



CORANGAMITE  
SHIRE

# agenda

## CORANGAMITE SHIRE

### ORDINARY MEETING OF COUNCIL TUESDAY 28 JANUARY 2020

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

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## 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 Wednesday 25 December 2019 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.

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## 7. COMMITTEE REPORTS

### 7.1 Audit Committee Report - 12 December 2019 Meeting

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

**File No:**

**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 12 December 2019 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), Matt Makin

Apologies: Andrew Jeffers

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

Guests: Andrew Zavitsanos (Crowe Horwath – Internal Auditor)

Declaration of Conflict of Interest: Nil

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The Committee considered the following matters at the meeting:

- CEO and Mayor Credit Card Use - 1 September - 30 November 2019
- Audit Committee Meeting Dates for 2020
- Audit Committee Chairperson 2020
- Review of Annual Work Plan for 2020
- Audit Committee Charter - 2019 Annual Review
- Audit Committee - 2019 Annual Performance Review
- Internal Audit Reviews - Memorandums of Audit Planning
- Status Update - Outstanding Internal Audit Recommendations
- Victorian Auditor General's Office - Results of 2018-2019 Local Government Audits
- Finance Report as at 30 September 2019
- Strategic Risk Update
- Cyber Security
- Landfill Operations Progress Report 2018-2019
- VAGO Assurance Reviews
- Council Briefing and Meeting Activity.

### ***Review of Audit Committee Charter***

In accordance with the Audit Committee's annual work plan, the Committee's Charter was reviewed. Minor amendments are recommended by the Audit Committee to accommodate casual vacancies, should they arise. The amendments are reflected in 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.

### **Conclusion**

The next meeting of the Audit Committee is scheduled for March 2020 and a report on that meeting will be presented at the April 2020 Council meeting. Council is requested to receive the Committee's report for 12 December 2019 and approve the revised Charter.

## **RECOMMENDATION**

### **That Council:**

- 1. Receives the Audit Committee Report for 12 December 2019.**
- 2. Revokes the Audit Committee Charter dated January 2019.**
- 3. Adopts the Audit Committee Charter dated January 2020 as attached to this report.**

### **Attachments**

1. Charter Audit Committee Council Revised January 2020
2. Charter Audit Committee Council Revised January 2020 - Tracked Changes - Under Separate Cover



**CORANGAMITE  
SHIRE**

# Audit Committee Charter

**Corangamite Shire**

January 2020



Corangamite Shire Council – Audit Committee Charter

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## Audit Committee Charter

*Revised January 2020*

### **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:
    - 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.
    - In the event of a casual vacancy Council will appoint a replacement within three months of the vacancy arising. The casual vacancy appointment shall be for the remainder of the term. The vacancy is able to be filled without an expression of interest process on recommendations of the Chief Executive Officer.
  - Council members:
    - 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.

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Adopted by Council on: XX Xxx 2020  
Agenda Item: X.X  
Responsibility: Director Corporate & Community Services  
File Number: XXXXXX

Department: Corporate & Community Services

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Corangamite Shire Council – Audit Committee Charter

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- At least one independent Committee member must be suitably qualified, that is, competent, including relevant tertiary qualifications, and experienced in financial matters.
- If Council proposes to remove an external member of the Committee, it must give written notice to the external member of its intention to do so.

**Meetings**

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

**Responsibilities**

The Committee will carry out the following responsibilities.

**Financial Reporting**

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

**Internal control**

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

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Corangamite Shire Council – Audit Committee Charter

**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.

**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.

Corangamite Shire Council – Audit Committee Charter

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- Report annually to stakeholders, describing the Committee's composition, responsibilities and how they were discharged, and any other information required by regulation, including approval of non-audit services.
- Consider the findings and recommendations of relevant Performance Audits undertaken by the Victorian Auditor-General and to ensure Council implements relevant recommendations.
- Management is to report any material error in any financial statements to the Committee immediately it becomes known.

**Fraud**

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

**Other responsibilities**

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

**Remuneration of members**

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

**Conflicts of Interest**

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

The nature of the work of the Committee will provide its members with access to information about the day to day operations of Council including information that may be commercial in confidence. Members of the Committee must recognise the responsibilities associated with

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Adopted by Council on: XX Xxx 2020

Department: Corporate & Community Services

Agenda Item: X.X

Responsibility: Director Corporate & Community Services

File Number: XXXXXX

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Corangamite Shire Council – Audit Committee Charter

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their access to this information, in particular with regard to its use or misuse. Section 76D of the Act makes it an offence for a member the Committee to misuse his or her position to:

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

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

**Other Matters**

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

**Revision**

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

**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

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## 7.2 Audit Committee - 2019 Annual Report to Council

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

**File No:**

**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 2019 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 four times during the review period. The Committee membership varied during the year with Mr Simon Buccheri taking a leave of absence, which is temporarily filled by Mr Matt Makin. 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.

**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 (leave of absence from 23 July 2019)
  - Mr Matt Makin (from 23 July 2019)
- Councillors:
  - Councillor Lesley Brown
  - Councillor Helen Durant

Attendee	Meeting			
	21/03/2019	13/06/2019	12/09/2019	12/12/2019
<b>Members</b>				
Mr Colin Hayman	✓	✓	✓	✓
Mr Simon Buccheri	✓	✓	-	-
Mr Andrew Jeffers	✓	✓	✓	x
Mr Matt Makin	-	-	✓	✓
Cr Helen Durant	✓	✓	x	✓
Cr Lesley Brown	✓	x	✓	✓
Cr Neil Trotter (Mayor)*	-	x	✓	-

Legend	
✓	In Attendance
✓*	In Attendance – Non Voting
x	Apology
-	Attendance Not Required

**In Attendance**

The following individuals attended Committee meetings during the year:

- Council officers:
  - Mr Andrew Mason, Chief Executive Officer
  - Mr David Rae, Director Corporate and Community Services
  - Mr Adam Taylor, Finance Manager
- McLaren Hunt Financial Group, agent of the Victorian Auditor General’s Office (External Auditor):
  - Mrs Narelle McLean, Partner
  - Ms Victoria Colley, Manager
- Crowe Horwath (Internal Auditor):
  - Mr Andrew Zavitsanos, Principal.
  - Ms Gabrielle Castree, Manager.
  - Ms Thivya Mahendran, Manager.

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**Meetings**

Issues considered by the Committee during the period included:

- Committee meeting 21 March 2019:
  - 2017-2018 External Audit Management Letter - Outstanding Recommendations
  - Victorian Auditor General's Office - Results of 2017-2018 Audits
  - 2018-2019 External Audit Strategy
  - Finance Policy Reviews
  - Workcover Premium Review
  - Risk Management Framework Review
  - Corporate Risk Register Update
  - Business Continuity Policy Review
  - Internal Penetration Testing Outcomes
  - Fraud Prevention and Control Policy Review
  - Strategic Internal Audit Plan 2019-2020
  - Governance and Management Attestation as at 31 December 2018
  - Finance Report as at 31 December 2018.
  
- Committee meeting 13 June 2019:
  - Status Update - Outstanding Internal Audit Recommendations
  - Landfill Operations Progress Report 2017-2018
  - Child Safe Standards Review
  - 2018-2019 External Audit Interim Management Letter
  - Finance Report as at 31 March 2019
  - 2019-2020 Budget
  - Business Continuity Plan Desktop Test
  - VAGO Performance Audits.
  
- Committee meeting 12 September 2019:
  - CEO and Mayor Credit Card Use 1 July-31 August 2019
  - 2018-2019 Financial Statements and Performance Statement
  - Management Letter and Closing Report for the year ended 30 June 2019
  - Finance Report as at 30 June 2019 and provisional result 2018-2019
  - Corporate Risk Register Update
  - Fraud Control Plan Annual Review
  - Health and Safety Management System Review
  - Incident and Injury Report 2018-2019
  - JMAPP Risk Maturity Appraisal Report
  - ICT Disaster Recovery Plan Biennial Review
  - Asset Valuation and Revaluation Policy
  - Procurement Policy Review 2019-2020
  - 2018-2019 Procurement Summary
  - Proposed Investment - Victorian Funds Management Corporation
  - VAGO Performance Audit: Fraud and Corruption Control - Local Government
  - Council Briefing and Meeting Activity
  - Internal Auditor - Annual Performance Review and Two-Year Contract Extension.



- Committee meeting 12 December 2019:
  - CEO and Mayor Credit Card Use - 1 September - 30 November 2019
  - Audit Committee Meeting Dates for 2020
  - Audit Committee Chairperson 2020
  - Review of Annual Work Plan for 2020
  - Audit Committee Charter - 2019 Annual Review
  - Audit Committee - 2019 Annual Performance Review
  - Internal Audit Reviews - Memorandums of Audit Planning
  - Status Update - Outstanding Internal Audit Recommendations
  - Victorian Auditor General's Office - Results of 2018-2019 Local Government Audits
  - Finance Report as at 30 September 2019
  - Strategic Risk Update
  - Cyber Security
  - Landfill Operations Progress Report 2018-2019
  - VAGO Assurance Reviews
  - Council Briefing and Meeting Activity.

### ***Assessing the Audit Committee's Performance***

As required by the Committee's Charter, a performance review was undertaken by the Committee in December 2019. 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 also required by the Committee's Charter, a performance review of the Internal Auditor (Crowe Horwath) was also completed by the Committee in September 2019. The review was used to assess the Internal Auditor's performance in achieving the objectives of the Audit Committee and prior to considering an extension of their contract for a further two years. Results were discussed at the September Audit Committee meeting and the CEO (under Council delegation and) on recommendation of the Committee awarded a contract extension to Crowe Horwath.

### ***Future***

The tenure of independent Committee member Andrew Jeffers expires 31 January 2020. Mr Jeffers is not seeking reappointment. An expression of interest process commenced mid-January 2020 to fill the vacancy and will culminate in a recommendation to Council in February 2020.

During 2020, it is expected a Local Government Bill 2019 will be enacted. The Committee will continue to be briefed on the proposed changes and the relevant implications as necessary.

### **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.

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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 2019 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 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 2019 Audit Committee Annual Report.**

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## 7.3 Audit Committee Chairperson Appointment

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

**File No:**

**Previous Council Reference:** Nil

### Declaration

Chief Executive Officer – Andrew Mason

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

Author - David Rae

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

### Summary

The purpose of this report is to recommend the appointment of Mr Colin Hayman as Chairperson of Council's Audit Committee for 2020.

### Introduction

Council's Audit Committee (the Committee) is established under Section 139 of the *Local Government Act 1989* (the Act) and is an advisory committee to Council.

In accordance with the Committee's Charter, the Committee is comprised of two Councillors and three external or independent members.

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

### Issues

Mr Hayman has served as Chairperson of the Committee since February 2017. All Committee members are supportive of his re-appointment.

Mr Hayman has the necessary skills and experience to continue as Chairperson and has been a member of Council's Audit Committee since February 2016. He has broad experience within the local government corporate services portfolio in a range of disciplines including finance, governance, human resource management, risk management and information technology.

Mr Hayman also has experience serving on a range of community based advisory committees.

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### **Policy and Legislative Context**

The appointment of a Chairperson of Council's Audit Committee is consistent with the *Local Government Act 1989*, the Audit Committee's Charter and in accordance with the following commitments in the Council Plan 2017-2021 that:

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

Model contemporary standards of corporate governance and professional standards.

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

### **Internal / External Consultation**

All Committee members have been consulted and are supportive of Mr Hayman's reappointment as Chairperson of the Audit Committee for 2020. The Committee resolved at its December 2019 meeting to recommend Council reappoint him as Chairperson.

### **Financial and Resource Implications**

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

### **Options**

Council may appoint Mr Colin Hayman as Chairperson of the Audit Committee for 2020, or appoint an alternate independent member.

### **Conclusion**

The appointment of a Chairperson of Council's Audit Committee is consistent with Council's Audit Committee Charter and the *Local Government Act 1989*.

## **RECOMMENDATION**

**That Council appoints Mr Colin Hayman to the position of Chairperson of the Corangamite Shire Audit Committee for 2020.**

## 8. PLANNING REPORTS

### 8.1 Application to Amend a Planning Permit PP2016/045.A - Use and Development of a Service Station, Alteration of Access to Road Zone Category 1 (Manifold Street) and Display of Business Identification and Internally Illuminated Signage, 85-89 Manifold Street, Camperdown

**Author:** Melanie Osborne, Planning Officer

**File No:**

**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 - Melanie Osborne

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

#### **Summary**

An application to amend Planning Permit PP2016/045 (the Permit) has been received and Council must consider approval of the proposed amendments.

Planning Permit PP2016/045 was issued for Use and Development of a Service Station and Development of Five (5) Shops, Alterations to Service Station Requirements, Changes to Access to a Road Zone 1 (Manifold Street), Reduction of Loading Bay Requirements and Display of Advertising Signs, on land located at 85-89 Manifold Street Camperdown.

The amendment application proposes changes to the layout and design of the development, including additional internally illuminated signage.

Public notice of the application was given and three (3) submissions objecting to the proposal were received. The objections are based primarily on the potential for adverse amenity impacts on the surrounding area due to the increase to the size of the service station and the removal of the shops from the proposal.

The objections have been considered and the proposed amendments to the application have been assessed against the relevant provisions of the Corangamite Planning Scheme. It is recommended that Council issue a Notice of Decision to Amend a Permit.

#### **Introduction**

SHA Premier Constructions Pty Ltd (the applicant) is seeking approval to amend Planning Permit PP2016/045 under Section 72 of the *Planning and Environment Act 1987* (the Act).

The application received by Council on the 23 October 2019 proposes to amend the development approved by the Permit by:

- Relocating and increasing the size of the service station building
- Removing the five (5) shops from the proposal
- Enlargement of the canopy roof
- Increasing the number of fuel bowsers from three (3) to six (6)
- Addition of an underground LPG tank
- Repositioning site access and exit points.
- Repositioning signage and additional internally illuminated signage.

The use of the land for a Service Station has current planning permit approval. This report and the scope of the planning assessment is confined to the extent of changes proposed.

### ***History***

The original planning permit application was considered at Council's Ordinary Meeting held on the 27 September 2016 where Council resolved to issue a Notice of Decision to Grant a Permit. No appeal was lodged with the Victorian Civil and Administrative Tribunal (VCAT) and the Permit was issued on the 24 October 2016. A copy of the Permit is provided under separate cover.

A request to extend the Permit was lodged on the 22 August 2018 and the Permit was extended for a further two years. The permit will now expire on 24 October 2020, if the development has not commenced and 24 October 2022, if the development is not completed.

### ***Subject Land***

Works to clear the subject site of any buildings and materials were finalised in 2014 and the site has remained vacant ever since. The site has a total area of approximately 3040 square metres and is in the Commercial 1 Zone (see Figure 1). Heritage Overlay Schedule 76 also applies to the land.

The site is a corner allotment, comprised of three (3) titles and has frontage to Manifold Street and Curdie Street. There are currently three (3) vehicle crossovers to the site from Manifold Street.

### ***Surrounding Area***

The subject site is located at the eastern entrance to Camperdown's commercial precinct and is part of the Manifold Street Conservation Precinct. Directly south of the site are residential allotments containing single dwellings with associated outbuildings. Directly west is a dwelling in the Commercial 1 Zone. To the north is Finlay Avenue of Elms and to the east is Curdie Street Oak Avenue (see Figure 2). Land further north, east and south is predominantly residential in nature.



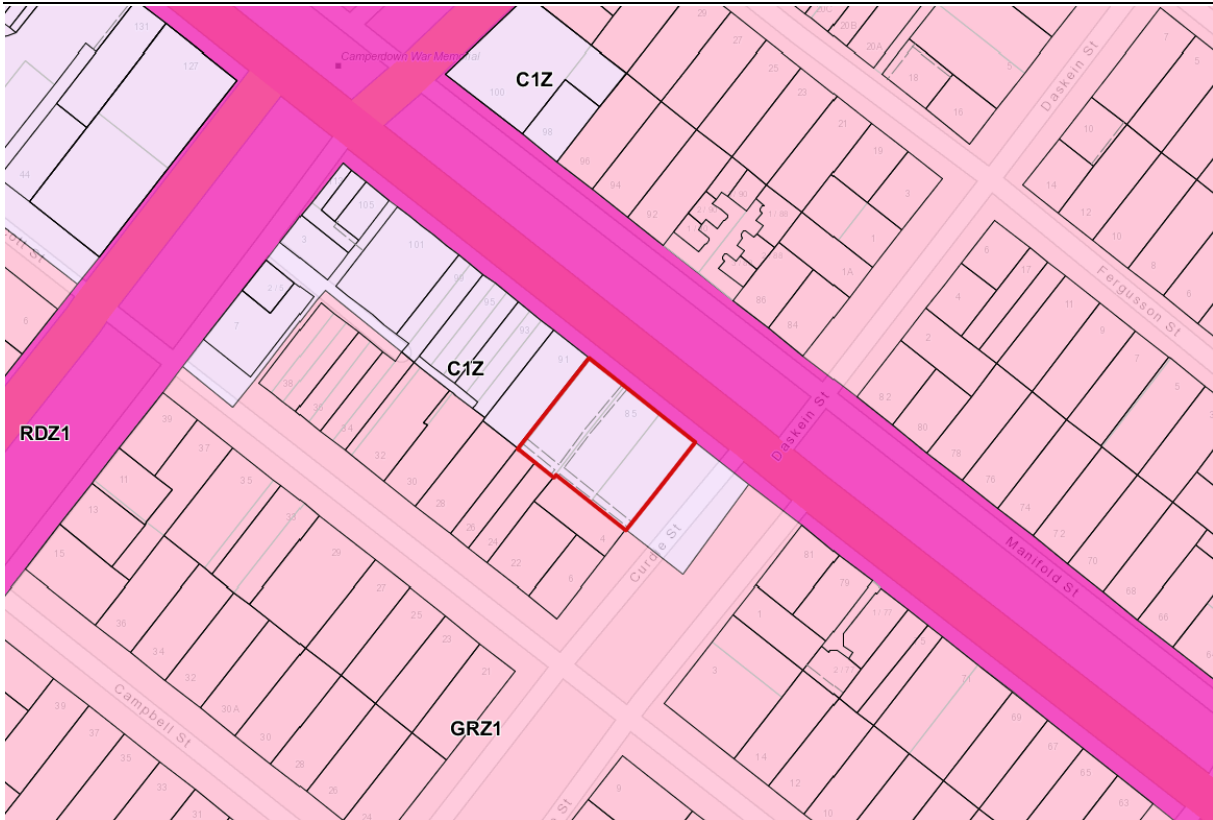


Figure 1 Planning Zone Map



Figure 2 Aerial Showing Subject Site and Surrounds

***Proposal***

The proposal seeks to amend Planning Permit PP2016/045, as follows:

Amend what the permit allows to:

'Use and Development of a Service Station, Alteration of Access to Road Zone Category 1 (Manifold Street) and Display of Business Identification and Internally Illuminated Signage'.

Amend the endorsed plans for the development to include:

- Relocation and increase in the size of service station building  
The application proposes to increase the size of the service station building from 165 square metres to 300 square metres. The building will be setback 14 metres from the Manifold Street boundary and 1 metre from the western boundary. The building is proposed to be painted red in the Pie Face corporate colours.
- Removal of five (5) shops  
The application includes the removal of the five shops from the proposal. The current permit allows for four shops to be built along the southern boundary with an additional shop to be located behind the service station building on the western boundary.
- Enlargement of canopy roof  
The application proposes to increase the canopy roof to 727 square metres from 270 square metres and increase the height from 5.8 metres to 6.2 metres. The canopy will have white steel columns and the fascia will be in the United Petroleum blue.
- Increase in fuel bowsers from three (3) to six (6)  
The application proposes to increase the number of fuel bowsers from three (3) to six (6), including three high flow pumps.
- Addition of an underground LPG tank  
This application provides for the sale of gas and the installation of an underground LPG tank.
- Repositioning of site access and exit points  
As part of this application it is proposed to locate the two vehicular access further apart and increase the width of each access point onto Manifold Street to allow easier movability for larger vehicles.
- Repositioning and internal illumination of signage  
The original approval allowed for a total of nine signs – one (1) site ID sign to be internally illuminated and another eight (8) business identification signs to be located on the shop fronts, kiosk front and fuel canopy. The application proposes additional internally illuminated signs, as follows:
  1. Site ID sign – 8 x 2.90 metres to be internally illuminated
  2. Canopy Fascia – 1 x 3.76 metres to be internally illuminated
  3. Diesel Canopy Fascia – 1 x 2.955 metres to be internally illuminated
  4. Building Fascia: Quickstop – 0.8 x 3.5 metres to be internally illuminated
  5. Building Fascia: Pie Face – 0.8 x 5.5 metres to be internally illuminated
  6. Building Sign: Pie Face – 1.5 x 1.5 metres to be internally illuminated
  7. Building End Wall: Sign Writing – 4 x 12 metres.

The signs will mostly comprise the corporate colours for United Petroleum and Pie Face franchise being blue, red and white.



- The application also includes the relocation of the loading bay and bin yard to the south western corner of the site, provides for acoustic fencing along the south and western boundaries in accordance with the conditions on the Permit and for a total of 12 car parking spaces, including one accessible car park and two staff car parks (see figure 3).

Amend conditions

The application proposes consequential changes to the Permit conditions, including additional internally illuminated signs.

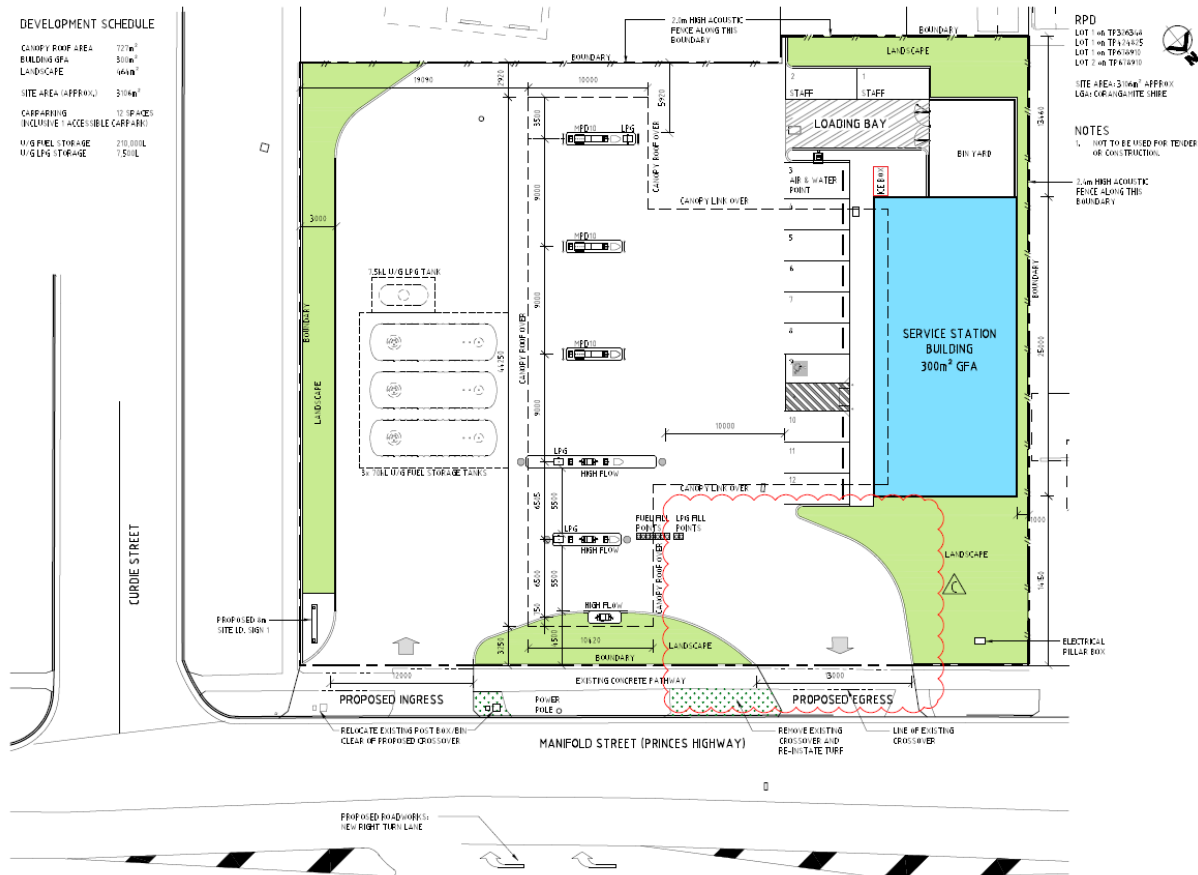


Figure 3 Proposed Site Layout Plan

A copy of the application is provided under separate cover.

Amended plans were received by the applicant on 20 January 2020 and the application was amended under Section 57A(1) of the *Planning and Environment Act 1987*. The amended plans are minor and provide for a change to the egress width from the site and vary external colours of the building.

**Policy and Legislative Context**  
**Zoning**

The subject site is in the Commercial 1 Zone (C1Z). A service station is a Section 2 Use – permit required within the zone. The use of land for a service station has already been approved by Planning Permit PP2016/045 and is not required to be considered as part of this assessment.

A planning permit is required for buildings and works in the C1Z and an assessment of the proposed amendments to the development will be considered against the purpose and decision guidelines of the zone.

The purpose of the Commercial 1 Zone is to create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.

### ***Overlays***

The Heritage Overlay Schedule 76 applies to the land which relates to the Manifold Street Conservation Precinct.

Under the overlay, a planning permit is required to construct a building or carry out works and to construct or display a sign. The proposed amendments to the service station development need to be assessed against the overlay which seeks to conserve and enhance heritage places and ensure development does not adversely affect the significance of heritage places.

### ***Planning Policy Framework (including Municipal Strategic Statement and Local Policy)***

The following clauses from the Planning Policy Framework (PPF) are relevant to this application and need to be considered in the assessment of the application.

#### Clause 11 Settlement

- Clause 11.01-1S Settlement
- Clause 11.01-1R Settlement – Great South Coast

#### Clause 13 Environmental Risks and Amenity

- Clause 13.04 Soil Degradation
  - Clause 13.04-1S Contaminated and potentially contaminated land
- Clause 13.05 Noise
  - Clause 13.05-1S Noise Abatement
- Clause 13.06 Air Quality
  - Clause 13.06-1S Air Quality Management

#### Clause 15 Built Environment and Heritage

- Clause 15.01 Built Environment
  - Clause 15.01-1S Urban Design
  - Clause 15.01-2S Building Design
  - Clause 15.01-5S Neighbourhood Character
- Clause 15.03 Heritage
  - Clause 15.03-1S Heritage conservation

#### Clause 17 Economic Development

- Clause 17.01 Employment
  - Clause 17.01-1S Diversified Economy

#### Clause 18 Transport

- Clause 18.01 Integrated Transport
  - Clause 18.01-2S Transport system
- Clause 18.02 Movement Networks
  - Clause 18.02-4S Car parking

#### Clause 21 Municipal Strategic Statement

- Clause 21 Municipal Profile
- Clause 21.02 Settlement, Built Form and Heritage

- Clause 21.02-3 Built Form and Urban Design
- Clause 21.02-4 Heritage
- Clause 21.04 Economic Development
  - Clause 21.04-3 Commercial and Industrial Areas
- Clause 21.06 Local Areas
  - Clause 21.06-1 Camperdown

Clause 22 Local Planning Policies

- Clause 22.04 Heritage

***Particular Provisions***

**Clause 52.05 – Signs**

A permit is required for business identification signs in the Commercial 1 Zone where the total display area of all signs exceeds 8 square metres and for internally illuminated signs where the total display area exceeds 1.5 square metres.

The application provides for several signs which exceed these requirements and a planning permit is required. The Clause seeks to ensure that signs are compatible with the amenity and visual appearance of an area and that the sensitivity of the area in terms of the natural environment, heritage values and residential character are considered.

**Clause 52.06 – Car Parking**

There is no number of car parking spaces specified for a service station under Clause 52.06. The applicant has allowed for a total of twelve (12) car parking spaces.

**Clause 52.29 – Land Adjacent to a Road Zone, Category 1**

A permit is required to create or alter access to a Road Zone Category 1 (Manifold Street/Princes Highway). The application is seeking to reposition the proposed access from what was previously approved and was required to be referred to VicRoads.

The effect of the proposal to reposition the proposed access on the operation of the road and public safety must be considered in the assessment of this application.

**Clause 65.01 – Approval of an application or plan**

Before deciding on an application or approval of a plan, the responsible authority must consider the decision guidelines as appropriate.

**Internal / External Consultation**

***Referrals***

The following referrals and notices were carried out for this application.

<b>Section 55</b>	
<b>Referral Authority</b>	<b>Response</b>
<b>VicRoads (Determining Referral Authority)</b>	Does not object to the amended proposal provided conditions requiring the permit holder to undertake roads works consisting of right turn lane, removal of redundant crossovers and the creation of two new crossovers before the development commences are included on the permit.

<b>Section 52</b>	
<b>Notice Authority</b>	<b>Response</b>
<b>Wannon Water</b>	Does not object to the granting of an amended permit subject to conditions requiring the permit holder to undertake works to service the proposed development.
<b>Environment Protection Authority (EPA)</b>	Does not object to the granting of an amended permit subject to updated conditions be placed on the amended permit relating to environmental protection measures.

<b>Internal Referrals</b>	<b>Response</b>
<b>Assets Planning</b>	Conditions on the original permit PP2016/045 in relation to the drainage plan, construction management plan, control of light, sealed pavement, vehicle manoeuvring, car parking, loading and unloading still apply to the amended permit application.
<b>Heritage Advisor</b>	Generally supportive of the amended design of the proposed service station except for the extensive use of the colour red on the service station building.

### ***Advertising***

Notice of the application was given in accordance with Section 52 of the *Planning and Environment Act 1987* and included:

- letters to landowners and occupiers of property within 100 metres of the subject site;
- public notice in the Warrnambool Standard and Camperdown Chronicle newspapers;
- a sign on site; and
- notice being placed on Council's website.

Council received three (3) submissions to the application objecting to the proposal, raising issues which can be summarised as:

- Use of land for a service station only
- Proliferation of service stations in town
- Visual amenity impacts and inconsistency with the surrounding heritage character
- Noise impacts
- Light spill
- Odour emissions
- Health impacts
- Traffic impacts
- Acoustic Fencing not compliant with current permit
- Hours of operation
- Increase in height of Site ID sign

Copies of the submissions have been provided under separate cover.

### ***Consultation***

Consultation for the application included a Council site inspection held on 10 December 2019. The applicant was invited to attend but was an apology. Details of the application were discussed along with the concerns of the objectors.

### **Planning Assessment**

Assessment of the amendment application will address how the proposed amended development responds to the applicable planning controls of the Corangamite Planning Scheme, including the Planning Policy Framework (PPF), zone, overlay and particular provisions.

It must be noted that assessment of the application is confined to the changes proposed and is not a full merits review on whether the use and development of the site is acceptable.

#### ***Planning Policy Framework***

The objectives and strategies of the PPF seek to promote economic development and growth within existing township boundaries while ensuring development responds appropriately to character and heritage values of the surrounding area. The PPF also identifies the need that planning decision making manages potential environmental risks and amenity impacts appropriately.

The Municipal Strategic Statement and local policies promote Camperdown as the Shire's main commercial centre while recognising the significant natural and cultural heritage features of the township.

Consideration must be given to how the amended development responds to the PPF. The following comments are made:

- The buildings and works provide for a modern service station in the commercial centre of Camperdown with frontage to Manifold Street (Princes Highway) being the main highway connecting Melbourne to south west Victoria.
- Local policy seeks to promote the Shire as an attractive place to work, live and invest by supporting growth of commercial and retail businesses in the centre of Camperdown township. The amended proposal provides for a valuable opportunity to introduce a new business within appropriate zoned land in Camperdown.
- The application has considered the heritage significance of the area, in reducing the overall building footprint of the proposed development and providing landscaping to soften the visual impact the buildings will have on the streetscape. However, the extensive use of the colour red for the service station building will cause the development to dominate the heritage streetscape unnecessarily and it is recommended this be amended. Any amended permit issued can include a permit condition to this effect.
- The use of land for a service station has existing approval and the change to the layout and design of the proposed development is not considered to provide any further environmental risks and amenity impacts that cannot be managed through permit conditions.

#### ***Commercial 1 Zone***

The purpose of the zone is to create a vibrant mixed use commercial centre, whilst providing for residential uses at densities complementary to the role and scale of the area.

The use of the land for a service station has current planning permit approval and is appropriate in the Commercial 1 Zone. The following comments are made in response to the decision guidelines of the zone for the proposed building and works:

- The proposed development is a standard design for a modern service station. The development will be setback from the street with landscaping used to soften the

impact of the development and to help integrate the site with the streetscape. Heritage matters and local character will be addressed separately.

- The interface with the adjoining residential zoned land to the rear of the site is provided with an acceptable level of protection through the construction of a 2 metre high acoustic fence and the inclusion of permit conditions to mitigate potential amenity impacts from lighting, noise and environmental pollution.
- The design of the development provides adequate provision for vehicles to access the site, including loading, unloading and waste removal to occur off street. Car parking will be addressed separately.
- Services are available for connection and the design of the buildings can comply with the requirements of relevant authorities.

### ***Heritage Overlay (Schedule 76)***

Heritage Overlay (Schedule 76) seeks to conserve and enhance the heritage place, Manifold Street Conservation Precinct and ensure development does not adversely affect the significance of the precinct.

The application has been considered against the decision guidelines of the overlay and the Heritage Advisor has provided an assessment of the impact of the proposed development on the streetscape. The following comments are made:

- The revised design of the proposed service station development is generally supported.
- The scale and form of the development and the placement of buildings will ensure the development does not dominate the views of the historic streetscape.
- The internal illumination of signage is acceptable in this location but the extensive use of red in the painting of the service station building is not acceptable as it will cause the development to unnecessarily dominate the streetscape. A permit condition requesting that amended plans be submitted for approval with an alternative colour schedule, is an appropriate response to manage this outcome and ensure the development is appropriate in its context.

### ***Signs***

The application seeks approval for business identification and internally illuminated signage.

The property is in a Commercial area which has minimum planning limitations, however, consideration must be given to the character of area and the cumulative impact of the signs having regard to the Heritage Overlay.

The placement and scale of the signage on the canopy and service station building is in keeping with predominant signage locations in the streetscape. The Site ID sign is in line with existing buildings so as not to stand out and the oak trees along Curdie Street will also minimise direct views to signage on approach to town from the east along Manifold Street.

### ***Access to Road Zone and Car Parking***

VicRoads was referred the application and has no objection to the proposal, subject to conditions being placed on the permit for certain works to be done in order to protect the operation of the road.

The application provides for twelve (12) car parking spaces on site including, one (1) accessible car parking space and two (2) car parking spaces for staff. The spaces will be provided for in front of the service station building and includes a walkway between spaces

providing patrons safe access to the building. The car parking proposed is suitable to meet the needs of the service station.

***Amended Plans***

Amended plans were received for the application on 20 January 2020, which slightly increase width of the egress position of the site to Manifold Street and change external colours of the western and southern wall of the building from red to white, in response to referral comments received from Council’s Heritage Advisor.

The amended plans are minor and do not change the nature of the application and outcomes of this assessment. The plans were re-referred to the Heritage Advisor for comment, who supports the change in external colour from red to white for the western and southern walls, along with retention of red to the building entrance.

However, the use of red along the northern wall adjoining Manifold Street and the Finlay Avenue of Elms, is not supported and should be changed to limit any negative visual impact or contrast it will have on the heritage values of the area. As such, a condition of any amended permit will be included requiring further amended plans showing a muted colour in brown, grey or black on this elevation.

***Response to Objections***

Three (3) submissions objecting to the application have been received. The key issues raised in the objections and an officer response to each is provided in the table below.

<b>Objection</b>	<b>Officer Response</b>
<b>Use of land for a service station only</b>	<u>Objection not supported</u> The existing Permit provides approval for the land to be used for a service station. The scope of Council’s decision making is limited to the extent of the proposed changes and the proposal does not result in a transformation to the site. The permit does not compel or require the site to be developed for mixed use purposes.
<b>Proliferation of service stations in town</b>	<u>Objection not supported</u> Objections identify that there are already three (3) service stations operating in Camperdown, including two (2) on Manifold Street, meeting the needs of travellers and this proposal will have a negative impact on the entire town. Commercial competition for a business or service is not a valid planning consideration under the <i>Planning and Environment Act 1987</i> . Any decision must be made based on whether the use and development is appropriate.
<b>Visual amenity impacts and inconsistency with the surrounding heritage character</b>	<u>Objection not supported</u> It is not accepted that the proposal will cause an unacceptable visual impact on the on the streetscape and adjoining properties. The land is in the Commercial 1 Zone where this type of development is appropriate. Landscaping will be undertaken to ensure the development is integrated with the surrounding area and a condition on any amended permit requiring changes to paint schedule to muted colours will ensure buildings do not unnecessarily dominate the heritage streetscape.



<b>Objection</b>	<b>Officer Response</b>
<b>Noise Impacts</b>	<u>Objection not supported</u> It is accepted that noise will arise as a result of the service station. The proposal incorporates acoustic fencing on boundaries adjoining residential properties to manage amenity impacts. The permit holder/operator will have a responsibility to ensure compliance with EPA noise guidelines and manage the amenity of the area.
<b>Light Spill</b>	<u>Objection not supported</u> External and illuminated lighting for a service station is acceptable within a commercial zone. The design of any lighting and permit conditions will ensure that residential amenity and light spill is appropriately managed.
<b>Odour Emissions</b>	<u>Objection not supported</u> The proposed changes to the permit do not increase or raise further issues for odour emissions. Existing conditions on the permit, including EPA conditions will be retained to manage this issue.
<b>Health Impacts</b>	<u>Objection not supported</u> Impacts arising from noise and air quality have been assessed and will be managed via permit conditions. EPA support the amended proposal which is not likely to result in health impacts to nearby residents.
<b>Traffic impacts</b>	<u>Objection not supported</u> While the amended application will change the way the site is used from the current Permit, it is not an unacceptable outcome for property in a commercial area with frontage to a main road. Additionally, the application was referred internally to Assets Planning and externally to VicRoads, both with no objection to the amended development subject to permit conditions being retained on any amended permit being issued.
<b>Acoustic Fencing not compliant with current permit</b>	<u>Objection not supported</u> The amendment application does not seek to amend the permit conditions relating to the construction of acoustic fences on the property boundary. The conditions will not be changed on any amended permit and acoustic fencing will be constructed for the development.
<b>Hours of operation</b>	<u>Objection not supported</u> The current application is not proposing any changes to the hours of operation. The hours approved under permit PP2016/045 still apply and are appropriate in this context.
<b>Increase in height of Site ID sign</b>	<u>Objection not supported</u> The design and location of the sign has been assessed and is acceptable in the proposed location. Adjoining trees and vegetation will assist in providing a visual screen when approaching the town from the east along Manifold Street.

The applicant has provided a response to the submissions which is attached under separate cover.



## Options

Council has the following options in deciding upon the application to amend the Permit:

1. Issue a Notice of Decision to Amend a Permit, subject to conditions as set out in the recommendation. **(Recommended option)**
2. Issue a Notice of Decision to Amend a Permit, with changes to the recommended conditions.
3. Issue a Notice of Decision to Refuse to Grant an Amendment to a Permit.

## Conclusion

The application to amend Planning Permit PP2016/045 is supported. The amended development associated with an approved use for a service station is appropriate in the Commercial 1 Zone. Potential adverse amenity and environmental impacts on the surrounding area can be managed through permit conditions.

The proposal provides an acceptable response to the Planning Policy Framework, Commercial 1 Zone, Heritage Overlay and the particular provisions for Signs, Access to Road Zone and Car Parking, resulting in the proper and orderly planning of the area.

It is recommended that Council issue a Notice of Decision to Amend a Permit subject to conditions.

## RECOMMENDATION

**That Council, pursuant to Section 75 of the *Planning and Environment Act 1987*, resolves to issue Notice of Decision to Amend Permit PP2016/045.A for the Use and Development of Land for a Service Station, Alteration of Access to Road Zone Category 1 (Manifold Street) and Display of Business Identification and Internally Illuminated Signage in respect to the land known and described as Lot 1 TP 326348C, Lot 1 TP 424825W and Lots 1 and 2 TP 678910M, 85-89 Manifold Street Camperdown subject to the following conditions:**

### Amended Plans Required

1. **Prior to the commencement of development, amended plans must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and then form part of the permit. The plans must be drawn to scale with dimensions and a minimum of three copies provided. Such plans must be generally in accordance with the most recent plan submitted but modified to show:**
  - (a) **External colour for the northern wall of the service station building in a muted tone such as brown, grey or black.**
  - (b) **Acoustic fencing along the interface with adjoining properties:**
    - (i) **2.4 metres minimum height along the 91 Manifold Street boundary**
    - (ii) **2 metres minimum height along the south-western site boundary.**
2. **All buildings and works shown on the amended plans must be completed to the satisfaction of the Responsible Authority prior to commencement of the use.**

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### Landscaping

3. Prior to the commencement of development, three complete sets of landscape plans must be submitted to the Responsible Authority. When endorsed, the plans will form part of the planning permit. The plans must be to the satisfaction of the Responsible Authority and must show:
  - (a) The planting of predominantly native grasses and shrubs indigenous to the area;
  - (b) The landscaping within the immediate vicinity of the exit point crossover must be maintained to a height that ensures pedestrians are readily visible.
4. The works contained in the Landscape Plan must be implemented to the satisfaction of the Responsible Authority prior to the commencement of the use.
5. The landscaping works shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority.

### Fencing

6. Prior to the commencement of development, an acoustic fence must be erected on the land along the adjoining property boundaries of the site. The fence must be in accordance with Condition 1b.
7. The design of the fence must be prepared to the satisfaction of the Responsible Authority in consultation with an acoustic engineer.
8. The acoustic fence must be constructed of concrete, or similar material, to the satisfaction of the Responsible Authority.
9. The fence and its acoustic qualities must be maintained to the satisfaction of the Responsible Authority.

### Drainage Plan

10. Prior to the commencement of development, a properly prepared drainage discharge plan with computations to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and a minimum of three copies must be provided. The plans must include:
  - (a) Stormwater generated to be discharged to a legal point of discharge.

### Advertising Signs

11. The location and details of signs as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
12. External sign lighting must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on adjoining land.

### General Amenity

13. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.

14. The use and development must be managed so that the amenity of the neighbourhood is not detrimentally affected, through the:
- (a) processes carried on;
  - (b) the transportation of materials, goods or commodities to or from the land;
  - (c) the appearance of any buildings, works or materials;
  - (d) the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, or oil;
  - (e) the presence of vermin.

#### **Construction Management Plan**

15. Prior to the commencement of development, a Construction Management Plan must be submitted to the Responsible Authority. The plan must demonstrate:
- (a) Measures taken to ensure the safety of significant trees, including branches, trunks and root systems, along the Curdie Street road reserve.
  - (b) Methods to ensure all excess soil from construction works and other waste material is removed from the land at regular intervals

The Construction Management Plan must be approved by and implemented to the satisfaction of the Responsible Authority.

#### **Consolidation of Lots**

16. Prior to the commencement of the use, the lots that comprise the land must be consolidated into one lot and a copy of the consolidated title provided to the Responsible Authority.

#### **Control of Light Spill**

17. External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the Responsible Authority.

#### **Hours of Operation**

18. The use (including for deliveries) may operate only between the hours of 5.30am-Midnight Monday to Sunday (including public holidays). These times must not be altered without the written consent of the Responsible Authority.

#### **Noise Control**

19. Noise levels emanating from the premises must comply with the requirements of the Environment Protection Authority's Noise from Industry in Region Victoria guideline (EPA publication 1411).

#### **Sealed Pavement**

20. The ingress and egress to the subject land, all internal carriageways and all car parking required by this permit shall be surfaced with an all-weather bitumen pavement (or other approved sealing material) and drained to the satisfaction of the Responsible Authority.

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**Vehicle Manoeuvring**

21. Vehicular crossings must be constructed to the road and suit the proposed driveways, with any existing crossing or crossing opening to be removed and replaced with footpath, nature strip, and kerb and channel to the satisfaction of the Responsible Authority.

**Car Parking**

22. All car parking spaces must be designed to allow all vehicles to drive forwards both when entering and leaving the property.
23. Prior to the commencement of the use, the areas set aside for parking of vehicle and access lanes as shown on the endorsed plans must, to the satisfaction of the Responsible Authority, be:
- (a) Constructed
  - (b) Properly formed to such a level that they can be used in accordance with the plans
  - (c) Surfaced with concrete, asphalt or paving
  - (d) Drained and maintained
  - (e) Line marked to indicate each car space and all access lanes
  - (f) Clearly marked to show the direction of traffic along access lanes and driveways.

**Loading/Unloading**

24. The loading and unloading of goods from vehicles must only be carried out on the land subject to this permit, within the designated loading bay(s) and must not disrupt the circulation and parking of vehicles on the land.

**External Music**

25. No externally amplified music is permitted. Any external public address system must be set at a suitable level that will not cause a nuisance to adjoining and nearby residents to the satisfaction of the Responsible Authority.

**Cultural Heritage Management Plan**

26. An approved copy of the Cultural Heritage Management Plan must be kept on-site at all times and that all employees and contractor staff are aware of the requirements of the Plan.

**VicRoads**

27. Before the development commences, the following road works on Manifold Street (Princes Highway) must be completed at no cost to, and to the satisfaction of the Roads Corporation (VicRoads) and the Responsible Authority:
- (a) Right turn lane.
  - (b) Removal of redundant access crossovers and reinstatement of the area to the satisfaction of the Roads Corporation and the Responsible Authority.

- (c) **Creation of two (2) new crossovers to the satisfaction of the Responsible Authority.**
28. **Prior to the works on the Princes Highway road reserve commencing, the applicant must enter into a works agreement with VicRoads, confirming design plans and works approvals processes, including the determination of fees and the level of VicRoads' service obligations. Contact [swrresponse@roads.vic.gov.au](mailto:swrresponse@roads.vic.gov.au).**

**Environment Protection Authority**

29. **There must be no emissions of noise and/or vibrations from the premises which are detrimental to either of the following:**
- (a) **The environment in the area around the premises; and**
  - (b) **The wellbeing of persons and/or their property in the area around the premises.**
30. **A secondary containment system must be provided for liquids which if split are likely to cause pollution or pose an environmental hazard.**
31. **Pollution control devices must be installed to prevent the discharge of waste to the environment and stormwater system.**
32. **The permit holder must ensure that litter originating from the premises is not present beyond the boundaries of the premises.**
33. **Prior to the commencement of the use, Vapour Recovery must be installed to ensure vapours are recovered and prevented from escaping to the atmosphere.**
34. **Petroleum storage tanks must be designed, installed and operated in accordance with the *Guidelines on the Design, Installation and Management Requirements for Underground Petroleum Storage Systems (UPSS)*, EPA Publication 888.4 August 2015.**
35. **All tanks must be decommissioned by suitably qualified professionals, as outlined in the EPA Publication 888.4 Underground Petroleum Storage Systems (UPSS) 2015 or as amended and the Australian Standards referenced therein.**

**Wannon Water**

36. **The provision, at the developers cost, of the required sewerage works necessary to serve the proposed development.**
37. **The provision, at the developers cost, of the required backflow and water supply works necessary to serve the proposed development.**
38. **The developer is to ensure all proposed buildings (or any overhang) and other infrastructure are clear of existing sewer easements and at least 1 metre horizontally clear of the outside edge of existing sewers and water mains on or adjacent to the property.**
39. **The developer obtaining the necessary consents and approvals for:**
- (a) **Alteration to or connection of on-site plumbing.**

- (b) The discharge of “trade waste” (other than domestic sewage) from the property.**
- (c) Building over or within any easement. Building over or within 1 metre horizontally of water or sewerage works whether within or beyond the boundary of the property or easement.**
- (d) The placement of fill or cutting (benching) over existing sewers or sewerage easements on the property**

**Expiry of Permit**

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

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

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

**Attachments**

1. Application to Amend Permit - Under Separate Cover
2. Copy of Original Permit and Endorsed Plans - Under Separate Cover
3. Comments from External Agencies - Under Separate Cover
4. Copy of Submissions - Under Separate Cover
5. Applicant Response to Submissions - Under Separate Cover

## 9. OFFICERS' REPORTS

### 9.1 Proposed Gifting to SES of 32 Silvester Street, Cobden

**Author:** Wendy Williamson, Property Officer

**File No:**

**Previous Council Reference:** 25 June 2019, Item 9.10

#### **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 recommends Council gift the Council owned premises located at 32 Silvester Street, Cobden to the Victoria State Emergency Service (VICSES).

#### **Introduction**

On 25 June 2019 Council resolved at its meeting to give notice and seek submissions under the *Local Government Act 1989* to gift 32 Silvester Street, Cobden being known as the Cobden VICSES Headquarters to VICSES for a peppercorn amount of one dollar. Council also resolved that a caveat be registered on the land title, outlining that the sale will be conditional on the VICSES repurposing the funds within the Corangamite Shire, should the premises ever be sold. Submissions closed on 28 August 2019 with no submissions received.

Since that time Council officers have been negotiating the conditions of the sale with VICSES. VICSES have advised that it does not support a caveat being placed on the land. Any land transfer from Council would need to be unencumbered and contain no caveats or any other conditions in order for VICSES to accept a land transfer.

It is now proposed that Council reconsider the gifting without being conditional on inclusion of a caveat.

#### **Issues**

Cobden VICSES is located at 32 Silvester Street, Cobden and is situated on Council owned land. The land was purchased by Council on 10 April 1975 and is the former IOOF Hall. The land is zoned public use. Council incurs the cost of water and electricity at this site totalling approximately \$1,800 per annum. As land owner, Council is responsible for carrying out essential safety measures at the facility. Council also covers the cost of building and some contents insurance. The property holding costs for the facility are approximately \$4,800 per annum.

On 20 December 2017 a Memorandum of Understanding (MOU) between the State Government of Victoria, VICSES and the Municipal Association of Victoria (MAV) was entered into to support VICSES Volunteer Units in securing accommodation.

The purpose of the MOU is to establish and record formal tenure agreements with VICSES volunteer units occupying Council owned and managed premises.

VICSES prefer the gifting of land or long lease terms to secure its VICSES tenancies which would be more likely to then be able to attract any necessary capital funding required to carry out building improvements.

Council resolved at its meeting on 25 June 2019 to seek submissions for the sale of land and that if the land was to be gifted a caveat was to be registered on the land title, outlining that if VICSES sold the land that the sale will be conditional on the VICSES repurposing the funds within the Corangamite Shire.

Council officers have discussed the conditions of the lease with VICSES who have stated that it cannot enter into an agreement that regulates sale proceeds from a sale of a property, as doing so would be contrary to Victorian State Government Policy in connection with disposal of assets. Specifically, if the property becomes surplus to requirements as a statutory body corporate and State Government Agency, the Victoria State Emergency Service is bound to comply with Department of Treasury and Finance (DTF)'s *Victorian Government Landholding Policy and Guidelines*.

It should also be noted that any proceeds from sale of land held by VICSES must be returned to consolidated revenue and therefore a commitment to repurposing funds within the shire cannot be achieved.

The risk of VICSES selling off the parcel of land without reinvesting in VICSES services in Corangamite Shire has been considered as low. If this was to occur, it is likely the community and Council would have a role as stakeholders in the decision-making process.

Council could opt to lease the Cobden VICSES building instead however this would be for a term of 40 years and Council would continue to be liable for any required structural capital improvements. The CEO of VICSES has provided assurances that there are no plans to close the Cobden VICSES unit.

### **Policy and Legislative Context**

Gifting the premises to VICSES is in keeping with the commitments in the 2017-2021 Council Plan:

Foster a partnership approach to Emergency Management and understanding risks

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

All necessary permits and approvals for any works and improvements to the facility will be applicable and in accordance with the zoning of the land.



### **Internal / External Consultation**

In accordance with Section 191 of the *Local Government Act 1989*, Council is not required to advise of its intention to gift the land to the VICSES as the VICSES are defined as a public body. As part of Council's commitment to being open and transparent, the intention to gift the premises was advertised, with submissions closing on 28 August 2019. No submissions were received.

Council officers have met with the VICSES Regional Representatives and local unit members. It was noted in discussion about the Cobden site that preference for the VICSES would be to own the site, as opposed to leasing.

### **Financial and Resource Implications**

Council is currently responsible for all service and operating costs at the Cobden VICSES facility, including water, electricity, insurance and essential safety measures at a cost of approximately \$4,800 (based on the 2018-2019 financial year).

Should Council gift the premises to the VICSES there will be a saving to Council of recurrent, and future capital and structural works associated with the facility.

### **Conclusion**

VICSES advise that they would not support being gifted the property with any restrictions on the title as it would contravene their legislative requirements and policies. It is proposed that Council gift the property at 32 Silvester Street, Cobden to the Victoria State Emergency Service, with a clear title and without any stipulations on the transaction.

VICSES currently occupy the premises located as 32 Silvester Street, Cobden and there is no tenancy arrangements in place between the VICSES and Corangamite Shire Council. The VICSES have requested Council establish and record formal tenure agreements with VICSES Volunteer Units. VICSES have advised that the gifting of the land which the Cobden VICSES unit operate out of is their preference.

Submissions have been sought in accordance with the Local Government Act 1989 with no submissions received.

Gifting of the land will enable the Cobden VICSES Unit to have ongoing security over its residence and provide improved ability to attract capital grants, whilst relieving Council of its future capital obligations and any property holding costs.

### **RECOMMENDATION**

#### **That Council:**

- 1. Gift the premises located at 32 Silvester Street, Cobden being known as the Cobden VICSES Headquarters to VICSES for a nominal amount being one dollar (exc. GST)**
- 2. Affix the Common Seal of Council to the transfer of land documents.**

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## 9.2 Community Group Loan Guarantee Policy

**Author:** Adam Taylor, Manager Finance

**File No:**

**Previous Council Reference:** Nil

### Declaration

Chief Executive Officer – Andrew Mason

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

Author - Adam Taylor

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

### Summary

This report seeks Council adoption of the revised Community Group Loan Guarantee Policy dated January 2020 as attached.

### Introduction

The Community Group Loan Guarantee Policy is due for review. The policy has been reviewed by management and no amendments are proposed.

### Issues

The Community Group Loan Guarantee Policy sets the guidelines to be used to assist Council in considering requests to act as guarantor for loans to local community groups. These guidelines include:

- purpose of the loan
- types of eligible projects
- Council limits
- Council records
- information to be submitted by an applicant
- Terms of Guarantee arrangements entered into by Council
- monitoring of Financial Position of groups for which Council acts as Guarantor.

The policy also deals with what happens in the event of a default on a guaranteed loan to a community group.

Council currently has one approved community group loan guarantee in place; Camperdown Football Netball Club which was approved in November 2019. The loan for this guarantee is yet to be drawn down.

### Policy and Legislative Context

Consideration of this report is in accordance with Council's Community Group Loan Guarantee Policy and the following commitments in the Council Plan 2017-2021:

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

Council will 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 Senior Officer Group has reviewed the proposed changes to the Policy.

### **Financial and Resource Implications**

No community group that has been a beneficiary of a Council loan guarantee has defaulted in the past. The policy outlines what would happen in the case of a default on a guaranteed loan.

### **Options**

Council may adopt the reviewed Community Group Loan Guarantee Policy as presented or with amendments.

### **Conclusion**

The Community Group Loan Guarantee Policy provides guidelines to assist Council in considering requests to act as guarantor.

## **RECOMMENDATION**

### **That Council:**

- 1. Revokes the Community Group Loan Guarantee Policy dated January 2017.**
- 2. Adopts the Community Group Loan Guarantee Policy dated January 2020.**

### **Attachments**

1. Community Group Loan Guarantee Policy - January 2020



**CORANGAMITE  
SHIRE**

# Community Group Loan Guarantee Policy

**Corangamite Shire**

January 2020

# Council Policy



## Community Group Loan Guarantee Policy

### Introduction

This policy sets out the guidelines and principles that need to be followed by Council officers when evaluating whether Council should act as guarantor for loans for community organisations.

### Purpose

To establish criteria to be used in evaluating whether Council should act as guarantor for loans for community organisations.

### Scope

This policy applies to the evaluation of all requests to Council for it to act as guarantor for loans by community groups.

### References

*Associations Incorporation Reform Act 2012*

### Policy Detail

The following guidelines should be used to assist Council in considering requests to act as a guarantor for loans to local clubs and organisations:

#### *Purpose of the loan*

- The purpose of the loan must be one which provides an asset of community importance and which would be worthy of financial support were funds to be available.
- The project must be of a capital nature for new or improved facilities. Refinancing of existing commitments will not be accepted.

#### *Types of Eligible Projects*

Projects substantially satisfying the following criteria would have higher priority for loan guarantee candidacy –

- “Core” community recreation works or facilities ie. Those, which are directly associated with, proposed recreation participation/experience.
- Where there is a demonstrated need for the new works/facility having regard to effective and efficient provision for various sports throughout the Shire.
- Where the proposed new works/facility is in accordance with the relevant Council strategies.
- Council, in its capacity as owner/manager of Council land, planner/provider of recreation service and facilities and as planning authority must be initially satisfied that the proposed project to be financed by the loan is compatible with Council’s adopted recreation, planning and other relevant policies, the development plan for the relevant Council property, town planning considerations and the occupancy arrangement for the relevant group.

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Corangamite Shire Council Policy – Community Group Loan Guarantee Policy

- The applicant for the guarantee must be a bona-fide non-profit community body and must be incorporated under the *Associations Incorporation Reform Act 2012* or other appropriate legislation.
- The objects, constitution and activities/programs of the relevant group must be to Council's satisfaction.

The above includes preservation or refurbishment of existing "core" recreation assets, subject to the order of expenditure placing such projects beyond those of major/cyclic maintenance nature.

The following types of projects would not necessarily be excluded but would have lower eligibility-

- New or significant refurbishment of ancillary facilities of appropriate scale, such facilities being conventional and appropriate to support the dominant recreation/community purpose.
- Where the project is of a relatively minor scale, for which it could be expected that the relevant group would raise the funds required prior to works being undertaken ie: to avoid borrowing.

In addition, a previous history of sound financial management, leadership, stability and general credentials within the community group will also be considered.

*Council Limits*

A loan guarantee will only be approved by the Council if the risk to Council is minimal. The following criteria will be considered:

- The maximum amount to be guaranteed by Council in any single instance will not exceed \$100,000.
- Council reserves the right to take security over the applicant's equity, including land and buildings. The level of security Council requires will be assessed on each application.
- The guarantee will not exceed fifty percent of the total project cost.
- The maximum period of a loan subject to guarantee should be ten years.
- Council will only agree to act as a guarantor providing all other possible sources of funding for a project have been exhausted.

*Council Records*

Any Bank Guarantees are recorded in the Annual Financial Statements as Contingent Liabilities.

The Finance Department shall be responsible for maintaining a record of all guarantees and monitoring compliance with the relevant financial ratios.

Prior to any guarantee being approved Council must be provided with a schedule of current guarantees to determine its risk exposure.

*Information to be submitted by applicant*

The applicant must submit the following information where applicable:-

- Prior 3 years audited financial statement;
- Current Operating Budget;
- Complete cash flow projections of operations, with the inclusion of debt servicing and redemption of the proposed loan, for the guarantee period;

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Corangamite Shire Council Policy – Community Group Loan Guarantee Policy

- Interest rate and any other assumptions made, particularly in relation to other source income;
- Detailed cash flow and total costing of project costs;
- Floor plans of any building works;
- Costs as to fit out and external costs such as landscaping etc.;
- Start Up costs envisaged;
- Details of management plans for both the construction phase and the operating of the facility after completion;
- Levels of equity in the project provided by the applicant and any liabilities attached to any funds contributed;
- Business Plans of the applicant if in existence. It should be noted that in respect of larger projects, this will be a compulsory requirement.
- Other information as deemed appropriate.

*Terms of Guarantee arrangements entered into by Council*

Each guarantee arrangement relates solely to a specific project and cannot be extended to cover additional facilities without Council's consent in writing. Repayment instalments by the relevant group should be for both principal and interest. Council's guarantor status should be only in relation to the reducing balance of principal owing.

The guarantee agreement should relate solely to Council standing in the position of the debtor in the event of default and not indemnifying the debt due to other reasons.

The Council guarantee will be for a set time period following which Council is to be released from the guarantee. Any commitment to renew the guarantee will be based on a new assessment at that point in time.

An agreement between Council and the lending authority will be sought regarding procedural steps to be followed in the event of a loan default. Such issues include:-

- Communication between bank/financial institution and Council of any non-payment of loan instalments;
- The right for Council to continue with the loan repayment schedule rather than lump sum payment;
- The procedure used by the Bank/Financial institution prior to calling upon the guarantee, including the giving of initial notification of intent and the provision of an agreed time period of rectification.
- The lender will be required to exhaust its legal rights against the borrower and other guarantors prior to calling on the Council guarantee.
- An agreement between Council and the applicant to be reached regarding administration of the community body and its assets in the event of loan payments not being made and/or the loan guarantee being called upon.

*Monitoring of Financial Position of groups for which Council acts as Guarantor*

Written agreement to be entered into between Council and the relevant group as a condition of Council accepting guarantor status, this agreement requiring full compliance in relation to the following monitoring arrangements:-

- Submission by the group of financial reports, annual operating budgets and half yearly management accounts to the nominated Council Officer within thirty (30) working days of the end of the specified reporting period (i.e. quarterly, half yearly, yearly) in an acceptable format.
- Council guaranteed debt must be repaid prior to other loan liabilities.

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Corangamite Shire Council Policy – Community Group Loan Guarantee Policy

- Group advising Council as soon as possible in the event there is a possibility of facing difficulties in meeting loan repayments.
- Any other material information which may have a bearing on the financial position of the organisation and its position to meet all debts when they are due, including loan repayments.

In the event of one or more of the above occurring, the group must agree for Council to obtain independent appraisal of the group's position, also to closely consider and act upon recommendations from such assessment following detailed consultation with Council.

Council's specific permission is required for any change in relation to loan repayment arrangements, including terms and period of repayment. In the event of any restructure of the loan arrangement, which is beneficial and appropriate, any fees, charges and costs involved shall be met by the group.

*Default of Loan*

If the community group defaults on the loan repayments Council will negotiate to recover costs associated with the loss. This may include:

- An agreed repayment plan with the community group
- Taken possession of the asset to potentially sell

**Review Date**

The next review of this document is scheduled for completion by the Manager Finance on or before 31 January 2023. The policy will be reviewed earlier where there is any legislative change.

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Adopted at Council on:  
Agenda Item:  
File Number:

Department: Finance

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## 9.3 Finance Report - December 2019

**Author:** Adam Taylor, Manager Finance

**File No:**

**Previous Council Reference:** Nil

### Declaration

Chief Executive Officer – Andrew Mason

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

Author - Adam Taylor

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

### Summary

This report is to note Council’s current financial position as at 31 December 2019 and to approve changes to the 2019-2020 reviewed budget, that have resulted from a quarterly review of operations.

### Introduction

Council adopted the 2019-2020 Budget at a Special Council meeting in June 2019. At the August 2019 ordinary Council meeting a number of 2018-2019 projects and grants paid in advance were identified as being required to be carried forward to the 2019-2020 year.

During September 2019 & December 2019, managers conducted a review of budgets and the required funds to deliver programs and initiatives. The report is seeking approval of the changes which will reduce the cash position by \$293,517. Notwithstanding the changes to the cash position, Council year to date financial performance for 2019-2020 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 2019 was \$23.31 million which was primarily due to incomplete projects, grant funding received in advance and a favourable result to the adjusted forecast. The higher than forecast cash position as at 30 June 2019 will fund the carry forward budget adjustments approved in September 2019 and improve the starting position for the 2020-2021 budget. A summary of forecast cash position after the inclusion of the December quarter review is detailed below

Cash position as at 30 June 2019	\$23,306,297
2019-2020 adopted surplus / (deficit)	\$431,506
2018-2019 carry forwards (net)	(\$13,023,376)
2019-2020 September quarter adjustments	(\$457,726)
2019-2020 December quarter adjustments	(\$293,517)
<b>2019-2020 Forecast “cash” Surplus/(Deficit)</b>	<b><u>\$9,963,184</u></b>

A summary of the December 2019 quarter adjustments is as follows:

Capital projects	\$568,185
Recurrent operations	(\$128,935)
Rating income	\$14,661
Operating projects	(\$40,928)
Reserve transfers	(\$706,500)
<b>Total quarterly forecast budget adjustments</b>	<b>(\$293,517)</b>

### ***Financial Performance***

Council's financial performance for 2019-2020 is on target with a year to date favourable cash variance of \$1,570,943 compared to budget. Main contributors to the better than forecast cash result at 31 December are:

- Recurrent operations are \$739,984 favourable to budget due to timing and forecasting differences plus some additional revenue due to increased demand for services which will be offset by increased expenditure.
- Rate income is \$37,679 favourable to budget due to supplementary rating income being received. The budget will be updated once all objections to valuation have been assessed by the Valuer General.
- Operating project expenditure is \$128,360 favourable to budget due to timing of grant payments, billing error and projects being completed behind schedule.
- Capital expenditure is \$343,393 favourable to budget due to forecasting differences and capital projects being behind schedule
- Extraordinary Events is \$279,918 favourable to budget due to timing difference.
- Proceeds from sale of plant and equipment is \$41,610 favourable due to timing difference.

### **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 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 2020 will differ from the reviewed budget due to the quarterly review of operations.

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 may choose to:

1. Accept the adjustments to the 2019-2020 forecast budget which will include the 2019-2020 December quarter adjustments, or
2. Not accept the adjustments to the 2019-2020 forecast budget.

### **Conclusion**

Council's financial performance for 2019-2020 remains on target. The year to date cash variance of \$1,570,943 is favourable compared to budget, this is primarily due to timing issues and projects being behind schedule. After the proposed quarterly adjustments of \$293,517, Council's cash position will remain within the target of \$5 million or greater.

### **RECOMMENDATION**

**That Council:**

1. **Receives the finance report for the period ending 31 December 2019**
2. **Approves the forecast budget for 2019-2020, which includes the December quarter adjustments.**

### **Attachments**

1. Finance Report - December 2019

CORANGAMITE SHIRE  
**FINANCIAL  
PERFORMANCE  
REPORT** DECEMBER 2019



# Finance Report

## Attestation

In my opinion the information set out in this report presents fairly the financial transactions for the period ended 31 December 2019. All statutory obligations which relate to the period of this report have been made.



Adam Taylor CPA

## Table of Contents

1. Performance Summary
2. Cash Budget
3. Recurrent Operations
4. Projects
5. Capital Projects
6. Project Delivery
7. Investments
8. Procurement
9. Outstanding Debtors
10. Mid year Budget Review
11. Balance Sheet for the period ended 31 December 2019
12. Income Statement for the period ended 31 December 2019

## Synopsis

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

## Definitions

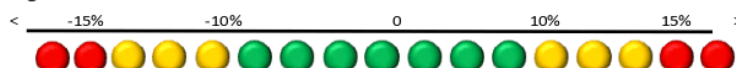
**Adopted Budget** represents the Budgeted adopted by the Council in June.

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

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

## Variance indicator thresholds

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

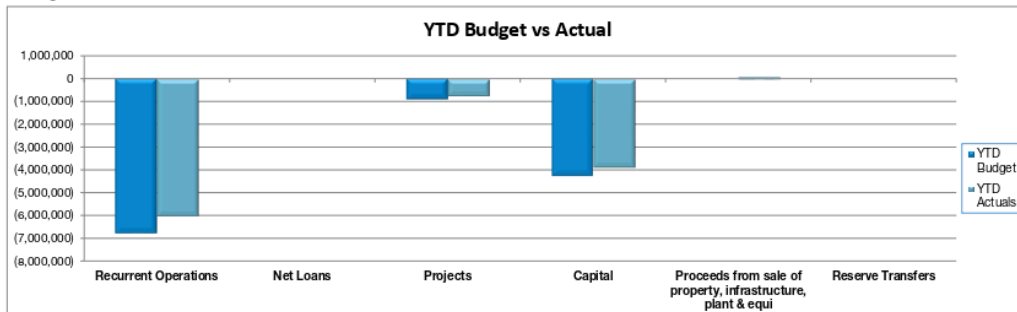


1. Performance Summary

	Adopted Budget	Reviewed Budget	Forecast Budget	YTD Budget	YTD Actuals	YTD Variance fav/(unfav)	
						\$	%
Recurrent Operations	(9,502,544)	(14,783,245)	(14,912,181)	(6,790,114)	(6,050,130)	739,984	11%
Rate Income	22,034,273	22,034,273	22,048,934	22,049,245	22,086,924	37,679	0%
Net Loans	0	0	0	0	0	0	0%
Projects	(2,785,719)	(8,370,746)	(8,411,674)	(918,178)	(789,818)	128,360	14%
Capital	(10,281,857)	(14,008,337)	(13,440,152)	(4,265,256)	(3,921,864)	343,393	8%
Proceeds from sale of property, infrastructure, plant & equi	423,500	423,500	423,500	0	41,610	41,610	0%
External Loan Funds	25,333	25,333	25,333	19,222	19,222	0	0%
Reserve Transfers	518,520	508,520	(197,980)	0	0	0	0%
Extraordinary Events	0	1,121,106	1,121,106	671,296	951,214	279,918	42%
<b>Surplus/(Deficit)</b>	<b>431,506</b>	<b>(13,049,596)</b>	<b>(13,343,113)</b>	<b>10,766,215</b>	<b>12,337,158</b>	<b>1,570,943</b>	<b>15%</b>
Surplus/(Deficit) B/forward	7,703,993	23,306,297	23,306,297				
<b>Surplus/(Deficit) at end of year</b>	<b>8,135,499</b>	<b>10,256,701</b>	<b>9,963,184</b>				

Note: Figures in brackets indicate cost to Council

Unfavourable variances shown in brackets



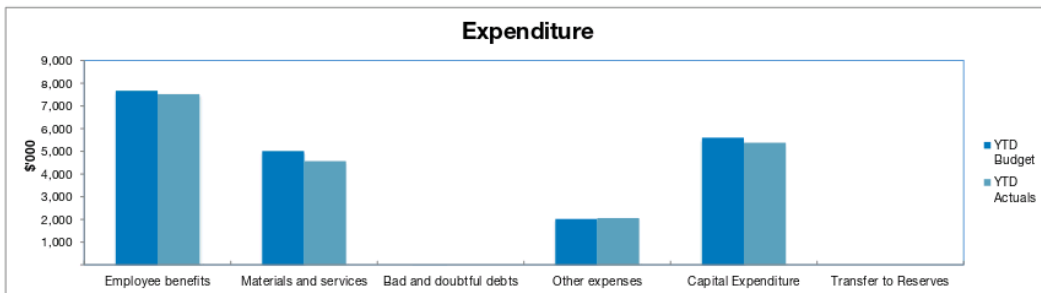
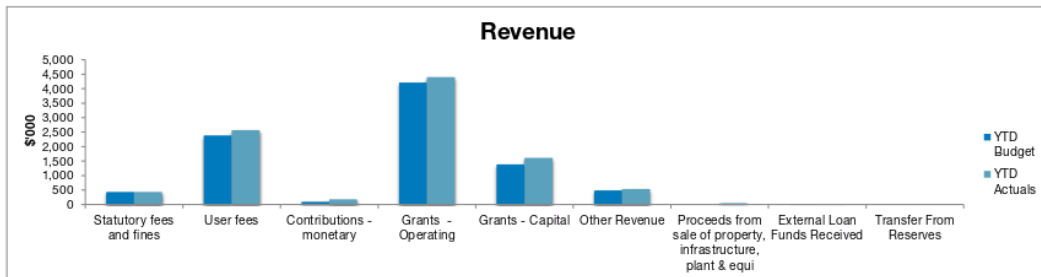


2. Cash Budget

	Adopted Budget	Reviewed Budget	Forecast Budget	YTD Budget	YTD Actuals	YTD Variance fav/(unfav)	
						\$	%
<b>REVENUE</b>							
Rates and charges	22,034,273	22,034,273	22,048,934	22,049,245	22,086,924	37,679	0%
Statutory fees and fines	442,627	442,627	434,467	430,926	428,222	(2,704)	(1%)
User fees	6,013,670	6,028,204	5,492,838	2,383,929	2,566,895	182,966	8%
Contributions - monetary	239,187	535,334	535,334	89,524	176,287	86,764	97%
Grants - Operating	11,407,286	8,791,178	8,718,081	4,211,762	4,399,617	187,855	4%
Grants - Capital	4,363,443	5,056,697	4,660,697	1,382,980	1,604,600	221,620	16%
Other Revenue	860,005	860,005	860,005	485,442	533,048	47,606	10%
Proceeds from sale of property, infrastructure, plant & equi	423,500	423,500	423,500	0	41,610	41,610	0%
External Loan Funds Received	25,333	25,333	25,333	19,222	19,222	(0)	(0%)
Transfer From Reserves	1,046,000	1,066,000	359,500	0	0	0	0%
<b>Total Revenue</b>	<b>46,855,323</b>	<b>45,263,150</b>	<b>43,558,688</b>	<b>31,053,028</b>	<b>31,856,424</b>	<b>803,396</b>	<b>70%</b>
<b>EXPENDITURE</b>							
Employee benefits	15,140,288	15,210,556	15,258,806	7,663,609	7,518,313	145,296	(2%)
Materials and services	13,055,110	20,013,210	19,592,973	5,008,271	4,568,738	439,533	(9%)
Bad and doubtful debts	2,500	2,500	2,500	2,000	0	2,000	(100%)
Other expenses	2,942,039	3,095,466	3,080,693	2,015,797	2,057,462	(41,665)	2%
Capital Expenditure	14,756,400	19,433,534	18,419,349	5,597,136	5,374,753	222,383	(4%)
Transfer to Reserves	527,480	557,480	557,480	0	0	0	0%
<b>Total Expenditure</b>	<b>(46,423,817)</b>	<b>(58,312,746)</b>	<b>(56,901,802)</b>	<b>(20,286,814)</b>	<b>(19,519,266)</b>	<b>767,548</b>	<b>(33%)</b>
<b>Surplus/(Deficit)</b>	<b>431,506</b>	<b>(13,049,596)</b>	<b>(13,343,113)</b>	<b>10,766,215</b>	<b>12,337,158</b>	<b>1,570,943</b>	<b>15%</b>

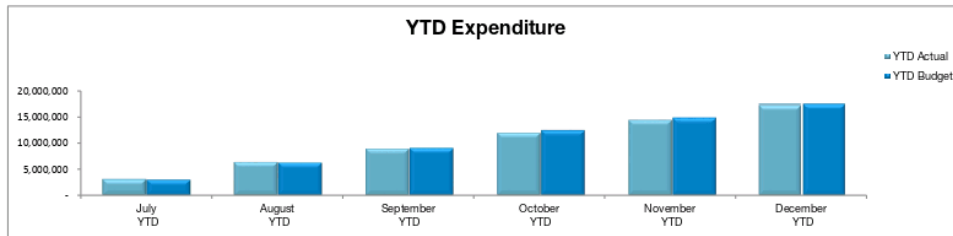
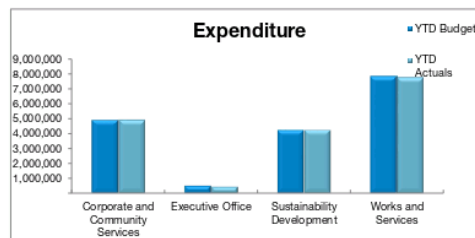
Note: Figures in brackets indicate cost to Council

Unfavourable variances shown in brackets



3. Recurrent Operations

	Adopted Budget	Reviewed Budget	Forecast Budget	YTD Budget	YTD Actuals	YTD Variance fav/(unfav)	
						\$	%
<b>Recurrent Operations</b>							
<b>Revenue</b>							
Corporate and Community Service	14,294,719	10,050,575	9,950,457	4,999,458	5,203,375	203,916	(4%) ●
Executive Office	0	0	0	0	797	797	0% ●
Sustainability Development	5,233,669	5,208,763	4,621,553	2,085,918	2,196,416	110,498	(5%) ●
Works and Services	6,890,975	6,945,982	6,945,982	3,758,677	3,994,335	235,658	(6%) ●
<b>Revenue Total</b>	<b>26,419,363</b>	<b>22,205,320</b>	<b>21,517,992</b>	<b>10,844,053</b>	<b>11,394,923</b>	<b>550,870</b>	<b>(5%) ●</b>
<b>Expenses</b>							
Corporate and Community Service	9,160,604	9,365,360	9,343,026	4,960,432	4,941,297	19,135	0% ●
Executive Office	940,597	940,597	940,324	509,482	423,693	85,788	17% ●
Sustainability Development	10,742,267	11,546,018	11,010,232	4,272,420	4,263,496	8,923	0% ●
Works and Services	15,078,438	15,136,590	15,136,590	7,891,834	7,816,566	75,268	1% ●
<b>Expenses Total</b>	<b>(35,921,907)</b>	<b>(36,988,565)</b>	<b>(36,430,172)</b>	<b>(17,634,167)</b>	<b>(17,445,053)</b>	<b>189,114</b>	<b>1% ●</b>
<b>Recurrent Operations Total</b>	<b>(9,502,544)</b>	<b>(14,783,245)</b>	<b>(14,912,181)</b>	<b>(6,790,114)</b>	<b>(6,050,130)</b>	<b>739,984</b>	<b>11% ●</b>



Comments:

**Recurrent Revenue** is \$550,870 favourable to budget

Corporate and Community Services favourable by \$203,916. Income across the Early Years services is in excess of budget. Some of this will be offset by increases in expenditure and some due to timing of income received.

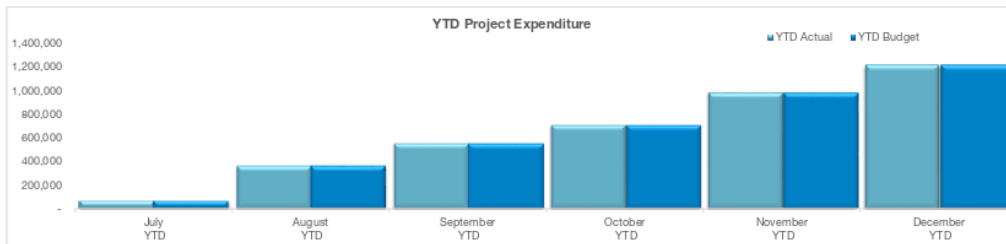
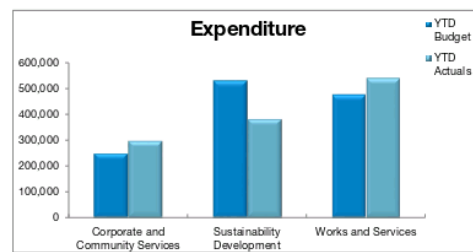
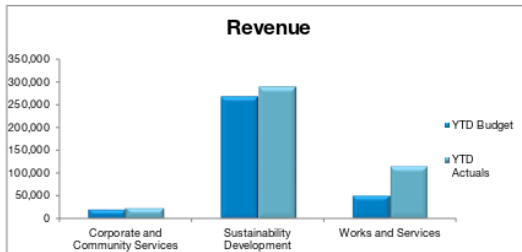
Sustainable Development is favourable by \$110,498. Income received for Building Services and Landfill operations is currently in excess of budget.

Works and Services are favourable by \$235,658 to budget predominately due to Heavy Fleet and Internal staff recovery which is offset by expenditure (mainly in Capital Projects)

**Recurrent expenditure** is \$189,114 favourable to budget mainly related to timing differences to budget and staff vacancies.

4. Projects

	Adopted Budget	Reviewed Budget	Forecast Budget	YTD Budget	YTD Actuals	YTD Variance fav/(unfav)	
						\$	%
<b>Projects</b>							
<b>Revenue</b>							
Corporate and Community Services	20,000	69,151	139,151	20,000	22,759	2,759	(14%) ●
Sustainability Development	235,126	290,751	303,251	269,115	289,757	20,642	(8%) ●
Works and Services	333,500	751,000	751,000	50,000	114,898	64,898	(130%) ●
<b>Revenue Total</b>	<b>588,626</b>	<b>1,110,902</b>	<b>1,193,402</b>	<b>339,115</b>	<b>427,414</b>	<b>88,299</b>	<b>(26%) ●</b>
<b>Expenses</b>							
Corporate and Community Services	416,480	5,344,949	5,450,450	248,473	295,545	(47,071)	(19%) ●
Sustainability Development	1,295,490	1,811,268	1,774,195	531,333	380,892	150,441	28% ●
Works and Services	1,662,375	2,325,431	2,380,431	477,487	540,795	(63,308)	(13%) ●
<b>Expenses Total</b>	<b>(3,374,345)</b>	<b>(9,481,648)</b>	<b>(9,605,076)</b>	<b>(1,257,293)</b>	<b>(1,217,231)</b>	<b>40,062</b>	<b>3% ●</b>
<b>Projects Total</b>	<b>(2,785,719)</b>	<b>(8,370,746)</b>	<b>(8,411,674)</b>	<b>(918,178)</b>	<b>(789,818)</b>	<b>128,360</b>	<b>14% ●</b>



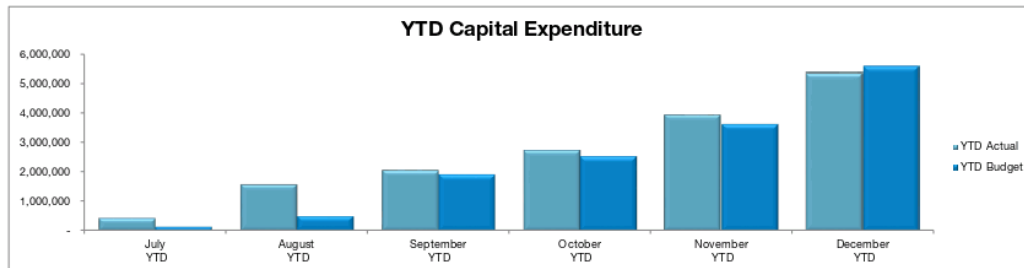
Comments:

**Project revenue** is \$88,299 favourable to budget with a number of minor project funding being received ahead of schedule. There was also an invoicing issue with the windfarm grant program which was resolved in January 2020.

**Project expenditure** is \$40,062 favourable to budget. There are a number of projects running behind forecast completion being offset slightly by some projects having been completed ahead of schedule. The continuous improvement project has been delayed due to difficulties in recruitment.

5. Capital

	Adopted Budget	Reviewed Budget	Forecast Budget	YTD Budget	YTD Actuals	YTD Variance fav/(unfav)	
						\$	%
<b>Capital</b>							
<b>Revenue</b>							
Sustainability Development	80,000	462,924	462,924	171,500	174,000	2,500	(1%) ●
Works and Services	5,428,543	6,016,273	4,863,773	1,160,380	1,278,890	118,510	(10%) ●
<b>Revenue Total</b>	<b>5,508,543</b>	<b>6,479,197</b>	<b>5,326,697</b>	<b>1,331,880</b>	<b>1,452,890</b>	<b>121,010</b>	<b>(9%) ●</b>
<b>Expenses</b>							
Corporate and Community Services	142,000	199,965	212,965	27,137	69,044	(41,907)	(154%) ●
Sustainability Development	390,000	1,004,300	1,004,300	372,622	333,767	38,855	10% ●
Works and Services	14,224,400	18,229,269	17,202,084	5,197,377	4,971,942	225,435	4% ●
<b>Expenses Total</b>	<b>(14,756,400)</b>	<b>(19,433,534)</b>	<b>(18,419,349)</b>	<b>(5,597,136)</b>	<b>(5,374,753)</b>	<b>222,383</b>	<b>4% ●</b>
<b>Capital Total</b>	<b>(9,247,857)</b>	<b>(12,954,337)</b>	<b>(13,092,652)</b>	<b>(4,265,256)</b>	<b>(3,921,864)</b>	<b>343,393</b>	<b>8% ●</b>



**Comments:**

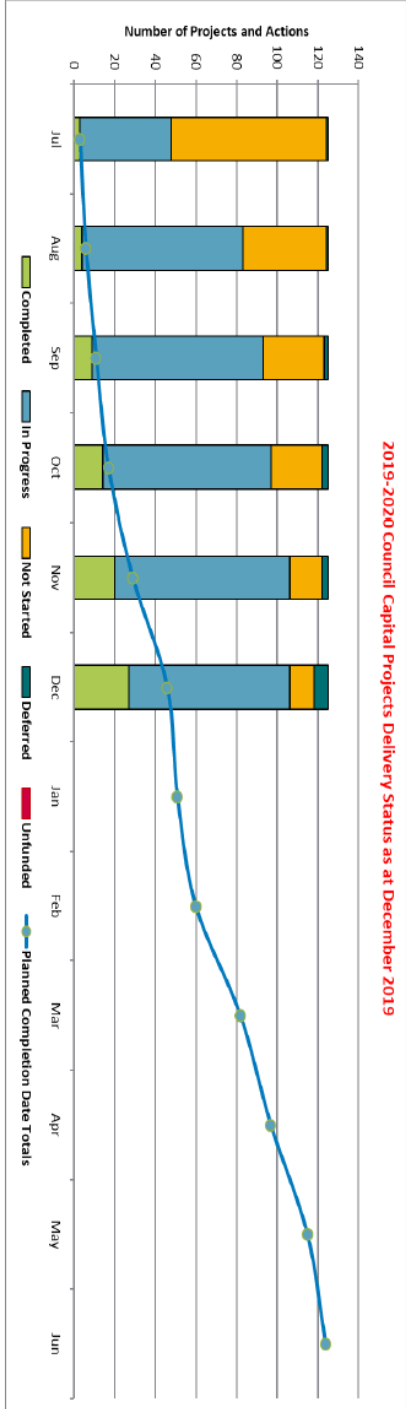
**Capital revenue** is \$121,010 favourable to budget with the major reason being capital project funding being received ahead of forecast

**Capital expenditure** is \$222,383 favourable to budget. There are a number of projects running behind forecast completion being offset slightly by some projects having been completed ahead of schedule. For a more detailed overview of completed capital projects please refer to the project delivery report (Item 6)

### 6. Project Delivery

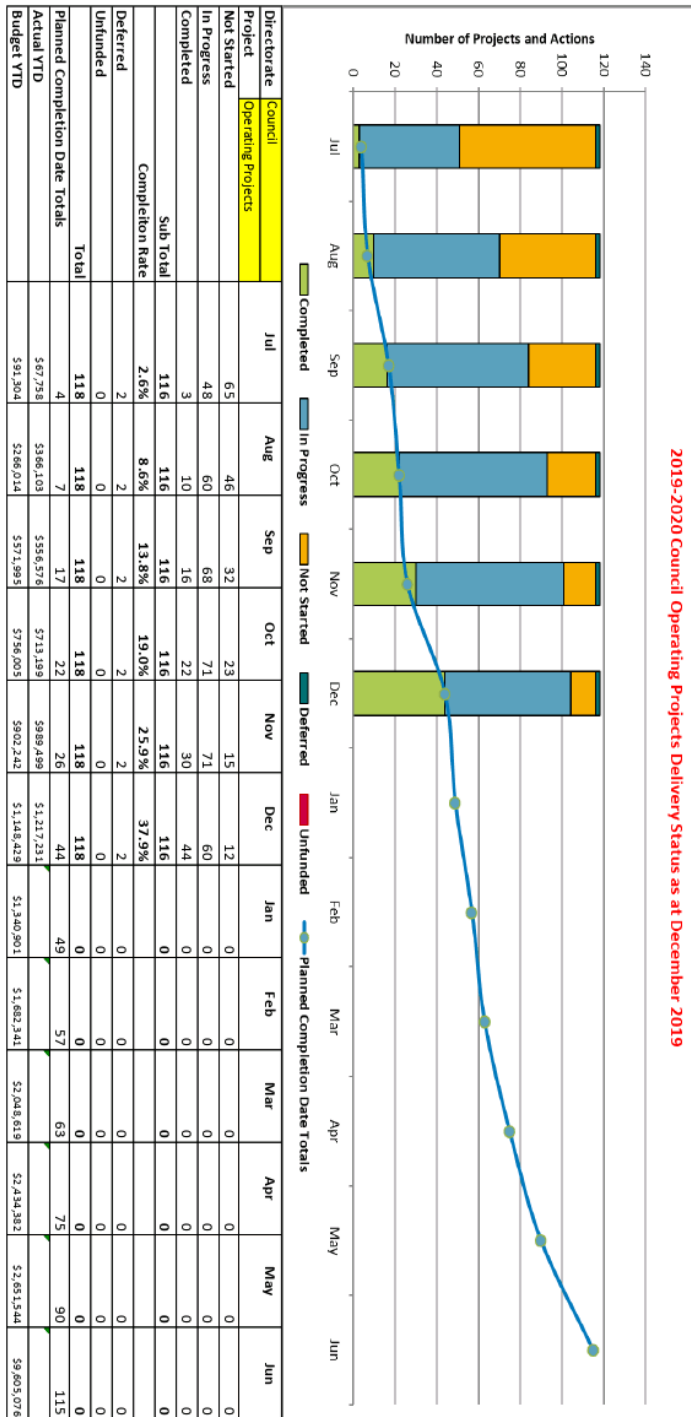
The graphs and tables below provide an overview of the status of Council's capital and operating projects for the reporting period.

2019-2020 Council Capital Projects Delivery Status as at December 2019

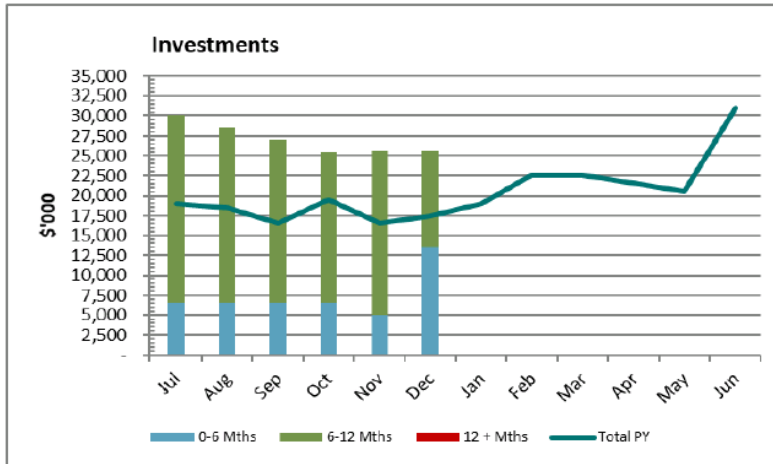


Directorate Project	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
<b>Council Capital Projects</b>												
Not Started	76	41	30	25	16	12	0	0	0	0	0	0
In Progress	45	79	84	83	86	79	0	0	0	0	0	0
Completed	3	4	9	14	20	27	0	0	0	0	0	0
<b>Sub Total</b>	<b>124</b>	<b>124</b>	<b>123</b>	<b>122</b>	<b>122</b>	<b>118</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Completion Rate</b>	<b>2.4%</b>	<b>3.2%</b>	<b>7.3%</b>	<b>11.5%</b>	<b>16.4%</b>	<b>22.9%</b>						
Deferred	1	1	2	3	3	7	0	0	0	0	0	0
Unfunded	0	0	0	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>125</b>	<b>125</b>	<b>125</b>	<b>125</b>	<b>125</b>	<b>125</b>	<b>46</b>	<b>51</b>	<b>60</b>	<b>82</b>	<b>97</b>	<b>115</b>
<b>Planned Completion Date Totals</b>												
Actual YTD	5436,777	51,389,899	52,078,445	52,767,288	53,965,214	55,374,733						
Budget YTD	5135,974	5310,549	51,945,659	52,364,987	53,617,518	55,497,136	56,705,559	58,305,271	510,464,525	512,593,116	515,000,831	519,419,349

2019-2020 Council Operating Projects Delivery Status as at December 2019



**7. Investments**

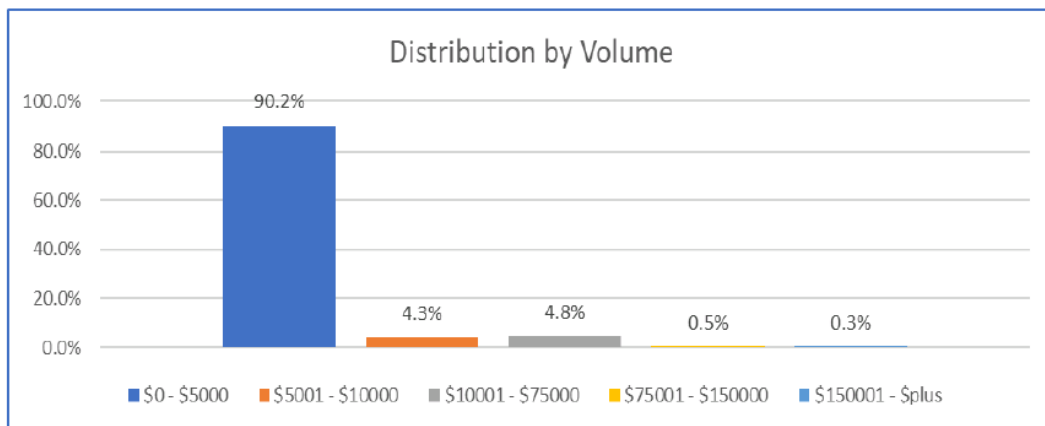
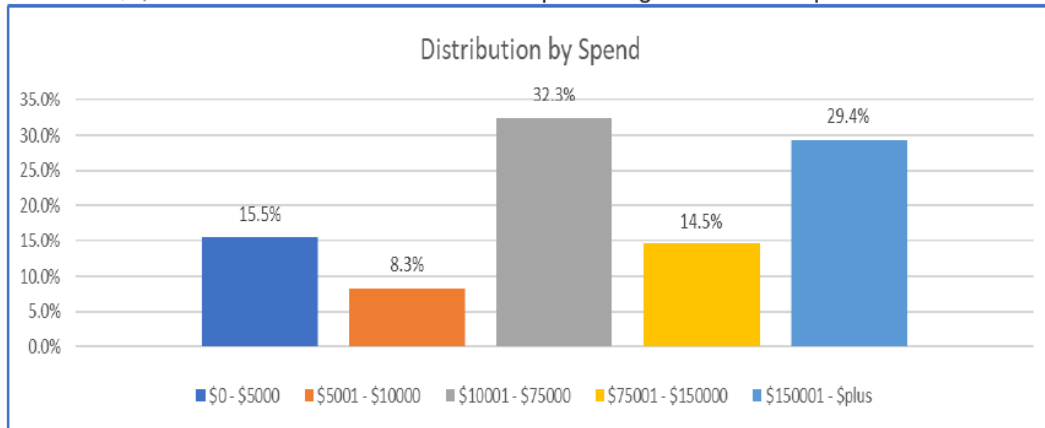


The above graph shows the 2019-2020 total investments as a comparative line and categorises current year investments by term. Term deposits are much higher than the prior year due to grant income paid in advance and a large grant held on behalf of the shared service project which was funded in June 2019.



**8. Purchasing and Procurement**

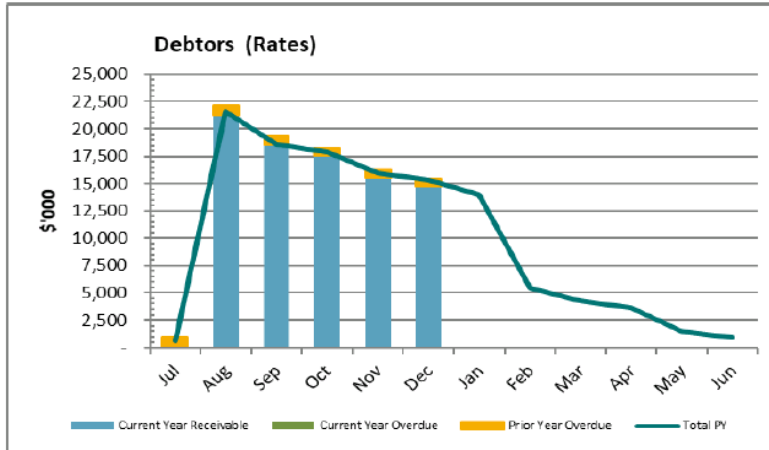
The graph below details Council's procurement activity for the reporting period by spend and volume. The top graph details the cumulative expenditure by value whilst the bottom graphs details the cumulative transactions by volume. For example 90.2% of transactions for the period were for a value of \$5,000 or less with a cumulative value representing 15.5% of total procurement.



**9. Outstanding Debtors**

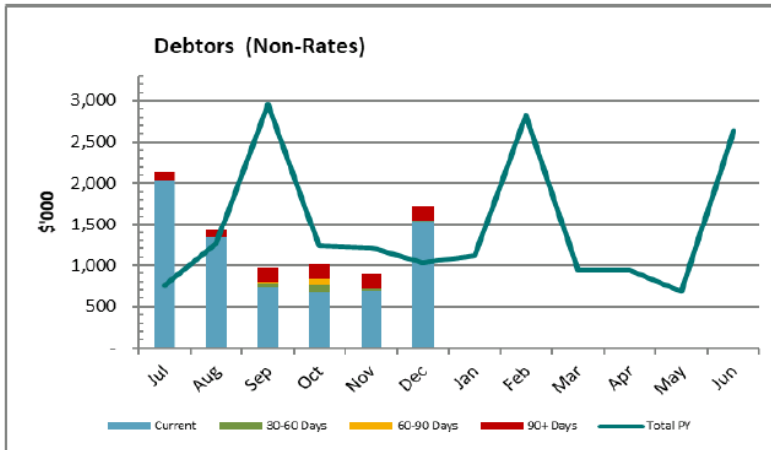
**Rate Debtors**

The below graph shows the total outstanding rates from the 2019-2020 financial year as a comparative line with the stacked bar graph showing the current year outstanding rates, categorised as current, current year overdue and prior year overdue.



Rates are raised in August and the first instalment is due on 30 September, the second instalment 30 November, the third instalment 28 February and the final instalment 31 May. Ratepayers who choose to pay a lump sum are due on 15 February. 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 showing a higher total amount owing than December last year. This is mainly due to grants for the Vic Roads "Fixing Country Roads" program outstanding at 31 December 2019 which are expected to be paid within the month.

10. December 2019 Forecast changes

Project Name	2019-2020 Adopted Budget	2019-2020 Revised Budget	2019-2020 Forecast Budget	(Favourable / Unfavourable) Details
Camperdown streetscape stage 2B - town square	0	191,873	213,761	21,888 Additional funds required to complete project
Killara ITP rojector improvements	10,000	10,000	23,000	13,000 Additional funds required to complete project
Kerb and Channel - (SCS) Power Street, Timboon	15,000	15,000	4,000	(11,000) Project expected to be delivered less than budget
Kerb and Channel - Trail St, Camperdown Renewal	11,000	3,500	0	(3,500) Project expected to be delivered less than budget
Kerb and Channel - Baker St Timboon Renewal	31,000	31,000	38,999	7,999 Additional funds required to complete project
Kerb and Channel - Estcourt St, Terang Renewal	40,000	40,000	0	40,000 Project expected to be delivered less than budget
Kerb and Channel - Anderson St Nth Skipton Renewal	42,000	42,000	45,994	3,994 Additional funds required to complete project
Twelve Apostles Trail - Stage 1 Timboon to Port Campbell	0	13,816	(720,184)	(734,000) Detailed design to be completed this year only. Offset by reduction in reserve funds required
Urmore-Pithong Road (15.91km to 17.80km) Rehab	107,000	191,800	272,800	81,000 Additional funds required to complete project
Diggers Bridge Road (0km to 0.95km) Rehab	209,000	209,000	226,000	17,000 Additional funds required to complete project
Centre Rd, Simpson (5.1km to 5.86km) Rehab	186,000	186,000	226,000	40,000 Additional funds required to complete project
Werneh Rd (0.71km to 1.29km) Rehab	93,000	93,000	0	(93,000) Patching work completed. Project not required
Jancourt Road (4.35km to 5.05km) Rehab	168,000	168,000	248,000	80,000 Additional funds required to complete project
Sealing of Parkers Access Road - Moonlight Head design work	20,000	20,000	5,000	(15,000) Project expected to be delivered less than budget - design work being completed internally
Port Campbell playground - Construction	0	160,291	187,791	27,500 Account for additional expenditure from public open space reserve
<b>Total capital project variations</b>				<b>(568,185)</b>
<b>Department</b>				
Kindergartens	31,131	31,131	17,760	(13,371) Combined change in staffing and enrolments for 2020
Council Administration	382,136	382,136	384,136	2,000 Additional legal fees required
Ageed & Disabled Services	273,865	313,865	273,865	(40,000) Forecast return of funding not required.
Landfill Operations	(2,001,770)	(2,001,770)	(1,309,397)	693,373 Reduction in landfill income due to loss of customer, offset by delay in capital works
Planning Services	474,463	474,463	479,463	5,000 Increase in fee waivers for community projects
Building Services	(578)	(578)	10,922	11,500 Increase in fee waivers for community projects
Grants Commission funding	(8,379,402)	(4,150,449)	(4,030,294)	120,155 Additional funds received from Victorian Grants Commission
Great South Coast Municipal Group	25,000	25,000	22,727	(2,273) Savings on delivery of project
Microsoft Licensing	89,880	89,880	92,880	4,000 Additional licensing fees
Freedom Of Information	3,000	3,000	10,000	7,000 Additional funds required for increase in requests
Cell Construction - Naroghd Cell 15	656,956	867,575	680,075	(187,500) Deferral of projects after projected decrease in landfill income
Landfill Cell 13 Capping	475,949	475,949	0	(475,949) Deferral of projects after projected decrease in landfill income
<b>Total recurrent operations variations</b>				<b>128,935</b>
<b>Rate income</b>				
Rates income	(22,094,273)	(22,094,273)	(22,108,934)	(14,661) Supplementary rate income received
<b>Total reserve transfer variations</b>				<b>(14,661)</b>
<b>Operating Projects</b>				
Preparation of kerbside collection contract schedules	0	79,573	30,000	(49,573) Savings on delivery of project
Dump Point - Cobden	0	0	5,000	5,000 Council contribution to project
Timboon town centre activation project application	0	0	50,000	50,000 Part allocation of future expenditure brought forward for detailed design
Place based service promotion and workforce opportunity	0	0	35,501	35,501 2018-2019 Underspent funds for Home and Community Care reallocated to new project
<b>Total operating project variations</b>				<b>40,928</b>
<b>Reserve transfers</b>				
Infrastructure projects reserve	(1,034,000)	(1,034,000)	(300,000)	734,000 Construction of Twelve Apostles Trail delayed to future year. Offset against capital expenditure
Public open space reserve	0	0	(27,500)	(27,500) Account for contribution to Port Campbell playground from open space reserve
<b>Total reserve transfer variations</b>				<b>706,500</b>
<b>Total December quarter budget variations</b>				<b>293,517</b>

11. Balance Sheet for the period ended 31 December 2019

	Prior Year Balance	Adopted Budget	Reviewed Budget	Forecast Budget	YTD Actuals
<b>CURRENT ASSETS</b>					
Cash and cash equivalents	33,290,726	19,970,918	21,061,803	21,474,786	26,792,571
Financial Assets	25,359	12,400	12,400	12,400	5,006,138
Rate Receivables	942,718	1,000,000	1,000,000	1,000,000	15,402,714
Other Trade Receivables	2,823,039	1,500,000	1,400,000	1,400,000	2,029,968
Inventories	64,607	80,000	140,000	140,000	200,702
Other assets	1,037,208	494,170	1,000,000	1,000,000	450,391
<b>Total Current Assets</b>	<b>38,183,658</b>	<b>23,057,488</b>	<b>24,614,203</b>	<b>25,027,185</b>	<b>49,882,484</b>
<b>NON CURRENT ASSETS</b>					
Investments in associates	293,180	264,715	293,180	293,180	293,180
Financial Assets	12,374	46,217	0	0	12,374
Trade and other receivables	24,146	0	25,000	25,000	18,458
WIP - Capital	2,421,516	14,756,400	19,073,534	18,059,349	7,461,190
Fixed assets	452,827,678	460,836,881	442,330,194	442,330,194	453,162,757
<b>Total Non Current Assets</b>	<b>455,578,893</b>	<b>475,904,213</b>	<b>461,721,908</b>	<b>460,707,723</b>	<b>460,947,959</b>
<b>Total Assets</b>	<b>493,762,552</b>	<b>498,961,701</b>	<b>486,336,111</b>	<b>485,734,908</b>	<b>510,830,443</b>
<b>CURRENT LIABILITIES</b>					
Trade and other payables	2,111,041	3,260,796	2,100,000	2,100,000	1,269,839
Trust funds and deposits	226,018	235,584	226,018	226,018	324,117
Provisions - current	3,791,329	3,850,712	3,800,000	3,800,000	4,146,017
<b>Total Current Liabilities</b>	<b>6,128,387</b>	<b>7,347,092</b>	<b>6,126,018</b>	<b>6,126,018</b>	<b>5,739,972</b>
<b>NON CURRENT LIABILITIES</b>					
Provisions - non-current	3,967,421	3,559,555	3,972,265	3,972,265	3,731,038
<b>Total Non Current Liabilities</b>	<b>3,967,421</b>	<b>3,559,555</b>	<b>3,972,265</b>	<b>3,972,265</b>	<b>3,731,038</b>
<b>Total Liabilities</b>	<b>10,095,808</b>	<b>10,906,647</b>	<b>10,098,283</b>	<b>10,098,283</b>	<b>9,471,010</b>
<b>Net Assets</b>	<b>483,666,743</b>	<b>488,055,054</b>	<b>476,237,828</b>	<b>475,636,626</b>	<b>501,359,433</b>
<b>EQUITY</b>					
Operating Surplus/Deficit	7,212,310	1,365,053	(7,428,915)	(8,030,117)	17,692,690
Accumulated surplus	178,010,185	178,640,436	185,731,016	185,024,516	185,222,496
Asset revaluation reserve	290,264,105	300,748,590	290,264,105	290,264,105	290,264,105
Reserves	8,180,142	7,300,975	7,671,622	8,378,122	8,180,142
<b>Total Equity</b>	<b>483,666,743</b>	<b>488,055,054</b>	<b>476,237,828</b>	<b>475,636,626</b>	<b>501,359,433</b>

	Prudential Guideline	Adopted Budget	Reviewed Budget	Forecast Budget	YTD Actuals
Working capital ratio / Liquidity ratio (current assets to current liabilities)	150%	313.83%	401.80%	408.54%	869.04%
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 2019

	Adopted Budget	Reviewed Budget	Forecast Budget	YTD Budget	YTD Actuals	YTD Variance favourable/ (unfavourable)
<b>REVENUE</b>						
Rates and charges	22,034,273	22,034,273	22,048,934	22,049,245	22,086,924	37,679
Statutory fees and fines	442,627	442,627	434,467	430,926	428,222	(2,704)
User fees	6,013,670	6,028,204	5,492,838	2,357,232	2,566,895	209,663
Contributions - monetary	239,187	535,334	535,334	68,900	176,287	107,387
Grants - Operating	11,407,286	8,791,178	8,718,081	4,211,762	4,399,617	187,855
Grants - Capital	4,363,443	5,056,697	4,660,697	1,332,980	1,604,600	271,620
Other Revenue	860,005	860,005	860,005	485,442	533,048	47,606
<b>Total Revenue</b>	<b>45,360,491</b>	<b>43,748,318</b>	<b>42,750,356</b>	<b>30,936,486</b>	<b>31,795,593</b>	<b>(859,107)</b>
<b>EXPENDITURE</b>						
Employee benefits	15,140,288	15,210,556	15,258,806	7,663,609	7,518,313	145,296
Materials and services	13,055,110	20,013,210	19,582,973	4,903,754	4,568,738	335,016
Bad and doubtful debts	2,500	2,500	2,500	2,000	0	2,000
Depreciation	12,855,500	12,855,500	12,855,500	0	0	0
Other expenses	2,942,039	3,095,466	3,080,693	2,015,797	2,057,462	(41,665)
<b>Total Expenditure</b>	<b>(43,995,437)</b>	<b>(51,177,233)</b>	<b>(50,780,473)</b>	<b>(14,585,160)</b>	<b>(14,144,513)</b>	<b>440,647</b>
<b>Surplus/(Deficit) from Operations</b>	<b>1,365,053</b>	<b>(7,428,915)</b>	<b>(8,030,117)</b>	<b>16,351,326</b>	<b>17,651,080</b>	<b>(1,299,754)</b>
Proceeds from sale of property, infrastructure, plant & equip	423,500	423,500	423,500	0	41,610	(41,610)
Written down value property, infrastructure, plant and equip	423,500	423,500	423,500	0	0	0
Net (gain)/loss on disposal of property, infrastructure, plant and equipment	0	0	0	0	41,610	(41,610)
<b>Surplus/(Deficit) for Period</b>	<b>1,365,053</b>	<b>(7,428,915)</b>	<b>(8,030,117)</b>	<b>16,351,326</b>	<b>17,692,690</b>	<b>(1,341,363)</b>

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## 9.4 Quick Response Grants Allocation January 2020

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

**File No:**

**Previous Council Reference:** Nil

### **Declaration**

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Acting 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 2020 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 Programs. 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 2019-2020 Quick Response Grants Program budget allocation is \$17,500. 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 outlined in the table below.

Ward	Annual Allocation \$	Previous Allocations \$	This Allocation \$	Remaining Allocation \$
Coastal	2,500.00	999.00	0	1,501.00
North	2,500.00	1,500.00	0	1,000.00
South Central	2,500.00	360.00	0	2,140.00
South West	2,500.00	1,478.00	0	1,022.00
Central	7,500.00	2,409.00	468.00	4,623.00
	<b>17,500.00</b>	<b>6,746.00</b>	<b>468.00</b>	<b>10,286.00</b>

### 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.



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**RECOMMENDATION**

That Council approves the following applications for funding from the Quick Response Grants Program for January 2020:

<b>Applicant</b>	<b>Purpose</b>	<b>Ward</b>	<b>Amount</b>
<b>Camperdown Grandstand Restoration Committee Inc.</b>	<b>Purchase of tarps to cover and protect the wood seating from bird droppings</b>	<b>Central</b>	<b>\$468.00</b>

**Attachments**

1. Application Council Quick Response Grant - Camperdown Grandstand Restoration Committee Inc. - Under Separate Cover

## 9.5 Application of Common Seal of Council 2019

**Author:** Penny MacDonald, Executive Services and Governance Coordinator

**File No:**

**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 2019.

### 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 2019 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<sup>1</sup>.

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.

It is recommended that Council receives the attached list of documents to which the Common Seal was applied under delegation by the Chief Executive Officer during 2019.

### **RECOMMENDATION**

**That Council receives the attached list of documents sealed by the Chief Executive Officer under delegation during 2019.**

### **Attachments**

1. Table Application of Common Seal of Council under CEO Delegation in 2019

**Application of Common Seal of Council under CEO Delegation in 2019**

<b>Description</b>	<b>Date sealed</b>
Lease agreement renewal for Skipton Infant Welfare Centre at 10 Montgomery Street, Skipton	8/1/2019
Section 173 Agreement for Planning Permit PP2018/079, two lot subdivision at The Boulevard, Princetown	22/1/2019
Agreement with Warrambool City Council for Provision of FOGO Processing	31/1/2019
Section 173 Agreement for Planning Permit PP2017/084, two lot subdivision at Choccolyn Settlement Road, Choccolyn	1/1/2/2019
Section 173 Agreement associated with the sale of Glenormiston College by Victorian Government	19/2/2019
Section 173 Agreement for Planning Permit PP2017/054 condition at Batemans Rd, Boorcan.	21/3/2019
Deed of variation for Community Child Care funding	5/4/2019
Licence agreement renewal for Lakes and Craters Reserve (Camperdown Horse Trials)	9/4/2019
Licence agreement renewal for Lakes and Craters Reserve (The Lakes Riding Club)	9/4/2019
Section 173 Agreement for Planning Permit PP2016/123A, two lot subdivision at Timboon-Curdiavale Rd, Curdiavale	10/4/2019
Section 173 Agreement for Planning Permit 2018/024, two-lot division at Darlington-Terang Rd, Kolora	30/4/2019
Section 173 Agreement for Planning Permit 2018/010, two-lot subdivision at Ludemans Rd, Glenfyne	30/4/2019
Section 173 Agreement and related Section 181 Application for Planning Permit PP2017/139, two lot subdivision at Cobden-South Ecklin Road, Ellingamite North	18/6/2019

Description	Date sealed
Agreement with Warrambool City Council for 2019-2020 and 2020-2021 Bitumen Sealing Works (contract authorised by Council 24 September 2019)	2/8/2019
Contract 2020005 - Cleaning of Council Properties (contract authorised by Council on 28 May 2019)	2/8/2019
Contract 2020006 – Design, supply and modular construction of Port Campbell Public Toilets, Port Campbell (contract authorised by Council on 24 September 2019)	10/10/2019
Cattle Underpass Agreement for Cooriemungle Rd, Cooriemungle	31/10/2019
Cattle Underpass Agreement for Melrose Rd, Cooriemungle	31/10/2019
Cattle Underpass for County Boundary Rd/Cemetery Rd, Narroghid.	31/10/2019
Section 173 Agreement for Planning Permit PP2019/047, Three Lot Subdivision at Haywards Road, Timboon	1/11/2019

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## 9.6 Records of Assembly of Councillors

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

**File No:**

**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 17 December 2019.

### 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 record documenting the Assembly of Councillors for the 17 December 2019 Councillor Briefing is attached.

### **RECOMMENDATION**

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

### **Attachments**

1. Record of an Assembly of Councillors Councillor Briefing 17 December 2019



# Council

## Record of an Assembly of Councillors



### Councillor Briefing

**Date:** 17 December 2019

**Time:** 1.45 pm

**Place:** Killara

### Present:

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

### Officers:

Lyall Bond     Brooke Love     Andrew Mason     David Rae

Katie Hearn (Item 1)

Jarrold Woff (Item 2)

Sharna Whitehand (Item 3)

### Guests:

*Adam Reilly DHHS (Item 1)*

*Catherine McLeod and Tim Gazzard DELWP (Item 3)*

### Issues Discussed:

Item	Discussion Topic
1	<b>Department of Health and Human Services – Community Profile Update</b>
2	<b>Library Service Review</b>
3	<b>DELWP Roadside Vegetation Review – Safer Together Project</b>
4	<b>Hot Topics</b> <i>Agenda Items, 12 Apostles and Christmas Arrangements, Rate Cap, Election Costs, GSC Board Meeting, Eastern Maar, Waste Contract</i>
5	<b>Councillor Items</b> <i>SW Health for Lismore, Skipton Health Update, Port Campbell Take Away</i>

**Conflict(s) of Interest declared:** Nil.

**Councillor(s) left the meeting at:** NA

**Councillor Conflict of Interest Form(s) Completed:** NA

**Meeting close:** 5.50 pm

**Note taker:** Andrew Mason

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**10. OTHER BUSINESS**

## **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

Nil.