

**LODDON SHIRE COUNCIL**

Notice of an Ordinary Meeting of the Loddon Shire Council to be held in the Council Chambers, Serpentine on Tuesday 28 January 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 Forum of 9 December 2013*
2. *the minutes of the Ordinary Council Meeting of 9 December 2013*

**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 **REVIEW OF PROCUREMENT POLICY**

#### **SUMMARY**

This report seeks Council's approval of the Procurement Policy.

Author	Jude Holt, Director Corporate Services
Council Plan ref:	Core business 8: Compliance
File no:	18/01/001
Attachment:	Procurement Policy

#### **RECOMMENDATION**

*That Council adopts the Procurement Policy.*

#### **PREVIOUS COUNCIL DISCUSSION**

Council was provided with an overview of the current Procurement Policy at the Council Forum held on 9 December 2013.

#### **BACKGROUND**

Under Section 186A (7) of the Local Government Act 1989, "at least once in each financial year, a Council must review the current procurement policy and may, in accordance with this section, amend the procurement policy."

#### **ISSUES/DISCUSSION**

The current version of the policy was adopted on 23 January 2012. At this time, the policy underwent a major review, changing the document from the format provided by the Municipal Association of Victoria and rewriting it into Council's policy framework.

This version of the policy addresses the important aspects of procurement, and states very clearly Council's position in relation to procurement.

This report is recommending that no change be made to the current Procurement Policy.

#### **COSTS/BENEFITS**

There are no direct costs associated with adoption of the policy.

As one of the policy statements is that Loddon Shire Council will obtain value for money when purchasing goods, services, and works, there should be a financial benefit in adopting this policy.

#### **RISK ANALYSIS**

As one of the policy statements is that Loddon Shire Council will manage procurement risks when purchasing goods, services, and works, application of the policy, along with supporting procedures and other supporting documents, should help to minimise risks.

#### **CONSULTATION AND ENGAGEMENT**

In accordance with Council's Strategic Document or Policy Development Approval and Review Process, the policy was provided to the management and leadership team, and has been provided at a Council Forum for discussion prior to be presented to Council at an Ordinary Meeting for approval.

## 4.2 CREATION OF SECTION 86 COMMITTEE OF MANAGEMENT POLICY

### **SUMMARY**

This report seeks Council's approval of the Section 86 Committee of Management Policy.

Author	Jude Holt, Director Corporate Services
Council Plan ref:	Strategic Platform 1: Build a network of strong communities
File no:	18/01/001
Attachment:	Section 86 Committee of Management Policy

### **RECOMMENDATION**

*That Council adopts the Section 86 Committee of Management Policy.*

### **PREVIOUS COUNCIL DISCUSSION**

Council was provided with an overview of the draft Section 86 Committee of Management Policy at the Council Forum held on 9 December 2013.

### **BACKGROUND**

The need for a Section 86 Committee of Management Policy was raised during an internal audit review that was presented to the Audit Committee in May 2013.

One of the actions in the review report stated "We recommend Council management develop and document policies and procedures for the establishment and ongoing management of Section 86 committees."

### **ISSUES/DISCUSSION**

A draft policy has been developed for Council's consideration. The policy addresses circumstances around creation, support, and disbandment of Section 86 committees of management.

The criteria for establishing a committee include:

- community benefit
- the ability of Council to manage risk associated with the activity to be undertaken by a committee
- local support for a committee
- no incorporated body undertaking the work proposed for the committee
- no opportunity to implement another legal structure (such as a management agreement).

Currently Council has a number of committees that would not fit into the policy wording, and would require either disbandment, another legal structure created, or at the very least a conversation about their current status. They include some development and tourism committees that are Section 86 committees, but also have incorporated bodies with similar titles and roles, and the Boort Resource and Information Centre (BRIC), which could operate under a management agreement for the use of the BRIC building.

Currently there is confusion from those committees about their perception of being both Section 86 committees and incorporated entities, although in reality, they are not. By Council adopting this policy, each committee in this situation would need to choose which structure it wanted to continue under, and eliminate the other.

Council should be aware that if the policy is adopted, contact will be made with those committees about required changes to their current relationship with Council.

**COSTS/BENEFITS**

There are no direct costs associated with adoption of the policy.

The benefit in adopting the policy is that there will be clear guidelines for Council in creating, managing, and disbanding committees in the future.

**RISK ANALYSIS**

As Section 86 committees act for and on behalf of Council, the introduction of a policy regarding their creation, management, and disbandment provides clear context to Council and the community about them, and should eliminate the risks associated with having two entities (a Section 86 committee and incorporated body) under the impression that they are both the same entity.

**CONSULTATION AND ENGAGEMENT**

In accordance with Council's Strategic Document or Policy Development Approval and Review Process, the policy was provided to the management and leadership team, and has been provided at a Council Forum for discussion prior to be presented to Council at an Ordinary Meeting for approval.

### 4.3 COMPLIANCE POLICY

#### **SUMMARY**

This report seeks Council's approval of the Compliance Policy.

Author	Jude Holt, Director Corporate Services
Council Plan ref:	Core business 8: Compliance
File no:	18/01/001
Attachment:	Compliance Policy

#### **RECOMMENDATION**

*That Council adopts the Compliance Policy.*

#### **PREVIOUS COUNCIL DISCUSSION**

Council was provided with an overview of the draft Compliance Policy at the Council Forum held on 9 December 2013.

#### **BACKGROUND**

The need for a Compliance Policy was raised during an internal audit review that was presented to the Audit Committee in August 2013.

One of the actions in the review report stated "We recommend Council management establish and document policies and procedures to govern the Council's legislative compliance requirements and responsibilities."

#### **ISSUES/DISCUSSION**

A draft policy has been developed for Council's consideration. The policy outlines Council's commitment to addressing compliance obligations, and has been created with reference to the Australian Standard AS3806-2006.

The policy includes:

- Council's commitment to compliance
- how compliance will be implemented throughout Council
- monitoring and measuring compliance
- implementing a continual improvement program.

#### **COSTS/BENEFITS**

There are no direct costs associated with adoption of the policy.

The benefit in adopting the policy is that there will be a clear commitment from Council about compliance with legislation and regulation that applies right throughout the business.

#### **RISK ANALYSIS**

The introduction of the policy, and Council's committed statement to compliance, will ensure that compliance in work areas is managed, and should reduce the risk of Council officers not complying with legislation within their own work areas.

#### **CONSULTATION AND ENGAGEMENT**

In accordance with Council's Strategic Document or Policy Development Approval and Review Process, the policy was provided to the management and leadership team, and has been provided at a Council Forum for discussion prior to be presented to Council at an Ordinary Meeting for approval.

#### 4.4 ANZAC DAY GALLIPOLI 2015 BALLOT

##### **SUMMARY**

Report seeking Council consideration of an application to enter a ballot for attendance at the Gallipoli Centenary Commemoration in 2015.

Author	John McLinden, Chief Executive Officer
Council Plan ref:	Core business 1: Leadership
File no:	02/04/001
Attachment:	nil

##### **RECOMMENDATION**

*That Council consider an application to enter a ballot for attendance at the Gallipoli Centenary Commemoration in 2015.*

##### **PREVIOUS COUNCIL DISCUSSION**

December 2013.

##### **BACKGROUND**

Council resolved at its December 2013 meeting to pursue an application for the Anzac Day Gallipoli 2015 ballot to be prepared in the name of the Mayor or his or her representative.

##### **ISSUES/DISCUSSION**

Upon further investigation of the rules of the ballot, it has been discovered that, at the time of entry of the ballot, the applicant's name must be provided.

Attendance passes obtained out of the ballot are non-transferable.

As ballot applications close on 31 January 2014, it will be necessary for Council to determine the name of its chosen representative at this meeting.

##### **COSTS/BENEFITS**

To be discussed.

##### **RISK ANALYSIS**

To be discussed.

##### **CONSULTATION AND ENGAGEMENT**

Nil.



**4.5 COUNCIL LOAN REGARDING CROWN ALLOTMENT 79 AND 79A CALDER HIGHWAY, BRIDGEWATER**

**SUMMARY**

Council is asked to consider the early payment of a loan relating to a property that has recently been sold.

Author	John McLinden, Chief Executive Officer
Council Plan ref:	Strategic enabler: Sound financial management protocols
File no:	06/02/004
Attachment:	nil

**RECOMMENDATION**

*That Council pay out the loan established to cover the purchase of Crown Allotment 79 and 79a Calder Highway, Bridgewater.*

**PREVIOUS COUNCIL DISCUSSION**

Nil.

**BACKGROUND**

In 2005, the Loddon Shire purchased allotment 79 and 79A, Parish of Derby, being 74 acres on the Calder Highway, for the purposes of establishing an industrial estate. Council borrowed \$200,000 over a ten-year term to fund this purchase.

**ISSUES/DISCUSSION**

Council has recently sold this property, but still has an outstanding balance of \$49,605.86 to be paid on the loan. This loan is not mortgaged against the property and so will not be discharged at settlement.

It makes little sense for Council to maintain a loan which was taken out to purchase a property that Council no longer owns. If Council is to pay this loan out by 14 January 2014, we will incur an early payment penalty of \$1,465, but will still be \$1,500 better off through reduced interest payments. The penalty will vary by a small amount after 14 January.

Council has sufficient funds to pay this loan out now from its surplus.

**COSTS/BENEFITS**

Refer discussion above.

**RISK ANALYSIS**

Refer discussion above.

**CONSULTATION AND ENGAGEMENT**

Nil.

#### 4.6 COUNCIL'S INSURANCES

##### **SUMMARY**

This report provides Council with information about current insurances and seeks Council's approval of the creation of a policy to improve management of the insurance process.

Author:	Carol Canfield, Manager Organisational Development
Council Plan ref:	Core business 6: Financial stability
File no:	08/07/001
Attachment:	Nil

##### **RECOMMENDATION**

*That Council:*

1. *receives and notes the Council's Insurances Report*
2. *approves creation of the Insurance of Community Facilities Policy.*

##### **PREVIOUS COUNCIL DISCUSSION**

An overview of Council's insurances was provided to the Council Forum on 28 October 2013. At that forum the Council asked that information be sought from the insurer about the possibility of reduced insurance premiums.

##### **BACKGROUND**

Council has a number of insurance policies that provide protection in the operation of Council activities. The policies have various levels of excess applied to them as follows:

<b>Insurance type</b>	<b>Excess</b>
Public Liability	\$20,000
Building and Contents	\$5,000
Motor Vehicle	\$2,000
Councillors/Directors and Officers Liability/Employment Practices Liability	Various
Personal Accident/Corporate Travel	Nil
Hangar Keeper's Liability	\$2,500
Community Insurance (Casual Hirer's of Council Owned Buildings, Stallholders)	\$250
Marine Hull	\$900
Commercial Crime Insurance	\$1,500

## **ISSUES/DISCUSSION**

### **Insurance excesses**

The four major excesses are:

<b>Insurance</b>	<b>Current Excess</b>	<b>Old Excess</b>
Public Liability	\$20,000	\$10,000
Professional Indemnity	\$20,000	\$10,000
Building and Contents	\$5,000	\$5,000
Motor Vehicle	\$2,000	\$2,000

Council does not have many Public Liability or Professional Indemnity claims but a \$20,000 excess is a significant amount for Council to find when a claim is lodged.

The excess for Public Liability and Professional Indemnity cover has been increased from \$10,000 to \$20,000 and Council staff will now need to manage any new claims (they were previously handled by the insurers).

Building and Contents excess of \$5000 is also significant, particularly if the damage is due to vandalism or an accidental window break.

If a Motor Vehicle claim is under \$2,000, Council currently charges any repair costs against the operating budget for that particular vehicle.

### **Community groups**

Community groups which manage facilities insured by Council have found it difficult to access Council's insurance due to the high excesses attached to the policies. Council insures DEPI and privately owned facilities as well as Council owned and controlled assets. There are 55 non Council controlled facilities that Council insures.

At the request of the Council, the insurer was contacted in respect of the possibility of reducing the excess for the Building and Contents Insurance in order to better support small community groups.

Initial advice received indicated that Council's insurer is looking at increasing, rather than reducing, specified excesses. They also advised that it was not possible to reduce the excess for the current financial year, but they could look at our request when the insurance became due for renewal in May 2014. It was also indicated that other councils had been seeking to reduce excess amounts.

The insurers were unable to advise what the reduction in excess would mean to Council's premium.

Once the paperwork for 2014/2015 insurance coverage is received from the insurer, Council will make a formal application for a reduction in excess, and an estimate of the subsequent impact on the Building and Contents Insurance premium.

### **Policy**

In July 2003 Council approved ES12 – Insurance of Public Halls and Other Council Buildings Policy which outlined Council's commitment to insuring public halls and other buildings. In more recent times the policy has been rescinded without an appropriate replacement. This report suggests that a new policy outlining Council's commitment to insurance be developed and provided to Council for consideration.

This policy would state Council's commitment to insuring community facilities and provide a valuable resource for Council and the community in understanding Council's commitment.

### **COSTS/BENEFITS**

There are no direct costs associated with this report. There may be an increase in premium should the insurer agree to reduced excesses.

The benefit to Council and the community groups managing community facilities would be easier access to insurance for lower level claims.

### **RISK ANALYSIS**

Council's risk management framework seeks to minimise risks as much as possible but recognises that insurance and other mechanisms are required to operate effectively.

Insurance coverage is a risk treatment whereby the risk is transferred to the insurance company.

### **CONSULTATION AND ENGAGEMENT**

As yet there has been no consultation outside Council. Should Council be successful in obtaining lower excesses on premiums, community groups managing Council insured facilities will be notified of the change.

#### 4.7 LIGHTING THE REGION - LED STREELIGHT UPGRADE

##### **SUMMARY**

Outlines additional savings available to Council under the Lighting the Region project should LED technology be selected as the preferred fitting in lieu of the original proposal to install T5 compact fluorescents.

Author:	David Fry Manager Infrastructure
Council Plan ref:	4 Make Our Towns Liveable & Memorable
File no:	15/09/006
Attachment:	Nil

##### **RECOMMENDATION**

*That Council:*

1. *Approve the option of upgrading to LED streetlight replacements as part of the "Lighting The Region" project.*
2. *Provide additional budget allocations toward the cost of upgrading to LED technology in the amount of \$30,000 to be included within both the 2014/2015 and 2015/2016 financial years.*

##### **PREVIOUS COUNCIL DISCUSSION**

In early 2013 Council committed to joining a consortium of 16 local government authorities, the Central Victorian Greenhouse Alliance (CVGA) and the Wimmera Mallee Sustainability Alliance (WMSA), to apply to the Federal Government, under the Community Energy Efficiency Program (CEEP), for a bulk street-lighting upgrade program across the 16 local government areas. This project was called "Lighting the Region".

##### **BACKGROUND**

In July 2013 advice was received that the consortium had been successful in securing just over \$5.1 Million in funding over three years for the bulk changeover project.

The successful project scope was to replace inefficient 80 watt Mercury Vapour (MV) streetlights, approximately 22,000 across the 16 municipalities, with energy efficient T5 type fluorescent streetlights. The change from the MV to the T5 streetlights would mean a reduction in energy consumption from approximately 96 watts for the MV to approximately 32 watts for the T5 lights. This equates to a potential energy saving and consequently cost saving of 67%.

As well as projected energy savings the Operation, Maintenance and Replacement (OMR) costs charged by the network operator, in this case Powercor, are also expected to be significantly lower following the bulk changeover. The OMR covers the costs associated with access to the operator's infrastructure, in most cases poles, maintenance of the lights on an annual basis and the replacement cost of fittings as and when required.

The OMR is a cost that varies across the region but an average cost across the consortium for the MV lights is currently \$53 per annum/per light. The current OMR for T5 lights where installed is \$34 per annum/per light. As such the transition to the T5 technology is expected to yield a significant cost saving.

The estimated cost of the Lighting the Region project at the time of scoping was \$8,475,000. The total agreed contribution of the 16 municipalities in the consortium was \$3,346,000 (Loddon \$75,767). This contribution included costs that were ineligible for CEEP funding, relating to the Written Down Value (WDV) of the existing lights and administration costs. Taking this into account the funding ratio of the project is approximately 60% CEEP and 40% council contributions. Add to this the ongoing cost savings expected through energy and OMR reductions and the value to Council of participating in this project is significant.

**ISSUES/DISCUSSION**

At the time this project was scoped and the application for funding under the CEEP program was submitted the T5 compact fluorescent was one of only two energy efficient streetlights approved by Powercor. The other energy efficient light was also a compact fluorescent unit, but had a higher energy usage resulting in the T5 option being chosen.

Light Emitting Diode (LED) alternatives were discussed at this time, but given the fact they were not a Powercor approved fitment and their purchase price was significantly higher than the T5, they were not considered further. It was however noted at the time that LED's were more energy efficient than the T5 lights and that their expected life span was longer than both the T5 and MV lights which would translate into an expected lower OMR.

In October 2013 Powercor approved an LED light as a non-standard fitment. This meant approved LED lights could now be fitted to Powercor infrastructure and there was an Operation and Maintenance (OM) cost applied to them. This OM cost did not include the Replacement (R) of the lights. As such any replacement costs would need to be met by the responsible council.

The project steering group held discussions with representatives of Powercor to explore the LED option and the likelihood of a full OMR in the future instead of the current OM. It was clear from this meeting that in the near future LED technologies would be made an approved standard fitment by Powercor and the Energy Regulator, most likely in 2015, and therefore shall have a full OMR applied.

As such it was decided to revisit the idea of utilising the more energy efficient and longer lasting LED technology.

The first step was to contact the Federal Government to see if the CEEP funding agreement could be modified to include LED technologies. Their response was that as long as the lights used met the efficiency gains stated in the application and that the overall quantity of streetlights to be replaced was maintained then there would be no problem using the LED lights. They did confirm however that there would be no increase in the funding available and that any additional costs must be covered by the member councils.

Secondly the group revisited the cost of purchasing the Powercor approved LED lights. Due to a new MAV purchasing agreement with the member council's the cost of LED lighting including the Powercor approved lighting had been significantly reduced to a point where the extra cost of the light could be offset in the short to medium term by the savings obtained from reduced energy costs and significantly reduced OMR costs.

The following table sets out the different costs to Council based on Both T5 and the approved LED alternative as well as anticipated savings compared to the current MV lights. The OMR rate and the payback period stated in the table are provided by Ironbark Sustainability, the energy consultant used by the consortium to develop the business case used in the application for CEEP funding.

<b>Loddon Shire Council</b>	<b>T5</b>	<b>LED</b>
Number of lights	519	519
Total cost to Council ( this is Councils commitment to the CEEP program)	\$75,767	\$130,662
Additional funds required over current commitment for LED changeover		\$54,895
Energy Savings / light	68%	77%
Current (or expected for LED) annual OMR charge/light	\$34.39	\$24.12
Payback period	3	4
Savings over 20 years	\$1,136,773	\$1,345,532

The above table shows savings and payback periods compared to the current MV lights. The commitment Council originally made was based on a comparison between MV and T5 lights. This comparison showed a payback period of 3 years.

When you compare LED lights to T5 lights the payback period for going to LED from T5 is about 7 years. Given that the current infrastructure is still MV, the comparison of LED to MV, with a payback of 4 years is a more relevant.

A relevant point to consider is the expected life of both the T5 and LED lights. The accepted life expectancy of T5 lights is about 20 years and although there is no current data on the life of LED lights, industry expectations are that it will last at least twice as long as the T5 option.

With the significantly increased life of LED over T5, savings generated after the payback period will be far greater for the LED option given that the expected longevity of these fittings results in a significantly lower OMR charge.

The following table sets out the proposed budget allocations required, over a three year period if Council were to pursue the LED changeover option.

<b>Councils current commitment to the Lighting the Region Project</b>	<b>\$75,767</b>
2013/2014 Budget allocation	\$72,000
Budget shortfall	\$3,676
Additional cost for LED changeover	\$54,895
Total additional funds required	\$58,662
Proposed 2014/2015 Budget allocation	\$30,000
Proposed 2015/2016 Budget allocation	\$30,000

### **COSTS/BENEFITS**

The primary benefit of participating in this project will be long term energy and operational cost savings through the introduction of more efficient fittings, deployed across Councils current and future inventory of streetlights.

Moving to more energy efficient lighting also offers environmental sustainability benefits through a reduction in Councils carbon footprint. For this reason participation in this project has been identified as a priority within Councils recently adopted Environmental Sustainability Strategy.

### **RISK ANALYSIS**

Although T5 fluorescent lights are an acceptable energy efficient option over the old MV lights they are considered to be a transitional technology within the industry, and with the development of the new LED technology they will be gradually phased out.

There are fewer companies manufacturing the compact fluorescent lights and all indications are that the cost of this style of light will start to increase over the short to medium term. Changing to the LED technology will remove the risk of this cost being passed on at a later date through increasing OMR charges.

At the moment Powercor has approved LED lights as a non-standard fitment, which means they are able to be placed on Powercor infrastructure however Powercor will only cover the operation and maintenance OM costs under agreements with Council.

As stated earlier all indications are that in the near future (2015) LED lights will become an approved standard fitment, meaning that Powercor will then cover any future Replacement (R) costs, including for those LED lights already installed throughout the network.

If this was not the case or the acceptance by Powercor of LED lights was delayed by some years, this would place Council at financial risk as they would have to fund any replacement lights in the interim. This risk is however mitigated by the 5 year warranty provided by the manufacturer on the LED lights.

### **CONSULTATION AND ENGAGEMENT**

There has been significant engagement over the course of this project to date involving 16 municipalities the CVGA and WMSA as well as a large body of work with Ironbark Sustainability. There has been ongoing engagement with Powercor both in obtaining information on existing infrastructure and the suitability of the different technologies.

As the project moves into the implementation stage, the communications strategy developed as part of the business plan, along with input from the relevant municipality, press releases and in some cases information leaflets will appear in the areas where work is being carried out.



#### 4.8 FINANCE REPORT FOR THE PERIOD ENDING 31 DECEMBER 2013

##### **SUMMARY**

This report provides Council with financial information for the period ending 31 December 2013.

Author:	Deanne Wingfield – Manager Financial Services
Council Plan ref:	Strategic Enabler: Sound financial management protocols
File no:	8/06/001
Attachment:	Finance Report for the period ended 31 December 2013

##### **RECOMMENDATION**

*That Council:*

1. *receives and notes the "Finance Report for the period ending 31 December 2013"*
2. *approves budget revisions included in the report for internal reporting purposes only.*

##### **PREVIOUS COUNCIL DISCUSSION**

Council is provided with Finance Reports on a monthly basis.

##### **BACKGROUND**

The Finance Report for the period ended 31 December 2013 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 2013/2014 Budget, and includes operating results, capital expenditure and funding sources. It also provides a focus report.

##### **ISSUES/DISCUSSION**

Nil

##### **COSTS/BENEFITS**

The benefit to Council and the community is that accurate and regular financial reporting is being disclosed.

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.

##### **CONSULTATION AND ENGAGEMENT**

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

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.

#### 4.9 REFUSAL OF PLANNING PERMIT APPLICATION 4890

##### **SUMMARY**

Recommends refusal of planning application 4890 seeking the use of a former church building on Bible Christian Road as a dwelling.

Author:	Amy Lanfranchi – Planning Officer
Council Plan ref:	Strategic platform 2 - Grow our population through appropriate development
File no:	13/02/004
Attachment:	Application documents, objections

##### **RECOMMENDATION**

That Council refuse planning permit application 4890 on the following grounds:

1. The proposed use is not consistent with the purpose of Clause 35.07 - Farming Zone.
2. The location of the proposed use is isolated from appropriate services required by residents.
3. The proposed use will be adversely affected by surrounding agricultural activities due to hours of operation, dust, noise, use of chemicals and farm machinery.
4. The proposed use will potentially limit the operation and expansion of surrounding agricultural uses.
5. The proposed use is inconsistent with Clauses: 16.02-1, 21.04-1, 21.04-4, 22.05, 35.07 and 35.07-6 of the Loddon Planning Scheme.

##### **PREVIOUS COUNCIL DISCUSSION**

Council has not previously discussed this matter.

##### **BACKGROUND**

A planning permit application for the use of a dwelling was lodged on 25 June 2013. The application relates to land identified as Lot 1 TP 599954E which is located on the corner of Bible Christian Road and Woodstock Road. The site currently features an existing unused church building which was constructed in approximately 1969, and some associated outbuildings which have fallen into disrepair.



Image 1: Subject land and surrounds

The proposed use is defined as a dwelling under the provisions of the Loddon Planning Scheme. A dwelling is a Section 2 use (discretionary use) in the Farming Zone for lots that are less than 40 hectares, and as such planning approval is required for the proposed use.

The applicant seeks approval for the use of a dwelling. It is proposed that the existing structure of the church will be internally renovated to feature a kitchen, living area, two bedrooms and a bathroom. The kitchen and living area would be located on the ground floor, with the instalment of a mezzanine floor to accommodate the two bedrooms (one with walk-in robe) and bathroom.

The proposed dwelling is intended to be serviced by an on-site septic system, solar panels (with investigation into the possibility of connection to reticulated electricity) and 3000 litre water tank. An ancillary structure to the residence is also proposed being a 6x10m garage. The site features an existing vehicle crossover, and the applicant intends to upgrade the driveway to an all-weather standard of appropriate dimensions to accommodate an emergency vehicle.

Whilst the application states that no native vegetation is to be removed as a part of the proposed use, and subsequent development, there is the potential that the installation of the septic tank and associated disposal field may require vegetation clearance on the east side of the property.

The surrounding area is generally utilised for broad acre cropping and grazing, with some residential dwellings associated with the primary agricultural activity. There are minimal services required for residents of a dwelling in the surrounding area.

Four objections to the proposal have been received. The objections have been made on the following grounds:

- That the site does not have the capacity to manage waste water.
- That the proposed use will limit the existing and future agricultural practices.
- That a similar application has been made previously (under Marong Shire) and was refused.
- That the approval of this use will set a precedent for dwellings in the Farming Zone.

### **ISSUES/DISCUSSION**

The proposal requires planning approval in accordance with the provisions of the Farming Zone as the use is included in Section 2 of the Table of Uses. Because a use is in Section 2 does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the State Planning Policy Framework, the Local Planning Policy Framework, the purpose and decision guidelines of the zone and any of the other relevant decision guidelines in the Loddon Planning Scheme.

#### **State Planning Policy Framework**

The State Planning Policy Framework exists in planning schemes to inform responsible authorities of those aspects of State planning policy which they are to take into account and give effect to in administering the Scheme. The State Planning Policy Framework provides a context for spatial planning and decision making for responsible authorities. The State Planning Policy Framework remains relatively silent on policy relating to the use of a dwelling in rural areas; however the following clause is considered appropriate:

- Clause 16.02-1 Rural residential development

The objective of this policy is to identify land suitable for rural living and rural residential development. It outlines strategies that detail the importance of managing development in rural areas to protect agriculture and avoid inappropriate rural residential development, that new dwellings utilise existing settlements and infrastructure and that rural living avoids adverse economic, social and environmental impacts. The proposed use, whilst utilising an existing structure and thus is not considered 'development', presents the same land use outcome as the approval of a new structure. The approval of the proposal would be considered contradictory to this provision as this decision would not protect agriculture and would fail to encourage the direction of rural residential uses into appropriately zoned areas.

Local Planning Policy Framework including the Municipal Strategic Statement

The Municipal Strategic Statement (MSS) is a concise statement of the key strategic planning, land use and development objectives for the municipality and the strategies and actions for achieving the objectives. It furthers the objectives of planning in Victoria to the extent that the State Planning Policy Framework is applicable to the municipality and local issues. It provides the strategic basis for the application of the zones, overlays and particular provisions in the planning scheme and decision making by the responsible authority. The following clauses are considered relevant to the consideration of this application:

- Clause 21.04-1 Community and settlement

One of the objectives for this Clause is to provide for sustainable rural living. The appeal of rural residential living for many people is the amenity afforded by residing in a rural type environment; however this lifestyle should not limit agricultural uses, and should make access of existing infrastructure and town services.

- Clause 21.04-4 Economic development

This Clause states that the Shire's economy is centred on agriculture and the objective is to encourage and support a diverse and environmentally sustainable economy in the Shire. Relevant strategies of this policy include the need to discourage non-agricultural land use (and development) in areas of high quality and productive agricultural potential, and to discourage ad hoc rural living development throughout rural areas. Within key agricultural areas it must be ensured that any new dwellings are clearly ancillary to the agricultural use of the land and are necessary.

The proposed use is not required for an agricultural use, nor would such practices be viable due to the size of the lot. The proposed dwelling has a high future potential to inhibit the agricultural practices of surrounding properties, via complaints about neighbouring farming practices. Additionally, occupants of this dwelling may need to be consulted in any future planning applications for agricultural expansion, potentially jeopardising the opportunity to utilise this land for more intensive agricultural uses. The protection of the Shire's agriculture is paramount for strong continued economic development.

- Clause 22.05 Development in rural areas

This policy applies to the Farming Zone. It recognises quality agricultural land is a valuable and non-renewable resource and its protection and sustainable use is fundamental to the future economic health of the Shire. Relevant objectives are that of ensuring the prevention of land use conflicts between sensitive uses and agricultural uses; and to ensure that new use and development is not prejudicial to agricultural industries or the productive capacity of the land.

The land in this area is considered good quality agricultural land which sustains dry land and irrigation farming, generally cropping and grazing. The introduction of a dwelling with no agricultural connection places a sensitive use in an existing farming area, and may present future complaints and limitations about these associated practices.

Zone

The subject land is contained within the Farming Zone of the Loddon Planning Scheme. Planning approval is required for the proposed use under the provisions of the zone. The purpose of the zone is as follows:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To provide for the use of land for agriculture.
- To encourage the retention of productive agricultural land.
- To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.
- To encourage the retention of employment and population to support rural communities.
- To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

The proposed use fails to satisfactorily respond to the purpose of the zone. As discussed earlier in this report the application fails to appropriately respond to several clauses of the State Planning Policy Framework and the Local Planning Policy Framework. The purpose of the zone clearly states a need to primarily retain and support agricultural uses. Whilst non-agricultural uses can be considered in the zone, this use must not adversely affect the use of land for agriculture. As discussed in the body of this report, it is considered that the proposed use would inhibit agricultural uses in the future and therefore it is not consistent with the purpose of the zone.

The decision guidelines of the Farming Zone identify a number of general, agricultural, dwelling, environmental, siting and design issues to be considered in the determination of a planning application. Amongst these guidelines is the following:

*Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses:* The proposed use is not compatible with adjoining and nearby land uses. The surrounding area is dominated by agricultural uses and dwellings which are situated on the land to support agriculture.

*How the use and development makes use of existing infrastructure and services:* The site of the proposed use is considered isolated from the required services associated with a dwelling.

*Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation:* Due to the size of the lot, the lack of screen vegetation and the proximity of surrounding agricultural uses it is deemed that the dwelling will be adversely affected by agricultural activities.

The property to the north and west of the lot, farm virtually right up to the subject site, with only a buffer of approximately 3 metres evident. It is not believed that the property could be adequately screened by vegetation to satisfactorily reduce these affects.

*Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses:* Whilst there has been a statement made by the owner that they will "not interfere with the day to day running of their farms", consideration must be given to the future ownership of this property. There is a high potential for formal complaints to be made regarding noise, dust, spraying of chemicals and use of farm machinery, and the hours of operation.

*The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture:* Whilst it is not anticipated that the proposal would necessarily lead to a proliferation of dwellings in the area, due to the size of allotments, it is important to consider the impact of the approval of inappropriate dwellings in Farming Zone.

These approvals may lead to a cultural perception that all farming land is able to be developed for purposes that purely relate to rural lifestyle. A strong and appropriate application of planning legislation ensures transparency and better understanding for residents, prospective residents and the Council.

#### Clause 65 Decision Guidelines

Clause 65 of the Loddon Planning Scheme identifies that following:

Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause.

The decision guidelines of Clause 65 apply to all planning permit applications and provide a generic set of considerations. Included in these considerations are the purpose of the zone and the orderly planning of the area.

As discussed in the body of this report, it is considered that the proposal does not align with the orderly planning of the area, and contradicts the purpose of the zone.

### Objections

Four objections to the proposed dwelling have been received. The issues raised by the objectors are as follows:

- That the site does not have the capacity to manage waste water.
- That a similar application has been made previously (under Marong Shire) and was refused.
- That the approval of this use will set a precedent for dwellings in the Farming Zone.
- That the proposed use will limit the existing and future agricultural practices

Assessment of a Land Capability Assessment by Teresa Arnup, Manager Environmental Health at Loddon Shire, has revealed that the site would be able to sustain an appropriate waste water treatment system.

There is no record available on the property file relating to the alleged previous application. Additionally, this previous refusal is not particularly relevant to the current application, as legislation has changed significantly, and this application must be assessed under the current Loddon Planning Scheme.

The outcome of this application should not set a precedent for dwellings in the Farming Zone as each application presented to the Planning Department and Council must be assessed on its individual merits against the appropriate legislation. However, as discussed previously in the report, there is a need to apply the planning scheme in a rigorous and consistent manner to prevent a misconception of appropriate development, and thus lead to a concentration of dwellings in the Farming Zone.

The preservation of farming land is paramount, and weighty consideration must be given to the implications of the proposed dwelling on the surrounding agricultural uses both as of today and into the future. As identified in this report, the Loddon Planning Scheme supports the sustainability and success of agricultural uses, and the continuation of this is important for the future of the Shire's economic vitality.

### **COSTS/BENEFITS**

Nil

### **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:

- Barrier to development and associated economic growth within the Shire.
- Proliferation of incompatible land use development.
- Council's reputation as a regulatory authority.
- Infrastructure, service provision or regulatory and enforcement pressures.
- 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. Surrounding landholders were notified of the application which resulted in the receipt of four objections.

## 5. **INFORMATION REPORTS**

### 5.1 **OUTCOME OF QUALITY REVIEW – INGLEWOOD KINDERGARTEN**

#### **SUMMARY**

This report is to provide Council with details of the outcome of the National Quality Framework Assessment conducted at Inglewood Kindergarten.

Author	Wendy Gladman, Director Community Wellbeing
Council Plan ref:	Core business 2: Provision of wellbeing services
File no:	12/9/003
Attachment:	Nil

#### **RECOMMENDATION**

*That Council receive and note the report detailing the outcomes of the National Quality Framework Assessment conducted at Inglewood Kindergarten.*

#### **PREVIOUS COUNCIL DISCUSSION**

A report detailing the introduction of the National Quality Framework assessment process for Early Childhood Education and Care services was provided to the October 2012 Council meeting. This report detailed the quality review program that the five kindergarten services within the Loddon Kindergarten Cluster would undertake during 2012/2013. The visit at Inglewood Kindergarten is the final assessment for Loddon Cluster kindergartens in this round of reviews.

#### **BACKGROUND**

During August 2013, two assessors visited the Inglewood Kindergarten to undertake the onsite component of the National Quality Framework assessment. The assessors spent two days at the Inglewood Kindergarten facility (during active kindergarten program delivery) and also met with Council's Early Years Coordinator who oversees the Loddon Kindergarten Cluster.

#### **ISSUES/DISCUSSION**

Correspondence received from the Department Education and Early Childhood Development (DEECD) in January 2014 has provided the final assessment and rating report and the Notice of Rating for the Inglewood kindergarten service.

The kindergarten was assessed against eighteen standards across seven quality areas within the prescribed rating levels:

- Significant Improvement Required
- Working towards National Quality Standard (NQS)
- Meeting National Quality Standard
- Exceeding National Quality Standard

If a service is rated below the National Quality Standard in any quality area, the overall rating will reflect the lowest quality area rating. To achieve an overall rating of Exceeding NQS, a service needs to achieve a rating of Exceeding NQS in four or more quality areas, of which two must be from quality area 1, 5, 6 or 7.

Inglewood Kindergarten has achieved the following ratings:

Quality Area 1	Educational program and practice	Meeting NQS
Quality Area 2	Children's health and safety	Meeting NQS

Quality Area 3	Physical environment	Meeting NQS
Quality Area 4	Staffing arrangements	Meeting NQS
Quality Area 5	Relationships with children	Meeting NQS
Quality Area 6	Collaborative partnerships with families and communities	Meeting NQS
Quality Area 7	Leadership and service management	Meeting NQS
	<b>OVERALL RATING</b>	<b>Meeting NQS</b>

The Notice of Rating must be displayed by the service, and the results will be published on the Australian Children's Education and Care Quality Authority (ACECQA) and My Child websites.

Under the National Law and the National Regulations, Regulatory Authorities may at any time reassess a service or any aspect or element of a service, so with the exception of extraordinary circumstances it is considered likely that the Inglewood Kindergarten will undergo the next assessment and rating process in the prescribed two year timeframe relevant to the overall rating received.

#### **COSTS/BENEFITS**

The Inglewood Kindergarten and Early Years team now have the opportunity to reflect on the outcomes and findings from the assessment and rating cycle to assist in driving continuous improvement at the service.

#### **RISK ANALYSIS**

Nil

#### **CONSULTATION AND ENGAGEMENT**

Nil



## 5.2 MINCHA WEST ROAD USAGE AND UPGRADE ASSESSMENT

### **SUMMARY**

Presents Council with the findings of a recent traffic count taken along the gravel section of the Mincha West Road and outlines the process for considering the upgrade of this section of road from a gravel to sealed surface.

Author:	David Fry Manager Infrastructure Program Development
Council Plan ref:	5. Providing quality infrastructure.
File no:	15/01/001
Attachment:	Nil

### **RECOMMENDATION**

*That Council receive and note the Mincha West Road Usage and Upgrade Assessment report.*

### **PREVIOUS COUNCIL DISCUSSION**

During its ordinary meeting in October 2013, Council requested that an assessment be undertaken to evaluate the usage of the Mincha West Road so as to determine the eligibility of potential upgrade from a gravel surface to a sealed pavement. Evaluation of traffic volumes is a key criterion in determining the eligibility of upgrading unsealed pavements, as identified within Councils Road Asset management Plan (RAMP).

### **BACKGROUND**

In August 2013 the Pyramid Hill Progress Association issued a letter requesting that the unsealed section of the Mincha West Road, between Frank Manns Road and the municipal boundary with Gannawarra, be considered for upgrade to a sealed road. The rationale presented for this request was the reported significant volumes of commercial traffic associated with a number of businesses located along the road, commercial traffic transiting through the region and the use by school busses travelling in both directions. It was also pointed out that Gannawarra Shire had recently sealed the gravel section of the Mincha West Road on their side of the municipal boundary.

### **ISSUES/DISCUSSION**

The above section of road comprises 1.8km of gravel pavement nominally 4.6 meters wide with an approximate pavement depth of 100mm. North of the Shire boundary, Gannawarra recently upgraded the pavement to a 6.2 meter seal with minimal shoulders. The balance of the Mincha West Road, south of Frank Manns Road, is a 4 meter sealed pavement with 1.8 meter gravel shoulders with some localised seal widening around bends.

The RAMP sets out criteria for determining when consideration may be given for the upgrade of a gravel road to a sealed road.

#### **Section 6.1.1 Upgrading rural gravel pavements to sealed pavements**

“Extensions of the rural sealed road network will not generally be undertaken. However when the Annual Average Daily Traffic exceeds 100 vpd, a road may be considered for construction and sealing to widths detailed in the Design and Construction Standards for Rural Roads, section 2.8, subject to a detailed evaluation of the project including an analysis of current and future maintenance/renewal costs, other available routes and available funding.”

A traffic count was undertaken to assess current traffic volumes. For a 24 hour period over five (5) days (Monday to Friday) the average daily count was 125 vpd. For a 24 hour period over seven (7) days (Monday to Sunday) the average daily count was 111 vpd.

Observed traffic volumes indicate this section of road could be considered for upgrade to a sealed road subject to the evaluation of remaining assessment criteria such as availability of alternate routes, funding

and long term operating costs. Adding to the observed traffic volume there is a commercial vehicle count of 53.44% indicating that this road supports significant business activities.

When considering the above, and that this road is one of the main routes from Pyramid Hill to both Kerang and Cohuna, it is believed that it would be appropriate to include this project on the Capital Works Rolling Program for potential inclusion within future Capital Works Programs, subject to available funding and relative priority against other pavement renewal works required.

### **COSTS/BENEFITS**

The sealing of this section of road will generate a minor benefit to the current users by reducing the wear and tear on vehicles associated with driving on gravel roads.

Although maintenance and renewal costs for sealed roads, over the whole life of the road, are believed to be higher than that of gravel roads, the isolated nature and higher rate of commercial vehicle traffic for this gravel section on an otherwise sealed road means there is potential for an increased rate of deterioration and consequently higher maintenance costs, as compared to other gravel roads.

A preliminary concept estimate for completing the required pavement upgrade and sealing works along this section of road is \$400,000. Detailed inspection and project scoping shall be required as part of the process for including this project within the rolling program.

### **RISK ANALYSIS**

The risk associated with high traffic volumes, including high commercial vehicle counts, on gravel pavements is anecdotally greater than that of sealed pavements. Potential areas of risk include vehicle controllability and variability in pavement surface quality.

Given that the Gannawarra Shire has recently sealed the contiguous section of the Mincha West Road within their municipality, retaining a short gravel section of this road within the Loddon Shire may also lead to some reputational risk.

### **CONSULTATION AND ENGAGEMENT**

At this point in time the only consultation has been with the Pyramid Hill Progress Association. Following the development of a detailed project scope and initial design it is anticipated that additional stakeholder's i.e. adjacent landowners shall be consulted in relation to any proposed works.

### 5.3 PLANNING APPLICATIONS CURRENTLY BEING PROCESSED

#### **SUMMARY**

Provides Council with an update on Planning applications currently under consideration and a register of planning permits issued between 28-11-2013 and 10-01-2014.

Author: Amy Lanfranchi – Planning Officer

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 'Planning Applications Currently Being Processed' 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**

Attachments 7.1(a) and 7.1(b) provide Council with a full list of planning applications currently under consideration and those planning permits issued between 28-11-2013 and 10-01-2014.

#### **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:

- Barrier to development and associated economic growth within the Shire
- Proliferation of incompatible land use development
- Council's reputation as a regulatory authority
- Infrastructure, service provision or regulatory and enforcement pressures
- 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.

#### 5.4 BUILDING DEPARTMENT ACTIVITY STATISTICS – OCTOBER TO DECEMBER 2013

##### **SUMMARY**

Provides information on the level of building activity within the municipality.

Author:	David Turner, Municipal Building Surveyor
Council Plan ref:	Core business 9: Regulation
File no:	13/06/001
Attachment:	Building Permit Approvals Occupancy Permits Issued Certificates of Final Inspection Issued Statistical Charts - 2005 to 2013 including inspection summary

##### **RECOMMENDATION**

*That Council receive and note the 'Building Department Activity Statistics Report'*

##### **PREVIOUS COUNCIL DISCUSSION**

Council is provided with a quarterly report regarding building activity statistics within the shire.

##### **BACKGROUND**

Loddon Shire provides a range of building advisory and control functions through its building department. The role of the Municipal Building Surveyor encompasses the provision of building advice, administration, issuing or review of relevant permits and approvals, advisory and consultancy services as well as performing regulatory administration and enforcement activities.

Capturing and reporting statistics relating to building activity within the Shire also forms part of the Municipal Building Surveyor's role. Accordingly this information is provided to Council as an indicator of local development and investment.

##### **ISSUES/DISCUSSION**

For the period October to December 2013 available data indicates that there has been a slight increase in the number of building permits issued and approximately 28% increase in the total value of building works as compared with the previous three (3) months. This increase in value is generally attributed to the larger number of permits issued by private Building Surveyors.

A comparison with the same period in 2012 indicates a reasonable increase in the number of building permits issued however the value of works is similar.

##### **COSTS/BENEFITS**

By providing the activity statistics, Councillors are better informed about the level of building activity in the municipality

##### **RISK ANALYSIS**

This report identifies statistical information only and therefore is considered to maintain no inherent risk to Council.

##### **CONSULTATION AND ENGAGEMENT**

No internal or external consultation has to occur for this information to be prepared.

## 5.5 SUMMARY OF THE 2012-2013 ANNUAL INFRASTRUCTURE PROGRAM

### **SUMMARY**

Provides a summary of the completion status and associated expenditure of the various projects and sub-programs comprising the 2012-2013 Annual Infrastructure Program.

Author	David Fry, Manager Infrastructure (Program Development)
Council Plan ref:	Core business 5: Providing quality infrastructure
File no:	15/01/001
Attachment:	Nil

### **RECOMMENDATION**

*That Council receive and note the summary report detailing completion of the 2012-2013 Annual Infrastructure Program and associated expenditure result against program budgets.*

### **PREVIOUS COUNCIL DISCUSSION**

At its May 2012 meeting Council adopted the 2012-2013 Annual Infrastructure Program.

### **BACKGROUND**

The 2012-2013 Annual Infrastructure Program was prepared in accordance with the following financial requirements:

- Expenditure of Federal Government Roads to Recovery funding (\$1,822,500)
- Expenditure of State Government Country Roads and Bridges funding (\$1,000,000)
- Expenditure of Grants Commission funding tied to local roads (\$3,122,255)
- Expenditure of Council funds ( \$2,765,000)(Note: Includes Routine Maintenance)
- Expenditure of funds for any Works in Progress or Carryover Projects from the 2011-2012 financial year.

### **ISSUES/DISCUSSION**

Councils Annual Infrastructure Program is divided into nine sub programs. Each sub program is allocated a budget subject to the relative quantity of outstanding works, relative project priorities and resource availability. Program budgets are distributed utilising the above financial commitments and in consideration of the long term financial modelling for asset renewal requirements across all asset categories.

The following is a summary of activities undertaken in the course of completing the 2012-2013 Annual Infrastructure Program. In addition to projects listed in the 2013-2014 Annual Program, figures below also include any carryover works which were also completed from previous years.

- Local Road Gravel Re-sheeting: A total of 37 re-sheet projects, covering approximately 41km (or 3%) of the gravel access and collector road network, were programmed for delivery. A total budget of \$1.195 Million was allocated to complete these works.

All gravel re-sheet projects have now been completed at a cost of \$880,552. This represents a saving against the available program budget of approximately \$314K or 26%. A significant portion of the observed saving is due to approximately \$150,000 of projects being delivered via the flood restoration program, as it was identified that the roads had been impacted by floodwaters.

- Local Road Gravel Shoulder Re-sheeting: A total of 6 shoulder re-sheet projects, covering approximately 20km (or 2.2%) of the shoulders along the sealed road network, were programmed for delivery. A total budget of \$250K was allocated to complete these works.

All shoulder re-sheet projects have now been completed at a cost of \$219,941. This represents a saving against the available program budget of approximately \$30K or 12%.

- Local Road Construction Asset Preservation: A total of 6 pavement reconstruction projects, covering approximately 5km (or 0.54%) of the sealed road network, were programmed for delivery. A total budget of \$1.33 Million was allocated to complete these works.

Adjustments to the road reconstruction program and associated budgets were required to accommodate delivery of the Bridgewater Raywood Road reconstruction project. As a result the Borung Hurstwood Road project was deferred until 2013/2014.

In addition to the programmed works for 2012/13, one additional carryover project was also delivered, being the Dingee Rochester Road.

All pavement reconstruction projects due for delivery in 2012/13 have now been completed at a cost of just over \$1.81 Million. Against the revised program budget of \$1.82 Million, this represents a saving of approximately \$13,500 or 0.7%.

- Local Road Construction Amenity: A total of 8 pavement construction (amenity) projects were programmed for delivery. These projects included sealing works to control dust, kerb and channel works to better define and drain parking areas, and some smaller pavement rehabilitation works.

A total budget of \$249,500 was allocated to complete these works. In addition to the listed 2012/13 projects one carryover project, being Reef Street Wedderburn, was also included for delivery.

Due to unforeseen circumstances an additional budget allocation towards the upgrade of the Serpentine office car park was required. This project, along with its remaining budget has been carried over into the 2013/14 financial year.

All remaining amenity projects have now been delivered at a cost of just over \$250K. Against the revised program budget of \$289,464, this represents a saving of approximately \$39K or 13%.

- Local Road Construction Safety: Four (4) pavement construction (safety) projects were programmed for delivery. A total budget of \$174K was allocated to complete these works. In addition to the listed 2012/13 projects one carryover project, being Boort Yando Road, was also included for delivery.

All safety projects have now been delivered at a cost of just over \$257K. Against the revised program budget of \$296,760, this represents a saving of approximately \$39K or 13%.

- Township Street Improvement Works: Ten Township Street Improvement (TSI) projects (Kerb & Channel and Footpath works) were programmed for delivery. A total budget of \$630K was allocated to complete these works.

Works on the Holloway Street kerb & channel have been carried over into the 2013/14 financial year and are yet to commence.

All remaining TSI projects have now been delivered at a cost of just under \$397K. Against the revised program budget of \$496,438, this represents a saving of approximately \$99K or 20%.

- Urban Drainage: A total of 5 urban drainage projects were programmed for delivery. A total budget of \$300K was allocated to complete these works. In addition to the listed 2012/13 projects, nine carryover projects were also included for delivery in the financial year.

Two of the carryover projects from earlier years remain in progress (e.g. Nixon Street retarding basin and Unity Dam).

The remainder of the urban drainage projects scheduled for delivery in 2012/13 have now been completed at a total cost of just under \$548K. Against the revised program budget (inclusive of carryovers) of \$631,954, this represents a saving of approximately \$3K or 0.4%.

- Local Bridges and Culverts: A total of 7 bridge and culvert projects including works on guard rails, repairs to abutments and replacement of some pipework and end walls, were programmed for delivery. A total budget of \$267K was allocated to complete these works.

All bridge and culvert projects included in the 2012/13 Annual Program have now been delivered at a cost of just under \$194K. Against the available program budget this represents a saving of approximately \$73K or 27%.

- Local Road Reseals: Twenty eight (28) reseal projects covering more than 25km, or 2.7% of the sealed road network, were programmed for delivery. The works included 3 final seal jobs totalling 2km. A budget of \$542K was provided for this work including any internal seal preparation or cartage costs.

All reseal projects have been completed for a cost of \$538,381. This represents a saving against the original budget of approximately \$3,600 or 0.7%.

Taking into account the above expenditure and budget figures within each sub-program, the following table outlines a summary of expenditure for the 2012-2013 Annual Infrastructure Program.

Table 1: Summary of 2012/2013 Annual Infrastructure Program Budget vs. Expenditure:

Sub Program	Program Budget (\$)	Expenditure to 1/1/2014	Remaining Works (\$)	Total Projected Expenditure	Variance (Savings/Overspend)
Gravel Re-sheets (LRS)	1,195,000	880,552	-	880,552	314,448
Shoulder Re-sheets (LRSS)	250,000	219,941	-	219,941	30,059
Local Road Construction (LRC)	1,825,090	1,811,553	-	1,811,553	13,537
LRC Amenity Program (AMN)	346,964	250,441	57,500	307,941	39,023
LRC Safety Program (AMN)	296,760	257,122	-	257,122	39,638
Township Street Improvements (TSI)	630,000	396,930	133,562	530,492	99,508
Urban Drainage Program (TSD)	631,954	547,867	81,289	629,156	2,798
Bridges and Culverts (LBCC)	267,000	193,823	-	193,823	73,177
Resealing	542,000	538,381	-	538,381	3,619
<b>TOTAL</b>	<b>5,984,768</b>	<b>5,096,610</b>	<b>272,351</b>	<b>5,368,961</b>	<b>615,807</b>

The total projected savings of \$615,807 indicated above equate to a 10.2% saving against the revised budgets.

Of the 111 projects identified for delivery as part of the 2012/2013 Annual Infrastructure program, only 3 remain outstanding as of 1 January 2014. These carryover projects are expected to be completed during the 2013/2014 financial year

**COSTS/BENEFITS**

The completion of the Annual Infrastructure Program within budget ensures that Council can continue to provide appropriate infrastructure programs for the ratepayers of the Loddon Shire.

**RISK ANALYSIS**

The risk associated with the provision of the Annual Infrastructure Program is the ability to continue to provide an appropriate level of service within the financial capacity of Council.

**CONSULTATION AND ENGAGEMENT**

Nil



## 5.6 NATURALLY LODDON A WONDERLAND IN SPRING

### **SUMMARY**

The 2013 "Naturally Loddon" a wonderland in spring festival was held from the 30 August until 27 October 2013. This report provides Council with an overview of the 2013 festival and outlines changes that will further improve the festival for 2014.

Author:	Robyn Vella - Manager Tourism
Council Plan ref:	Strategic Platform 5: Grow and diversify our economy
File No:	14/07/002
Attachment:	A table which outlines the name of the event, the responsible organisation and the estimated number of participants per activity.

### **RECOMMENDATION**

*That Council receive and note the 'Naturally Loddon a Wonderland in Spring' Report*

### **PREVIOUS COUNCIL DISCUSSION**

At the May Council meeting an update report was submitted about the development of the 2013 Naturally Loddon a wonderland in spring festival. Outlining the program activities and the organisations involved with this year's event.

### **BACKGROUND**

The "Naturally Loddon" a wonderland in spring festival is an initiative of the Loddon Shire Nature Tourism Advisory Team and an action in the Nature Tourism Plan.

Now in its fourth year the Naturally Loddon Festival promotes our natural environment and highlights the biodiversity and cultural heritage of the Loddon Shire. The festival is aimed at all age groups with a variety of fun, interactive and educational events, all showcasing the great outdoors within our region.

The 2013 Nature Tourism festival subcommittee consisted of key stakeholders from Friends of Kooyoorra, Friends of Terrick Terrick National Park, Wedderburn Conservation Management Network, Mulwarrie Studios, Parks Victoria, Loddon Plains Landcare, Inglewood Blue Eucy Museum, Loddon Ambassador Paul Haw and Loddon Shire Council.

The role of the committee is to bring together, coordinate and promote a series of events which relate to our environment, history, heritage and culture.

While each organisation is responsible for their event; marketing and promotion is jointly managed through the festival subcommittee and the individual organisation.

### **ISSUES/DISCUSSION**

The Nature Tourism festival subcommittee coordinated and promoted 20 individual events from 30 August to 27 October and involved 11 organisations, 1 business and 1 Individual/volunteer.

In 2012 the Naturally Loddon Festival attracted **521** participants, with the 2013 event attracting a total of **1642** visitors to the region. Further detail on the success of the event is provided in the attachment to this report.

The dramatic patronage increase observed is believed to be associated with attracting new, larger events to the calendar such as Naturally New Age Festival, A weekend of Gold Prospecting with the Prospectors and Miners Association, Blue Eucy Heritage Festival and the Bridgewater Wool, Wheat and Wine Festival.

A weekend of Gold Prospecting with the Prospectors and Miners Association will be in another part of Victoria in 2014 and 2015; however Council officers are continuing negotiations with the executive of the Prospectors and Miners Association for the return of the event to the Loddon Shire in 2016.

The content of the Naturally Loddon a wonderland in spring festival will continue to fluctuate as the majority of events are dependent on the involvement of volunteers.

### The festival delivers on

- Loddon Shire Council Tourism Strategy 2011-2016 under 5.3 Marketing and Promotions, action 12: assist Loddon event organisers with marketing and promotions.
- Loddon Shire Council Tourism Strategy 2011-2016 under 5.4 Partnerships, action 1: continue to liaise with relevant tourism related organisations in the development and promotion of tourism opportunities throughout the region.
- Loddon Shire Council Tourism Marketing Plan 2011 – 2016 Loddon Events joining people with the culture of Loddon through events.
- The Nature Tourism Plan objective 1: promotion of existing nature tourism assets and activities.

### Event Research

Event organisers were provided with feedback sheets to record basic data on participants to determine their locality (via postcode) and how they became aware of the event/festival.

Feedback provided from event organisers and the Loddon Visitor Information Centre statistics identified that the majority of visitors came from Regional Victoria. Visitors obtained information about the festival from local media, rate notice mail out, website, event brochure and word of mouth.

Where visitors to the 2013 event came from:

<i>Local Community (Loddon Shire)</i>	<i>20%</i>
<i>Regional Victoria Bendigo, Maryborough &amp; Ballarat</i>	<i>70%</i>
<i>Melbourne</i>	<i>10%</i>
	<b>100%</b>

This data will assist the organising committee in improving marketing in future years.

### 2014 "Naturally Loddon" a wonderland in spring festival

The Nature Tourism Festival Committee will meet in March 2014 to examine ways of improving the festival and to discuss alterations to the format by combining events that match a similar target audience.

For example

- The Friends of Kooyoora are investigating the relocation of the Kooyoora Wildflower Show to Inglewood.
- Loddon Plains Landcare is considering a bus tour in both the north and south of the Shire, coinciding with an existing event.
- The Committee is considering basing events closer to major towns and converting day trips to overnight stays to further assist in maximising the benefit to local economies.

Council officers will also assist local committees to further develop ongoing events such as the Naturally New Age, Blue Eucy Heritage and the Bridgewater Wool, Wheat and Wine Festivals.

Draft Activities for the 2014 event:

- Kooyoora Wildflower Show
- Terrick Terrick National Park open weekend

- Blue Eucy Heritage Festival
- Naturally New Age
- Loddon Plains Landcare bus tour
- Out N About in Tarnagulla

The role of the Nature Tourism festival subcommittee is to coordinate and promote a program of events in joint partnership with the organisation responsible for their activity.

#### **COSTS/BENEFITS**

The consistent branding and marketing of the festival over the past 4 years has created awareness of our region. Participants attending the festival generate economic activity within the Loddon Shire through accommodation bookings, retail and eateries.

The Naturally Loddon a wonderland in spring festival contributes to community and social well-being throughout the region with volunteers coming together to organise individual activities.

Council provided \$5,277 as part of its 2013/14 Annual Budget to support the promotion and sponsorship of the various activities undertaken as part of the festival.

#### **RISK ANALYSIS**

The Naturally Loddon Festival is reliant on volunteers and each organisation who is currently involved with the festival is finding it hard to attract new volunteers. This is a risk for the sustainability of this festival.

#### **CONSULTATION AND ENGAGEMENT**

The Loddon Shire Tourism department has established partnerships with key stake holders and voluntary organisations to coordinate and promote existing and new activities as part of the Naturally Loddon a wonderland in spring festival.

## **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**

Instrument of Delegation for Boort Park Committee of Management

Deed of Loan between Loddon Shire Council (mortgagee) and Hay Australia (mortgagor) and Troy McDonald, Steven Woods and Andrew Bolt (Guarantor) for land in Folio of the Register Volume 10888 Folio 590

Licence agreement to occupy property before completion of the purchase between Loddon Shire Council (Licensor) and Hay Australia Bridgewater Pty Ltd (Licensee) for Crown Allotments 79A and 79B Parish of Derby, Calder Highway, Bridgewater

Contract 308 – Bitumen Sealing Works in the Loddon Shire 2013/2014 between Loddon Shire Council and Inroads Pty Ltd

**6.2 SECTION 86 COMMITTEE OF MANAGEMENT MEMBERSHIP DETAILS – BOORT DEVELOPMENT, BRIDGEWATER ON LODDON MEMORIAL HALL, KORONG VALE MECHANICS HALL, INGLEWOOD RIDING CLUB, INGLEWOOD LIONS COMMUNITY ELDERLY PERSONS' UNITS, AND INGLEWOOD TOWN HALL**

**SUMMARY**

This report seeks Council's approval of membership of the Boort Development, Bridgewater on Loddon Memorial Hall, Korong Vale Mechanics Hall, Inglewood Riding Club, Inglewood Lions Community Elderly Persons' Units, and Inglewood Town Hall Committee Of Management.

Author	Jude Holt, Director Corporate Services
Council Plan ref:	Strategic Platform 1: Build a network of strong communities
File no:	02/01/008, 02/01/013, 02/01/023, 02/01/026, 02/01/042, 02/01/043
Attachment:	Nil

**RECOMMENDATION**

*That Council appoints the names provided in this report as members of the Boort Development, Bridgewater on Loddon Memorial Hall, Korong Vale Mechanics Hall, Inglewood Riding Club, Inglewood Lions Community Elderly Persons' Units, and Inglewood Town Hall Section 86 committees of management, effective immediately, for the 2013/2014 reporting cycle.*

**PREVIOUS COUNCIL DISCUSSION**

Over the past year Council has approved committee membership of all Section 86 committees of management.

**BACKGROUND**

Council has also approved amended Instruments of Delegation for Section 86 committees of management. Included in the amended delegations is Clause 3.6 which outlines the requirement for nomination and appointment of committee members, which is as follows:

***Members and Office Bearers of the Committee***

*At the Annual General Meeting each year nominations shall be called for proposed members of the committee. The committee must then elect from its proposed members the following office bearers:*

- *President, who shall be Chairperson of the Committee*
- *Secretary*
- *Treasurer.*

*The full list of proposed members must be forwarded to Council for formal appointment at an Ordinary Meeting of Council, in accordance with section 86(2). Until this formal appointment by Council occurs, the previous committee members will continue to hold office.*

As contact has been made with committees, a form has been issued to them asking them to provide their current committee members' names and contact details.

Where delegations have organisation representatives (not community representatives), the names and details of the groups being represented are provided in the list.

**ISSUES/DISCUSSION**

Clause 3.3 Membership of the committee outlines Council's preferred composition of the committee specific to each delegation, and states that Council seeks to provide broad representation to the committees.

For community based committees, that is at least 6 community representatives.

For organisation based committees, each delegation has a list of organisations that are required to provide representatives for the committee.

Boort Development, Bridgewater on Loddon Memorial Hall, Korong Vale Mechanics Hall, Inglewood Riding Club, and Inglewood Town Hall are community based committees with representation of at least 6 community representatives. The following is a list of nominated representatives for the committees which meet the minimum requirement:

**Boort Development:**

Barry Barnes	President
Jim Nolan	Vice President
Rod Poxon	Secretary
Alister McDougal	Joint Treasurer
Paul Haw	Joint Treasurer
Barry Kennedy	Committee Member
Phil Smith	Committee Member
Sue Forster	Committee Member
Barry Kennedy	Committee Member
Kevin Sutton	Committee Member
Ken Loader	Committee Member
John Nelson	Committee Member
Margaret Nelson	Committee Member
Kathryn Lanyon	Committee Member
Ben Winspear	Committee Member
Vicki Poxon	Committee Member
Stephen Fields	Committee Member

**Bridgewater on Loddon Memorial Hall:**

Steve Brown	President
Leanne Edwards	Secretary
David Hanna	Treasurer
Leigh Hanna	Committee Member
Alan Downing	Committee Member
Katrina Simmons	Committee Member
Joelene Simsen	Committee Member
Jenny Hoskings	Committee Member

**Inglewood Riding Club:**

Susan Roberts	President
Leigh Howard-Smee	Secretary
Vhonda Pettit	Assistant Secretary
Brie Williams	Treasurer
Michelle Murray	Committee Member
Dawn Bulger	Committee Member

**Inglewood Town Hall:**

Don Walker	President
Dona Martin	Vice President
Colleen Condliffe	Secretary
Rick Martin	Treasurer
Alan Saunders	Committee Member
Jan Graham	Committee Member
Denis Rogers	Committee Member
Karen Akers	Committee Member
Les Miller	Committee Member

**Korong Vale Mechanics Hall:**

Jon Charry	President
Lydia Wild-Brook	Vice President
Lyn Chapman	Secretary/Treasurer
Heather Charry	Committee Member
Debra Rowen	Committee Member
Lyn Charlesworth	Committee Member
Bev Dow	Committee Member
Glenda Brooker	Committee Member

Inglewood Lions Community Elderly Persons’ Units is an organisation based committee. The following table includes representatives from each of the nominated organisations, as well as a community representative:

<b>Name</b>	<b>Group represented</b>
Robert Condliffe	Inglewood Lions Club
Carol Gibbins	Loddon Shire Council Community Wellbeing Department
Mike Parker	Inglewood & District Health Services
Brian Rodwell	Community Member

This report recommends that Council approves the committee memberships as presented.

**COSTS/BENEFITS**

The benefit of this project is that Council has an up to date and accurate record of current committee members to ensure that contact can be made, particularly where Council is requesting committees to comply with reporting requirements under the legislation.

**RISK ANALYSIS**

Section 86 Committees act for and on behalf of Council which creates a risk for Council should they ever act outside their delegated authority.

Under Section 86(2) of the Act, “Council may appoint members to a special committee and may at any time remove a member from a special committee”.

Council’s appointment of committee members, not only satisfies the legislation, but also provides Council with the opportunity to sight the list of committee members before formally appointing them as they are the people that will be operating the committees, and in effect, acting for and on behalf of Council over the course of the year.

**CONSULTATION AND ENGAGEMENT**

Council has been advising committees in writing of the requirement to provide the list of committee members nominated at their Annual General Meeting, which requires Council approval.

**6.3 SECTION 86 COMMITTEE OF MANAGEMENT MEMBERSHIP DETAILS – AMENDMENT TO PYRAMID HILL MEMORIAL HALL COMMITTEE OF MANAGEMENT**

**SUMMARY**

This report seeks Council's approval of amendment to membership of the Pyramid Hill Memorial Hall Committee of Management.

Author	Jude Holt, Director Corporate Services
Council Plan ref:	Strategic Platform 1: Build a network of strong communities
File no:	02/01/031
Attachment:	Nil

**RECOMMENDATION**

*That Council appoints Kellie Stewart as an additional member of the Pyramid Hill Memorial Hall Section 86 committee of management, effective immediately, for the 2013/2014 reporting cycle.*

**PREVIOUS COUNCIL DISCUSSION**

Council approved the Pyramid Hill Memorial Hall committee membership at the Ordinary Meeting held on 28 October 2013.

The full committee appointed at the time was:

<b>Name</b>	<b>Position</b>
Ronald Peacock	President
Graeme Stevens	Vice President
Kathleen Wood	Secretary-Treasurer
Betty Mann	Committee Member
Bill Quinn	Committee Member
Cheryl Bartels	Committee Member
Colin Mann	Committee Member
David James	Committee Member
Janette Vincent	Committee Member
Sherrie Gumley	Committee Member
Jenny Prior	Committee Member

**BACKGROUND**

Since then the committee has contacted Council asking that Kellie Stewart be added to the committee list, as she was inadvertently omitted.

This report recommends that Kellie Stewart be added to the list above.

**ISSUES/DISCUSSION**

Nil

**COSTS/BENEFITS**

The benefit of this report is that Council has an up to date and accurate record of current committee members to ensure that contact can be made, particularly where Council is requesting committees to comply with reporting requirements under the legislation.



**RISK ANALYSIS**

Section 86 Committees act for and on behalf of Council which creates a risk for Council should they ever act outside their delegated authority.

Under Section 86(2) of the Act, "Council may appoint members to a special committee and may at any time remove a member from a special committee".

Council's appointment of committee members, not only satisfies the legislation, but also provides Council with the opportunity to sight the list of committee members before formally appointing them as they are the people that will be operating the committees, and in effect, acting for and on behalf of Council over the course of the year.

**CONSULTATION AND ENGAGEMENT**

Council has been advising committees in writing of the requirement to provide the list of committee members nominated at their Annual General Meeting, which requires Council approval.

**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 25 February at Serpentine commencing at 3pm.