



CORANGAMITE  
SHIRE

# Minutes

## Council Meeting

**Tuesday 26  
September 2023**

Held in the Rose Room  
At the Terang Civic Hall  
Commenced at 7:00 pm

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## Order of Business

Minutes of the meeting of the Corangamite Shire Council  
held in the Killara Centre at the Camperdown Community Centre,  
210-212 Manifold Street, Camperdown Victoria 3260  
At 7:00 pm on Tuesday 26 September 2023

The Mayor, Cr Ruth Gstrein declared the Council Meeting 26 September 2023 open  
at 7.00 pm

### Present

#### Councillors

R. Gstrein (Chairperson), J. Beard, N. Cole, G. Conheady, L. Hickey, K Makin,

#### Officers

David Rae, Chief Executive Officer  
Brooke Love, Director Works and Services  
Simon Buccheri, Project Delivery Manager Coastal Connect  
Aaron Moyne, Manager Planning and Building Services

### 1 Prayer

The Prayer was read by the Mayor, Cr Ruth 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 Acknowledgment of Country

An Acknowledgement of Country was made by Mayor, Cr Ruth 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

Cr Jamie Vogels  
David Harrington, Director Corporate and Community Services  
Justine Linley, Director Sustainable Development

### 4 Declarations of Conflict of Interest

Nil.

As the 26 September Council Meeting was held in Terang, Cr Mayor Ruth Gstrein acknowledged the recent passing of Mr Jim Primrose. Mr Primrose was the volunteer Caretaker and Secretary of the Terang Civic Hall Committee for many years. Condolences were extended to his family and friends of behalf of the Mayor herself and the Council.

## 5 Confirmation of Minutes

### RECOMMENDATION

That the minutes of the Corangamite Shire Council meeting held on 22 August 2023 be confirmed as correct.

#### COUNCIL RESOLUTION

**Moved:** Cr Nick Cole  
**Seconded:** Cr Kate Makin

**That the recommendation be adopted.**

**CARRIED UNANIMOUSLY 6 / 0**

## 6 Deputations and Presentations

The Mayor, Cr Ruth Gstrein, invited members of the public who had requested to address Council to make their presentations.

No item/s was/were submitted:

## 7 Committee Reports

### 7.2 Audit and Risk Committee Biannual Report to Council - September 2023

Directorate: Corporate and Community Services  
Author: Phillippa Dee, Chairperson, Audit and Risk Committee  
Previous Council Reference: Nil  
Attachments:  
Nil

#### Declaration

Chief Executive Officer – David Rae

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

Author – Phillippa Dee

In providing this advice to Council as the Audit and Risk Committee Chairperson, I have no interests to disclose in this report.

#### Summary

The purpose of this report is to provide Council with a summary of activities undertaken by the Audit and Risk Committee (the Committee) since March 2023. The report is also provided in accordance with the Committee's Charter and *Local Government Act 2020* which requires the Chairperson to report to Council every 6 months. The previous report to Council was in March 2023.

#### Introduction

Audit and Risk Committees play a critical role in the financial reporting framework of councils by overseeing and monitoring the participation of management and external auditors in the financial reporting process. They also address issues such as the approach being adopted by a council and management to address business risks, corporate and financial governance responsibilities and legal compliance. A council may also refer issues of a strategic or risk nature to their Audit and Risk Committee for review. The principal functions and extent of authority for the Audit and Risk Committee are set out in the Committee's Charter and the *Local Government Act 2020*.

## Issues

The Committee met twice during the review period (June 2023 – September 2023). During this period, Mr. Colin Hayman notified the CEO that he would resign following the September 2023 meeting. A process has begun to find a suitable replacement prior to the December meeting. A letter of appreciation was sent to Mr. Colin Hayman from the Mayor which recognised his significant contribution to the Committee over the past seven years.

The Committee continues to meet its objectives and discharge its responsibilities under the Charter. The Committee's engagement with Council management remains positive, which ensures a continuing and strong commitment to corporate governance and improving internal controls.

A record of attendance is provided below.

## Attendance Record

Attendee	Meeting	
	08/06/2023	14/09/2023
Ms Phillippa Dee (C) ^	✓	✓
Ms Lisa Young ^	✓	✓
Mr Colin Hayman ^	✓	✓
Cr Geraldine Conheady *	✓	x
Cr Kate Makin *	✓	✓
Cr Ruth Gstrein (Alternative)	-	✓

Legend	
✓	In attendance
x	Apology
-	Attendance Not Required
*	Council Committee Member
^	Independent Committee Member

The following individuals also attended Committee meetings during the review period:

- Council officers:
  - Mr David Rae, Chief Executive Officer
  - Mr David Harrington, Director Corporate and Community Services
  - Mr Simon Buccheri, Finance Manager
  - Mrs Brooke Walsh, Finance Manager
  - Mrs Michele Stephenson, Manager Human Resources and Risk
  - Mr Lyall Bond, Manager Environment and Emergency
  - Mr Steven Welsh, Manager Information Systems
- RSD Audit, Audit Service Provider of the Victorian Auditor General's Office (External Auditor):
  - Mr Nick Bell, Partner
- AFS & Associates (Internal Auditor):
  - Mr Bradley Ead, Partner

Meetings were held in the 'Old Chambers' at the Civic Centre. Some attendees attended virtually via Microsoft Teams.

### Meetings

Matters considered by the Committee during the period included:

- Committee Meeting 8 June 2023:
  - Councillor reimbursements – 1 March 2023-31 May 2023
  - Mayor and CEO credit card use – 1 March 2023-31 May 2023
  - Landfill Operations Update
  - Electrical Line Clearance Update
  - Internal Audit – Status Update
  - Review of Outstanding Recommendations from Internal Audit Reviews
  - Internal Control Environment Monitoring Plan
  - Interim Management Letter (VAGO)
  - Review of Significant Changes to Accounting Policies and Standards
  - Review of Significant Changes to Local Government Performance Reporting Framework
  - Finance Report as at 31 March 2023
  - 2023-2024 Draft Budget
  - Findings:
    - Nil
  - Recommendations made to Council:
    - Nil



- Committee Meeting 14 September 2023
  - Victorian Funds Management Corporation Update
  - Councillor Reimbursements 1 June 2023-31 August 2023
  - Mayor and CEO Credit Card Use - 1 June 2023-31 August 2023
  - General Insurance Review
  - Workcover Premium Review
  - Biannual Strategic Risk Update
  - 2022-2023 Financial Statements and Performance Statements
  - Draft Management Letter and Closing Report (VAGO)
  - Finance Report as at 30 June 2023
  - Audit and Risk Committee Annual Self-Assessment Review
  - Internal audit – Status Update
  - IBAC Operation Sandon Discussion
  - External Penetration Testing
  - Reporting of a Procurement Policy Breach
  - Coastal Connect Project Update
  - Findings:
    - Nil
  - Recommendations made to Council:
    - Endorse Council to give in principle approval through a Council resolution to the Financial Statements and Performance Statement for the year ended 30 June 2023.

### **Discharging Responsibilities**

As Chairperson, I am satisfied the Committee has discharged its responsibilities as set out in its Charter. These responsibilities, as described by section 54(2) of the Act, are to:

- Monitor the compliance of Council policies and procedures with:
  - the overarching governance principles, and
  - the Act and the regulations and any Ministerial directions,
- Monitor Council financial and performance reporting,
- Monitor and provide advice on risk management and fraud prevention systems and controls, and
- Oversee internal and external audit functions.

The matters considered at each meeting were in accordance with the Committee's Charter and annual work plan and demonstrates the Committee's commitment during the period to discharge its responsibilities.

### Policy and Legislative Context

The Audit and Risk Committee Biannual Report to Council - September 2023 is meeting the requirements of the *Local Government Act 2020* and also in keeping with the commitments in the Council Plan 2021-2025:

Theme Five - Community Leadership  
Having strong governance practices  
Ensuring that we maintain our strong financial position

### Internal / External Consultation

The Chairperson of the Audit and Risk Committee has authored this report in consultation with Director Corporate and Community Services. The next biannual report will be provided in March 2024.

### Financial and Resource Implications

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

### Conclusions

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

### RECOMMENDATION - 7.2

**That Council receives the Biannual Audit and Risk Committee report for September 2023.**

#### COUNCIL RESOLUTION

**Moved:** Cr Laurie Hickey  
**Seconded:** Cr Kate Makin

**That the recommendation be adopted.**

**CARRIED UNANIMOUSLY 6 / 0**

### 7.3 Audit and Risk Committee Annual Assessment

Directorate: Corporate and Community Services

Author: David Harrington, Director Corporate and Community Services

Previous Council Reference: Nil

Attachments:

1. Under Separate Cover - Audit Committee Annual Performance Review Sep 2023 [7.3.1 - 2 pages]

#### Declaration

Chief Executive Officer – David Rae

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

Author – David Harrington

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

#### Summary

The purpose of this report is for the Chief Executive Officer to table the results of the Audit and Risk Committee's annual assessment as required by section 54(4)(b) of the *Local Government Act 2020*. The results of the assessment are attached under separate cover.

#### Introduction

The Audit and Risk Committee (the Committee) is a committee of Council. The objectives of the Committee are contained within the *Local Government Act 2020* (the Act) and its Charter. The Act requires the Committee to undertake an annual assessment of its performance against the Charter and for the Chief Executive Officer to table the results of the assessment at a Council meeting.

#### Issues

A self-assessment survey was sent to committee members to complete in July 2023. The survey is based on the "Audit Committees - A Good Practice Guide for Local Government" as published by Local Government Victoria in January 2011. The guide is current.

Matters for consideration by the Committee as part of the assessment included assessing:

- The effectiveness of the Committee as a whole and the performance of individual members; and
- Compliance with the Audit and Risk Committee's charter.

Committee members were also asked to consider whether they have:

- A good understanding of, and commitment to, the Audit and Risk Committee's role and responsibilities;
- An ability to act objectively and independently;
- A good understanding of Council's business;
- A good understanding of Council's risk management processes;
- Have sufficient business, industry, financial and regulatory knowledge; and
- Adequately prepared for, and participated in, Audit and Risk Committee meetings.

Results of assessments were discussed at the Committee's September meeting. Results indicate some opportunities for improvement but are generally positive. All results are rated at a minimum of adequate and above with the key areas to focus on being:

- Measures to provide early warning of any issues affecting the organisation's financial well-being.
- Reviewed the effectiveness of internal control systems in place.
- Ensuring the reports contain a concise summary that highlights the impacts to the Corangamite Shire.

Council officers will continue to work with the Committee members on areas that need improvement over the next 12 months.

### **Policy and Legislative Context**

Reporting of the Audit and Risk Committee's annual assessment is in accordance with the *Local Government Act 2020* and is also in keeping with the commitments in the Council Plan 2021-2025:

Theme Five - Community Leadership  
Having strong governance practices  
Ensuring that we maintain our strong financial position

### **Internal / External Consultation**

The Committee's annual assessment was facilitated by the Director Corporate and Community Services. Results were discussed at the Committee's September meeting.

### Financial and Resource Implications

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

### Conclusions

The *Local Government Act 2020* requires Council's Audit and Risk Committee to undertake an annual assessment of its performance. The Committee has taken advantage of the opportunity to do so and identified improvement opportunities as a consequence. The *Local Government Act 2020* also requires the Chief Executive Officer to table the results at a Council meeting.

### RECOMMENDATION - 7.3

**That Council receives the results of the Audit and Risk Committee annual assessment for 2023 as tabled by the Chief Executive Officer in accordance with section 54(4)(b) of the *Local Government Act 2020*.**

#### COUNCIL RESOLUTION

**Moved:** Cr Geraldine Conheady  
**Seconded:** Cr Kate Makin

**That the recommendation be adopted.**

**CARRIED UNANIMOUSLY 6 / 0**

## 8 Planning Reports

Nil

## 9 Officer's Reports

### 9.1 2022-2023 Financial Statements and Performance Statement

Directorate: Corporate and Community Services

Author: Brooke Walsh, Manager Financial Services

Previous Council Reference: Nil

Attachments:

1. 2022-2023 Annual Financial Statements [9.1.1 - 65 pages]
2. Performance Statement 2022-2023 final version [9.1.2 - 12 pages]

#### Declaration

Chief Executive Officer – David Rae

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

Author – Brooke Walsh

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

#### Summary

This report proposes that Council give in principle approval to the Financial Statements and Performance Statement for the year ended 30 June 2023 and authorise two Councillors to certify the statements.

The financial result for the year ended 30 June 2023 was a \$7.06 million surplus which was higher than our adopted budget surplus of \$1.82 million. All key financial indicators remain generally strong.

#### Introduction

Pursuant to Section 99 (2) & (3) of the *Local Government Act 2020* Council is required to pass a resolution giving approval in principle of the 2022-2023 Financial Statements and Performance Statement and authorise two Councillors to certify the statements in their final form.

The Council must not submit the Financial Statements or the Performance Statement to its Auditor or the Minister unless it has passed a resolution giving its approval in principle to them.

Legislation also recognises that further changes may be made to the statements, and therefore Council must authorise two Councillors to certify the Financial Statements and the Performance Statement in their final form after any changes recommended or agreed to by the auditor have been made.

### Issues

The Victorian Auditor General's Office (VAGO) is responsible under the *Audit Act 1994* for the audit of Council's Financial Statements and Performance Statement. Auditors from RSD Audit, agents on behalf of VAGO, completed a large portion of their audit offsite between 24 and 25 August 2023.

For 2022-2023, an operating surplus of \$7.06 million was achieved compared to an adopted budgeted surplus of \$1.82 million. Explanatory commentary on major variations against Council's 2022-2023 Adopted Budget are included in the notes to the Financial Statements (note 2.1.1) and provided below.

Item	Variance Against Budget Amount	Explanation
Statutory Fees and Fines	\$478,000	Increased volumes at the landfill have led to an increase in the Landfill Levy with Council able to keep 15% of the levy as a Cover rebate. The Cover rebate (\$446k) was not budgeted for in the 2022-2023 financial year. Council also saw an increase in Town Planning fees above budget (\$50k) due to increased building activity.
User Fees	\$1,348,000	Increased volumes at the landfill through acquisition of new customers (\$926k), higher occupancy levels in Mobile Child Care (\$122k), increased Private Works (Council providing services to the private sector) mainly in relation to the Berrybank windfarm (\$126k) and higher than anticipated in home support services to NDIS clients (\$120k).
Capital Grants	\$2,751,000	Recognition of capital grants that were budgeted for in prior years including the 12 Apostles Trail (\$2.4m) and other projects related to the delivery of the Local Roads and Community Infrastructure (LRCI) program (\$0.5m).

Contributions Monetary	(\$248,000)	The 2022-2023 budget assumed a contribution of \$500k for a capital works project at the Livestock Exchange that did not proceed. This is partly offset by timing on a number of projects that have contributions attached to them including a joint boundary bridge where we received the funds in 2022-2023 that had been budgeted for in a prior year.
Other Revenue	\$1,722,000	Investment income is significantly higher than budget due to the increase in returns from Term Deposits and Council's managed fund (\$1.2m). There were also a number of insurance claims (\$63k) and reimbursements (\$105k) that were not included in the budget.
Amortisation – intangible assets	\$203,000	Amortisation of landfill airspace was assumed to increase in the 2022-2023 budget with a new cell under construction. The new cell hadn't opened at year end and the actual calculation resulted in amortisation at similar levels to the prior year.
Net loss on disposal of property, infrastructure, plant and equipment	(\$1,300,000)	Proceeds from the disposal of Light Fleet and Heavy Plant (\$617k) offset by the written-down value of plant and infrastructure assets disposed (\$1.917m).
Other Expenses	(\$569,000)	A contribution to a Recreation Reserve that was originally budgeted for in 2021-2022 (\$365k) and spend on Rural & Regional Councils Transformation Project (RCTP) that was also budgeted for in previous years (\$250k).
Fair value adjustment	(\$585,000)	An additional Landfill restoration provision was taken up in 2022-2023 to recognise the ongoing monitoring and compliance costs related to the open Landfill cells.

**Table 1: Major variances to adopted budget**

The Performance Statement is attached and includes sustainable capacity indicators, service performance indicators from across the organisation and financial performance indicators as prescribed in the *Local Government (Planning and Reporting) Regulations 2020*. The Performance Statement includes the actual results achieved in 2022-2023 for all of the prescribed indicators, as well as the forecast estimates for the years 2024-2027 for each of the performance indicators.



Key financial performance indicators for 2022-2023 are summarised below.

Performance Measure	Actual Performance		Forecast Performance			
	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27
Working Capital	246.93%	311.65%	372.01%	308.99%	262.76%	251.68%
Indebtedness	36.42%	32.33%	31.95%	32.29%	38.15%	38.35%
Asset Renewal	101.06%	107.84%	103.82%	109.85%	89.69%	99.14%

**Table 2: Local Government Performance Report Framework – Key financial indicators**

The Financial Statements have been prepared in accordance with the requirements of the *Local Government Act 2020*, *Local Government (Planning and Reporting) Regulations 2020* and Australian Accounting Standards.

### Policy and Legislative Context

This report is in keeping with the commitments in the Council Plan 2021-2025:

- Theme Five - Community Leadership
- Having strong governance practices
- Ensuring that we maintain our strong financial position

### Internal / External Consultation

The various statements are subject to audit by the Victorian Auditor General's Office. A draft set of statements was referred to a meeting of Council's Audit Committee on 14 September 2023. Auditors from RSD Audit, as agents for VAGO, were in attendance to discuss the statements and their observations from the audit. The Audit Committee has recommended that Council give in principle approval to the statements.

Once the final statements have been prepared and certified by the nominated Councillors, they will form part of Council's Annual Report which is expected to be made available on Council's website and at Council offices. Council is intending to consider the annual report on 24 October 2023.

### Financial and Resource Implications

There are no direct financial and resource consequences as a result of this report.

### Options

In principle approval of the statements by Council is required to ensure that Council meets the requirements of the *Local Government Act 2020*. Council may choose which Councillors are authorised to certify them.

## Conclusions

In principle approval of the statements at this meeting, and authorisation of two Councillors to certify the final copy, will ensure that the Financial Statements and Performance Statements are lodged with the Minister within the required timeframe. Council practice has been to nominate the members of the Audit Committee to certify the statements.

## RECOMMENDATION - 9.1

That:

1. Pursuant to Section 99 (2) of the *Local Government Act 2020*, Council gives in principle approval to the Financial Statements and Performance Statement for the year ended 30 June 2023.
2. Pursuant to Section 99 (3) of the *Local Government Act 2020*, Council authorises Councillors Conheady and Makin to certify the 2022-2023 Financial Statements and Performance Statement in their final form after any changes recommended or agreed to by the auditors have been made.

### COUNCIL RESOLUTION

Moved: Cr Geraldine Conheady  
Seconded: Cr Laurie Hickey

That the recommendation be adopted.

CARRIED UNANIMOUSLY 6 / 0

## 9.2 Ready Now Grants Policy

Directorate: Sustainable Development

Author: Garry Moorfield, Community Development Officer

Previous Council Reference: Nil

Attachments:

1. Ready Now Grants Policy September 2023 [9.2.1 - 7 pages]

### Declaration

Chief Executive Officer – David Rae

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

This report proposes the introduction of the *Ready Now Grants Policy* to replace the *Quick Response Grants* program. A copy of the Policy is attached.

### Introduction

Council's *Quick Response Grants* Program has operated for more than a decade, providing small grants of up to \$500 to Corangamite community groups. Grants are awarded by Council at its monthly meeting, generally providing a three to six-week turnaround from the date an application is received.

Following consultation about the purpose and operation of the *Quick Response Grants* program twelve propositions were presented to Councillors at the 22 August briefing, recasting the *Quick Response Grants* program into a new *Ready Now Grants* program, which is targeted and focused on community benefit, and more impactful in supporting community groups and activities where small grants can 'make a difference'. On the basis of those discussions with and between Councillors, a draft *Ready Now Grants* policy has been developed for consideration by Council.

It is intended that the *Ready Now Grants Policy* replace the *Quick Response Grants* Program.

### Issues

The *Quick Response Grants* program is broadly considered worthwhile and has supported the work of Corangamite Shire community volunteer groups for more than a decade. However, the notion of providing a 'quick response' to emerging circumstances which might not be easily planned for is not generally observed in practice.

While recent administrative changes have had a small impact on the operation of the program, applicants continue to source materials and services from outside of the municipality, request funding for projects or activities that have already commenced or apply for materials and services that could be better described as recurrent items.

Councillors were presented with twelve propositions detailing opportunities to redefine the program to mitigate risks to Council and community and improve the responsiveness and community benefits of inclusion and participation.

The new *Ready Now Grants* policy includes:

- a redefinition of the purpose of the program to focus on volunteer-based community groups;
- ensuring the definition of 'community group' and 'volunteer' status harmonises with the Council's *Community Grants* program;
- tightening the definition of 'eligible expenditure';
- removing the reference to Wards;
- providing examples of what will **not** be funded (e.g. recurrent expenditure);
- clarifying the terms of auspicing;
- emphasis on local purchasing; and
- providing a new process for receipt, evaluation and award of funds.

Grant applications processed in any given month will be reported to Council at the monthly meeting unlike the *Quick Response Grants* program where applications are submitted to Council for determination. On this basis the policy requires a delegation to the CEO to approve the awarding of the grants. An instrument of delegation has been prepared and is attached.

## Policy and Legislative Context

This report is in keeping with the commitments in the Council Plan 2021-2025:

Theme Three - A Healthy, Active and Resilient Community

Our community groups and clubs are engaged and supported and facilities are fit for purpose

Theme Five - Community Leadership

We listen to and engage with our community

Council promotes best value and value for money for its ratepayers

The proposed draft *Ready Now Grants* Policy is consistent with Council's *Grants Policy*, except Section 3: Advertising and Section 4: Assessment. This is a consequence of the unique character of the program, where applications may be accepted year-round and the application process is non-competitive. The assessment is a simple objective threshold test of eligibility rather than a subjective assessment of relative merit. (NOTE: Council's *Grants Policy* specifically excludes the *Quick Response Grants* program.)

## Internal / External Consultation

Consultation and feedback is regularly provided with and by Councillors and by applicants and recipients of *Quick Response Grants*. Public feedback on the program has been overwhelmingly positive, and this is reflected in regular monthly news media. One-on-one consultation occurs with all grant applicants across the year. In some cases Grants have had to be cancelled due to non-observance of one or more Grant conditions. In three recent cases successful applicants have declined to take up their Grant due to the delay between date of application and approval. The new *Ready Now Grants* policy has been drafted to take into consideration that feedback.

## Financial and Resource Implications

There are no additional financial and resource implications attached to the proposed revised Policy, excepting that the efficiency of administering the program may be improved. There may be a greater or lesser level of demand for *Ready Now Grants* as compared to the Quick Response Grant program, which Council could choose to respond to in consideration of the annual Council Budget.

Previously, an annual fund of \$17,500 provided a nominal \$2,500 for each Council Ward, with \$7,500 for the three-Councillor Central Ward. The budget was increased to \$20,000 for the 2023 – 2024 financial year. Grants are made from the beginning of each financial year until the annual fund is fully expended.

It is proposed that any remaining budget from the *Quick Response Grants* program be transferred to the *Ready Now Grants* program.

## Options

### *Option A*

Council may choose to retain the existing Quick Response Grants policy in its current form, or with modifications.

### *Option B*

Council may choose to introduce the new Ready Now Grants Policy and delegate authority to the CEO to award grants in accordance with the conditions outlined in the Policy (recommended).

## Conclusions

The *Quick Response Grants* program has been very well supported and has provided small allocations of funding to small, volunteer groups to implement projects, run activities and provide services of direct benefit to the Corangamite community. The intention behind the introduction of the Ready Now Grants Policy is to build on the responsiveness of the Quick Response Grants program and provide further clarity on eligible projects and activities and expectations as to the types of community benefits that could arise. These benefits are greater than financial and include capacity building for volunteers in grant writing and project delivery, community connection and the management and improvement to community spaces and facilities. Removing the requirement to put the application for decision at a Council meeting is intended to create efficiencies, reduce administration and lessen the turnaround time for applications to be processed.

## RECOMMENDATION - 9.2

### That Council:

1. **Adopts the Ready Now Grants Policy 2023;**
2. **Revokes the Quick Response Grants Policy July 2021**
3. **Transfers the remaining 2023-2024 budget allocation to the Ready Now Grants program; and**
4. **Note in adopting the Policy described in Part 1 above the approval of grants by the Chief Executive under the Policy will be consistent with the S5 Instrument of Delegation to Chief Executive Officer.**

### COUNCIL RESOLUTION

Moved: Cr Jo Beard  
Seconded: Cr Nick Cole

That the recommendation be adopted.

**CARRIED UNANIMOUSLY 6 / 0**

### 9.3 Interactions with Developers Policy

Directorate: Sustainable Development

Author: Aaron Moyne, Manager Planning and Building Services

Previous Council Reference: Nil

Attachments:

1. Interaction with Developers Policy September 2023 [9.3.1 - 7 pages]

#### Declaration

Chief Executive Officer – David Rae

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

Author – Aaron Moyne

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

#### Summary

In August 2022, the Local Government Inspectorate (LGI) issued advice to the sector recommending that councils create a policy to guide Councillor interactions with developers. This advice was in advance of any recommendations to come from Operation Sandon, the Independent Broad-based Anti-corruption Commission (IBAC) operation held into allegations of serious corrupt conduct in relation to planning and property development decisions at the City of Casey.

With the findings of Operation Sandon now released, an Interaction with Developers Policy (Policy) has been prepared to cover interactions with developers, both for councillors and officers, is presented for consideration. A copy of the Policy is attached.

#### Introduction

Councillors are often required to make decisions about planning and developments within the municipality and as part of seeking information, may interact with developers on upcoming projects. The community is often concerned about the potential influence of developers especially when there are large sums of money at stake.

Operation Sandon has thrown the issue into the spotlight. The Independent Broad-based Anti-corruption Commission (IBAC) operation held public hearings in 2019 and 2020 into allegations of serious corrupt conduct in relations to planning and property development decisions at the City of Casey. The hearings looked at the transparency and integrity of planning and property development decision making, including:

- donations or in-kind assistance to election candidates
- donations, gifts, pro bono services or other hospitality
- the use of professional lobbyists or planning consultants.

IBAC's report on Operation Sandon has since been released. There are 34 recommendations contained in the report currently under consideration by the State Government. The IBAC report is presently before the State Government for review.

Consistent with the LGI 2022 advice to councils, a draft Policy has been prepared.

### Issues

Operation Sandon exposed how decisions at the local and state levels of government were improperly influenced or were at risk of undue influence through manipulation of council governance processes, donations and lobbying. IBAC recommends that extensive reforms are necessary to minimise the risk of this behaviour occurring again and promote integrity in decision-making processes.

As a result of Operation Sandon, IBAC has recommended a suite of reforms to address corruption risks to:

- promote transparency in planning decisions
- enhance donation and lobbying regulation
- improve the accountability of ministerial advisors and electorate officers
- strengthen council governance

In August 2022, the Local Government Inspectorate issued the following advice and commentary:

#### **1. Councillors should avoid comment before a decision**

The role of council staff is to assess the application and provide an impartial, professional opinion and recommendation to the Councillors. The role of an elected Councillor in the decision-making process is to approve or decline the application on the information and recommendation provided by council staff. To avoid prejudicing the eventual decision, Councillors must not make up their minds about a development application until they have read the officer's reports and heard all sides of the debate.



Any involvement a Councillor has with a development application during its assessment has the potential to damage the integrity of the final determination. It is important that Councillors avoid making public comments that could be seen as supporting or opposing an application.

In addition, Councillors should not be seen to be trying to influence the public by commenting on the application or signing petitions during the public comment period.

## **2. Councillors should avoid meeting developers one-on-one**

Councillors should not be meeting with developers one-on-one if they have an application before council or are about to make one. A one-on-one meeting with a developer runs the risk of a Councillor being accused of bias.

Requests for a meeting should go through official council channels, such as a generic council inbox. Councillors should only meet with a developer with a council officer present. Alternatively, councils could require that all Councillors are invited to any meeting with developers.

If Councillors were approached as the ward representative, they might still need to engage with developers. However, it is important for Councillors to be mindful if a developer has or will soon have an application before council.

## **3. Councillors should avoid accepting gifts and hospitality from developers**

Councillors should be open and transparent in their dealing with developers. This will protect them from any situations which may create a conflict of interest. They should avoid accepting hospitality or gifts of any sort from developers and lobbyists.

Councillors also need to consider their council's gift policy if they do accept a gift of any kind from a developer or planning applicant.

It is important for Councillors to remember that they need to make strategic decisions which benefit the municipality – but they need to ensure they are complying with existing planning schemes.

## **4. Councils should create a policy to guide Councillor interactions with developers**

Creating a policy which clearly sets out how Councillors should interact with developers will create the ground rules for interactions, help with transparency and manage community expectations. Everybody will understand what is expected and this will aid oversight.

## **5. Councils should keep a register of Councillor interactions with developers**

Keeping a record of the interactions Councillors have with developers will ensure any meetings are open and transparent and available for the public to see.

The draft *Interactions with Developer Policy* picks up the points outlined in the LGI advice. A presentation will be made at the briefing to work through the core components of the policy, definitions and practical application.

The draft Policy incorporates definitions and a policy overview. The Policy requires a contact register to be maintained and made available for public viewing, with a report being presented annually to Council's Audit and Risk Committee and also to Council.

It should be noted that the details and requirements of this policy only seeks to build upon the framework within existing statutory and Code of Conduct requirements, and does not introduce new requirements from a Councillor perspective.

The Policy does not seek to limit or prevent any routine discussions that Councillors and officers may have with community members regarding planning information and process. Rather, it places a framework around how meetings or interactions are had regarding a live or proposed planning matter that falls within scope of the Policy.

### **Policy and Legislative Context**

This Policy is in accordance with the *Local Government Act 2020* and the *Planning and Environment Act 1987*. It is also in keeping with the commitments in the Council Plan 2021-2025:

- Theme Five - Community Leadership
- Having strong governance practices

### **Internal / External Consultation**

The Policy has been prepared by the Planning and Building Services Department and reviewed by the Executive Leadership Team.

A Councillor briefing was also held on 12 September 2023 to discuss the Policy and its context arising from the Local Government Inspectorate advice and the Operation Sandon recommendations.

### **Financial and Resource Implications**

The Policy is not expected to result in any financial or resource implications that cannot be managed within existing resources.

### **Options**

Council may resolve to adopt the Policy as presented, with amendments or not adopt the Policy at all.

### **Conclusions**

The Interactions with Developers Policy has been prepared to provide a framework around the interactions of Councillors and Council officers with developers, submitters and lobbyists, that is open, transparent and accountable. The Policy is a way in which Council can manage community interests and maintain integrity in the planning decision making process, whilst improving transparency and minimising risks.

The Policy seeks to establish a high standard of transparency in land use planning and development decision making, along with planning scheme amendments.

### **RECOMMENDATION - 9.3**

**That Council adopt the Interaction with Developers Policy 2023.**

#### **COUNCIL RESOLUTION**

**Moved:                      Cr Geraldine Conheady**  
**Seconded:                Cr Laurie Hickey**

**That the recommendation be adopted.**

**CARRIED UNANIMOUSLY 6 / 0**

## 9.4 Planning and Building Fee Waiver Policy Review

Directorate: Sustainable Development

Author: Aaron Moyne, Manager Planning and Building Services

Previous Council Reference: Nil

Attachments:

1. Council Policy Planning and Building Fee Waiver September 2023 [9.4.1 - 7 pages]
2. Under Separate Cover - Tracked changes Council Policy Planning and Building Fee Waiver September 2023 [9.4.2 - 9 pages]

### Declaration

Chief Executive Officer – David Rae

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 report presents Council with the Planning and Building Fee Waiver Policy (the Policy) which has been updated following review.

It is recommended that Council adopt the revised Policy dated September 2023, as attached.

### Introduction

The Policy outlines the criteria for the waiver or rebate of statutory and discretionary (non-statutory) fees for planning and building services provided by Council.

The purpose of the Policy is to provide a framework to guide Council Officers and assist applicants when considering a request for the waiver or rebate of Council fees associated with planning and building services.

State Government regulations within the *Planning and Environment (Fees) Regulations 2016*, *Subdivision (Fees) Regulations* and the *Building Regulations 2018* provide the power and discretion for Council as a Responsible Authority to waive or rebate the payment of fees.

### Issues

The Policy provides a framework and guide in the consideration of fee waivers and rebates, including outlining the eligible services, both statutory and non-statutory, and the types of events, activities, services or projects that would normally be covered.

The Policy is structured in a way that is consistent with the applicable regulations that set out the criteria in which a Responsible Authority may waive or rebate fees.

This principally covers:

- Where an application is withdrawn, and a new application is submitted in its place
- In the opinion of the Responsible Authority, the payment of the fee is not warranted because of:
  - The minor nature of the consideration of the matter;
  - The negligible level of burden on the service.
- In the opinion of the Responsible Authority, the application or determination assists:
  - The proper development of the State, region or municipal district, or part thereof;
  - The preservation of buildings or places in the State, region or municipal district which are of historical or environmental interest.
- The application relates to land used for charitable purposes.

The Policy outlines the nature of charitable or community-based organisations who may normally access a fee waiver or rebate, where they can demonstrate provision of public benefit, service or charitable actions that may involve capital works, fund-raising, other activities and events. These organisations or groups often have limited financial capacity to pay for Council services.

A charitable or community-based organisation is described to cover or carry out the following:

- Provision of services to the community such as positive ageing, childcare or health services, religious organisations, charity services or services of a similar types
- Provides public interest services or activities
- Principally provides social, sporting or recreation activities
- Supports public events, including those with historical, cultural, or community arts focus

- Is an incorporated association that is delivering its intended purpose

The Policy provides detail on the on the relevant regulations and criteria which apply to the different considerations and functions covered, such as planning, subdivision and building services.

The Policy was last reviewed and adopted by Council in September 2017. The 2023 review has identified minor changes which include:

- Minor administrative changes to provide clarity and readability.
- Consideration of gender equality as part of the policy review and gender impact assessment.

Planning and Building fee waiver data compiled over the past three (3) years shows that the Policy continues to be accessed and operates effectively, serving its intended purpose.

### **Policy and Legislative Context**

This report is in keeping with the commitments in the Council Plan 2021-2025:

Theme Three - A Healthy, Active and Resilient Community  
Access and inclusion is improved

Theme Five - Community Leadership  
Having strong governance practices

*Planning and Environment (Fees) Regulations 2016*  
*Subdivision (Fees) Regulations 2016*  
*Building Regulations 2018*

### **Internal / External Consultation**

The Policy has been reviewed by the Planning and Building Services Department and Executive Leadership Team.

A Gender Impact Assessment (GIA) has been undertaken in accordance with the requirements of the *Gender Equality Act 2020*.

### **Financial and Resource Implications**

An annual operational allocation is made within the Council Budget for fee waiver and rebates supporting implementation of the Policy.

The Policy is not expected to result in any further financial or resource implications.

### Options

Council may resolve to adopt the updated Policy as presented, or with amendments.

### Conclusions

The Planning and Building Fee Waiver Policy provides a framework and criteria for applications to be submitted and decisions made for the waiver and rebate of fees associated with planning and building services provided by Council.

A review has been undertaken and the updated Policy is presented to Council for adoption.

### RECOMMENDATION - 9.4

That Council:

1. Revokes the Planning and Building Fee Waiver Policy 2017
2. Adopts the Planning and Building Fee Waiver Policy 2023

#### COUNCIL RESOLUTION

Moved: Cr Jo Beard  
Seconded: Cr Kate Makin

That the recommendation be adopted.

CARRIED UNANIMOUSLY 6 / 0

## 9.5 Information Privacy Policy Review

Directorate: Corporate and Community Services

Author: Michele Stephenson, Manager Human Resources and Risk

Previous Council Reference: Nil

Attachments:

1. Information Privacy Policy September 2023 [9.5.1 - 10 pages]
2. Under Separate Cover - Information Privacy Policy September 2023 - tracked changes [9.5.2 - 10 pages]

### Declaration

Chief Executive Officer – David Rae

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

Author – Michele Stephenson

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

### Summary

This report recommends that Council adopt the revised Information Privacy Policy (Policy). The Policy has been reviewed in accordance with Council's Policy Development Framework. Regular review ensures that the policy continues to reflect the aims of the *Data Protection and Information Privacy Act* (PDP Act) and the *Health Records Act 2001* (HR Act) to protect individuals' personal, health, and sensitive information. This policy provides guidance to Councillors and staff about their obligations under the relevant legislation when they are dealing with personal, sensitive, or health information as part of their roles at Council.

### Introduction

The PDP Act regulates how the Victorian Public Sector collects and handles personal information. The *Health Records Act 2001* (HR Act) describes how the sector deals with health information. The Policy explains how Council will handle, store and use the personal and health information it collects about individuals, and how individuals can access and correct their personal information, or complain about possible privacy legislation breaches.



Personal information includes any information or opinion that is recorded in any form about an identifiable individual. Health information includes information about health, disability, health service information, or genetic information about an identifiable individual. In a small municipality it may not be necessary to name an individual for them to be identified, because the information itself might clearly identify them.

### **Issues**

The development of an Information Privacy Policy is recommended by the Office of the Victorian Information Commissioner (OVIC) to assist organisations in meeting their legal obligations.

A review of all Local Government Privacy Policies was undertaken by OVIC in 2019. A number of recommendations were issued following this review and Council has previously updated the Policy to reflect these recommendations from OVIC.

The current review identified only minor administrative changes to the policy, including the removal of Public Registers from the policy. This requirement is no longer legislated in the *Local Government Act 2020*. A new two-year review cycle has been implemented for this policy which reflects OVIC recommendations.

### **Policy and Legislative Context**

This policy has been developed in accordance with the requirements of the PDP Act, the HR Act, and recommendations and guidance from the OVIC.

The Information Privacy Policy Review is also in keeping with the commitments in the Council Plan 2021-2025:

Theme Five - Community Leadership  
Having strong governance practices

### **Internal / External Consultation**

This is an existing policy which has been reviewed by the Human Resources and Risk Department.

A Gender Impact Assessment was undertaken to ensure that the policy meets the needs of all genders, particularly where intersectionality overlaps with gender.

### **Financial and Resource Implications**

The implementation of this policy is not expected to incur any financial costs or other resourcing issues.

### **Options**

Council may adopt the Information Privacy Policy as presented or with amendments.

### **Conclusions**

All recorded personal information held by Council is subject to legislated privacy provisions. This policy provides guidance to Council officers and Councillors about how to manage personal information and also how a complaint about a potential privacy breach may be made.

### **RECOMMENDATION - 9.5**

**That Council:**

- 1. Revokes the Information Privacy Policy dated March 2020**
- 2. Adopts the Information Privacy Policy dated September 2023**

#### **COUNCIL RESOLUTION**

**Moved:** Cr Kate Makin  
**Seconded:** Cr Laurie Hickey

**That the recommendation be adopted.**

**CARRIED UNANIMOUSLY 6 / 0**

## 9.6 2023-2024 Road Sealing Contract

Directorate: Works and Services

Author: John Kelly, Manager Assets Planning

Previous Council Reference: Nil

### Attachments:

1. Under Separate Cover - Tender Evaluation Report - 2023-2024 Sealing Contract [9.6.1 - 6 pages]
2. Under Separate Cover - List of Lowest Tender Prices - 2023-2024 Sealing Contract [9.6.2 - 2 pages]
3. Under Separate Cover - Declarations of No Conflict of Interest - Contract No. 2024003 [9.6.3 - 3 pages]

### Declaration

Chief Executive Officer – David Rae

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

Author – John Kelly

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

### Summary

This report seeks to award the contract for sealing of various local roads throughout Corangamite Shire and Warrnambool City in 2023-2024 which is a collaborative tender between the two municipalities.

### Introduction

Council maintains 914 km of sealed roads. These roads require periodic sealing to maintain surface condition and preserve the underlying road pavement.

Following on from a successful collaboration between Corangamite Shire and Warrnambool City Council over the last eight years, a collaborative approach has again been undertaken in 2023-2024 to share resources and have the annual sealing programs for both municipalities done under one contract for the purpose of improving efficiencies and reducing costs.

## Issues

Corangamite Shire's resealing program this year is expected to cover 66km of roads, which is approximately 7% of the sealed road network.

Nomination of the roads for the sealing contract has been based on the data collected from road surface condition assessments undertaken throughout the Shire.

Recent on-site inspections by Council officers have taken place to confirm that the nominated roads for the sealing program are still appropriate and to prepare a default sealing design for each road for the tender documents.

Council has undertaken a competitive tender process to recruit a suitably qualified and experienced contractor to undertake resealing works on the nominated roads. Five tenders have been submitted for the resealing works on various local roads in Corangamite Shire and Warrnambool City Council in 2023-2024. Four tenders were deemed compliant, and all four tenderers are experienced contractors who are prequalified for road surfacing works with the Department of Transport. A fifth tenderer submitted a non conforming tender offering an alternative microsurfacing treatment in lieu of the specified sprayed seal treatment for all road jobs. This submission was not considered as it was non-conforming and as the material proposed for the jobs was both inappropriate and not cost effective.

There is a variance of 29% between lowest and highest tender prices. The lowest price submission is from Inroads.

A panel comprising Council staff from both Corangamite Shire and Warrnambool City Council undertook an independent evaluation of the tender submissions in accordance with Council's Procurement Policy and with the specified criteria. 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 panel's agreed scores for each of the conforming tender submissions, against the criteria with applied weighting for the evaluation, is provided in Table 1 below.

	<b>Tender Price (exc GST) \$</b>	<b>Financial Benefit</b>	<b>Experience, Past Performance</b>	<b>Quality Assurance</b>	<b>Local Content</b>	<b>Weighted Score</b>
<b>Weighting</b>		<b>55%</b>	<b>20%</b>	<b>20%</b>	<b>5%</b>	
<b>Contractor</b>	<b>Scores</b>					
<b>Inroads</b>	2,761,820	55	17	20	0.7	92.7
<b>Tenderer 2</b>	2,965,514	51.2	17	20	0.6	88.8
<b>Tenderer 3</b>	3,281,657	46.3	14	20	1.6	81.9
<b>Tenderer 4</b>	3,562,264	42.6	14	20	0.1	76.7

**Table 1: Aggregated Tender Submission Assessment**

Local content, defined as within the Corangamite Shire and Warrnambool City Council, was evident in all tender submissions in varying degrees with the contractors advising of their intentions of purchasing accommodation, meals and fuel locally for their crews during the period of works.

Tenderers had similar assessment ratings in relation to the other criteria of construction experience, past performance and quality assurance.

A Technical Evaluation Report which provides further detail on the assessment of tenderers is attached under separate cover.

It is considered that value for money is best achieved for both municipalities from the tender submitted by Inroads at a price of \$2,761,820.00 (plus GST).

### **Policy and Legislative Context**

This report is in keeping with the commitments in the Council Plan 2021-2025:

Theme One - A Connected Community  
Roads that are fit for purpose

The contract for the sealing of various local roads in 2023-2024 was advertised for public tender, as required under the Local Government Act 2020 and Council policy, as it is a purchase greater than \$250,000 (inc GST).

### **Internal / External Consultation**

An agreement has been made between Warrnambool City Council and Corangamite Shire for the 2023-2024 sealing works in these municipalities to be done under one contract. Warrnambool City Council has agreed to Corangamite Shire engaging a contractor to carry out both municipalities' sealing works. Further approval is not required from Warrnambool City Council prior to the award of the sealing contract.

Tenders were invited for these works by way of newspaper advertisements in August 2023. Tenderers were able to register on Council's tendering portal eProcure and then download their set of tender documentation. The tender documents were downloaded by 17 companies.

### **Financial and Resource Implications**

The current available budget for the sealing works in Corangamite Shire this financial year is \$2,179,000.

Based on the tender price from Inroads, the cost to complete the Corangamite Shire component of the 2023-2024 sealing contract including a proportional amount of provisional items is \$2,139,404 which is \$39,596 under budget. The cost for the Warrnambool City Council component of the works is within that municipality's budget.

In previous years when the tendered amount has been less than budget, Council has made the following decisions based on the financial position of the organisation and condition of the sealed road network:

- During the 2000s on at least two occasions, Council decided to increase the sealing program area to the full amount of the budget to lift overall road condition
- In the 2012-2013 and 2014-2015 budgets, Council decided to direct the savings to general revenue in light of cost pressures on the organisation and the stabilisation of the sealed road condition.
- A condition of the Federal Government's Roads to Recovery current funding allocation is that the Council spends at least \$6m of its own expenditure on road construction and maintenance. As a result, savings from the 2015-2016 to 2020-2021 sealing programs inclusive were put towards other road maintenance activities, to meet the above condition.

The sealing prices obtained in 2023-2024 have decreased 6.5% compared with those in 2022-2023. This correlates with the approximate 7% decrease observed in the price of bitumen/tonne in the last 12 months based on the Australian Bureau of Statistics (ABS) price index for bitumen.

The lowest priced tenderer, Inroads, is a recognised sealing contractor in the market. Inroads satisfactorily delivered the shires' joint sealing programs consecutively from 2017-2018 to 2020-2021 inclusive with minimal rework required. Inroads had a good working relationship with both councils during that period. The contract will be awarded on the basis of a two-year defects liability period.

Council's sealed road network remains in a stable condition in line with its overall strategy of maintaining the network at current or improved standards. This has been validated from the satisfactory results from the condition assessment of Council's sealed road network in 2020. These results highlighted that 99% of Council's local sealed road network was in adequate condition.

### Options

Council has the option to award the tender to Inroads as recommended or to select an alternate tenderer.

Should Council opt to proceed with awarding the contract to Inroads, Council can choose to allocate the \$39,596 saving on budget, as follows:

1. Increase the 2023-2024 sealing program area with the next highest priorities, to bring the total cost up to the budget of \$2,179,000.

2. Maintain the 2023-2024 sealing program at the tendered amount and realise the saving on budget. The savings would be directed to general revenue and improve the organisation's financial position.
3. Maintain the 2023-2024 sealing program at the tendered amount and put the savings to other road maintenance activities this financial year. This option is preferred by Council officers as it will enable the requirements of the Roads to Recovery funding program described above to be met.

### Conclusions

The sealing contract has been tendered and evaluated in accordance with Council policy and the evaluation criteria. It is considered that the best overall value for Council is provided from the tender submitted by Inroads. Warrnambool City Council has been involved with the tender evaluation process and supports this recommendation.

### RECOMMENDATION - 9.6

#### That Council:

1. Awards Contract No. 2024003 - Sealing of Various Local Roads throughout Corangamite Shire and Warrnambool City in 2023-2024 to Inroads for the contract sum of \$2,761,820.00 plus GST.
2. Affixes the Common Seal of Council to the contract.
3. Uses a saving on budget of \$39,596 for road maintenance activities to ensure Roads to Recovery funding requirements are met.
4. Authorises the CEO to approve variations to the contract sum that are up to his delegation level and that within budget.
5. Delegates to the CEO authority to approve any variations to the contract requested by Warrnambool City Council.

#### COUNCIL RESOLUTION

Moved: Cr Laurie Hickey  
Seconded: Cr Kate Makin

That the recommendation be adopted.

CARRIED UNANIMOUSLY 6 / 0

## 9.7 Transfer of Council Managed Land to GORCAPA

Directorate: Works and Services

Author: Jarrod Woff, Manager Facilities and Recreation

Previous Council Reference: Nil

Attachments:

Nil

### Declaration

Chief Executive Officer – David Rae

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 Great Ocean Road Coast and Parks Authority (the Authority) was established on 1 December 2020 to deliver better protection and management of the iconic coast and parks of Victoria's Great Ocean Road.

This report provides an update on the transition status of Crown Land, managed by Council and other bodies, to the Great Ocean Road Coast and Parks Authority.

### Introduction

The Authority and Department of Energy, Environment, and Climate Action (DEECA) have been working with Council collaboratively to ensure a successful transition of land management.

There are four parcels Council currently manage under delegation from DEECA to be transferred to the Authority whilst the Port Campbell Public Purpose Reserve will remain under Council management.



## Issues

Corangamite Shire is the responsible management authority for a number of Crown land parcels in the south of the shire. As part of the reform, there are four parcels that are currently managed by Council that have been identified for transfer to the Authority. These parcels are outlined in the table below;

Description	Target transfer date	Area (hectares)
Cnr GOR and PC-Cobden Rd	1/11/2023	0.201
Headland reserve	1/11/2023 (TBC)	1.590
War memorial / car park	1/11/2023	0.357
Old GOR on headland	TBC	Survey to be completed

**Table 1. DEECA parcels managed by Council for transfer**

In addition to the parcels above, Council is also the responsible authority for the Port Campbell Public Purpose Reserve and has delegated management to a Community Asset Committee (CAC) under Section 65 of the *Local Government Act 2020*.

The facilities that sit on the Port Campbell Public Purpose Reserve are the skate park, public toilets, playspace, tennis courts, BBQ and shelter, community arts space and pathway connecting Morris and Hennessey streets.

The Reserve provides important community infrastructure which supports a range of community activities, events and connectivity. Under the current arrangement, Council is responsible for asset management and maintenance of the Reserve. The role of the CAC is to oversee the management of the Reserve on behalf of Council including to promote use of the facility and support its development as a community asset.

The transfer of this parcel to the Authority would not overly impact community connectivity and active recreational use of the space, however there was a possibility that it could impact events with permit requirements imposed and the unknown of capital investment back into maintaining the assets to the current standard.

In addition to the Port Campbell Public Purpose Reserve, the Port Campbell Museum is also in this vicinity, with a DEECA committee of management appointed to oversee the operations of the reserve.

DEECA has since reviewed the parcel and identified that they should be left in the current arrangements as they are locally important community infrastructure rather than supporting tourism associated with the Great Ocean Road coast and parks.

Council has agreed the best outcome for the community is for the current management arrangements to remain. Council, with the CAC will continue to assume control of recurrent operations and renewal of community infrastructure assets to ensure they remain fit for purpose. The current management arrangement of the Port Campbell Museum will also remain.

Further to the Crown land that Council manages, there are a number of parcels that are overseen by other Crown land managers such as Parks Victoria and Crown land Committees of Management.

DEECA and the Authority are working with relevant Crown land managers to oversee the transfer of these Crown land parcels. These parcels may have a direct or indirect impact on Council services, table 2 below highlights the parcels and potential impacts on Council;

Asset	Comments
Port Campbell Recreation Reserve	Community facility, used for childcare services, recreational purposes and includes camping ground
Princetown Recreation Reserve	Community facility, used for recreational purposes, includes township playground and camping ground
Port Campbell Caravan Park	Visitor Information Centre under lease agreement
Port Campbell Surf Life Saving Club	Community facility
Port Campbell Transfer Station	Includes lease agreement with Council
Port Campbell Rifle Range	Community facility

**Table 2. DEECA parcels managed by others**

The lease agreements will be worked through with Council officers and the Authority as the transfer process continues.

### Policy and Legislative Context

Council is the delegated land manager from DEECA under the *Crown Land (Reserves) Act 1978* for a number of parcels throughout the Corangamite Shire.

The Great Ocean Road Coast and Parks Authority (the Authority) is established by the Great Ocean Road and Environs Protection Act 2020 (GOREP Act) to protect, conserve, enhance and manage public land and coastal assets within the Great Ocean Road Coast and Parks.

The legislation appoints the Great Ocean Road Coast and Park Authority as a lead agency and specifies that on the transfer day:

- All assets and liabilities held by a Responsible Entity vest in the Authority (Principal Act 2020, Part 7, s70)
- Any lease, licence or permit granted by a Responsible Entity is taken to be granted by the Authority (Principal Act 2020, Part 7, s71).

This report is in keeping with the commitments in the Council Plan 2021-2025:

Theme Five - Community Leadership

Having strong governance practices

### **Internal / External Consultation**

An engagement plan has been developed by the Authority to ensure that the relevant land managers and the community are kept informed as to the parcels being transferred and timelines.

### **Financial and Resource Implications**

It is expected that the Authority will take over all ongoing costs of the parcels identified for transfer, which includes short, medium and long term capital and operating costs.

An agreement between Council and the Authority for Council to provide maintenance services of the land parcels for transfer is under development for the period until such time the Authority have a presence and take over maintenance.

### **Options**

Council can receive and note the status update as provided or seek additional information from the Authority.

### **Conclusions**

The Great Ocean Road Coast and Parks Authority (the Authority) has been established to protect, conserve, enhance and manage public land and coastal assets within the Great Ocean Road Coast and Parks. There are four parcels that have been identified for transfer to the Authority that are currently managed by Council on behalf of the State Government.

The transfer process has been worked on collaboratively between DEECA, the Authority and Council to ensure a smooth transition. Council will continue to manage the Port Campbell Public Purpose Reserve as a key community asset.

**RECOMMENDATION - 9.7**

**That Council receives and notes the status update regarding the transfer of Council managed Crown land to the Great Ocean Road Coast and Parks Authority.**

**COUNCIL RESOLUTION**

**Moved: Cr Kate Makin**  
**Seconded: Cr Geraldine Conheady**

**That the recommendation be adopted.**

**CARRIED UNANIMOUSLY 6 / 0**

## 9.8 Authorisation of Payment for Cumulative Spend for Transfer Station Civil Works to allow Glass Reveal

Directorate: Sustainable Development

Author: Lyall Bond, Manager Environment and Emergency

Previous Council Reference: Nil

Attachments:

Nil

### Declaration

Chief Executive Officer – David Rae

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

Author – Lyall Bond

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

### Summary

The purpose of this report is to seek Council approval for the payment of civil works that have been carried out at Council Transfer Stations. The civil works relate to new retaining walls and concrete pads for the acceptance and handling of glass recyclables.

### Introduction

Greencon were initially engaged to undertake works at Council Transfer Stations through a Request for Quote (RFQ) process. These works have been altered and adjusted over the past year to facilitate the use of improved collection infrastructure, which is to be provided as part of the Transfer Station glass recyclables, service improvements. The State Government mandated that access to glass collection services be provided for all Victorians by 2027. This project ensures Council complies with this directive.

Changes to the scope of works during the project due to OH&S requirements has resulted in a breach of Council's Procurement Policy, where the works (after several variations) now exceed the CEO delegation.

Due to the progressive nature of the glass receival service upgrade project, over multiple financial years, the exceedance has been identified after the majority of the works had been completed by the contractor.

Council officers are therefore seeking a resolution from Council to allow payment to the contractor, Greencon for the completed civil works which relate to new retaining walls and concrete pads at Council Transfer Stations, for the acceptance and handling of glass recyclables.

### Issues

In 2020-2021 Council was successful in obtaining \$343,000 funding from the State Government through the Transfer Station Upgrade Fund, for upgrades to six Council Transfer Stations, to facilitate the acceptance and management of glass recyclables from the community.

In 2021-2022 Council initiated a RFQ process to undertake civil construction works at all six Council Transfer Station sites. The initial RFQ process failed to obtain a suitable contractor who could complete the works within the allocated timeframe. Further discussions were undertaken with Greencon who were then engaged through the RFQ Process in the 2022-2023 financial year. The quote was accepted with a flexible delivery schedule and for a total lump sum of \$165,550 (inc. GST).

At this time, Council also undertook a tender process for Transfer Station Skip Bin services which aligned with the collection of glass and recyclables from each of the transfer stations. The contract specifically provided for newly constructed 18m<sup>3</sup> skip bins to allow for glass collection.

The scope of the grant funded works changed in the 2022-2023 financial year with the removal of the outright purchase of bin infrastructure and a project variation was approved which reduced the grant amount to \$319,000.

Once the new skip bin contract commenced and the first glass bin pad was completed, a skip was delivered to site. This revealed that due to the height of the new skips and the weight of glass containers, there was an OH&S manual handling safety issue, which needed to be addressed and remedied.

It was determined that the most appropriate solution to resolve this issue was to vary the existing scope of works from concrete pads, to retaining walls with bins located lower than the unloading area.

Greencon were then instructed to design and implement the altered scope of works at five of the six sites. This led to an increase in the works as they were now not only installing concrete pads, but also designing and building, retaining walls and foundations. The works timeframes had also been extended due to competing priorities with Greencon's other projects and the works are only nearing completion now.

The project has also been time sensitive as the State Government have maintained strict funding timelines and reporting requirements. This, in addition to the fact that Council had already engaged Greencon to undertake certain works, did not allow sufficient time to readvertise the works. This, combined with the progressive nature of the works at each site and on-going scope alterations, which were then able to be delivered by the same contractor, hampered the ability to fully capture the level of the expenditure and cost increases.

The total expected expenditure of the works is now confirmed to be \$290,190.67 (inc. GST) and the total cumulative spend exceeds the CEO's delegation.

### **Policy and Legislative Context**

This report is in keeping with the commitments in the Council Plan 2021-2025:

Theme One - A Connected Community

Infrastructure that enables industry and business growth

Theme Three - A Healthy, Active and Resilient Community

Access and inclusion is improved

Theme Four - Improving Our Environment

Providing high quality waste services, including sustainable management of the regional landfill at Naroghid

Theme Five - Community Leadership

Having strong governance practices

Ensuring that we maintain our strong financial position

### **Internal / External Consultation**

Ongoing internal consultation has occurred with Corporate and Community Services Procurement and Finance Team regarding the project cost variation and the ability for the project to remain within the funding amount provided by State Government.

### **Financial and Resource Implications**

Final works and invoices have been received for this project totaling \$290,190.67 (inc. GST). The total cost of this project will remain within the funding allocation from the State Government, therefore, there will be no additional financial costs incurred by Council.

### Options

It is recommended that Council approve payment of the invoices associated with civil works at Council Transfer Stations and report the procurement policy exceedance to the Audit and Risk Committee.

### Conclusions

The type and cost of infrastructure required to enable glass recycling to be received at Council's Transfer Stations has changed over the life of the grant funded project. These changes are due to a range of factors including the new bins to be used at each site, the duration of the project and the capability of the service provider to undertake the range of work required, when projects variations occurred.

The need for variations throughout the project has resulted in a cumulative spend that has exceeded the RFQ threshold. The project should therefore have been procured through a tender process. As the works have already been completed, the matter will be reported to the Audit and Risk Committee. The report also requests payment is made to Greencon for the already completed works to the value of \$290,190.67 (inc. GST).

### RECOMMENDATION - 9.8

**That Council approve the payment of \$290,190.67 (inc. GST) for invoices submitted by Greencon for works that have already been completed at Council Transfer Stations.**

#### COUNCIL RESOLUTION

**Moved:** Cr Jo Beard  
**Seconded:** Cr Geraldine Conheady

**That the recommendation be adopted.**

**CARRIED UNANIMOUSLY 6 / 0**



## 9.9 Strategic Planning Consultant Procurement

Directorate: Sustainable Development

Author: Aaron Moyne, Manager Planning and Building Services

Previous Council Reference: Nil

Attachments:

1. CONFIDENTIAL REDACTED - Kristen Wilkes\_ Fee Proposal 060923 (002)  
[9.9.1 - 1 page]

Pursuant to sections 3(1) and 66(5) of the *Local Government Act 2020* the Chief Executive Officer has designated this report and its attachments as confidential on the grounds that it contains private commercial information, being information provided by a business, commercial or financial undertaking that—

- (i) relates to trade secrets; or
- (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

In particular the report contains information regarding commercial contracts for ongoing strategic planning and project management services.

### Declaration

Chief Executive Officer – David Rae

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 purpose of this report is to seek Council's approval for the contract variation and extension of Kristen Wilkes, to provide continued strategic planning and project management services to Council.

### Introduction

Ms Wilkes was initially engaged through recruitment consultancy, Planned Resources, via a procedural exemption in April 2022 to provide strategic planning and project management services to Council. A procedural exemption was used then, following earlier unsuccessful market testing for a strategic planner during COVID-19, at a point in which recruitment was increasingly difficult and there was an immediate need for resources.

In October 2022, a direct contract was entered into with Ms Wilkes after she left the recruitment consultancy and established herself as a sole trader. This was approved via a procedural exemption by the Director Sustainable Development on an hourly rate basis, with an increase in the hourly rate deemed appropriate based on the scope and complexity of the strategic planning and project management work being undertaken.

The procurement approval was appropriate and justified at the time for a variety of reasons including:

- Complexity of services provided
- Value for money
- Professional services unsuitable for tendering
- Advantageous time-limited conditions
- Support from original supplier.

Ms Wilkes has now been directly engaged by Council as a sole trader providing specialised consultancy services for almost one (1) year. As of 11 September 2023, cumulative payments total \$140,300.93.

Whilst the CEO has delegation to approve payments up to \$250,000 (including GST), Council approval is required in accordance with Council's Procurement Policy, as the total purchase is likely to exceed the CEO's delegated authority. This is based on current and upcoming strategic planning work to be undertaken.

### Issues

Ms Wilkes was initially engaged by Council to provide strategic planning support to prepare and deliver the Camperdown Production Precinct Servicing Master Plan and other relevant strategic projects. Since her initial engagement, these services have expanded as the nature of Council's strategic planning and project delivery work program has evolved.

In the past financial year alone, Ms Wilkes has assisted Council in:

- Preparation of the Camperdown Production Precinct Servicing Master Plan (ongoing) and upcoming implementation actions
- Grow Corangamite: Sustaining our Agricultural Future (scoping study) and progression towards strategy preparation
- Development of the project brief and project management of the Skipton Structure Plan (ongoing)
- Planning scheme amendment preparation for:
  - Unlocking Housing Simpson and Timboon
  - Cobden Structure Plan
  - Proponent-led amendment requests

- Residential Land Review implementation and leading delivery of the Terang Development Plan Review (ongoing)
- Industrial Land Strategy review
- Preparation of the project brief for the Timboon Precinct Plan
- Planning Scheme Review implementation
- Development of the strategic planning work program and upcoming structure plans

Ms Wilkes has acquired significant project knowledge, intellectual property and understanding through her work with Council which justifies the need for previous procedural exemptions and to not undertake a new tender process for her professional services.

Moving ahead, Ms Wilkes will play a key role in the delivery of Council's strategic planning work program, with a focus placed on project development and implementation, including funding opportunities and other relevant actions consistent with Council's strategic priorities. Other services will also be delivered which supports broader Council goals and planning service delivery.

To enable the efficient administration of Ms Wilkes' professional services to Council, a payment delegation threshold should be considered to ensure that, if reached, Council can further review to ensure it is getting value for money.

### **Policy and Legislative Context**

This report is in keeping with the commitments in the Council Plan 2021-2025:

Theme One - A Connected Community

Infrastructure that enables industry and business growth

Infrastructure and services that deliver population growth and new housing

Theme Two - A Thriving Community

Facilitating and supporting economic development

More housing and subdivision to cater for population growth

A local tourism industry that is valued and recognised for its significant role to the Shire

Corangamite's townships are attractive, accessible and appealing to visitors and are presented in a way in which our residents can be proud

We retain and we grow our population

Theme Four - Improving Our Environment

Protecting and improving our built and natural environment

Corangamite Shire Procurement Policy 2021

### **Internal / External Consultation**

Internal consultation has occurred with the Director Community and Corporate Services and Procurement Coordinator regarding Ms Wilkes ongoing engagement.

### **Financial and Resource Implications**

Ms Wilkes has provided Council with an updated fee proposal for her professional services, setting an hourly rate of \$176.00 (including GST).

The total value of Ms Wilkes' professional services to date is \$140,300.93. The cost of these strategic planning and project management services is incorporated within Council's current budget and project specific line items.

### **Options**

Council's recommended option is to award the variation and extension of the existing contract with Kristen Wilkes through a procurement procedural exemption in accordance with Council's Procurement Policy.

It is proposed that this occur via exemption No. 4 "Professional Services Unsuitable for Tendering", to enable the provision on ongoing services, with authorisation to the CEO for payments up to a total value \$440,000 (including GST) before a further Council resolution is required.

Other options exist to award the variation and extension without a value cap, or to not award the contract at all.

### **Conclusions**

The provision of professional strategic planning and project management services by Kristen Wilkes has been of significant value in enabling Council to undertake a variety of projects consistent with objectives and actions aligned with the Council Plan 2021-2025.

This report seeks Council's approval to award the variation and extension of the contract at an hourly rate of \$176.00 (including GST), up to a total payment amount of \$440,000 (including GST) before further Council approval is required.

## RECOMMENDATION - 9.9

That:

1. Council awards a contract extension to continue engaging the services of Kristen Wilkes without undertaking a publicly advertised tender process as described in Council's Procurement Policy, *Item 2.3.2.1. Exemptions from Tendering, item 4.*
2. Council enters into a consultancy contract with Kristen Wilkes, approved by the Director of Corporate and Community Services and the Chief Executive Officer;
3. A maximum cumulative spend be placed on this contract up to \$440,000.00 (including GST);
4. In accordance with Appendix 4 Delegations and Authorities to Council Staff of the Procurement Policy, and within budget, that either the Chief Executive Officer or Director Corporate and Community Services approve payments and purchase orders in accordance with cumulative spend.

### COUNCIL RESOLUTION

Moved: Cr Laurie Hickey

Seconded: Cr Nick Cole

That the recommendation be adopted.

CARRIED UNANIMOUSLY 6 / 0

## 9.10 National Local Roads and Transport Congress 2023 Report on Attendance

Directorate: Works and Services  
Author: Brooke Love, Director Works and Services  
Previous Council Reference: Nil  
Attachments:  
Nil

### Declaration

Chief Executive Officer – David Rae

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 provide an overview of the 2023 Australian Local Government Association (ALGA) National Local Roads and Transport Congress. The Congress was attended by Mayor Gstrein, Councillors Hickey and Makin and Brooke Love, Director Works and Services.

### Introduction

The 2023 ALGA National Local Roads and Transport Congress was held 6 – 7 September in Canberra, ACT. This year's event focused on Building Communities that are Safer, Stronger, Smarter. The conference allowed local government road and transport professionals and Councillors the opportunity to hear from industry experts and counterparts on current issues and challenges, emerging trends as well as an opportunity to contribute to discussions on ALGA policy direction and advocacy efforts.

The Roads Congress is an important event for Corangamite Shire and provided Council an opportunity to elevate the Shire and its priorities to the Federal level.

### Issues

The conference attracted works managers, asset planners, senior managers, CEOs, Councillors and associated industry professionals from across rural, regional and urban Australia.

Sessions covered sustainable infrastructure, road funding, asset management, heavy vehicle access, disaster recovery, climate ready infrastructure, road safety, waste and recycling.

Other concurrent sessions covered:

- Stronger communities
  - Managing local government infrastructure with increasing natural disasters
  - Delivering affordable housing
- Smarter communities
  - How can AI improve liveability?
  - Incorporating and sharing the benefits of community batteries
- Safer communities
  - local government innovations in active transport
  - Telecommunications infrastructure

A highlight from the Congress was hearing more about the [Community Energy Upgrade Fund Program](#) providing \$100m to support electrification and energy saving projects at council facilities. The guidelines will be released in December. It will be important to engage with the Department of Climate Change, Energy, Environment and Water on the development of the guidelines and request consideration of community facilities on Crown Land where Council is responsible for operating costs as delegated manager or under Council Policy.

### Policy and Legislative Context

The National Local Roads and Transport Congress 2023 Report on Attendance is in keeping with the commitments in the Council Plan 2021-2025:

Theme Five - Community Leadership

Having strong governance practices

Council advocates strongly and respectfully on issues that matter to our community

Councillor attendance at the Roads Congress was in accordance with Council's Support for Councillor Professional Development Policy.

### Internal / External Consultation

Council approved attendance of Councillors Gstrein, Beard and Hickey at its July ordinary meeting. Councillor Beard was unable to attend the Congress and as such Councillor Makin attended. Approval for Councillor Makin to attend was not required as the cost was within Council's Professional Development Policy.

### Financial and Resource Implications

Costs associated with attending this conference related to travel, accommodation, meals, and attendance at the congress were approximately \$2,000 per person.

### Conclusions

The 2023 ALGA National Local Roads and Transport Congress provided an opportunity for representatives from Corangamite Shire to hear and gain insights from decision makers within the industry. Valuable knowledge was also gained from discussions around the council's role in future challenges and opportunities. This congress provided an opportunity for input from delegates with regard to the ALGA policy and advocacy direction and Federal budget.

### That Council:

1. **Receive this Report; and**
2. **Note Councillor Makin's attendance in lieu of Councillor Beard's unavailability.**

### COUNCIL RESOLUTION

**Moved:** Cr Kate Makin  
**Seconded:** Cr Laurie Hickey

**That the recommendation be adopted.**

**CARRIED UNANIMOUSLY 6 / 0**



## 9.11 Community Planning Reserve Allocation

Directorate: Sustainable Development  
Author: Justine Linley, Director Sustainable Development  
Previous Council Reference: Nil  
Attachments:  
Nil

### Declaration

Chief Executive Officer – David Rae

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

Author – Justine Linley

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

### Summary

This report is to seek Council approval for allocations to be made from the Community Planning Reserve for three projects aligned with Community Plans.

### Introduction

The Community Planning Reserve was established in 2014 to set aside funds to enable the implementation of small projects that align with Community Plans in the twelve towns of Corangamite.

In the past small annual amounts have been distributed on an equity principle to those communities where their township allocations have been expended, so that each community continues to have some financial capacity to advance priority projects identified in their community plans.

Since March 2020, COVID19 put a stop to many local community planning activities, limiting progress on identified community projects and therefore the call on the Reserve in recent years. Council has not added to the Reserve these past two years, but instead has allocated funds directly to priority community projects through the budget process, for example the Noorat Walking Track Stage 4, Volcanic Lakes and Plains promotion etc. In this year's budget more than \$600,000 has been allocated directly to projects initially proposed through Community Plans.

### Issues

Many of the Community Plans are at or near the end of their ten year life. Most projects able to be implemented with the modest amount of community plan funding available have been undertaken. Some larger or longer term projects remain on the Community Plan project lists and have been taken on as projects and funded separately through the budget process or by way of grant programs administered by Council, the private sector (e.g. Berrybank Windfarm, Beach Energy) or through State or Commonwealth Government funding programs (e.g. Timboon and Port Campbell Streetscapes).

A process has been implemented to govern the allocation and dispersal of funds from the Community Planning Reserve for smaller projects that sit outside of the larger budget bids, grant applications or Council procurement processes where Council itself has taken on the delivery of a project directly instead of funding the community group to undertake and manage works. The process has been designed to maintain transparency and public accountability. Any allocation from the Community Plan Reserve now requires a decision of Council. Recommendations are to be supported by a report that includes:

- a description of the project,
- the town or community that it relates to,
- the organisation to receive the funds,
- the timeframes and project plan for the delivery of the project,
- any other funding sources including grants and own-source funding,
- whether the project is part of an existing community plan or documented community priority,
- whether the project aligns with or is a project identified in the Grow and Prosper Action Plans,
- whether the project can be completed for the available funds and has been properly scoped,
- whether the project has all necessary permits and approvals, and
- whether the project complies with the *Community Initiated Projects Policy 2022* and the *Community Planning Infrastructure Projects Policy 2019*.

The following projects are submitted for Council's consideration.

1. *Lismore Cemetery Trust, Lismore*

Development of the end destination of the Lismore Walking Trail Loop

Allocation requested - \$5,000

2. *Camperdown Botanic Gardens Trust, Camperdown*

Renewal of large entrance sign, gardens sign and directional signposts at the Camperdown Botanic Gardens.

Allocation requested - \$4,466

3. *Darlington Hall, Darlington*

Completion of re-stumping and drainage for the Darlington Hall

Allocation requested \$2,561

### **Policy and Legislative Context**

This report is in keeping with the commitments in the Council Plan 2021-2025:

Theme One - A Connected Community

Access to infrastructure that supports a healthy and active lifestyle for our community

Theme Two - A Thriving Community

Corangamite's townships are attractive, accessible and appealing to visitors and are presented in a way in which our residents can be proud

Theme Three - A Healthy, Active and Resilient Community

Our community groups and clubs are engaged and supported and facilities are fit for purpose

Theme Five - Community Leadership

We listen to and engage with our community

The report is in accordance with the *Community Planning Infrastructure Projects Policy 2019*.

### **Internal / External Consultation**

The development and implementation of Community Plans involve extensive community consultation and review. The three projects recommended for funding from the Reserve are projects listed in the respective Community Plans and are being delivered by those community and volunteer groups for community benefit. Council officers have been consulted in the development and scoping of the projects and referrals made to the relevant departments with regard to permit and approval requirements which have been completed.

### Financial and Resource Implications

The Community Planning Reserve had a current balance of \$166,101.38 at 30 June 2023. The reserve receives 'top up' allocations by Council from time to time through the annual Budget process. In 2023-2024 budget no additional allocations were placed in the Reserve.

<b>Town</b>	<b>Balance as at 30/06/2023</b>
Timboon	\$ 19,717.16
Derrinallum	\$ 11,071.30
Cobden	\$ 13,407.39
Simpson	\$ 18,341.68
Lismore	\$ 17,685.72
Camperdown	\$ 15,573.92
Skipton	\$ 14,526.00
Terang	\$ 11,500.58
Princetown	\$ 11,250.44
Darlington	\$ 10,013.56
Noorat	\$ 4,750.63
Port Campbell	\$ 18,263.00
	<b>\$ 166,101.38</b>

### Options

#### *Option A*

Council may decline to allocate funds to the projects and continue to work with the community groups to source alternate funding.

#### *Option B*

Council may allocate the funds as proposed from the Reserve in order to progress the delivery of three more priority projects nominated by the respective communities of Lismore, Camperdown and Darlington and contained in the Community Plans (recommended).

### Conclusions

The purpose of the Community Planning Reserve was to provide for the funding of smaller projects developed by communities as part of the Community Plan program. The allocation of funds from the Reserve for projects that align with Community Plans and demonstrate benefit to the community is an important part of delivering on the objectives of the Council Plan and furthering work towards the realisation of the Corangamite Community Vision 2040.

**RECOMMENDATION - 9.11**

**That Council make the following allocations from the Community Planning Reserve:**

- 1. Lismore Cemetery Trust, Lismore for the development at the end of the walking trail - \$5,000 (+GST);**
- 2. Camperdown Botanic Gardens Trust, Camperdown for signage renewal - \$4,466 (+ GST); and**
- 3. Darlington Hall Committee, Darlington for the completion of re-stumping and drainage for the Darlington Hall - \$2,561 (+GST).**

**COUNCIL RESOLUTION**

**Moved: Cr Nick Cole**

**Seconded: Cr Jo Beard**

**That the recommendation be adopted.**

**CARRIED UNANIMOUSLY 6 / 0**

## 9.12 Confirmation of Community Grant

Directorate: Sustainable Development  
Author: Garry Moorfield, Community Development Officer  
Previous Council Reference: Nil  
Attachments:  
Nil

### Declaration

Chief Executive Officer – David Rae

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 correct an administrative error and to confirm the Council record in regard to the awarding and payment of a Community Grant 2023.

### Introduction

At its 25 July 2023 meeting Council approved the awarding Community Grants to 36 recommended projects to the value of \$58,618. However, due to an administrative error, one of the recommended projects was inadvertently omitted from the list presented to Council.

### Issues

As part of the Grants payment process Council officers have discovered that during the last-minute process of sorting and resorting the list of projects into separate motions to manage voting around Councillors nominated conflicts of interest, one project was inadvertently left off the list presented to Council, and it is not recorded in the Council Minutes of 25 July 2023. This is the recommended Community Grant to the Camperdown Amateur Basketball Association of \$1,940 for the Purchase of new Basketball singlets. The Grant was paid to the successful applicant earlier this month.

### **Policy and Legislative Context**

Consideration of applications for the Community Grants Program is conducted in accordance with the Council Grants Policy.

The awarding of this Community Grant is in keeping with the commitments in the Council Plan 2021-2025:

Theme One - A Connected Community

Access to infrastructure that supports a healthy and active lifestyle for our community

Theme Three - A Healthy, Active and Resilient Community

Corangamite residents have access to a range of sport and recreation opportunities

### **Internal / External Consultation**

Applicants are advised of the outcome of their application following the Council meeting. Successful applicants are required to provide an invoice for payment and subsequently a grant acquittal report following completion of their project, and to return any unexpended amounts.

### **Financial and Resource Implications**

Council has already approved the awarding of Community Grants to 36 projects to the value of \$58,618. This correction to the Council record therefore does not involve any further resource allocations.

### **Conclusions**

With the acceptance of this recommendation Council can complete the Council record and correct the administrative omission in regard to the listing of the Community Grant awarded to the Camperdown Amateur Basketball Association Incorporated.

### **RECOMMENDATION - 9.12**

**That Council:**

- 1. Award a Council Community Grant to the Camperdown Amateur Basketball Association Incorporated of \$1,940 for the Purchase of new Basketball singlets.**

#### **COUNCIL RESOLUTION**

**Moved:** Cr Laurie Hickey  
**Seconded:** Cr Nick Cole

**That the recommendation be adopted.**

**CARRIED UNANIMOUSLY 6 / 0**



## 9.13 Grow and Prosper Programs and Grants

Directorate: Sustainable Development

Author: Justine Linley, Director Sustainable Development

Previous Council Reference: Nil

Attachments:

1. Business Assistance Scheme Policy September 2023 [9.13.1 - 10 pages]

### Declaration

Chief Executive Officer – David Rae

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

Author – Justine Linley

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

### Summary

The purpose of this report is to present the “Catapult” section of Grow and Prosper Corangamite, the Corangamite Economic Growth and Prosperity Framework 2022 – 2032, and to seek approval for the Economic Partnership Program and a new Business Assistance Scheme Policy.

### Introduction

At the meeting in May 2023 Council endorsed Grow and Prosper Corangamite, Council’s Economic Growth and Prosperity Framework 2023-2033.

The Framework provides for levers or interventions that Council may undertake to implement the Action Plans. These include business support and facilitation programs, business assistance schemes, grant programs and investment facilitation services. Several levers are already in place and have been for some time (e.g. Business Façade Grants, Events and Festivals Grants). Others are proposed, again formalising or enhancing existing practices (e.g. Economic Partnership Program) or introducing new programs to meet the needs of community.

The Framework is organised into three sections:

- **Platforms** - the underlying themes and principles drawn from community input that form the basis for growth and prosperity in Corangamite
- **Catapults** - the stimulators, interventions, and action areas necessary to propel these themes forward to achieve outcomes and economic, social, cultural and environmental benefits for the community.
- **Elevators** - the measures and indicators used to assess the extent that the framework and interventions reflect local values, objectives and contexts, deliver benefits and/or lead to learning and adaptation.

### Issues

This report focusses on the Economic Partnership Program and Business Assistance Scheme.

### Economic Partnership Program

The proposed implementation plan for an Economic Partnership looks at:

- the role of economic development and planning/building
- establishes a set of Key Result Areas (KRAs) with corresponding measures and indicators
- outlines the skills and resources required to deliver the KRAs and
- outlines a proposal for a strengthened Corangamite Economic Development and Planning Partnership.

Currently, Council's Economic Development and Planning Units encourage and facilitate the development of strategies and policies which blend planning requirements with community aspirations for sustainable economic growth, industry development (including tourism development), environmental protection and social cohesion in the Shire.

The aim is to do this through integrated planning and development processes which are responsive to community needs and which lead to positive economic outcomes for the Shire. More specifically the team will take on a lead role in four key result areas (KRAs):

- Investment Environment
- Integration and Coordination
- Business Growth and Investment
- Investment Attraction

A matrix detailing the skills and resources required in relation to each of the KRAs has been developed. This matrix demonstrates a strong requirement in the Economic Development and Planning Units for high level skills in the following areas:

- Strategic Research
- Service Monitoring
- Service Delivery
- Advocacy
- Facilitation
- Project Management

Further, the skills detailed above are required throughout the shire, yet with different ratings in different townships and sub-areas. It is therefore proposed that the Service Delivery component, or in other words the accessibility of economic development and planning unit staff in different areas of the Shire needs to be tailored to the requirements of each sub-area of the Shire and each industry sector that has growth potential.

To effectively deliver programs and activities that fall within the four Economic Development and Planning KRAs there needs to be an effective system of referral, review, planning and implementation. It is therefore proposed to strengthen the process known as the Corangamite Economic and Planning Partnership. The aim of the partnership is to enable Council to take a lead role in ensuring the co-ordination and delivery of the Action Plans, to ensure that there is local ownership of the Grow and Prosper Framework, that projects and activities undertaken are part of a broader, sustainable development plan. This Economic Partnership also takes into consideration the pivotal role that industry-sector development has to the ongoing sustainability of the Shire. In particular the contribution that agriculture, manufacturing, health, the circular economy and tourism have to the sustainable economic future of the municipality.

The partnership will include:

- A system for facilitating and processing development and investment enquiries and opportunities;
- The establishment of the *Corangamite Economic and Planning Task Force* (comprising councillors and staff) to act as an advisory group, to work on opportunity identification, to undertake facilitation/advocacy in relation to investment attraction, to promote economic and industry development and opportunities within the shire and externally;
- The planning and development of a *Strategic Investment Plan and Map* for the shire; and
- A 'triage' system to determine which enquiries require referral to the Corangamite Economic Task Force and those that do not.

### **Business Assistance Scheme**

As part of Grow and Prosper Corangamite, there is a clear aspiration to make Corangamite one of the most business friendly municipalities in Victoria. A Business Assistance Scheme is proposed to provide support and other assistance to deliver on that commitment.

The Business Assistance Scheme is designed to support local businesses expanding their operations or new businesses large and small establish in the municipality. The scheme aims to provide targeted assistance that will result in employment and investment opportunities. The scheme incorporates the offsetting of some of the costs associated with expanding or establishing which may include rates, permits, rent and fee concessions and will provide the business with a media profile and professional business advice including marketing and business planning advice. The scheme is aimed at creating healthy, sustainable, strong and growing businesses in Corangamite and our smaller communities.

Prior to applying for assistance, the applicant must discuss the scheme with the Economic Partnership team. A business plan then must be submitted to support the proposal along with an application form which can be downloaded from the Council website or sent by mail.

The Business Plan should include such details as; company principals, nature of the business, location of the business, SWOT analysis, and financial analysis and must provide evidence that the business is financially viable and the applicants have sound management capabilities. The Economic Partnership team will carry out an assessment of the application based on the set criteria and a written recommendation will be forwarded to Council for consideration.

To provide good governance and transparency in this process, a new Business Assistance Scheme Policy (copy attached) will be introduced covering four streams namely:

- Business Façade Improvement
- Creative Industries and Placemaking
- Community Enterprise
- Fees and Enabling Infrastructure

The Business Assistance Scheme Policy replaces the previous Business Façade Improvement Grant Program and the Small Business Assistance Grant program.

### **Policy and Legislative Context**

The Council Plan 2021-2025 and the 2040 Corangamite Community Vision both reference the development of a thriving and prosperous local economy and community.

The Victorian Government has developed a statewide *Creative Industries Strategy*, *Visitor Economy Strategy*, the *Recycling Victoria: a New Economy* plan, the *Stronger, innovative, sustainable: A new strategy for agriculture in Victoria* plan, and the *Victorian Renewable Hydrogen Industry Development Plan*.

Commonwealth Government policies and strategies that apply include *The Geelong City Deal*, the *Barwon South West Strategic Regional Plan (RDA)*, the *National Cultural Policy* (in development), and *Australia's Trade Policy*.

The Framework aligns with Federal, State and regional strategies to assist in attracting funding and other support and investment and ensures that Council is compliant with recommendations made by VAGO in 2018 as part of the review into Local Government and Economic Development. These include:

- Regularly review alignment between economic development strategies and council plans to improve the continuity of longer term initiatives.
- Develop comprehensive performance measures for economic development with clearly articulated targets and benchmarks.
- Monitor and report on economic development outcomes and clearly link actions to intended outcomes.

This report is in keeping with the commitments in the Council Plan 2021-2025:

Theme One - A Connected Community

Infrastructure that enables industry and business growth

Theme Two - A Thriving Community

Facilitating and supporting economic development

Arts and culture that is supported and accessible

Engaging with young people and encouraging opportunities that retain young people in our Shire

Our young people are encouraged and supported to engage in learning

Recognising the vital role agriculture plays within the Shire

A local tourism industry that is valued and recognised for its significant role to the Shire

Corangamite's townships are attractive, accessible and appealing to visitors and are presented in a way in which our residents can be proud

We retain and we grow our population

Theme Three - A Healthy, Active and Resilient Community

Access and inclusion is improved

Theme Four - Improving Our Environment

Piloting the implementation of the United Nations Sustainable Development Goals (SDGs) at the local level

Theme Five - Community Leadership

We listen to and engage with our community

### **Internal / External Consultation**

Council was briefed in 2021 and again in September 2022 regarding the review of the existing Economic Development, Arts and Events and Festivals strategies and need for a new integrated Framework.

The implementation of the Project Plan to develop the Framework has already involved extensive internal and external consultation, communication, and engagement in line with the Corangamite Community Engagement Policy.

Events, co-design workshops and staff and stakeholder engagement sessions were held as part of the engagement plan. The project is overseen by a Project Steering Committee and a Project Reference Group chaired by the Mayor/Deputy Mayor with business and community representatives from across the Shire as well as industry and government stakeholders.

### **Financial and Resource Implications**

Council has allocated a total of \$80,000 for the development of new Economic Development, Arts and Culture and Festivals and Events Strategies. Staff resources will be used as part of the completion of the project. An amount of \$50,000 has been allocated for Business Façade Improvement Grant Program, \$40,000 has been allocated to Investment Attraction, and \$75,000 towards the implementation of the Grow and Prosper Corangamite Action Plans.

### **Options**

Council may wish to consider seeking additional feedback on the new Business Assistance Scheme Policy.

### **Conclusions**

Grow and Prosper Corangamite provides the opportunity for Council to understand the current economic situation, including the impacts of the COVID-19 pandemic, and provide input into the dedicated direction for investment and population attraction, housing, employment, arts, culture and tourism. It also applies new thinking with the inclusion of creative industries and events and festivals as part of the overarching economic development direction for the Shire.

Feedback and the results of the co-design workshops highlighted several distinct and important themes which have informed the development of the Framework. The Action Plans and now the Programs, namely the Economic Partnership and Business Assistance Scheme, enable the plans to be implemented.

The project is meeting the delivery timeframes set out at inception and is meeting community expectations with a program of active participation providing Councillors and Council staff the opportunity to directly engage with business, creatives, community and stakeholders across the Shire.

**RECOMMENDATION - 9.13**

**That Council:**

- 1. Adopts the Business Assistance Scheme Policy 2023;**
- 2. Revokes the Business Façade Improvement Grant Policy 2022;**
- 3. Revokes the Small Business Assistance Grants Policy 2022; and**
- 4. Endorses the implementation of the Corangamite Economic Partnership Program.**

**COUNCIL RESOLUTION**

**Moved: Cr Geraldine Conheady**  
**Seconded: Cr Laurie Hickey**

**That the recommendation be adopted.**

**CARRIED UNANIMOUSLY 6 / 0**

## 9.14 Quick Response Grants Allocation September 2023

Directorate: Sustainable Development

Author: Garry Moorfield, Community Development Officer

Previous Council Reference: Nil

**Attachments:**

1. Quick Response Grants September 2023 Applications and Assessment [9.14.1 - 1 page]
2. Under Separate Cover - Application Council Quick Response Grant Timboon Indoor Netball Association Inc. [9.14.2 - 5 pages]
3. Under Separate Cover - Application Council Quick Response Grant Derrinallum Progress Association Incorporated 14 September [9.14.3 - 2 pages]

### Declaration

Chief Executive Officer – David Rae

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 September 2023 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, Enabling, 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 result in positive outcomes.



The applications received for this month's allocation are attached under separate cover. The applications have been assessed against the following criteria, as detailed in the Quick Response Grants Policy:

1. Eligible recipient;
2. Council Plan alignment;
3. Community benefit; and
4. Eligible expenditure.

The assessment is provided as a separate attachment to this report.

Applications have been received from:

1. Timboon Indoor Netball Association Incorporated for \$350 to purchase netballs and bibs for new junior girls competition (South West Ward).
2. Derrinallum Progress Association Inc for \$500 to fund part cost of internet access connection to new Derrinallum Creative Hub. The grant is to be used for the purchase of hardware (e.g. Dongle) and not for recurrent expenses.

### **Policy and Legislative Context**

Consideration of applications for the Quick Response Grants Program is in accordance with the Quick Response Grants Policy.

This report is also in keeping with the commitments in the Council Plan 2021-2025:

#### **Theme One - A Connected Community**

Digital connectivity that meets the needs of our community

Access to infrastructure that supports a healthy and active lifestyle for our community

#### **Theme Two - A Thriving Community**

Arts and culture that is supported and accessible

Corangamite's townships are attractive, accessible and appealing to visitors and are presented in a way in which our residents can be proud

We retain and we grow our population

#### **Theme Three - A Healthy, Active and Resilient Community**

Improving the health and wellbeing of our residents

Access and inclusion is improved

Corangamite residents have access to a range of sport and recreation opportunities

Our community groups and clubs are engaged and supported and facilities are fit for purpose

#### **Theme Five - Community Leadership**

We listen to and engage with our community

### Internal / External Consultation

Application forms 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 Council's Community Development Officer or with their respective Ward Councillor prior to submission.

Applicants are advised of the outcome of their application following the Council meeting. Successful applicants are required to provide a grant acquittal report following completion of their project, and to return any unexpended amounts.

### Financial and Resource Implications

The 2023-2024 Quick Response Grants Program budget allocation is \$20,000, a \$2,500 increase on previous-year budgets.

The Quick Response Grant Policy states that the 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.

Quick Response Grant applications are funded in order of receipt until the relevant Ward allocation for the financial year is expended.

Should the allocations be approved as recommended the Ward allocations will be as follows:

Ward	Annual allocation (\$)	Previous allocation (\$)	This allocation (\$)	Remaining allocation (\$)
Coastal	2,500	0	0	2,500
North	2,500	1,300	500	700
South Central	2,500	1,000	0	1,500
South West	2,500	1,400	350	750
Central	7,500	2,308	0	5,192
Non-specific	2,500	0	0	2,500
<b>Total</b>	<b>20,000</b>	<b>6,008</b>	<b>850</b>	<b>13,142</b>

### Conclusions

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 the Quick Response Grants Policy and will result in positive outcomes for the community.

**RECOMMENDATION - 9.14**

**That Council:**

- 1. Funds the application from Timboon Indoor Netball Association Inc for \$350 to purchase netballs and bibs for new junior girls competition;**
- 2. Funds the application from Derrinallum Progress Association Inc for \$500 to fund part cost of internet access connection to new Derrinallum Creative Hub.**

**COUNCIL RESOLUTION**

**Moved: Cr Nick Cole**  
**Seconded: Cr Kate Makin**

**That the recommendation be adopted.**

**CARRIED UNANIMOUSLY 6 / 0**

## 10 Other Business

Nil

Nil.

## 11 Open Forum

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

The following item was submitted:

- Des McKinnon asked a question regarding the Terang State School site. CEO, David Rae responded.
- Des McKinnon asked a question regarding subdivision of land McRae Street Terang, Manager Planning and Building Services Aaron Moyne responded.

## 12 Confidential Items

Nil

Nil.

## 13 Close Meeting

Mayor, Cr Ruth Gstrein declared the Council Meeting 26 September 2023 closed at 8.09 pm.

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

CONFIRMED:

\_\_\_\_\_  
Chairperson

DATE:

\_\_\_\_\_