



Notice is given that an Ordinary Meeting of Council will be held on:

Date: Tuesday, 28 March 2017
Time: 3pm
Location: Council Chambers, Serpentine

AGENDA

Ordinary Council Meeting

28 March 2017

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1 OPENING PRAYER

“Almighty God, we humbly beseech thee to bless this Council, direct and prosper its deliberations towards the true welfare of your people of the Shire of Loddon.”

2 APOLOGIES

3 DECLARATIONS OF CONFLICT OF INTEREST

4 PREVIOUS MINUTES**4.1 CONFIRMATION OF MINUTES**

File Number: 02/01/001

Author: Lynne Habner, A/Manager Executive and Commercial Services

Authoriser: Phil Pinyon, Chief Executive Officer

Attachments: Nil

RECOMMENDATION

That Council confirm:

1. The minutes of the Council Briefing of 28 February 2017
2. The minutes of the Ordinary Council Meeting of 28 February 2017
3. The minutes of the Council Forum of 14 March 2017

REPORT

Seeking approval of the unconfirmed minutes of the previous meetings.

5 REVIEW OF ACTION SHEET

5.1 REVIEW OF ACTIONS

File Number: 02/01/002

Author: Lynne Habner, A/Manager Executive and Commercial Services

Authoriser: Phil Pinyon, Chief Executive Officer

Attachments: 1. Action sheet

RECOMMENDATION

That Council receive and note the action sheet.

REPORT

Refer attachment.

6 MAYORAL REPORT

6.1 MAYORAL REPORT

File Number: 02/01/001

Author: Lynne Habner, A/Manager Executive and Commercial Services

Authoriser: Phil Pinyon, Chief Executive Officer

Attachments: Nil

RECOMMENDATION

That Council receive and note the Mayoral Report

REPORT

The Mayor will present a report at the meeting.

7 COUNCILLORS' REPORT

7.1 COUNCILLORS' REPORTS

File Number: 02/01/001

Author: Lynne Habner, A/Manager Executive and Commercial Services

Authoriser: Phil Pinyon, Chief Executive Officer

Attachments: Nil

RECOMMENDATION

That Council receive and note the Councillors' reports

REPORT

Each Councillor will present a report at the meeting.

8 DECISION REPORTS**8.1 ROAD ASSET MANAGEMENT PLAN**

File Number:	14/01/020
Author:	Indivar Dhakal, Assets Engineer
Authoriser:	Graeme Smith, Design Engineer
Attachments:	1. Road Asset Management Plan 2017-2021
	2. Financial Projection
	3. Improvement Action
	4. List of low trafficked sealed pavement

RECOMMENDATION

That Council adopt the Road Asset Management Plan 2017-2021.

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this report, or involved in the subject matter of the report.

PREVIOUS COUNCIL DISCUSSION

Council resolved to advertise, and seek public comment on, the proposed Road Asset Management Plan (RAMP) during its Ordinary Meeting held on 13 December 2016.

BACKGROUND

Council has more than 4700 km of road network broadly classified under a hierarchy of sealed and unsealed roads. To manage the extensive network of road assets, Council adopted its Road Asset Management Plan (RAMP) 2008 with a review period of 4 years.

This plan forms a part of the asset management plan's portfolio that supports Council's asset management policy and asset management strategy, which focus upon achieving sustainable asset management, value for money and supporting the Council in engaging with local communities to find the balance between service levels, risk and cost.

The revised RAMP (as presented) outlines the key elements involved in managing Council's sealed and unsealed roads within the urban and rural areas of the Municipality. It combines management, financial, engineering and technical practices to ensure that the level of service required by user groups is provided at the lowest long term cost to the community, within the limits of any fiscal constraints that may be imposed on, or by Council.

Preparation of the revised RAMP has been delayed from the original 4 year review cycle, however the existing RAMP has continued to be applied since its adoption in 2008. Part of this delay may be attributed to the disruption and shift in focus following the 2011 floods as well as a more recent staff restructure. Following the adoption of the revised RAMP for 2017-2021 it is expected that the 4 year review cycle will be reinstated.

ISSUES/DISCUSSION

Council has been investing significant amounts of money into its road related assets every year. This asset management plan outlines the connection of the investment of community funds towards road related assets with service outcomes. It also provides a framework for optimal life cycle management of the road assets and an investment model to maintain that life cycle.

Council resolved to advertise the proposed RAMP seeking public comment. The document was put on display at the Shire offices in Wedderburn and Serpentine. A copy was also made accessible on Council's website. The notification was first advertised in the Bendigo Advertiser on 21 January 2017 followed by advertisement in Loddon Times and Gannawarra Times on the same week with repetition the following week. The draft RAMP was on display until 17 February 2017 giving the public 4 weeks from first notification to make any submission and/or comment.

At the conclusion of the exhibition period Council received no submissions or comments regarding the draft RAMP. However, a requirement for some minor amendments to the plan were identified internally and completed in the final version of the document. The initial draft was prepared in 2016 and was expected to be adopted in the same year. Due to unforeseen circumstances, the exhibition and adoption process has been delayed. Accordingly the effective period of the plan has been changed to 2017-2021 which more accurately reflects the date of the adoption of the document.

COST/BENEFITS

The cost of adopting the proposed RAMP is presented as an attachment (Financial Projections). With the adoption of the attached projections, the renewal gap on Council's road network is envisaged to be reduced and as such the proportion of the roads below intervention level is expected to be maintained.

RISK ANALYSIS

There is no significant risk associated with the adoption of the proposed RAMP. However, deviation from the proposed financial projections may increase the annual liability on road assets.

CONSULTATION AND ENGAGEMENT

The document was made available for public display seeking comments and submissions. Council did not receive any submissions from the general public.

During the development of the RAMP extensive consultation occurred internally within the organisation between the Operations and Technical services Departments.

8.2 PLANNING APPLICATION 5245- CONSTRUCTION OF A DWELLING AT 29 PARK STREET BRIDGEWATER

File Number: 5245
Author: Alexandra Jefferies, Planning Officer
Authoriser: Glenn Harvey, Manager Development and Compliance
Attachments: 1. Objection 1
2. Objection 2
3. Proposed dwelling plans
4. Recommended permit conditions

RECOMMENDATION

That Council approve the development of the land for a dwelling subject to the proposed conditions attached.

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this report, or involved in the subject matter of the report.

PREVIOUS COUNCIL DISCUSSION

Planning application 4988 was submitted on 7 July 2014 for the development of the land for a dwelling. The application received objections from surrounding land owners/occupiers and from North Central Catchment Management Authority (NCCMA). Based on failure to make a decision the applicant referred the matter to VCAT. The tribunal member refused the application and strongly suggested the issues raised by the Land Subject to Inundation Overlay (LSIO) and the Heritage Overlay (HO) be better addressed by the applicant in the future.

Planning application 5179 was lodged on 8 March 2016 for the development of the land for a dwelling. The application was objected to by adjoining land owner/occupiers and by NCCMA. NCCMA considered the proposal to obstruct the flow of flood water across the site would contribute to possible erosion of the river bank and raised concerns that the development extending 8 meters further than the adjacent development would detract from the landscape values of the river that the Bridgewater and wider community enjoy. Council resolved to refuse the application.

BACKGROUND**Proposal**

Planning application 5245 proposes the development of a dwelling at 29 Park Street Bridgewater. The proposed dwelling contains four bedrooms, an open planned dining/kitchen with walk in pantry/rumpus and family area, two bathrooms, laundry and a 59 m² verandah (4.5 metre wide x 13.2 metre long) along the north western side of the dwelling.

The development is currently proposed to be set back 5.885 metres from edge of the proposed verandah to the north western site boundary (Loddon River side)

Subject site and locality

The subject site is approximately 670 m² in size and currently contains a removable building which has remained on site for many years previous to this application being made.

The site is bound to the north-west by the Loddon River and the north-east by the railway line. Development on adjoining land includes the Bridgewater Pub on the adjoining lot to the south-west and the Bridgewater post Office to the south of Park Street.



Loddon Shire Planning Scheme

32.05 Township Zone

The subject site is within the Township Zone 32.05, the purpose of which is:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
 - 1.
 - *To provide for residential development and a range of commercial, industrial and other uses in small towns.*
 - 2.
 - *To encourage development that respects the neighbourhood character of the area.*
 - 3.
 - *To implement neighbourhood character policy and adopted neighbourhood character guidelines.*

4.

- *To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*

A planning permit is not required to use or develop the land for a dwelling under the Township Zone.

43.01 Heritage Overlay

The subject site is covered by the Heritage Overlay 43.01 Schedule 12 which relates to Bridgewater's town centre.

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*

5.

- *To conserve and enhance heritage places of natural or cultural significance.*

6.

- *To conserve and enhance those elements which contribute to the significance of heritage places.*

7.

- *To ensure that development does not adversely affect the significance of heritage places.*

8.

- *To conserve specifically identified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.*

A planning permit is required to construct a building or carry out works within the Heritage Overlay.

44.04 Land Subject to Inundation Overlay

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*

9.

- *To identify land in a flood storage or flood fringe area affected by the 1 in 100 year flood or any other area determined by the floodplain management authority.*

10.

- *To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.*

11.

- *To reflect any declaration under Division 4 of Part 10 of the Water Act, 1989 where a declaration has been made.*

12.

- *To protect water quality in accordance with the provisions of relevant State Environment Protection Policies, particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).*

13.

- *To ensure that development maintains or improves river and wetland health, waterway protection and flood plain health.*

A planning permit is required to construct a building or construct or carry out works under the LSIO.

ISSUES/DISCUSSION

Notice and Referral

Notice of the application was sent to surrounding land owners via mail on 14 December 2017. The application received two objections on 10 January 2017 (Attachment: Objection1) and 19 January 2017 (Attachment: Objection 2). The objections were raised by the owners and current occupiers of the Bridgewater Pub.

The first objection raises the following concerns:

- a) Possible objections from future residents if an extension to the liquor license was to be sought;

14.

- b) Noise generated from the hotel will result in complaints creating significant problems for the business in the future.

The second objection raises the following concerns:

- a) The height of the house (1.5 metres) will increase the negative impact of noise generated from live music and other noise generated from the hotel;

15.

- b) The impact of noise on the residents if approval for a 1 am liquor license is sought;

16.

- c) A 'smoking area' to be established along the fence line will have a negative effect on potential residents;

17.

- d) Having a residential dwelling within close proximity to the beer garden may have a negative effect on functions held on site, including competing noise levels during speeches and detracting from the general amenity of the hotels outdoor area;

18.

- e) The height of the house will take away from privacy of the hotels patrons;

19.

- f) There is a possible privacy concern for the residents of the proposed dwelling in regards to security cameras and lighting that are currently set up in the beer garden.

Many of the issues raised are considered to be civil matters that are outside of planning control.

Possible objections to a 1 am liquor license request cannot be considered. An application must be assessed on its current form and cannot consider potential and possible future land uses.

There is approximately 6 metres between the south western boundary of 29 Park Street and the fence of the adjacent hotel beer garden. The space is used as a storage area by the hotel and does create some separation between the two uses which may alleviate some of the potential amenity issues.

It is also considered that the recommended increase in setback of the dwelling will help to alleviate some of the objector concerns regarding the protection of the riverbank's amenity.

The purpose of the Township Zone is to encourage a mixture of uses within the centre of small towns, potential residents will need to consider the location of the dwelling before purchasing and unfortunately this is beyond the scope of planning controls.

Assessment

The application requires a planning permit to construct a building or construct or carry out works under the Land Subject to Inundation Overlay and the Heritage Overlay Schedule 12.

The application was referred to NCCMA under Section 55 of the Planning and Environment Act. NCCMA gave conditional consent to the proposal requiring: a minimum finished floor level of 138.2 metres AHD, fencing must be of an open style, the area beneath the building be kept clear and a 5.885 metres setback from the north western property boundary.

Phone discussions with NCCMA regarding their change in position between this and previous applications revealed that further flood modelling has been recently completed (via the Bridgewater Flood Study) which indicates a decrease in the flood level for a 1 in 100 year event. Despite this it was advised that an increase in the setback had been advised in both previous application responses and would be supported in principle by NCCMA.

The recommendation to approve the proposal subject to amended plans which show an increase in the setback from the north western boundary to 10 metres (achievable through either deletion of particular elements of the structure e.g. verandah or resizing the total construction footprint) is being required for the following reasons:

- To allow for the further free flow of flood water across the north west of the subject site;
20.
- To ensure the proposed dwelling respects the values of existing development and maintain the established setback;
21.
- The riverbank area in Bridgewater is considered to be an important community asset which is enjoyed by local residents and visitors to the area. The increased setback will help to protect the visual and general amenity of this particular section.

The use and development of the land for a dwelling is considered to be appropriate if the design responds to the heritage values and the considerations of the LSIO. The plans submitted by the applicant in each instance have remained largely unchanged, despite Council and tribunal's direction to address the issues mentioned above. When considering the design of a new dwelling within the heritage overlay it is key to avoid the creation of 'mock heritage' through physical aspects of the dwelling, however it is also key to consider the values of those significant buildings surrounding the development. In this case it is considered to be important to maintain the existing setback to respect the heritage values of the Bridgewater Pub and to maintain the visual amenity of this particular section of the Loddon River embankments.

COST/BENEFITS

The Township of Bridgwater is likely to economically benefit from the development of a new residential dwelling.

RISK ANALYSIS

The refusal of this application does pose some risk of an economic loss to Bridgwater through the denial of possible residential infill development within the Township area.

It is also considered that the approval of the application without an increased setback does pose a risk to the visual amenity of this particular section of the Loddon River embankments and the walk way utilised by community members and visitors to the area.

CONSULTATION AND ENGAGEMENT

Notice to adjoining landowners was provided in the course of administering this planning permit application.

8.3 DEMOLITION OF COUNCIL OWNED BUILDINGS AT DINGEE AND MURPHYS CREEK

File Number: 08/01/004
Author: Indivar Dhakal, Assets Engineer
Authoriser: Graeme Smith, Design Engineer
Attachments: Nil

RECOMMENDATION

That Council:

1. Resolve to demolish the Council owned building at 789 Dingee Road, Dingee (Previously known as the caretaker's residence).
2. Resolve to demolish the Council owned building at 3558 Wimmera Highway, Murphys Creek (Murphys Creek Recreation Reserve hall).
3. Consider allocating \$33,000 within the 2017-18 budget to facilitate the required demolition works and as necessary, asbestos removal.

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this report, or involved in the subject matter of the report.

PREVIOUS COUNCIL DISCUSSION

This subject has not been discussed at any previous Council meetings.

BACKGROUND789 Dingee Road, Dingee

This building was handed over to Council from the Government Employee Housing Authority and was used by East Loddon P-12 College as a caretaker's residence. The house has been vacant since the caretaker at the College vacated the property in 2015. In 2016 it was reported to Council officers that unauthorised people were living in the residence which was confirmed by the representatives of the P-12 College and East Loddon Pre-School staff. Upon investigation, Council officers were not able to find anyone in the residence, but did find evidence that the property had been occupied recently without authorisation by Council.

Council officers took necessary steps and secured the property in accordance with the prevailing laws and regulations as advised by solicitors at Beck Legal. A condition inspection identified numerous issues with the structural integrity of the building.

3558 Wimmera Highway, Murphys Creek

This building used to serve as a hall for Murphys Creek Recreation Reserve but has not been used for many years now. Following a desktop investigation, Council officers identified the fact that this building was removed from Council's insurance schedule in the late 1990's.

In December 2016 Council officers were made aware of the fact that a large tree limb had severely damaged the roof of the building. Upon site investigation, it was identified that the building was severely infested by white ants and none of the components of the building were in working condition. Council officers concluded that the building was not safe to enter and as such multiple warning signs are now displayed around the building and the property.

ISSUES/DISCUSSION789 Dingee Road, Dingee

A condition inspection of the building revealed multiple issues with the structural integrity of the building. Whilst detailed costings on required rectification works to bring the dwelling back to an acceptable condition have not been determined, initial estimates indicate that the building is effectively beyond economical repair.

The P-12 College has indicated no interest in continuing the agreement with Council to use the residence. Given that this area is not connected to a reticulated town sewerage network, the size of the land restricts further sub-division between the existing three facilities, namely, East Loddon Community Centre, the residence and East Loddon Pre-School, as such prohibiting sale of the property.

The location of the building limits potential rental yield, if Council were to invest in renovating the building. As such, it is proposed to demolish the building in the financial year 2017/18 and incorporate the land to extend the Preschool's open space in subsequent years.

3558 Wimmera Highway, Murphys Creek

Council officers were made aware of a fallen tree limb that damaged the roof of the building. Upon inspection, multiple issues were identified with the building. White ant infestation, worn out building materials and damaged roof structure are a few of many examples. As part of Council's due-diligence, appropriate warning signs have now been displayed to warn anyone trying to enter the premises of its unsafe condition.

Renovation or major restoration of the building is not deemed feasible, as the building has to be completely rebuilt to make it habitable. This facility has not been used in many years and building a new facility is not deemed to comply with the Council Plan and Council's Building Asset Management Plan.

There is a risk of squatters trying to access the property and due to the unsafe conditions of the building, this may create a liability issue for Council. It is thus proposed to demolish the building in the financial year 2017/18 and dispose the land asset in accordance with Council's relevant policy in the subsequent years.

COST/BENEFITS

The cost of demolition of the former caretaker's residence is estimated to be in the order of \$20,000. The cost of demolition of the recreation reserve building is estimated to be in the order of \$13,000. The cost of demolition may vary depending on the volume of asbestos requiring disposal.

However, Council is expected to benefit from the proposed demolition in terms of reduced annual liability and operational and maintenance costs.

RISK ANALYSIS

There is no significant risk associated with the proposed demolition. However, if the facilities are kept in "as is" condition, there is a risk of illegal occupation of the facilities by squatters. The current condition of the buildings is poor and will raise safety concerns if the facilities are not demolished.

CONSULTATION AND ENGAGEMENT789 Dingee Road, Dingee

Council officers have consulted with East Loddon P-12 College who previously rented the facility to be used by the caretaker. The college has shown no interest in renting the property in future.

3558 Wimmera Highway, Murphys Creek

Council officers have consulted with some of the local residents regarding the use of the facility and it is understood that the site has been unused for a significant period. Council officers have also consulted with the Municipal Building Surveyor who has recommended that the building is unsafe and demolition is required.

8.4 FINANCE REPORT FOR THE PERIOD ENDING 28 FEBRUARY 2017

File Number: 08/06/001
Author: Deanne Caserta, Manager Financial Services
Authoriser: Sharon Morrison, Director Corporate Services
Attachments: 1. Finance Report 28 February 2017

RECOMMENDATION

That Council:

1. *receives and notes the 'Finance report for the period ending 28 February 2017'*
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 2016/17 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 2016/17.*

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this report, or involved in the subject matter of the report.

PREVIOUS COUNCIL DISCUSSION

Council is provided with Finance Reports on a monthly basis with the exception of when changes to the Council meeting timetable result in the Council meeting occurring before the completion of the end of month finance procedures.

BACKGROUND

The Finance Report for the period ended 28 February 2017 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 2016/17 Budget, and includes operating results, capital expenditure and funding sources.

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 corrections.

ISSUES/DISCUSSION

Budgeted Surplus - Council's budgeted cash surplus has slightly increased from \$161K to \$162K mainly due to new grants received and slight savings within various projects being captured.

Income Statement (Revenue) - Council's year to date (YTD) operating revenue is at 93% of YTD budget. Just over \$2.5M within the various debtors accounts were raised in February. The main variance is capital grants revenue which is \$1.5M behind YTD budget due to delays in a number of capital projects.

Income Statement (Expenditure) - Council's operating expenditure is at 93% of YTD budget. The main variation is within materials and services which are \$647K behind mainly due to delays in commencing some major projects and the timing of invoices being received. Payments for this month totalled just over \$1.9M, compared to \$1.57M last month.

Capital Works - The revised budget for capital works is \$19.6M and is 26% complete in financial terms (22% at the end of January) for the current financial year. Council is currently working towards measuring % practical completion. Asset types with major variations (10% or \$10K) include furniture and office equipment, land and buildings, road works, urban and road drainage, parks, open space and streetscapes and footpaths with many projects behind expected timing due to a decrease in activity as a result of the recent floods.

Balance Sheet - Council has a \$21.2M cash total with \$3.3M in general accounts. Debtors are nearly \$2.7M which is a decrease of \$6.1M since the last report. Sundry debtors total \$562K with invoices outstanding for 60 or more days relating to community wellbeing debtors and local community groups totalling approximately \$18K.

There were 106 supplementary valuations updated in February. The total rateable CIV at the end of February is now \$1.80B.

An update was also received from Vision Super in regards to the December 2016 VBI which is estimated at 105.4% which is higher than the 100.0% required of the fund.

COST/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 being reflected in Council's rating system and the distribution of rate notices for the year 2016/17.

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.

8.5 FEES AND CHARGES FOR THE YEAR 1 JULY 2017 TO 30 JUNE 2018

File Number: 07/01/006

Author: Deanne Caserta, Manager Financial Services

Authoriser: Sharon Morrison, Director Corporate Services

Attachments: 1. Draft Fees and Charges for the Year 1 July 2017 to 30 June 2018

RECOMMENDATION

That Council:

1. *approves the Fees and Charges for the year 1 July 2017 to 30 June 2018*
2. *implements the Fees and Charges from 1 July for items not subject to a notice period,*
3. *implements the Fees and Charges from the end of the notice period for those items subject to a notice period*
4. *subject to the approval of the Director Corporate Services or Chief Executive Officer, make effective immediately any changes where the fees and charges are altered by legislation, and make amendment to the relevant Fees and Charges for the year 1 July 2017 to 30 June 2018.*

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this report, or involved in the subject matter of the report.

PREVIOUS COUNCIL DISCUSSION

A draft schedule was submitted for consideration at the Council Forum held on 14 March 2017.

BACKGROUND

Each year, as a part of the budget process, a Fees and Charges Schedule is prepared and submitted for approval by Council.

ISSUES/DISCUSSION

Generally the new schedule takes effect from the start of the financial year; however included in the schedule are residential accommodation charges which require a minimum notice period of 60 days. Notification will be forwarded to tenants as soon as practicable after approval by Council.

The approach to the 2017/18 schedule was to review fees and charges in line with the Long Term Financial Plan (LTFP), which included an indexation of 2.0% to discretionary charges.

COST/BENEFITS

The schedule will raise an equitable contribution of revenue towards the cost of service.

RISK ANALYSIS

There is a minor risk of avoidance of payment by customers.

CONSULTATION AND ENGAGEMENT

The recommendations in the report have been considered in detail by the Management Executive Group and Council.

8.6 2015/16 COMMUNITY PLANNING ALLOCATION TO THE KELLY STREET PLAYGROUND PROJECT

File Number: 13/09/005
Author: Wendy Gladman, Director Community Wellbeing
Authoriser: Phil Pinyon, Chief Executive Officer
Attachments: Nil

RECOMMENDATION

That Council approve the allocation of \$47,812 from the 2015/16 Terrick community planning unallocated funds to the Kelly Street Park playground project.

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this report, or involved in the subject matter of the report.

PREVIOUS COUNCIL DISCUSSION

A report was presented to the June 2015 Ordinary Meeting of Council detailing the community planning allocations for the 2015/16 financial year. This report made no recommendation for the allocation of Terrick Ward community plan funding for 2015/16. The Terrick Ward \$50,000 community planning allocation for 2015/16 was held in reserve until further clarity was obtained about the project proposal submitted by the Pyramid Hill community for a playground upgrade.

BACKGROUND

The Pyramid Hill Visionary Committee submitted an application to Council for a community planning allocation of \$50,000 from the 2015/16 Terrick Ward community planning funds. The application proposed an upgrade to the facilities at the Lions Park East playground, adjacent to the caravan park and swimming pool in Pyramid Hill.

During the community planning assessment process it was noted that the Lions Park East playground may not have been the preferred location for an upgraded playground facility. At this time Kelly Street Park was also being considered as a possible location.

The recommendation included in the attachment to the June 2015 report stated 'That the Lions Park East project requires further investigation prior to the allocation of funding'.

In October 2015 the Pyramid Hill community through the mechanism of the Pyramid Hill Progress Association identified that the upgraded playground facilities would be best located at Kelly Street Park.

A thorough planning and design process was then undertaken and the community, with assistance from Council, were able to leverage significant external funding from the State and Federal Governments to complete the project.

ISSUES/DISCUSSION

It has been ascertained that whilst the further investigation of the preferred location of the upgraded playground facility was undertaken, and planning, sourcing of additional funding and implementation of the project has occurred, due to the wording in the original recommendation the funds intended for the project have remained in the 2015/16 Terrick Community Plan unallocated funds.

COST/BENEFITS

The total cost for this project is \$118,875, with \$68,875 sourced from State and Federal Government funding. Community plan funds were accessed previously to assist with the project design phase, resulting in an available balance of \$47,812. The completion of the playground upgrade project will contribute to the revitalisation of the Kelly Street Park precinct.

RISK ANALYSIS

With this project nearing completion, the transfer of funds from the Terrick community planning reserve to the Kelly Street Park playground project will provide the funds required to accompany the State and Federal contribution to meet the total project cost.

CONSULTATION AND ENGAGEMENT

Consultation with the community through the Pyramid Hill Progress Association occurred in October 2015 to identify the preferred location for the playground upgrade.

8.7 2017 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT - CALL FOR MOTIONS

File Number: 02/04/004
Author: Ian McLauchlan, Director Operations
Authoriser: Phil Pinyon, Chief Executive Officer
Attachments: Nil

RECOMMENDATION

That Council endorse the notice of motion to the Australia Local Government Association National General Assembly in June 2017, seeking policy change with respect to the split of federal and state government financial contributions towards the delivery of local flood mitigation infrastructure projects as outlined in this report.

CONFLICT OF INTEREST

No staff member involved in the preparation of this report has a conflict of interest with respect to the subject matter or subsequent recommendation.

PREVIOUS COUNCIL DISCUSSION

Councillors discussed potential motions to the Australian Local Government Association (ALGA) National General Assembly (NGA) during its forum held on 14 March 2017.

BACKGROUND

The ALGA is the national peak advocacy body for local government. ALGA's work includes the establishment of national policy and advocacy on behalf of its members with departments, ministers and other parliamentarians at the Commonwealth level to achieve better outcomes for local councils.

The NGA provides the opportunity for councils to identify matters of national relevance to the sector and to submit notices of motion to seek support for these matters to be considered by ALGA for potential action e.g. advocacy or policy development.

Correspondence was received from the ALGA in February 2017 inviting Council to participate in the NGA scheduled to be held in Canberra from 18 June to 21 June 2017. In addition to the invitation for staff and elected members to attend the NGA, the ALGA called for notices of motion under the theme of 'Building Tomorrow's Communities'.

ISSUES/DISCUSSION

Staff and Councillors discussed both attendance at the NGA as well as potential motions which may be put forward for consideration by the ALGA board. From this discussion two potential motions were identified, namely:

- 1) Continued allocation of additional revenue raised through fuel excise adjustment, towards the Federal Government's Roads to Recovery (R2R) program:

In 2014-15 the Federal Government reintroduced biannual indexation to the fuel excise. It was estimated that this would raise additional revenue in the order of \$23 billion over a 10 year period. Of this additional revenue, a nominal amount of \$1.1 billion over two years was specifically earmarked for the Federal Government's R2R program.

No commitment was made however, with respect to increased funding towards the R2R program beyond the initial two year period, despite the excise changes enduring.

Loddon Shire typically receives \$1.6 Million per annum via the R2R program. This funding is vitally important in assisting Council maintain the integrity and sustainability of its local road network.

Following the fuel excise changes, Loddon Shire Council received an additional \$5.2 Million funding from the R2R program over the 2015-16 and 2016-2017 financial years. This additional funding has allowed Council to address the immediate infrastructure renewal gap with respect to local road infrastructure.

With no commitment from the Federal Government that additional money from the fuel excise shall be forthcoming via the R2R program beyond 2016-17, it is expected that Council's annual allocations will revert back to the nominal \$1.6 Million annual allocation effective 2017-2018.

During the forum held on 14 March 2017 it was discussed if a notice of motion should be submitted seeking the continuation of the allocation of additional money from the fuel excise towards the R2R program to support local councils manage and improve the standard of local road infrastructure.

Subsequent to this discussion it has been identified that the ALGA included this issue within their submission to the 2017-18 federal budget. As part of this submission the ALGA called upon all major political parties to commit to the permanent doubling of the Roads to Recovery Funding.

Given that a submission has already been made to the Federal Government and the ALGA's policy position that R2R funding be permanently increased, it is no longer considered necessary that Council raise a motion on this matter at the NGA.

2) *Policy amendment with respect to funding contributions made by state and federal government towards local flood mitigation infrastructure:*

In 2015 the Victorian State Government adopted its floodplain management strategy. A major policy position within this strategy was that the construction of any new flood mitigation infrastructure (e.g. flood levees) would require a local government contribution equivalent to 1/3 of the project cost.

This contribution would be matched by the State Government where a favourable business case could be demonstrated and an application seeking the remaining 1.3 funding from the federal government sought via the National Disaster Resilience Grants (NDRG) program.

Many small rural Councils have limited ability to meet this cost impost and similarly local communities often have no capacity to absorb the costs associated with such projects through special charge schemes (i.e. beneficiary pays principle).

In addition to the initial capital outlay for construction of new flood mitigation infrastructure, the State Government strategy also outlined that once built, responsibility for ongoing maintenance and inspection would vest with local councils.

To create a more equitable funding environment for small rural shires, Council discussed the possibility that the state and federal government would contribute 50% each towards the initial capital outlay for construction of critical flood mitigation infrastructure for rural

communities. Such funding would still be obtained via the NDRG and State Government programs and be subject to the presentation of a favourable business case.

Once constructed it was generally accepted that Council would then be responsible for the cost and co-ordination of future inspection, maintenance and renewal works.

In recognition of Council's previous discussion it is therefore being proposed that a motion be put to the ALGA board to the effect that:

"The National General Assembly call on the Australian Government to enter into agreements with relevant state governments whereby funding towards critical flood mitigation infrastructure for rural communities be funded on a 50% cost share basis, with:

1. such funding arrangements being subject to the availability of the Natural Disaster Resilience Grants program funding and the presentation of a favourable business case; and
2. local councils being exempt from having to contribute to the initial capital cost of such works noting their responsibility for the ongoing maintenance and renewal of this infrastructure once constructed."

Motions must be submitted electronically using the online form available on the NGA website. All motions require a nominated contact officer, clear national objective, summary of key arguments in support of the motion and endorsement of Council.

COST/BENEFITS

A shift in state and federal policy with respect to respective funding contributions towards local flood mitigation infrastructure will potentially have a positive benefit to Council through the avoidance of initial capital contributions towards such projects.

Council will be required to fund the ongoing maintenance and inspection of any flood mitigation infrastructure which it constructs.

Local communities will potentially benefit through more rapid establishment of flood protection systems given the reduced reliance upon financially constrained local councils having to secure local contributions towards flood mitigation projects.

RISK ANALYSIS

Submitting the notice of motion is not considered to pose any significant risk to Council.

CONSULTATION AND ENGAGEMENT

Discussions regarding potential notices of motion occurred between Council officers as well as Councillors. No public consultation was undertaken in respect to the proposed motion.

**8.8 MEMORANDUM OF UNDERSTANDING WITH GWM WATER - SOUTH WEST
LODDON PIPELINE WATER SUPPLY PROJECT**

File Number: 15/08/004
Author: Lynne Habner, A/Manager Executive and Commercial Services
Authoriser: Phil Pinyon, Chief Executive Officer
Attachments: 1. Draft MOU with GWMWater

RECOMMENDATION

That Council enter into the Memorandum of Understanding between Loddon Shire Council and Grampians Wimmera Mallee Water Corporation for the South West Loddon Pipeline Water Supply Project subject to the CEO finalising the matters requiring resolution as identified in the draft document attached to this report.

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this report, or involved in the subject matter of the report.

PREVIOUS COUNCIL DISCUSSION

Council considered a draft of the Memorandum of Understanding at its March Council Forum.

BACKGROUND

The southern area of Loddon Shire is currently not serviced with a stock and domestic or irrigation water supply and is reliant on catchment dams.

In September 2014, Loddon Shire Council made a formal request to GWMWater for an investigation into the feasibility of a piped domestic and stock water supply to the south west area in the Loddon Shire as an extension of the GWMWater rural pipeline network.

A Project Steering Committee and Technical Committee were established to investigate and report on options.

The South West Loddon Rural Water Supply Project (the Project) involves construction of a rural water pipeline to provide a secure water supply for the climate stressed region of south west Loddon in north west Victoria.

The proposed raw (untreated) water pipeline will connect the West Waranga Channel with the Wimmera Mallee Pipeline to service rural farming enterprises and lifestyle properties wishing to connect (i.e. opt-in) over an area of up to 3,000 square kilometres with a reticulated water supply.

The Project will have the capability to service intensive animal industries that it is projected will be attracted to the area due to its location and characteristics. The Project will also provide an alternative raw (untreated) water source to towns currently serviced from the Loddon River (reducing treatment costs during times of poor water quality) and to towns with limited raw water availability for the purposes of enhancing water reliability, recreational and sporting facilities.

ISSUES/DISCUSSION

Both parties intend to use this Memorandum of Understanding (MOU) to facilitate the parties working collaboratively and cooperatively to oversee the management and the delivery of the South West Loddon Pipeline Water Supply Project (Project).

The MOU seeks to achieve transparency and openness through the participation of both parties, and this should lead to better outcomes and provide greater confidence to the responsible Ministers, stakeholders and prospective customers.

This MOU is intended to complement, and not duplicate or replace, the responsibilities and roles that are formally designated to each of the parties.

COST/BENEFITS

There is no cost associated with entering into the MOU. Any reference to Council providing assistance or support is qualified as being subject to availability of Council resources.

RISK ANALYSIS

Amongst other things, this MOU reduces the risk of misunderstanding of roles and responsibilities of the parties that have not been formally delegated under other processes, and provides for a dispute resolution process between the parties. This will assist in avoiding delays during the project if such roles and responsibilities are in doubt.

CONSULTATION AND ENGAGEMENT

The draft MOU has been developed by officers from GWM Water and Loddon Shire Council, and was discussed by Councillors at the March Council Forum.

9 INFORMATION REPORTS**9.1 PROGRESS OF COUNCIL PLAN**

File Number: 02/02/003
Author: Lynne Habner, A/Manager Executive and Commercial Services
Authoriser: Phil Pinyon, Chief Executive Officer
Attachments: 1. Council Plan progress at March 2017

RECOMMENDATION

That Council receive and note the report on progress of the Loddon Shire Council Plan 2013-2017.

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this report, or involved in the subject matter of the report.

PREVIOUS COUNCIL DISCUSSION

At its April 2016 meeting, Council considered progress of actions within the Council Plan and resolved that a review of the Plan was not necessary.

BACKGROUND

The Local Government Act requires a council to prepare a four-year council plan by June of the year immediately following a council general election. This is the final year of the current Council Plan 2013-2017, and Council is now undertaking consultation with stakeholders to develop its next four year plan.

It is proposed that this will be the final progress report on the Council Plan 2013-2017.

ISSUES/DISCUSSION

Attached to this report is a progress report on achievement of actions required in the Council Plan. Council is currently completing Year 4 of the 4 year plan, where, out of 62 actions, 47 have been completed (including 10 that are ongoing), and 15 are in progress. The following table provides a comparison with the previous report.

Report date	In progress	Complete	Ongoing
April 2016	23	33	6
March 2017	15	47	10

As seen from the progress report, the majority of initiatives have been completed or are well under development. Apart from actions that are long-term and ongoing, there will be work to be completed after the closure of the current Council Plan, including town brand identities, review of community planning, development of a settlement strategy, Wedderburn Streetscape Project, actions relating to drainage and sewer connections, foreshore redevelopment plans, delivery of services to communities and a new Youth Strategy.

COST/BENEFITS

There are no costs associated with the recommendation of this report. Costs of individual projects within the plan are included in the Budget for the relevant delivery years.

RISK ANALYSIS

There are no risks associated with the recommendation of this report.

There may be some risk to reputation in Council having incomplete actions within the Council Plan, and these may be addressed in the development of the future Council Plan where it is considered that further activity is a priority.

CONSULTATION AND ENGAGEMENT

Consultation was undertaken with responsible council officers in the preparation of this report.

10 COMPLIANCE REPORTS**10.1 SECTION 86 COMMITTEE OF MANAGEMENT MEMBERSHIP DETAIL-BOORT DEVELOPMENT**

File Number: 02/01/008
Author: Michelle Hargreaves, Administration Officer
Authoriser: Sharon Morrison, Director Corporate Services
Attachments: Nil

RECOMMENDATION

That Council appoints the persons named in this report as members of the Boort Development Section 86 committee of management, effective immediately.

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this report, or involved in the subject matter of the report.

PREVIOUS COUNCIL DISCUSSION

Council approved the current list of committee members for Boort Development Committee of Management in 13 December 2016.

BACKGROUND

Current Section 86 committee instruments of delegations include 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.

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, at least 6 community representatives are preferred.

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

ISSUES/DISCUSSION

Following the December 2016 meeting, Boort Development was advised of Council's resolution to appoint the person named in the report as members of the Boort Development Section 86. A member of Boort Development contacted Council to advise that the list provided to Council was incomplete. This report provides a full list of the persons to be appointed (members listed in the December 2016 report are noted).

Boort Development is a community based committee with preferred representation requiring at least 6 community representatives. The following is a list of nominated representatives for the committee which meets the minimum requirement:

Name	Position
Barry Barnes	President (appointed in December 2016)
Rod Poxon	Vice President (appointed in December 2016)
Alister McDougall	Secretary/ Treasurer (appointed in December 2016)
Barry Kennedy	Committee Member
Honie Tweedle	Committee Member (appointed in December 2016)
Ian Beattie	Committee Member
Jacquie Verley	Committee Member
Jida Gulpilil	Committee Member (appointed in December 2016)
Jim Nolan	Committee Member
John Nelson	Committee Member (appointed in December 2016)
Kathryn Lanyon	Committee Member (appointed in December 2016)
Ken Loader	Committee Member
Kevin Sutton	Committee Member (appointed in December 2016)
Leah Toose	Committee Member (appointed in December 2016)
Margaret Nelson	Committee Member (appointed in December 2016)
Michelle Ashton	Committee Member
Paul Haw	Committee Member (appointed in December 2016)
Rob Ashton	Committee Member
Steven Lanyon	Committee Member (appointed in December 2016)
Sue Forster	Committee Member (appointed in December 2016)
Troy Perryman	Committee Member

The Council representative for this committee is Neil Beattie.

COST/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

Nil.

11 GENERAL BUSINESS

12 CONFIDENTIAL ITEMS

Closing of Meeting to the Public

RECOMMENDATION

That the meeting be closed to the public.

RECOMMENDATION

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 89(2) of the Local Government Act 1989:

12.1 Review of confidential actions

This matter is considered to be confidential under Section 89(2) - (h) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with Any other matter which the Council or special committee considers would prejudice the Council or any person.

12.2 Sale of Council property - Inglewood Industrial Estate

This matter is considered to be confidential under Section 89(2) - (d) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with contractual matters.

NEXT MEETING

The next Ordinary Meeting of Council will be held on 26 April 2017 at Serpentine .

There being no further business the meeting was closed at [enter time](#).

Confirmed this.....day of..... 2016

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