

LODDON SHIRE COUNCIL

Notice of an Ordinary Meeting of the Loddon Shire Council to be held in the Council Chambers,
Serpentine on Tuesday 27 May 2014 at 3pm.

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1. APOLOGIES

Nil

2. PREVIOUS MINUTES

2.1 CONFIRMATION OF MINUTES

SUMMARY

Seeking approval of the unconfirmed minutes of the previous Council Forum and Meetings.

Author: John McLinden - Chief Executive Officer

Council Plan ref: Core business 8: Compliance

File No: 02/01/001

Attachment: Nil

RECOMMENDATION

That Council confirm:

1. *the minutes of the Council Briefing of 22 April 2014*
2. *the minutes of the Ordinary Council Meeting of 22 April 2014*
3. *The minutes of the Council Forum of 29 April 2014*
4. *The minutes of the Council Forum of 13 May 2014*

2.2 REVIEW OF ACTION SHEET

SUMMARY

Approval of Action Sheet.

Author: John McLinden - Chief Executive Officer

Council Plan ref: Core business 8: Compliance

File No: 02/01/001

Attachment: 2.2 Action Sheet

RECOMMENDATION

That Council receive and note the Action Sheet.

3. COUNCILLORS' REPORTS

3.1 MAYORAL REPORT

SUMMARY

Approval of the Mayoral Report.

Author:	John McLinden, Chief Executive Officer
Council Plan ref:	Core business 1: Leadership
File No:	02/01/001
Attachment:	Nil

RECOMMENDATION

That Council receive and note the Mayoral Report.

3.2 COUNCILLORS' REPORT

SUMMARY

Approval of Councillors' Reports.

Author:	John McLinden, Chief Executive Officer
Council Plan ref:	Core business 1: Leadership
File No:	02/01/001
Attachment:	Nil

RECOMMENDATION

That Council receive and note the Councillors' Report.

4. **DECISION REPORTS**

4.1 **DRAFT COMMUNITY SUPPORT POLICY**

SUMMARY

Seeking Council adoption of the revised Community Support Policy.

Author	John McLinden, Chief Executive Officer
Council Plan ref:	Core business 8: Compliance
File no:	17/03/001
Attachment:	Draft Community Support Policy v2

RECOMMENDATION

That Council adopt the revised Community Support Policy.

PREVIOUS COUNCIL DISCUSSION

February 2014 Council meeting – decision to amend the policy.

April 2014 Council Briefing – consideration of draft policy amendment.

BACKGROUND

As part of its review of policies and procedures, Council adopted a new Community Support Policy in July 2012, incorporating policy for Council's:

- community planning
- community grants
- funding for public halls and recreation reserves
- interest free loans
- events sponsorship
- allocations to development associations
- secondary school scholarships
- sports and recreation grants.

ISSUES/DISCUSSION

At the February 2014 Council meeting – Report 4.1 Councillor Initiative Fund, Council resolved to (among other things):

- *establish annual allocations within the budget process for sponsorships and donations and Major Projects*
- *amend the Community Support Policy to recognise Council's sponsorships and donations program and to give guidance to Council in approving sponsorships and donations.*

As a result of this decision, and upon consultation with relevant staff on other required changes to the policy, the attached revised Community Support Policy has been amended to:

- add section 3.9 Sponsorships and donations, to outline the policy for granting sponsorships and donations based upon a written request from an individual or community group
- replace references to 'projects or events for religious groups or political parties being ineligible' with 'projects or events designed to promote political or religious ideas being ineligible'. This will

allow, for example, a church group supporting a non-religious youth event to be eligible for funding within the Community Grants or Events Sponsorship policy

- some minor changes to wording for clarification of the community planning policy.

COSTS/BENEFITS

The proposed amended policy will be cost-neutral to Council.

RISK ANALYSIS

Nil.

CONSULTATION AND ENGAGEMENT

As discussed above.

4.2 DRAFT COMMUNICATION AND COMMUNITY ENGAGEMENT POLICY

SUMMARY

Seeking adoption of the draft Communication and Community Engagement Policy.

Author	John McLinden, Chief Executive Officer
Council Plan ref:	Strategic enabler: Transparent communication
File no:	18/01/001
Attachment:	Draft Communication and Community Engagement Policy v3

RECOMMENDATION

That Council adopt the Communication and Community Engagement Policy.

PREVIOUS COUNCIL DISCUSSION

April 2014 Council Briefing – consideration of draft policy amendment.

BACKGROUND

As part of its review of policies and procedures, Council adopted a new Communication Policy in July 2012.

The proposed Local Government Performance Reporting Framework due to commence in July 2014 requires that councils have a policy for community engagement.

ISSUES/DISCUSSION

Given the related nature of communication and community engagement by Council, it was proposed to revise the current Communication Policy to incorporate Council's policy on community engagement.

The proposed revisions outline a framework that involves different levels of engagement with the community, based on the type of decision being considered:

- Information
- Obtain feedback
- Involvement
- Collaboration
- Empowerment

The framework was adapted from the IAP2 Public Participation Spectrum developed by the International Association for Public Participation, and reflects current best practice for community engagement by the government sector. Where practical, decisions that are made collaboratively with the community, or where the community takes some responsibility for implementing decisions, have been found to result in more successful approaches to solving problems and policy development¹.

The framework has been modified to suit the parameters that Council is required to work within, such as the need for decisions to comply with Council strategies and plans, terms of reference, etc.

Within each level of engagement, examples of Council activities that fit that level have been provided, such as developing the Council Plan for the "Involvement" level, and development of community plans for the "Empowerment" level.

Procedures for Council's community engagement will be developed once the policy has been adopted by Council.

¹ Lenihan D, Rescuing Policy: The case for public engagement

COSTS/BENEFITS

Any costs of community engagement will be identified within individual projects.

RISK ANALYSIS

Council's appropriate engagement with the community in its decision making will reduce the likelihood of reputational risk, and may mitigate other risks, depending on the nature of the decisions under consideration.

CONSULTATION AND ENGAGEMENT

Council staff and councillors have been consulted in the development of this policy amendment.

4.3 FINANCE REPORT FOR THE PERIOD ENDING 30 APRIL 2014

SUMMARY

This report provides Council with financial information for the period ending 30 April 2014.

Author	Deanne Caserta, Manager Financial Services
Council Plan ref:	Strategic enabler: Sound financial management protocols
File no:	08/06/001
Attachment:	Finance Report for Period Ending 30 April 2014

RECOMMENDATION

That Council:

1. *receives and notes the 'Finance Report for the period ending 30 April 2014*
2. *approves budget revisions included in the report for internal reporting purposes only*
3. *approves the supplementary valuations of rateable and non-rateable properties in respect of the 2013/14 financial year, as returned by the Shire Valuer, LG Valuations Pty Ltd, and endorses them being incorporated into the Register of Rateable and Non Rateable Properties and Rate Book for 2013/14.*

PREVIOUS COUNCIL DISCUSSION

Council is provided with Finance Reports on a monthly basis.

BACKGROUND

The Finance Report for the period ended 30 April 2014 includes standard monthly information about budget variations, cash, investments, interest, debtors and creditors, and provides a comparison of year-to-date actual results to year-to-date budget (by dollars and percentage) and total revised budget (by percentage).

The information is in the format provided in the 2013/14 Budget, and includes operating results, capital expenditure and funding sources. It also provides a focus report.

This Finance Report also includes supplementary valuations. Each year Council makes a number of additions, subtractions and alterations to the valuations contained in the annual rate book. These changes arise from various sources including:

- splitting of parcels into new rateable assessments
- development of vacant or unproductive land (urban and rural)
- consolidation of separate rateable assessments into one assessment
- re-assessment of property valuations arising from objections to the initial valuation
- additions and cancellations of licences (grazing and water frontages)
- change of use
- covenant on Title
- area amendment
- change of Australian Valuation Property Classification Code (AVPCC)
- supplementary valuation correction.

ISSUES/DISCUSSION

Nil

COSTS/BENEFITS

The benefit to Council and the community is that accurate and regular financial reporting is being disclosed along with an accurate representation of property valuations is reflected in Council's rating system and the distribution of rate notices for the year 2013/14.

Provision of financial reports on at least a quarterly basis is a requirement of the Local Government Act.

RISK ANALYSIS

The provision of regular and accurate finance reports to Council minimises the risk of Council not delivering projects within the approved budget. Council's risk exposure is also increased if the rating system does not reflect the valuation changes associated with supplementary valuations as Council will not be aware of the changes, which can alter the rate revenue in the current year and in future rating years.

CONSULTATION AND ENGAGEMENT

There has been considerable consultation internally with respective managers in understanding their budget responsibilities and keeping within budgetary constraints.

Consultation with ratepayers and authorities that act on behalf of ratepayers occurs when a change to a property is required or occurs by virtue of a sale.

External engagement with the community was undertaken during the submission period of the budget, and regular reporting provides a mechanism of monitoring the financial outcomes of Council against that expectation.

4.4 INGLEWOOD RESERVOIR PIPELINE: WATER SUPPLY POLICY

SUMMARY

In March 2014, Council were presented with a DRAFT Inglewood Reservoir Pipeline - Water Supply Policy relating to water use from the Inglewood Reservoir to Inglewood Recreation Reserve Pipeline.

This report recommends that the amended Inglewood Reservoir Pipeline -- Water Supply Policy be adopted by Council.

Author	Allan Stobaus, Manager Community and Recreation
Council Plan ref:	Core business 5: Providing quality infrastructure
File no:	File No: 19/02/004
Attachment:	INGLEWOOD RESERVOIR PIPELINE:WATER USE POLICY

RECOMMENDATION

That Council adopt the "Inglewood Reservoir Pipeline - Water Use Policy"

PREVIOUS COUNCIL DISCUSSION

The Draft Inglewood Reservoir Pipeline – Water Use Policy was presented to Council at the March 2014 Council Forum.

BACKGROUND

In 2009 Council installed a 1.7km pipeline from the Inglewood Reservoir to the Inglewood Sports Centre. The purpose of this pipeline is to supply water to the sports centre for use on its playing surfaces i.e. tennis, football, cricket and pavilion surrounds.

This pipeline was installed to provide an alternative water supply for user groups of the Inglewood Recreation Reserve.

Access to this water will provide safer playing surfaces; reduced costs associated with using Coliban Water and provide a reliable water supply.

The objective of this policy is to identify the following:

- who is able to access this water
- what is the process for accessing the water
- who is responsible for the replacement and maintenance of the infrastructure including the pipeline, tanks and pumps
- the rate to be charged to users of this water
- the process for monitoring and charging for water use
- what the purpose of the money received from charges is to be used for.

ISSUES/DISCUSSION

There are no issues for discussion.

COSTS/BENEFITS

Income received from groups accessing the water will be deposited in a reserve account to fund minor maintenance, major repairs and capital work to both the Inglewood Reservoir and the pipeline.

Historically the Inglewood Sports Centre Committee of Management has accessed the Coliban Water system to irrigate its playing surfaces. The installation of this pipeline will result in a significant reduction in the cost associated with the provision of a safe playing surface.

RISK ANALYSIS

There are no risks associated with adopting this policy.

CONSULTATION AND ENGAGEMENT

Consultation has been undertaken with the following groups throughout the development of this policy. These include:

- Inglewood Sports Centre Committee of Management (Football/ Cricket/ Tennis)
- Inglewood Bowls Club
- Inglewood Golf Club
- individual community representatives

4.5 AGGREGATED SOLAR PURCHASE AND INSTALLATION PROGRAM FOR LOCAL GOVERNMENT BUILDING STOCK

SUMMARY

Seeks Council approval to participate in a solar power audit and design project proposed by the Central Victorian Greenhouse Alliance, involving up to 24 Councils. Report also outlines the basic project scope and requested financial commitment from Council.

Author	David Fry, Manager Infrastructure (Program Development)
Council Plan ref:	Core business 6: Financial stability
File no:	15/09/004
Attachment:	Nil

RECOMMENDATION

That Council:

1. *Provide in-principle support to the Central Victorian Greenhouse Alliance for the Aggregated Solar Purchase and Installation project.*
2. *Commit funding of \$4,500 to the Central Victorian Greenhouse Alliance provided that sufficient funding is obtained to ensure that the project scope can be achieved.*

PREVIOUS COUNCIL DISCUSSION

This is the first report on this matter presented to Council.

BACKGROUND

The Central Victorian Greenhouse Alliance (CVGA) has been asked by the Loddon Mallee CEO and Mayors forum to scope options for the purchase and installation of solar panels on council owned / controlled buildings in the region, similar to the Lighting the Regions bulk streetlight upgrade which is currently under way.

The project is the Aggregated Solar Purchase and Installation Program for Local Government Building Stock. It will involve the participation of up to 24 councils which will be asked to fund the engagement of a potential full time resource to develop and deliver the project.

There is substantial evidence to suggest that the installation of solar panels can significantly reduce the cost of power. For individual sites the amount of savings will vary due to the capacity of the system installed, the capacity of the power connection to cater for reverse power flow and the alignment of the building for optimal placement.

ISSUES/DISCUSSION

The CVGA has scoped a process for the project which consists of the following:

- Ascertaining which buildings are both technically appropriate for solar energy generation and would provide a viable pay-back period.
- Work with councils to determine which buildings should be included in the project.
- Developing specifications and coordinating procurement processes to engage installers.
- Coordinating with council officers for the delivery and installation of the relevant technology.

In order to navigate the obvious procurement challenges associated with multiple council purchasing and installing solar panels, the CVGA has approached the Municipal Association of Victoria (MAV) for support in delivering a collective tender process if that is the preferred option.

In order to facilitate this work, identify the best model for the member councils and liaise with the MAV for procurement, the CVGA is proposing to engage an appropriately qualified resource to deliver the project as scoped.

The CVGA is not currently resourced for this roll through membership contributions and is therefore requesting a financial contribution from interested councils. The financial contribution from councils is based on a sliding scale taking into consideration; the financial size, as rate revenue not total income, of each of the contributing councils.

Smaller Councils (>\$20 million)	\$4,500
Medium Sized Councils (<\$20 - >\$50 million)	\$7,000
Larger Councils (< 50 million)	\$9,500

Categorisation of local government by financial size for the purpose of the CVGA bulk – solar aggregation project:

Smaller Councils	Medium Councils	Larger Councils
Gannawarra	Hepburn	Bendigo
Buloke	Mount Alexander	Ballarat
Loddon	Macedon Ranges	Mildura
Central Goldfields	Ararat Rural City	
Hindmarsh	Campaspe	
Yarriambiack	West Wimmera	
Moira	Northern Grampians	
Benalla Rural City	Pyrenees	
	Swan Hill Rural City	
	Horsham Rural City	
	Southern Grampians	
	Shepparton Greater City	
	Strathbogie	

Based on the suggested contributions, and participation of all councils \$169,500 would be available to fund the project. This would mean a full time resource could be engaged for twelve months to ensure the project scope is achieved.

COSTS/BENEFITS

This project has the potential to provide significant savings to Council in electricity costs. This is however dependant on the suitability of Council's buildings for the installation of solar panels. A number of buildings that would be considered under this project are old and have very low utilisation rates, therefore small savings. There are also a number of buildings that either have or are about to have solar panels fitted. The first stage of this project will identify how many Council buildings will be suitable for installation of solar panels and identify savings available to Council.

RISK ANALYSIS

A risk for this project is that available savings from solar panels placed on Councils building will not generate an appropriate rate of return on the initial outlay.

CONSULTATION AND ENGAGEMENT

There is no consultation required at this stage.

4.6 ROAD MANAGEMENT PLAN 2014

SUMMARY

Provides Council with a summary of changes to the Road Management Plan and seeks approval to advertise the plan for public comment.

Author	Terry Watson, Manager Infrastructure (Policy Development)
Council Plan ref:	Strategic enabler: Sustainability focus to asset management
File no:	14/01/022
Attachment:	Road Management Plan 2014

RECOMMENDATION

That Council approves advertising of the revised Road Management Plan for public comment.

PREVIOUS COUNCIL DISCUSSION

Council adopted a Road Management Plan Review Report on 24 June 2013. A draft of the revised Road Management Plan was presented to the Council forum on 13 May 2014.

BACKGROUND

Council adopted a Road Management Plan on 22 November 2004. The plan was amended on 26 June 2006.

A review of the plan was undertaken and Council adopted a Road Management Plan Review Report on 24 June 2013.

A draft of the revised Road Management Plan was presented to the Council forum on 13 May 2014 and Council agreed to proceed with a report to the May Council meeting.

ISSUES/DISCUSSION

The revised Road Management Plan was produced following several workshops with Infrastructure and Works department officers. The revised plan has considered matters raised at the public workshop on 22 March 2013 and has taken into account the Road Management Plan Review Report adopted by Council.

The revised Road Management Plan now includes changes as follows:

- railway level crossings inspections added
- minor gravel road inspections added
- inspection frequencies revised
- intervention levels for various defects improved
- bridge defects and intervention standards added
- railway crossing defects and intervention standards added
- response times for hazards improved
- specific response times have replaced "as resources permit" responses for low and very low risk defects
- road maintenance grading program added
- response to tree trimming on minor gravel roads improved
- clause for management of unused roads added
- clause for responsibility for driveways on unused roads added
- statement that the risk management matrix for road maintenance is a tailored version of the corporate risk matrix added
- exceptional circumstances clause added

- plan simplified by amalgamating road defect intervention levels and response times into a single table.

It is recommended that Council resolve to proceed with giving public notice inviting submissions on the revised Road Management Plan. The advertisements will be placed in the Victorian Government Gazette, the Bendigo Advertiser and the Loddon Times.

Copies of the draft revised Road Management Plan will be placed on display at Post Offices, Council Offices and on Council's website.

COSTS/BENEFITS

The adoption of the Road Management Plan will benefit Council by providing the final step in satisfying the statutory requirement to review its Road Management Plan.

RISK ANALYSIS

The lack of an up to date Road Management Plan may leave Council with a limited defence against claims against the Road Management Plan.

CONSULTATION AND ENGAGEMENT

Road management matters were discussed with the public at a workshop conducted on 22 March 2013. Internal consultation with Works and Infrastructure Department officers was undertaken during the revision of this plan.

4.7 PRESCHOOL FUNDING - 2015

SUMMARY

This report is to provide Council with information relating to ongoing preschool funding.

Author	Wendy Gladman, Director Community Wellbeing
Council Plan ref:	Core business 2: Provision of wellbeing services
File no:	12/09/003
Attachment:	Nil

RECOMMENDATION

That Council advocate the importance of ongoing fifteen hour preschool funding with Commonwealth and State Members of Parliament.

PREVIOUS COUNCIL DISCUSSION

The Universal Access Plan, detailing the transition of preschool sessions from ten to fifteen hours per week, was adopted by Council in May 2010.

The final transition plan, detailing staffing, funding and service provision was presented to a council forum in August 2012.

BACKGROUND

In 2008 the Council of Australian Governments (COAG) endorsed the national agenda of universal access to fifteen hours of preschool per week for four year olds from 2013.

A range of supports were provided to assist Council to transition from ten hour programs to the new fifteen hour programs.

From July 2013, almost all of the 73,000 Victorian pre-schooler's had access to a fifteen hour program. Loddon Shire was one of the first local government preschool providers in the state to offer fifteen hours across all its services, and commenced delivering fifteen hour programs from January 2013. Families have enthusiastically taken up the additional hours.

While the recent program changes represented a significant educational reform, comparatively with a number of other OECD countries, Australia is still in it's infancy in moving towards the best model of early years program delivery. Programs offered in other countries range from eleven hours fully funded, up to fifty hours with capped fees and subsidies for families.

ISSUES/DISCUSSION

Through a National Partnership on Early Childhood Agreement, the funding for preschool programs in Victoria is comprised of:

- state government funding for ten hours
- commonwealth government funding for five hours

In addition to this council and local parent contribution cover any funding shortfall through fees, fundraising

The preschool funding models are complex, and vary depending on a number of factors:

- enrolment numbers
- families receiving health care card benefits
- children accessing the service through the Early Start program

Each of these factors impact on the level of funding received by the programs, and depending on these variables, can in some years see the parent committee contribution reach in excess of \$5,000. Council currently contributes \$5,000 to each preschool from its Cluster Management funding.

The National Partnership Agreement is due to expire in December 2014. The Victorian Government remains committed to its funding contribution towards ten hours of preschool per week, but to date, the Commonwealth has made no further commitment towards the additional five hours of funding.

The Commonwealth is currently reviewing the National Partnership Agreement and have asked the Productivity Commission to undertake a public inquiry into future options for childcare and early childhood learning.

It is likely that the Commonwealth will delay any decisions about future funding until the results of these two reviews are known. This may mean that services will not be notified about funding levels until well into the second half of 2014, impacting on planning for 2015 programs.

COSTS/BENEFITS

Nationally and internationally there is evidence linking preschool attendance to improved student results in numeracy, reading and spelling.

The Victorian and Commonwealth Governments have previously extolled the virtues of the delivery of fifteen hours of preschool, including:

- quality early childhood education programs improve children's learning, health and behaviour with positive impacts extending to adult life
- early learning facilitates the transition to primary school and has a direct and positive effect on future educational, employment and health outcomes.
- children acquire basic skills for life and learning through engaging in quality play-based early learning programs
- enables children and families to have access to a high quality development program
- supports planning for integrated service systems
- over the long term, early childhood education generates substantial cost savings through improved health and productivity and reduced expenditure on social services

Any reduction in preschool funding will have a direct impact on the future delivery of these programs. These impacts will vary depending on the program model that is associated with any changes to funding, although it appears likely that it will include a return to a ten hour model. It would be unlikely that without the Commonwealth funding component, services would be required to continue to provide 15 hours programs.

It is difficult to determine the full impact of continuing to provide fifteen hour programs without specific information about the level of funding that will be available. If we consider 2013/14 funding on a two thirds/one third basis on average across all Loddon preschool programs, the impact is likely to be in the vicinity of \$100,000 across the cluster. It would be unlikely that preschool parents and committees could sustain the increase required in fees and fundraising to supplement this shortfall if they chose to continue to provide a fifteen hour service.

RISK ANALYSIS

A return to the delivery of a ten hour program would include impacts on:

- children's learning, as detailed in the Costs/Benefits section of this report
- community expectation – preschool centres and parents have implemented many changes to move to fifteen hour programs
- staffing – changes to program hours

Retaining fifteen hour programs with reduced funding would have a direct impact on the financial sustainability for all services.

CONSULTATION AND ENGAGEMENT

Correspondence has been received from Minister for Children & Early Childhood Development, the Hon Wendy Lovell MLC, and the Municipal Association of Victoria (MAV) detailing the current situation and encouraging agencies to make contact with Commonwealth and State Members of Parliament prior to the end of June to encourage the ongoing funding from both levels of government.

No other consultation has been undertaken at this time.

4.8 RESEALING OF LOCAL LAWS NUMBER 2, 3 AND 4

SUMMARY

Report seeking Council approval to affix the Council seal to local laws 2, 3 and 4.

Author	John McLinden, Chief Executive Officer
Council Plan ref:	Core business 8: Compliance
File no:	02/04/001
Attachment:	Local Law Number 2 Streets and Roads 2010 copy of Council minutes of 22 September 2010 Local Law Number 3 Municipal Places Council minute of 23 November 2009 Local Law Number 4 Environment Council minute of 15 December 2008

RECOMMENDATION

That Council sign and seal the tabled copy of:

1. *Local Law Number 2 Streets and Roads dated 27 September 2010*
2. *Local Law Number 3 Municipal Places dated 23 November 2009*
3. *Local Law Number 4 Environment dated 15 December 2008*

PREVIOUS COUNCIL DISCUSSION

Nil

BACKGROUND

As Council continues to update its website, staff have been researching various reference documents and undertaking some quality checking to ensure the accuracy of information provided on the website. In order to ensure that the most recent versions of local laws are contained on Council's website, staff have been searching to locate the sealed copies of Council's full suite of local laws.

Council has five local laws. An extensive search of Council's records and archives has failed to locate the sealed copies of local laws 2, 3 and 4.

The *Local Government Act 1989* requires that Council must forward a copy of every local law to the Minister for Local Government. Council has been liaising with the Office of Local Government which has been able to provide copies of Council's local laws 2, 3 and 4, but these are also unsealed. This casts some doubt as to whether the Council seal was ever affixed to local laws 2, 3 and 4.

To remedy this situation it is proposed that Council reattach the seal to local laws 2, 3 and 4.

ISSUES/DISCUSSION

Local Law Number 2 Streets and Roads 2010 was last amended on 22 September 2010. Attached to this report, Council will find a copy of the minutes of that meeting verifying that on 22 September 2010, Council resolved to make Local Law Number 2, a copy of which is also attached.

Local Law Number 3 Municipal Places was last amended on 23 November 2009. Attached to this report is a copy of the Council minute of that date verifying that Council resolved to adopt Local Law Number 3 on that date, and a copy of the local law is also attached.

Local Law Number 4 Environment was last amended on 15 December 2008. The minutes of this Council meeting are attached and show that Council resolved to adopt the making of Local Law Number 4 Environment on that date, and a copy of Local Law Number 4 is also attached to this report.

Why affix the Council seal to a document?

The affixing of the Council seal to a document is beneficial when such a document is submitted to a court of law during legal proceedings. The court will generally accept that any document that has the Council seal affixed is taken as a true and correct copy of that document unless it can be proved otherwise. The affixing of the Council seal effectively reverses the burden of proof, and a document with the Council seal is taken to be an accurate copy of that document and is easily entered into evidence and used for legal proceedings.

The use of the Council seal is the only effective way in which the Council can affix its mark to a document unless it uses the administrative services of the CEO and his resources to prepare letters. The use of the seal is reserved for important documents that have some legal status. Typically the Council seal is affixed to local laws, contracts and transfer of land documents.

Following an exhaustive search it has not been possible to locate the sealed copies of local laws 2, 3 and 4. There is in fact no evidence that the seal was ever actually affixed to these documents. There is, however, clear evidence that Council did resolve to make each of these local laws, and in order to rectify the administrative error, it is proposed that the Council seal now be affixed to these local laws.

COSTS/BENEFITS

The benefits of a document being sealed are discussed above.

RISK ANALYSIS

The risks of a document not having the Council seal attached are discussed above.

CONSULTATION AND ENGAGEMENT

This report did not require any consultation.

5. INFORMATION REPORTS

5.1 ROAD NETWORK DEFECT RECTIFICATION COMPLIANCE SUMMARY REPORT

SUMMARY

This report provides a summary of Loddon Shires compliance against its Road Management Plan for the period 1 January 2013 to 31 March 2013, being the Third Quarter of the 2012/2013 Financial Year.

Author: Steven Phillips – Manager Works
 File No: 14/01/022
 Attachment: Nil

RECOMMENDATION

That Council receive and note the road network defect rectification compliance summary report.

PREVIOUS COUNCIL DISCUSSION

At its ordinary meeting held on 25 February 2013, Council was presented with a report summarising road network defect rectification compliance against requirements specified within the Loddon Shire Road Management Plan (RMP).

BACKGROUND

This report is produced quarterly and provides Council with evidence of the Loddon Shire’s performance against requirements specified within the Loddon Shire Road Management Plan.

ISSUES/DISCUSSION

The following Defect Compliance Summary Report outlines Councils compliance against requirements specified within the Road Management Plan for the most recent quarter. The report indicates compliance by percentage for each of Councils Road Patrol Areas.

Defect Compliance Summary Report

Report Date: 8 May 2013

Table 1 – Quarter 3

Date Range: 1 January 2013 to 31 March 2013

Number of Works Actions	Number Completed By Due Date	Number Completed After Due Date	Number Not Completed	Compliance %	District
11	11	0	0	100.0%	Boort
81	79	2	0	97.5%	Newbridge
136	125	11	0	91.9%	Pyramid Hill
51	49	2	0	96.1%	Wedderburn

DEFINITIONS

Number of Works Actions - Within the date range, count the defects that were due for action

Number Completed by Due Date - From those defects in Column A to be rectified, how many were rectified by the due date

Number Completed After Due Date - From those defects in Column A to be rectified, how many were rectified outside the due date

Number Not Completed - Column A - Column B - Column C

Compliance % - Column B Divided by Column A

District - Grouped By The AssetAsyst District

During the 3 Quarter of 2012/2013, 96.4% of all date imposed defects were completed before their due date. This is below the target of 100% of date imposed defects repaired by due date. It is noted however that all defects have now been completed and there are no outstanding date imposed defects.

As previously reported to Council compliance with the Loddon Shire Road Management Plan over the past 23 months has been made difficult due to, availability of resources and demand in the Flood Restoration Program leading to requirements for ongoing defect prioritisation.

COSTS/BENEFITS

Nil

RISK ANALYSIS

Repairing 100% of all date imposed defects before their due date limits Council's liability for any claims of damage made against Council. We have received no claims of damage for this quarter as a result of defects on Council's road network.

An action plan has been put in place that includes the following: ongoing processes where each District's outstanding defects are reviewed and prioritised for completion. If the defect is unable to be completed then it is inspected and made safe until it can be completed.

CONSULTATION AND ENGAGEMENT

Nil

5.2 MONTHLY PLANNING ACTIVITY REPORT

SUMMARY

Provides Council with an update on planning applications currently under consideration and a register of planning permits issued between 10-05-2014 and 09-05-2014.

Author	Tyson Sutton, Manager Planning and Local Laws
Council Plan ref:	Strategic Platform 2: Grow our population through appropriate development
File no:	02/01/001
Attachment:	List of Active Planning Applications List of Applications Approved under Delegation

RECOMMENDATION

That Council receive and note the monthly Planning Activity Report.

PREVIOUS COUNCIL DISCUSSION

Council is provided with a monthly report identifying the status of planning applications currently under consideration or those permits which have been issued within the preceding month.

BACKGROUND

The Loddon Shire's Planning Scheme sets out Council's objectives for the Shire with regard to land use and development via the Municipal Strategic Statement and Local Policies, and specifies which uses and developments require planning approval via zones and overlays.

As the responsible Authority it is Loddon Shire Council's duty to administer and enforce its planning scheme.

ISSUES/DISCUSSION

The associated attachments provide Council with a full list of planning applications currently under consideration and those planning permits issued between 10-05-2014 and 09-05-2014.

COSTS/BENEFITS

Encouragement of appropriate development within the Shire is considered to offer a variety of benefits including population growth, economic diversity and development, infrastructure improvement or increased community and private services.

RISK ANALYSIS

Failure to process planning applications in a timely manner or undertake rigorous assessment of development or works proposals is considered to pose the following risks:

- A barrier to development and associated economic growth within the Shire.
- The proliferation of incompatible land use development.
- It will damage Council's reputation as a regulatory authority.
- Inadequate provision of infrastructure and community services.
- Could create additional regulatory and enforcement pressures.
- The protection of zones to accommodate intended activities or reduction of surrounding property amenity.

CONSULTATION AND ENGAGEMENT

Consultation and engagement with planning permit applicants is routinely conducted at the required periods throughout the assessment and permit approval process.

5.3 INITIALLING COUNCIL MINUTE BOOKS

SUMMARY

Advising Council of the proposed practice for confirming Council minutes in future.

Author	John McLinden, Chief Executive Officer
Council Plan ref:	Strategic enabler: Effective and efficient operating systems and procedures
File no:	02/01/001
Attachment:	nil

RECOMMENDATION

That Council receive and note the report Initialling Council Minute Books

PREVIOUS COUNCIL DISCUSSION

Nil.

BACKGROUND

It has been the practice of this Council for the Mayor of the day to initial every page of the Council minutes for meetings at which he or she was the Mayor.

This practice has no legislative basis and serves no real practical purpose. Council staff have researched the practice of other municipalities and have uncovered a wide range of practices. Some councils continue to initial the minute books, some councils have dispensed with the practice and some councils are considering a move to purely electronic record-keeping with no paper copies of the council minutes being prepared.

It is standard practice that the chair of any meeting should affix his signature to the minutes of the meeting which he or she chaired, confirming that these minutes are a true and correct record.

ISSUES/DISCUSSION

It is proposed that Council abolish the practice of requiring the Mayor to initial each page of the minutes, but retain the remainder of Council's confirmation practices.

The proposed minute confirmation practice would be as follows: Council will be requested to confirm the minutes of each Council meeting at the next available Council meeting. This confirmation will be effected by resolution of the Council and will be recorded in the minutes of the meeting at which the minutes are confirmed. A paper copy of these minute will be prepared and entered into the minute book and the Mayor who chaired the meeting will sign the last page of those minutes and date it accordingly. By way of clarification please note that where there is a change of Mayor, the Mayor that will sign the minutes is the Mayor who presided over the meeting where the minutes were confirmed.

COSTS/BENEFITS

There are no costs and benefits associated with this proposal.

RISK ANALYSIS

There are no significant risks associated with this proposal.

CONSULTATION AND ENGAGEMENT

Other Victorian councils were consulted to determine current practices.

6. COMPLIANCE REPORTS

6.1 DOCUMENTS FOR SIGNING AND SEALING

SUMMARY

This report provides Council with a list of documents signed and sealed during the month.

Author:	John McLinden - Chief Executive Officer
Council Plan ref:	Core business 8: Compliance
File No:	02/01/001
Attachment:	Nil

RECOMMENDATION

That Council:

- 1. receive and note the 'Document for Signing and Sealing' report*
- 2. endorse the use of the seal on the documents listed*

PREVIOUS COUNCIL DISCUSSION

Nil

BACKGROUND

N/A

ISSUES/DISCUSSION

Deed for transfer of land, 88 Victoria Street, Pyramid Hill, from Returned & Services league of Australia (Victorian Branch) Inc. to Loddon Shire Council

Deed of Priority between Loddon Shire Council and Westpac Banking Corporation and Hay Australia Bridgewater Pty Ltd for mortgage over Certificate of Title Volume 10888 Folio 590, Crown Allotments 79A and 79B Parish of Derby

6.2 SECTION 86 COMMITTEES – EXPENDITURE AND CONTRACTING THRESHOLDS

SUMMARY

This report seeks Council approval of expenditure and contracting thresholds for Section 86 committees of management.

Author	Jude Holt, Director Corporate Services
Council Plan ref:	Strategic Platform 1: Build a network of strong communities
File no:	02/01/005
Attachment:	Nil

RECOMMENDATION

That Council approves the expenditure and contracting thresholds for Section 86 committees of management as detailed in the following table:

Details	Upper Amount
<i>A single expenditure transaction not relating to maintenance of a Council facility</i>	<i>\$20,000, or an amount otherwise approved by the Chief Executive Officer</i>
<i>Expenditure relating to maintenance, whether routine, planned or cyclical, of a Council facility</i>	<i>\$20,000, or an amount otherwise approved by the Chief Executive Officer</i>
<i>Expenditure relating to proposed capital works projects (as defined in ^{1,2,3})</i>	<i>\$Nil, or an amount otherwise approved by the Chief Executive Officer</i>
<i>The above expenditure thresholds include any expenditure undertaken by formal contract</i>	

PREVIOUS COUNCIL DISCUSSION

Council discussed the content of this report at a Council Forum held on 13 May 2014.

BACKGROUND

Section 86 committees are special committees of Council established under section 86 of the *Local Government Act 1989* (the Act).

Section 86 of Act outlines the establishment, functions, membership, delegations, etc. of Section 86 committees.

The full transcript of Section 86 of the Act is as follows:

- (1) In addition to any advisory committees that a Council may establish, a Council may establish one or more special committees of the following—
 - (a) Councillors;
 - (b) Council staff;
 - (c) other persons;
 - (d) any combination of persons referred to in paragraphs (a), (b) and (c).
- (2) A Council may appoint members to a special committee and may at any time remove a member from a special committee.
- (3) Except as provided in subsection (4), a Council may by instrument of delegation delegate any of its functions, duties or powers under this or any other Act to a special committee.
- (4) A Council cannot delegate to a committee the following powers —
 - (a) this power of delegation;
 - (b) to declare a rate or charge;
 - (c) to borrow money;

- (d) **to enter into contracts for an amount exceeding an amount previously determined by the Council;**
 - (e) **to incur any expenditure exceeding an amount previously determined by the Council;**
 - (f) any prescribed power.
- (5) A Council may require a special committee to report to the Council at intervals determined by the Council.
- (6) The Council must review any delegations to a special committee in force under this section within the period of 12 months after a general election.
- (7) A committee that exercises a power, or performs a duty or function, of the Council that has been delegated to that committee under any Act is a special committee for the purposes of this Act.

ISSUES/DISCUSSION

Section 86(4) the Act outlines what cannot be delegated to a committee. This report addresses Section 86(4)(d) and 86(4)(e) of the Act.

Section 86(4)(d) states that Council cannot delegate to a committee the power to enter into contracts for an amount exceeding an amount previously determined by Council.

Section 86(4)(e) states that Council cannot delegate to a committee the power to incur any expenditure exceeding an amount previously determined by Council.

Therefore, Council must determine:

1. the threshold for Section 86 committees entering into contracts
2. the threshold for any expenditure incurred by a Section 86 committee.

This decision takes some consideration as Section 86 committees by their nature undertake duties and functions on behalf of Council, and should be afforded a certain level of autonomy; however, Council needs to be aware of the activities of Section 86 committees to ensure that they are operating in the best interests of Council and the community for which they serve.

For committees managing facilities on behalf of Council, the Instrument of Delegation provides some guidance. Clause 5.2 Management of a facility outlines the following:

Where the Committee manages a facility, the Committee shall ensure that:

- Council is advised of any **maintenance, whether routine, planned or cyclical, over \$20,000** prior to the works being undertaken to ensure that the required authorisation is provided
- Council is advised of **any proposed capital works projects** that create a new asset at the facility, or renew², expand³, or upgrade⁴ the current facility. This is to ensure that:
 - The required authorisation is provided
 - The works fit into Council's Building Asset Management Plan
 - Council is advised if anticipated annual expenditure of the Committee is expected to exceed \$50,000 in any committee year.

By referring to the thresholds currently in place for committees managing facilities, the following are suggested thresholds for Sections 86(4)(d) and 86(4)(e):

² Expenditure on an existing facility which returns the life of the facility up to that which it had originally.

³ Expenditure which extends an existing facility at the same standard as is currently enjoyed by residents, to a new group of users.

⁴ Expenditure which enhances an existing facility to provide a higher level of service that will increase the life of the asset beyond that which it had originally

Details	Upper Amount
A single expenditure transaction not relating to maintenance of a Council facility	\$20,000, or an amount otherwise approved by the Chief Executive Officer
Expenditure relating to maintenance, whether routine, planned or cyclical, of a Council facility	\$20,000, or an amount otherwise approved by the Chief Executive Officer
Expenditure relating to proposed capital works projects (as defined in ^{1, 2, 3})	\$Nil, or an amount otherwise approved by the Chief Executive Officer
The above expenditure thresholds include any expenditure undertaken by formal contract.	

The stated thresholds attempt to provide the appropriate parameters to satisfy the internal requirements of Council (e.g. application within the Building Asset Management Plan).

To balance this, inclusion of the wording “or an amount otherwise approved by the Chief Executive Officer” should prohibit the potential to limit each committees’ ability to function efficiently as an assessment by the Chief Executive Officer can be done in a timely manner.

COSTS/BENEFITS

There are no direct costs associated with this resolution.

The benefit is providing strong guidance to Section 86 committees of management about their ability to commit to expenditure without the authority of the Chief Executive Officer.

RISK ANALYSIS

Section 86 committees of management have strict governance actions that assist to ensure that Council oversees that they are operating within delegation and within the Local Government Act 1989 requirements. This recommendation strengthens committee governance, and minimises the risk of any committee committing to expending large amounts of money without prior authority.

CONSULTATION AND ENGAGEMENT

Each committee will be advised of Council’s decision after resolution.

6.3 REVIEW OF COUNCIL PLAN

SUMMARY

Report recommends no amendment to the current Council Plan.

Author	John McLinden, Chief Executive Officer
Council Plan ref:	Core business 3: Planning for future needs
File no:	02/02/003
Attachment:	Nil

RECOMMENDATION

That Council:

1. *having considered whether the current council plan requires any adjustment in respect of the remaining period of the Council Plan, determine pursuant to section 125(7) of the Local Government Act 1989 not to make any adjustment to the existing Council Plan*
2. *adopt the priorities and key projects as identified in this report as its focus for 2014/15 in implementing the Council Plan*

PREVIOUS COUNCIL DISCUSSION

Council prepared and adopted its Council Plan 2013-2017 at the Council meeting of 24 June 2013.

BACKGROUND

The plan was prepared in accordance with section 125 of the Local Government Act.

Pursuant to section 125(7) *at least once in each financial year, a council must consider whether the current council plan requires any adjustment in respect of the remaining period of the council plan.*

In preparing the Council Plan 2013-2017, Council undertook an exhaustive review of the plan and put in place seven strategic platforms with a number of four-year priorities.

ISSUES/DISCUSSION

Given that Council has only completed the first year of this four-year plan, it is suggested that there should be no amendment to the plan at this stage. It would be appropriate for Council to consider progress in achieving some of the Year One key projects and to set some direction for the coming 12 months.

It is suggested that Council approve the following priorities for focus in 2014/15:

Priorities	Key projects
STRATEGIC PLATFORM 1: BUILD A NETWORK OF STRONG COMMUNITIES	
<u>Priority 1.2:</u> Use community planning to allow our communities to create their own futures	<ul style="list-style-type: none"> • Restructure community planning to focus on the longer term
<u>Priority 1.3:</u> Build a spirit of connectivity and mutual support amongst the communities of Loddon Shire	<ul style="list-style-type: none"> • Conduct an annual event to bring community planning groups together to share
<u>Priority 1.7:</u> Support volunteer organisations to remain active within the community	<ul style="list-style-type: none"> • Promote the benefits of membership of a volunteer organisation
STRATEGIC PLATFORM 2: GROW OUR POPULATION THROUGH APPROPRIATE DEVELOPMENT	
<u>Priority 2.1:</u> Implement planning strategies that	<ul style="list-style-type: none"> • Implement Rural Zones Review • Develop and commence implementation of

accelerate growth in appropriate areas	Settlement Strategy
<u>Priority 2.2:</u> Adopt a pro-development attitude to planning and stimulate investment needed to service the community's changing housing requirements	<ul style="list-style-type: none"> • Develop Loddon Shire Settlement Strategy
<u>Priority 2.3:</u> Improve our turnaround time on planning approvals for housing projects	<ul style="list-style-type: none"> • Drive improvement in turnaround time by enforcing targets
<u>Priority 2.4:</u> Attract investors to develop infrastructure and services	<ul style="list-style-type: none"> • Develop and commence implementation of new Economic Development Strategy which incorporates investment attraction for essential infrastructure and services
STRATEGIC PLATFORM 3: CHAMPION OUR AGRIFOOD ENTERPRISES	
<u>Priority 3.1:</u> Remove the road blocks for new agrifood enterprises or expansion of existing ones	<ul style="list-style-type: none"> • Support the Northern Victorian Regional Transport Strategy
<u>Priority 3.3:</u> Engage with the agribusiness sector in a regular more formal way	<ul style="list-style-type: none"> • Engage Agribusiness Development Officer • Implement agribusiness actions from new Economic Development Strategy
<u>Priority 3.4:</u> Continue to seek out agrifood value-adding opportunities	<ul style="list-style-type: none"> • Engage Agribusiness Development Officer
STRATEGIC PLATFORM 4: MAKE OUR TOWNS LIVEABLE AND MEMORABLE	
<u>Priority 4.1:</u> Renew the streetscape in our major towns	<ul style="list-style-type: none"> • Wedderburn Streetscape Project
<u>Priority 4.2:</u> Enhance our overall amenities by offering improved, but rationalised facilities in line with financial resources	<ul style="list-style-type: none"> • Inglewood Town Hall Hub Project
<u>Priority 4.5:</u> Enforce a clean up of our towns	<ul style="list-style-type: none"> • Conduct audit, identification and prioritisation of all unsightly properties in all major towns
<u>Priority 4.7:</u> Improve the appearance and functionality of recreation and public spaces	<ul style="list-style-type: none"> • Implement a capital works program for parks and gardens facilities
STRATEGIC PLATFORM 5: GROW AND DIVERSIFY OUR ECONOMY	
<u>Priority 5.1:</u> Exploit our existing strengths and areas of competitive advantage to grow and diversify the economy	<ul style="list-style-type: none"> • Develop a new Economic Development Strategy
<u>Priority 5.2:</u> Build our tourism sector product, capability and promotion appropriate to the different range of products in the north and south of the shire	<ul style="list-style-type: none"> • Complete foreshore redevelopment plans for the Boort Lakes and the Loddon River at Bridgewater • Complete construction of the Bridgewater Public Caravan Park
STRATEGIC PLATFORM 6: SUPPORT OUR TRANSITIONING TOWNSHIPS	
<u>Priority 6.3:</u> Ensure that residents of small towns have access to a set of basic services	<ul style="list-style-type: none"> • Define the basic service offer to very small towns • Find cost-effective ways of delivering services to very small communities

STRATEGIC PLATFORM 7: CONNECT WITH THE NEXT GENERATION	
<p><u>Priority 7.3:</u> Support youth mentoring</p>	<ul style="list-style-type: none"> Partner with businesses and Local Learning Employment Network to build part time job and work experience opportunities as well as more formal career pathways

COSTS/BENEFITS

No costs and benefits have been assessed for this proposal.

RISK ANALYSIS

There are no risks identified for this proposal.

CONSULTATION AND ENGAGEMENT

Nil.

7. GENERAL BUSINESS

8. CONFIDENTIAL ITEMS

Closing of Meeting to the Public

RECOMMENDATION

That the meeting be closed to the public.

NEXT MEETING

The next Ordinary Meeting of Council will be held on 24 June at Serpentine commencing at 3pm.