



Council Meeting Minutes

Bannockburn Shire Hall

**Tuesday 24 May 2016
4.00pm-5.24pm**

Our Vision

Golden Plains Shire offers a lifestyle and opportunities that foster social, economic and environmental wellbeing.

In partnership with the community we will provide strong leadership, encourage sustainable development and ensure quality services, to continue to improve the quality of life of residents.

Opening Prayer

Almighty God,

Help us to undertake our duties impartially and honestly, in the best interests of the people of the Golden Plains Shire.

We make this prayer through Jesus Christ Our Lord.

Amen.

Acknowledgement of Traditional Custodians

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.

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.

Table of Contents

1.	PRESENT	6
2.	APOLOGIES.....	6
3.	DECLARATIONS, MINUTES & ASSEMBLIES	7
3.1.	DECLARATIONS OF INTEREST	7
3.2.	CONFIRMATION OF MINUTES.....	7
3.3.	ASSEMBLIES OF COUNCILLORS.....	8
3.3.1	Council Briefing: Council’s New Website (26 April 2016).....	8
3.3.2	Council Briefing: Revaluation 2016 (26 April 2016).....	8
3.3.3	Council Workshop: Resource Recovery Facility (26 April 2016).....	9
3.3.4	Council Briefing: Review of Council’s Light Vehicle Fleet (26 April 2016)	9
3.3.5	Council Workshop: Cost Savings Initiatives (26 April 2016).....	10
3.3.6	Site Visit: Planning Committee (10 May 2016)	10
3.3.7	Council Briefing: Development and Sale of Council Owned Land in Smythesdale (10 May 2016).....	11
3.4.	SPECIAL COMMITTEES OF COUNCIL.....	12
3.4.1	Planning Committee (10 May 2016).....	12
3.5.	ADVISORY COMMITTEES OF COUNCIL.....	13
3.5.1	Audit & Risk Committee (10 May 2016).....	13
3.5.2	Confidential: Chief Executive Officer (CEO) Review Committee.....	14
4.	REPORTS.....	15
4.1.	KEY RESULT AREA – CITIZEN & CUSTOMER SERVICE	15
4.2.	KEY RESULT AREA – CIVIC LEADERSHIP	16
4.2.1	Rural Councils Victoria Incorporation	16
4.2.2	Review of Appointments & Authorisations – Planning & Environment Act 1987 ..	19
4.2.3	Review of Council Policy 3.2 Procurement.....	21
4.3.	KEY RESULT AREA – ECONOMIC DEVELOPMENT	23
4.4.	KEY RESULT AREA – ENVIRONMENT & LAND USE PLANNING.....	24
4.4.1	Review of Council Policy 10.4 Development Contributions.....	24
4.5.	KEY RESULT AREA – FINANCIAL MANAGEMENT	27
4.5.1	Quarterly Budget Report – 9 Months Ended 31 March 2016.....	27
4.6.	KEY RESULT AREA – HUMAN SUPPORT SERVICES	29
4.7.	KEY RESULT AREA – RECREATION & COMMUNITY DEVELOPMENT.....	29
4.8.	KEY RESULT AREA – ROADS & STREETS INFRASTRUCTURE	29
4.9.	KEY RESULT AREA – WASTE MANAGEMENT	29
5.	NOTICES OF MOTION.....	30
6.	PETITIONS.....	31

7.	OTHER BUSINESS	32
7.1.	MAYOR’S REPORT	32
7.2.	CHIEF EXECUTIVE OFFICER’S REPORT	32
7.3.	MUNICIPAL ASSOCIATION OF VICTORIA (MAV) REPORT.....	33
7.4.	COUNCILLOR REPORTS	33
7.5.	IN CAMERA MEETING	34
8.	ATTACHMENTS	35
9.	CLOSE OF MEETING	35
10.	CERTIFICATION	35

1. PRESENT

Cr Des Phelan, Mayor
Cr Jenny Blake
Cr Andrew Cameron
Cr Nathan Hansford
Cr Helena Kirby
Cr Bill McArthur
Cr Greg Vaughan

Richard Trigg
Greg Anders
Jillian Evans
Kim Manley
Mike Barrow
Petra Neilson (Minutes)

Acting Chief Executive Officer
Director Assets & Amenity
Director Community Services
Acting Director Corporate Services
Manager Executive Unit
Council Support Officer

Gallery

Peter Keays
David Evans
Kev Freeman

2. APOLOGIES

Nil

3. DECLARATIONS, MINUTES & ASSEMBLIES

3.1. DECLARATIONS OF INTEREST

Councillors must disclose a conflict of interest in accordance with Section 79 of the *Local Government Act 1989*.

Cr Jenny Blake declared an indirect interest by close association for report 4.2.2 appointments and authorisations. Cr Blake declared she is related by marriage to one of the delegated staff members.

3.2. CONFIRMATION OF MINUTES

Moved Crs Blake/Kirby

- 1. That the Minutes of the Ordinary meeting of Council held 26 April 2016, as circulated, be confirmed.**
- 2. That the Minutes of the Special meeting of Council held 26 April 2016, as circulated, be confirmed.**

Carried

3.3. ASSEMBLIES OF COUNCILLORS

File: 02-03-004

3.3.1 Council Briefing: Council's New Website (26 April 2016)

Meeting type and name	Council Briefing: Council's New Website
Meeting date and time	12.14pm Tuesday 26 April 2016
Matters discussed	Council's New Website
Councillor information	Nil
Councillors & Independent Members	Cr Des Phelan Cr Jenny Blake Cr Andrew Cameron Cr Nathan Hansford Cr Helena Kirby Cr Bill McArthur Cr Greg Vaughan
Apology	Nil
Staff	Richard Trigg, Acting Chief Executive Officer Greg Anders, Director Assets & Amenity Louisa White, Acting Director Community Services Kim Manley, Acting Director Corporate Services Mike Barrow, Manager Executive Unit Felicity Bolitho, Executive Unit Team Leader Petra Neilson, Council Support Officer
Guests	Nil
Declarations of Interest	Nil

3.3.2 Council Briefing: Revaluation 2016 (26 April 2016)

Meeting type and name	Council Briefing: Revaluation 2016
Meeting date and time	11.40am Tuesday 26 April 2016
Matters discussed	General Revaluation
Councillor information	Nil
Councillors	Cr Des Phelan Cr Jenny Blake Cr Andrew Cameron Cr Nathan Hansford Cr Helena Kirby Cr Bill McArthur Cr Greg Vaughan
Apology	Nil
Staff	Richard Trigg, Acting Chief Executive Officer Greg Anders, Director Assets & Amenity Louisa White, Acting Director Community Services Kim Manley, Acting Director Corporate Services Mike Barrow, Manager Executive Unit Jason Clissold, Finance Manager Di Quigley, Customer Service & Rates Coordinator Petra Neilson, Council Support Officer
Guests	Steven Davey, Opteon Property Jordan Quinn, Opteon Property
Declarations of Interest	Nil

3.3.3 Council Workshop: Resource Recovery Facility (26 April 2016)

Meeting type and name	Council Workshop: Resource Recovery Facility
Meeting date and time	12.35pm Tuesday 26 April 2016
Matters discussed	Cost Saving
Councillor information	Nil
Councillors	Cr Des Phelan Cr Jenny Blake Cr Andrew Cameron Cr Nathan Hansford Cr Helena Kirby Cr Bill McArthur Cr Greg Vaughan
Apology	Nil
Staff	Richard Trigg, Acting Chief Executive Officer Greg Anders, Director Assets & Amenity Louisa White, Acting Director Community Services Kim Manley, Acting Director Corporate Services Mike Barrow, Manager Executive Unit Peter Cameron, Works Manager Felicity Bolitho, Executive Unit Team Leader Di Quigley, Customer Service & Rates Coordinator Petra Neilson, Council Support Officer
Guests	Nil
Declarations of Interest	Nil

3.3.4 Council Briefing: Review of Council's Light Vehicle Fleet (26 April 2016)

Meeting type and name	Council Briefing: Review of Council's Light Vehicle Fleet
Meeting date and time	1.35pm Tuesday 26 April 2016
Matters discussed	Review of Light Fleet Vehicles
Councillor information	Nil
Councillors	Cr Des Phelan Cr Jenny Blake Cr Andrew Cameron Cr Nathan Hansford Cr Helena Kirby Cr Bill McArthur Cr Greg Vaughan
Apology	Nil
Staff	Richard Trigg, Acting Chief Executive Officer Greg Anders, Director Assets & Amenity Louisa White, Acting Director Community Services Kim Manley, Acting Director Corporate Services Mike Barrow, Manager Executive Unit Petra Neilson, Council Support Officer
Guests	Nil
Declarations of Interest	Nil

3.3.5 Council Workshop: Cost Savings Initiatives (26 April 2016)

Meeting type and name	Council Workshop: Cost Savings Initiatives
Meeting date and time	2.05pm Tuesday 26 April 2016
Matters discussed	Cost Savings and Efficiency in Governance
Councillor information	Nil
Councillors	Cr Des Phelan Cr Jenny Blake Cr Andrew Cameron Cr Nathan Hansford Cr Helena Kirby Cr Bill McArthur Cr Greg Vaughan
Apology	Nil
Staff	Richard Trigg, Acting Chief Executive Officer Greg Anders, Director Assets & Amenity Louisa White, Acting Director Community Services Kim Manley, Acting Director Corporate Services Mike Barrow, Manager Executive Unit Petra Neilson, Council Support Officer
Guests	Nil
Declarations of Interest	Nil

3.3.6 Site Visit: Planning Committee (10 May 2016)

Meeting type and name	Planning Committee site inspection
Meeting date and time	8.30am Tuesday 10 May 2016
Matters discussed	Site inspection for P16-013 for a telecommunications facility at 1248 Bannockburn-Shelford Road, Teesdale
Councillor information	Nil
Councillors	Cr Des Phelan Cr Jenny Blake Cr Andrew Cameron Cr Helena Kirby Cr Bill McArthur
Apology	Cr Greg Vaughan
Staff	Laura Wilks, Planning Team Leader Peter O'Brien, Planning Officer
Guests	Nil
Declarations of Interest	Nil

3.3.7 Council Briefing: Development and Sale of Council Owned Land in Smythesdale (10 May 2016)

Meeting type and name	Council Briefing: Development and Sale of Council Owned land in Smythesdale
Meeting date and time	9.40am Tuesday 10 May 2016
Matters discussed	Proposed Development and Sale of Council Owned land – Victoria Street Smythesdale
Councillor information	Nil
Councillors	Cr Des Phelan Cr Jenny Blake Cr Andrew Cameron Cr Nathan Hansford Cr Helena Kirby Cr Bill McArthur
Apology	Cr Greg Vaughan
Staff	Richard Trigg, Acting Chief Executive Officer Greg Anders, Director Assets & Amenity Jill Evans, Director Community Services Kim Manley, Acting Director Corporate Services Mike Barrow, Manager Executive Unit Petra Neilson, Council Support Officer
Guests	Nil
Declarations of Interest	Nil

Moved Crs McArthur/Hansford

That Council notes the record of assemblies of Councillors:

- 1. Council's New Website Briefing (27 April 2016)**
- 2. Revaluation 2016 Briefing (27 April 2016)**
- 3. Resource Recovery Facility Workshop (26 April 2016)**
- 4. Review of Council's Light Vehicle Fleet (26 April 2016)**
- 5. Cost Saving Initiatives Workshop (26 April 2016)**
- 6. Planning Committee Site Visit (10 May 2016)**
- 7. Development and Sale of Council Owned Land in Smythesdale (10 May 2016)**

Carried

3.4. SPECIAL COMMITTEES OF COUNCIL

3.4.1 Planning Committee (10 May 2016)

Cr Bill McArthur, Chairperson

File: 02-01-005

Meeting type and name	Planning Committee Meeting
Meeting date and time	9.00am Tuesday 10 May 2016
Matters discussed	<ol style="list-style-type: none"> 1. P15-200 Variation to restructure covenant at lot 41PS538290N, 28 Glenora Place Batesford 2. P16-013 for a telecommunications facility at 1248 Bannockburn-Shelford Road, Teesdale
Councillor information	<ol style="list-style-type: none"> 1. P15-200 locality plan 2. P15-200 title and covenant AE59422Q 3. P15-200 Objection 4. P16-013 application and plans 5. P16-013 locality map 6. P16-013 objection
Councillors	<p>Cr Bill McArthur, Chairperson Cr Des Phelan, Mayor Cr Jenny Blake Cr Andrew Cameron Cr Nathan Hansford Cr Helena Kirby</p>
Apology	Cr Greg Vaughan
Staff	<p>Richard Trigg, Acting Chief Executive Officer Kim Manley, Acting Director Corporate Services Jill Evans, Director Community Services Greg Anders, Director Assets & Amenity Mike Barrow, Manager Executive Unit Tim Waller, Development Manager Laura Wilks, Planning Team Leader Luke Gavin, Town Planner Peter O'Brien, Town Planner Petra Neilson, Council Support Officer</p>
Guests	<p>Richard Jones Phil and James Burford Wes Kelynack</p>
Declarations of Interest	Nil

3.5. **ADVISORY COMMITTEES OF COUNCIL**

3.5.1 **Audit & Risk Committee (10 May 2016)**

Mr Peter Bollen, Independent Chair

File: 02-01-001

Meeting type and name	Audit & Risk Committee Meeting
Meeting date and time	10.15am Tuesday 10 May 2016
Matters discussed	<ol style="list-style-type: none"> 1. Council Policy 3.2 Procurement Policy Review 2. Quarterly Risk Management Report 3. Insurance Policy Review and Renewals 2016-17 4. Business Continuity Plan 2016 5. External Audit – Interim Management Letter 2015-16 6. Strategic Internal Audit Plan – Outstanding Recommendations 7. Quarterly Finance Report 8. 2015-16 Land and Buildings Revaluation
Councillor information	<ol style="list-style-type: none"> 1. Amended Procurement Policy 2. Quarterly Risk Management Report 3. Business Continuity Plan 2016 4. Interim Management Letter 5. Summary Outstanding Recommendations 6. Quarterly Budget Report 7. Recent Reports and Publications of Interest to Council 8. Vision Super Letter re Defined Benefit Plan VBI 9. 2015-16 Land and Buildings Revaluation 10. 2015-16 Building Revaluation 11. Golden Plans Asset Revaluation Report
Councillors and independent members	Peter Bollen, Independent Chair John McDonald, Independent member Cr Des Phelan, Mayor Cr Andrew Cameron Cr Nathan Hansford
Apology	Nil
Staff	Richard Trigg, Acting Chief Executive Officer Kim Manley, Acting Director Corporate Services Jill Evans, Director Community Services Greg Anders, Director Assets & Amenity Mike Barrow, Manager Executive Unit Jason Clissold, Finance Manager Petra Neilson, Council Support Officer
Guests	David Pell, Accounting and Audit Solutions, Bendigo
Declarations of Interest	Nil

Moved Crs Cameron/Hansford

That Council notes the Audit and Risk Committee meeting minutes 10 May 2016.

Carried

3.5.2 **Confidential: Chief Executive Officer (CEO) Review Committee**

Cr Des Phelan, Chairperson
File: 02-01-002

No meeting held.

4. REPORTS

4.1. KEY RESULT AREA – CITIZEN & CUSTOMER SERVICE

No report.

4.2. KEY RESULT AREA – CIVIC LEADERSHIP

4.2.1 Rural Councils Victoria Incorporation

Directorate	Corporate Services
Unit	Corporate Services
Senior Manager	Kim Manley, Acting Director Corporate Services
Responsible Manager	Kim Manley, Acting Director Corporate Services
Author	Kim Manley, Acting Director Corporate Services
File References	Bluepoint file: 03-05-040 and 34-01-004
Council Plan Link	To enhance Council's decision making capacity by strengthening the governance and advocacy of Council
Relevant Council Strategies	<ul style="list-style-type: none"> ▪ Community Development Strategy ▪ Economic Development Strategy ▪ Municipal Public Health and Wellbeing Plan
Relevant Policies & Legislative Frameworks	Associations Incorporations Reform Regulation 2012
Attachments	1. Draft Rules for Rural Councils Victoria Incorporated

Declarations of Interest: Councillors & Officers

Kim Manley: In providing this advice as the senior manager, responsible manager and author, I have no disclosable interests in this report.

Purpose

Golden Plains Shire Council is a member of Rural Councils Victoria (RCV). RCV has operated for many years as an unincorporated association which exposes members to liability and limits RCV's ability to enter into contracts. This report seeks Council approval of the legal incorporation of RCV.

Background

Rural Councils Victoria (RCV) is an unincorporated organisation which represents the interests of rural councils within Victoria and currently has 38 members, of which Council is one.

The RCV's work includes:

- providing opportunities for networking and professional development;
- activities directed at ensuring the sustainability of rural councils; and
- activities to assist rural communities to remain sustainable.

This occurs via a number of mechanisms, including:

- organising forums and conferences for member councils;
- engaging consultants to undertake project work; and
- applying for Government grants, particularly through Regional Development Victoria.

Given that the RCV is not a separate legal entity, it conducts its business through a "Secretariat". This involves the Executive appointing a willing Council member to, essentially, act as its agent, providing administrative support and entering into contracts on its behalf.

Discussion

For as long as RCV remains an unincorporated body, Council is, together with all other member councils, exposed to liability in respect of its operations. If the RCV continues operating as an unincorporated association, there is a risk that its individual members, including Council, will be exposed to liability if the RCV fails to properly conduct its business. Furthermore, it will be unable to enter into contractual arrangements on its own behalf – instead relying on the Secretariat council to do so.

To address this, and to enable the RCV to operate with greater independence and ease, it is proposed to incorporate the RCV as an incorporated association. It will be called “Rural Councils Victoria Incorporated” and will operate in accordance with the draft Rules provided as an attachment to this report.

The benefits of the RCV being incorporated include that it:

- is recognised as a separate legal entity, with protection from debts for members and perpetual succession;
- has the power to own and hold property, enter into contracts and otherwise act as any other legal entity would;
- cannot distribute profit to its members;
- must operate in accordance with a set of rules, including a statement of purpose – being the draft Rules provided as an attachment to this report; and
- is operated by a Committee of Management and a Secretary, which are responsible for ensuring that all legislative obligations are complied with, and purposes are being achieved.

The RCV fulfils a number of functions that are important to rural councils in Victoria. Perhaps most importantly, it currently has responsibility for applying for Government grants, particularly through Regional Development Victoria, which are of benefit to rural councils.

The incorporation of RCV will enable it to carry on those functions with greater independence and flexibility while still being subject to the views of its member Councils.

It is not expected that the manner in which the RCV operates will be different from its current operations, although election to the Committee of Management will be based on slightly different zones, as set out in the draft Rules provided as an attachment to this report.

Exercise of Entrepreneurial Powers

If Council is in favour of this proposal, Council will be participating in the formation and operation of a separate legal entity. Consequently, Council is required, in accordance with s 193 of the *Local Government Act 1989 (LG Act)*, to have regard to the risks involved and comply with s 193(5A) and (5B) of the LG Act.

Council is advised that:

- a. the total investment involved in Council's participation in the formation of Rural Councils Victoria Limited is: \$0
- b. Council will be required to continue paying membership fees, as fixed by the Committee from time to time, but will not be required to invest anything in respect of the incorporation; and
- c. the total risk involved in Council's participation in the formation of Rural Councils Victoria Limited is: \$0
- d. Any liability for the activities of Rural Councils Victoria Limited will attach to it, not to the individual members.

So, the total investment and risk exposure will be \$0, meaning that Council is not required to take any further action in relation to this matter under s 193(5C) of the LG Act.

Next Steps

RCV has therefore recommended that Council accepts the analysis of Council's investment and risk exposure and votes in favour of the RCV being incorporated on the basis of the draft Rules attached to this report.

It is proposed that a vote of all current members will be held at the next meeting of RCV to be held on 10 June 2016. The vote will, if a majority is in favour, authorise Jim Nolan, Chief Executive Officer of Pyrenees Shire Council (the current Secretariat council), to apply to the Registrar of Incorporated Associations for the incorporation of RCV and approve the draft Rules.

Community Engagement

A formal consultation process was not required.

Financial & Risk Management Implications

It is considered that there are no financial or risk implications.

Economic, Social & Environmental Implications

It is considered there are no economic, social or environmental implications.

Communications

It is considered that a communication plan is not required.

Conclusion

The proposal to incorporate RCV will provide Council with better protection from liability should RCV fail to conduct its business properly. Incorporation would also allow RCV to operate with greater independence; in particular RCV will be able to enter into contracts in its own right. Additionally, approving the proposal will not breach the Local Government Act, and will reduce Council's risk exposure. On this basis the proposal appears to be sound.

Moved Crs Blake/Hansford

That Council:

- 1. Notes that the proposed incorporation of Rural Councils Victoria does not involve an investment and/or risk exposure that exceeds the thresholds set out in s 193(5C) of the Local Government Act 1989; and***
- 2. Resolves to vote in favour of authorising Jim Nolan, Chief Executive Officer of Pyrenees Shire Council, to apply to the Registrar of Incorporated Associations for the incorporation of Rural Councils Victoria Incorporated; and***
- 3. Approves the draft Rules attached to this report as 'Attachment 1' as the Rules for Rural Councils Victoria Incorporated; and***
- 4. Authorises the Mayor to vote on Council's behalf on this matter, in accordance with this resolution, at the meeting of Rural Councils Victoria to be held on 10 June 2016.***

Carried

It is recorded that Cr Jenny Blake declared an indirect interest by close association for this report and left the chamber at 4.12pm. Cr Blake declared she is related by marriage to one of the delegated staff members.

4.2.2 Review of Appointments & Authorisations – Planning & Environment Act 1987

Department	Corporate Services
Unit	Corporate Services
Senior Manager	Kim Manley, Acting Director Corporate Services
Responsible Manager	Kim Manley, Acting Director Corporate Services
Author	Kim Manley, Acting Director Corporate Services
File References	Blueprint: 02-04-001
Council Plan Link	
Relevant Council Strategies	
Relevant Policies & Legislative Frameworks	Local Government Act 1989
Attachments	2. Appointment and Authorisation – (Planning and Environment Act)

Declarations of Interest:

Kim Manley: In providing this advice as the senior manager, responsible manager and author, I have no disclosable interests in this report.

Purpose

The purpose of this report is to update the Appointment and Authorisation – (Planning and Environment Act).

Background

Section 188(2)(c) *Planning and Environment Act* provides that councils cannot delegate the power to the CEO to authorise officers for the purposes of enforcing the *Planning and Environment Act*. Council must delegate that power directly to the officers concerned.

Discussion

The following changes need to be made to the Appointment and Authorisations – Planning and Environment Act only, under Section 224 *Local Government Act 1989*:

- Gareth Pottinger, Strategic Planner has resigned and therefore needs to be removed from the Authorisation
- Matthew Sims is the new Investigations Officer and therefore needs to be added to the Authorisation

The Appointment and Authorisations – Planning and Environment Act only, needs to be updated with the above changes

Community Engagement

A formal consultation process is not required.

Financial & Risk Management Implications

It is considered that there are no financial or risk management implications.

Economic, Social and Environmental Implications

It is considered that there are no economic, social or environmental implications.

Communications

It is considered that a communication plan is not required.

Conclusion

As a result of the resignation of a Strategic Planner and the appointment of a new Investigations Officer, the Appointment and Authorisations – Planning and Environment Act needs to be updated.

Moved Crs McArthur/Hansford

That Council:

In the exercise of the powers conferred by section 224 of the Local Government Act and the other legislation referred to in the attached instrument of appointment and authorisation, Golden Plains Shire Council RESOLVES THAT –

- 1. The members of Council staff referred to in the instrument be appointed and authorised as set out in the instrument.***
- 2. The instrument comes into force immediately the common seal of Council is affixed to the instrument, and remains in force until Council determines to vary or revoke it.***
- 3. The instrument be sealed.***

Carried

It is recorded that Cr Jenny Blake returned to the Chamber at 4.15pm.

4.2.3 Review of Council Policy 3.2 Procurement

Department	Corporate Services
Unit	Corporate Services
Senior Manager	Kim Manley, Acting Director Corporate Services
Responsible Manager	Jason Clissold, Finance Manager
Author	Jason Clissold, Finance Manager
File References	Bluepoint file: 39-01-001
Council Plan Link	Civic Leadership
Relevant Council Strategies	Civic Leadership
Relevant Policies & Legislative Frameworks	<i>Local Government Act 1989</i>
Attachments	3. Amended Procurement Policy (with mark up)

Declarations of Interest: Councillors & Officers

Kim Manley: In providing this advice as the senior manager, I have no disclosable interests in this report.

Jason Clissold: In providing this advice as the responsible manager and author, I have no disclosable interests in this report.

Purpose

The purpose of this report is to present the amended Council Policy 3.2 - Procurement Policy to Council for adoption.

Background

Under S.186A (1) of the Local Government Act (1989), Council is required to prepare and approve a Procurement Policy. Subsection (7) also requires that the policy be reviewed at least once in each financial year. The policy was last reviewed on 26 May 2015 and is therefore due for review.

The attached Policy was presented to the Audit and Risk Committee on 10 May for review. The Committee endorsed the Policy as presented and recommend that it be adopted as presented.

Discussion

The Act states that 'A Council must comply with its Procurement Policy', so it is important that the policy reflects current or proposed practice that does not impose requirements that may hinder compliance.

The purpose of this policy is to provide all stakeholders with a transparent and comprehensive understanding of how Council conducts its procurement process, in order to ensure ratepayers are being provided with 'Best Value'.

The policy is largely based on the Model Procurement Policy developed by the MAV, which was referred to as part of the review.

The proposed changes to the policy are as follows:

1. Item 2.1.8 has been amended to recognise possible legislative requirements to disclose 'Commercial in Confidence' information by inserting the words

'Unless required by Legislation'

2. Item 2.2.4 has had the following statement removed:

'Council staff must not disclose allocated tender budgets to suppliers'

Recent advice has indicated that disclosing the price within a Request For Quote (RFQ) or Request For Tender (RFT) process may be appropriate in the event that 'functional' specifications enable suppliers to be innovative and provide productivity within a contract that Council may not have anticipated. i.e. the functional specification lists the budget and outcome required, the tenderer then determines how they can best deliver the project within those parameters. This may be useful for consultancy services where budgets are limited. It must be emphasised that this is still a competitive process and subject to all other procurement requirements.

3. Item 5.4 required '**Information about Council and how to become an approved supplier**' to be disclosed on Council's website. This has been removed as this information will be provided in the '**Guidelines for doing business with Council**' section of the website.

Community Engagement

A formal consultation process was not required.

Financial & Risk Management Implications

It is considered that there are no financial implications.

The policy must be reviewed at least once each financial year to comply with the Act. By reviewing and adopting the Procurement Policy it promotes transparency of Council's procurement practices and reduces any exposure to breaches of the Act.

Economic, Social & Environmental Implications

It is considered that there are no economic, social or environmental implications.

Communications

It is considered that a communication plan is not required. Under the Act the adopted Policy must be displayed on Council's website.

Conclusion

The policy is largely based on the Model Procurement Policy developed by the MAV. It provides the community, suppliers, potential suppliers and regulatory authorities with sufficient detail of Council's procurement practices.

Moved Crs McArthur/Kirby

That Council adopt the amended Council Policy 3.2 - Procurement Policy.

Carried

4.3. **KEY RESULT AREA – ECONOMIC DEVELOPMENT**

No report.

4.4. KEY RESULT AREA – ENVIRONMENT & LAND USE PLANNING

4.4.1 Review of Council Policy 10.4 Development Contributions

Directorate	Assets and Amenity
Unit	Development
Senior Manager	Greg Anders, Director Assets and Amenity
Responsible Manager	Tim Waller, Development Manager
Responsible Team Leader	Laura Wilks, Planning Team Leader
Author	Gareth Pottinger, Strategic Planner
File References	Bluepoint file: 60-06-025
Council Plan Link	<ul style="list-style-type: none"> ▪ Encourage and facilitate sustainable land use and development and protect and enhance the natural environment. ▪ To ensure the efficient and effective allocation of resources through sound financial planning and management, that secures the long-term financial viability of the municipality.
Relevant Council Strategies	Council Policy 10.4 Developer Community Contributions.
Relevant Legislation	<ul style="list-style-type: none"> ▪ Planning and Environment Act 1987 ▪ Subdivision Act 1988
Attachments	<ol style="list-style-type: none"> 4. Revised Council policy 10.4 Development Contributions (Showing Changes) 5. Confidential: Mesh Development Contributions Options Report

Declarations of Interest: Councillors & Officers

Greg Anders: In providing this advice as the senior manager, I have no disclosable interests in this report.

Tim Waller: In providing this advice as the responsible manager, I have no disclosable interests in this report.

Laura Wilks: In providing this advice as the responsible team leader, I have no disclosable interests in this report.

Gareth Pottinger: In providing this advice as the author, I have no disclosable interests in this report.

Purpose

The purpose of this report is to provide an overview of development contributions at Golden Plains Shire and to recommend updates to the existing Council Policy 10.4. Council has previously engaged Mesh Planning Consultants to undertake a review of development contributions and to provide recommendations for consideration. A presentation of options and recommendations was presented to the management team by Chris De Silva (Mesh Planning Director) on 23 September 2015.

Background

Council currently implements a local Council Policy, which seeks a development contribution payment that is charged on a per lot basis. The Council Policy was first prepared and adopted by Council in 2005. This policy is referred to by the planning team in the consideration of new applications for planning scheme amendments and subdivisions. However it does not have planning scheme status. The policy sets a higher contribution rate for lots created within the

township of Bannockburn, at a rate of \$2,765, (including low density residential) compared with the balance of the municipality, set at a rate of \$500 per lot.

Current Policy

The policy sets out:

- That this payment is in addition to public open space requirements;
- That an agreement for future payment shall be applied to each request to rezone land for residential development;
- It is at Council's discretion as to whether works in kind will be accepted in lieu of cash;
- A request to rezone land shall not be considered until the development proponent has entered into an agreement to pay the prescribed amount;
- It is recommended that the payment of contributions be formalised through a Section 173 Agreement;
- The trigger for payment of contributions is to be negotiated, however, it is usually paid upon settlement of each lot; and
- All funds received will be deposited into a specific account and maintained as a discretionary component of Retained Earnings.

The funds collected from the \$2,765 contribution per lot in Bannockburn go towards servicing a loan which facilitated the purchase of a 12.9ha recreation reserve in Bannockburn.

State Review of Developer Community Contributions

There has been movement on this issue at a State level, with the Minister for Planning initiating a process of reforming infrastructure contributions throughout the State. A Standard Development Contributions Advisory Committee (SDCAC) was formed to review the current development contributions framework and to introduce a new system, one that reduces the complexity, one that is clear and transparent and one that provides for standard levies across a range of development settings. It is effectively proposed to be a system that can be applied fairly, consistently and efficiently throughout Victoria.

The SDCAC has developed two reports, Report 1 Setting the Framework and Report 2 Setting the Levies. These reports were developed with significant consultation, including public submissions and meetings with key stakeholders. From these reports the SDCAC is proposing a new Development Levy System, using Standard Levies that can be applied in all Victorian municipalities, in three Development Settings: Growth Areas, Urban Areas and Strategic Development Areas.

Following these reports, the Planning and Environment Amendment (Infrastructure Contributions) Bill 2015 has been put before State Parliament to introduce the new system for levying infrastructure contributions. Reforms introduced through the Bill will give developers and Council certainty about the level of contributions required, clarity around the types of infrastructure the contributions will fund, and reduce costly delays. Central to the operation of the new system will be an infrastructure contributions plan. This plan will enable the collection of an infrastructure levy and provide the justification and basis for collecting that levy within the Shire.

The Department of Environment, Land, Water & Planning are working with an Implementation Reference Group to finalise details of the new system before it is implemented. The new system is proposed to be introduced in early 2016 for greenfield growth areas and strategic development areas.

Discussion

In light of the above recommendations, it is proposed that Council Policy 10.4 Developer Community Contributions be amended to align with the recommendations of the SDCAC reports. This proposal would see the contribution rate of \$2,765 increase to \$4,500 within Bannockburn and increase from \$500 to \$1,500 across the balance of the municipality. The report also proposes to rename the policy to "Development Contributions". This review and update of the policy would provide planning with the ability to negotiate a higher development contribution rate prior to considering any rezoning requests.

It is also proposed that Council begins project planning for the preparation of an Infrastructure Contributions Plan for Strategic Development Areas within the Shire in anticipation of the new State system.

Community Engagement

A formal consultation process is not required.

Financial & Risk Management Implications

It is considered the policy review cost implications will be internal officer time. However, preparing an Infrastructure Contributions Plan could have potential budget implications; this would be an upfront cost but would ensure that development contributions are legally required through the scheme. Specific items that may have budget requirements would be in relation to supplementary levies which are relevant to Bannockburn and Smythesdale as Strategic Development Areas. They have the Strategic justification to apply for supplementary levies which can include transport, public land and drainage only.

It is considered that there are no risk management implications.

Economic, Social & Environmental Implications

It is considered that there would be economic implications for Council in the future, if the development of an infrastructure contributions plan is not prioritised.

It is considered that there are no environmental and social implications.

Communications

It is considered that a communication plan is not required.

Conclusion

In order to ensure Council is receiving development contributions that are consistent with the Standard Development Contributions Advisory Committees recommendations, an updated council policy in line with these recommendations is proposed. This policy will provide an interim measure until the development of an Infrastructure Contributions Plan for Council is formalised.

Moved Crs McArthur/Hansford

- 1. That Council adopts the revised Council Policy 10.4 Development Contributions as presented.**
- 2. That Council approves planning officers to begin the project planning to prepare an Infrastructure Contributions Plan for Strategic Development Areas.**

Carried

4.5. KEY RESULT AREA – FINANCIAL MANAGEMENT

4.5.1 Quarterly Budget Report – 9 Months Ended 31 March 2016

Department	Corporate Services
Unit	Corporate Services
Senior Manager	Kim Manley, Acting Director Corporate Services
Responsible Manager	Jason Clissold, Finance Manager
Author	Jason Clissold, Finance Manager
File References	BluePoint File: 40-01-010
Council Plan Link	Implement Strategic Resource Plan
Relevant Council Strategies	Strategic Resource Plan Annual Budget
Relevant Policies & Legislative Frameworks	<i>Local Government Act 1989</i>
Attachments	6. Quarterly Budget Report – 9 Months Ended 31 March 2016

Declarations of Interest: Councillors & Officers

Kim Manley: In providing this advice as the senior manager, I have no disclosable interests in this report.

Jason Clissold: In providing this advice as the responsible manager and author, I have no disclosable interests in this report.

Purpose

The purpose of this report is to present the Quarterly Budget Report – 9 Months Ended 31 March 2016 to Council for adoption.

Background

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 be presented to Council at least every 3 months.

Council has completed nine months of the 2015-16 financial year. The attached budget report has been prepared on an operating basis and includes the following:

- Income Statement;
- Balance Sheet;
- Statement of Cash Flows;
- Statement of Capital Works; and
- Key Result Areas.

Each of the above statements show the original budget together with the current forecast and the actual results for the nine month period July 2015 to March 2016.

The report was tabled at the 10 May Audit and Risk committee for review and discussion. The Committee recommended that the report be adopted by Council.

Discussion

The Senior Management Team has met to review the quarterly results. They are satisfied that the overall surplus remains consistent with the original budget.

The current forecast projects a surplus of \$4.4m for the year ending 30 June 2016 compared to the original surplus of \$2.2m. This positive movement is primarily due to:

- \$1.7m in capital grants and contributions forecast to be received in 2015-16, that were not received in 2014-15 due to the timing of capital projects.
- \$814k in additional unbudgeted Roads to Recovery funding.
- \$391k in additional 'Black Spot' road funding.
- \$641k of expenditure rolled forward from 2014-15, to complete funded projects/programs.

It must be noted that this forecast result assumes:

1. That all projects and services are fully expended by 30 June 2016, which is often not the case. Further detail is provided in the attached budget report.
2. 50% (\$2.6m) of the 2016-17 General Purpose Grants will be paid early in June 2016.

Total expenditure in the Statement of Capital Works is forecast to be \$14.4m compared to the original budget of \$9.4m. This increase is primarily due to projects rolled forward from 2014-15 and the additional capital funding for Roads to Recovery and the Black Spot program (\$1.2m in total).

The 2015-16 adjusted underlying result is forecast to be a deficit of \$255k, compared to a budget deficit of \$522k.

Community Engagement

A formal consultation process was not required.

Financial & Risk Management Implications

The financial implications are explained within this agenda and the attached budget report.

It is considered that there are no risk management implications

Economic, Social & Environmental Implications

It is considered that there are no economic, social or environmental implications.

Communications

It is considered that a communication plan is not required.

Conclusion

Financial controls and regular monitoring by officers should ensure that the current forecast remains consistent with the original budget adopted by Council, after allowing for roll forwards and budget reallocations.

The financial results detailed in the attached budget report remain consistent with the objectives adopted in Council's Strategic Resource Plan.

Moved Crs Kirby/McArthur

That Council adopts the Quarterly Budget Report for the 9 Months Ended 31 March 2016.

Carried

4.6. KEY RESULT AREA – HUMAN SUPPORT SERVICES

No report.

4.7. KEY RESULT AREA – RECREATION & COMMUNITY DEVELOPMENT

No report.

4.8. KEY RESULT AREA – ROADS & STREETS INFRASTRUCTURE

No report.

4.9. KEY RESULT AREA – WASTE MANAGEMENT

No report.

5. NOTICES OF MOTION

File: 02-03-004 &

Nil

6. PETITIONS

Nil

7. OTHER BUSINESS

7.1. MAYOR'S REPORT

Cr Des Phelan, Mayor
File: 02-03-003

The Mayor reported on a range of meetings and activities that he was engaged in over the past month.

Date	Details
28/4/16	Opening of Rokewood Early Years Facility and Bannockburn Children's Service Extension
29/4/16	G21 Board meeting
29/4/16	Peri Urban representatives visit to GPS
30/4 & 1/5/16	Emergency Services Victoria 5 th Volunteer Leaders Forum
5/5/16	Golden Plains Business Breakfast
5/5/16	Committee for Ballarat meeting with GPS
6/5/16	Grampians Central West WRRG Council Forum
9/5/16	Cape Clear Bore and Water Tank meeting
9/5/16	National Volunteer Week afternoon tea at Smythesdale
10/5/16	Launch of Strategic Action Plan, Committee for Ballarat
11/5/16	National Volunteer Week morning tea at Rokewood
12/5/16	Rural Councils Victoria Forum
16/5/16	Golden Plains Food Production Precinct Barwon Water Stage 1 pipeline completion event TBC
19/5/16	Linton and District Progress Association AGM

7.2. CHIEF EXECUTIVE OFFICER'S REPORT

Rod Nicholls, Chief Executive Officer
File: 02-03-004

Nil

7.3. **MUNICIPAL ASSOCIATION OF VICTORIA (MAV) REPORT**

Cr Nathan Hansford, MAV Delegate

File: 03-05-001

Update provided on the Rural Councils Victoria Forum attended by the Mayor Cr Phelan, Cr Hansford and Acting Chief Executive Officer Mr Trigg:

- Incorporation and importance for each Council to put this motion forward.
- Dairy industry
- Hon Jaala Pulford (Western Victoria)
- Secretariat has been advertised
- Lack of website

7.4. **COUNCILLOR REPORTS**

Cr Jenny Blake

- Black spot – Wingeel and Cressy–Shelford Road near hall a sign has been removed.
- Golden Plains Business Breakfast.
- Community Engagement Reference Group presentation in Bannockburn.
- National Volunteer Week function in Bannockburn.
- Grahams Road and Rowes Road, Sutherlands Creek are in need of being graded.
- Rural Womens Network – the tank at Warrambine has been installed.
- Future Landscapes and Creating Resilient Communities. Mr Anders, Director Assets & Amenity to organise a workshop on 28 June on this topic. Speaker from Deakin to be invited.

Cr Nathan Hansford

- Geelong Regional Library Corporation Board meeting. Cr Hansford is Deputy Chair.
- MAV have made a submission to the DELWP Water Plan.
- Upcoming conference is the Rural and Regional Planning Conference.
- Golden Plains Business Breakfast.
- MAV State Council.
- Bannockburn Chamber of Commerce meeting.
- 2016 Future of Local Government Conference.

Cr Helena Kirby

- Rokewood Early Years Facility and Bannockburn Children's Service Extension openings
- Enfield Rec Res COM AGM
- Golden Plains Business Breakfast
- National Volunteer Week functions in Smythesdale and Rokewood
- Golden Plains Food Production Precinct Water Pipeline official opening
- Linton & District Progress Association AGM
- Community Access meeting in Meredith

Cr Greg Vaughan

- Golden Plains Business Breakfast
- Query regarding the bus stop outside the shop in Teesdale. Mr Greg Anders, Director Assets & Amenity to respond to Councillors via email.
- Batesford Cemetery – Mr Richard Trigg, Acting Chief Executive Officer, advised that works are progressing on pest control, vegetation removal and fencing works.

Cr Andrew Cameron

- Golden Plains Business Breakfast
- National Volunteer Week function in Bannockburn
- Future Landscapes and Creating Resilient Communities

Cr Bill McArthur

- Rokewood Early Years Facility and Bannockburn Children's Service Extension openings.
- Met with CEO Volunteering Victoria, Sue Noble, in Melbourne.
- Community Engagement Strategy in Bannockburn.
- Future of Local Government Conference.
- MAV will provide Stand for Council Program in Bannockburn and Smythesdale.
- MAV State Council – advocacy issues raised, cost shifting, school crossing supervisors and funding for SES.
- MAV funding agreement for Maternal and Child Health MAV with the State Government.
- Landfill levy
- State Council adopted Strategic Work Plan and variations.

7.5. **IN CAMERA MEETING**

Should Council wish to consider any matters in camera, in accordance with Section 89 of the Local Government Act 1989, it may resolve to close the meeting to members of the public if the meeting is discussing:

- (a) Personnel matters;
- (b) The personal hardship of any resident or ratepayer;
- (c) Industrial matters;
- (d) Contractual matters;
- (e) Proposed developments;
- (f) Legal advice;
- (g) Matters affecting the security of Council property;
- (h) Any other matter which the Council considers would prejudice the Council or any person;
- (i) A resolution to close the meeting to members of the public.

8. ATTACHMENTS

Attachment 1	Item 4.2.1	Draft Rules for Rural Councils Victoria Incorporated
Attachment 2	Item 4.2.2	Appointment and Authorisation – (Planning & Environment Act)
Attachment 3	Item 4.2.3	Amended Procurement Policy (with mark ups)
Attachment 4	Item 4.4.1	Revised Council policy 10.4 Development Contributions (Showing Changes)
Attachment 5	item 4.4.1	Confidential: Mesh Development Contributions Options Report
Attachment 6	Item 4.5.1	Quarterly Budget Report 9 Months Ended 31/3/16

Attachments are available upon request.

9. CLOSE OF MEETING

The meeting closed at 5.24 pm.

10. CERTIFICATION

In accordance with Section 93(5) of the Local Government Act 1989, I hereby certify that the minutes of this Council meeting have been confirmed as a true and correct record.

Confirmed, Mayor, Cr Des Phelan

Date

Hard copy agendas (total printed)	13
Councillors.....	7
CSO.....	1
Gallery.....	5
Soft copy notification: media.....	0
Soft copy notification: Councillors & staff.....	0
Soft copy posted to website, portal, intranet, box.....	0
Hard copy attachments (total printed for CSO).....	2
Soft copy posted to website, portal, intranet, box.....	0
Hard copy minutes (total printed)	8
Councillors.....	7
Minutes file.....	1
Soft copy email: Auditor.....	0
Soft copy notification: media.....	0
Soft copy notification: staff.....	0
Soft copy posted to website, portal, intranet, box.....	0