



GOLDEN PLAINS SHIRE

MINUTES

Ordinary Council Meeting

6.00pm Tuesday 24 September 2019

VENUE:
Bannockburn Shire Hall
Council Chambers
12 High Street, Bannockburn

NEXT ORDINARY COUNCIL MEETING
6.00pm Tuesday 22 October 2019

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**MINUTES OF GOLDEN PLAINS SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE BANNOCKBURN SHIRE HALL, COUNCIL CHAMBERS, 12 HIGH STREET,
BANNOCKBURN
ON TUESDAY, 24 SEPTEMBER 2019 AT 6.00PM**

PRESENT: Cr Helena Kirby, Cr David Evans, Cr Joanne Gilbert, Cr Nathan Hansford, Cr Les Rowe, Cr Owen Sharkey (Mayor)

IN ATTENDANCE: Eric Braslis (CEO), David Greaves (Works Manager), Tim Waller (Development Manager), Philippa O'Sullivan (Director Corporate Services), Lisa Letic (Director Community Services)

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 acknowledge the traditional Wadawurrung owners of the land where we meet today. 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 Des Phelan

4 CONFIRMATION OF MINUTES

RESOLUTION

Moved: Cr David Evans
Seconded: Cr Nathan Hansford

That the minutes of the Ordinary Council Meeting held on 27 August 2019 be confirmed.

CARRIED

5 DECLARATION OF CONFLICT OF INTEREST

Nil

6 PUBLIC QUESTION TIME

DEBRA LAYTON

Question 1

Why is GPS considering a permit for ACTA when further information requests from EPA have not been complied with. Cut off date for ACTA response was 6 June 2019 however full response has not been received by EPA.

Response (DEVELOPMENT MANAGER)

The composting proposal at 607 Bannockburn-Shelford Road, Bannockburn is required to go through two separate assessment processes. The first concerns a planning permit application to consider the use of the land and associated development. The second, is an EPA Works Approval application to consider composting activities given the scale and nature of the proposal. The EPA application considers the technical and scientific aspects of the proposal. This proposal will need to achieve approval from both authorities to operate. The EPA have requested additional information in support of the Works Approval application. The information sought is not relevant to the matters which Council must consider. Council has the information required to make a decision and therefore the application has proceeded to a Council meeting with a formal recommendation. The two assessment processes are independent of one another, and as stated, the applicant requires approval from both authorities prior to the commencement of the proposed operations.

Question 2

Why is GPS allowed rezoning of Agricultural Farm land to industrial for ACTA? Bannockburn already has an industrial estate/s.

Response (DEVELOPMENT MANAGER)

Planning permit application P19-081 is not an application to rezone land. The subject site is zoned Farming and this is not proposed to be changed. The use that has been proposed in this instance, is defined as Industry. Land uses, including Industry are defined within the Golden Plains Planning Scheme (Clause 73.03). Industry has a detailed definition that includes, but is not limited to, the 'treating of waste materials'. This application proposes the treating of waste materials such as green organics and hatchery waste to create a reusable product in the form of compost. As noted in the Council report, the site has been chosen as it is located within close proximity to many of the products proposed to be treated. The site is also located close to the agricultural sector who may wish to use the end product (compost). The use of two hectares of land in the Farming Zone for the purposes of composting would not create an industrial estate.

7 BUSINESS REPORTS FOR DECISION

7.1 ASSEMBLY OF COUNCILLORS

EXECUTIVE SUMMARY

To present Council with written records of Assembly of Councillors in accordance with section 80A of the Local Government Act 1989 from 28 August 2019 to 23 September 2019.

RESOLUTION

Moved: Cr Nathan Hansford

Seconded: Cr David Evans

That Council notes the Assembly of Councillors Record from 28 August 2019 to 23 September 2019 as attached.

CARRIED

7.2 DELEGATES REPORT - 28 AUGUST 2019 TO 23 SEPTEMBER 2019

Cr Owen Sharkey

29 August	Official launch of the Mayoral Youth Project
29 August	CHCV Mayor's and CEO's Meeting
30 August	2019 G21 Stakeholder Forum
8 September	Conversation Post in Batesford
10 September	Audit & Risk Committee Meeting
12 September	Conversation Post in Teesdale
13 September	Roundtable Discussion with Minister for Energy, Environment & Climate Change on Kerbside Reforms
13 September	Bannockburn Chamber of Commerce's Annual General Meeting
16 September	Bannockburn Children's Centre Workshop
17 September	Councillor Briefing meeting
18 September	Official Opening of the Smythesdale Courthouse
18 September	Waste Community Panel/Focus Group
20 September	G21 Board Meeting
21 September	Waste Strategy Consultation

Cr Les Rowe

8 September	Conversation Post in Batesford
16 September	G21 Environment Pillar meeting
16 September	Bannockburn Children's Centre Workshop
17 September	Councillor Briefing meeting
18 September	Official Opening of the Smythesdale Courthouse

Cr David Evans

8 September	Conversation Post in Batesford
10 September	Audit & Risk Committee Meeting
12 September	Conversation Post in Teesdale
13 September	Rural and Peri Urban Advisory Committee meeting
16 September	G21 Environment Pillar meeting

16 September Bannockburn Children's Centre Workshop
17 September Councillor Briefing meeting
21 September Waste Strategy Consultation

Cr Nathan Hansford

MAV Update as attached

RESOLUTION

Moved: Cr Nathan Hansford

Seconded: Cr Joanne Gilbert

That Council receive and note the Delegates Report – 28 August 2019 to 23 September 2019.

CARRIED

7.3 CITIZEN RECOGNITION

Golden Plains Shire is proud to recognise the fantastic achievements and contributions made by young people in the community. We are fortunate today to present two Citizen Recognition Awards, which includes a certificate of recognition to Noah Grootveld and James Malseed.

Noah Grootveld is being recognised for his achievement in sport.

- Noah is 8 years old, lives in Bannockburn and has been playing Futsal (Indoor Soccer) since he was 6.
- Noah has been accepted to the Victoria State Futsal team and will be competing in the National Schools Futsal Competition.

James Malseed is being recognised for his achievement in sport.

- James is 9 years old, lives in Bannockburn and has been playing Futsal (Indoor Soccer) since he was 8.
- James has been accepted to the Victoria State Futsal team team and will be competing in the National Schools Futsal Competition.

These achievements were recognised with the presentation of a certificate by the Mayor.

7.4 P19-081 - 605 BANNOCKBURN-SHELFORD ROAD, BANNOCKBURN FOR THE USE AND DEVELOPMENT OF THE LAND FOR INDUSTRY (COMPOSTING FACILITY)

EXECUTIVE SUMMARY

This report relates to a planning permit application for the use and development of land for the purposes of Industry (composting facility) at 607 Bannockburn-Shelford Road, Bannockburn subject to the conditions attached to this report.

The composting system proposes to use 2 hectares of the site for the blending of selected organic feedstocks with green organics and a compost activator. The piles of compost are not turned, instead they are left undisturbed for approximately 10 weeks. The application proposes to accept up to 50,000m³ of material annually, to be brought to site via up to 4 truckloads per day. The end product is for the purposes of agricultural fertiliser. The application has been internally referred to Council's Works, Natural Resources and Strategic Planning departments, and externally to the Corangamite Catchment Management Authority (CCMA), Environment Protection Authority (EPA) and VicRoads. No referrals resulted in objection to the proposal.

The application has been referred to the Council Meeting for determination because there are objections to the application. Objector's concerns have been categorised into the following themes:

- Odour & air emissions
- Biosecurity, pests & vermin
- Composting process, site controls, environmental management plan & applicant's track record
- Wastewater and impacts on water resources
- Human health & wellbeing
- Traffic, roads & safety
- Site selection & land use zoning
- Community & socioeconomics
- Other (Visual & landscape amenity, wildlife & natural environment)

RESOLUTION

Moved: Cr Les Rowe

Seconded: Cr Nathan Hansford

That Council resolves to issue a Notice of Decision to Grant a Planning Permit for the use and development of the land for Industry (Composting facility) at 607 Bannockburn-Shelford Road, Bannockburn subject to the conditions attached to this report (Attachment 1).

CARRIED

7.5 P19-084 - 85 ACKLAND ROAD, LETHBRIDGE FOR A TWO-LOT SUBDIVISION**EXECUTIVE SUMMARY**

This report relates to a planning permit application for the development of land for the purposes of a two lot subdivision at 85 Ackland Road, Lethbridge. The application has been referred to the Council Meeting for determination because there is an objection to the application.

Matters of concern raised via the objection relate to the Lethbridge Structure Plan, with particular reference made to a part of the Structure Plan which states '*If sewerage becomes available...*' The objection queries how this application can be considered given the Structure Plan and inadequate drainage in the area.

The Structure Plan simply makes reference to the possibility of sewerage ever becoming available. It is not available in Lethbridge at this point time and is not currently under consideration. Therefore the usual considerations and assessment for effluent disposal apply which includes a requirement that lots to be at least 0.4ha (4000²m) in area and be capable of containing and treating all effluent on site. A Land Capability Assessment (LCA) was submitted with the application and assessed by Council Environmental Health Department who did not object, but did recommend conditions.

The application was also referred to Council's Works department for consideration of drainage. Works did not object to the proposal and have also recommended conditions to address drainage and access. This includes physical works to be undertaken prior to the issue of statement of compliance. Works are required to be undertaken in accordance with Council's Infrastructure Design Manual (IDM).

RESOLUTION

Moved: Cr Nathan Hansford

Seconded: Cr David Evans

That Council resolves to issue a Notice of Decision to Grant a Planning Permit for the development of a two lot subdivision at 85 Ackland Road, Lethbridge subject to the conditions attached to this report.

CARRIED

7.6 ROADS 2 RECOVERY & GOLDEN LAKE ROAD FUNDING REALLOCATION

EXECUTIVE SUMMARY

Since the adoption of Councils 2019/20 budget in July 2019 there have been several changes to projects and funding most notably the increase in funding to the Federal Government "Roads to Recovery" program and the Council decision to not proceed with the replacement of Golden Lake Rd Bridge in Piggoreet. As a result, Council is required to determine how these funds are reallocated

RESOLUTION

Moved: Cr David Evans

Seconded: Cr Les Rowe

That Council:

1. Allocate the additional Roads to Recovery funding of \$466,655 to the following projects;
 - (a) Barwon Park Road Bridge Deck Replacement - \$110,000
 - (b) Maude – She Oaks Rd upgrade - \$156,655
 - (c) Review, design, specification and tender preparation for identified future bridge and road upgrade projects - \$200,000
2. Reallocate \$300k from the Golden Lake Rd bridge project to the Franklin Bridge Replacement project (\$200,000) and the remaining \$100,000 (carried over) to the 2020/21 Resealing program.

CARRIED

7.7 BARWON PARK ROAD BRIDGE DECK REPLACEMENT - INVERLEIGH (CONTRACT NO. GPSC-RFT-10-2019) - AWARDING OF TENDER

EXECUTIVE SUMMARY

Having undertaken a competitive tender process for the Barwon Park Road Bridge Deck Replacement, Inverleigh and having evaluated and assessed the tenders received, Council is now being requested to approve awarding of the contract to the preferred and recommended tenderer.

RESOLUTION

Moved: Cr David Evans

Seconded: Cr Nathan Hansford

That Council:

1. Resolves to award contract GPSC-RFT-10-2019, Barwon Park Road Bridge deck replacement, Inverleigh, to ACE Infrastructure Pty Ltd for the tendered sum of \$619,632.43 (ex GST) in accordance with clause 2.4.3 of the procurement policy and subject to Surf Coast Shire Council approving additional contribution.
2. Authorise the Chief Executive Officer to execute Contract No. GPSC-RFT-10-2019 with Ace Infrastructure Pty Ltd for Barwon Park Road Bridge deck replacement in Inverleigh.

CARRIED

7.8 ENDORSEMENT OF THE BANNOCKBURN TRANSPORT STRATEGY

EXECUTIVE SUMMARY

Consultants Cardno were engaged in early 2018 by Golden Plains Shire Council to provide Transport Strategies for Traffic Management, Car Parking, and Sustainable Transport within the area defined by the Bannockburn Urban Design Framework (UDF). The Bannockburn Transport Strategy (BTS) has now been finalised and requires Councils endorsement. The BTS provides recommendations which align with the expected full development of Bannockburn as per the current UDF. The BTS also includes an implementation plan with high level construction cost estimates and likely timeframes.

RESOLUTION

Moved: Cr Nathan Hansford

Seconded: Cr David Evans

That Council adopt the Bannockburn Transport Strategy as provided at Attachment 1.

CARRIED

UNCONFIRMED

7.9 LOCAL GOVERNMENT INSPECTORATE EXAMINATION – PROGRESS REPORT

EXECUTIVE SUMMARY

In November 2018 Golden Plains Shire Council participated in an examination by the Local Government Inspectorate (Inspectorate) to ensure Council's processes and practices, specifically, in relation to governance and procurement, met the requirements of the *Local Government Act 1989*.

The Inspectorate lodged a report on 28 February 2019 detailing the results of the examination (Attachment 3). A number of recommended actions were made by the Inspectorate to improve current process and practices. Council were supportive of all the recommendations contained within the Examination Report and a number of activities undertaken to implement the recommendations made.

Council lodged its initial response to the Inspectorate on the 2 April 2019. The Examination Report along with Council's response were received by the Audit and Risk Committee at its 14 May 2019 meeting, by Council at the 28 May 2019 Ordinary Council Meeting and also, made publically available on Council's website.

It was agreed with the Inspectorate that an update be provided by the 2 August 2019 and as such, a Progress Report (Attachment 1) and supplementary Procurement Report (Attachment 2) were lodged with the Inspectorate on the 1 August 2019.

The Progress Report and the Procurement Report were received by the Audit and Risk Committee at its 10 September 2019 meeting with the Committee acknowledging the significant amount of progress made on the recommendations and actions identified. The Progress Report and the Procurement Report are presented to Council for noting.

The Progress Report and the Procurement Report will now become publically available on Council's website in addition to the Examination Report and initial response that were previously made publically available on Council's website in May 2019.

A response from the Inspectorate was received on the 20 August 2019 advising that the Inspectorate is satisfied with the progress. The Inspectorate requested that a further update be provided on the matters that are still in progress by 1 November 2019. That update will also be provided to the Audit and Risk Committee and Council in November 2019.

RESOLUTION

Moved: Cr Helena Kirby

Seconded: Cr Joanne Gilbert

That Council:

1. Receive and note the Local Government Inspectorate Golden Plains Shire Council Examination – Progress Report lodged with the Local Government Inspectorate on 1 August 2019 as shown at Attachment 1.
2. Note the outstanding actions identified in the Progress Report have been added to the Outstanding Internal and External Audit Actions Report to allow progress to be reported to Council's Audit and Risk Committee.
3. Note that the Progress Report will now become publically available on Council's website in addition to the Examination Report and initial response that were previously made publically available on Council's website in May 2019.

CARRIED

7.10 POLICY AND PROCEDURE FRAMEWORK

EXECUTIVE SUMMARY

A Policy and Procedure Framework (the Framework) (Attachment 1) for Golden Plains Shire Council has been developed. The Framework suggests a new approach to Council's policy and procedure methodology including a new Policy Template (Attachment 2) and Procedure Template (Attachment 3). Supplementary to the Framework, a new Policy and Procedure Register has been developed.

The objectives of the Draft Framework are to:

- govern the development, establishment, amendment and review of policies and procedures to ensure relevance, authority and consistency with internal and external requirements and legislation;
- ensure important corporate knowledge of information and systems are consistently continued and maintained by Council despite staff changes and time passing;
- define the roles, responsibilities and authorities in relation to the development, establishment, amendment and review of policies and procedures;
- assist Council's compliance and decision making processes;
- supports the management of risks.

The draft Framework and templates were endorsed by the Full Management Team (FMT) at its 7 August 2019 meeting and the Audit and Risk Committee at its 10 September 2019 meeting.

The Framework defines Council's approach and objectives and being a strategic document, Maddocks Lawyers have recommended that it be adopted by Council.

RESOLUTION

Moved: Cr David Evans
Seconded: Cr Helena Kirby

That Council adopt the Policy and Procedure Framework as shown at Attachment 1.

CARRIED

7.11 REVIEW OF INSTRUMENT OF DELEGATION - COUNCIL TO CEO

EXECUTIVE SUMMARY

The Local Government Act 1989 (the Act) enables Council to delegate functions, duties and powers, other than exemptions under sections 86(4) and 98(1) of the Act, to the CEO, Council staff and special committees.

The Instrument of Delegation to the CEO was last reviewed and adopted by Council in March 2017. A review of that instrument has now been completed.

The review included consideration of a number of key aspects, including:

- ensuring that the activities as responsible by the CEO can be delivered as effectively and efficiently as possible;
- the CEO's current financial limitation under the delegation of \$200,000 compared to other similar councils;
- that the Council adopts its operating budget via the annual budgeting process and the instrument of delegation enables the CEO to deliver budgeted activities without obtaining re-authorisation by Council.
- a review of the number of awarded tenders, tender prices and total and average expenditure undertaken by Council over the last 3 years; and
- the actions and additional controls now in place following the Local Government Inspectorate Examination Report – February 2019 which has strengthened Council's procurement and contract management processes. This includes the revised Procurement Policy adopted at the 25 June 2019 Ordinary Council meeting. Refer to Agenda Item 7.9 – Local Government Inspectorate Examination – Progress Report.

Based on the above considerations, it is recommended that the CEO's financial limitation under the delegation be increased from \$200,000 to \$400,000. The justification is included in the body of this report.

At its meeting 10 September 2019 the Audit and Risk Committee resolved to support the proposed increase to the CEO's financial limitation under delegation and recommended that Council consider and adopt the revised the Instrument of Delegation from Council to the Chief Executive Officer at its 24 September 2019 Ordinary Council Meeting.

RESOLUTION

Moved: Cr Joanne Gilbert

Seconded: Cr Nathan Hansford

That Council, in the exercise of the powers conferred by section 98(1) of the *Local Government Act 1989* (the Act) and the other legislation referred to in the attached Instrument of Delegation:

1. Adopt the Instrument of Delegation from Council to the Chief Executive Officer (or person holding the position, acting in or performing the duties of Chief Executive Officer), subject to the conditions and limitations specified in that Instrument, including a financial limitation of \$400,000, as shown at Attachment 1.
2. Note the increase to the CEO's financial limitation under the instrument was supported by the Audit and Risk Committee at its meeting held on the 10 September 2019.
3. Note the instrument includes a power of delegation to members of Council staff, in accordance with s 98(3) of the Act.
4. Note the duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies adopted by Council.

5. Approves the instrument to come into force immediately the common seal of Council is affixed to the instrument and at that time the previous delegations from Council to the Chief Executive Officer to be revoked.

In Favour: Crs Joanne Gilbert, Nathan Hansford and Owen Sharkey

Against: Crs Helena Kirby, David Evans and Les Rowe

EQUAL

Mayor Cr Sharkey exercised his casting vote to support the motion.

CARRIED

7.12 FINANCIAL ASSISTANCE GRANTS - FINAL 2019-20 ALLOCATION

EXECUTIVE SUMMARY

Formal notification of the allocation of financial assistance grants is provided to Victorian councils following the determination of the revised Federal Budget estimate in July each year. \$3.82 million of general purpose grants and \$2.08 million of local roads funding grants has been allocated to Golden Plains Shire Council for the 2019-20 year. The advised final grant outcome for 2019-20 of \$5.906 million which is \$40,000 more than the 2019-20 budget of \$5.867 million. As such, it is recommended that the additional \$40,000 is re-allocated to consolidated revenue to strengthen the Council's 2019/20 financial position rather than to redirect to another project.

RESOLUTION

Moved: Cr Nathan Hansford

Seconded: Cr David Evans

That Council:

1. Note the correspondence received from the Victoria Grants Commission advising of the final 2019-20 financial assistance grant allocation.
2. Endorse the additional \$40,000 grant allocated in excess of the 2019-20 budget be re-allocated to consolidated revenue to strengthen the Council's 2019/20 Financial position rather than to redirect to another project.

CARRIED

7.13 QUARTERLY FINANCE REPORT

EXECUTIVE SUMMARY

The purpose of this report is to:

1. Present the quarterly budget report for the Council's noting; and
1. Update Council on any current or emerging issues that may have an impact on Council's financial position or sustainability.

The Income Statement reports total operating revenue of \$44.6m and total operating expenditure of \$38.3m, which results in a year to date surplus of \$6.3m. This is \$3.0m favourable compared to the June Year to Date (YTD) adopted budget.

The Capital Works Statement indicates total capital works expenditure of \$10.5m, which is \$4.5m below the June YTD adopted budget, and \$9.3m below the forecast, with \$9.3m carried over to 2019-20.

RESOLUTION

Moved: Cr David Evans
Seconded: Cr Joanne Gilbert

That Council note the Budget Report for the 12 months ended 30 June 2019.

CARRIED

7.14 IN-PRINCIPLE PERFORMANCE STATEMENT AND IN-PRINCIPLE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2019

EXECUTIVE SUMMARY

The purpose of this report is for Council to note the in principle the Performance Statement and Financial Statements as attached, and as authorised by Council, note that the Mayor (or his deputy) and Cr Evans (or his delegate), as Council representatives of the Audit and Risk Committee, certified the Performance Statement and Financial Statements in accordance with the regulations.

RESOLUTION

Moved: Cr Nathan Hansford
Seconded: Cr Helena Kirby

That Council:

1. Note the 2018/19 financial statements and performance statement that, as authorised by Council, were certified by the Mayor and Cr Evans at the 10th September Audit and Risk Committee meeting.
2. Note the findings identified by external audit as provided in attachment 3 with the 2 key findings being the unfunded liability for the landfill provision and the outstanding aged debtors.

In Favour: Crs Helena Kirby, Joanne Gilbert, Nathan Hansford, Les Rowe and Owen Sharkey

Against: Cr David Evans

CARRIED 5/1

7.15 POLICIES - ASSET DISPOSAL AND RESERVE/PROVISION FUNDING**EXECUTIVE SUMMARY**

Two new accounting policies have been developed to strengthen internal controls and create clear policies and procedures.

- Asset Disposal Policy
- Reserve and Provision Funding

RESOLUTION

Moved: Cr David Evans

Seconded: Cr Les Rowe

That Council

1. Note the two new accounting policies developed for Asset Disposal and Reserve/Provision Funding.
2. Note the Audit and Risk Committee at its 10 September Audit and Risk Committee meeting recommended that Council adopt the two policies.
3. Adopt the new Asset Disposal Policy and Reserve and Provision Funding Policy.

CARRIED

7.16 AUDIT & RISK COMMITTEE REPORT - 10 SEPTEMBER 2019**EXECUTIVE SUMMARY**

This report is being submitted to Council to provide a summary of business considered at the 10 September 2019 meeting of the Audit & Risk Committee.

RESOLUTION

Moved: Cr David Evans

Seconded: Cr Nathan Hansford

That Council receive the Audit & Risk Committee report from the meeting of 10 September 2019.

CARRIED

7.17 PROCUREMENT POLICY REVIEW

EXECUTIVE SUMMARY

Council is committed to ensuring continuous improvement and that strong compliance processes are in place for its procurement activities in order to achieve value for money and generate benefits for Council and its community.

The *Local Government Act 1989* (Vic) requires that Council prepare and approve a procurement policy and review the procurement policy at least once in each financial year and amend it as necessary.

On 25 June 2019 Council resolved to adopt a revised Procurement Policy in compliance with section 186A(7) of the *Local Government Act 1989* (Vic) as provided in attachment 1.

The former Procurement Policy of May 2018 has had a major review to encompass:

- the legislative requirements that Council must comply with in undertaking its procurement activities;
- the recommendations from the Local Government Inspectorate's Report dated 28 February 2019 about Council's procurement procedures, processes and practices; and
- feedback from Council employees as a result of the consultation process during the review.

The revised Procurement Policy ('Policy') as provided in Attachment One provides numerous proactive and positive provisions in order to be compliant, strong governance and continuous improvement in place.

However, before adoption of the revised Policy, Council made 2 changes to it, namely clauses 5 and 6 which deal with the procurement threshold application, and clause 23.3 which is about 'contract variations'. During the implementation and application of the requirements of the Policy it has been identified that these 2 changes are creating administrative burden by re-directing staff time and productivity to focus on low risk activities, delays and confusion for Council employees to deliver activities efficiently. Accordingly, this Report recommends Council's re-consideration of clauses 5, 6 and 23.3 and, if accepted, amendment of them as provided in attachment 2.

The current and proposed amended procurement policy was also presented to the Audit and Risk Committee at their 10 September 2019 meeting whereby they supported the amendments and recommended the revised policy be adopted by Council at the September 2019 Council meeting.

RESOLUTION

Moved: Cr Nathan Hansford

Seconded: Cr Helena Kirby

That Council:

1. Note the amendments to clauses 5, 6, 23 and 26.3(b) of the revised Procurement Policy as shown at Attachment 3.
2. Adopt the revised Procurement Policy under section 186A(7) of the *Local Government Act 1989* (Vic).
3. Resolve that clauses 22 and 23 in the revised Procurement Policy be amended to align with the Chief Executive Officer's financial delegation in the '*Instrument of Delegation to the Chief Executive Officer*' before the Chief Executive Officer signs the adopted Procurement Policy.

CARRIED

8 NOTICES OF MOTION

Nil

9 PETITIONS

Nil

10 CONFIDENTIAL REPORTS FOR DECISION

RESOLUTION

Moved: Cr Les Rowe
Seconded: Cr Joanne Gilbert

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:

10.1 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.

10.2 Bannockburn Children's Service Best Value Review

This matter is considered to be confidential under Section 89(2) - c 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 industrial matters.

CARRIED

RESOLUTION

Moved: Cr Nathan Hansford
Seconded: Cr Les Rowe

That Council moves out of Closed Council into Open Council.

CARRIED

The Meeting closed 9.16pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 22 October 2019.

.....
MAYOR CR OWEN SHARKEY