender for Goods/Services from Director
Develop a service specification that accurately and clearly defines the service requirements. This also needs to include the criteria by which tenders will be evaluated, including weightings. A strategic procurement plan, based on the Local Government Victoria template, must be completed for procurement amounts, excluding Schedule of Rates contracts, expected to be equal to or greater than \$500,000 prior to advertisement.
Prepare tender documentation that includes: <ul style="list-style-type: none"> • Invitation to tender; • Information to tenderers; • Schedules for the tenderers to complete; • Specification; • Contract Documentation, including drawings maps etc
Advertise inviting tenders in newspapers circulating throughout the municipality
If necessary conduct a pre-tender briefing
Close tenders on advertised date
Arrange a meeting of the Technical Evaluation Panel (at least 3 people), with at least one independent member to the Department undertaking the procurement and preferably a representative from the Finance Department. Where the panel does not contain representation from the Finance Department the technical evaluation must be independently reviewed by the Finance Department.
Assess against evaluation criteria
Prepare Technical Evaluation Report recording evaluation of tenders received; date and time of Technical Evaluation Panel Meeting. Members of the Panel should sign off on the final report. The Technical Evaluation Report is also a minuted record of the evaluation panel and should contained additional information as appropriate.
Select preferred tenderer and commence negotiations to clarify any uncertainties. Prepare appropriate Council report, attaching Technical Evaluation Report.
Formalize and award contract with service provider, once approved by Council.

2.3.2.2 Quotation and Tender Thresholds

Purchase of goods, services having a total \$150,000 or less (building and construction works having a total of \$200,000 or less) may be undertaken using the procurement by quotation

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method as described below. A purchase order should be raised and forwarded to the supplier at the time of purchase/award of the works/services unless exempted by this Policy.

- **Items with a value up to \$5,000.00**

A quotation may be obtained before placing an order.

If more than one supplier has quoted all quotations should be documented.

- **Items with a value of \$5,001 up to \$10,000**

One written quotation must be obtained before placing an order.

Verbal quotations are not acceptable.

- **Items with a value of \$10,001 up to \$150,000 (\$200,000 building and construction works)**

Council's Officer must seek minimum of three written quotations before placing an order.

The quotation offering the best value for money must be confirmed by the supplier in writing and the order placed with that firm. If there is a difference of more than 10% between the lowest quotation and the recommended quotation, this procurement must be approved by a Director/CEO.

Once the three quotation process is undertaken, the Officer will then enter the quotation information into TechOne and then seek approval in accordance with the relevant Officer's purchasing limits under delegation.

Verbal quotations are not acceptable.

- **Items with a value of \$150,000 and over (\$200,000 and over for building and construction works).**

A full public tender must be conducted before placing an order.

Public advertising of works is required.

The use of public advertising may be applied to items with a value up to \$150,000 (\$200,000 building and construction works) at the CEO's, or delegated officer's, discretion. This may occur when a field of potential tenderers has not been established, or an innovative approach is required, or the project has broad appeal that may attract keen prices.

Where Council appoints a tendering agent in accordance with Section 186 of the *Local Government Act*, when the tendering process is completed on behalf of Council, that matter needs to be awarded in accordance with this policy.

2.3.2.3 Procedural Exceptions

The situation may arise where the officer is unable to seek 3 quotations to satisfy the above requirements.

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This may occur for a number of reasons. It may include where there are few suppliers for the goods, services or works being sought or the work is highly specialised or of an urgent nature.

In this case, approval from the CEO or relevant Director is required, prior to proceeding with the purchase. Records and supporting evidence must be kept for procedural exceptions.

A copy of approved procedural exceptions memos will be provided to Contracts Administration Officer for storing in Council's Enterprise Resource System.

Refer to Attachment 1 for Procedural Exceptions Memo.

2.3.2.4 Determining Value of Procurement

In order to determine whether a procurement exceeds the relevant procurement threshold, its value must be estimated at the start of the procurement process.

The value of a procurement must include:

- all forms of remuneration, including any premiums, fees, commissions, interest and other revenue streams that may be provided for in the final contract;
- all taxes and charges, including GST;
- the total maximum value of the property or services being procured, including the value of any options or extensions that may be provided for in the proposed contract; and,
- the total value of the proposed contract over the contracted term.

If it is anticipated that a procurement will be close to the relevant threshold, or if it is likely that the final value of a procurement may exceed the relevant threshold, it should be treated as if it exceeds the threshold

It is not permissible to divide a contract into separate smaller procurements to avoid the procurement thresholds. There shall be no splitting of purchase orders to avoid thresholds.

2.3.2.5 Dealing with Grant Monies

Where Council is disbursing grant monies directly to a Club or Community Group:

- There is no requirement to follow Council's procurement process or delegation limits. Compliance with good governance regarding purchasing is the responsibility of the Club or Community Group.
- The Club or Community Group will be required to provide an acquittal to account for the funds at the completion of the project.
- If a third party organisation is providing the funds and requiring Council to manage funds on behalf of Club or Community Group they be made aware of this section of Council's procurement policy.

Where Council is paying for goods and services on behalf of a Club or Community Group:

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- Council's procurement policy will apply in all circumstances.

2.3.2.6 Collaborative Procurement

Under Section 186 of the Local Government Act 1989, Council has the ability to authorise procurement agencies to act on its behalf to undertake collaborative procurement by way of public tender. There are two agencies that offer this service to Council, those being the Municipal Association of Victoria and Procurement Australia. Those agencies undertake the collaborative process to achieve the best outcomes for Councils, as its appointed agent.

The Minister for Local Government has granted an exemption to allow Councils to access all MAV and Procurement Australia contracts. When utilising Collaborative Procurement, all contracts must be awarded in accordance with Council's procurement thresholds and delegation of authority

2.3.3 Requirement

Delegations define the limitations within which Council staff are permitted to undertake procurement activities. Delegation of procurement authority allows Council staff to approve purchases, quotation, tender and contractual processes without prior referral to Council. This enables Council to conduct procurement activities in an efficient manner whilst maintaining transparency and integrity.

Procurement delegations ensure accountability and provide confidence to Council and the public that purchasing activities are dealt with at the appropriate level.

As such, Council has delegated responsibilities as detailed below relating to:

- the expenditure of funds for the purchase of goods, services and works;
- the acceptance of quotes and tenders; and,
- for Contract Management activities.

Refer to Attachment 2.

2.3.4 Delegations

2.3.4.1 Council Staff

Council shall maintain a documented scheme of procurement delegations, identifying Council staff authorised to make such procurement commitments in respect of goods, services and works on behalf of Council and their respective delegations contained in Financial Delegations policies:

- Acceptance of tenders
- Acceptance of quotes
- Contract term extensions (within authorised budget)
- Contract amendment (non-financial)
- Contract amendment (financial)
- Register of pre-qualified suppliers
- Credit Card purchases
- Procedural exceptions

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Staff may seek reimbursement for minor out of pocket expenses, including licenses, memberships, subscriptions, material expenses and pre- approved study and travel expenses. All approvals must be by their Manager or Director.

2.3.4.2 Delegations Reserved for Council

Commitments and processes which exceed the CEO's delegation and which must be approved by Council are:

- Signing and sealing of contract documents.
- Tender recommendations and contract approval for all expenditure over \$150,000 for goods and services (\$200,000 for building and construction works and which the exceeds the CEO's delegation).
- Contract term extensions requiring additional budget.

2.4 Internal Controls

Delegated officers involved in procurement will adhere to a framework of internal controls over procurement processes that will ensure:

- transparency in the procurement process;
- a clearly documented audit trail exists for procurement activities;
- appropriate authorisations are obtained and documented; and,
- systems are in place for appropriate monitoring and performance measurement.

2.5 Commercial Information

Procurement activities will be carried out in a way that supports Council staff in meeting their obligations - to ensure information of a commercially sensitive or confidential nature is obtained, stored, processed, published (where applicable) in an appropriate manner in accordance with the relevant Council guidelines.

2.6 Risk Management

2.6.1 General

Risk Management is to be appropriately applied at all stages of procurement activities which will be properly planned and carried out in a manner that will protect and enhance Council's capability to prevent, withstand and recover from interruption to the supply of goods, services and works.

2.6.2 Occupational Health and Safety

Health & Safety requirements throughout the lifecycle of the product or service being purchased shall be addressed prior to procurement in accordance with the Council Health & Safety Management System. Lifecycle includes usage of the plant/equipment or substance including maintenance and disposal. Reference should also be made to Council's Health & Safety Management System for additional requirements.

2.6.3 Supply by Contract

The provision of goods, services and works by contract or quotation potentially exposes Council to risk.

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Council will minimise its risk exposure by measures such as:

- standardising contracts to include current, relevant clauses;
- requiring security deposits where appropriate;
- referring specifications to relevant experts;
- requiring contractual agreement before allowing the commencement of work;
- use of or reference to relevant Australian Standards (or equivalent);
- effectively managing the contract including monitoring and enforcing performance;
- undertaking relevant financial checks of companies to ensure they are viable to undertake the contract; and,
- and obtaining copies of certificates of currency for relevant insurances.

2.7 Contract Terms

All contractual relationships must be documented in writing based on standard terms and conditions.

Where this is not possible, approval must be obtained from the appropriate member of Council staff listed in Council Delegations. A request for such an approval should be supported with procurement and legal advice as relevant.

Terms and conditions with a supplier must be settled in advance of any commitment being made. Any exceptions to doing this must be authorised by the appropriate member of Council staff listed in Council Delegations.

2.8 Endorsement

Council staff must not endorse any products or services. Individual requests received for endorsement must be referred to CEO or relevant Director.

2.9 Dispute Resolution

All Council contracts shall incorporate dispute management and alternative dispute resolution provisions, to minimise the risk to both parties of disputes leading to legal action.

2.10 Contract Management

The purpose of contract management is to ensure that Council, and where applicable its clients, receive the goods, services or works provided to the required standards of quality and quantity as intended by the contract by:

- establishing a system monitoring and achieving the responsibilities and obligations of both parties' under the contract;
- providing a means for the early recognition of issues and performance problems and the identification of solutions; and,
- adhering to Council's Risk Management Framework and adhering to relevant Occupational Health and Safety Contractor Compliance Procedures.

All Council contracts are to include contract management requirements in accordance with the Contract Management Manual. Furthermore, contracts are to be proactively managed by

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the member of Council staff responsible for the delivery of the contracted goods, services or works to ensure Council receives value for money.

2.11 Purchase Order Variations

Purchase order variations are permissible. However, the variation should be disclosed as a separate item on the purchase order.

2.12 Contract Variations

Contract Variations should be pre-approved by Council at the time of awarding the original Contract, with CEO being authorised to approve amounts up to \$250,000. When awarding a variation, this should be approved according to officer delegation. Contract variations greater than \$250,000 will need to be approved by Council.

Where variations are awarded that are greater than 20% of the original contract sum, these will need to be reported to the Audit Committee annually.

2.13 CEO Additional Procurement Delegation

The Chief Executive Officer has an additional delegation up to an amount of \$500,000 in relation to the following procurement activities:

- Payment of all Council insurances;
- Purchase of heavy fleet that has been approved through the annual budget and procured in accordance with this policy;
- Schedule of Rates contracts up to an anticipated amount not exceeding \$500,000 for the term of the contract. Prior to approving a Schedule of Rates contract the Director of Corporate and Community Services or Manager Finance must review the associated financial costings before consideration by the Chief Executive Officer.

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3 Demonstrated Sustained Value

3.1 Integration with Council Strategy

Council procurement strategy shall support the Council Plan, aims and objectives, meeting the needs of the local community in the areas of:

- governance;
- prosperity;
- environment;
- community wellbeing;
- lifestyle; and,
- infrastructure.

3.2 Achieving value for money

3.2.1 Requirement

Council's procurement activities will be carried out on the basis of obtaining value for money.

This means minimising the total cost of ownership over the lifetime of the requirement consistent with acceptable quality, reliability and delivery considerations.

Lowest price is not the sole determinate of value for money.

In practice this means weighing up the benefits of the purchase against the cost of the purchase. Value for money factors needs to be specifically included in evaluation criteria and may include:

- fitness for purpose;
- maintenance and running costs over the lifetime of the product;
- the advantages of buying locally:
 - shorter delivery times;
 - local backup and servicing;
 - the availability of spare parts;
 - the contribution to the achievement of other government policy objectives, such as industry development and employment creation;
 - the potential for creating strategic partnerships and cooperative product development;
- quality assurance;
- risks;
- the capacity of the supplier;
- environmental considerations;
- energy conservation;
- ability to meet specified timelines; and,
- disposal value.

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3.2.2 Approach

This will be facilitated by:

- developing, implementing and managing procurement strategies that support the co-ordination and streamlining of activities throughout the lifecycle;
- effective use of competition;
- using aggregated contracts and SOA where appropriate;
- identifying and rectifying inefficiencies in procurement processes;
- developing cost efficient tender processes including appropriate use of e-solutions; and,
- Council staff responsible for providing procurement being acquired.

3.2.3 Role of Specifications

Specifications used in quotations, tenders and contracts are to support and contribute to Council's value for money objectives through being written in a manner that:

- ensures impartiality and objectivity;
- encourages the use of standard products;
- encourages sustainability;
- provides a clear understanding of the works required or goods to be supplied; and,
- eliminates unnecessarily stringent requirements.

3.3 Sustainability

3.3.1 General

Council is committed to achieving sustainability and ensuring it monitors and reports on Council activities and programs that have an impact on or contribute to the environment including but not limited to the following:

- waste management;
- recycling;
- energy management;
- emission management;
- water conservation;
- green building design; and,
- procurement.

3.3.2 Sustainable Procurement

Council is committed to adopting a Green Procurement approach by supporting the principles of sustainable procurement within the context of purchasing on a value for money basis.

Value for money purchasing decisions made by Council are made on the basis of whole-of-life cost and non-price factors including contribution to Council's sustainability objectives

Council prefers to purchase environmentally preferred products whenever they achieve the same function and value for money outcomes.

Council will therefore consider the following environmental sustainability criteria:

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- **Reduce, Reuse, and Recycle:**
Council is committed to reduce resources, consumption and minimise waste during the procurement life cycle including:
 - Council shall encourage and prefer Eco-friendly products which are more power efficient.
 - Selecting energy, fuel and water efficient products (ideally Energy and Water Star Ratings of 4 Star and above, and the highest Green Vehicle Guide star rating)
 - Council shall prefer to purchase from a source which is less polluting or uses clean technology
 - Council's procurement projects should automatically consider the provision of re-usable products and recycling as part of the project planning process, including the consideration of whole-life costs and disposal considerations.
- **Buy Recycled:**
Council is committed to buy recycled/part recycled products to optimise consumption and stimulate demand for recycled products, promoting the collection and reprocessing of waste and working towards zero discharge to landfill.
- **Green the Supply Chain:**
Council will encourage suppliers to adopt good environmental practices. Council will promote green procurement throughout its supply chain and will give preference to selection which has minimum environmental impact.

3.4 Diversity

Promoting equality through procurement can improve competition, value for money, the quality of public services, satisfaction among users, and community relations.

Diversity should be a consideration in every procurement project and reflect corporate commitment to diversity and equal opportunities.

The Victorian *Charter of Human Rights* will be considered as part of the procurement process. Successful suppliers will be asked to show compliance with the Charter.

3.5 Support of Local Business

Council is committed to buying from local business where such purchases may be justified on value for money grounds.

In all contracts a 5% weighting shall be given to suppliers who demonstrate how they intend to support local suppliers, contractors and services.

This condition is mandatory in all contracts. It should be considered as a criterion for quotes.

Local is defined as within the Corangamite Shire.

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4 Apply a Consistent and Sustained Approach

4.1 Standard Processes

Council will provide effective commercial arrangements covering standard products and provision of standard services across Council to enable employees to source requirements in an efficient manner.

This will be achieved via establishing the following:

- pricing where relevant;
- processes, procedures and techniques;
- tools and business systems (e.g. implementing appropriate e-tendering, e-evaluation; e-catalogue or e-sourcing arrangements);
- reporting requirements; and,
- application of standard contract terms and conditions.

4.2 Management Information

Council seeks to improve its' performance by capturing and analysing procurement management information in a variety of areas, including:

- volume of spend;
- number of transactions per supplier;
- supplier performance;
- user satisfaction;
- category management; and,
- green spend.

The Contracts Administration Officer will complete desktop audits of organisational purchasing. Reports will be provided to the Senior Officer Group monthly including information on:

- dollar value by supplier;
- if purchasing process is compliant , requires investigation, non-compliant or is a procedural exemption;
- purchases without purchase orders; and
- purchases from suppliers approaching tender thresholds,
- all approved procedural exemptions.

An annual compliance report will be provided to Council's Audit Committee on the following matters:

- the value of total procurement by Council; and
- The number of non-compliant purchases including:
 - the number of purchases with and without purchase orders;
 - purchases from suppliers that exceeded tender thresholds; and
 - the number of approved procedural exemptions.

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5 Build and Maintain Supply Relationships

5.1 Developing and Managing Suppliers

Council recognises that in order to achieve value for money, a strategic assessment of the appropriate 'channel to market' should be undertaken – whether to go to market on its own, participate in regional or sector aggregated projects or panels, access State Government panel agreements or other means.

Council will consider supply arrangements that deliver the best value outcomes in terms of time, expertise, cost, value and outcome.

Council recognises the importance of effective and open working relationships with its suppliers and is committed to:

- managing existing suppliers, via the appropriate development programmes and performance measurements;
- developing new suppliers and improving the capability of existing suppliers where appropriate.

5.2 Supply Market Development

A wide range of suppliers should be encouraged to compete for Council work. The focus for new work need not always be with the larger more familiar businesses. Other types of organisations offering business diversity include:

- Local businesses
- Green suppliers
- Small to medium sized enterprises (SME's)
- Social enterprises
- Ethnic and minority business

5.3 Relationship Management

Council is committed to developing constructive long-term relationships with suppliers.

It is important that Council identifies its key suppliers so that its efforts are focused to best effect. Such areas may include:

- size of spend across Council;
- criticality of goods / services, to the delivery of Council's services;
- availability of substitutes; and,
- market share and strategic share of suppliers

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6 Continual Improvement

Council is committed to continuous improvement and will review the procurement policy on an annual basis in line with the Act and to ensure that it continues to meet its wider strategic objectives.

7 Policy Owner

Director Corporate and Community Services.

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

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Attachment 1- Procedural Exceptions Memo

Part of the goals of Corangamite's procurement policy is to:

- Achieve value for money and quality in the acquisition of goods, services and works by Council;
- demonstrate that public money has been well spent;
- procurements are conducted, and are seen to be conducted, in an impartial, fair and ethical manner.

There are limited circumstances in which there may be legitimate reasons compliance with the minimum spend competition thresholds are not met. This manifests itself by negotiation directly with suppliers without the prescribed competitive quotations or tender process.

The following factors provide guidance in identifying and documenting such circumstances:

1. Emergency – applies when there is extreme urgency brought about by events unforeseen by the organisation and the property or services cannot be obtained in time through an open tender or quotation process.
2. Sole Supplier / Insufficient Quotes – when it is clear beyond doubt that there are not sufficient suppliers to provide requisite quotes. Documentation of recent market testing and well defined specifications of the goods and services sought is required.
3. Scope Change – when there is unforeseen need to alter the scope of the project in a minor way and the cost of obtaining further quotations or retendering will outweigh the potential benefits.
4. Exceptionally Advantageous Time-limited Conditions – this includes unusual disposals by suppliers, unsolicited innovative proposals, liquidation, bankruptcy, or receivership and which are not routine purchases from regular suppliers.
5. Intellectual Property – where the property or services can only be supplied by a particular business and no other reasonable alternative or substitute exists, namely for a work of art; or to protect patent, copyright, or other exclusive right, proprietary information, software as some examples.
6. Absence of Competition – for technical reasons where products are limited by patents or licences. To be supported by comprehensive market research and demonstrated organisational benefits.
7. Support From Original Supplier – for additional property or services by the original supplier or authorised representative where a change in supplier would compel the agency to procure property or services that do not meet the requirements of compatibility with existing services. For example spare parts for vehicles and plant.

The following factors are not reasons that justify seeking a procedural exception:

- Completion of projects prior to end of financial year. Projects should be well planned to avoid end of year deadlines.
- Use of the "emergency" category should not substitute for good project planning.
- Desire to include only certain suppliers because of previous relationships.
- Working with and expending Council funds through a community group.

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CORANGAMITE
SHIRE

To:	Choose an item.
From:	Click here to enter Name, Title.
CC:	Contracts Administration Officer
Date:	Click here to enter a date.
Topic:	Click here to enter text.

Purpose

To seek an exemption from the Procurement Policy on the following grounds:

- 1. Emergency
- 2. Sole Supplier / Insufficient Quotes (document market testing)
- 3. Scope Change
- 4. Exceptionally Advantageous Time-limited Conditions
- 5. Intellectual Property
- 6. Absence of Competition
- 7. Support From Original Supplier

Supplier: Click here to enter text.

Value: Click here to enter text.

Approval for this exemption must be gained prior to the procurement being undertaken.

Background

Issue

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Recommendation

Prepared by:

[Click here to enter Name, Title.](#)

[Click here to enter a date.](#)

Signature:

Approved by:

[Choose an item.](#)

[Click here to enter a date.](#)

Signature:

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**Attachment 2 – Delegations**

Position Title	Purchasing Limit	Acceptance of Tenders	Acceptance of Quotes	Extensions Works Within Budget	Amendment - Non-financial	Amendment - Financial	Procedural Exceptions	Comments
Accountant	\$1,000	No	Yes	No	No	No	No	Term Deposits & EFT transfer authorisation up to \$2 million with a 2 nd authorisation
Accounting Officer	\$1,000	No	Yes	No	No	No	No	EFT transfer authorisation up to \$2 million with a 2 nd authorisation.
Accounts Receivable Officer	\$1,000	No	Yes	No	No	No	No	Debt collection charges & EFT transfer authorisation up to \$2 million with a 2 nd authorisation.
Administration Officer – Building and Planning	\$1,000	No	Yes	No	No	No	No	
Administration Officer – Community Services	\$1,000	No	Yes	No	No	No	No	
Administration Officer – Governance	\$2,000	No	Yes	No	No	No	No	
Administration Coordinator –Home and Community Care	\$1,000	No	Yes	No	No	No	No	

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Position Title	Purchasing Limit	Acceptance of Tenders	Acceptance of Quotes	Extensions Works Within Budget	Amendment - Non-financial	Amendment - Financial	Procedural Exceptions	Comments
Administration Officer – Environment and Emergency	\$1,000	No	Yes	No	No	No	No	
Administration Coordinator - Works	\$10,000	No	Yes	No	No	No	No	\$50K for works awarded under tender and relevant to Works Area
Administration Officer – Works	\$10,000	No	Yes	No	No	No	No	
Administration Officer – Sustainable Development	\$1,000	No	No	No	No	No	No	
Aged and Disabled Services Coordinator	\$10,000	No	Yes	No	No	No	No	
Assessment Officer	\$1,000	No	Yes	No	No	No	No	
Assets Field Officer	\$1,000	No	Yes	No	No	No	No	
Assets/GIS Officer	\$1,000	No	Yes	No	No	No	No	
Building Assets Officer	\$5,000	No	Yes	No	No	No	No	
Carpenters	\$1,000	No	No	No	No	No	No	

Adopted by Council on: 27 February 2018

Department: Corporate and Community Services

Agenda Item: 8.1
Responsibility: Director Corporate and Community Services

To be Reviewed: June 2018
Policy Number: n/a

Corangamite Shire Council Policy - Procurement

Position Title	Purchasing Limit	Acceptance of Tenders	Acceptance of Quotes	Extensions Works Within Budget	Amendment - Non-financial	Amendment - Financial	Procedural Exceptions	Comments
Chief Executive Officer	\$250,000 or \$500,000	Yes	Yes	Yes	Yes	Yes	Yes	Unlimited if approved by Council or in an emergency. Also to include payment of annual Council insurances. Up to \$500,000 for procurement activity in accordance with clause 2.13 of this policy.
Communications Officer	\$10,000	No	Yes	No	No	No	No	
Community Care Respite Worker – Respite	\$1,000	No	No	No	No	No	No	
Contracts Administration Coordinator	\$10,000	No	Yes	Yes	Yes	No	No	
Community Relations Officer	\$1,000	No	Yes	No	No	No	No	
Community Development Officer	\$10,000	No	Yes	Yes	Yes	No	No	

Adopted by Council on: 27 February 2018

Department: Corporate and Community Services

Agenda Item: 8.1

To be Reviewed: June 2018

Responsibility: Director Corporate and Community Services

Policy Number: n/a

Corangamite Shire Council Policy - Procurement

Position Title	Purchasing Limit	Acceptance of Tenders	Acceptance of Quotes	Extensions Works Within Budget	Amendment - Non-financial	Amendment - Financial	Procedural Exceptions	Comments
Director Corporate and Community Services	\$75,000	Yes	Yes	Yes	Yes	Yes	Yes	Term deposits & EFT transfer authorisation up to \$2 million with a 2nd authorisation
Director Sustainable Development	\$75,000	Yes	Yes	Yes	Yes	Yes	Yes	
Director Works and Services	\$75,000	Yes	Yes	Yes	Yes	Yes	Yes	
Early Years Coordinator	\$10,000	No	Yes	No	No	No	No	
Economic Development Officer	\$5,000	No	Yes	No	No	No	No	
Emergency Management Officer	\$10,000	No	No	No	No	No	No	
Engineer – Assets and Design	\$1,000	No	Yes	No	No	No	No	
Engineer – Works	\$10,000	Yes	Yes	Yes	Yes	No	No	\$50K for works awarded under tender and relevant to Works Area
Environment Coordinator	\$10,000	No	Yes	Yes	Yes	No	No	

Adopted by Council on: 27 February 2018

Department: Corporate and Community Services

Agenda Item: 8.1

To be Reviewed: June 2018

Responsibility: Director Corporate and Community Services

Policy Number: n/a

Position Title	Purchasing Limit	Acceptance of Tenders	Acceptance of Quotes	Extensions Works Within Budget	Amendment - Non-financial	Amendment - Financial	Procedural Exceptions	Comments
Environmental Health Officer	\$1,000	No	No	No	No	No	No	
Environment Officer	\$10,000	No	Yes	Yes	No	No	No	
Environment Project Officer	\$10,000	No	Yes	Yes	Yes	No	No	
Executive Services and Governance Co-ordinator	\$10,000	No	Yes	No	No	No	No	
Family Day Care Coordinator	\$5,000	No	Yes	Yes	Yes	No	No	
Human Resource Officer	\$1,000	No	Yes	No	No	No	No	
Immunisation and Maternal & Child Health Coordinator	\$10,000	No	Yes	No	No	No	No	
Infrastructure Projects Officer	\$10,000	No	Yes	Yes	No	No	No	

Adopted by Council on: 27 February 2018

Department: Corporate and Community Services

Agenda Item: 8.1

To be Reviewed: June 2018

Responsibility: Director Corporate and Community Services

Policy Number: n/a



Corangamite Shire Council Policy - Procurement

Position Title	Purchasing Limit	Acceptance of Tenders	Acceptance of Quotes	Extensions Works Within Budget	Amendment - Non-financial	Amendment - Financial	Procedural Exceptions	Comments
IT Network Support Officer	\$10,000	No	Yes	Yes	Yes	No	No	
IT Officer	\$10,000	No	Yes	Yes	No	No	No	
Kindergarten Educator	\$1,000	No	Yes	No	No	No	No	
Local Laws Officer	\$1,000	No	Yes	No	No	No	No	
Manager – Assets Planning	\$25,000	Yes	Yes	Yes	Yes	Yes	No	
Manager – Economic Development and Tourism	\$25,000	Yes	Yes	Yes	Yes	Yes	No	
Manager – Finance	\$25,000	Yes	Yes	Yes	Yes	Yes	No	Term deposits & EFT transfer authorisation up to \$2 million with a 2nd authorisation. Payment of Fire Services Levies for all amounts due to the State Government are permitted.
Manager – Human Resources Risk Management	\$25,000	Yes	Yes	Yes	Yes	Yes	No	
Manager – Community Services	\$25,000	Yes	Yes	Yes	Yes	Yes	No	

Adopted by Council on: 27 February 2018

Department: Corporate and Community Services

Agenda Item: 8.1
 Responsibility: Director Corporate and Community Services

To be Reviewed: June 2018
 Policy Number: n/a

Position Title	Purchasing Limit	Acceptance of Tenders	Acceptance of Quotes	Extensions Works Within Budget	Amendment - Non-financial	Amendment - Financial	Procedural Exceptions	Comments
Manager – Community Relations	\$25,000	Yes	Yes	Yes	Yes	Yes	No	
Manager – Information	\$25,000	Yes	Yes	Yes	Yes	Yes	No	
Manager – Environment and Emergency	\$25,000	Yes	Yes	Yes	Yes	Yes	No	
Manager – Facilities and Recreation	\$25,000	Yes	Yes	Yes	Yes	Yes	No	
Manager – Statutory Planning and Building Services	\$25,000	Yes	Yes	Yes	Yes	Yes	No	
Manager – Works	\$25,000	Yes	Yes	Yes	Yes	Yes	No	
Manager – Works (Vehicle Purchases Only)	\$50,000	Yes	Yes	Yes	Yes	Yes	No	Vehicle Purchases Only
Mechanic Plant Maintenance	\$2,000	No	No	No	No	No	No	

Adopted by Council on: 27 February 2018

Department: Corporate and Community Services

Agenda Item: 8.1

To be Reviewed: June 2018

Responsibility: Director Corporate and Community Services

Policy Number: n/a

Corangamite Shire Council Policy - Procurement

Position Title	Purchasing Limit	Acceptance of Tenders	Acceptance of Quotes	Extensions Works Within Budget	Amendment - Non-financial	Amendment - Financial	Procedural Exceptions	Comments
Mobile Child Care Coordinator	\$10,000	No	Yes	No	No	No	No	
Municipal Building Surveyor	\$1,000	No	No	No	No	No	No	
Occupational Health and Safety Officer	\$1,000	No	Yes	No	No	No	No	
Parks and Gardens Co-ordinator	\$10,000	No	No	No	No	No	No	
Payroll Officer	\$2,000	No	Yes	Yes	Yes	No	No	Payroll related issues only & EFT transfer authorisation up to \$2 million with a 2nd authorisation
Projects Support Officer	\$1,000	No	Yes	No	No	No	No	
Property Officer	\$10,000	No	Yes	No	No	No	No	
Rates Revenue Coordinator	\$10,000	No	Yes	No	No	No	No	Payment of Fire Services Levies for all amounts due to the State Government are permitted.

Adopted by Council on: 27 February 2018

Department: Corporate and Community Services

Agenda Item: 8.1

Responsibility: Director Corporate and Community Services

To be Reviewed: June 2018

Policy Number: n/a

Corangamite Shire Council Policy - Procurement

Position Title	Purchasing Limit	Acceptance of Tenders	Acceptance of Quotes	Extensions Works Within Budget	Amendment - Non-financial	Amendment - Financial	Procedural Exceptions	Comments
Records Coordinator	\$1,000	No	Yes	No	No	No	No	
Recreation Development Officer	\$5,000	No	Yes	Yes	Yes	No	No	
Risk Management Coordinator	\$1,000	No	Yes	No	No	No	No	
Saleyards Co-ordinator	\$1,000	No	Yes	No	No	No	No	
Statutory Planner	\$1,000	No	Yes	No	No	No	No	
Store Clerk	\$10,000	No	Yes	Yes	Yes	No	No	
Team Leader – Building Works Officer	\$10,000	No	Yes	Yes	Yes	No	No	
Team Leader – Landfill	\$10,000	No	Yes	Yes	Yes	No	No	
Team Leader – Parks and Gardens	\$10,000	No	Yes	Yes	Yes	No	No	
Team Leader – Plant Maintenance	\$50,000	No	Yes	Yes	Yes	No	No	Spare parts only
Team Leader – Works	\$10,000	No	Yes	Yes	Yes	No	No	

Adopted by Council on: 27 February 2018

Department: Corporate and Community Services

Agenda Item: 8.1

To be Reviewed: June 2018

Responsibility: Director Corporate and Community Services

Policy Number: n/a

Corangamite Shire Council Policy - Procurement

Position Title	Purchasing Limit	Acceptance of Tenders	Acceptance of Quotes	Extensions Works Within Budget	Amendment - Non-financial	Amendment - Financial	Procedural Exceptions	Comments
Team Leader Assistant - Works	\$1,000	No	Yes	Yes	Yes	No	No	
Works Technical Support Officer	\$1,000	No	Yes	Yes	Yes	No	No	
Visitor Information Centre Coordinator	\$1,000	No	No	No	No	No	No	
Youth Development Officer	\$5,000	No	Yes	Yes	Yes	No	No	

Adopted by Council on: 27 February 2018

Department: Corporate and Community Services

Agenda Item: 8.1
Responsibility: Director Corporate and Community Services

To be Reviewed: June 2018
Policy Number: n/a

Corangamite Shire Council Policy - Procurement

Attachment 3 – Exemptions from purchase orders requirements.

- Legal advice or legal services.
- Grants approved by Council.
- Sundry items for staff amenities, including water, milk and newspapers.
- Utility accounts such as power, gas and water.
- Audit services under contract
- Statutory payments such as EPA Levy and Fire Services Property Levy.
- Lease payments for equipment.
- Insurance Payments
- Fuel (on account)
- Australia Post
- Bank fees
- Annual subscriptions
- Memberships
- Waste collected from Council Landfill and to be disposed of by third parties

Adopted by Council on: 27 February 2018

Department: Corporate and Community
Services

Agenda Item: 8.1

To be Reviewed: June 2018

Responsibility: Director Corporate and
Community Services

Policy Number: n/a

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8.2 Corporate Purchase Card Policy

Author: Adam Taylor, Manager Finance

File No: D18/42

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 recommends Council adopt a Corporate Purchase Card Policy dated January 2018 as attached.

Introduction

The Corporate Purchase Card Policy is an existing policy. The policy applies to any Councillor or Council officer who holds a corporate purchase card (credit card). It should be considered part of and should be read in conjunction with the Council Procurement Policy. The policy details obligations of cardholders and responsibilities for card use.

The Corporate Purchase Card Policy has been reviewed by Council officers to ensure appropriate controls are in place for the use of corporate purchase cards within Council. Proposed amendments to the policy are discussed below.

Issues

The Corporate Purchase Card Policy is an existing policy which was adopted by Council in April 2015. The policy has been reviewed by management and by the Audit Committee in accordance with its Annual Work Plan.

The policy details:

- Conditions of card use including
 - Council business expenditure only and within assigned limits
 - Not to be used for personal use or a personal transaction
- Responsibilities for
 - Cardholders
 - Managers, Directors and CEO
 - Finance department
 - Audit Committee
- Process for termination of use
- Implications of unauthorised use.

Council's corporate information system provides the control framework for the authorisation of expenditure on corporate purchase cards. All transactions require supporting documentation and approval by the supervising officer.

Amendments to the policy are as a consequence of the procurement review completed by Crowe Horwath in August 2017. The amendments are:

- Strengthening the requirement for maintaining a purchase card register and which details are to be held within the register
- Adding a double check on the application form to ensure the applicant has authority to purchase within Council's Procurement Policy

Policy and Legislative Context

Consideration of this report is in accordance with the Audit Committee's Annual Work Plan and the following commitments in the 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.

Internal / External Consultation

The Corporate Purchase Card Policy has been reviewed by the Finance Manager in conjunction with Director Corporate and Community Services. The policy was also considered by Council's Audit Committee at its January 2018 meeting.

Financial and Resource Implications

There are no financial and resource implications as a consequence of the Corporate Purchase Card Policy.

Options

Council has the following options:

- Adopt the policy as it is presented.
- Adopt the policy with amendments.
- Not adopt the policy.

Conclusion

The Corporate Purchase Card Policy is attached for Council's consideration and approval.

RECOMMENDATION

That Council:

1. **Revokes the Corporate Purchase Card Policy dated April 2015.**
2. **Adopts the Corporate Purchase Card Policy dated January 2018.**

COUNCIL RESOLUTION

MOVED: *Cr Durant*
SECONDED: *Cr Gstrein*

That the recommendation be adopted.

CARRIED

Attachments

1. Policy Council Corporate Purchase Card - January 2018
2. Policy Council Corporate Purchase Card - January 2018 (Tracked changes) - Under Separate Cover



**CORANGAMITE
SHIRE**

Corporate Purchase Card Policy

Corangamite Shire

January 2018

Council Policy



Corporate Purchase Card Policy

Introduction

This policy sets out the guidelines and principles that need to be followed by the Mayor and Council officers who utilise a corporate purchase card.

Purpose

The objective of introducing purchase (credit) cards is to increase efficiency by reducing the cost, paperwork and time associated with purchasing goods and services. No purchase order needs to be completed when a credit card is used for the transaction.

Scope

This policy applies to any Councillor or Council officer who holds a corporate purchase card. It should be considered part of and should be read in conjunction with the Council Procurement Policy. It is considered that this Policy does not impact negatively on any rights identified in the Charter of Human Rights Act (2006).

Definitions

Council Business Expenditure – are bona fide business transactions that are required by a cardholder undertaking normal duties in the course of their employment with Council and would otherwise be undertaken by purchase order or petty cash.

Corporate Purchase cards – will be a credit card identified by the words Corangamite Shire. The card will be personalised and issued to the user to provide a clear audit trail. The name of the card holder is on the card.

Cardholder (Authorised Officers) – is any officer of the Corangamite Shire receiving authorisation to have a corporate purchase card issued in his or her name.

Personal Use/Personal transaction – any purchases intended for personal benefit. Purchase of any items not normally provided to a staff member in the course of their employment with Council.

Commbiz – Commonwealth Bank of Australia online banking system. This system is used to manage Council's purchase cards.

References

- Procurement Policy

Adopted at Council on:
Agenda Item:
File Number: D/17/8747
Responsibility: Manager Finance

Department: Finance
Page Number: 1
To be reviewed by: April 2019

Policy Detail

APPLICATION

- The authorising Manager completes the application form for an employee whose position and duties require the issue of a purchase card (Attachment A). The staff member must have a financial delegation under the Procurement Policy.
- The application is to be authorised by:
 - Appropriate Director
 - Finance Manager
- The employee must complete the “Council Corporate Credit Card Acknowledgement and Undertaking” (refer Attachment B) form before the use of the Card.
- All cards will be issued to cardholders by the Finance Manager, or delegated officer and the details of that card, together with signature acknowledging receipt must be immediately entered in the register of Credit Cards.
- Card limits are at the discretion of the Chief Executive Officer and must be no more than the officer’s financial delegation under the Procurement Policy and should reflect either anticipated requirements (new cards) or current requirements (existing cards).
- Card limits are to be reviewed at least annually by Manager Finance. Amendments to limits are to be recommended to the Chief Executive Officer for approval.
- Transaction limits are not to be greater than the available card limit.

CARD USE

- The card must be used for **Council business expenditure** only and in accordance with the *Local Government Act 1989*, the Council’s Purchasing Card Policy, and the Procurement Policy.
- The card must not be used for personal use or a personal transaction.
- The card must not be used for gratuities (or tips)
- The card must not be used for the withdrawal of cash through any facility, whether it is a Bank, ATM or EFTPOS facility.
- The card must not be used by officers other than the card holder, unless the card holder is a Manager or Senior Officer and infrequent use is requested by the officer and granted by the card holder.
- The cardholder shall not provide the card number or card pin to another officer for the purposes of undertaking transactions.
- The card must not be used for fuel purchases unless the Fuel Card is unable to be used
- The cardholder must retain all tax invoices and/or receipts and maintain any other records of their transactions to facilitate reconciliation and costing of transactions for that card.
- The cardholder must take strict care to maintain the security of their card, ensuring that it is kept in their possession at all times and not left in any place from which it may be taken.

The cardholder must return their card to the Finance Manager, or delegated officer, prior to periods of extended leave (any period in excess of four weeks), re-assigned to a new position where the use is not required or where their employment is terminated with the Corangamite Shire.

Adopted at Council on:
Agenda Item:
File Number: D/17/8747
Responsibility: Manager Finance

Department: Finance
Page Number: 2
To be reviewed by: April 2019

RESPONSIBILITIES

Cardholders

The individual cardholder is responsible for:

- The safe keeping of the card and the prompt reporting to their respective manager and the Finance Department if the card is mislaid or stolen.
- Ensuring that the card is only used within the approved limits attributed to that particular purchase card and within the approved budget.
- Returning the card to the Finance Manager or other person designated by the Corangamite Shire during periods of leave, upon transfer to a position not requiring a credit card or upon the termination of their employment with the Shire.
- Registering all tax invoices, dockets and other support documentation in TRIM under their respective folder and maintain these documents in accordance with Council Procedures.
- Completing the credit card allocation process within TechOne to facilitate prompt costing and authorisation of credit card transactions, with an accurate description of goods or services purchased.
- Reporting any disputed transactions to their manager and the Finance Department to allow for the prompt resolution of any errors or misuse.
- Completion of Annual Acknowledgement and Undertaking declaration.

Managers, Directors and CEO

Managers, Directors and CEO are responsible for:

- The initial approval of applications for purchase cards by employees within their area of responsibility.
- Ensuring that each employee is made aware of and understands their individual responsibility associated with holding a purchase card.
- The prompt receipt, costing and authorisation of transactions for each cardholder within their area of responsibility.
- Ensuring all issues pertaining to disputed transactions are brought to the attention of the Finance Department.

Finance Department

The Finance Manager (or his/her delegate) is responsible for:

- Ensuring the credit card register within Commbiz is maintained and accurate at all times.
- Safe custody of cards surrendered by employees during extended periods of leave.
- Coordination of Annual Acknowledgement and Undertaking declarations.
- Maintaining a register of purchase cards which should include the following details
 - Name of the cardholder
 - Card number
 - Date of issue
 - Card expiry
 - Delegation limit
 - Card limit
 - Transaction Limit
 - Cardholder agreement signed

Adopted at Council on:
Agenda Item:
File Number: D/17/8747
Responsibility: Manager Finance

Department: Finance
Page Number: 3
To be reviewed by: April 2019

Corangamite Shire Council Policy – Corporate Purchase Card Policy

Audit Committee

The Audit Committee is responsible for:

- Review of the Corporate Purchase Card policy as required.

TERMINATION OF USE

Once it has been established that a cardholder no longer requires a card, the card, together with all supporting documentation for any outstanding transactions and other relevant documentation must be forwarded to the Finance Manager who will update the Register of Cardholders within Commbiz.

Payroll shall not release any termination payments until appropriate clearances in respect of a cardholder's card have been obtained from the Finance Manager.

UNAUTHORISED USE

Unauthorised use means any instance of non-compliance with this policy, whether by the cardholder or another person and can involve:

- Unauthorised or inappropriate transactions made on a card; or
- Any other non-compliance with any direction or rules for card use, including use that, from the public perspective, has the potential to cause reputational risk to Council.

Unauthorised use will be subject to disciplinary action including the requirement for reimbursement by the employee of the expense.

Review Date

The next review of this document is scheduled for completion by the Manager Finance on or before 30 April 2019

Adopted at Council on:
Agenda Item:
File Number: D/17/8747
Responsibility: Manager Finance

Department: Finance
Page Number: 4
To be reviewed by: April 2019

Corangamite Shire Council Policy – Corporate Purchase Card Policy - Attachment A



CORPORATE PURCHASE CARD REQUEST/NOMINATION FORM

[Return completed form to Finance Department]

Nominated Card Holder: _____

Position: _____

Directorate: _____

Department: _____

Predominant Purpose for Requesting the Card:

Nominated Officer(sign)
Name:
Date:

Manager Approval (sign)
Name:
Date:

Director Approval (sign)
Name:
Date:

Card Limit Requested: \$500 \$1,000 \$5,000 \$10,000 \$25,000 \$50,000

FINANCE USE ONLY

Date Request Received: _____

Financial Delegation (per policy): _____

Date Approved by Manager Finance: _____

Card Number Allocated: _____

Date Card Issued: _____

Signature of Card Administrator: _____

Adopted at Council on:
Agenda Item:
File Number: D/17/8747
Responsibility: Manager Finance

Department: Finance
Page Number: 5
To be reviewed by: April 2019

Corangamite Shire Council Policy – Corporate Purchase Card Policy - Attachment B



CORPORATE PURCHASE CARD ANNUAL ACKNOWLEDGEMENT & UNDERTAKING

[Return completed form to Finance Department]

Nominated Card Holder: _____

Position: _____

Directorate: _____

Department: _____

ACKNOWLEDGMENT AND UNDERTAKING

I have read and understood the Corporate Purchase Card Policy and Purchase Card procedures manual. I agree that:

- ✓ I will only purchase within my delegated purchasing limit and within the approved budget;
- ✓ I will not use the Purchase Card for cash advances, personal expenditure;
- ✓ I will only purchase fuel when use of a fuel card is not issued or available;
- ✓ I will only use the Purchase Card for Council business expenditure;
- ✓ The Purchase Card is my responsibility and I will take strict care of the Purchase Card and if lost or stolen, will report it immediately to the Commonwealth Bank’s Lost/Stolen Cards Unit and my supervisor;
- ✓ I will return the Purchase Card in the event of cessation of my employment;
- ✓ The Purchase Card remains the property of the Commonwealth Bank and can be cancelled at any time by the Commonwealth Bank;
- ✓ I will surrender the Purchase Card upon request by Council;
- ✓ I will process expenditure within TechOne MyPurchaseCards module within 7 days of receipt to facilitate prompt costing and authorisation of credit card transactions;
- ✓ I will scan and save Tax Invoices into TRIM and attach to transaction within TechOne MyPurchaseCards module for all the purchases I have made;
- ✓ Unsubstantiated expenditure may be deducted from any salary amounts owing to me.

Name

Signature

Date: / / _____

Adopted at Council on:
Agenda Item:
File Number: D/17/8747
Responsibility: Manager Finance

Department: Finance
Page Number: 6
To be reviewed by: April 2019

8.3 Risk Management Policy

Author: Michele Stephenson, Manager Human Resources/Risk

File No: D18/56

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

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

Author - Michele Stephenson

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

Summary

This report presents the Risk Management Policy (the Policy) for Council's consideration. The Policy states the risk management objectives and accountabilities for the management of risk at Council, informing the Risk Management Framework and Corporate Risk Register. The Policy is attached to this report.

Introduction

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

Issues

The Audit Committee reviewed the Risk Management Framework in late 2017, including a review of the Policy. Amendments are proposed to incorporate the revised risk appetite (refer below) into Part 2 of the Risk Management Framework (Risk Strategy). There are no other proposed changes to the Policy.

Risk Appetite

"Risk appetite" is the amount of risk that Council is willing to accept in pursuit of achieving its Council Plan objectives. The risk appetite was amended following a review by Council and the adoption of the 2017-2021 Council Plan. "Risk appetite" can be categorised as:

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

The revised "risk appetite", which is now contained in the Risk Strategy is reproduced below.

Council Plan Themes & Appetite	Previous	Revised
<i>Governance and Financial Sustainability</i>	MINIMALIST	MINIMALIST
<i>Roads</i>	CAUTIOUS	CAUTIOUS
<i>Vibrant Economy, agriculture and Tourism</i>	OPEN	CAUTIOUS
<i>Built and Natural Environment</i>	CAUTIOUS	CAUTIOUS
<i>Safe and Healthy Communities</i>	OPEN	CAUTIOUS
<i>Organisational Performance</i>	OPEN	OPEN

Strategic Risks

In 2017 Crowe Horwath and management reviewed Council's strategic risks to align with the 2017-2021 Council Plan. The revised risks were presented to the Audit Committee in January 2018 for consideration. The Risk Register will be updated to reflect the changes, once finalised, and reported to Council in the next Risk Register Report.

Policy and Legislative Context

Consideration of this report is in accordance with the following commitments 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.

We value our employees, their contribution and are committed to providing a safe workplace. We will ensure our organisation delivers a high level of customer service and our employees act with integrity at all times.

Internal / External Consultation

The Risk Management Policy has been reviewed by Council's Human Resource and Risk team. The Policy and Risk Framework were presented to the Audit Committee in September 2017. The Audit Committee recommends Council adopt the Policy as presented.

Financial and Resource Implications

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

Options

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

Conclusion

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

RECOMMENDATION

That Council:

1. Revokes the Risk Management Policy dated April 2016.
2. Adopts the Risk Management Policy dated February 2018.

COUNCIL RESOLUTION

MOVED: *Cr Trotter*

SECONDED: *Cr Brown*

That the recommendation be adopted.

CARRIED

Attachments

1. Policy Council Risk February 2018
2. Risk Management Policy February 2018 Marked Changes - Under Separate Cover



**CORANGAMITE
SHIRE**

Risk Management Policy

Corangamite Shire Council
February 2018

Council Policy

Risk Management



Introduction

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

Purpose

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

Scope

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

Definitions

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

References

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

Policy Detail

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

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

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

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

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

Accountabilities and responsibilities

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

Review Date

This policy will be reviewed in January 2020, or earlier as required by changed circumstances, including changes to legislation and policies.

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

8.4 Council Plan Performance, July - December 2017

Author: Penny MacDonald, Executive Services and Governance Coordinator

File No: D18/55

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

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

Author - Penny MacDonald

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

Summary

This report provides information on Council's progress towards the 2017-2021 Council Plan and 2017-2018 Annual Action Plan.

Introduction

Council is required to review its performance against the Council Plan for the first six months of the financial year. This requirement is included in the Governance and Management Checklist, and forms part of Council's Annual Report of Operations as prescribed by the *Local Government (Planning and Reporting) Regulations 2014*.

Issues

The Council Plan is divided into six key themes comprised of Governance and Financial Sustainability; Roads; Vibrant Economy, Agriculture and Tourism; Built and Natural Environment; Safe and Healthy Communities; and Organisational Performance. For each theme there is an overarching commitment by Council, as well as a range of objectives and strategies that outline how the objectives will be achieved. Indicators and measures have been established to demonstrate Council's progress in achieving its objectives and strategies.

In addition to the indicators and measures, specific key actions and initiatives have been identified to form an Annual Action Plan, which supports delivery of the Council Plan objectives and strategies.

The attached report demonstrates Council's progress, from July to December 2017, in implementing the Council Plan, as well as projects and initiatives contained in the Annual Action Plan for 2017-2018.

Council Plan Progress

Implementation of the 2017-2021 Council Plan began during the first half of the 2017-2018 financial year. At 31 December 2017, many of the Plan's indicators and measures with annual targets had been achieved, including Council's advocacy activities, an increase in ecommerce transactions on Council's website, and assessment of the local road network and footpath network at over 98% in an acceptable condition. In addition, some targets to

be completed over the four years of the Council Plan have already been achieved including transition to the NDIS and HACC systems, and signing of an MOU with other municipalities for emergency support. It should be noted some measures are marked data pending, as these measures depend on results from the Community Satisfaction Survey which will not be available until May 2017. Also, one measure relating to the Corangamite Business Directory has been marked not applicable, as the project has been replaced by a new database. Measures that have not yet started include the Fees and Charges Policy, which was last reviewed in April 2017 before the reporting period and is not due for review again until 2019, and training for all staff in family violence prevention which has yet to be scheduled, as well as Great South Coast collaborative mandatory training which is still in development.

The attached progress report identifies the status of the indicators and measures, in addition to whether they have annual or four year targets. Of the 82 Council Plan indicators and measures:

- 15 were achieved (18.3%)
- 41 were in progress (50%)
- 4 were not started (4.9%)
- 21 has data pending (25.6%)
- 1 was no longer relevant, as the project has been replaced.

Annual Action Plan Progress

Progress towards achieving the actions identified in the 2017-2018 Annual Action Plan exceeded expectations at 31 December 2017, with the majority of actions either completed or well underway. Actions completed on or ahead of schedule include adoption of Council's Health and Wellbeing Plan, investigation of opportunities for increasing VicSmart usage in planning applications, and development of Council's priorities and advocacy documentation. At 31 December actions yet to be started included drafting of a Borrowing Strategy which is not due for completion until March 2018, development of a process for the identification of roadside draining priorities throughout the local road network, and staff awareness training on family violence prevention which is yet to be scheduled. It should be noted that the action regarding participation in Beyond the Bell at a regional level has been marked not applicable, as Council chose not to participate following Beyond the Bell's change to a board-based structure.

The attached report outlines the 73 key actions from the Annual Action Plan 2017-2018 of which:

- 30 were completed (41.1%)
- 37 were in progress (50.7%)
- 5 were not started (6.8%)
- 1 was no longer relevant.

Overall, the attached report demonstrates good progress in the implementation of the Council Plan and Annual Action Plan in the first half of the year, with 79.4% of all projects either been completed or in progress. The comments section in the attached report provides additional clarification of the progress achieved and anticipated actions in the second half of the year.

Policy and Legislative Context

The *Local Government (Planning and Reporting) Regulations 2014* supports the operation of a planning and reporting framework for councils in accordance with the *Local Government Act 1989*.

The regulations require the adoption of a Council Plan report which demonstrates the performance of the Council against the Council Plan for the first six months of the financial year. This requirement is included in the Governance and Management Checklist which will form part of the Annual Report of Operations for 2017-2018.

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

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.

Internal / External Consultation

Corangamite Shire's Leadership Group has been consulted and contributed to the preparation of the Council Plan and Annual Action Plan Progress Report for the period July-December 2017.

Financial and Resource Implications

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

Options

Council may receive the attached Council Plan and Annual Action Plan Progress Report for July-December 2017, or not receive the report.

Conclusion

Review of the Council Plan and Annual Action Plan Progress Report for the period July-December 2017 demonstrates transparency and accountability in Council's performance reporting, and receiving the report ensures compliance with Local Government legislative requirements.

RECOMMENDATION

That Council receives the Council Plan and Annual Action Plan Progress Report for July-December 2017.

COUNCIL RESOLUTION

MOVED: Cr Gstrein

SECONDED: Cr Durant

That the recommendation be adopted.

CARRIED

Attachments

1. Six Month Progress Report on Council Plan and Annual Action Plan 2017-2018 - Under Separate Cover

8.5 Local Government Performance Indicators Report for six month period ending 31 December 2017

Author: David Rae, Director Corporate and Community Services

File No: D18/49

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

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

Author - David Rae

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

Summary

The purpose of this report is to provide Council with a report on the Local Government Performance Reporting Framework (LGPRF) Indicator results for the six month period ending 31 December 2017, as required under the *Local Government (Planning and Reporting) Regulations 2014*.

Introduction

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

The aim of the LGPRF is to strengthen accountability and transparency across local government.

Councils are also required to report performance indicator information in their annual reports which is also published on the 'MyCouncil' website.

Issues

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

The half yearly results, and where applicable, comparative results for the same period last year and previous financial years are reported in the attachment (under separate cover). Council's performance for the six month period ending 31 December 2017 is not dissimilar to the same period last year. Some indicators have performed strongly, whereas some require monitoring over the remainder of the financial year. Care should also be taken when interpreting the data provided in this report, as it only pertains to half the financial year. Non-financial elements reported are not always uniform throughout the year and the timing of revenue or expenditure recognition often varies from year to year.

There are currently 83 indicators in the framework of which 82 are mandated. The indicators need to be reported in the 2017-2018 Annual Report and will help councils to monitor their own performance over time and benchmark performance on an annual basis with other councils. Some of the indicators will be audited by the Victorian Auditor General's Office. Over time the data will become more useful, as Council will ultimately report up to four years of historical data and four years of forecast data to enable both the Council and community to observe trends.

The mandated indicators and measures are grouped into three areas:

- Service performance. 42 indicators (41 mandatory) across nine services*:
- Financial performance. 12 finance indicators (all mandatory)
- Sustainability. Six indicators relating to sustainable capacity, 24 indicators relating to governance and management (all mandatory).

Policy and Legislative Context

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

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

Model contemporary standards of corporate governance and professional standards.

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

Internal / External Consultation

The reporting of results of the half yearly performance for 2017-2018 has been coordinated by Council's Executive Services and Governance Coordinator, with data collation completed by nominated department managers. The Senior Officer Group has reviewed the results.

Financial and Resource Implications

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

Conclusion

Effective performance reporting by councils is essential for ensuring accountability to residents and ratepayers. The primary objective of the LGPRF is to provide comprehensive performance information for this purpose. The data generated by the LGPRF can also provide an incentive to improve the performance once trend data becomes available. Council's performance for the six month period ending 31 December 2017 is comparable to the same period last year.

RECOMMENDATION

That Council notes the half yearly results for the period ending 31 December 2017 for the legislated performance indicators under the *Local Government (Planning and Reporting) Regulations 2014*.

COUNCIL RESOLUTION

MOVED: *Cr Trotter*

SECONDED: *Cr Gstrein*

That the recommendation be adopted.

CARRIED

Attachments

1. LGPRF Indicators - Report for 6 month period ending 31 December 2017 - Under Separate Cover

L.1 Contract No.2018013 - Bones Access Road Bridge Upgrade

Author: John Kelly, Manager Assets Planning

File No: D18/67

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 Kelly

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

Summary

Two tenders plus an alternative tender have been received for Contract No. 2018013 for a new bridge construction for Bones Access Road over Gellibrand Road, Chapple Vale. It is considered that the best overall value for Council is provided from the revised alternative tender submitted by VEC Civil Engineering Pty Ltd at a price of \$593,261 (ex GST).

Introduction

The existing bridge on Bones Access Road over Gellibrand River in Chapple Vale approximately 12km south-east of Simpson, is a timber bridge in poor condition with a 20 tonne load limit in place. The load limit places restrictions on milk tankers that cross the bridge on a daily basis for milk pick up from the dairy farm on the northern side of the bridge.

The new bridge will have concrete components and will be designed such that B Double and Higher Mass Limit (HML) vehicles will be permitted to travel over it.

Tenders were sought from suitably qualified contractors for the detailed design and construction of the new bridge on Bones Access Road.

Issues

Tender Evaluation Criteria

Three tenders were received from two bidders for the design and construction of the Bones Access Road bridge upgrade. VEC Civil Engineering submitted one conforming and one alternate non-conforming tender. Works in the contract include:

- Design and construction of new bridge and realigned approaches.
- Engineering certification of design
- Barrier rail installation
- Bulk earthworks for approaches
- Pavement construction of approaches
- Prime and sealing of approaches
- Installation of signs and linemarking

- Removal of the existing timber bridge
- Traffic management
- Environmental management
- Occupational Health & Safety documentation and implementation
- Provision of construction and “as constructed” drawings.

Only tenderers pre-qualified at VicRoads with both prequalification levels Roadworks R1 and Bridgeworks B2 at the time of the closing of tenders were eligible to tender for this contract.

One of the requirements for meeting Roadworks R1 level is the capacity of the contractor to undertake general earthworks to a maximum of 2m height in fill plus road pavement construction and sprayed seal surfacing.

One of the requirements for meeting Bridgeworks B2 level is the capacity of the contractor to construct simply supported non-complex concrete bridges.

An evaluation of the tender submissions has been completed with regard to the following weighted criteria:

(a) Tendered Price	45%
(b) Performance Capability – Quality of previous work; Quality of previous client relationships, staff numbers, Qualifications, skills, experience	25%
(c) Time Management – Ability to meet agreed timeframes, Availability to meet required timeframe	15%
(d) Contractor Internal Systems – Occupational Health and Safety	10%
(d) Local Content	5%**

** A 5% weighting shall be given to contractors who demonstrate in the tender process how they intend to support local suppliers, contractors and services. Local is defined as within the Corangamite municipality.

Bridge Design

The concept for the new bridge, which was provided with the tender documents for this contract, showed a 28m long single span bridge stretching over Gellibrand River. The new bridge would be located approximately 10m west of the old bridge with new approaches to be constructed. This would allow the existing bridge to be trafficked whilst the new bridge is being constructed. The old bridge would be demolished once the new bridge is opened to traffic.

Tender Evaluation Summary

The tendered prices as well as evaluation against the weighted criteria are summarised below.

Tenderer	Tender Sums (GST Exclusive)	Total Score out of 100
1. VEC Civil Engineering (Revised Alternative tender)	\$593,261	100
2. VEC Civil Engineering (Conforming tender)	\$781,777	85.7
3. VEC Civil Engineering (Alternate non-conforming tender)	\$724,712	Non-Conforming
4. Company A	\$478,417	Non-Conforming
5. Benchmark Estimate	\$654,000	Not applicable

Company A currently has no VicRoads prequalification levels for bridgeworks and roadworks and therefore did not meet the Conditions of Tendering for this contract. Also its tender submission was considered non-conforming as it planned to initially demolish the existing bridge removing access to the adjacent dairy during construction of the new bridge and had proposed to use deck planks which have insufficient length to single span the river. For these reasons Company A's tender was not considered any further.

In addition to a conforming tender VEC Civil Engineering submitted a lower alternate non-conforming tender price of \$724,712 based on a new three span bridge being constructed at the location of the existing bridge. The alternative design would require two piers established within the creek however the depth of the concrete deck planks would only be 600mm compared with the 1400mm depth required for the deck and beams for the single span bridge design. The alternative tender design would have the new bridge constructed on the alignment of the existing timber bridge. The tenderer advised that the old bridge would still be able to be trafficked whilst the new bridge is being constructed with the exception of two days when the old bridge deck would be removed to enable precast concrete pier crossheads and bridge deck planks to be installed.

VEC Civil Engineering was evaluated and assessed as able to meet the tender specification. Given the tendered price was over Council's budget, VEC Civil Engineering was asked to submit a revised tender price based on their alternate non-conforming tender and the following changes to the scope of works:

- The road approaches to the new bridge remain unsealed.
- The bridge barriers being "Low Level" standard containment in lieu of "Regular Level" containment. This alteration is considered appropriate given the low volumes and low approach speeds of traffic crossing the bridge.
- Removal of the Provisional Sum Item of \$25,000 for maintenance of the existing bridge and approaches. The cost of maintenance of the existing bridge and approaches is to be built into the tenderer's lump sum price.
- Removal of the Provisional Quantity for Removal and Replacement of Unsuitable Material. Any costs associated with this would be paid under the Provisional Sum Item for Dayworks.

VEC Civil Engineering subsequently submitted a revised tender price of \$593,261.

VEC Civil Engineering has had experience in delivering many similar sized bridge projects in recent years including bridge replacements over various creeks and rivers for Colac Otway and bridge strengthening for VicRoads. VEC supplies its own precast concrete bridge components, has its own bridge construction crew and pile driving rig and supervises local subcontractors for earthworks.

Works On Waterway

Corangamite Catchment Management Authority (CCMA), the responsible authority for Gellibrand River, has been consulted and had provided a Works on Waterways Permit for the project based on the bridge concept design provided with the tender documents.

CCMA has since advised that it also supports the alternative multi-span bridge design submitted by VEC Engineering.

Further details on the tender evaluation for the contract are included in the attached Tender Evaluation Report.

Policy and Legislative Context

The contract for the Bones Access Road Bridge upgrade was advertised for public tender, as required under the *Local Government Act* and Council policy, as it is a purchase greater than \$150,000.

The contract is consistent with the following objectives for Theme 2 Roads in the Council Plan 2017-2021:

Maintain our local road network at current or improved standards.

Council will focus on the provision of high quality roads.

Internal / External Consultation

Tenders were invited for the Bones Access Road bridge upgrade works by way of an advertisement in the Herald Sun in November 2017. At the end of the tender period no tenders were received.

Tenders were invited again by way of an advertisement in the Herald Sun in December 2017. At the end of this tender period three tenders were received from two contractors.

Financial and Resource Implications

The revised alternative tender price of \$593,261 obtained from the recommended contractor VEC Civil Engineering as well as \$35,000 pre-construction costs for activities such as concept design development and geotechnical and flora and fauna investigations results in a total estimated project cost of \$630,000.

Council has budgeted as a part of its 2017-2018 budget \$550,000 for the Bones Access Road bridge upgrade. The project is fully funded from the 2017-2018 allocation from the Federal Government's Roads to Recovery program. A further \$80,000 in Roads to Recovery funding to match the shortfall is available from the savings realised from the recently completed annual resealing program and road rehabilitation works in Ansons Road.

The submitted program by the recommended contractor VEC Civil Engineering for the alternative design has indicated, based on a contract award in mid March 2018, works commencing in May 2018 with completion in July 2018, which is well before the Practical Completion due date of the contract in March 2019. The successful contractor is required to submit an updated program of construction to Council for review following the award of the contract.

The financial viability check of the recommended contractor, VEC Civil Engineering, found it to be a minimal financial risk for the project.

Options

Council may choose to award this contract to one of two contractors that have submitted tenders for the works, or alternatively not to award the contract.

Conclusion

The contract for the design and construction of the Bones Access Road bridge upgrade has been tendered and evaluated in accordance with Council policy and the evaluation criteria.

VEC Civil Engineering is a proven performer in successfully delivering bridgeworks projects of the scale of the Bones Access Road bridge upgrade, and it is considered that its alternative tender submission provides the best overall value for Council for the contract.

RECOMMENDATION

That Council awards Contract 2018013 – Design and Construct – Bridge Replacement, Bones Access Road, Chapple Vale to VEC Civil Engineering for the value of \$593,261 (plus GST) and affixes the Common Seal of Council to the contract.

COUNCIL RESOLUTION

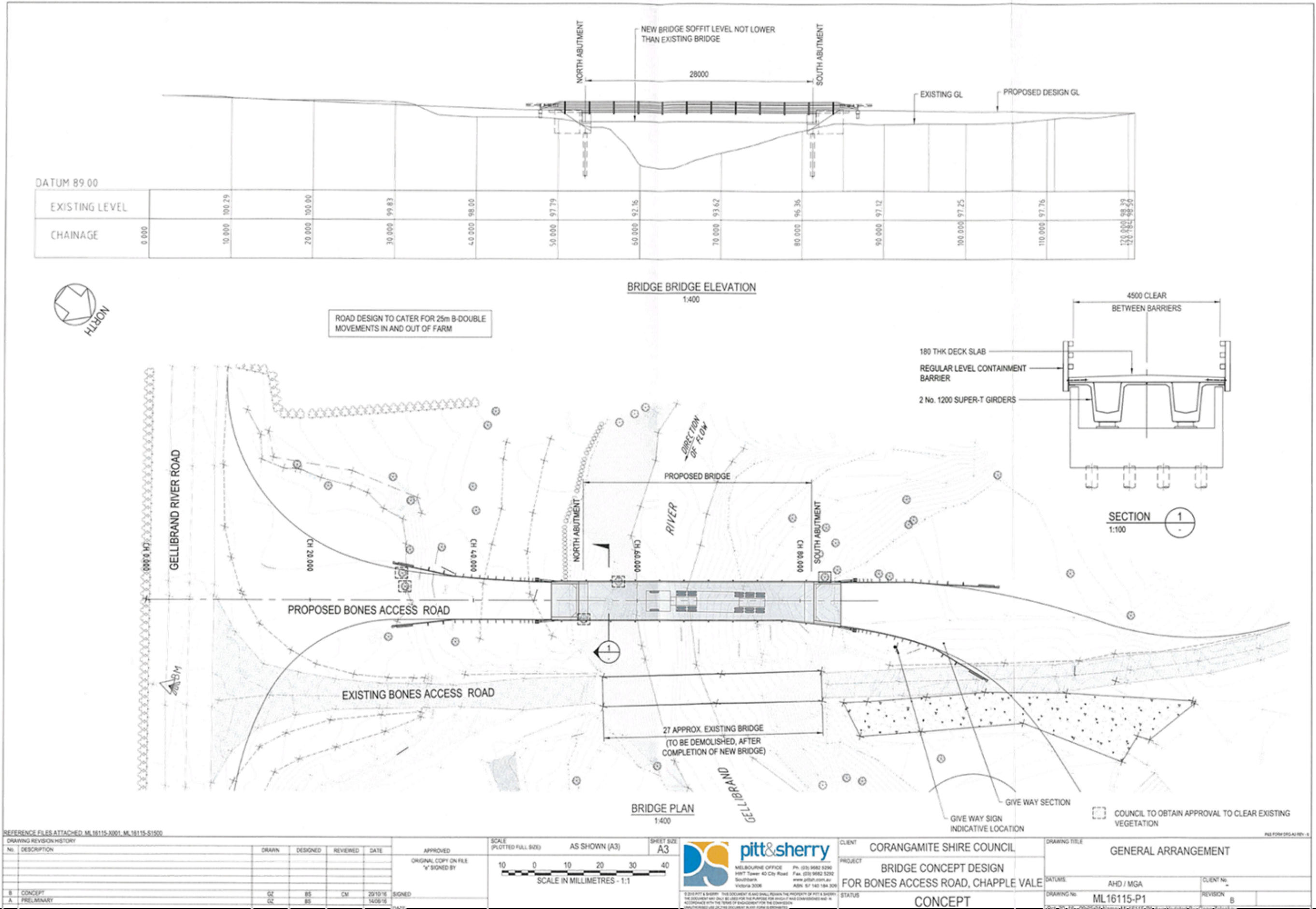
MOVED: *Cr Gstrein*
SECONDED: *Cr Trotter*

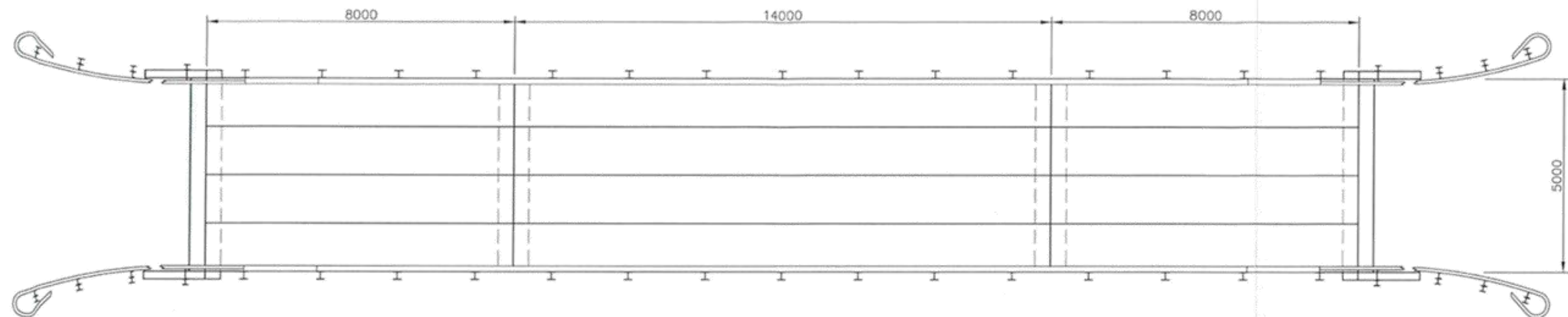
That the recommendation be adopted.

CARRIED

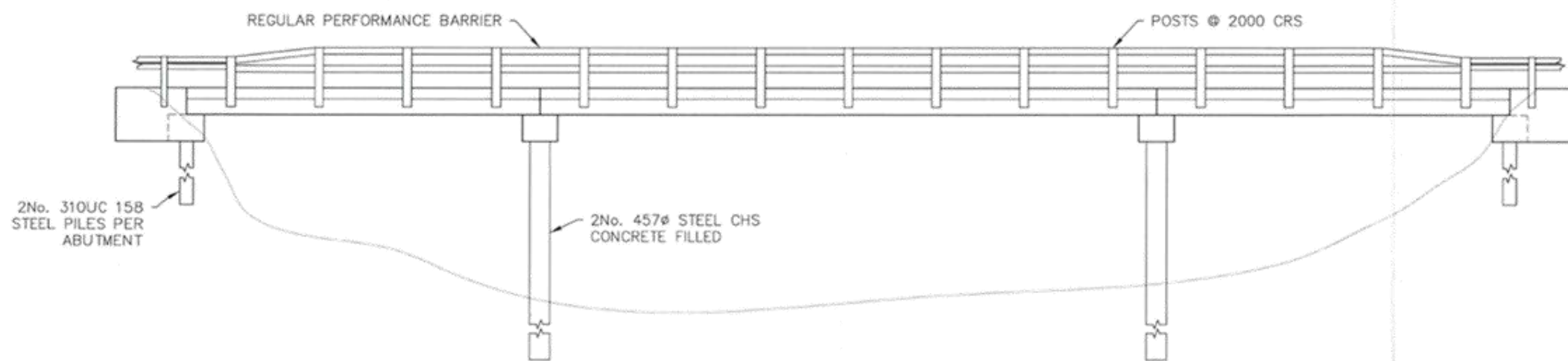
Attachments

1. Declarations of Conflict of Interest - Under Separate Cover
2. Tender Evaluation Report - Bones Access Road Bridge Upgrade - Contract 2018013 - Under Separate Cover
3. Tender Price Summary - Bones Access Road Bridge Upgrade - Contract 2018013 - Under Separate Cover
4. Conforming Concept Design Bones Access Road Bridge Upgrade
5. Alternate Non-Conforming Concept Design Bones Access Road Bridge Upgrade



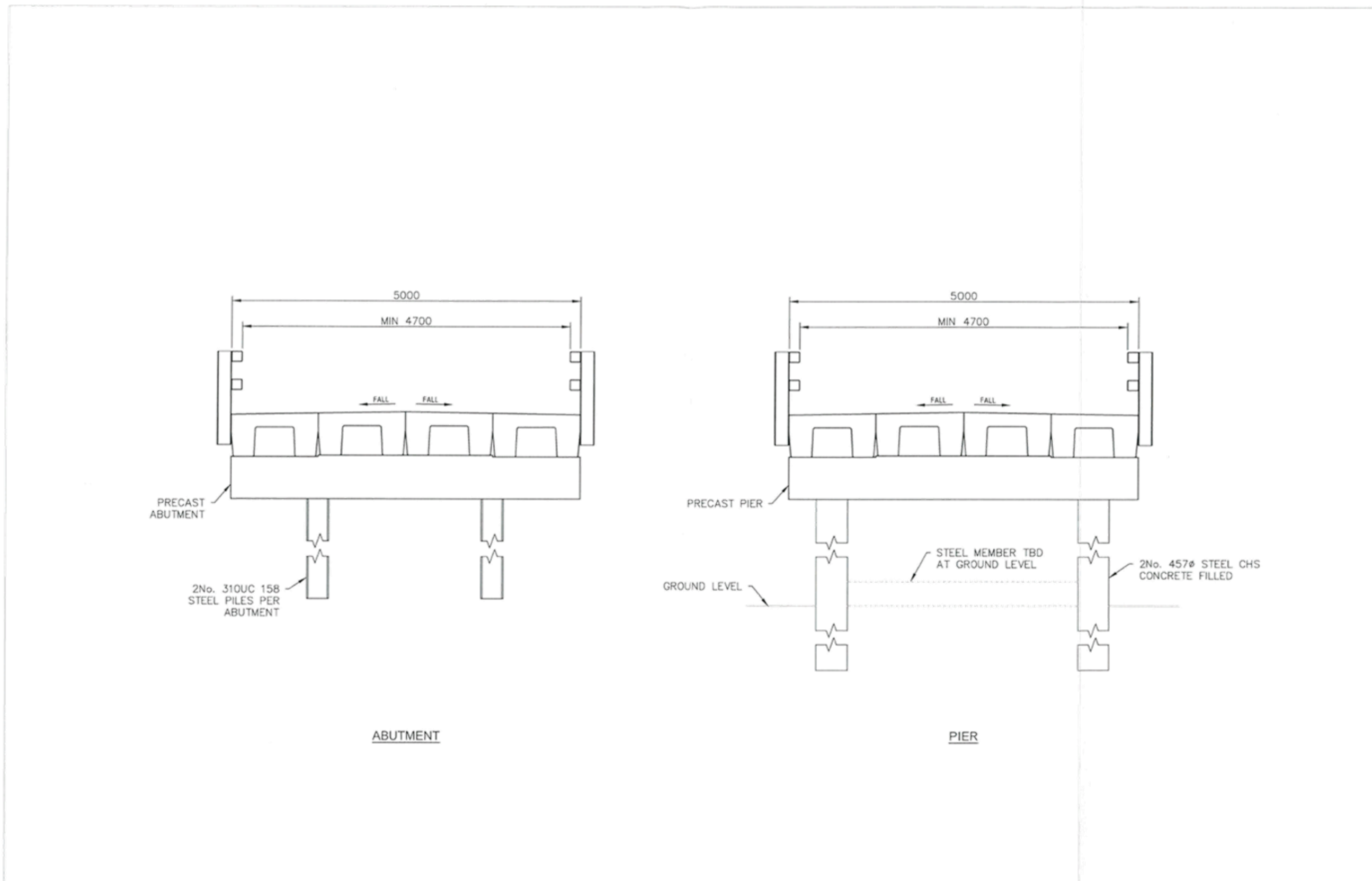


PLAN



ELEVATION

SCALE			CORANGAMITE SHIRE COUNCIL		CONTRACT No.	DRAWING	PRINTED DATE	SHEET No.
Do Not Scale From Drawing			Bones Access Road, Chapple Vale	Concept	Designed: ...	Reviewed: ...	02-Feb-18, 8:16 AM	
No.	Amendment Description	Initials	Date					
A3 original	This sheet may be prepared using colour and may be incomplete if copied							



ABUTMENT

PIER

SCALE			CORANGAMITE SHIRE COUNCIL		CONTRACT No.	DRAWING	PRINTED DATE	SHEET No.
Do Not Scale From Drawing			Bones Access Road, Chapple Vale	02-Feb-18, 8:17 AM	2	
No.	Amendment Description	Initials	Date	Concept	Designed: ...	Reviewed: ...		
A3 original	This sheet may be prepared using colour and may be incomplete if copied							

8.6 Corporate Risk Register

Author: Michele Stephenson, Manager Human Resources/Risk

File No: D18/53

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

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

Author - Michele Stephenson

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

Summary

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

Introduction

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

The Corangamite Shire Risk Management Framework, incorporating the Risk Policy has been developed to provide an integrated approach to managing risk across Council. Part 4 of the Framework deals with operational risk management and it describes how risk will be managed on a day to day basis. The Corporate Risk Register (CRR) documents the strategic and operating risks to Council's operations, including their likelihood and consequence of occurring and the associated risk mitigation strategies.

Through the CRR all risks and implementation of the associated controls and treatments can be monitored and reported in accordance with the Risk Management Framework.

Issues

The CRR is regularly reviewed, with operational risks adapted due to changing and emerging circumstances. The strategic risks have been reviewed by the 'risk owners', Council and the Audit Committee. These changes will be reflected in the CRR and reported at a future Council Meeting. Council's risk profile is determined after identifying and assessing each risk. This profile is then used to manage risk in a systemic manner, including the allocation and prioritisation of resources. Council has no high residual risks at present.

Council's top ten residual risks, residual risk profile and the trend of residual operating risks are detailed below. The residual risk is the risk rating adjusted for existing controls and treatments.

Top Ten Risks ordered by residual rating (January 2018)

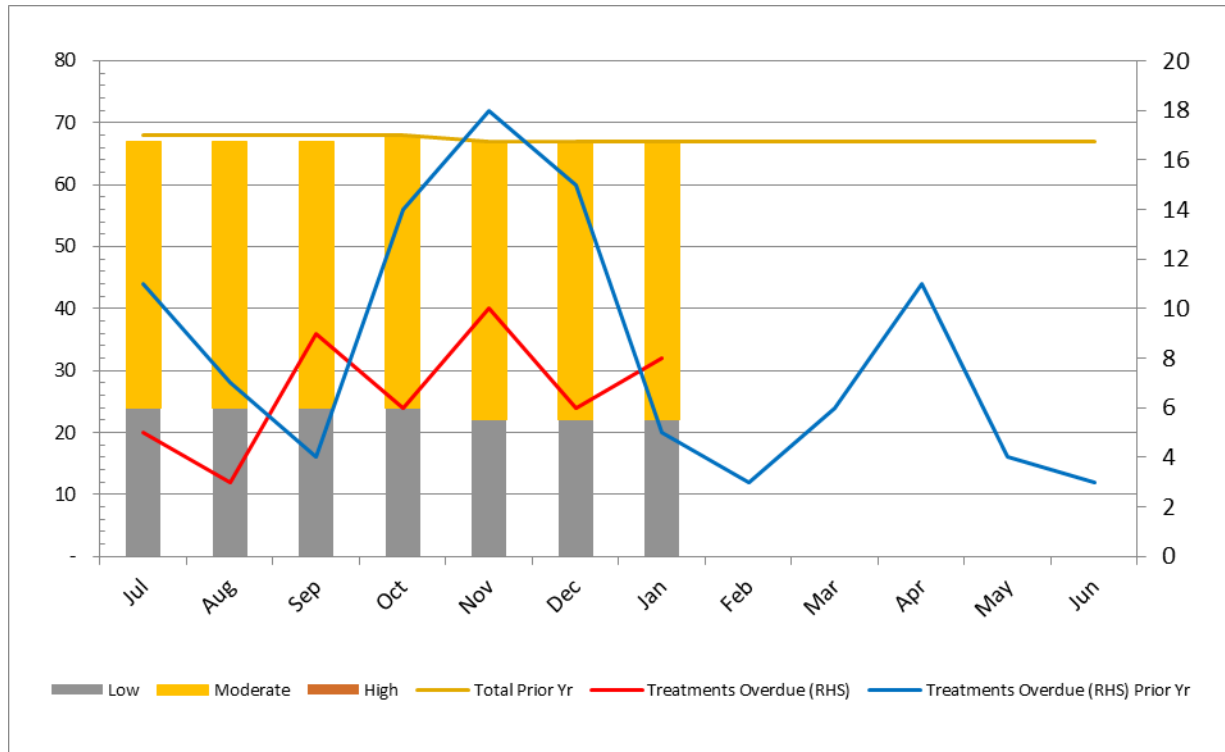
Risk No.	Risk Description	Residual Risk
14	As a result of road works a section of road is left unsafe for travel at the legal speed limit and contributes to an accident.	Medium
18	Due to Information Management Hardware failure Council services cannot be provided	Medium
26	As a result of ineffective planning for increased climatic variability Corangamite Shire's operations are adversely affected.	Medium
31	Staff are not protected from threatening behaviour leading to a detrimental effect on their health and wellbeing.	Medium
92	Due to Rate Capping Council's financial position is compromised.	Medium
100	There is a non-compliance with the confidentiality provisions of the Protected Disclosure Act	Medium
101	Financial viability of landfill and Council is impacted by landfill operations or a pollution incident	Medium
1	As a result of Government requirements not being met by a Council service area, accreditation and / or licence to provide a service is lost.	Medium
6	Due to a breach of duty of care to children/young people attending Council's services / programs, their health and wellbeing is adversely affected.	Medium
15	As a result of major fire/flood not being managed effectively, environmental damage occurs and lives are lost.	Medium

Residual Risk Profile (operational risks) (January 2018)

Likelihood (Probability)	Consequence (Impact)				
	Insignificant	Minor	Moderate	Major	Catastrophic
Almost Certain Is almost certain to occur in most circumstances (80% plus)					
Likely Will probably occur (50-80%)					
Possible Might occur at some time in future (20-50%)		8	10		
Unlikely Could occur but doubtful (5-20%)		10	13		
Rare May occur but only in exceptional circumstances (<5%)	1	3	8	14	
	Low	Medium	High	Extreme	

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

Residual Operating Risks Trend (2017-2018)



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

Policy and Legislative Context

Consideration of this report is in accordance with the following 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.

We value our employees, their contribution and are committed to providing a safe workplace. We will ensure our organisation delivers a high level of customer service and our employees act with integrity at all times.

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

Internal / External Consultation

The Risk Management Framework and Risk Policy have been developed by Council’s Human Resource and Risk Department in consultation with the Senior Officer Group. Both documents were reviewed and approved by the Audit Committee in late 2017. The revised Risk Policy is also presented to Council for adoption at this meeting. The Leadership Group are involved in the development of the Corporate Risk Register and they continue to manage and monitor risks in consultation with the Senior Officer Group.

Financial and Resource Implications

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

Conclusion

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

In order to manage these uncertainties it is essential that consistent processes are adopted within a comprehensive framework. The Corporate Risk Register is a critical element of the framework and regular reporting to Council assists in the management and oversight of risk effectively and efficiently across the organisation. This report and the accompanying Corporate Risk Register Executive Summary report inform Council on the organisation's risk profile as at 31 January 2018.

RECOMMENDATION

That Council receives the Corporate Risk Register Report.

COUNCIL RESOLUTION

MOVED: *Cr Trotter*

SECONDED: *Cr Gstrein*

That the recommendation be adopted.

CARRIED

Attachments

1. Risk Register Executive Summary 31-01-2018 - Under Separate Cover

8.7 Quick Response Grants Allocation February 2018

Author: David Rae, Director Corporate and Community Services

File No: D18/46

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

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

Author - David Rae

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

Summary

The purpose of this report is to approve the February 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	\$1,500.00	\$0.00	\$500.00
North	\$2,000.00	\$525.00	\$198.22	\$1,276.78
South Central	\$2,000.00	\$495.00	\$0.00	\$1,505.00
South West	\$2,000.00	\$500.00	\$0.00	\$1,500.00
Central	\$6,000.00	\$3,127.90	\$475.00	\$2,397.10
	\$14,000.00	\$6,147.90	\$673.22	\$7,178.88

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 February 2018:

Applicant	Purpose	Ward	Amount
Terang RSL	Purchase cost of replacement chairs for use during commemorative services.	Central	\$475.00
Skipton Historical Society	Cost of advertising banner to advise passers-by of upcoming open days and opportunity to consult Society records and/or view display items.	North	\$198.22

COUNCIL RESOLUTION

MOVED: Cr Brown

SECONDED: Cr Durant

That the recommendation be adopted.

CARRIED

Attachments

1. Quick Response Grants Assessment - February 2018 Allocation - Under Separate Cover
2. Application - Terang RSL (Part A) - Under Separate Cover
3. Application - Terang RSL (Part B) - Under Separate Cover
4. Application - Skipton Historical Society (Part A) - Under Separate Cover
5. Application - Skipton Historical Society (Part B) - Under Separate Cover
6. Application - Skipton Historical Society (Part C) - Under Separate Cover
7. Application - Skipton Historical Society (Part D) - Under Separate Cover

8.8 Records of Assembly of Councillors

Author: Andrew Mason, Chief Executive Officer

File No: D18/54

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 23 January 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 23 January 2018
- Councillor Briefing 13 February 2018
- Council Strategic Workshop 20 February 2018.

RECOMMENDATION

That Council accepts the attached Records of Assembly of Councillors.

COUNCIL RESOLUTION

MOVED: *Cr Trotter*

SECONDED: *Cr Brown*

That the recommendation be adopted.

CARRIED

Attachments

1. Record of an Assembly of Councillors 23 January 2018
2. Record of an Assembly of Councillors 13 February 2018
3. Record of an Assembly of Councillors 20 February 2018

Council

Record of an Assembly of Councillors

**Councillor Briefing****Date:** 23 January 2018**Time:** 3.00 pm**Place:** Killara Centre, Camperdown**Present:**

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

Officers:

Ian Gibb Brooke Love Andrew Mason David Rae
 Michael Emerson, Samantha Fox (Item 2)

Guests:

Mark Fidge and Madelyn Lettieri, South West TAFE (Item 1)
 Ryan James, .id (Item 2)

Issues Discussed:

Item	Discussion Topic
1	Glenormiston College
2	Population Census 2016 Update
3	Hot Topics <i>Camperdown Car & Bike Show, Camperdown Cup, CEO Leave, Port Campbell Streetscape, Roads Advocacy February-March, City Deal Announcement, 20 February Council Workshop, Saleyards Update, Agenda Items.</i>

Conflict(s) of Interest declared: Cr Trotter declared an indirect conflict of interest by close association in Item 3, Agenda Items (for Council meeting Agenda Item 8.1).

Councillor(s) left the meeting at: Cr Trotter left the meeting at 5.47 pm and returned at 5.54 pm.

Councillor Conflict of Interest Form(s) Completed: Yes

Meeting close: 6.00 pm

Note taker: Andrew Mason

Council

Record of an Assembly of Councillors

**Councillor Briefing****Date:** 13 February 2018**Time:** 10.00 am**Place:** Old Chambers**Present:**

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

*Cr McArthur arrived at 10.20 am***Officers:**

Ian Gibb Brooke Love Andrew Mason David Rae

Rory Neeson (Item 2)

Lyall Bond (Items 3, 4 & 7)

Belinda Bennett (Item 3)

Roland Herbert (Item 4)

Lyle Tune (Item 5)

Guests:**Issues Discussed:**

Item	Discussion Topic
1	Quick Response Grants Policy Review
2	Australia Day Debrief
3	Corangamite Shire Resource Recovery and Waste Management Strategy
4	Mt Noorat Management Committee Nominations
5	Cobden Aerodrome Development Plan and Registration
6	Hot Topics: <i>Proposed offshore petroleum exploration acreage release, Saleyards Lease, Recyclables, Staff Update, GOR Taskforce, Meetings in Melbourne, Air Asia Announcement, Botanic Gardens Reference Group, Planning Day</i>
7	Councillor Items: <i>Racecourse Signage, Road Signage Vandalism, Glenfyne Fire Brigade, Timboon Pool Pump Issues, Elephant Bridge Hotel, Port Campbell Urban Design, Drug and Alcohol Testing, Rail Train Run and Conditions, Gnotuk Intersection, Pool Usage, Court House Lease, Lake Bullen Merri Management Plan, Spiny Rush Control, Corellas, Elm Tree Removal, Great Southern Ocean Bike Trail, Camperdown Car Wash, Road to Recovery in Cobden, Let's Talk</i>

Conflict(s) of Interest declared: Cr Durant declared an indirect conflict of interest by close association in Item 4.

Councillor(s) left the meeting at: Cr Durant left the meeting at 1 pm and returned at 1.30 pm.

Councillor Conflict of Interest Form(s) Completed: Yes

Meeting close: 3.45 pm

Note taker: Andrew Mason

Council

Record of an Assembly of Councillors



Councillor Briefing

Date: 20 February 2018

Time: 10.00 am

Place: Old Chambers

Present:

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

Cr Illingworth left the meeting at 3.30 pm.

Cr McArthur left the meeting at 4.15 pm.

Officers:

- Ian Gibb Brooke Love Andrew Mason David Rae

Ian Gibb was an apology

Adam Taylor (Item 2)

Jacqui Heffernen (Item 2)

Guests:

Issues Discussed:

Item	Discussion Topic
1	Corangamite 2040
2	Long Term Financial Plan – 2018-2038
3	Long Term Capital Works Plan 2018-2038

Conflict(s) of Interest declared: Nil.

Councillor(s) left the meeting at:

Councillor Conflict of Interest Form(s) Completed:

Meeting close: 4.30 pm

Note taker: Andrew Mason

9. OTHER BUSINESS

The Mayor, Cr J. Beard, invited Councillors to raise items of other business.

The following items were submitted:

- Cr Trotter spoke regarding international drivers, following an article appearing on the front page of the Warrnambool Standard. He confirmed that he is supportive of visitation but suggests hire car companies should do more to improve safety associated with international drivers.
- Cr Trotter also spoke about the recent recycling issue, suggesting councils need a better share of the sustainability fund. He also suggested a regional recycling facility would be best placed at Naroghid.
- Cr McArthur congratulated the Mayor on the handling of recent media interest in recent comments made by the Minister for Roads at a private meeting with the CEO. Cr McArthur said she considered the language unacceptable and suggested that the flippant comments fall short of the required funding to fix roads, particularly the Great Ocean Road. Cr McArthur also suggested that wire rope barriers are an example of where expenditure could be better spent elsewhere.

10. OPEN FORUM

The Mayor, Cr J. Beard, invited members of the public to ask a question or make a statement.

The following item was submitted:

- Ms Hayley Wason, First Cobden Scout Venturers, spoke of the benefits of being part of Venturers. The Mayor responded and acknowledged Hayley's comments and thanked her for attending the meeting.

11. CONFIDENTIAL ITEMS

Nil.

Meeting Closed: 8.07 pm.

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

CONFIRMED:

(Chairperson)

DATE: