



**Date:** Tuesday, 24 October 2017  
**Time:** 3pm  
**Location:** Council Chambers, Serpentine

# **MINUTES**

## **Ordinary Council Meeting**

**24 October 2017**

**MINUTES OF LODDON SHIRE COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBERS, SERPENTINE  
ON TUESDAY, 24 OCTOBER 2017 AT 3PM**

**PRESENT:** Cr Colleen Condliffe, Cr Geoff Curnow, Cr Gavan Holt, Cr Cheryl McKinnon

**IN ATTENDANCE:** Peter Cownley (A/Director Operations), Wendy Gladman (Director Community Wellbeing), Lynne Habner (Manager Executive & Commercial Services), Sharon Morrison (Director Corporate Services), Steven Phillips (Manager Operations), Phil Pinyon (Chief Executive Officer)

In the absence of the Mayor, the CEO called for nominations to appoint an acting Mayor.

Cr Curnow nominated Cr McKinnon. No other nominations were received.

Cr McKinnon took the chair as acting Mayor.

**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**

**APOLOGY**

**RESOLUTION 2017/50**

MOVED: CR GAVAN HOLT

SECONDED: CR GEOFF CURNOW

THAT THE APOLOGY RECEIVED FROM CR BEATTIE BE ACCEPTED AND LEAVE OF ABSENCE GRANTED.

**CARRIED**

**3 DECLARATIONS OF CONFLICT OF INTEREST**

Nil

**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 26 September 2017
2. The minutes of the Ordinary Council Meeting of 26 September 2017
3. The minutes of the Council Forum of 10 October 2017

**REPORT**

Seeking approval of the unconfirmed minutes of the previous meetings.

**RESOLUTION 2017/51**

Moved: Cr Gavan Holt

Seconded: Cr Geoff Curnow

That Council confirm:

1. The minutes of the Council Briefing of 26 September 2017
2. The minutes of the Ordinary Council Meeting of 26 September 2017
3. The minutes of the Council Forum of 10 October 2017

**CARRIED**

**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.

**RESOLUTION 2017/52**

Moved: Cr Gavan Holt

Seconded: Cr Geoff Curnow

That Council receive and note the action sheet.

**CARRIED**

**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.

There was no report in the absence of the Mayor.

UNCONFIRMED

**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.

**Cr Condliffe**

<b>Calder Highway Improvement Committee</b>	
<b>Section 86 Committees:</b> Bridgewater Memorial Hall Committee of Management, Bridgewater on Loddon Development Committee of Management, Campbells Forest Hall Committee of Management, Inglewood Community Sports Centre Committee of Management, Inglewood Riding Club, Inglewood Lions Community Elderly Persons Units Committee of Management, Inglewood Town Hall Committee of Management, Inglewood Reservoir Committee of Management	
27/9/17: Inglewood Eucy Museum AGM	
5/10/17: Campbells Forest Community Meeting	
<b>Australia Day Committee</b>	
<b>Loddon Youth Committee</b>	
<b>Healthy Minds Network</b>	
<b>Other Council activities</b>	
<b>DATE</b>	<b>Activity</b>
26/9/17	Meeting Inglewood and District Community Bendigo Bank

28/9/17	Community Meeting Bridgewater
30/9/17	Tarnagulla Festival high tea, town walks
31/9/17	Tarnagulla vintage bikes and cars
4/10/17	Inglewood Town Hall Hub meeting
8/10/17	Loddon Plains Landcare AGM held Mt Korong
9/10/17	Womens Health Loddon Mallee meeting
10/10/17	Council Forum Wedderburn
10/10/17	Inglewood Resource Community Centre meeting
10/10/17	Meeting regarding grain co-op Bridgewater
11/10/17	Bus trip to the silo with Shire
13/10/17	Celebrate Women in Dairy at Yarrawalla
14/10/17	Bridgewater market
16/10/17	Dingee Bush Nursing Centre meeting
17/10/17	Youth Expo Boort
18/10/17	Healthy Minds meeting Boort
19/10/17	Womens Health Loddon Mallee meeting Bendigo
20/10/17	Calder Highway meeting Gisborne
20/10/17	Lions Club Inglewood dinner Newbridge
21/10/17	Inglewood Eucy Museum fun day
24/10/17	Council Meeting, Serpentine

**Cr Curnow****Loddon Mallee Waste Resource Recovery Group**

**Section 86 Committees:** Eddington Community Centre Committee of Management, Kingower Development and Tourism Committee Inc.

**Municipal Emergency Management Plan Committee and Municipal Fire Prevention Committee****Other Council activities**

<b>DATE</b>	<b>Activity</b>
27/9/17	Loddon Southern Development and Tourism Committee Annual Meeting
30/9/17	Vintage Fair High Tea - Tarnagulla
1/10/17	Vintage Fair - Tarnagulla
9/10/17	Met at River Reserve Laanecoorie, with Tony Bellenger and Anne Lambert of Tech Duinn, Archaeological and Heritage Services
10/10/17	Loddon Council Forum, Wedderburn
12/10/17	LMWRRG Board Meeting and visit to Waste Expo at Convention and Exhibition Centre Melbourne
6/10/17	Official opening of Laanecoorie Gold Bash
7/10/17	Attended the Gold Bash activity
18/10/17	Rural Councils Victoria Conference – MCG Melbourne
19/10/17	Met at Laanecoorie River Reserve with Tony Bellenger and a construction engineer
24/10/17	Loddon Shire Council - Serpentine



## Cr Holt

<b>Municipal Association of Victoria</b>	
<b>Section 86 Committees:</b> Donaldson Park Committee of Management, Wedderburn Community Centre Committee of Management, Wedderburn Engine Park Committee of Management, Wedderburn Mechanics Institute Hall Committee of Management, Wedderburn Tourism Inc.	
<b>Audit Committee</b>	
<b>Other Council activities</b>	
<b>DATE</b>	<b>Activity</b>
3/10/17	Chaired meeting of Wedderburn Open Gallery Project Steering Committee
3/10/17	Attended Donaldson Park Project funding strategy meeting with Council officers
10/10/17	Attended Council Forum in Wedderburn
12/10/17	Met in Gisborne with Wayne Street of Street Ryan Consultants and Shayne Ward of AFL Victoria to discuss developing a document outlining the economic benefits to the community of the sporting clubs operating out of Donaldson Park Wedderburn
13/10/17	Attended the official opening at Yeungroon by Water Minister Lisa Neville of Stage One of the South West Loddon Pipeline Project.
13/10/17	Attended at Wedderburn the official announcement by Police Minister Neville of the purchase of land for the construction of the new Wedderburn police station
17/10/17	Chaired Donaldson Park Project Steering Committee meeting
17/10/17	Attended a committee meeting of the Wedderburn Harness Racing Club.
18/10/17	Attended at the MCG a meeting of the Executive Committee of Rural Councils Victoria
18/10/17	Attended the Annual General Meeting of Rural Councils Victoria
18/10/17	Attended the Rural Councils Victoria Mayors, Councillors and CEOs forum
19/10/17	Attended the Municipal Association of Victoria Annual Conference

19/10/17	Attended the MAV annual dinner at which service awards are presented to Councillors
20/10/17	As Loddon Shire delegate to the MAV I attended the MAV biannual State Council. Loddon's motion asking that the State Government be responsible for paying the insurance premium on buildings on Crown Land was successful following an amendment at the meeting.

UNCONFIRMED

**Cr McKinnon**

<b>North Central Goldfields Regional Library</b>	
<b>Section 86 Committees:</b> Dingee Progress Association, East Loddon Community Centre Committee of Management, Mitiamo Municipal Recreation Reserve Committee of Management, Pyramid Hill Memorial Hall Committee of Management, Pyramid Hill Swimming Pool Committee of Management, Serpentine Bowls and Tennis Pavilion and Reserve Committee of Management	
<b>Nature Tourism Advisory Team</b>	
<b>Other Council activities</b>	
<b>DATE</b>	<b>Activity</b>
30/9/17	Attended Friends of Terrick Terrick NP open weekend and AGM on Friday evening
6/10/17	Went to Dingee to present life-long volunteer Frank Winzar, with a certificate in recognition of his dedication to caretaking the Dingee Progress Park
10/10/17	Council Forum in Wedderburn
11/10/17	Met with Pyramid Hill Lions and Wendy Gladman to discuss management options for railway station. Chaired the Pyramid Hill Neighbourhood House AGM
12/10/17	Met with the GLC recruitment sub-committee to shortlist applicants for the CEO position
13/10/17	Attended the Women in Dairy day at Yarrawalla
16/10/17	Final Fiesta meeting before the event this coming Saturday, 28 October. The weather forecast is good and our Filipino youth have initiated the inaugural pageant which was one of their childhood traditions in the Philippines. We look forward to a display of colour, culture and cuisine.
18/10/17	Attended the RCV forum and AGM at the MCG after a tour of the Richmond Football Club.
23/10/17	Conducted interviews for the Library CEO
24/10/17	Council meeting in Serpentine, and tonight the Flood Levee Design Information session in Pyramid Hill.

**RESOLUTION 2017/53**

Moved: Cr Gavan Holt

Seconded: Cr Geoff Curnow

That Council receive and note the Councillors' reports

**CARRIED**

UNCONFIRMED

## 8 DECISION REPORTS

### 8.1 RENEWAL OF MURPHY CREEK BRIDGE ON WOODSTOCK ROAD

**File Number:** 14/01/001

**Author:** Indivar Dhakal, Manager Technical Services

**Authoriser:** Peter Cownley, A/Director Operations

**Attachments:** Nil

#### RECOMMENDATION

That Council allocate a budget of \$350,700 in the 2018-19 budget to complement the \$350,000 grant received under the Bridges Renewal funding program for the replacement of Murphy Creek Bridge on Woodstock Road

#### 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 matter was the subject of discussion at the Council Forum held on 10 October 2017.

#### BACKGROUND

The Department of Infrastructure and Regional Development announced the round three of the "Bridges Renewal" program in March 2017. Under this funding program, Council submitted a grant application to replace an existing timber bridge at Murphy Creek on Woodstock Road, Woodstock West. The estimated cost of the project is \$700,700 of which \$350,000 will be funded under this program. As a requirement of the agreement; Council must match this funding and will contribute \$350,700. In September 2017, Council was advised that the application was successful.

#### ISSUES/DISCUSSION

The proposed bridge is a timber bridge over Murphy Creek with sealed approach's. Due to the inadequacy in load rating of the bridge, Council has restricted heavy vehicle movement on the bridge and subsequently declined any heavy vehicle permit applications.

Woodstock Road is being used by a number of farming properties around Woodstock West for stock and grain movement and therefore, a need to replace the bridge was established. A level 2 inspection undertaken in 2014 also identified a number of structural and functional issues that needed to be addressed on an urgent basis. Whilst routine maintenance activity was undertaken, no major repair or replacement has been carried out.

An expenditure of \$753,021 has been forecast under the Local Bridges and Culverts category of the annual infrastructure program for the financial year 2018/2019. As the replacement of this bridge is expected to be delivered between September 2018 and December 2018, it is proposed that these works be included in the Annual Infrastructure Program 2018/2019.

During the development of the list of annual infrastructure program works for 2018/2019, and subject to Council endorsement of the recommendation in this report, this project will be marked as approved and the remaining expected expenditure will be allocated for other bridges and culvert projects.

The Department of Infrastructure and Regional Development has forwarded an offer of funding to the Council which needs to be completed, signed and returned to the Department no later than 10 November 2017. One of the requirements of the offer is for Council to provide evidence of Council contribution in the form of Council resolution or other formal declaration.

The replacement of the bridge is in accordance with Council's Bridges Asset Management Plan.

### **COST/BENEFITS**

The total cost of the project is estimated at \$700,700 and the estimated Council cost of the proposed bridge replacement is \$350,700, thus enabling Council to reduce its renewal program capital cost by 50%.

The community and the local farmers will benefit from the proposed project. On a number of occasions, Council has declined heavy vehicle permit applications. As a part of the grant application, a number of local farmers and residents submitted letters of support for the bridge replacement project. The project will see increased freight efficiency around Woodstock area.

### **RISK ANALYSIS**

One of the major identified risks with the project is cost overrun. The funding through the "Bridges Renewal" program is for a maximum amount of \$350,000 and is subject to Council's minimum contribution of \$350,700. Any additional cost incurred would be borne by Council through Council approved reallocation of funds. The likelihood of this risk is unlikely and the corresponding consequence is insignificant to minor which results in a low risk. The cost of the project has been estimated based on recent Council expenditure on similar projects which also reduces the risk.

A further risk is that the replaced bridge does not meet Council nor Community expectations in that the bridge does not allow for the large amount of debris that flows down this creek in flood situations. This risk will be mitigated through the inclusion of this information as one of the design criteria.

### **CONSULTATION AND ENGAGEMENT**

Manager Technical Services consulted with Acting Director Operations, Chief Executive Officer and the ward Councillor before submitting the grant application.

In addition, Council received a number of support letters from the local farmers and residents to establish the need of the project.

### **RESOLUTION 2017/54**

Moved: Cr Geoff Curnow

Seconded: Cr Gavan Holt

That Council allocate a budget of \$350,700 in the 2018-19 budget to complement the \$350,000 grant received under the Bridges Renewal funding program for the replacement of Murphy Creek Bridge on Woodstock Road.

**CARRIED**

**8.2 2017 CHRISTMAS NEW YEAR HOLIDAY PERIOD****File Number:** 02/04/001**Author:** Christine Coombes, Executive and Commercial Services Officer**Authoriser:** Lynne Habner, Manager Executive and Commercial Services**Attachments:** Nil**RECOMMENDATION**

That:

1. Council approve the closure of the Wedderburn and Serpentine administrative centres from midday Friday 22 December 2017 and reopening at 8.15 am on Tuesday 2 January 2018
2. notice of these amended office hours be published in the public notices sections of local newspapers circulating within the Loddon Shire.

**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**

Nil

**BACKGROUND**

The Loddon Shire Council has historically closed the Wedderburn and Serpentine administrative centres to the public over the Christmas/New Year holiday period.

**ISSUES/DISCUSSION**

In 2017, Christmas Day falls on a Monday and it is proposed that Council shut the Wedderburn and Serpentine Administrative Centres from midday Friday 22 December 2017 and reopen at 8.15 am on Tuesday 2 January 2018. Monday 1 January 2018 is the New Year's Day public holiday.

Council's traditional Staff Christmas Party is proposed to be held on the afternoon of Thursday 21 December 2017. An emergency response crew will be available on call for that afternoon. A skeleton crew will be employed across the Christmas/New Year period to attend to any emergency callouts.

**COST/BENEFITS**

Whilst there is some cost borne by Council with this arrangement, it reflects past custom and practice, it engenders goodwill with staff and it supports the Loddon Shire's reputation as being an employer of choice.

**RISK ANALYSIS**

This period has generally been a time of low customer enquiry and the shutdown has provided the opportunity to allow staff to have a refreshing family break with minimum interruption to business activities.

**CONSULTATION AND ENGAGEMENT**

Nil.

**RESOLUTION 2017/55**

Moved: Cr Geoff Curnow

Seconded: Cr Gavan Holt

That:

1. Council approve the closure of the Wedderburn and Serpentine administrative centres from midday Friday 22 December 2017 and reopening at 8.15 am on Tuesday 2 January 2018
2. notice of these amended office hours be published in the public notices sections of local newspapers circulating within the Loddon Shire.

**CARRIED**

UNCONFIRMED



### 8.3 2018 COUNCIL MEETING SCHEDULE

**File Number:** 02/04/001  
**Author:** Phil Pinyon, Chief Executive Officer  
**Authoriser:** Phil Pinyon, Chief Executive Officer  
**Attachments:** Nil

#### RECOMMENDATION

That Council:

1. approve the schedule of Council Meetings for 2018 as contained within this report
2. provide public notice of the Council Meetings schedule.

#### 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

Nil

#### BACKGROUND

The Loddon Shire Council has traditionally conducted Council meetings on a monthly cycle. It is proposed that this meeting schedule be continued through 2018.

#### ISSUES/DISCUSSION

The proposed 2018 schedule of Council Meetings is as follows:

Tuesday 23 January	Tuesday 22 May	Tuesday 25 September
Tuesday 27 February	Tuesday 26 June	Tuesday 23 October
Tuesday 27 March	Tuesday 24 July	Tuesday 27 November
Wednesday 24 April	Tuesday 28 August	Tuesday 11 December

It is also proposed that Council continue to have briefing meetings prior to each Council Meeting to primarily brief Council on Council Meeting agenda items for that day. It is suggested that Council Forums also be held on the second Tuesday of the month to enable Councillors to consider any other current issues affecting the Loddon Shire.

Council Meetings will commence at 3.00pm. The venue for Council Meetings is proposed to be the Council Chambers, Loddon Valley Highway, Serpentine.

Once approved, the schedule of Council meetings will be posted on Council's website, published in the Loddon Bulletin and advertised by way of public notice in newspapers and newsletters circulating generally within the municipality. Council Meetings will continue to be open to the public.

#### COST/BENEFITS

No financial impacts are expected from continuing this established practice.

#### RISK ANALYSIS

Nil.

**CONSULTATION AND ENGAGEMENT**

Nil.

**RESOLUTION 2017/56**

Moved: Cr Geoff Curnow

Seconded: Cr Gavan Holt

That Council:

1. approve the schedule of Council Meetings for 2018 as contained within this report, noting that the April meeting will be corrected to Tuesday 24 April.
2. provide public notice of the Council Meetings schedule.

**CARRIED**

UNCONFIRMED

**8.4 FINANCE REPORT FOR THE PERIOD ENDING 30 SEPTEMBER 2017****File Number:** 08/06/001**Author:** Deanne Caserta, Manager Financial Services**Authoriser:** Sharon Morrison, Director Corporate Services**Attachments:** 1. Finance Report for period ending 30 September 2017**RECOMMENDATION**

That Council:

1. receives and notes the 'Finance report for the period ending 30 September 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 2017/18 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 2017/18.

**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 30 September 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 adopted 2017/18 Budget, and includes operating results, capital expenditure and funding sources.

This Finance Report also includes supplementary valuations from time to time. 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 decreased from \$656K to \$654K.

**Income Statement (revenue)** - Council's year to date (YTD) operating revenue is at 93% of YTD budget. Revenue brought to account for September was \$449K.

**Income Statement (expenditure)** - Council's operating expenditure is at 98% of YTD budget. Payments for this month totalled just over \$2.7M, compared to \$2.38M last month. Labour is slightly ahead of budget at 109% due to the timing of fortnightly payroll but is expected to be below Council's 104% cap.

**Capital Works** - The revised budget for capital works is \$17.4M and is 10% complete in financial terms for the current financial year (5% at the end of August). Asset types with major variations (10% or \$10K) include furniture and equipment; roadworks; recreation, leisure and community facilities; parks, open space and streetscapes; and footpaths with many projects timed for quarter one yet to be commenced.

**Balance Sheet** - Council has a \$19.4M cash total with \$2.0M in general accounts. Debtors are \$10.8M which is a decrease of \$1.2M in the month. Sundry debtors total \$403K with invoices outstanding for 60 or more days relating to community wellbeing debtors and local community groups totalling approximately \$48K.

There were 23 supplementary valuations updated in September. The total rateable CIV at the end of September is still \$1.81B.

## 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 2017/18.

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.

**RESOLUTION 2017/57**

Moved: Cr Geoff Curnow

Seconded: Cr Gavan Holt

That Council:

1. receives and notes the 'Finance report for the period ending 30 September 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 2017/18 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 2017/18.

**CARRIED**

UNCONFIRMED

**8.5 SECTION 86 COMMITTEE OF MANAGEMENT - REVOKE INSTRUMENT OF DELEGATION - MITIAMO RECREATION RESERVE**

**File Number:** 02/01/005

**Author:** Sharon Morrison, Director Corporate Services

**Authoriser:** Phil Pinyon, Chief Executive Officer

**Attachments:** Nil

**RECOMMENDATION**

That Council:

1. Revoke the instrument of delegation to Mitiamo Recreation Reserve Section 86 committee;
2. Endorse the issuing of a Management Agreement to Mitiamo Football and Netball Inc

**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 adopted a Section 86 Committee of Management Policy at the ordinary meeting held on 28 January 2014.

Council adopted the review of the delegations to Section 86 committees at the ordinary meeting held on 26 September 2017. This report indicated that a Management Agreement could be issued to incorporated bodies rather than an Instrument of Delegation.

**BACKGROUND**

Under section 86 of the Local Government Act 1989, council may establish special committees made up of councillors, council staff and other persons.

Each committee is provided with an instrument of delegation which outlines the functions, duties and powers Council has delegated to it.

The Mitiamo Municipal Recreation Reserve Committee of Management (the committee) was appointed the section 86 committee responsible for Crown Allotment 1 TP 127030 at 50 Glossop Street Mitiamo (known as Mitiamo Recreation Reserve).

Under the instrument of delegation the committee is responsible for:

- Managing Council's annual allocation of funds
- Ensuring that all decisions related to improving facilities at the reserve are resolved through the committee
- Levying each user body with the annual membership fee (where applicable)
- Ensuring that organisation member bodies when hiring out their facilities understand their responsibilities to ensure that hirers have the appropriate public liability insurance
- Advising Council of an estimate of the number of hirings and types of each event by 1 May each year
- Submitting quarterly (3 monthly) usage statistics which is to be recorded on the "Usage of Public Halls/Facilities" form due in January, April, July and October. (Data to be provided includes: date of event, hirer, type of event and number of attendees).

**ISSUES/DISCUSSION**

On 29 September 2017 the committee wrote to Council outlining its wish to disband.

At their annual meeting held 26 September 2017 it was discussed in length the increasing difficulty for the committee to obtain a quorum at its meetings and to hold regular meetings as required by the requirements set by Council. Only one joint operational user group remain as representatives on the committee with cricket and tennis both folding.

The committee believes that the Mitiamo Football and Netball Club Inc as the only user group remaining would be the most appropriate group to manage and control the facility.

By email dated 27 September 2017 the Mitiamo Football and Netball Club Inc indicated their willingness to take on the responsibility for management of the Mitiamo Municipal Recreation Reserve.

As the club is incorporated, a Management Agreement can be put in place instead of an Instrument of Delegation. The Mitiamo Football and Netball Club Inc have provided Council with an indication of those willing to be nominated as the committee under the Management Agreement.

**COST/BENEFITS**

There are no direct costs associated with this recommendation.

**RISK ANALYSIS**

Section 86 committees of management have strict governance requirements which assist to ensure Council oversees that they are operating within delegation and within the Local Government Act 1989.

By disbanding the Section 86 committee and revoking the instrument of delegation, the administrative burden on the committee is reduced.

Issuing a Management Agreement helps to ensure clear expectations and responsibilities of both the club and the council.

**CONSULTATION AND ENGAGEMENT**

The section 86 committee has been consulted regarding the rescission of the instrument of delegation. The committee has indicated that it supports the recommendations made in this report.

**RESOLUTION 2017/58**

Moved: Cr Gavan Holt

Seconded: Cr Geoff Curnow

That Council:

1. Revoke the instrument of delegation to Mitiamo Recreation Reserve Section 86 committee;
2. Endorse the issuing of a Management Agreement to Mitiamo Football and Netball Inc

**CARRIED**

**8.6 SECTION 86 COMMITTEE OF MANAGEMENT - REVOKE INSTRUMENT OF DELEGATION - INGLEWOOD RIDING CLUB INC**

**File Number:** 02/01/005

**Author:** Sharon Morrison, Director Corporate Services

**Authoriser:** Phil Pinyon, Chief Executive Officer

**Attachments:** Nil

**RECOMMENDATION**

That Council:

1. Revoke the instrument of delegation to Inglewood Riding Club Inc;
2. Endorse the issuing of a Management Agreement jointly to the Inglewood Riding Club Inc and Inglewood Cars and Bikes Inc.
3. Work with Inglewood Riding Club Inc and Inglewood Cars and Bikes Inc to ensure they have access to affordable insurance.

**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 adopted a Section 86 Committee of Management Policy at the ordinary meeting held on 28 January 2014.

Council adopted the review of the delegations to Section 86 committees at the ordinary meeting held on 26 September 2017. This report indicated that a Management Agreement could be issued to incorporated bodies rather than an Instrument of Delegation.

**BACKGROUND**

Under section 86 of the Local Government Act 1989, council may establish special committees made up of councillors, council staff and other persons.

Each committee is provided with an instrument of delegation which outlines the functions, duties and powers Council has delegated to it.

The Inglewood Riding Club Inc (the committee) was appointed the section 86 committee responsible for part of crown allotment 8A and 9A Section 16 on Grant Street, Inglewood (known as Community Sports Riding Club).

Under the instrument of delegation the committee is responsible for:

- Management of booking the facility to external parties
- Setting and collecting fees and charges for hire of the facility
- Payment of accounts relating to operation the facility
- Ensuring that hirers of the facility have the appropriate public liability insurance

**ISSUES/DISCUSSION**

The Inglewood Riding Club has been incorporated since 1992. A committee cannot be incorporated and be a section 86 committee.



The committee has expressed interest in reducing the administrative burden placed on them by being a section 86 committee. One of their key concerns was to ensure they had access to insurance when managing the facility or fundraising for the maintenance and improvement of the facility.

On 23 September 2017 the committee wrote to Council outlining its wish to enter into a Management Agreement with Inglewood Cars and Bikes Inc.

By email dated 18 September 2017, Inglewood Cars and Bikes Inc indicated its willingness to enter into a Management Agreement with Inglewood Riding Club.

Council is able to work with both groups to ensure they are able to access affordable insurance to meet their obligations relating to the management of the facility.

### **COST/BENEFITS**

There are no direct costs associated with this recommendation.

### **RISK ANALYSIS**

Section 86 committees of management have strict governance requirements which assist to ensure Council oversees that they are operating within delegation and within the Local Government Act 1989.

By disbanding the Section 86 committee and revoking the instrument of delegation, the administrative burden on the committee is reduced.

Issuing a Management Agreement helps to ensure clear expectations and responsibilities of the clubs and the council.

### **CONSULTATION AND ENGAGEMENT**

The section 86 committee has been consulted regarding the revocation of the instrument of delegation. The committee has indicated that it supports the recommendations made in this report.

### **RESOLUTION 2017/59**

Moved: Cr Colleen Condliffe

Seconded: Cr Geoff Curnow

That Council:

1. Revoke the instrument of delegation to Inglewood Riding Club Inc;
2. Endorse the issuing of a Management Agreement jointly to the Inglewood Riding Club Inc and Inglewood Cars and Bikes Inc.
3. Work with Inglewood Riding Club Inc and Inglewood Cars and Bikes Inc to ensure they have access to affordable insurance.

**CARRIED**

**8.7 SECTION 86 COMMITTEE OF MANAGEMENT - REVOKE INSTRUMENT OF DELEGATION - DINGEE PROGRESS ASSOCIATION**

**File Number:** 02/01/005  
**Author:** Sharon Morrison, Director Corporate Services  
**Authoriser:** Phil Pinyon, Chief Executive Officer  
**Attachments:** Nil

**RECOMMENDATION**

That Council:

1. disband the section 86 committee;
2. revoke the instrument of delegation to Dingee Progress Association;
3. work with Dingee Progress Association to ensure they have access to affordable insurance for events they run.

**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 adopted a Section 86 Committee of Management Policy at the ordinary meeting held on 28 January 2014.

Council adopted the review of the delegations to Section 86 committees at the ordinary meeting held on 26 September 2017.

**BACKGROUND**

Under section 86 of the Local Government Act 1989, council may establish special committees made up of councillors, council staff and other persons.

Each committee is provided with an instrument of delegation which outlines the functions, duties and powers Council has delegated to it.

The Dingee Progress Association (the committee) was appointed the section 86 committee responsible for part of crown allotment TP889342 on Mack Street, Dingee (known as Dingee Progress Park).

Under the instrument of delegation the committee is responsible for:

- managing funding from external sources (grants, contributions, etc)
- maintenance of Dingee Progress Park public toilets within the park
- carrying out improvements and beautification works at Dingee Progress Park in consultation with the parks and gardens team

In addition, when facilitating events the committee has obligations to notify Council of event dates and details to ensure event support, insurance and risk management are in place.

**ISSUES/DISCUSSION**

The Dingee Progress Association has been incorporated since 1996. A committee cannot be incorporated and be a section 86 committee.

The functions, duties and powers delegated to the committee can or are being carried out by other parties or by the Dingee Progress Association as an incorporated body. Managing funding from external sources can be carried out by the incorporated body without having a delegation to do so; maintenance of the Dingee Progress Park public toilets within the park is being carried out by contractors; carrying out improvements and beautification works at Dingee Progress Park is being done by Council staff; events can continue to be run by the Dingee Progress Association without having a delegation to do so.

The Dingee Progress Association has expressed interest in reducing the administrative burden placed on them by being a section 86 committee. Their key concern was to ensure they had access to insurance for any events they ran.

Council is able to work with Dingee Progress Association to ensure they are able to access affordable insurance for events they run.

### **COST/BENEFITS**

There are no direct costs associated with this recommendation.

### **RISK ANALYSIS**

Section 86 committees of management have strict governance requirements which assist to ensure Council oversees that they are operating within delegation and within the Local Government Act 1989.

By disbanding the Section 86 committee and revoking the instrument of delegation, the administrative burden on committee is reduced.

### **CONSULTATION AND ENGAGEMENT**

The section 86 committee has been consulted regarding the revocation of the instrument of delegation. The committee has indicated that it supports the recommendations made in this report.

### **RESOLUTION 2017/60**

Moved: Cr Geoff Curnow

Seconded: Cr Gavan Holt

That Council:

1. disband the section 86 committee;
2. revoke the instrument of delegation to Dingee Progress Association;
3. work with Dingee Progress Association to ensure they have access to affordable insurance for events they run.

**CARRIED**

**8.8 SECTION 86 COMMITTEE OF MANAGEMENT - REVOKE INSTRUMENT OF DELEGATION - BOORT BUSINESS AND TOURISM COUNCIL**

**File Number:** 02/01/005

**Author:** Sharon Morrison, Director Corporate Services

**Authoriser:** Phil Pinyon, Chief Executive Officer

**Attachments:** Nil

**RECOMMENDATION**

That Council revoke the instrument of delegation to the Boort Business and Tourism Council.

**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 adopted a Section 86 Committee of Management Policy at the ordinary meeting held on 28 January 2014.

Council adopted the review of the delegations to Section 86 committees at the ordinary meeting held on 26 September 2017.

**BACKGROUND**

Under section 86 of the Local Government Act 1989, council may establish special committees made up of councillors, council staff and other persons.

Each committee is provided with an instrument of delegation which outlines the functions, duties and powers Council has delegated to it.

The Boort Business and Tourism Council (the committee) was appointed the section 86 committee responsible promoting economic development and tourism in the region and facilitating events that support economic development and tourism in the region.

**ISSUES/DISCUSSION**

In the minutes of the committee's meeting held on 10 September 2017 the committee indicated a desire to merge with Boort Development Committee.

Boort Development Committee (BDC) was established as a section 86 committee of council with the same purpose as Boort Business and Tourism Council. In the minutes of BDC's meeting held on 9 October, BDC indicated their willingness to merge with the Boort Business and Tourism Council.

A merger results in the instrument of delegation to the Boort Business and Tourism Council being redundant and therefore able to be revoked.

**COST/BENEFITS**

There are no direct costs associated with this recommendation.

**RISK ANALYSIS**

Section 86 committees of management have strict governance requirements which assist to ensure Council oversees that they are operating within delegation and within the Local Government Act 1989. The newly merged Committee will continue to have obligations to meet these governance requirements.

The effective amalgamation of the two committees also helps to respond to the shortage of volunteers for committee roles.

**CONSULTATION AND ENGAGEMENT**

The section 86 committee has been consulted regarding the revocation of the instrument of delegation. The committee has indicated that it supports the recommendations made in this report.

**RESOLUTION 2017/61**

Moved: Cr Geoff Curnow

Seconded: Cr Gavan Holt

That Council revoke the instrument of delegation to the Boort Business and Tourism Council.

**CARRIED**

UNCONFIRMED

**8.9 STATUTORY MEETING AND ELECTION OF MAYOR****File Number:** 02/01/004**Author:** Phil Pinyon, Chief Executive Officer**Authoriser:** Phil Pinyon, Chief Executive Officer**Attachments:** 1. Council Representation on Committees 2017-18**RECOMMENDATION**

That Council

1. Nominate a Councillor to be Mayor Elect of the Loddon Shire 2017/18
2. Confirm the date, time and venue for the Statutory Meeting 2017
3. Review its representation on Council Committees and advise of any changes

**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 discussed the election of the Mayor and the date for a special meeting at its October 2017 Council Forum.

**BACKGROUND**

To assist the orderly transition through the Mayoral Election Process the Loddon Shire traditionally selects its Mayor at the October Ordinary Council Meeting. The successful candidate is known as the Mayor Elect until officially elected at the Statutory Council Meeting.

**ISSUES/DISCUSSION**

Councillors are asked if there is any desire to elect a Mayor for a two year term as allowed by section 71(2) of the Local Government Act 1989.

Councillors are asked to nominate the Mayor Elect for 2017/18.

Councillors are asked to review their membership on the various Council Committees for 2017/18 as these responsibilities will be officially appointed at the Statutory Meeting. A full list of Council Committees is attached.

In accordance with the Local Government Act, the Mayor is to be elected after the fourth Saturday in October but not later than 30 November in each year and Council must at least seven days before the holding of a special council meeting give public notice of the meeting.

Friday 10 November is considered to be a suitable date for the special meeting to be held for the purposes of electing the Mayor and representation of Councillors on committees.

**COST/BENEFITS**

There are some costs associated with this recommendation related to venue hire and catering which can be accommodated within existing budget allocations.

**RISK ANALYSIS**

There are no significant risks identified with this recommendation.

**CONSULTATION AND ENGAGEMENT**

This matter was discussed by Councillors and the CEO at the October Council Forum.

**RESOLUTION 2017/62**

Moved: Cr Gavan Holt  
Seconded: Cr Geoff Curnow

That Council nominate Councillor McKinnon to be Mayor Elect of the Loddon Shire 2017/18.

**CARRIED**

**MOTION****RESOLUTION 2017/63**

Moved: Cr Gavan Holt  
Seconded: Cr Geoff Curnow

That Council confirm that the Statutory Meeting 2017 be held on 10 November 2017 at 7pm at the Pyramid Hill Bowls Club.

**CARRIED**

**MOTION****RESOLUTION 2017/64**

Moved: Cr Geoff Curnow  
Seconded: Cr Gavan Holt

That Council note the representatives on Council Committees as listed, with adjustments being made to reflect the changes to s86 committees as carried at this meeting.

**CARRIED**

**8.10 MAV STUDY FOR POPULATION POLICY FOR VICTORIA****File Number:** 17/02/003**Author:** Lynne Habner, Manager Executive and Commercial Services**Authoriser:** Phil Pinyon, Chief Executive Officer**Attachments:** 1. MAV email seeking contribution for study**RECOMMENDATION**

That Council contribute \$1,500 to the MAV modelling study 'The optimal Population for Victoria and its regions to 2050: how to make Victoria and its regions more productive', to be funded from the budget for the Economic Development Strategy.

Cr Gavan Holt left the meeting at 3:57 pm.

**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 matter has not been discussed by Council.

**BACKGROUND**

The Municipal Association of Victoria has approached Victorian councils to contribute to a modelling study of 'The optimal Population for Victoria and its regions to 2050: how to make Victoria and its regions more productive' (see attached email).

**ISSUES/DISCUSSION**

The following extracts from the proposed project scope explain the context of the study:

The study objective will be to nominate the overall population growth rate for Victoria and its spatial distribution which maximises productivity growth.

The project will outline trends in Victoria's population growth and distribution, highlighting how Melbourne is increasingly dominating the outcome, in terms of numbers and economic impact. The project will ask the question of whether there is such a concept as the best population growth rate and population distribution for Victoria and what resemblance this might bear to current projections. If there is a divergence between such an 'optimal' future population pattern (scale and distribution) and the currently projected future, what policy directions would help to produce improved outcomes?

**Stage one: Optimal expenditure requirements:** This stage would take current population projections and their spatial distribution and work out what would have to be the level of infrastructure expenditure (most importantly transport infrastructure expenditure), the quantum of public community service availability, the development of strategic employment nodes e.g. Monash, North Melbourne, Sunshine/Werribee, Bendigo, Ballarat etc. along with the industry development budget requirements for investments in knowledge creation activity (research institutions, hospitals, universities) that would be required to support the development of these nodes.



The impact on regional productivity growth and household income convergence or divergences can be transparently identified. The important bottom line outcome are implications for the public sector borrowing requirement.

**Stage two: population growth and deterioration in liveability:** Stage two would work out the consequences of taking the public sector borrowing requirement and then assessing the population outcomes consistent with this public sector borrowing requirement but which also meets the liveability indicator requirements of stage one.

Stage two would then be concluded with an assessment of how much Victoria and its regions productivity in liveability indicators might decline under the current population projections, in conjunction with the current public sector borrowing requirement targets relative to the nominated standards and relative to the current settings.

**Stage three: a regional development alternative:** Stage three would alter the spatial distribution from current plans with a greater focus on reducing population share of Melbourne vis a vis the nonmetropolitan regions. The question that will be answered is: Is it more efficient to develop a policy framework which favours increasing the population share of nonmetropolitan regions compared to current expectations?

That is, does Victoria obtain greater value from given levels of infrastructure, community and industry development expenditures from a greater regional development focus than from continuation of the current heavy dependence on Melbourne?

The discussion in Stage 3 will need to include some consideration of potential regional competitive advantages that can provide the foundation for accelerated growth profiles in coming years. This part of the task will require consultation with the key regions.

The total cost for the project is approximately \$120,000.

### **COST/BENEFITS**

The cost to Council is \$1,500 as the contribution sought by MAV from each council in Victoria.

This long term modelling may provide benefits to regional areas by identifying the need to focus on long term opportunities for growth outside of metropolitan Melbourne.

### **RISK ANALYSIS**

There is minimal risk to Council in contributing to this study.

### **CONSULTATION AND ENGAGEMENT**

No consultation has been undertaken on this matter.

### **RESOLUTION 2017/65**

Moved: Cr Geoff Curnow

Seconded: Cr Colleen Condliffe

That Council contribute \$1,500 to the MAV modelling study 'The optimal Population for Victoria and its regions to 2050: how to make Victoria and its regions more productive', to be funded from the budget for the Economic Development Strategy.

**CARRIED**

**9 INFORMATION REPORTS****9.1 LOCAL LAWS AND COMPLIANCE ACTIVITY REPORT (PERIOD 1 JULY 2016 TO 30 JUNE 2017)****File Number:** 04/02/012**Author:** David Price, Local Laws \ Planning Compliance Officer**Authoriser:** Glenn Harvey, Manager Development and Compliance**Attachments:** Nil**RECOMMENDATION**

That Council receive and note the Local Laws - Compliance and Enforcement Activity Report for the 2016/17 financial year.

**CONFLICT OF INTEREST**

Nil

**PREVIOUS COUNCIL DISCUSSION**

Council is provided with a periodic summary of the compliance and enforcement actions taken by the Development and Compliance Department in the area of local laws and compliance.

**BACKGROUND**

Loddon Shire Council maintains powers under various legislation including local laws, which enable effective animal management, enforcement and protection of local township amenity throughout the Council.

A number of policies and procedures have been developed, outlining the methodology and circumstances under which Council officers will undertake compliance action. Key areas of focus in respect to compliance action include:

- management of local laws, particularly with respect to unsightly properties
- effective animal management
- assessment of properties for potential fire risk/fire prevention measures
- control of roadside activities, occupation and utilisation
- intervention in public nuisance issues.

**ISSUES/DISCUSSION****Other Local Law activities**

Table 1 provides a summary of other administrative or enforcement actions undertaken during the 2016/17 financial year.

Table 1: Other Local Laws compliance or administrative activity

Incident type	Call outs	Littering or illegal rubbish dumping	Fire permits to burn	Local law permits
<b>No. actions</b>	N/A(*)	3	61	22

(\*) data not available/not accurately recorded)

Council provides a 24 hour emergency call out service in respect to animal management or local law compliance and enforcement.

**Unightly Properties**

A summary of activity statistics and properties that were the subject of local laws enforcement is provided below. Identified unightly properties were assessed and prioritised for compliance action.

Table 2: Inventory of unightly properties

<b>Town/Locality</b>	<i>Eddington</i>	<i>Rheola</i>	<i>Newbridge</i>	<i>Tarnagulla</i>	<i>Inglewood</i>	<i>Bridgewater</i>	<i>Wedderburn</i>	<i>Korong Vale</i>	<i>Borung</i>	<i>Boort</i>	<i>Pyramid Hill</i>	<i>Mitiamo</i>	<i>Dingee</i>	<i>Serpentine</i>	<i>Rural</i>	<b>Total</b>
<b>No. identified</b>	4	1	4	2	14	4	22	11	2	2	8	0	1	0	0	<b>75</b>
<b>No. resolved (during year)</b>	0	0	3	0	9	1	9	9	0	0	6	0	0	0	0	<b>37</b>
<b>No. currently pursuing</b>	4	1	1	2	5	3	13	2	2	2	2	0	1	0	0	<b>38</b>

**Animal Management**

Local Laws officers provide a variety of animal control services. The following table lists a summary of activity in respect to the most commonly observed animal control related enforcement action.

Table 3: Summary of animal management and enforcement activities

<b>Activity</b>	<b>Wandering livestock</b>	<b>Trespassing livestock</b>	<b>Dog attack</b>	<b>Domestic animal at large</b>	<b>Distribution of cat traps</b>	<b>General complaints / other</b>
<b>No. of actions</b>	88	54	10	64	20 (No. of traps)	41

**Animal Management – Impoundment**

Impoundment activities for the financial year, encompassing both domestic animals and livestock are identified in Table 4.

Table 4: Impoundment activities

<b>Animal type</b>	<b>Impoundments</b>	<b>Returned to owners</b>	<b>Animals rehoused</b>	<b>Animals disposed</b>
Livestock	42	7	34(*)	1(died at pound)
Dogs	61	35	16	10 (7 dog attacks)
Cats	3	2	1	124 (feral cats)
<b>Total</b>	<b>106</b>	<b>44</b>	<b>51</b>	<b>135</b>

(\*) sold at Bendigo Livestock Exchange

**COST/BENEFITS**

Enforcement of Local Law compliance, particularly with respect to unsightly properties, requires significant investment of human resources in order to assess and process the number of properties identified for enforcement.

Similarly, as identified properties are escalated through the enforcement process, costs associated with legal proceedings may also be incurred by Council.

Benefits derived from investing in the enforcement of non-compliant properties or illegal development includes:

- improved township amenity
- improvements or maintenance of public safety
- support for regulations and standards.

**RISK ANALYSIS**

Failure of Council to adequately enforce the provisions associated with either the local laws or other applicable legislation including the Domestic Animals Act and Country Fire Authority Act is considered to pose the following risks:

- barrier to development and associated economic growth within Council
- Council's reputation as a regulatory authority
- infrastructure, service provision or regulatory and enforcement pressures.

**CONSULTATION AND ENGAGEMENT**

Land and animal owners identified and subject to enforcement action under either the local laws or other legislation such as the Domestic Animals Act are consulted with at regular stages throughout the enforcement process.

**RESOLUTION 2017/66**

Moved: Cr Geoff Curnow  
Seconded: Cr Colleen Condliffe

That Council receive and note the Local Laws - Compliance and Enforcement Activity Report for the 2016/17 financial year.

**CARRIED**

**9.2 QUARTERLY REPORT AGAINST COUNCIL PLAN**

**File Number:** 02/02/003

**Author:** Sharon Morrison, Director Corporate Services

**Authoriser:** Phil Pinyon, Chief Executive Officer

**Attachments:** 1. Action and task progress report

**RECOMMENDATION**

That Council note the progress against the actions in the Council Plan contained in the attachment 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**

The Council Plan 2017-2021 was adopted by Council on 27 June 2017.

**BACKGROUND**

The new Local Government Performance Reporting Framework (which is part of the Local Government Act) requires reporting against the Council Plan half yearly.

**ISSUES/DISCUSSION**

Attached is a report on the progress of actions and tasks (strategic indicators) identified in the Council Plan. Council is currently completing Year 1 of the four year plan. As the format and structure of the progress report is new, there may be a need for some fine tuning with future reports.

**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.

Reporting on a regular basis provides an opportunity to monitor progress and respond to any issues.

**CONSULTATION AND ENGAGEMENT**

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

**RESOLUTION 2017/67**

Moved: Cr Geoff Curnow  
Seconded: Cr Colleen Condliffe

That Council note the progress against the actions in the Council Plan contained in the attachment to this report.

**CARRIED**

UNCONFIRMED

**THIS ITEM WAS CONSIDERED AFTER CR HOLT RETURNED TO THE MEETING AT 4.10PM**

### 9.3 REVIEW OF CARAVAN PARK FEES

**File Number:** 13/09/015

**Author:** Lynne Habner, Manager Executive and Commercial Services

**Authoriser:** Phil Pinyon, Chief Executive Officer

**Attachments:** Nil

#### RECOMMENDATION

That Council:

1. adopt an amendment to fees and charges for the Wedderburn Pioneer Caravan Park to \$20 per night and \$100 per week for powered sites, and \$15 per night and \$100 per week for unpowered sites, effective from 30 October 2017
2. adopt an amendment to fees and charges for the Bridgewater Public Caravan Park for powered sites for a peak weekly rate of \$180, effective from 30 October 2017
3. adopt an amendment to Council's Fees and Charges Schedule to introduce processes for Council's caravan parks to take deposits and retain cancellation fees as outlined in this report, effective from 30 October 2017
4. note that fees and charges are reviewed annually, and future adjustments may be made by Council as required.

#### 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

The subject of caravan park fees was discussed at the October 2017 Council Forum.

#### BACKGROUND

In September 2017 Council discussed the Wedderburn Pioneer Caravan Park fees and charges for powered and unpowered sites compared with the Bridgewater Public Caravan Park, and suggested that Wedderburn fees are too high.

Council staff had advised that benchmarking of caravan park fees against similar parks was to be conducted to ensure that Council-managed parks are within an appropriate range.

#### ISSUES/DISCUSSION

##### Fee levels

The following table provides a comparison of current fees for two adults at Bridgewater Public Caravan Park, Wedderburn Pioneer Caravan Park and similar parks throughout central to northern Victoria.

	Powered site				Unpowered site			
	Peak		Off peak		Peak		Off peak	
	Night	Week	Night	Week	Night	Week	Night	Week

Lake Fyans	47	273	35	189	35	210	26	140
Marong	45		35		na		na	
Boort	\$40 view \$35 no view		\$35 view \$30 no view		\$30 view \$25 no view		\$25 view \$20 no view	
Bridgewater	40	155	35	155	30	125	25	125
Cohuna	37		33		30		26	
Maryborough	37	222	32	192	31	186	26	156
Wedderburn	35	155	35	155	25	125	25	125
Inglewood	35		25		25		20	
Koondrook	34		28		30		25	
Robinvale	34		30		26		22	
Laanecoorie	32		28		24		24	
Maldon	30		30		18		18	
Kerang	30		30		22		22	
Dunolly	27	162	27	162	22	132	22	132
St Arnaud	25		25		20		20	
Avoca	25		25		20		20	
Charlton	20		20		15		15	
Donald			20	100			15	100

It is proposed to adopt amended fees for the Wedderburn Pioneer Caravan Park in anticipation that lower fees will make it more enticing for visitors, and therefore increase bookings.

Council has made several adjustments (adopted October 2014, adjusted February 2015 and March 2015) to the fees for the Bridgewater Public Caravan Park since it re-opened in 2014, and it is not proposed to change the current daily fees as a result of the benchmarking exercise. However, the discounted peak weekly rates for powered sites at Bridgewater are comparatively low, and it is proposed to increase this fee using the same multiplier as for the off-peak weekly rate.

Proposed new fees for 2 adults:

	Powered site				Unpowered site			
	Peak		Off peak		Peak		Off peak	
	Night	Week	Night	Week	Night	Week	Night	Week
Wedderburn	20	100	20	100	15	100	15	100
Bridgewater	40	180	35	155	30	125	25	125

In relation to bookings that have been made before any changes are adopted, patrons will be charged the new rate if it has reduced, and the old rate if it has been increased. That is, the lesser of the charges will apply.

#### **Cancellation fees**

In addition to the proposed change of fees to align with those of similar parks, it is also proposed to introduce processes for the Wedderburn and Bridgewater caravan parks to take deposits and retain cancellation fees.

The financial loss caused by clients that do not appear, or cancel without giving reasonable notice, can be kept to a minimum by including a cancellation fee. It is proposed that this fee would be deducted from the deposit that is paid upon booking.

#### **Deposit and cancellation clauses proposed to be added to the Fees and Charges Schedule**

##### Deposits



A deposit is at least the cost of the first night's tariff and must be received by the park within 7 days of booking to confirm a guest's reservation.

### Cancellations

When making a direct booking with a caravan park managed on behalf of Loddon Shire Council, it is acknowledged and agreed that all reservations and deposits are accepted by park managers and are subject to the following cancellation policy guidelines. Any reservations through agents or other third parties may be subject to separate policies, and it is recommended that park managers advise guests to check those conditions.

Park managers should advise guests of the cancellation policy for the park at the time of reservation.

### Low-season cancellations

During the low season, deposits will only be refunded if the park managers are notified of the cancellation prior to 9am on the day prior to the scheduled arrival. If notice of the cancellation is received after 9am on the day prior to the scheduled arrival, the park manager may retain the full deposit paid.

### Peak-season cancellations

Deposits for reservations made wholly or partially in peak seasons will only be refunded if the guest notifies the park manager of the cancellation at least 30 days prior to the scheduled arrival. If less time is provided than the required period of notice of cancellation, the deposit will only be refunded if the site or cabin is able to be rebooked.

### Early departures

Council will not refund amounts paid should the guest cut short the reservation or holiday.

### Failure to notify of cancellation

If the park manager has not been notified of the cancellation, or the guest does not arrive by 10am on the day after the scheduled arrival date, the reservation may be cancelled by the park managers without refund of any paid deposit.

## **COST/BENEFITS**

The adjustment to the fees for the Wedderburn Pioneer Caravan Park is expected to encourage patronage and therefore increase its profits. There will be a cost to Council if patronage is not increased and profits are reduced.

## **RISK ANALYSIS**

There is a risk that a reduction in fees will not achieve any increase in patronage of the Wedderburn Pioneer Caravan Park, and profit for Council will reduce as a result. It is proposed that the new fee levels be trialled for up to two years, and in the event that the fees do not "break-even" for operational costs for the park, the fees will be reviewed again.

## **CONSULTATION AND ENGAGEMENT**

Councillors were consulted in the preparation of this report.

**RESOLUTION 2017/68**

Moved: Cr Gavan Holt

Seconded: Cr Geoff Curnow

That Council:

1. adopt an amendment to fees and charges for the Wedderburn Pioneer Caravan Park to \$20 per night, \$100 per week, and \$5 for “additional to 2 people staying” for powered sites, and \$15 per night, \$100 per week and \$5 for “additional to 2 people staying” for unpowered sites, effective from 30 October 2017
2. adopt an amendment to fees and charges for the Bridgewater Public Caravan Park for powered sites for a peak weekly rate of \$180, effective from 30 October 2017
3. adopt an amendment to Council’s Fees and Charges Schedule to introduce processes for Council’s caravan parks to take deposits and retain cancellation fees as outlined in this report, effective from 30 October 2017
4. note that fees and charges are reviewed annually, and future adjustments may be made by Council as required.

**CARRIED**

**9.4 SECTION 86 COMMITTEES OF MANAGEMENT - STATUS REPORT****File Number:** 02/01/005**Author:** Sharon Morrison, Director Corporate Services**Authoriser:** Phil Pinyon, Chief Executive Officer**Attachments:** Nil**RECOMMENDATION**

That Council note the status of the Section 86 Committees of Management.

**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 adopted the review of the delegations to Section 86 committees at the ordinary meeting held on 26 September 2017.

**BACKGROUND**

During a recent review of outstanding audit recommendations, the need for a formal report within Council meeting papers was identified. During an audit of section 86 Committees conducted in April 2013 the auditors found "There is no formal reporting to the Council on the on-going conduct and financial operations of Section 86 committees".

It was observed that "Section 86 committees perform the functions of Council that have been delegated to them. Accordingly, it is important that Council is provided with reports on the activities of the Committees in order to:

- Assess the performance of each Committee, in respect of their management of Council owned or controlled property; and
- Ensure the safe operation and that effective governance and financial controls are in place"

The observation went on to state "that there is no formal reporting to the Council or senior management regarding the activities (both operational and financial) of Section 86 Committees. This has resulted in a lack of clarity over the activities carried out by the Committees." It went on to note that the review and approval of Instruments of Delegation and the formal appointment of committee management members occurred on a regular basis however "without regular reporting, there is a risk that Council is unaware of the activities of Section 86 Committees acting on their behalf. Improper management by the Committees might not be identified and addressed in a timely manner."

The audit went on to recommend the following:

1. provide as a requirement to Section 86 Committees that formal reports on their activities (both on-going conduct and financial operations) be provided to Council and senior management on a periodic basis (i.e. annually or more frequently; if required);
2. consider including the formal reports from Section 86 Committees within Council papers or at least a summary of key issues;
3. enhance the current Council report to include statistics such as:
  - a. Number of Section 86 Committees by status (i.e. active, potential, disbanded);
  - b. Number of Instruments of Delegation by status (i.e. reviewed and approved, under review, due for review and overdue for review); and

- c. Number of Committees providing the Council with their meeting minutes and reports on a regular and timely basis.

The management response to the recommendation was to include reporting to Council about Section 86 committee activities and compliance with the Act and delegation into the annual calendar of Council reports.

### ISSUES/DISCUSSION

A number of committees of management have recently sought a review of their status. This is the subject of other reports.

All Instruments of Delegation are currently being reviewed in accordance with section 86 of the Local Government Act.

Annual meetings generally take place at the end of the financial year, generating the requirement for financials and committee appointment to be provided to Council.

<b>Committees appointed by Council as at September 2017</b>	<b>Status of committee (active / potential / disbanded / under review)</b>	<b>Status of Instrument of Delegation (reviewed and approved / under review / due for review / overdue for review)</b>	<b>Annual meeting minutes received? (yes / no / comment)</b>	<b>2016/17 financials received to be audited? (yes / no / comment)</b>	<b>Committee appointment received? (yes / no / comment)</b>
Boort Aerodrome	Active	Under review	Yes	Yes	Yes
Boort Business and Tourism Council	Under review	Under review	Yes	No	Yes
Boort Development	Under review	Under review	Meeting not held until after 31 October	Meeting not held until after 31 October	No
Boort Memorial Hall	Active	Under review	Yes	Yes	Yes
Boort Park	Active	Under review	Yes	Yes	No
Bridgewater On Loddon Development	Active	Under review	Yes	No	Yes
Campbell's Forest Hall	Active	Under review	No	Yes	No
Dingee Progress Association	Under review	Under review	No	No	No
Donaldson Park	Active	Under review	Yes	Yes	Yes

<b>Committees appointed by Council as at September 2017</b>	<b>Status of committee</b> (active / potential / disbanded / under review)	<b>Status of Instrument of Delegation</b> (reviewed and approved / under review / due for review / overdue for review)	<b>Annual meeting minutes received?</b> (yes / no / comment)	<b>2016/17 financials received to be audited?</b> (yes / no / comment)	<b>Committee appointment received?</b> (yes / no / comment)
East Loddon Community Centre	Active	Under review	No	No	No
Inglewood Community Sports Centre	Active	Under review	No	No	No
Inglewood Lions Community Elderly Persons Units	Active	Under review	No	Yes	No
Inglewood Riding Club	Under review	Under review	Meeting not held until after 31 October Disbanding	Meeting not held until after 31 October Disbanding	No
Inglewood Town Hall Hub	Active	Under review	No	Yes	No
Jones Eucalyptus Distillery Site	Active	Under review	No	Yes	No
Kingower Development and Tourism	Active	Under review	Yes	Yes	Yes
Korong Vale Mechanics Hall	Active	Under review	No	No	No
Korong Vale Sports Centre	Active	Under review	No	Yes	No
Little Lake Boort Management	Active	Under review	No	Yes	No
Loddon Southern Tourism and Development	Active	Under review	Yes	Yes	No

<b>Committees appointed by Council as at September 2017</b>	<b>Status of committee</b> (active / potential / disbanded / under review)	<b>Status of Instrument of Delegation</b> (reviewed and approved / under review / due for review / overdue for review)	<b>Annual meeting minutes received?</b> (yes / no / comment)	<b>2016/17 financials received to be audited?</b> (yes / no / comment)	<b>Committee appointment received?</b> (yes / no / comment)
Mitiamo Municipal Recreation Reserve	Under review	Under review	Yes	No	In progress – to be collected
Pyramid Hill Memorial Hall	Active	Under review	Yes	Yes	Yes
Pyramid Hill Swimming Pool	Active	Under review	Yes	Yes	No
Serpentine Bowls and Tennis Pavilion Reserve	Active	Under review	Yes	Exempt	Yes
Wedderburn Community Centre	Active	Under review	Yes	No	Yes
Wedderburn Engine Park	Active	Under review	Yes	Exempt	Yes
Wedderburn Mechanics and Literary Institute	Active	Under review	Yes	No	Yes
Wedderburn Tourism Inc.	Active	Under review	Yes	Yes	Report to November meeting
Yando Public Hall	Active	Under review	Yes	Yes	Yes
<b>Total (n=29)</b>	Active = 24 Under review = 5	Under review = 29	Yes = 17 No = 10 Comment = 2	Yes = 16 No = 9 Comment = 4	Yes = 12 No = 15 Comment = 2

### **COST/BENEFITS**

There are no direct costs associated with the adoption of the recommendation for this report.

The benefits of this report are responding to audit recommendations and monitoring the governance obligations of Section 86 Committees..

**RISK ANALYSIS**

In accordance with the observations of the auditors, without regular reporting, there is a risk that Council is unaware of the activities of Section 86 Committees acting on their behalf. Improper management by the Committees might not be identified and addressed in a timely manner.

**CONSULTATION AND ENGAGEMENT**

Section 86 committees are regularly contacted regarding upcoming due dates for governance requirements such as annual meetings, financial statements and committee appointments.

**RESOLUTION 2017/69**

Moved: Cr Geoff Curnow

Seconded: Cr Colleen Condliffe

That Council note the status of the Section 86 Committees of Management.

**CARRIED**

UNCONFIRMED

**10 COMPLIANCE REPORTS****10.1 SECTION 86 COMMITTEE OF MANAGEMENT MEMBERSHIP DETAIL-WEDDERBURN COMMUNITY CENTRE****File Number:** 02/01/036**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 Wedderburn Community Centre 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 Wedderburn Community Centre Committee of Management on 22 November 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**

Wedderburn Community Centre is an organisation based committee with representatives from each of the stakeholder groups. The following is a list of nominated representatives for the committee which meets the minimum requirement:

Name	Organisation
Leo Matthews	Community member
Patricia Lee	Community member
Richard Stephenson	Community member
Geoff Vendy (Treasurer)	Inglewood and Districts Health Service
Paula Yorston (Secretary)	Loddon Shire Council Community Wellbeing
Alycia O'Sullivan	Loddon Shire Council Community Wellbeing
Pauline Brown	Loddon Shire Council Tourism
Robyn Vella (Vice President)	Loddon Shire Council Tourism
Jon Chandler	Wedderburn Community House
Jude Raftis (President)	Wedderburn Community House

There is one position vacant for the Inglewood and Districts Health Service.

The Council representative for this committee is Gavan Holt.

**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

**RESOLUTION 2017/70**

Moved: Cr Geoff Curnow  
Seconded: Cr Colleen Condliffe

That Council appoints the persons named in this report as members of the Wedderburn Community Centre Section 86 committee of management, effective immediately, noting that the recent resignation of Geoff Vendy will create a vacancy.

**CARRIED**

**10.2 SECTION 86 COMMITTEE OF MANAGEMENT MEMBERSHIP DETAIL-BOORT AERODROME****File Number:** 02/01/007**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 Aerodrome 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 Aerodrome Committee of Management on 22 November 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**

Boort Aerodrome 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
Peter Eicher	President/Secretary
Campbell Chalmers	Vice President
Madeleine Scott	Treasurer
Ken Loader	Airport reporting officer
Adam Wright	Committee Member
Jamie Whitmore	Committee Member
Ray Stomann	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

**RESOLUTION 2017/71**

Moved: Cr Geoff Curnow  
Seconded: Cr Colleen Condliffe

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

**CARRIED**

**10.3 SECTION 86 COMMITTEE OF MANAGEMENT MEMBERSHIP DETAILS-KINGOWER DEVELOPMENT AND TOURISM**

**File Number:** 02/01/025

**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 Kingower Development and Tourism 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 Kingower Development and Tourism Committee of Management on 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**

Kingower Development and Tourism 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
Mark Gilmore	President
Terry Coffey	Vice President
Christine Gilmore	Secretary
Michael Rose	Treasurer
Maile Peterson	Committee Member
David Peterson	Committee Member
Jan Graham	Committee Member
Arleen Reimers	Committee Member
David Reimers	Committee Member
Damien Mason	Committee Member
Nicole Solomon	Committee Member

The Council representative for this committee is Cr Geoff Curnow.

**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.

**RESOLUTION 2017/72**

Moved: Cr Geoff Curnow  
Seconded: Cr Colleen Condliffe

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

**CARRIED**

**10.4 SECTION 86 COMMITTEE OF MANAGEMENT MEMBERSHIP DETAILS-DONALDSON PARK**

**File Number:** 02/01/018

**Author:** Sharon Morrison, Director Corporate Services

**Authoriser:** Sharon Morrison, Director Corporate Services

**Attachments:** Nil

**RECOMMENDATION**

That Council appoints the persons named in this report as members of the Donaldson Park 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. Ms Michelle Hargreaves is involved in the subject matter of the report but has not been involved in its preparation. The interest has been declared in a primary return.

**PREVIOUS COUNCIL DISCUSSION**

Council approved the current list of committee members for Donaldson Park Committee of Management on 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**

Donaldson Park is an organisation based committee with representatives from each of the stakeholder groups. The following is a list of nominated representatives for the committee which meets the minimum requirement:

Name	Position
Gavan Holt (President)	Community Member
Jon Chandler (Secretary/ Treasurer)	Community Member
Bret Jackson	Wedderburn Bowls Club
Laurie Whitham	Wedderburn Bowls Club
Danny Fowles	Wedderburn College
Allan Holt	Wedderburn Football Club
Kevin Lockhart	Wedderburn Football Club
Bruce Hargreaves (Vice President)	Wedderburn Harness Racing Club
Nick Youngson	Wedderburn Harness Racing Club
Michelle Hargreaves	Wedderburn Hockey Club
Thomas Jackson	Wedderburn Hockey Club
Chris Holt	Wedderburn Lawn Tennis Club
Tim Lockhart	Wedderburn Lawn Tennis Club
Alex Holt	Wedderburn Netball Club
Julie Benaim	Wedderburn Netball Club

There is one position vacant for the Wedderburn College.

The Council representative for this committee is Gavan Holt.

**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.

**RESOLUTION 2017/73**

Moved: Cr Geoff Curnow  
Seconded: Cr Colleen Condliffe

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

**CARRIED**

**10.5 SECTION 86 COMMITTEE OF MANAGEMENT MEMBERSHIP DETAILS-BOORT MEMORIAL HALL**

**File Number:** 02/01/010

**Author:** Michelle Hargreaves, Administration Officer

**Authoriser:** Sharon Morrison, Director Corporate Services

**Attachments:** Nil

**RECOMMENDATION**

That Council appoints the person named in this report as members of the Boort Memorial Hall 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 Memorial Hall Committee of Management on 24 November 2015.

**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**

Boort Memorial Hall 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
Jeanette Wagner	President
Ken Loader	Vice President
Judy Parker	Secretary/ Treasurer
Alan Stringer	Committee Member
Deanne Smith	Committee Member
Edna Boyle	Committee Member
Ian Potter	Committee Member
Isobel Loader	Committee Member
Ivan Streader	Committee Member
Karen Coutts	Committee Member
Kevin Sutton	Committee Member
Marg Potter	Committee Member
Nola Stringer	Committee Member

The Council representative for this committee is Cr 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.

**RESOLUTION 2017/74**

Moved: Cr Geoff Curnow  
Seconded: Cr Colleen Condliffe

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

**CARRIED**

**10.6 ADOPTION OF THE ANNUAL REPORT FOR THE PERIOD ENDING 30 JUNE 2017****File Number:** 02/02/003**Author:** Sharon Morrison, Director Corporate Services**Authoriser:** Phil Pinyon, Chief Executive Officer**Attachments:** 1. Annual Report for the period ending 30 June 2017**RECOMMENDATION**

That Council approves the Loddon Shire Council Annual Report for the period ending 30 June 2017.

Cr Gavan Holt returned to the meeting at 4:10 pm.

**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 the Councillor briefing on 26 September, Councillors were briefed on the content of the Annual Report prior to it being forwarded to the Minister for Local Government by 30 September 2017.

**BACKGROUND**

In accordance with Section 131 of the Local Government Act 1989 (Act), Council must prepare an Annual Report each financial year that includes a report of its operations, an audited Performance Statement, audited Financial Statements, a copy of the auditor's report on the performance statement, prepared under Section 132, a copy of the auditor's report on the financial statements under Part 3 of the Audit Act 1994, and any other matter required by the regulations.

Under Section 134 of the Act Council must consider the Annual Report at a meeting of the Council, as soon as practicable after the Annual Report has been sent to the Minister.

**ISSUES/DISCUSSION**

The Minister was provided with a copy of the Annual Report on 27 September 2017, in accordance with Section 133(1)(a) of the Act, which states that the Annual Report must be submitted to the Minister within 3 months of the end of each financial year.

The report has been made available on Council's website and is currently being printed for circulation to appropriate bodies including for viewing at the Wedderburn and Serpentine offices, local library agencies and other appropriate locations.

**COST/BENEFITS**

Although it is a legislative requirement, preparation of the Annual Report provides Council with an opportunity to formally document the achievements of the financial year at an organisation level and by individual staff.

**RISK ANALYSIS**

Timely preparation and approval of the Annual Report ensures that Council complies with legislative requirements outlined in the Act.

**CONSULTATION AND ENGAGEMENT**

In accordance with Section 133(2) of the Act, public notice in the Loddon Times and Bendigo Advertiser has been given that the Annual Report has been prepared and is available for inspection at Council's offices in Wedderburn and Serpentine, and on Council's website.

**RESOLUTION 2017/75**

Moved: Cr Geoff Curnow

Seconded: Cr Gavan Holt

That Council approves the Loddon Shire Council Annual Report for the period ending 30 June 2017.

**CARRIED**

UNCONFIRMED

**11 GENERAL BUSINESS****URGENT BUSINESS****RESOLUTION 2017/76**

Moved: Cr Gavan Holt  
Seconded: Cr Geoff Curnow

That the following items be treated as urgent business

**CARRIED****11.1 MEMSIE STATE SCHOOL****RESOLUTION 2017/77**

Moved: Cr Gavan Holt  
Seconded: Cr Geoff Curnow

Council resolved that the matter of the plaque for the Memsie State School should be expedited as quickly as possible.

**CARRIED****11.2 WEDDERBURN POLICE STATION SITE****RESOLUTION 2017/78**

Moved: Cr Gavan Holt  
Seconded: Cr Geoff Curnow

That Council write to the Police Minister expressing interest in the existing Wedderburn police station once it becomes surplus to State Government requirements, subject to any financial arrangements being acceptable to Council and a building and pest report being conducted that does not reveal significant rectification issues..

**CARRIED****11.3 NOTICE OF BUSHFIRE MANAGEMENT OVERLAY**

Cr Holt referred to a notification from DELWP and Council relating to the Bushfire Management Overlay extension relating to his land. He asked which Council meeting this was discussed, and whether ratepayers were consulted on this matter. He raised concerns about the area of the overlay on his property and the lack of consultation

The CEO took the question on notice and undertook to provide further information about this process to Councillors.

**12 CONFIDENTIAL ITEMS****RESOLUTION 2017/79**

Moved: Cr Gavan Holt  
Seconded: Cr Geoff Curnow

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 Contract 398 - Annual Reseals Program 2017/2018**

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.

**12.3 Sale of Property for Rate Recovery Under Section 181 of the Local Government Act 1989**

This matter is considered to be confidential under Section 89(2) - (b) 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 the personal hardship of any resident or ratepayer.

**12.4 LEASE OF COUNCIL PROPERTY - INGLEWOOD**

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.

**CARRIED**

Closing of Meeting to the Public

**RESOLUTION 2017/80**

Moved: Cr Geoff Curnow  
Seconded: Cr Gavan Holt

That the meeting be closed to the public at 4.31pm.

**CARRIED****RESOLUTION 2017/81**

Moved: Cr Gavan Holt  
Seconded: Cr Geoff Curnow

That the meeting be re-opened to the public at 4.54pm.

**CARRIED**

**NEXT MEETING**

The next Ordinary Meeting of Council will be held on 28 November 2017 at Serpentine commencing at 3pm.

There being no further business the meeting was closed at 4.54pm.

Confirmed this.....day of..... 2017

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.....  
**CHAIRPERSON**

UNCONFIRMED