



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

# **MINUTES**

## **Ordinary Council Meeting**

**28 November 2017**

**MINUTES OF LODDON SHIRE COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBERS, SERPENTINE  
ON TUESDAY, 28 NOVEMBER 2017 AT 3PM**

**PRESENT:** Cr Cheryl McKinnon (Mayor) , Cr Neil Beattie, Cr Colleen Condliffe, Cr Geoff Curnow, Cr Gavan Holt

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

**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**

Nil

**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 24 October 2017
2. The minutes of the Ordinary Council Meeting of 24 October 2017
3. The minutes of the Special Council Meeting of 10 November 2017
4. The minutes of the Council Forum of 14 November 2017

**REPORT**

Seeking approval of the unconfirmed minutes of the previous meetings.

**RESOLUTION 2017/82**

Moved: Cr Geoff Curnow

Seconded: Cr Neil Beattie

That Council confirm:

1. The minutes of the Council Briefing of 24 October 2017
2. The minutes of the Ordinary Council Meeting of 24 October 2017
3. The minutes of the Special Council Meeting of 10 November 2017
4. The minutes of the Council Forum of 14 November 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 2017/83**

Moved: Cr Gavan Holt

Seconded: Cr Neil Beattie

That Council receive and note the action sheet.

**CARRIED**

**6 MAYORAL REPORT****6.1 MAYORAL REPORT****File Number:** 02/01/001**Author:** Lynne Habner, 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.

**Cr McKinnon****North Central Goldfields Regional Library**

**Section 86 Committees:** East Loddon Community Centre 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

**Nature Tourism Advisory Team****Other Council activities**

<b>DATE</b>	<b>Activity</b>
24/10/17	Flood levee meeting in Pyramid Hill – strongly attended, with positive feedback, and the community are now keenly awaiting the construction phase.
27/10/17	GLC meeting in Bendigo
28/10/17	The 3 <sup>rd</sup> Pyramid Hill Fiesta was an outstanding success. The Filipino community have grown in confidence and are becoming more pro-active in developing the program, and in their participation. It was a wonderful example of multicultural celebration.
1/11/17	I attended the RAI Roundtable discussion in Canberra on the resettlement of migrants and refugees into Regional Australia to help boost the populations and economies of smaller towns at risk of decline.

	The outcomes of the discussion will contribute to the development of a national policy for Regional settlement across Australia.
9/11/17	Attended the opening of the Dingee Library in the refurbished railway station building which is a wonderful asset for Dingee and surrounding communities. I also spent time that day with a crew from the Riverine Herald, who were working on a feature story on Pyramid Hill's multiculturalism. This went to press last week, and the first 4 pages of the paper featured "Pyramid Hill's Migrant Miracle" story, which is all good news.
10/11/17	Statutory Meeting held at the Pyramid Hill Bowling Club where I was elected Mayor, and I look forward to carrying out my Mayoral duties, with support from my fellow councillors and staff.
11/11/17	Attended the Remembrance Day Service at St Patricks School in Pyramid Hill.
14/11/17	Council Forum was held at Wedderburn
15/11/17	Attended the Pyramid Hill Progress Association meeting.
16/11/17	Attended CVGA AGM and presentation in Bendigo, followed by GLC finance committee meeting.
17/11/17	I travelled to Melbourne Botanical Gardens to receive Loddon Shire's Separation Tree sapling, commemorating the separation of Victoria from NSW in 1850.
21/11/17	Nature Tourism Advisory Team and Spring Festival Committee meetings were held up at Melvilles Caves, which is a beautiful setting in which to discuss Nature Tourism. The next meeting will be held in Terrick Terrick National Park.
28/11/17	Council Meeting today, and this evening I will be attending the East Loddon Lions Youth of the Year at East Loddon.

**RESOLUTION 2017/84**

Moved: Cr Geoff Curnow

Seconded: Cr Neil Beattie

That Council receive and note the Mayoral Report

**CARRIED**

**7 COUNCILLORS' REPORT****7.1 COUNCILLORS' REPORTS**

File Number: 02/01/001

Author: Lynne Habner, 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 Beattie**

<b>Murray Darling Association</b>	
<b>Rail Freight Alliance</b>	
<b>GMW Connections Project</b>	
<b>Section 86 Committees:</b> Boort Aerodrome Committee of Management, Boort Development Committee Inc., Boort Memorial Hall Committee of Management, Boort Park Committee of Management, Korong Vale Mechanics Hall Committee of Management, Korong Vale Sports Centre Committee of Management, Little Lake Boort Management Committee Inc., Yando Public Hall Committee of Management	
<b>Other Council activities</b>	
<b>DATE</b>	<b>Activity</b>
9/11/17	Attended opening of Dingee Railway Station and new library facilities
10/11/17	Attended Statutory Meeting at Pyramid Hill
13/11/17	Attended Boort Development AGM
14/11/17	Attended Council Forum at Wedderburn

14/11/17	Attended Bendigo health Foundation Board meeting
21/11/17	Attended Connections Project Consultative Committee at Echuca
22/11/17	Attended opening new hospital at Boort District Health
22/11/17	Attended BDH Board Meeting at AGM
25/11/17	Chaired Little Lake Boort Management Committee AGM

**Cr Condliffe**

<b>Calder Highway Improvement Committee</b>	
<b>Section 86 Committees:</b> Bridgewater on Loddon Development Committee of Management, Campbells Forest Hall Committee of Management, Inglewood Community Sports Centre Committee of Management, Inglewood Lions Community Elderly Persons Units Committee of Management, Inglewood Town Hall Hub Committee of Management, Jones Eucalyptus Distillery Site Committee of Management	
26/10/17: Eucy Museum Meeting 15/11/17: Meeting Bridgewater Community Planning meeting	
<b>Australia Day Committee</b>	
<b>Central Victorian Greenhouse Alliance</b>	
16/11/17: AGM Bendigo	
<b>Central Victoria Rural Women's Network</b>	
23/11/17: meeting at Bendigo	
<b>Healthy Minds Network</b>	
<b>Loddon Youth Committee</b>	
<b>Other Council activities</b>	
<b>DATE</b>	<b>Activity</b>
24/10/17	Inglewood and Districts Community Bendigo Bank Meeting



25/10/17	Bridgewater Foreshore Meeting
25/10/17	CWA Dingee AGM
26/10/17	Bridgewater Recreation Reserve AGM
31/10/17	ACRE meeting Inglewood Social Enterprise
1/11/17	ACRE meeting Inglewood Social Enterprise
2/11/17	Kooyoora Womens Network meeting Inglewood
2/11/17	Loddon Plains Landcare Meeting Serpentine
3/11/17	Official opening Golden Palms Gallery Inglewood
5/11/17	Inglewood Alive Festival "excellent"
9/11/17	Official Opening Dingee Railway Station. CWA run the library service at the railway station.
9/11/17	Official Launch Loddon Photographic and Scenic Photography in Bendigo
10/11/17	Meeting with year 11 Wedderburn P12 College regarding their involvement in community and local government issues.
10/11/17	Mayoral election Pyramid Hill Bowling Club
11/11/17	Bridgewater Market and Remembrance Day at Memorial Hall Bridgewater. Service was held, school children, public attended.
13/11/17	Inglewood Neighbourhood Watch Meeting
13/11/17	Australia Day Meeting Serpentine Bowling Club
14/11/17	Inglewood Bowling Club AGM
14/11/17	Council Forum Wedderburn
16/11/17	Womens Health meeting Bendigo AGM
17/11/17	Loddon Murray Community Leadership Program graduation at Epsom
20/11/17	Dingee Bush Nursing Centre AGM
21/11/17	AGM Inglewood and District Community Bank
21/11/17	Meeting Powlett Swamp regarding water connection from the pipeline community attended.
20/11/17	Meeting Inglewood Bowling Club

22/11/17	CWA meeting Dingee
28/11/17	Council meeting Serpentine
3/10/17	Loddon Campaspe Transport meeting, Bendigo Town Hall

**Cr Curnow****Loddon Mallee Waste Resource Recovery Group****Section 86 Committees:** Kingower Development and Tourism Committee**Municipal Emergency Management Plan Committee and Municipal Fire Management Plan Committee****Other Council activities**

<b>DATE</b>	<b>Activity</b>
24/10/17	Meeting at Tarnagulla to gauge interest in solar energy.
25/10/17	Southern Loddon Tourism Annual Meeting at Tarnagulla
26/11/17	Attended Beersheba Remembrance Display at Eddington
28/11/17	Attended the Beersheba Remembrance Concert at Eddington
29/11/17	Attended the planting of Beersheba Remembrance Tree at Eddington
31/10/17	Attended day 1 of the Understanding Social Enterprise Workshop at Inglewood, hosted by Loddon Shire and conducted by the Australian Centre for Rural Entrepreneurship
1/11/17	Attended day 2 of the above event
1/11/17	Chaired Triennial Meeting of Woodstock on Loddon Hall
2/11/17	Attended the Integrated Municipal Emergency Management meeting in Bendigo
3/11/17	Attended LMWRRG Board Meeting at Melbourne
2/11/17	Laanecoore Loddon River Reserve Committee meeting
10/11/17	Shire Statutory Meeting at Pyramid Hill

13/11/17	Local CFA Meeting
14/11/17	Loddon Shire Council Forum at Wedderburn
20/11/17	Newbridge Recreation Reserve Triennial Meeting
22/11/17	Attended the opening of the Biomix Waste Processing Plant at Stanhope
27/11/17	LMWRRG Forum held at Ouyen
28/11/17	November Loddon Shire Council Meeting 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 Committee of Management	
<b>Audit Committee</b>	
<b>Other Council activities</b>	
<b>DATE</b>	<b>Activity</b>
8/11/17	Chaired meeting of Donaldson Park Development Project Steering Committee
	Chaired meeting of shareholders of the Wedderburn Museum Co Pty Ltd where it was formally resolved to transfer ownership of the Wedderburn Museum and Coach House Gallery to the Wedderburn Lions Club.
10/11/17	Attended Rural Councils Victoria Executive Committee meeting in Melbourne
	Attended Loddon Shire Statutory Meeting in Pyramid Hill
14/11/17	Attended Council Forum
	Chaired public meeting at Wedderburn Community Centre to gauge public support for the Wedderburn Open Air Gallery project
14/11/17	Attended a collaborative meeting of various community groups to discuss each of their thoughts and plans for the Skinners Flat area once the South

	West Loddon pipeline project is completed.
20/11/17	Chaired meeting of the Donaldson Park Committee of Management. At the meeting commitments were made by the various user groups to contribute \$300,000 towards the cost of the Donaldson Park development.

**RESOLUTION 2017/85**

Moved: Cr Neil Beattie

Seconded: Cr Colleen Condliffe

That Council receive and note the Councillors' reports

**CARRIED**

**8 DECISION REPORTS****8.1 PLANNING COMPLIANCE AND ENFORCEMENT ACTIVITY REPORT****File Number:** 13/01/002**Author:** Alexandra Jefferies, Planning Officer**Authoriser:** Glenn Harvey, Manager Development and Compliance**Attachments:** Nil**RECOMMENDATION**

That Council receive and note the planning compliance and enforcement activity report.

**CONFLICT OF INTEREST**

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

**PREVIOUS COUNCIL DISCUSSION**

This is the first report for the 2017 – 2018 financial year, summarising planning compliance and enforcement activities undertaken within the Development and Compliance Department in the area of planning. It provides Council with a high level summary for the purpose of monitoring performance within this area.

**BACKGROUND**

Loddon Shire Council provides a range of planning advisory, compliance and enforcement services to the community. The role of the Local Laws/Planning Compliance Officer includes enforcing existing planning permit conditions and following up possible breaches of the scheme that are reported to Council.

**ISSUES/DISCUSSION**

Table 1 provides a summary of compliance and enforcement activities undertaken by the planning unit.

*Table 1: Compliance and enforcement activities*

Quarter 1 (1 July 2017 – 30 September 2017)						
Type	No. identified from previous report period	New action commenced	No. currently pursuing resolution	Notice to comply issued	PIN's issued	No. resolved during this quarter
Land use in contravention of planning scheme without a permit		2	1			1

Native vegetation removal without a permit	1	3	2		1	1
Breach of planning permit		1				1
Dog breeding and animal keeping facility	1	2	3			
Land used as a store without planning permit		5	4			1
Occupation of a shed without a planning permit		1	1			
<b>Total</b>	<b>2</b>	<b>14</b>	<b>11</b>	<b>0</b>	<b>1</b>	<b>4</b>

The Development and Compliance Department aims to work with property owners to achieve a positive outcome within the legislative framework set by the State Government.

### **COST/BENEFITS**

The cost to Council can be significant in terms of officer(s) time; particularly undertaking inspections at various locations around the Shire. Direct monetary costs can be significant should a matter progress to VCAT or the Magistrates Court. Therefore it is of benefit to Council and the community that the Development and Compliance Department work through these matters in a timely and respectful manner to reach an appropriate outcome.

### **RISK ANALYSIS**

Failure of Council to adequately address breaches of the Loddon Shire Planning Scheme could result in the following risks:

- inappropriate development
- development that endangers life and property
- negative perceptions of Council's reputation as a responsible Authority
- breaches of the Planning & Environment Act 1987

### **CONSULTATION AND ENGAGEMENT**

The consultation/engagement that has occurred in individual situations is briefly listed against each matter shown in the attachment.

#### **RESOLUTION 2017/86**

Moved: Cr Gavan Holt  
Seconded: Cr Colleen Condliffe

That Council receive and note the planning compliance and enforcement activity report.

**CARRIED**

**8.2 LODDON SHIRE COUNCIL TOURISM MARKETING PLAN**

**File Number:** 16/07/003

**Author:** Robyn Vella, Marketing and Tourism Officer

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

**Attachments:** 1. Tourism Marketing Plan  
2. Public comments Loddon Shire Council Tourism Marketing Plan

**RECOMMENDATION**

That Council

1. Note the additional changes to the Tourism Marketing Plan
2. Adopt the Tourism Marketing Plan 2017 – 2020
3. Approve an additional \$3000 to the 2017 - 2018 tourism allocated budget, to be sourced from surplus.

**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**

Approval was granted at the September 2017 Council meeting to place the draft Loddon Shire Council Tourism Marketing Plan on display seeking public feedback.

**BACKGROUND**

In Council's Tourism Strategy 2016 – 2019, an action under the focus area of Marketing and Branding is to develop a marketing plan for each of the main towns in the Shire: Bridgewater, Inglewood, Boort, Pyramid Hill, Tarnagulla and Wedderburn, aligning the smaller towns with the larger towns. The objective is to promote towns in the region and their distinct personalities and offerings to potential visitors.

Council commissioned Sharon Wells of Pan and Bacchanalia to develop a Tourism Marketing Plan for Loddon Valley, drilling down into the distinct personalities of the main towns aligning the relevant small towns.

As part of developing the plan, community workshops were held in Bridgewater, Boort, Inglewood, Tarnagulla, Pyramid Hill and Wedderburn.

In these workshops the key products, assets and experiences in the region and the towns were identified, as well as the strengths, weaknesses opportunities and threats.

One of the first steps and critical tasks during the workshop and plan was to identify and gain agreement on the unique qualities and points of difference for the Loddon Valley and the towns.

After the workshops, participants were sent a draft copy of the information collated for their town and surrounds to submit further content or feedback.

The draft Tourism Marketing Plan has been created defining the points of difference for Loddon Valley breaking them down for the specific towns.

This plan identifies actions to move forward in promotions and communicating the points of difference over the next 3 years.

At the September 2017 Council meeting, approval was granted to place the draft Tourism Marketing Plan 2017-2020 on display seeking public feedback.

The Tourism Marketing Plan 2017-2020 was placed on display from 30 September to 16 October 2017.

### **ISSUES/DISCUSSION**

Feedback was received from Ms Helenita Garchitorena, Pyramid Hill, Ms Jill Ramskill, Mitiamo General Store, Mrs Dot Silke, Rostrata Country House, and on behalf of the Loddon Southern Development and Tourism Committee.

The Tourism and Marketing Officer has provided recommendations or outcomes with the individual feedback obtained.

The feedback obtained from Helenita Garchitorena for the Loddon Shire Council Tourism Marketing Plan needs to be directed to the Pyramid Hill Progress Association for consideration and further direction to Council. The outcomes for the Pyramid Hill, Mitiamo, Dingee and Calivil section has been developed from community consultation.

The feedback obtained from Dot Silke is listed in the Tarnagulla, Newbridge, Laanecoorie, Eddington and Logan section 10 under activities and opportunities.

The feedback obtained from Jill Ramskill, in numbers 1 to 5 in the attached comments, has been inserted into the Loddon Shire Council Tourism and Marketing Plan under section 6.2 strengths.

Feedback in number 4 referring to item 6 of the document states that Mitiamo, Dingee and Calivil are different geology and farming, and therefore shouldn't be under the title of Pyramid Hill.

The grouping of towns for the establishment of this plan was based around infrastructure, directional routes from major towns and points of difference.

Pyramid Hill, Mitiamo, Dingee and Calivil were grouped together due to tourism linkages in place such as, the daily V/Line passenger train, the Bendigo Pyramid Road that connects Dingee, Mitiamo, Calivil and Pyramid Hill from Bendigo, the camping that Pyramid Hill, Mitiamo and Calivil provides, and the three granite outcrops with flora and fauna.

### **COST/BENEFITS**

This plan will benefit Council, local businesses and organisations, providing direction for future marketing campaigns for the region and towns.

The Council, local businesses and organisations can view the SWOT analysis for the region and towns, seeking ways to improve on our weaknesses and turning some of the opportunities into strengths.

Towns have ownership of their section of the plan which can be incorporated into marketing and promotions for their area.

To successfully deliver the new Loddon Shire Tourism Marketing Plan an additional \$9,000 is required over three years. \$3000 is sought in the 2017-2018 tourism allocated budget and a further \$6,000 will be bid for the budgets for the following two financial years.

### **RISK ANALYSIS**

No major risks have been identified in relation to implementing the Plan.



Actions identified within the plan will assist immensely to bring operators/organisations together to collaboratively market the points of difference for Loddon Valley that will help to grow visitor yield and increase extended stays.

One risk is in respect to the potential lack of enthusiasm and participation by operators/organisations to collaboratively deliver the actions in the plan for the betterment of the region.

To minimise this risk local businesses and organisations will be:

- Invited to attend further workshops for the marketing plan
- Encouraged to attend the Loddon Valley Tourism Business Network Dinner
- Involved in the development of marketing campaigns for the region and towns.

## CONSULTATION AND ENGAGEMENT

The Tourism Marketing Plan has been developed based on business, community and Council staff feedback and the review of internal and external tourism related strategies.

The Plan was placed on display from 30 September to 16 October 2017.

Consultation and engagement was sought by advertising in the Loddon Times and the Bendigo Advertiser, Tourism Newsletter, Council website and Facebook.

The Tourism and Marketing Officer circulated a link via email to participants who attended the workshops.

The Tourism and Marketing Officer has personally responded to each recipient verbally and via email, to discuss their feedback. In relation to the feedback obtained from Helenita Garchitorena, the Tourism and Marketing Officer has made contact with the Pyramid Hill Progress Association suggesting a presentation of the "Zip Line" Pyramid Hill proposal.

### RESOLUTION 2017/87

Moved: Cr Neil Beattie

Seconded: Cr Gavan Holt

That Council

1. Note the additional changes to the Tourism Marketing Plan
2. Adopt the Tourism Marketing Plan 2017 – 2020
3. Approve an additional \$3000 to the 2017 - 2018 tourism allocated budget, to be sourced from surplus.

**CARRIED**

**8.3 PLANNING APPLICATION 5308 - NBN TOWER (WEDDERBURN)****File Number:** 5308**Author:** Alexandra Jefferies, Planning Officer**Authoriser:** Glenn Harvey, Manager Development and Compliance

- Attachments:**
1. Site plan & elevations
  2. P & L Carey objection
  3. TA & LL Crisp objection
  4. M Sebire objection
  5. J White objection
  6. M & D Solc objection
  7. Electromagnetic energy report (in full)
  8. Applicant response to objector concerns

**RECOMMENDATION**

That Council approve application 5308 for the use and development of the land as a telecommunications facility (NBN co tower) subject to conditions.

**CONFLICT OF INTEREST**

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

**PREVIOUS COUNCIL DISCUSSION**

There has been no previous Council discussion on this matter.

**BACKGROUND**

Planning application 5308 was lodged on 7 September 2017 for the use and development of the land at 2-20 Godfrey Street, Wedderburn as a telecommunications facility (NBN co tower)

**Subject site and locality**

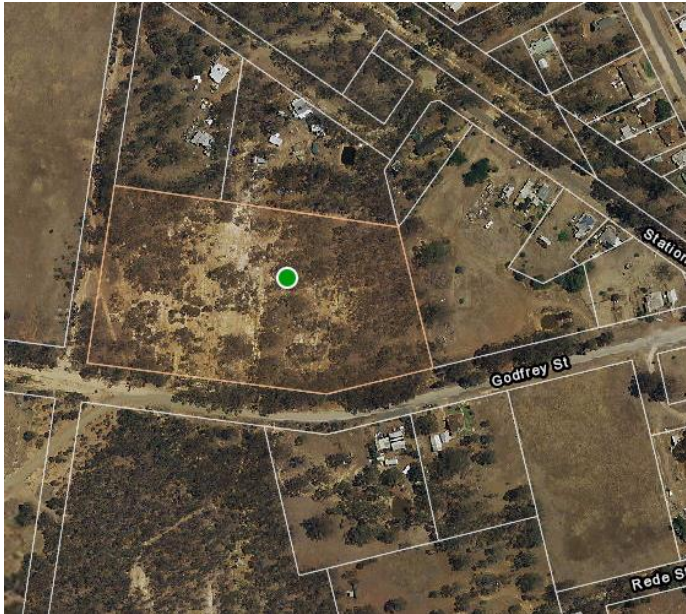
The subject site is approximately 3.3 ha with 275 metres of frontage to Godfrey Street. The site is located within the Township Zone and is covered by a Bushfire Management Overlay.

The site features a gentle rise to the north and contains a substantial amount of vegetation, mainly native and non-native trees.

The subject site adjoins with residential uses to the north and east. Land south of Godfrey Street contains dwellings within the Rural Living Zone and a portion of the Wedderburn State Forest (Public Conservation and Resource Zone), which include the Wedderburn transfer station. To the west is a large currently vacant Township block.

Figure 1 is an aerial photo of the proposed site taken from Council's GIS system.

*Figure 1: Aerial photo of proposed site*



### **Proposal**

The application proposes the development of a 40 metre tall lattice style tower within the western portion of the subject site. Specifically the tower will be located 64 metres from the southern boundary (front) and 12 metres from the western boundary (side). The development includes the construction of a 2.4 metre compound security fence which will surround the base of the tower and other associated infrastructure (see attachment: Plans).

### **Loddon Shire Planning Scheme**

#### 32.05 Township Zone

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

- implement the State Planning Policy Framework and the Local Planning Policy 1. Framework, including the Municipal Strategic Statement and local planning policies
- provide for residential development and a range of commercial, industrial and other uses in small towns
- encourage development that respects the neighbourhood character of the area.
- allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

A planning permit is required for the use and development of the land for a telecommunications facility (section 2 use).

#### 44.06 Bushfire Management Overlay

A planning permit is not required under the Bushfire Management Overlay as the proposed works are not associated with the uses listed in 44.06-2.

#### 52.19 Telecommunications facility

An application for telecommunications facilities are subject to particular provision 52.19 of which the purpose is to:

- ensure that telecommunications infrastructure and services are provided in an efficient and cost effective manner to meet community needs

- ensure the application of consistent provisions for telecommunications facilities
- encourage an effective state wide telecommunications network in a manner consistent with the economic, environmental and social objectives of planning in Victoria as set out in section 4 of the Planning and Environment Act 1987
- encourage the provision of telecommunications facilities with minimal impact on the amenity of the area.

An application for telecommunications facilities requires a permit under 52.19.

### **Relevant code of practise**

A code of practice for Telecommunications facilities in Victoria (the code) is an incorporated document within the Loddon Shire Planning Scheme and therefore the application is required to be assessed against the code. The code discussed four principals which must be applied to a telecommunication facility which are not exempt.

The principals listed in the code are as follows.

- 1) A telecommunications facility should be sited to minimise visual impact
- 2) Telecommunication facilities should be co-located wherever possible
- 3) Health standards for exposure to radio emissions will be met
- 4) Disturbance and risk relating to siting and construction activity and site location should comply with State environment protection policies and best practise environmental management guidelines

### **ISSUES/DISCUSSION**

#### **Notification and referral**

The application was advertised to adjoining property owners via mail, a sign was erected on site and an advert was placed in the Loddon Times. The application has attracted 5 objections (see attachments). The objections were based upon the following grounds:

- the negative impact on the view as a result of the tower
- the devaluation of surrounding properties
- possible asbestos believed to be present on the site
- the impact on physical health from the electromagnetic energy levels emitted from the tower.

#### **Electromagnetic energy emissions**

The concerns raised surrounding health impacts as a result of electromagnetic emissions are considered by VCAT as being outside of the planning scope. The Red Dot Decision *Mason & Ors v Greater Geelong City Council* provides a summary on the topic which guides this notation.

The Development and Compliance Department considers that the applicant has met the requirements of the code in regards to the accepted levels of emissions. Limits considered to be acceptable have been determined by the Australian Governments primary authority on radiation protection and nuclear safety (ARPANSA).

Figure 2 is an extract from the 'Environmental electromagnetic emissions report' (see attachment for full report) submitted for the purpose of the planning application. The report details the amount of electromagnetic exposure at specified distances from the tower and show the percentage of that exposure which makes up the minimum Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) exposure limits.

In figure 2 it is demonstrated that the proposal meets the requirements of the ARPANSA exposure limits with emissions within 0 to 500 metres all being less than 1% of the maximum exposure limit.

Confirming that the proposal meets these limits is the extent of the Development and Compliance Department's scope.

*Figure 2*

### Calculated EME Levels

This table provides calculations of RF EME at different distances from the base station for emissions from existing equipment alone and for emissions from existing equipment and proposed equipment combined.

Distance from the antennas at Wedderburn West, 20 Godfrey Street in 360° circular bands	Maximum Cumulative EME Level at 1.5m above ground – all carriers at this site					
	Existing Equipment			Proposed Equipment		
	Electric Field V/m	Power Density mW/m <sup>2</sup>	% ARPANSA exposure limits	Electric Field V/m	Power Density mW/m <sup>2</sup>	% ARPANSA exposure limits
0m to 50m				0.62	1.035	0.01%
50m to 100m				0.53	0.75	0.0075%
100m to 200m				2.17	12.46	0.12%
200m to 300m				2.19	12.76	0.13%
300m to 400m				1.71	7.73	0.077%
400m to 500m				1.12	3.34	0.033%
<i>Maximum EME level</i>				2.19	12.76	0.13
				215.97 m from the antennas at Wedderburn West, 20 Godfrey Street		

### Land devaluation and future development

Land devaluation is a topic which is outside of the planning scope. The Development and Compliance Department is not able to comment on current or future land values.

Proposed future developments are also outside of the scope which should be considered during the assessment of an application. This is due to the 'fluid' nature of any proposal.

### Visual amenity

It is considered that the 40 metre tall tower will have some impact on the visual amenity of the area.

The applicant has provided strategic justification for the site selection in the report submitted. In choosing the subject site the application notes the following matters have been considered:

- provision of optimal exposure to dwellings to be connected to NBN
- mature trees which are likely to partially screen approximately 22 metres of the proposed tower
- separation from neighbouring dwellings.

A number of site inspections have been undertaken to consider the impact on the visual amenity. Whilst it is recognised that there is likely to be an impact, this impact is not considered to outweigh the net community benefit of the development to the wider community. The Development and Compliance Department considers the proposed subject site to be appropriate for the following reasons.

- The site contains vegetation which is expected to screen approximately half of the tower's height.
- The site is somewhat isolated from the town centre which will minimise the visual impact on the centre of Wedderburn.
- The lattice design of the tower allows for the structure to blend into the landscape.
- A lattice tower is not considered to have a visually 'bulky' presence on the site.

### Asbestos concerns

Whilst Council is concerned with the correct handling and management of asbestos, this is not an issue which can be considered as part of the planning permit application process. The possibility of

asbestos being buried on the subject site has been relayed to the developer and its appropriate internal departments.

The applicant claims that geological tests have been undertaken at the subject site which did not reveal asbestos to be present on the site. However this has been flagged to be investigated further.

### **COST/BENEFITS**

Currently Wedderburn has one NBN tower located along Butterick Lane (continuation of Tanatella Street) which services approximately 80 dwellings in Wedderburn and provides service to the Korong Vale tower. The proposed tower at Godfrey Street will allow for approximately an additional 400 sites to be connected to the NBN service, this is considered to be of a benefit to businesses and homes within the area.

### **RISK ANALYSIS**

Delay of approving the proposed telecommunication facility could result in a longer roll out period for many homes and businesses within Wedderburn.

### **CONSULTATION AND ENGAGEMENT**

A consultation meeting was held on Monday 30 October 2017 at the Wedderburn Community House. All objectors to the proposal were invited to discuss concerns with the planning officer, the applicant (VisionStream) and Ericson (NBN provider). During the meeting a number of concerns were raised and discussed, with the following outcomes:

- An objector raised the possibility of a monopole tower rather than a lattice tower- Ericson representative stated this could be put forward to NBN co (see discussion below)
- Planning Officer would try to provide more information of historical use of asbestos on the site to VisionStream.
- The applicant provided a written document which aimed to address objector concerns (See attachments)

The applicant has responded to the possibility of a monopole tower by stating a monopole is a possibility. However they have provided further justification for the use of a lattice tower:

- The currently proposed lattice tower provides for network expansion and allows for any increases in service provision with the addition of antennas and satellite dishes without 'overloading' the structure; a monopole can be costly to strengthen with a 'pole swap out'
- 2.
- When compared to a monopole structure in the same location, a lattice tower will have less surface area, and will therefore appear less solid in the immediate and distant viewpoint.

Given that the assessment by the Development and Compliance Department has considered the visual amenity and other factors of a lattice style tower, it is suggested that the application be approved as originally submitted.

### **RESOLUTION 2017/88**

Moved: Cr Neil Beattie  
Seconded: Cr Geoff Curnow

That Council approve application 5308 for the use and development of the land as a telecommunications facility (NBN co tower) subject to conditions.

**CARRIED**

**8.4 REVIEW OF DELEGATIONS, APPOINTMENTS AND AUTHORISATIONS****File Number:** 18/01/003**Author:** Lynne Habner, Manager Executive and Commercial Services**Authoriser:** Phil Pinyon, Chief Executive Officer**Attachments:** 1. Instrument of Appointment and Authorisation (Planning and Environment Act 1987)**RECOMMENDATION**

That Council

1. In the exercise of the powers conferred by section 224 of the Local Government Act and the other legislation referred to in the attached instrument of appointment and authorisation, resolves that:
  - (a) The members of Council staff referred to in the instrument be appointed and authorised as set out in the instrument.
  - (b) The instrument comes into force immediately the common seal of Council is affixed to the instrument, and remains in force until Council determines to vary or revoke it.
  - (c) The instrument be sealed.
2. Revokes all existing Instruments of Appointment and Authorisation (Planning and Environment Act 1987), effective from the date that the CEO approves the new instrument as attached.

**CONFLICT OF INTEREST**

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

**PREVIOUS COUNCIL DISCUSSION**

The updates contained in this report have not been discussed by Council.

**BACKGROUND**

In order for Council officers to effectively and efficiently discharge their duties, specific delegations, authorisations and appointments are required under a variety of Acts.

**ISSUES/DISCUSSION**

The attached Instrument of Appointment and Authorisation under the Planning and Environment Act 1987 and associated request for revocation is submitted for approval due to changes of staff on this instrument, being the appointment of the Director Operations.

**COST/BENEFITS**

Adoption of the recommendation will not have any financial impacts.

**RISK ANALYSIS**

Adoption of the recommendation will ensure that council staff are able to act on behalf of Council under the various pieces of legislation. If current delegations and appointments and authorisations are not in place, actions of a Council officer exercising those powers could be legally challenged.

**CONSULTATION AND ENGAGEMENT**

The supervisors of the relevant staff were consulted about the changes to be made.

**RESOLUTION 2017/89**

Moved: Cr Geoff Curnow

Seconded: Cr Gavan Holt

That Council

1. In the exercise of the powers conferred by section 224 of the Local Government Act and the other legislation referred to in the attached instrument of appointment and authorisation, resolves that:
  - (a) The members of Council staff referred to in the instrument be appointed and authorised as set out in the instrument.
  - (b) The instrument comes into force immediately the common seal of Council is affixed to the instrument, and remains in force until Council determines to vary or revoke it.
  - (c) The instrument be sealed.
2. Revokes all existing Instruments of Appointment and Authorisation (Planning and Environment Act 1987), effective from the date that the CEO approves the new instrument as attached.

**CARRIED**



**8.5 FINANCE REPORT FOR THE PERIOD ENDING 31 OCTOBER 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 31 October 2017**RECOMMENDATION**

That Council:

1. receives and notes the 'Finance report for the period ending 31 October 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 31 October 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 increased from \$654K to \$655K.

**Income Statement (revenue)** - Council's year to date (YTD) operating revenue is at 100% of YTD budget. Revenue brought to account for October was \$1.54M.

**Income Statement (expenditure)** - Council's operating expenditure is at 97% of YTD budget. Payments for this month totalled just over \$2.45M, compared to \$2.7M last month. Labour is slightly ahead of budget at 107% due to quarterly reconciliations of entitlements but is expected to be below Council's 104% cap.

**Capital Works** - The revised budget for capital works is \$17.4M and is 13% complete in financial terms for the current financial year (10% at the end of September). Asset types with major variations (10% or \$10K) include furniture and equipment; land and buildings; roadworks; urban and road drainage; recreation, leisure and community facilities; and footpaths with many projects timed for quarter one yet to be commenced. Of particular note are urban and road drainage at 18% of the YTD budget and footpaths at 40% of the YTD budget. Further analysis is being undertaken by the Management Executive Group to identify projects where funds should be transferred to reserve for expenditure in future years.

**Balance Sheet** - Council has a \$18.1M cash total with \$2.0M in general accounts. Debtors are \$11.4M which is an increase of \$0.6M in the month. Sundry debtors total \$1.3M with invoices outstanding for 60 or more days relating to community wellbeing debtors and local community groups totalling approximately \$56K.

There were 16 supplementary valuations updated in October. The total rateable CIV at the end of October is \$1.82B.

## 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 2017/90**

Moved: Cr Geoff Curnow

Seconded: Cr Gavan Holt

That Council:

1. receives and notes the 'Finance report for the period ending 31 October 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**

## 8.6 COMPLAINT HANDLING FRAMEWORK AND COMPLAINTS AGAINST COUNCILLORS POLICY

**File Number:** 17/01/002

**Author:** Deanne Caserta, Manager Financial Services

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

**Attachments:**

1. Complaint Handling Framework v1
2. Complaints Against Councillors Policy v1

### RECOMMENDATION

That Council adopts the Complaint Handling Framework v1 and Complaints Against Councillors Policy v1.

### 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

These documents are a first version, and a discussion around the contents was held at the Council Forum on 14 November 2017.

### BACKGROUND

The requirement for this framework, associated policies and procedures arose from an internal audit on relevant privacy responsibilities conducted during the 2016/17 financial year.

Some of the actions required from this report are to:

- develop a Complaint Handling Framework in respect of the Privacy and Data Protection Act 2014 and to include a policy and procedure
- communicate the Complaint Handling Framework to staff
- develop a complaints process that is accessible for children and families.

Three documents have been developed which include:

- Complaint Handling Framework; which focuses on general complaints made to Council
- Complaints Against Councillors Policy; which focuses on where a Councillor is the subject of a complaint; and a
- Complaint Handling Procedure; an internal document to provide staff with more information on how to action complaints.

### ISSUES/DISCUSSION

Council is committed to service excellence and recognises a customer's right to make a complaint. Complaints give Council vital information about its services and a valuable opportunity to address any issues and identify any areas of service that need improvement.

The Complaint Handling Framework outlines Council's commitment to providing a fair and consistent process for customers making a complaint.

The framework:

- defines what is considered a complaint
- clarifies roles and responsibilities of Council officers
- ensures Council officers manage complaints fairly and objectively
- establishes timeframes for resolving complaints
- identifies key performance indicators for Council officers to report on
- outlines how complaints will be captured and reported
- provides an open and transparent complaint handling process
- ensures complaint outcomes inform continuous improvement activities
- improves the customer experience in relation to complaint handling
- provides for the analysis of complaint data for improved learning outcomes and continuous improvement.

The Complaints Against Councillors Policy guides how a complaint from a member of the community against a Councillor, or about a Councillor, is to be managed.

The policy:

- outlines in what circumstances this policy is to be used
- outlines when the complaint should be dealt with in another manner e.g. via Protected Disclosure or Councillor Code of Conduct provisions
- identifies when to use an external investigator
- provides guidance around seeking legal advice
- provides direction as to how to consider the independent external investigator's report.

### **COST/BENEFITS**

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

### **RISK ANALYSIS**

As this is a new framework and policy good practice guides that are provided by the Victorian Ombudsman were used to form the documents. Advice was also sought from other Councils who have developed similar documents. By responding to issues identified by a recent audit, Council is reducing the risks associated with the issue.

### **CONSULTATION AND ENGAGEMENT**

Various consultation sessions have been held with customer service staff, Loddon Leaders and the Management Executive Group to assist in the formation of these documents.

Council were asked for feedback on the Complaint Handling Framework and the Complaints Against Councillors Policy at the Council Forum on 14 November.

The framework and policy have a review timeline of two years.

Once adopted, staff will be trained in the requirements of the framework, policy and procedure.

**RESOLUTION 2017/91**

Moved: Cr Gavan Holt

Seconded: Cr Neil Beattie

That Council adopts the Complaint Handling Framework v1 and Complaints Against Councillors Policy v1.

**CARRIED**

## 8.7 RELATED PARTY DISCLOSURES POLICY

**File Number:** 02/04/001

**Author:** Deanne Caserta, Manager Financial Services

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

**Attachments:** 1. Related Party Disclosures Policy v1

### RECOMMENDATION

That Council adopts the Related Party Disclosures Policy v1.

### 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 document is a first version, and a discussion around the contents was held at the Council Forum on 14 November 2017.

### BACKGROUND

The purpose of this policy is to provide guidance in the application of and compliance with the Australian Accounting Standard AASB 124 Related Party Disclosures and the Australian Implementation Guidance for Not-for-profit Public Sector Entities.

It applies to staff and Councillors who have related party transactions which occur between Council, Key Management Personnel (KMP) and related parties.

### ISSUES/DISCUSSION

Council will prepare and report related party disclosures in accordance with the Australian Accounting Standard requirements. To do this, Council has implemented a process to identify and capture related party transactions with related parties.

The process includes:

- identifying related party relationships
- recording of related party transactions
- ensuring privacy is maintained
- providing definitions of commonly used terms for clarification purposes.

This policy provides guidance around these duties and processes.

### COST/BENEFITS

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

### RISK ANALYSIS

Victorian Auditor General Office (VAGO) and Council's external auditors Crowe Horwath have advised that Council require a Related Party Disclosure Policy in light of recent changes to AASB 124 Related Party Disclosures.

**CONSULTATION AND ENGAGEMENT**

This policy has been reviewed by the Policy Review Group and the Management Executive Group. Council were asked for feedback on the Related Party Disclosures Policy at the Council Forum on 14 November.

The policy will have a review timeline of two years.

**RESOLUTION 2017/92**

Moved: Cr Geoff Curnow

Seconded: Cr Colleen Condliffe

That Council adopts the Related Party Disclosures Policy v1.

**CARRIED**



**8.8 CONTRACT 402 - PANEL OF CONTRACTORS FOR FLOOD RESTORATION PROJECTS**

**File Number:** 10/01/005

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

**Authoriser:** Steven Phillips, Director Operations

**Attachments:** 1. Recommended panel of contractors

**RECOMMENDATION**

That Council:

1. approve the recommended panel of contractors (Attachment 1) for the purpose of flood restoration projects
2. authorise the Chief Executive Officer to sign and affix the common seal of Loddon Shire Council on individual contract documents.

**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 has been updated on the progress of flood restoration works at a number of Council forums.

**BACKGROUND**

After the floods of September and October 2016, Natural Disaster Relief and Recovery Arrangement (NDRRA) announced funding assistance for the restoration of public infrastructure. Council undertook some emergency restoration, protection and restoration works. In addition, consultants were engaged to identify the extent of damage on the entire local road network.

The estimated damage value of \$10 million has been identified and submitted to NDRRA. The State Government of Victoria's Department of Treasury and Finance has engaged VicRoads as the responsible authority to assess the damage claims made by Councils.

One of the key requirements of VicRoads is the segregation of Council's annual capital works and maintenance program from the flood restoration program, and as such, VicRoads indicated that all restoration work shall be undertaken using external contractors.

**ISSUES/DISCUSSION**

Due to the number of individual damages, it is deemed suitable to engage a panel of contractors to undertake the work for smooth, efficient and timely delivery of the restoration works. Community members and staff have raised concerns regarding the delay in the restoration works.

The tender for contract 402 was advertised in Bendigo Advertiser, Loddon Times, Gannawarra Times, Wimmera Mail Times, Midland Express and The Aararat Advertiser. It was also made available on Council's website. Tenders closed on 4 PM, 30 October 2017 and Council received 13 submissions.

The evaluation panel consisted of Manager Technical Services, Project Manager – Flood Restoration and Contracts and Surveillance Officer – Flood Restoration.

Council received 1 non-conforming tender and 12 conforming tenders. The panel recommended that all conforming tenderers shall be included in the panel because of the diverse nature of individual projects and their locations.

The submissions were made on a unit rate for individual construction activities. Tenderers were also required to provide resource, finance and OH&S details. The contractors have different areas of expertise and as such the evaluation was based on the submission being conforming tenderers, financial capacity, resource capacity and OH&S documents. Works will be awarded to panel members based on requests for quotation for specific projects based on their individual field of expertise.

### **COST/BENEFITS**

There is no additional cost associated with the recommendation in addition to the individual project costs. The large number of individual projects and varying location of projects can be dealt efficiently with a panel of suppliers.

### **RISK ANALYSIS**

The major risk identified is the cost of the individual project. However, with 12 contractors on the panel, Council will have an opportunity to seek competitive quotes from the panel thus complying with the best value principles.

In addition, resourcing of each contractor could be another risk that may delay the progress of the work. However, with 12 suppliers on the panel, officers will be able to identify contractors' resourcing and spread the volume of work on different contractors for different projects.

### **CONSULTATION AND ENGAGEMENT**

No internal or external consultation is required in the formation of this report.

The flood restoration team has been consulting with VicRoads regularly to ensure compliance with all the requirements for placing a claim for NDRRA funding through the State Government of Victoria's Department of Treasury and Finance.

### **RESOLUTION 2017/93**

Moved: Cr Geoff Curnow

Seconded: Cr Neil Beattie

That Council:

1. approve the recommended panel of contractors (Attachment 1) for the purpose of flood restoration projects
2. authorise the Chief Executive Officer to sign and affix the common seal of Loddon Shire Council on individual contract documents.

**CARRIED**

## 8.9 PRESENTATION OF WELCOME TO AND ACKNOWLEDGEMENT OF COUNTRY POLICY FOR ADOPTION

**File Number:** 16/05/001

**Author:** Wendy Gladman, Director Community Wellbeing

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

**Attachments:** 1. POL Acknowledgement of Country Policy 20171102

### RECOMMENDATION

That council adopt the Welcome to and Acknowledgement of Country Policy.

### 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 draft Welcome to and Acknowledgement of Country Policy was presented to Council for consideration at the Council Forum of 14 November, 2017.

### BACKGROUND

An action in the Council Plan 2017-2021 provides for the development of a Reconciliation Action Plan (RAP) at 'Reflect' level. Whilst the development of a Welcome to and Acknowledgement of Country policy would normally form part of a Reflect RAP, acknowledging that the finalisation of the RAP may take an extended time, Council has requested the development of a Policy to guide recognition of Country activities in advance.

A fact sheet from Reconciliation Australia provides background information on what a Welcome to Country and an Acknowledgement of Country are and why they are important:

- A Welcome to Country is a ceremony performed by Aboriginal or Torres Strait Islander people to welcome visitors to their traditional land and an Acknowledgement of Country demonstrates awareness of and respect for the traditional Aboriginal or Torres Strait Islander owners of the land on which a meeting or event is being held.
- Incorporating welcoming and acknowledgement protocols into official meetings and events recognises Aboriginal and Torres Strait Islander peoples as the first Australians and custodians of their land. It promotes awareness of the past and ongoing connection to place for Aboriginal and Torres Strait Islander Australians.
- Unlike New Zealand, Canada and the United States, Australia has no treaty with its Indigenous people. While land rights laws and Native Title determinations in recent years have meant that Aboriginal and Torres Strait Islander Australians have been officially recognised as having some ownership rights to some areas, for many groups there remains no official recognition of their connection to the land of their ancestors. A Welcome to or Acknowledgement of Country doesn't replace a treaty, Native Title or land rights, but are a small gesture of recognition of the association with land and connection to place.

### ISSUES/DISCUSSION

The attached policy sets out the guiding principles supporting the recognition of the Traditional Custodians of the land at Council civic functions and business activities and in Council publications.

The Policy provides guidance on the appropriate protocols for:

- the conducting of a Welcome to Country at major events and functions
- the recitation of an Acknowledgement of Country statement at meetings and events open to, or where members of the public are present
- the inclusion of an Acknowledgement of Country in strategic publications available to, or distributed to the public.

### **COST/BENEFITS**

A Welcome to Country is a service provided by local Aboriginal and Torres Strait Islander representatives who are remunerated for their time and commitment.

There are no costs associated with the recitation or publication of an Acknowledgement of Country.

Incorporating welcoming and acknowledgement protocols into official meetings and events promotes awareness of and respect for the history and culture of Indigenous people within Council and the wider community. These forms of recognition are also acknowledged, in part, as contributing to ending the history of silence and exclusion that has resulted in indigenous disadvantage.

### **RISK ANALYSIS**

The practice of acknowledging Country or being welcomed to Country at official events can engender polarising opinions within the community. This may be balanced through the provision of supporting background information to the community and cultural awareness training for Council staff complementing the adoption of this policy.

### **CONSULTATION AND ENGAGEMENT**

Internal consultation with Council staff has supported the development of this Policy.

<https://www.unisa.edu.au/Documents/QA-welcome-to-country.pdf>

<http://www.australianstogether.org.au/stories/detail/welcome-to-country>

### **SUSPENSION OF STANDING ORDERS**

#### **RESOLUTION 2017/94**

Moved: Cr Gavan Holt

Seconded: Cr Geoff Curnow

A motion was moved that Council suspend standing orders.

**CARRIED**

### **RESUMPTION OF STANDING ORDERS**

#### **RESOLUTION 2017/95**

Moved: Cr Gavan Holt

Seconded: Cr Neil Beattie

A motion was moved that Council resume standing orders.

**CARRIED**

**MOTION**

Moved: Cr Colleen Condliffe  
Seconded: Nil

That Council adopt the Welcome to and Acknowledgement of Country Policy.

**MOTION LAPSED**

**MOTION**

**RESOLUTION 2017/96**

Moved: Cr Gavan Holt  
Seconded: Cr Geoff Curnow

That Council adopt the Welcome to and Acknowledgement of Country Policy subject to section 3.1.1. being amended to read that:

“A Welcome to Country will be conducted if a function has a broad impact on or significance for Aboriginal people”.

Where it is not possible to have a "Welcome to Country" at these events, an "Acknowledgement of Country" will be delivered.

**CARRIED**

**8.10 CHILD SAFE STANDARDS STATEMENT OF COMMITMENT**

**File Number:** 03/01/001

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

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

**Attachments:** 1. Child Safe Standards Statement of Commitment

**RECOMMENDATION**

That Council adopt the Loddon Shire Council Child Safe Standards Statement of Commitment.

**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 document is a first version, and a discussion around the contents was held at the Council Forum on 14 November 2017.

**BACKGROUND**

On 13 November 2013, the Victorian Parliament tabled the report of its Inquiry into the Handling of Child Abuse by Religious and Other Non-Government Organisations (the Betrayal of Trust Inquiry).

The report provided 15 recommendations, including the introduction of minimum standards for ensuring child-safe organisations. On 15 November 2016, legislation was passed to amend the Child Wellbeing and Safety Act 2005 in Victoria. This legislation gives the Commission for Children and Young People powers to oversee and enforce organisations' compliance with the standards. From 1 January 2017, Council was required to comply with the Child Safe Standards (the Standards).

**ISSUES/DISCUSSION**

The Standards have been introduced to keep children safe from harm and abuse. Child Safe Standard 1 requires strategies to embed an organisational culture of child safety, including through effective leadership arrangements. Adopting a Child Safe Standard Statement of Commitment demonstrates that Council is leading from the top and embedding a culture of child safety. The document sets out Council's overall response to the Standards and lays the foundation for the review and development of other policies, procedures and forms.

**COST/BENEFITS**

Some additional costs are involved in responding to the requirements of the Standards. These costs include training, additional Working with Children Checks, and staff time to develop and review documentation to ensure compliance with the Standards. These costs have been included in the 2017/18 operating budget.

The benefits of adopting the Child Safe Standards Statement of Commitment include demonstrating leadership in keeping children safe from harm and abuse.

**RISK ANALYSIS**

Penalties for failure to disclose abuse to police carry a maximum penalty of 3 years imprisonment. Penalties for failure to protect a child carry a maximum penalty of 5 years imprisonment. By adopting the Child Safe Standards Statement of Commitment, Council is increasing awareness of the Standards and reducing the risk of non-compliance with the Child Wellbeing and Safety Act.

**CONSULTATION AND ENGAGEMENT**

The Statement of Commitment has been benchmarked against other Councils and developed with input from staff and councillors.

**RESOLUTION 2017/97**

Moved: Cr Neil Beattie

Seconded: Cr Geoff Curnow

That Council adopt the Loddon Shire Council Child Safe Standards Statement of Commitment.

**CARRIED**

**8.11 2017/18 COMMUNITY PLANNING STRATEGIC FUND ALLOCATION**

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

**RECOMMENDATION**

That Council allocates \$500,000 from the 2017/18 Community Plan Strategic Fund to the Donaldson Park Redevelopment project.

**CONFLICT OF INTEREST**

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

**PREVIOUS COUNCIL DISCUSSION**

Council discussed funding options for the Donaldson Park Redevelopment project at the November Council Forum.

**BACKGROUND**

Donaldson Park is the community recreation hub in Wedderburn hosting the majority of its sporting clubs, events and social functions and includes the following regular user groups:

- Wedderburn Football/Netball and Hockey Clubs participating in North Central League competitions
- Wedderburn P-12 College is a significant user group of the reserve and regularly uses the facilities for its sporting and physical activity programs
- the Wedderburn Harness racing Club utilises the reserve for training and race meetings

The need to provide quality facilities that are accessible and safe, and encourage participation by all, is a priority for the Donaldson Park Committee of Management. The current facilities at Donaldson Park are over 50 years old, have reached the end of their useful life and struggle to meet legislative and regulatory requirements. The option to upgrade or extend the existing facility was investigated but due to previous extensions and the condition of the current buildings it was not considered a feasible option.

An upgrade to the Donaldson Park facility is considered to be of regional importance in the AFL Central Victoria Regional Strategy released in September 2017 (Priority 2, page 33).

The implementation of the Donaldson Park masterplan was submitted to the OurSay Forum consultation during the preparation of the Council Plan and voted as the top idea by the community, and consequently has been included in the Council Plan 2017-2021 as a priority project.

The Wedderburn Community understand and value the critical participation, social connection and community building opportunities that these clubs provide to the community. With this in mind the Donaldson Park Committee of Management are intending to provide a modern, fully compliant facility to ensure that opportunities for the community to participate are maintained and increased at the reserve.

A community steering group and council officers have developed concept plans; these plans have been ratified by all stakeholders.



The completion of this project will provide the following outcomes:

- change room facilities for netball, hockey and football
- change room facilities for both male and female umpires
- commercial kitchen.
- public toilets to current day standards.
- community playgroup and activity area
- function, meeting and administration areas for all user groups and general community use
- harness racing stewards and committee room
- harness racing judges and commentary box incorporating other sports timekeeper spaces - to be constructed on the roof space of the new facilities
- landscaping around new facilities and rehabilitation of the sites that previously accommodated demolished facilities
- installation of a playground and family bbq area.

All components of the project will be constructed to current day standards in regard to Disability Discrimination Act (DDA) compliance, football, netball and building code standards.

## ISSUES/DISCUSSION

A significant amount of planning has been completed to date, and the Donaldson Park Redevelopment Project has now reached the point of sourcing the required funding to enable the project to proceed.

An opportunity has arisen to apply for funding through the Commonwealth Building Better Regions Fund (BBRF) Round 2 - Infrastructure Projects Stream, with applications closing on 19 December 2017. The Infrastructure Projects Stream supports projects which involve the construction of new infrastructure, or the upgrade or extension of existing infrastructure that provide economic and social benefits to regional and remote areas.

A cash co-contribution is a mandatory requirement when applying for this funding, with the ratio determined by the remoteness classification of your project. Evidence of the availability of the co-contribution must accompany the application. The Donaldson Park Committee of Management and all user groups of the proposed new facility are in the process of confirming their contribution to the redevelopment project.

The Donaldson Park Committee of Management has registered with the Australian Sports Foundation (ASF) to attract community donations. The ASF registration provides resources and guidance to support the fundraising campaign, showcases the project on their website, provides online donation capability and allows donors to claim tax deductions for their donations.

In what we can consider the first round of the Community Plan Strategic Fund, in the past five years, the funds have been allocated to the individual ward areas on one occasion each to support a major project.

With the opportunity to access funding, created by the opening of the BBRF and the co-contribution requirement, it is proposed that the 2017/18 Community Plan Strategic Fund provision of \$500,000 be allocated to the Donaldson Park Redevelopment Project.

## COST/BENEFITS

The Community Plan Strategic fund allocation of \$500,000 will be used as the required co-contribution supporting an application to the BBRF Infrastructure Projects Stream.

The benefits derived from the redevelopment and provision of a high quality facility broadly include:

- local economic benefit during construction and then ongoing supporting the operation of the facility
- opportunities for growth in existing sectors, attracting external activities such as, for example, the Great Victorian Bike Ride or major sporting events to use the site

- increased capacity to host social events, encouraging participation by community members – improving community connections and social inclusion
- making our region a more attractive place to live
- harnessing solar energy to reduce operating costs, and environmental impact
- improving the ability of clubs to attract participants and volunteers
- improved work space for volunteers.

### **RISK ANALYSIS**

A funding submission to the BBRF cannot proceed without an evidenced co-contribution, and the future availability of other similar funding programs is uncertain.

Access to funding from the BBRF is a critical component of the funding strategy supporting the Donaldson Park Redevelopment Project.

### **CONSULTATION AND ENGAGEMENT**

The initial development of the Feasibility study included a significant community consultation process.

The project received the highest level of support of the ideas listed by the community on the OurSay Forum.

External stakeholders including AFL Central Victoria, Netball Victoria and Harness Racing Victoria have been consulted throughout the design process.

Council officers have worked closely with the Donaldson Park Community steering group throughout the concept and design process.

### **RESOLUTION 2017/98**

Moved: Cr Gavan Holt

Seconded: Cr Neil Beattie

That Council allocates \$500,000 from the 2017/18 Community Plan Strategic Fund to the Donaldson Park Redevelopment project.

**CARRIED**

**9 INFORMATION REPORTS****9.1 INWARDS CORRESPONDENCE****File Number:** various**Author:** Christine Coombes, Executive and Commercial Services Officer**Authoriser:** Lynne Habner, Manager Executive and Commercial Services**Attachments:** 1. Homelessness in Australia  
2. Roads to Recovery**RECOMMENDATION**

That Council receives and notes the Inwards Correspondence.

Date	From	Subject
26/10/17	Mayor Brian Cunial Frankston City Council	Homelessness in Australia
7/11/17	The Hon. Darren Chester MP Minister for Infrastructure and Transport	Statement of Expectations for the Roads to Recovery Program

**RESOLUTION 2017/99**

Moved: Cr Neil Beattie

Seconded: Cr Geoff Curnow

That Council receives and notes the Inwards Correspondence.

**CARRIED**

**9.2 PLANNING APPLICATION ACTIVITY REPORT****File Number:** 13/01/002**Author:** Alexandra Jefferies, Planning Officer**Authoriser:** Glenn Harvey, Manager Development and Compliance**Attachments:** Nil**RECOMMENDATION**

That Council receive and note the planning application activity report.

**CONFLICT OF INTEREST**

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

**PREVIOUS COUNCIL DISCUSSION**

This is the first report to Council summarising planning application activities undertaken within the Development and Compliance Department. This report covers the 2016 – 2017 financial year and provides Council with a high level summary for the purpose of monitoring performance within this area.

**BACKGROUND**

Loddon Shire Council maintains powers under the Planning & Environment Act 1987 which are delegated to Planning Officers. Applications made under these powers may include (but are not limited to) the following:

- consideration of a planning application for a new use/development
- consideration of an amendment to an existing planning permit
- secondary consent applications (minor changes)
- extensions of time to existing permits.

**ISSUES/DISCUSSION**Planning permit activities

Table 1 provides a summary of the type and total number of applications received during the 2016 - 2017 financial year.

*Table 1: Planning application type summary*

2016 – 2017 Financial Year	
Type	Number
One or more new buildings	26
Single dwelling	15
Change of use	13
Subdivision	10
Native vegetation removal	8
Change to easement or restrictions	6
Extension or existing dwelling or associated building	4
Alterations to a structure, building or dwelling	2
Alterations to building other than dwelling	2

Signage	2
Waiving of car parking requirements	1
Demolition	1
Other buildings and works	5
Amendments to planning permits	12
<b>Total</b>	<b>107</b>

### Outcomes

Table 2 provides a summary of the outcomes from the Development and Compliance Department for the 2016 - 2017 financial year:

*Table 2: Outcomes*

2016 – 2017 Financial Year	
Outcome type	Number
New permit issued	77
Amended permit issued	11
Refused	1
Withdrawn, lapsed, no permit required	11
<b>Total</b>	<b>100</b>

There are seven outstanding applications for the 2016 - 2017 financial year as indicated by Table 1 and Table 2. These applications were not determined during the 2016 - 2017 financial year.

### Timeframes

The Planning & Environment Act 1987 requires a 60 day timeframe for the processing of planning applications by Councils. The Act details how the 60 days are to be measured following the acceptance of a planning permit application.

Table 3 provides a summary of the average timeframes in which the Development and Compliance Department made decisions and compares this to the rural average.

*Table 3: Average timeframes for decisions*

2016 – 2017 Financial Year		
Processing times	Development & Compliance Department	Rural average
Average gross days to determine	99 days	94 days
Completed within 60 days	56%	77%

The 'average gross days to determine' an application for the Development and Compliance Department as listed in Table 3 is considered to be significantly high. This can be explained by a handful of historical applications left in the system for a large number of days generating a significantly high average. These applications have since lapsed or been withdrawn.

Table 4 provides a summary of the average timeframes in which the Development and Compliance Department made decisions within the first quarter of the 2017 – 2018 financial year (July - September 2017) and compare this to the rural average.

*Table 4: Average timeframes for decisions 1/07/2017 to 30/9/2017*

Quarter 1 (1 July 2017 – 30 September 2017)		
Processing times	Development & Compliance Department	Rural average
Average gross days to determine	66 days	89 days
Completed within 60 days	70%	77%

Table 4 has been provided to demonstrate an improvement in the average number of days to process an application compared with performance in the 2016 – 2017 financial year as shown in Table 3.

### **COST/BENEFITS**

The Development and Compliance Department requires a number of resources during the application assessment process. The main responsibilities include contact with the applicant and objectors, contact with referral authorities, assessing an application against the scheme and other regulation, site inspections, mediation meetings and report writing.

Planning officers are responsible for responding to planning enquires via phone and email and are required to attend training and information sessions to ensure there is a sound understanding of new and evolving legislation.

Benefits derived from investing in the planning unit of the Development and Compliance Department include:

- well managed and appropriate development
- well informed community members who understand the value of planning within local government
- applications processed in a timely manner
- implementation of correct regulations and standards.

### **RISK ANALYSIS**

Failure of Council to adequately implement the planning scheme poses the following risks:

- inappropriate development which could endanger life and property
- Council's reputation as a responsible Authority
- breaches of the Planning & Environment Act 1987 requiring compliance action.

Insufficient investment in resources in the Development and Compliance Department may result in extended timeframes for the processing of applications.

### **CONSULTATION AND ENGAGEMENT**

The Planning Unit consults with a number of stakeholders on a regular basis including:

- applicants
- surrounding land owners
- regulatory authorities
- other municipal departments
- other municipalities.

#### **RESOLUTION 2017/100**

Moved: Cr Neil Beattie

Seconded: Cr Geoff Curnow

That Council receive and note the planning application activity report.

**CARRIED**

**9.3 LOCAL LAWS AND COMPLIANCE ACTIVITY REPORT****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 and compliance activity report.

**CONFLICT OF INTEREST**

There is no conflict of interest for any council staff writing the report, or involved in the subject matter of the report.

**PREVIOUS COUNCIL DISCUSSION**

This is the first report for the 2017 – 2018 financial year, summarising the compliance and enforcement actions taken within the Development and Compliance Department. It provides Council with a high level summary for the purpose of monitoring performance within this area.

**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 Loddon Shire.

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****Administrative and compliance**

Table 1 provides a summary of administrative and compliance actions undertaken during the reporting period.

*Table 1: Local laws compliance and administrative activity*

Quarter 1 (1 July 2017 – 30 September 2017)				
Incident type	After hours call outs (*)	Littering or illegal rubbish dumping	Fire permits to burn	Local law permits issued
No. actions	7	1	Not required in report period	5

(\*) 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 locations that are the subject of compliance with local laws relating to unightly properties is provided in Table 2. Identified unightly properties are assessed and prioritised for compliance action.

*Table 2: Summary of unightly properties activities for quarter 1(1 July 2017 – 30 Sep. 2017)*

Town/Locality	Eddington	Rheola	Newbridge	Tarnagulla	Inglewood	Bridgewater	Wedderburn	Korong Vale	Borong	Boort	Pyramid Hill	Mitiamo	Dingee	Serpentine	Rural	Total
No. identified from previous report period	4	1	1	2	5	3	13	2	2	2	2	0	1	0	0	<b>38</b>
No. resolved during quarter	0	0	0	0	0	2	0	0	0	0	0	0	0	0	0	<b>2</b>
New action commenced	0	0	3	0	0	1	0	0	0	0	0	0	0	0	0	<b>4</b>
Notice to comply issued	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	<b>2</b>
No. currently pursuing	4	1	4	2	5	2	13	2	2	2	2	0	1	0	0	<b>40</b>

**Animal management**

Local laws officers provide a variety of animal control services. Table 3 lists a summary of animal management activities.

*Table 3: Summary of animal management activities*

Quarter 1 (1 July 2017 – 30 September 2017)						
Activity	Wandering livestock	Trespassing livestock	Dog attack	Domestic animal at large	Distribution of cat traps	General complaints / other
No. of actions	0	1	4	9	10	12

Table 4 summarises animal management activities that resulted in impoundments, encompassing both domestic animals and livestock.

Table 4: Impoundment activities

Quarter 1 (1 July 2017 – 30 September 2017)				
Animal type	Impoundments	Returned to owners	Animals rehoused	Animals disposed
Livestock	1	1	0	0
Dogs	8	7	1	0
Cats	6	0	1	5
<b>Total</b>	<b>15</b>	<b>8</b>	<b>2</b>	<b>5</b>



**COST/BENEFITS**

The year to date actual expenditure for the first quarter of 2017 – 2018 financial year for the local laws and compliance activities contained within this report is \$94,617. This is \$17,235 over the expected expenditure for this period. The additional cost is due to recruitment activities associated with filling vacant positions within this area.

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

Benefits derived from investing in local law and compliance activities include:

- improving and maintaining township amenity
- maintaining and improving public safety
- encouraging good domestic and livestock management
- reduced bushfire risks.

**RISK ANALYSIS**

Failure of Council to adequately manage 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 Loddon Shire
- Council's reputation as a regulatory authority
- to the public safety
- the amenity of our townships
- increased bushfire hazards.

**CONSULTATION AND ENGAGEMENT**

Land and animal owners subject to compliance and enforcement actions under either the local laws or other legislation such as the Domestic Animals Act or CFA Act are consulted with at each stage of the process.

**RESOLUTION 2017/101**

Moved: Cr Colleen Condliffe

Seconded: Cr Geoff Curnow

That Council receive and note the local laws and compliance activity report.

**CARRIED**

**9.4 PUBLIC HEALTH ACTIVITY REPORT****File Number:** 12/02/001**Author:** Teresa Arnup, Senior Public Health Officer**Authoriser:** Glenn Harvey, Manager Development and Compliance**Attachments:** Nil**RECOMMENDATION**

That Council receive and note the public health activity report.

**CONFLICT OF INTEREST**

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

**PREVIOUS COUNCIL DISCUSSION**

This is the first report for the 2017 – 2018 financial year, summarising the public health activities within the Development and Compliance Department. It provides Council with a high level summary for the purpose of monitoring performance within this area.

**BACKGROUND**

Loddon Shire Council is responsible for the administration and enforcement of a number of Acts including the Food Act 1984, Public Health and Wellbeing Act 2008, Residential Tenancies Act 1997, Environment Protection Act 1970 and Tobacco Act 1987 along with relevant regulations made under those various Acts.

The Development and Compliance Department has regular contact with business operators, community groups, home owners and developers whilst administering the above Acts. Activities undertaken by the staff include inspection of registered premises, the taking of food and water samples, the issuing of septic tank permits and complaint investigations.

**ISSUES/DISCUSSION****Registered premises**

The number of registered and notified premises under the Food Act, Public Health and Wellbeing Act and Residential Tenancies Act are provided in Table 1 below, for comparison and to provide Council with an indication of the growth that has occurred in registered and notifiable premises over the past eight years, the figures for 2009 are also provided.

*Table 1: Total number of registered premises*

2016 – 2017 Financial year			
<b>Total Number of Registered Premises</b>	<b>153 (2009)</b>	<b>272 (2017)</b>	<b>Increase of 78%</b>

Table 2 provides a breakdown of registered premises by the relevant Act. Data from 2009 has also been included to provide a comparison. The comparison is useful in demonstrating the areas of growth in each type of registered premises.

*Table 2: Registered premises by Act and type*

Food Act 1984			Public Health and Wellbeing Act 2009			Residential Tenancies Regulations 2010		
Year	2009	2017	Year	2009	2017	Year	2009	2017
Type	No.	No.	Type	No.	No.	Type	No.	No.
Class 1		3	Accommodation		11	Caravan parks	7	6
Class 2		116	Hairdressing/ Beauty Services		11			
Class 3		42						
Class 4		83						
<b>Total</b>	<b>133</b>	<b>244</b>	<b>Total</b>	<b>13</b>	<b>22</b>	<b>Total</b>	<b>7</b>	<b>6</b>

Please note: the number of premises registered under the Food Act includes all fixed, temporary and mobile food premises either registered directly with Loddon Shire or using the Streatrader System.

Council undertakes annual inspections of premises that are registered under the Food Act, Public Health and Wellbeing Act and Residential Tenancies Act. Inspections are also undertaken of public swimming pools and of properties that are required to meet the requirements of the Tobacco Act.

Most Acts also set out a number of additional inspections that Council is required to take for example when a new premises commences operating, when a premises changes hands or reinspection of a food premises that has a valid complaint during the registration period prior to the renewal of its registration. It should also be noted that under the Food Act business that are selling only pre-packaged low risk products and community groups that are cooking only sausages and onions are only required to notify Council of their operation. They are defined as a Class 4 premises. These premises are only inspected by Council should a complaint be received. Table 3 provides a summary of the inspections.

*Table 3: Registered premises inspections*

1 October 2016 – 30 September 2017			
	Number premises requiring inspection	Inspection Outcome	Number of site inspections undertaken (including additional inspections)
Food Premises	161	Compliant*	203
		Major Non Compliance	6
Health Premises	22	Compliant*	24
Caravan Parks	6	Compliant*	6
Swimming Pools	6	Satisfactory	6
<b>Total</b>	<b>195</b>		<b>245</b>

\*compliant includes sites that were fully compliant and some sites that required minor actions to become compliant

### Complaints regarding Registered Premises

During this registration period (1 October 2016 to 30 September 2017) Council received one complaint from the public regarding food safety issues. This premises received four inspections for the reporting period including two that had an outcome of major non-compliance.

There are a few premises that have a history of ongoing food safety issues. As part of a risk management approach, the inspection frequency for these premises has been increased from the minimum annual inspection to a quarterly or six monthly inspection depending on the premises.

### Sampling program

The number of random food samples that are to be taken by Council is set annually in the government gazette. The program focuses on the microbiological quality of the food items that are being sampled to ensure that safe food handling practices are being implemented within food premises. The focus is on sampling locally made and sold products. The program is also used to verify the content of food labels when products have been made by local businesses. Food labelling is quite complex and small home businesses benefit by having their labels checked by the analysis.

At the commencement of the swimming season all public pools are assessed under the sampling program, as part of that assessment a water sample is taken from each pool.

Table 4 summaries the sampling program activities undertaken during the reporting period.

*Table 4: Sampling program summary*

1 October 2016 – 30 September 2017				
Sample Type	Number	Testing	Outcome	
Food	53	Microbiological	Satisfactory*	52
			Unsatisfactory	1
		Labelling	Satisfactory	2
			Unsatisfactory	6
Swimming Pool	13	Microbiological	Complies	10
			Does Not Comply	3
<b>Total Number of Samples</b>	<b>66</b>			

\*Satisfactory microbiological results includes samples that were marginal

All unsatisfactory samples are followed up with the businesses that produced and/or sold the product including the swimming pools.

### **Septic system permit applications**

Table 5 summarises septic system permit applications processed during the reporting period.

*Table 5: Septic system permits*

1 October 2016 – 30 September 2017	
Permit Type	Number
Installation or alteration	24
Certificate to use	22
<b>Total Number of Permits</b>	<b>46</b>

The average processing time for permits to install or alter during the reporting period is: eight days

Table 6 summarises the inspections associated with processing a septic system application permit.

*Table 6: Septic system permit inspections*

1 October 2016 – 30 September 2017	
Inspection Type	Number
Application Inspection	21
Installation Inspection	17
Installation Inspection 2 or more	2
Final Inspection	20
<b>Total Number of Inspections</b>	<b>60</b>

**Tobacco Act inspections**

Council is funded to undertake a set number of Tobacco inspections throughout the year. Most of the inspections are carried out in conjunction with Food Act inspections, however a number of them are of public non-smoking venues such as at kindergartens, schools, play grounds and hospitals. Table 7 summarises the Tobacco Act activities undertaken during the reporting period.

*Table 7: Tobacco Act activities*

1 October 2016 – 30 September 2017	
Inspection Type	Number
Licensed Premises	8
Retailer	8
Eating Establishment	3
Vending Machine	3
Outdoor Venues	10
<b>Total Number of Inspections</b>	<b>32</b>

Additional to the normal inspection program, the introduction of the new outdoor dining bans occurred during the reporting period. All businesses that were affected by the bans were visited by Council public health staff. The visit included discussing the new bans and the provision of signage and information booklets.

**Public health complaints**

Public health staff are also responsible for the investigation of nuisance complaints under the Public Health and Wellbeing Act. Complaints of nuisance can be complex and time consuming.

Recording of complaints has changed during the reporting period to use Council's customer service system MERIT. Table 8 provides a tally of public health complaint activity.

*Table 8: Public health complaints*

1 October 2016 – 30 September 2017			
Nature of Complaint	Number Received	Number resolved	Number outstanding
Odour	5	5	
Noise	5	5	
Mosquitoes	1	1	
Burning Off / Smoke	1	1	
Wastewater	3	2	1
Other	1	1	
<b>Total</b>	<b>16</b>	<b>15</b>	<b>1</b>

**Mosquito Program 2016 – 2017 update**

Following the flooding event in late 2016 Council was provided with one off funding to implement a mosquito program over the 2016 - 2017 summer. The program required staff to:

- implement a trapping program to assist in determining the mosquito type (breed) and numbers
- identify breeding sites and implement a treatment program when appropriate
- prepare a mosquito management program that can be used following future flood events.

The program established a number of trapping sites over a 4 month period with traps being set up in Boort, Wedderburn, Bridgewater and Serpentine. Possible breeding sites were identified in all townships.

An initial draft response program has been prepared and is sitting with the Department of Health and Humans Services for comment and feedback.

No further activities in this area will continue without additional funding from the Department of Health and Human Services.

### **COST/BENEFITS**

The year to date actual expenditure for the first quarter of 2017 – 2018 financial year of the public health unit activities contained within this report is \$42,198.

Administration of the Acts that the public health staff have responsibility for includes significant field work, with staff regularly in the field engaging with business operators, developers, residents and ratepayers.

This investment increases significantly when compliance issues are identified within registered premises and when complaints are received.

The benefits that stem from this investment include:

- improved public safety within registered premises
- improved local amenity
- full implementation by Council of our responsibilities under the various Acts and regulations.

### **RISK ANALYSIS**

Failure of Council to adequately administer and enforce the provisions of the applicable legislation would pose the following possible risks:

- the spread of infectious diseases through the community including food poisoning
- a barrier to the new developments and economic growth within Council
- Council's reputation as a regulatory authority
- contamination of the local environment
- failure to meet obligations set within the relevant legislation.

### **CONSULTATION AND ENGAGEMENT**

Public Health staff regularly engage with business operators, developers, residents and ratepayers during the administering the various Acts which can range from annual assessments/inspection to the provision of advice for the processing of septic tank permits. Any business operator, developer, residents or ratepayer that is subject to enforcement action is regularly consulted with during the enforcement process.

#### **RESOLUTION 2017/102**

Moved: Cr Colleen Condliffe

Seconded: Cr Gavan Holt

That Council receive and note the public health activity report.

**CARRIED**

**10 COMPLIANCE REPORTS****10.1 DOCUMENTS FOR SIGNING AND SEALING****File Number:** 02/01/001**Author:** Lynne Habner, Manager Executive and Commercial Services**Authoriser:** Phil Pinyon, Chief Executive Officer**Attachments:** Nil**RECOMMENDATION**

That Council:

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

**REPORT**

This report provides Council with those documents signed and sealed during the month as follows:

- Deed of surrender of sub-lease for premises: Railway Lot 19 at Inglewood (Goods Shed) between VicTrack, Loddon Shire Council and Workspace Australia Ltd

**RESOLUTION 2017/103**

Moved: Cr Colleen Condliffe

Seconded: Cr Gavan Holt

That Council:

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

**CARRIED**

**10.2 DISABILITY ACCESS AND INCLUSION PLAN 2017-2021**

**File Number:** 12/12/004

**Author:** Jolie Middleton, Rural Access and Inclusion Officer

**Authoriser:** Allan Stobaus, Manager Community Support

**Attachments:** 1. DRAFT STR Disability Access and Inclusion Plan 2017 - 2021  
20171114

**RECOMMENDATION**

That Council endorses the draft Disability Access and Inclusion Plan 2017-2021 for public exhibition for a 28 day period.

**CONFLICT OF INTEREST**

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

**PREVIOUS COUNCIL DISCUSSION**

The draft Disability Access and Inclusion Plan 2013 – 2015 was presented to Council at the Council Forum held 14 November, 2017.

**BACKGROUND**

The Community Access and Inclusion Plan 2013 – 2015, after a twelve-month extension, is at the end of its term and in accordance with legislative requirements under the *Victorian Disability Act 2006* (the *Act*). Council has developed a new Disability Action Plan which will be known as the Disability Access and Inclusion Plan 2017 – 2021.

In addition to the Disability Access and Inclusion Plan 2017 – 2021 development satisfying the legislative requirements of Section 38 of the *Act*, the Plan also demonstrates Council's commitment to improving the lives of people with a disability in the Loddon Shire in order to achieve Council's vision to have *a prosperous, vibrant and engaged community* and contribute towards the mission *to enhance the sustainability and liveability of Loddon Shire*.

The Disability Access and Inclusion Plan 2017 – 2021 is the fourth plan for Loddon Shire Council with Council adopting its first Community Access Plan in 2003.

The previous plans have seen Council make significant steps towards embracing accessibility and social inclusion in its organisational values, as reflected in the vision and mission of the Council Plan 2017 - 2021. This Plan sets out a four-year plan that builds on the success of previous plans.

**ISSUES/DISCUSSION**

Approximately 1383 residents of Loddon Shire could have some form of disability. This figure increases when we consider temporary disabilities and Loddon Shire's ageing population, many of whom do not identify as having a disability and therefore are not recorded in demographic statistics.

Experiences of people with a disability demonstrate that it is not just disability that makes life difficult. It is the barriers that society imposes because of disability – barriers that are physical and technical, and barriers that come from attitudes. The Disability Access and Inclusion Plan 2017 – 2021 is Council's commitment to continue to reduce the barriers experienced by people with a disability.

The Plan evaluates the access and equity issues with regard to Council policies and programs and focuses on developing practical and realistic strategies that work to create opportunities for people with a disability to participate more fully in civic life.



The Plan considers the issues of disability access within the context of universal access and social inclusion. This emphasis not only addresses the issues experienced by residents in Loddon Shire who could have a disability, but also has the capacity to deliver “flow on” benefits to other groups within the community, namely:

- ageing community members
- parents with young children
- injured residents who find themselves with a short-term disability that limits their mobility or changes their access needs
- community members who may have episodes of chronic ill health
- people from culturally diverse backgrounds.

This Plan has been developed with a lens of continuous improvement:

- reviewing the previous Community Access and Inclusion Plan 2013-2015;
- researching best practice to ensure the plan aligns with current policy and trends
- conducting extensive consultation with the community and staff to ensure the plan is based on the needs and aspirations of people in Loddon Shire

The Disability Access and Inclusion Plan 2017 – 2021 supports Council in achieving its obligations under international, federal and state legislation, plans and policies, namely:

- *United Nations Convention on the Rights of Persons with Disabilities 2006*
- *National Disability Strategy 2010 – 2020*
- *National Disability Insurance Scheme (NDIS) Information Linkages and Capacity Building (ILC) Framework*
- *Disability Discrimination Act 1992*
- *Absolutely Everyone, State disability plan 2017 – 2020*
- *Disability Act 2006*
- *Charter of Human Rights and Responsibilities Act 2006*

The Plan has identified six key outcomes that address the needs of people with a disability in the Loddon Shire community and strategies that fit within Council’s area of influence to help achieve these outcomes over the four years of the Plan.

Outcomes	Strategies
People with a disability have the same opportunities to participate in services, programs and events in the Loddon Shire as everyone else.	<ul style="list-style-type: none"> <li>• We will ensure our services are accessible and flexible to meet the changing needs of people with a disability, their families and carers.</li> <li>• We will support events in the Loddon Shire to be accessible and welcoming to people with a disability.</li> </ul>
Loddon Shire’s built and natural environments are accessible and people with a disability are able to move around and get to the places they want to go.	<ul style="list-style-type: none"> <li>• We will work with our community to understand what physical barriers are experienced by people with a disability in our built and natural environments.</li> <li>• We will ensure new developments and infrastructure are built to the principles of universal design, planning beyond the Access Standards to meet community needs.</li> <li>• We will work to increase the accessibility of our built and natural environments to reduce the physical barriers experienced by people with a disability.</li> <li>• We will support our residents to maintain their independence to get about town.</li> <li>• We will support private businesses and people working in the building sector to understand the importance of</li> </ul>

	and improve their accessibility.
People with a disability are engaged in flexible and sustainable employment within the Loddon Shire and have opportunities to develop and succeed.	<ul style="list-style-type: none"> <li>• We will lead and work with others to increase local employment opportunities for people with a disability.</li> <li>• We will offer opportunities for people with a disability to increase their skills and confidence in the workplace.</li> </ul>
People with a disability can access the information they need to make informed decisions and choices and contribute to leading, shaping and influencing the Loddon Shire.	<ul style="list-style-type: none"> <li>• We will continue to improve our communication and information approaches to ensure that people with a disability can access information and know what is happening in their community.</li> <li>• We will ensure our community engagement approaches are accessible and inclusive of people with a disability and ensure all Loddon Shire residents have the opportunity to have their say.</li> </ul>
People with a disability, their families and carers are able to connect and participate in activities that are aligned to their interests and identities, and experience a high level of wellbeing in all aspects of their life.	<ul style="list-style-type: none"> <li>• We will continue to improve access to and from activities, services and events for people with a disability in the Loddon Shire community and reduce isolation.</li> <li>• We will lead and work with others to increase opportunities for people with a disability, their families and carers to connect and feel supported in the Loddon Shire community.</li> </ul>
People with a disability feel welcome and safe, and are as recognised and respected as any other resident in the Loddon Shire.	<ul style="list-style-type: none"> <li>• We will promote the importance of inclusion for all and provide information and education about good models of inclusive practices and approaches.</li> <li>• We will ensure our residents with a disability do not experience discrimination in the Loddon Shire.</li> </ul>

Annual internal action plans will be developed to guide Council staff on what needs to be done to achieve each strategy and ensure the plan is implemented efficiently and effectively over its four years. Annual reviews will be conducted to assess the Plan's progress, make appropriate changes and develop new actions to form the next year's Action Plan. Annual reviews ensure the Plan continues to adapt to the needs of the community and aligns with business unit plans and staff capacity. Annual progress reports will be provided to Council.

### **COST/BENEFITS**

Council will play many and varied roles in implementing the Disability Access and Inclusion Plan 2017 – 2021. Some activities will require resource allocation through Council's annual budget process.

There are 15 strategies outlined within the Plan. The majority will be achieved using existing resources and budget and therefore will not require additional funding. Some actions may require additional allocation of Council's budget, however feasibility will be investigated in the first year of this Plan and business cases developed to inform budget bids for year two (2018/19 financial year) expenditure. Other actions will require external grant applications or the development of partnerships with other agencies to contribute to some of the costs.

The Social Model of Disability has been used to guide the development of the Disability Access and Inclusion Plan 2017-2021. It focuses on addressing barriers created by attitudes, practices and structures which limit opportunities for all people to fully participate in life and creating a community that offers dignity, independence and choice. Reducing the barriers experienced by people with a disability means that more people are able to access and participate in services, employment and social activities within the Loddon Shire community. These are also known as social determinants of health. Not having access to services, employment and social activities can significantly affect a person's health and wellbeing and therefore addressing these determinants can reduce the demand on health services, increase employment rates, and increase the Loddon Shire community's social capital.

## RISK ANALYSIS

It is a legislative requirement that Council has a Disability Action Plan and reports on its implementation in its Annual Report. Failure to complete the development of a new Disability Action Plan will put Council at risk of non-compliance and potential discrimination. It is also costly to retrofit buildings to make them accessible rather than meet accessibility requirements in the initial construction.

See *Risk Analysis*, page 11 and 12 of the Disability Access and Inclusion Plan 2017 – 2021, for a detailed outline of the risks associated with not implementing the Plan.

## CONSULTATION AND ENGAGEMENT

Extensive consultation was undertaken with community members and Council staff members to ensure the Plan is based on the needs and aspirations of people in Loddon Shire.

A series of targeted community engagement sessions were held to:

- find out community views on how accessible and inclusive the Loddon Shire community is
- identify ways it can improve the overall quality of life of people in the local community and ensure that services and facilities provided by the Loddon Shire are accessible and equitable.

The community was offered many different ways to get involved and have its say. A total of 111 community members and Council staff members participated in the consultation through one or more of the following ways:

- direct contact with Council's Disability Inclusion Officer
- a survey available online and in hard copy, distributed through Council's Home and Community Care clients, networks and community groups, flyers on community notice boards, website banner, social media posts, and local newspaper and community newsletter articles
- eight pop-up listening posts held at neighbourhood houses and outside local supermarkets
- suggestion boxes available at neighbourhood houses, local supermarkets and general stores across the Loddon Shire
- three focus groups
- four staff workshops
- a staff survey

See 3.4.2 *What people told us*, page 5 to 7 of the Disability Access and Inclusion Plan 2017 – 2021, for a summary of the feedback from the consultation and engagement.

It is now recommended that the Plan be placed on exhibition for a two week period to seek public comment.

**RESOLUTION 2017/104**

Moved: Cr Colleen Condliffe

Seconded: Cr Neil Beattie

That Council endorses the draft Disability Access and Inclusion Plan 2017-2021 for public exhibition for a 28 day period.

**CARRIED**

**10.3 SECTION 86 COMMITTEE OF MANAGEMENT MEMBERSHIP DETAILS-CAMPBELLS FOREST HALL**

**File Number:** 02/01/015

**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 Campbells Forest 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 Campbells Forest Hall 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**

Campbells Forest 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
Rae Broadbent	President
Don Wilson	Vice President
Fred Shea	Secretary
Gaye Larson	Treasurer
Ian Cattanach	Committee Member
Toni Shea	Committee Member
Janine Cornish	Committee Member
Ann-Maree Davis	Committee Member

The Council representative for this committee is Cr Colleen Condliffe.

**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 2017/105**

Moved: Cr Gavan Holt  
Seconded: Cr Colleen Condliffe

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

**CARRIED**

**10.4 SECTION 86 COMMITTEE OF MANAGEMENT MEMBERSHIP DETAILS-JONES EUCALYPTUS DISTILLERY SITE**

**File Number:** 01/02/024

**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 Jones Eucalyptus Distillery Site 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 Jones Eucalyptus Distillery Site 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**

Jones Eucalyptus Distillery Site 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
Ian Collie	President
Jeff Hooley	Vice President
Murray Baud	Secretary / Treasurer
Kevin Poyser	Committee Member
Bert Bradley	Committee Member
Leigh Lamprell	Committee Member
Chris Sharp	Committee Member
Barbara Collie	Committee Member

The Council representative for this committee is Cr Colleen Condliffe.

**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 2017/106**

Moved: Cr Gavan Holt  
Seconded: Cr Colleen Condliffe

That Council appoints the persons named in this report as members of the Jones Eucalyptus Distillery Site Section 86 committee of management, effective immediately.

**CARRIED**



**10.5 SECTION 86 COMMITTEE OF MANAGEMENT MEMBERSHIP DETAIL-KORONG VALE SPORTS CENTRE****File Number:** 02/01/027**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 Korong Vale Sports 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 Korong Vale Sports 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**

Korong Vale Sports 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:

<b>Name</b>	<b>Organisation</b>
John Murnane	Community Member
Robert Day (Vice President)	Korong Vale Cricket Club
Fay Day (Secretary/ Treasurer)	Korong Vale Cricket Club
Andrew Day	Korong Vale Lawn Bowls Club
Judy Matthews	Korong Vale Lawn Bowls Club
Joan Earl (President)	Korong Vale Tennis Club
Peter Gibson	Korong Vale Tennis Club

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 2017/107**

Moved: Cr Gavan Holt  
Seconded: Cr Colleen Condliffe

That Council appoints the persons named in this report as members of the Korong Vale Sports Centre Section 86 committee of management, effective immediately.

**CARRIED**

**10.6 SECTION 86 COMMITTEE OF MANAGEMENT MEMBERSHIP DETAILS-LODDON SOUTHERN TOURISM AND DEVELOPMENT**

**File Number:** 02/01/029

**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 Loddon Southern Tourism and Development Section 86 committee of management, effective immediately.

**CONFLICT OF INTEREST**

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

**PREVIOUS COUNCIL DISCUSSION**

Council approved the current list of committee members for Loddon Southern Tourism and Development Committee of Management on 26 April 2017.

**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**

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

<b>Name</b>	<b>Position</b>
Vacant	President
Jill Temby	Vice President
Sue Horsley	Deputy Vice President
Dot Silke	Junior Vice president
Robyn Vella	Secretary
Norma Sokolowski	Treasurer
Colin Silke	Committee Member
Darryl Peter	Committee Member
David Gordon	Committee Member
George Swinburne	Committee Member
Isabelle Marshall	Committee Member
Ken Arnold	Committee Member
Linda Kennedy	Committee Member

The Council representative for this committee is Robyn Vella.

**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 2017/108**

Moved: Cr Gavan Holt  
Seconded: Cr Colleen Condliffe

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

**CARRIED**

**10.7 ROAD MANAGEMENT PLAN DEFECT RECTIFICATION COMPLIANCE REPORT**

**File Number:** 14/01/022  
**Author:** Daniel Lloyd, A/Manager Operations  
**Authoriser:** Steven Phillips, Director Operations  
**Attachments:** Nil

**RECOMMENDATION**

That Council receive and note the road management plan defect rectification compliance report.

**CONFLICT OF INTEREST**

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

**PREVIOUS COUNCIL DISCUSSION**

This is the first report for the 2017 - 2018 financial year, summarising road network defect rectification compliance against requirements specified within the Loddon Shire Road Management Plan (RMP).

**BACKGROUND**

This report is produced quarterly and provides statistical data with respect to the Organisation's performance in managing the road network. Performance is measured through a comparison of actual defect rectification timeframes against requirements specified in the RMP.

**ISSUES/DISCUSSION**

Table 1 below provides a summary of the compliance against the schedule of road and street inspection regimes as set in the RMP.

*Table 1: Inspection summary report*

<b>Quarter 1 (01/7/2017 – 30/09/2017)</b>					
<b>Number of scheduled inspections</b>	<b>Number completed by due date</b>	<b>Number completed after due date</b>	<b>Number not completed</b>	<b>Compliance</b>	<b>District</b>
24	22	2	0	91.7%	Loddon Plains
32	29	3	0	90.6%	Loddon Goldfields

During the first quarter of 2017 – 2018 financial year, 91.1% of the programmed inspections were completed according to the schedule. This is below the target of 100% set in the RMP. Extended staff leave and backfilling roles have hampered our efforts to complete the required inspection by their due dates. All inspections have now been completed.

Table 2 below provides a summary of compliance of actual response times for rectification works of defects as detailed in the defect intervention levels and response timetables of the RMP.

Table 2: Defect rectification summary report

Quarter 1 (01/07/2017 – 30/09/2017)							
Number of adhoc work actions	Number of inspected work actions	Total number of work actions	Number completed by due date	Number completed after due date	Number not completed	Compliance	District
153	500	653	648	5	0	99.2%	Loddon Plains
61	671	732	607	109	16	82.9%	Loddon Goldfields

Table 2 comprises a summary of defects that have been identified through both programmed inspections as undertaken by Surveillance Officers and works crews identifying and rectifying defects as they find them, known as adhoc work actions. During the first quarter of 2017 – 2018 financial year, 91.1% of all date imposed defects were completed before their due date. This is 8.9% below the target of 100% set in the RMP. There are 16 outstanding work actions to be completed. A plan is in place to complete the outstanding work actions in the next 4 weeks.

Table 3 provides a summary of compliance against the unsealed road maintenance grading program. The maintenance grading program identifies each road segment by its road hierarchy and grading frequency as detailed in the RMP. The adhoc grading work actions are work actions that are either work requests from the community or works outside of the scheduled program.

Table 3: Maintenance grading program

Quarter 1 (01/07/2017 – 30/09/2017)							
Number of scheduled work actions	Number of adhoc work actions	Total number of work actions	Number completed by due date	Number completed after due date	Number not completed	Compliance	District
378	2	380	369	7	4	97.1%	Loddon Plains
427	3	430	374	52	4	87.0%	Loddon Goldfields

The data in table 3 indicates that 805 maintenance grading work actions were completed for the first quarter of the 2017 – 2018 financial year. There is no set level of compliance for the maintenance grading program in the RMP.

### **COST/BENEFITS**

The year to date actual expenditure for the first quarter of 2017 – 2018 financial year of the Local Road Maintenance Program is \$1,554,910. This is slightly higher than expected expenditure for this period.

The benefits to the community in complying with the RMP are that it ensures a safe road network.

**RISK ANALYSIS**

Repairing 100% of all date imposed defects before their due date limits Council's liability for any claims for damage made against Council.

**CONSULTATION AND ENGAGEMENT**

No internal or external consultation is required in the formation of this report.

**RESOLUTION 2017/109**

Moved: Cr Neil Beattie

Seconded: Cr Geoff Curnow

That Council receive and note the road management plan defect rectification compliance report.

**CARRIED**

**11 GENERAL BUSINESS****URGENT BUSINESS****RESOLUTION 2017/110**

Moved: Cr Neil Beattie

Seconded: Cr Gavan Holt

That the following items be treated as urgent business

**CARRIED**

**11.1 LAKE BOORT BOAT LAUNCHING FEE****MOTION****RESOLUTION 2017/111**

Moved: Cr Neil Beattie

Seconded: Cr Geoff Curnow

That Council add a \$50 monthly fee to the Fees and Charges Schedule for boat launching fees at Little Lake Boort. .

**CARRIED**

**11.2 UNSIGHTLY PROPERTIES - WEDDERBURN**

Cr Holt noted from agenda item 9.3 the high number of unsightly properties listed for Wedderburn and that none have been rectified during the reporting period.

**11.3 NEWBRIDGE WATER PROJECT**

Cr Curnow referred to a letter from the Newbridge Recreation Reserve Committee of Management requesting that Council fund a costing study for the supply of potable water to Newbridge.

**MOTION****RESOLUTION 2017/112**

Moved: Cr Geoff Curnow

Seconded: Cr Gavan Holt

That the CEO investigate the cost of developing a plan to deliver a potable water and reticulated sewerage system to Newbridge.

**CARRIED**

**11.4 MAYORAL VEHICLE**

Cr Beattie noted that he has recently purchased, at public auction, the vehicle that was provided to him during his term as Mayor.





**12 CONFIDENTIAL ITEMS****RESOLUTION 2017/113**

Moved: Cr Geoff Curnow

Seconded: Cr Gavan Holt

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 Annual Reseals Contract 2017 - 2018 - Council Resolution Amendment**

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 2017/114**

Moved: Cr Geoff Curnow

Seconded: Cr Gavan Holt

That the meeting be closed to the public at 5.45pm.

**CARRIED**

**RESOLUTION 2017/115**

Moved: Cr Gavan Holt

Seconded: Cr Neil Beattie

That the meeting be re-opened to the public at 5.54pm.

**CARRIED**

**NEXT MEETING**

The next Ordinary Meeting of Council will be held on 12 December 2017 at Serpentine commencing at 3pm.

There being no further business the meeting was closed at 5.55pm.

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

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**CHAIRPERSON**