



CORANGAMITE
SHIRE

agenda

CORANGAMITE SHIRE

ORDINARY MEETING OF COUNCIL TUESDAY 22 JANUARY 2019

To be held at the Killara Centre
210-212 Manifold Street, Camperdown
commencing at 7.00 pm

COUNCIL:

Cr Neil Trotter (South West Ward)
MAYOR

Cr Ruth Gstrein (Central Ward)
DEPUTY MAYOR

Cr Helen Durant (Central Ward)

Cr Wayne Oakes (Central Ward)

Cr Simon Illingworth (Coastal Ward)

Cr Lesley Brown (North Ward)

Cr Jo Beard (South Central Ward)

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Order of Business

1. PRAYER

We ask for guidance and blessing on this Council. May the true needs and wellbeing of our communities be our concern. Help us, who serve as leaders, to remember that all our decisions are made in the best interests of the people, culture and the environment of the Corangamite Shire.

Amen

2. ACKNOWLEDGEMENT OF COUNTRY

We acknowledge the Traditional Owners of the land on which we are meeting, and pay our respects to their Elders, past and present.

3. APOLOGIES

4. DECLARATIONS OF CONFLICT OF INTEREST

5. CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the Corangamite Shire Ordinary Council meeting held on Tuesday 18 December 2018 be confirmed.

6. DEPUTATIONS & PRESENTATIONS

7. COMMITTEE REPORTS

8. PLANNING REPORTS

9. **OFFICERS' REPORTS**

10. OTHER BUSINESS

11. OPEN FORUM

12. CONFIDENTIAL ITEMS

ANDREW MASON
CHIEF EXECUTIVE OFFICER

DISCLAIMER

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

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6. DEPUTATIONS & PRESENTATIONS

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

7. COMMITTEE REPORTS

7.1 Audit Committee Report - 13 December 2018 Meeting

Author: David Rae, Director Corporate and Community Services

File No: D18/582

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 13 December 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 Lesley Brown, Cr Helen Durant

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

Apologies: Nil

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

Guests: Andrew Zavitsanos (Crowe Horwath)

Declaration of Conflict of Interest: Nil

The Committee considered the following matters at the meeting:

- Committee Charter Annual Review
- Committee Annual Work Plan for 2019

- Committee meeting dates for 2019
- Committee Annual Performance Review
- Committee Chairperson for 2019
- Internal Audit Reviews - Memorandums of Audit Planning:
 - Child Safe Standards
 - Traffic Management Practices
- Status update of outstanding internal audit recommendations
- Business Continuity Framework Biennial Review
- Landfill Operations Report 2017-2018
- Quarterly Finance Report as at September 2018
- Victorian Auditor General's Office performance audit into Delivering Local Government Services
- 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. Two very minor amendments are recommended by the Audit Committee being inclusion of the Statement on Human Rights and the Charter Review Date. The amendments are reflected at the rear of the revised Charter attached which Council is requested to adopt.

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 December 2018.

Options

Council may approve the revised Audit Committee Charter, with or without amendment.

Conclusion

The next meeting of the Audit Committee is scheduled for March 2019 and a report on that meeting will be presented at the April 2019 Council meeting. Council is requested to approve the revised Audit Committee Charter as recommended by the Audit Committee.

RECOMMENDATION

That Council:

1. Revokes the Audit Committee Charter dated February 2018.
2. Adopts the Audit Committee Charter dated January 2019 as attached to this report.

Attachments

1. Charter Audit Committee Revised January 2019  



**CORANGAMITE
SHIRE**

Audit Committee Charter

Corangamite Shire

January 2019

Audit Committee Charter

Revised January 2019

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.

Corangamite Shire Council – Audit Committee Charter

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.

 Corangamite Shire Council – Audit Committee Charter

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.

 Adopted by Council on: XX XxxX 201X

Department: Corporate & Community Services

Agenda Item: X.X

Responsibility: Director Corporate & Community Services

File Number: D/18/53790

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Corangamite Shire Council – Audit Committee Charter

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

Corangamite Shire Council – Audit Committee Charter

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.

Human Rights

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

Review Date

Not later than 29 February 2020

7.2 Audit Committee - Annual Report to Council

Author: David Rae, Director Corporate and Community Services

File No: D19/18

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 summary of the activities undertaken by the Audit Committee (the Committee) during 2018 in accordance with the Committee Charter.

Introduction

Audit committees play a critical role in the financial reporting framework of councils by overseeing and monitoring the participation of management and external auditors in the financial reporting process. They also address issues such as the approach being adopted by a council and management to address business risks, corporate and financial governance responsibilities and legal compliance. A council may also refer issues of a strategic nature to their audit committee. The principal functions and extent of authority for an audit committee are set out in the *Local Government Act*.

In 2012, Council resolved to enhance the Committee's effectiveness through a review of the Committee's Charter, the appointment of an internal auditor and the appointment of a majority of independent Audit Committee members. These initiatives were implemented as a result of the publication "Audit Committees – A Guide to Good Practice for Local Government" published in February 2011 and approved by the Minister for Local Government.

The Audit Committee's Charter requires that the Committee must:

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.

Issues

The Committee met five times during the review period. The Committee membership varied during the year. Simon Buccheri replaced Nancy Johnson who retired in January 2018 after six years, including a period as Chairperson. Alternate Councillors were in attendance as **required. The Committee had a successful year and met its objectives. The Committee's** engagement with Council management was positive, which ensures a continuing and strong commitment to corporate governance and improving internal controls.

Progress was also made in internal audit with a significant review into the security over attractive and valuable minor assets undertaken.

Committee Members

The Committee was comprised of the following members during the year:

- Independent members:
 - Mr Colin Hayman (Chairperson)
 - Mr Andrew Jeffers
 - Mr Simon Buccheri (from 27 February 2018)
 - Ms Nancy Johnson (until 31 January 2018)
- Councillors:
 - Councillor Bev McArthur (until 6 December 2018)
 - Councillor Helen Durant
 - Councillor Lesley Brown (as alternate)
 - Councillor Neil Trotter (as alternate 8/3/18 and observer 13/12/18)

Attendee	Meeting				
	30/01/18	08/03/18	21/06/18	13/09/18	13/12/18
Members					
Mr Colin Hayman	✓	✓	✓	✓	✓
Mr Simon Buccheri	-	✓	✓	✓	✓
Mr Andrew Jeffers	✓	✓	✓	✓	✓
Ms Nancy Johnson	✓	-	-	-	-
Cr Helen Durant	✓	x	✓	✓	✓
Cr Bev McArthur	✓	✓	x	-	-
Cr Lesley Brown	-	-	-	✓	✓
Cr Neil Trotter	-	✓	-	-	✓

Legend	
✓	In Attendance
x	Apology
-	Attendance Not Required

In Attendance

The following individuals attended Committee meetings during the year:

- Council officers:
 - Mr Andrew Mason, Chief Executive Officer
 - Mrs Brooke Love, Director Works and Services
 - Mr David Rae, Director Corporate and Community Services
 - Mr Ian, Gibb, Director Sustainable Development
 - Mr Adam Taylor, Finance Manager
 - Ms Jacquie Heffernan, Accountant
- **Coffey Hunt, agent of the Victorian Auditor General's Office (External Auditor):**
 - Mr Chris Kol, Coffey Hunt
- Crowe Horwath (Internal Auditor):
 - Mr Andrew Zavitsanos, Principal.
 - Gabrielle Castree, Manager.

Meetings

Issues considered by the Committee during the period included:

- Committee meeting 30 January 2018:
 - 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).

 - Committee meeting 8 March 2018:
 - 2018 Annual Work Plan
 - 2017-2018 External Audit Strategy
 - 2016-2017 External Audit Management Letter - Outstanding Recommendations
 - Management of the Security over Attractive and Valuable Minor Assets Review
 - Risk Management Framework Review
 - Corporate Risk Register Update
 - Finance Report as at 31 December 2017
 - Governance and Management Attestation as at 31 December 2017.

 - Committee meeting 21 June 2018:
 - 2017-2018 External Audit Interim Management Letter.
 - Local Government Model Financial Report.
 - VAGO Performance Audit Report - Local Government and Economic Development.
 - Finance Policy Reviews:
 - Investment Policy;
 - Borrowing Policy.
 - Strategic Internal Audit Plan 2018-2019.
 - Status Update - Outstanding Internal Audit Recommendations.
 - New Local Government Act - Bill Status.
 - Finance Report as at 31 March 2018.
 - 2018-2019 Budget (Adopted).

 - Committee meeting 13 September 2018:
 - 2017-2018 Financial Statements and Performance Statement
 - Management Letter and Closing Report for the year ended 30 June 2018
 - Procurement Policy Review 2018-2019
-

- Health and Safety Management System Review
- Fraud Control Plan Annual Review
- Corporate Risk Register
- 2017-2018 Procurement Summary
- Finance Report as at 30 June 2018
- VAGO Performance Audits.

- Committee meeting 13 December 2018:
 - Committee Charter Annual Review
 - Committee Annual Work Plan for 2019
 - Committee meeting dates for 2019
 - Committee Annual Performance Review
 - Committee Chairperson for 2019
 - Internal Audit Reviews - Memorandums of Audit Planning:
 - Child Safe Standards
 - Traffic Management Practices
 - Status update of outstanding internal audit recommendations
 - Business Continuity Framework Biennial Review
 - Landfill Operations Report 2017-2018
 - Quarterly Finance Report as at September 2018
 - Victorian Auditor General's Office performance audit into Delivering Local Government Services
 - Internal Audit Service Provider Annual Performance Review (confidential item).

Assessing the Audit Committee's Performance

As required by the Committee's Charter, a performance review was undertaken by the Committee in December 2018. The review, conducted by a self-assessment survey, was used to measure the Committee's performance against its responsibilities detailed within its Charter. Committee members assessed the effectiveness of the Audit Committee as a whole and their individual performance. Results were discussed at the December Audit Committee meeting.

As required by the Committee's Charter, a performance review of the Internal Auditor (Crowe Horwath) was also completed by the Committee in December 2018. The review was used to assess the Internal Auditor's performance in achieving the objectives of the Audit Committee. Results were discussed at the December Audit Committee meeting.

Future

The tenure of independent Committee member Colin Hayman expires 31 January 2019. An expression of interest process commenced mid-January 2019 to fill the vacancy and will culminate in a recommendation to Council in February 2019. The report will also recommend the appointment of the Committee Chairperson for 2019.

During 2019, it is expected a Local Government Bill will be re-introduced to the Victorian Parliament. The Committee will continue to be briefed on the proposed changes and the relevant implications as necessary.

The Committee will also continue to review the effectiveness of the internal control framework associated with risk.

Policy and Legislative Context

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

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

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

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

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

Internal / External Consultation

The Chairperson of the Audit Committee has been provided with a copy of this report.

Financial and Resource Implications

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

Conclusion

During 2018 Council's **Audit Committee considered a broad range of issues as detailed in this report.** Members of the Committee worked productively and harmoniously and have largely met the objectives set out in the Charter. The Committee continues to recognise the ongoing need for continuous improvement in enhancing the effectiveness of the Committee and internal audit. The Committee also continues to work professionally and effectively with management.

RECOMMENDATION

That Council receives the 2018 Audit Committee Annual Report.

8. PLANNING REPORTS

Nil.

9. OFFICERS' REPORTS

9.1 Oath of Office and Code of Conduct Declaration - Wayne Oakes

Author: Penny MacDonald, Executive Services and Governance Coordinator

File No: D18/580

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

The purpose of this report is to document the Oath of Office and Councillor Code of Conduct declaration of Mr Wayne Oakes, newly elected Councillor of the Corangamite Shire Council.

Introduction

An extraordinary vacancy in the Central Ward of Corangamite Shire occurred following the resignation of Councillor Bev McArthur effective on 6 December 2018. The Victorian Electoral Commission (VEC) conducted a modified countback to fill the extraordinary vacancy, as required by the *Local Government Act 1989* (the Act), and declared Mr Wayne Oakes elected to Corangamite Shire on 18 December 2018.

Under the provisions of the Act, an elected Councillor is required to take the Oath of Office, read the Councillor Code of Conduct, and make a declaration to abide by the Code of Conduct, before being able to act as a Councillor.

Issues

As required by section 63(2) of the Act, Councillor Wayne Oakes took the Oath of Office before the Chief Executive Officer on 20 December 2018. The dated and signed Oath of Office is attached to this report for inclusion in the Council minutes. In accordance with section 63(3) of the Act, Councillor Oakes also made a written declaration that he will abide by the Councillor Code of Conduct. The signed declaration, witnessed by the CEO, is also attached to this report.

Policy and Legislative Context

Section 63 of *Local Government Act 1989* and sections 101 and 102, and Schedule 3 Part 1 of the *Evidence (Miscellaneous Provisions) Act 1958* provides for the following Oath of Office or Affirmation:

I swear by Almighty God that (or I solemnly and sincerely declare and affirm that) I will undertake the duties of the office of Councillor in the best interests of the people in the municipal district of Corangamite Shire and faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1989 or any other Act to the best of my skill and judgment.

The declaration to abide by the Code of Conduct is as follows:

I hereby declare that I have read the Councillor Code of Conduct for Corangamite Shire Council adopted on 24 January 2017, and declare that I will abide by this Code.

Internal / External Consultation

Councillor Wayne Oakes was advised of his obligations regarding the Oath of Office and Councillor Code of Conduct, and was provided with the opportunity to choose between the oath and affirmation forms of the Oath of Office.

Conclusion

Councillor Wayne Oakes was declared elected to Corangamite Shire Council by the Victorian Electoral Commission, following the resignation of Councillor Bev McArthur and a modified countback for the Central Ward. Councillor Oakes took the Oath of Office, read the Councillor Code of Conduct, and made a written declaration to abide by the Code of Conduct as required by the Act.

Council is asked to receive the signed Oath of Office and Code of Conduct declaration for incorporation into the Minutes.

RECOMMENDATION

That Council receives the signed Oath of Office and signed Code of Conduct declaration of Councillor Wayne Oakes, made before the Chief Executive Officer on 20 December 2018, for incorporation in the Minutes of Council.

Attachments

1. Oath of Office Wayne Oakes 2018  
2. Declaration Code of Conduct Wayne Oakes 2018  



Oath of Office

Section 63, *Local Government Act 1989*

I swear by Almighty God that I will undertake the duties of the office of Councillor in the best interests of the people in the municipal district of Corangamite Shire and faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the *Local Government Act 1989* or any other Act to the best of my skill and judgment.


Wayne Oakes
Councillor

20/12/2018
Date

Witnessed by


Andrew Mason
Chief Executive Officer



Code of Conduct Declaration

Section 63, *Local Government Act 1989*

I hereby declare that I have read the Councillor Code of Conduct for Corangamite Shire Council adopted on 27 January 2017, and declare that I will abide by this Code.


Wayne Oakes
Councillor

Date

20/12/2018

Witnessed by


Andrew Mason
Chief Executive Officer

9.2 Events and Festivals Grant Program Policy Review

Author: Samantha Fox, Economic Development and Tourism Coordinator

File No: D19/10

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 - Samantha Fox

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

Summary

This report recommends Council adopt the Events and Festivals Grant Program Policy dated January 2019 as attached, and revoke the Events and Festivals Grant Program Policy dated September 2017.

Introduction

The Events and Festivals Grant Program Policy (Policy) was adopted by Council in September 2017. The first year of the program was delivered in 2018 and included two rounds of funding. At the time of the development of the Policy a commitment was made to review the operation of the Policy following the completion of two funding rounds.

Feedback from Councillors, officers and community members outlined a variety of issues that have been addressed in the Policy review.

The Policy establishes the framework by which Council can achieve its objectives in supporting events and festivals, with defined levels of support. The Policy has been **reviewed and updated in accordance with Council's Policy Development Framework and is attached for Council's consideration.**

Issues

The revised Policy has incorporated feedback from Councillors, officers, applicants and community members obtained over the two funding rounds. The key issues addressed in the Policy review are:

Combination of Funding Programs

The initial draft of Events and Festivals Grant Program (EAFGP) Policy focused on medium to large scale events which profiled the region, encouraged visitation and provided a demonstrated positive economic impact. The Policy was then adjusted to include local community events that were allocated through the Community and Environment Grants program, and coordinated by the Facilities and Recreation and Environment departments. This inclusion of local community events in the Policy led to levels of confusion around timing, assessment criteria and application requirements, creating excessive administrative work for community groups looking to apply for funding.

The revised Policy returns local community events (\$1,000 and under) to the Community and Environment Grants Program.

Eligibility Requirements

Exclusions of certain groups and events considered the responsibility of other authorities have been added to the Policy, assisting Council on what cannot be funded.

The Guidelines that support the Policy clearly outline that applicants are only eligible to apply for one Council grant program for the same event within the same financial year.

Grant Categories

Categorisation was intended to guide applicants and provide a tiered system for allocating funds. Applicants demonstrated an expectation of high levels of grant funding and in-kind support based on descriptors and categories. The tiered categorisation system was unsuccessful as applicants generally applied for the maximum amount of funding, or for categories higher than what might have been expected for the type and scale of event.

The revised Policy removes the tiered levels of support, but provides applicants with the ability to apply for up to \$15,000, made up of a maximum of \$10,000 grant funding and a maximum of \$5,000 of in-kind support.

Applicants will be strongly encouraged to make contact with Council through the application process, to ensure they are applying for the correct amount of funding in line with similar types of events.

In-kind Support

The Policy allowed applicants to apply for grant funding and in-kind support. In-kind being the supply of Council related services and resources. The inclusion of in-kind in the Policy identified existing in-kind support that was being provided to some event organisers annually, as well as determining the real costs to Council.

The Guidelines that support the Policy are to provide more clarity for event organisers around actual costs to Council for the provision of in-kind, so that applicants apply for the correct amount of support. In-kind is proposed to be capped at \$5,000 per application.

Commercial businesses would still be eligible to apply to the program but only for in-kind support, and to a maximum of \$5,000.

Transition to Self-funded

The existing Policy also doesn't make it clear how an event that is transitioning to self-funded applies for in-kind support provided by Council. The reference of transition to self-funded has been removed from the Policy.

Funding Rounds

The revised Policy offers one annual funding round for events and festivals, advertised at **the same time and in line with Council's Community, Facility and Environment Grants Program.** This allows applications to be repositioned to the correct funding stream if they apply to the incorrect program. This also reinforces that applicants are only eligible to apply for one Council grant program for a particular event.

Simplify the Application Process

Returning local community events to the Community and Environment Grants Program allows applicants to apply for local events through an existing process for community grants, reducing administration constraints for small community groups.

Specifically, the Policy review has:

- Returned local community events back to the Community and Environment Grants Program, as events focus on local community connection.
- Reduced the administration work for community groups.
- Simplified the application and assessment process.
- Structured the EAFGP Policy to be specific to events that have a defined economic benefit.
- Provided one category of funding.

The Policy's intent remains by ensuring it is sufficiently flexible to meet a variety of needs whilst ensuring it remains administratively efficient to administer.

The revised Policy continues to support events that provide economic benefits to the Shire and support new event creation, while being clearer for applicants on what is required to receive Council support.

Policy and Legislative Context

The Policy is consistent with the following Council Plan 2017-2021 strategies and objectives:

We value the importance of local business to our economy and the overall prosperity of Corangamite Shire.

Support and facilitate the development of the visitor economy.

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

Support our small towns and dispersed population.

Improve the health and wellbeing of our community.

The Policy is consistent with the Economic Development Strategy 2017-2021:
Theme 3 – Grow the Visitor Economy

Action 1.24 Encourage and promote festivals and events in Corangamite Shire.

The Policy is consistent with vision of the Events and Festivals Strategy 2017:

Corangamite Shire will support, develop and foster events that contribute to our community values and provide economic and social benefits for our residents.

Internal / External Consultation

Council provided input into the revised Policy at the 18 December 2018 briefing. Consultation has occurred between Manager of Growth and Engagement, Acting Manager of Facilities and Recreation and the Senior Officer Group.

Financial and Resource Implications

Council will be required to consider a funding allocation to deliver the Events and Festivals Grants Program through the development of the 2019-2020 annual budget. Initial officer consideration suggests an allocation of \$80,000 would be appropriate to maintain the

current level of support, with an amount of \$20,000 being allocated to the Community and Environment Grants Program to support local community events.

Options

Councillors may choose to adopt the revised Events and Festivals Grant Program Policy with or without amendment. Alternatively, Council may resolve to not adopt the revised Policy and revoke the Events and Festivals Grant Program Policy dated September 2017.

Conclusion

The inclusion of local community events into the Policy has proved problematic for some community groups. The proposed changes to the Policy would provide a consistent application process for local community groups. Larger scale events would be viewed as having a visitor and economic impact, being managed by a defined program with relevant criteria.



The revised Events and Festivals Grant Program Policy is attached for Council's consideration.

RECOMMENDATION

That Council:

1. Revokes the Events and Festivals Grant Program Policy dated September 2017.
2. Adopts the Events and Festivals Grant Program Policy dated January 2019.

Attachments

1. Policy Events and Festivals Grant Program Review January 2019 
2. Policy Events and Festivals Grant Program Review - Tracked Changes - Under Separate Cover 



**CORANGAMITE
SHIRE**

Events and Festivals Grant Program Policy

Corangamite Shire
January 2019

Council Policy



Events and Festivals Grant Program Policy

Introduction

This policy defines Council's role in supporting events and festivals, how requests for funding assistance will be assessed and the grant program implemented.

This policy should be read in conjunction with the overarching Council Grants Policy, which provides detail on advertising, assessment, conflict of interest, funding conditions, accountability and information that manages grant allocations.

The Events and Festivals Grant Program Guidelines support the application of this policy.

Purpose

The purpose of the policy is to define Council's role in supporting events and festivals, establishing a framework for an appropriate level of Council support.

Council recognises the significant benefits that events and festivals bring to the region. Events continue to add to the vitality of the Shire, activation of precincts, provide a sense of community and offer cultural, social and economic benefit to ratepayers.

Council is committed to ensuring that events and festivals are run safely and all compliance requirements are met, whilst minimising negative impacts upon the community.

The Council adopted Events and Festivals Strategy vision states:

Corangamite Shire Council will support, develop and foster events that contribute to our community values and provide economic and social benefits for our residents. Our events will celebrate and showcase our culture, heritage and unique natural environment.

Council objectives are to:

- assist with event start-up for annual events;
- provide support for events and festivals;
- provide an equitable system for determining Council contribution towards events and festivals.

Scope

This policy is applicable to events and festivals that have a defined visitation and economic impact.

This policy does not apply to funding that is provided through other grant programs and other means offered by Council.

This policy also does not apply to funding that is provided via sponsorship by Council.

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

Adopted at Council on:
Agenda Item:
Responsibility: Manager Growth and Engagement
Document Number:

Department: Growth and Engagement
To be reviewed by: January 2022

Page Number: 2

 Corangamite Shire Council Policy – Events and Festivals Grant Program

Definitions

For the purpose of this policy:

Grant – A sum of money given to organisations or individuals for a specific purpose directed at achieving goals and objectives consistent with Council’s strategic direction. The recipient is selected on merit against a set of criteria and funding is subject to entering into a written agreement with Council that outlines accountability requirements.

In-kind - A non-monetary form of funding whereby the Council provides its own resources, goods or services instead of money.

Event organiser – A group, or individual, who undertakes the planning, control, management and implementation of an event.

References

- Corangamite Shire Council Plan 2017-2021
- Corangamite Shire Economic Development Strategy 2017-2021
- Corangamite Shire Events and Festivals Strategy 2017-2021
- Corangamite Shire Grants Policy
- Events and Festivals Grant Program Guidelines

Policy Detail

The development of this policy will consistently guide the Council when consideration is being given to grant allocations for events and festivals.

The Events and Festivals Grant Program Guidelines have been developed to support the policy. The guidelines provide details on how the policy is to be applied with information on eligibility, application requirements, in-kind costings, assessment criteria, conditions, notification, payment and acquittal processes.

What may be considered:

- Community groups;
- Incorporated not-for-profit organisations, or not-for-profit group auspiced by an incorporated organisation;
- Incorporated commercial organisations, or an individual with an ABN;
- Events located in the Corangamite Shire local government area;
- Events that occur within the funded period;
- Events that align with strategic objectives in the Council Annual Plan, Events and Festivals Strategy and the Events and Festivals Grant Program.

What may not be considered:

- Local community events with a social connection focus, and limited economic impact.
- An applicant whose event has received Corangamite Shire funding for the same activity within the same financial year, including budget allocation or other grant funding;
- An applicant that has outstanding debts to the Corangamite Shire;
- An applicant that has failed to provide satisfactory acquittal reporting from any previous Corangamite Shire funding;
- Requests for retrospective funding (i.e. funding for events already taken place);
- Events that are conducted outside of the Corangamite Shire area.
- Projects that directly benefit a business or a small number of individuals.
- School projects that are considered to be part of normal curriculum.
- Projects deemed to be the responsibility of another agency or authority.

Adopted at Council on:
 Agenda Item:
 Responsibility: Manager Growth and Engagement
 Document Number:

Department: Growth and Engagement
 To be reviewed by: January 2022

Page Number: 3

Corangamite Shire Council Policy – Events and Festivals Grant Program

Funding

Funding of up to \$15,000 is available, made up of a maximum of \$10,000 grant funding and \$5,000 of in-kind support.

Events and Festivals Grant Program funding is available to community and not-for-profit groups only. Commercial organisations and individuals with an ABN may only seek in-kind support. In-kind support being a non-monetary form of funding that assists event organisers with covering the costs of using Council resources and services.

Commercial organisations and individuals with an ABN may only to apply for in-kind support, to a maximum of \$5,000.

Applicants are required to confirm the dollar value of the in-kind support that is being requested with Corangamite Shire, prior to submitting the application. In-kind information is included in the program guidelines.

Requests for in-kind support are to be detailed on the Events and Festivals Grant Program Application Form and included in the event budget.

Available funding to be allocated is determined by Council as part of the annual budget process.

Advertising and Endorsement Process

The Events and Festivals Grant Program is to be advertised annually, subject to allocation of funds in the Council annual budget.

The annual grant program will be advertised in April. Applicants will be notified of the outcome after the July Council Meeting.

Applicants who meet the criteria are not guaranteed funding due to the competitive funding process. Partial funding may be offered if deemed appropriate.

Ad-hoc requests for new events that fall outside the scheduled annual grant program dates may be received by Council for consideration. The method of assessment and approval is to be in accordance with the Events and Festivals Policy and Guidelines.

Application for Funding

To apply for funding event organisers would be required to complete an Application Form, provide all documentation as outlined in the guidelines and address the assessment criteria.

Assessment Criteria for the Events and Festivals Grant Program is outlined in the Guidelines.

Notification and Agreement

All applicants will be notified in writing of the outcome of their application.

Successful applicants will be required to enter into a funding agreement with Corangamite Shire Council. Funds will be made available to the event organiser upon entering into the funding agreement.

Grant outcomes will be announced publicly.

Adopted at Council on:
Agenda Item:
Responsibility: Manager Growth and Engagement
Document Number:

Department: Growth and Engagement
To be reviewed by: January 2022

Page Number: 4

Corangamite Shire Council Policy – Events and Festivals Grant Program

Once a decision has been made by Council and the allocated funding provided, the event organiser is expected to implement the event project. If the event does not go ahead, grant monies are to be returned to Council within 30 days.

Acquittal

To satisfactorily acquit the project applicants will be required to submit a project report, as outlined in the funding agreement.

A final report that includes financial acquittal, demonstrating that the project has been completed and how it met the assessment criteria, is to be provided within three months of the event date.

Supporting evidence may include copies of invoices, photographs, promotional material, brochures/flyers, videos or an onsite inspection.

Review Date

January 2022

Adopted at Council on:
Agenda Item:
Responsibility: Manager Growth and Engagement
Document Number:

Department: Growth and Engagement
To be reviewed by: January 2022

Page Number: 5

9.3 Draft Solar Energy Facilities - Design and Development Guidelines

Author: Aaron Moyne, Manager Planning and Building Services

File No: D19/14

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 - Aaron Moyne

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

Summary

In October 2018, the Department of Environment, Land, Water and Planning (DELWP) released *Draft Solar Energy Facilities – Design and Development Guidelines* (the draft guidelines) for public consultation. Council has an opportunity to provide feedback on the guidelines document through a submission process.

Introduction

This report presents a draft Council submission (Attachment 1), providing ‘in-principle’ support for the draft guidelines and outlining key issues and comments for further consideration.

Issues

DELWP have released the draft guidelines (Attachment 2) for public consultation between October 2018 and March 2019. Submissions are sought from stakeholders involved in the planning and development of solar farms.

The draft guidelines have been developed following a review of guidelines and best practice standards and include an outline of requirements for planning and assessing new solar farm proposals, as well as best practice guidance for applicants.

Council, at its September Ordinary Council Meeting considered a planning permit application for a solar farm at Bookaar. Council resolved to refuse the planning permit on the following grounds:

- 1. The use and development does not provide an acceptable outcome in terms of the Planning Policy Framework, including the Municipal Strategic Statement and local planning policy.*
- 2. The use and development will result in the loss of productive agricultural land and will create impacts on the continuation of primary production on adjacent land.*
- 3. The use and development will result in an unacceptable level of environmental impact which cannot be adequately managed.*

4. *The use and development will cause unacceptable landscape and visual impacts within the local area and from surrounding key viewpoints.*
5. *The use and development will not result in net community or social benefit.*
6. *The absence of solar farm planning and policy guidelines by the State Government provides a lack of direction for planning decision making.*

The planning process placed substantial burden on Council in balancing conflicting policy directions supporting renewable energy production, against the protection of agricultural land.

Council identified the existence of a significant gap and lack of planning and policy guidance within the Victorian Planning Provisions (VPP) on the key issues, and how to assess a proposed solar farm. Concern was raised about the lack of land use planning and strategic direction provided at State Government level for decision making.

In October 2018, the Minister for Planning released a Panel Report for the Greater Shepparton Solar Farm Project, involving four (4) new solar farm proposals. Whilst recommending approval of planning permits for each project, the Panel Report addressed key planning issues for solar farms, and identified the need for further strategic guidance. Consequently, the draft guidelines have been developed by DELWP.

A draft submission has been prepared which proposes 'in-principle' support for the draft guidelines whilst also raising a number of matters for further consideration.

Regional Growth Plan and Strategic Work

There is a clear need for further strategic work to inform decision making on renewable energy planning permit applications, including solar farms. The absence of regional guidance for renewable energy planning (both solar and wind) creates a conflict in how to assess applications for large-scale projects in areas identified for agricultural production.

It is essential that further strategic work is undertaken at a National, State, regional and local level to properly plan for future renewable energy projects, including solar farm proposals.

Productive Agricultural Land and State-wide Land Capability Mapping

The design and scale of solar farms has the potential to limit agricultural production on high value land. Land capability mapping has been undertaken by State Government, provided by Agriculture Victoria. The mapping should be integrated with the draft guidelines, along with Regional Growth Plans, to help plan for solar farm locations on a strategic basis, and to identify high value agricultural areas and those more marginal areas, which may be better suited to solar farm development.

The draft guidelines provide a framework for the consideration of strategically significant agricultural land. Instead of individual proposals addressing land capability, a better strategic outcome would be achieved if this process was guided by assessment at a State or regional level.

The draft guidelines omit reference to climatic conditions or rainfall for agricultural production, and place a significant focus on 'irrigated' land. **Expanded assessment criteria and a greater emphasis on 'non-irrigated' land, which applies to Corangamite Shire, must be considered and included.** Climate characteristics and land capability criteria also needs to be assessed at a national level to identify key productive areas and the value of arable agricultural land, instead of this occurring for isolated site-specific proposals.

Guidance for Decision Making

Council found, through its assessment of the Bookaar Solar Farm planning application, the existence of a significant gap within the Victorian Planning Provisions (VPP) in how to assess solar farms. The draft submission raises concern that the draft guidelines do not go far enough to address this issue.

In contrast, the *Planning and Policy Guidelines for Development of Wind Energy Facilities* (DELWP), address in detail the matters for consideration in the assessment of an application. This is a key omission and should be rectified to provide a consistent set of resources for councils as responsible authorities.

A principal concern is that the draft guidelines appear to be targeted towards a proponent/developer audience, instead of directly addressing decision making as a key issue where councils require guidance. It is critical that the draft guidelines are balanced and provide detailed application requirements and assessment criteria, to promote high quality applications and guide decision making.

Landscape and Visual Amenity

The draft guidelines provide limited direction on the level of information required to assess landscape and visual amenity impact, and recommend that further application requirements and assessment guidance is required, along with greater consideration of cumulative landscape impacts.

Model Permit Conditions

The draft guidelines should include model permit conditions which address the relevant construction, technical, amenity and environmental impacts. This approach has been applied for wind farms and helped to provide decision making consistency across the State, supporting knowledge sharing and best practice approaches across councils.

Referral Authorities

Council's experience has identified there are very few mandatory referral authorities for solar farms, and there is an opportunity to review these provisions to introduce additional referral requirements to inform the planning assessment process.

Council supports Rural Water Corporations as being a referral authority, which should not just be limited to irrigated agricultural land. Council also suggests that Agriculture Victoria, the Country Fire Authority and Catchment Management Authorities be made referral authorities, to address productive agricultural land, bushfire risk, waterway and natural resource management, respectively.

Transmission Line Infrastructure and Network Connection

Council notes that transmission lines are significant infrastructure and should be subject to planning permission, building upon previous advocacy for wind farms. The draft guidelines must include a requirement for details of electricity transmission infrastructure to form part of the planning assessment process.

The draft guidelines provide general information around network connection and refer to the Integrated Systems Plan 2018 (ISP) prepared by the Australian Energy Market Operator (AEMO). **The ISP designates Corangamite Shire within the 'Moyne Renewable Energy Zone' (REZ)**, which:

- is identified as a short-term priority for wind farm generator connections
- can accommodate around 2,000 MW of new generation, and has a strong transmission network connecting it to the major Victorian load centre because it lies on the 500 kV network between Melbourne and the South Australian border.

Uncertainty lies around how the ISP can be used in the planning and assessment of proposals and what guidance it provides. Typically, network connection is resolved after the planning stage and there needs to be greater information and certainty around this at the early stages of the planning process.

Battery Storage

The draft guidelines provide no guidance on battery storage for solar farms, regarding key issues and what needs to be assessed. Responsible authorities would benefit from further guidance and information on this matter.

Bushfire Risk and Grass Fires

The draft guidelines provide limited information on bushfire risk and management, with impacts which have become an increasing reality.

Due to the ongoing presence of bushfire risk within rural areas and communities, it is important the draft guidelines require this as a matter to be addressed for any proposal.

Site Decommissioning

Council's draft submission makes comments regarding the process around site decommissioning and rehabilitation, suggesting the draft guidelines should provide further guidance for responsible authorities on this process and include model permit conditions.

Policy and Legislative Context

A submission is consistent with the following Corangamite Shire Council Plan 2017-2021 commitments:

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

Build strong and effective partnerships with key stakeholders including peak organisations and the State and Federal Governments.

Preserve the natural environment of Corangamite Shire.

Ensure the Corangamite Planning Scheme provides for the fair, orderly, economic and sustainable use and development of land.

Internal / External Consultation

DELWP have released the draft guidelines for public consultation between October 2018 and March 2019, seeking comment from key stakeholders involved in solar farm planning.

No consultation has been undertaken by Council with the community. However, key issues and comments raised by the community through the Bookaar Solar Farm have been **incorporated into Council's draft submission.**

Financial and Resource Implications

There are no direct financial or resource implication for Council in making a submission on the draft guidelines.

Options

Council has the following options:

1. Resolve to adopt the draft submission and authorise the CEO to submit to DELWP. (Recommended option.)
2. Resolve to adopt the draft submission and authorise the CEO to submit to DELWP, subject to variations.
3. Resolve not to provide a submission on the draft guidelines.

Conclusion

The draft guidelines released by DELWP are seen as a good start, however, there is still an opportunity for improvement to assist decision making and for State Government to address solar farm planning at a broader strategic level.



Council's draft submission provides its 'in-principle' support for the draft guidelines, subject to further consideration of the key issues and matters raised.

RECOMMENDATION

That Council:

1. Authorises the CEO to lodge the submission on the Draft Solar Energy Facilities – Design and Development Guidelines.
2. Forwards a copy of the submission to the Municipal Association of Victoria.

Attachments

1. Submission DELWP Draft Design and Development Guidelines Solar Energy Facilities DRAFT - Under Separate Cover 
2. DRAFT Design and Development Guidelines Solar Energy Facilities 2018 - Under Separate Cover 

9.4 Support for Combined Local Government Waste Forum Chairs and MAV to Advocate on Waste Issues on Behalf of Council.

Author: Lyall Bond, Manager Environment and Emergency

File No: D18/579

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 provides Council with a recommendation arising from the Waste and Resource Recovery Local Government Forum Chairs meeting. The motion is for Corangamite Shire Council to support the Local Government Forum Chairs and Municipal Association of Victoria to advocate to the State and Federal Governments on waste and resource recovery issues.

Introduction

Local Government Forums (LG Forums) are a legislated function for local government and have a direct reporting role to each of the seven Resource Recovery and Waste Management Group Boards across Victoria. Corangamite Shire Council is part of the Barwon South West Waste and Resource Recovery Group (BSWRRG) and associated LG Forum. Each LG Forum member Council has a Councillor who is delegated to represent them in the future planning and implementation of waste related issues and projects. Councillor Neil Trotter (Mayor) represents Corangamite Shire and is also a board member of the BSWRRG. Councillor Robert Halliday from Glenelg Shire Council is the chair of the Barwon South West LG Forum.

Issues

As part of the ongoing advocacy and planning process the LG Forum Chairs met in April and August 2018 to discuss the purpose and functionality of the LG Forums and to better understand the key challenges in engaging councils on waste and resource recovery issues. Following this, the LG Forum Chairs presented information to MAV. The MAV Board subsequently passed a resolution to engage with the seven LG Forum Chairs from across the state and to finalise a collaborative position and strategy to put to the forums, boards and motions to councils regarding the essential services of waste for Victorian residents and possible implications ahead for councils.

As the LG Forum Chairs are not a legislated group and do not have a representative from every council in their region, the LG Forum Chairs have approved a motion to request that all councils provide support via a council resolution. The proposed resolution is that each council supports the Combined Local Government Waste Forum Chairs and the Municipal Association of Victoria to advocate on Waste and Resource Recovery issues on behalf of all Victorian Councils, to State and Federal Governments.

The motion intends to provide a collective voice for councils by supporting the LG Forum Chairs and Municipal Association of Victoria (MAV) to advocate as a single united group.

The rationale behind the motion is that waste management is an essential service for Victoria and local government owns, operates and delivers significant waste and resource recovery services and infrastructure. Significant investment is required to implement projects and programs identified in the regional waste and resource recovery implementation plans, however council expenditure is limited by rate capping.

The proposed advocacy will push the State and Federal Governments to recognise waste as an essential service and provide an appropriate level of resourcing to deliver effective waste and resource recovery programs and services. LG Forum Chairs and MAV are best placed to provide this advocacy on behalf of all Victorian councils.

Should the motion be supported by Barwon South West Councils, all advocacy issues would still need to be raised through the LG Forum and approved prior to being considered for advocacy. Each LG Forum will then be able to advise the LG Forum Chairs and MAV on their advocacy issues.

Policy and Legislative Context

By Council supporting this recommendation they are meeting the following Council Plan objectives:

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

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

Provide cost effective and high quality waste management services.

Internal / External Consultation

The motion was presented at the MAV State Conference on 18 October for councils to consider and vote on.

The motion has also been presented to the Advisory Reference Group at their meeting on 1 November and at the Local Government Forum meeting on 15 November 2018. Both the LG Forum and Advisory Reference Group supported the recommendation being presented to each council for consideration.

Financial and Resource Implications

There are no financial or resource implication from Council supporting the Combined Local Government Waste Forum Chairs and the Municipal Association of Victoria to advocate on Waste and Resource Recovery issues on behalf of all Victorian Councils to the State and Federal Governments.

Options

Council may choose to support the Combined Local Government Forum Chairs motion by adopting the recommendation as presented or alternatively Council may choose not to support the Combined Local Government Waste Forum Chairs and the Municipal Association of Victoria advocating on Waste and Resource Recovery issues on behalf of Corangamite Shire to the State and Federal Governments.

Conclusion

Local Government Forums (LG Forum) are a legislated function for local government and have a direct reporting role to each of the seven Resource Recovery and Waste Management Group Boards across Victoria. Corangamite Shire Council is part of the Barwon South West Waste and Resource Recovery Group (BSWWRRG) and associated LG Forum.

The LG Forum Chairs have approved a motion to request that all councils provide support via a council resolution that each Council supports the Combined Local Government Waste Forum Chairs and the Municipal Association of Victoria to advocate on Waste and Resource Recovery issues on behalf of all Victorian Councils to the State and Federal Governments.

RECOMMENDATION

That Council supports the Combined Local Government Waste Forum Chairs and the Municipal Association of Victoria to advocate on Waste and Resource Recovery issues on behalf of all Victorian Councils to the State and Federal Governments.

9.5 Finance Report - December 2018

Author: Jacqui Heffernan, Accountant

File No: D19/13

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 - Jacqui Heffernan

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

Summary

This report is to note Council's current financial position as at 31 December 2018 and to approve changes to the 2018-2019 Reviewed Budget, that have resulted from a quarterly review of operations.

Introduction

Council adopted the 2017-2018 Budget at a special Council meeting in June 2018. At the August 2018 Ordinary Council meeting, Council approved a number of 2017-2018 capital and non-recurrent projects that were identified as incomplete, requiring remaining budgets to be carried forward to the 2018-2019 financial year. During September and December 2018, managers conducted a comprehensive review of budgets and the required funds to deliver programs and initiatives. This report is seeking approval of a quarterly budget review, and as a result, an updated 2018-2019 budget forecast position is provided. The quarterly budget adjustments will increase the cash position at the end of the financial year by \$230,935. Notwithstanding the changes to the cash position, **Council's year to date financial performance for 2018-2019 remains on target.**

Issues

Budget Variations

Council's target "cash position" is \$5 million or greater on an annual basis. The "cash position" as at 30 June 2018 was \$17.19 million, which was primarily due to incomplete capital works and non-recurrent projects and a favourable result to the adjusted forecast. The higher than forecast "cash position" as at 30 June 2018 will fund the carry forward budget adjustments approved in August 2018. A summary of the forecast 30 June 2019 "cash position" after the inclusion of the carry forward adjustments and the September and December quarterly reviews is detailed below.

“Cash position” as at 30 June 2018	\$17,189,535
2018-2019 adopted Surplus/(Deficit)	(\$5,522,903)
2017-2018 Carry forward adjustments	(\$4,367,647)
2018-2019 September 2018 quarter adjustments	(\$7,396)
2018-2019 December 2018 quarter adjustments	\$230,935
Forecast “cash position” as at 30 June 2019	<u>\$7,522,524</u>

After carry forward and September and December quarterly budget adjustments, the forecast cash position of \$7.57 million is within the target of \$5 million or greater. A summary of the December 2018 quarter adjustments is as follows:

Recurrent operations	\$199,199
Rate income	\$15,153
Operating projects	(\$44,832)
Capital projects	(\$5,363)
Reserve transfers	\$27,500
Proceeds from sale of property	\$18,278
Extraordinary events	\$21,000
Total quarterly forecast budget adjustments	<u>\$230,935</u>

Financial Performance

Council’s financial performance for 2018-2019 is on target with a year to date favourable cash variance of \$243,287 compared to budget. Main contributors to the better than forecast result as at 30 September are:

- Recurrent operations are \$592,772 favourable to budget as a result of timing and forecasting differences.
- Operating project expenditure is \$8,515 favourable to budget as a result of minor timing and forecasting differences.
- Capital expenditure is \$247,237 unfavourable to budget due to projects being completed ahead of schedule.
- Fire and flood related expenditure is \$120,224 unfavourable to budget due to timing of expenditure. The expenditure will be recovered through government grants.
- Rate income is \$31,440 favourable to budget due to supplementary rate income received however the rate income is still subject to objections.
- Proceeds from sale of plant and equipment is \$15,840 unfavourable due to timing of asset sales in comparison to budget.
- External loan funds is \$6,139 unfavourable to budget as a result the timing in repayments of economic development loans payable to Council.

Policy and Legislative Context

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

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

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

Internal / External Consultation

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

Financial and Resource Implications

The report indicates that Council's forecast financial position at 30 June 2019 will differ from the Reviewed Budget due to the quarterly review of the operations of the Council.

The purpose of the quarterly review is to identify significant variances to the budget. Adjustments are made due to new information being identified.

Options

Council can choose to:

1. Accept the adjustments to the 2018-2019 forecast budget which include 2018-2019 quarterly budget adjustments.
2. Not accept the adjustments to the 2018-2019 forecast budget.

Conclusion


Council's financial performance for 2018-2019 remains on target. The year to date cash variance of \$243,287 is favourable compared to budget, this is primarily due to timing issues. **After the proposed quarterly adjustments of \$230,935, Council's "cash position" will remain within the target range of \$5 million or greater.**

RECOMMENDATION

That Council:

1. Receives the finance report.
2. Approves the forecast budget for 2018-2019, which includes 2018-2019 quarterly budget review adjustment items as presented.

Attachments

1. Finance Report - December 2018 



**Monthly Financial Performance Report
31 December 2018**

Finance Report

Attestation

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



Adam Taylor CPA

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2. Cash Budget
3. Recurrent Operations
4. Projects
5. Capital Projects
6. Project Delivery
7. Investments
8. Procurement
9. Outstanding Debtors
10. Mid year Budget Review
11. Balance Sheet for the period ended 31 December 2018
12. Income Statement for the period ended 31 December 2018

Synopsis

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

Definitions

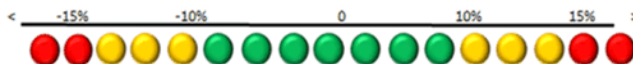
Adopted Budget represents the Budgeted adopted by the Council in June.

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

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

Variance indicator thresholds

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

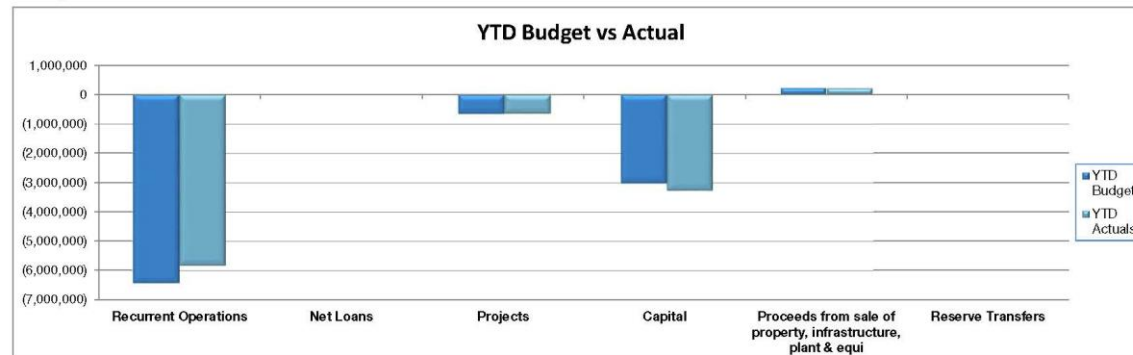


1. Performance Summary

	Adopted Budget	Reviewed Budget	Forecast Budget	YTD Budget	YTD Actuals	YTD Variance fav/(unfav)	
						\$	%
Recurrent Operations	(10,070,948)	(14,727,117)	(14,527,919)	(6,436,076)	(5,843,304)	592,772	9%
Rate Income	21,531,951	21,577,351	21,592,504	21,574,955	21,606,395	31,440	0%
Net Loans	0	0	0	0	0	0	0%
Projects	(2,053,148)	(2,631,021)	(2,675,853)	(658,196)	(649,681)	8,515	1%
Capital	(9,774,000)	(12,985,206)	(12,990,569)	(3,033,306)	(3,280,543)	(247,237)	(8%)
Proceeds from sale of property, infrastructure, plant & equi	573,000	573,000	591,278	227,602	211,762	(15,840)	(7%)
External Loan Funds	63,492	63,492	63,492	31,746	25,607	(6,139)	(19%)
Reserve Transfers	(5,793,250)	(5,823,250)	(5,795,750)	0	0	0	0%
Extraordinary Events	0	4,054,805	4,075,805	641,458	521,234	(120,224)	(19%)
Surplus/(Deficit)	(5,522,903)	(9,897,946)	(9,667,011)	12,348,182	12,591,469	243,287	2%
Surplus/(Deficit) B/forward	10,921,974	17,294,978	17,294,978				
Surplus/(Deficit) at end of year	5,399,071	7,397,032	7,627,967				

Note: Figures in brackets indicate cost to Council

Unfavourable variances shown in brackets

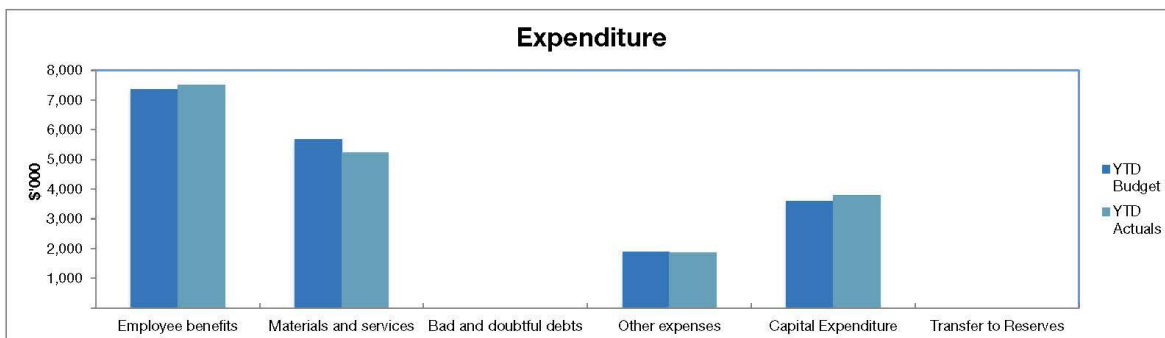
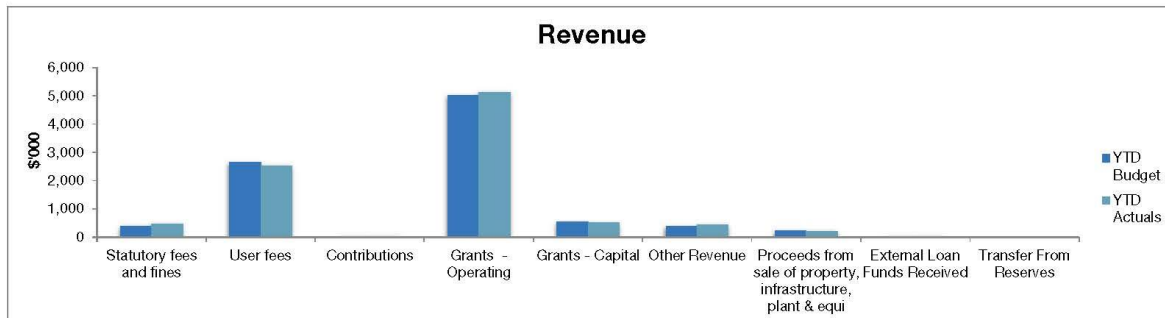


2. Cash Budget

	Adopted Budget	Reviewed Budget	Forecast Budget	YTD Budget	YTD Actuals	YTD Variance fav/(unfav)	
						\$	%
REVENUE							
Rates and charges	21,531,951	21,577,351	21,592,504	21,574,955	21,606,395	31,440	0%
Statutory fees and fines	385,529	385,529	491,529	401,986	468,302	66,316	16%
User fees	5,765,392	5,782,534	5,963,640	2,641,511	2,535,491	(106,020)	(4%)
Contributions	280,476	579,649	494,682	27,962	26,000	(1,962)	(7%)
Grants - Operating	10,409,607	11,952,908	12,338,765	5,014,870	5,128,727	113,856	2%
Grants - Capital	2,894,500	3,382,500	3,922,500	548,875	510,500	(38,375)	(7%)
Other Revenue	660,046	660,046	785,046	392,493	431,139	38,646	10%
Proceeds from sale of property, infrastructure, plant & equi	573,000	573,000	591,278	227,602	211,762	(15,840)	(7%)
External Loan Funds Received	63,492	63,492	63,492	31,746	25,607	(6,139)	(19%)
Transfer From Reserves	32,000	32,000	59,500	0	0	0	0%
Total Revenue	42,595,993	44,989,009	46,302,935	30,862,000	30,943,922	81,922	69%
EXPENDITURE							
Employee benefits	14,673,468	14,592,116	14,592,695	7,357,328	7,489,858	(132,530)	2%
Materials and services	11,870,831	14,821,948	15,402,597	5,678,324	5,211,081	467,243	(8%)
Bad and doubtful debts	2,000	2,000	2,000	1,000	1,798	(798)	80%
Other expenses	2,825,847	2,778,635	2,827,236	1,882,984	1,847,127	35,857	(2%)
Capital Expenditure	12,921,500	16,837,006	17,290,169	3,594,181	3,802,589	(208,408)	6%
Transfer to Reserves	5,825,250	5,855,250	5,855,250	0	0	0	0%
Total Expenditure	(48,118,896)	(54,886,955)	(55,969,947)	(18,513,818)	(18,352,453)	161,365	(33%)
Surplus/(Deficit)	(5,522,903)	(9,897,946)	(9,667,011)	12,348,182	12,591,469	243,287	2%

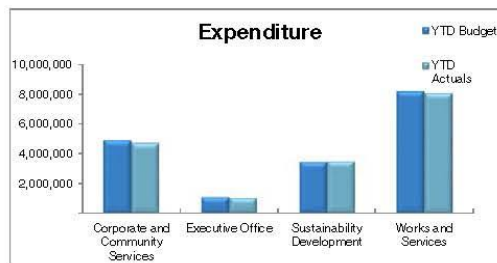
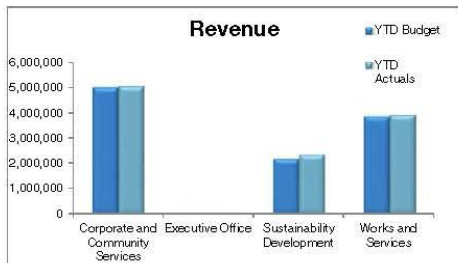
Note: Figures in brackets indicate cost to Council

Unfavourable variances shown in brackets



3. Recurrent Operations

	Adopted Budget	Reviewed Budget	Forecast Budget	YTD Budget	YTD Actuals	YTD Variance fav/(unfav)	
						\$	%
Recurrent Operations							
Revenue							
Corporate and Community Services	13,445,435	9,917,114	10,077,718	5,031,087	5,072,916	41,829	(1%) ●
Executive Office	41,000	41,000	41,000	18,364	13,618	(4,746)	26% ●
Sustainability Development	4,839,339	4,839,339	5,142,736	2,188,167	2,365,079	176,922	(8%) ●
Works and Services	7,227,359	7,227,359	6,967,359	3,883,642	3,937,851	54,209	(1%) ●
Revenue Total	25,553,133	22,024,812	22,218,813	11,121,250	11,389,464	268,214	
Expenses							
Corporate and Community Services	9,337,606	9,242,473	9,258,037	4,891,966	4,704,823	187,143	4% ●
Executive Office	2,167,087	2,076,594	2,028,444	1,073,932	1,018,868	55,064	5% ●
Sustainability Development	9,173,741	10,145,632	10,357,006	3,429,922	3,475,302	(45,380)	(1%) ●
Works and Services	14,945,647	15,287,230	15,103,244	8,161,506	8,033,776	127,730	2% ●
Expenses Total	(35,624,081)	(36,751,929)	(36,746,731)	(17,557,327)	(17,232,769)	324,558	
Recurrent Operations Total	(10,070,948)	(14,727,117)	(14,527,919)	(6,436,076)	(5,843,304)	592,772	9% ●



Comments:

Recurrent Revenue is \$268,214 over budget.

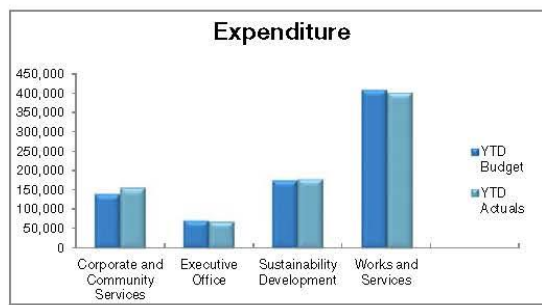
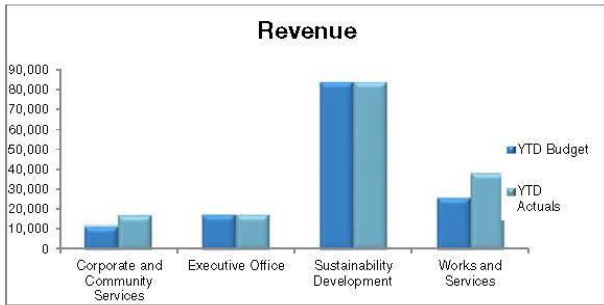
Corporate and community services is \$41,829 over budget due to interest income of \$20,000 and NDIS income which is offset by associated expenses. Sustainability Development has additional income from building and planning fees of \$70,000 and landfill fees of \$60,000. Works and services is slightly ahead of budgeted revenue due to \$35,000 of insurance reimbursements which are not budgeted due to uncertainty.

Recurrent expenditure is \$324,558 under budget.

Expenditure on Corporate and community services is under budgeted expenditure due to the following factors:
 - \$30,000 underspend year to date on training and development.
 - \$90,000 reduced expenditure on aged and disabled services due timing differences, a reduction in demand for services and NDIS transition.
 - \$25,000 of invoices for IT software not yet received.
 - \$25,000 savings in salaries for mobile child care attendants due to decreased demand for services.
 Increased expenditure on Sustainability Development is due to increased landfill income.
 Works and services is under expected expenditure due to invoices not yet received.

4. Projects

	Adopted Budget	Reviewed Budget	Forecast Budget	YTD Budget	YTD Actuals	YTD Variance fav/(unfav)	
						\$	%
Projects							
Revenue							
Corporate and Community Services	3,720	123,981	147,914	11,577	16,720	5,143	(44%) ●
Executive Office	0	0	22,500	16,875	16,875	0	0% ●
Sustainability Development	72,290	73,790	144,252	83,752	83,752	(0)	0% ●
Works and Services	81,700	155,573	148,873	25,500	38,021	12,520	(49%) ●
Revenue Total	157,710	353,344	463,539	137,704	155,367	17,663	(13%) ●
Expenses							
Corporate and Community Services	365,868	581,905	611,046	141,108	155,930	(14,822)	(11%) ●
Executive Office	105,000	123,959	153,959	71,479	69,726	1,753	2% ●
Sustainability Development	564,790	814,117	902,680	174,128	177,907	(3,780)	(2%) ●
Works and Services	1,175,200	1,464,384	1,471,707	409,185	401,485	7,700	2% ●
Expenses Total	(2,210,858)	(2,984,365)	(3,139,392)	(795,901)	(805,048)	(9,148)	(1%) ●
Projects Total	(2,053,148)	(2,661,021)	(2,705,853)	(658,196)	(649,681)	8,515	1% ●



Comments:

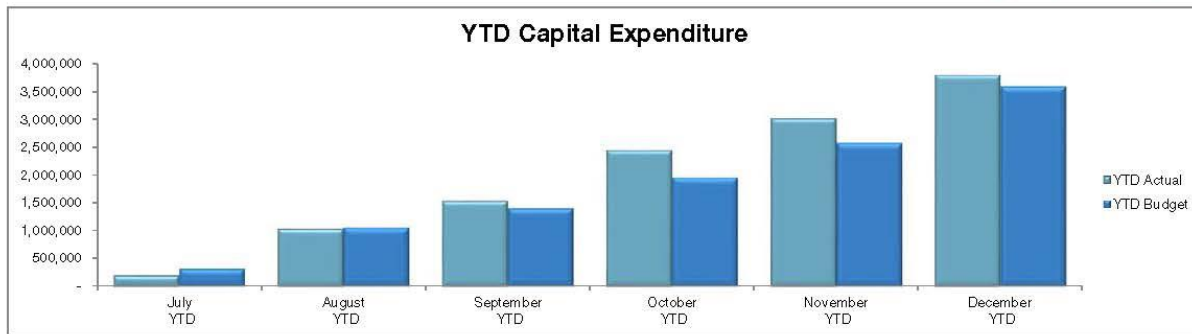
Operating projects are in a favourable position by \$8,515 overall.

This minor variation to budget is made up for the following factors:

- Revenue of \$30,000 from South West Alliance was reimbursed earlier than budgeted.
- \$20,000 of Corporate and Community services projects under YTD expenditure due to phasing.

5. Capital

	Adopted Budget	Reviewed Budget	Forecast Budget	YTD Budget	YTD Actuals	YTD Variance fav/(unfav)	
						\$	%
Capital							
Revenue							
Executive Office	0	26,000	176,000	50,500	50,500	0	0%
Sustainability Development	0	0	200,000	0	0	0	0%
Works and Services	3,167,500	3,845,800	3,971,100	510,375	471,545	(38,830)	8%
Revenue Total	3,167,500	3,871,800	4,347,100	560,875	522,045	(38,830)	7%
Expenses							
Corporate and Community Services	487,000	813,858	805,018	164,018	141,632	22,386	14%
Executive Office	0	75,250	236,000	0	1,430	(1,430)	0%
Sustainability Development	20,000	105,189	297,038	56,094	9,396	46,698	83%
Works and Services	12,414,500	15,842,709	15,906,113	3,374,069	3,650,130	(276,062)	(8%)
Expenses Total	(12,921,500)	(16,837,006)	(17,244,169)	(3,594,181)	(3,802,589)	(208,408)	(6%)
Capital Total	(9,754,000)	(12,965,206)	(12,897,069)	(3,033,306)	(3,280,543)	(247,237)	(8%)



Comments:

Capital Revenue is \$38,830 under budget due to \$38,000 of various capital grants not yet received as budgeted.

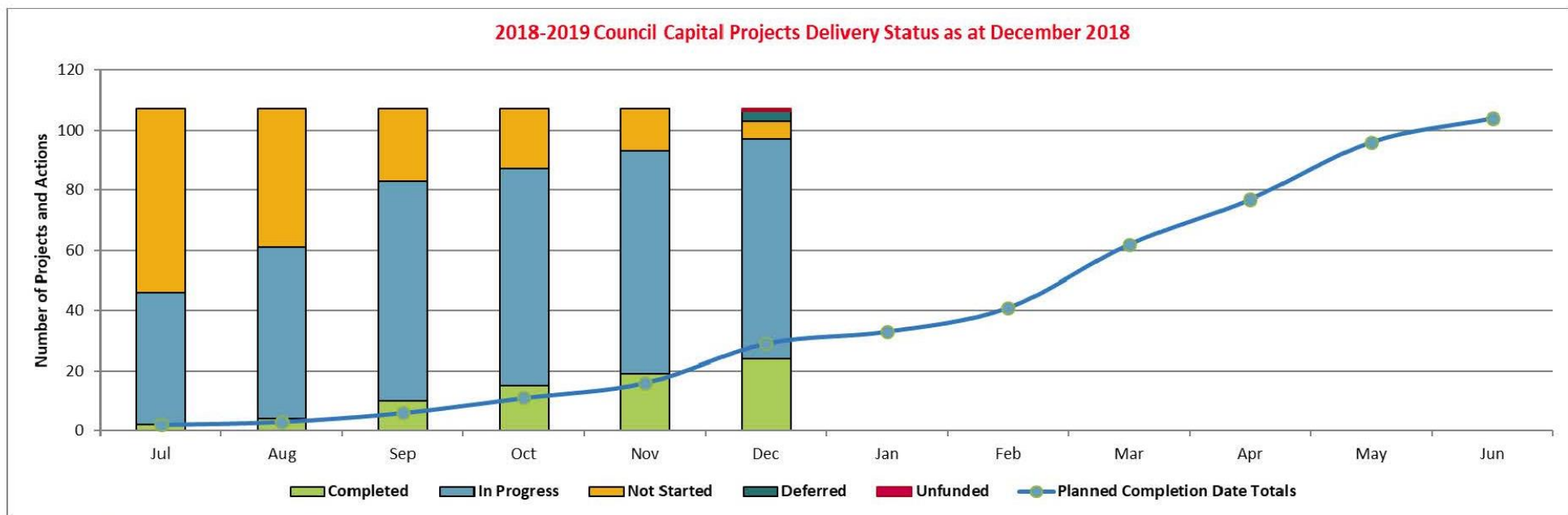
Capital expenditure is \$208,408 over budget.

Sustainability Development is under by \$46,698 due to work completed but not yet invoiced.

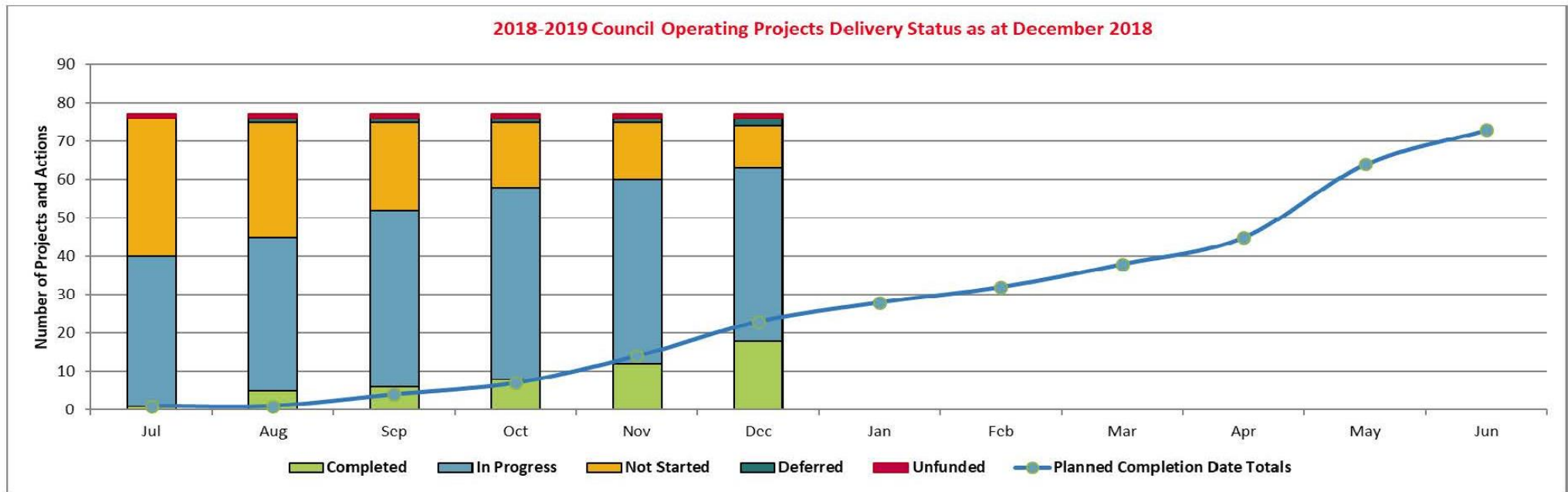
Works and Services is over budgeted expenditure due to resealing works completed earlier than budgeted.

6. Project Delivery

The graphs and tables below provide an overview of the status of Council’s capital and operating projects for the reporting period.

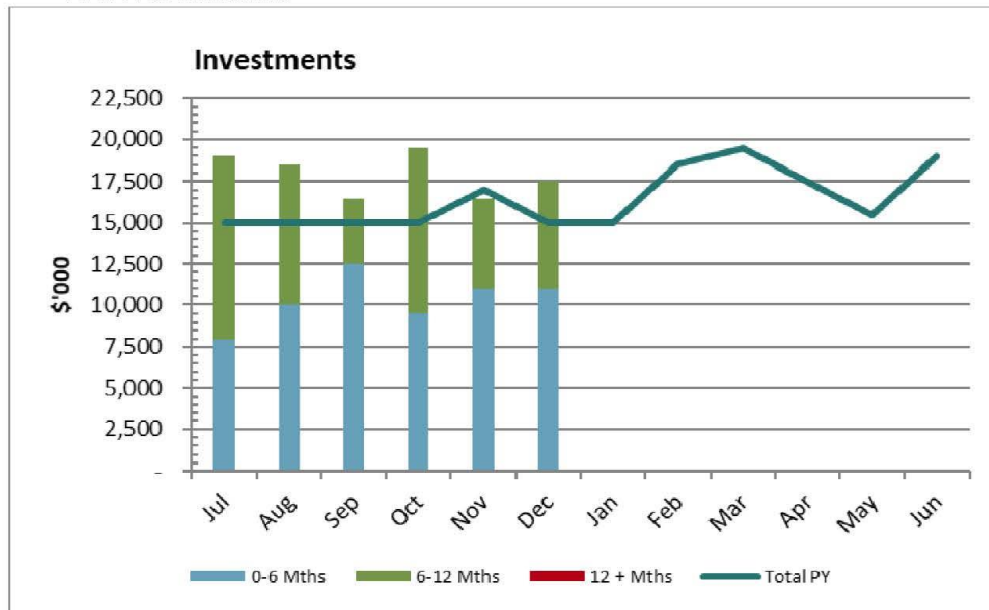


Directorate	Council	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Project	Capital Projects												
Not Started		61	46	24	20	14	6	0	0	0	0	0	0
In Progress		44	57	73	72	74	73	0	0	0	0	0	0
Completed		2	4	10	15	19	24	0	0	0	0	0	0
Deferred		0	0	0	0	0	3	0	0	0	0	0	0
Unfunded		0	0	0	0	0	1	0	0	0	0	0	0
Total		107	107	107	107	107	107	0	0	0	0	0	0
Planned Completion Date Totals		2	3	6	11	16	29	33	41	62	77	96	104
Actual YTD		\$199,036	\$1,031,199	\$1,535,982	\$2,451,415	\$2,850,766	\$2,933,967						
Budget YTD		\$143,946	\$368,104	\$946,758	\$1,085,296	\$1,513,259	\$2,744,441	\$3,485,354	\$5,620,281	\$6,293,206	\$6,740,288	\$6,544,804	\$12,921,500



Directorate	Council	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Project	Operating Projects												
Not Started		36	30	23	17	15	11	0	0	0	0	0	0
In Progress		39	40	46	50	48	45	0	0	0	0	0	0
Completed		1	5	6	8	12	18	0	0	0	0	0	0
Deferred		0	1	1	1	1	2	0	0	0	0	0	0
Unfunded		1	1	1	1	1	1	0	0	0	0	0	0
Total		77	77	77	77	77	77	0	0	0	0	0	0
Planned Completion Date Totals		1	1	4	7	14	23	28	32	38	45	64	73
Actual YTD		\$54,686	\$232,814	\$344,724	\$501,751	\$591,973	\$593,048						
Budget YTD		\$9,790	\$166,479	\$208,692	\$219,634	\$275,355	\$348,436	\$427,247	\$596,180	\$663,520	\$795,288	\$830,167	\$2,210,858

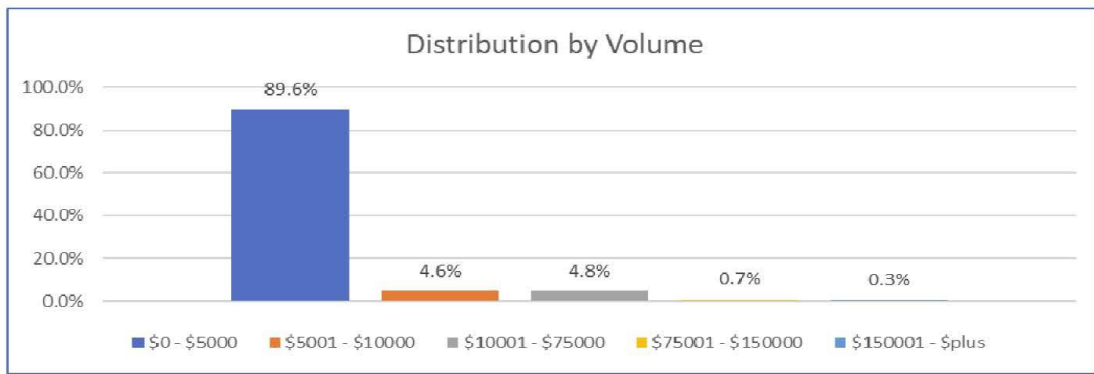
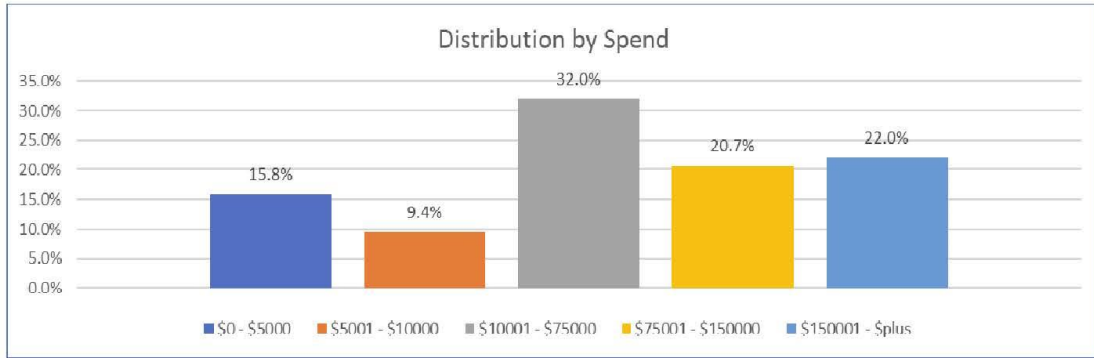
7. Investments



The above graph shows the 2018-2019 total investments as a comparative line and categorises current year investments by term. Term deposits are slightly higher than the level of investments at this time last year due to grants commission funding received in advance in June 2018.

8. Purchasing and Procurement

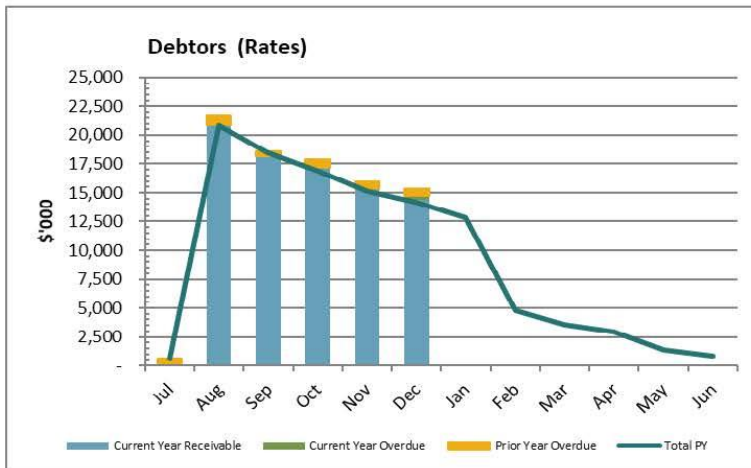
The graph below details Council's procurement activity for the reporting period by spend and volume. The top graph details the cumulative expenditure by value whilst the bottom graphs details the cumulative transactions by volume. For example 89.6% of transactions for the period were for a value of \$5,000 or less with a cumulative value representing 15.8% of total procurement.



9. Outstanding Debtors

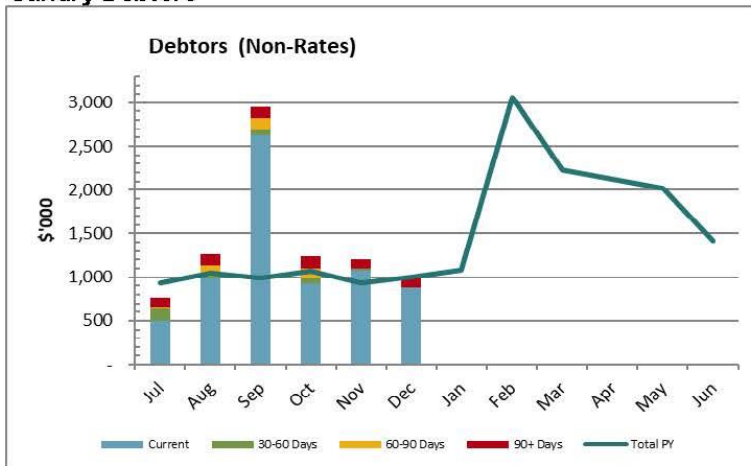
Rate Debtors

The below graph shows the total outstanding debt from the 2018-2019 financial year as a comparative line with the stacked bar graph showing the current year outstanding rates, categorised as current, current year overdue and prior year overdue. In this period there are no current year overdue rates.



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

Sundry Debtors



Sundry Debtors are showed a higher total amount owing in September than the same period last year due to flood and fire recovery payments.

10. Mid year budget changes

Project Name	2018-2019 Reviewed Budget	2018-2019 Forecast Budget	Variance	Details
<i>Capital Projects</i>				
Footpath (SCS) Timboon-Curdievale Road, Timboon	60,000	0	60,000	Project needs to be rescoped and included in future budget
Camperdown Theatre - Lighting and Sound Upgrade	29,250	40,000	(10,750)	Additional funds required to match government funding
Bicycle Strategy Implementation	7,525	0	7,525	Project has been finalised, savings recognised
Mobility Solution	8,840	0	8,840	Project has been finalised, savings recognised
Naroghid Landfill Retaining Wall Restoration	17,547	9,396	8,151	Project has been finalised, savings recognised
Boorcan Road (0km to 0.68km) Rehab	49,500	78,760	(29,260)	Additional funds required to complete project
Footpath (SCS) The Parade, Strong St to Dow St, Terang south side	29,369	13,927	15,442	Project has been finalised, savings recognised
Replacement of HPS Street Lights with LED on Local Roads	110,000	120,000	(10,000)	Additional funds required to complete projects
Footpath (SCS) Robinson Street, Footpath Connection to Hospital Camp	12,951	8,029	4,922	Project has been finalised, savings recognised
Footpath (SCS) Jones St, Church St to Cole St, Camperdown,	11,900	0	11,900	Special Charge Scheme not approved at Council meeting
Footpath Pram Crossings and New Parking Linemarking -	8,000	15,201	(7,201)	Additional funds required to complete project
Footpath - Fergusson St, Pike St to Cressy St, Camperdown	7,000	9,459	(2,459)	Additional funds required to complete project
Oman Street, Lismore Kerb & Channel Replacement	33,000	52,585	(19,585)	Additional funds required to complete project
Desaily St, Port Campbell Kerb & Channel Replacement	30,000	45,388	(15,388)	Additional funds required to complete project
Playground Renewal - Port Campbell	59,920	87,420	(27,500)	Allocation of \$27,500 from public purpose reserve to improve project outcome
Total capital projects amendments			(5,363)	
<i>Recurrent Operations</i>				
Federally Funded Aged Services	(87,601)	(114,141)	26,540	Return of funding which was put aside in 2017-2018 for acquittal of services
Environmental Health Services	112,689	123,268	(10,579)	Backfill for maternity leave position
Community Relations	778,570	741,170	37,400	Savings recognised from vacant positions
Port Campbell Information Centre	267,969	273,969	(6,000)	Costs for public Wi-Fi not in budget
Investment Interest	(375,000)	(500,000)	125,000	Additional investment income received
Planning services	394,354	368,354	26,000	Additional fee revenue received (\$106k) offset by legal costs required (\$80k)
Building services	35,986	(40,014)	76,000	Additional fees received in building services
Emergency Management Officer	119,689	114,689	5,000	Savings recognised from vacant position
Saleyards - Operations	0	3,859	(3,859)	Additional costs incurred after the lease of saleyards
Business Achievement Awards	500	0	500	Funding no longer required
Other Software Licensing	45,750	38,250	7,500	Savings in software licencing
Arts and Cultural Strategy Initiatives	35,000	24,250	10,750	Project has been finalised, savings recognised
Cell Construction - Naroghid Cell 12	0	9,172	(9,172)	Additional funds required to complete project
Drum Muster	0	(1,650)	1,650	Additional income received from program relating to prior year
Mt Leura Environmental Works	8,500	9,017	(517)	Additional expenses to match the government funding
Heritage Advisor	3,000	5,000	(2,000)	Expected increase in heritage advisor costs
L.Rds Roadside Reserve Bridge Work	83,986	160,000	(76,014)	Additional works completed after audit of bridges and one off works in Princetown
Recruitment	8,000	22,000	(14,000)	additional funds required for higher recruitment and psychometric testing
Saleyards Lease	0	(15,000)	15,000	Lease income from saleyards
Swimming Pools	517,674	527,674	(10,000)	additional funds required for pool maintenance at end of season
Total recurrent operations amendments			199,199	
<i>Reserve Transfers</i>				
Playground Renewal - Port Campbell; Construction	0	(27,500)	27,500	Allocation of \$27,500 from public purpose reserve to improve project outcome
Total extraordinary events amendments			27,500	

<i>Extraordinary events</i>					
Fire Event - Debriefing	0	(21,000)	21,000		Funding received to cover the cost of the fire debriefing
	Total extraordinary events amendments		21,000		
<i>Proceeds from sale of property</i>					
Income - Sale of property	0	(18,278)	18,278		Sale of Montgomery Stet, Skipton
	Total proceeds from sale of property amendments		18,278		
<i>Rate Income</i>					
Rates Income	(21,617,351)	(21,632,504)	15,153		Additional rating income from supplementary valuations
	Total rate income amendments		15,153		
<i>Operating Projects</i>					
Lake Bullen Merri Master Plan	5,000	0	5,000		Project has been finalised, savings recognised
Environment Support Fund Community Grants	30,000	28,618	1,382		Grant Program has been finalised
Facility Grants	70,000	64,023	5,977		Grant Program has been finalised
CCMA Landcare Grant 2015/2016	517	0	517		Project has been finalised, savings recognised
Implementation Recreation and Open Space Strategy	20,348	10,348	10,000		Project has been finalised, savings recognised
Vic Health Bright Futures Project	60,780	44,271	16,509		Project has been finalised, savings recognised
Waste Management Strategy	0	20,000	(20,000)		Costs related to previous financial year - should have been carried forward
Food and Fibre Strategy - Value Add Opportunity investigate	30,000	20,000	10,000		Projected savings for project
Procurement Analysis Tool	0	9,000	(9,000)		Additional funds required to complete project
Shared Service Delivery (FAST Program)	0	1,500	(1,500)		Additional funds required to complete project
Trails Strategy	20,000	0	20,000		Project not being delivered, savings recognised
Internal IT security testing	14,000	13,000	1,000		Project has been finalised, savings recognised
Office 365 Transition	15,000	30,000	(15,000)		Additional funds required to complete project
Aerial Photography	60,000	51,000	9,000		Project has been finalised, savings recognised
Rural Councils Transformation Program	0	6,217	(6,217)		Money required for shared service funding application
Project Management Contract	0	50,000	(50,000)		Money allocated for project management to help deliver backlog of capital projects
Building capacity of Corangamite Shire Groups	0	7,500	(7,500)		Council contribution to project
Boring Road Development	0	15,000	(15,000)		Contribution to Flora and Fauna investigation
	Total rate income amendments		(44,832)		
	Total December 2018 adjustments		230,935		

11. Balance Sheet for the period ended 31 December 2018

	Prior Year Balance	Adopted Budget	Reviewed Budget	Forecast Budget	YTD Actuals
CURRENT ASSETS					
Cash and cash equivalents	23,540,252	15,883,565	19,669,127	19,872,562	19,737,457
Financial Assets	63,392	36,497	24,422	24,422	31,850
Rate Receivables	841,287	2,500,000	2,500,000	2,500,000	15,318,354
Other Trade Receivables	1,777,857	0	0	0	1,153,122
Inventories	78,112	80,000	80,000	80,000	87,179
Other assets	584,546	494,170	494,170	494,170	283,090
Total Current Assets	26,885,447	18,994,232	22,767,719	22,971,154	36,611,052
NON CURRENT ASSETS					
Investments in associates	264,715	260,096	264,715	264,715	264,715
Financial Assets	37,733	13,211	13,211	13,211	37,733
Trade and other receivables	42,155	46,217	46,217	46,217	30,961
WIP - Capital	5,664,908	12,921,500	16,837,006	17,290,169	9,133,568
Fixed assets	454,950,607	431,460,665	449,695,514	449,695,514	455,284,535
Total Non Current Assets	460,960,118	444,701,689	466,856,664	467,309,827	464,751,512
Total Assets	487,845,565	463,695,921	489,624,383	490,280,981	501,362,564
CURRENT LIABILITIES					
Trade and other payables	3,260,796	2,300,000	3,260,796	3,260,796	227,254
Trust funds and deposits	235,584	203,000	235,584	235,584	247,002
Provisions - current	3,850,712	3,850,000	3,850,712	3,850,712	4,029,809
Total Current Liabilities	7,347,092	6,353,000	7,347,092	7,347,092	4,504,065
NON CURRENT LIABILITIES					
Provisions - non-current	3,559,555	5,693,780	3,559,555	3,559,555	3,551,130
Total Non Current Liabilities	3,559,555	5,693,780	3,559,555	3,559,555	3,551,130
Total Liabilities	10,906,647	12,046,780	10,906,647	10,906,647	8,055,195
Net Assets	476,938,918	451,649,141	478,717,736	479,374,334	493,307,369
EQUITY					
Operating Surplus/Deficit	7,613,938	2,208,355	1,778,818	2,435,416	16,368,451
Accumulated surplus	176,556,545	174,419,211	178,347,233	178,374,733	184,170,483
Asset revaluation reserve	290,748,590	267,201,045	290,748,590	290,748,590	290,748,590
Reserves	2,019,845	7,820,529	7,843,095	7,815,595	2,019,845
Total Equity	476,938,918	451,649,141	478,717,736	479,374,334	493,307,369

	Prudential Guideline	Adopted Budget	Reviewed Budget	Forecast Budget	YTD Actuals
Working capital ratio / Liquidity ratio (current assets to current liabilities)	150%	298.98%	309.89%	312.66%	812.84%
Debt servicing ratio (interest paid as % of total revenue)	5%	0.00%	0.00%	0.00%	0.00%
Debt commitment ratio (interest and loan repayments as a % of rate revenue)	15%	0.00%	0.00%	0.00%	0.00%

12. Income Statement for the period ended 31 December 2018

	Adopted Budget	Reviewed Budget	Forecast Budget	YTD Budget	YTD Actuals	YTD Variance favourable/ (unfavourable)
REVENUE						
Rates and charges	21,531,951	21,577,351	21,592,504	21,574,955	21,606,395	31,440
Statutory fees and fines	385,529	385,529	491,529	401,986	468,302	66,316
User fees	5,765,392	5,782,534	5,963,640	2,641,511	2,535,491	(106,020)
Contributions	280,476	579,649	494,682	27,962	26,000	(1,962)
Grants - Operating	10,409,607	11,952,908	12,338,765	5,014,870	5,128,727	113,856
Grants - Capital	2,894,500	3,382,500	3,922,500	548,875	510,500	(38,375)
Other Revenue	660,046	660,046	785,046	392,493	431,139	38,646
Total Revenue	41,927,501	44,320,517	45,588,665	30,602,652	30,706,553	(103,901)
EXPENDITURE						
Employee benefits	14,673,468	14,592,116	14,592,695	7,357,328	7,499,955	(142,627)
Materials and services	11,870,831	14,821,948	15,402,597	5,678,324	5,183,054	495,271
Bad and doubtful debts	2,000	2,000	2,000	1,000	1,798	(798)
Depreciation	10,347,000	10,347,000	10,347,000	0	0	0
Other expenses	2,825,847	2,778,635	2,827,236	1,882,984	1,847,919	35,065
Total Expenditure	(39,719,146)	(42,541,699)	(43,171,528)	(14,919,637)	(14,532,725)	386,911
Surplus/(Deficit) from Operations	2,208,355	1,778,818	2,417,138	15,683,015	16,173,828	(490,812)
Proceeds from sale of property, infrastructure, plant & equip	573,000	573,000	591,278	227,602	211,762	15,840
Written down value property, infrastructure, plant and equip	573,000	573,000	573,000	0	0	0
Net (gain)/loss on disposal of property, infrastructure, plant and equipment	0	0	18,278	227,602	211,762	15,840
Surplus/(Deficit) for Period	2,208,355	1,778,818	2,435,416	15,910,617	16,385,590	(474,973)

9.6 Camperdown Botanic Gardens and Arboretum Management

Author: Brooke Love, Director Works and Services

File No: D19/12

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 dissolve the Camperdown Botanic Gardens and Arboretum Reference Group with Council continuing to manage and maintain the site as delegated Committee of Management under the *Crown Land (Reserves) Act 1978* and to approve a Memorandum of Understanding to formally recognise the ongoing relationship between Council and the Camperdown Botanic Gardens and Arboretum Trust for a period of one year.

Introduction

The Camperdown Botanic Gardens and Arboretum are located on part of the Crown Land allotments permanently reserved as a site for Public Park by Order in Council. Council is delegated Committee of Management of the Public Park by the Department of Environment, Land, Water and Planning pursuant to the *Crown Land (Reserves) Act 1978*.

The Camperdown Botanic Gardens and Arboretum 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 decisions. The Arboretum comprises parcels of land which are subject to tenancy agreements (six), pursuant to the *Crown Land (Reserves) Act 1978*, for various uses including caravan and camping park, telecommunication towers, water supply and grazing. Lessees and Licensees are responsible for the management and maintenance of the individual land parcels.

The Camperdown Botanic Gardens and Arboretum Trust (Trust) is a local incorporated group which undertakes minor planting and maintenance works at the site, provides curatorial and horticultural recommendations for the site and undertakes promotional activities.

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.

The Camperdown Botanic Gardens and Arboretum Reference Group was established in February 2018 to provide Council with advice and guidance on the management of the Camperdown Botanic Gardens and Arboretum. Specifically, the Reference Group was established with responsibility to:

1. Review 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 including local heritage and promoting heritage tourism

The intention of the Camperdown Botanic Gardens and Arboretum Reference Group was to provide equitable representation from all parties with current agreements for use of the site, **existing 'resident' users of the site and a representative from Heritage Victoria given the sites heritage significance.**

The Terms of Reference of the Group are scheduled for review by 30 January 2019.

Issues

The Camperdown Botanic Gardens and Arboretum Reference Group was formed as a new Advisory Committee of Council to provide Council with advice and guidance on the management of the Camperdown Botanic Gardens and Arboretum. The Reference Group has not operated strategically nor cohesively as was its intention and it is unlikely that any action by Council will change this.

Given the Terms of Reference of the Group is due for review, it is considered timely that consideration of the future management of the Camperdown Botanic Gardens and Arboretum Reference Group be undertaken. This report also provides an assessment of the scope of the Reference Group.

Management and Maintenance

Council provides the necessary financial and staffing resources to maintain the Camperdown Botanic Gardens to a service level standard determined by Council.

Maintenance activities are included as a part of Council's recurrent budget and any capital improvements identified with reference to Council's Building Asset Register, Council officer recommendation and (now) the Conservation Management Plan are considered as a part of annual budget discussions.

Council has recently restructure the Parks & Gardens team to provide a dedicated curator to oversee the maintenance of the Gardens. This has provided an improved proactive approach in its short time of implementation.

Management and maintenance of the individual land parcels are subject to tenancy agreements and are the responsibility of the relevant lessee / licensee. In the case of grazing licences, these assist Council as a means of maintaining the area and reducing the fire hazard. In the case of the Lakes & Craters Holiday Park, development is subject to relevant planning approvals including Heritage Victoria approvals.

The Camperdown Botanic Garden and Arboretum Trust is an incorporated, voluntary organisation which was formed in 2013 to *support the conservation and development of the Camperdown Botanic Gardens and Arboretum*. The Trust provides an avenue for members of the community to be able to participate in various aspects of horticulture and gardening, provide curatorial and horticultural support to Council staff and undertake maintenance activities such as weeding, watering and raking. The Trust also provides and undertakes promotional activities about at the Gardens including hosting group educational tours.

Horticultural Expertise

Council's Parks & Gardens staff undertake regular maintenance activities in the Gardens. All staff are trained in (or undertaking training in) horticulture and one staff member is commencing arboriculture training.

Council seeks arborist advice on tree management as required and services to undertake complex maintenance activities such as dead wooding and tree removal.

Representatives from Heritage Victoria and the Camperdown Botanic Garden and Arboretum Trust provide specific advice.

Community Planning

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.

Conservation Management Plan

The CMP assesses the sites significant elements and sets out policies and actions to guide the continued management, enhancement, protection and maintenance of the site.

As a part of the CMP an Action Plan was developed to identify what actions and when they will be implemented and agency responsibilities identified. The Action Plan considers the resources available and suggested resources and/or funding options are also considered (such as funding, technical skills or human resources).

The CMP action plan has been recently reviewed to assist in informing the priorities for implementation for recommendation to Council and any future budget or funding bids. This highlighted:

- A number of actions have been implemented.
- The need for a plan to inform the landscaping plan and planting approach.
- Three key projects will assist in reviewing, considering and where practical, addressing many of the actions identified in the CMP Action Plan.

A copy of the *Camperdown Botanic Gardens and Arboretum Conservation Management Plan Implementation Plan* report prepared for the Reference Group is attached under separate cover.

Community Consultation

Camperdown Botanic Garden & Arboretum Reference Group

The Camperdown Botanic Gardens and Arboretum Reference Group comprises representatives from two of the six lease holders, Heritage Victoria, the Trust and Council. The Group has met on three occasions since its inception. At these meetings, the Group **has considered the outcomes of Council's tree audit and assessment and related works for 2018-2019, considered a number of operational matters including improvements to Council's website page for the site, considered options for 150 year celebrations of the Reservation of the Public Park and received a review of the Conservation Management Plan (CMP) actions.**

At its September 2018 meeting, the Reference Group discussed the development of a Landscaping and Planting Plan with expert advice, in conjunction with community feedback, to provide the vision for development of the site. External funding has been sought to complete this project this year.

Projects

Other projects undertaken at the site involve direct engagement with relevant stakeholders as required.

Customer Relations

Council's existing contacts and processes provide various mechanisms for community members to provide feedback, report maintenance issues, request a booking of the site or discuss other matters.

Camperdown Botanic Garden and Arboretum Trust

Council parks and gardens staff including curator and Team Leader meet with nominated representatives from the Trust informally on a regular basis with the aim to maintain information exchange between the parties regarding the upkeep of the site.

Assessment

The facilitation and operation of the Reference Group, along with the review of the CMP, has highlighted the complexity of the management and development of the site.

In reviewing the scope of the Reference Group it is considered that Council can better achieve day to day management and maintenance, and future development outcomes utilising its existing resources and processes as outlined above and specifically the review **of the CMP Action Plan as a guide, Council's existing tree audit and assessment and current promotional methods.**

A more detailed assessment of the Reference Group scope and implications for Council, should it choose to dissolve the Camperdown Botanic Garden and Arboretum Reference Group, is provided below:

1. Review the Conservation Management Plan Action Plan.

The review of the CMP actions has forecast three key projects:

- Landscaping and Planting Plan
- Interpretation and Signage Strategy
- Access Assessment and Design Scoping Project

It is the intention to progress these projects through Council's 2019-2020 budget development process.

Each of these projects will require external advice from industry specialists and broader input from the community, than what is represented on the advisory committee. A Project Steering Committee would be established involving all relevant stakeholders in accordance with Council's Tools of Engagement.

Other actions are considered to be subject to review by specific parties and can be considered as a part of Council's recurrent operations and management of the site.

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.*

- Capital works for consideration will be guided by the CMP, Council's Building Asset Register and other projects as recommended by Council officers. These will progress through Council's annual budget development process.
- Community initiated projects may be considered as per Council's Community Initiated Projects Policy.
- Planting developments will be informed by the Landscaping and Planting Plan (with due reference to the CMP) which has received funding for completion this financial year.

3. *Review tree management.*

- Council undertakes a tree audit and inspection on a four yearly basis. This is to ensure it meets its obligation with the management of tree risk. Councils Park and Gardens staff inspect the trees regularly as a part of everyday operations.
- Liaison and permit / permit exemption approval will be sought from Heritage Victoria
- New tree plantings will be informed by the Landscaping and Planting Plan.

4. *Recommend promotion and education of the site including local heritage and promoting heritage tourism.*

- This can be included as a part of Council's ordinary promotional activities.
- Revision of the website has already taken place to support this.

Should Council wish to dissolve the Camperdown Botanic Garden and Arboretum Reference Group, Council would need to:

- Continue to actively maintain the site as is the current process to Council's agreed service level standard;
- Provide the necessary financial and staffing resources to maintain the Camperdown Botanic Gardens;
- Implement a number of management processes consistently e.g. bookings for organised groups;
- Retain the absolute right to make all decisions concerning the management, staffing and operation of the Gardens;
- Ensure communication and consultation with community and relevant stakeholders;
- Implemented the Community Initiated Projects Policy with regard to managing projects identified by the Trust;
- Formalise the future role and undertaking of works on the site by the Camperdown Botanic Garden and Arboretum Trust.

If Council chooses to continue with the Camperdown Botanic Garden and Arboretum Reference Group Council would be required to:

- review the Terms of Reference to include code of conduct of members, clarity of meeting procedures and the role of the Group in delivery of projects;
- be clearer on the appropriate mechanisms and processes for reporting operational matters to Council;
- Formalise the future role and undertaking of works on the site by the Camperdown Botanic Garden and Arboretum Trust.

A Memorandum of Understanding between the Trust and Council will assist to highlight the objectives and management arrangements of the partnership and 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. The Memorandum enables Council to resume control of the activities occurring at the site and to provide clarity to the Trust around the activities it may undertake. A draft Memorandum of Understanding is attached.

Policy and Legislative Context

The Camperdown Botanic Garden and Arboretum Reference Group are appointed in an **advisory capacity only 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**.

The Terms of Reference have been amended to include:

1. **Reference to Council's *Employee Code of Conduct* to guide the behaviour of members on the Group. Council's Code of Conduct applies "to all Council employees, contractors and volunteers. It applies to any work related activity including work related social functions. It applies to work performed both on and off Corangamite Shire premises and applies to the delivery of council services.**

The Code covers interactions with employees, agency employees, contractors, **consultants, councillors, clients, residents, ratepayers and visitors to Council."**

2. **Council's *Meeting Procedures Local Law 3* which states these are applicable to regulate proceedings of "meetings conducted by or on behalf of Council where Council has resolved that the provisions of the Local Law are to apply".**

Council's continued management of the Camperdown Botanic Gardens and Arboretum 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.

Internal / External Consultation

The dissolution of the Reference Group has been discussed with Councillors, Senior Officers and relevant staff. The Camperdown Botanic Gardens and Arboretum Reference Group have been advised Council is considering the future management of the Botanic Gardens and Arboretum including dissolution of the Reference Group.

The Memorandum of Understanding is for the Promotion and Conservation and Maintenance of Vegetation activities at the Camperdown Botanic Gardens and Arboretum. The Memorandum has been developed following benchmarking with neighbouring councils and with reference to the existing draft Memorandum of Understanding between the Trust and Council, the City of Ballarat MOU with Friends of the Botanic Gardens group and the Cairns Regional Council and Friends of the Botanic Gardens.

The Terms of Reference for the Reference Group were reviewed by the Group at its February 2018 meeting with agreed amendments incorporated into the document. This current review of the Terms of Reference has been undertaken in consultation with **Council's Governance department.**

The Trust have been advised that all development work at the site must cease until finalisation of the Landscaping and Planting Plan.

Financial and Resource Implications

There are no financial implications with dissolution of the Reference Group.

The Draft Memorandum of Understanding proposes access to the Potting Shed for storage of equipment free of charge in lieu of the volunteers hours expected to be committed by the Trust to maintenance activities within the Botanic Gardens and Arboretum. In accordance with **Council's Property Leasing Policy the classification for leasing category proposed** would be Category A. Community, with a subsidised rental of \$104 per annum.

Options

Council can choose to retain the Camperdown Botanic Garden and Arboretum Reference Group and amend the Terms of Reference of the Group.

Alternatively, Council can dissolve the Camperdown Botanic Garden and Arboretum Reference Group and continue to manage and maintain the site as delegated Committee of Management under the *Crown Land (Reserves) Act 1978*.

Conclusion

The facilitation and operation of the Reference Group, along with the review of the CMP, has highlighted the complexity of the management and development of the site.

A restructure of Council's parks and gardens team has established a dedicated curator to oversee the Gardens maintenance which has provided a proactive approach in meeting Council's existing service level standards.




In reviewing the scope of the Reference Group it is considered that Council can better achieve day to day management and maintenance, and future development outcomes utilising its existing resources and processes as outlined above and specifically the review **of the CMP Action Plan as a guide, Council's existing tree audit and assessment and current promotional methods.**

RECOMMENDATION

That Council:

1. Resolves to dissolve the Camperdown Botanic Gardens & Arboretum Reference Group effective 23 January 2019.
2. Approves the Memorandum of Understanding between Council and the Camperdown Botanic Gardens and Arboretum Trust Inc.
3. Delegates authority to the Chief Executive Officer to finalise any and all matters in relation to the Agreement and its signing.

Attachments

1. Camperdown Botanic Gardens and Arboretum CMP Implementation Plan Review - Under Separate Cover 
2. Memorandum of Understanding Camperdown Botanic Gardens and Arboretum 2019 - Under Separate Cover 
3. Terms of Reference Camperdown Botanic Gardens and Arboretum Reference Group Review January 2019 - Under Separate Cover 

9.7 Timboon Sporting Centre Fees and Charges 2019

Author: Jane Hinds, Acting Manager Facilities and Recreation

File No: D19/2

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

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

Author - Jane Hinds

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

Summary

This report seeks Council approval of the proposed fees and charges for programs and activities conducted at the Timboon Sporting Centre for the period 1 February to 30 June 2019.

Introduction

The Timboon Sporting Centre is managed by a Committee of Management appointed by Council as a Special Committee under the *Local Government Act 1989* and pursuant to the agreement between the Corangamite Shire, Timboon P-12 School and the Timboon Sporting Centre Management.

The Centre is managed and operated by the Ballarat YMCA. The contract between Council and the Ballarat YMCA specifies that the Contractor will have responsibility to recommend fees for the Centre at the December meeting of the Committee of Management for implementation from January to December of each year subject to Council approval.

The current contract with the Ballarat YMCA states that “the Contractor shall be responsible for receipt of all user fee income and shall keep daily record of all income received”. Any increase in fee income is retained by the Ballarat YMCA.

Issues

A fee increase is sought for programs and activities at the Timboon Sporting Centre for the period 1 February 2019 to 30 June 2019.

The Ballarat YMCA proposes a slight increase in fees to align with the consumer price index (CPI). Historically, the fees for use of the centre have applied for each calendar year. The YMCA has proposed the fees and charges be implemented for the period 1 February 2019 to 30 June 2019, with a full review of fees to be undertaken and presented to the April Timboon Sporting Centre Committee meeting. This would allow fees and charges to be set each financial year in accordance with budget cycles and in line with the management contract period.

The Ballarat YMCA has prepared and recommended an adjustment to the fees which has been considered and endorsed by the Timboon Sporting Centre Committee of Management, as follows:

TIMBOON SPORTING CENTRE			
	January – December 2018	February – June 2019	
Program	Approved Fee	Proposed Fee	% Increase
Senior: Basketball	\$6.60	\$6.75	2.27%
Netball	\$6.60	\$6.75	2.27%
Badminton	\$6.60	\$6.75	2.27%
Volleyball	\$6.60	\$6.75	2.27%
Junior: Basketball	\$4.60	\$4.70	2.17%
Soccer	\$4.60	\$4.70	2.17%
Netball	\$4.60	\$4.70	2.17%
Squash	\$4.60	\$4.70	2.17%
A 10% discount will be applied to the above sports for upfront payment of a full season. Discount applied to number of games per season (finals excluded).			
Pennant squash: per game	\$6.80	\$7.00	2.94%
Junior training - any sport	\$4.60	\$4.70	2.17%
Senior training – any sport	\$6.60	\$6.75	2.27%
Casual squash	\$7.60	\$7.75	1.97%
Pennant practise	\$6.60	\$6.75	2.27%
Group Fitness Programs			
Single Session	\$11.60	\$11.80	1.7%
Single Session (Concession)	\$10.00	\$10.00	0%
Gym Memberships			
Single Session	\$11.60	\$11.80	1.7%
Single Session (Concession)	\$10.00	\$10.00	0%
Stadium Hire (Casual one off bookings)			
No Lights	\$52.50 h	N/A	N/A
Lights	\$67.00 h	\$69.00 h	2.9%

The YMCA has recommended concession fees remain unchanged for the period February to June 2019 as the fees provide good value for money to older and concession card users. All other fees have increased with CPI and rounded to ensure ease of cash handling.

The Ballarat YMCA has also recommended to remove the option for use of the stadium with no lights, as there is a risk associated with the use of no lights at the stadium if an incident was to occur.

Policy and Legislative Context

The Timboon Sporting Centre Committee of Management is a Special Committee of Council in accordance with Section 86 of the *Local Government Act 1989*. Election of committee members is conducted in accordance with the Instrument of Delegation. Council has delegated special powers and functions under the instrument of delegation to the Committee, of which one is to prepare a list of fees and charges for Council approval.

This arrangement aligns with 2017-2021 Council Plan key commitments in the areas of community wellbeing and lifestyle:

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

Deliver high quality, optimally used, sustainable community facilities.

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

Improve the health and wellbeing of our community.

Internal / External Consultation

The Committee considered the proposed fees and charges for the period from February 2019 to June 2019 at its meeting on 4 December 2018 and agreed to recommend the proposed fee increase for approval by Council. It was agreed that the YMCA would undertake a full review of the fees and charges for programs and activities at the Timboon Sporting Centre and present a report to the April Committee meeting.

Financial and Resource Implications

The fees have increased at an average rate of 1.98% with rounding. The revised fees will result in no change to the net cost of the operation of the Timboon Sporting Centre to Council as all fees are retained by the contractor in accordance with the management contract.

Options

Council can opt to accept the Committee's recommendation to increase the fees and charges for programs and activities conducted at the Timboon Sporting Centre for the period to June 2019.

Alternatively, Council can reject the recommendation from the Timboon Sporting Centre Committee of Management and retain the current fees or recommend alternative fees.

Conclusion

The recommended fees and charges for the Timboon Sporting Centre for the period February 2019 to June 2019 reflect an adjustment in accordance with the contract.

RECOMMENDATION

That Council approves the proposed fees and charges for programs and activities conducted at the Timboon Sporting Centre for February 2019 to June 2019.

TIMBOON SPORTING CENTRE	
	February – June 2019
Program	
Senior: Basketball	\$6.75
Netball	\$6.75
Badminton	\$6.75
Volleyball	\$6.75
Junior: Basketball	\$4.70
Soccer	\$4.70
Netball	\$4.70
Squash	\$4.70
A 10% discount will be applied to the above sports for upfront payment of a full season. Discount applied to number of games per season (finals excluded).	
Pennant squash: per game	\$7.00
Junior training - any sport	\$4.70
Senior training – any sport	\$6.75
Casual squash	\$7.75
Pennant practise	\$6.75
Group Fitness Programs	
Single Session	\$11.80
Single Session (Concession)	\$10.00
Gym Memberships	
Single Session	\$11.80
Single Session (Concession)	\$10.00
Stadium Hire (Casual one off bookings) (including lights)	\$69.00 h

9.8 Renewal of Lease Agreement - Cobden Airstrip

Author: Wendy Williamson, Property Officer

File No: D19/7

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 - Wendy Williamson

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

Summary

This report is for Council to consider renewal of a lease agreement at the Cobden Airstrip for the purpose of storage and maintenance of aircraft and associated equipment.

Introduction

The Cobden Airstrip is located at the Cobden Racecourse Reserve Precinct which is owned by the Corangamite Shire and located at the corner of Hallyburtons and Grayland Roads, Cobden.

Council adopted to enter into a lease agreement with Peter Rohan for the development of a hangar in 2010. The existing lease expired on 30 November 2018 and contains two further terms each of five years.

Issues

At its meeting on 27 April 2010, Council adopted to enter into a lease agreement with Peter Rohan for the development of a hangar at the Cobden Airstrip. At its meeting on 23 September 2014, Council granted a lease renewal for a further five year term.

The existing lease expired on 30 November 2018. Peter Rohan has advised Council of his intention to continue the lease and exercise a five year option for a further lease term at the Cobden Airstrip.

Peter Rohan became a tenant on a monthly over holding basis upon the lease expiring on 30 November 2018, as per the hold over clause contained within the lease agreement. The purpose of the lease agreement is for the storage and maintenance of aircraft and associated equipment. Terms and conditions of the lease agreement will be on the same basis as the existing lease agreement. The further lease option of five years is in keeping with the other hangar tenancies at the Cobden Airstrip.

In accordance with Council's Property Leasing Policy the classification for the leasing category proposed would be Category D Commercial/Private, with a commercial rental based on a land lease only. The lessee is responsible for maintenance and capital upgrades to the existing building.

Policy and Legislative Context

Agreement to renew the lease agreement at the Cobden Airstrip is in keeping with the following commitments in the 2017-2021 Council Plan:

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

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

We value the importance of local business to our economy and the overall prosperity of Corangamite Shire

The proposed lease has been advertised in accordance with Section 190 of the *Local Government Act 1989*. Submissions regarding the proposed lease were sought in accordance with Section 223 of the *Local Government Act 1989*, with the submission period closing 11 January 2019. No submissions were received.

The land is in the process of being rezoned from Farming Use to a Public Use zone. All necessary permits and approvals for any works and improvements to the site will be applicable.

Internal / External Consultation

A public notice advertising **Council's intention to lease the land has allowed the opportunity** for community members to provide comments and make submissions regarding the lease of the facility. No submissions were received.

Financial and Resource Implications

Council's Property Leasing Policy provides categorisation of tenants for use of Council owned or controlled land. A market review was carried out in 2014 and a rental fee of \$1,320 per annum was determined.

It is proposed that the current rental of \$1,320 (excluding GST) per annum be increased by CPI, as the cost of obtaining the valuation would detract from any slight increase gained.

In comparison, the other commercial tenant at the Cobden Airstrip, incurs a rental fee of \$3,050 per annum for a larger site for the operation of a business, storage and aircraft maintenance. Recreational hangar users incur a rental fee of around \$600 per annum.

Options

Council may choose to grant the lease renewal or choose not to grant the lease renewal.

Conclusion

Peter Rohan currently occupies land located at the Cobden Airstrip situated at Hallyburtons and Grayland Roads, Cobden with the existing lease expired on 30 November 2018.

Peter Rohan has requested Council renew the existing lease agreement for use of the hangar for the purpose of storage and maintenance of aircraft and associated equipment.

The lease renewal is for a five year period with an option of a further five year term available. The current rental of \$1,320 per annum will remain with the lease commencing on 1 February 2019 and the leased area remaining the same.

RECOMMENDATION

That:

1. Council enters into a lease renewal agreement for a five (5) year term with Peter Rohan for the purposes of storage and maintenance of aircraft and associated equipment at the airstrip and associated facilities at the Cobden Airstrip, which expires 31 January 2024.
2. The lease has the option of one (1) further term of five (5) years.
3. The Common Seal of Council be affixed to the lease agreement.

9.9 Special Charge Scheme - Installation of Footpath on Eastern Side of Dover Street, Cobden

Author: John Kelly, Manager Assets Planning

File No: D19/1

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

This report proposes that a Special Charge Scheme be declared for the installation of a concrete footpath on the eastern side of Dover Street from Silvester Street to Mitchell Street, Cobden.

The majority of owners have indicated their support for the proposal and the recommendation is that the Special Charge Scheme be declared.

Introduction

Council's current budget provides for the construction of a concrete footpath, nature strip reinstatement and associated works in Dover Street, Cobden. The path will connect with existing footpaths in Silvester, Curdie and Parrott Streets.

The works are to be undertaken under a Special Charge Scheme.

In order to make a declaration under a Special Charge Scheme the following documents were prepared (refer to attachments):

- public notice of proposed declaration
- proposed declaration
- map of area of scheme, including concept plan of proposed works
- schedule of properties and special charge apportionments
- determination of the maximum total levy
- letter of notice to benefiting property owners.

Issues

This Special Charge Scheme allows for defraying a portion of the cost of the construction of 390m of concrete footpath and associated works on the eastern side of Dover Street from Silvester Street to Mitchell Street, Cobden

Policy and Legislative Context

Section 163, Special Rates and Special Charges, of the *Local Government Act 1989* specifies the procedure for Council to recover costs if it considers that certain works will be of special benefit to the persons required to pay the rate or charge. Council must resolve to make a special rate or special charge and such resolution must specify:

- the land in relation to which the special rate or special charge is declared
- the manner in which the charge will be assessed and levied
- details of the period for which the charge remains in force.

Section 163 of the *Local Government Act 1989* also specifies how a council should determine the maximum total amount that may be levied as a special charge. In accordance with **Council's Special Rates and Charges Policy**, when determining this levy amount, consideration is given to the level of benefit received by the wider community in comparison to the level of special benefit received by the abutting properties.

The policy broadly:

- Recognises that property owners who receive a benefit from infrastructure improvements are liable to contribute in a fair, equitable, consultative and consistent manner.
- Commits Corangamite Shire to contribute a minimum of 35% of the total cost, but may contribute more if the community benefit is higher.
- Provides for a range of repayment options for scheme participants.

The proposed footpath is consistent with the following strategy in Theme 5 Safety and Healthy Communities in the Council Plan 2017-2021:

Continue focus on improving strategic footpath connections in our towns.

The installation of this footpath also supports Council's Municipal Public Health and Wellbeing Plan 2017-2021 by providing infrastructure that will support active transport, access and connectivity and improve the physical health of our community.

Internal / External Consultation

A preliminary letter and survey form were sent on 18 September 2018 to affected property owners to gauge initial support for the proposal. The preliminary letter had advised that there was to be further opportunity for owners at a later stage to comment on the proposal. Of the eight owners, four owners had indicated support for the proposal whilst two owners did not support it and two owners did not reply.

An on-site meeting was also held on 26 September 2018 between the property owners, Councillor Jo Beard and Council Officers Brooke Love and John Kelly, to give owners further opportunity to ask questions about the proposal. At the meeting a further owner advised verbally of his support for the proposal.

Based on the general support from owners to proceed with the process, a statutory public notice was placed in the Cobden Timboon Coast Times on 5 December 2018 and a letter was sent out to the benefitting property owners on 6 December 2018 regarding the proposed declaration of the Special Charge Scheme. All scheme documents, plans and schedules were made available at the Corangamite Shire office.

The 28 day period within which any person may make a written submission to Council expired on 9 January 2019. There were no submissions during this period.

Financial and Resource Implications

There is considered to be a high community benefit with the footpath constructed in this section of Dover Street with improved access to the Cobden Technical School and the Cobden Golf Club to the north and to the Cobden Recreation Reserve and CBD to the east. Based on the community benefit and the special amenity and access benefits to the abutting property owners, it is determined that 75% of the cost of construction of the footpath should be borne by Council and 25% is to be borne by the abutting owners.

The estimated costs of the works and cost recovery from abutting property owners is as follows:

Total Cost of Works	\$13,726
Total Property Owner contribution	\$3,431
Council contribution	\$10,295

The Council has sufficient budget allocated for the footpath works in Dover Street in 2018-2019.

Options

Council may proceed with, vary or abandon the proposed special charge scheme.

Conclusion

Since there has been generally a favourable response to the proposal it is recommended that Council resolve to declare a special charge to finance the construction of the concrete footpath and associated works on the eastern side of Dover Street from Silvester Street to Mitchell Street, Cobden.











RECOMMENDATION

That:

1. A special charge be declared for the purpose of defraying a portion of the cost of construction work in relation to provision of concrete footpath and associated works on the eastern side of Dover Street from Silvester Street to Mitchell Street, Cobden under S163 (1) of the *Local Government Act 1989*, which Council considers will be of special benefit to those persons required to pay the special charge and who are described in the succeeding part of this declaration.
2. The following be specified as the criteria on the basis of which the special charge is so declared:
 - (a) **The special charge is based on a total estimated "scheme" cost of \$13,726 with the distribution of the charge being based upon:**
 - (i) the frontage of mid allotments and the lesser of the frontage/sideage of a corner allotment included in the scheme as receiving a benefit
 - (ii) 25% of the total cost of concrete footpath construction, nature strip reinstatement and administration cost to abutting allotments.

3. The following be specified as the area of which the special charge is so declared:
 - (a) The land shown, identified with street addresses on the map in Attachment 1.
4. The following be specified as the land in relation to which the special charge is so declared:
 - (a) The properties listed in column 6 of Attachment 2, Schedule of Properties and Special Charge Apportionment.
5. The following be specified as the manner in which the special charge so declared will be assessed and levied:
 - (a) A charge per property which is abutting the said street where the footpath is proposed.
6. The following be specified as the period for which the special charge remains in force:
 - (a) The special charge remain a charge on the respective properties until such time the special charge is paid in full with any interest thereof.
7. Having regard to the preceding parts of this declaration, it be recorded that:
 - (a) The owners of the land described in column 6 of Attachment 2 will be liable for the respective amounts set out in subsequent columns thereof.
 - (b) The special charge be paid within 30 days of the owner receiving accounts of the works, or by 20 quarterly instalments as approved by Council bearing interest at the rate of interest as set by Council pursuant to Section 172(2) of the *Local Government Act 1989*.
8. The Revenue/Rates Co-ordinator be directed and authorised by the Chief Executive Officer to demand payment of and recover the special charge, in accordance with the *Local Government Act 1989*.

Attachments

1. Attachment 1 - Plan for Footpath in Dover Street, Silvester Street to Mitchell Street, Cobden east side  
2. Attachment 2 - Apportionment Dover Street Cobden Footpath Special Charge Scheme  
3. Proposed Declaration of Special Charge Scheme Dover Street Footpath Cobden - Under Separate Cover 
4. Public Notice for Proposed Declaration of Special Charge Scheme for Dover Street Footpath Cobden - Under Separate Cover 
5. Letter to Property Owners Re Proposed Declaration of Dover Street, Cobden Footpath Special Charge Scheme - Under Separate Cover 
6. Comments from Property Owners on Proposed Footpath and Special Charge Scheme in Dover Street, Cobden - Under Separate Cover 
7. Determination of Maximum Total Levy - Dover Street, Cobden Footpath Special Charge Scheme  

ATTACHMENT 1

ALIGNMENT PLAN OVERVIEW
SCALE 1:1250

LEGEND	
1. PROPOSED FOOTPATH 75mm	
2. PROPOSED FOOTPATH 125mm	
3. EXISTING FOOTPATH	
4. POWER POLE	
5. TREE/SHRUB	
6. WATER UTILITY	
7. SIGN	
8. STORM WATER PIT	
9. TELSTRA PIT	



	CORANGAMITE SHIRE COUNCIL					PLAN NUMBER XXXX
	DOVER ST, SILVESTER ST TO MITCHELL ST, COBDEN EAST SIDE SCS FOOTPATH PROPOSAL CONCEPT PLAN OVERVIEW					
	Survey	BH & PC				
	Design	BH				
File	xxxx					
Scale	1:1250					
Checked	Date 10/07/2018	Level Datum	ARBITRARY	A3	Est. Bk. No.	

ATTACHMENT 2

SCHEDULE OF PROPERTIES & SPECIAL CHARGE APPORTIONMENTS

SPECIAL CHARGE APPORTIONMENT FOR CONSTRUCTION OF A CONCRETE FOOTPATH
DOVER STREET, SILVESTER ST TO MITCHELL ST (EAST SIDE), COBDEN
25% OF TOTAL ESTIMATED COSTS TO BE APPORTIONED TO OWNERS OF ABUTTING PROPERTIES
DISTRIBUTION OF APPORTIONED COSTS BASED ON LENGTH OF FRONTAGE OF ALLOTMENTS

ESTIMATED COST OF WORKS: \$13,726
ESTIMATED COST OF WORKS TO BE RECOVERED BY PROPERTY OWNERS: \$3,431 FRONTAGE UNIT OF APPORTIONMENT: 3,431/159.60 = \$21.5000

DESCRIPTION OF WORKS AND SPECIFICATIONS	QUANTITY lineal metre	ESTIMATED COST		PROPERTY NUMBER	DESCRIPTION OF PROPERTY	LOT FRONTAGE TO FOOTPATH(m)	CHARGEABLE FRONTAGE (m)	APPORTIONMENT OF COST	VEHICLE CROSSING THICKENING			Total Estimated Owners Cost	
		RATE (\$/m)	AMOUNT						WIDTH (m)	RATE (\$)/Lm	AMOUNT (\$)		
CONSTRUCTION OF A 75 MM THICK 1.2 M WIDE CONCRETE FOOTPATH, REINSTATE NATURE STRIP AND ASSOCIATED WORKS.	159.6	80.00	\$12,768	7332	79 SILVESTER STREET CA 10 SECTION 24 TOWNSHIP OF COBDEN & PARISH OF TANDAROOK	48.48	20.12	\$433	4	20.00	80.00	\$513	
				6506	98 CURDIE STREET CA 11A SECTION 24 TOWNSHIP OF COBDEN & PARISH OF TANDAROOK	48.48	20.12	\$433	15	20.00	300.00	\$733	
				6447	99 CURDIE STREET CA 10 SECTION 23 TOWNSHIP OF COBDEN & PARISH OF TANDAROOK	48.48	20.12	\$433	4	20.00	80.00	\$513	
				7096	80 PARROTT STREET CA 11 SECTION 23 TOWNSHIP OF COBDEN & PARISH OF TANDAROOK	48.48	20.12	\$433	4	20.00	80.00	\$513	
				7059	79 PARROTT STREET LOT 1 TP532035	48.48	20.12	\$433	4	20.00	80.00	\$513	
				7028	1 ORTON COURT LOT6 LP149883	30	18.00	\$387	1	20.00	20.00	\$407	
				6580	24 DOVER STREET LOT5 LP149883	35.5	16.00	\$344	0	20.00	0.00	\$344	
				6897	50 MITCHELL STREET LOT 1 LP149883	39	25.00	\$538	0	20.00	0.00	\$538	
SUB TOTAL 7.5% ADMINISTRATION			\$12,768 \$958										
TOTAL			\$13,726			346.90	159.60	\$3,431	32.00		640.00	\$4,071	

Special Charge Scheme

Construction of Footpath

Eastern side of Dover Street from Silvester Street to Mitchell Street, Cobden

A Purpose

To construct a footpath to provide pedestrian access for properties on the above section of Dover Street and for the community travelling along Dover Street to access either the nearby Cobden Technical School, golf course, recreation reserve or CBD. There are currently existing paths along Silvester, Curdie and Parrott Streets. Currently there is only nature strip or the road to walk along Dover Street.

B Coherence

All of the properties abutting onto the proposed footpath are considered to receive a special benefit. The works are physically connected to the properties.

C Total Cost

Rate for construction of 1.2m wide footpath and associated works based on previous works is \$80/m. There is 159.6m length of footpath.

Therefore, the Total Estimated Cost is

Footpath	\$80 x 159.6	= \$12,768
7.5% admin costs		= \$ 958
<u>Total</u>		<u>= \$13,726</u>

This does not include strengthening of driveways which are at the owners' cost.

D Identify Special Beneficiaries

8 properties in Dover Street will abut the footpath and are considered to be receiving special benefits.

E Determine Properties To Include Scheme (TSBs – In & Out)

All 8 properties abutting the footpath are considered to be subject to the scheme.

Therefore TSB(in) =100%, TSB(out)=0%

F Estimate Total Special Benefits

For this scheme, it is assumed that the greater proportion of benefits is for pedestrian access – given the defined purpose of the scheme. Therefore it is considered that 75% of benefits relate to access and 25% to amenity. These proportions are consistent with those adopted in examples provided with the Special Rates and Charges Ministerial Guidelines 2004.

- Projected pedestrian use of the footpath is 100% for the adjoining properties.
- Projected amenity benefits are based on frontage. 100% of the length of the footpath is in front of the properties.

G Estimate Total Community Benefits (TCB)

There would be a large community benefit with the footpath constructed on Prince Street with improved access provided for those accessing either Cobden Technical School and Cobden Golf Club to the north or Cobden CBD and Cobden Recreation Reserve to the east. For the purposes of the calculations it is estimated that 200 households would benefit.

H Calculate “Benefit Ratio”

The proportion of special benefits compared with community benefits is shown in the table below.

	8 Properties TSB (in)	200 households TCB
Access (75%)	$75\% \times 8/208 = 3\% \%$	$75\% \times 200/208 = 72\%$
Amenity (25%)	$25\% \times 1 = 25\%$	Nil
Total Benefits	28% say 25%	72% say 75%

Therefore the contribution to the scheme from abutting owners is estimated at 25%. Ratio R = 0.25.

I Calculate Maximum Total Levy

$R \times C \text{ (cost)} = S \text{ (Scheme Contribution)}$

$$0.25 \times \$13,726 = \$3,431$$

9.10 Quick Response Grants Allocation January 2019

Author: David Rae, Director Corporate and Community Services

File No: D18/584

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 January 2019 allocation of funds under the Quick Response Grants Program.

Introduction

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

Issues

The Quick Response Grants Program has 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 of unexpended amounts.

Financial and Resource Implications

The 2018-2019 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	\$500.00	\$0.00	\$1,500.00
North	\$2,000.00	\$500.00	\$0.00	\$1,500.00
South Central	\$2,000.00	\$1,344.78	\$0.00	\$655.22
South West	\$2,000.00	\$1,975.00	\$0.00	\$25.00
Central	\$6,000.00	\$2,473.00	\$500.00	\$3,027.00
	\$14,000.00	\$6,792.78	\$500.00	\$6,707.22

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 January 2019:

Applicant	Purpose	Ward	Amount
Camperdown Grandstand Restoration Committee Inc	Assistance towards paying accounting and audit fees following completion of project to acquit grant and satisfy incorporation requirements.	Central	\$500.00

Attachments

1. Quick Response Grants Assessment - January 2019 Allocation - Under Separate Cover 
2. Application - Camperdown Grandstand Restoration Committee Inc - Under Separate Cover 

9.11 Application of Common Seal of Council 2018

Author: Penny MacDonald, Executive Services and Governance Coordinator

File No: D19/4

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 informs Council of all applications of the Common Seal made by the Chief Executive Officer under delegation during 2018.

Introduction

Use of the Common Seal is prescribed by the *Meeting Procedures Local Law No.3 2016*. Under the Local Law, Council may, by resolution, delegate the use of the Common Seal to the Chief Executive Officer for general classes of activities or transactions. Other applications of the Common Seal are authorised by Council by resolution as required. The Chief Executive Officer is required by the Local Law to regularly advise Council of the use of the Common Seal when applied under delegation.

At its meeting on 24 January 2017, Council resolved to authorise the Chief Executive Officer to apply the Common Seal of Council to general classes of documents. Typical documents sealed under delegation by the Chief Executive Officer include:

- *Planning and Environment Act* section 173 agreements
- funding/grant agreements
- contracts endorsed by a resolution of Council
- lease agreements endorsed by a resolution of Council
- licence agreements endorsed by a resolution of Council
- transfer of land documents for transactions endorsed by a resolution of Council.

Issues

The Common Seal was applied by the Chief Executive Officer during 2018 to the documents listed in the attached table.

Policy and Legislative Context

Meeting Procedures Local Law No.3 2016, **Part C, Clause 9.3 states** 'the Council may, by resolution, give the Chief Executive Officer authority to use the Common Seal for general **classes of activities or transactions**'. **Clause 9.4 continues**, 'if the Chief Executive uses the Common Seal in a manner prescribed by Clause 9.3, then he or she must advise Council of **such use on a regular basis**'.

This report ensures compliance with the Local Law and is consistent with the 2017-2021 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.

Conclusion


Various documents require the use of the Common Seal of Council. The *Meeting Procedures Local Law No.3 2016* details the use of the Common Seal and provides for the application of the Common Seal by the Chief Executive Officer under delegation for general classes of activities or transactions.

Council is asked to receive the attached list of documents to which the Common Seal was applied under delegation by the Chief Executive Officer during 2018.

RECOMMENDATION

That Council receives the attached list of documents sealed by the Chief Executive Officer under delegation during 2018.

Attachments

1. Table Application of Common Seal of Council under CEO Delegation in 2018 

Application of Common Seal of Council under CEO Delegation in 2018

Description	Date sealed
Licence Agreement – Community Garden with Camperdown and District Community House	23/04/2018
Section 173 Agreement - Planning Permit PP2017/129 for two lot subdivision (excision of dwelling) at 185 Wire Lane, Camperdown	01/05/2018
Lease Agreement - Camperdown Saleyards with RLX Operating Company P/L. (Authorised by Council to enter into agreement 28 November 2017.)	04/06/2018
Lease Agreement – Renewal with Progressing Cobden for Cobden Racecourse Reserve land. (Original lease authorised by Council 28 January 2014.)	26/06/2018
Section 173 Agreement - Planning Permit PP2012/142 for two lot subdivision (excision of dwelling) at 525 Vite Vite-Streatham Road, Vite Vite.	30/07/2018
Agreement - Warrnambool City Council for 2018-2019 Bitumen Sealing Works	15/08/2018
Licence Agreement - Sustainability House for Family Day Care, 6 McNicol St, Camperdown	20/08/2018
License Agreement - Old Lismore Maternal Child Health Centre for Family Day Care, 29 William Street, Lismore	30/08/2018
License Agreement – For use of Terang Pound, 129 Peterborough Road, Terang	30/08/2018
Deed of Variation - Wheelie Waste Contract	24/09/2018
Section 173 Agreement – Relating to contract of sale for 12-14 Montgomery Street, Skipton	24/09/2018
Section 173 Agreement – PP2016/018 (no further subdivision) at 1019 Timboon-Peterborough Road, Lower Heytesbury	23/10/2018
Section 173 Agreement - Planning Permit PP2018/044 for the realignment of title boundaries (two lots) at 532 North South Road and 380 Camerons Hill Road, Paarate	31/10/2018

Description	Date sealed
Section 173 Agreement - Planning Permit PP2017/159 for 2 lot subdivision (Excision of Dwelling) at 42 Newfield Lane, Newfield	1/11/2018
Lease Agreement - Renewal for 129A High Street, Terang. (Original lease authorised by Council 28 July 2015.)	5/11/2018
Transfer of Lease - Cobden Airstrip for two existing Lessees to take on third Lessee's share. (Original transfer of lease approved by Council 22 April 2014.)	12/11/2018
Licence Agreement - Sustainability House for Family Day Care, 6 McNicol Street, Camperdown	14/11/2018
Licence Agreement - Sustainability House for Family Day Care, 6 McNicol Street, Camperdown	3/12/2018
Licence Agreement – Renewal for Camperdown Playgroup, Campbell Street, Camperdown	7/12/2018
Lease Agreement - Renewal with Cobden Technical School for Cobden Racecourse Reserve land. (Original lease authorised by Council 17 December 2013.)	7/12/2018
Section 173 Agreement – Relating to Asbestos Removal following SW Complex Fires 79 Depot Rd, Terang	17/12/2018
Cattle Underpass Agreement – Relating to transfer of ownership of underpass at Castle Carey Road, Glenormiston	21/12/2018

9.12 Mayor and Councillor Allowances - Category Change

Author: Penny MacDonald, Executive Services and Governance Coordinator

File No: D19/9

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 advises Councillors about the outcome of the annual allowance category review by the Minister for Local Government. The Minister announced in the Government Gazette **on 24 December 2018, that Corangamite Shire's** mayoral and councillor allowance category had changed from Category 2 to Category 1, impacting the maximum permitted allowances for the Mayor and Councillors.

Introduction

The *Local Government Act* (the Act) specifies that the Minister for Local Government “**must, at least once every year, review the allowance category for each Council**”. **The review takes into account the Shire's population and recurrent revenue adjusted for inflation.**

On 24 December 2018, the Executive Director of Local Government Victoria, Dr Graeme Emonson, wrote to the Chief Executive Officer (CEO), advising him that the review had been conducted and the Minister had approved a change to the allowance category for Corangamite Shire.

Issues

Corangamite Shire's mayoral and councillor allowance category was changed from Category 2 to Category 1, effective from 24 December 2018. The calculation to determine the appropriate allowance category is based on a formula/points system which takes into account the number of residents in a municipality **and the council's recurrent revenue, adjusted for inflation. Corangamite Shire's rating following the calculations was 37.3 points**, which is within the range of 0 to 40 points for Category 1 councils. (Historically, Corangamite Shire moved from allowance Category 1 to Category 2 on 1 December 2008.)

The permitted Category 1 allowances are up to \$61,651 per annum for mayors, and between \$8,660 and \$20,636 per annum for councillors. These amounts do not include the additional 9.5% equivalent superannuation payable to all Councillors.

Prior to the category change, allowances had been set by Council (on 24 January 2017) at the maximum amounts permitted for Category 2, with the Mayor receiving an annual allowance of \$79,612 and the Councillors receiving an annual allowance of \$25,730 (excluding the 9.5% superannuation equivalent).

Following the category change, allowances have been automatically set at the maximum amounts permitted for Category 1. The Mayoral allowance is now \$61,651 and the Councillor allowance is now \$20,636 (excluding 9.5% equivalent superannuation).

The Act specifies that councils may review mayoral and councillor allowances following an allowance category change. Should Council decide to review the allowances, public consultation would need to be sought before Council's **final determination of allowances** at a future Council meeting.

Policy and Legislative Context

Section 73A of the Act requires the Minister to annually review the allowance category for each Council. Under the Act, the Minister must specify by notice in the Government Gazette **any change to allowance categories**. The announcement of Corangamite Shire's category change was made in the Victorian Government Gazette on 24 December 2018 (No. S 583).

Section 74(1B) (along with subsection (a)) states:

A Council may review and determine the level of the Councillor allowance and the Mayoral allowance after – (a) the Minister, by notice published in the Government Gazette under section 74B or 74C, has changed the category of the Council.

Should Council decide to review the mayoral and councillor allowances within the prescribed Category 1 amounts, public consultation under sections 74(4) and 223 of the Act will be required, before Council can make the final determination at a future Council meeting.

Internal / External Consultation

Council was not consulted regarding the change in allowance category, or advised that a change was likely to occur. Advice of the change was provided by Local Government Victoria via an emailed letter to the CEO on 24 December 2018, after the Shire offices had closed for the Christmas holiday period. Councillors were notified by the CEO of the category change by email.

The CEO expressed his concerns with Local Government Victoria on the lack of consultation and forewarning, and the Mayor has written to the Minister for Local Government expressing similar concerns.

Historically, notices of allowance category changes have been made at different times of the year, including April, June, November and December.

Financial and Resource Implications

The lack of notice regarding the category change meant Councillors were unable to financially plan for significantly lower allowances before the Christmas period.

The change in the allowance category will result in a saving to Council of \$48,525 per annum (excluding the equivalent superannuation payments).

Options

Council may choose to:

1. Note the advice from Local Government Victoria about the category change.
2. Carry out a review of allowances by proposing an allowance for the Mayor and Councillors, before conducting public consultation and making a final determination at a future Council meeting.

Conclusion

Each year the Minister for Local Government must review the allowance category for each Council. On 24 December 2018, the Minister **announced that Corangamite Shire's** allowance category had changed from Category 2 to Category 1, effective 24 December 2018. The Mayor and Councillor allowances were automatically set at the maximum amounts for Category 1, with the Mayor to receive an allowance of \$61,651 per annum and Councillors to receive an allowance of \$20,636 per annum (excluding 9.5% equivalent superannuation).

Under the Act, a council may review its allowances following a change to the allowance category. Should Council wish to review the allowances, proposed allowances would need to be set before public consultation is conducted, and Council makes a final determination of the allowances at a future Council meeting.

RECOMMENDATION

That Council notes the advice received from Local Government Victoria on **the change to Corangamite Shire's allowance category from Category 2 to Category 1.**

9.13 Records of Assembly of Councillors

Author: Andrew Mason, Chief Executive Officer

File No: D19/3

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 18 December 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 considered.
- 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 18 December 2018
- Planning Inspection 8 January 2018.

RECOMMENDATION

That Council accepts the attached Records of Assembly of Councillors.

Attachments

1. Record of an Assembly of Councillors 18 December 2018  
2. Record of Assembly of Councillors Planning Site Inspection 8 January 2019
PP2018/124 1143P  



Council Record of an Assembly of Councillors



Councillor Briefing

Date: 18 December 2018

Time: 2.00 pm

Place: Killara Centre

Present:

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

Cr Beard arrived at 3.07 pm.

Officers:

- Ian Gibb Brooke Love Andrew Mason David Rae
- Beau Reilly (Item 1)
- Lyall Bond, Adam Taylor (Item 2)
- Rory Neeson, Samantha Fox (Item 3)

Guests:

Andrew Chivell, Darren Wright and Simon Craven (Dairy Panel); Tony Irish (SED Advisory) (Item 1)

Issues Discussed:

Item	Discussion Topic
1	Barwon South West Regional Dairy Supply Chain Study
2	Reduced Transfer Station Fees for Low Income Households
3	Events and Festivals Grant Program - Policy Review
4	Hot Topics <i>Agenda Items, Staff Christmas Function, Planning Permit Application, Castle Carey Road Closure, Sunnyside House.</i>
5	Councillor Items <i>Stockyard Hill, Skipton Issues, Hampden Specialist School, Camperdown Dairy, Grass Mowing, Blazeaid Farewell, Timboon War Memorial, Timboon Recreation Reserve Signage.</i>

Conflict(s) of Interest declared: Nil.

Councillor(s) left the meeting at: NA

Councillor Conflict of Interest Form(s) Completed: NA

Meeting close: 4.45 pm

Note taker: Andrew Mason



Planning Inspection

Record of an Assembly of Councillors



Date: 8 January 2019

Time: 10.00 am

Location: 460 Lismore-Pittong Road LISMORE

Application No: PP2018/124

Present:

Cr Beard Cr Brown Cr Durant Cr Gstrein
 Cr Illingworth Oakes Cr Trotter

Cr Illingworth was an apology

Officers:

- Aaron Moyne

Applicant:

- Brenton and Jayde Dridan
- Leigh Alderton
- Sarah Wright (planner)

Issues Discussed:

- Application summary and overview
- Assessment criteria and policy
- Justification for application and opportunity to provide further information
- Planning assessment process and reporting

Conflicts of Interest declared: Nil

Meeting close: 10.25 am

Note taker: Aaron Moyne

10. OTHER BUSINESS

10.1 Notice of Motion - Great Australian Bight Oil Drilling

Councillor: Simon Illingworth

File No: D19/16

Previous Council Reference: Nil

Declaration

Councillor – Simon Illingworth

In providing this notice of motion to Council I have no interests to disclose in this matter.

Notice of Motion

I give notice that I intend to move the motion listed below at the Ordinary Meeting of Council on 22 January 2019.

Background

Considerable community concern has been raised with me about the potential exploratory drilling for oil in the Great Australian Bight. Whilst this is a long distance from us, this is a very real threat for our pristine waters, should control be lost at the drill site.

The drill site is one of the world's most treacherous stretches of water on earth; it is very, very deep and is relatively inaccessible to most watercraft. The world's worst oil disasters, involving spills and leaks caused by loss of well control, show how devastating oil is to the environment. Even the infamous Gulf of Mexico oil spill would pale into insignificance, when compared with the difficulty confronted by oil companies trying to regain control of an oil well in the Great Australian Bight where wave heights regularly exceed 10 metres.

Environmentally, we are the voice for our Shire. Our constituents rely on us to speak on their behalf. The Coastal Ward and the Corangamite Shire is a major stakeholder in this. Locally, nationally and internationally the people expect that the Twelve Apostles and our stretch of coastline would be protected by us.

Economically, an oil spill would immediately cease tourism. This would mean that every tourism related worker would be expected to find alternative employment. Small and large tourism dependent businesses would either cease or slow to a recession like pace. Other industries immediately impacted would be rock lobster fishing, abalone and long line fishing. The multi-million dollar related fishing licences would become valueless overnight. This is also an export industry.

As you would be aware, a rally was held at Port Campbell pier on 13 January. This was advertised on social media and via text message. A small gathering was expected. Three to four hundred people attended and over 100 of them jumped off the pier in protest. The **hashtag "Big Oil Go Jump" has been used. Professional, recreational fishermen and fishing licence holders attended, as did numerous environmental groups, swimmers and surfers. It was a very broad group of stakeholders.**

This motion is not anti-gas or even oil exploration. It is specifically condemning the exploration of oil in the Great Australian Bight owing to the risk it poses to our internationally significant coastline and industries.

In support of our local gas companies, I would like to recognise the important contribution the offshore gas industry has in employing local workers; generously helping in our community and supplying this nation with our energy needs, and by no means should this motion be seen as a criticism of that industry.

The motion before council condemns the exploration of oil in the Great Australian Bight.

CEO Comments
Not applicable.

MOTION

That Council:

1. Determines that it opposes plans to drill for oil in the Great Australian Bight.
2. Communicates its opposition to Equinor, the National Offshore Petroleum Safety and Environmental Management Authority, relevant State and Federal ministers, local State and Federal members of Parliament, and councils along the Victorian coast.

11. OPEN FORUM

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

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

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

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

12. CONFIDENTIAL ITEMS

RECOMMENDATION

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

12.1 Sale of Land - Gnarpurt Road, Lismore