

# minutes



CORANGAMITE  
SHIRE

## CORANGAMITE SHIRE

### MEETING OF COUNCIL TUESDAY 27 APRIL 2021

Held at the Theatre Royal  
Manifold Street, Camperdown  
at 7.00 pm and livestreamed on the internet

**COUNCIL:**

Cr Ruth Gstrein (Central Ward)  
MAYOR

Cr Jo Beard  
DEPUTY MAYOR

Cr Geraldine Conheady (Central Ward)

Cr Laurie Hickey (Central Ward)

Cr Kate Makin (South West Ward)

Cr Jamie Vogels (Coastal Ward)

Cr Nick Cole (North Ward)

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**MEETING OF THE CORANGAMITE SHIRE COUNCIL HELD AT  
THEATRE ROYAL, MANIFOLD STREET, CAMPERDOWN 7.00 PM  
ON 27 APRIL 2021**

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**PRESENT**

Councillors	R. Gstrein (Chairperson), J. Beard, N. Cole, G. Conheady, L. Hickey, K Makin, J Vogels
Officers	Andrew Mason, Chief Executive Officer Justine Linley, Director Sustainable Development Brooke Love, Director Works and Services David Rae, Director Corporate and Community Services

**1. PRAYER**

The prayer was read by the Mayor, Cr R. Gstrein.

“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**

An Acknowledgement of Country was made by the Mayor, Cr R. Gstrein.

“We acknowledge the Traditional Owners of the land around Corangamite Shire, the Eastern Maar and Wadawurrung people.

We pay our respects to all Aboriginal Elders and peoples past and present.”

**3. APOLOGIES**

Nil.

**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.

Council meetings are livestreamed on the Internet to provide members of the community greater access to Council decisions and debate. A recording of the meeting will be available on Council’s website after the meeting (usually within 48 hours). Visitors in the public gallery may be filmed and/or recorded during the meeting. By attending the meeting, it is assumed consent is given in the event that this occurs.

#### 4. DECLARATIONS OF CONFLICT OF INTEREST

Cr. N. Cole, Cr. G. Conheady and Cr. L. Hickey declared a general conflict of interest in Agenda Item 9.3 Bookaar Solar Farm Ministerial Planning Permit Application PA2000997 – Corangamite Shire Submission, and left the meeting before any discussion or vote on the matter.

The Mayor, Cr R. Gstrein, declared a material conflict of interest in Agenda Item 9.4 Small Business Assistance Grant Program Allocations, and left the meeting before any discussion or vote on the matter.

#### 5. CONFIRMATION OF MINUTES

##### RECOMMENDATION

**That the Minutes of the Corangamite Shire Council meeting held on Tuesday 23 March 2021 be confirmed.**

##### COUNCIL RESOLUTION

*MOVED: Cr Vogels*  
*SECONDED: Cr Conheady*

**That the recommendation be adopted.**

**CARRIED**

##### COUNCIL RESOLUTION

*MOVED: Cr Makin*  
*SECONDED: Cr Hickey*

**That standing orders be suspended for a citizenship ceremony.**

**CARRIED**

Standing orders were suspended for a citizenship ceremony at 7.02 pm.

##### COUNCIL RESOLUTION

*MOVED: Cr Conheady*  
*SECONDED: Cr Cole*

**That the meeting be resumed.**

**CARRIED**

Standing orders resumed at 7.11 pm.

## **6. DEPUTATIONS & PRESENTATIONS**

Nil.

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## 7. COMMITTEE REPORTS

### 7.1 Mt Leura and Mt Sugarloaf Management Committee Annual Report, Budget 2021-2022 and Committee Appointments

**Author:** Roland Herbert, Environment Project 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 - Roland Herbert

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

#### **Summary**

The purpose of this report is to present the Mt Leura and Mt Sugarloaf Management Committee's Annual Report and proposed 2021-2022 budget. The report also provides advice to Council on the appointment of two community representatives to the Committee.

#### **Introduction**

The Mt Leura and Mt Sugarloaf Management Committee is a Community Asset Committee of Council, first established in 1995. The Committee was formerly known as a Special Committee of Council, established under the *Local Government Act 1989*. In August 2020 Council resolved to establish the Committee as a Community Asset Committee, in accordance with the provisions of the new *Local Government Act 2020*.

Since 2013, the Committee's role has been to implement the Mt Leura and Mt Sugarloaf Management Plan and Risk Management Plan. The Committee comprises six community representatives and one Council representative. Community representatives are elected to the Committee for a three-year term, with two positions advertised annually.

#### **Issues**

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

The global COVID-19 Pandemic has presented significant challenges to reserve management and Committee business for the 2020-2021 year, particularly with regards to community engagement activities and events, of which all were cancelled or postponed.

As a result, there has been a marked decrease in volunteer engagement external to the Committee. Based on data received by an automated pedestrian counter, visitation numbers to the Reserves decreased by 49% from an average of over 3,600 monthly visitors prior to restrictions, to less than 1900 visitors once restrictions were in place. Although visitor numbers decreased, the Reserves were a valuable resource for the local community as they provided a recreational space that local residents could still access, even during the tightest of COVID-19 restrictions in regional Victoria. Despite the challenges faced, the Committee proceeded with several on-ground projects, some of which were assisted by the Environment and Emergency Department's *Working for Victoria* labourer team.

Committee achievements over the past year include:

- Stage one of the macropod fencing trial, safety fencing on Mt Sugarloaf, maintenance of timber furnishings and understorey plantings.
- New promotional resources, including the development of a new logo.
- 'Grow a Hollow' Project (converting at-risk trees into suitable fauna habitat).
- Volcanic Plains wildflower demonstration garden and ongoing weed control.
- NAIDOC week activities which were live streamed with over 6,400 views.
- Traditional Owner engagement and collaboration on Indigenous signage and cultural engagement projects.
- Updating governance procedures.
- Working to upgrade reserve details on ESTA (000 Emergency Services) mapping for Visitor safety.
- Working towards improved responsible dog ownership and cat control in the reserves.

Due to the recent easing of COVID-19 restrictions, the Annual Calendar of Events has recommenced in partnership with the *Friends of Mt Leura* (FoML) group. As a result of this, the following events and activities have been able to take place:

- The fourth annual 'Four Peaks Challenge' event.
- Plant propagation workshops x2.
- Onsite working bees.
- Conducted post COVID-19 lockdown volunteer reengagement activities.

Other events that are expected to take place in 2021-2022 include:

- tours to the Mt Rothwell Biodiversity Interpretation Centre and Budj Bim
- other regular activities such as the Annual 'Come and Explore' day and NAIDOC celebrations.

Cancelled activities include:

- Full flight Birds of Prey in conjunction with the Camperdown Agricultural & Pastoral Society.
- 'Wild Action' Local Wildlife Education Experience sessions planned with the David Newman Adult Day Centre, local schools and early childhood providers.
- National Tree Planting Day.

The Project Officer for the Committee, employed at 0.2 FTE, plays an important role in coordinating many of the management activities. Employment of a Project Officer provides value-for-money when compared to engaging contractors to complete works on an ad-hoc basis. The officer has also assisted the committee to successfully apply for grants which in recent years have been between \$10,000 and \$20,000 per year.

The ability to access grant funding has resulted in a range of projects being undertaken on the Reserves that would otherwise not have been possible.



Duties carried out by the Project Officer in 2020-2021 include:

- Coordination and implementation of on ground actions, including weed control and surveys, trail and infrastructure maintenance and restoration works.
- Management and delivery of project milestones and budget items.
- Coordination and supervision of volunteers and contractors in line with COVID-19 regulations.
- Assisting the Committee with various governance tasks.
- Engaging members of the public, research scientists, community groups, agency representatives and education providers (local and further afield).
- Promotion of projects and events through print, audio and social media and coordinating and adapting workshops and events where required, in line with COVID-19 regulations.

The Committee continues to value-add via its volunteers and partnerships. Volunteering numbers external to the Committee have been severely impacted by COVID-19 since March 2020. Community volunteering decreased by 69% during 2020, from an annual average of 1034 community volunteer hours (collated from 2015 -2019) to 321.5 hours. Despite this, volunteers continue to play a critical role in the year's achievements, with Committee members contributing over an estimated 900 volunteer hours and community members contributing an additional estimated 321 hours to projects over the past 12 months. In-kind labour for Mt Leura and Mt Sugarloaf (excluding the contribution of the *Working for Victoria* team) is estimated to total \$30,600 for the 2020-2021 year (1224 hours). This is a significant decrease from the previous year due to the impacts of COVID-19.

The Committee continues to undertake activities related to fire risk management and planning which is consistent with the Mount Leura and Mount Sugarloaf Risk Management Plan 2013. For the 2020-2021 year, the Committee has:

- Inspected and maintained vegetative fuel breaks on reserve boundaries.
- Undertaken spraying, mowing and slashing of flammable grasses and other weed species in high risk areas.
- Worked with Council's Emergency Management Officer to clarify the position/status of the reserves within the Municipal Emergency Management Plan.
- Consulted relevant Council staff to have the Sugarloaf Reserve and the Reserves' incorporated into the Emergency Services Telecommunications Authority (ESTA - 000) system.

### ***Committee Appointments***

In accordance with the Committee's Instrument of Delegation, Council is required to advertise two vacant Committee positions annually. These positions were advertised for a period of four weeks during March 2021. Council received two nominations (provided under separate cover) for the two available positions.

Five Committee members considered the nominations according to the selection criteria, to provide advice to Council. The recommendation of the Committee is for Rebecca Stone and Graham Arkinstall to be appointed to the Committee. These two nominees meet the selection criteria and current and future skills required by the Committee.

### **Policy and Legislative Context**

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

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### Built and Natural Environment

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

Council will improve the appearance of our towns and public spaces.

Township infrastructure will contribute to safe and accessible public areas.

Council will preserve the natural environment of Corangamite Shire.

### Safe and Healthy Communities

Council is committed to working towards ensuring the safety, health and wellbeing of our communities.

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

Council will improve the health and wellbeing of our community.

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

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

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

### Internal / External Consultation

The Mt Leura and Mt Sugarloaf Reserves are managed in accordance with the Mt Leura and Mt Sugarloaf Management Plan and Risk Management Plan, which was developed through extensive consultation with the community and stakeholders.

Nominations for the Committee vacancies were advertised through local newspapers and on Council's website and Facebook page for a period of four weeks during March 2021.

Various media and publications regarding the Reserves were published during the 2020-2021 year on Committee achievements, despite the challenges faced from COVID-19 and cancellation of events and activities. These include articles in the Camperdown Chronicle, media releases via Council, radio interviews with ABC Ballarat and ABC Southwest Victoria and social media posts via the Friends of Mt Leura Facebook page.

The Committee hosted Councillors on the Reserves during the Tuesday April 13, 2021 Councillor briefing session. The purpose of this onsite briefing was to inform Councillors of historical, current and future management of the Reserves.

### Financial and Resource Implications

The proposed 2021-2022 Committee budget is outlined in Table 1.

Item	Council Budget	Funding from Grants and Contributions	In-kind Contributions	Total
<b>Project Coordination</b>				
0.2 FTE Project Officer (inc. all on-costs & travel expenses)	\$16,800	\$0	*	\$16,800
Committee labour - volunteer	\$0	\$0	\$22,500	\$22,500
<b>Management Plan Implementation</b>				
Safety improvements and Reserve maintenance including: <ul style="list-style-type: none"> <li>• track mowing/slashing</li> <li>• safety improvements to reserves</li> <li>• track and facilities maintenance</li> <li>• vandalism repairs</li> <li>• Reserve fence maintenance</li> </ul>	\$5,000	\$0	\$900	\$5,900
Weed control	\$600	\$0	\$200	\$800
Fire Management, Tree thinning/view line management & hazardous trees	\$100	\$0	*	\$100
Sign improvements and upgrades	\$300	\$0	*	\$300
Community engagement	\$400			\$400
Expert advice	\$100	\$0	*	\$100
Equipment	\$100	\$0	*	\$100
Monitoring - pedestrian counter etc	\$100	\$0	*	\$100
Spot spraying for revegetation	\$0	\$0	\$500	\$500
Nursery upkeep and plant purchase.	\$500	\$300	*	\$800
Volunteer community labour	\$0	\$0	\$20,000	\$20,000
<b>Total</b>	<b>\$24,000</b>	<b>\$300</b>	<b>\$44,100</b>	<b>\$68,400</b>

Table 1 \*The in-kind labour contributions for these items are included in the volunteer Committee and community labour.

Note: Unapproved grants have not been included in the 2021-2022 budget.

The Committee will seek grant funding from the Corangamite Catchment Management Authority's Victorian Landcare Grants program, late in the 2020-2021 financial year (this funding has not been approved and is not included in the 2021-2022 budget). The Committee has been successful in receiving funding of between \$10,000 and \$20,000 from this grant program in previous years. This funding allows a range of projects to take place that meet both the vision and management objectives of the Reserves and improve the visitor experience. The Committee will also consider other funding opportunities as appropriate.

An allocation of \$24,000 has been included in Council's draft 2021-2022 budget for the Committee to manage the Mt Leura & Mt Sugarloaf Reserves.

### Options

Council may receive the 2020-2021 Mt Leura and Mt Sugarloaf Management Committee Annual Report.

In relation to Committee appointments, Council could appoint Rebecca Stone and Graham Arkinstall to fill the two vacant positions on the Mt Leura and Mt Sugarloaf Management Committee for a three-year term. Alternatively, Council may decide not to appoint the current nominees and readvertise the vacancies.

### **Conclusion**

Over the past year and despite the challenges faced by COVID-19, the Mt Leura and Mt Sugarloaf Management Committee has continued to work towards the Management Plan's vision in which the reserves are an environmental and geological asset, a place for diverse recreational and education activities, and a tourist destination where people can connect with nature.

### **RECOMMENDATION**

**That Council:**

- 1. Receives the 2020-2021 Mt Leura and Mt Sugarloaf Management Committee Annual Report.**
- 2. Appoints Rebecca Stone and Graham Arkinstall as community representatives on the Mt Leura and Mt Sugarloaf Management Committee for a three-year term.**

### **COUNCIL RESOLUTION**

*MOVED: Cr Hickey*

*SECONDED: Cr Makin*

**That the recommendation be adopted.**

**CARRIED**

### **Attachments**

- 1. Nominations Received - Mt Leura & Mt Sugarloaf Management Committee 2021 - Under Separate Cover - Confidential**

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## 7.2 Cobden Aerodrome Committee of Management Terms of Reference

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

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

### Summary

This report seeks Council endorsement of the Terms of Reference for the Cobden Aerodrome Committee of Management.

### Introduction

In August 2020, Council transitioned its Special Committees to Community Asset Committees in line with the new *Local Government Act 2020*. As part of the process Council established the Community Asset Committees, members were appointed, and a revised Committees of Council Policy was adopted.

Under the revised Committees of Council Policy, Council may endorse a Terms of Reference for a Community Asset Committee. A Terms of Reference provides a framework for a Committee beyond the scope of the Instrument of Delegation signed by the Chief Executive Officer, which essentially sets out the powers, duties and functions of the Committee.

### Issues

The attached Terms of Reference for the Cobden Aerodrome Committee of Management provides a framework for the membership of the Committee, meeting arrangements (including the details which should be recorded in the minutes), a code of conduct for members and a dispute resolution process.

Not all of Council's Community Asset Committees currently have a Terms of Reference, however, a Terms of Reference in addition to an Instrument of Delegation is considered best practice.

### Policy and Legislative Context

Under the Committees of Council Policy, Council may endorse the Terms of Reference for Community Asset Committees.

Consideration of the Terms of Reference is consistent with the following commitment and objective from the 2017-2021 Council Plan:

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

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

### Internal / External Consultation

The Terms of Reference was drafted with the support of the Governance team.

Members of the Cobden Aerodrome Committee of Management were consulted about the Terms of Reference at a Committee meeting held on 7 April 2021. The Committee indicated its support for the Terms of Reference.

### Financial and Resource Implications

There are no financial implications associated with this report or the Terms of Reference.

### Options

Council may choose to endorse the Terms of Reference as presented. Alternatively, Council may choose to make changes to the Terms of Reference prior to endorsement, or not endorse the Terms of Reference.

### Conclusion

Council's Community Asset Committees were established in August 2020 in line with the new *Local Government Act 2020*. At this time the Committees of Council Policy was revised. The Committees of Council Policy provides for Council endorsement of a Terms of Reference for a Community Asset Committee. The proposed Terms of Reference for the Cobden Aerodrome Committee of Management provides a framework for the Committee beyond the powers, duties and functions set out in the Committee's Instrument of Delegation, and includes details such as membership of the Committee, meeting arrangements (including the details which should be recorded in the minutes), a code of conduct for members and a dispute resolution process.

## RECOMMENDATION

**That Council endorses the Cobden Aerodrome Terms of Reference dated April 2021.**

### COUNCIL RESOLUTION

**MOVED:**            *Cr Beard*  
**SECONDED:**      *Cr Conheady*

**That the recommendation be adopted.**

**CARRIED**

### Attachments

1. Cobden Aerodrome Committee of Management Terms of Reference - Under Separate Cover

## 8. PLANNING REPORTS

Nil.

## 9. OFFICERS' REPORTS

### 9.1 Media Relations Policy Review

**Author:** Rory Neeson, Manager Growth and Engagement

**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 - Rory Neeson

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

#### **Summary**

This report recommends that Council revokes the existing Media Relations Policy 2017 and adopts the updated Media Relations Policy.

This policy applies to the Mayor, Deputy Mayor and Councillors.

#### **Introduction**

The media plays an important role in assisting Council to communicate with communities. Corangamite Shire enjoys very positive relationships with local and regional media outlets.

This policy aims to maintain these strong relationships and principles of good governance while providing some guidance for Councillors when dealing with the media.

#### **Issues**

This Council policy relates to Councillors' role in the media and not staff in the organisation with a separate organisational policy providing guidance for staff on media relations.

The key components of the policy include:

- The Mayor and the CEO are the official spokespeople for Corangamite Shire.
- The Mayor may delegate authority to a fellow Councillor to comment on matters in which they hold a delegated role, such as committees and Ward-specific issues.
- Councillors may speak to the media, however they must convey the general position of Council.
- If Councillors have a personal view to convey which differs from the general position of Council, they are expected to clearly indicate that when any statement is made.
- The media are welcome to attend Council Meetings.
- The media are encouraged to make requests for further information through the CEO or his delegate.



- Media releases are distributed to media outlets across the region, are sent to Councillors and posted on the Council website and social media sites.
- All meetings with the media on a particular issue are to be organised through the Manager Growth and Engagement and approved by the CEO or a delegated Director.
- Crisis communications will be managed by the Manager Growth and Engagement. In times of crisis or emergency, Councillors will refrain from media comment unless authorised by the CEO or the CEO's delegate. This approach is in accordance with the MAV Guide for Mayors and Councillors in Emergency Management.

As part of the review of this policy no major changes are proposed. Minor changes include:

- formatting updates;
- compliance with the *Gender Equality Act 2020*;
- change to a position title;
- minor rewording of sentences;
- removing the list of agencies that Council distributes media releases to; and
- removal of the section on public notices as this is no longer required in the new *Local Government Act 2020*.

Council will however continue to publish public notices as a valuable and trusted communication tool.

### **Policy and Legislative Context**

The review of the Media Relations Policy is consistent with the following Council Plan 2017-2021 objectives.

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

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

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

### **Internal / External Consultation**

Internal consultation with the communications team and Council's Senior Officer Group has been completed in the review of this policy. Councillors have also been briefed on the proposed changes to the policy.

### **Financial and Resource Implications**

There are no additional financial or resource implications resulting from the review of this policy.

### **Options**

Council may choose to revoke the existing Media Relations Policy 2017 and adopt the updated Media Relations Policy, adopt with amendments or it may choose to not adopt the policy.

### **Conclusion**

Good media relations is core business for Corangamite Shire, recognising that the media provides regular and trusted communications to our communities.

Informed communities have a greater opportunity to participate in decision making processes and to access and benefit from services, activities and events provided by Corangamite Shire.

Good media relation practises maximise Council's ability to effectively communicate decisions, policies, programs, services, emergencies, and activities, and in doing so promote good governance by the Council.

## RECOMMENDATION

**That Council:**

1. **Revokes the Media Relations Policy dated April 2017.**
2. **Adopts the Media Relations Policy dated April 2021.**

## COUNCIL RESOLUTION

*MOVED:*            *Cr Conheady*  
*SECONDED:*      *Cr Cole*

**That the recommendation be adopted.**

**CARRIED**

## Attachments

1. Policy Council Community Relations Media Relations April 2021 Tracked Changes - Under Separate Cover
2. Policy Council Growth and Engagement Media Relations April 2021

# Media Relations Policy

Corangamite Shire

April 2021

# Council Policy



## Media Relations

### Introduction

The media is critical to Corangamite Shire Council's operations, is an important source of information for our communities and provides those same communities with a public platform to advocate to Council.

News agencies have the means to convey information to readers, listeners and viewers that is independent of Corangamite Shire. This provides a useful and meaningful communication tool for the Council but can also represent a risk. Corangamite Shire releases, on average, 150 media releases annually and responds to enquiries from media outlets on a daily basis. It provides content to the print, radio and television media in addition to a number of township newsletters.

Effective and open communication between the Council, its residents, ratepayers and other stakeholders is a priority in the Council Plan 2021-2024. This policy seeks to ensure that Councillors, at all times, communicate openly and honestly with the media to ensure Corangamite Shire remains transparent and accountable.

Through adherence to this policy, Corangamite Shire will maximise its ability to effectively communicate decisions, policies, programs, services and activities to the community by encouraging high standards, consistency and professionalism within the organisation.

### Purpose

To guide the relationship between Corangamite Shire Council and the media to ensure that information is provided in a consistent, timely and accurate manner.

### Scope

This policy is applicable to Councillors in all of their dealings with the media and is complemented by the Council's Social Media Policy, Councillor Code of Conduct, the Customer Service Charter, Complaints Handling Policy, Equal Opportunity Policy and other key documents governing Councillor activities.

### Definitions

- Council officer – refers to any employee of Corangamite Shire Council
- Councillor – refers to elected Corangamite Shire Councillors
- CEO – refers to the Chief Executive Officer
- Director – refers to second-level management
- Manager Growth and Engagement – refers to the officer responsible for the policy
- Communications Coordinator/Officer – refers to officers delegated to liaise with the media

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Corangamite Shire Council Policy – Media Relations

### **Policy Detail**

#### **Official Council Spokespersons**

The Mayor and the Chief Executive Officer are the official spokespeople for Corangamite Shire and are the appropriate people to make statements to the media on Council policy, political matters, service levels and major decisions. This relates to all Council departments and teams, both at the Civic Centre in Camperdown and those that are located off site, such as children's services, depots and swimming pools.

As official spokespeople, the Mayor, CEO and approved Council officers must represent the Council (whole of organisation) view, not their personal view. Councillors may speak to the media however they must portray the general position of Council or they are expected to indicate when any statement they make is their personal view and not that of the Council.

The Mayor may also delegate authority to a fellow Councillor to comment on matters in which they hold a delegated role, such as special committees and Ward specific issues.

#### **Council Meetings**

All media are welcome to attend Council Meetings. All media requests before and after the meetings are to be directed through the Manager Growth and Engagement. In their absence, the CEO will take the requests and follow protocols to satisfy the enquiry.

#### **Media releases**

Media releases are prepared and distributed by the Communications Team. Council distributes media releases to range of traditional and online news agencies that are based locally, regional or nationally. The level of distribution will depend on the topic/nature of the media release.

All media releases must be written on the Council's standard media release template. They must be filed in Council's document management system, posted on the website, published on social media and emailed to all Councillors.

Before any media release is distributed it must have approval from the CEO, relevant Director, Manager Growth and Engagement or when delegated, relevant Manager. The communications team will also look to involve Councillors in media releases via quotes and photos where relevant e.g. Ward specific issues or releases revolving around a committee of Council.

#### **Media conferences**

In consultation with the CEO and the Growth and Engagement Manager, the Council may decide to hold a Media Conference on an appropriate issue. The CEO, or delegate, Mayor, or delegate, and appropriate operational staff are to be present at all Media Conferences. Media kits on the issue are to be provided to all media present and every effort made to satisfy the additional requirements of the broadcast media.

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Adopted at Council on: Insert date  
Agenda Item:  
Responsibility: Insert title  
Document Number:

Department:  
To be reviewed by: Insert date  
Policy Number:  
Page Number: 3

Corangamite Shire Council Policy – Media Relations

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**Media meetings**

All meetings with the media on a particular issue are to be organised through the Communications Team and approved by the Mayor, CEO or a delegated Director.

**Issues and/or crisis management**

In the event of a crisis or unexpected issue, the Growth and Engagement Manager will put into place appropriate crisis communication procedures to ensure Council's communication with the media is timely and well managed. In times of crisis or emergency, Councillors will refrain from media comment unless authorised by the Growth and Engagement Manager or CEO.

"It is considered that this policy does not adversely impact community members or employees of different genders and has been developed in accordance with the *Gender Equality Act 2020*."

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

**Review Date**

April 2024

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Adopted by Council on:  
Agenda Item:  
Responsibility: Manager Community Relations  
File Number: D/17/2787

Department: Community Relations  
To be reviewed: March 2020

Page Number:4

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## 9.2 Social Media Policy Review

**Author:** Rory Neeson, Manager Growth and Engagement

**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 - Rory Neeson

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

### Summary

This report recommends that Council revokes the existing Social Media Policy 2017 and adopts the updated Social Media Policy dated April 2021.

This policy applies to the Mayor, Deputy Mayor and Councillors and their use of Social Media as a communication method.

### Introduction

Corangamite Shire has developed an extensive social media presence over the past few years to complement existing communications methods.

Social media provides Council with a simple, cost effective way to facilitate two-way communication with its residents, businesses, and visitors.

The review aims to ensure that the policy remains current for Councillors when using social media in their roles at Corangamite Shire.

### Issues

This policy was originally developed using templates and guidelines from the Municipal Association of Victoria (MAV).

The MAV sought advice from legal practitioners when developing the policy templates to ensure that all relevant requirements that exist for local government in the use of social media are met.

This policy relates only to Councillors and their use of social media. A separate organisational policy exists for staff which was reviewed in April 2020.

The policy acknowledges how important social media is as a communication tool for Councillors but also provides some advice about potential risks, when advice should be sought and the types or forms of content that are acceptable to share, publish or post.

It also acknowledges that it is often not easy to separate social media posts made in a personal capacity versus those as a Councillor. Suggestions on ways to mitigate potential risks are provided.

The policy references a range of other Council documents and policies, including the Councillor Code of Conduct, as well as relevant State and Federal legislation.

As part of the review of this policy no major changes are proposed with only minor formatting updates, ensuring the policy is compliant with the *Gender Equality Act 2020*, and the new *Local Government Act 2020*. These minor changes are to a position title and the removal of the need to ask for permission from website owners to share content in line with current expectations.

### **Policy and Legislative Context**

The review of the Social Media Policy is consistent with the following Council Plan 2017-2021 objectives.

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

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

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

This policy is also supported by Council's Media Relations Policy and the Councillor Code of Conduct.

### **Internal / External Consultation**

Consultation with the communications team and Council's Senior Officer Group has been completed during the review of this policy. Councillors have also been briefed on the proposed changes to the policy.

### **Financial and Resource Implications**

The proposed minor changes to this policy provide for no additional financial or resource implications for Corangamite Shire.

### **Options**

Council may choose to revoke the existing Social Media Policy and adopt the updated Social Media Policy, adopt with amendments or it may choose to not adopt the policy.

### **Conclusion**

As a communication tool, social media has represented a significant and growing opportunity for Corangamite Shire.

All risks associated with the use of social media will continue to be monitored while maintaining the benefits from the many positive two-way communication avenues that this type of media provides.



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**RECOMMENDATION**

**That Council:**

- 1. Revokes the Social Media Policy dated April 2017.**
- 2. Adopts the Social Media Policy dated April 2021.**

**COUNCIL RESOLUTION**

*MOVED: Cr Beard*  
*SECONDED: Cr Hickey*

**That the recommendation be adopted.**

**CARRIED**

**Attachments**

1. Policy Council Growth and Engagement Social Media April 2021 Tracked Changes - Under Separate Cover
2. Policy Council Growth and Engagement Social Media April 2021

# Social Media Policy

Corangamite Shire

April 2021



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Adopted at Council on:  
Agenda Item:  
File Number:

Department: Growth and Engagement

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# Council Policy



## Social Media Policy

### Introduction

This policy provides guidelines for Councillors when using social media for work purposes at Corangamite Shire Council.

### Purpose

Corangamite Shire recognises that social media provides opportunities for dynamic and interactive two-way communications which can complement existing communication and further improve information, access and delivery of key services.

Councillors are encouraged to use social media to engage with residents and promote Council's wide variety of initiatives and services.

The intent of this policy is to provide understanding and guidance for the appropriate use of social media by Councillors for the purpose of conducting Council business.

### Scope

This policy applies to all Corangamite Shire Councillors who use social media as part of their role as a Councillor. This includes both personal social media accounts and accounts defined as a Councillor social media account.

The policy outlines requirements for compliance with confidentiality, governance, legal, privacy and regulatory parameters when using social media to conduct Council business. It will:

- Inform appropriate use of social media tools for Corangamite Shire Councillors
- Promote effective and productive community engagement through social media
- Minimise miscommunication or mischievous communications
- Help Corangamite Shire manage the inherent challenges of speed and immediacy for Councillors using social media

The policy applies to those digital spaces where people may comment, contribute, create, forward, post, upload and share content, including:

- Blogs
- Bulletin boards

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Corangamite Shire Council Policy – Social Media Policy

- Citizen journalism and news sites
- Forums and discussion boards
- Instant messaging facilities
- Microblogging sites
- Online encyclopaedias
- Podcasts
- Social networking sites
- Video and photo sharing sites
- Video podcasts
- Wikis
- Any other websites that allow individuals to use simple publishing tools or new technologies emerging from the digital environment.

As it is not possible to expressly refer to or list the specific sites or kinds of social media outlets, the absence of a reference to a particular site or kind of social media activity does not limit the application of this policy.

This policy should be read in conjunction with other relevant policies and procedures of Corangamite Shire.

“It is considered that this policy does not adversely impact community members or employees of different genders and has been developed in accordance with the *Gender Equality Act 2020*.”

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

### References

Corangamite Shire Councillors are expected to demonstrate standards of conduct and behaviour that are consistent with relevant legislation, regulations and policies. A list of relevant legislation which may be used as a guide is included in Annexure A. Council policies and guideline provisions which must be adhered to in relation to the use of social media include the following:

- Corangamite Shire acceptable use policies for email, internet, digital equipment, electronic communications
- Corangamite Shire Councillor Code of Conduct
- Corangamite Shire Equal Employment Opportunities Policy
- Corangamite Shire Media Relations Policy
- Corangamite Shire Information Privacy Policy
- Corangamite Shire Procurement Policy

### Policy Detail

When Councillors are using social media in their role as a Councillor at Corangamite Shire they are expected to:

- Adhere to Corangamite Shire codes of conduct, policies and procedures
- Behave with caution, courtesy, honesty and respect
- Comply with relevant laws and regulations
- Reinforce the integrity, reputation and values of Corangamite Shire.

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The following content is not permitted under any circumstances:

- Abusive, profane or sexual language
- Content not relating to the subject matter of that blog, board, forum or site
- Content which is false or misleading
- Confidential information about Council or third parties
- Copyright or Trademark protected materials
- Discriminatory material in relation to a person or group based on age, colour, creed, disability, family status, gender, nationality, marital status, parental status, political opinion/affiliation, pregnancy or potential pregnancy, race or social origin, religious beliefs/activity, responsibilities, sex or sexual orientation
- Illegal material or materials designed to encourage law breaking
- Materials that could compromise Council, employee or system safety
- Materials which would breach applicable laws (defamation, privacy, trade practices, financial rules and regulations, fair use, trademarks)
- Material that would offend contemporary standards of taste and decency
- Material which would bring the Council into disrepute
- Personal details or references to Councillors, Council staff or third parties, which may breach privacy laws
- Spam, meaning the distribution of unsolicited bulk electronic messages
- Statements which may be considered to be bullying or harassment

If you have any doubt about applying the provisions of this policy, check with the Growth and Engagement Manager before using social media to communicate. Depending upon the nature of the issue and potential risk, it may also be appropriate to consider seeking legal advice.

#### Expertise

Do not comment outside your area of expertise. Do not commit Council to actions or undertakings.

#### Disclosure

Only discuss publicly available information. Do not disclose confidential information, internal discussions or decisions of Council, employees or third parties. This includes publishing confidential, personal or private information where there is sufficient detail for potential identification of Councillors, Council staff or third parties.

#### Accuracy

Be accurate, constructive, helpful and informative. Correct any errors as soon as practicable. Do not publish information or make statements which you know to be false or may reasonably be taken to be misleading or deceptive.

#### Identity

Be clear about professional identity or any vested interests. Do not use fictitious names or identities that deliberately intend to deceive, mislead or lie. Do not participate anonymously or covertly via a third party or agency.

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Corangamite Shire Council Policy – Social Media Policy

Opinion

Be mindful of the Councillor Code of Conduct when discussing or commenting on Council matters. In general, don't express personal opinions using Council # tags or other identifications. Only where this is not possible, consider using a formal disclaimer to separate official council positions from personal opinions and distance Council from comments made by public and other outside interests.

Privacy

Be sensitive to the privacy of others. Seek permission from anyone who appears in any tags, online mentions, photographs, video or other footage before sharing these via any form of social media. If asked to remove materials do so as soon as practical.

Intellectual Property

Seek permission from the creator or copyright owner, to use or reproduce copyright material including applications, audio tracks (speeches, songs), footage (video), graphics (graphs, charts and logos), images, artwork, photographs, publications or music. Also seek permission before publishing or uploading material in which the intellectual property rights, such as trademarks, are owned by a third party e.g. company logos.

Defamation

Do not comment, contribute, create, forward, post, upload or share content that is malicious or defamatory. This includes statements which may negatively impact the reputation of another.

Reward

Do not publish content in exchange for reward of any kind.

Transparency

Do not seek to buy or recompense favourable social media commentary. Encourage online publishers to be open and transparent in how they engage with, or review council personnel, services or wares.

Respect

That Councillors must treat all persons with respect and have a due regard to the opinions, beliefs, rights and responsibilities of other Councillors, Council staff and other persons. Always be courteous, patient and respectful of others' opinions, including detractors.

Discrimination

Be mindful of anti-discrimination laws and do not publish statements or information which may be discriminatory.

Language

Be mindful of language and expression.

Modification and moderation

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Adopted at Council on:  
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Corangamite Shire Council Policy – Social Media Policy

Ensure that any social media sites created or contributed to can be readily edited, improved or removed and appropriately moderated.

**Access**

Be mindful of the requisite government web standards for accessibility. Information made available via non-compliant platforms should be made accessible in another form where practical.

**Be responsive**

Specify the type of comments and feedback that will receive a response and clearly communicate a target response time.

**Personal views**

If a Councillor is using a personal social media account for conducting Council business it is important to understand that any comments made via their personal account can be considered to be relating to their role as a Councillor.

**Enforcement**

Corangamite Shire actively monitors social media for relevant contributions that impact on the municipality, its operations and reputation. Corangamite Shire will be able to find – and act upon – contributions made by Councillors if deemed necessary.

This policy will be published and promoted to Corangamite Shire Councillors. Breaching this policy may result in disciplinary action in line with the Councillor Code of Conduct.

The Mayor/Council reserves the right to ask Councillors to remove, where possible, content that violates this policy or any associated policies.

**Annexure A**

**Relevant legislation**

- Australian Consumer Law and Fair Trading Act 2012 (Vic)
- Australian Human Rights Commission Act 1986 (Cth)
- Copyright Act 1968 (Cth)
- Crimes Act 1958 (Vic)
- Defamation Act 2005 (Vic)
- Equal Opportunity Act 2010 (Vic)
- Fair Work Act 2009 (Cth)
- Freedom of Information Act 1982 (Vic)
- Gender Equality Act 2020 (Vic)
- Local Government Act 2020 (Vic)
- Privacy Act 1988 (Cth)
- Privacy and Data Protection Act 2014 (Vic)
- Public Records Act 1973 (Vic)
- Racial and Religious Tolerance Act 2001 (Vic)
- Spam Act 2003 (Cth)
- Wrongs Act 1958 (Vic).

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Corangamite Shire Council Policy – Social Media Policy

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**Review Date**  
April 2024.

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Cr. N. Cole, Cr. G. Conheady and Cr. L. Hickey declared a general conflict of interest in Agenda Item 9.3 and left the meeting before any discussion or vote on the matter at 7.23 pm.

### **9.3 Bookaar Solar Farm Ministerial Planning Permit Application PA2000997 - Corangamite Shire Submission**

**Author:** Aaron Moyne, Manager Planning and Building 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 - Aaron Moyne

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

#### **Summary**

The Minister for Planning has given notice of Planning Permit Application PA2000997 (the application) for the Bookaar Solar Farm.

This is the second attempt by Bookaar Renewables Pty Ltd (the applicant) in seeking to obtain planning approval to use and develop land for a solar farm at 520 Meningoort Road, Bookaar, following Council's refusal of a planning permit at its 25 September 2018 Ordinary Meeting, with its decision being affirmed and upheld by VCAT.

This report presents a draft Council submission on the application to adopt and submit to the Minister for Planning.

#### **Introduction**

The application for the Bookaar Solar Farm is the second attempt by the applicant to develop a solar farm on the subject land, after Council refused to grant a planning permit at its 25 September 2018 Ordinary Council Meeting. Council's grounds for refusal included:

- Loss of productive agricultural land and impacts on the continuation of primary production on adjoining land.
- Unacceptable environmental impacts which cannot be adequately managed, including fire and hydrology.
- The proposal not resulting in net community or social benefit.
- The absence of solar farm planning and policy guidelines by State Government to guide decision making.

VCAT subsequently upheld Council's decision and refused to grant a permit for the solar farm, finding that the applicant had not adequately assessed or responded to potential environmental risks (fire and hydrology/drainage) and had not provided a sufficient level of information to warrant a permit being granted.

Since the Council decision was upheld to refuse the planning permit, the *Solar Energy Facilities Design and Development Guidelines* were introduced into the Victoria Planning Provisions through Amendment VC161 on 17 September 2019, which also designated the Minister for Planning as responsible authority for all renewable energy facilities (exceeding 1 megawatt).

Council is no longer responsible authority to decide upon the application by way of Amendment VC161. This responsibility now sits with the Minister for Planning.

The application seeks approval for:

*Use and development of a solar energy facility and utility installation (battery storage), removal of native vegetation and alteration of access to a Road Zone Category 1*

Largely, the proposal remains unchanged from the original application, in terms of the size and scale, apart from some minor design, layout and site access modifications. The application remains as a proposal for a solar farm on approximately 588 hectares (1,470 acres) of farming land, resulting in one of the largest solar farms within Victoria, in an important region for agricultural production.

The application includes:

- Solar 'array areas' with a 200-megawatt installed capacity.
- Photovoltaic (PV) panels pile driven into the ground with a 4m height.
- 82 inverters.
- Cabling, service infrastructure and access tracks.
- Perimeter security fencing and 20-metre-wide landscaping screen.
- On-site substation, battery storage area and operations and maintenance buildings.
- Access from Darlington-Camperdown Road to Meningoort Road (north).

The application has been accompanied by the following reports and assessments:

- Planning Report
- Site and Context Analysis
- Development Plans
- Agricultural Land Assessment
- Bushfire Risk Assessment and Mitigation Plan
- Biodiversity Assessment
- Traffic Impact Assessment
- Landscape and Visual Impact Statement
- Flood Impact Assessment
- Amenity Report
- Economic Impact Assessment.

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**Issues**

A review of the application has been undertaken and a draft Council submission prepared.

The submission seeks to address both key strategic priorities and project specific issues, as they apply to the development of a solar farm on the subject land.

A copy of the draft Council submission is provided under separate cover, with a summary of key themes and issues outlined as follows:

***New Energy in Corangamite***

The submission identifies the established gas industry within Corangamite Shire and refers to Council's strategic direction to support the continued operation of gas and future investigation into new blue/green hydrogen opportunities which capitalise on location-specific advantages, natural resources and infrastructure.

With respect to the application, Council recognises the need for new renewable energy generation in a hybrid system to support the State's energy transition but notes that renewable energy development is not a strategic priority for Corangamite Shire. This includes broader strategic concerns that new renewable energy (wind and solar) is being concentrated in south-west Victoria and causing a disproportionate impact upon communities, the natural environment and landscape.

The draft Corangamite Shire Council Plan (2021-2025) provides strategic direction to capitalise on opportunities created by new energy, whilst minimising impacts on key industry sectors (e.g. agriculture), landscape values and natural assets. This includes better planning by State Government around location of new energy.

***Corangamite Strategic Focus***

The agricultural and primary production industries are the primary land use and most important sectors within Corangamite Shire, contributing a significant proportion of all agricultural production in Victoria and generating approximately \$785 million economic output annually.

Council's priority is to focus on the consolidation and growth of its agricultural industry, including dairy, red meat (beef and lamb), wool and cropping. This is supported by Council's land use planning vision and strategic directions.

Whilst the application will support new renewable energy development, it will remove productive farming land from agricultural use and has the potential to inhibit and adversely impact adjoining agricultural uses through a change or restriction in land management practices.

Corangamite Shire and its farmers need to adapt to the changing food and fibre needs domestically and internationally and to support a growing population. The application does not align with Council's strategic focus to support agriculture as its primary industry and economic driver.

***State and Regional Land Use Planning***

In March 2021, Council made a submission on the Renewable Energy Zones Development Plan Directions Paper, where it identified that planning for renewable energy development should not be undertaken with only a sole focus on new generation and projects.

Before new renewable energy development is permitted and built, Council believes that it is fundamental that strategic land use planning must be undertaken at a State and regional level to inform priority areas, future projects, and actions.

The submission highlights that before any new renewable energy projects are approved, the State Government must undertake a detailed review and analysis of renewable energy zone areas, local and regional strategic direction and land use planning priorities, to formulate a plan that strategically, sustainably and equitably plans for future renewable energy development and capacity. This includes the designation of and protection of areas of strategic agricultural importance to Victoria.

Planning and development for renewable energy projects has largely been influenced by the availability of electricity transmission infrastructure and grid connection capacity, which has led to an ad hoc and uncoordinated planning regime where speculation for projects lies not in designated renewable areas, but in close proximity and ability to connect to the grid. This includes proposals for solar farms on important agricultural land in areas where solar irradiation/exposure is limited, compared with northern areas of the State, such as this site.

### ***Community Engagement***

High quality and well-planned community consultation is fundamental to the delivery of new renewable energy projects. This is recognised and directly identified in the solar farm guidelines and *Community Engagement and Benefit Sharing in Renewable Energy Development* (DELWP) guide for developers.

The applicant has not held any planned or targeted community engagement and has instead sought to rely on the consultation undertaken for the original application, which was Council directed and facilitated.

The submission notes that the approach by the applicant falls significantly short of what is directed and outlined as best-practice by the solar farm guidelines, being a fundamental flaw of the application with potential to result in substantial community disruption. The application has not tangibly shown the development of social licence or community acceptance for the project.

Before any decision is made on the application, the applicant should be directed to undertake a community engagement and consultation program to facilitate the sharing of information and listen to community feedback on the project.

### ***Communities and Cumulative Impacts***

Existing transmission infrastructure and previously available grid capacity has led to the development of renewable projects in concentrated areas, resulting in a disproportionate impact on rural communities.

The benefit of renewable energy development for metropolitan Melbourne continues to come at the expense of rural communities.

If approved, the application, along with a pipeline of existing, approved and proposed future projects will result in a density of large-scale renewable energy development which alters the rural landscape, character, and social fabric of communities. The issues around cumulative project impacts have been raised for over ten years, with limited action undertaken to directly address this issue.

The application is another large-scale renewable energy proposal planned in isolation and with limited regard to the ongoing erosion and division being caused within the local rural community.

The amenity and enjoyment of rural lifestyle needs to be seriously considered in the broader planning for renewable energy development.

***Landscape and Visual Impact***

Whilst landscape and visual impact was a ground which VCAT ultimately determined did not warrant refusal of the original application, the submission again raises this as an important issue to be considered for the application.

Recent renewable energy development has seen a rapid change and erosion of the natural and open rural landscape, which is a key component of rural amenity and tourism attraction for Corangamite Shire.

The application to develop a solar farm over approximately 588 hectares with photovoltaic panels at 4 metres in height will substantially impact and fragment the natural landscape and visual amenity of this important area, including from key local viewing locations and vantage points. The provision of perimeter landscaping may manage nearby and direct views in the long-term but will do almost nothing in managing the visual scale and dominance the proposal will have in the volcanic landscape.

***Fire Risk***

Fire risk within the rural landscape remains as a priority issue for Council and its community.

In response to the previous VCAT decision, it is noted that the applicant has sought to respond to this issue through preparation of a Bushfire Risk Assessment and Mitigation Plan (BMP), along with consultation with the Country Fire Authority (CFA).

The submission notes the risk assessment, analysis and recommendations of the BMP and requests that it is ensured that they are implemented, along with any Bushfire Response Plan, by way of permit conditions. This process must involve consultation with Council's Emergency Management Planning Committee and have regard to the Municipal Emergency Management Plan (MEMP).

***Hydrology and Drainage***

Hydrology and drainage are other key issues identified by VCAT which previously lacked rigorous assessment and warranted refusal of the planning application. These issues arose through concerns raised by adjoining landowners and community members around the low-lying nature of the subject land and the presence of a significant drain which runs along the eastern boundary of the site.

The submission notes that a Flood Impact Assessment (FIA) has been prepared for the application which concludes that the development will not result in an increase in flood levels or velocities on neighbouring land and the flow rates would be managed on adjoining land. The recommended mitigation measures and works within the FIA must be included within permit conditions and implemented by the applicant.

***Road and Traffic Management***

A key change in the application is the proposed alteration of access to the site, which is now proposed to come from Darlington-Camperdown Road and through Meningoort Road.

Meningoort Road in this section is an unsealed rural access road, which principally provides access to the subject land for farming purposes.

The submission notes that a Traffic Impact Assessment (TIA) has been prepared for the application which recommends road upgrade and safety treatments at the Darlington-Camperdown Road intersection (including left turning lane) and the widening and construction of Meningoort Road to an unsealed 7-metre-width to provide two-way access into the site, including for heavy vehicles.

The submission requests that specific requirements and upgrade measures be included within a Traffic Management Plan (TMP) prepared for the project, involving ongoing survey inspections by an independent Road Quality Auditor (RQA) at the cost of the applicant. The TMP must also be prepared in consultation with Council.

### ***Project Decommissioning***

The decommissioning of renewable energy projects and associated infrastructure at their end of life remains as a key concern.

The submission requests that the State Government establish a bond payment system and the applicant be required by the permit to pay a bond to cover decommissioning and rehabilitation. This approach would be similar to extractive industries (mines and quarries) where the bond would be held in-situ for the life of the project and only released once decommissioning has been adequately undertaken.

### ***Community Benefits Fund***

Whilst the establishment and delivery of a community benefits fund falls beyond what can be legally included within conditions of a planning permit, the submission highlights Council's disappointment and concern in the proposed financial contribution amount of \$20,000 per annum by the applicant through this program.

The proposal will result in a development which would cover an approximate area of 588 hectares with solar panels and infrastructure for a 200-megawatt facility. Based on an approximate operational project life of 25 years and an investment of \$280 million, the proposed offer of \$20,000 per annum (\$500,000 total) represents a community contribution of 0.17% of the project cost (excluding income).

The proposed community benefits fund in no quantifiable way recognises the scale and impact of the proposal, or will result in a net community benefit that is proportionate to its investment and future income.

A review of other operational and approved solar farm projects, including the recently constructed 80 megawatt Winton North Solar Farm, providing a \$20,000 community benefits fund, highlights that the proposed community funding for this application is below what is reasonable or appropriate.

The applicant is strongly encouraged to reconsider its proposed contribution to any community benefits fund to ensure that the project has a lasting and positive effect within the community and Corangamite Shire.

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### **Policy and Legislative Context**

Corangamite Shire Council Plan 2017-2021 commits to:

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

Preserve the natural environment of Corangamite Shire.

### **Internal / External Consultation**

The Minister has given notice of the application and submissions are required to be made by 23 April 2021. A request has been made to DELWP for any Council submission to be made following its 27 April 2021 Ordinary Council Meeting.

In preparing the application, the applicant appears to have overlooked the need for well-planned and targeted community engagement and has instead relied upon consultation undertaken nearly three (3) years ago for the earlier version of the proposal. This is not considered to be an acceptable approach.

### **Financial and Resource Implications**

There are no direct or short-term financial or resource implications for Council in making this submission.

Dependent on the process and outcomes of a decision by the Minister for Planning, Council may need to consider what further action it takes should the matter proceed to VCAT on appeal or the application is 'called-in' by the Minister and a planning panel appointed to consider submissions. This will incur some cost to Council and further advice will be provided at the relevant time around available options.

### **Options**

Council has the following options in relation to the application for the proposed Bookaar Solar Farm:

1. Resolve to adopt the draft submission as prepared and authorise the Chief Executive Officer to submit it to DELWP. **(Recommended option)**
2. Amend the draft submission before adoption and authorise the Chief Executive Officer to submit it to DELWP.
3. Not proceed in making a submission.

### **Conclusion**

The Minister for Planning has given notice of the application for the proposed Bookaar Solar Farm.

This report presents Council with a draft submission for adoption to submit to the Minister for Planning, which outlines both key strategic priorities and project specific issues, as they apply to the development of a proposed solar farm on the subject land.

## RECOMMENDATION

That Council authorises the Chief Executive Officer to make a submission on the Bookaar Solar Farm Ministerial Planning Permit application to DELWP, in accordance with the draft submission attached to this report.

### COUNCIL RESOLUTION

*MOVED: Cr Beard*  
*SECONDED: Cr Vogels*

That the recommendation be adopted.

**CARRIED**

### Attachments

1. Draft Submission to Minister - Under Separate Cover

Cr. N. Cole, Cr. G. Conheady and Cr. L. Hickey returned to the meeting at 7.34 pm.



The Mayor, Cr. R. Gstrein, declared a material conflict of interest in Agenda Item 9.4 and left the the meeting prior to any discussion or vote on the matter at 7.34 pm.

Deputy Mayor, Cr. J. Beard, assumed the Chair.

## **9.4 Small Business Assistance Grant Program Allocations**

**Author:** Rory Neeson, Manager Growth and Engagement

**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 - Rory Neeson

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

### **Summary**

The purpose of this report is for Council to approve the allocation of funds for Council's 2020-2021 Small Business Assistance Program (SBAP).

### **Introduction**

The aim of the SBAP is to encourage businesses (both new and existing) located in the Corangamite Shire to innovate, adapt or diversify in order to encourage new and innovative projects and business ideas that will have a positive impact on both the business and more broadly economic activity in the Shire.

The program was open to all small businesses located in the Shire or planning to re-locate to the municipality within three months of applying for the grant, that have an ABN, have 20 or fewer full-time equivalent employees and no overdue debts with Council.

### **Issues**

The SBAP opened for applications on Monday 1 February and closed on Friday 5 March 2021.

To apply for funding as part of the program, applicants were required to complete the business permits checklist, online application form including providing all associated documentation, including relevant planning and building applications when applicable. Applicants were also strongly encouraged to speak with Council officers prior to applying and have an understanding of the program guidelines.

The criteria established for the program is:

- the project proposal
- benefit to business
- local economic benefits in the Shire

- timeframe/project readiness
- correct documentation
- ability to access additional funding.

Priority was given to projects that look at new ways to do business, adapt and diversify. However, all small businesses looking to complete an upgrade or looking at ways to improve how they do business were able to apply.

Following the application period, 48 applications to the program were received requesting \$185,911.47 (exc. GST) of funding, with the overall value of works proposed totalling \$836,313.97. The funding applications request exceeds the budget allocation of \$50,000.

The evaluation of the applications was based on the program's assessment criteria. Results of these evaluations were then ranked from highest to lowest and a value matrix was used to complete a secondary assessment to determine priority in terms of innovation, adaptation and diversification.

The breadth, diversity and quality of the applications made is indicative of the high level of demand for this type of program. Applications received include a variety of projects such as equipment for new business start-up or the supply of services, building works to support business growth, the purchase of machinery to increase production or expand service offering.

To enable more businesses to be funded through the program officers recommend that a further \$56,311.13 be re-allocated from the COVID-19 Economic Stimulus and Support Package. This would see 13 additional businesses provided with financial support for their projects.

Officers will continue to work with any businesses with unsuccessful applications to provide feedback, opportunities for improvement, business mentorship and other forms of non-financial support.

The recommended small business applications for this round are:

#### **Small Business Assistance part 1 (funded from Budget allocation)**

<b>Business Name</b>	<b>Town</b>	<b>Amount</b>	<b>Project Description</b>
Bellarine Redgum	Timboon	\$4,719.10	Equipment for new mobile service.
Café on Curdie	Cobden	\$1,305.92	Equipment for new outdoor eating area.
Cain Chandley Bricklaying	Simpson	\$1,068.18	Equipment to expand service offering.
Catherine Jenkins	South Purrumbete	\$2,449.50	Equipment for new business start-up.
Down South Crutching	Ecklin South	\$1,136.00	Equipment to enable mobile service.
Engineer It	Timboon	\$2,852.28	Equipment to support service expansion.
Ethical Strength	Port Campbell	\$5,000.00	Construction of deck as first stage of area development.
Great Ocean Road Woollen Mill	Ecklin South	\$5,000.00	Machinery to enable increased production.

Matt Clarke Gardening Services	Terang	\$5,000.00	Machinery to expand service offering.
Mint Body and Beauty	Camperdown	\$1,297.00	Equipment to provide new services.
Southwest Ultrasound	Terang	\$5,000.00	Specialised equipment to improve operations and increase service availability.
The Shed	Noorat	\$2,450.00	Construction of new outdoor eating area and seating.
Twelve Apostles Port Campbell B&B	Port Campbell	\$5,000.00	Purchase and installation of items for accessible accommodation.
Yarra Timber Salvage Pty Ltd	Lismore	\$5,000.00	Building improvements to support new product supply.

**Small Business Assistance part 2 (funded from re-allocated COVID-19 Economic Stimulus and remaining 2020-2021 SBAP budget)**

Business Name	Town	Amount	Project Description
Caprotek	Weerite	\$3,743.08	Equipment to increase product imports and exports.
Desire Body & Beauty	Cobden	\$5,000.00	Refurbishment of building to allow for expansion of services.
Foodworks Lismore	Lismore	\$5,000.00	Equipment to improve operations and product availability.
Greavesys Fruit n Veg	Terang	\$5,000.00	Equipment to expand local product range.
Milk and Honey	Timboon	\$5,000.00	Equipment for new business start-up.
Nick Hose Fitness	Camperdown	\$5,000.00	Equipment to provide new service.
Rustic Tarts Food	Camperdown	\$1,544.91	Equipment to support business growth and increased output.
Showcase Jewellers	Camperdown	\$5,000.00	Equipment to provide new service.
Sow & Piglets	Port Campbell	\$4,787.00	Equipment to enable the manufacture of new products.
Terang Motor Inn	Terang	\$4,508.18	Refurbishments to improve accommodation offering.
The Loaf and Lounge	Camperdown	\$5,000.00	Equipment to provide expansion of services.
Thommos Hotel	Cobden	\$5,000.00	Refurbishments to increase accommodation offering.
Western District Newspapers	Camperdown	\$4,450.00	Purchase and development of an online platform.

**Policy and Legislative Context**

The SBAP is compliant with the SBAP Policy that was adopted by Council in January 2021 as well as meeting all the requirements of Council's Grants Policy.

The program is consistent with the following Council Plan 2017-2021 strategies as part of the Vibrant Economy, Agriculture and Tourism theme:

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

Maintain our competitive advantage as an “investment friendly” council and a leader in local economic development.

### **Internal / External Consultation**

The program has been the subject of a media release, advertisements in Council’s Noticeboard in the Warrnambool Standard as well as all three Western District Newspapers and has been included as an item in a weekly radio interview.

The program has also been advertised through Council’s Business E-News and social media channels.

Councillors have also been briefed on this grant program.

### **Financial and Resource Implications**

The SBAP has a \$50,000 allocation in the 2020-2021 Budget.

An additional allocation of \$56,311.13 is recommended from the COVID-19 Economic Stimulus and Support Package.

Businesses have applied on a \$1:\$1 basis to complete projects with the amount capped at \$5,000 (no GST) per business.

Planning fees where relevant are proposed to be waived by Council as part of the program to encourage participation, however, any relevant building permit fees still apply.

### **Options**

Council may consider the following options for the allocation of funds under the Small Business Assistance Program:

1. Allocates a total funding amount of \$106,311.13 (exc. GST) to 27 businesses comprising 14 businesses to value of \$47,277.97 (exc. GST), and a further 13 businesses through the remaining \$2,722.03 combined with an additional allocation of \$56,311.14 (exc. GST) to the program from unallocated COVID-19 Economic Stimulus funding (**Officers’ Recommendation**).
2. Allocate funds of \$47,277.97 (exc. GST) to 14 applicants within the available budget of \$50,000 (exc. GST).
3. Re-evaluate grant applications and consider funding alternative applications.
4. Not allocate funding through the program.

### **Conclusion**

The Small Business Assistance Program provides businesses from across the Shire with an incentive to start a new business, or invest into an existing business, driving economic and employment benefits.

The program is responsive to feedback from businesses, and provides an avenue for Council to continue to be a leader in local economic development, small business support, as well as encouraging economic recovery from the impacts of COVID-19.

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## **RECOMMENDATION**

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**That Council:**

1. **Allocates funds of \$47,277.97 (exc. GST) to 14 Small Business Assistance Program applicants as below:**

<b>Business Name</b>	<b>Town</b>	<b>Amount</b>
Bellarine Redgum	Timboon	\$ 4,719.10
Café on Curdie	Cobden	\$ 1,305.92
Cain Chandley Bricklaying	Simpson	\$ 1,068.18
Catherine Jenkins	South Purrumbete	\$ 2,449.50
Down South Crutching	Ecklin South	\$ 1,136.00
Engineer It	Timboon	\$ 2,852.28
Ethical Strength	Port Campbell	\$ 5,000.00
Great Ocean Road Woollen Mill	Ecklin South	\$ 5,000.00
Matt Clarke Gardening Services	Terang	\$ 5,000.00
Mint Body and Beauty	Camperdown	\$ 1,297.00
Southwest Ultrasound	Terang	\$ 5,000.00
The Shed	Noorat	\$ 2,450.00
Twelve Apostles Port Campbell B&B	Port Campbell	\$ 5,000.00
Yarra Timber Salvage Pty Ltd	Lismore	\$ 5,000.00
	<b>Total</b>	<b>\$ 47,277.97</b>

2. **Allocates funds totalling \$59,033.17 (exc. GST) from the remaining \$2,722.03 combined with a further \$56,311.14 (exc. GST) from unallocated COVID-19 Economic Stimulus program funds to 13 Small Business Assistance Program applicants as below:**

<b>Business Name</b>	<b>Town</b>	<b>Amount</b>
Caprotek	Weerite	\$ 3,743.08
Desire Body & Beauty	Cobden	\$ 5,000.00
Foodworks Lismore	Lismore	\$ 5,000.00
Greavesys Fruit n Veg	Terang	\$ 5,000.00
Milk and Honey	Timboon	\$ 5,000.00
Nick Hose Fitness	Camperdown	\$ 5,000.00
Rustic Tarts Food	Camperdown	\$ 1,544.91
Showcase Jewellers	Camperdown	\$ 5,000.00
Sow & Piglets	Port Campbell	\$ 4,787.00
Terang Motor Inn	Terang	\$ 4,508.18
The Loaf and Lounge	Camperdown	\$ 5,000.00
Thommos Hotel	Cobden	\$ 5,000.00
Western District Newspapers	Camperdown	\$ 4,450.00
	<b>Total</b>	<b>\$ 59,033.17</b>

**COUNCIL RESOLUTION**

*MOVED: Cr Makin*  
*SECONDED: Cr Conheady*

**That the recommendation be adopted.**

**CARRIED**

**Attachments**

1. Small Business Grant Program Applications - Under Separate Cover

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The Mayor, Cr. R. Gstrein, returned to the meeting at 7.42 pm and assumed the Chair.

## **9.5 Quick Response Grants Allocation April 2021**

**Author:** Garry Moorfield, Community Development Officer

**File No:** D19/130

**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 – Garry Moorfield

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

### **Summary**

The purpose of this report is to approve the April 2021 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. Applications have been received from:

- The Darlington Mechanics Institute and Recreation Reserve Committee of Management for the purchase and installation of two signs to be erected at Nuggets Flat for \$195.
- South West Model Engineers Incorporated/ Cobden Miniature Railway for the purchase of a lawn mower for \$500.
- Timboon Bowling Club for the purchase of an EFTPOS terminal for \$468.
- Lismore Men's Shed to replace rotten timber fascia boards for \$500.
- Lismore Cemetery Trust Shed to complete a small drainage project for \$500.

A further two applications were received but were withdrawn at the request of the applicants. One of these applications was ineligible as the community group concerned is already in receipt of a \$500 grant this financial year. The other application was directed to the community events grants program as there are presently insufficient funds in the North Ward allocation to support the proposed activity.

### **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 and objectives:

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 can also contact Council's Community Development Officer 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 any unexpended amounts.

### **Financial and Resource Implications**

The 2020-2021 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	0.00	0.00	2,500.00
North	2,500.00	1,009.00	1,199.00	292.00
South Central	2,500.00	808.00	500.00	1,192.00
South West	2,500.00	0.00	468.00	2,032.00
Central	7,500.00	3,821.00	0.00	3,679.00
	<b>17,500.00</b>	<b>5,638.00</b>	<b>2,167.00</b>	<b>9,695.00</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.

### Conclusion

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

### RECOMMENDATION

That Council:

1. Funds the Quick Response Grant application from Darlington Mechanics Institute and Recreation Reserve Committee of Management for the purchase and installation of two signs to be erected at Nuggets Flat for \$195.
2. Funds the Quick Response Grant application from South West Model Engineers Incorporated/ Cobden Miniature Railway for the purchase of a lawn mower for \$500.
3. Funds the Quick Response Grant application from Timboon Bowling Club for the purchase of an EFTPOS terminal for \$468.
4. Funds the Quick Response Grant application from Lismore Men's Shed to replace rotten timber fascia boards for \$500.
5. Funds the Quick Response Grant application from Lismore Cemetery Trust Shed to complete a small drainage project for \$500.

**COUNCIL RESOLUTION**

**MOVED:**            *Cr Cole*  
**SECONDED:**    *Cr Beard*

**That the recommendation be adopted.**

**CARRIED**

**Attachments**

1. Application Quick Response Grant- Darlington Mechanics Institute COM - Under Separate Cover
2. Application Quick Response Grant\_South West Model Engineers/ Cobden Miniature Railway - Under Separate Cover
3. Application Quick Response Grants\_Timboon Bowling Club - Under Separate Cover
4. Application Quick Response Grant\_Lismore Mens Shed - Under Separate Cover
5. Application Quick Response Grant\_Lismore Cemetery Trust - Under Separate Cover
6. Quick Response Grants\_ April 2021\_ Applications and Assessment - Under Separate Cover

## 9.6 Road Renaming Proposal - Airport Road, Cobden

**Author:** Aaron Moyne, Manager Planning and Building 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 - Aaron Moyne

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

### Summary

Council is being asked to support the renaming of the Cobden Go-kart Access Track to Airport Road to facilitate identity and wayfinding, particularly for emergency services to the Cobden Aerodrome.

This report recommends that Council support the road naming request and apply to the Office of Geographic Names for the road to be renamed to Airport Road.

### Introduction

The Naming Rules for Places in Victoria (the Naming Rules) and Council's Naming of Roads, Features or Localities Policy prescribe the process for road renaming. The process is as follows:

1. Consultation must be undertaken.
2. The Naming Authority (in this case Council) must consider and decide upon the proposal.
3. The proposal must be lodged with the Office of Geographic Names (OGN) for consideration by the Registrar.
4. If the Registrar deems that the proposal conforms to the Naming Rules, the OGN gazettes the name in the *Victoria Government Gazette* and adds to VICNAMES.
5. OGN notifies relevant stakeholders including Council.

In September 2020, the Cobden Aerodrome Community Asset Committee (CACAC) approached Council requesting that the Go-kart Access Track in Cobden be renamed to facilitate identification, wayfinding and accessibility of both facilities located on this road, those being the Cobden Aerodrome and the South West Kart Club.

Airport Road was proposed as the new name, which conforms with the principles and requirements of the Naming Rules for places in Victoria.

Preliminary consultation was undertaken with the Cobden Miniature Railway, Rotary and the South West Kart Club, all of whom supported the road renaming.

In accordance with Council's Naming of Roads, Features or Localities Policy and the Naming Rules, further consultation was undertaken. Letters were sent to neighbouring residents and landowners and a notice was placed in the Warrnambool Standard on Saturday 6 March 2021 and the Cobden-Timboon Coastal Times on Friday 12 March 2021. Council created a Have Your Say page on its website.

One submission in support of the road renaming was received on 6 March 2021 from a Cobden resident.

### Issues

The Cobden Aerodrome Community Asset Committee noted that there had been several occurrences during 2019-2020 where the road, having no formal name on Google Maps, had posed issues for direction. Two of these incidents were break-ins at the Cobden Aerodrome. Victoria Police stated that they were not familiar with the location and had experienced difficulty finding the Cobden Aerodrome as the road had not been formally named.

Google Maps currently does not show a road name or provide any directions to access the Aerodrome.

The location of the road is identified in red in the following image.

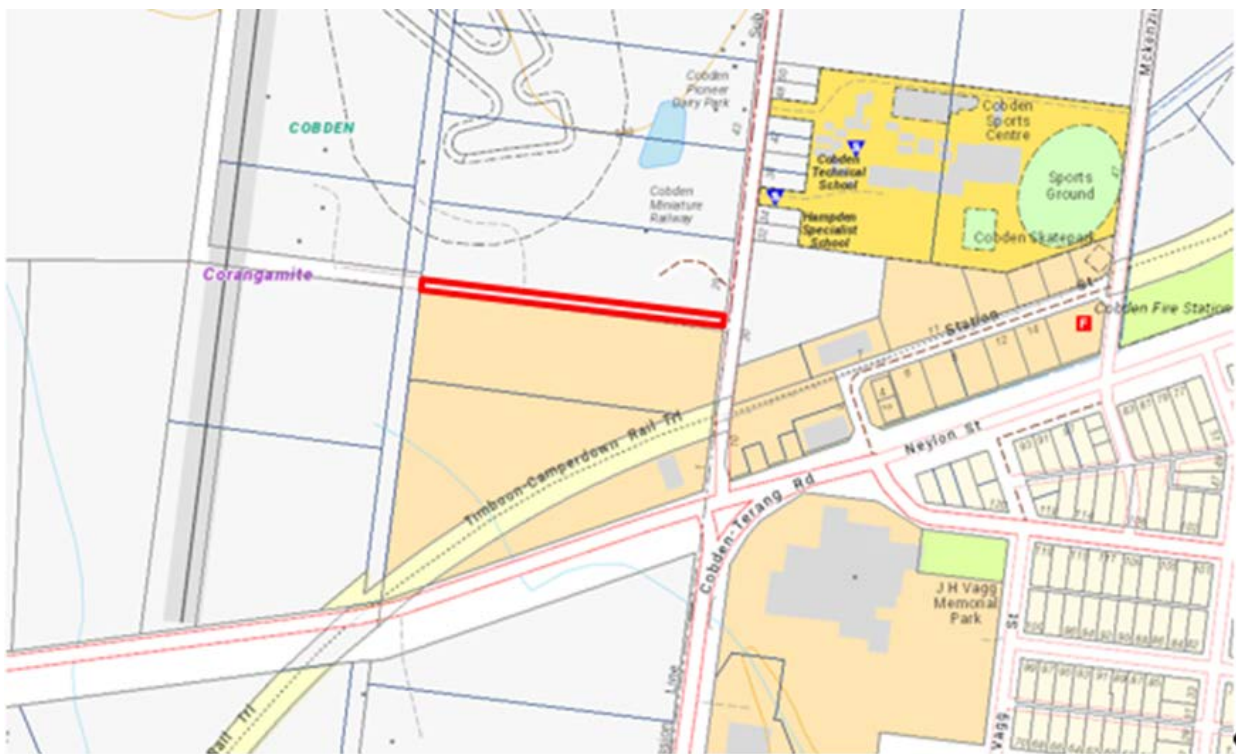


Figure 1: Location of Proposed Road Renaming

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### **Policy and Legislative Context**

Council is a road naming authority and may change the name of a road.

Under the *Geographic Place Names Act 1998*, the Office of Geographic Names is responsible for administration of the Naming Rules for Places in Victoria (the Naming Rules), which sets out the statutory requirements for naming roads, features and localities in Victoria.

Consistent with the Naming Rules, Council has instituted the Naming of Roads, Features or Localities Policy 2020. This policy will be reviewed following the release of the revised Naming Rules later in 2021.

The process to assess the proposed road name has been undertaken in accordance with the Naming Rules.

Council's consideration regarding the renaming of the road is consistent with the Council Plan 2017-2021:

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

Township infrastructure will contribute to safe and accessible public areas.

Deliver high quality, optimally used, sustainable community facilities.

### **Internal / External Consultation**

Council's former Manager of Works participated as a representative on the Cobden Aerodrome Community Asset Committee. In September 2020, the Committee reported issues with wayfinding for Victoria Police following two break-ins at the Aerodrome and therefore proposed renaming the informally named Go-kart Access track to Airport Road.

Preliminary consultation was undertaken by the Committee, with the Cobden Miniature Railway, Rotary and the South West Kart Club, all of whom supported the road renaming.

Further consultation was then undertaken in accordance with Section 7 of the Naming Rules, including:

1. Letters to affected residents, ratepayers or businesses.
2. Notices in the Warrnambool Standard on 6 March 2021 and the Cobden-Timboon Coastal Times on 12 March 2021.
3. Have Your Say survey on Council's website.

One submission in support of the proposal was received.

### **Financial and Resource Implications**

There are some minor administrative and signage erection costs if the naming request is approved.

### **Options**

Council may resolve to rename Cobden Go-kart Access Track to Airport Road, Cobden. Alternatively, Council may leave the road without a formal name.

### **Conclusion**

Council has received a request from the Cobden Aerodrome Community Asset Committee to rename Cobden Go-kart Access Track to Airport Road, Cobden.

The proposed name meets the principles of the Naming Rules. In accordance with the rules, community consultation has been undertaken. One submission was received supporting the proposed name change.

Renaming of the road will assist with the future identification and wayfinding of the Cobden Aerodrome by users and emergency services.

### **RECOMMENDATION**

**That Council support the road naming request and applies to the Office of Geographic Names to rename the Cobden Go-kart Access Track to Airport Road, Cobden.**

### **COUNCIL RESOLUTION**

*MOVED: Cr Vogels*

*SECONDED: Cr Makin*

**That the recommendation be adopted.**

**CARRIED**

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## 9.7 2022002 Contact for the Programmed Maintenance of Council Buildings

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

**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 - Jarrod Woff

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

### Summary

The purpose of this report is to award the contract for the programmed maintenance of Council Buildings for a two-year period from 1 July 2021 to 30 June 2023 with a two year option to the contract to 30 June 2025 subject to mutual agreement.

### Introduction

Council has undertaken a selective tender process to recruit a suitably qualified contractor to provide programmed maintenance at Council facilities. The programmed maintenance is to include external cleaning and painting maintenance at Council facilities, including community centres, halls, kindergartens, libraries, public toilets, senior citizen centres and swimming pools.

### Issues

Council has tendered for the programmed maintenance contract which includes external cleaning and painting maintenance at Council facilities.

The programmed maintenance contract requests tenderers to submit an hourly rate and a costing by facility to perform the required duties, which is inclusive of wages, travel costs, materials and equipment. This has provided Council with information to undertake an evaluation of contractors who have submitted to undertake the works.

The works are to be contracted over a two (2) year period with the option to extend by a further two (2) year period. This will allow predictability in budgeting and enhance long term cost savings to Council.

Three submissions were received from experienced contractors in the industry, with companies based in Melbourne, Whittlesea and Geelong.

An evaluation was undertaken by a panel comprising Adam Taylor, Manager Finance, Jarrod Woff, Manager Facilities and Recreation and Steven Fisher, Infrastructure Projects Coordinator, in accordance with the evaluation criteria. Linda Murfitt, Contracts Administration Co-ordinator has reviewed the tenders from a compliance aspect.

Each of the evaluation criteria were scored in accordance with the relevant weighting by each panel member. It should be noted that one submission only included a costing for cleaning and was evaluated comparatively with the cleaning component of the other two tenderers. A panel meeting was held to validate the evaluations, aggregate the scores, and provide a recommendation of award for Council's resolution. An aggregate of the scores is provided below in Table 1.

	Compliance with Specification	OHS Safety Plan	Financial Benefit to Council	Ability to meet project timeframe	Experience, skill and specialist area	Local Content	WEIGHTED SCORE
<b>Weighting Contractor</b>	5%	10%	25%	15%	25%	20%	
Tenderer 1	3	4.33	1.33	2	2.66	2	45.66
Tenderer 2 Programmed Property Services	3.33	2.66	3.33	2	3.66	2.33	59
Tenderer 3	3.33	3	3	2	3.66	0.66	51.33

**Table 1: Aggregate Submission Assessment**

The best value for Council is not always necessarily reflected by the lowest price. Best value can also be achieved by procuring from a contractor who may have a higher lump sum but has provided demonstrated experience and capability to undertake the works as per the specification. The attached technical evaluation report provides a detailed evaluation of tenders received.

It is recommended the best outcome for Council is achieved by awarding the contract in full to Programmed Property Services.

### **Policy and Legislative Context**

The programmed maintenance contract was advertised and assessed in accordance with Council's Procurement Policy and the tender evaluation criteria.

The awarding of this specialist service is in keeping with Council's Plan 2017-2021:

Council will demonstrate high levels of ethical behaviour and corporate governance standards. Council will make budgetary decisions that ensure Council remains in a strong financial position now and into the future.

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

Maintain our buildings to ensure they meet current and future demand for service provision.



### Internal / External Consultation

An evaluation panel was established to assess the submissions against the evaluation criteria.

Each member of the panel who conducted the evaluation was considered to have appropriate experience to undertake the evaluation.

In accordance with the *Local Government Act*, the tender was advertised in Western District Newspapers, The Warrnambool Standard and the Herald Sun. The contract was also advertised on Council's website.

### Financial and Resource Implications

Works under this contract are incorporated in Council's recurrent budget allocations.

Year 1 of the tender includes a full repaint of Council's public toilets. The lowest tendered sum for all works is \$307,034 over 2 years or average \$153,517 per annum.

The financial benefit to Council was measured in two ways, being the cost per hour and the overall sum of the contract for a two-year period. A comparison of the hourly rates for service are provided in the table below:

	Hourly Rate
Tenderer	Cleaning
1.	<ul style="list-style-type: none"> <li>• Cleaner: \$170</li> <li>• Skilled labourer: \$125</li> <li>* Includes EWP</li> </ul>
2.	<ul style="list-style-type: none"> <li>• Painter: \$54</li> </ul>
3.	<ul style="list-style-type: none"> <li>• Cleaner: \$50</li> <li>• Skilled labourer: \$55</li> <li>• Painter: \$70</li> </ul>

**Table 2: Programmed Maintenance Hourly Rate Comparison**

The panel considered the internal administration costs and management arrangement of awarding the contract to more than one tenderer or awarding it to a sole operator and felt there was a clear productivity gain by awarding the contract in full.

### Options

Council can award the Contract to a single contractor or may choose to use multiple contractors across the Shire.

### Conclusion

Council has invited tenders from suitably experienced and qualified contractors for the programmed maintenance of Council buildings. Three submissions were received through this process, all with varying degrees of experience, services offered and financial benefit to Council.

Following an evaluation of tenders received, it is proposed the best outcome and financial benefit for Council is achieved by awarding the contract in full to Programmed Property Services.

## RECOMMENDATION

That Council:

1. Awards contract 2022002 for the Programmed Maintenance of Council Buildings for the Corangamite Shire for the period 1 July 2021 to 30 June 2023 to Programmed Property Services.
2. Delegates to the CEO to approve the option to extend the contract for a further two (2) year term.

### COUNCIL RESOLUTION

*MOVED: Cr Conheady*

*SECONDED: Cr Hickey*

**That the recommendation be adopted.**

**CARRIED**

### Attachments

1. Contract 2022002 Technical Evaluation Report - Under Separate Cover - Confidential
2. Declaration of No Conflict of Interest - Steven Fisher - Under Separate Cover
3. Declaration of No Conflict of Interest - Jarrod Woff - Under Separate Cover
4. Declaration of No Conflict of Interest - Adam Taylor - Under Separate Cover

## 9.8 Contract 2022003 Supply and Delivery of Diesel Fuel

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

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

### Summary

The purpose of this report is to award Contract 2022003 for the supply and delivery of diesel fuel in bulk to Camperdown, Cobden, Lismore, Simpson, Terang and Timboon depots and the Corangamite Landfill. The term of the contract is three years, from 1 July 2021 to 30 June 2024.

### Introduction

Council has undertaken a tender process for the supply and delivery of bulk diesel fuel inclusive of all necessary expertise, labour, materials, plant, equipment and profit to support Council's operations. Council's heavy fleet is operated by diesel fuel and more than half of Council's light vehicle fleet are diesel fuel. Council owns and operates fuel storage tanks and equipment at Camperdown, Cobden, Lismore, Simpson, Terang and Timboon depots and the Corangamite Landfill.

Anticipated annual quantities of 764,043 litres were provided based on the period 1 January 2020 to 31 December 2020. Tenderers were expected to be able to deliver on Council's timelines providing for all orders to be delivered within 48 hours.

Tenderers were asked to submit a price per litre for all products at each Depot and the Corangamite Landfill along with the formula for determining the contract price using the price issued by the Australian Competition and Consumer Commission as provided for with the Intervention Price System.

### Issues

Submissions were received from six tenderers.

An evaluation of the tenders was undertaken in accordance with Council's Procurement Policy by a panel of suitably qualified and experienced Council staff each of whom indicated they had no conflict of interest to declare.

Each of the tenders were assessed against the evaluation criteria and scored in accordance with the relevant weighting by each panel member. A panel meeting was held to validate the evaluations, aggregate the scores and provide a recommendation of award for Council's resolution.

A summary of the assessment of the tenders is provided below. More detail is provided in the Technical Evaluation Report attached under separate cover.

- All tenderers complied with the requirements of the tender process.
- All tenderers were considered able to meet the supply requirements and timeframes.
- Four of the six tenderers indicated supply of fuel from the Viva Geelong Refinery terminal.
- Two tenderers have outlets located within Corangamite Shire potentially providing greater accessibility and flexibility.
- There were varying levels of local content from nil specified to locally owned and managed outlets.
- There was \$19,136 cost difference between the calculated highest and lowest total cost per annum.

Council's current cost for diesel fuel supply is \$855,401. Council's annual usage quantity (litres) for the period 1 January 2020 to 30 December 2020 was 764,043 litres. A breakdown of the rates per depot is provided under separate cover.

The total cost per annum based on this quantity from the rates tendered was as follows:

<b>Tenderer</b>	<b>Total Cost</b>
1	\$856,553
2	\$843,422
3	\$837,417
4	\$855,401
5	\$842,739
6	\$846,560

**Table 2: Estimated Cost per annum**

The tender specification sought information on whether tenderers would include access to diesel for Council's light vehicles under this contract and at the specified rate. Tenderers 2, 4 and 6 have offered access to diesel fuel for light vehicles at the tendered rates.

Whilst there is added benefits to Council having access to discounted fuel, the actual benefit is negligible as it relies on drivers filling up at the specified service stations. The total annual amount of fuel used for light fleet through current diesel fuel cards was approximately 11,400 litres for a 12-month period (pre-Covid), representing a saving of just over \$2,000. The panel have therefore excluded access to fuel for light vehicle fleet as a financial consideration from the assessment.

An aggregate of the scores for each of the conforming tender submissions, against the criteria and with the applied weighting, following the secondary evaluation is provided in Table 1 below.

Tenderer	Financial Benefits	Local Content	Ability to Meet Supply Requirements and Timeframes	Compliance with Tendering	TOTAL
	60%	20%	15%	5%	
1	2.3	1.7	4.7	4.3	<b>53</b>
2	3.7	0.0	4.7	5.0	<b>63</b>
3	4.3	1.0	5.0	4.3	<b>75</b>
4	3.2	5.0	5.0	5.0	<b>78</b>
5	3.8	0.0	4.7	1.3	<b>61</b>
6 United Retail Group Pty Ltd, trading as Riordan's Fuels	3.5	4.7	4.7	5.0	<b>80</b>

**Table 3: Aggregated scores**

The best value for Council is not always necessarily reflected by the lowest price. Best value can also be achieved by procuring from a contractor who may have a higher lump sum but has provided demonstrated experience and capability to undertake the works as per the specification or in this case demonstrates greater support for local suppliers, contractors and business.

United Retail Group Pty Ltd, trading as Riordan Fuels have scored high for local content based on their operations within the Corangamite Shire. Other tenderers (apart from tenderer 4) were not able to evidence similar economic contribution to the Shire. The higher weighting for local content and competitive tendered rates (1.09% variance compared to lowest tenderer) has meant that the overall aggregated score is higher for this company than the lowest tendered overall rate.

It is recommended the best outcome for Council is achieved by awarding the contract to United Retail Group Pty Ltd, trading as Riordan's Fuels.

### Policy and Legislative Context

The Contract was advertised and assessed in accordance with Council's Procurement Policy and the tender evaluation criteria.

The awarding of this specialist service is in keeping with Council's Plan 2017-2021:

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

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

### Internal / External Consultation

In accordance with Section 186 of the *Local Government Act 1989*, the tender was advertised in the Herald Sun and Warrnambool Standard. The contract was also advertised on Council's website.

Each member of the panel who conducted the evaluation was considered to have appropriate experience to undertake the evaluation and indicated they had no conflict of interest to declare.

### Financial and Resource Implications

The tender is based on the Terminal Gate price (TPG) at 1 March 2021 however TPG can vary considerably throughout the year as world oil prices fluctuate.

Council's actual costs based on annual quantities (litres) and the current contract is \$855,401.

The tendered price, provided by preferred tenderer United Retail Group Pty Ltd, trading as Riordan's Fuel, based on current annual litres and terminal gate price is \$846,560 which presents a saving to Council of \$8,841 or 1%.

Should the terminal gate price increase or decrease, the cost to Council will vary accordingly at plus 4 cents per litre at all sites.

### Options

Council may choose to award the contract or may choose not to award the contract.

### Conclusion

The tender has sought contractors for the supply and delivery of diesel fuel in bulk to Council's depots and the Corangamite Landfill. Six submissions were received. Following an evaluation of the submissions, it is considered that the best value and most satisfactory outcome for Council will be achieved by awarding the contract to United Retail Group Pty Ltd.

## RECOMMENDATION

### That Council:

1. **Awards Contract 2022003 Supply and Delivery of Diesel to Council Depots and Corangamite Regional Landfill to United Retail Group Pty Ltd, trading as Riordan Fuels, for an estimated annual amount of \$846,560 for the period 1 July 2021 to 30 June 2024.**
2. **Enters into a formal instrument of agreement with United Retail Group Pty Ltd.**
3. **Affixes the common seal of Council to the contract.**

### COUNCIL RESOLUTION

**MOVED:** *Cr Vogels*

**SECONDED:** *Cr Cole*

**That the recommendation be adopted.**

**CARRIED**

### Attachments

1. 2022003 Technical Evaluation Report - Under Separate Cover - Confidential
2. 2022003 Tendered Pricing Schedule - Under Separate Cover - Confidential
3. Declaration No Conflict of Interest - Under Separate Cover

## 9.9 Community Group Loan Guarantee Application - Cobden Football Netball Club Inc.

**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 recommends Council agree to act as Guarantor for a commercial loan being sought by the Cobden Football Netball Club Inc. for the purpose of completing upgrades to the netball facilities at the Cobden Recreation Reserve.

### Introduction

Cobden Football Netball Club has been successful in receiving a \$300,000 Federal Government grant for the purpose of upgrading their netball facilities. Initial cost estimates for the project have been approximately \$600,000. The club has sought a Council guarantee of a loan for an amount of \$200,000 to complete the project.

### Issues

Council's Community Group Loan Guarantee Policy sets out the guidelines and principles that need to be followed when evaluating whether Council should act as a guarantor.

Council officers have assessed the application (attached under separate cover) against the Policy which is summarised below.

Criteria	Evaluation
Purpose of Loan	<ul style="list-style-type: none"> <li>The loan will be used to partly fund the netball facility upgrades with the majority of funding coming from grants.</li> <li>The project is of a capital nature.</li> </ul>
Eligibility of Project	<ul style="list-style-type: none"> <li>The project will improve the current facility.</li> <li>The applicant is a non-profit organisation.</li> <li>The project is compatible with the Municipal Public Health and Wellbeing Plan and the Recreation and Open Space Strategy.</li> <li>The Football Club have a history of sound financial management as evidenced by its most recent audited financial statements.</li> </ul>

Criteria	Evaluation
Council Limits	<ul style="list-style-type: none"> <li>The term requested is within maximum amounts prescribed by the policy.</li> <li>The guarantee amount requested of \$200,000 exceeds the policy recommendation of \$100,000.</li> </ul>
Council Impacts	<ul style="list-style-type: none"> <li>Loans guaranteed by Council are recognised as a contingent liability in its Annual Financial Statements.</li> <li>There is currently one other loan guarantee in place.</li> </ul>
Information Submitted	<ul style="list-style-type: none"> <li>With the assistance of Council officers, the committee have met the information requirements set out in the policy.</li> </ul>

### ***Financial Analysis***

The Cobden Football Netball Club as at 31 March had in excess of \$300,000 in cash and cash equivalents available. The club are seeking to borrow \$200,000 and use cash reserves and federal government grants to fund the balance of the \$600,000 project. Projected loan repayments (based on 4% interest rate) on a 10-year loan are approximately \$2,025 per month which can be accommodated by the projected net operating cash flow over the ten-year term of the loan. A detailed financial analysis, loan guarantee application, previous financial statements and cashflow projections are attached under separate cover.

### **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**

Council officers have consulted extensively with the Cobden Football Netball Club Inc. and members of the committee briefed Council in April 2021.

### **Financial and Resource Implications**

Council has in the past acted as loan guarantor for community groups to assist with capital investments. These projects have resulted in a variety of community owned assets and provided direct benefits to community groups and their members. No community group that has been a beneficiary of a Council loan guarantee has defaulted in the past. Nevertheless, default by the Committee during the term of the loan exposes Council to repaying the outstanding loan principal.

### **Options**

Council may

1. Choose to act as loan guarantor for the committee up to \$100,000 as recommended in the policy.
2. Choose to act as loan guarantor for the committee for an amount in excess of the \$100,000 recommended in the policy being \$200,000 as requested.
3. Not choose to act as guarantor for the committee.



**Conclusion**

Loan guarantees provide opportunities for community groups to undertake developments and complete strategic projects where otherwise they would not have the capacity to do so. The application by the Cobden Football Netball Club is in excess of the amount allowed by Council's Community Group Loan Guarantee Policy. A loan guarantee by Council will ensure the short and long-term objectives of the Cobden Football Netball Club can be fulfilled.

**RECOMMENDATION**

**That Council agrees to act as loan guarantor for the Cobden Football Netball Club Inc. with the following conditions:**

- 1. The loan will be used to cover the shortfall in funding for the netball facilities upgrade project;**
- 2. The loan guarantee will be for an amount not exceeding \$100,000;**
- 3. The term of the loan guarantee will not exceed 10 years;**
- 4. The loan to be guaranteed will be reducing principal and interest with no redraw facility; and**
- 5. The Committee must meet all reporting and monitoring requirements under the Community Group Loan Guarantee Policy.**

**COUNCIL RESOLUTION**

**MOVED:** *Cr Beard*  
**SECONDED:** *Cr Hickey*

**That Council agrees to act as loan guarantor for the Cobden Football Netball Club Inc. with the following conditions:**

- 1. The loan will be used to cover the shortfall in funding for the netball facilities upgrade project;**
- 2. The loan guarantee will be for an amount not exceeding \$200,000;**
- 3. The term of the loan guarantee will not exceed 10 years;**
- 4. The loan to be guaranteed will be reducing principal and interest with no redraw facility; and**
- 5. The Committee must meet all reporting and monitoring requirements under the Community Group Loan Guarantee Policy.**
- 6. Council undertakes a review of the Community Group Loan Guarantee Policy in 2021-2022.**

**CARRIED**

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**Attachments**

1. Application for loan guarantee - Cobden Football Netball Club Inc. - Under Separate Cover - Confidential
2. 2019 Financial Statements - Cobden Football Netball Club Inc. - Under Separate Cover - Confidential
3. 2020 Interim Financials - Cobden Football Netball Club Inc. - Under Separate Cover - Confidential
4. Cashflow Projection - Cobden Football Netball Club Inc. - Under Separate Cover - Confidential

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## 9.10 Finance Report - March 2021

**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 March 2021 and to approve changes to the 2020-2021 reviewed budget, that have resulted from a quarterly review of operations.

### **Introduction**

Council adopted the 2020-2021 Budget at a Special Council meeting in June 2020. At the August 2020 ordinary Council meeting a number of 2019-2020 projects and grants paid in advance were identified as being required to be carried forward to the 2020-2021 year. Council also approved 2020-2021 budget variations in January 2021.

During the March quarter, managers conducted a review of budgets and the required funds to deliver programs and initiatives. This report is seeking approval of the changes which will increase the cash position by \$2,128,688. Council's year to date financial performance for 2020-2021 is currently favourable to budget.

### **Issues**

#### ***Budget Variations***

Council's target cash position is \$5 million or greater on an annual basis. The cash position as at 30 June 2020 was \$21.87 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 2020 will fund the carry forward budget adjustments approved in September 2020 and improve the starting position for the 2020-2021 budget. A summary of forecast cash position after the inclusion of the March quarter review is detailed below

Cash position as at 30 June 2020	\$21,865,000
2020-2021 adopted surplus / (deficit)	(\$2,739,364)
2019-2020 carry forwards (net)	(\$9,525,334)
2020-2021 December quarter budget adjustments	(\$854,472)
2020-2021 March quarter adjustments	\$2,128,687
<b>2020-2021 Forecast "cash" Surplus/(Deficit)</b>	<b><u>\$10,874,517</u></b>

A summary of the March quarter forecast budget adjustments is as follows:

Recurrent operations	\$1,054,124
Operating projects	\$384,460
Capital projects	\$690,103
<b>Total March quarter forecast budget adjustments</b>	<b><u>\$2,128,687</u></b>

### ***Financial Performance***

Council's financial performance for 2020-2021 is on target with a year to date favourable cash variance of \$3,359,854 compared to budget. Main contributors to the better than forecast cash result at 31 March are:

- Rating income is \$249,525 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 grants income is \$864,849 favourable to budget due to timing difference.
- Employee expenditure is \$999,846 favourable to budget due to positions (vacant or late filled) predominately associated with Working for Victoria funding. Amounts unspent from the Working for Victoria program will be carried forward or returned to the government.
- Materials and services are \$463,612 favourable to budget due to operating projects running behind schedule, some of these projects will need to be carried forward to future years.
- \$770,796 capital expenditure favourable variance can be attributed to some projects being behind scheduled and some timing issues. Refer to the capital detail report within the attached report for a full listing of projects and their current status.

### **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 2021 will differ from the reviewed budget due to the quarterly review of operations.

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

### Options

Council may choose to:

1. Approve the adjustments to the 2020-2021 forecast budget resulting from a review of operations in the March 2021 quarter.
2. Not accept the adjustments to the 2020-2021 forecast budget.

### Conclusion

Council's financial performance for 2020-2021 remains on target. The year to date cash variance of \$3,359,854 is favourable compared to budget, this is primarily due to timing issues and some projects being behind schedule. After the proposed quarterly adjustments of \$2,128,688 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 March 2021.**
2. **Approves the adjustments to the 2020-2021 forecast budget.**

### COUNCIL RESOLUTION

**MOVED:** *Cr Conheady*

**SECONDED:** *Cr Beard*

**That the recommendation be adopted.**

**CARRIED**

### Attachments

1. Finance Report - March 2021

# Quarterly Finance Report

31 March 2021



## Finance Report

### Attestation

As Chief Executive Officer I have determined a revised budget as described under section 95 of the Local Government Act 2020 is not required to be prepared and adopted by Council. This statement is made in accordance with section 97(3) of the Local Government Act 2020.

*Andrew Mason CEO*

In my opinion the information set out in this report presents fairly the financial transactions for the period ended 31 March 2021. All statutory obligations which relate to the period of this report have been made.

*Adam Taylor CPA*

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### 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

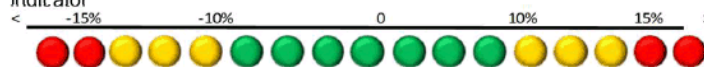
**Adopted Budget** represents the Budgeted adopted by the Council in June.

**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



## Performance Summary

The performance summary provides a high level overview of the year to date (YTD) cash result against budget. The report also projects the overall cash balance available to Council at the end of the financial year, this cash balance provides a starting point for future budgets.

	Adopted Budget	Reviewed Budget	Forecast Budget	YTD Budget	YTD Actuals	YTD Variance fav/(unfav)	
						\$	%
Recurrent Operations	(9,300,894)	(14,858,877)	(13,932,276)	(10,026,685)	(8,446,378)	1,580,306	16%
Rate Income	22,199,831	22,199,831	22,363,855	22,356,171	22,605,697	249,525	1%
Net Loans	0	0	0	0	0	0	0%
Projects	(4,941,500)	(5,876,166)	(5,491,706)	(1,324,860)	(558,663)	766,196	58%
Capital	(10,697,945)	(14,662,000)	(14,052,584)	(5,608,816)	(4,634,636)	974,181	17%
Proceeds from sale of property, infrastructure, plant & equi	390,000	504,000	584,687	249,324	196,826	(52,498)	(21%)
External Loan Funds	11,867	11,867	11,867	0	9,220	9,220	0%
Reserve Transfers	(350,723)	(170,374)	(170,374)	0	18,678	18,678	0%
Extraordinary Events	(50,000)	(267,450)	(267,450)	(12,589)	(198,343)	(185,755)	(1476%)
<b>Surplus/(Deficit)</b>	<b>(2,739,364)</b>	<b>(13,119,170)</b>	<b>(10,953,983)</b>	<b>5,632,546</b>	<b>8,992,399</b>	<b>3,359,854</b>	<b>60%</b>
Surplus/(Deficit) B/forward	10,921,974	21,865,000	21,865,000				
<b>Surplus/(Deficit) at end of year</b>	<b>8,182,610</b>	<b>8,745,830</b>	<b>10,911,017</b>				

Note: Figures in brackets indicate cost to Council

Unfavourable variances shown in brackets

## Key Financial Indicators

The financial and non-financial sustainability indicators are used to assess the financial sustainability risks of councils. These indicators should be considered collectively and are more useful when assessed over time as part of a trend analysis.

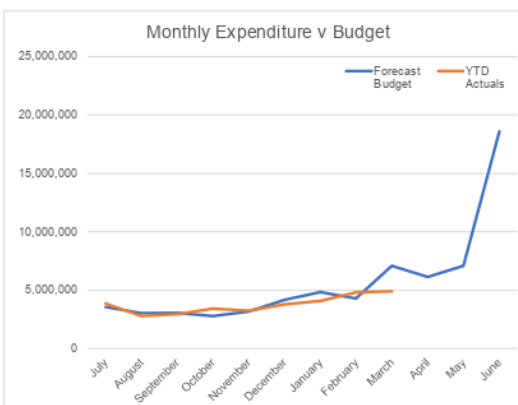
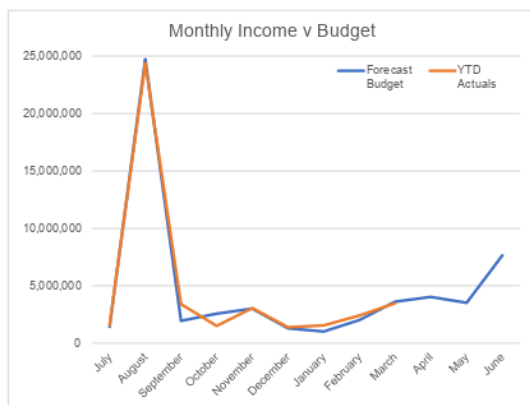
Key Performance Indicators	Adopted Budget	Reviewed Budget	Forecast Budget	YTD Actuals
<b>Adjusted Underlying Result</b> (Adjusted underlying surplus (or deficit) / Adjusted underlying revenue)	9.3%	0.1%	3.4%	42.4%
<b>Liquidity (ratio)</b> (Current assets/Current liabilities)	3.89	2.53	2.71	4.93
<b>internal financing (%)</b> (cash generated from operating activities/Revenue)	86.3%	40.3%	40.1%	15.3%
<b>Indebtedness %</b> (non-current liabilities/Own source revenue)	9.7%	30.9%	30.3%	33.7%
<b>Renewal Gap (ratio)</b> (renewal and upgrade expenditure / Depreciation)	1.03	1.51	1.47	Only assessed at year end after depreciation



## Cash Budget

The cash budget compares Council's financial plan, expressed through its annual budget, with actual performance. This report notes the cash movement of all Council activities (ignoring any accounting adjustments). Council has adopted a materiality threshold of the lower of 10 percent and at least \$100,000 where further explanation is provided. Explanations have not been provided for variations below the materiality threshold unless the variance is considered to be material because of its nature.

	Adopted Budget	Reviewed Budget	Forecast Budget	YTD Budget	YTD Actuals	YTD Variance fav/(unfav)	Ref
						\$ %	
<b>REVENUE</b>							
Rates and charges	22,199,831	22,199,831	22,363,855	22,356,171	22,605,697	249,525 1%	1
Statutory fees and fines	523,500	523,500	615,125	690,677	564,973	(125,705) (18%)	2
User fees	6,094,542	6,094,356	6,537,431	4,660,640	4,541,699	(118,941) (3%)	3
Contributions - monetary	632,631	2,023,438	2,013,438	1,436,957	1,413,879	(23,078) (2%)	
Grants - Operating	11,621,816	10,160,767	10,169,689	7,390,477	8,255,326	864,849 12%	4
Grants - Capital	9,119,110	11,898,173	12,078,098	4,514,240	4,669,502	155,262 3%	5
Other Revenue	594,887	554,887	554,887	381,144	504,448	123,303 32%	6
Proceeds from sale of property, infrastructure, plant & equi	390,000	504,000	584,687	249,324	196,826	(52,498) (21%)	
External Loan Funds Received	11,867	11,867	11,867	0	9,220	9,220 0%	
Transfer From Reserves	1,771,427	1,951,776	1,951,776	0	48,678	48,678 0%	
<b>Total Revenue</b>	<b>52,959,610</b>	<b>55,922,595</b>	<b>56,880,853</b>	<b>41,679,631</b>	<b>42,810,246</b>	<b>1,130,615 3%</b>	
<b>EXPENDITURE</b>							
Employee benefits	15,743,744	18,813,370	18,601,221	13,964,935	12,965,089	999,846 (7%)	7
Materials and services	14,572,725	16,876,108	16,495,362	8,829,044	8,365,432	463,612 (5%)	8
Bad and doubtful debts	2,000	2,000	2,000	0	0	0 0%	
Other expenses	2,961,300	3,558,043	3,383,499	2,591,129	2,566,144	24,985 (1%)	
Capital Expenditure	20,297,055	27,670,094	27,230,604	10,661,978	9,891,182	770,796 (7%)	9
Transfer From Reserves	2,122,150	2,122,150	2,122,150	0	30,000	(30,000) 0%	
<b>Total Expenditure</b>	<b>55,698,974</b>	<b>69,041,765</b>	<b>67,834,836</b>	<b>36,047,085</b>	<b>33,817,847</b>	<b>2,229,239 6%</b>	
<b>Surplus/(Deficit)</b>	<b>(2,739,364)</b>	<b>(13,119,170)</b>	<b>(10,953,983)</b>	<b>5,632,546</b>	<b>8,992,399</b>	<b>3,359,854 60%</b>	



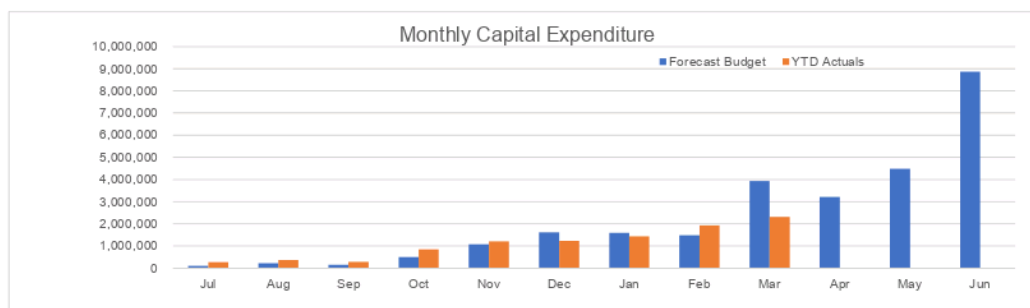
### Comments

- Supplementary rates which are still subject to objection, the income will be reforecast when the objection has been finalised.
- Timing issues associated with the payments of statutory fees at the landfill and waiver of food premise permits as a COVID-19 support measure.
- Predominately due to timing issues associated with Kindergarten user fees which are being paid by State Government.
- Large number of operating project grants have been paid in advance.
- Federal funding for Local Roads and Community Infrastructure has been paid in advance of completing projects.
- Investment returns are currently running ahead of budget however we expect this to change as investments are renewed at lower rates.
- A number of vacant positions in relation to the Working For Victoria Program have created a favourable variance (\$495K), as this program is government funded any unspent funds will be carried forward to future years. The balance of the favourable variance is associated with timing differences and difficulties in recruiting to vacant positions.
- A number of operating projects are currently behind schedule, whilst Council will aim to finalise these projects prior to year end a number of projects will need to be carried forward to future years.
- The favourable variance can be attributed to some projects being behind scheduled and some incorrect phasing of projects. Given the high level of capital projects for the year this is an area of focus for Council. Please see the capital detail report for a full listing of projects and their current status.

## Summary of Capital Works

The summarised statement of capital works presents Council's performance against the forecast capital budget by category.

Capital Type	Adopted Budget	Reviewed Budget	Forecast Budget	YTD Budget	YTD Actuals	Variance
<b>Property</b>						
Buildings	658,000	4,187,295	4,152,423	1,669,212	1,711,580	(42,368)
Land	450,000	450,000	450,000	0	53,089	(53,089)
<b>Total Property</b>	<b>1,108,000</b>	<b>4,637,295</b>	<b>4,602,423</b>	<b>1,669,212</b>	<b>1,764,669</b>	<b>(95,457)</b>
<b>Plant and Equipment</b>						
Information Technology	155,000	163,119	155,000	120,000	40,144	79,856
Plant, Machinery & Equipment	1,541,000	1,576,000	1,537,000	624,728	578,732	45,996
<b>Total Plant and Equipment</b>	<b>1,696,000</b>	<b>1,739,119</b>	<b>1,692,000</b>	<b>744,728</b>	<b>618,877</b>	<b>125,851</b>
<b>Infrastructure</b>						
Bridges	420,000	984,252	977,252	370,000	238,326	131,674
Drainage	100,000	283,403	156,515	51,515	26,515	25,000
Footpaths & Cycleways	35,000	503,000	463,000	173,000	296,438	(123,438)
Kerb & Channel	136,000	136,000	139,000	139,000	41,941	97,059
Waste Management	1,051,000	1,208,898	1,192,005	449,831	688,504	(238,674)
Parks, Open Space & Streetscapes	750,000	1,620,831	1,656,622	158,197	313,248	(155,051)
Roads	8,681,055	9,048,841	8,843,331	5,899,445	4,890,597	1,008,848
Other Infrastructure	50,000	50,000	50,000	0	0	0
Recreational, Leisure & Community Facilities	6,270,000	7,458,455	7,458,456	1,007,050	1,012,067	(5,017)
<b>Total Infrastructure</b>	<b>17,493,055</b>	<b>21,293,680</b>	<b>20,936,181</b>	<b>8,248,037</b>	<b>7,507,636</b>	<b>740,402</b>
<b>Total capital works expenditure</b>	<b>20,297,055</b>	<b>27,670,094</b>	<b>27,230,604</b>	<b>10,661,978</b>	<b>9,891,182</b>	<b>770,796</b>
<b>Represented by:</b>						
New asset expenditure	7,776,000	9,314,648	9,376,255	1,759,243	2,107,663	(348,421)
Asset renewal expenditure	10,032,055	11,931,102	11,796,036	6,043,308	5,305,509	737,799
Asset upgrade expenditure	2,489,000	6,424,344	6,058,312	2,859,427	2,478,009	381,418
<b>Total capital works expenditure</b>	<b>20,297,055</b>	<b>27,670,094</b>	<b>27,230,604</b>	<b>10,661,978</b>	<b>9,891,182</b>	<b>770,796</b>



### Capital Project Detail Report

Project Name	Project Status	Adopted Budget	Reviewed Budget	Forecast Budget	YTD Budget	YTD Actuals	Variance
<b>PROPERTY</b>							
<b>Buildings</b>							
Berrybank Windfarm Community Project - Audio Visual	Completed	70,000	70,000	70,000	0	52,872	(52,872)
Botanic Gardens - New Toilet Facility - Construction Lakes and Craters Holiday Park	In Progress	0	200,000	200,000	200,000	180,958	19,044
Camperdown Community Centre - Killara Centre Toilet Upgrades	Completed	0	0	0	0	(571)	571
Camperdown Courthouse Ramp	In Progress	0	125,000	125,000	0	4,305	(4,305)
Camperdown Killara Centre - Internal Paint	Completed	25,000	15,000	15,000	15,000	14,881	119
Camperdown Theatre Royal - Safety Works	In Progress	25,000	25,000	25,000	0	4,000	(4,000)
Civic Centre - McNicoll Street Building Heating and Cooling	Not Started	75,000	75,000	75,000	0	0	0
Civic Centre Alarm & PA System	Completed	0	20,000	15,500	0	15,432	(15,432)
Civic Centre Back Storage Shed - Replace Rotten Timber, Windows and Repaint	In Progress	0	35,000	35,000	35,000	1,557	33,443
Cobden kinder upgrades	In Progress	0	948,818	948,818	100,000	207,090	(107,090)
Cobden Senior Citizens Centre - Kitchen replacement	In Progress	35,000	35,000	35,000	0	2,612	(2,612)
Darlington Hall roof replacement - Berrybank Windfarm community project	Completed	0	35,200	35,200	35,200	15,820	19,380
David Newman Centre - Replace Weather Boards	Completed	0	2,193	2,193	0	2,193	(2,193)
Derrinallum Public Toilets - Replace	In Progress	0	175,000	175,000	0	2,001	(2,001)
Energy and Water Savings	In Progress	50,000	95,000	95,000	0	12,780	(12,780)
Lismore Community Centre - Replace Kitchen Ceiling and Veranda Posts	Completed	0	5,000	0	0	0	0
Lismore Pool wet deck - Berrybank Windfarm community project	In Progress	125,000	374,225	374,225	374,225	308,975	65,250
Lismore Public Toilets Septic Upgrade	In Progress	100,000	153,636	178,672	178,672	136,050	42,622
Mobile Child Care Sustainability Funding	Not Started	48,000	48,000	48,000	48,000	0	48,000
Public Toilet Renewal	Completed	0	59,000	59,000	59,000	30,590	28,410
Public Toilet Renewal - South Beach and Princetown	In Progress	20,000	20,000	20,000	20,000	6,936	13,064
Saleyards Roof Replacement/Removal	Deferred	0	33,420	0	0	0	0
Simpson Bowling Clubroom Upgrade	In Progress	0	400,000	400,000	0	4,473	(4,473)
Skipton kinder upgrade	In Progress	0	400,000	400,000	0	91,607	(91,607)
Skipton Kindergarten - Redevelopment Planning and Construction	In Progress	0	0	0	0	49,829	(49,829)
Swimming Pool Upgrades	Completed	60,000	60,000	60,000	60,000	43,060	16,940
Terang Civic Hall - Main Entrance & Toilet Renewal	In Progress	0	134,751	134,751	101,063	103,124	(2,061)
Terang Estocourt Street Toilets - Replacement	In Progress	0	175,000	175,000	0	53,333	(53,333)
Timboon Depot - Replace Damaged Sections of Perimeter Fence	Completed	25,000	25,000	8,012	0	8,012	(8,012)
Waste Treatment Review, Design and Implementation	Completed	0	443,052	443,052	443,052	359,563	83,489
<b>Total Buildings</b>		<b>658,000</b>	<b>4,187,295</b>	<b>4,152,423</b>	<b>1,669,212</b>	<b>1,711,580</b>	<b>(42,368)</b>
<b>Land</b>							
Lake Bullen Merri Management Plan Implementation North Beach	In Progress	50,000	50,000	50,000	0	0	0
Purchase - 38 Timboon-Curdievale Road Timboon	In Progress	400,000	400,000	400,000	0	0	0
Purchase - Timboon Port Campbell road	Completed	0	0	0	0	53,089	(53,089)
<b>Total Land</b>		<b>450,000</b>	<b>450,000</b>	<b>450,000</b>	<b>0</b>	<b>53,089</b>	<b>(53,089)</b>
<b>TOTAL PROPERTY</b>		<b>1,108,000</b>	<b>4,637,295</b>	<b>4,602,423</b>	<b>1,669,212</b>	<b>1,764,669</b>	<b>(95,457)</b>
<b>PLANT AND EQUIPMENT</b>							
<b>Information Technology</b>							
Accounts Payable Automation	Completed	0	8,119	15,000	0	0	0
Air conditioner upgrade - server room	Completed	20,000	20,000	20,000	0	0	0
Architecture for improvement of connectivity and internet speeds to the Civic Centre and Killara complex	Not Started	15,000	15,000	0	0	0	0
Install a Disability parking Permit Self-help station	Completed	15,000	15,000	15,000	15,000	8,654	6,346
iPhones and iPads for new Council	Completed	30,000	30,000	30,000	30,000	29,947	53
Mobile computing initiative and development	In Progress	25,000	25,000	25,000	25,000	1,544	23,456
Renew/Upgrade Wireless links	In Progress	50,000	50,000	50,000	50,000	0	50,000
<b>Total Information Technology</b>		<b>155,000</b>	<b>163,119</b>	<b>155,000</b>	<b>120,000</b>	<b>40,144</b>	<b>79,856</b>
<b>Plant, Machinery &amp; Equipment</b>							
GPS Purchase and Install	In Progress	0	0	0	0	4,101	(4,101)
Heavy Plant Replacement Program	In Progress	1,047,000	1,047,000	1,047,000	250,000	250,841	(841)
Light Fleet Replacement Program	In Progress	464,000	499,000	460,000	374,728	296,418	78,310
Minor Plant Purchases	In Progress	30,000	30,000	30,000	0	27,373	(27,373)
<b>Total Plant, Machinery &amp; Equipment</b>		<b>1,541,000</b>	<b>1,576,000</b>	<b>1,537,000</b>	<b>624,728</b>	<b>578,732</b>	<b>45,996</b>
<b>TOTAL PLANT AND EQUIPMENT</b>		<b>1,696,000</b>	<b>1,739,119</b>	<b>1,692,000</b>	<b>744,728</b>	<b>618,877</b>	<b>125,851</b>
<b>INFRASTRUCTURE</b>							
<b>Bridges</b>							
Bomong Road Bridge Timber deck replacement	In Progress	0	131,785	131,785	60,000	0	60,000
Castle Carey Bridge (B025) Realignment	Completed	0	287,000	250,000	250,000	237,728	12,274
Four Tree Road Bridge Timber deck replacement	In Progress	120,000	120,000	120,000	0	0	0
Kennedys Creek Road Culvert Replacements	In Progress	150,000	180,000	180,000	60,000	0	60,000
McMinns Access Road Bridge replacement	In Progress	0	115,467	115,467	0	0	0
Williams Road Culvert Replacement at Ch 6.44km	In Progress	150,000	150,000	180,000	0	600	(600)
<b>Total Bridges</b>		<b>420,000</b>	<b>984,252</b>	<b>977,252</b>	<b>370,000</b>	<b>238,326</b>	<b>131,674</b>
<b>Drainage</b>							
Barrett Street Timboon Drainage Replacement	Completed	50,000	50,000	26,515	26,515	26,515	0
Cobden Lake Downstream Improvements	In Progress	0	183,403	80,000	0	0	0
Dawson Street Camperdown Drainage Alterations	In Progress	50,000	50,000	50,000	25,000	0	25,000
<b>Total Drainage</b>		<b>100,000</b>	<b>283,403</b>	<b>156,515</b>	<b>51,515</b>	<b>26,515</b>	<b>25,000</b>

Project Name	Project Status	Adopted Budget	Reviewed Budget	Forecast Budget	YTD Budget	YTD Actuals	Variance
<b>Footpaths &amp; Cycleways</b>							
Baynes Street, Austin Avenue, Cameron Street Terang footpath	Completed	0	60,000	50,000	0	49,871	(49,871)
Camperdown-Cobden Road Camperdown footpath	Completed	0	160,000	140,000	0	138,398	(138,398)
Camperdown-Cobden Road Pathway Cobden - Bond St to Cemetery Road	In Progress	18,000	27,000	27,000	27,000	3,383	23,617
Footpath - High St, Terang, The Promenade to Civic Hall	In Progress	0	34,000	34,000	34,000	0	34,000
Hennessey Street Boardwalk Replacement	In Progress	0	95,000	95,000	95,000	69	94,931
Hennessey Street Port Campbell footpath	Completed	0	110,000	100,000	0	87,578	(87,578)
Robinson Street Footpath Replacement Outside Hospital Camperdown	Completed	17,000	17,000	17,000	17,000	17,138	(138)
<b>Total Footpaths &amp; Cycleways</b>		<b>35,000</b>	<b>503,000</b>	<b>463,000</b>	<b>173,000</b>	<b>296,438</b>	<b>(123,438)</b>
<b>Kerb &amp; Channel</b>							
Kerb and Channel - West Side Brooke St, Camperdown Renewal		0	0	0	0	185	(185)
Parrott St, Cobden Lord St to Vagg St	In Progress	59,000	59,000	59,000	59,000	415	58,585
Scott St Camperdown, Adeney St to Morris St & Leura St to Curdie St	In Progress	30,500	30,500	30,500	30,500	0	30,500
Scott St Skipton Smythe St to Osborne St	Completed	30,000	30,000	33,000	33,000	33,851	(851)
Timboon-Curdievale Rd, Timboon Bailey St to Haywards Rd	Completed	16,500	16,500	16,500	16,500	7,491	9,009
<b>Total Kerb &amp; Channel</b>		<b>136,000</b>	<b>136,000</b>	<b>139,000</b>	<b>139,000</b>	<b>41,941</b>	<b>97,059</b>
<b>Waste Management</b>							
Cell 14B Side Liner	Completed	233,000	233,000	233,000	0	32,207	(32,207)
Corangamite Landfill - Office Facility Design and Construction	Completed	0	125,898	125,898	15,831	56,468	(40,637)
Corangamite Landfill - Security Fencing	Completed	35,000	35,000	35,000	0	39,861	(39,861)
E-waste infrastructure upgrades (non funded sites)	Completed	0	32,000	15,107	0	15,107	(15,107)
Landfill - Cell 15a Lining	In Progress	434,000	434,000	434,000	434,000	538,830	(104,830)
Landfill - Cell 13 Cap Construction	Deferred	349,000	349,000	349,000	0	6,032	(6,032)
<b>Total Waste Management</b>		<b>1,051,000</b>	<b>1,208,898</b>	<b>1,192,005</b>	<b>449,831</b>	<b>688,504</b>	<b>(238,674)</b>
<b>Parks, Open Space &amp; Streetscapes</b>							
Camperdown Streetscape Stage 3 - War Memorial	In Progress	0	200,000	145,425	0	469	(469)
Cobden Streetscape - Construction	In Progress	300,000	300,000	330,000	0	15,075	(15,075)
Cobden Streetscape - Design	Completed	0	50,000	27,638	27,638	27,638	(0)
Cobden Town Centre Beautification	In Progress	0	300,000	300,000	0	69	(69)
Derrinalum Streetscape - Construction	Completed	0	169,572	169,572	29,572	27,376	2,196
Growing Victoria Grant - Botanic Garden	Not Started	0	0	83,000	0	0	0
Port Campbell streetscape - Construction	Not Started	0	0	0	0	158,912	(158,912)
Port Campbell streetscape - Design	Completed	0	99,489	99,489	99,489	73,416	26,073
Street Furniture Asset Renewal	Completed	0	1,770	1,500	1,500	1,437	63
Timboon Streetscape Town Centre Activation	In Progress	450,000	500,000	500,000	0	8,858	(8,858)
<b>Total Parks, Open Space &amp; Streetscapes</b>		<b>750,000</b>	<b>1,620,831</b>	<b>1,656,622</b>	<b>158,197</b>	<b>313,248</b>	<b>(155,051)</b>
<b>Roads</b>							
Blake Street, Skipton-Beaufort Rd to Bridge St, Skipton Rehab Kerb & Channel Renewal	In Progress	140,000	175,000	175,000	175,000	87,282	87,718
Centre Rd, Simpson (5.1km to 5.88km) Rehab	Completed	21,000	21,000	21,000	21,000	0	21,000
Church Street (railway to Gellie St) Camperdown Widening	Completed	4,500	60,000	50,000	50,000	52,037	(2,037)
County Boundary Road East Upgrade	Completed	59,500	59,500	59,500	59,500	8	59,492
Dalvui Lane Crest widening rehab	In Progress	70,000	70,000	70,000	0	29,547	(29,547)
Depot Road Upgrade inc Old Geelong Road Intersection	In Progress	10,000	388,085	460,000	460,000	62,946	397,054
Digneys Bridge Road (0km to 0.95km) Rehab	Completed	23,500	23,500	23,500	23,500	0	23,500
East Hill Road (0.4km to 1.74km) Rehab	Completed	427,000	580,000	460,000	460,000	457,202	2,798
Eastern Creek Road (7.98km to 9.03km) Rehab	Completed	29,500	29,500	29,500	29,500	0	29,500
Foxhow Berrybank Road Widening, Berrybank	Completed	178,000	840,000	920,000	920,000	899,482	20,518
Implement selected 4D road upgrades Hawkins Road, Lower Darlington Road and Pipeline Track Upgrades	In Progress	300,000	300,000	300,000	300,000	273,660	26,340
Jancourt Road (4.35km to 5.05km) Rehab	Completed	19,000	19,000	19,000	19,000	9	18,991
Koalliah Road (Heytesbury) (1.84km to 2.88km) Rehab and seal	In Progress	15,000	93,998	93,998	93,998	483	93,515
Linton Road (5.3km to 7.2km) Rehab	Completed	399,000	617,000	684,000	684,000	674,605	9,395
Lismore-Pittong Road (15.91km to 17.80km) Rehab	Completed	36,000	36,000	36,000	36,000	0	36,000
Local Roads and Community Infrastructure Funding (Projects to be confirmed)	In Progress	2,285,555	885,000	885,000	0	0	0
N Robilliards Road (Ch 0.4km to 1.3km) Rehab	Completed	238,000	238,000	270,000	113,445	263,303	(149,858)
N Robilliards Road/ Timboon-Nullawarre Road Road Intersection	Completed	0	43,065	43,065	43,065	0	43,065
New Coorimungle Road (Ch.1.3km to 2.45km) Rehab	Completed	34,000	34,000	34,000	34,000	0	34,000
Preparation Prior to Reseal	Completed	200,000	200,000	290,000	290,000	281,140	8,860
Resealing Program	Completed	1,857,000	1,857,000	1,857,000	978,847	661,453	317,394
Resheeting Program	In Progress	881,000	881,000	881,000	451,821	699,525	(247,704)
Skipton Truck Parking Area - South side	In Progress	0	80,000	80,000	80,000	490	79,822
Slurry Seal Program Trial	Completed	300,000	300,000	300,000	0	805	(805)
Talindert Road (1.08km to 2.15km) Widen & Rehab	Completed	318,000	318,000	310,000	310,000	286,178	23,822
Terang Framlingham Road (Ch. 1.23km to 2.46km) Rehab	In Progress	325,000	325,000	325,000	100,000	80,217	19,783
Timboon Curdievale Road Bridge Approach Rectification	Completed	50,000	50,000	40,000	40,000	38,947	1,053
Tomahawk Creek Road and Williams Road upgrade	Completed	0	16,693	6,693	6,693	0	6,693
Undertake shoulder improvements on select roads Kurweeton Road, Newminister Road, Boundary Road Cobden	In Progress	200,000	200,000	200,000	0	0	0
Windham Street Skipton Seal	In Progress	0	50,000	104,575	104,575	40,444	64,131
Wiridgl Road (Ch. 1.67km to 3.17km) Widen & Rehab	Deferred	445,000	445,000	0	0	125	(125)
Wright Street (Sunyside to Princes Hwy) Camperdown Widening	Completed	15,500	15,500	15,500	15,500	709	14,791
<b>Total Roads</b>		<b>8,681,055</b>	<b>9,048,841</b>	<b>8,843,331</b>	<b>5,899,445</b>	<b>4,890,597</b>	<b>1,009,160</b>

Project Name	Project Status	Adopted Budget	Reviewed Budget	Forecast Budget	YTD Budget	YTD Actuals	Variance
<b>Other Infrastructure</b>							
Berrybank Windfarm - Public Art 2 Skipton	In Progress	50,000	50,000	50,000	0	0	0
<b>Total Other Infrastructure</b>		<b>50,000</b>	<b>50,000</b>	<b>50,000</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Recreational, Leisure &amp; Community Facilities</b>							
Cobden Skatepark Upgrade	In Progress	20,000	21,298	21,298	21,298	0	21,298
Lake Bullen Merri Ramp	Completed	0	57,810	57,810	57,810	47,250	10,560
Playground Renewal - Jubilee Park Skipton	In Progress	30,000	30,000	30,000	0	5,463	(5,463)
Skipton Skate Park - Construction	Completed	0	190,000	190,000	0	180,569	(180,569)
Skipton Skate Park - Design	Completed	20,000	0	0	0	0	0
Twelve Apostles Trail - Stage 1 Timboon to Port Campbell Year 1 - Construction	In Progress	8,200,000	7,159,349	7,159,349	927,944	798,785	129,159
<b>Total Recreational, Leisure &amp; Community Facilities</b>		<b>6,270,000</b>	<b>7,458,455</b>	<b>7,458,456</b>	<b>1,007,050</b>	<b>1,012,067</b>	<b>(5,017)</b>
<b>TOTAL INFRASTRUCTURE</b>		<b>17,493,055</b>	<b>21,293,680</b>	<b>20,936,181</b>	<b>8,248,037</b>	<b>7,507,636</b>	<b>740,714</b>
<b>TOTAL CAPITAL WORKS</b>		<b>20,297,055</b>	<b>27,670,094</b>	<b>27,230,604</b>	<b>10,661,978</b>	<b>9,891,182</b>	<b>771,108</b>

### Budget Variations - March quarter

This report details the budget variations seeking approval from Council. The reviewed budget column is showing the current approved budget and the forecast column the proposed new budget. The favourable (unfavourable) column is a the sum of the change required.

Project Name	Adopted Budget	Reviewed Budget	Forecast Budget	Favourable / (Unfavourable)	Comment
<b>Recurrent Operations</b>					
Commonwealth Home Support Programs	(67,529)	(100,281)	(94,870)	11,411	Additional federal grants received
Environment Health Services	(100,228)	(100,228)	(140,228)	(40,000)	Agency costs to backfill vacant health officer position
Road Closures	(11,259)	(11,259)	(5,680)	5,579	Reduction in road closure requests due to COVID-20
Light Fleet	388,206	388,206	438,206	50,000	Reduction in fuel expenditure
Staff Vacancies	80,000	80,000	0	(80,000)	Allocation of budgeted staff vacancies
Council Remuneration	(315,065)	(315,065)	(256,300)	59,365	reduction in training and savings due to caretaker period
Executive Services	(914,546)	(914,546)	(467,546)	47,000	savings due to staff vacancies and reduced training and travel costs
Community Relations	(822,672)	(822,672)	(779,672)	43,000	savings due to staff vacancies
Port Campbell Information Centre	(316,222)	(316,222)	(284,722)	31,500	savings due to staff vacancies
Community Services Management	(251,695)	(251,695)	(288,902)	(17,207)	allocation of trainee costs
Kindergartens	5,442	(2,430)	5,441	7,871	Changes as a result of 3 year old kindergarten rollout
HR & Risk Management	(273,113)	(292,513)	(306,013)	(13,500)	Additional cost for completion of staff survey
Corporate Purchasing	(62,900)	(62,900)	(67,900)	(5,000)	Reduction in usage printing and stationary supplies
Educational Gym Program	(10,827)	(10,827)	(16,533)	(5,706)	Reduction in user fees due to COVID-20
Hall Programmed Maintenance	(35,403)	(35,403)	0	35,403	New contract being developed which will not start until 1 July
Landfill Operations - Nangitid	1,598,330	1,598,330	1,962,580	364,250	Additional landfill income due to new contracts
Sustainability Management Admin	(210,128)	(210,128)	(195,128)	25,000	savings due to staff vacancies
Planning	(404,004)	(417,004)	(280,594)	156,500	Increased demand for planning services and savings in anticipated legal costs
Building	84,883	80,683	110,683	30,000	Increased demand for building inspections
Environment & Emergency Management	(252,979)	(252,979)	(244,979)	8,000	reduction in anticipated training costs
Engineering Administration	(808,438)	(808,438)	(733,438)	75,000	savings due to staff vacancies and reduced training and travel costs
Campdown Depot	(172,625)	(172,625)	(190,625)	(18,000)	Additional costs due to replacement of equipment
Timbon Depot	(20,562)	(20,562)	(11,562)	9,000	Reduction in anticipated maintenance costs
Heavy Plant	1,195,456	1,195,456	1,238,966	53,500	Reduction in fuel expenditure
Rates Income	22,239,831	22,199,831	22,363,865	164,024	Additional supplementary rate income
Risk	(728,592)	(713,939)	(726,939)	(13,000)	Additional funds required for Business Continuity Plan review
Organisational Training	(60,500)	(70,500)	(60,500)	20,000	Reduction in staff training due to COVID-20
Sports Centre New - Campdown	(34,165)	(34,165)	(24,165)	10,000	Connection to electricity costs. Incorrect budget.
Sports Centre - Cobden	(9,209)	(9,209)	(4,109)	5,100	Maintenance budget not required
Sports Centre - Timbon	(11,589)	(11,589)	(9,353)	(2,764)	Reduction in user fees due to COVID-20
Pre School MCH Programmed Maint	(18,285)	(18,285)	0	18,285	New contract being developed which will not start until 1 July
Monument Conservation	(12,789)	(12,789)	(4,848)	7,853	New contract being developed which will not start until 1 July
Programmed Maintenance - Tablets	(24,387)	(24,387)	(7,500)	16,887	New contract being developed which will not start until 1 July
Council Hazard Removal	(100,981)	(100,981)	(70,481)	30,500	Reduction of funding to roadside slashing budget
Signs & Line Marking	(30,000)	(30,000)	(15,000)	15,000	Reduction in scope of program
Roadside Vegetation Slashing Program	(113,545)	(113,545)	(198,910)	(85,365)	additional roadside slashing required due to summer climate
Dust Suppression	(39,789)	(39,789)	(45,789)	(6,000)	Additional requests made
Vehicle License Maintenance	(30,000)	(30,000)	(24,464)	5,536	Reduction in licence costs
GIS Software	(24,500)	(24,500)	(17,500)	7,000	Reduction in licence costs
Agency and Minutes Software - Distribution	(15,000)	(15,000)	(4,500)	10,500	Project completed under budget
Council Offices	(146,463)	(146,463)	(139,389)	7,008	Reduction in security costs due to new contract
SWA - Projects	132,239	132,239	99,119	(33,120)	Recalculation on anticipated income
Other minor changes	(2,453,994)	(2,588,878)	(2,542,704)	46,175	Other minor changes to recurrent budget
<b>Total recurrent operations variations</b>				<b>1,090,625</b>	



MINUTES - MEETING OF COUNCIL 27 APRIL 2021

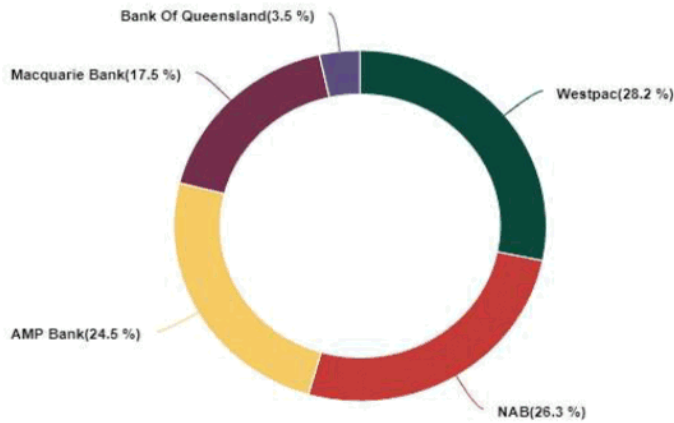
Project Name	Adopted Budget	Reviewed Budget	Forecast Budget	Favourable / (Unfavourable)	Comment
<b>Operating Projects</b>					
Port Campbell town entry signage	0	(9,000)	0	9,000	Project to be completed during streetscape upgrade
Staff Health Initiatives	(10,000)	(17,700)	(10,000)	7,700	Reduction in initiatives due to COVID-20
Infrastructure for Industrial Land	0	(50,000)	0	50,000	Project no longer required
School readiness funding	0	(22,431)	(12,574)	9,857	Project complete and acquired
Emergency Management Kits for Relief Centres in each town	0	(12,208)	(6,000)	6,208	Project completed under budget
Community Vision - Resource Support	(25,000)	(67,383)	(45,000)	22,383	Project completed under budget
Traineeships and Apprenticeship Program	(105,000)	(167,769)	0	167,769	Funds reallocated to budgets with trainees
Residential Land Review - Campedown Cobden Terang	(30,000)	(30,000)	(40,000)	(10,000)	Additional funds required to complete project
External IT Security Testing	(18,000)	(18,000)	(12,020)	5,980	Project completed under budget
Office 365 Security Review	(20,000)	(20,000)	(10,200)	9,800	Project completed under budget
New Position Coordinator EHO and Emergency	(60,000)	(60,000)	(30,000)	30,000	Delays in recruitment to position
Implement Year 1 Recommendations - Theatre Royal Innovation	(60,000)	(60,000)	0	60,000	Project to be completed in future year
Keppade Transition Plan	0	(60,000)	7,276	7,276	Project completed under budget
Other minor changes	(58,500)	(58,500)	(50,013)	8,487	Other minor changes to operating project budgets
<b>Total operating project variations</b>				<b>384,460</b>	
<b>Capital Projects</b>					
Light Fleet Replacement Program	(284,000)	(319,000)	(199,313)	119,687	Additional funds from sale of light fleet and reduction in vehicle turnover
Preparation Prior to Reseal	(200,000)	(200,000)	(290,000)	(90,000)	Additional funds required to complete project
Cattle Carey Bridge (B025) Realignment	0	(287,000)	(287,000)	37,000	Project completed under budget
Colden Lake Downstream Improvements	0	(183,403)	(80,000)	103,403	Costs are now for project planning with completion in future year
Accounts Payable Automation	0	(8,119)	(15,000)	(6,881)	Additional funds required to complete project
Saleyards Floor Replacement/Removal	0	(33,420)	0	33,420	Project to be completed in future year
Twelve Apostles Trail - Stage 1 Timboon to Port Campbell	0	(840,000)	(920,000)	80,925	Additional grants funds received for completion of project
Forbush Berrysbank Road Widening, Berrysbank	(178,000)	(325,085)	(399,000)	(90,000)	Additional funds required to complete project
Deport Road Upgrade Inc Old Geelong Road Intersection	(10,000)	(90,000)	(50,000)	73,915	Additional funds required to complete project
Church Street (railway to Galleie St) Campedown Widening	(4,500)	(90,000)	(50,000)	10,000	Project completed under budget
Colden Streetscape - Design	0	(27,836)	(27,836)	22,384	Project completed under budget
Waste infrastructure upgrades (non funded sites)	0	(32,000)	(15,107)	16,893	Project completed under budget
Williams Road Culvert Replacement at Ch 0.44km	(150,000)	(75,000)	(105,000)	(30,000)	Additional funds required to complete project
Barratt Street Timboon Drainage Replacement	(60,000)	(50,000)	(26,515)	23,485	Project completed under budget
East Hill Road (0.4km to 1.74km) Rehab	(427,000)	(590,000)	(460,000)	120,000	Project completed under budget
Widgel Road (Ch. 1.87km to 3.17km) Widen & Rehab	(445,000)	(445,000)	0	445,000	Project to be completed in future year
N Robillards Road (Ch 0.4km to 1.3km) Rehab	(238,000)	(238,000)	(270,000)	(32,000)	Additional funds required to complete project
Timboon Curdlevale Road Bridge Approach Rectification	(60,000)	(50,000)	(40,000)	10,000	Project completed under budget
Talndart Road (1.08km to 2.15km) Widen & Rehab	(318,000)	(318,000)	(310,000)	8,000	Project completed under budget
Linton Road (3.3km to 7.2km) Rehab	(399,000)	(617,000)	(684,000)	(67,000)	Additional funds required to complete project
Colden Streetscape - Construction	(300,000)	(300,000)	(330,000)	(30,000)	Additional funds required to complete project
Timboon Depot - Replace Damaged Sections of Perimeter Fence	(25,000)	(25,000)	(8,012)	16,988	Project completed under budget
Lismore Public Toilets Septic Upgrade	(100,000)	(133,639)	(178,672)	(25,036)	Additional funds required to complete project
Architecture for improvement of connectivity and internet	(15,000)	(15,000)	0	15,000	Project no longer required
Campedown-Colden Road Campedown footpath	0	(190,000)	(140,000)	20,000	Project completed under budget
Hennessy Street Port Campbell footpath	0	(110,000)	(100,000)	10,000	Project completed under budget
Baynes Street, Austin Avenue, Cameron Street Terang footpath	0	(60,000)	(50,000)	10,000	Project completed under budget
Other minor changes	(30,000)	(96,770)	(50,000)	6,770	Other minor changes to capital project budgets
<b>Total capital project variations</b>				<b>639,103</b>	
<b>Total Budget Variations</b>				<b>2,165,187</b>	

## Summary of Investments

This report shows the current level and type of investments currently in place for the Council

	Current Year Actuals
<b>Investments</b>	
Cash - Investments	28,040,090
Managed Fund - Investments	5,033,333
<b>Total Investments</b>	<b>33,073,423</b>

### Cash Investments - Summary



Weighted Average Yield  
**.062%**

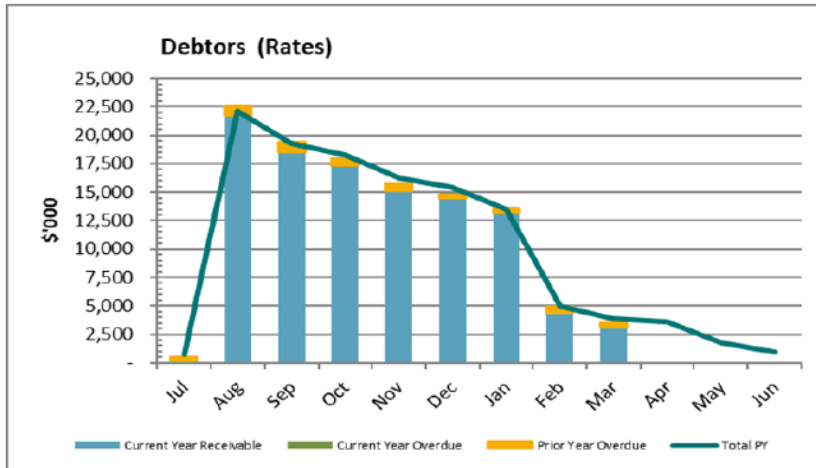
Weighted Average Term  
**312 Days**



## Outstanding Debtors

### Rate Debtors

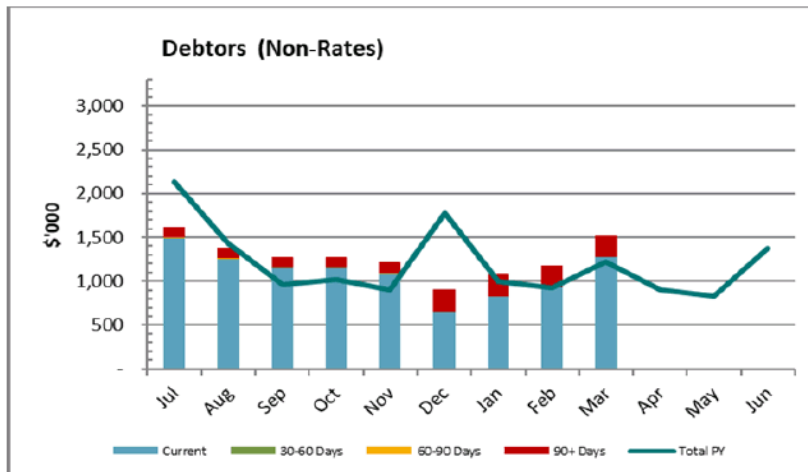
The below graph shows the current year outstanding rate debtors by month as a comparison to the previous year.



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.

### Non Rate Debtors

The below graph shows the current year outstanding non rate debtors by month as a comparison to the previous year.



Non rate debtors have increased in comparison to the previous year. There are some larger overdue landfill debtors which Council is working with to reduce. Council still hold low levels of outstanding debt.

## Income Statement for the period ended 31 March 2021

	Adopted Budget	Reviewed Budget	Forecast Budget	YTD Budget	YTD Actuals	Variance
<b>REVENUE</b>						
Rates and charges	22,199,831	22,199,831	22,363,855	22,356,171	22,605,697	249,525
Statutory fees and fines	523,500	523,500	615,125	690,677	564,973	(125,705)
User fees	6,094,542	6,094,356	6,537,431	4,660,640	4,541,699	(118,941)
Contributions - monetary	632,631	2,023,438	2,013,438	1,436,957	1,413,879	(23,078)
Grants - Operating	11,621,816	10,160,767	10,169,689	7,390,477	8,255,326	864,849
Grants - Capital	9,119,110	11,898,173	12,078,098	4,514,240	4,669,502	155,262
Other Revenue	594,887	554,887	554,887	381,144	504,448	123,303
<b>Total Revenue</b>	<b>50,786,317</b>	<b>53,454,952</b>	<b>54,332,524</b>	<b>41,430,308</b>	<b>42,555,523</b>	<b>1,125,215</b>
<b>EXPENDITURE</b>						
Employee benefits	15,743,744	18,813,370	18,564,721	13,964,935	12,965,089	999,846
Materials and services	14,572,725	16,876,108	16,531,862	8,829,044	8,365,432	463,612
Bad and doubtful debts	2,000	2,000	2,000	0	0	0
Depreciation	12,130,500	12,130,500	12,130,500	0	0	0
Finance costs	0	0	0	0	0	0
Other expenses	2,961,300	3,558,043	3,383,499	2,591,129	2,566,144	24,985
<b>Total Expenditure</b>	<b>(45,410,269)</b>	<b>(51,380,021)</b>	<b>(50,612,582)</b>	<b>(25,385,108)</b>	<b>(23,896,665)</b>	<b>1,488,443</b>
<b>Surplus/(Deficit) from Operations</b>	<b>5,376,047</b>	<b>2,074,932</b>	<b>3,719,941</b>	<b>16,045,200</b>	<b>18,658,858</b>	<b>2,613,658</b>
Proceeds from sale of property, infrastructure, plant & equip	390,000	504,000	584,687	249,324	196,826	52,498
Written down value property, infrastructure, plant and equip	484,500	484,500	484,500	0	0	0
Net (gain)/loss on disposal of property, infrastructure, plant and equipment	(94,500)	19,500	100,187	249,324	196,826	52,498
<b>Surplus/(Deficit) for Period</b>	<b>5,281,547</b>	<b>2,094,432</b>	<b>3,820,128</b>	<b>16,294,524</b>	<b>18,855,684</b>	<b>2,666,156</b>

## Balance Sheet for the period ended 31 March 2021

	Prior Year Balance	Adopted Budget	Reviewed Budget	Forecast Budget	YTD Actuals
<b>CURRENT ASSETS</b>					
Cash and cash equivalents	34,126,243	20,277,290	19,607,597	21,736,285	38,542,626
Financial Assets	5,108,568	0	5,250,000	5,250,000	5,130,883
Rate Receivables	915,981	2,400,000	2,500,000	2,500,000	3,441,387
Other Trade Receivables	1,612,919	0	0	0	1,907,058
Inventories	47,104	140,000	50,000	50,000	98,961
Other assets	646,759	1,000,000	2,000,000	2,000,000	249,990
<b>Total Current Assets</b>	<b>42,457,573</b>	<b>23,817,290</b>	<b>29,407,597</b>	<b>31,536,285</b>	<b>49,370,905</b>
<b>NON CURRENT ASSETS</b>					
Investments in associates	327,980	293,180	350,000	350,000	327,980
Trade and other receivables	13,773	25,000	0	0	7,905
WIP - Capital	1,836,671	20,297,055	27,670,094	27,230,604	11,727,852
Fixed assets	478,654,827	457,516,803	477,876,497	477,876,497	478,654,827
Right-of-use assets	6,231,906	0	5,947,528	5,947,528	6,231,906
Intangible assets	1,334,295	0	1,200,000	1,200,000	1,334,295
<b>Total Non Current Assets</b>	<b>488,399,452</b>	<b>478,132,039</b>	<b>513,044,119</b>	<b>512,604,629</b>	<b>498,284,765</b>
<b>Total Assets</b>	<b>530,857,025</b>	<b>501,949,329</b>	<b>542,451,717</b>	<b>544,140,913</b>	<b>547,655,670</b>
<b>CURRENT LIABILITIES</b>					
Trade and other payables	3,155,830	2,100,000	3,000,000	3,000,000	977,009
Trust funds and deposits	246,464	226,018	250,000	250,000	323,617
Provisions - current	3,701,830	3,800,000	3,800,000	3,800,000	4,109,528
Unearned Revenue	4,633,896	0	4,410,000	4,410,000	4,410,000
Lease liabilities	179,917	0	182,031	182,031	179,917
<b>Total Current Liabilities</b>	<b>11,917,937</b>	<b>6,126,018</b>	<b>11,642,031</b>	<b>11,642,031</b>	<b>10,000,071</b>
<b>NON CURRENT LIABILITIES</b>					
Provisions - non-current	6,264,711	3,972,265	6,222,908	6,222,908	6,125,538
Lease liabilities	6,160,602	0	5,978,571	5,978,571	6,160,602
<b>Total Non Current Liabilities</b>	<b>12,425,313</b>	<b>3,972,265</b>	<b>12,201,479</b>	<b>12,201,479</b>	<b>12,286,140</b>
<b>Total Liabilities</b>	<b>24,343,250</b>	<b>10,098,283</b>	<b>23,843,510</b>	<b>23,843,510</b>	<b>22,286,211</b>
<b>Net Assets</b>	<b>506,513,775</b>	<b>491,851,046</b>	<b>518,608,207</b>	<b>520,297,404</b>	<b>525,369,459</b>
<b>EQUITY</b>					
Operating Surplus/Deficit	377,422	5,281,547	2,094,432	3,783,628	18,855,684
Accumulated surplus	175,894,303	177,576,678	176,101,351	176,101,351	176,271,725
Asset revaluation reserve	317,233,715	300,264,105	327,233,715	327,233,715	317,233,715
Reserves	13,008,335	8,728,715	13,178,709	13,178,709	13,008,335
<b>Total Equity</b>	<b>506,513,775</b>	<b>491,851,046</b>	<b>518,608,207</b>	<b>520,297,404</b>	<b>525,369,459</b>

## 9.11 Council to Chief Executive Officer Delegation

**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

The purpose of this report is for Council to review the Instrument of Delegation to the Chief Executive Officer (CEO), as required by the *Local Government Act 2020*.

### Introduction

The *Local Government Act* (the Act) and other legislation provides for the appointment of delegates to act on behalf of Council. This is because Council is a legal entity composed of individual councillors that can only act by resolution at a Council meeting, or through others acting on its behalf by way of delegations. Essentially, delegations enable day to day decisions to be made, without the need for resolutions by Council.

Under the Act, a council must review its delegations within 12 months after a general election.

### Issues

The attached Instrument of Delegation has been updated to reflect changes to local government legislation. Changes include:

- The addition of limitations included in the new *Local Government Act 2020*, such as not being able to appoint an Acting CEO for a period exceeding 28 days, and not being able to adopt or amend the Governance Rules.
- The removal of limitations from the *Local Government Act 1989* that no longer apply, such as not being able to adopt the Strategic Resource Plan, and not being able to decide that an extraordinary vacancy on Council should not be filled.

The updated Instrument also includes the addition of procurement exemptions that permit the CEO to make an expenditure up to \$500,000 when Council has already entered into a contract, or for expenses Council is required to make by law, such as insurance which is currently an exemption in the existing Instrument of Delegation. Inclusion of these exemptions is consistent with the new template from the Maddocks' delegations service.

It should be noted that in March 2020, the Instrument of Delegation to the CEO was amended to include a State of Emergency clause due to the COVID-19 pandemic.

The clause enables the CEO to make some decisions normally reserved for Council, including unlimited financial decisions, if Council meetings cannot be held or a quorum at meetings cannot be achieved due to Councillor illness or self-isolation. Although Council meetings may now be held virtually (during the pandemic for a period specified by the State Government), it is recommended that this exemption remains in the Instrument of Delegation for the time being. It is unlikely that this clause will ever be needed. However, should it be used any decisions made under the State of Emergency clause would be reported to Council at the next possible Council meeting.

### **Policy and Legislative Context**

Section 11 of the Act enables Council to delegate powers through an Instrument of Delegation.

Review of the Council to Chief Executive Officer Instrument of Delegation is consistent with the Council Plan 2017-2021 commitment and objectives:

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

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

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

### **Internal / External Consultation**

The Instrument of Delegation has been prepared based on a template provided by Maddocks' delegations service.

### **Financial and Resource Implications**

The revised delegation includes powers for the CEO to make an expenditure not exceeding \$500,000 when Council has already entered into a contract, or when Council is required to make an expenditure by law.

The State of Emergency clause in the existing Instrument, provides the CEO with unlimited financial powers only in the event of a State of Emergency, when Council meetings cannot be held or a quorum of Councillors cannot be achieved. Use of the State of Emergency clause is unlikely, and should it be used, a report detailing its use will be presented to Council at the next possible meeting.

### **Options**

Council is required to review its delegation to the CEO within 12 months of the general election. Council may choose to either:

1. Endorse the Instrument of Delegation to the Chief Executive Officer as presented.

or

2. Make changes to the Instrument before endorsement.

### **Conclusion**

Council, as a legal entity is only capable of making decisions by resolution at a Council meeting, delegates its powers to Council staff to enable day to day decisions to be made, without the need for Council resolutions.

Council is required to review its delegations within 12 months of a general election. The attached Instrument of Delegation to the CEO has been updated to reflect changes to local government legislation using a template provided by Maddocks Lawyers.

## RECOMMENDATION

**That Council, in the exercise of the power conferred by section 11(1)(b) of the *Local Government Act 2020* (the Act), resolves that:**

- 1. There be delegated to the person holding the position, acting in or performing the duties of Chief Executive Officer, the powers, duties and functions set out in the attached Instrument of Delegation to the Chief Executive Officer, subject to the conditions and limitations specified in that Instrument.**
- 2. The Instrument comes into force immediately the common seal of Council is affixed to the Instrument.**
- 3. On the coming into force of the Instrument all previous delegations to the Chief Executive Officer are revoked.**
- 4. The duties and functions set out in the Instrument must be performed, and the powers set out in the Instrument must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.**
- 5. The common seal be affixed to the Instrument.**

## COUNCIL RESOLUTION

***MOVED: Cr Beard***  
***SECONDED: Cr Hickey***

**That the recommendation be adopted.**

**CARRIED**

## Attachments

1. Instrument of Delegation Council to Chief Executive Officer April 2021
2. Instrument of Delegation Council to Chief Executive Officer April 2021 Tracked Changes - Under Separate Cover

*S5. Instrument of Delegation to Chief Executive Officer*



**CORANGAMITE  
SHIRE**

**Corangamite Shire Council**

**Instrument of Delegation**

**to**

**The Chief Executive Officer**





### SCHEDULE

The power to

1. determine any issue;
2. take any action; or
3. do any act or thing

arising out of or connected with any duty imposed, or function or power conferred on Council by or under any Act.

### Conditions and Limitations

The delegate must not determine the issue, take the action or do the act or thing

1. if the issue, action, act or thing is an issue, action, act or thing which involves
  - 1.1 awarding or entering into a contract or making an expenditure that exceeds the value of \$250,000;
    - 1.1.1 excluding expenditure made under a contract already entered into, or expenditure which Council is, by or under legislation, required to make, or the following procurement activities, in which case it must not exceed the value of \$500,000:
      - (a) payment of all Council insurances;
      - (b) purchase of heavy fleet approved through the annual budget and procured in accordance with Council's Procurement Policy;
      - (c) Schedule of Rates contracts up to an anticipated amount not exceeding \$500,000 for the term of the contract;
  - 1.2 appointing an Acting Chief Executive Officer for a period exceeding 28 days;
  - 1.3 electing a Mayor or Deputy Mayor;
  - 1.4 granting a reasonable request for leave by a Councillor under section 35 of the Act;
  - 1.5 making any decision in relation to the employment, dismissal or removal of the Chief Executive Officer;
  - 1.6 approving or amending the Council Plan;
  - 1.7 adopting or amending any policy that Council is required to adopt under the Act;
  - 1.8 adopting or amending the Governance Rules;

- 1.9 appointing the chair or the members to a delegated committee;
- 1.10 making, amending or revoking a local law;
- 1.11 approving the Budget or Revised Budget;
- 1.12 approving the borrowing of money;
- 1.13 subject to section 181H(1)(b) of the *Local Government Act 1989*, declaring general rates, municipal charges, service rates and charges and specified rates and charges;
2. if the issue, action, act or thing is an issue, action, act or thing which is required by law to be done by Council resolution;
3. if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council;
4. if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
  - 4.1 policy; or
  - 4.2 strategyadopted by Council; or
5. if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of section 11(2)(a)-(n) (inclusive) of the Act or otherwise; or
6. the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff;
7. with the exception of instances when a State of Emergency has been declared by the State or Federal Government that relates to Corangamite Shire, and Council meetings cannot be held or a quorum cannot be achieved. In such cases, to ensure the continuation of good governance and the operations of Council in the best interests of the Corangamite Shire, the delegate may determine any issue, take any action or do any act or thing that does not require a Council decision under the *Local Government Act*, or any other Act or Regulation.

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## 9.12 Victorian Electoral Commission 2020 Council Election Report

**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 provides Council with a copy of the Victorian Electoral Commission's report on the 2020 Corangamite Shire Council general election.

### Introduction

Under regulation 83 of the *Local Government (Electoral) Regulations 2020*, the Victorian Electoral Commission must prepare a report on the conduct of the election, and the Chief Executive Officer (CEO) must ensure the report is submitted to Council at the earliest practicable meeting of the Council after the report has been received.

### Issues

The 2020 Corangamite Shire general election was held in October 2020 by postal ballot, with election day being 24 October 2020 and results declared by the Victorian Electoral Commission (VEC) on 4 November 2020.

The attached VEC report includes detail on the conduct of the election including:

- the voters' roll
- advertising activities
- communication via the VEC website and social media
- VoterAlert notification alerts via SMS
- the Election Manager and election office.

The report also provides information about the candidate process, detailing that 10 candidates nominated for the seven available positions on Council, with uncontested elections occurring in the Coastal, South Central and South West Wards due to the number of candidates equalling the number of vacancies.

The voting process, including the counting of votes, is outlined in the report for the Central Ward and the North Ward elections, and includes the following statistics:

- 7,731 ballots mailed out in stages
- 108 ballots returned, primarily due to change of address
- 81 replacement ballots reissued
- 6,888 completed ballot envelopes returned
- 183 ballot envelopes set aside, primarily due to not being signed
- 6,705 ballot envelopes submitted for extraction
- 11 ballot envelopes rejected
- 6,694 extracted ballots proceeded for the count.

Following an assessment by the VEC, the overall participation rate for the general election was 88.60%, which was higher than the State average of 84.12% (excluding the City of Melbourne), and higher than the 2016 Corangamite general election participation rate of 82.23%.

The overall informal voting rate for the 2020 general election was 2.06%, compared with the State average of 4.76% and the 2016 Corangamite general election rate of 1.77%.

The VEC notes that no complaints were received regarding the 2020 Corangamite Shire general election.

As part of its post-election activities, the VEC follows up on any person required to vote but didn't. The compulsory voting enforcement program has commenced and will take some time to complete. Any fines collected by the VEC for non-voting will be passed to Council in the future.

### **Policy and Legislative Context**

Regulation 83(1) of the *Local Government (Electoral) Regulations 2020* (the Regulations) requires the Victorian Electoral Commission to prepare a report on the conduct of the general election and provide it to the Chief Executive Officer within six months after election day.

Under Regulation 83(3) of the Regulations, the CEO must ensure the report is submitted to the Council at the earliest practicable meeting of the Council after the report has been received.

Council's receipt of the VEC report is consistent with the following commitment and objective from the 2017-2021 Council Plan:

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

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

### **Internal / External Consultation**

The VEC report on the 2020 Corangamite Shire general election was received on 20 April 2021.

Throughout the general election, the VEC provided progress reports to the CEO.

### **Financial and Resource Implications**

There are no financial implications arising from this report.

### **Options**

The CEO is required to submit the VEC's election report to Council at the earliest practicable meeting after the report has been received

### **Conclusion**

The Victorian Electoral Commission has submitted its report on the conduct of the 2020 Corangamite Shire general election to the Chief Executive Officer, as required by the *Local Government (Electoral) Regulations 2020*. Under the Regulations, the Chief Executive Officer is required to submit the report to Council as soon as is practicable.

The VEC report provides information about the election process, as well as statistics associated with the contested Central Ward and North Ward elections.

## RECOMMENDATION

**That Council receives the Victorian Electoral Commission's report on the 2020 Corangamite Shire general election.**

### COUNCIL RESOLUTION

*MOVED: Cr Cole*  
*SECONDED: Cr Beard*

**That the recommendation be adopted.**

**CARRIED**

### Attachments

1. VEC Election Report 2020 Corangamite Shire General Election - Under Separate Cover

## 10. OTHER BUSINESS

Nil.

## 11. OPEN FORUM

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

The following item was submitted:

- Mr Les Mulholland suggested that Council provides an open forum for the public to raise questions as a means of enhancing public relations and addressing any queries they may have. He noted it would add to the wellbeing of the community. The Mayor acknowledged the suggestion.

### COUNCIL RESOLUTION

*MOVED:*            *Cr Makin*

*SECONDED:*      *Cr Hickey*

**That standing orders be suspended.**

**CARRIED**

Standing orders were suspended at 8.10 pm.

Livestreaming and recording of the meeting was terminated.

David Rae, Brook Love, Justine Linley and members of the gallery left the meeting at 8.10 pm.

### COUNCIL RESOLUTION

*MOVED:*            *Cr Makin*

*SECONDED:*      *Cr Conheady*

**That standing orders be resumed.**

**CARRIED**

Standing orders resumed at 8.20 pm.

## 12. CONFIDENTIAL ITEMS

### RECOMMENDATION

That pursuant to the provisions of Section 66(2)(a) of the *Local Government Act 2020* the meeting be closed to the public to enable consideration of the following reports as they relate to Council business information and personal information.

#### COUNCIL RESOLUTION

*MOVED:*            *Cr Vogels*

*SECONDED:*      *Cr Cole*

That the recommendation be adopted.

**CARRIED**

The meeting moved into confidential items at 8.20 pm.

### 12.1 CEO Performance Review April 2021

#### COUNCIL RESOLUTION

*MOVED:*            *Cr Vogels*

*SECONDED:*      *Cr Makin*

That the meeting move out of confidential items.

**CARRIED**

The meeting moved out of confidential items at 8.30 pm.

**Meeting Closed: 8.30 pm.**

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

**CONFIRMED:**

\_\_\_\_\_  
(Chairperson)

**DATE:**

\_\_\_\_\_