

AGENDA

Ordinary Council Meeting

6.00pm Tuesday 26 February 2019

VENUE:
Linton Customer Service Centre
Council Chambers
68 Sussex Street, Linton

NEXT ORDINARY COUNCIL MEETING
6.00pm Tuesday 26 March 2019

Copies of Golden Plains Shire Council's Agendas & Minutes
Can be obtained online at www.goldenplains.vic.gov.au

Code of Conduct Principles

WORKING TOGETHER

We Councillors will:

- acknowledge and respect that a diversity of opinion exists among us;
- recognise that each of us has different life experience, knowledge and values, and that all of these contribute collectively to our discussions;
- behave with courtesy towards each other, Council officers and our citizens;
- conform to the policy and precedents that guide the conduct of meetings;
- attend punctually and participate in all relevant meetings, workshops and briefings;
- share reasonably in the representation, ceremonial and hosting tasks of the full Council; and
- honour the majority decisions made by the Council, irrespective of our own position, and explain these decisions frankly to the community, once made.

BEHAVING WITH INTEGRITY

We Councillors will:

- identify our financial and personal interest, or potential interest, in any matter that comes before the Council;
- be honest and truthful;
- comply with laws and the regulations deriving there from;
- respect Council property and be frugal in its use, where allowed;
- avoid using our position for personal gain or to achieve advantage over others or to obtain preferential treatment;
- be sympathetic to the legitimate concerns of our citizens;
- act impartially when making decisions and have due regard to the needs of the community as a whole, rather than that of narrow vested interest; and
- acknowledge the role of Council officers in providing advice to us and in implementing Council decisions.

MAKING COMPETENT DECISIONS

We Councillors will:

- without diminishing the short term focus, approach decisions with due regard to the long term needs of the municipality;
- form policies with regard to the needs of the entire Shire;
- direct our attentions to the strategic and statutory needs of the municipality rather than short term, transient, operational issues;
- seek to fully inform ourselves on the issues before Council before making a decision;
- take all reasonable steps to improve our knowledge of matters relevant to our municipal duties; and
- use and respect the professional knowledge of Council officers and other advisers to Council.

Order Of Business

1	Opening Declaration	5
2	Acknowledgement of Country	5
3	Apologies and Leave of Absence	5
4	Confirmation of Minutes	5
5	Declaration of Conflict of Interest	5
6	Business Reports for Decision	6
6.1	Delegates Report - 30 January 2019 to 25 February 2019	6
6.2	Planning Application P18-223 - 9 Lot Residential Subdivision at 97 Smith Road, Lethbridge.....	7
6.3	Planning Application P17-309 - development of land for a three lot subdivision at 38 Eagle Court, Teesdale.....	20
6.4	Development Plan DP-046 - 2725 Midland Highway, Lethbridge	30
6.5	Development Plan (DPO12) 72 Woodman Road, Lethbridge	34
6.6	Victorian Electoral Commission (VEC) - Electoral Representation Review	49
6.7	Review of Local Law No. 1 - Council Meeting Procedures & Common Seal.....	52
6.8	Scarsdale Men's Shed - Letter of Support	106
6.9	Elder Park Management - EOI for Management.....	114
6.10	Bridges Renewal Program - Federal Department of Infrastructure and Regional Development.....	119
6.11	Quarterly Finance Report - End 31 Dec 18.....	142
6.12	GPSC-RFT-021/2018 Tender for Construction of Golden Plains Community and Civic Centre.....	170
6.13	GPS-RFT- 22/2018 - Tender for Construction of Bannockburn Heart Project (Stage 1)	174
6.14	Provision of Waste and Recycling Collection Services - Contract with Cleanaway - GPS-T6/2014	180
6.15	Councillor Expenses Report - 6 Months Ended 31 December 2018	182
6.16	Assembly of Councillors	185
7	Notices of Motion	188
8	Petitions	188
9	Confidential Items	189
9.1	Chief Executive Officer Performance Review	189

1 OPENING DECLARATION

We the Councillors of Golden Plains Shire declare that we will undertake, on every occasion, to carry out our duties in the best interest of the community and that our conduct shall maintain the standards of the code of good governance so that we may faithfully represent and uphold the trust placed in this Council by the people of Golden Plains Shire.

2 ACKNOWLEDGEMENT OF COUNTRY

Council acknowledges the traditional Wadawurrung owners of this land. Council pays its respects to Wadawurrung Elders both past and present and extends that respect to all Aboriginal and Torres Strait Islander People who are part of Golden Plains Shire.

3 APOLOGIES AND LEAVE OF ABSENCE

Cr David Evans

4 CONFIRMATION OF MINUTES

That the minutes of the meeting of Council, 22 January 2019 as circulated, be confirmed.

5 DECLARATION OF CONFLICT OF INTEREST

6 BUSINESS REPORTS FOR DECISION**6.1 DELEGATES REPORT - 30 JANUARY 2019 TO 25 FEBRUARY 2019****File Number: 78-07-002****Author: Sharon Naylor, Executive Assistant - Chief Executive Officer****Authoriser: Eric Braslis, CEO****Attachments: Nil****Cr Owen Sharkey**

31 January Meeting with WestWind Energy
4 February Meeting with Richard Riordan MP
4 February AFL Geelong Cats Community Camp launch
5 February Ballarat Stakeholder Lunch
7 February MAV Strategic Planning Meeting
8 February Federal funding announcement with Sarah Henderson MP
12 February Audit & Risk Committee Meeting
14 February Meeting with Minister Jaala Pulford
15 February Teesdale Primary School Leader Presentation
19 February Councillor Briefing meeting
19 February G21 Mayors and CEOs Canberra delegation
20 February G21 Mayors and CEOs Canberra delegation
21 February Tourism Geelong and Bellarine Special Board Meeting
22 February G21 Board Meeting
22 February Meeting with Inverleigh Progress Association
25 February Inverleigh Streetscape Draft Master Plan Community meeting

Cr Les Rowe

4 February G21 Environment Pillar Meeting
19 February Councillor Briefing Meeting

6.2 PLANNING APPLICATION P18-223 - 9 LOT RESIDENTIAL SUBDIVISION AT 97 SMITH ROAD, LETHBRIDGE

File Number:

Author: [REDACTED] Statutory Planning Team Leader

Authoriser: [REDACTED] Director Assets and Amenity

Applicant: [REDACTED]

Owner: [REDACTED]

Proposal: The development of the land for a nine (9) lot subdivision

Location: 97 Smith Road, Lethbridge

Attachments:

1. Concept Plan and CP Cross Section (under separate cover)
2. Access and Traffic Assessment (under separate cover)
3. LCA Cover Letter (under separate cover)
4. LCA's lot 1-9 (under separate cover)
5. Copy of Objections (under separate cover)

RECOMMENDATION

That Council resolves to issue a Notice of Decision to grant a permit for the development of the land for the purposes of a nine [9] lot subdivision at 97 Smith Road, Lethbridge (Lot 1 PS 304651), with conditions as listed in the report.

EXECUTIVE SUMMARY

This report relates to a planning permit application (P18-223) for development of a nine (9) lot subdivision at 97 Smith Road, Lethbridge. The subject site is zoned Low Density Residential (LDRZ) and subject to Design and Development Overlay 5 (DD05), and partially subject to Environmental Significance Overlay 3 (ES03). The application is brought to Council for determination because objections have been received against the issue of the permit which have not been able to be resolved.

This application was first considered by Council at the January 2019 Ordinary Meeting. Council resolved to defer making a determination on the application to the February Ordinary Meeting to allow further consideration of matters including the capacity of the lots to properly dispose of effluent on site, the proposed common property access, drainage and footpath location and construction.

This report provides a background to the application, a summary of relevant planning considerations and an officer recommendation which supports the issue of a planning permit.

PURPOSE

This application has been referred to Council meeting for determination as there are six (6) outstanding objections to the planning permit proposal.

CONFLICT OF INTEREST

In accordance with section 80B of the *Local Government Act* 1989, the Officer preparing this report and any authorisers declare no conflict of interest in regards to this matter.

COUNCIL PLAN

Managing natural and built environments.

BACKGROUND INFORMATION

This application seeks to subdivide the land into nine [9] Low Density Residential lots, ranging in size from 4,491 to 6,341 square metres, with an average lot size of approximately 5,217 square metres.

A 15 metre wide common property driveway is proposed to service Lots 5, 6, 7, 8 and 9 accessible from Smith Road. This proposed access is a 'dog-leg' shape on account of the slightly unusual title boundary and existing access associated with the adjoining land to the east. It is proposed that the remaining lots (1-4 inclusive) will gain access from Steddy Road.

The existing dwelling, stone building and another shed on proposed Lot 6 are to be retained. Three ([3] other sheds are proposed for removal from the site.

The stone building to be retained as part of proposed Lot 6 is considered to be of heritage value following advice from Council's Heritage Advisor and worthy of retention. Although it is noted that this site is not currently subject to any heritage controls, a section 173 Agreement is recommended to ensure the retention of this building. The stone 'fences' along the western and southern boundaries were also considered by Council's Heritage Advisor but are not deemed to be of heritage significance.

Wastewater, as per all LDRZ land in the municipality, is to be treated on-site using individual septic systems. Wastewater envelopes do not exceed 15% of the lot areas. The lots will be connected to reticulated water and electricity.

The subject site is known as Lot 1 on Plan of Subdivision 304651, Parish of Wabdallah, 97 Smith Road, Lethbridge. The site is zoned Low Density Residential and subject to the Design and Development Overlay 5 – Low Density Residential Zone Setbacks (DDO5) and partially subject to the Environmental Significance Overlay 3 – Mt Misery Creek, Surface Hill – Smythesdale, Klein and Swanston Road Area, Dereel, Swamp Road – Dereel, Yarrowee Creek, Teesdale Reserve, Moorabool Valley, Sutherland Creek, Meredith, Steiglitz (DDO3).

Smith Road is an extension of Broom Road, which runs east off the Midland Highway, with Steddy Road running north-south off Smith Street. This site is part of the eastern extent of the Low Density Residential Zone in Lethbridge. Adjoining this subject site is land within the Rural Activity Zone (RAZ). Consideration of the Lethbridge Structure Plan in 2009-10 looked to ensure a sufficient supply of land was zoned and available for development. Consideration was given to the Moorabool Valley to make the most of opportunities this land could bring without compromising its values. Consequently, 97 Smith Road was considered appropriate for LDRZ given its relatively flat topography over most of the site, accessibility and serviceability. Land on the western side of the Midland Highway in Lethbridge consists of large areas of Township Zone.

The subject site as indicated below, at the eastern extent of the LDRZ



The subject site is approximately 4.9 hectares in area and almost square in shape. It has approximately 80 metres of frontage to Smith Road and 200 metres to Steddy Road. Properties to the west of Steddy Road are generally uniformly square or rectangular in shape and many are smaller than this site; there are lots down to 0.41 ha in area in some instances. South of Smiths Road there are a number of larger lots located between Weston Road and Dillon Road.

The site has an existing access point on Smith Road which adjoins a battle-axe arrangement associated with the neighbouring property to the east. There is an existing dwelling and outbuildings in the north-east corner of the site and some more centrally located outbuildings.

Cypress trees are located along the property boundary at the corner of Steddy Road and Smith Road. Along these same boundaries there are sections of stone fencing. There are a number of mature trees scattered centrally and across the western portion of the site.

The site is relatively flat, with the exception of the north-east corner, which falls away gently towards the Moorabool Valley, incorporating a small part of the escarpment edge.

Smith Road and Steddy Road are Council roads with a bitumen seal and informal drainage.

CONSULTATION

Notice of the application was given in accordance with section 52 (1) (a) and (d) of the *Planning and Environment Act 1987*. Notice was given by mail to eight [8] adjoining and neighbouring owners and / or occupiers and two [2] signs were placed on-site. Six [6] objections to the application were received.

A consultation meeting was held on 12 November 2018. A number of matters were discussed in detail and some actions for Council to follow up resulted from the meeting. The matters raised by objectors and the follow up from the consultation are discussed in more detail later in the report.

ASSESSMENT

Golden Plains Planning Scheme

Local Planning Policy Framework (LPPF)

Clause 21.02-2 – Townships

Over time the Golden Plains Shire's towns will become more urbanised. There is a substantial supply of residential land in all urban centres and towns in the Shire, which means new demands for residential development can be accommodated within the existing areas of towns. In addition, significant scope exists for the consolidation of sites and intensification of development in existing towns without altering the character or quality of these areas.

Clause 21.03-1 – Biodiversity

The municipality is home to a wealth of flora and fauna, including rare and threatened species and communities, major waterways and freshwater wetlands.

Clause 21.08 – Local areas – Small towns

Town structure plans have been prepared for most small settlements and establish a basis for future strategic planning decisions in each town. Structure plans address:

- The preferred layout of residential, commercial, community and other land uses based on a ten-year outlook
- Infrastructure servicing
- Desired future character
- Environmental sustainability

Clause 22.09 – Low Density Residential Subdivision Policy

This policy seeks to ensure that the elements of land capability and character are addressed when considering subdivision applications.

Zone and Overlay provisions

Clause 32.03 – Low Density Residential Zone

The purpose of this zone is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework; and
- To provide for low-density residential development on lots which, in the absence of reticulated sewerage, can treat and retain all wastewater.

Clause 42.01 – Environmental Significance Overlay

The purpose of this overlay is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework;
- To identify areas where the development of land may be affected by environmental constraints; and
- To ensure that development is compatible with identified environmental values.

Schedule 3 – Environmental objectives to be achieved:

- To protect the conservation values of the above areas;
- To protect natural environmental processes, maintain biodiversity and protect natural resources of soil, water, flora and fauna;
- To protect habitat for fauna;
- To protect geological formations and landscape values; and
- To protect significant vegetation, protect wetland habitat for fauna and protect geologically significant features.

Clause 43.02 – Design and Development Overlay

Purpose:

- To implement the Municipal Planning Strategy and the Planning Policy Framework; and
- To identify areas which are affected by specific requirements relating to the design and built form of new development.

Schedule 5 – Low Density Residential Zone Setbacks

- To ensure that the siting and design of buildings creates an attractive low density residential environment;
- To ensure that development has regard to the low density residential character of the area; and
- To ensure that a high level of amenity is maintained in low density residential areas..

Clause 53.01 – Public Open Space Contribution and Subdivision

A person who proposes to subdivide land must make a contribution to the Council for Public Open Space in an amount specified in the schedule to this clause. Golden Plains Shire does not have a schedule within the scheme; therefore it reverts to value specified in the *Subdivision Act 1988*. A contribution will be required as a condition on permit.

General provisions

The decision guidelines contained in Clause 65.02 of the planning scheme require Council to consider the following matters, including, but not limited to:

- The suitability of the land for subdivision;
- The subdivision pattern having regard to the physical characteristics of the land, including existing vegetation; and
- The area and dimensions of each lot in the subdivision.

DISCUSSION

Planning scheme

This application responds well to the overarching objectives of the planning scheme that encourage developers to make appropriate use of existing appropriately zoned land. The subdivision is located within the existing Lethbridge town boundary and is serviced via existing infrastructure, which will be upgraded and provided in accordance with referral requirements.

The existing rural character of the area has been acknowledged through the design process, with the subdivision providing generous setbacks, in line with those required by the DDO5. Trees on-site will be protected where possible in keeping with the objectives of Clause 22.09. Land capability has been rigorously with a second round of LCA material provided post deferral, with the investigation carrying out a full LCA for each proposed lot. This information has also been assessed and found to be satisfactory and capable of accommodating a total of nine (9) lots.

Objectors' concerns

Matters raised by the objectors are summarised as follows:

Loss of residential character in relation to privacy, outlook, setbacks from boundaries and reduced lot sizes. Loss of amenity on account of associated noise and other neighbour issues such as dogs.

The minimum lot size for LDRZ land is 0.4 ha. Each of the proposed lots would have an area in excess of the minimum lot size requirement. Many areas of LDRZ across the municipality include lots far greater than the 0.4 ha minimum, which were created at a time when the minimum area exceeded 0.4 ha. Infill subdivision is an appropriate use of land zoned for residential purposes when all relevant considerations have been addressed, as is the case with this application.

It is acknowledged that these smaller lots are a departure from lot sizes in the immediately adjoining vicinity; however, lot sizes in the general area vary considerably. There are five properties fronting Steddy Road, one of which has a battle-axe driveway. Two of these properties have been previously subdivided, the smallest containing a total area of approximately 0.8 ha. There are lots located west of the subject site fronting Brady Road that are approximately 0.41 ha. In contrast, there are much larger lots on the southern side of Smith Road, including one with an area of 7 ha. It can therefore be concluded the character of the area in relation to lot size is not uniform.

There is, however, consistency in the setback of dwellings from boundaries along the western side of Steddy Road. The average is approximately 16 metres. The original application proposed a building envelope setback of 10 metres for Lots 1 to 4 fronting Steddy Road. As a result of consultation and consideration of objections, the applicant has increased this to 20 metres, which is 10 metres more than the minimum setbacks specified in the DDO5.

Although land with the LDRZ can expect a different level of amenity in terms of volume of traffic and separation between dwellings than the General Residential Zone for example, it is still a residential zone and cannot be expected to be free of noise and activity associated with residential use of land.

Local Planning Policy 22.09 – Low Density Residential Subdivision – states that established character of low density residential areas is generally derived from the expansive open areas surrounding dwellings and outbuildings. Large old trees and buildings are generally set back from road frontages. The proposed layout is consistent with this policy and its objectives, providing at least 0.4 ha lot sizes with setbacks greater than those set out in the DDO and vegetation being retained where practicable.

Detrimental impact on farming operations and the right-to-farm (within the RAZ) that the proposed subdivision would cause. It would be incompatible with the requirements of the planning scheme to protect the productivity of agricultural land. The legal use of firearms in the RAZ on land within close proximity to the relatively small lots is a potential source of conflict which will impact on the ability to farm.

The subject site is zoned LDRZ and directly adjoins land within the RAZ. The creation of additional lots will not impact on the use of the RAZ land. In-fill subdivision and development does not take away the right to use the RAZ land for farming purposes. The legal use of firearms on any property always requires the due diligence of the user. The site as it exists contains a dwelling, residents

who live on-site and horses. The requirements related to the responsible use of firearms on farming land are a pre-existing condition and are not considered to be grounds for not supporting this proposal.

A condition has been recommended requiring a 173 Agreement which acknowledges adjoining rural land and associated uses and the possible implications of living adjacent to operating farming properties. The purpose of such an agreement is to inform future landowners that at times, they may experience off-site affects associated with the neighbouring rural land use. Such a requirement is commonly used when a residential zone interfaces with a rural zone as is the case here.

Loss of residential amenity from potential multi-storey house construction on these allotments overlooking our house.

Double-storey dwellings do not dominate the LDRZ setting in the Golden Plains Shire on account of the size of allotments – which provide for large houses, if desired, coupled with ample room for landscaping, shedding and open space, which is limited in a GRZ setting. However, the applicant has proposed a single-storey building restriction on Lots 3 to 7 inclusive in response to objector concerns.

Detrimental impact on current water pressure and flow rates. Detrimental impact on internet bandwidth.

The application was referred to Barwon Water, which has set out the permit conditions required to be met prior to release of new titles. There is no longer a requirement to refer subdivision applications to Telstra. The required standard telecommunications conditions will be applied.

Ability of lots to contain waste-water and stormwater discharge within proposed allotment boundaries. Negative health and environmental impacts from septic/waste-water.

A Land Capability Assessment was supplied with this application, as required. Additional land capability information was provided by the applicant post consultation in response to those concerns expressed regarding the findings of the report and the ability of the lots to adequately deal with effluent. A further review of the original and additional information has satisfied Council's Environmental Health Department and conditions will be applied accordingly.

A third body of consultant work was provided post deferral in the form of a Land Capability Assessment for each of the proposed 9 lots (refer to Attachments 3 and 4) following further site investigation. This information concluded that wastewater can be managed within each lot and that the results were generally consistent with previous site investigation. All of this additional information was reviewed by Council's Environmental Health Officer who concluded that effluent can be effectively treated and managed on all lots provided the recommendations of the LCA are adhered to.

Rise in vehicle and pedestrian traffic. Smith Road and Steddy Road in their current state would not be able to safely handle the increase.

The application has been referred to Council's Engineering Department, which has assessed the proposal and has deemed the road network capable of accommodating traffic associated with the additional lots. Appropriate access to each lot will be required.

The matter of pedestrian footpaths was also further considered.

In reviewing the Infrastructure Design Manual (IDM) – a reference document in the GPS Planning Scheme- Section 12.3.2, note 8, states:

No separate provision for cycle traffic is required in Access Places and Access Streets. In LDRZ developments, Council will expect a footpath or a shared path to be provided on at least one side of each category of street to which this note applies unless the Developer can demonstrate to the satisfaction of Council that there is no existing or reasonably foreseeable future external pathway to which such a footpath or shared path could connect.

The GPS Paths and Trails Strategy 2013-2017 (not a reference document) was also reviewed. The goal of the Paths and trails Strategy is to provide strategic direction when assessing whether to repair/upgrade/construct a path or trail within the Shire over a five (5) year period.

The Strategy's strategic priorities include, but are not limited to:

- Addressing pedestrian safety;
- Providing links within townships to community facilities; and
- Linking paths in urban areas.

A decision to construct a path/trail will be based on the level to which it satisfies these strategic priorities and consideration of the following factors/attributes (where relevant), include, but are not limited to:

- The density of residential development in the street where the path is to be constructed;
- The volume of foot and cycle traffic the path/trail will receive;
- The function and the destination of the path/trail; and
- Site conditions and cost of construction and maintenance.

This strategy does not address infill subdivision and related matters of connectivity.

Therefore, because of its primarily residential function, LDRZ development requires access to most of the normal services and infrastructure provided in urban settlements. Typically it also generates urban residential amenity expectations, hence, a requirement has been made for a footpath on one side of the Smith and Steddy Road frontages in line with the construction standards of the IDM. No requirement has been made for a footpath in the common property.

Commentary and analysis was also provided from a traffic engineer, who made four [4] recommendations:

- That the internal road reserve be increased to 20 metres at the cul-de-sac;
- The width of the crossing at the internal road connection to Smith Road be increased to 8 metres minimum;
- Design of the driveway connections from Lots 1 and 2 onto Steddy Road be in accordance with IDM SD255; and
- That Lots 3 and 4 be serviced by a joint driveway at the mutual boundary and constructed in accordance with SD 245.

These recommendations have been considered and adopted, aside from a joint driveway. It is considered that Steddy Road can accommodate a driveway for each of the proposed four new lots.

CULTURAL HERITAGE IMPLICATIONS

The proposal does not require the preparation of a Cultural Heritage Management Plan under the Aboriginal Heritage Regulations 2007.

CONCLUSION

The application satisfies the provisions of relevant Planning Policy Framework, Municipal Strategic Statement and Local policy. The application is in line with the provisions of the Low Density Residential Zone and accords with the relevant decision guidelines of the Planning Scheme (Clause 65).

P18-223 Recommended conditions

Amended plans prior to certification

1. Before the plan of subdivision is certified under the *Subdivision Act* 1988, amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and then form part of the permit. The plans must be drawn to scale with dimensions and be generally in accordance with the plans submitted with the application, but modified to show:

- a) Correct scale bar, all bearings and distances, levels, street names, lot numbers, lot sizes, easements, common property and other relevant information;
- b) Easements in favour of relevant authorities;
- c) Location of a bin pad to serve Lots 5, 6, 7, 8 and 9. It must be capable of serving up to 10 Council-issue bins at one time;
- d) Any changes necessary to the width and alignment of the common property to meet the requirements of conditions 15 and 18;
- e) A minimum 3 metre clearance from edge of 8 metre radius court bowl and lot boundaries;
- f) 1.5 metre concrete footpath along Smith Road and Steddy Road for full frontage of the site;
- g) Drainage for Lots 6 to 9 to discharge to the east and to Moorabool River, or as agreed;
- h) Existing surface contours and spot levels derived from field survey;
- i) Location of services to existing dwelling;
- j) A single-storey dwelling restriction applicable to Lots 3-7 inclusive; and
- k) The width of the crossing at the internal road connection to Smith Road to be a minimum of 8 metres.

Endorsed plans

2. The layout of the subdivision and the size and dimensions of the proposed lots must confirm generally with the endorsed plans.

Easements prior to certification

3. Prior to the plan of subdivision being certified under the *Subdivision Act 1988*, all existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside on the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.

Open space contribution

4. Before the statement of compliance is issued under the *Subdivision Act 1988* the applicant or owner must pay to the responsible authority, as a financial contribution to open space, a sum equivalent to 5 per cent of the site value of all land in the subdivision. The applicant must pay on demand to Council, the Council's reasonable costs and expenses to provide valuation for payment of open space.

Development contribution

5. Prior to the issue of Statement of Compliance for each stage, a Development Contribution of \$12,000 in total (\$1,500 for each new lot) must be paid to the responsible authority.

Telecommunications

6. The owner of the land must enter into agreement with:
 - a) a telecommunications network or service provider for the provision of telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
 - b) a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
7. Before the issue of a Statement of Compliance for any stage of the subdivision under the *Subdivision Act 1988*, the owner of the land must provide written confirmation from:

- a) a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time;
- b) a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in area where the National Broadband will not be provided by optical fibre.

Engineering - EMP Prior to commencement

8. Prior to the commencement of construction, an Environmental Management Plan must be submitted to and approved by the responsible authority. The plan must outline how issues such as runoff, mud on roads, dust generation and erosion and sediment control will be managed on site during and post construction phase. Details of a contact person / site manager must also be provided so that this person can easily be contacted should any issues arise. Management measures are to be in accordance with EPA guidelines for Environment Management, 'Doing It Right On Subdivisions' Publication 960, September 2004.

173 Agreement

9. Prior to the issue of Statement of Compliance under the *Subdivision Act* 1988, the owner / subdivider of the land must enter into an agreement under section 173 of the *Planning and Environment Act* 1987 with the Responsible Authority. The agreement must be in a form to the satisfaction of the Responsible Authority, and the applicant must be responsible for the expense of the preparation and registration of the agreement, including the Responsible Authority's reasonable costs and expenses (including legal expenses) incidental to the preparation, registration and enforcement of the agreement. The agreement must contain covenants to be registered on the Title of the property so as to run with the land, and must provide for the following:
 - a) The collection of garbage and / or recycling will be at a location as shown on the endorsed plan of subdivision which will not be contained within lot boundaries or common property;
 - b) Bins associated with Lots 5, 6, 7, 8 and 9 must be placed out for collection on Smith Road and on a pad consisting of crushed rock, the pad to be located and constructed to the satisfaction of the responsible authority;
 - c) The single-storey stone building as identified in the south-western corner of Lot 6 is to be retained. It must not be modified, altered or demolished without the written consent of the responsible authority;
 - d) Lots 1 and 2 must not create any vehicular access to the common property; and
 - e) Acknowledge that adjoining rural land uses and the implications of living adjacent to operating farm land. Inform all future landowners of Lots 4-9 inclusive that at times there may be off-site affects associated with the adjoining rural land use. This may include but is not limited to, noise, odour and use of chemicals.
10. The owner must pay the costs of preparation, review, execution and registration of the agreement and the agreement must be registered on the newly created title/s of all stages of the subdivision.

Engineering - Detailed Construction Plans

11. Prior to certification and before construction works associated with the development or subdivision commence, detailed construction plans and specifications must be submitted to and be approved by the responsible authority. Construction plans must be to the Golden Plains Shire Council standards and specifications as detailed in the current Infrastructure Design manual (IDM).

The construction plans must include the following:

- a) Drainage works;
- b) Common property construction;
- c) Full depth shoulders to a minimum of 1.5 metres to IDM standards along the length of the development on Steddy Road and Smith Road;
- d) 1.5m wide concrete footpath to full frontage of Smith Road and Steddy Road;
- e) Bin pad location;
- f) Vehicle crossings on Steddy Road for Lots 1, 2, 3 and 4 and on the common property for Lots 5, 6, 7, 8 and 9;
- g) Rock lined drains where required; and
- h) Utility service locations.

Engineering – Outfall drainage

12. Where required and prior to the Certification of the Plan of Subdivision, evidence must be provided to the Responsible Authority that:
 - a) Drainage constructed through adjacent properties is to be contained within a drainage easement with a minimum width of 5 metres and;
 - b) Consent has been obtained from relevant downstream landowners for creation of the drainage easement and construction of drainage works.
13. Where required and prior to the issue of Statement of Compliance, drainage easements in favour of Council must be created over all proposed drainage through adjacent properties and evidence provided of their creation to the satisfaction of the Responsible Authority.

Prior to Statement of Compliance

14. Prior to the issue of Statement of Compliance;
 - a) the following drainage works must be completed to the satisfaction of the responsible authority:
 - i) Provide piped underground or open earth drainage discharging to the nominated legal point of discharge,
 - ii) Provide to each allotment in the subdivision with a discharge point, and
 - iii) Provide drainage retardation to limit peak flow rates to pre-development levels;
 - b) prior to the approval of Construction Plans:
 - i) Provide full drainage analysis and design of minor (5 year) and major storm (100 year) events considering all contributing external and internal catchment areas detailing how the site is to be drained in accordance with requirements of Golden Plains Shire Council contained in the Infrastructure Design Manual (IDM) and to the satisfaction of the Responsible Authority,
 - ii) Provide full drainage analysis considering all contributing external and internal catchment areas and detailing how peak flow rates from the development are retarded to pre development levels in accordance with requirements of Golden Plains Shire Council contained in the Infrastructure Design manual (IDM) and to the satisfaction of the Responsible Authority, and
 - iii) Provide analysis and computations demonstrating storm water discharge quality from the development meets current best practice performance as contained in Urban Stormwater – Best Practice Environmental Management Guidelines and in accordance with requirements of Golden Plains Shire Council contained in the Infrastructure Design Manual (IDM) and to the satisfaction of the Responsible Authority.
15. Prior to the issue of Statement of Compliance, vehicle access must be provided to each lot in accordance with the requirements of the Golden Plains Shire Council as contained in the IDM, standard drawing SD255 and to the satisfaction of the responsible authority. The applicant is required to apply for a Vehicle Crossing permit prior to the construction of a vehicle crossing.
16. Prior to the issue of Statement of Compliance, a minimum 5 metre wide all weather sealed vehicle access must be provided for the length of the common property shared access for

Lots 5, 6, 7 8 and 9, conforming to the requirements of the Golden Plains Shire Council as contained in the Infrastructure Design Manual (IDM) and to the satisfaction of the Responsible Authority. As part of the development works, the common property access must be all weather sealed (alternative asphalt, concrete or paved surface may be considered) from the existing edge seal in Smith Road and for the whole length of the shared common property access and constructed to a standard which must provide access for emergency vehicles, including CFA fire trucks in all weather conditions and capable of accommodating a vehicle of 15 tonnes for the trafficable road width inclusive of a turn-around to CFA requirements.

17. Prior to the issue of Statement of Compliance, the applicant must construct road works, drainage and other civil works in accordance with approved plans and specifications and in accordance with the requirements of the Golden Plains Shire Council contained in the Infrastructure Design manual (IDM), to the satisfaction of the responsible authority.
18. Prior to issue of Statement of Compliance, drainage As Constructed Plans must be provided to the satisfaction of the responsible authority.
19. Prior to issue of Statement of Compliance, all services to the existing dwelling must be modified so that they are exclusive to and totally within the boundaries of the new lot to which it is appurtenant. All downpipes, stormwater drainage and sanitary drainage must be taken to an approved legal point of discharge (LPOD) to the satisfaction of the Responsible Authority.

Engineering - General

20. Prior to Certification of the Plan of Subdivision, all existing and proposed easements and sites for existing or required utility services, drainage and roads on the land must be set aside in the Plan of Subdivision submitted for certification in favour of the relevant authority for which the easement or site is created.
21. All works must be undertaken in a manner that minimises soil erosion. Soil erosion control measures must be employed through the construction and post construction phase of the development and any exposed areas of soil must be stabilised to prevent soil erosion to the satisfaction of the responsible authority.
22. A twelve [12] month Defects Liability Period will apply to all assets that are to be vested in Council.
23. Prior to the issue of Statement of Compliance a maintenance bond of 5% of the cost of works must be lodged with Council for the term of the defects liability period.
24. Pursuant to section 17(2)(b) of the *Subdivision Act* 1988 and clause 8 of the Subdivision (Permit and Certification Fees) Regulations 1989, the prescribed maximum fee for supervision of work will be up to 2.5 per cent of the cost of constructing these works, which are subject to supervision. Such a fee must be paid to the responsible authority prior to the issue of Statement of Compliance.
25. Pursuant to section 43(2)(a)(iv) of the *Subdivision Act 1988* and clause 9 of the Subdivision (Permit and Certification Fees) Regulations 1989, the prescribed maximum fee for checking engineering plans will be 0.75 per cent of the estimated cost of constructing the works proposed on the engineering plan. Such a fee must be paid to the responsible authority prior to the issue of Statement of Compliance.

Note: A works within road reserve permit must be obtained from Council prior to the carrying out of any vehicle crossing works.

Note: A works on waterways permit must be obtained from the Corangamite Catchment management Authority prior to the carrying out of any works on waterways.

Environmental Health

26. Prior to certification, a restriction must be placed on the plan of subdivision that provides for the following:
 - a) Any septic tank system installed on any of the lots must be supported by a site specific Land Capability Assessment (LCA); and
 - b) This requirement is at the owner's expense and must not be varied except with the written consent of the responsible authority.
27. Before the issue of a statement of compliance under the *Subdivision Act* 1988, the existing septic tank system must be altered / decommissioned / replaced so that it treats and disposes of effluent to a minimum of secondary level in accordance with the latest version of the 'EPA Code of Practice – Onsite Wastewater Management' and Council requirements.
28. All wastewater must be treated and retained within the lot/s in accordance with the State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act* 1970.

Protection of vegetation

29. During subdivision construction works:
 - a) suitable fencing (para webbing is acceptable) must be constructed around trees;
 - b) areas within the fenced off tree protection zones must not be used for any other purpose, including storage of materials or vehicles; and
 - c) signage must be displayed on the fencing identifying the areas as tree protection zones.

Expiry

30. This permit will expire if:
 - a) The plan of subdivision is not certified within two [2] years of the date of this permit; or
 - b) The registration of any stage of subdivision is not completed within five [5] years of the date of certification of the plan of subdivision.The responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or within six [6] months afterwards.

Barwon Water (General)

31. The plan of subdivision must be referred to Barwon Water in accordance with the *Subdivision Act* 1988 and any subsequent amendments to the plan provided to Barwon Water.

Barwon Water (Potable water)

32. The provision and installation of a potable water supply to the development.
33. Reticulated potable water mains are required. This work must be undertaken by a Barwon Water accredited Consultant and accredited Contractor following the 'Developer Works' process.

Barwon Water's records indicate an existing Water Service by Agreement for this site; this service is to be abolished. Private potable water service pipes are not permitted to cross allotment boundaries and must be plugged and abandoned at the boundaries of such allotments.

34. The payment of a standardised New Customer Contribution is required for any new connection or any upsize to an existing connection. The number of standardised charges applied will be

determined on the basis of an equivalent lot calculation and are based on potable domestic water meter size or water service size (where a meter is not being fitted). An equivalent lot is a measure of the additional demand a connection will place on the infrastructure in terms of the water consumption and sewerage discharge for an average connection utilising a 20mm tapping and/or meter. If there is more than one [1] meter within a single meter assembly, the size of the largest meter (excluding the fire service meter) will determine the number of equivalent connections. If there is a combined fire and domestic meter assembly proposed (incorporating a low flow meter), whereby the meter size is largely dictated by the fire service requirements, the developer is required to submit to Barwon Water the proposed peak flow (probable simultaneous demand) associated with the domestic supply in accordance with AS/NZS 3500. Barwon Water will then assess the equivalent connections.

Note: The developer is to apply to Barwon Water for details relating to servicing requirements and costing for the provision of a potable water supply and, where applicable, recycled water and/or sewerage services to the subdivision.

Note: It would be appreciated if all communication between the developer / agent and Barwon Water quote Barwon Water reference number L013193.

Powercor

35. The plan of subdivision submitted for certification under the *Subdivision Act 1988* shall be referred to Powercor Australia Ltd in accordance with section 8 of that Act.

The applicant shall:

- a) Provide an electricity supply to all lots in the subdivision in accordance with Powercor's requirements and standards, including the extension, augmentation or re-arrangement of any existing electricity supply system, as required by Powercor. (A payment to cover the cost of such work will be required). In the event that a supply is not provided the applicant shall provide a written undertaking to Powercor Australia that prospective purchasers will be so informed;
- b) Where buildings or other installations exist on the land to be subdivided and are connected to the electricity supply, they shall be brought into compliance with the Service and Installation Rules issued by the Victorian Electricity Supply Industry. You shall arrange compliance through a Registered Electrical Contractor; and
- c) Any buildings must comply with the clearances required by the Electricity Safety (Installations) Regulations.

Any construction work must comply with Energy Safe Victoria's 'No Go Zone'

6.3 PLANNING APPLICATION P17-309 - DEVELOPMENT OF LAND FOR A THREE LOT SUBDIVISION AT 38 EAGLE COURT, TEESDALE

File Number:**Author:** [REDACTED] Town Planner**Authoriser:** [REDACTED] Director Assets and Amenity**Applicant:** [REDACTED]**Owner:** [REDACTED]**Proposal:** The development of the land for a three lot subdivision**Location:** 38 Eagle Court, Teesdale**Attachments:**

1. Copy of Application Documents (under separate cover)
2. Copy of Objection (under separate cover)

RECOMMENDATION

That Council resolves to issue a Notice of Decision to Grant a Planning Permit for the development of the land at 38 Eagle Court, Teesdale, for a three lot subdivision with the proposed conditions listed in this report.

EXECUTIVE SUMMARY

This report relates to a planning application for the development of land for a three [3] lot subdivision at 38 Eagle Court, Teesdale. The subject site is located in the Low Density Residential Zone with Design and Development Overlay Schedule 5. A planning permit is required by the scheme under the zone and overlay for subdivision of the land. Objections have been received raising concerns in regard to amenity impacts and traffic impacts. The application is brought to Council for determination as the grounds of objection were not able to be resolved. The officer's report provides a background to the application, a summary of the relevant planning considerations, and a recommendation which supports the issue of a planning permit.

CONFLICT OF INTEREST

In accordance with section 80B of the *Local Government Act 1989*, the Officers preparing this report declare no conflict of interest in regard to this matter.

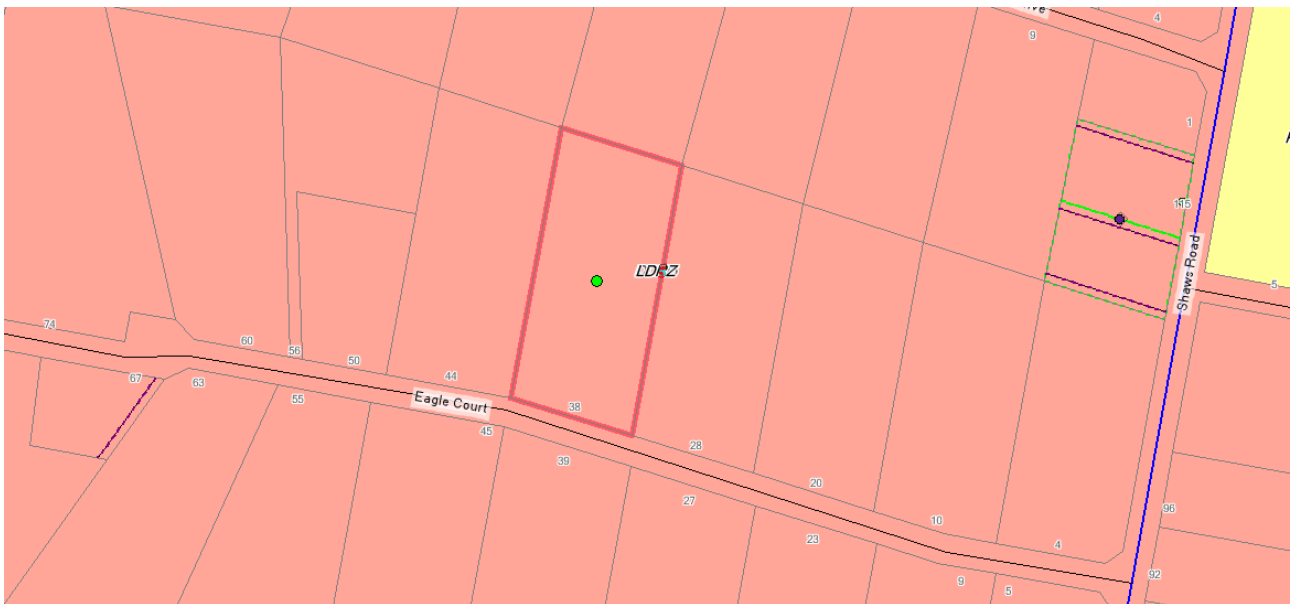
COUNCIL PLAN

Managing natural and built environments.

BACKGROUND INFORMATION

The subject site is known as Lot 33 on Plan of Subdivision 128684, 38 Eagle Court, Teesdale. The site is zoned Low Density Residential Zone with a Design and Development Overlay Schedule 5 (Low Density Residential Zone Setbacks) applying to the land. The directly adjoining and nearby properties are also zoned Low Density Residential Zone.

The subject site is 1.5 hectares in area with a dwelling and associated shedding located centrally on-site, with access being directly from Eagle Court. There are a number of scattered trees located across the site, with screen trees along the side boundaries.

Zoning map of subject site*Aerial image of subject site*

Land parcels in the immediate area vary in size and configuration, with lots from 4,000 square metres up to 2 hectares, and vary in shape from square and rectangular to battle-axe.

As per the Golden Plains Planning Scheme, the minimum lot size in the Low Density Residential Zone is 4,000 square metres.

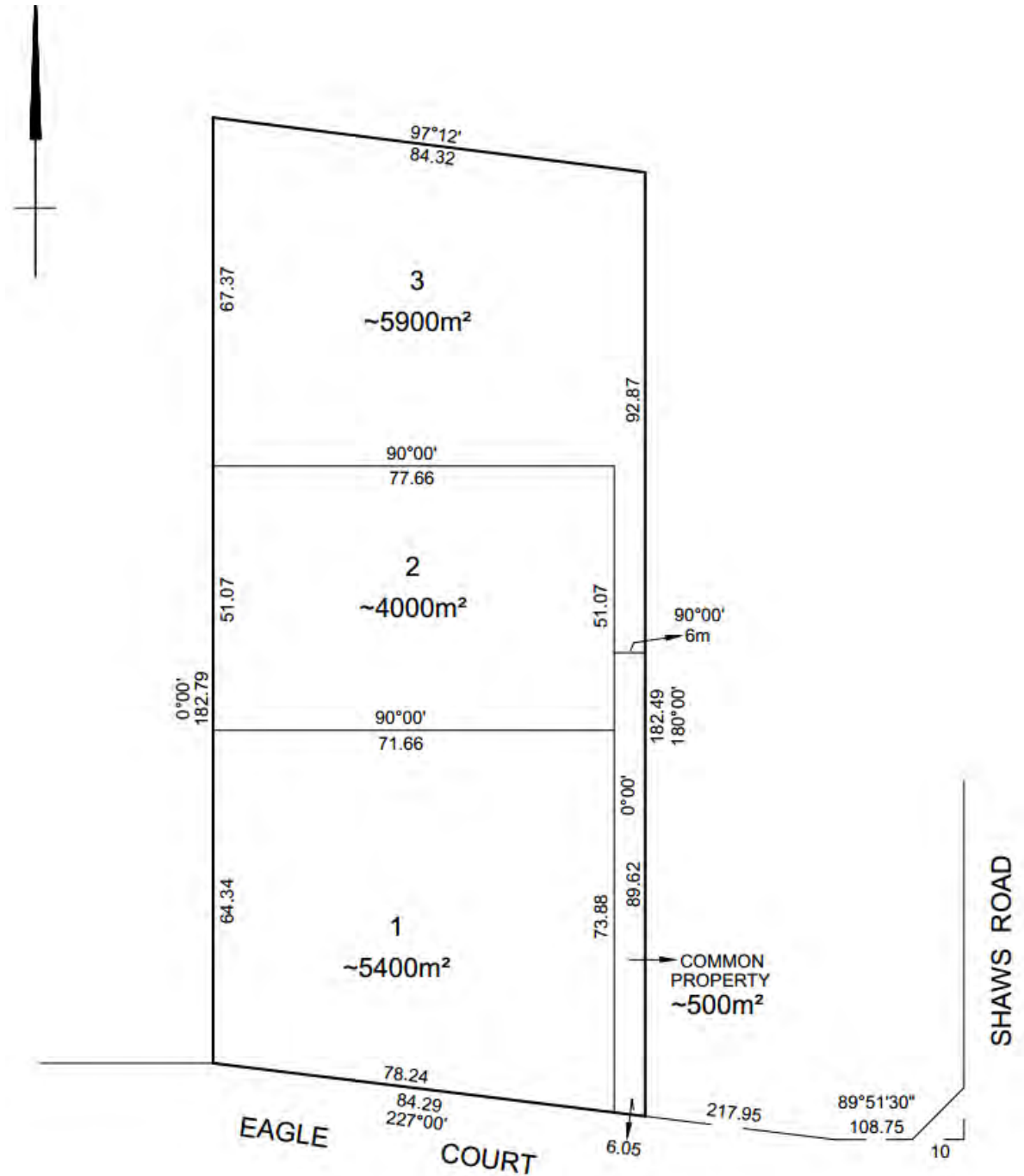
The application proposes the development of the land for a three [3] lot subdivision (see proposed subdivision plan). It is proposed to subdivide the land as follows:

- Lot 1 is proposed to be square in shape. It would contain a number of existing trees and part of the driveway to Eagle Court. The lot would have an area of approximately 0.53 hectares. This new lot will have frontage directly to Eagle Court. A new driveway and crossover would be required to be constructed for access to this lot.

- Lot 2 is also proposed to be square in shape with an area of approximately 0.40 hectares. The new lot will contain the existing dwelling and associated shed, along with a number of planted trees. Access to this lot would be via a common property access road located on the eastern property boundary.
- Lot 3 is proposed to be a battle-axe shaped allotment. It would contain a total area of 0.6 hectares and allow the retention of existing scattered trees. The lot would be accessible via a 6 metre driveway accessible from the common property driveway.

A common property access driveway would be created as part of the development. This driveway is proposed to be located towards the south-east corner of the site, being 6 metres wide and 90 metres in length, totalling approximately 500 square metres. The common property will provide access to Lots 2 and 3.

Proposed Subdivision Plan



CONSULTATION

Notice of the application was given in accordance with section 52(1)(a) of the *Planning and Environment Act 1987* ('the Act'). Notice was sent by mail to 10 adjoining owners and occupiers. Notice was also provided by placing a sign on the site.

As a result of the public notice, two [2] objections were received. A consultation meeting with the objectors and the applicant was held on 4 September 2018. As a result of this meeting a design response plan was submitted to Council by the applicant, which provided further details and clarification surrounding the common property access and landscaping. This plan was circulated to the objectors for their review and consideration. One objection was subsequently withdrawn.

A copy of the outstanding objection is provided in Attachment . The main grounds of objection are summarised as follows:

- Traffic impacts;
- Impacts on privacy;
- Increased traffic; and
- Security Issues.

ASSESSMENT

The application was received by Council on 28 November 2017 and a preliminary assessment of the application was undertaken. Further information was initially requested on 6 December 2017, requiring the applicant to respond to the policies, zoning, and overlays requirements contained within the Golden Plains Planning Scheme. As mentioned previously in this report, an amended design response plan was requested on 3 October 2018.

The application was referred under section 55 of the Act to Barwon Water and Powercor in accordance with Clause 66.01 of the planning scheme. The application was also internally referred to Council's Works Engineer and Environmental Health Officer. Council's internal referral responses did not raise any further objections to the issue of a permit, subject to conditions being placed on a permit.

DISCUSSION

State Planning Policy Framework (SPPF)

Clause 11.02 Managing Growth

The objective of the policy for the supply of urban land (Clause 11.02-1S) is to ensure a sufficient supply of land is available for residential and other uses. Planning for urban growth should consider:

- Opportunities for the consolidation, redevelopment and intensification of existing urban areas.
- Neighbourhood character and landscape considerations.
- The limits of land capability and natural hazards and environmental quality.
- Service limitations and the costs of providing infrastructure.

Clause 15.01 Urban Environment

The objective of the policy for subdivision design (Clause 15.01-3S) is to ensure that the design of subdivisions achieves attractive, safe, accessible, diverse and sustainable neighbourhoods. In the development of new residential areas and in the redevelopment of existing areas, subdivisions should be designed to create liveable and sustainable communities by, among other things, providing a range of lot sizes to suit a variety of dwelling and household types to meet the needs and aspirations of different groups of people.

Clause 16.01-2S Location of Residential Development

This policy aims to locate new housing in designated locations that offer good access to jobs, services and transport. The policy seeks to increase the proportion of new housing in designated locations within established urban areas, ensure an adequate supply of redevelopment opportunities within the established urban area to reduce the pressure for fringe development, and identify opportunities for increased residential densities to help consolidate urban areas.

Local Planning Policy Framework (LPPF)

Clause 21.02 Settlement

The local policy for subdivision for dwellings outside townships (Clause 21.03-4) applies to the development of land in low density residential areas. The policy seeks to control the density and overall lot sizes of land according to environmental conditions and established character, and to avoid indiscriminate subdivision of land. To satisfy this policy new subdivisions must recognise and maintain the surrounding lot configurations and lot size; provide appropriate infrastructure, including drainage and roads; and provide for on-site effluent disposal including on-going maintenance of septic systems.

Clause 22.09 Low Density Residential Subdivision Policy

This policy seeks to ensure that the elements of land capability and character are addressed when considering subdivision applications. The objectives of the policy are to ensure that new lots are of sufficient size for on-site effluent disposal and to maintain an open and spacious character in low density residential areas. Character will be maintained by encouraging:

- Design that provides for open space and landscaping.
- Retention of existing vegetation.
- Avoidance of creating lots with battle-axe access in greenfield development.
- The provision of wide driveways with sufficient areas available for landscaping.
- Lot sizes with sufficient area to accommodate setbacks required by the Design and Development Overlay Schedule 5.

It is policy that support for subdivision in the LDRZ will be considered only where a land capability assessment demonstrates that the proposed lots can contain on-site effluent disposal and there will be no impact on the surrounding area, and where subdivision respects and positively contributes to the lot configuration and character elements of the surrounding area.

Zone and overlay provisions

Clause 32.03 Low Density Residential Zone (LDRZ)

The site and surrounding land is in a Low Density Residential Zone (LDRZ). The purpose of the LDRZ is to provide for low-density residential development on lots which, in the absence of reticulated sewerage, can treat and retain all wastewater. A permit is required to subdivide land under the provisions of the LDRZ. The LDRZ sets a minimum lot size of 0.4 hectares.

Clause 43.02 Design & Development Overlay Schedule 5 (DDO5 – low density setbacks)

The land is affected by the Design & Development Overlay Schedule 5 (DDO5), which relates to setbacks for the construction of buildings. The setbacks specified in the DDO5 are 10 metres from the road boundary, 5 metres from other boundaries, and 15 metres from a dwelling not in the same ownership. The DDO5 does not contain any specific requirements relating to subdivision.

Clause 52.01 Public Open Space Contribution

A public open space contribution must be made in accordance with this clause. A condition should be applied to any permit greater than two lots issued to ensure that the contribution is made.

Clause 56.07 (Integrated Water Management)

The proposal meets all of the relevant objectives and standards as listed within Clause 56.07-1 to 56.07-4, relating to integrated water management.

General provisions

The decision guidelines contained in Clause 65 of the planning scheme require Council to consider the following matters, as appropriate:

- The matters set out in section 60 of the Act.
- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The purpose of the zone, overlay or other provision.
- Any matter required to be considered in the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the amenity of the area.
- The proximity of the land to any public land.
- Factors likely to cause or contribute to land degradation, salinity or reduce water quality.
- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.
- The extent and character of native vegetation and the likelihood of its destruction.
- Whether native vegetation is to be or can be protected, planted or allowed to regenerate.
- The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.

Objectors' concerns

In response to the matters of impact on amenity, privacy, traffic and security concerns as raised, the following response is provided:

The local policy for Low Density Residential Development (Clause 22.09) requires that the subdivision provides lots with sufficient area to accommodate setbacks in accordance with the DDO5. The DDO5 specifies a 5 metre setback from neighbouring property boundary and 15 metres from a dwelling not in the same ownership. The proposed subdivision provides sufficient area to accommodate the setbacks specified in the DDO5, providing the degree of separation, openness and privacy envisaged by this overlay.

The application satisfies the local policy for Low Density Residential Development (Clause 22.09) which seeks to maintain the character and appearance of low density residential areas and ensure that new subdivision has the capacity for on-site effluent disposal and adequate infrastructure.

In respect of the traffic impacts from the proposed development, it is considered that the traffic impacts generated by two additional dwellings would be insignificant and will not affect the capacity and functionality of the surrounding streets. The land would also be large enough to accommodate the increased car parking demands for the additional dwellings. No concerns were raised by Council's Engineering Department in relation to the ability of the road network to accommodate two additional lots.

In relation to security, a clear sense of address can be achieved via the 8 metre wide common property, which will include some landscaping. The proposed lot configuration will integrate with the street and neighbourhood, providing safe and clear access to Lots 2 and 3. Any matters relating to the possible future fencing (or re-fencing) of property boundaries is a civil matter to be resolved by

property owners. It is considered that the proposed subdivision will be in keeping with the zoning of the land and the Local and State Planning Policies.

CULTURAL HERITAGE IMPLICATIONS

The proposal does not require the preparation of a Cultural Heritage Management Plan under the Aboriginal Heritage Regulations 2007.

CONCLUSION

The application satisfies the provisions of the State and Local Planning Policy Frameworks, the local policy for Low Density Residential Development (Clause 22.09), Low Density Residential Zone, Design & Development Overlay Schedule 5, and the decision guidelines of the Planning Scheme (Clause 65). The proposed subdivision design and requirements relating to boundary setbacks will ensure that there is no adverse effect on the character and amenity of the area. For these reasons the issue of a permit is not considered to cause material detriment to any person.

PROPOSED CONDITIONS

1. Before the Certification of the Plan of Subdivision, amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and a minimum of three [3] copies must be provided. Such plans must be generally in accordance with the plan submitted but modified to show
 - a) Common Property widened to 8 metres.
 - b) Shared access to Lots 2 and 3 within common property to have minimum 5 metre wide all weather vehicle access.
2. The layout of the subdivision and the size and dimensions of the proposed lots must conform generally with the endorsed plan.
3. The formal plan of subdivision must be modified to a standard necessary for the certification of the plan and must show in particular:
 - a) The bearings and distances of all allotment boundaries, lot numbers and street names;
 - b) Any other minor requirements of Council.
4. Before the issue of a Statement of Compliance under the *Subdivision Act 1988*, the applicant or owner must pay to Council a sum equivalent to 5% of the site value of all the land in the subdivision in lieu of public open space in accordance with section 18 of the *Subdivision Act 1988*.

The applicant or owner must pay on demand to Council, the Council's reasonable costs and expenses to provide valuation for payment in lieu of open space.

5. Prior to the issue of Statement of Compliance, a Development Contribution of \$3,000 (\$1,500 for each new lot) must be paid to the responsible authority.
6. Before the issue of a statement of compliance under the *Subdivision Act 1988*, all existing and proposed easements and sites for existing or required utility services, drainage and roads on the land must be set aside in the Plan of Subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.
7. The plan of subdivision submitted for certification under the *Subdivision Act 1988* must be referred to the relevant authority in accordance with Section 8 of that Act.
8. The Owner of the land must enter into an agreement with:
 - a) a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and

- b) a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where National Broadband Network will not be provided by optical fibre.
9. Before the issue of a Statement of Compliance for any stage of the subdivision under the *Subdivision Act 1988*, the owner of the land must provide written confirmation from:
- a) a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time.
 - b) a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
10. This permit will expire if:
- a) The plan of subdivision is not certified within two [2] years of the date of this permit; or
 - b) The registration of the subdivision is not completed within five [5] years of the date of certification.
- The responsible authority may extend the periods referred to if a request is made in writing before the permit expires or within six [6] months afterwards.

Environmental Health Department

11. Before the Statement of Compliance is issued under the *Subdivision Act 1988*, the existing septic tank system must be altered/decommissioned/replaced and brought into compliance with the latest version of the 'EPA Code of Practice – Onsite Wastewater Management' to the satisfaction of the responsible authority. A permit to install/alter a septic system must be obtained from Council's Environmental Health Department prior to any works commencing.
12. All waste water must be treated and retained within the lot/s in accordance with the State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act 1970*.

Works Department

13. Prior to certification under the *Subdivision Act 1988*, and before any construction works associated with the subdivision start, detailed drainage computations and plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. Drainage computations shall be to the Golden Plains Shire standards and specifications as detailed in the current Infrastructure Design Manual (IDM) and demonstrate an acceptable solution for the control of the stormwater discharge and ensure:
- a) all discharge from roof and impervious areas is contained within the site;
 - b) no worsening of downstream drainage flows; and
 - c) avoidance of concentration of flows across lot boundaries.
14. Before the issue of a statement of compliance under the *Subdivision Act 1988*, the vehicle crossing to the Common Property from Eagle Court must be:
- a) provided with a minimum width of 6 metres;
 - b) provided by provision of a crushed rock drive entry, reinforced concrete pipe culvert and mountable end walls.

The vehicle crossing must conform to the requirements of Golden Plains Shire Council contained in Infrastructure Design Manual (IDM) standard drawing SD 255 and to the satisfaction of the responsible authority.

15. Before the issue of a statement of compliance under the *Subdivision Act 1988*, the vehicle crossing to Lot 1 must be upgraded by provision of a crushed rock drive entry, reinforced concrete pipe culvert and mountable end walls conforming to the requirements of Golden Plains Shire Council contained in the Infrastructure Design Manual (IDM) standard drawing SD 255 and to the satisfaction of responsible authority.
16. The owner of the land must enter into an agreement under section 173 of the *Planning and Environment Act 1987* with the responsible authority. The agreement must be in a form to the satisfaction of the responsible authority, and the applicant must be responsible for the expense of the preparation and registration of the agreement, including the responsible authority's reasonable costs and expenses (including legal expenses) incidental to the preparation, registration and enforcement of the agreement. The agreement must contain covenants to be registered on the Title of the property so as to run with the land, and must provide for the following:
 - a) The purchaser/s of Lots 1 & 3 must install a rainwater tank plumbed into any dwelling constructed on the Lot and construct an absorption trench, both generally in accordance with the approved design and computations upon completion of the dwelling.
 - b) The owner/s of Lots 2 & 3 acknowledge that pick up for garbage will be at a location as advised by Council and which may be remote from the site.

The owner must pay the costs of preparation, review, execution and registration of the agreement and the agreement must be registered on the newly created title/s of all stages of the subdivision.

17. Before the issue of a statement of compliance under the *Subdivision Act 1988*, the owner/developer, where required, must install a rainwater tank plumbed into any dwelling constructed on Lot 2 and construct an absorption trench, both generally in accordance with the approved drainage computations and plans to the satisfaction of responsible authority.
18. Before the issue of a statement of compliance under the *Subdivision Act 1988*, a minimum 5 metre wide all weather sealed (alternative asphalt, concrete or paved surface may be considered) vehicle access must be provided for the whole length of the common property and driveway for Lot 3 with the seal commencing from the existing edge of seal in Eagle Court, conforming to the requirements of Golden Plains Shire Council contained in the Infrastructure Design Manual (IDM) and to the satisfaction of responsible authority.

Note: Prior to certification the responsible authority will require a plan showing the location of all existing and proposed vehicle crossings. The plan is required to show setback distances of existing and proposed crossovers from the closest property boundary to the satisfaction of the responsible authority. The plan is required to satisfy Regulation 29 of the Subdivision (Procedures) Regulations 2011, allowing the allocation of street numbers.

Note: A 'Works within Road Reserves' Permit must be obtained from the responsible authority prior to the carrying out of any vehicle crossing works.

BARWON WATER CONDITIONS

General

19. The plan of subdivision must be referred to Barwon Water in accordance with the *Subdivision Act 1988* and any subsequent amendments to the plan provided to Barwon Water.

Potable Water

20. The provision and installation of individual potable water supply to the development.

21. An additional potable water connection(s) is to be provided to service the proposed development. A dimensioned plan showing location of all new connections relative to the allotment boundaries is to be submitted, where a meter is not being fitted. Note that tappings and service lines are not to be located under existing or proposed driveways.
22. Barwon Water's records indicate than an existing potable water service and meter are located on this property. A dimensioned plan showing the location of existing meters, and the location of the meter relative to the existing boundaries, and its number, is to be submitted. Private potable water service pipes are not permitted to cross allotment boundaries and must be plugged and abandoned at the boundaries of such allotments.
23. New Customer Contributions are payable for water for each additional connection which includes any new lot on a plan of subdivision and / or any apartment, unit, or premises within the development that is, or can be, separately metered for a potable water supply.

Note: The developer is to apply to Barwon Water for details relating to servicing requirements and costing for the provision of a potable water supply and, where applicable, recycled water and / or sewerage services to the subdivision. It would be appreciated if all communication between the developer / agent and Barwon Water quote Barwon Water reference number: L015145.

POWERCOR CONDITIONS

24. The plan of subdivision submitted for certification under the *Subdivision Act 1988* shall be referred to Powercor Australia Ltd in accordance with section 8 of that Act.
25. The applicant shall:
 - a) Provide an electricity supply to all lots in the subdivision in accordance with Powercor's requirements and standards, including the extension, augmentation or re-arrangement of any existing electricity supply system, as required by Powercor. (A payment to cover the cost of such work will be required). In the event that a supply is not provided, the applicant shall provide a written undertaking to Powercor Australia Ltd that prospective purchasers will be so informed.
 - b) Where buildings or other installations exist on the land to be subdivided and are connected to the electricity supply, they shall be brought into compliance with the Service and Installation Rules issued by the Victorian Electricity Supply Industry. Compliance shall be arranged through a Registered Electrical Contractor.
 - c) The applicant shall provide to Powercor Australia Ltd a copy of the version of the plan of subdivision submitted for certification, which shows any amendments that have been required.
 - d) Any buildings must comply with the clearances required by the Electricity Safety (Network Assets) Regulations.
 - e) Any construction work must comply with Energy Safe Victoria's "No Go Zone" rules.

Note: It is recommended that, at an early date, the applicant commences negotiations with Powercor for supply of electricity in order that supply arrangements can be worked out in detail, so that prescribed information can be issued once all electricity works are completed (the release to the municipality enabling a Statement of Compliance to be issued). Prospective purchasers of lots in this subdivision should contact Powercor Australia Ltd to determine the availability of a supply of electricity. Financial contributions may be required.

6.4 DEVELOPMENT PLAN DP-046 - 2725 MIDLAND HIGHWAY, LETHBRIDGE**File Number:****Author:** Leigh Page, Town Planner**Authoriser:** Greg Anders, Director Assets and Amenity**Applicant:** **Owner:** **Proposal:** Approval of Development Plan**Location:** 2725 Midland Highway, Lethbridge**Attachments:** 1. Copy of Development Plan and Indicative Future Subdivision Plan (under separate cover)**RECOMMENDATION**

That Council approves the Development Plan provided at Attachment 1 to this report, for 2725 Midland Highway, Lethbridge.

EXECUTIVE SUMMARY

Council has received an application for the approval of a Development Plan for a two (2) lot subdivision under the Development Plan Overlay Schedule 12 (DPO12) to the Golden Plains Planning Scheme. The Development Plan has been assessed against the requirements of the Golden Plains Planning Scheme and is considered to respond appropriately.

PURPOSE

To consider approval of a Development Plan for 2725 Midland Highway, Lethbridge, prepared under Schedule 12 to the Development Plan Overlay in the Golden Plains Planning Scheme.

CONFLICT OF INTEREST

In accordance with Section 80B of the Local Government Act 1989, the Officers preparing this report declare no conflict of interest in regard to this matter.

COUNCIL PLAN

Managing natural and built environments.

BACKGROUND INFORMATION

The subject site is known as Crown Allotment 26, Township of Lethbridge, Parish of Wabdallah, 2725 Midland Highway, Lethbridge. The site is zoned Township Zone with a Development Plan Overlay Schedule 12 (Township Development Plan - Lethbridge) applying to the land.

The site contains a single dwelling and associated shedding located centrally on the land. Access to the land is via an unsealed driveway that connects the dwelling to a rural style crossover from the Midland Highway.

The western portion of the site occupies an escarpment overlooking Bruce's Creek, with the site falling west from the escarpment towards the Creek. From the top of the escarpment, there is a gentle fall in the site to the east towards the Midland Highway.



Locality Plan

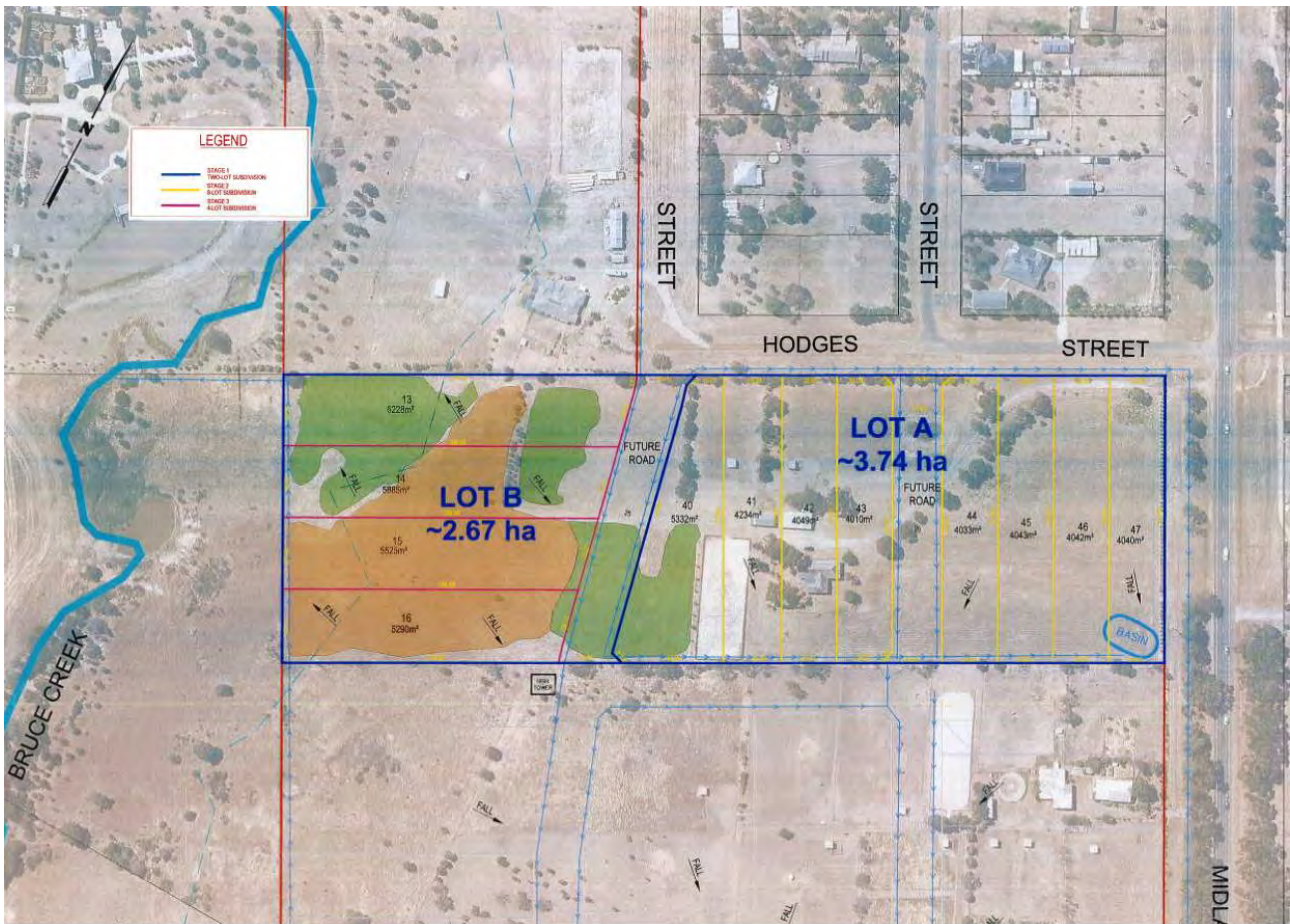
Schedule 12 to the Development Plan Overlay was prepared specifically for the Township Zone within Lethbridge, and seeks to ensure that a range of matters are addressed prior to the approval of any subdivision. This includes appropriate traffic management and integration within the existing road network, drainage management, pedestrian and cycling linkages, and vegetation management. The Development Plan Overlay Schedule 12 requires that a development plan be lodged with and approved by Council before a planning permit for subdivision can be considered.

The Development Plan proposes to subdivide the land into two balance lots (A and B).

Lot A is proposed to be approximately 3.74 hectares and would contain most of the land east of the escarpment ridge, including the existing dwelling. The lot would retain the existing access from the Midland Highway to the east.

Lot B is proposed to be approximately 2.67 hectares and would contain all the land to the west of the escarpment, and a small area of land east of the ridge. Access to the lot would be from Hodge Street to the north.

The applicant has provided an outline development plan for the further subdivision of Lots A and B as well as how the Development Plan would integrate with surrounding lots also affected by the DPO12.



Proposed Development Plan and Indicative Future Subdivision Layout

CONSULTATION

Under the Golden Plains Planning Scheme as well as the *Planning and Environment Act 1987* there are no requirements for the exhibition of Development Plans.

ASSESSMENT

The proposal has been assessed against the requirements of the DPO12 and the Golden Plains Planning Scheme. The land capability assessment submitted with the application demonstrates that the proposed lots are capable of treating and retaining all wastewater.

The development plan addresses the requirements of the DPO12 as follows:

- *Allows for the provision of future infrastructure, including reticulated sewerage.*

Each lot created would direct road frontage which would allow for the provision of future infrastructure such as sewerage.

- *Includes wide road reserves capable of accommodating services, footpath infrastructure and planting of native indigenous species.*

The proposed future road would be of sufficient width to accommodate utilities, footpaths, drainage and landscaping.

- *Provides convenient and safe pedestrian and cycle networks with linkages to adjoining development, open space and facilities such as schools, shops and sporting grounds.*

The proposed lots would have convenient and safe access to the existing road network.

- *Provides road linkages to surrounding areas and integrates with adjoining development.*

The proposed lots would have convenient access to the existing road network.

- *Considers the topography of the land, particularly with regard to the provision of useable open space, site elements such as vegetation, waterways or other significant features, and physical infrastructure such as roads and reticulated services (water, sewer, drainage).*

There are no site constraints related to the topography of the land.

- *Where relevant, identifies the proposed location of public open space.*

Not applicable.

- *Shows the location of any major infrastructure easements.*

Not applicable.

- *Identifies development stages if proposed.*

The subdivision would be completed in two stages. The first stage (this application) involves the subdivision of the land into two large lots.

The second stage (future development) would involve the full subdivision of the two lots into approximately 12 lots including the construction of an internal access road.

DISCUSSION

Having considered the application against the requirements of the DPO12 and the Planning Scheme, the proposed development plan is considered to be appropriate for this site.

CULTURAL HERITAGE IMPLICATIONS

The proposal does not require the preparation of a Cultural Heritage Management Plan under the Aboriginal Heritage Regulations 2007.

CONCLUSION

It is considered that the submitted Development Plan responds appropriately to the requirements of the DPO12 and the Planning Scheme and it is therefore recommended for approval.

6.5 DEVELOPMENT PLAN (DPO12) 72 WOODMAN ROAD, LETHBRIDGE**File Number:****Author:** Geoff Alexander, Strategic Planner**Authoriser:** Greg Anders, Director Assets and Amenity**Applicant:** **Owner:** **Proposal:** Approval of modification to existing Development Plan**Location:** 72 and 80 Woodman Road, Lethbridge**Attachments:**

1. **72 and 80 Woodman Road Development Plan**
2. **DPO12 Assessment**
3. **Planning Scheme Assessment**

RECOMMENDATION

That Council approves the modified Development Plan for 72 and 80 Woodman Road, Lethbridge, as provided at Attachment 1 to this report.

EXECUTIVE SUMMARY

An application for the approval of a modified Development Plan for 72 and 80 Woodman Road, Lethbridge has been received. The application is proposed to supersede an existing development plan for the same land.

PURPOSE

To consider approval of a Development Plan for 72 and 80 Woodman Road, Lethbridge under Schedule 12 to the Development Plan Overlay in the Golden Plains Planning Scheme.

CONFLICT OF INTEREST

In accordance with section 80B of the *Local Government Act* 1989, the Officer preparing this report declares no conflict of interest.

COUNCIL PLAN

Managing Natural and Built Environments – We work to promote, conserve, enhance and protect the natural environment and ensure that growth and change in the built environment is managed for the benefit of all of our community.

BACKGROUND INFORMATION

The application proposes a future subdivision of five [5] lots for 72 Woodman Road only. The land at 80 Woodman Road is shown as “future development” and would require a separate application to support a future subdivision for that site.

The application was not advertised as there are no exhibition requirements for Development Plans.

The approval of a Development Plan is required before the land becomes eligible for subdivision.

Amendment C57 to the Golden Plains Planning Scheme came into effect in 2012. The Amendment rezoned parts of Lethbridge from the Farming Zone to either the Township Zone or Low Density Residential Zone. The amendment also applied the Development Plan Overlay Schedule 12 (DPO12) to the same land that was subject to rezoning, including 72 and 80 Woodman Road (the subject land).

The Subject Land

The subject land is 2.44 hectares in area. It currently contains a large shed and limited, sporadic vegetation. The site slopes gently from north to south.

The subject land is zoned Township Zone and is affected by the Development Plan Overlay Schedule 12.

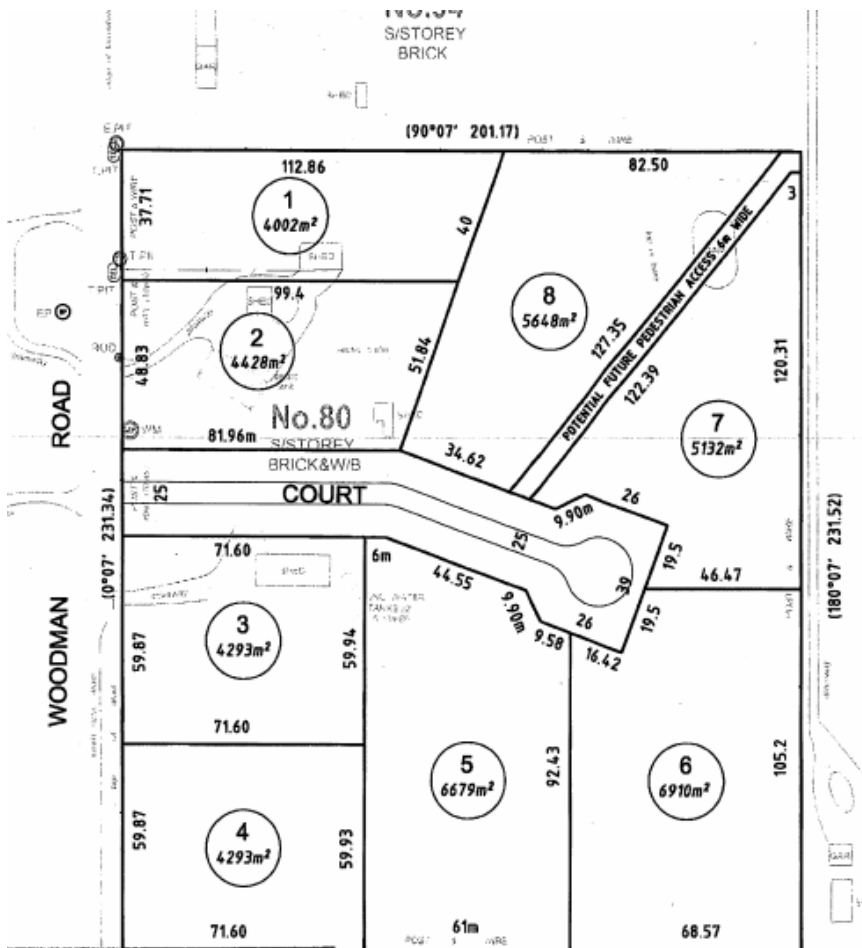
Surrounding Area

Lots to the north, east and south of the subject land are also zoned Township. These lots currently contain single dwellings, however will likely be developed in the future. Immediately to the west is Woodman Road and beyond is land within the Farming Zone which is identified as a 'Longer Term Growth Area' in the Lethbridge Structure Plan.

Existing Approved Development Plan

Following the approval of Amendment C57 an application was lodged for the approval of a development plan at the subject land. The development plan was approved in October 2016. The existing development plan is depicted in **Figure 1** below.

Map 1: 72 and 80 Woodman Road Development Plan



This development plan remains in effect at the present time but would be superseded should the proposed development plan be approved.

Two Lot Subdivision

The subject land previously comprised a part of 80 Woodman Road. A two [2] lot subdivision for the land (known as P16-170) split the land into two similarly sized lots. It is understood that the lots are owned by different parties.

Notably, the original development plan includes a road that is shown as going through both 72 and 80 Woodman Road.

As the owner of 72 Woodman Road is now seeking to develop alone, a modified development plan (the subject of this report) is necessary due to the road shown running through both properties.

CONSULTATION

Under the Golden Plains Planning Scheme as well as the *Planning and Environment Act 1987* there are no requirements for the exhibition of Development Plans. This applies across the state of Victoria.

Nonetheless, notice was sent to the owner of 80 Woodman Road, due to a potential impact of the modified development plan on this property. No submission was received.

Notably, Amendment C57 included the implementation of a Development Plan Overlay Schedule for the subject land, which sets requirements that strongly influence the future layout of any proposed development. Amendment C57 underwent a rigorous formal exhibition process in accordance with the *Planning and Environment Act 1987*.

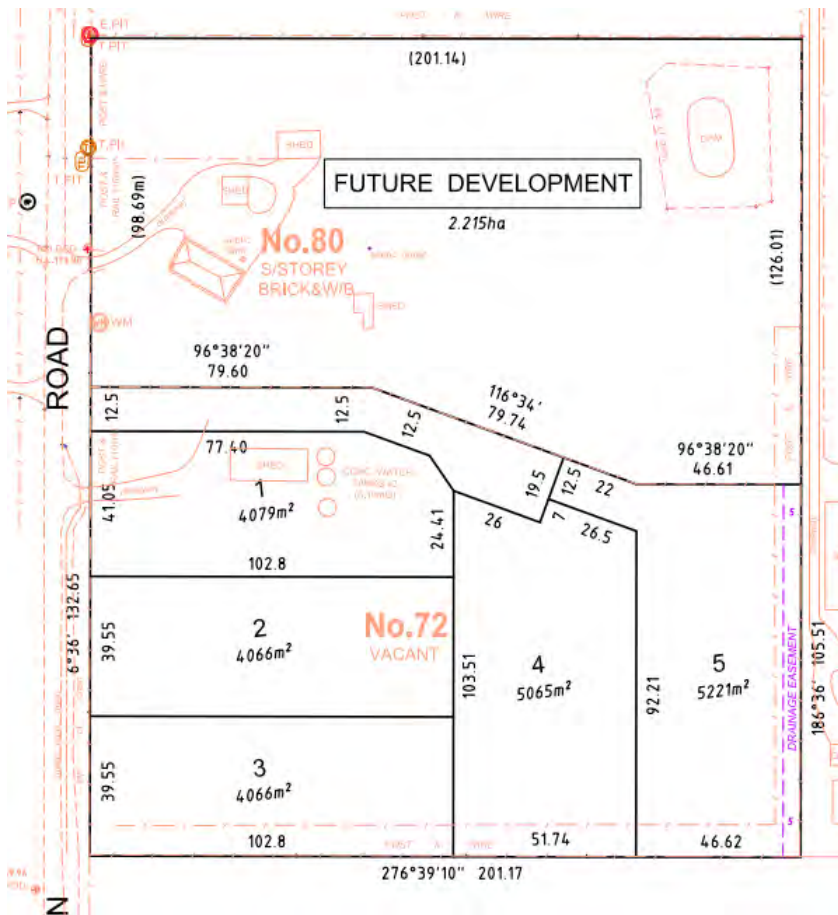
ASSESSMENT

The submitted Development Plan proposes the future subdivision of the land into five [5] residential lots, with one [1] additional lot for common property. Residential lots range in size from 4,066 sqm to 5,221 sqm.

In addition, the land known as 80 Woodman Road is now shown as "Future Development". Should the proposed development plan be approved, it would allow a subdivision to be considered for 72 Woodman Road only. A separate development plan approval process would be required before 80 Woodman Road could be considered for development.

The Development Plan is depicted below as Map 2. This can be seen in a larger format at Attachment 1.

Map 2 Proposed Development Plan 72 Woodman Road



The following have been taken into account when assessing the Development Plan:

- The submitted application;
- Planning controls;
- Compliance with the DPO12 Schedule; and
- Responses received from referral authorities and other Council Departments.

The proposal has been assessed against the requirements of the DPO12 and the Golden Plains Planning Scheme. A full assessment against the requirements of the DPO12 is provided as Attachment 2 to this report. An assessment against the LPPF, SPPF, decision guidelines of the Township Zone and ResCode (Clause 56), are provided as Attachment 3.

The Development Plan generally accords with the requirements of the DPO12 and wider planning Scheme and is considered to respond appropriately.

The application is also supported by a Land Capability Assessment and a Stormwater Management Diagram.

Access

All lots are proposed to have access to Woodman road. Lots 1 to 3 have direct access, whereas Lots 4 and 5 will have access via common property.

Open Space

No open space is provided. The proponent will be required to make a 5% cash contribution for public open space purposes at the subdivision stage, in accordance with section 18 of the *Subdivision Act 1987*.

Landscape Plan

Whilst no landscape plan has been provided, there is considered to be a modest opportunity for landscaping in the common property area, which will be required as a planning permit condition at the subdivision stage.

Referrals

The application was referred to a number agencies and internal departments and no objections were received.

DISCUSSION

Having considered the application against the requirements of the DPO12 and the wider Planning Scheme, the proposed development plan is considered to be acceptable.

OPTION ANALYSIS

Council has the options of:

- a) approving the Development Plan as submitted;
- b) approving the Development Plan with changes; or
- c) refusing to approve the Development Plan for the reasons specified in the Council resolution.

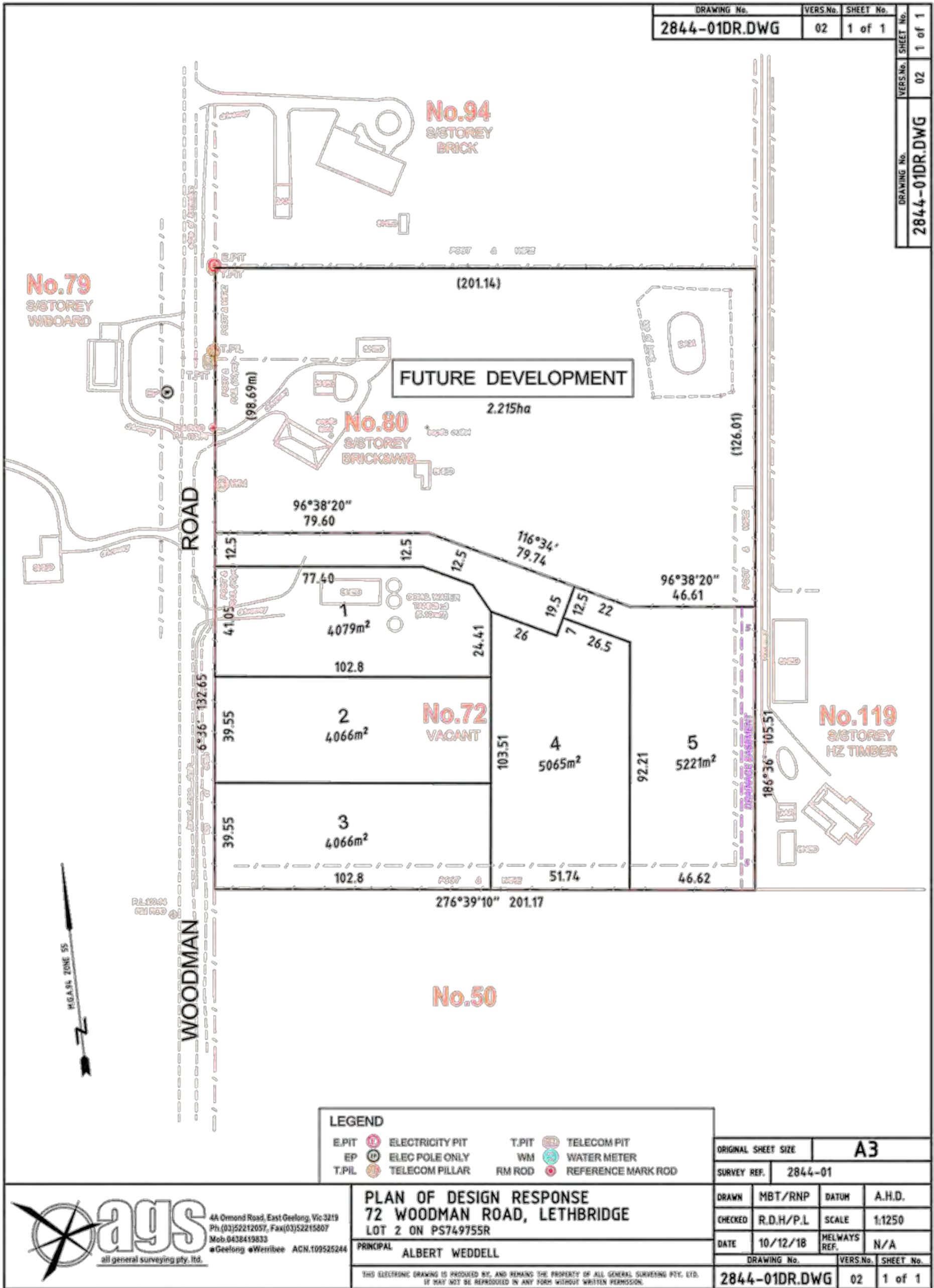
CULTURAL HERITAGE IMPLICATIONS

There are no cultural heritage implications. The subject land is not in an area of Cultural Heritage Sensitivity.

CONCLUSION

The approval of the Development Plan does not allow the land to be subdivided, but generally directs the form and conditions of the future use and development of the land. The related subdivision application (ref. P18-292), which has already been submitted, is required to be "generally in accordance" with the approved Development Plan and is also subject to the requirements of the Planning Scheme. The subdivision process will be simplified by the approval of the Development Plan because key issues have already been considered and the planning permit application is exempt from advertising.

It is considered that the submitted Development Plan responds appropriately to the requirements of the DPO12 and the Planning Scheme. It is therefore recommended for approval.



DPO12 Development Plan. A Development Plan must include:	
A plan showing the location, dimension and area of all lots.	Provided.
A land capability assessment to determine if lots less than 1 hectare can support the management of onsite wastewater systems.	One has been provided and deemed satisfactory by Council's environmental health area.
Where required a flora and fauna assessment report which provides a Management Plan to assist in the protection and management of any identified environmental assets to the satisfaction of the responsible authority.	This is not required considering the size of the site and the relative absence of significant flora and fauna. Council's environment area have indicated that the site is heavily modified and mainly comprised of pasture grasses with little native vegetation value.
An overall landscaping plan and any necessary arrangements for preserving or regenerating existing vegetation.	The development plan doesn't propose any public roads or open spaces for which there could be landscaping. There is a modest opportunity for landscaping in relation to the common property driveway for two of the lots. A planning permit condition at the subdivision stage will require a landscape plan for common property.
A drainage management plan which identifies natural drainage lines and floodways, and provides for the integration of stormwater treatment into the landscape and the protection of water quality.	A drainage management plan has been provided and planning permit conditions have been drafted regarding draining management.
If relevant a traffic impact assessment report considering the impacts of traffic movements at the intersection of Hodges Street and the Midland Highway. The report and any mitigating works must be completed to the satisfaction of VicRoads and the Responsible Authority. All works must be carried out at the cost of the applicant.	This is not relevant based on the size of the proposed development and has not been required.
A Development Plan must include a subdivision layout plan which:	
Allows for the provision of future infrastructure, including reticulated sewerage.	There are no evident encumbrances to the provision of reticulated sewerage should it become available. Given the small size of the development plan area other significant infrastructure is unlikely.
Includes wide road reserves capable of accommodating services, footpath infrastructure and planting of native indigenous species.	This is a small development plan which does not include any road reserves.

<p>Provides convenient and safe pedestrian and cycle networks with linkages to adjoining development, open space and facilities such as schools, shops and sporting grounds.</p>	<p>This is a small development plan within a much larger development plan area, and proposes no roads, open space or walking paths. This is reasonable in consideration of the size of the development.</p>
<p>Provides road linkages to surrounding areas and integrates with adjoining development.</p>	<p>No roads are proposed or necessary in consideration of the size of the development plan. Lots 1-3 are proposed to have direct access to Woodman road. Lots 4-5 are proposed to have common property access.</p>
<p>Considers the topography of the land, particularly with regard to the provision of useable open space, site elements such as vegetation, waterways or other significant features, and physical infrastructure such as roads and reticulated services (water, sewer, drainage).</p>	<p>The subject land is largely flat and has approximately 2 metres of fall from north to south. No open space is proposed, a small amount of perimeter vegetation has the potential to be retained within lots based on 4000 square metre + sized allotments, and there are no waterways. The land will be serviced but is not sewered (septic tanks will be provided).</p>
<p>Where relevant, identifies the proposed location of public open space which is:</p> <ul style="list-style-type: none"> • Clearly visible and accessible to residents within the development area; • Connected to existing or proposed open space; and • Integrated with areas and corridors of habitat significance where possible 	<p>No public open space is provided. The proponent will be required to make a 5% public open space contribution at the subdivision stage.</p>
<p>Shows the location of any major infrastructure easements;</p>	<p>A drainage easement is shown.</p>
<p>Identifies development stages if proposed.</p>	<p>No staging proposed.</p>
<p>A development plan must not provide for additional access onto the Midland Highway to service residential development.</p>	<p>This is not applicable because the only possible access is off Woodman Road.</p>

DPO12 Development Plan - 72 Woodman Road Planning Scheme Assessment	
State Planning Policy Framework	Assessment
<p>Clause 11 Settlement</p> <p>Seeks to ensure that planning responds to and contributes to the need for diversity of choice, a high standard of urban design and amenity and protection of environmentally sensitive areas and natural resources amongst other matters.</p>	<p>The proposal is considered to align with Clause 11 by providing for diversity of housing choice and catering to a preference in some parts of the community for low density lots. Furthermore the proposal minimises the removal of vegetation.</p>
<p>Clause 12 Environmental and Landscape Values</p> <p>States that planning must help to protect, conserve and support areas of environmental and landscape value.</p>	<p>The proposed development plan is considered to align with the Clause as vegetation is to be retained.</p>
<p>Clause 13 Environmental Risks and Amenity</p> <p>This Clause states that Planning should minimise various environmental risks.</p>	<p>The proposed development is consistent with this Clause as it is supported by appropriate specialist reports which cover environmental risks including a Stormwater Management Plan and Land Capability Assessment. Furthermore the absence of a Bushfire Management Overlay, salinity issues or known contamination issues further supports the proposal.</p>
Local Planning Policy Framework	Assessment
<p>Clause 21.02 – Settlement</p> <p>This clause provides a number of objectives to make efficient use of land. These includes encouraging the consolidation of existing township areas, to lessen conflict in rural areas between agriculture and non-agricultural land uses, among others.</p>	<p>The proposal satisfies a number of these objectives because it is in an area already deemed appropriate for residential development in the Golden Plains Planning Scheme.</p>
<p>Clause 21.08 Local Areas – Small Towns</p> <p>This Clause provides small town structure plans for most areas including Lethbridge (21.08-5) which establish a basis for future strategic planning decisions in each town.</p>	<p>Notably this clause includes a map of the Lethbridge Structure Plan. The text "Rezone to TZ" is included over the subject land, and land immediately to the west of the subject land is recognised as a growth area. Whilst the map is in need of update as the land has already been rezoned to TZ, the intent is clear to zone the</p>

	land as to support growth and residential development within this area.
<p>Clause 22.09 Low Density Residential Subdivision Policy</p> <p>This policy seeks to ensure that land capability and established character of areas are considered in subdivision applications.</p> <p>The objectives of the policy include providing design that provides for open space and landscaping, retention of existing vegetation, minimal use of narrow battle-axes, and the provision of wide access ways.</p>	<p>The proposal accords a number of the objectives of this policy, all vegetation on site will be retained and no battle axes are proposed.</p>

Township Zone (TZ)

A Planning Permit is required for subdivision under Clause 32.05-5 of the Golden Plains Planning Scheme.

Assessment against the decision guidelines of the TZ, as applicable to subdivision are as follows:

<p><u>Subdivision</u></p> <p>Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:</p> <ul style="list-style-type: none"> The Municipal Planning Strategy and the Planning Policy Framework 	<p>Considered elsewhere.</p>
<p>The pattern of subdivision and its effect on the spacing of buildings.</p>	<p>The pattern of subdivision is considered to be able to support the adequate spacing of future buildings.</p>
<p>For subdivision of land for residential development, the objectives and standards of Clause 56 (as below).</p>	
<p>Any other decision guidelines specified in a schedule to this zone.</p>	<p>No decision guidelines are specified in the schedule to the Township Zone.</p>
<p>ResCode (Clause 56.03-56.09.4)</p>	
<p>56.03-5 Neighbourhood Character To design subdivisions that respond to neighbourhood character</p>	<p>A key characteristic of the neighbourhood is the low density nature of the lots. The lower density, though a direct result of the need for on site septic systems, will assist the development to integrate into the surrounding area and provide</p>

	<p>better privacy. No vegetation is proposed to be removed.</p> <ul style="list-style-type: none"> • Objective and standard met.
<p>56.04-2 Lot area and building envelopes To provide lots with areas and dimensions that enable the appropriate siting and construction of a dwelling, solar access, private open space, vehicle access and parking, water management, easements and the retention of significant vegetation and site features.</p>	<p>All lots can create more than a 15m x 10m building envelopes.</p> <ul style="list-style-type: none"> • Objective and Standard met
<p>56.04-3 Solar Orientation To provide good solar orientation of lots and solar access for future dwellings.</p>	<p>The dimensions of the lots are adequate to protect solar access for future dwellings, particularly given this is a low density development.</p> <ul style="list-style-type: none"> • Objective met
<p>56.04-4 Street Orientation To provide a lot layout that contributes to community social interaction, person safety and property security.</p>	<p>Lots 1-3 have a frontage to Woodman road and Lots 4 and 5 have a shared common property access.</p> <ul style="list-style-type: none"> • Objective met
<p>56.04-5 Common Area</p> <ul style="list-style-type: none"> • To identify common areas and the purpose for which the area is commonly held. • To ensure the provision of common area is commonly held. • To maintain direct public access throughout the neighbourhood street network. • 	<p>Common property is provided for two lots, to create access to rear lots that do not have a frontage to Woodman road.</p> <ul style="list-style-type: none"> • Objective and standard met.
<p>56.05-1 Integrated Urban Landscape To provide attractive and continuous landscaping in streets and public open spaces that contribute to the character and identity of new neighbourhoods and urban places or to existing or preferred neighbourhood character in existing urban areas.</p> <p>To incorporate natural and cultural features in the design of the streets and public open space where appropriate.</p> <p>To protect and enhance native habitat and discourage the planting and spread of noxious weeds.</p> <p>To provide integrated water management systems and contribute to drinking water conservation.</p>	<p>Not applicable.</p>

<p>56.06- 2 Walking and Cycling Network To contribute to community health and wellbeing by encouraging walking and cycling as part of the daily lives of residents, employees and visitors.</p> <p>To provide safe and direct movement through and between neighbourhoods by pedestrians and cyclists.</p> <p>To reduce car use, greenhouse gas emissions and air pollution.</p>	<p>Not applicable.</p>
<p>56.06-4 Neighbourhood Street Network To provide for direct, safe and easy movement through and between neighbourhoods for pedestrians, cyclists, public transport and other motor vehicles using the neighbourhood street network.</p>	<p>Not applicable.</p>
<p>56.06-5 Walking and Cycling Network To design and construct footpaths, shared path and cycle path networks that are safe, comfortable, well-constructed and accessible for people with disabilities</p> <p>To design footpaths to accommodate wheelchairs, prams, scooters and other footpath bound vehicles.</p>	<p>Not applicable.</p>
<p>56.06-7 Neighbourhood Street Network Detail To design and construct street carriageways and verges so that the street geometry and traffic speed provide an accessible and safe neighbourhood street system for all users.</p>	<p>Not applicable.</p>
<p>56.06-8 Lot Access To provide for safe vehicle access between roads and lots.</p>	<p>Not applicable.</p>
<p>56.07-1 Drinking Water Supply To reduce the use of drinking water</p> <p>To provide adequate, cost-effective supply of drinking water.</p>	<p>Drinking Water Will be provided through an agreement with Barwon Water. The application has been considered by Barwon Water who have not objected.</p> <ul style="list-style-type: none"> • Objective and Standard met
<p>56.07-2 Reused and Recycled Water To provide for the substitution of drinking water for non-drinking water purposes with reused and recycled water.</p>	<p>Not Applicable.</p>

<p>56.07-3 Waste Water Management To provide a wastewater system that is adequate for the maintenance of public health and the management of effluent in an environmentally friendly manner.</p>	<p>Waste Water to be treated on site. A land capability assessment has been provided and deemed satisfactory.</p> <ul style="list-style-type: none"> • Objective and standard met.
<p>56.07-4 Urban Run-off Management To minimise damage to properties and inconvenience to residents from urban run-off.</p> <p>To ensure that the street operates adequately during major storm events and provides for public safety.</p> <p>To minimise increases in stormwater run-off and protect the environmental values and physical characteristics of receiving waters from degradation by urban run-off.</p>	<p>A stormwater management plan has been provided. It indicates that the site is capable of managing run-off and no mitigation measures will be required for the development.</p> <ul style="list-style-type: none"> • Objective met.
<p>56.08-1 Site Management To protect drainage infrastructure and receiving waters from sedimentation and contamination.</p> <p>To protect the site and surrounding area from environmental degradation or nuisance prior to and during construction of subdivision works.</p> <p>To encourage the re-use of materials from the site and recycled materials in the construction of subdivisions where practicable.</p>	<p>This matter will be addressed through a planning permit condition.</p> <ul style="list-style-type: none"> • Objective and standard met.
<p>56.09-1 Shared Trenching To maximise the opportunities for shared trenching</p> <p>To minimise constraints on landscaping within street reserves.</p>	<p>The proponent has indicated an intention to use shared trenching where required.</p> <ul style="list-style-type: none"> • Objective met.
<p>56.09-2 Electricity, Telecommunications and Gas To provide public utilities to each lot in a timely, efficient and cost effective manner.</p> <p>To reduce greenhouse gas emissions by supporting generation and use of electricity from renewable sources.</p>	<p>The proposal is in a partially serviced area and has been referred to relevant utilities authorities.</p> <ul style="list-style-type: none"> • Objective met
<p>56.09-3 Fire To provide fire hydrants and fire plugs in positions that enable fire fighters to access water safely, effectively and efficiently.</p>	<p>CFA have confirmed that a static water supply or hydrants will be acceptable and have provided conditions which will be attached to the permit.</p> <ul style="list-style-type: none"> • Objective met
<p>56.09-4 Public Lighting</p>	<p>Not applicable.</p>

<p>To provide public lighting to ensure the safety of pedestrians, cyclists and vehicles.</p> <p>To provide pedestrians with a sense of personal safety at night.</p> <p>To contribute to reducing greenhouse emissions and to saving energy.</p>	
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6.6 VICTORIAN ELECTORAL COMMISSION (VEC) - ELECTORAL REPRESENTATION REVIEW

File Number:

Author: Eric Braslis, CEO

Authoriser: Eric Braslis, CEO

Attachments:

1. VEC Submission Guide (under separate cover)
2. VEC Map of Recommended Option

RECOMMENDATION

That Council endorse a submission to the Victorian Electoral Commission in relation to the Electoral Representation Review for the Golden Plains Shire, requesting the return of a Ward based structure, with a preference for 3 Wards; North, Central and South having 2, 1 and 4 Councillors respectively, as highlighted on the attached plan.

EXECUTIVE SUMMARY

The Victorian Electoral Commission (VEC) is legislated to undertake electoral representation reviews once every 12 years. As the last review was undertaken in 2007, they are reviewing the current representation in advance of the upcoming 2020 Council elections. Council has the opportunity to make a submission on the number of Councillors that should be elected and if we should retain the existing unsubdivided arrangements or return to having wards.

BACKGROUND

The VEC will be conducting an electoral representation review of Golden Plains Shire Council from Wednesday 30 January 2019. Representation reviews ensure all voters in a local council area have their concerns and interests fairly represented by their council. The review examines:

- Whether a local council has the appropriate number of councillors
- Whether the local council should be unsubdivided, with councillors elected from the whole local council, or subdivided into wards
- If subdivided, the number of wards, ward boundaries and the # of councillors per ward.

The last such review was undertaken in 2007. At that time the VEC altered the representation from 9 Councillors down to 7 and eliminated the 9 wards to a single unsubdivided arrangement.

POLICY CONTENT

In 2019 and 2020, the VEC will be conducting representation reviews for 31 councils. A representation review ensures that the electoral structure of a local council provides fair and equitable representation for all voters. The Local Government Act 1989 requires the VEC to review each council before every third general election. Representation reviews occur approximately every 12 years, and unscheduled reviews may also take place. A review considers:

- Whether a local council has the appropriate number of councillors
- Whether the local council should be unsubdivided, with councillors elected from the whole local council, or subdivided into wards
- If subdivided, the number of wards, ward boundaries and the number of councillors per ward.

When the review is complete, the VEC makes a final recommendation to the Minister for Local Government. Any changes to the electoral structure of the council then apply at the next general election. The Minister has given notice that reviews of 31 councils must be completed by 24 April 2020. Preliminary submissions period The VEC accepts written submissions from the public for 28 days. Anyone can contribute their views and local knowledge. The VEC presents at least one option

for the local council's electoral structure in a preliminary report. The VEC accepts submissions responding to the option/s in the preliminary report for 28 days. A public hearing is held for people who request to speak in support of their response submission. The VEC presents a final report with a recommended structure to the Minister for Local Government. A representation review cannot change the external boundaries of the local council, divide local councils or combine local councils.

Electoral representation reviews consider the number of councillors and the internal electoral structures of local councils. Each council is reviewed before every third council general election, although unscheduled reviews can also take place when required. Subdivision reviews are conducted only to adjust the location of ward boundaries within a council. Subdivision reviews are generally required for councils where the average number of voters per councillor in one or more wards is likely to be 10% more or less than the municipality average at the next general election. Representation and subdivision reviews make sure the electoral structure of a council provides fair and equitable representation for all its voters.

DISCUSSION

Council may wish to consider how the 2007 change from 9 Councillors to 7 and from 9 Wards to a single unsubdivided municipality has affected community representation. Other matters that Council may wish to consider are

- Continue with 7 Councillors or reduce the number to 5 (potential \$100k annual savings)
- Wards or Unsubdivided
- If wards, how many and how many crs per ward

Having considered the various options, and way in which the past 10 years have served the community, it is evident that the preferred structure, to best serve the interests of the broader community is a ward based structure. Due to Golden Plains not have one centralised urban township, but made up a number of small communities that in fact have communities of interest facing our neighbouring regional cities of Geelong and Ballarat, Councillor representation should reflect this. As a result, a north, central and south wards are proposed as shown on the attached plan. Based on retaining the 7 member council, it would suggested that 4 Councillors would represent the South, 1 in the Central area of the Shire, and 2 Councillors within the Northern community.

CONSULTATION

A submission guide has been published (Attached) which outlined the range of issues that can be addressed and included important council information and examples. Some of the key dates are;

- Public information sessions were held in Symthesdale and Bannockburn on 30 January
- Preliminary submissions close on 27 February 2019
- Release of preliminary report and response submissions open on 27 March
- Response submissions close at 5.00 pm on 24 April
- Public hearing will be held at 6.30pm on 1 May
- Scheduled release of final report on 22 May 2019

CONFLICT OF INTEREST

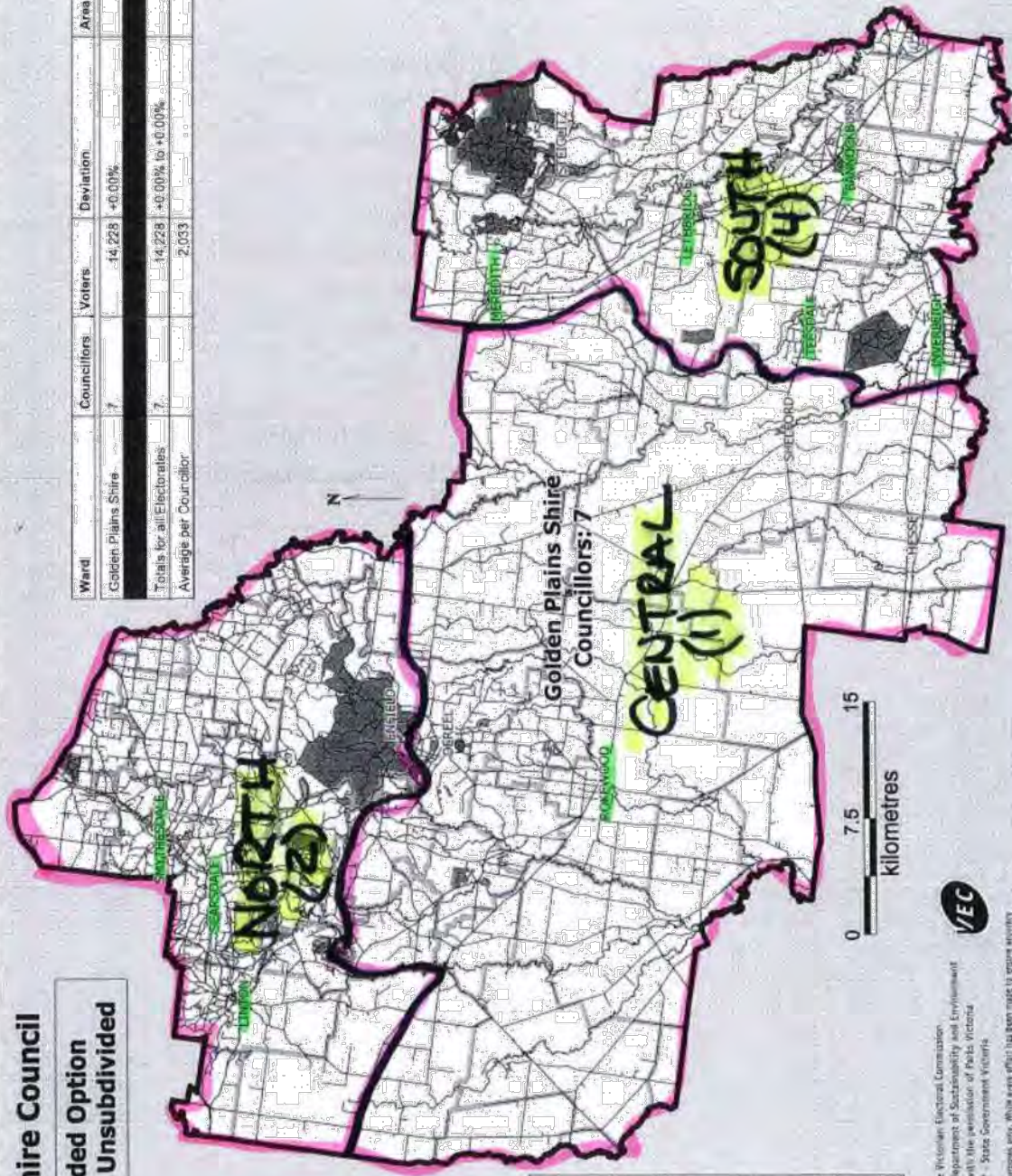
In accordance with Section 80B of the Local Government Act 1989, the Officer preparing this report declares no conflict of interest in regards to this matter.

CONCLUSION

As submissions to the VEC Representation Review are due by 27 February, a position of the Councils is being sought as to how we feel the community should be presented by its local Councillors.

Golden Plains Shire Council
Map of Recommended Option
Seven Councillors, Unsubdivided

Ward	Councillors	Voters	Deviation	Area (sq km)
Golden Plains Shire	7	14,228	+0.00%	2,701.68
Totals for all Electorates	7	14,228	+0.00% to +0.00%	2,701.68
Average per Councillor		2,033		386.95



Legend

- Proposed Boundary
- Locality Boundary

Map Symbols

- Freeway
- Main Road
- Collector Road
- Road
- Unsealed Road
- River/Creek
- Railway Line
- Lens
- Parks & Reserves

Vicmap
 (Vicmap) The content is provided for information purposes only. While every effort has been made to ensure accuracy and authority of the content, the Victorian Government does not accept any liability to any person for the information provided.

VEC
 Map prepared by the Victorian Electoral Commission
 Vicmap spatial data provided by Department of Sustainability and Environment
 Parks digital data used with the permission of Parks Victoria
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6.7 REVIEW OF LOCAL LAW NO. 1 - COUNCIL MEETING PROCEDURES & COMMON SEAL

File Number:

Author: Candice Holloway, Corporate Governance Coordinator

Authoriser: Claire Tehan, Acting Director Corporate Services

Attachments:

1. Draft Local Law No. 1 of 2019 - Council Meeting Procedures & Common Seal
2. Draft Revised Council Policy 4.4 - Public Participation in Council Meetings (Question Time, Presentations & Submissions, Petitions & Joint Letters)
3. Local Law Community Impact Statement
4. Summary of Proposed Changes

RECOMMENDATION

That Council:

1. Endorse the draft Local Law No. 1 of 2019 – Council Meeting Procedures & Common Seal (draft local law) (Attachment 1) and Local Law Community Impact Statement (Attachment 3).
2. Endorse the draft revised Council Policy 4.4 – Public Participation in Council Meetings (Question Time, Presentations & Submissions, Petitions & Joint Letters) (draft policy) (Attachment 2).
3. Place the draft local law on public exhibition in accordance with sections 119 and 223 of the Local Government Act 1989.
4. Additionally provide a copy the draft policy as part of the public exhibition process.

EXECUTIVE SUMMARY

Council's current Local Law No. 1 of 2009 – Processes of Municipal Government will sunset on 28 May 2019.

A review has been undertaken and the draft Local Law No. 1 of 2019 – Council Meeting Procedures & Common Seal (local law) is attached along with the accompanying Local Law Community Impact Statement and draft revised Council Policy 4.4 – Public Participation in Council Meetings (Question Time, Presentations & Submissions, Petitions & Joint Letters) (policy).

Under the Local Government Act 1989 (the Act) section 119, Council is required to give public notice of its intention to make a local law and invite all persons affected by the local law to make a submission under section 223 of the Act. Any public submissions received will then be considered by Council for inclusion, after which time the local law can be adopted by Council.

BACKGROUND

Council's Local Law No. 1 was previously adopted in 2009 and will sunset on 28 May 2019.

Officers have completed a full review of the local law including:

- review by officers;
- review by independent lawyer;
- review by full management team
- discussion and review with the Mayor and Councillors;
- benchmarking with other Councils;
- review against the Local Government Victoria and LGPro 'Better Practice Local Laws Guidelines';

- review of changes in legislation that might impact on the content of the local law. The primary objectives of the review and the proposed changes are to:
- provide greater clarity;
- improve and streamline governance processes;
- strengthen meeting procedures; and
- update language and definitions where appropriate.

POLICY CONTENT

Council Plan 2017-2021

Strategic Direction 4. Delivering good governance and leadership.

DISCUSSION

A review has been undertaken and the draft local law has been prepared.

All content changes have been broken down clause by clause and are detailed in the summary of proposed changes (Attachment 4), however major content changes include:

- Updated definitions and clarification of meaning of words and phrases;
- Improvements to language, clarity and structure;
- Strengthened processes in relation to:
 - election of the Mayor and Deputy Mayor;
 - Notice of Motion;
 - Notice of Motion to rescind or amend; and
 - suspension of standing orders.
- Introduction of public question time;
- Introduction of requirement for at least five signatures to constitute a petition or joint letter;
- Introduction of provisions to allow digital recording of proceedings; and
- Updating of the signing clause for the Common Seal.

The approximate timeline for adoption of the Local Law is proposed as follows:

Date	Action
Completed	Officer review and benchmarking with other Councils.
Completed	Legal advice in relation to some sections.
Completed	Full management team consideration.
19 February 2019	Councillor Briefing.
26 February 2019	Council meeting to adopt draft local law and place on public exhibition.
March 2019	Public notice in Golden Plains Times and Government Gazettal advising of intention to amend the local law and invite public submissions. Publishing of Community Impact Statement with draft local law.
March - April 2019	Public exhibition period (at least 28 days).
April 2019	Council to consider public submissions and where appropriate, incorporate any amendments suggested during the submissions process.
April 2019	Councillor Briefing.
April 2019	Council meeting to adopt finalised local law.
Early May 2019	Public notice in Golden Plains Times and Government Gazettal advising adoption of local law.
Early May 2019	Submit copy of final local law to the Minister for Local Government.
Mid-May 2018	Local Law No. 1 of 2019 commences.

CONSULTATION

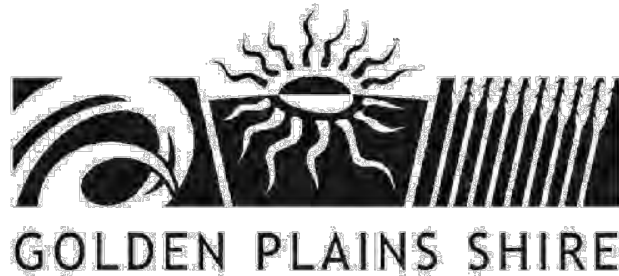
Under the Act section 119, Council is required to give notice of its intention to make a local law both in the Government Gazette and by public notice. In that notice and gazettal, all persons affected by the local law are to be invited to make a submission under section 223 of the Act. A Local Law Community Impact Statement must also be provided for the public and is attached to this report. Any public submissions must then be heard and considered by Council, after which time the local law can be adopted by Council and gazetted. A copy of the final local law must be provided to the Minister for Local Government.

CONFLICT OF INTEREST

In accordance with Section 80B of the Local Government Act 1989, the Officer preparing this report declares no conflict of interest in regards to this matter.

CONCLUSION

Local Law No. 1 of 2009 – Process of Municipal Government will sunset on 28 May 2019. A full review of the local law has been undertaken and the draft Local Law No. 1 of 2019 is attached along with the accompanying Local Law Community Impact Statement and draft revised Council Policy 4.4 – Public Participation in Council Meetings (Question Time, Presentations & Submissions, Petitions & Joint Letters) (policy) for placing on public exhibition in accordance with sections 119 and 223 of the Local Government Act 1989. Following the public exhibition and consultation process, the local law will be presented to a future Council meeting for final adoption.



**LOCAL LAW No. 1 of 2019
(DRAFT)**

**COUNCIL MEETING PROCEDURES
&
COMMON SEAL**

(Adopted by Council <<Insert Date>>)



**LOCAL LAW No. 1 of 2019
COUNCIL MEETING PROCEDURES & COMMON SEAL (DRAFT)**

CONTENTS

PART 1 – PRELIMINARY PROVISIONS	4
1. Title	4
2. Objectives of this Local Law	4
3. The Power to make this Local Law	4
4. Commencement & End Dates	4
5. Definitions	4
PART 2 – ELECTION OF MAYOR & DEPUTY MAYOR.....	7
6. Procedure for Election of Mayor	7
7. Procedure for Election of Deputy Mayor or Acting Mayor	8
8. Mayor to Take the Chair.....	8
PART 3 – CONDUCT OF BUSINESS & MEETINGS	9
9. Dates & Times of Meetings	9
10. Attendance & Notice of Meetings	9
11. Chairperson’s Duties & Responsibilities	9
12. Quorum.....	10
13. Adjourned Meetings	10
14. Time Limits for Council Meetings.....	10
15. Leave of Absence	11
16. Disclosure of Conflict of Interest.....	11
17. Order & Content of Business.....	11
18. Notice of Motion	12
19. Notice of Motion to Rescind or Amend	13
20. Formal or Procedural Motions	14
21. Urgent Business.....	14
22. Reports from Officers	14
23. Reports from Committees.....	14
24. Confidential Reports.....	15
25. Keeping of Minutes.....	15
26. Confirmation of Minutes	16
27. Digital Recording of Proceedings	16
PART 4 – CONDUCT OF DEBATE & VOTING	17
28. Addressing the Council Meeting	17
29. Priority of Address	17
30. Speaking Times	17
31. Conduct of Motions, Amendments & Questions	18
32. Chairperson’s Right to Speak.....	18
33. Procedures with Respect to Seeking Clarification or Asking Questions of Officers.....	18
34. Procedures with Respect to Recommendations & Motions.....	19
35. Motions in Writing.....	19



**LOCAL LAW No. 1 - 2019
COUNCIL MEETING PROCEDURES & COMMON SEAL (DRAFT)**

36.	Procedures with Respect to Amendments	19
37.	Procedures with Respect to Foreshadowed Motions	20
38.	Interruptions, Interjections, Questions & Relevance	21
39.	Repeating Motion, Amendment or Question	21
40.	Debate of the Motion	21
41.	Adjournment & Resumption of Adjourned Debate	21
42.	Rules for Voting.....	21
43.	Division	22
44.	Recording of Opposition or Support for Motion	22
45.	No Discussion Once Declared.....	22
46.	Points of Order	23
47.	Disagreement with Chairperson's Ruling.....	23
48.	Suspension of Standing Orders.....	24
49.	Clarification by Chief Executive Officer or Another Officer	24
50.	Ordering Withdrawal of Remark	24
51.	Suspensions.....	24
52.	Chairperson may Adjourn Disorderly Meeting	24
PART 5 – PUBLIC PARTICIPATION IN MEETINGS		25
53.	Public Question Time	25
54.	Public Presentations.....	25
55.	Petitions & Joint Letters.....	25
56.	Public Behaviour	25
57.	Removal from Meeting	25
PART 6 - COMMITTEES		26
58.	Special Committees	26
59.	Advisory Committees	26
PART 7 - COMMON SEAL		27
60.	Common Seal	27
PART 8 – OFFENCES & PENALTIES		28
61.	Offences.....	28
62.	Infringement Penalties.....	28
SCHEDULE - FORMAL MOTIONS PROCEDURE & EFFECT		30



**LOCAL LAW No. 1 of 2019
COUNCIL MEETING PROCEDURES & COMMON SEAL (DRAFT)**

PART 1 – PRELIMINARY PROVISIONS

1. TITLE

This Local Law is titled Local Law No.1 – 2019 – Council Meeting Procedures & Common Seal.

2. OBJECTIVES OF THIS LOCAL LAW

The objectives of this Local Law are to:

- 2.1 Facilitate good governance;
- 2.2 Regulate proceedings for the election of the Mayor and Deputy Mayor;
- 2.3 Regulate proceedings of Ordinary and Special Meetings of Council;
- 2.4 Promote and encourage community participation in the system of local government, by providing mechanisms within the meeting arrangements for the Council to ascertain the community's views and expectations;
- 2.5 Regulate and control the use of Council's Common Seal;
- 2.6 Provide generally for the peace, order and good government of the municipal district; and
- 2.7 To repeal Local Law No. 1 of 2009 – Processes of Municipal Government and Local Law No. 1A of 2011 Processes of Municipal Government.

3. THE POWER TO MAKE THIS LOCAL LAW

This Local Law:

- 3.1 Is made under sections 5 and 91, and Part 5, in particular section 111(1) of the Act; and
- 3.2 Was prepared following due consideration of the *Charter of Human Rights and Responsibilities Act 2006*.

4. COMMENCEMENT & END DATES

This Local Law:

- 4.1 Comes into operation on the <<Insert Date>>, at which time the Local Law No. 1 of 2009 – Processes of Municipal Government and Local Law No. 1A of 2011 Processes of Municipal Government will be repealed and will cease to have force and effect.
- 4.2 Ceases to operate on the tenth anniversary of its commencement, unless earlier revoked.

5. DEFINITIONS

In this local law, unless inconsistent with the context, the following words and phrases are defined to mean:

'absolute majority' means a number of votes greater than one-half of the total number of ballot papers (excluding ballot-papers which are rejected) and if necessary includes the vote by lot;

'Act' means the *Local Government Act 1989*;

'Acting Mayor' Means the Councillor appointed to represent the Mayor in the event of the Mayor and Deputy Mayor's absence or where there is a need to fill the role;



**LOCAL LAW No. 1 - 2019
COUNCIL MEETING PROCEDURES & COMMON SEAL (DRAFT)**

- 'agenda'** means the notice of a meeting setting out the business to be transacted at the meeting;
- 'amendment'** means a proposed alteration to the wording of a motion without being contradictory;
- 'Chamber'** means any room where Council hold a Council Meeting;
- 'Chairperson'** means the Chairperson of the meeting and includes acting, temporary and a substitute Chairperson;
- 'Chief Executive Officer'** means the Chief Executive Officer of Council, and includes a person acting as Chief Executive Officer;
- 'clause'** means a clause of this Local Law;
- 'Common Seal'** means the Common Seal of Council;
- 'Council'** means the Golden Plains Shire Council;
- 'Councillor'** means a person who holds office as an elected member of the Council as defined under the Act;
- 'Council Meeting'** is a meeting at which the Mayor is elected, an Ordinary meeting and a Special meeting of the Council;
- 'day'** means a Council business day;
- 'deliver'** means to hand over or mail to a recipient and includes electronic mail, transmission by facsimile or published on Council's website;
- 'Deputy Mayor'** means the Councillor appointed to represent the Mayor and act in the Mayor's role in the event of the Mayor's absence. Elected in accordance with this Local Law;
- 'digital'** means a form of electronic media or computer technology and includes digital audio, video, livestream, teleconference or other electronic means or software;
- 'division'** means a formal count of those for and those against a motion generally to remove any doubt as to whether the motion is supported or opposed;
- 'form'** a document with the approved outline and structure used to collect information in accordance with business procedures;
- 'Formal Motion'** means a motion related to a formal procedure as per the Schedule;
- 'gallery'** means the area set aside in the Council chamber or meeting room for the public;
- 'Joint Letter'** means a formal application to Council in the form of a letter which has been signed by at least ten people from separate entities whose names and physical addresses also appear on the letter. A letter from a single entity or organisation that is signed by multiple parties from that organisation or entity will not be classed as a joint letter;
- 'leave of absence'** means formal leave requested and taken by a Councillor who is not available, or unable, to perform their Council duties for a specified period of time;
- 'Local Law'** means Local Law No.1 – 2019 – Council Meeting Procedures & Common Seal;
- 'majority'** means the majority of Councillors meaning half plus one of the total number of Councillors; and additionally means the votes cast by a majority of the Councillors present at a meeting at the time the vote is taken;



**LOCAL LAW No. 1 - 2019
COUNCIL MEETING PROCEDURES & COMMON SEAL (DRAFT)**

- 'Mayor'** means the Mayor of Council and/or any person acting as Mayor;
- 'meeting'** means an Ordinary or Special meeting of Council or Special Committee meeting;
- 'Minutes'** mean the collective record of proceedings of Council (meeting records);
- 'Municipal district'** means the municipal district of Council;
- 'Notice of Amendment'** means a Notice of Motion to amend a resolution made by Council;
- 'Notice of Motion'** means a notice in writing, including the Councillor initiative, setting out the text of a motion/item which it is proposed to be moved by the Councillor at the next relevant meeting;
- 'Notice of Rescission'** means a Notice of Motion to rescind a resolution made by Council;
- 'offence'** means an act or default contrary to this Local Law;
- 'officer'** means an employed member of Council staff;
- 'Ordinary Meeting'** means a meeting of Council at which general business of Council may be transacted;
- 'Penalty Unit'** as defined in the *Sentencing Act 1992*;
- 'Petition'** means a formal written application to Council, typed or printed without erasure, signed by at least ten people whose names and physical addresses also appear, and on which each page of the petition bears the wording of the whole of the petition;
- 'quorum'** means the minimal number of Councillors who must be present to conduct the business of Council. A quorum is half the Council members plus one (1);
- 'Resident or Ratepayer'** means a person who has a place of residence within the Municipal District;
- 'resolution'** means a formal determination by a meeting of Council or special committee;
- 'Schedule'** means the Schedule attached to this Local Law;
- 'Special Committee'** means a special committee established by Council under section 86 of the Act;
- 'Special Meeting'** means a meeting of Council convened in accordance with section 84 of the Act and is a meeting at which business specified in the notice calling the meeting is transacted;
- 'Standing Orders'** means the provisions of this Local Law which govern the conduct of Meetings;
- 'Suspension of Standing Orders'** means the suspension of the provisions of this Local Law, to facilitate full discussion on an issue without formal Local Law constraints;
- 'Urgent Business'** means a matter that relates to or arises out of a matter which has arisen since distribution of the agenda and cannot safely or conveniently be deferred until the next Ordinary Meeting or Special Committee Meeting;
- 'Visitor'** means any person (other than a Councillor or an officer) present at a Meeting; and
- 'written'** or **in writing'** includes duplicated, photocopied, photographed, emailed, faxed, printed and typed and extends to both hard copy and soft copy form.



**LOCAL LAW No. 1 - 2019
COUNCIL MEETING PROCEDURES & COMMON SEAL (DRAFT)**

PART 2 – ELECTION OF MAYOR & DEPUTY MAYOR

The purpose of this Part is to regulate the proceedings for the election of Mayor and Deputy Mayor.

(Pursuant to section 71 of the Act – Election of Mayor.)

6. PROCEDURE FOR ELECTION OF MAYOR.

- 6.1 Any Councillor is eligible for election or re-election to the office of Mayor.
- 6.2 The agenda for the meeting to elect the Mayor may include:
- 6.2.1 The taking of the oath of office by each Councillor, under section 63 of the Act;
 - 6.2.2 The fixing of allowances for the Mayor and Councillors under section 74 of the Act; and
 - 6.2.3 The appointment of Councillor representatives to various bodies.
- 6.3 The meeting to elect the Mayor shall be held in accordance with the Act.
- 6.4 All nominations to be a candidate for Mayor must be provided in writing to the Chief Executive Officer no later than a date and time to be fixed by the Chief Executive Officer.
- 6.5 The Chief Executive Officer will advise all Councillors of the names of the candidates within 24 hours of nominations closing.
- 6.6 The Chief Executive Officer will be the temporary Chairperson of the meeting at which the election of Mayor is to be conducted, but will have no voting rights.
- 6.7 Pursuant to clause 6.4, the Chief Executive Officer will be responsible for reading the names of the candidates at the meeting at which the election of Mayor is to be conducted.
- 6.8 The Chief Executive Officer shall be responsible for the counting of votes.
- 6.9 The election of the Mayor shall be by a show of hands.
- 6.10 The Councillor who receives the majority of votes cast must be declared elected.
- 6.11 For the purposes of this clause the following will apply:
- 6.11.1 Pursuant to clause 6.4, nominations must be moved and seconded at the meeting at which the election of Mayor is to be conducted;
 - 6.11.2 Where only 1 nomination is received, that Councillor must be declared elected; or
 - 6.11.3 Where 2 nominations are received:
 - (a) the Councillor with an absolute majority of votes cast must be declared elected; or
 - (b) if all votes cast are equally divided, the election must be determined by lot conducted by the Chief Executive Officer in the presence of the meeting; or
 - 6.11.4 Where there are more than (2) nominations received, the Councillor who receives an absolute majority at the first round of votes cast must be declared elected, or if no candidate receives an absolute majority of votes, the candidate with the least number of votes must be eliminated as a



**LOCAL LAW No. 1 - 2019
COUNCIL MEETING PROCEDURES & COMMON SEAL (DRAFT)**

candidate and a further ballot conducted between the remaining candidates. If there are several candidates, this procedure must be repeated until a candidate receives an absolute majority of votes, and that candidate shall be declared elected.

- 6.11.5 If for the purpose of eliminating the candidate with the least number of votes, 2 or more candidates have the same least number of votes, the candidate to be eliminated shall be determined by simple majority vote. If there is an equality of votes with respect to the candidate to be eliminated, the candidate to be eliminated shall then be determined by lot conducted by the Chief Executive Officer in the presence of the meeting.

7. PROCEDURE FOR ELECTION OF DEPUTY MAYOR OR ACTING MAYOR

- 7.1 Where the Council has resolved to appoint a Deputy or Acting Mayor all provisions in clause 6 will apply to the election of the Deputy or Acting Mayor save that the Mayor shall preside over the election.

8. MAYOR TO TAKE THE CHAIR

- 8.1 After the election of the Mayor is determined, the Mayor must take the chair.
- 8.2 The Mayor must take the chair at all Council meetings at which he or she is present, unless precluded from doing so because of a conflict of interest.
- 8.3 In the absence of the Mayor, the Deputy Mayor, if previously elected, shall take the chair.
- 8.4 If a Deputy Mayor has not been previously elected and the Mayor is absent, a Councillor shall be elected to take the chair in accordance with clause 6 save that the Chief Executive Officer shall preside over the election.



**LOCAL LAW No. 1 of 2019
COUNCIL MEETING PROCEDURES & COMMON SEAL (DRAFT)**

PART 3 – CONDUCT OF BUSINESS & MEETINGS

The purpose of this Part is to regulate the conduct of all meetings of the Council.

9. DATES & TIMES OF MEETINGS

- 9.1 Council must annually fix the date, time and place of all Ordinary Meetings.
- 9.2 Council may from time to time fix a date, time and place of Special Committee Meetings.
- 9.3 Council may change the date, time and place of any Council meeting which has been fixed and must provide reasonable notice of at least 24 hours, if possible, of the change to the public.
- 9.4 Subject to any resolution providing otherwise, the order of business of any Special Meeting must be the order in which such business stands in the agenda for the meeting.

10. ATTENDANCE & NOTICE OF MEETINGS

(Pursuant to section 84 of the Act.)

- 10.1 The Chief Executive Officer must give notice of any meeting of the Council to the public by advertising the meeting in accordance with the Act on Council's website and in a local Newspaper generally circulating in the municipality, unless time does not permit.
- 10.2 Advertising of meetings may be done, as either:
 - 10.2.1 a schedule of meetings annually; or
 - 10.2.2 at various times throughout the year; or
 - 10.2.3 prior to each meeting, unless extraordinary circumstances exist
- 10.3 In the event of a Special Meeting, a notice of a Special Meeting must be delivered to every Councillor at least 2 days before the meeting. A period less than 2 days may, however, be justified if exceptional circumstances exist.
- 10.4 An electronic agenda will be delivered to Councillors at least 48 hours before an Ordinary Meeting.
- 10.5 Despite clause 10.4, the Chief Executive Officer may deliver an agenda for a Special Meeting to Councillors in less than 48 hours, if the Chief Executive Officer considers that in view of the urgency of the matter(s) this should occur.
- 10.6 An electronic agenda must be available to the public on Council's website at least 24 hours before an Ordinary or Special Meeting, unless extraordinary circumstances exist.

11. CHAIRPERSON'S DUTIES & RESPONSIBILITIES

The Chairperson's duties and responsibilities are to:

- 11.1 Formally declare the meeting open, after ascertaining that a quorum is present, conduct the Acknowledgement of Country and to welcome those in the gallery and other visitors;
- 11.2 Preside over and control the meeting, conduct it impartially and according to this Local Law and established protocols in order to ensure the smooth passage of the business;
- 11.3 Sign minutes of meetings as correct when they have been confirmed;



**LOCAL LAW No. 1 - 2019
COUNCIL MEETING PROCEDURES & COMMON SEAL (DRAFT)**

- 11.4 Present any reports for which he or she is responsible;
- 11.5 Ensure that debate is conducted in the correct manner;
- 11.6 Declare the results of all votes;
- 11.7 Give rulings on points of order and other questions of procedure;
- 11.8 Preserve order, and, if necessary, name offending members; and
- 11.9 Adjourn (when so resolved) or formally declare the meeting closed when all business has been concluded.

12. QUORUM

- 12.1 A quorum is a majority of the number of Councillors entitled to be present and to vote at the meeting.
- 12.2 If a quorum is not present within 30 minutes of the time appointed for the commencement of a Council meeting:
 - 12.2.1 The meeting shall be deemed to have lapsed;
 - 12.2.2 The Mayor must convene another Council meeting and ensure that the agenda for such meeting is identical to the agenda for the meeting which is deemed to have lapsed; and
 - 12.2.3 The Chief Executive Officer must give all Councillors notice of the meeting convened by the Mayor.
- 12.3 If a quorum fails after a Council meeting has begun, the meeting lapses.
- 12.4 If the meeting lapses, the undisposed business must, unless it has already been disposed of at a Special Meeting, be included in the agenda for the next Ordinary Meeting.

13. ADJOURNED MEETINGS

- 13.1 Council may, by resolution, adjourn any meeting to a later time on the same day, or for a period not exceeding 7 days.
- 13.2 The Chief Executive Officer must give notice to each Councillor of the date, time and place to which the meeting stands adjourned and of the business remaining to be considered.

14. TIME LIMITS FOR COUNCIL MEETINGS

- 14.1 A Council Meeting must start within 30 minutes of the advertised start time.
- 14.2 A Council Meeting will not continue after 11pm unless a majority of Councillors present vote in favour of its continuance.
- 14.3 In the absence of such continuance, a Council meeting must stand adjourned to a time, date and place announced by the Chairperson immediately prior to the meeting standing adjourned.
- 14.4 The Chief Executive Officer must give notice to each Councillor of the date, time and venue to which the meeting stands adjourned and of the business remaining to be considered.



**LOCAL LAW No. 1 - 2019
COUNCIL MEETING PROCEDURES & COMMON SEAL (DRAFT)**

15. LEAVE OF ABSENCE

(Pursuant to section 69(1)(g) of the Act.)

- 15.1 Any Councillor seeking leave of absence from Council duties must do so at a prior Council meeting or, if this is not practicable, the Councillor must give the Chief Executive Officer written notice of an apology prior to the Council meeting.
- 15.2 Unless there is an emergency, a leave of absence requested during a Council meeting will only be granted at the end of a motion and not during a debate.
- 15.3 Pursuant to the Act, absence from 4 consecutive meetings of the Council without leave having been obtained from the Council will result in the office of the Councillor becoming vacant.
- 15.4 It will not be necessary for a notice of meeting, agenda or minutes to be delivered to any Councillor who has been granted leave of absence, unless the Councillor has requested the Chief Executive Officer in writing, to continue to give notice of any meeting to be held during the period of his or her absence.

16. DISCLOSURE OF CONFLICT OF INTEREST

(Pursuant to sections 77, 78 & 79 of the Act.)

- 16.1 A Councillor, Chief Executive Officer, or officer attending a Council meeting must disclose any conflicts of interest in accordance with the Act.
- 16.2 In every case where disclosure of a conflict of interest is made at a meeting, the minutes shall record:
 - 16.2.1 The name of the Councillor, Chief Executive Officer, or officer, making the disclosure;
 - 16.2.2 The type and nature of interest;
 - 16.2.3 Whether the Councillor, Chief Executive Officer, or officer left the room prior to discussion of the matter and remained outside while the vote was taken; and
 - 16.2.4 The exact times that the Councillor, Chief Executive Officer, or officer left the room and returned.
- 16.3 Councillors, the Chief Executive Officer, and officers will be required to complete a Conflict of Interest Declaration form for each conflict of interest declared at a Council meeting.

17. ORDER & CONTENT OF BUSINESS

- 17.1 The order of business to be conducted at a Council meeting will be determined by the Chief Executive Officer to facilitate and maintain open, efficient and effective processes of government.
- 17.2 After an agenda has been sent to Councillors, the order of business for that meeting may only be altered by a resolution of the Council. This includes a request for an item to be brought forward.
- 17.3 The Chief Executive Officer may include any matter on an agenda which he or she thinks should be considered at the meeting.



**LOCAL LAW No. 1 - 2019
COUNCIL MEETING PROCEDURES & COMMON SEAL (DRAFT)**

18. NOTICE OF MOTION

- 18.1 A Notice of Motion must be:
 - 18.1.1 In writing, or sent electronically, and generally be in a form approved by the Chief Executive Officer;
 - 18.1.2 Be signed by the Councillor intending to move the motion;
 - 18.1.3 Be signed by another Councillor willing to second the motion for the purpose of debate at the meeting in which it will be considered. The motion at the meeting to be dealt with in accordance with clause 34; and
 - 18.1.4 Be lodged with the Chief Executive Officer by 5pm 7 days prior to the date of the meeting to allow sufficient time for the Notice of Motion to be included in the agenda for the next Council meeting.
- 18.2 The Chief Executive Officer will give all Councillors notice of a Notice of Motion received in accordance with clause 18.1.
- 18.3 A Councillor may attach any supporting documentation to their Notice of Motion for inclusion in the agenda.
- 18.4 The Chief Executive Officer must cause all Notices of Motion to be numbered, dated and entered in the Notice of Motion register in the order in which they were received.
- 18.5 Any Notice of Motion which in the opinion of the Chief Executive Officer or the Chairperson:
 - 18.5.1 Is defamatory; or
 - 18.5.2 Is objectionable in language or nature; or
 - 18.5.3 Is outside the powers of the Council
 must not be accepted by the Chairperson.
- 18.6 Except by resolution of Council, Notices of Motion before any Council meeting must be considered in the order in which they were recorded in the Notice of Motion register.
- 18.7 Before a Notice of Motion at a Council meeting is moved, the Councillor may introduce it by indicating, in not more than 3 minutes:
 - 18.7.1 Its intent; and/or
 - 18.7.2 The desired outcome if passed.
- 18.8 If a Councillor who has given a Notice of Motion:
 - 18.8.1 Is absent from the Council meeting; or
 - 18.8.2 Fails to move the motion when called upon by the Chairperson;
 any other Councillor may move the Notice of Motion.
- 18.9 If a Notice of Motion is not moved and seconded at the Council meeting in which it was included on the agenda, it lapses.
- 18.10 Before the Notice of Motion is put to the vote, it may be withdrawn by the Councillor.



**LOCAL LAW No. 1 - 2019
COUNCIL MEETING PROCEDURES & COMMON SEAL (DRAFT)**

19. NOTICE OF MOTION TO RESCIND OR AMEND

- 19.1 A Councillor may propose a motion to rescind or amend a previous resolution of Council. A Notice of Motion to rescind or amend must be:
- 19.1.1 In writing, or sent electronically, and generally be in a form approved by the Chief Executive Officer;
 - 19.1.2 Be signed by the Councillor intending to move the motion to rescind or amend;
 - 19.1.3 Be signed by another Councillor willing to second the motion to rescind or amend for the purpose of debate at the meeting in which it will be considered. The motion at the meeting to be dealt with in accordance with clause 34; and
 - 19.1.4 Be lodged with the Chief Executive Officer no later than 72 hours following the meeting at which the resolution proposed to be rescinded or amended was adopted.
- 19.2 No action will be taken to implement a resolution on which a notice to rescind or amend the resolution has been given pursuant to clause 19.1.
- 19.3 The Chief Executive Officer will give all Councillors notice of a Notice of Motion to rescind or amend received in accordance with clause 19.1.
- 19.4 A Councillor may not propose a motion to rescind or amend a resolution of the Council which has been acted upon.
- 19.5 A resolution will be considered as having been acted upon once its details have been formally communicated to persons affected by or reliant on the resolution or where a statutory procedure has commenced or been carried out.
- 19.6 When moving a Notice of Motion to rescind or amend at a Council meeting, the Councillor may introduce it by indicating, in not more than 3 minutes:
- 19.6.1 Its intent; and/or
 - 19.6.2 The desired outcome if passed.
- 19.7 If a Councillor who has given a Notice of Motion to rescind or amend:
- 19.7.1 Is absent from the Council meeting; or
 - 19.7.2 Fails to move the motion when called upon by the Chairperson;
- any other Councillor may move the Notice of Motion to rescind or amend.
- 19.8 A Notice of Motion to rescind or amend a previous resolution of Council shall be deemed to have been withdrawn if not moved at the next meeting at which such business may be transacted.
- 19.9 If a Notice of Motion to rescind or amend is not seconded at the next meeting at which such business may be transacted, it lapses.
- 19.10 Before the Notice of Motion to rescind or amend is put to the vote, it may be withdrawn by the Councillor who moved the Notice of Motion to rescind or amend.
- 19.11 A second or subsequent notice to rescind or amend an earlier resolution must not be accepted by the Chief Executive Officer until a period of 3 months has elapsed since the date of the meeting at which the previous motion of rescission or amendment was dealt with.



**LOCAL LAW No. 1 - 2019
COUNCIL MEETING PROCEDURES & COMMON SEAL (DRAFT)**

20. FORMAL OR PROCEDURAL MOTIONS

- 20.1 Formal or procedural motions, unless otherwise prohibited, may be moved at any time and shall be dealt with in accordance with the Schedule.
- 20.2 Formal or procedural motions require a seconder.
- 20.3 Debate on a formal or procedural motion is not permitted and the mover does not have a right of reply.
- 20.4 A formal motion cannot be amended.

21. URGENT BUSINESS

- 21.1 Business must not be admitted as urgent business unless:
- 21.1.1 It relates to or arises out of a matter which has arisen since distribution of the agenda;
 - 21.1.2 It cannot safely or conveniently be deferred until the next Ordinary Meeting; and
 - 21.1.3 The Council resolves to admit an item considered to be urgent business.
- 21.2 Items of urgent business are to be supported by an officer's report.
- 21.3 Notices of Motion will not be admitted into urgent business and will be dealt with in accordance with clause 18.
- 21.4 Unless a majority of Councillors are present and resolve to deal with another matter as urgent business, no business can be transacted at an Ordinary Meeting unless it appears on the agenda.

22. REPORTS FROM OFFICERS

- 22.1 Any report(s) by officers to a Council meeting must contain a recommendation and be in the appropriate report style format approved by the Chief Executive Officer.
- 22.2 When officer reports are before a Council meeting and after all Councillors have had an opportunity to ask questions in relation to the report, the Chairperson must then ask a Councillor to move an appropriate motion. If the motion is seconded the motion is to be dealt with in accordance with clause 34.

23. REPORTS FROM COMMITTEES

- 23.1 Any report(s) by a Special Committee or an Advisory Committee to a Council meeting must contain a recommendation and must be listed on the next scheduled Council meeting agenda.
- 23.2 When the report(s) of a Committee is before a Council meeting:
- 23.2.1 The Chairperson must ask whether any Councillor wishes to speak to any report and record the item number of any such report; and
 - 23.2.2 After all Councillors have indicated the reports to which they wish to speak, the Chairperson may ask for a motion to adopt all reports to which no requests to speak have been expressed and proceed to deal with that motion.
 - 23.2.3 The Chairperson of the Audit and Risk Committee may request a report be tabled at any Council meeting.



**LOCAL LAW No. 1 - 2019
COUNCIL MEETING PROCEDURES & COMMON SEAL (DRAFT)**

24. CONFIDENTIAL REPORTS

(Pursuant to section 89 of the Act.)

- 24.1 The Chief Executive Officer must ensure that a report is classified as confidential if the Chief Executive Officer considers it has been prepared for consideration in respect of a matter which is expected to be the subject of a resolution under section 89(2) of the Act to close the Council meeting to the public while that report is discussed.
- 24.2 The Chairperson must call for a motion to close the meeting to the public and this motion must be carried prior to commencing any business pertaining to confidential reports. The time of this motion must be recorded in the minutes of the meeting.
- 24.3 The motion must contain the reasons why the meeting is being closed to the public by referencing that it is pursuant to section 89(2) of the Act and inserting the appropriate clause for each closed item. All confidential reports to be considered must be listed as part of this motion.
- 24.4 The Chairperson must advise those present in the gallery that an item is required to be considered in a closed meeting and request that they vacate the chamber while the confidential matter(s) is/are discussed and determined.
- 24.5 The Chairperson must call for a motion to re-open the meeting to the public. This motion must be carried and the time recorded in the minutes of the meeting.
- 24.6 If an item or recommendation is to be moved out of the closed part of the meeting:
- 24.6.1 The Chairperson must call for a motion to move all or part of the item or items into open Council;
and
- 24.6.2 That report or section must be included in the minutes of the Ordinary Meeting showing the Council decision that was made in the closed section of the meeting.
- 24.7 All items that are considered confidential pursuant to section 89 of the Act remain confidential until Council has passed a resolution that the information is no longer confidential.
- 24.8 At the time of making a determination on a confidential item, Council may also make a determination on a date, action, or event upon which the confidentiality no longer applies to the determination.

25. KEEPING OF MINUTES

(Pursuant to section 93 of the Act.)

- 25.1 The Chief Executive Officer (or other person authorised by the Chief Executive Officer) must keep minutes of each Council Meeting and those minutes must record:
- 25.1.1 The date, place, time and nature of the meeting;
- 25.1.2 The names of the Councillors present and those who have submitted apologies or been granted leave of absence;
- 25.1.3 The disclosure of conflicts of interest made by a Councillor or officer in accordance with clause 16.2;
- 25.1.4 Arrivals and departures (including temporary) of Councillors during the course of the meeting;
- 25.1.5 Each motion and amendment moved and seconded;
- 25.1.6 The vote cast by each Councillor upon a division;



**LOCAL LAW No. 1 - 2019
COUNCIL MEETING PROCEDURES & COMMON SEAL (DRAFT)**

- 25.1.7 Questions upon notice;
- 25.1.8 The failure of a quorum;
- 25.1.9 When requested by a Councillor, a record of their opposition to any motion;
- 25.1.10 Any adjournment of the Council meeting and the reasons for that adjournment; and
- 25.1.11 Public representations;
- 25.1.12 Questions upon notice;
- 25.1.13 The time at which Standing Orders were suspended and resumed;
- 25.1.14 Closure of the meeting to members of the public and the reasons for such closure in accordance with clause 24;
- 25.1.15 Any other matter which should be recorded to clarify the intention and conduct of the meeting or the reading of the minutes.

26. CONFIRMATION OF MINUTES

At every meeting of Council the minutes of the preceding meeting(s) must be dealt with as set out below:

- 26.1 If the minutes have been delivered to each Councillor at least 48 hours before the meeting, a motion must be put for the confirmation of the minutes.
- 26.2 If the minutes have not been delivered, they must be read and a motion must be put for the confirmation of the minutes.
- 26.3 The minutes must be signed by the Chairperson of the meeting at which they have been confirmed.
- 26.4 No discussion or debate on the confirmation of minutes is permitted except where their accuracy as a record of the proceedings of the meeting to which they relate is questioned.
- 26.5 Council may defer the confirmation of minutes until later in the Council meeting or until the next Council meeting if considered appropriate.
- 26.6 Ordinary Council meeting minutes from meetings that are open to the public will be confirmed in the open section of the agenda. Minutes from closed meetings will be confirmed in the closed section of the meeting.

27. DIGITAL RECORDING OF PROCEEDINGS

- 27.1 Council may digitally record the proceedings at each Council meeting unless there is a specific resolution not to do so.
- 27.2 The digital recording of proceedings will take whatever form the Council decided and may include audio and video.
- 27.3 Where Council digitally records meetings visitors will be advised by appropriate venue signage.
- 27.4 Except where Council conducts the digital recording itself, no other digital recording shall be permitted by any other person or visitor without specific approval by resolution of the meeting.
- 27.5 Council may make the digital recordings of open Council meetings available to the public on its website.
- 27.6 Council may broadcast the proceedings of open Council meetings to the public on its website by livestream or other digital software.



**LOCAL LAW No. 1 of 2019
COUNCIL MEETING PROCEDURES & COMMON SEAL (DRAFT)**

PART 4 – CONDUCT OF DEBATE & VOTING

The purpose of this Part is to regulate the conduct of debate and voting at all meetings of the Council.

28. ADDRESSING THE COUNCIL MEETING

- 28.1 Any Councillor or person who addresses the meeting should stand and direct all remarks through the Chairperson.
- 28.2 Despite clause 28.1, the Chairperson may permit any Councillor or person to remain seated whilst addressing the Chairperson, at his or her discretion.
- 28.3 Any person addressing the chair should refer to the Chairperson as:
 - 28.3.1 Madam Mayor;
 - 28.3.2 Mr Mayor;
 - 28.3.3 Madam Chairperson; or
 - 28.3.4 Mr Chairperson;
 as the case may be.
- 28.4 All Councillors, other than the Mayor, should be addressed as Councillor (surname).
- 28.5 All officers should be addressed as Ms or Mr (surname).
- 28.6 The Councillor acknowledged by the Chairperson is to speak and must not be interrupted unless:
 - 28.6.1 He or she is called to order;
 - 28.6.2 His or her speaking time has expired;
 - 28.6.3 A point of order is raised; or
 - 28.6.4 A formal motion is moved.

29. PRIORITY OF ADDRESS

- 29.1 In the case of competition for the right to speak, the Chairperson must decide the order in which the Councillors concerned will be heard.

30. SPEAKING TIMES

- 30.1 A Councillor must not speak longer than the time set out below, unless granted an extension by the Chairperson:
 - 30.1.1 The mover of a motion or an amendment: 3 minutes;
 - 30.1.2 The seconder of motion or an amendment: 3 minutes;
 - 31.1.2 Any other Councillor: 3 minutes; and
 - 31.1.3 The mover of a motion exercising a right of reply: 2 minutes.



**LOCAL LAW No. 1 - 2019
COUNCIL MEETING PROCEDURES & COMMON SEAL (DRAFT)**

31. CONDUCT OF MOTIONS, AMENDMENTS & QUESTIONS

- 31.1 A motion, amendment or question must:
 - 31.1.1 Not be defamatory;
 - 31.1.2 Not be objectionable in language or nature;
 - 31.1.3 Relate to the powers or functions of Council;
 - 31.1.4 Be in writing, if requested by the Chairperson;
 - 31.1.5 Except in the case of urgent business, be relevant to an item of business on the agenda; and
 - 31.1.6 Be moved and seconded, otherwise it lapses.
- 31.2 The Chairperson may refuse to accept any motion, amendment or question which contravenes clause 31.1 or which:
 - 31.2.1 Is not relevant to the item of business on the agenda and has not been admitted as urgent business; or;
 - 31.2.2 Purports to be an amendment but is not.

32. CHAIRPERSON'S RIGHT TO SPEAK

- 32.1 The Chairperson may address a meeting upon any matter under discussion, following presentations by all Councillors, and is not deemed to have left the chair on such occasions. The Chairperson may physically 'step away' from the chair to make their point in a discussion in which case they are not deemed to have left the chair.
- 32.2 The Chairperson may choose to vacate the chair for the duration of any item under discussion whereupon a temporary Chairperson (usually the Deputy Mayor) or other Councillor elected by the meeting shall take the chair until such item has been disposed of.

33. PROCEDURES WITH RESPECT TO SEEKING CLARIFICATION OR ASKING QUESTIONS OF OFFICERS

- 33.1 Officers will support the meeting process through provision of officer reports in the agenda and Councillors should make every effort to seek clarification on information in advance of the meeting.
- 33.2 Where Councillors need to seek clarification by asking questions of officers throughout the meeting that were not able to be asked prior to the meeting, such questions must be:
 - 33.2.1 Directed through the Chief Executive Officer;
 - 33.2.2 Relevant to an item on the agenda;
 - 33.2.3 Seeking genuine clarification of a matter that is not already addressed in the officer's report;
 - 33.2.4 Not objectionable in language, nature or tone;
 - 33.2.5 Not intended to draw officers into debating a matter or justifying a recommendation; and
 - 33.2.6 Not designed to canvass matters or disseminate information to the public.



**LOCAL LAW No. 1 - 2019
COUNCIL MEETING PROCEDURES & COMMON SEAL (DRAFT)**

34. PROCEDURES WITH RESPECT TO RECOMMENDATIONS & MOTIONS

- 34.1 The Chairperson will briefly summarise the report and recommendation or allocate this role to the Chief Executive Officer (or other officer authorised by the Chief Executive Officer).
- 34.2 The Chairperson will call for a mover and seconder of a motion.
- 34.3 If there is no mover and/or seconder the motion lapses.
- 34.4 The Chairperson shall ask immediately after a motion is moved and seconded and after the mover has spoken to the motion (or deferred speaking), whether it is opposed. If no opposition is indicated the Chairperson may then put the motion to the vote, without debate.
- 34.5 A motion can only be withdrawn by the mover if the seconder provides his or her consent and this must occur before the motion is put to the vote.
- 34.6 After a motion is put to the vote, the Chairperson must declare the result to the Council meeting.
- 34.7 The mover of a motion has the right of reply with respect to the debate on his or her motion immediately before the vote is taken, but that right of reply is lost if an amendment to the motion is carried.
- 34.8 Apart from the mover's right of reply referred to in clause 34.7 a Councillor may only speak once on the motion.
- 34.9 The mover of a motion must not introduce new material when exercising any right of reply.

35. MOTIONS IN WRITING

- 35.1 The Chairperson may require that a complex or detailed motion be in writing.
- 35.2 The Chairperson may adjourn the meeting while the motion is being written or may defer the matter in the order of business, until the motion has been written.

36. PROCEDURES WITH RESPECT TO AMENDMENTS

- 36.1 A motion having been moved and seconded may be amended by omitting, inserting or adding words.
- 36.2 No notice needs to be given of any amendment.
- 36.3 Amendments must be dealt with 1 at a time.
- 36.4 The Councillor who amended the motion is the mover of the amendment which must be seconded.
- 36.5 If the amendment is not seconded the amendment lapses.
- 36.6 An amendment must be relevant to the motion upon which it is moved.
- 36.7 An amendment must not amount to a direct contradiction of the motion.
- 36.8 The mover or seconder of a motion cannot move an amendment to it.
- 36.9 A second or subsequent amendment cannot be moved until the immediately preceding amendment is disposed of, unless both the mover and seconder of the original amendment agree to this.



**LOCAL LAW No. 1 - 2019
COUNCIL MEETING PROCEDURES & COMMON SEAL (DRAFT)**

- 36.10 A Councillor proposing an amendment must first state briefly the nature of the amendment and then move it, without speaking to it.
- 36.11 After the amendment has been seconded the Chairperson must call upon the mover of the amendment to speak to the amendment.
- 36.12 After the mover of the amendment has spoken the Chairperson must call upon the seconder to speak to the amendment. The seconder can reserve their right.
- 36.13 After the mover and seconder of the amendment have spoken the Chairperson must call upon any other Councillor who may wish to speak to the amendment.
- 36.14 An amendment can only be withdrawn by the mover if the seconder provides his or her consent and this must occur before the amendment is put to the vote.
- 36.15 After any other Councillor has spoken to the amendment or if no Councillor has indicated an intention to speak, the Chairperson will put the amendment to the vote.
- 36.16 The mover has no right of reply when an amendment is before the Council.
- 36.17 If a proposed amendment effectively negates the substance of the motion, it is to be ruled a foreshadowed motion and clause 37 then applies. The foreshadowed motion shall only be considered in the event that the original motion is lost.
- 36.18 If an amendment is adopted it becomes the substantive motion and, as such, shall be put to the vote by the Chairperson, or be subject to amendment.
- 36.19 A Councillor cannot move more than 2 amendments in succession.
- 36.20 With the leave of the Chairperson, another amendment or a new motion can be foreshadowed by any Councillor stating in brief terms the nature of it.
- 36.21 A Councillor can only speak once on an amendment.

37. PROCEDURES WITH RESPECT TO FORESHADOWED MOTIONS

- 37.1 After a motion has been moved and seconded, at any time during debate, a Councillor may foreshadow his or her intention to move an alternate motion.
- 37.2 A foreshadowed motion may be prefaced with a statement that in the event that a particular motion before the Chairperson is resolved in a certain way, a Councillor intends to move an alternative motion.
- 37.3 A Councillor who has foreshadowed a motion must not speak to the foreshadowed motion until such time the original motion is disposed in accordance with clause 34.
- 37.4 A foreshadowed motion has no procedural standing and is merely a means to assist the flow of the meeting.
- 37.5 If the original motion is lost, the Councillor who first foreshadowed a motion must then move their motion and clause 34 then applies.
- 37.6 The Chief Executive Officer is not required to record foreshadowed motions in the minutes, until such time the foreshadowed motion becomes a motion if and when formally moved and seconded.



**LOCAL LAW No. 1 - 2019
COUNCIL MEETING PROCEDURES & COMMON SEAL (DRAFT)**

38. INTERRUPTIONS, INTERJECTIONS, QUESTIONS & RELEVANCE

- 38.1 A Councillor must not be interrupted except by the Chairperson or upon a point of order or personal explanation.
- 38.2 If a Councillor is interrupted by the Chairperson or upon a point of order or personal explanation, he or she must remain silent until the Chairperson has ceased speaking, the point of order has been determined or the personal explanation has been given (as appropriate).
- 38.3 Questions are not to be asked between moving and seconding a motion except to seek clarification on the motion received.
- 38.4 A Councillor must not digress from the subject matter of the motion or business under discussion.

39. REPEATING MOTION, AMENDMENT OR QUESTION

- 39.1 Before any matter is put to the vote, a Councillor may require that the question, motion or amendment be read again.
- 39.2 The Chairperson without being so requested may direct the Chief Executive Officer (or other officer authorised by the Chief Executive Officer) to read the question, motion or amendment to the meeting before the vote is taken.

40. DEBATE OF THE MOTION

- 40.1 Debate must always be relevant to the motion before the Chairperson, and if not, the Chairperson must request the speaker to confine the debate to the motion.
- 40.2 If the speaker continues to debate irrelevant matters after being requested to confine debate the Chairperson may direct the speaker to be seated and not to speak further in respect of the motion before the Chairperson.

41. ADJOURNMENT & RESUMPTION OF ADJOURNED DEBATE

- 41.1 The Council may by resolution adjourn a meeting to a later time on the day for which the meeting was called or for a period not exceeding 7 days.
- 41.2 When a motion to adjourn a meeting is before the Council, the Chairperson must not allow discussion on the motion to adjourn. If the Council fails to pass the motion to adjourn, the Chairperson must resume the meeting at the item of business under consideration.
- 41.3 The Chief Executive Officer must deliver written notice of an adjourned meeting to all Councillors, except when the meeting is adjourned to a later time on the same day, in which case any form of notice may be given to all Councillors.
- 41.4 If a debate is adjourned by motion, the Councillor moving the adjournment has the right to be the first speaker upon the resumption of debate unless he or she has already spoken to the motion or amendment.

42. RULES FOR VOTING

(Pursuant to section 90 of the Act.)

- 42.1 Except where a Councillor may call for a division, Councillors must remain seated in silence while a vote is being taken.



**LOCAL LAW No. 1 - 2019
COUNCIL MEETING PROCEDURES & COMMON SEAL (DRAFT)**

- 42.2 Unless this Local Law provides otherwise or Council otherwise determines, voting must be by a show of hands.
- 42.3 The Chairperson may direct that the vote be recounted as often as may be necessary to satisfy the Chairperson of the result.
- 42.4 A Councillor can abstain from voting however, the decision to do so should not be taken lightly. Not participating in decisions taken by Council could be seen as an abrogation of a Councillor's oath of office and responsibility to represent the community.
- 42.5 In the event of a tied vote, the Chairperson may exercise a second vote in accordance with the Act.

43. DIVISION

- 43.1 Immediately after any motion, amendment or question is put to a meeting and before the next item of business has commenced, a Councillor may call for a division.
- 43.2 When a division is called, the Chairperson must:
 - 43.2.1 First ask each Councillor wishing to vote for the motion to stand. The Chairperson must then state, and the Chief Executive Officer (or other officer authorised by the Chief Executive) must record the names of those Councillors voting for the motion;
 - 43.2.2 Then ask each Councillor wishing to vote against the motion to stand. The Chairperson must then state, and the Chief Executive Officer (or other officer authorised by the Chief Executive Officer) must record the names of those Councillors voting against the motion;
 - 43.2.3 Then if not all Councillors have declared either for or against the motion, ask each Councillor wishing to abstain to stand. The Chairperson must then state, and the Chief Executive Officer (or other officer authorised by the Chief Executive Officer) must record the names of those Councillors abstaining from voting.
- 43.3 The Chairperson must declare the result of the vote or division as soon as it is taken.

44. RECORDING OF OPPOSITION OR SUPPORT FOR MOTION

- 44.1 Any Councillor may request that his or her opposition to, or support for, a motion adopted by the meeting be recorded. It must then be recorded in the minutes of the Council meeting.

45. NO DISCUSSION ONCE DECLARED

- 45.1 Once a vote on a motion has been taken, no further discussion relating to the motion will be allowed unless the discussion is:
 - 45.1.1 A Councillor requesting, before the next item of business is considered, that his or her opposition to the motion be recorded in the minutes; or
 - 45.1.2 Foreshadowing a Notice of Rescission or Amendment where a resolution has just been made; and or a positive motion where a resolution has just been rescinded; or
 - 45.1.3 Foreshadowing a Notice of Rescission or Amendment, in which case what is foreshadowed must be noted in the Minutes of the Council Meeting.



**LOCAL LAW No. 1 - 2019
COUNCIL MEETING PROCEDURES & COMMON SEAL (DRAFT)**

46. POINTS OF ORDER

- 46.1 A point of order is an objection that the motion, amendment or statement made is:
- 46.1.1 Contrary to this Local Law;
 - 46.1.2 Defamatory;
 - 46.1.3 Irrelevant;
 - 46.1.4 Improper; or
 - 46.1.5 Outside Council's legal powers
- and may be made despite the fact that the Councillor or Chairperson is speaking at the time.
- 46.2 A point of order must be taken by stating:
- 46.2.1 The matter complained of; and
 - 46.2.2 The reason constituting the point of order;
- 46.3 The Chairperson must decide on all points of order.
- 46.4 The Chairperson may adjourn the meeting to consider a point of order but must otherwise rule upon it as soon as it is taken.
- 46.5 The Chairperson may raise a point of order without it having been made by a Councillor.
- 46.6 When called to order, a Councillor must remain silent until the point of order is decided unless he or she is requested by the Chairperson to provide an explanation.
- 46.7 The Chairperson must, when ruling on a point of order, give reasons for the ruling.

47. DISAGREEMENT WITH CHAIRPERSON'S RULING

- 47.1 The Chairperson's ruling on a point of order shall be final unless the majority of Councillors present at the meeting vote in favour of a motion of dissent that is moved and seconded immediately after the Chairperson's ruling is given.
- 47.2 A motion of dissent must state the provision or practice in substitution for the Chairperson's ruling.
- 47.3 A motion of dissent that is carried must be acted upon by the Chairperson.
- 47.4 The Chairperson is not required to vacate the chair.
- 47.5 Only the mover of a motion of dissent and the Chairperson can speak to the motion before it is put. The mover of the motion does not have a right of reply.
- 47.6 If the dissent motion is successful, the original point of order shall be deemed to be upheld and the Chairperson must then reverse his or her previous ruling and proceed.
- 47.7 The defeat of the Chairperson's ruling is in no way a motion of censure or no-confidence, and must not be so regarded by the meeting.



**LOCAL LAW No. 1 - 2019
COUNCIL MEETING PROCEDURES & COMMON SEAL (DRAFT)**

48. SUSPENSION OF STANDING ORDERS

- 48.1 The provisions of this Local Law, except the quorum requirements applying under clause 12, may be suspended by resolution of the Council for any part of a meeting at the Chairperson's discretion.
- 48.2 The Chairperson can accept a motion to suspend standing orders where he or she believes the Councillors or those present in the gallery need a break due to the intensity or length of the meeting, or to seek technical advice from a person not listed as an official attendee. Such suspension would normally be for 5 minutes or less.
- 48.3 A suspension is not intended for Councillors to discuss the issue or seek to reach agreement outside a formal debate and must not be used purely to dispense with the processes and protocol of the government of the Council.
- 48.4 No motion, except one which proposes the resumption of standing orders, may be accepted by the Chairperson or be dealt with during any suspension of standing orders.
- 48.5 Resumption of standing orders should occur as soon as possible after any discussion or break is concluded and before any motions can be put.

49. CLARIFICATION BY CHIEF EXECUTIVE OFFICER OR ANOTHER OFFICER

- 49.1 With the prior consent of, or at the request of the Chairperson, the Chief Executive Officer (or other officer authorised by the Chief Executive Officer) may address any item to clarify a statement made by a Councillor during the course of debate.

50. ORDERING WITHDRAWAL OF REMARK

- 50.1 The Chairperson may require a Councillor to withdraw any remark which is defamatory, indecent, abusive, offensive, disorderly or objectionable in language, substance or nature.
- 50.2 A Councillor required to withdraw a remark must do so immediately without qualification or explanation.

51. SUSPENSIONS

- 51.1 Council may by resolution suspend from a meeting, and for the balance of the meeting, any Councillor whose actions have disrupted the business of Council, and have impeded its orderly conduct, provided the Councillor in question has received an initial warning from the Chairperson that his/her conduct is, in the Chairperson's opinion, impeding the orderly conduct of the meeting.

52. CHAIRPERSON MAY ADJOURN DISORDERLY MEETING

- 52.1 If the Chairperson is of the opinion that disorder at the Council table or in the gallery makes it desirable to adjourn the meeting, he or she may adjourn the meeting to a later time on the same day or to some later day as he or she thinks proper.



**LOCAL LAW No. 1 of 2019
COUNCIL MEETING PROCEDURES & COMMON SEAL (DRAFT)**

PART 5 – PUBLIC PARTICIPATION IN MEETINGS

The purpose of this Part is to allow and regulate public participation in meetings of the Council.

53. PUBLIC QUESTION TIME

- 53.1 Public question time shall be allowed at a meeting.
- 53.2 Pursuant to clause 53.1, the processes and procedures for public question time to be determined in a policy adopted by Council.
- 53.3 Pursuant to clause 53.2, the Chief Executive Officer will take reasonable steps to ensure that the policy is available to the public on Council's website.

54. PUBLIC PRESENTATIONS

(Pursuant to section 223 of the Act)

- 54.1 Public presentations shall be allowed at a meeting.
- 54.2 Pursuant to clause 54.1, the processes and procedures for public presentations to be determined in a policy adopted by Council.
- 54.3 Pursuant to clause 54.2, the Chief Executive Officer will take reasonable steps to ensure that the policy is available to the public on Council's website.

55. PETITIONS & JOINT LETTERS

- 55.1 Petitions and joint letters shall be allowed at a meeting.
- 55.2 Pursuant to clause 55.1, the processes and procedures for petitions and joint letters to be determined in a policy adopted by Council.
- 55.3 Pursuant to clause 55.2, the Chief Executive Officer will take reasonable steps to ensure that the policy is available to the public on Council's website.

56. PUBLIC BEHAVIOUR

- 56.1 Members of the public will be requested to sign in before entering the meeting area.
- 56.2 Any member of the public addressing Council must extend courtesy and respect to the Council and the processes under which it operates and must take direction from the Chairperson whenever called on to do so.

57. REMOVAL FROM MEETING

- 57.1 The Chairperson may ask any member of the Police Force or person appointed by Council to maintain security, to remove from the chamber or meeting room any person who acts in breach of this Local Law.



**LOCAL LAW No. 1 of 2019
COUNCIL MEETING PROCEDURES & COMMON SEAL (DRAFT)**

PART 6 - COMMITTEES

The purpose of this Part is to regulate proceedings at Committee meetings.

(Pursuant to section 86 of the Act.)

58. SPECIAL COMMITTEES

- 58.1 Except as provided in this Part, if Council establishes a Special Committee, all of the provisions of this Local Law shall apply with any necessary modifications.
- 58.2 For the purposes of clause 58.1, a reference to:
 - 58.2.1 A Council meeting is to be read as a reference to a meeting of the Special Committee; and
 - 58.2.2 The Mayor is to be read as a reference to the Chairperson of the Special Committee.
- 58.3 The following provisions of this local law do not apply to Special Committees:
 - 58.3.1 All of Part 2;
 - 58.3.2 Part 5, clauses 53, 54 and 55.
- 58.3 Public participation in a meeting of a Special Committee shall be permitted in accordance with guidelines and policies adopted by Council from time to time.
- 58.4 The quorum of a meeting of a Special Committee is the number fixed by Council, being at least a majority, or if no number has been fixed, a majority of the number of members of the Committee.
- 58.5 It is not necessary for a Member to rise when addressing a Special Committee meeting.
- 58.6 Despite clause 58.1 if Council establishes a Special Committee, Council may resolve that provisions contained within this Local Law do not apply.

59. ADVISORY COMMITTEES

- 59.1 If Council establishes an Advisory Committee, Council may resolve that various provisions of this Local Law apply to that Advisory Committee with any necessary modifications.



**LOCAL LAW No. 1 - 2019
COUNCIL MEETING PROCEDURES & COMMON SEAL (DRAFT)**

PART 7 - COMMON SEAL

The purpose of this Part is to regulate the use of the Common Seal, which is a device which formally and solemnly records the collective will of the Council. The purpose of this Part is to prohibit the use of the Common Seal or any device resembling the Common Seal, as required by section 5 (3)(b) and (c) of the Act.

60. COMMON SEAL

- 60.1 The Council must authorise the use of the Common Seal by resolution.
- 60.2 The Common Seal and words to be used accompanying it on any document to which it is affixed are as follows:

<p><i>The COMMON SEAL of GOLDEN PLAINS) SHIRE COUNCIL was affixed in the) presence of:)</i></p>	<p>[Affix common seal here]</p>
--	---------------------------------

.....
Chief Executive Officer

.....
Mayor/Deputy Mayor

- 60.3 The Chief Executive Officer and, either the Mayor or Deputy Mayor of the day, must sign every document to which the Common Seal is affixed. The Common Seal may only be used to sign, seal, issue, revoke or cancel any notice, document, order or agreement pursuant to a decision of Council.
- 60.4 It is an offence for a person to use the Common Seal or any device or representation resembling the Common Seal without authority given by resolution of the Council.
- 60.5 The Chief Executive Officer must keep the Common Seal in safe custody at all times.
- 60.6 A register detailing the use of the Common Seal must be maintained by the Chief Executive Officer.



**LOCAL LAW No. 1 - 2019
COUNCIL MEETING PROCEDURES & COMMON SEAL (DRAFT)**

PART 8 – OFFENCES & PENALTIES

61. OFFENCES

It is an offence in relation to the conduct of meetings:

- 61.1 For a Councillor to not withdraw an expression which is considered by the Chairperson to be defamatory, indecent, abusive, offensive, disorderly or objectionable, and to not satisfactorily apologise when called upon twice by the Chairperson to do so.
Infringement Notice Penalty: 2 units
Penalty: 5 penalty units
- 61.2 For any person, not being a Councillor, who is guilty of any improper or disorderly conduct to not leave the meeting when requested by the Chairperson to do so.
Infringement Notice Penalty: 2 units
Penalty: 5 penalty units
- 61.3 For any person, not being a Councillor, who is guilty of any improper or disorderly conduct at the meeting.
Infringement Notice Penalty: 2 units
Penalty: 5 penalty units
- 61.4 For any person to fail to obey a direction of the Chairperson relating to the conduct of the meeting and the maintenance of order.
Infringement Notice Penalty: 2 units
Penalty: 5 Penalty Units
- 61.5 For a Councillor to refuse to leave the chamber on suspension.
Infringement Notice Penalty: 2 units
Penalty: 5 Penalty Units
- 61.6 For any person to use the common seal of Council or any device resembling the common seal without the authority of Council.
Infringement Notice Penalty: 10 units
Penalty: 20 penalty units

62. INFRINGEMENT PENALTIES

- 62.1 If an offence is committed against this Local Law, the Chairperson may request the Chief Executive Officer to issue to the offender an infringement notice in a form approved by Council for the amount of 2 penalty units as an alternative to a prosecution for the offence.
- 62.2 To avoid prosecution, a person to whom an infringement notice has been issued must pay to Council the amount specified in the notice within 28 days.
- 62.3 A person in receipt of an infringement notice is entitled to disregard the notice and defend a prosecution in court.



**LOCAL LAW No. 1 - 2019
COUNCIL MEETING PROCEDURES & COMMON SEAL (DRAFT)**

This Local Law was made by resolution of the Golden Plains Shire Council on <<Insert Date>>.

*The COMMON SEAL of GOLDEN PLAINS)
SHIRE COUNCIL was affixed in the) [Affix common seal here]
presence of:)*

.....
Chief Executive Officer

.....
Mayor/Deputy Mayor

Record of Statutory Process

Stage 1 - Adoption for public consultation:
Council resolved to give notice of its intention to make this Local Law at its meeting held on <<Insert Date>> and provided notice to the public in the Victoria Government Gazette publication on <<Insert Date>> and The Golden Plain Times on <<Insert Date>>. Public submissions were invited with a closing date of <<Insert Date>>. No public submissions were received OR XX public submissions were received and considered by Council at its meeting held on <<Insert Date>>.

Stage 2: Final adoption:
Council resolved to adopt this Local Law at its meeting held on <<Insert Date>> and this was duly advertised in the Victoria Government Gazette and The Golden Plain Times. This Local Law then came into effect on <<Insert Date>>.



**LOCAL LAW No. 1 of 2019
COUNCIL MEETING PROCEDURES & COMMON SEAL (DRAFT)**

SCHEDULE - FORMAL MOTIONS PROCEDURE & EFFECT

FORMAL MOTION	FORM	WHO CAN MOVE OR SECOND	IS A SECONDER REQUIRED	MATTERS IN RESPECT OF WHICH MOTION MAY BE MOVED	EFFECT IF CARRIED	EFFECT IF LOST	WHEN MOTION PROHIBITED
Adjournment of debate to later hour/date	That this matter be adjourned until...	Any Councillor	Yes	Any matter except where prohibited	Motion and amendments postponed to the stated time/date.	Debate continues unaffected	(a) During the election of the Chairperson (b) When another Councillor is speaking
Adjournment of debate indefinitely	That this matter be adjourned until further notice.	Any Councillor	Yes	Any matter except where prohibited	Motion and amendments postponed but may be resumed: (a) At the same meeting upon motion to resume (b) At any later meeting if on the agenda.	Debate continues unaffected.	(a) During the election of the Chairperson (b) when another Councillor is speaking (c) when the matter is one (1) in respect of which a call of Council has been made (d) When a motion would have the effect of causing Council to be in breach of a legislative requirement
Adjournment of meeting to later hour/date	That this meeting be adjourned until...	Any Councillor	Yes	Any matter except where prohibited	As per adjournment of debate	Debate continues unaffected	As for adjournment of debate
Adjournment of meeting indefinitely	That this meeting be adjourned until further notice.	Any Councillor	Yes	Any matter except where prohibited	Meeting adjourns until further notice.	Debate continues unaffected	(a) During the election of the Chairperson (b) when another Councillor is speaking (c) During a meeting which is a call of the Council.



4.4 Public Participation in Council Meetings (DRAFT)
(Question Time, Presentations & Submissions, Petitions & Joint Letters)

Policy Title: Public Participation in Council Meetings
 (Question Time, Presentations & Submissions, Petitions & Joint Letters)
Date Adopted: 30/6/94
Date Revised: 24/9/98; 19/12/02; 25/9/08; 24/9/13
Minute Book Reference: Special Minutes
 30/6/94 Item 5, page 28 (refer page 2 of Appendix)
 Council Minutes
 24/9/98 Item 4.6.1 page 48 (refer Audit & Finance Committee minutes
 16/9/98, item 5.4, pages 12, 39-40 & 74)
 19/12/02 Item 4.2.1, page 8
 25/9/08 Item 4.10.1(e), page 27 (refer Audit & Finance Committee
 minutes 11/9/08, item 4.6, page 14)
 24/9/13 Item 4.10.5(b), page 34 (refer Governance Committee minutes
 10/9/13, item 4.1.2, page 7-8)
 XX/XX/19 Item X.X
Next Revision Due: May 2024

PURPOSE

To establish a policy for public participation in meetings of the Council.

POLICY

This policy to be read in conjunction with:

- The Local Government Act 1989 'The Act';
- Local Law No. 1 of 2019, Council Meeting Procedures & Common Seal 'The Local Law'; and
- The definitions of words and phrases defined in The Local Law, unless inconsistent with the context.

1. Public Question Time

- 1.1 At an Ordinary Council Meeting, Public Question Time will be provided at the start of the meeting to enable members of the public to submit questions to Council.
- 1.2 At a Special Council Meeting, there will be no Public Question Time unless otherwise determined by the Chairperson.
- 1.3 Thirty minutes will be allocated for Public Question Time. Time may be extended longer than thirty minutes at the discretion of the Chairperson.
- 1.4 Questions to be asked at a meeting must be submitted and must be:
- 1.4.1 in writing and generally be in a form approved by the Chief Executive Officer;
 - 1.4.2 state the name and address of the person submitting the question;
 - 1.4.3 lodged:
 - 1.4.3.1 by 10am on the day of the meeting; and
 - 1.4.3.2 in person at the Council offices; or
 - 1.4.3.3 electronically, by using an online form provided on Council's website, or by sending the question to the email address prescribed by Council.

- 1.5 Despite sub-clauses 1.4, a person can ask a question without prior notice at a meeting at the discretion of the Chairperson.
- 1.6 Questions lodged in accordance with sub-clauses 1.4, will be provided electronically to the Councillors by the Chief Executive Officer, or by a person authorised by the Chief Executive Officer, before the meeting.
- 1.7 The Chief Executive Officer will use all reasonable endeavours to have a question submitted in a language other than English translated into English before the meeting. A question that cannot be translated prior to the commencement of the meeting will be translated prior to the next meeting and the submitter will be notified accordingly.
- 1.8 No person may submit more than 2 questions at any meeting.
- 1.9 Each person asking a question will be allocated 3 minutes to speak to that question at the meeting.
- 1.10 The question and the name and suburb of the person who asked the question shall be read out and recorded in the minutes.
- 1.11 Council will respond to a question asked at a meeting if the person, or their proxy, who asked the question is present at the meeting. The question asked and the answer given will be recorded in the Minutes of the meeting.
- 1.12 A question shall not be read out unless the person asking the question, or their proxy, is in the gallery at the time it is due to be read.
- 1.13 Where the person who has asked the question is not present at the meeting, the question(s) will not be recorded in the Minutes of the meeting, however, the Chief Executive Officer will cause a written response to be provided to the person asking the question within 7 days of the meeting.
- 1.14 A person who has submitted a question in accordance with sub-clauses 1.4, may appear via teleconference or other digital media, where logistically possible and if previously arranged and agreed with an officer, at least 48 hours in advance of the meeting.
- 1.15 All questions must be as brief as possible and no discussion shall be allowed other than for the purposes of clarification.
- 1.16 A question may be disallowed by the Chief Executive Officer or Chairperson if it is considered to:
 - 1.16.1 Relate to a matter beyond the power or duties of Council;
 - 1.16.2 Be defamatory, indecent, offensive, abusive, irrelevant, trivial or objectionable in language or nature;
 - 1.16.3 Be confidential in nature or of legal significance;
 - 1.16.4 Be repetitive of a question already answered (whether at the same or any earlier meeting);
 - 1.16.5 Be aimed or intended to embarrass the Mayor, a Councillor, Chief Executive Officer or other officer;
 - 1.16.6 Be directed to an individual or specific Councillor rather than to Council as a whole;
 - 1.16.7 Relate to personnel matters;
 - 1.16.8 Relate to the personal hardship of any resident or ratepayer;
 - 1.16.9 Relate to proposed developments or legal advice;
 - 1.16.10 Relate to matters affecting the security of Council property; or
 - 1.16.11 Relate to any other matter which Council considers would prejudice the Council or any person.

- 1.17 A copy of any question which has been precluded by the Chairperson must be made available to any other Councillor upon request.
- 1.18 Similar questions may be grouped together and a single answer provided by the Council.
- 1.19 The Chairperson may nominate a Councillor, Chief Executive Officer or other officer to briefly answer a question.
- 1.20 The nominated Councillor, Chief Executive Officer or other officer may:
- 1.20.1 Require a question to be put 'on notice' until the next Ordinary meeting of Council, at which time the question must be briefly answered by that person; or
 - 1.20.2 Elect to submit a written answer to the person asking the question within 5 days; or
 - 1.20.3 Advise Council that it is his or her opinion that the reply to a question should be given in a meeting closed to the public, he or she must state briefly the reason why the reply should be given in a closed meeting and, unless Council resolves to the contrary, the reply to such question shall be so given.
- 1.21 Public Question Time is not a substitute for formal appeal and review systems, formal business procedures, formal Council decisions and any other legal processes required for the proper conduct of Council business.
- 1.22 The Chief Executive Officer will take reasonable steps to ensure that the processes and procedures provided for question time in this policy are accessible to all members of the community.

2. Public Presentations and Submissions

- 2.1 Where a person is given a right to make a written submission or objection under:
- Section 223 of The Local Government Act 1989; or
 - The Planning and Environment Act 1987; or
 - other policy or legislation;
- Council will provide a specific opportunity for the submitter to appear in person (or have a nominated representative appear in person) to make a presentation to Council, if they wish to do so.
- 2.2 Pursuant to clause 2.1, time will be allocated at an Ordinary or Special Council Meeting fixed for a date and time prior to the meeting where the matter is included in the agenda for decision.
- 2.3 Where clause 2.1 does not apply, Council will receive written submissions on all other matters listed on the agenda and clause 2.5 applies. Time will not be allocated for the submitter, or a nominated representative, to appear in person to make a presentation to Council. Unless the Chairperson determines otherwise.
- 2.4 The presenter will be allocated a maximum of 5 minutes to present to the Council, unless granted an extension by the Chairperson.
- 2.5 The written submission will be provided electronically to the Councillors by the Chief Executive Officer, or by a person authorised by the Chief Executive Officer, before the meeting.
- 2.6 The content of a presentation should not be simply a verbatim repetition of the written submission, but should instead seek to provide further supporting information and comment in a manner that expands upon issues raised in the submission or enables this to be conveyed in a more personalised manner.

- 2.7 Where a submitter is to be represented by a nominated person, then the following shall apply:
- 2.7.1 The representative assumes the opportunity to speak on behalf of, and in place of, the submitter.
 - 2.7.2 The representative must speak to the specific issues raised in the submission of the submitter who they represent and may read-out a written statement prepared by the submitter.
 - 2.7.3 Despite clause 2.11, the representative cannot answer questions from the Council, or give or express opinions on behalf of the submitter.
- 2.8 A PowerPoint presentation or other form of digital media presentation is permitted, if previously arranged with an officer, where arrangements are agreed at least 24 hours in advance of the meeting.
- 2.9 Supporting documentation may be tabled at the meeting.
- 2.10 A presenter's comments will not be recorded in the minutes of the meeting.
- 2.11 Councillors may ask questions of the presenter at the end of each presentation. Two minutes will be allocated for Councillors to ask questions of the presenter, unless granted an extension by the Chairperson. The presenters responses to questions are to be brief and to the point.
- 2.12 Questions by Councillors and corresponding responses will not be recorded in the minutes of the meeting.
- 2.13 No presenter has a right of reply unless the Chairperson asks questions or expressly invites further comment. Such answers or comments are to be brief and to the point.
- 2.14 Council reserves the right to deal with presentations as it sees fit. This may be at that point in time when the matter listed on the agenda is discussed, or at any other time during the meeting, at the discretion of the Chairperson.
- 2.15 A presenter may 'appear' via teleconference or other digital media, where logistically possible and if previously arranged and agreed with an officer, at least 48 hours in advance of the meeting.
- 2.16 The Chief Executive Officer will take reasonable steps to ensure that the processes and procedures provided for public presentations in this policy are accessible to all members of the community.
- 3. Petitions and Joint Letters**
- 3.1 A petition or joint letter must be presented to the next available Ordinary meeting of Council.
- 3.2 A petition or joint letter shall not be presented at a meeting of Council or received by Council unless:
- 3.2.1 The petition or joint letter contains at least five signatures;
 - 3.2.2 Each page of the petition or joint letter bears the whole of the wording of the petition or joint letter; and
 - 3.2.3 In addition to the signature(s) of the petitioners the name(s) and physical address(es) of all persons who signed the petition are detailed in the petition, letter or document.
- 3.3 The Council may, by resolution, resolve to receive a petition or joint letter which does not comply with clause and sub-clauses 3.2.
- 3.4 Online or electronic petitions may be admitted by resolution of Council, where these are addressed direct to Council.

- 3.5 If Council receives a petition or joint letter which does not comply with clause and sub-clauses 3.2 and the origin of the petition or joint letter is not disclosed, then the Chief Executive Officer shall examine the petition or joint letter and determine whether or not it is appropriate to present the petition to Council as soon as practicable
- 3.6 When a petition or joint letter presented to a meeting of the Council relates to an item of business on the agenda, the petition or joint letter is to be considered by Council as part of its deliberations on such item.
- 3.7 Unless Council determines to consider it as an item of urgent business, no motion (other than a motion to receive the same) may be made on any petition or joint letter until the next Ordinary Meeting of Council.
- 3.8 The Chairperson may disallow any petition or joint letter which is considered to:
- 3.8.1 Relate to a matter beyond the power or duties of Council;
 - 3.8.2 Be defamatory, indecent, offensive, abusive, irrelevant, trivial or objectionable in language or nature;
 - 3.8.3 Be confidential in nature or of legal significance;
 - 3.8.4 Be repetitive of a question already answered (whether at the same or any earlier meeting);
 - 3.8.5 Be aimed or intended to embarrass the Mayor, a Councillor, Chief Executive Officer or other officer;
 - 3.8.6 Relate to personnel matters;
 - 3.8.7 Relate to the personal hardship of any resident or ratepayer;
 - 3.8.8 Relate to proposed developments or legal advice;
 - 3.8.9 Relate to matters affecting the security of Council property;
 - 3.8.10 Relate to a matter which has already been acted on;
 - 3.8.11 Relate to any other matter which Council considers would prejudice the Council or any person; or
 - 3.8.12 Relate to a matter for which there is already a primary avenue of redress such as planning permits or amendments which will be addressed through the planning submissions process.
- 3.9 The Chief Executive Officer shall not be obliged to present a petition or joint letter that is derogatory or defamatory.
- 3.10 In the case of a petition or joint letter lodged on behalf of a large number of people, Council shall notify in writing the first person who signed the petition, letter or document of Council's decision and the reasons for its decision.
- 3.11 An officer report pertaining to any petition or joint letter may be required at the next Ordinary Meeting of Council (if the petition or joint letter has not been dealt with in accordance with the provisions of clauses 3.6 and 3.7).
- 3.12 The Chief Executive Officer will take reasonable steps to ensure that the processes and procedures provided for petitions and joint letters in this policy are accessible to all members of the community.



Local Law Community Impact Statement

Proposed Local Law No. 1 of 2019 – Council Meeting Procedures & Common Seal

Council provides the following information to the community in respect of the proposed Local Law.

PART A – General comments

Background

Under Section 91(1) of the Local Government Act 1989 (the Act) a Council must make a local law governing the conduct of meetings of the Council and special committees.

The current Local Law No. 1 of 2019 will sunset until in May 2019. A review has been undertaken and the draft Local Law No. 1 of 2019 – Council Meeting Procedures & Common Seal (local law) has been prepared. In addition to the local law, the accompanying draft revised Council Policy 4.4 Public Participation in Council Meetings (Question Time, Presentations & Submissions, Petitions & Joint Letters) has been prepared.

The Act specifies, in various sections, a number of matters which must be included in the local law. Except as provided in the Act, conduct of meetings is at Council's discretion although over time accepted practices have evolved to ensure the orderly conduct of meetings.

Objectives

The proposed local law contains the following objectives:

- (a) Facilitate good governance;
- (b) Regulate proceedings for the election of the Mayor and Deputy Mayor;
- (c) Regulate proceedings of Ordinary and Special Meetings of Council;
- (d) Promote and encourage community participation in the system of local government, by providing mechanisms within the meeting arrangements for the Council to ascertain the community's views and expectations;
- (e) Regulate and control the use of Council's Common Seal;
- (f) Provide generally for the peace, order and good government of the municipal district; and
- (g) To repeal Local Law No. 1 of 2009 – Processes of Municipal Government and Local Law No. 1A of 2011 Processes of Municipal Government.

PART B – Comments on proposed local law overall

<p>Measures of success of proposed Local Law</p>	<p>As this local law is required under the Act, Council will continue to monitor any changes to the legislation to ensure it remains up to date.</p> <p>The success of the proposed local law will be measured by the extent to which it enhances the governance framework and decision making processes of Council including open and transparent meetings and that legislative requirements are met.</p> <p>Performance indicators are also included in the Local Government Performance Reporting Framework and Community Satisfaction Survey.</p>
<p>Existing legislation that might be used instead</p>	<p>No existing legislation can be used in place of this local law, however this local law incorporates actions that Councillors and officers must take as a result of requirements in the Act including section 91 which requires Council to have this local law.</p> <p>For example:</p> <p>Section 71 – Election of the Mayor</p> <p>Section 73 – Precedence of the Mayor and election of a temporary Chair in the Mayors absence</p> <p>Section 79 – Disclosure of Conflicts of Interest</p> <p>Section 80A – Requirements to observe assembly of Councillors procedures</p> <p>Section 80B – Members of Council staff and Councillors to disclose conflicts of interest</p> <p>Section 80C – Persons to disclose interests when providing advice</p> <p>Section 84 – Special Meetings</p> <p>Section 90 – Voting</p> <p>Section 91 - Conduct of meetings</p> <p>Section 93 – Minutes of meetings</p>
<p>State legislation more appropriate</p>	<p>Not applicable. Councils are required by state legislation to make local laws relating to Council and special committee meeting procedures.</p>
<p>Overlap of existing legislation</p>	<p>There is no overlap with other legislation in this local law. Some clauses expand on or clarify requirements in the Local Government Act 1989.</p>
<p>Overlap of planning scheme</p>	<p>There is no overlap of the Planning Scheme with this local law.</p>
<p>Risk assessment</p>	<p>Not having a local law of this kind would be a breach of the Act therefore Council is avoiding this exposure by complying with this requirement. The local law sets out a framework for Council, its staff and the public to govern how Council meetings will operate in conformity with the Act and other generally accepted meeting procedure guidelines.</p>
<p>Legislative Approach adopted</p>	<p>Council believes in applying minimum imposition on the community through its local laws. This proposed local law reflects this approach by providing only for those matters required under the Act in relation to general meeting procedures and efficiency of running the meetings such as:</p> <ul style="list-style-type: none"> • adoption of standard meeting procedures • a small number of reasonable penalties for offences under the local law • the minimum number of offences being created.

Restriction of competition	Council has conducted a review of this proposed local law in accordance with National Competition Principles and believes that because of the nature and content of this local law there is no restriction of competition.
Penalties	<p>Council has compared the general level of penalties provided for in this proposed local law with those included in other similar sized Councils and its neighbouring Councils. All penalties are of a similar nature and amount.</p> <p>Council considers that the penalties imposed are sufficient to act as a deterrent for most offences and are therefore appropriate. They are scaled to reflect the impact of the offence and are in line with the state government's penalty regime.</p>
Permits	There are no permits applicable under this local law.
Fees	There are no fees applicable under this local law.
Performance standards or prescriptive	This local law is prescriptive rather than performance based because of the nature of the requirement of the Act in which Council is required to make a local law to include prescriptive clauses that govern meeting procedures.
Comparison with neighbouring and like Councils	<p>Council has compared this local law with the existing meeting procedure local laws of the following Councils and has found it to be consistent with the intent of those local laws including:</p> <ul style="list-style-type: none"> • Colac Otway Shire • City of Casey • City of East Gippsland • City of Whitehorse • Wyndham City • City of Ballarat • Shire of Campaspe • Surf Coast Shire • City of Greater Bendigo • City of Greater Geelong • Mildura Rural City Council.
Charter of Human Rights	<p>Council has assessed this proposed local law for compatibility with the Charter of Human Rights and Responsibilities and has not found any instances where the rights of any individual are impacted upon. Some examples of particular considerations are outlined below.</p> <p>There are minor restrictions on allowing the freedom of expression as it is necessary to regulate how the public can ask questions or participate in Council meetings. The restrictions are intended to provide for the efficient and orderly conduct of the meetings and are considered reasonable and justifiable pursuant to section 7(2) of the Act. When asking a question of Council, members of the public will be requested to state their name and suburb for the minutes. Such information can be withheld on request.</p> <p>Penalties apply for disorderly behaviour (see penalties section) and the Chair has the right to request that anyone acting in a disorderly way leaves the meeting room. This is considered to be a proportionate response and necessary to ensure the smooth running of the meeting. The Chair can suspend proceedings if this is deemed necessary.</p> <p>Members of the public will be asked to sign in before entering the meeting and this is considered to be a reasonable health and safety measure which will also allow follow-up where needed.</p>

	<p>Where open Council meeting proceedings are recorded and posted on the Council's website, anyone who does not wish their voice to be heard on the recording is requested to make this known to a member of staff who will make alternative arrangements. Signage will make it clear that the proceedings are being recorded.</p>
National Competition Policy	<p>Council has assessed this proposed local law for compatibility with the National Competition Policy Principles and has not found any occurrences where the rights of any individual are impacted upon.</p>
Consultation Meetings	<p>In developing this local law Council has / will undertake the following processes:</p> <ul style="list-style-type: none"> ▪ Review of document by Council staff. ▪ Comparison of document with other Councils' local laws. ▪ Reference made to 'The Better Practice Local Laws Guidelines'. ▪ Review by full management team. ▪ Review by independent lawyer. ▪ Discussion with Councillors at a Councillor Briefing. ▪ Review of changes in legislation that might impact on the content of the local law. ▪ Council consideration of a formal draft of the local law at an Ordinary Council meeting. ▪ Submissions on the adopted proposed local law called for in accordance with Section 223 of the Act. ▪ Council to hear any person making a submission if a person so requests at a meeting of Council. ▪ Council to formally consider a report outlining any submissions and any proposed changes to the proposed local law. ▪ Council to adopt the local law and advertise this in local papers and the Government Gazette after which time the local law comes into force.
Submissions	<p>Golden Plains Shire Council is now calling for public submissions from anyone affected by this proposed local law.</p> <p>Submissions close at 5pm on Sunday 7 April 2019 and can be provided in the following ways:</p> <ul style="list-style-type: none"> ▪ Through Council's website at https://www.goldenplains.vic.gov.au/consultations ▪ Emailed to enquiries@gplains.vic.gov.au ▪ By mail addressed to the Chief Executive Officer, Golden Plains Shire Council, PO Box 111, Bannockburn, VIC 3331. <p>Persons making a submission may make a request in their submission to be heard at a meeting of Council (or nominate a representative to speak on their behalf), if they wish to do so. Council will set a time and place for such submitters to be heard.</p> <p>The proposed local law, Community Impact Statement and draft revised Council Policy 4.4 Public Participation in Council Meetings (Question Time, Presentations & Submissions, Petitions & Joint Letters) are also available for inspection at Council's Bannockburn offices, 2 Pope Street, Bannockburn, VIC, 3331.</p> <p>Anyone requiring further information can contact Candice Holloway, Corporate Governance Coordinator on (03) 5220 7111.</p>

PART C – Comments on specific parts or provisions of the proposed local law

Some major and minor content issues have been addressed in the proposed local law. All content changes have been broken down clause by clause in the following table, however major content changes include:

- Updated definitions and clarification of meaning of words and phrases;
- Improvements to language, clarity and structure;
- Strengthened processes in relation to:
 - election of the Mayor and Deputy Mayor;
 - Notice of Motion;
 - Notice of Motion to rescind or amend; and
 - suspension of standing orders.
- Introduction of public question time;
- Introduction of requirement for at least five signatures to constitute a petition or joint letter;
- Introduction of provisions to allow digital recording of proceedings;
- Updating of the signing clause for the Common Seal.

Specifically the proposed changes are as follows:

Section	Heading	Proposed Changes
Title page	Local Law No. 1 of 2019 Council Meeting Procedures & Common Seal	Renamed Local Law. Formerly Local Law No. 1 of 2009 Processes of Municipal Government.
Contents page	Contents	Reviewed and re-aligned structure.
Part 1 - clause 2	Preliminary Provisions - Objectives of this local law	Simplified and refined language.
Part 1 - clause 5	Preliminary Provisions - Definitions	Reviewed and updated definitions, meaning of words and phrases used within.
Part 2	Election of Mayor & Deputy Mayor	Renamed Part. Formerly Election of Mayor and other Chairpersons.
Part 2 - clause 6	Election of Mayor & Deputy Mayor - Procedure for Election of Mayor	<p>Provided clarity and strengthened procedures around the process for the election of Mayor.</p> <p>Inclusion of new provision that nominations to be a candidate for Mayor are to be provided in writing to the Chief Executive Officer, no later than a date and time to be fixed by the Chief Executive Officer.</p> <p>Inclusion of new provision for the Chief Executive Officer to preside over the election of Mayor, rather than a Councillor.</p>
Part 2 - clause 7	Election of Mayor & Deputy Mayor - Procedure for Election of Deputy Mayor or Acting Mayor	Inclusion of new provisions that Part 2 - clause 6 - Procedure for Election of Mayor will apply for the election of Deputy Mayor or Acting Mayor.

Part 2 - clause 8	Election of Mayor & Deputy Mayor - Mayor to take the Chair	Inclusion of provisions to clarify when the Mayor is required to take the Chair following the election of Mayor.
Formerly Part 3	Formerly Council Meetings	Removed in part. Provisions still applicable now included in new Part 3 - Conduct of Business & Meetings.
Part 3	Conduct of Business & Meetings	New Part. Clauses 9 - 27 reviewed and updated to strengthen governance processes and procedures. Incorporated provisions from Council Policy - 4.1 Council Meetings - Business Papers. Policy to be revoked following adoption of local law.
Part 3 - clause 10	Conduct of Business & Meetings - Attendance & Notice of Meetings	Provision of an electronic agenda as standard practice.
Part 3 - clause 15	Conduct of Business & Meetings - Leave of Absence	Inclusion of provisions to clarify process for any Councillors seeking a leave of absence from Council duties.
Part 3 - clause 16	Conduct of Business & Meetings - Disclosure of Conflict of Interest	Language simplified and streamlined.
Part 3 - clause 18	Conduct of Business & Meetings - Notice of Motion	Clarification of provisions for notice of motions, including process to submit, timeframe and requirements. Inclusion of provision that a notice of motion must be signed by the Councillor intending to move the motion and also, by another Councillor willing to second the motion for the purpose of debate.
Part 3 - clause 19	Conduct of Business & Meetings - Notice of Motion to Rescind or Amend	Clarification of circumstances under which a previous resolution of Council may be rescinded or amended. Inclusion of provision that a notice of motion to rescind or amend must be signed by the Councillor intending to move the motion to rescind or amend and also, by another Councillor willing to second the motion to rescind or amend for the purpose of debate at the meeting in which it will be considered. New requirement for notices of rescission or amendment to have at least a period of 3 months elapse before a further notice to rescind or amend can be lodged on the same issue.
Part 3 - clause 21	Conduct of Business & Meetings - Urgent Business	Clarification of circumstances under which a matter can be included as urgent business. Introduction that items of Urgent Business need

		<p>to be supported by an officer's report and Notices of Motion cannot be admitted into urgent business.</p> <p>Introduction for majority of Councillors (half plus one) to be present before urgent business can be admitted to the agenda for an Ordinary Council meeting.</p>
Part 3 - clause 22 & 23	Conduct of Business & Meetings - Reports from Officers & Reports from Committees	Clarification of the types of reports that can be considered at a meeting of Council, including the process and procedure for dealing with those reports.
Part 3 - clause 24	Conduct of Business & Meetings - Confidential Reports	Incorporated provisions (not already provided for in the Act) from Council Policy - 4.3 Confidential Information. Policy to be revoked following adoption of local law.
Part 3 - clause 25	Conduct of Business & Meetings - Keeping of Minutes	Clarification on what the minutes of each Council meeting must record.
Part 3 - clause 26	Conduct of Business & Meetings - Confirmation of Minutes	Formerly Part 4 - Minutes. Streamlined and clarified process for confirmation of minutes.
Part 3 - clause 27	Conduct of Business & Meetings - Digital Recording of Proceedings	Introduction of provisions for digital recording of meetings, including audio, video and live broadcasting.
Formerly Part 4	Formerly Minutes	Removed in part. Provisions still applicable now included in new Part 3 - clause 25 and 26 - Conduct of Business & Meetings - Keeping of Minutes & Confirmation of Minutes.
Part 4	Conduct of Debate & Voting	New Part. Clauses 28 - 52 reviewed and updated to strengthen governance processes and procedures.
Part 4 - clause 33	Conduct of Debate & Voting - Procedures with Respect to Seeking Clarification or Asking Questions of Officers	<p>Inclusion of new provisions that Councillors should make every effort to seek clarification on information in advance of the meeting and where Councillors are seeking clarification by asking questions of officers throughout the meeting, such questions need to be:</p> <ul style="list-style-type: none"> • Directed through the CEO; • Relevant to an item on the agenda; • Seeking genuine clarification of a matter that is not already addressed in the officer's report; • Not objectionable in language, nature or tone; • Not intended to draw officers into debating a matter or justifying a recommendation; and • Not designed to canvass matters or disseminate information to the public.

Part 4 - clause 34	Conduct of Debate & Voting - Procedure with Respect to Recommendations and Motions	Clarification on the process and the procedure to deal with recommendations and motions.
Part 4 - clause 36	Conduct of Debate & Voting - Procedures with Respect to Amendments	Clarification when a motion can be amended and the procedure to deal with amendments.
Part 4 - clause 37	Conduct of Debate & Voting - Procedures with Respect to Foreshadowed Motions	Clarification on the process for a Councillor to foreshadow a motion and the procedure to deal with foreshadowed motions.
Part 4 - clause 42	Conduct of Debate & Voting - Rules for Voting	Inclusion of provision that a Councillor can abstain from voting however, the decision to do so should not be taken lightly and could be seen as an abrogation of a Councillor's oath of office and responsibility to represent the community.
Part 4 - clause 44	Conduct of Debate & Voting - Recording of Opposition or Support for Motion	Inclusion of provision that a Councillor can request to have their vote for or against the motion adopted by Council recorded in the minutes.
Part 4 - clause 46	Conduct of Debate & Voting - Points of Order	Clarification around points of order and the process and procedure for dealing with points of order.
Part 4 - clause 47	Conduct of Debate & Voting - Disagreement with Chairperson's Ruling	Removal of requirement for Chairperson to vacate chair when dealing with a motion of dissent. Introduction of additional process steps to define meeting procedures when dealing with a motion of dissent.
Part 4 - clause 48	Conduct of Debate & Voting - Suspension of Standing Orders	Inclusion of provision that the Chairperson can receive a motion to suspend standing orders where Councillors or the Public Gallery need a break or to seek technical advice from a person not listed as an official attendee. Clarification that suspension is not intended for Councillors to discuss the issue or seek to reach agreement outside a formal debate. Standing orders should be resumed as soon as possible. Removes previous provision that allows Council to suspend any part of the Local Law by resolution.
Formerly Part 5	Formerly Business of Meetings	Removed in part. Provisions still applicable now included in new Part 3 - Conduct of Business & Meetings and new Part 6 - Committees.
Part 5	Public Participation in Meetings	Renamed part to Public Participation in Meetings. Formerly Public Participation.
Part 5 - clause 53	Public Participation in Meetings - Public Question	Introduction of provisions for public question time. The processes and procedures for public

	Time	<p>question time to be determined in a policy adopted by Council.</p> <p>The draft revised Council Policy 4.4 - Public Participation in Council Meetings (Question Time, Presentations & Submissions, Petitions & Joint Letters) has been prepared.</p> <p>The draft policy includes provision for questions to be submitted with notice in writing by 10am on the day of the meeting.</p>
Part 5 - clause 54	Public Participation in Meetings - Public Presentations	<p>Clarification that public presentations will be allowed at a meeting. The processes and procedures for public presentations to be determined in a policy adopted by Council.</p> <p>The draft revised Council Policy 4.4 - Public Participation in Council Meetings (Question Time, Presentations & Submissions, Petitions & Joint Letters) has been prepared.</p> <p>The draft revised policy includes provision to allow presentations at a Council meeting, where there is requirement to do under legislation or policy.</p> <p>The draft revised policy additionally includes provision to allow written submissions on all matters listed on the agenda.</p>
Part 5 - clause 55	Public Participation in Meetings - Petitions and Joint Letters	<p>Clarification that the processes and procedures for petitions and joint letters to be determined in a policy adopted by Council.</p> <p>The draft revised Council Policy 4.4 - Public Participation in Council Meetings (Question Time, Presentations & Submissions, Petitions & Joint Letters) has been prepared.</p> <p>The draft revised policy introduces requirement for at least five signatures to constitute a petition or joint letter.</p>
Part 5 - clause 56	Public Participation in Meetings - Public Behavior	<p>New requirement for members of the public to sign in before entering the meeting area. This is considered to be a reasonable health and safety measure which will also allow follow-up where needed.</p>
Formerly Part 6	Formerly Voting at Meetings	<p>Removed in part. Provisions still applicable now included in new Part 4 - Conduct of Debate and Voting.</p>
Part 6	Committees	<p>New Part. Clauses 58 - 59 reviewed and added to strengthen governance processes and procedures.</p>
Formerly Part 7	Formerly Addressing the Meeting	<p>Removed in part. Provisions still applicable now</p>

		included in new Part 4 - Conduct of Debate & Voting.
Part 7	Common Seal	New Part. Clause 60 reviewed and updated. Update of wording to accompany Council's Common Seal to clearly differentiate from other signing clauses. Current wording is inconsistent with Council's delegations and a correction is required. New wording clear that use of the Common Seal is authorised by Council resolution. Mayor or Deputy Mayor to sign in addition to the CEO. Incorporated other necessary provisions from Council Policy - 4.6 Council Seal - Authority of CEO to use Common Seal. Policy to be revoked following adoption of local law.
Formerly - Part 8	Formerly Other Meeting Procedures	Removed in part. Provisions still applicable now included in new Part 3 - Conduct of Business & Meeting and new Part 4 - Conduct of Debate & Voting.
Part 8	Offences & Penalties	New Part. Formerly Part 10 - Enforcement and Penalties. Clarification of the right of a person being issued with an infringement notice to defend the prosecution in court.
Part 8 - clause 61	Offences & Penalties - Offences	Introduction of new offence of 'disorderly conduct'. At present it is an offence not to leave if asked by Chair if Chair considers there is disorderly conduct. Currently no penalty for the disorderly conduct itself.
Formerly Part 9	Formerly Common Seal	Removed in part. Provisions still applicable now included in new Part 7 - Common Seal.
Formerly Part 10	Formerly Enforcement and Penalties	Removed in part. Provisions still applicable now included in new Part 8 - Offences & Penalties.
Schedule	Formal Motions Procedure and Effect	New schedule to clarify formal motions, procedure, process and effect.
Formerly Schedule 1	Formerly Schedule 1 - Infringement Notices	Schedule removed. Infringement notice to be issued by the Chief Executive Officer and generally be in a form approved by the Chief Executive Officer. Refer clause 62.1.
Formerly Schedule 2	Formerly Schedule 2 - Penalties	Schedule removed. Provisions and penalties for offences as per new Part 8 - Offences & Penalties.
General	Entire document	Improvements to language throughout.

Summary of Proposed Changes:

Local Law No. 1 – Meeting procedures & Common Seal

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		<p>The draft revised Council Policy 4.4 - Public Participation in Council Meetings (Question Time, Presentations & Submissions, Petitions & Joint Letters) has been prepared.</p> <p>The draft revised policy includes provision to allow presentations at a Council meeting, where there is requirement to do under legislation or policy.</p> <p>The draft revised policy additionally includes provision to allow written submissions on all matters listed on the agenda.</p>
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Formerly Part 7	Formerly Addressing the Meeting	<p>Removed in part. Provisions still applicable now included in new Part 4 - Conduct of Debate & Voting.</p>
Part 7	Common Seal	<p>New Part. Clause 60 reviewed and updated.</p> <p>Update of wording to accompany Council's Common Seal to clearly differentiate from other signing clauses. Current wording is inconsistent with Council's delegations and a correction is required. New wording clear that use of the Common Seal is authorised by Council resolution. Mayor or Deputy Mayor to sign in addition to the CEO.</p> <p>Incorporated other necessary provisions from Council Policy - 4.6 Council Seal - Authority of</p>

		CEO to use Common Seal. Policy to be revoked following adoption of local law.
Formerly - Part 8	Formerly Other Meeting Procedures	Removed in part. Provisions still applicable now included in new Part 3 - Conduct of Business & Meeting and new Part 4 - Conduct of Debate & Voting.
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General	Entire document	Improvements to language throughout.

6.8 SCARSDALE MEN'S SHED - LETTER OF SUPPORT

File Number:**Author:** Nateesha Thomassen, Community Places Coordinator**Authoriser:** Steven Sagona, Acting Community Services Director**Attachments:**

1. Proposed Site for Scarsdale Men's Shed
2. Image Newtown Cricket Pavilion
3. Letter from BEN regarding Newtown site
4. Letter of support from Neighbouring Property

RECOMMENDATION

That Council provide a letter of in principle support to the Scarsdale Community Men's Shed Inc to apply for a Department of Health and Human Services (DHHS) grant to convert the currently unused Newtown Cricket Pavilion into a Men's Shed.

EXECUTIVE SUMMARY

The Scarsdale Community Men's Shed Inc. currently meets at the Scarsdale Hall and has been searching for a location to establish a permanent Men's Shed. The unused Newtown Cricket Pavilion adjacent to the Newtown Cricket and Mustering Reserve has been identified as a potential site to accommodate the Men's Shed.

The pavilion is located on a road reserve with decommissioned toilet facilities located in close proximity on the Newtown Reserve which is Crown Land managed by the Ballarat Environment Network (BEN).

Scarsdale Men's Shed Inc. is seeking Council support to apply for funding through DHHS in 2019/20 to upgrade the old unused Newtown Cricket Pavilion (a class 9b building) and convert it into a Men's Shed.

It is recommended that Council provide support for this project, noting that the Men's Shed will need to obtain the necessary statutory approvals, receive consent from the Crown to access the toilets on the public land, and secure external grant funding before any works can commence.

BACKGROUND

The Scarsdale Community Men's Shed has been incorporated since 22 November 2015 and currently comprises of twelve members who actively support the Scarsdale and surrounding communities. Currently the Men's Shed meets in the Scarsdale Hall and has completed a number of projects in the community including the construction of:

- A wheelchair accessible picnic table for the Smythesdale Gardens
- An access ramp for an elderly resident
- BBQ area and outdoor seating at the Scarsdale Hall
- A pigeon loft
- A chicken house

The group is active in the Scarsdale and surrounding community, continuing to assist with maintenance at the Scarsdale Hall and has been approached to build seating for the Scarsdale railway station site in the future.

Unfortunately the hall cannot cater for the Men's Shed's workshop activity needs and the group have been working to raise funds for a more suitable location. A more permanent location would support the group to provide further assistance to the community and to increase its membership.

POLICY CONTENT

This report aligns to Council's priorities of 'Promoting Health & Connected Communities' and 'Managing the Built Environment' as per the 2017-2021 Council Plan.

DISCUSSION

Advice was sought in mid-2018 by the Men's Shed members from Council officers to identify actions/requirements that must occur for the pavilion to be used for the purposes of a Men's Shed. A meeting was held on site to inspect the currently unused pavilion and determine if it is possible for the building to be upgraded, and identify what improvements would be required if support was given.

Below is a summary of considerations the Men's Shed will need to address and obtain before any works can commence on the site.

These responses are as follows:

Building Permit:

Following the site meeting, advice from the Municipal Building Surveyor was that in order to obtain a building permit, the following works would need to be actioned:

- Building will need an electrical upgrade
- Appropriate Essential Safety Measures are to be installed (Fire Extinguishers)
- Installation of a new hot water service
- Connection to water – Men's Shed to engage water supplier to obtain quote and information on connecting to services
- Splash back/tiles for sink to be installed
- Toilets on BEN managed land need to be upgraded
- Men's Shed to get a letter/agreement from BEN – supporting proposal for group to use pavilion and that they will have access to the toilet ongoing

Planning Permit:

A Restricted Place of Assembly (Men's Shed) requires a permit for buildings and works as per Clause 44.06-2 of the Bushfire Management Overlay unless an alteration or extension to an existing building is less than 10% of the gross floor area of the existing building.

The building is located in the Public Park and Recreation Zone (PPRZ). A permit would be required for the use in this zone. If the application is made by a person other than the public land manager, the application must be accompanied by the written consent of the public land manager indicating consent or conditionally to the application being made.

A car parking rate of 0.3 per patron is required for a place of assembly. There is adequate parking within the road reserve where the building sits.

The planning permit application would be advertised. Note, the adjoining resident has provided a letter of support – attached.

Maintenance:

Implications of the proposed upgrade are that the currently unused pavilion will become an active asset. Maintenance responsibilities would be clearly outlined in a lease agreement that would require the Men's Shed to undertake maintenance of the site. Council currently services two Men's Sheds on Council owned or managed land (Dereel and Bannockburn).

Financial:

Council's Works Department estimates that the cost to get this facility to an acceptable operational level would be in the vicinity of \$100,000 minimum. The Men's Shed will be required to seek external grant funding to complete the works if support for this project is given. Council is not being requested to project manage or contribute funds.

While it has been suggested that the group join the Linton Men's Shed, the Scarsdale Men's Shed is committed to being located within, representing and servicing the Scarsdale and Newtown community.

DHHS Men's Shed 'New Build' grants of up to \$60,000 are available to:

- construct a new Men's Shed
- redevelop an existing building into a Men's Shed

All additional funds required would need to be raised by the Scarsdale Men's Shed.

Environment:

No vegetation is proposed to be removed. There are no environmental constraints.

Environmental Health:

The only foreseeable environmental health consideration relating to this project would be the septic tank system servicing the public toilet facilities.

An inspection has been completed by a plumber which confirmed that the system appears to be in good condition and adequately sized, so is therefore suitable for recommissioning and used.

Overall Considerations

In addition to the specific feedback above, the following considerations should be noted:

- The Scarsdale Men's Shed group is seeking Council in principle support so that it may apply for a grant through DHHS to complete all works required to restore the shed and recommission the toilet facilities at the adjoining reserve. There is no expectation that Council contribute funds to the upgrade of this facility.
- This structure is existing on Council managed land. The proposal is for an upgrade, not for new capital works.
- Having the Men's Shed operate out of this facility will provide passive surveillance to the area and the reserve (Crime Prevention through Environmental Design principals)
- The Scarsdale Men's Shed currently assists with maintenance of the Scarsdale Hall. Should it relocate, the group will be required to undertake maintenance of the Newtown site.
- Should the group be successful in obtaining the grant and completing works, a Council lease would be executed clearly identifying maintenance responsibilities of each party.
- Whilst the structure is on a road reserve, there is vehicular access and the road in front of the pavilion will not be impeded by this upgrade.
- This group has a strong connection to the local community and it is their strong preference to maintain this connection and strengthen relationships within Scarsdale and Newtown.
- The group has been proactive in obtaining necessary approvals and advice for the upgrade of the site, including a letter of support from the neighbours and a Section 17B Licence from the land manager (BEN) to renovate/reinstate and then use the toilet block should it relocate to the pavilion.

Whilst Council can provide a letter of in-principal support, **no actual works can commence on the shed unless;**

- The Ballarat Environment Network through the Department of Land, Water and Planning provide written approval for ongoing access and use to the public toilets on the BEN managed land;
- The Scarsdale Men's Shed secure the necessary funds to carry out the required building works;
- All necessary permits and approvals are obtained;
- All works conducted are by licenced professionals with the appropriate insurance coverage.

CONSULTATION

The Scarsdale Men's Shed has consulted with the Ballarat Environment Network as well as the residential neighbour adjacent to the proposed Men's Shed site. BEN, on behalf of DEWLP, and the residential neighbour have provided written support for the proposal. Permission from Council is now sought in order for the group to apply for grant funding to progress the project.


CONFLICT OF INTEREST

In accordance with Section 80B of the Local Government Act 1989, the Officer preparing this report declares no conflict of interest in regards to this matter.

CONCLUSION

The Scarsdale Men's Shed Inc. has worked closely with Council officers and stakeholders to progress the opportunity to upgrade the existing pavilion on the road reserve adjacent to the Newtown Recreation Reserve. This project would see the unused structure brought up to required building standards, facilitate passive surveillance of the site and provide a valuable resource for the community in the north of the shire.

Proposed Site for Scarsdale Men's Shed (Refurb of Old Newtown Cricket Pavilion)



50 m

Scale = 1 : 1508.220

GOLDEN PLAINS SHIRE

Hayward Road

Hayward Road

About this Document: This map has been created for the purpose of showing basic locality information over Golden Plains Shire Council. Cadastral information has been provided by Land Victoria and may not accurately reflect true title status and/or boundary definition.

Disclaimer: This map is a representation of the information currently held by Golden Plains Shire Council. While every effort has been made to ensure the accuracy of the product, Council accepts no responsibility for any errors or omissions.





Douglas Phillips

Scarsdale Men's Shed Inc.
C/o Scarsdale Post Office
Scarsdale VIC 3351

27 December 2018

Dear Doug,

**Property: Newtown Cricket and Mustering Reserve, Recreation Road, Newtown.
Re.: Issue of Section 17B Licence No. 2024212 to Scarsdale Men's Shed Incorporated for Public Convenience (Toilet Block re-commissioning and maintenance) on part of Crown Allotment 2001, Parish of Scarsdale.**

Please find attached a completed, signed copy of the Section 17B licence and associated Schedule and Conditions issued to Scarsdale Men's Shed Incorporated, for your information and records. Copies of this document are also held by Department of Environment, Land, Water and Planning (DELWP)- Grampians Region, and Ballarat Environment Network.

In addition to the special conditions set out in the licence Schedule, DELWP requires that the Scarsdale Men's Shed Inc. note and observe the following conditions:

- DELWP consent will be required for any future soil disturbance activities.
- All plumbing components, including septic system, are to be kept in good working order.
- A reliable water source for flushing and hand washing, with taps designed to protect supply from wastage, must be procured.
- Removal and maintained clearance of tree and shrub regrowth within 1.5m of the building and 3m of any tank or outflow area.

Should you require any further information or clarification, please contact Jennifer Bromley (Project Officer, Land and Built Environment, DELWP Grampians Region) on 0448 389 270.

Kind regards,

A handwritten signature in black ink, appearing to read "Peter Noble".

Peter Noble – Chair
Ballarat Environment Network

P O Box 1538, Bakery Hill BC, Victoria, 3354 Incorporated Assoc: A0028655V ABN: 20 485 511 782



13th June 2018

TO WHOM IT MAY CONCERN

We, the undersigned, [REDACTED] state that we have no objection to the building, formerly used by the Newtown Cricket Club, situated at the end of Recreation Road, Scarsdale (or Newtown) be put to use by the Scarsdale Mens Shed.

In recent years this structure has fallen into disrepair and it would be good to have the Mens Shed take care of its upkeep. In fact we are very happy about this, as the iron on the roof, which is loose, plus other needed repairs, will now be attended to. The iron on the roof could possibly be a matter of safety, so that will be of comfort to us, as we live in close proximity to the building.

We have mowed the lawn around the structure for at least the past 10 years now and will be more than happy to share this responsibility with someone else.

[REDACTED] we are extremely happy with the pending decision about its future use.

Should this matter require further discussion, please feel free to call on the above number.

Sincerely,



6.9 ELDER PARK MANAGEMENT - EOI FOR MANAGEMENT

File Number:

Author: Nateesha Thomassen, Community Places Coordinator

Authoriser: Steven Sagona, Acting Community Services Director

Attachments:

1. Elder Park, Rokewood Aerial Map
2. Letter from Rokewood Corindhap Football Netball Club

RECOMMENDATION

That Council seek Expressions of Interest for an incorporated community group to manage Elder Park, Rokewood.

EXECUTIVE SUMMARY

The Rokewood/Corindhap Football Netball Club has written to Council requesting that the club be appointed to manage Elder Park, Rokewood (letter attached). The club wishes to crop and graze sheep to generate fundraising income to support club operations and to assist with the maintenance of the site, including fire prevention.

BACKGROUND

In August 2013, Council resolved to give notice of intention to sell Elder Park, the Sutherland's Creek Primary School site and the Leigh Shire Hall and Toll House. Following the receipt and consideration of public submissions, Council resolved in November 2013 that *'Elder Park be retained for community use and managed by a Section 86 Committee of Management'*.

Following an audit of Section 86 Committees that recommended moving away from this type of management model, a report was presented to Council in April 2015 recommending that, in relation to Elder Park, Council seek expressions of interest for an incorporated committee to enter into a lease with Council. However no resolution was made at that Council meeting regarding Elder Park and to date Council continues to manage the site.

Following an Eoi process, Rokewood/Corindhap Football Netball Club were granted a Section 17B licence in 2016 to graze the neighbouring Rokewood Common. The club has successfully grazed on the site since, raising much needed funds for the club.

The club is now requesting management responsibility for Elder Park to assist Council and the community with the management and maintenance of the site and to expand their fundraising capacity.

POLICY CONTENT

This report aligns to Council's priorities of: 'Promoting Healthy & Connected Communities' and 'Managing the Built Environment' as per the 2017-2021 Council Plan.

DISCUSSION

The Elder Park site is Council freehold land, zoned Public Park and Recreation Zone, and is directly managed by Council. In 2009, Council resolved to support only two equestrian centres in the shire;

- Woody Yaloak Equestrian Centre
- Leighdale Equestrian Centre.

Requests since this time to re-establish equestrian activities at Elder Park have not been supported and do not align with Council's strategic planning. Currently the site is under-utilised, and requires maintenance.

The Rokewood Rodeo was held at Elder Park for a number of years, although did not run in 2018. If the site was to be managed by a community group for the purpose of grazing, it would be recommended to include a lease clause that gives the management entity the discretion to consider community use of the site on request.

The Rokewood/Corindhap Football Netball Club has advised that it intends to crop the site and then graze sheep. Council's Natural Resources Officer is supportive of the land being used for grazing but does not recommend the site be used for cropping.

Assisted by a recent Community Grant, the club has committed to improve the fencing at Rokewood Common and has indicated that it would repair fencing at Elder Park to support grazing. This has the potential to take the grazing load off the Rokewood Common, thereby encouraging revegetation of native grasses on both sites.

Elder Park is currently not listed on Council's mowing schedule and a dedicated annual maintenance budget of \$5,000 was removed in recent years. If a separate management entity is not appointed, Council will need to consider reinstating the site on the annual mowing schedule. A lease to manage the land will also save Council resources that can be used for maintenance at other sites.

It is recommended that Council seek Expressions of Interest for an incorporated community group to enter into a lease to manage Elder Park. The group should be not-for-profit and have experience in managing land. The lease would contain a special condition that gives the management entity the discretion to consider community use of the site on request. It is not recommended that cropping be allowed.

It is recommended that, subject to an Eol process, a short term lease be entered into initially to monitor the effectiveness of the proposed arrangement.

CONSULTATION

Consultation occurred in 2014/15 as part of preparation of the Alternate Management Models for Recreation Reserves report.

It is proposed that an Eol process be undertaken to allow for equitable opportunity for incorporated community groups to be considered for management of the land.

CONFLICT OF INTEREST

In accordance with Section 80B of the Local Government Act 1989, the officer preparing this report declares no conflict of interest in regards to this matter.

CONCLUSION

Elder Park, Rokewood is a Council owned and managed site that for the majority of the time is not utilised by the community. The Rokewood/Corindhap Football Netball Club has expressed an interest in managing the site for cropping and grazing sheep for fundraising. A local community group managing the site would assist Council to maintain the site and assist with fire management. To ensure a transparent and equitable process, it is recommended that Expressions of Interest are sought from the community to manage Elder Park for grazing with conditions to allow for consideration of community use of the site.

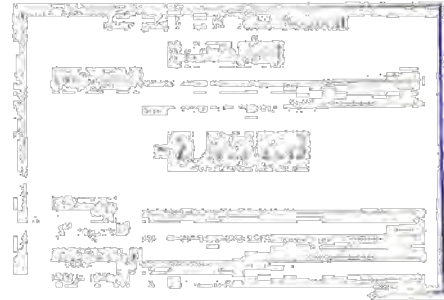
Elder Park, Rokewood





19/12/2018

Dear Sir



RE= Rokewood Corindhap FNC seeking management control of Elder Park, Rokewood

As you would no doubt be aware, the Rokewood Corindhap Football Netball Club works tirelessly year round to raise funds to enable the ongoing success of the club. As a small country club this can be difficult and we feel it's important to utilise the skills and knowledge of our members when looking at successful ways to generate income.

The club currently grazes sheep on the Rokewood Common under agreement and has done so successfully for many years. The club members manage the sheep by buying/selling at opportune times and selling wool after shearing every year. Not only is this profitable for the club but brings the members together socially at different times of the year.

The club also has a long-term agreement in place at the Grain Storage Site on the Cressy Road, where we sow crops and cut them for hay, to either sell to our members and supporters or the wider public.

Being a predominantly country supporter base at the club, both grazing sheep and managing crops and pastures for hay is a skill set that we have much experience with and need to utilise.

The hay crop at the Storage Site is vital to the site's maintenance, keeping it clean and tidy and more importantly safe and maintained for fire season, when the crop is cut and baled and removed from the site.

To build on these current arrangements we request that you consider discussing possible arrangements with the RCFC becoming involved in the management and maintenance of Elder Park, Rokewood. We view this as an under-utilised parcel of land that could be cropped and then grazed by sheep. The income generated from these enterprises contributing to the ongoing fundraising required to operate the club.

x

Local landholders and members of the Rokewood CFA, are becoming very concerned about the fire risk that Elder Park presents in its current state, especially considering its close proximity to the Rokewood township. The club would like you and the council to consider fire safety within the town limits when considering our request.

Elder Park would require capital amounts of nutrients to improve the fertility to a point where cropping it would be profitable to the club. We see this as being our responsibility but would like to secure a longer-term use of the site to allow us to recover our input costs. We would propose a 5-year agreement with the potential of another 5 years ongoing.

The club secured a Community Grant this year from the GPS to go towards fencing on the Common. We would also like to use this to go towards replacement of the fence between Elder Park and the Golf Club, so we could securely run sheep on Elder Park.

The club look forward to a timely and positive response to our request to utilise and manage Elder Park and make it both an attractive and safe boundary for the township whilst also generating a much needed income stream to satisfy the operating costs of running our strong community club.

Please feel free to contact me directly to discuss



President RCFNC



6.10 BRIDGES RENEWAL PROGRAM - FEDERAL DEPARTMENT OF INFRASTRUCTURE AND REGIONAL DEVELOPMENT

File Number:**Author:** Greg Anders, Director Assets and Amenity**Authoriser:** Greg Anders, Director Assets and Amenity**Attachments:** 1. Bridges Renewal Program - Round 4 - Guidelines

RECOMMENDATION

That Council:

1. Submit applications for funding under Round Four of the Federal Government's Bridges Renewal Program (BRP) for Wall Bridge, Teesdale and Golden Lake Road Bridge, Piggoreet in accordance with the funding cost estimates and apportionments provided in the officer's report.
 2. Refer for consideration the allocation of \$1,103,344 for the replacement of Coopers Bridge, a project with a total estimated cost of \$1,600,000, to the 2019/20 budget process.
 3. Adjust the forecasted 2019/20 Capital Works Program to re-allocate funding from the Somerset Estate Contribution (SE), Coopers Bridge and the Natural Disaster Claim Refund (NDF) in accordance with – and as outlined in – the officer's report.
-

EXECUTIVE SUMMARY

Council has received advice from the Federal Government that applications may now be submitted under Round Four of the Bridges Renewal Program.

The 2018/19 Capital Works Program includes \$1,600,000 for the replacement of Coopers Bridge (the bridge over the Moorabool River on Meredith-Steiglitz Road). The budgeted income of \$800,000 (ie, 50%) from the Federal Government's program was based on the funding criteria which applied to the first three [3] rounds of the program.

Under the guidelines for Round Four, the only project type allowed is replacement of a timber bridge with a concrete bridge. Consequently, an application for funding for replacement of Cooper's Bridge cannot be submitted under the program because Cooper's Bridge is constructed of a concrete deck with cast in-situ concrete T-beams and piers reinforced with mining cable.

BACKGROUND

The Australian Government is committed to ensuring bridges that are nearing the end of their useful life are maintained or replaced to provide ongoing access for local communities and improve the productivity of users. The Government understands the significance of this access for Australia's regions and the importance of the bridges to future economic prosperity. To assist in the upkeep of this important infrastructure, the Australian Government has established the Bridges Renewal Program.

Three rounds of the program are currently under way. On 14 September 2017, the former Minister for Infrastructure and Transport, The Hon Darren Chester MP, announced successful proposals under Round Three of the program. The program is investing in crucial bridge infrastructure projects that are being conceived by local communities – and this approach is helping Australia's regions to invest in their own future. The Australian Government will provide \$420 million from 2015/16 to 2019/20, with an ongoing commitment of \$60 million each year following to upgrade and repair bridges to enhance access for local communities and facilitate higher productivity vehicle access.

In an effort to allow for a wider distribution of projects, the Australian Government will limit Round Four to local government entities seeking funding for the replacement of up to two timber bridges in their Shire. The Australian Government will contribute up to 50 per cent of the total project costs,

with a maximum amount of \$700,000 per project – or \$1.4 million per proponent. This will allow local governments to fast track their most important infrastructure needs.

The key dates for Round Four are:

Event	Date
Proposal period opens	7 January 2019
Proposal period closes	5 February 2019 at 11:59 pm AEDST
Expected announcement of successful and unsuccessful projects	1 April 2019
Successful proponents to return offers of funding	60 days after Ministerial announcement
First funding availability	2020/21 financial year
Last date for commencement of construction (scheduled)	31 December 2019 (2019/20)
Last date for completion of construction (scheduled)	31 December 2022 (2022/23)

Council is responsible for the care and management of 138 bridges and major culverts. Many of these structures were built in the early 1900s and once formed part of the Skipton rail network, which is now a large walking trail approximately 53 kilometres in length. While the majority of the Skipton rail trail assets are in poor condition, they do not appear as high priority assets for replacement because they are only subjected to pedestrian loads.

The two highest priority bridges that require replacement, and which satisfy the Round Four criteria (i.e, they are timber structures) are:

- Wall Bridge over Native Hut Creek - located on Stones Road, Teesdale (estimated replacement cost - \$607,000)
- Golden Lake Road Bridge – over Woody Yaloak Rive, Piggoreet (estimated replacement cost - \$600,000)

Wall Bridge - Stones Road, Teesdale

The existing timber bridge, estimated to be approximately 98 years old, is in very poor condition and near the end of its useful life. Typically, such structures should be renewed or replaced every fifty [50] years, which is the ‘industry’ design life expectancy.

Locality Plan 1



Wall Bridge was constructed in 1920 and refurbished with steel main beams later in its life (approx. 1960). The timber piers / piles are in very poor condition with signs of splitting and rotting. The timber cross-decking also has heavy deterioration with splitting and rotting evident (see Photos 2 & 3 below). The timber kerb located on top of the cross-decking has heavy deterioration with splitting and rotting, causing the steel guard-rail barrier to rotate outwards and become ineffective. There is currently a 3 tonne load limit in place. The bridge provides a link between the developed areas to the north of Teesdale to the Bannockburn-Shelford Road in the south. The existing structure is a timber-steel hybrid bridge with three [3] spans. It has a single lane for traffic with no provision for cyclists or pedestrians to cross Native Hut Creek and inadequate safety barriers.

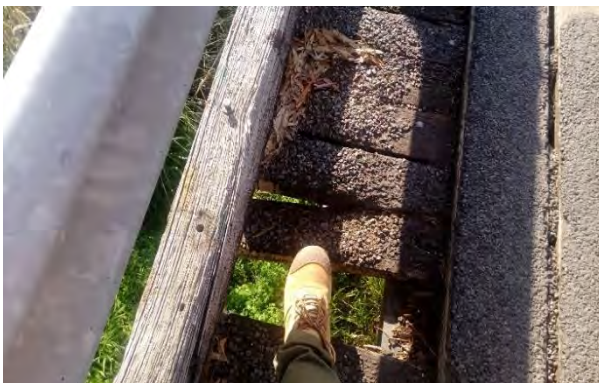


Photo 1



Photo 2

A detailed Level 2 inspection was undertaken by Pitt and Sherry in 2018, which identified the structure as having a poor condition rating, with deterioration of the timber elements accelerated due to ingress of water through the cracks.

Golden Lake Road Bridge, Piggoreet

Golden Lake Road Bridge was constructed in 1920 and refurbished with steel main beams / girders later in its life (approx. 1960). The steel girders have signs of pitting. This hybrid structure has timber cross-decking, with heavy deterioration of multiple horizontal decking members across the structure (as shown in Photos 3 and 4 below). The timber kerb located on top of the decking has deterioration, with splitting and rotting which also needs replacement.

Locality Plan 2

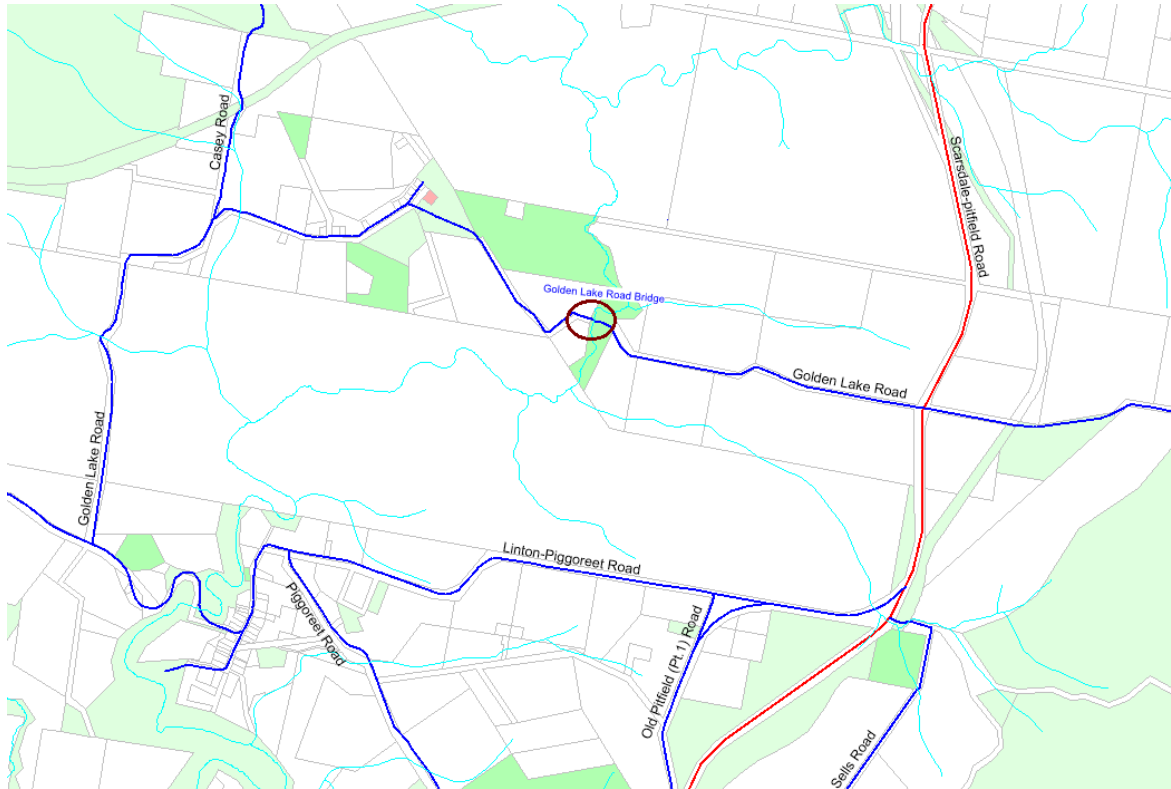


Photo 3



Photo 4

The two timber piers / piles are also in very poor condition with signs of splitting and rotting. These timber piers / piles require replacement, including those that have previously been encased in concrete (as shown in Photos 5 and 6).



Photo 5



Photo 6

There is currently a 5 tonne load limit on Golden Lake Road and it provides access for vehicles entering Piggoreet from the Lismore-Scarsdale Road. It is also located within the Bushfire Management Overlay and currently inhibits access for CFA vehicles entering the area.

Approximately \$100,000 expenditure has already been accrued against the Coopers Bridge replacement budget allocation for preliminary site survey and investigations, cultural heritage advice, land acquisition, etc. Council therefore has \$700,000 unexpended funds remaining in the 2018/19 budget for this \$1.6 million project.

FINANCIAL IMPLICATIONS

It is suggested that the funding sources currently available for the three bridge replacement projects consist of:

- Federal Bridge Replacement Program (maximum) \$1,400,000
 - Coopers Bridge – Council Contribution (remaining funds) \$ 700,000
 - Natural Disaster Claim Refund (NDF) * \$ 256,156
 - Savings from Somerset Estate Contribution to Infrastructure (SE) \$ 144,000
- Total: \$2,500,156**

* The NDF funding was not budgeted for in 2018/19 and is the remaining funds received from the Council Claim submitted following the September / October 2016 flood and storm events.

Proposed Bridge Replacement Program 2019/20 – 2020/21

Project	Estimated Cost	Federal Government Funding	Council Contribution
Wall Bridge	\$ 607,000	\$ 303,500	\$ 256,156 NDF (cf) \$ 47,344 SE (cf)
Golden Lake Road Bridge	\$ 600,000	\$ 300,000	\$ 96,656 SE (cf) \$ 203,344 Coopers (cf)
Coopers Bridge	\$1,600,000	\$ 0	\$ 496,656 Coopers (cf) \$1,103,344 Additional Funds 2019/20

POLICY CONTENT

This report positively aligns with Council’s priorities for maintaining and improving the road and bridge network, as stipulated in the Council Plan 2017-2021.

DISCUSSION

There is a requirement for Council to reconsider the scope, timing and funding apportionment of bridge replacement projects as a direct consequence of the recent advice received from the Australian Government on Round Four of the Bridges Renewal Program. The invitation to submit applications for funding has been received much later than expected, and the program is now limited to bridge replacement projects that seek to replace up to two existing timber bridges with new structures, and the new structures must be either concrete bridges or culverts.

The new program presents an opportunity to replace two existing timber bridges that are very near the end of their useful lives, with 50% of the costs being met by the Federal Government. Council will, however, now be required to fully fund all of the costs associated with replacing its highest priority bridge, which is Coopers Bridge.

CONSULTATION

It is considered that a formal community engagement / consultation process is not required to assist Council with consideration of this report and the officer's recommendations.

CONFLICT OF INTEREST

In accordance with section 80B of the *Local Government Act* 1989, the Officer preparing this report declares no conflict of interest in regards to this matter.

CONCLUSION

The Federal Government's Bridges Renewal Program (BRP), Round Four, has presented Council with the opportunity to replace two [2] failing timber bridges during 2019/20, with 50% of the replacement costs being provided under the program.

Accordingly, it is being recommended that Council endorse the submission of funding applications for the replacement of Wall Bridge, Teesdale and Golden Lake Road Bridge, Piggoreet.



Australian Government
Department of Infrastructure and Regional Development



BRIDGES RENEWAL PROGRAM (BRP)

ROUND FOUR

GUIDELINES

Bridges Renewal Program – Round Four Guidelines



Welcome to Round Four of the Australian Government's Bridges Renewal Program.

The Australian Government is committed to ensuring bridges that are nearing the end of their useful life are maintained or replaced to provide ongoing access for local communities and improve the productivity of users. We understand the significance of this access for Australia's regions and their importance to our future economic prosperity. To assist in the upkeep of this important infrastructure, the Australian Government has established the Bridges Renewal Program.

Three rounds of the Program are currently underway. On 14 September 2017 the former Minister for Infrastructure and Transport, the Hon Darren Chester MP, announced successful proposals under Round Three of the Program.

The Program is investing in crucial bridge infrastructure projects that are being conceived by local communities – and this approach is helping Australia's regions invest in their own future.

The Australian Government will provide \$420 million from 2015-16 to 2019-20, with an on-going commitment of \$60 million each year following to upgrade and repair bridges to enhance access for local communities and facilitate higher productivity vehicle access.

In an effort to allow for a wider distribution of projects, the Australian Government will limit Round Four to local government entities seeking funding for the replacement of up to two timber bridges in their Shire. The Australian Government will contribute up to 50 per cent to the total project costs, with a maximum amount of \$700,000 per project or \$1.4 million per proponent. This will allow local governments to fast track their most important infrastructure needs.

The Guidelines for the Bridges Renewal Program provide the information you need about the type of project proposals we are seeking, how proposals will be assessed, critical dates, and how you can contact our Department to help you with further information.

We welcome your interest in Round Four of the Bridges Renewal Program, and wish you all the best with your proposal.

**The Hon Michael McCormack
MP**
Deputy Prime Minister
Minister for Infrastructure,
Transport and Regional
Development

The Hon Scott Buchholz MP
Assistant Minister for Roads and
Transport



Table of Contents

- 1. INTRODUCTION6
 - 1.1 Overview6
 - 1.2 Program objectives and outcomes6
- 2. KEY DATES6
- 3. HOW TO APPLY6
 - 3.1 Proposal period6
 - 3.2 Limits on requested funding7
 - 3.3 Proposal requirements7
 - 3.4 How to submit a Proposal7
 - 3.5 Confirmation of Submission7
- 4. ELIGIBILITY7
 - 4.1 Eligibility requirements7
 - 4.2 What is eligible for funding?8
 - 4.3 What is ineligible for funding?8
- 5. ASSESSMENT CRITERIA8
- 6. DECISIONS9
 - 6.1 Value for Money9
 - 6.2 Decisions on projects to be funded9
- 7. CONDITIONS OF FUNDING9
- 8. PROBITY10
 - 8.1 Confidential information10
- 9. COMPLETING THE PROPOSAL FORM10
 - 9.1 Project details11
 - 9.2 Eligibility Checklist11
 - 9.3 Proponent Details11
 - 9.4 Tab C – Program Objectives **Error! Bookmark not defined.**
 - Key Data **Error! Bookmark not defined.**
 - 9.5 Project Budget **Error! Bookmark not defined.**
 - Project Budget11
 - 9.6 Criteria11
 - Criterion 1 – Structural Improvements Contributing to Productivity and Access11
 - Criterion 2 – Evidence of Economic and Social Benefits12
 - Criterion 3 – Construction Readiness and Risk12



Criterion 4 – State and Territory Priority..... 13

9.7 Declaration..... 13

 Conflict of Interest..... 13

 Declaration 13

10. ASSESSMENT OF PROPOSALS..... 13

11. PROCESSES FOR SUCCESSFUL PROPONENTS 14

 11.1 Offer of Funding Form 14

 11.2 Project Agreement..... 14

12. CONTACT DETAILS 16

13. ATTACHMENTS..... 16

 Attachment A – Process Flowchart 17

1. INTRODUCTION

1.1 Overview

Round Four of the Bridges Renewal Program (BRP) will provide Australian Government funding to eligible projects that best achieve the Program objectives.

Projects under the BRP are assessed as part of a competitive, merit-based process. The Department will use the information provided in the Proposal Form to check eligibility and assess projects against the criteria.

These Program Guidelines (the Guidelines) apply to all projects seeking funding from Round Four of the BRP. The Guidelines outline the objectives and desired outcomes of the BRP, eligibility and assessment requirements, the submission of proposals process, the appraisal process, funding arrangements and roles and responsibilities of the proponent and the Department.

A 'Process Flowchart' is provided at [Attachment A](#).

1.2 Program objectives and outcomes

The objectives of the Program are to upgrade and repair bridges to enhance access for local communities and facilitate higher productivity vehicle access. Round Four is only open to local government entities. Proponents are encouraged to discuss priorities with local communities, relevant industry stakeholders, Regional Development Australia committees and state road agencies early in the process.

Proponents can apply for funding for up to two wooden bridge projects that meet the objectives of the Program to a high degree along a key route. A limit on the amount of funding that can be sought by each proponent has been introduced for Round Four, see Section 3.2 for details. Where projects seek to improve access for heavy vehicles, proponents must provide assurances that all efforts will be made to ensure regulatory access (through the National Heavy Vehicle Regulator) is also gained.

2. KEY DATES

Event	Date
Proposal period open	7 January 2019
Proposal Period Closes	5 February 2019 at 11.59pm AEDST
Expected Announcement of Successful and unsuccessful projects	01 April 2019
Successful Proponents to return Offers of Funding	60 days after ministerial announcement
First funding availability	2020-21 financial year
Last date for Commencement of construction (scheduled)	31 December 2019
Last date for completion of construction (scheduled)	31 December 2022

3. HOW TO APPLY

3.1 Proposal period

Proposals for the BRP can be submitted at any time between the opening and closing dates for each Round.

Proposals must be received by 11:59pm (AEDST) on 5 February 2019 for Round Four to the bridgesrenewal@infrastructure.gov.au.

Proponents are strongly encouraged to submit proposals in advance of the deadline.

Late proposals will not be accepted, unless the Department considers there were exceptional circumstances beyond the proponents' control. The Department's decision will be final.

3.2 Limits on requested funding

Due to the high volume of requests for funding received under Rounds One to Three of the Program, limits have been introduced for Round Four to better align the type of bridge projects to the program objectives and to provide a more even distribution of funds. Proponents should consider up to two of their highest priority projects when preparing submissions. Australian Government Funding to local governments is limited to a maximum of 50 per cent of the total project costs or \$700,000 per bridge project and \$1.4 million per proponent whichever is greater.

3.3 Proposal requirements

Proponents must provide all of the information required in the Proposal Form.

Evidence must also be provided to support the claims made against the assessment criteria.

Only completed proposals submitted by an authorised member (e.g. Chief Executive Officer, Director of Engineering) of the organisation will be accepted and appraised. Incomplete proposals will be deemed as ineligible.

Proposals may be withdrawn at any time by advising the Department at <mailto:bridgesrenewal@infrastructure.gov.au>.

Only two timber bridge replacement proposals will be accepted from each eligible proponent.

3.4 How to submit a Proposal

Proposals must be received by 11:59 Australian Eastern Daylight Time (AEDT) on 5 February 2019 for Round Four to the BridgesRenewal@infrastructure.gov.au email box – Do Not Send Hardcopies.

Proponents are strongly encouraged to submit proposals in advance of the deadline.

Late proposals will not be accepted, unless the Department considers there were exceptional circumstances beyond the proponents' control. The Department's decision will be final.

No Information Technology or program support will be available after 4.30 pm AEST on the closing date, so please ensure that you submit your proposal early to receive support if required.

3.5 Confirmation of Submission

A confirmation email receipt for each proposal submitted by 5 February 2019 will be sent via email. If you do not receive a receipt for your submission by 12 February 2019, please contact the Department on 02 6274 8040 immediately.

Please note that lodgement of this proposal signifies confirmation/acceptance that all information provided is true and accurate.

4. ELIGIBILITY

4.1 Eligibility requirements

To be eligible under Round Four of BRP:

- Proponents must be a local government entity;
- The bridge must be a publicly accessible road bridge;
- Proponents must contribute at least 50 per cent of costs – proponents are able to combine state/territory and/or private sector funding to obtain 50 per cent funding;
- Construction must not have commenced, or be due to commence and tenders must not have been awarded. Construction means actual on ground works at the project site and/or the fabrication of major components off site. **Construction prior to Departmental advice that your project can commence will result in funding for the project being withdrawn by the Department;**
- Construction must be scheduled to start by 31 December 2019 and completed by 31 December 2022;

- An Eligibility Checklist is provided in the first part of the *Proposal Form*. You must be able to answer 'Yes' to all questions. If you consider that you are eligible, but you have responded 'No' to one of the questions you can contact us to discuss. Contact details are at Section 12 of this form.

4.2 What is eligible for funding?

- Due to the high volume of proposals received under earlier round of the Program, Round Four is limited to bridge replacement projects that seek to replace up to two existing timber bridges with new bridges; and
- The new concrete structure being either a bridge or culverts in structure.

4.3 What is ineligible for funding?

- Bridges on the National Land Transport Network (NLTN). Please visit the Department website at www.investmentinfrastructure.gov.au/whatis/network/ for more information about the NLTN;
- Projects that are wholly or principally for maintenance;
- Planning and design only projects (can be included as a small portion in a capital expenditure proposal, but not as a stand-alone project);
- Rail bridges;
- Stand-alone cycle ways, foot bridges or stock bridges;
- Inspections and structural assessments;
- Causeways; and
- New bridges where no road or water crossing currently exists (i.e. greenfield bridges).

5. ASSESSMENT CRITERIA

The Department will assess proposals against the program criteria to develop a merit list representing best value for money and make recommendations to the Minister for Infrastructure and Transport who will make decisions on funding under the *National Land Transport Act 2014*. The value for money assessment and decisions by the Minister may take account of the overall mix and funding source of projects.

Proposals that were successful under earlier Rounds were generally strategic and provided quality analysis and clear evidence about the benefits of the proposal and how they related to the program objectives of improving community access and productivity. Proponents should take this into consideration when preparing their proposals for Round Four.

Evidence must be provided as part of the response to assessment criteria or in supporting documentation. Independent evidence is highly regarded. Examples of evidence are:

- Annual average daily traffic (AADT) readings;
- Executive summary page of Quantity Surveyor costing;
- Letters from local business providing data on current and future usage, or restrictions in increasing usage;
- Geo-spatial maps of agricultural usage surrounding the bridge;
- Executive summary or selected pages of regional strategic plans referencing the route/bridge; and
- Maps showing alternative routes if bridge is not available.

The size and content of substantiating documents, and the level of evidence to support responses to the assessment criteria, should be commensurate with the size, scope and the nature of the project. It would be expected that each criterion response would be one page or less, regardless of the size of the project.

Proposals will be appraised equally against each of the following assessment criteria -

- Assessment Criterion 1 – Structural Improvements Contributing to Productivity and Access;
- Assessment Criterion 2 – Evidence of Economic and Social Benefits;
- Assessment Criterion 3 – Construction Readiness and Risk;

- Assessment Criterion 4 – State and Territory Priority.

Note: Proponents do not address Criterion 4. State and territory governments will be asked to prioritise and rank ALL eligible projects within their jurisdictions. Please note that state and territory agencies will use information provided in proposal forms to assist in prioritising projects in their jurisdiction.

6. DECISIONS

6.1 Value for Money

Value for money is achieved when the processes, actions and behaviours employed by the Australian Government and proponents result in public resources being used in an efficient, effective, economical and ethical manner. Public resources are defined in the *Public Governance, Performance and Accountability Act 2013* as 'relevant money, relevant property, or appropriations'.

The BRP seeks to promote value for money by selecting for funding those projects that:

- have met all of the eligibility requirements;
- have demonstrated the greatest relative merit in terms of the assessment criteria;
- involve a reasonable (rather than excessive) cost having regard to the quality and quantity of deliverables that are proposed; and
- have a risk profile that is acceptable to the Australian Government, with any identified risks able to be efficiently and effectively managed.

Value for money will also be considered on an ongoing basis during and after the delivery of the project. This includes by ensuring that Australian Government funding is expended and acquitted in accordance with contracted requirements and all other conditions of funding are met. Monitoring and evaluating the extent to which a funded project achieves its objectives and contributes to the outcomes of the BRP is also a consideration.

6.2 Decisions on projects to be funded

The Department may request further information to assist with the assessment or management of a proposal at any time. The Department may impose conditions on funding.

Following the closing date/time, the Department will commence eligibility checks and assessments of all proposals that have been received. If the Department requires any further information, it may contact proponents on the details provided in the proposal form. If any details change, proponents must contact the Department to update their details. Please provide a generic email address for your project if you have access to one as this can assist in any follow up enquiries or correspondence.

Upon completion of the assessment process, the Department will make recommendations for projects to be funded to the Minister. The Minister for Infrastructure and Transport will announce successful projects. A list of successful projects will also be available from the Department's BRP website at www.infrastructure.gov.au/bridges.

Successful projects and payments to councils will be managed through state and territory governments under the National Partnership Agreement on Land Transport Infrastructure Projects and the related Notes on Administration, available at <http://investment.infrastructure.gov.au/funding/projects>.

7. CONDITIONS OF FUNDING

After the project has been approved for funding by the Minister, the Department will contact proponents to confirm the status of project, confirm funding and costings and agree to milestones for payment.

Milestones and related payments will be proposed by the Department based on the size and complexity of projects and information provided in the proposal:

- Given the large number of projects, and as project reporting and payments will be managed through state governments, the Department will seek to streamline the number of milestones and payments;

- The preferred milestone payment schedule is two payments. The first payment is either 40 per cent of the total Australian Government funding to a maximum of \$400,000, with the balance payable on provision of a Post-Completion Report;
- Proponents may submit proposed milestones that better reflect project schedules and cash flow requirements, the Department will either agree or begin a negotiation process until agreement is reached;
- Payments against milestones will be made only after proponents have demonstrated the milestone has been met, principally through photographs and/or engineering sign-off;
- Projects are funded on a maximum Australian Government contribution, if the Project encounters an overrun in costs, the Australian Government contribution cannot be increased;
- Amounts approved are for the proposal project and cannot be transferred to another project; and
- The Department will include evaluation reporting within the Post-Completion Report.

8. PROBITY

The Australian Government is committed to ensuring that the process for providing funding from the BRP is transparent and in accordance with published Guidelines. The Guidelines may be varied from time-to-time by the Australian Government, as needed or to reflect its priorities. Amended Guidelines will be published on the Department's website www.infrastructure.gov.au/bridges.

For probity reasons, the Department can only provide advice of a general nature and cannot provide guidance or comments on draft proposals that could be considered as giving a proponent an advantage.

8.1 Confidential information

Information submitted by the Proponent may be provided to other organisations for the purposes of eligibility and project proposal appraisal. In addition, Proposal and Proponent details will be made publicly available on the Departmental website.

Proponents should identify any information submitted which they wish to be considered as confidential, supported by reasons for the request. The Australian Government reserves the right to accept or refuse a request to treat information as confidential.

The *Privacy Act 1988* applies to the handling of personal information about individuals obtained in the course of the delivery of the BRP.

9. COMPLETING THE PROPOSAL FORM

Please ensure you read all the questions first before commencing your responses. Character limits apply to some sections of the form; these cells are locked to prevent additional information being added.

Some sections only require a number – where we have asked for a number, this must be provided, and the form will not allow text to be added to these sections. You can cover off any additional details in your responses to the criterion.

Please note some tabs on the form require you to scroll down – please ensure that you have responded to all sections of the form prior to submission.

Proposals are assessed on the basis of the answers to questions in the *Proposal Form*, with attachments providing supporting evidence. Please do NOT respond to questions with "See Attached" or "data can be provided on request".

Google Maps, photos and other relevant material can be attached to the proposal and should be provided within the criterion, or as attachments to the submission email. Such material can be used to provide context and/or to demonstrate key points made in addressing the criteria (e.g. location of services, heavy vehicle routes/detours).

9.1 Project details

Project Name	The Project Name should be no more than 50 characters, including spaces. It should be concise and include the name of the project, the name of the road and the town.
Project Details	The only Project type allowed is replacement of a timber bridge with a concrete bridge.
Scheduled Construction Start date	Scheduled Construction Start Date MUST be before 31 December 2019.
Scheduled Construction Completion date	Scheduled Construction Completion Date MUST be before 31 December 2022.
Benefit Cost Ratio (BCR)	A BCR is optional under Round Four, However, where a BCR is available, it should be included as substantiation for your claims.

9.2 Eligibility Checklist

This table asks a number of questions to determine your eligibility to receive funding under the BRP. The form provides a drop down menu with a Yes or No response required. You must answer 'Yes' to each question to be eligible. If you consider that you should be eligible, but have answered 'No' to one or more questions, you can contact us on 02 6274 8040 or via email on bridgesrenewal@infrastructure.gov.au if you would like to discuss.

9.3 Proponent Details

These details will be used for any correspondence with proponents. Please provide contact officer details, or a generic email that can be accessed by relevant staff.

Mayor details are only required to be provided by councils (not state/territory governments). The Mayor and contact details provided will be used to forward correspondence if your project is successful in securing funding. Mayor titles are usually 'Councillor', but this title can differ from council to council.

Project Budget

Proponents are required to complete the 'Project Budget' to provide a breakdown of total costs.

If successful, the Australian Government will not:

- Provide more than 50 per cent of the final total project cost;
- Allocate savings to other projects; and
- Cover any cost increases - these will need to be met by the proponent in full.

Note the funding limits outlined at Section 3.2. Projects requesting more than the allocated funding limit may be considered ineligible.

. Please ensure you use whole figures, for example for \$17,500 do not use 17.5 as the system will round this number, use 17,500.

9.4 Criteria

Criterion 1 – Structural Improvements Contributing to Productivity and Access

The degree to which the upgraded bridge will be physically improved.

Structural improvements can be demonstrated by, but not limited to:

- Increasing load limits;

- Increasing the number of lanes, safety or capacity;
- Extending the operational life of bridge;

Claims against this criterion should be specific and measurable.

Key Data

This section seeks details about how the bridge will be altered by the project. It requests information on pre and post-construction data including:

- Bridge dimensions;
- Number of lanes;
- Load limits;
- Average Annual Daily Traffic (AADT);
- Heavy vehicle traffic; and
- Flooding – number of days per year, on average, that the bridge/road is subject to flooding.

For Load Limits, a number is required e.g. current load limit is 12 tonnes, post construction limit will be 62 tonnes. SM1600 or similar descriptors will not be accepted. 'Unlimited' load limit can be entered as 166.

Location details are to be provided in this section also. Location Latitude and Longitude must be decimal degrees and a useful link is www.gps-coordinates.net.

An example of 'other location information' could be 15 kms north of (town name) on (road/street name), or on (road/street name) between town x and town y.

Not all fields will be applicable to your project, however, information should be provided where it is available. This information will assist in the assessment process.

Criterion 2 – Evidence of Economic and Social Benefits

The economic and social benefits to the community of the project including evidence to support these claims.

Benefits could include (but not limited to):

- Increasing traffic capacity;
- Increased safety;
- Improved access;
- Shorter trips.

Evidence could include (but not limited to):

- General and heavy vehicle counts;
- Costs incurred by alternative routes;
- BCR's (where available);
- Letters of support that provides statements as to how the community, organisation or individual will benefit.

Criterion 3 – Construction Readiness and Risk

The ability of the proponents and partners of undertaking the project and the risks to the project from proceeding.

This may include:

- Past experience in delivering similar projects within the required timeframes;
- Confirmation of other funding sources;
- Community consultation undertaken by the proponent to the community; and

- Risks have been adequately considered and addressed.

Evidence could include (but not limited to):

- Planning or design work that has been undertaken, including if final designs have been completed;
- The progress of approvals and when all approvals are expected to be completed;
- Engineering assessments recently undertaken that provides a report on the current status of the bridge; and
- Project costings and how these costings were obtained.

Criterion 4 – State and Territory Priority

State and territory governments will be asked to prioritise and rank ALL eligible projects within their jurisdictions. Higher ranked projects will be assessed by the Department as meeting this criterion to a higher degree.

Please note that state and territory agencies will use information provided in proposal forms to assist in prioritising projects in their jurisdiction.

9.5 Declaration

Conflict of Interest

This is a drop down box that requires a 'yes' or 'no' answer. Please see the information below to assess what your answer should be. If it is 'yes' please provide some details in the cell provided.

A conflict of interest may exist, for example, if the proponent or any of its personnel:

- has a relationship (whether professional, commercial or personal) with a party who is able to influence the project appraisal process, such as a Department staff member;
- has a relationship with, or interest in, an organisation, which is likely to interfere with or restrict the proponent in carrying out the proposed activities fairly and independently; or
- has a relationship with, or interest in, an organisation from which they will receive personal gain as a result of the provision of funding under the BRP.

As part of their proposal, each proponent will be required to declare any existing conflicts of interest, or declare that to the best of their knowledge there is no conflict of interest that would impact on or prevent the proponent from proceeding with the project or any agreement it may enter into with the Australian Government as represented by the Department, if funding were to be approved under the BRP.

Where a proponent subsequently identifies that an actual, apparent, or potential conflict of interest exists or might arise in relation to this proposal for funding, the proponent must inform the Department in writing immediately.

Declaration

The person making this declaration must be authorised to commit the proponent to undertaking this project if this funding proposal is successful in securing funding and confirm that all information supplied within the form is true and accurate.

10. ASSESSMENT OF PROPOSALS

Following the closure date for the acceptance of proposals, each proposal will be checked for eligibility.

Once the eligibility checks are completed, each proposal will be assessed on its own merits and marked accordingly. Proposals will then undergo a Quality Assurance (QA) process to ensure that all projects have been ranked correctly according to the information received.

Projects recommended to receive funding are presented to the Minister for Infrastructure and Transport for a final decision on projects to be funded.

Following the Minister's decision, the Department will contact all proponents to inform them of the outcome of their proposals. Unsuccessful proponents will be advised by email and will be able to seek feedback from the Department. Successful proponents will receive an email with information of the process to be undertaken to secure their funding. This process is outlined below.

11. PROCESSES FOR SUCCESSFUL PROPONENTS

If your proposal is successful, you will first be contacted by the Department via email. The Minister will have signed a letter to your state minister and if you are a council, a letter will have also been sent to your mayor.

The Department will list the successful projects on the BRP webpage.

In your successful email you will receive a copy of the Mayor's letter and an Offer of Funding form for you to complete. The due date for the Offer of Funding to be returned to the Department will be approximately 60 calendar days following the Ministerial announcement, you will be advised of the exact date in your email, please ensure that your contact details are up to date. A generic email address is often best if you have access to one to cover staff absences.

11.1 Offer of Funding Form

The Offer of Funding form is a negotiation tool. You will complete it and the Department will liaise with you until an agreement is reached. The Offer of Funding form will ask you to provide confirmation of each of the following:

Project Details – you must confirm all details of the project, including advice that the project has not commenced, construction tenders have not been accepted, planning and development of the project is sufficiently advanced to ensure commencement within 12 months, any new risks identified, if the budget has been confirmed and if the matching funding has been confirmed.

Milestones – you will be asked to nominate payment milestones for your project.

- The first milestone should be evidence of construction commencement seeking 40 per cent of Australian Government funding with the remainder paid upon the provision of a Post-Completion Report.
- There is a maximum first payment on commencement of construction of \$400,000 for all projects.
- Where the Australian Government funding is \$100,000 or less there will be one milestone payment upon completion and submission of a satisfactory Post Completion Report.
- Larger projects and projects with cash flows over two years may have further milestones subject to agreement on a case-by-case basis.
- All payments will be paid to the state/territory road agency in the first instance in all cases. Councils will need to make arrangements with their road agencies for the on forwarding of those payments.

The Offer of Funding must be returned within 60 calendar days of the date of the Ministerial announcement.

When both parties agree the terms and conditions at the officer level, the next stage is for Department to approve the Instrument under the Act and produce the Project Agreement.

11.2 Project Agreement

The Department will approve the Instrument under the Act to formalise its Approval, which can take several weeks.

When approved, a copy of this document will be sent to you. It will advise you that your project may now commence and will contain the following information:

- The Formal Approval of funding;
- The agreed milestones and payment schedule;
- Reporting Requirements;
- Signage information;
- Events (Public Recognition) information; and
- Contact Details for the Australian Government and your state contact.

An example of the *Project Agreement* Form is at Attachment C, including links to reference documents.

REMEMBER – CONSTRUCTION MAY COMMENCE ONLY AFTER PROPONENTS HAVE RECEIVED THE PROJECT AGREEMENT AND IT IS IMPORTANT THAT NO CONSTRUCTION ACTIVITY, INCLUDING ACCEPTANCE OF TENDERS OR OFFSITE PRE-FABRICATION CAN OCCUR PRIOR TO THE PROJECT AGREEMENT BEING ISSUED.

Failure to do so may render your project ineligible and the Australian Government may withdraw its funding. Please be aware that this condition has been enforced on projects previously approved for funding under Rounds One to Three of the Program.

12. CONTACT DETAILS

General enquiries can be either emailed to bridgesrenewal@infrastructure.gov.au or proponents can contact the Department using the BRP info line on 02 6274 8040.

Written enquiries can be directed to:

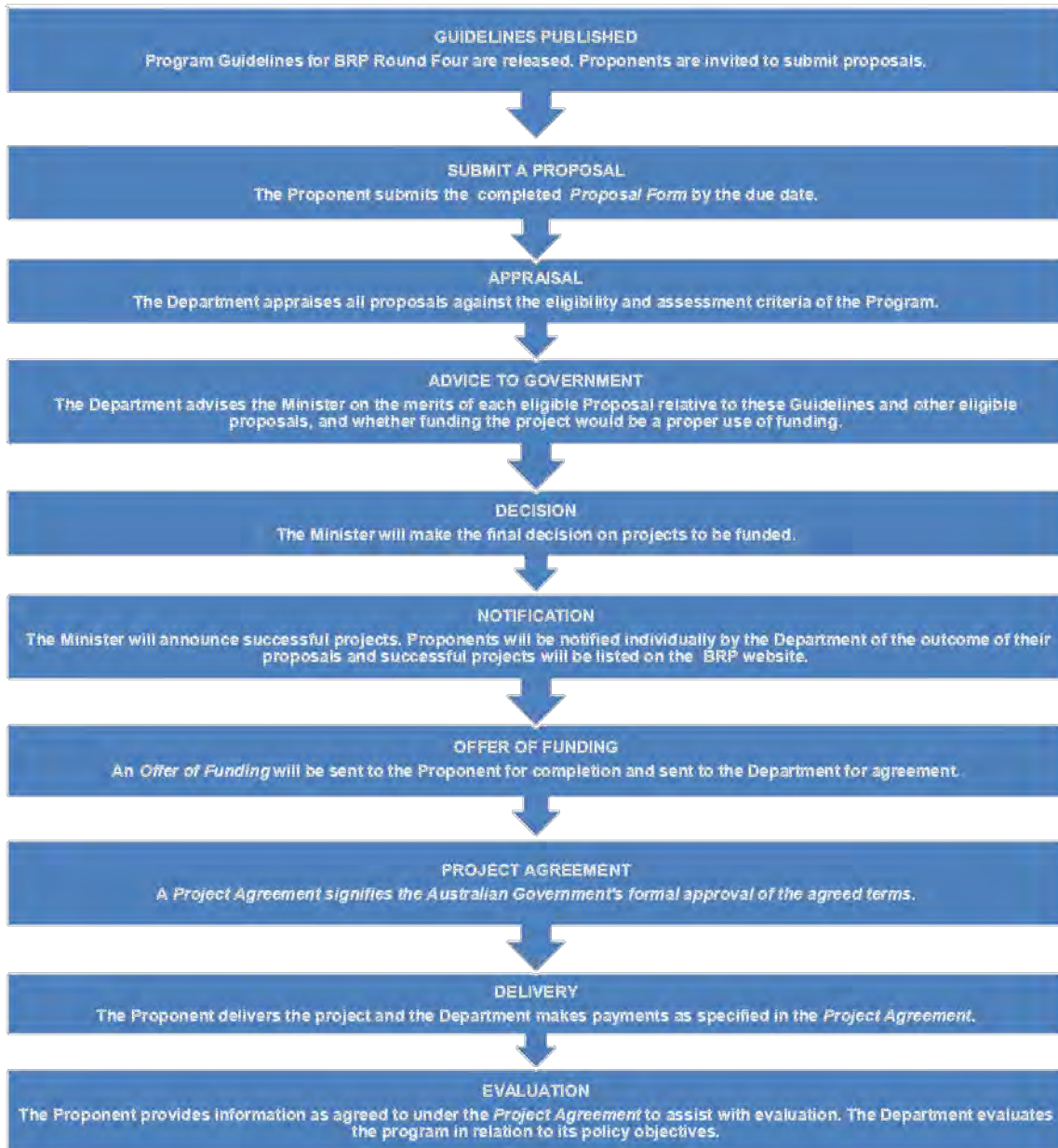
The Director
Bridges Renewal Program Round Four
Infrastructure Investment Division
Department of Infrastructure and Regional Development
GPO Box 594
CANBERRA ACT 2601

13. ATTACHMENTS

Attachment A [Process Flowchart](#)

Attachment A - Process Flowchart

Bridges Renewal Program (BRP) Process Flowchart



6.11 QUARTERLY FINANCE REPORT - END 31 DEC 18**File Number:****Author:** Fiona Rae, Finance Manager**Authoriser:** Claire Tehan, Acting Director Corporate Services**Attachments:**

1. **Income Statement**
2. **Balance Sheet**
3. **Statement of Cash Flows**
4. **Statement of Capital Works**
5. **Budget Report - Month ended 31 December 2018**
6. **Corporate Summary**
7. **Key Strategic Area Report**

RECOMMENDATION

That Council receive and note the Quarterly Financial Report for the 6 Months ended 31 December 2018.

EXECUTIVE SUMMARY

The purpose of this report is to present the quarterly budget report for the Committee's review and consideration prior to it being presented to Council in accordance with the *Local Government Act 1989*; and update the Committee on any current or emerging issues that may have an impact on Council's financial position or sustainability.

As at 31 December 2018, the Income Statement shows total operating revenue of \$31.11m and total operating expenditure of \$19.91m, which results in a year to date surplus of \$11.20m.

The Capital Works Statement shows total capital works expenditure of \$5.71m, which is \$234k below the December YTD adopted budget, with 28% of the forecast capital works program completed at 31 December 2018.

BACKGROUND

The content of this report assists the Committee to gain assurance in relation to financial management of Council's operations and to meet its responsibilities under its Charter. Section 138 of the *Local Government Act 1989* requires a statement, comparing the budgeted revenue and expenditure for the financial year with the actual revenue and expenditure to date, to be presented to Council at least every three (3) months.

Council has completed six (6) months of the 2018-19 financial year. The attached budget report has been prepared on an operating basis and includes a comparison of actual results for the six (6) month period to December 2018 to the YTD original budget adopted by Council for the following financial statements:

- Income Statement
- Balance Sheet
- Statement of Cash Flows
- Statement of Capital Works
- Corporate Summary
- Key Strategic Area Report

The forecast figures in the statements reflect the original budget adopted by Council, adjusted for income and expenditure brought forward from last year and any known permanent variances.

The Audit and Risk Committee considered the quarterly report at its meeting held on 12 February 2019. No issues or concerns were raised.

POLICY CONTENT

Local Government Act 1989

Local Government Amendment (Fair Go Rates) Act 2015

Local Government (Planning and Reporting) Regulations 2014

Strategic Resource Plan

Annual Budget

DISCUSSION

The Senior Management Team (SMT) reviewed \$1.08m of operating variances and \$1.23m of capital works variances compared to the original budget. SMT is satisfied that the surplus maintains Council's sustainable financial position, as depicted in its Strategic Resource Plan. The current forecast projects a surplus of \$5.34m for the year ending 30 June 2019 compared to the original surplus of \$3.27m. This positive movement of \$2.07m is primarily due to:

- \$1.56m capital grants and contributions forecast to be received in 2018-19, that were not received in 2017-18 due to the timing of capital projects,
- \$1.13m new capital grants forecast to be received in 2018-19, and
- \$151k additional 2018-19 Financial Assistance Grant allocation from Victorian Grants Commission.

Offset by:

- \$425k rolled forward expenditure from 2017-18, to complete funded operating projects/ programs, and
- \$114k decrease in revenue for Sago Hill gravel pit operations as gravel no longer being sold externally.

The 'Adjusted Underlying Result', which removes any non-recurrent grants used to fund capital expenditure, non-monetary asset contributions and other capital contributions to fund capital expenditure from the result, is forecast to be a deficit of \$88k, compared to a budget deficit of \$23k. This formula is prescribed within the Local Government (Planning and Reporting) Regulations 2014. This decrease of \$625k in the 'Adjusted Underlying Result' is due to:

- \$425k of rolled forward expenditure from the 2017-18 capital program to complete funded operating projects/programs,
- \$114k decrease in revenue for the Sago Hill gravel pit operations as gravel is no longer being sold externally,
- \$50k relocation of Haddon House, and
- \$355k other unfavourable operating variances.

Offset by:

- \$151k additional 2018-19 Financial Assistance Grant allocation from Victorian Grants Commission, and
- \$168k other favourable operating variances.

The decrease is not anticipated to impact on Council's financial position. \$425k is due to timing differences for projects and services funded in 2017-18. A number of YTD favourable variances relate to significant savings due to vacant staffing positions. These savings are expected to offset the remaining annual forecast operating variances of \$200k at this stage.

Total expenditure in the Statement of Capital Works is now forecast to be \$20.62m compared to the original budget of \$15.10m. This increase of \$5.52m is mainly due to projects rolled forward from

2017-18 of \$4.23m, \$1.66m of which are funded by capital grants, and new grant funded projects totalling \$1.16m.

The capital program is 28% completed compared to the forecast, with 48% of the remaining program relating to the following major projects:

- Golden Plains Community & Civic Centre \$5.00m (Tender to be awarded at February council meeting)
- Bannockburn Heart construction \$2.13m (Tender to be awarded at February council meeting)
- Bridge rehabilitation – Coopers Bridge \$1.19m (subject to a council report)
- Tall Tree Road upgrade \$1.42m (construction has commenced)

CONSULTATION

A formal consultation process was not required.

CONFLICT OF INTEREST

In accordance with Section 80B of the Local Government Act 1989, the Officer preparing this report declares no conflict of interest in regards to this matter.

CONCLUSION

The content included in this agenda and the attached documents are consistent with the Adopted Budget and Strategic Resource Plan after taking to account the movements described above. Officers will continue to monitor variances over the remainder of the year, to ensure Council's operating sustainability is maintained.

**GOLDEN PLAINS SHIRE COUNCIL
Income Statement**

For 6 Months Ended 31 December 2018

	Annual		Year To Date			
	Original Budget	Forecast	Original Budget	Actual	Variance	%
	\$	\$	\$	\$	\$	%
Operating Revenue						
Rates and Charges	22,902,946	22,902,946	22,766,582	22,752,864	(13,718)	()
Grants - Operating	10,233,707	10,835,645	3,705,191	4,236,095	530,904	14
Grants - Capital	2,759,483	5,219,241	452,342	1,620,677	1,168,335	92
Contributions and Recoupments - Monetary	1,179,408	1,102,695	617,240	725,688	108,448	17
Contributions and Recoupments - Non Monetary	1,125,000	1,125,000	-	-	-	-
Statutory Fees and Charges	584,850	604,850	291,188	365,172	73,984	22
User Fees and Charges	3,366,519	3,167,849	1,555,911	1,181,022	(374,889)	(26)
Other Income	250,000	250,000	124,998	173,655	48,657	39
Net Gain/(Loss) on Disposals	2,000	2,000	-	57,963	57,963	
Total Operating Revenue	42,405,913	45,210,426	29,513,452	31,113,136	1,599,684	158
Operating Expenditure						
Materials and Services	(12,196,508)	(12,928,855)	(6,500,204)	(7,215,755)	(715,551)	(10)
Employee Benefits	(18,178,009)	(18,183,942)	(9,089,015)	(8,556,168)	532,847	6
Depreciation	(8,079,757)	(8,079,757)	(4,039,886)	(3,865,987)	173,899	4
Finance Costs	(413,778)	(413,778)	(207,823)	(162,091)	45,732	22
Other Expenses	(265,764)	(265,764)	(13,880)	(100,280)	(86,400)	(66)
Bad Debts	(1,615)	(1,615)	(804)	(8,871)	(8,067)	(1,003)
Total Operating Expenditure	(39,135,431)	(39,873,711)	(19,851,612)	(19,909,152)	(57,540)	()
Surplus/(Deficit) from Operations	3,270,482	5,336,715	9,661,840	11,203,984	1,542,144	16

GOLDEN PLAINS SHIRE COUNCIL

Balance Sheet

as at 31 December 2018

	Original Budget 30-Jun-19 \$	Forecast 30-Jun-19	Actual 31-Dec-18 \$
CURRENT ASSETS			
Cash Assets	10,374,961	11,673,470	12,579,771
Receivables	2,832,000	2,469,018	16,700,037
Inventories - Consumables	18,000	11,291	9,224
Land Held for Re-sale	322,000	-	-
Other Current Assets	2,432,000	2,551,385	24,268
Total Current Assets	15,978,961	16,705,164	29,313,300
NON-CURRENT ASSETS			
Land	23,432,100	23,794,372	23,754,372
Land Under Roads	4,334,055	4,333,349	4,333,349
Buildings Specialised	34,898,940	26,918,632	26,434,834
Buildings Unspecialised	3,794,704	2,805,664	2,351,536
Heritage Building	969,391	969,391	997,366
Parks, Open Spaces & Streetscapes	976,079	1,222,504	1,056,203
Recreational, Leisure & Community	6,520,300	6,909,042	5,294,625
Car Park	1,060,445	1,064,658	1,025,825
Furniture & Equipment	176,266	194,907	184,946
Plant & Machinery	4,584,861	4,306,651	4,121,498
Road	330,215,246	330,259,469	328,584,768
Bridges	19,204,154	19,515,669	17,703,277
Footpath	11,794,676	11,333,098	11,583,170
Drainage	3,638,513	3,603,081	3,703,188
Information Communications Technology	396,361	363,277	240,175
Work In Progress	0	8,300,241	1,718,901
Investment in Associate	739,826	739,826	739,753
Gravel Pit Rehabilitation	77,900	190,011	209,071
Sinking Fund Investment	341,318	341,667	1,932,532
Other Non-Current Investment	-	-	-
Total Non-Current Assets	447,155,135	447,165,509	435,969,389
TOTAL ASSETS	463,134,096	463,870,673	465,282,689
CURRENT LIABILITIES			
Payables	1,717,000	1,768,862	1,684,816
Interest-Bearing Liabilities	2,635,000	2,635,000	1,022,980
Employee Benefits	3,190,000	2,868,474	2,838,827
Trust Funds	236,000	289,374	443,806
Provision for Rehabilitation of Gravel Pit	60,000	60,000	59,467
Provision for Landfill Rehabilitation	100,000	100,000	50,000
Total Current Liabilities	7,938,000	7,721,710	6,099,896
NON-CURRENT LIABILITIES			
Interest-Bearing Liabilities	10,011,000	10,011,000	6,756,455
Employee Benefits	301,000	320,437	320,437
Provision for Rehabilitation of Gravel Pit	704,000	859,798	919,798
Provision for Landfill Rehabilitation	1,614,000	1,606,503	1,606,503
Total Non-Current Liabilities	12,630,000	12,797,738	9,603,193
TOTAL LIABILITIES	20,568,000	20,519,448	15,703,089
NET ASSETS	442,566,096	443,351,225	449,579,600
EQUITY			
Accumulated Surplus	442,566,096	443,351,225	449,579,600
TOTAL EQUITY	442,566,096	443,351,225	449,579,600
RECONCILIATION:			
Total Equity - Opening Balance	439,295,614	438,014,510	438,014,510
Surplus/(Deficit) for period	3,270,482	5,336,715	11,565,090
Total Equity - Closing Balance	442,566,096	443,351,225	449,579,600

GOLDEN PLAINS SHIRE COUNCIL
STATEMENT OF CASH FLOWS
 For 6 Months Ended 31 December 2018

	Original Budget 2018-19 \$	Forecast 2018-19 \$	Actual 31-Dec-18 \$	Actual/ Budget 31-Dec-18 50%
CASH FLOWS FROM OPERATING ACTIVITIES				
<i>(Inclusive of GST where applicable)</i>				
Receipts from Ratepayers	22,706,000	22,968,850	8,163,757	36
Grants	13,855,513	15,945,620	6,271,447	45
Interest Received	221,492	273,785	137,742	62
User Fees	3,901,843	3,783,343	1,039,821	27
Contributions and Recoupments	813,997	1,365,661	1,021,919	126
Payments to Employees	(18,159,826)	(18,201,641)	(9,358,746)	52
Payments to Suppliers	(13,623,184)	(15,954,128)	(8,797,592)	65
Net GST Refunded	953,658	626,776	705,047	74
Net Cash Inflow from Operating Activities	10,669,494	10,808,268	(816,605)	(8)
CASH FLOWS FROM INVESTING ACTIVITIES				
<i>(Net of GST)</i>				
Payment for Land & Buildings	(6,071,000)	(6,967,823)	(563,412)	9
Payment for Infrastructure Assets	(6,170,000)	(7,377,504)	(2,573,858)	42
Payment for Plant & Machinery	(1,673,000)	(2,077,678)	(491,983)	29
Payment for Furniture & Equipment	(282,000)	(339,033)	(49,801)	18
Payment for Other Structures	(900,000)	(3,854,188)	(179,307)	20
Proceeds from Sale of Land	-	-	-	-
Proceeds from Sale of Assets	586,000	586,000	119,904	20
Net Cash Outflow from Investing Activities	(14,510,000)	(20,030,226)	(3,738,457)	26
CASH FLOWS FROM FINANCING ACTIVITIES				
Interest Paid	(414,000)	(414,000)	(162,091)	39
Repayment of Borrowings	(260,000)	(260,000)	(127,847)	49
Proceeds from Loan	5,000,000	5,000,000	-	-
LGFV Sinking Fund	(785,000)	(785,000)	-	-
Non Current Investment	50,000	50,000	-	-
Trust Funds	34,000	34,000	154,342	454
Net Cash Inflow from Financing Activities	3,625,000	3,625,000	(135,596)	(4)
Net Increase/(Decrease) in Cash Held	(215,506)	(5,596,958)	(4,690,658)	2,177
Cash at start of year	10,590,468	17,270,428	17,270,428	163
Cash at end of year	10,374,961	11,673,470	12,579,770	121

GOLDEN PLAINS SHIRE COUNCIL STATEMENT OF CAPITAL WORKS

For 6 Months Ended 31 December 2018

	Annual Budget		Year to Date		
	Original Budget \$'000	Forecast \$'000	Original Budget \$'000	Actual \$'000	Variance \$'000
Property					
Land	-	40	-	-	-
Land improvements	-	-	-	-	-
Total land	-	40	-	-	-
Buildings - specialised	5,631	6,231	191	461	270
Buildings - unspecialised	365	422	275	136	139
Heritage buildings	-	-	-	-	-
Building improvements	-	-	-	-	-
Leasehold improvements	-	-	-	-	-
Total buildings	5,996	6,653	466	597	131
Total property	5,996	6,693	466	597	131
Plant and equipment					
Heritage plant and equipment	-	-	-	-	-
Plant, machinery and equipment	1,674	2,078	1,297	1,519	222
Fixtures, fittings and furniture	-	58	-	7	7
Computers and telecommunications	282	282	81	49	(32)
Library books	-	-	-	-	-
Total plant and equipment	1,956	2,418	1,378	1,575	197
Infrastructure					
Roads	4,132	4,695	2,853	2,412	(441)
Bridges	1,750	2,357	875	275	(600)
Footpaths and cycleways	288	288	148	200	52
Drainage	-	-	-	-	-
Recreational, leisure and community facilities	720	3,834	60	530	470
Waste management	-	-	-	-	-
Parks, open space and streetscapes	205	281	111	118	7
Off street car parks	50	50	50	-	(50)
Other infrastructure	-	-	-	-	-
Total infrastructure	7,145		4,097	3,535	(562)
Total capital works expenditure	15,097	#VALUE!	5,941	5,707	(234)
Represented by:					
New asset expenditure	1,227	4,453	921	889	(32)
Asset renewal expenditure	5,855	6,819	3,102	3,596	494
Asset upgrade expenditure	2,950	3,919	1,853	858	(995)
Asset expansion expenditure	5,065	5,425	65	364	299
Total capital works expenditure	15,097	20,616	5,941	5,707	(234)



BUDGET REPORT

**6 Months Ended
31 December 2018**

INCOME STATEMENT For 6 Months Ended 31 December 2018

The Income Statement shows total operating revenue of \$31.11m and total operating expenditure of \$19.91m which results in a year to date surplus of \$11.20m. This is \$1.54m favourable compared to the December Year to Date (YTD) adopted budget. The variances are explained in this report.

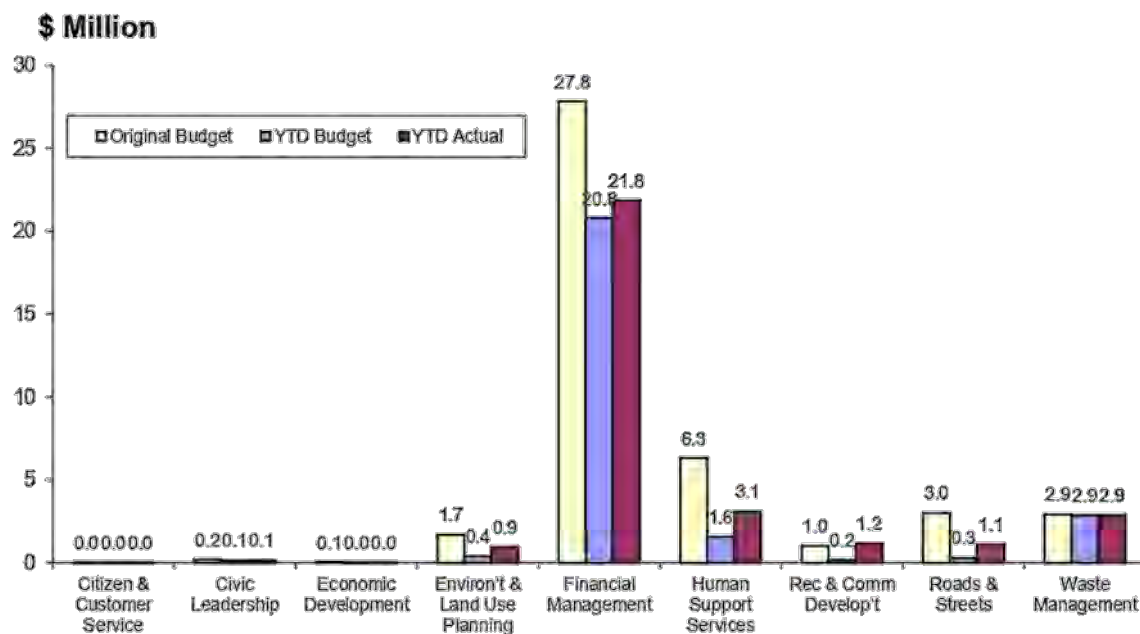
The forecast figures reported in this report reflect the original budget adopted by Council, adjusted for roll forwards from 2017-18 and budget reallocations.

Roll Forwards – These are committed expenditure items that for one reason or another have not been completed in the year they were budgeted, but must be delivered in the subsequent year/s. These most often relate to funded projects.

Budget Reallocations – This is where expenditure allocated to a particular project/program is reallocated to another project to ensure overall costs meet the adopted budget.

The following charts provide a graphical summary of the YTD revenue and expenditure, by program, compared to the original budget adopted by Council.

REVENUE SUMMARY



The above graph shows the original budget, the YTD budget and the YTD actual revenue. All areas of revenue are expected to achieve the original budget unless stated below. The following comments provide explanation on variances to budget.

Environment & Land Use Planning

- YTD actual revenue is above budget by \$223k mainly due to:
 - an increase in forecast annual revenue of \$60k for funding received and explained below,
 - an increase in public open space contributions of \$55k and developer contributions of \$35k,
 - an increase in YTD animal infringements issued of \$48k, and

- grant funding received for the roadside weed control program of \$42k.
- an increase in building permit lodgement fees of \$25k.
- Total annual revenue is forecast to be \$90k favourable to budget mainly due to unbudgeted funding received for Bannockburn South West Precinct of \$60k and the New Invaders Project of \$10k.

Financial Management

- Total annual revenue is forecast to be \$181k favourable to budget due to unbudgeted revenue for:
 - Federal Assistance Grants (FAG's) is forecast to be \$151k above budget due to additional 2018-19 funding for:
 - 2018-19 FAG's General Purpose Grant \$102k greater than budget,
 - 2017-18 Natural Disaster Recovery funding \$35k, and
 - 2017-18 FAG's General Purpose Grant adjustment \$14k.
 - Sale of land for rate recovery of \$30k.

Human Support Services

- YTD actual revenue is below budget by \$29k mainly due to:
 - a decrease in Bannockburn Children's Services Centre (BCSC) childcare fees of \$254k, partially offset by reduced employee costs of \$113k and staff salaries of \$60k. The performance of the BCSC was highlighted to Council in May 2018 and has continued to not achieve budget in the first two quarters of 2018-19. The BCSC budget forecasts are currently being reviewed by management, and
 - offset by an increase in Commonwealth Home Support Program grant funding received earlier than anticipated of \$209k.

Recreation and Community Development

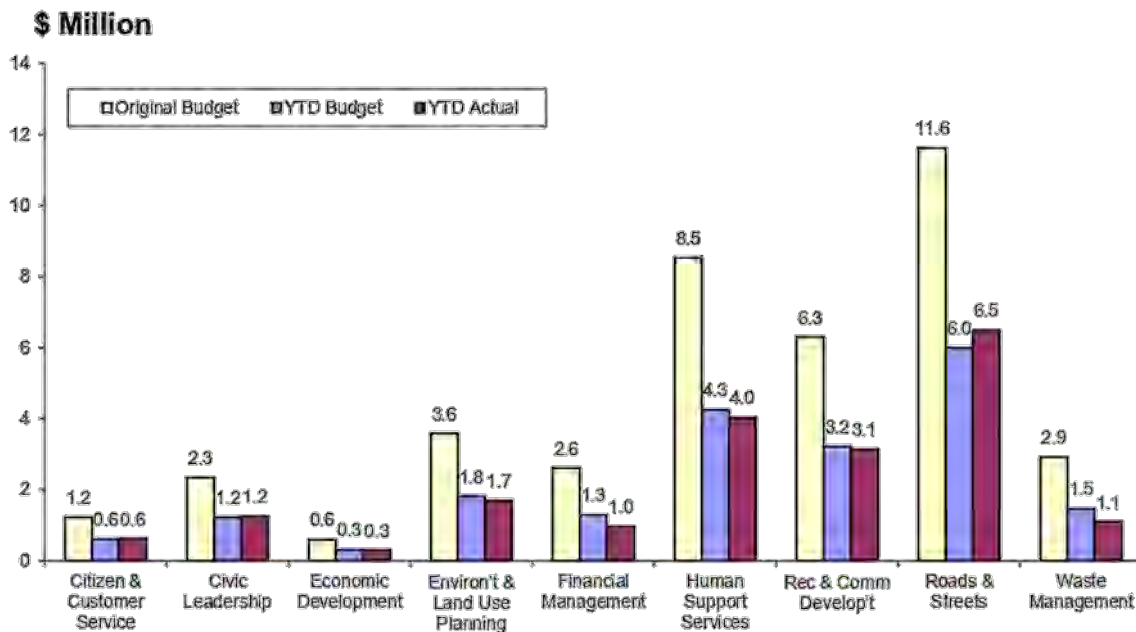
- YTD actual revenue is above budget by \$669k mainly due to:
 - an increase in funding received for:
 - World Game funding for Bannockburn soccer pitch \$250k,
 - Linton oval lighting upgrade 229k, and
 - Inverleigh netball courts upgrade funding received in advance and anticipated to be carried forward to 2019-20 \$225k.
 - an increase in grant funding received earlier than anticipated, including:
 - DHS health promotion \$33k,
 - Access & Inclusion projects \$25k, and
 - offset by a decrease in grant funding not yet received for:
 - Smythesdale Regional Skate Park Upgrade \$80k.
- Total annual revenue is forecast to be \$1.81m favourable to budget primarily due to:
 - anticipated funding relating to projects awaiting completion from 2017-18, including:
 - Bannockburn Heart \$1.30m, and
 - World Game funding for Bannockburn soccer pitch \$250k,
 - an increase in grant funding relating to new projects, including:
 - Linton oval lighting upgrade \$229k.

Roads and Streets Infrastructure

- YTD actual revenue is above budget by \$528k mainly due to:
 - an increase in YTD actual Roads to Recovery grant funding received early \$292k,
 - an increase in forecast annual revenue for funding received and explained below, relating to:
 - Teesdale-Lethbridge Road upgrade \$200k,
 - an increase in grant funding relating to new projects, including:
 - Gumley Road construction \$60k, and
 - offset by a decrease in YTD gravel sales no longer sold externally \$97k.

- Total annual revenue is forecast to be \$628k favourable to budget due to:
 - an increase in grant funding relating to new projects, including:
 - Teesdale-Lethbridge Road upgrade \$499k, and
 - Wall Bridge renewal funding anticipated \$303k,
 - offset by gravel sales no longer sold externally \$175k, and

EXPENDITURE SUMMARY



The above graph shows the original budget, the YTD budget and the YTD actual expenditure. All areas of expenditure are expected to be within the original budget unless stated below. The following provides further comment on the timing of some expenditure items and explanation on variances to budget.

Citizen & Customer Service

- Total annual expenditure is forecast to be \$41k unfavourable to budget primarily due to:
 - funding allocated to the review the 2017-2021 Council Plan and Municipal Public Health and Wellbeing Plan, planning for the next Council Plan and the development of a vision with the community of \$40k.

Civic Leadership

- Total annual expenditure is forecast to be \$71k unfavourable to budget primarily due to:
 - relief staff for vacant positions \$51k.

Environment & Land Use Planning

- YTD actual expenditure is below budget by \$108k mainly due to:
 - vacant positions in land use planning and building control \$143k,
 - a decrease in written down value for plant yet to be replaced \$47k,
 - offset by an increase in building compliance contractors \$26k,
 - offset by an increase in community protection salaries \$28k, and
 - offset by implementation of the Bannockburn Parking and Traffic Management Strategy rolled forward from 2017-18 \$60k.
- Total annual expenditure is forecast to be \$212k unfavourable to budget primarily due to:

- implementation of the Bannockburn South West Precinct project \$70k,
- completion of the Bannockburn Parking and Traffic Management Strategy rolled forward from 2017-18 \$65k, and
- implementation of the Environmental Strategy rolled forward from 2017-18 \$22k.

Financial Management

- YTD actual expenditure is below budget by \$337k mainly due to:
 - a decrease in written down value of plant relating to fleet vehicles yet to be replaced \$137k,
 - vacant positions in property and rating, procurement and financial management \$119k,
 - a decrease in debt servicing costs \$46k,
 - offset by an increase in contractors/relief staff \$34k.

Human Support Services

- YTD actual expenditure is below budget by \$227k mainly due to:
 - a decrease in Bannockburn Children's Services Centre (BCSC) employee costs of \$113k and staff salaries of \$60k, offset by decreased childcare fees \$254k. The performance of the BCSC was highlighted to Council in May 2018 and has continued to not achieve budget in the first two quarters of 2018-19. The BCSC budget forecasts are currently being reviewed by management, and
 - a decrease in Commonwealth Home Support Program employee costs \$69k.

Recreation and Community Development

- YTD actual expenditure is below budget by \$85k mainly due to:
 - a decrease in depreciation expense \$116k,
 - vacant positions in health promotion \$53k,
 - a decrease in reserves and stadiums maintenance \$43k,
 - offset by payment of the second quarter Geelong Regional Library Corporation contribution in advance \$101k,
 - offset by implementation of:
 - the VicHealth Bright Futures project rolled forward from 2017-18 \$36k, and
 - the Play Space Facilities Strategy rolled forward from 2017-18 \$30k
- Total annual expenditure is forecast to be \$334k favourable to budget primarily due to:
 - anticipated completion of grant funded projects rolled forward from 2017-18 for completion, including:
 - Social infrastructure and services planning \$67k,
 - VicHealth Bright Futures project \$48k,
 - Play Space Facilities Strategy \$38k,
 - Access and inclusion projects \$35k,
 - Ballarat and District Nursing Healthcare Contract \$22k, and
 - Barwon Health Contract \$18k,
 - Haddon House relocation expenses prior to commencement of the Golden Plains Community & Civic Precinct construction works \$50k.

Roads and Streets Infrastructure

- YTD actual expenditure is above budget by \$502k primarily due to:
 - an increase in:
 - drainage maintenance – rural \$262k,
 - gravel roads routine maintenance \$195k,
 - sealed road routine maintenance \$192k,
 - roadside slashing maintenance 116k,
 - routine bridge maintenance \$80k, and
 - asset management relief employees \$73k,
 - offset by:
 - a decrease in major patching \$116k,
 - a decrease in tree clearing \$77k,
 - a decrease in roadside verge clearing \$36k,
 - a decrease in sign and guidepost maintenance \$35k,

- a decrease in new street lights \$35k,
 - a decrease in Sago Gravel Pit procurement costs \$30k,
 - a decrease in linemarking maintenance \$30k, and
 - asset management position vacancies \$30k.
- Total annual expenditure is forecast to be \$61k favourable to budget primarily mainly due to:
 - a decrease in gravel procurement costs due to gravel no longer sold externally \$61k.

Waste Management

- YTD actual expenditure is below budget by \$363k primarily due to:
 - delayed payment for recycling disposal cost \$156k,
 - decreased garbage collection disposal costs \$98k,
 - decreased recycling and garbage collection \$42k, and
 - decreased Rokewood landfill rehabilitation works \$33k.
- Total annual expenditure is forecast to be \$80k unfavourable to budget primarily due to:
 - an increase in the Waste Management Strategy costs \$80k.

Adjusted Underlying Result

The adjusted underlying result is forecast to reduce by \$625k to a deficit of \$648k. \$425k is due to timing differences for projects and services funded in 2017-18 and anticipated to be delivered in 2018-19 and \$200k of forecast variances. These forecast variances include:

- additional 2018-19 Financial Assistance Grant allocation from Victorian Grants Commission \$151k,
 - other favourable operating variances \$168k,
- Offset by:
- a decrease in net revenue for Sago Hill gravel pit operations due to gravel no longer sold externally \$114k,
 - relocation of Haddon House prior to commencement of the Golden Plains Community & Civic Precinct construction works \$50k, and
 - other unfavourable operating variances \$355k.

	Budget 2018-19 \$'000	Forecast 2018-19 \$'000	Variance 0
Total Comprehensive Result	3,270	5,337	2,067
Non-recurrent grants used to fund capital expenditure	(2,168)	(4,860)	(2,692)
Non-monetary asset contributions	(1,125)	(1,125)	-
Other contributions to fund capital expenditure	-	-	-
Adjusted Underlying Deficit	(23)	(648)	(625)

In summary, the revenue and expense variances are not anticipated to impact on Council's financial position. \$425k of the above variances relate to timing differences and have been fully funded in 2017-18. These timing differences include projects/programs budgeted in 2017-18 that are now forecast to be delivered in 2018-19, and funds allocated in 2017-18.

A number of YTD favourable variances identified in this report relate to significant savings due to vacant staffing positions. These savings are expected to offset the remaining annual forecast operating variances of \$200k at this stage.

**BALANCE SHEET
As at 31 December 2018**

The tables and notes below provide further detail on certain items in the Balance Sheet

Receivables

	Annual Budget			As at 31 Dec \$'000
	Original \$'000	Forecast \$'000	Movem'nt \$'000	
Rates and Garbage Debtors	1,683	1,404	(279)	16,959
Other Debtors	1,149	1,065	(84)	597
Total Receivables	2,832	2,469	363	17,556

As mentioned previously, rate notices are issued at the beginning of the financial year. Therefore, the receivable balance will reduce significantly as the 3rd and 4th rate instalment date passes (end of February and May) and for those paying 'in full', the payment date of 15 February 2019.

Other receivables primarily consist of items such as grants, pension rebates and fees and charges.

The following provides a summary of Council's Other Debtors that have been outstanding for more than 90 days.

Debtor > 90 Days	\$'000
Home/Personal Care Fees – 29 Clients	3
Fire Hazard Notices – 21 Properties	14
Other	90
Total	107

Home and Personal Care clients are reviewed regularly for their ability to pay, and services or rates are amended accordingly. Many clients are on payment plans and several have been delayed due to the fact they are to be settled as part of a TAC claim.

Outstanding monies relating to fire hazard notices accumulate interest and are generally attached as a charge against the property.

\$86k of 'Other' debtors relates to a number of payments owing from the State Revenue Office.

Land Held for Resale

	Annual Budget			As at 31 Dec \$'000
	Original \$'000	Forecast \$'000	Movem'nt \$'000	
Bakers Lane – Stage 4	322	0	(322)	0
Total Land Held for Resale	322	0	(322)-	0

Bakers Lane is undeveloped land that was estimated to be developed and sold when the original budget was prepared. Land is classified as held for resale only when the sale of land is highly probable and expected to be sold within 12 months. This land was reclassified as a non-current asset at 30 June 2018 as this condition had not been met.

Borrowings

	Start Year	End Year	Annual Budget			As at 31
			Original \$'000	Forecast \$'000	Movem't \$'000	Dec \$'000
B'Burn Rec Precinct – Land [^]	2009	2034	2,479	2,479	-	2,479
B'Burn Rec Precinct – Infrast.	2010	2020	201	201	-	294
B'Burn Cultural Centre	2010	2020	48	48	-	59
Parkers Road Bridge R'ment	2011	2021	158	158	-	186
LASF DB Plan Contribution [^]	2013	2023	1,560	1,560	-	1,560
Haddon Rec Reserve Upgrade [^]	2013	2023	134	134	-	134
GP Food Production Precinct [^]	2014	2024	1,230	1,230	-	1,230
Somerset Estate and The Well [^]	2014	2024	797	797	-	797
B'burn Civic Heart [^]	2016	2025	150	150	-	150
Smythesdale Sports Oval [^]	2017	2027	150	150	-	150
Woody Yaloak Eques upgrade [^]	2017	2027	90	90	-	90
BCSC Redevelopment [^]	2018	2028	500	500	-	500
Maude Rec Pavilion [^]	2018	2028	150	150	-	150
GPS community & Civic Centre[^]	2019	2029	5,000	5,000	-	-
Total Borrowings			12,646	12,646	-	7,779

[^] These loans are to be financed utilising the Local Government Funding Vehicle (LGFV) - \$12.24m.

Net Assets

	Annual Budget			As at 31
	Original \$'000	Forecast \$'000	Movem't \$'000	Dec \$'000
Total Assets	463,134	463,871	737	465,283
Total Liabilities	20,568	20,519	49	15,703
Net Assets	442,566	443,351	688	449,580

The Net Assets balance at 30 June 2019 is forecast to be \$688k above the original budget.

**STATEMENT OF CASH FLOWS
For 6 Months Ended 31 December 2018**

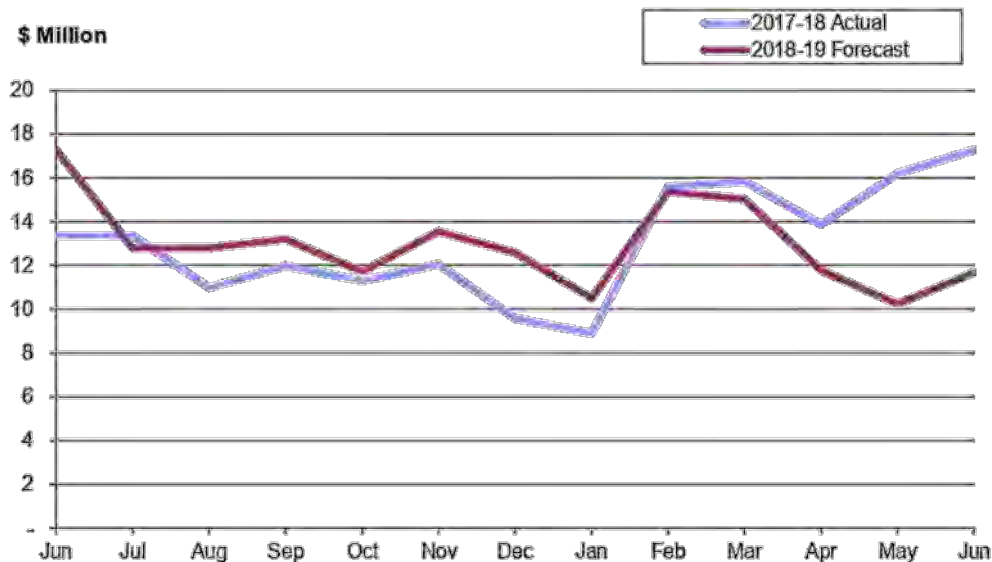
As shown in the following table, the forecast cash balance at 30 June 2019 of \$11.31m, compared to the original budget, is forecast to be \$1.30m favourable. This is primarily due to the timing of payments to suppliers and receipt of grant revenue in relation to rolled forward projects from 2017-18 to 2018-19. These amounts are offset by the increased opening cash balance and the forecast increase in 'Grant' revenue.

	Annual Budget			Year to Date
	Original \$'000	Forecast \$'000	Movem't \$'000	Actual \$'000
Opening Cash	10,590	17,270	6,680	17,270
Cash Receipts	48,073	50,634	2,561	17,614
Cash Payments	(48,288)	(56,231)	(7,943)	(22,304)
Increase/(Decrease) in Cash	(215)	(5,597)	(5,382)	(4,690)
Closing Cash	10,375	11,673	1,298	12,580

Projected Cash Flow

The following graph demonstrates how Council’s cash balance fluctuates during the year. It shows the cash balance steadily reducing to January, before increasing significantly when the bulk of rate payments are received. The projected balance of \$11.67m does not include an assumption that 2019-20 FAG’s funding will be received in advance in 2018-19.

The projected cash flow is used to assist management in making informed investment and financing decisions.



Cash and Investments

The following is a summary of where Council’s operating funds were being held at 31 December 2018. All funds are invested in accordance with Standard Operating Procedure 3014 – Investment of Cash Reserves.

Maturity Date	Financial Institution (Current Interest Rate)	As at 31 Dec \$'000
At Call	Bendigo Bank – Operating (1.00%)	917
At Call	Commonwealth Bank (1.00%)	1,204
At Call	Commonwealth Bank CDA (1.40%)	1,310
At Call	Commonwealth Bank Emergency (1.00%)	4
7 Jan 19	Bank of Melbourne (2.45%)	1,033
11 Feb 19	ME Bank (2.65%)	2,548
9 Jan 19	National Australia Bank (2.60%)	1,000
26 Feb 19	National Australia Bank (2.63%)	1,500
17 Apr 19	National Australia Bank (2.65%)	1,529
14 Jun 19	Bendigo & Adelaide Bank (2.70%)*	1,535
Total		12,580

* These investments predominately relate to Council’s employee provision obligations.

Council also has the following long term investments totalling \$1.93m. These investments relate to Council's sinking fund it has established to meet its commitment in relation to the repayment of the Local Government Funding Vehicle (LGFV) in November 2019.

Maturity Date	Financial Institution (Current Interest Rate)	As at 31 Dec \$'000
8 Oct 19	P&N Bank (3.00%)	849
7 Oct 19	Bendigo & Adelaide Bank (2.80%)	528
10 Oct 19	AMP Bank (2.80%)	556
Total		1,933

The forecast cash balance of \$11.67m is favourable compared to the original budget and will be sufficient to fund Council's budgeted commitments through to 30 June 2019. It will also be sufficient to meet Council's retained earning commitments, such as employee entitlements, funds held in trust and to deliver projects from the prior year.

**STATEMENT OF CAPITAL WORKS
For 6 Months Ended 31 December 2018**

	Annual Budget		Year to Date		
	Original	Forecast	Original Budget	Actual	Variance
	\$'000	\$'000	\$'000	\$'000	\$'000
Property	5,996	6,693	466	597	131
Plant and Equipment	1,956	2,418	1,378	1,575	197
Infrastructure	7,145	11,505	4,097	3,535	(562)
Total	15,097	20,616	5,941	5,707	(234)

The \$5.52 forecast increase in the capital works program is mainly due to:

- projects rolled forward from 2017-18 of \$4.23m,
- an increase in grant funded projects for:
 - Teesdale-Lethbridge Road upgrade \$499k,
 - Wall Bridge renewal \$303k,
 - Linton oval lighting upgrade \$255k, and
 - E-waste Shed Rokewood Transfer Station \$99k.

The following provides comment on the timing of capital works projects.

Property

- YTD actual expenditure is above budget by \$131k mainly due to:
 - an increase in the Golden Plains Community & Civic Centre \$342k, and
 - offset by a decrease in underground power upgrade for the Bannockburn Heart project \$225k.

Plant and Equipment

- YTD actual expenditure is above budget by \$197k mainly due to:
 - replacement of heavy plant rolled forward from 2017-18 of \$421k, and
 - offset by a decrease in replacement of other plant and machinery \$200k.

Infrastructure

- YTD actual expenditure is below budget by \$562k mainly due to:
 - a decrease in the Tall Tree Road upgrade \$1.19m,
 - a decrease in Bridge rehabilitation at Coopers Bridge \$645k,
 - a decrease in Somerset Estate Road infrastructure \$299k,
 - a decrease in local road improvements \$129k,
- Offset by:
 - an increase in local roads resealing \$625k,
 - an increase in local roads improvements (Roads to Recovery) \$317k,
 - an increase in Smythesdale Skate Park upgrade \$216k,
 - an increase in Thompsons Road, Maude upgrade \$118k,
 - an increase in local roads gravel resheeting \$110k,
 - an increase in the Batesford Playground rolled forward from 2017-18 \$95k,
 - an increase in the Bannockburn Vic Park Court upgrade rolled forward from 2017-18 \$92k,
and
 - an increase in the Bannockburn Heart project rolled forward from 2017-18 \$89k.

GOLDEN PLAINS SHIRE COUNCIL
Monthly Budget Report: 6 Months to 31 December 2018
Corporate Summary

GL Account	Annual		Year To Date			%
	Original Budget	Forecast	Original Budget	Actual	Variance	
	\$	\$	\$	\$	\$	
00 CITIZEN & CUSTOMER SERVICE						
Expenditure	(1,223,099)	(1,264,349)	(606,963)	(628,920)	(21,957)	(4)
Income	15,394	15,394	7,698	7,084	(614)	(8)
00 CITIZEN & CUSTOMER SERVICE Total	(1,207,705)	(1,248,955)	(599,265)	(621,836)	(22,571)	(4)
01 CIVIC LEADERSHIP						
Expenditure	(2,342,713)	(2,414,166)	(1,224,786)	(1,247,316)	(22,530)	(2)
Income	177,285	177,285	148,640	146,773	(1,867)	(1)
01 CIVIC LEADERSHIP Total	(2,165,428)	(2,236,881)	(1,076,146)	(1,100,543)	(24,397)	(2)
02 ECONOMIC DEVELOPMENT						
Expenditure	(593,500)	(603,500)	(311,058)	(299,246)	11,812	4
Income	50,316	50,316	27,658	24,312	(3,346)	(12)
02 ECONOMIC DEVELOPMENT Total	(543,184)	(553,184)	(283,400)	(274,934)	8,466	3
03 ENVIRONMENT & LAND USE PLAN						
Expenditure	(3,585,719)	(3,797,641)	(1,811,430)	(1,702,981)	108,449	6
Income	1,690,038	1,780,038	724,766	947,664	222,898	31
03 ENVIRONMENT & LAND USE PLAN Total	(1,895,681)	(2,017,603)	(1,086,664)	(755,317)	331,347	30
04 FINANCIAL MANAGEMENT						
Expenditure	(2,613,364)	(2,636,189)	(1,296,158)	(959,367)	336,791	26
Income	27,015,383	27,996,593	21,060,138	21,833,079	(27,059)	(0)
04 FINANCIAL MANAGEMENT Total	25,202,019	25,360,404	20,563,980	20,873,712	309,732	2
05 HUMAN SUPPORT SERVICES						
Expenditure	(8,526,802)	(8,554,171)	(4,250,676)	(4,023,483)	227,193	5
Income	6,310,708	6,310,708	3,116,183	3,086,909	(29,274)	(1)
05 HUMAN SUPPORT SERVICES Total	(2,216,094)	(2,243,463)	(1,134,493)	(936,574)	197,919	17
06 REC & COMMUNITY DEVELOPMENT						
Expenditure	(6,296,297)	(6,630,128)	(3,222,909)	(3,138,002)	84,907	3
Income	1,019,733	2,026,020	489,351	1,158,263	668,912	137
06 REC & COMMUNITY DEVELOPMENT Total	(5,276,564)	(3,804,108)	(2,733,558)	(1,979,739)	753,819	28
07 ROADS & STREETS INFRASTRUCTURE						
Expenditure	(11,621,202)	(11,560,702)	(5,994,288)	(6,496,215)	(501,947)	(8)
Income	2,993,517	3,621,483	575,248	1,103,545	528,297	92
07 ROADS & STREETS INFRASTRUCTURE Total	(8,627,685)	(7,939,219)	(5,419,020)	(5,392,670)	26,350	0
08 WASTE MANAGEMENT						
Expenditure	(2,916,705)	(2,996,835)	(1,458,357)	(1,094,989)	363,368	25
Income	2,917,509	3,016,559	2,088,759	2,877,296	(11,463)	(0)
08 WASTE MANAGEMENT Total	804	19,724	1,430,402	1,782,307	351,905	25
10 CLEARING						
Expenditure	(4,452,000)	(4,452,000)	(2,225,999)	(2,579,701)	(353,703)	(16)
Income	4,452,000	4,452,000	2,226,002	2,189,279	(36,723)	(2)
10 CLEARING Total	0	0	4	(390,422)	(390,426)	0
Total	3,270,482	5,336,715	9,661,840	11,203,994	1,542,144	16

GOLDEN PLAINS SHIRE COUNCIL
Monthly Budget Report: 6 Months to 31 December 2018
Key Strategic Area Report

GL Account	Annual		Year To Date			
	Original Budget	Forecast	Original Budget	Actual	Variance	
	\$	\$		\$	\$	%
00 CITIZEN & CUSTOMER SERVICE						
100 COMMUNICATIONS & MARKETING						
Expenditure	(750,552)	(791,802)	(379,943)	(380,476)	(533)	(0)
Income	8,649	8,649	4,326	3,794	(532)	(12)
100 COMMUNICATIONS & MARKETING Total	(741,903)	(783,153)	(375,617)	(376,682)	(1,065)	(0)
101 CUSTOMER SERVICE CENTRES						
Expenditure	(472,547)	(472,547)	(227,020)	(243,444)	(21,424)	(9)
Income	6,745	6,745	3,372	3,289	(83)	(2)
101 CUSTOMER SERVICE CENTRES Total	(465,802)	(465,802)	(223,648)	(245,154)	(21,506)	(10)
00 CITIZEN & CUSTOMER SERVICE Total	(1,207,705)	(1,248,955)	(599,265)	(621,836)	(22,571)	(4)
01 CIVIC LEADERSHIP						
110 GOVERNANCE						
Expenditure	(753,451)	(753,451)	(428,403)	(461,188)	(32,785)	(8)
Income	8,845	8,845	4,422	3,902	(520)	(12)
110 GOVERNANCE Total	(744,606)	(744,606)	(423,981)	(457,286)	(33,305)	(8)
111 ELECTIONS						
Expenditure	(18,075)	(18,075)	(8,540)	(33,000)	(24,460)	(286)
Income	851	851	426	1,684	1,258	295
111 ELECTIONS Total	(17,224)	(17,224)	(8,114)	(31,315)	(23,201)	(286)
112 MEETINGS						
Expenditure	(84,517)	(87,289)	(42,263)	(36,884)	5,379	13
Income	13	13	6	0	(6)	96
112 MEETINGS Total	(84,504)	(87,276)	(42,257)	(36,884)	5,373	13
113 CORPORATE PLANNING						
Expenditure	(865,230)	(924,323)	(432,615)	(440,722)	(8,107)	(2)
Income	37,045	37,045	18,522	16,525	(1,997)	(11)
113 CORPORATE PLANNING Total	(828,185)	(887,278)	(414,093)	(424,197)	(10,104)	(2)
114 EMERGENCY MGT PLAN & SES						
Expenditure	(312,573)	(306,861)	(159,030)	(121,740)	37,290	23
Income	125,874	125,874	122,936	122,601	(335)	(0)
114 EMERGENCY MGT PLAN & SES Total	(186,699)	(180,987)	(36,094)	861	36,955	(102)
115 RISK MANAGEMENT AND O H & S						
Expenditure	(308,867)	(324,367)	(153,935)	(153,782)	153	0
Income	4,657	4,657	2,328	2,060	(268)	(12)
115 RISK MANAGEMENT AND O H & S Total	(304,210)	(319,710)	(151,607)	(151,722)	(115)	(0)
01 CIVIC LEADERSHIP Total	(2,165,428)	(2,236,881)	(1,076,146)	(1,100,543)	(24,397)	(2)

GOLDEN PLAINS SHIRE COUNCIL
Monthly Budget Report: 6 Months to 31 December 2018
Key Strategic Area Report

GL Account	Annual		Year To Date		
	Original Budget	Forecast	Original Budget	Actual	Variance
02 ECONOMIC DEVELOPMENT					
200 ECONOMIC DEVELOPMENT					
Expenditure	(520,541)	(530,541)	(274,570)	(262,607)	11,963
Income	15,307	15,307	7,652	23,718	16,064
200 ECONOMIC DEVELOPMENT Total	(505,234)	(515,234)	(266,918)	(238,891)	28,027
204 FARMERS MARKET					
Expenditure	(72,959)	(72,959)	(36,488)	(36,640)	(152)
Income	35,009	35,009	20,006	596	(19,410)
204 FARMERS MARKET Total	(37,950)	(37,950)	(16,482)	(36,044)	(119)
02 ECONOMIC DEVELOPMENT Total	(543,184)	(553,184)	(283,400)	(274,934)	8,466

GOLDEN PLAINS SHIRE COUNCIL
Monthly Budget Report: 6 Months to 31 December 2018
Key Strategic Area Report

GL Account	Annual		Year To Date			
	Original Budget	Forecast	Original Budget	Actual	Variance	
03 ENVIRONMENT & LAND USE PLAN						
300 LAND USE PLANNING						
Expenditure	(1,274,335)	(1,443,757)	(637,864)	(666,010)	(28,146)	(4)
Income	668,595	728,595	356,208	494,509	138,301	39
300 LAND USE PLANNING Total	(605,740)	(715,162)	(281,656)	(171,501)	110,155	39
301 BUILDING CONTROL						
Expenditure	(400,341)	(400,341)	(200,167)	(137,570)	62,597	31
Income	89,607	89,607	44,808	68,934	24,126	54
301 BUILDING CONTROL Total	(310,734)	(310,734)	(155,359)	(68,636)	86,723	56
303 FIRE PROTECTION						
Expenditure	(283,855)	(294,855)	(133,470)	(117,153)	16,317	12
Income	63,434	63,434	3,253	2,014	(1,239)	(30)
303 FIRE PROTECTION Total	(220,421)	(231,421)	(130,217)	(115,139)	15,078	12
304 ENVIRONMENTAL MANAGEMENT						
Expenditure	(480,075)	(511,575)	(259,375)	(266,008)	(6,633)	(3)
Income	50,545	60,545	4,272	57,729	53,457	1,251
304 ENVIRONMENTAL MANAGEMENT Total	(429,530)	(451,030)	(255,103)	(208,279)	46,824	18
305 COMMUNITY PROTECTION						
Expenditure	(626,026)	(626,026)	(316,759)	(287,440)	28,319	9
Income	570,019	590,019	162,103	167,349	5,246	3
305 COMMUNITY PROTECTION Total	(56,007)	(36,007)	(154,656)	(120,091)	34,565	22
306 PUBLIC HEALTH						
Expenditure	(521,087)	(521,087)	(263,795)	(228,800)	34,995	13
Income	247,838	247,838	154,122	157,128	3,006	2
306 PUBLIC HEALTH Total	(273,249)	(273,249)	(109,673)	(71,671)	38,002	35
03 ENVIRONMENT & LAND USE PLAN Total	(1,895,681)	(2,017,603)	(1,086,664)	(755,317)	331,347	30

GOLDEN PLAINS SHIRE COUNCIL
Monthly Budget Report: 6 Months to 31 December 2018
Key Strategic Area Report

GL Account	Annual		Year To Date		
	Original Budget	Forecast	Original Budget	Actual	Variance
04 FINANCIAL MANAGEMENT					
400 GENERAL REVENUE					
Expenditure	(2,173)	(2,173)	(1,086)	(984)	102
Income	27,027,905	27,179,115	21,445,118	21,515,670	70,552
400 GENERAL REVENUE Total	27,025,732	27,176,942	21,444,032	21,514,687	70,655
401 PROPERTY & RATING					
Expenditure	(831,575)	(833,575)	(394,263)	(305,698)	88,565
Income	497,333	527,333	269,946	308,723	38,777
401 PROPERTY & RATING Total	(334,242)	(306,242)	(124,317)	3,025	(102)
402 CORPORATE REPORTING & BUDGETING					
Expenditure	(393,477)	(414,302)	(198,980)	(180,460)	18,530
Income	7,923	7,923	3,960	3,522	(438)
402 CORPORATE REPORTING & BUDGETING Total	(385,554)	(406,379)	(195,030)	(176,937)	18,093
403 PROCUREMENT & CONTRACT MANAGEMENT					
Expenditure	(389,905)	(389,905)	(202,755)	(171,169)	31,586
Income	6,609	6,609	3,306	2,927	(379)
403 PROCUREMENT & CONTRACT MANAGEMENT Total	(383,296)	(383,296)	(199,449)	(168,242)	31,207
404 RECORDS MANAGEMENT					
Expenditure	(265,404)	(265,404)	(132,710)	(119,474)	13,236
Income	2,004	2,004	1,002	858	(134)
404 RECORDS MANAGEMENT Total	(263,400)	(263,400)	(131,708)	(118,606)	13,102
406 BORROWINGS					
Expenditure	(414,050)	(414,050)	(207,961)	(162,211)	45,750
406 BORROWINGS Total	(414,050)	(414,050)	(207,961)	(162,211)	45,750
408 PLANT REPLACEMENT					
Expenditure	(316,780)	(316,780)	(158,393)	(19,372)	139,021
Income	273,609	273,609	136,806	1,368	(135,438)
408 PLANT REPLACEMENT Total	(43,171)	(43,171)	(21,587)	(18,004)	3,583
04 FINANCIAL MANAGEMENT Total	25,202,019	25,360,404	20,563,980	20,873,712	309,732

GOLDEN PLAINS SHIRE COUNCIL
Monthly Budget Report: 6 Months to 31 December 2018
Key Strategic Area Report

GL Account	Annual		Year To Date			
	Original Budget	Forecast	Original Budget	Actual	Variance	
05 HUMAN SUPPORT SERVICES						
500 MATERNAL & CHILD HEALTH						
Expenditure	(607,315)	(612,304)	(307,814)	(310,213)	(2,399)	(1)
Income	256,029	256,029	107,644	168,084	60,440	56
500 MATERNAL & CHILD HEALTH Total	(351,286)	(356,275)	(200,170)	(142,129)	58,041	29
501 CHILDRENS SERVICES						
Expenditure	(329,034)	(347,734)	(164,517)	(177,349)	(12,832)	(8)
Income	5,140	5,140	2,568	2,276	(292)	(11)
501 CHILDRENS SERVICES Total	(323,894)	(342,594)	(161,949)	(175,072)	(13,123)	(8)
502 HACC FOR YOUNGER PEOPLE						
Expenditure	(367,689)	(367,689)	(184,459)	(187,061)	(2,602)	(1)
Income	409,223	409,223	204,612	144,589	(60,023)	(29)
502 HACC FOR YOUNGER PEOPLE Total	41,534	41,534	20,153	(42,472)	(62,625)	311
503 COMMUNITY TRANSPORT						
Expenditure	(209,642)	(209,642)	(113,317)	(73,114)	40,203	35
Income	32,156	32,156	24,584	5,182	(19,402)	(79)
503 COMMUNITY TRANSPORT Total	(177,486)	(177,486)	(88,733)	(67,932)	20,801	23
504 COMMUNITY CENTRES						
Expenditure	(999,780)	(999,780)	(468,483)	(492,888)	(24,405)	(5)
Income	128,712	128,712	60,784	56,496	(4,288)	(7)
504 COMMUNITY CENTRES Total	(871,068)	(871,068)	(407,699)	(436,392)	(28,693)	(7)
506 KINDERGARTENS						
Expenditure	(1,020,579)	(1,023,009)	(510,302)	(547,361)	(37,059)	(7)
Income	1,013,220	1,013,220	506,608	545,497	38,889	8
506 KINDERGARTENS Total	(7,359)	(9,789)	(3,694)	(1,864)	1,830	50
507 BANNOCKBURN CHILDRENS SERVICES						
Expenditure	(3,215,507)	(3,216,757)	(1,607,755)	(1,437,431)	170,324	11
Income	3,167,338	3,167,338	1,559,943	1,318,653	(241,290)	(15)
507 BANNOCKBURN CHILDRENS SERVICES Total	(48,169)	(49,419)	(47,812)	(118,778)	(70,966)	(148)
508 FAMILY DAY CARE						
Expenditure	(315,927)	(315,927)	(157,962)	(152,368)	5,594	4
Income	263,100	263,100	131,548	141,910	10,362	8
508 FAMILY DAY CARE Total	(52,827)	(52,827)	(26,414)	(10,458)	15,956	60
509 COMMONWEALTH HOME SUPPORT PROGRAM						
Expenditure	(1,461,329)	(1,461,329)	(736,067)	(645,698)	90,369	12
Income	1,035,790	1,035,790	517,892	704,221	186,329	36
509 COMMONWEALTH HOME SUPPORT PROGRAM Total	(425,539)	(425,539)	(218,175)	58,523	276,698	(127)
05 HUMAN SUPPORT SERVICES Total	(2,216,094)	(2,243,463)	(1,134,493)	(936,574)	197,919	17

GOLDEN PLAINS SHIRE COUNCIL
Monthly Budget Report: 6 Months to 31 December 2018
Key Strategic Area Report

GL Account	Annual		Year To Date			
	Original Budget	Forecast	Original Budget	Actual	Variance	
06 REC & COMMUNITY DEVELOPMENT						
505 HEALTH PROMOTION						
Expenditure	(683,906)	(864,023)	(338,206)	(297,600)	40,606	12
Income	515,728	523,728	227,034	294,359	67,325	30
505 HEALTH PROMOTION Total	(168,178)	(340,295)	(111,172)	(3,241)	107,931	97
600 COMMUNITY DEVELOPMENT						
Expenditure	(613,139)	(860,839)	(376,074)	(405,253)	(29,179)	(8)
Income	3,122	3,122	1,560	3,708	2,148	138
600 COMMUNITY DEVELOPMENT Total	(610,017)	(857,717)	(374,514)	(401,545)	(27,031)	(7)
601 LIBRARIES						
Expenditure	(458,492)	(458,492)	(229,243)	(329,038)	(99,795)	(44)
Income	1,214	1,214	606	542	(64)	(11)
601 LIBRARIES Total	(457,278)	(457,278)	(228,637)	(328,496)	(99,859)	(44)
602 ARTS & CULTURE						
Expenditure	(215,599)	(215,599)	(103,412)	(83,276)	20,136	19
Income	10,539	10,539	5,268	2,042	(3,226)	(61)
602 ARTS & CULTURE Total	(205,060)	(205,060)	(98,144)	(81,234)	16,910	17
603 YOUTH DEVELOPMENT						
Expenditure	(356,753)	(379,369)	(189,938)	(176,065)	13,873	7
Income	69,024	69,024	34,514	36,651	2,137	6
603 YOUTH DEVELOPMENT Total	(287,729)	(310,345)	(155,424)	(139,414)	16,010	10
604 RECREATION PLANNING						
Expenditure	(652,999)	(691,110)	(322,573)	(323,700)	(1,127)	(0)
Income	24,937	24,937	12,468	11,108	(1,360)	(11)
604 RECREATION PLANNING Total	(628,062)	(666,173)	(310,105)	(312,592)	(2,487)	(1)
605 RECREATION CONSTRUCTION						
Expenditure	(251,116)	(251,116)	(125,562)	(117,245)	8,317	7
Income	331,942	825,092	163,470	779,770	616,300	377
605 RECREATION CONSTRUCTION Total	80,826	573,976	37,908	662,526	624,618	1,648
606 RECREATION INFRASTRUCTURE MAINTENANCE						
Expenditure	(2,946,011)	(2,991,496)	(1,478,756)	(1,328,116)	150,640	10
Income	59,586	68,073	42,613	28,457	(14,156)	(33)
606 RECREATION INFRASTRUCTURE MAINTENANCE Total	(2,886,425)	(2,923,423)	(1,436,143)	(1,299,659)	136,484	10
607 MAJOR PROJECTS						
Expenditure	(32,557)	(32,557)	(18,285)	(69,655)	(53,370)	(328)
Income	3,641	1,300,291	1,818	1,625	(193)	(11)
607 MAJOR PROJECTS Total	(28,916)	1,267,734	(14,467)	(68,030)	(53,563)	(370)
608 VOLUNTEERS						
Expenditure	(85,725)	(85,725)	(42,860)	(8,054)	34,806	81
608 VOLUNTEERS Total	(85,725)	(85,725)	(42,860)	(8,054)	34,806	81
06 REC & COMMUNITY DEVELOPMENT Total	(5,276,564)	(3,804,108)	(2,733,558)	(1,979,739)	753,819	28

GOLDEN PLAINS SHIRE COUNCIL
Monthly Budget Report: 6 Months to 31 December 2018
Key Strategic Area Report

GL Account	Annual		Year To Date			
	Original Budget	Forecast	Original Budget	Actual	Variance	
07 ROADS & STREETS INFRASTRUCTURE						
700 SEALED RD RTNE MTCE						
Expenditure	(1,555,624)	(1,555,624)	(787,318)	(1,071,949)	(284,631)	(36)
Income	178,805	178,805	89,400	101,808	12,408	14
700 SEALED RD RTNE MTCE Total	(1,376,819)	(1,376,819)	(697,918)	(970,141)	(272,223)	(39)
701 LOCAL ROADS RESEALING						
Expenditure	(2,192,497)	(2,192,497)	(1,096,243)	(1,087,609)	8,634	1
Income	3,157	3,157	1,578	1,409	(169)	(11)
701 LOCAL ROADS RESEALING Total	(2,189,340)	(2,189,340)	(1,094,665)	(1,086,200)	8,465	1
702 LOCAL ROADS REHABILITATION						
Expenditure	(1,808,422)	(1,808,422)	(940,793)	(803,171)	137,622	15
Income	1,218	1,218	608	542	(66)	(11)
702 LOCAL ROADS REHABILITATION Total	(1,807,204)	(1,807,204)	(940,185)	(802,629)	137,556	15
703 LOCAL ROADS IMPROVEMENTS						
Expenditure	(74,465)	(74,465)	(37,234)	(51,272)	(14,038)	(38)
Income	1,530,113	2,029,579	293,556	845,554	551,998	188
703 LOCAL ROADS IMPROVEMENTS Total	1,455,648	1,955,114	256,322	794,282	537,960	210
704 GRAVEL ROADS ROUTINE MAINT.						
Expenditure	(1,024,603)	(1,024,603)	(522,127)	(696,422)	(174,295)	(33)
Income	7,641	7,641	3,822	3,630	(192)	(5)
704 GRAVEL ROADS ROUTINE MAINT. Total	(1,016,962)	(1,016,962)	(518,305)	(692,792)	(174,487)	(34)
705 GRAVEL RESHEETING						
Expenditure	(1,162,126)	(1,162,126)	(581,064)	(595,323)	(14,259)	(2)
Income	1,217	1,217	606	542	(64)	(11)
705 GRAVEL RESHEETING Total	(1,160,909)	(1,160,909)	(580,458)	(594,781)	(14,323)	(2)
706 BRIDGE MAINTENANCE						
Expenditure	(710,355)	(710,355)	(355,178)	(423,157)	(67,979)	(19)
Income	802,098	1,105,598	1,050	970	(80)	(8)
706 BRIDGE MAINTENANCE Total	91,743	395,243	(354,128)	(422,187)	(68,059)	(19)
707 TREE CLEARING						
Expenditure	(448,850)	(448,850)	(285,282)	(150,334)	134,948	47
Income	3,035	3,035	1,518	1,355	(163)	(11)
707 TREE CLEARING Total	(445,825)	(445,825)	(283,764)	(148,979)	134,785	47
709 GRAVEL PITS						
Expenditure	(225,664)	(165,164)	(112,831)	(60,510)	52,321	46
Income	225,610	50,610	112,806	15,955	(96,851)	(86)
709 GRAVEL PITS Total	(54)	(114,554)	(25)	(44,555)	(44,530)	(178,120)
710 ASSET MANAGEMENT						
Expenditure	(511,548)	(511,548)	(325,775)	(367,534)	(41,759)	(13)
Income	72,480	72,480	36,240	67,174	50,934	141
710 ASSET MANAGEMENT Total	(439,068)	(439,068)	(289,535)	(280,360)	9,175	3

GOLDEN PLAINS SHIRE COUNCIL
Monthly Budget Report: 6 Months to 31 December 2018
Key Strategic Area Report

GL Account	Annual		Year To Date		
	Original Budget	Forecast	Original Budget	Actual	Variance
717 DRAINAGE MAINT. TOWNSHIPS & RURAL					
Expenditure	(524,972)	(524,972)	(251,575)	(485,946)	(234,371)
Income	20,983	20,983	10,488	20,596	10,108
717 DRAINAGE MAINT. TOWNSHIPS & RURAL Total	(503,989)	(503,989)	(241,087)	(465,350)	(224,263)
718 PRIVATE WORKS					
Expenditure	(27,649)	(27,649)	(13,828)	(8,779)	5,049
Income	26,278	26,278	13,136	15,370	2,234
718 PRIVATE WORKS Total	(1,371)	(1,371)	(692)	6,591	(1,052)
719 LINEMARKING, GUIDEPOSTS & SIGN					
Expenditure	(255,070)	(255,070)	(119,763)	(169,030)	(49,267)
Income	2,784	2,784	1,392	640	(752)
719 LINEMARKING, GUIDEPOSTS & SIGN Total	(252,286)	(252,286)	(118,371)	(168,390)	(50,019)
720 STREET LIGHTING					
Expenditure	(161,477)	(161,477)	(96,318)	(61,068)	35,250
Income	1,000	1,000	498	0	(498)
720 STREET LIGHTING Total	(160,477)	(160,477)	(95,820)	(61,068)	34,752
721 TOWNSHIPS MAINTENANCE					
Expenditure	(673,095)	(673,095)	(336,547)	(331,837)	4,710
Income	15,277	15,277	7,638	7,186	(452)
721 TOWNSHIPS MAINTENANCE Total	(657,818)	(657,818)	(328,909)	(324,651)	4,258
723 BUS SHELTERS					
Expenditure	(12,345)	(12,345)	(6,174)	(5,597)	577
723 BUS SHELTERS Total	(12,345)	(12,345)	(6,174)	(5,597)	577
724 PATHS & TRAILS					
Expenditure	(252,430)	(252,430)	(126,218)	(126,676)	(458)
Income	101,821	101,821	912	813	(99)
724 PATHS & TRAILS Total	(150,609)	(150,609)	(125,306)	(125,863)	(557)
07 ROADS & STREETS INFRASTRUCTURE Total	(8,627,685)	(7,939,219)	(5,419,020)	(5,392,670)	26,350

GOLDEN PLAINS SHIRE COUNCIL
Monthly Budget Report: 6 Months to 31 December 2018
Key Strategic Area Report

GL Account	Annual		Year To Date			
	Original Budget	Forecast	Original Budget	Actual	Variance	
08 WASTE MANAGEMENT						
800 GARBAGE COLLECTION						
Expenditure	(2,668,474)	(2,748,604)	(1,334,240)	(1,014,308)	319,932	24
Income	2,904,043	2,904,043	2,882,027	2,869,002	(13,025)	(0)
800 GARBAGE COLLECTION Total	235,569	155,439	1,547,787	1,854,694	306,907	20
801 MUNICIPAL TIPS						
Expenditure	(185,067)	(185,067)	(92,541)	(45,161)	47,380	51
Income	12,613	111,663	6,306	7,915	1,609	26
801 MUNICIPAL TIPS Total	(172,454)	(73,404)	(86,235)	(37,246)	48,989	57
802 LITTER CONTROL						
Expenditure	(63,164)	(63,164)	(31,576)	(35,520)	(3,944)	(12)
Income	853	853	426	379	(47)	(11)
802 LITTER CONTROL Total	(62,311)	(62,311)	(31,150)	(35,141)	(3,991)	(13)
08 WASTE MANAGEMENT Total	804	19,724	1,430,402	1,782,307	351,905	25
10 CLEARING						
ONCOST CLEARING						
Expenditure	(3,552,000)	(3,552,000)	(1,775,998)	(2,038,474)	(262,476)	(15)
Income	3,552,000	3,552,000	1,776,000	1,723,818	(52,182)	(3)
ONCOST CLEARING Total	0	0	2	(314,656)	(314,656)	0
PLANT CLEARING						
Expenditure	(900,000)	(900,000)	(450,000)	(541,228)	(91,228)	(20)
Income	900,000	900,000	450,002	465,462	15,460	3
PLANT CLEARING Total	0	0	2	(75,766)	(75,768)	0
10 CLEARING Total	0	0	4	(390,423)	(390,427)	0
Total	3,270,482	5,336,715	9,661,840	11,203,984	1,542,144	16

6.12 GPSC-RFT-021/2018 TENDER FOR CONSTRUCTION OF GOLDEN PLAINS COMMUNITY AND CIVIC CENTRE

File Number:

Author: David Greaves, Works Manager

Authoriser: Greg Anders, Director Assets and Amenity

Attachments: Nil

RECOMMENDATION

That Council:

1. Resolves to award the contract GPS-RFT-21-2018, Construction of Golden Plains Community & Civic Centre (GPCCC), to S.J. Weir Pty Ltd for the tendered sum of \$7,249,790.00 (ex GST) in line with Clause 2.4.3 of the procurement policy.
2. Authorise the Chief Executive Officer to execute Contract No. GPS-RFT-21-2018 with S.J. Weir Pty. Ltd. for the construction of the Golden Plains Community & Civic Centre (GPCCC).
3. Notes that the GPCCC Project will be financed from the Local Government Funding Vehicle borrowings.

EXECUTIVE SUMMARY

Council has included \$10,000,000 in the adopted Strategic Resource Plan (SRP) and current/future budget 2018/20 to meet the costs associated with the construction of the Golden Plains Community & Civic Centre (GPCCC). These works/tasks include:

- Engaging and consulting with the community in developing detailed concept plans for the redevelopment and extension of the existing Bannockburn Customer Service Centre into the GPCCC,
- Reviewing and making decisions about the future growth provided for by the facility,
- Preparing detailed architectural drawings and specification based on the concept plans taking into consideration community and staff feedback and tendering said design, and
- Construction of the GPCCC over three stages; New build, refurbishment and ancillary landscaping, parking and pathway access.

Expressions of Interest (EOI) were invited for the construction of the GPCCC on 13 October 2018 and closed on 31 October 2018. In total fourteen (14) EOI's were received. The EOI's were checked for correctness and for omissions/qualifications. Any EOI's not meeting the mandatory criteria were excluded from further review. The EOI Evaluation Panel conducted a thorough evaluation of all conforming submissions.

Following this EOI process five (5) shortlisted companies were invited to tender for the construction of the GPCCC on 2 December 2018 and closed on 21 December 2018. A compulsory tender briefing session was held on the 5 December 2018 at the Shire office. All five shortlisted companies submitted tenders by the due date. The Tenders were checked for correctness and for omissions/qualifications. Any Tenders not meeting the mandatory criteria were excluded from further review. The Tender Evaluation Panel (TEP) conducted a thorough evaluation of all conforming submissions. Interviews were conducted with the two highest scoring Tenders and included the TEP and representatives from Baumgart Clark Architects and Prouse Quantity Surveyors.

BACKGROUND

The existing Bannockburn Customer Service Centre and Council offices building is almost 40 years old (opened in 1981 and extended once in 2005) and although it has served its purpose well in the past, there is now an identified lack of public facilities to engage with the community and appropriate office space for staff, together with increasing building maintenance and operational costs.

As a point of contact for community access to Council staff and services, the amenity provided by the existing building is poor, lacking in both pleasant qualities and practical amenities (for example, there is no publicly accessible toilet and little or nothing in the way of community meeting space.)

Council staff are currently housed in a suite of buildings, the majority of which are located at 2 Pope Street in Bannockburn. Council offices at Pope Street currently comprise a brick single-level building (1981 and 2005), and a collection of three conventional portable structures that are fully utilised for overflow office accommodation, as well as a separate Family Services Building.

The nature of the main building as a workplace is dated and tired, with the work areas broken up into a number of dis-jointed offices and back-to-back cubicles. Circulation through the building is cramped and convoluted, and there is no free space or room for breakout or expansion beyond the spill-over into portables with the existing meeting spaces being inadequate.

The objectives of the GPCCC are as follows:

- To create universally accessible, welcoming, safe places for all community members, where Council’s services can be easily accessed
- To create multi-purpose spaces and rooms that deliver flexible accommodation that is responsive to the ever-changing needs of the community and the delivery of Council programs and activities, supporting the health and wellbeing of the community overall
- To attract the community into the facility to access their Council, engaging them in programs and activities that build social capital and improve connections between residents
- To facilitate opportunities for collaboration between staff and the community
- To strengthen service integration and opportunistic linkages through good design and appealing, well-located spaces and places

The new GPCCC will be welcoming, light-filled and comfortable, demonstrating Council’s commitment to environmental sustainability across multiple factors, and demonstrating the public investment in the improved delivery of services.

Ten (10) Councillor briefing/report sessions have been completed with the current Council as part of this project.

EVALUATION PROCESS

The Tender Evaluation Panel conducted a thorough evaluation of all five conforming tenders. The evaluation panel determined a consensus for each weighted criteria to allow an evaluation score for each tender. The TEP was formed with the following personnel:

Position	Role
Works Manager	Scoring
Community Projects Engineer, Team Leader	Scoring
Project Manager Capital & Operational Projects	Scoring
Procurement Support Officer	Non Scoring & Panel Chair

All members of the TEP have completed conflict of interest and confidentiality deeds prior to being provided with any of the Tender submissions. The TEP note that there were no Conflicts declared for this evaluation. Each conforming submission was reviewed and evaluation using the agreed evaluation criteria as follows:

Mandatory Criteria	Weighting
Occupational Health & Safety Policy & Management System	Pass/Fail
Quality Policy & Management System	Pass/Fail
Environmental Policy & Management System	Pass/Fail
Insurances	Pass/Fail
Weighted Criteria	
Capability	10%
Methodology	30%
Capacity	10%
Local Content	5%
Price	45%
Total	100%

Evaluation Outcome

Below are the weighted assessment results of the quantitative/qualitative criteria. The final TEP scores resulted in the top two tenders being separated by less than 0.2%. The TEP panel determined that this variation was not large enough to determine a preferred tender. Based on this close scoring the TEP determined that interviews would be conducted to determine the Officers preferred tender.

The interviews were conducted at the Shire office on 30 January 2019. The interview panel comprised the members of the TEP, GPSC Contract and Procurement Officer, representatives of Baumgart Clark Architects and their Quantity Survey subcontractor. During the interview tenderers were asked to firstly clarify pricing omissions/irregularities/discrepancies based on their submitted tender and secondly were asked a series of standard questions in relation to the successful delivery of this project.

Tender Identifier	Weighted Assessment Score (%)	Rank
S.J. Weir Pty Ltd	81.0	1
Tender B	73.8	4
Tender C	42.9	5
Tender D	74.2	3
Tender E	80.9	2

Councillors have previously been provided with a copy of the Tender Evaluation Report.

FINANCIAL & RISK MANAGEMENT IMPLICATIONS

Golden Plains Shire has included \$10,000,000 in the adopted Strategic Resource Plan (SRP) and current/future budget 2018/20 to meet the costs associated with the construction of the Golden Plains Community & Civic Centre (GPCCC). Tenders have submitted pricing as per the tender document and held for a fixed period. Any delay or deferral in awarding this tender may exceed this period and allow tenders to adjust their pricing. As noted in previous reports, for a project of this size any delay in starting has the potential to increase cost moving forward.

Golden Plains Shire Council is participant in the Victorian Local Government Funding Vehicle

(LGFV). As part of this participation Council will borrow the required funds from the LGFV on an individual and stand-alone basis. These funds will be used to finance the GPCCC Project at Stages 1, 2 and 3.

PROBITY

The GPCCC is one of the largest projects undertaken by Council. Projects such as this will always attract internal and external scrutiny. As such it was determined that Council would seek where required external legal and probity advice in relation to the GPCCC procurement process. Landell were appointed to provide probity and procurement advice where required and additional legal advice was sought from Councils Lawyers as required.

An internal Project Steering Committee was formed to provide project oversight, guidance and sign off on project hold points.

Position	Role
Chief Executive Officer	Project Steering Committee
Director – Assets & Amenity	Project Steering Committee
Acting Director – Corporate Services	Project Steering Committee
Director – Corporate Services (Retired)	Project Steering Committee

CONFLICT OF INTEREST

In accordance with Section 80B of the Local Government Act 1989, the Officer preparing this report declares no conflict of interest in regards to this matter.

CONCLUSION

Following a thorough review of submitted tenders and an interview process the tender of S.J. Weir Pty. Ltd. is the preferred tender for the construction of the GPCCC as per tender GPS-RFT-21-2018. It was one of the two highest ranking of qualitative and quantitative assessment, had the lowest submitted price and performed and answered the best during the interview process. Based on this the TEP believes this tender provides best value for money to Council.

6.13 GPS-RFT- 22/2018 - TENDER FOR CONSTRUCTION OF BANNOCKBURN HEART PROJECT (STAGE 1)**File Number:****Author:** David Miocic, Team Leader Community Projects Engineer**Authoriser:** Greg Anders, Director Assets and Amenity**Attachments:** Nil**RECOMMENDATION**

That Council:

1. Resolves to award the contract GPS-RFT-22-2018, Construction of the Bannockburn Heart (Stage 1), to Rendine Constructions Pty Ltd for the tendered sum of \$2,359,063.99 (ex GST) in line with Clause 2.4.3 of the procurement policy.
2. Authorise the Chief Executive Officer to execute Contract No. GPS-RFT-22-2018 with Rendine Constructions Pty Ltd for the construction of the Bannockburn Heart Project
3. Adjust the forecasted 2018/19 Capital Works program to re-allocate funding from the Teesdale Turtle Toilets (\$200,000) to the Bannockburn Heart as the Teesdale project is now being fully funded in 2019/20 by the income received from external funding.
4. Refer for consideration the allocation of \$150,000 for the Bannockburn Heart to the draft 2019/20 budget process.

EXECUTIVE SUMMARY

Council approval is required for the awarding of a tender for an experienced contractor to undertake the construction of the Bannockburn Heart (Stage 1), Bannockburn. Key elements of the precinct are as follows:

- Adventure dry playground including a 'Giant Tree House', a 'birds nest' swing, two flying foxes (one being DDA compliant); a global motion orbital freestanding climber (DDA compliant); and other toddler, pre-school and youth play space elements
- Interactive wet play splash pad space with shelters including toddler, pre-school and youth play space elements (includes all required mechanical, electrical, pumping and treatment plant and equipment)
- Active recreation 'ninja' style fitness circuit
- Variety of passive and interactive surfaces including: natural and artificial turf areas for informal and passive uses; coloured concrete paved areas; sand, soft-fall mulch and rubber soft-fall areas; and concrete and 'dry creek' pathways
- Enhancement of farmer's market access and aesthetics
- Improved lighting, safety and accessibility
- Public toilet
- BBQ area and shelter and rest areas
- Street furniture including: in-situ seating walls; proprietary seating units; rubbish bins; bollards; and a drinking fountain.
- Mass planting including shade and feature trees; and garden beds

BACKGROUND

The Bannockburn Heart Precinct is a visionary project that will transform and improve the liveability and amenity of Bannockburn, Golden Plains Shire's main service centre.

The Bannockburn Heart Precinct is located in central Bannockburn at the corner of High Street and Milton Street. The area is encompassed by the Bannockburn Cultural Centre, SES, CFA and Byron Street and Milton Street road reserves. The facilities surrounding the precinct will remain operational during the construction phase with alternate access to be arranged during the term of the project. The Precinct will increase retail activity in the town centre, create jobs and improve regional connectivity and productivity. This project will encourage people to live, work and enjoy recreation in Golden Plains by developing land in the main street of Bannockburn into an attractive and welcoming multi-faceted community space.

The Bannockburn Heart will be used for civic activities, celebrating the region's heritage and culture through artwork, performances, functions, events and gatherings, relaxing, active recreation, water play, eating and BBQs and the Golden Plains Farmers' Market and other community markets.

Future stage 2 of the project will occur after the existing CFA and SES site is re-located to a new Emergency Management Precinct (as part of a separate project). Stage 2 will be built where the existing CFA and SES are currently located. Council has already included purchase of the CFA land in its Strategic Resource Plan. Stage 2 will include the following elements:

- A village green
- A performance stage

Further incorporation of history, art and culture throughout the precinct as well as directional way finding signage and improved lighting, safety and accessibility.

POLICY CONTENT

The Bannockburn Heart Project is strongly supported by the community (demonstrated by the community consultation undertaken during the development of the Bannockburn Civic Heart Project Vision Plan Report 2014). The project is also supported by the Geelong Region Alliance (G21) and Central Highlands Councils. The delivery of this project is in line and supported by Council's:

- Strategic Resource Plan
- Golden Plains Planning Scheme,
- Bannockburn's Urban Design Framework,
- Bannockburn's Town Centre Investment Strategy and
- Council's Recreation Strategy

The Bannockburn Heart Precinct will address a number of identified gaps and issues within Golden Plains Shire, including:

- Rapid population growth in Bannockburn (fastest growing town in the G21 at 7.2% p.a.) and Golden Plains Shire (2.0% p.a.) is driving increased demand for services, community infrastructure, improved regional connectivity and a sense of place.
- Residents in the Shire and Bannockburn have very limited public transport options making it difficult to access similar recreation and play facilities in Geelong and Ballarat. The Precinct will give residents access to vital community infrastructure within their own town.
- The Precinct will improve the liveability and regional connectivity of Bannockburn and encourage increased retail expenditure in the town, as well as job creation by improving the amenity of the region.
- The region needs more infrastructure for visitors and tourists. The Precinct will attract more visitors and tourists, with increased opportunities for events such as the Golden Plains Farmer's Market, the Golden Plains Arts Trail, community markets, and more.
- The Shire and Bannockburn do not have enough recreation facilities for youth. 25% of Bannockburn's population is under the age of 15 (the second highest proportion for SA2s in regional Victoria) with community consultation demonstrating a strong demand for a community space where families and youth can gather and play.

DISCUSSION

Tender Evaluation: The two (2) tenders received were assessed for compliancy. Both submissions received were successful in submitting a compliant tender in relation to OHS, Insurances, Risk Management, Environmental Management and Quality Control documentation. However, one (1) tender was deemed non-compliant due to their submission on 'Pricing' not being adequate with no compulsory breakdown of rates included. Therefore, only the one (1) tender was assessed against all the criteria listed in Table 2. The remaining, non-compliant tenderer (1) was removed from further consideration, however, was utilised in the assessment process for comparisons. Further detail on pricing is included in the confidential attachment. The table below summarises the tenders that were received.

No.	Tenderers	Conforming (C) /Non-Conforming (NC)
1	Tenderer A – Rendine Constructions Pty Ltd	C
2	Tenderer B	NC

Table 1: Tenders received

The Tender Evaluation Panel (TEP) was formed by the following personnel:

- Community Projects Engineer Team Leader
- Project Manager Capital and Operational Projects
- Works Manager
- Chairperson: Contract and Procurement Support Officer.

Tenders were rated using the following criteria and weightings:

Compulsory Criteria	Weighting
OH & S and Risk Management Policy	Pass
Insurance	Pass
Environmental Policy	Pass
Quality Policy & Management System	Pass
Qualitative Assessment	
Capability:	30%
Experience and capability in relation to this project	
Demonstrated understanding of project requirements	
Qualifications and experience of personnel (incl. subcontractors) allocated	
Degree of innovation and 'value-adding' items offered by tenderer	
Methodology:	10%
Quality of project methodology	
Understanding of key SQE risks and how such risks will be mitigated	
Approach to ongoing management of the contract	
Capacity:	10%
Ability to meet project deadline	
Quality of project program	
Proposed staffing levels are adequate to meet project deadline	
Local	5%
Extent of economic contribution to the local region	
Quantitative Assessment	45%
Pricing	

Table 2: Tender assessment criteria and weightings**Scoring**

The tender evaluation panel conducted a thorough evaluation of all conforming tenders. The evaluation panel determined a consensus for each weighted criteria to allow an evaluation score for each tender, out of 100.

Tenderer	Score
Tenderer A – Rendine Constructions Pty Ltd	79.7
Tenderer B	NC

Councillors have previously been provided with a copy of the Tender Evaluation Report.

No overall score was provided for Tenderer B as their submission was lacking in the 'Pricing' category, therefore deemed non-compliant. The submission provided a 'Fixed Lump Sum' figure only, which made it impossible to determine whether all elements were priced fairly and correctly.

Rendine Constructions Pty Ltd were invited to attend an interview to discuss their tender submission and other elements of the project. The interview provided Council an insight into the personnel that will be directly involved with the project and also provided confirmation to the TEP of their recommendation. Further due diligence was completed in order to confirm the scoring panel's consensus, with a referee check being completed on Rendine Constructions Pty Ltd. Once more, positive feedback was provided. Further information can be found in the Confidential Attachment: GPS-RFT22/2018 Tender Evaluation Report.

Financial Implications

Please note, the following figures relating to the budget are GST exclusive. The available funds for the Bannockburn Heart Project is **\$2,600,000.00**. Funding for this project has come from a variety of sources being:

- | | |
|--|--------------------|
| • Natural Stronger Regions Fund (NSRF - Federal) | \$1,200,000 |
| • Regional Development Victoria (RDV – State) | \$ 500,000 |
| • Sport & Recreation Victoria | \$ 66,500 |
| • Golden Plains Shire Council (GPSC) | \$ 833,500 |
| TOTAL FUNDING | \$2,600,000 |

The 'Scope of Works' for these funds included the following:

- Design and construction of a new car park (completed)
- Installation of a new fire service for the Bannockburn Cultural Centre (completed)
- Construction of New Scouts Shed (completed)
- Architectural Design Services for the Bannockburn Heart (completed)

Construction of the Bannockburn HEART (to be completed)

On the completion of the works stated above, the remaining funds for the 'Bannockburn HEART construction' contract is **\$2,050,000.00**. The tender submission received from Rendine Constructions Pty Ltd is of the value of \$2,359,063.99 (this does not include any contingency sum). The additional funds to cater for the short fall can be funded by:

- Allocation of \$150,000 from the 2019/20 financial year budget
- Re-allocating funding from the 2018/19 Capital Program - Teesdale Turtle Toilets (\$200,000) to this project as the toilets will be fully funded in the 2019/20 Capital Works Program from income received from the BerryBank Wind Farm community contributions.

Therefore, an element of 'Financial Risk' is associated with the project, however, with the possible financial support of local groups and businesses and with some possible 'value add' engineering, the project can be completed without reducing the functionality of the precinct and providing the community with a greater outcome. Further information can be found in the Confidential Attachment: GPS-RFT22/2018 Tender Evaluation Report.

Risk Management Implications

Funding Body Requirements - Acquittals

The Project Management Framework (PMF) for the Bannockburn Heart project specifies an acquittal date of 1 December 2019, which is achievable, should the recommendation be adopted in the 2019 February Council meeting.

Should Council defer the decision, the likelihood of completing the project within the current acquittal dates are minimal and Council would be required to submit a request for an extension of time to both the state and federal funding bodies, where there is no guarantee of approval. This approach may also affect future funding opportunities.

Political

The 'Scope of Works' within the tender documentation are directly attributed to 'Funding Body – Non Negotiables' and 'Community Consultation – Must Haves', there have been no additional elements included. Should Council reject the recommended tender and its pricing, elements that have been stipulated as 'non-negotiables' and 'must haves' may be required to be removed from the contract. This will be required to be approved by the funding body, and once more, may affect future relationships and funding opportunities, whilst also creating political angst amongst the community.

Any suggestion of abandoning the project and returning the funds to the funding bodies would be detrimental to the organisation and its future funding for projects as well as creating local political unrest.

Economic, Social & Environmental Implications

The project will provide for the following economic benefits:

- The local economy will benefit during the construction phase of the project as local resources and contractors will be used where possible
- Increase people to stop and spend in Bannockburn
- Provide the infrastructure and facilities that will generate increased visitation, retail spending and job creation within the township of Bannockburn and surrounds

The project will provide for the following social benefits:

- increase participation in sport and active recreation
- Increase the public profile of active play within the Golden Plains Shire
- Increase connectedness and liveability
- Improving the general health of residents through active recreation, increased community participation and improved social inclusion
- provide inclusiveness for all with the use of Universal Design principles

Other benefits the project will provide will be to:

- Accommodate the population expansion proposed for the region
- Provide a viable and sustainable community
- Create a potential opportunity for employment of local labour

It is considered that there are no environmental implications for the project.

CONSULTATION

Initial Community consultation for the project was launched via a listening post on September the 7th 2013 at the project site, coinciding with the Federal Election and the monthly Golden Plains Farmers Market. Bannockburn Primary School students were also heavily involved in the initial consultation, with almost 200 students attending a series of workshops which included take-home messages for their parents.

The result of this was the production of the 'Bannockburn Civic Heart Project Vision Plan Report' late in 2013, with the report being adopted by the Golden Plains Shire Council in early 2014. The report not only included the vision of stage 1 elements but the precinct as a whole. Feedback from initial community engagement fed into the Draft Vision, which was put out to the community for review and feedback. The revised masterplans were then developed in preparation for the Detailed Design process.

In 2017, students were further involved, via an excursion to a large-scale playground similar to that which is envisioned for the 'Heart'. Through observation and student feedback, Council staff were able to see what types of equipment the children preferred and spent the most time on.

Conversation posts at the Bannockburn Family Services Centres and Bannockburn Library plus online voting in relation to select aspects of the play space commenced in September 2017. Feedback from these activities were fed into the Detailed Designs for the play space element of the project.

CONFLICT OF INTEREST

In accordance with Section 80B of the Local Government Act 1989, the Officer preparing this report declares no conflict of interest in regards to this matter.

CONCLUSION

The Tender Evaluation Panel recommend Rendine Constructions Pty Ltd be engaged to deliver the GPS-RFT22-2018 - Construction of the Bannockburn Heart project in Bannockburn. The Tender Evaluation Panel (TEP) conducted a thorough evaluation of the compliant tender using the specified evaluation criteria. Although Council have not had the experience working with Rendine Constructions Pty Ltd in the past a number of referee checks were conducted with the results supporting the TEP's recommendation.

6.14 PROVISION OF WASTE AND RECYCLING COLLECTION SERVICES - CONTRACT WITH CLEANAWAY - GPS-T6/2014

File Number:

Author: Greg Anders, Director Assets and Amenity

Authoriser: Greg Anders, Director Assets and Amenity

Attachments: Nil

RECOMMENDATION

That Council:

1. Pursuant to Clause 5.2 of Contract GPS-T6/2014, resolves to extend Contract GPS-T6/2014 – Provision of Waste and Recycling Collection Services Contract with Transpacific Cleanaway Pty Ltd, for a further two [2] year period commencing on 6 July 2020 and terminating on 5 July 2022, and on the same terms and conditions as the initial Contract Term.
2. Delegates to the Chief Executive Officer or his delegate the authority to sign the letter of extension of Contract GPS-T6/2014 – Provision of Waste and Recycling Collection Services.

EXECUTIVE SUMMARY

The purpose of this report is to seek Council authorisation for Contract GPS-T6/2014 – Provision of Waste and Recycling Collection Services (the Contract), which is provided by Transpacific Cleanaway Pty Ltd, to be extended for a further two [2] years beyond the initial five [5] year term of the Contract.

BACKGROUND

The decision to award the contract for provision of waste and recycling services, Contract GPS-T6/2014 – Provision of Waste and Recycling Collection Services, to Cleanaway Pty Ltd was made by Council at the Ordinary Meeting held on 16 December 2014. The Contract commenced on Monday 6 July 2015 and the initial five [5] year term ends on 5 July 2020.

The waste and recycling collection services are currently provided to 8,327 residences and 235 commercial properties. The contractors also regularly service approximately 200 public waste and recycling bins. During 2019/20 Council will be expending in the order of \$1.37 million (excluding GST) under the Contract.

The terms of the Contract (at Clause 5.2) provide for the Council, at its option, to extend the operation of the Contract for a further two [2] years beyond the Initial Contract Term of five [5] years. If Council decides to extend the Contract it must provide written notice of this to Transpacific Cleanaway on or before 5 April 2020 (three [3] months' notice). Any extension of the Contract must be on the same terms and conditions as the Initial Contract Term – *ie*, on each yearly anniversary of the commencement date, the Contract rates are subject to a rise and fall adjustment based on the Consumer Price Index All Groups (CPI) issued by the Australian Bureau of Statistics.

The three [3] month notification period is in reality much too short a time frame for a new contract specification to be prepared, publicly tendered, assessed and awarded – and for a potentially new contractor to be mobilised. It would also not coincide with the timelines required to put actual tendered contract costings into the 2020/2021 budget process. Accordingly, Council is being requested to make the decision on the two [2] year contract extension now.

Additionally, the new Waste Management Strategy, which will be the principal policy document informing the future model and delivery of waste management services, will not be completed and adopted by Council until September this year.

POLICY CONTENT

Council has committed in its Council Plan 2017-2021 to implementing waste management and minimisation practices that are innovative, effective, and reflect best practice. The new Waste and Resource Recovery Strategy will provide the pathway for Council to meet these objectives.

DISCUSSION

Council is being requested to support the officer's recommendation for the Contract to be extended for a further two [2] years because:

- The Waste and Resource Recovery Strategy is in progress and is expected to be complete in September 2019. It is a ten-year Strategy in line with the Council Plan and will clearly set out reduction targets and actions that ultimately deliver a reduction in waste, while ensuring community needs and priorities are understood and used to inform our decision making process. The Strategy involves an extensive community engagement process, including service options to be considered by the community. As a consequence, there is the potential for the provision of kerbside collection services to change for the next collection tender / contract process, but the timing of these decisions is at odds with the current contract term.
- Drafting of future kerbside contract documentation will be informed by the outcomes of the Strategy and therefore needs to occur after the Strategy is complete, not before.
- Dependent on the outcomes of the Strategy, there is the potential for new services to be introduced which will require budget allocation.
- Recent instability of the recycling industry is not conducive to re-negotiation of collection contracts. Cleanaway adapts and facilitates changes in Council's contract with SKM – for instance, during the recent fires at the SKM Geelong yard, Cleanaway worked with Council and the City of Greater Geelong to continue service provision without interruption.
- Cleanaway is performing well and delivering the service consistently in accordance with the Contract terms and conditions.

If Council is supportive of this recommendation, it will then need to have made decisions by June / July 2021 on the model of its waste management services to be delivered under the next collection and transportation contract. This is the lead time necessary to have the new contract (or contracts) awarded by December 2021 and for the accepted tendered rates to be incorporated into the 2022/2023 budget.

CONSULTATION

The new Waste and Resource Recovery Strategy involves extensive community consultation and engagement. It is considered that community consultation is not necessary to inform any decision to extend the current Contract for a further two [2] years.

CONFLICT OF INTEREST

In accordance with section 80B of the *Local Government Act* 1989, the Officer preparing this report declares no conflict of interest in regards to this matter.

CONCLUSION

Under the terms of Council's Contract with Transpacific Cleanaway for the provision of waste and recyclables collection services the Council may, at its option, extend the term of the contract for a further two [2] years beyond the initial five [5] year term of the Contract. The officers are of the view that Council should agree to exercise this option.

6.15 COUNCILLOR EXPENSES REPORT - 6 MONTHS ENDED 31 DECEMBER 2018**File Number:****Author:** Candice Holloway, Corporate Governance Coordinator**Authoriser:** Claire Tehan, Acting Director Corporate Services**Attachments:** 1. Councillor Expenditure - July - December 2018**RECOMMENDATION**

That Council note the contents of the Councillor Expenses Report for first two quarters of the 2018-19 financial year from 1 July 2018 - 31 December 2018.

EXECUTIVE SUMMARY

The attached report outlines Councillor allowances and expenses that have been paid during the first two quarters of the 2018-19 financial year from 1 July 2018 - 31 December 2018.

In order to ensure the highest levels of transparency and accountability, Council make Councillor allowances and expenses available to the public through a quarterly statement reported at Council meetings.

BACKGROUND

The Local Government Act 1989 provides that the Mayor and Councillors are paid an allowance and provided with appropriate tools and support to enable them to properly undertake their statutory obligations.

The provision of efficient communications equipment, reimbursement of official travel and telephone expenses and, if applicable, child care expenses is generally provided by municipalities across the state in order to assist Councillors to maximise their responsibilities.

The Local Government Act 1989 requires that Councils must adopt and maintain a policy in relation to the reimbursement of expenses for Councillors. Council has therefore adopted the Councillor Reimbursement Policy which details the resources and support that are provided to Councillors to enable them to effectively discharge their official duties. A copy of the policy is available on Council's website.

POLICY CONTENT

Sections 75 and 76 of the Local Government Act 1989 (as amended).

Council Policy 4.14 – Councillor Reimbursement.

Victorian Government's policy statement on Local Government Mayoral and Councillor Allowances and Resources.

DISCUSSION

Summarised in the attached document are the figures for allowances and expenses for the Mayor and Councillors that have been paid during the first two quarters of the 2018-19 financial year from 1 July 2018 - 31 December 2018. The actual expenditure is compared to the annual budget as follows:

Category	Annual Budget \$	Actual \$	Percentage Spent
Conferences & Training Expenses	17,000	8,778	51.6%
Travel Expenses	5,000	179	3.6%
Car Expenses	6,000	3,078	51.3%
IT & Communications	5,000	1,718	34.4%
Childcare Expenses	-	-	-

CONSULTATION

A formal consultation process is not required.

CONFLICT OF INTEREST

In accordance with Section 80B of the Local Government Act 1989, the Officer preparing this report declares no conflict of interest in regards to this matter.

CONCLUSION

The attached report outlines Councillor allowances and expenses that have been paid during the first two quarters of the 2018-19 financial year from 1 July 2018 - 31 December 2018. Quarterly reporting of Councillor allowances and expenses provides an opportunity for transparency and openness in relation to these costs.

SCHEDULE OF COUNCILLOR EXPENSES – 2018/2019

	Cr Helena Kirby	Cr Des Phelan	Cr Nathan Hansford	Cr David Evans	Cr Owen Sharkey	Cr Joanne Gilbert	Cr Les Rowe	TOTAL
July 2018	1,709	779	1,198	45	698	1,192	14	5,635
August 2018	296	1,214	45	45	44	15	696	2,355
September 2018	1,188	140	15	152	29	16	14	1,553
October 2018	1,006	102	473	45	38	21	14	1,698
November 2018	774	105	21	45	517	14	13	1,489
December 2018	53	105	14	45	777	15	14	1,023
TOTAL Expenses	5,027	2,446	1,756	475	2,302	2,271	764	13,753

	Cr Helena Kirby	Cr Des Phelan	Cr Nathan Hansford	Cr David Evans	Cr Owen Sharkey	Cr Joanne Gilbert	Cr Les Rowe	TOTAL
1. Conferences & Training Expenses	2,466	1,817	1,657	-	978	1,177	692	8,727
2. Travel Expenses	125	36	-	-	16	-	-	177
3. Car Mileage Expenses	2,108	-	-	-	970	-	-	3,078
4. IT & Communication Expenses	327	592	309	375	137	96	82	1,718
5. Childcare Expenses	-	-	-	-	-	-	-	-
TOTAL Expenses	5,027	2,446	1,756	475	2,101	2,273	764	13,753

1. Conferences & Training Expenses:
 This category covers registration fees & all other costs (eg accommodation, meals) associated with attendance by Councillors at local conferences, training, functions and seminars. These are normally held by Local Government related organisations, professional bodies and institutions, education institutions and private sector providers on areas and events which impact the roles of Councillors and the Shire in general. This category also includes memberships and subscriptions to bodies and organisations whose activities are relevant to the role of Councillors.

2. Travel Expenses:
 This category covers costs associated with assisting Councillors in meeting the transport costs incurred in attending meetings, functions and other commitments within and outside the municipality. This comprises use of a taxi, reimbursement for use of private vehicle while conducting Council business, car parking fees, the provision of car parking permits etc as described in the Councillor Expenses Policy. This category also comprises costs associated with accommodation and incidentals when travelling on Council business.

3. Car Mileage Expenses:
 This category covers car mileage expenses for the use of Council vehicles by Councillors whenever travelling to conduct Council business.

4. IT & Communication Expenses:
 This category covers mobile telephone use associated with ensuring that Councillors are accessible and are able to communicate with constituents, stakeholders, other Councillors, Council Officers and family members while conducting Council business.

5. Childcare Expenses:
 The Council will reimburse the cost of necessary carer expenses incurred by Councillors in the course of carrying out their duties, at functions of which partners are invited. This covers childcare and other forms of care needed to support immediate family members.

6.16 ASSEMBLY OF COUNCILLORS**File Number:** 02-03-004**Author:** Sharon Naylor, Executive Assistant - Chief Executive Officer**Authoriser:** Eric Braslis, CEO**Attachments:** 1. Assembly of Councillors**RECOMMENDATION**

That Council notes the Assembly of Councillors Record from 30 January 2019 to 25 February 2019 as attached.

EXECUTIVE SUMMARY

To present Council with written records of Assembly of Councillors in accordance with section 80A of the Local Government Act 1989 from 30 January 2019 to 25 February 2019.

BACKGROUND

In accordance with Section 80A of the Local Government Act 1989 a written record of assembly of Councillors must be reported at an ordinary Council meeting and minuted as soon as practicable.

DISCUSSION

The record must include:

1. The names of all Councillors and members of Council staff attending
2. The matters considered
3. Any conflict of interest disclosures made by a Councillor attending
4. Whether a Councillor who has disclosed a conflict of interest left the assembly

CONSULTATION

A formal consultation process is not required.

CONFLICT OF INTEREST

In Accordance with Section 80B of the Local Government Act 1989, the Officer preparing this report declares no conflict of interest in regards to this matter.

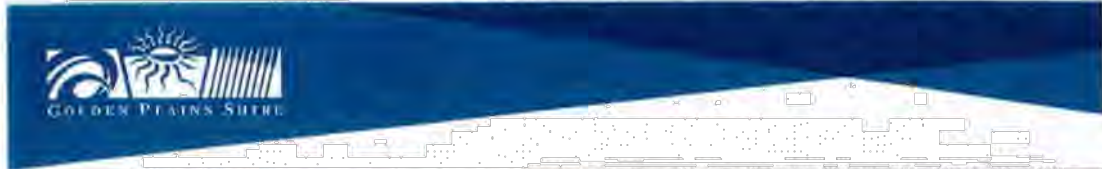
CONCLUSION

The information provided in this report is compliant with Section 76A of the Local Government Act 1989.



Assembly of Councillors Record

Date of meeting	Tuesday 19 February 2019
Time	9 15am
Purpose of meeting	Councillor Briefing session
Councillors present	Cr Owen Sharkey, Mayor Cr Helena Kirby Cr Joanne Gilbert Cr Nathan Hansford Cr Les Rowe Cr Des Phelan Departed at 12 30pm
Apologies	Cr David Evans
Council staff present	Eric Braslis, Chief Executive Officer Greg Anders, Director Assets & Amenity Steven Sagona, Acting Director Community Services Claire Tehan, Acting Director Corporate Services Dean Veenstra, Acting Healthy, Active and Engaged Communities Manager David Miodic, Community Projects Engineer Team Leader David Greaves, Works Manager Sarah Fisher, Statutory Planning Team Leader Laura Wilks, Strategic Planning Team Leader Leigh Page, Town Planner Geoff Alexander, Strategic Planner Tim Waller, Development Manager Candice Holloway, Corporate Governance Coordinator Leigh Page, Town Planner Felicity Bolitho, Connected Communities Team Leader Fiona Rae, Finance Manager
Other people present	Mark Howes Katie Becker – PLC Consulting
Conflict of Interest Disclosures (Councillors)	Nil
Conflict of Interest Disclosures (Officers)	Nil
Matters discussed	<p>Presentations</p> <ul style="list-style-type: none"> CEO Annual Review – Mark Howes Waste & Resource Recovery Strategy - Proposed Waste Management targets & options <p>Reports</p> <ul style="list-style-type: none"> 2019/20 Draft Budget Update - Draft Strategic Resource Plan, Draft Capital Work Program and the Draft Fees and Charges GPSC-RFT-021/2018 Tender for Construction of Golden Plains Community and Civic Centre Review of Local Law No. 1 - Council Meeting Procedures & Common Seal Strategic Land Development Opportunities Priority Projects and Advocacy Booklet Victorian Electoral Commission (VEC) - Electoral Representation Review Planning Application P17-309 - development of land for a three lot subdivision at 38 Eagle Court, Teesdale Development Plan DP-046 - 2725 Midland Highway, Lethbridge Planning Application P18-223 - 9 Lot Residential Subdivision at 97 Smith Road, Lethbridge Scarsdale Men's Shed Elder Park Management Bridges Renewal Program - Federal Department of Infrastructure and Regional Development



Provision of Waste and Recycling Collection Services - Contract with Cleanaway - GPS-T6/2014
Councillor Expenses Report - 6 Months Ended 31 December 2018
Quarterly Finance Report

Updates

Strategic Planning Update
Fixing Country Roads Program - Round 2
Inverleigh Streetscape Draft Master
International Women's Day

Confidential Report

Chief Executive Officer Performance Review

Council Issues

SMT Only
CEO Only

Completed by:

Eric Brashe, Chief Executive Officer

7 NOTICES OF MOTION

Nil

8 PETITIONS

9 CONFIDENTIAL ITEMS**RECOMMENDATION**

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 89(2) of the Local Government Act 1989:

9.1 Chief Executive Officer Performance Review

This matter is considered to be confidential under Section 89(2) - d of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with contractual matters.
