



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

Date: Tuesday, 27 February 2018
Time: 3pm
Location: Council Chambers, Serpentine

AGENDA

Ordinary Council Meeting

27 February 2018

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1 OPENING PRAYER

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

2 ACKNOWLEDGEMENT OF COUNTRY

“The Loddon Shire Council acknowledges the Traditional Custodians of the land on which we are gathered and pays its respects to their Elders both past and present.”

3 APOLOGIES

4 DECLARATIONS OF CONFLICT OF INTEREST

5 PREVIOUS MINUTES**5.1 CONFIRMATION OF MINUTES**

File Number: 02/01/001

Author: Lynne Habner, 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 23 January 2018
2. The minutes of the Ordinary Council Meeting of 23 January 2018
3. The minutes of the Council Forum of 13 February 2018

REPORT

Seeking approval of the unconfirmed minutes of the previous meetings.

6 REVIEW OF ACTION SHEET

6.1 REVIEW OF ACTIONS

File Number: 02/01/002
Author: Lynne Habner, 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.

Outstanding Actions	Division:	Date From: 1/01/2017
Action Sheets Report	Committee:	Date To: 31/12/2019
	Officer:	Printed: Thursday, 15 February 2018 4:00:42 PM

Outstanding actions from previous meetings

ACTION NUMBER	COUNCIL MEETING	REF	DIRECTORATE	OFFICER
9	28/5/12	9.2	Operations	Manager Technical Services

ACTION

That Council:

1. Develop a process for the identification and prioritisation of minor community infrastructure projects which will allow for a structured approach in providing in-principle or financial support for external funding applications.

COMMENTS

12/11/14: Action item has been amended following completion of the BRIC gymnasium development project utilising "Putting Local's First" funding. Elements of this action have been simplified to exclude those relating to the BRIC project and focusing now on the remaining action element being the development of operational guidelines for receiving, prioritising and applying for external funding in respect to minor community infrastructure projects.

11/6/2015: Manager Infrastructure has commenced development of a draft project identification template and scoping document along with associated prioritisation criteria and explanatory notes.

11/09/2015: Progress on development of assessment and prioritisation criteria for minor community Infrastructure projects has been delayed due to competing operational priorities. Delivery of this action item shall be raised with the Manager of Infrastructure as a matter of urgency.

11/02/2016: Matter has been raised with the responsible officer however no further progress has been made on development of the required process and guideline.

12/05/2016: Development of minor community infrastructure project assessment and prioritisation guidelines has been incorporated into the 2016/17 performance objectives of the new Manager Technical Services.

10/6/2016: No progress to date - will be considered with review of building assets

11/08/2016: Review of methodology for identification and prioritisation of community infrastructure projects has commenced. Consideration is currently being given to frameworks which have been adopted by other LGA's (i.e. City of Greater Bendigo Capital Investment Assessment Framework).

20/02/2017: Progress on developing community infrastructure project prioritisation guideline has been delayed due to competing priorities and resource constraints. Project is being handed over to the recently appointed Project/Contract Officer for further progression.

19/04/2017: The Manager Technical Services and Project/Contract Officer are working together to progress the establishment of an Assessment Framework based upon the 2017/18 projects.

13/07/2017: No further action has been taken due to staff resource constraints.

02/08/2017: No further action. Benchmarking with other neighbouring Councils will be undertaken subject to successful recruitment of Assets and Buildings Coordinator.

11/09/2017: New Assets and Building Co-ordinator has commenced and will prioritise as matter of urgency.

17/10/2017: Process for evaluation and prioritising of minor community projects is being developed and a draft is planned to be reported early in 2018.

<p>Outstanding Actions</p> <p>Action Sheets Report</p>	<p>Division:</p> <p>Committee:</p> <p>Officer:</p>	<p>Date From: 1/01/2017</p> <p>Date To: 31/12/2019</p> <p>Printed: Thursday, 15 February 2018 4:00:42 PM</p>
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14/11/2017: Work has commenced and is continuing in developing this process.

06/12/2017: Manager Technical Services is developing project identification and prioritisation process.

10/01/2018: No further progress has been made since the last update due to competing priorities. Officers are currently working towards the development of Annual Infrastructure Program and the action will resume upon completion of Annual Infrastructure Program.

09/02/2018: Project identification and assessment flowchart is being developed and will be progressed as a priority following the development of the 2018 – 2019 Annual Infrastructure Program.

ACTION NUMBER	COUNCIL MEETING	REF	DIRECTORATE	OFFICER
66	25/2/14	7.4	Operations	Manager Technical Services

ACTION

That Council look at the future needs of buildings under Council control but 'not currently covered by the Building Asset Management Plan and report to Council.

COMMENTS

8/4/14: All buildings identified within the shire are currently covered in the BAMP. Council have requested that the BAMP be reviewed in relation to the buildings that receive no financial support. A review of the BAMP is scheduled to be undertaken later this calendar year. At this time a review of all provisions will be undertaken with a subsequent report provided for Council consideration.

11/11/14: Review of the BAMP has been rescheduled to later this financial year due to commitments of staff in preparing the Road Asset Management and Stormwater Asset management Plans as a matter of priority. Preliminary discussions and consideration on service levels for various building categories has commenced however e.g. public toilets.

11/6/15: Review of the BAMP has been rescheduled following completion of the annual asset valuation data. It is expected that commencement of the BAMP review will occur following the completion of the Stormwater Asset Management Plan in September 2015.

11/09/15: Manager Policy & Strategy is finalising both the Urban Drainage Asset Management and Road Asset Management Plans. Following completion of these strategies focus shall be placed upon the revision of the Building Asset management Plan. Due to delays in progress with the development of the UDAMP and RAMP, work on the BAMP is now scheduled to commence in November 2015.

11/02/16: Draft RAMP and UDAMP have been prepared. Final review of draft documents is occurring in preparation for discussion with Council in March. Enquiries are being made with appropriately qualified consultants to gather necessary building asset data in preparation of commencement on the BAMP review later this year.

10/6/2016: Consultants are currently being interviewed regarding building asset system and data capture. Consultant should be engaged July/August with data capture due by end of 2016.

5/7/2016: Consultants from Assetic has been engaged to perform condition assessment of all the Council owned/managed buildings. Additionally, Assetic system has been purchased as a new corporate asset management system for building assets with future inclusion of roads and drainage assets.

11/08/2016: Register of buildings for inspection has been finalised and consultants will be commencing on site inspections and data capture by the end of August. It is expected that the data capture process could take up to 60 days after which time processing and analysis will commence to inform investment scenario modelling within the revised BAMP

Outstanding Actions	Division:	Date From: 1/01/2017
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31/08/2016: Building audits have now commenced. A total of 178 Council buildings have been identified for audit. In addition to data capture on structure details, inspections will also identify immediate works required where building element conditions are below service level intervention standards. These works will then form the basis of future building capital works programs and inform preparation of the future investment demand for the LTFP and BAMP.

4/10/16: Building audits are approximately 80% complete. It is anticipated that full audit details and population of the Asset Management System which has been procured, will be complete by the end of October 2016. Data modelling within the Asset Management package will then be used to inform development of the new draft Asset Management Plan.

10/11/16: Audit of Council buildings has been completed. Condition profiles for building stock are now being compiled to inform preparation of draft BAMP. It is anticipated that presentation of initial audit results to Council will occur in either December or January.

20/2/17: Post audit processing of building data has been slightly delayed due to resource constraints. Officers are in the process of finalising to produce renewal gap modelling prior to presentation of audit findings to Council. Outputs from audit process are also being utilised in the preparation of a building component of the 2017-2017 Annual Infrastructure Program.

20/03/2017: Preliminary modelling of long term investment requirements across the portfolio of Council buildings has now been completed. Summary report for Council is being prepared to convey initial findings however detailed analysis and adjustment is still required to take into consideration the current policies contained within the BAMP as well as preparation of various scenarios if service levels are changed. Scenario models will be presented to Council as part of developing the revised BAMP.

19/04/2017: First Draft of BAMP is expected in the first quarter of 2017/18.

13/07/2017: Due to delay in successful recruitment to the vacant position of Assets and Buildings Coordinator, it is very likely that the first draft of BAMP will be delayed.

02/08/2017: No further action.

11/09/2017: New Assets and Building Co-ordinator has commenced and will prioritise as matter of urgency.

17/10/2017: A draft of the Building Asset Management Plan is planned to be presented to Council December meeting.

14/11/2017: With the successful recruitment of Assets and Buildings Coordinator, revision of Council's Building Asset Management Plan is underway as per the recommendation of review undertaken in 2016/17. Financial information on Council owned buildings has been finalised and officers are currently working on the level of service for building assets. Once finalised, the data will be uploaded into the Asset Management system to identify Council's annual liability and renewal need and as such the draft BAMP will then be presented to Loddon Leaders and MEG for endorsement before presenting to Council for public comments.

06/12/2017: Draft preparation in progress.

10/01/2018: Preparation of draft BAMP is in progress.

09/02/2018: Council's Assets and Buildings Coordinator is currently working on the draft Building Asset Management Plan and Manager Technical Services and Director Operations will subsequently review the plan and then forward it to Loddon Leaders, MEG and with the intention of presenting it to Council at the May 2018 Forum .

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council Meeting 26 September 2017	Indivar Dhakal	Disposal of Water Supply Pipelines from Skinner's Flat Reservoir, Wedderburn Caravan Park Reservoir and	10/10/2017	9/10/2017	

<p>Outstanding Actions</p> <p>Action Sheets Report</p>	<p>Division:</p> <p>Committee:</p> <p>Officer:</p>	<p>Date From: 1/01/2017</p> <p>Date To: 31/12/2019</p> <p>Printed: Thursday, 15 February 2018 4:00:42 PM</p>
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<p>8.7 2017/35</p> <p>RESOLUTION 2017/35</p> <p>Moved: Cr Cheryl McKinnon Seconded: Cr Colleen Condliffe</p> <p>That Council:</p> <ol style="list-style-type: none"> In view of the pending construction of the South West Loddon Pipeline, approve the disconnection and abandonment of the entire existing water supply pipeline network from Skinner's Flat Reservoir and Wedderburn Caravan Park Reservoir and notification of all affected pipeline users. Endorse Council's involvement in stakeholder engagement meeting(s) between affected customers of the existing pipeline and GWM Water. Consent to the handover to Grampians Wimmera Mallee (GWM) Water, at no cost, of the ownership and management of the existing water supply pipeline from Inglewood Reservoir and that all affected users be notified. <p style="text-align: right;">CARRIED</p> <p><i>09 Feb 2018 - 10:32 AM - Christine Coombes</i> Council's Manager Technical Services is in contact with GWM responsible officers and are currently in the process of developing a work plan for consultation and handover process.</p> <p><i>08 Jan 2018 - 11:19 AM - Indivar Dhakal</i> No further discussion with GWM Water due to the break. Council officers are still waiting on a response from GWM Water's officers to establish the procedure for asset handover.</p> <p><i>06 Dec 2017 - 9:49 AM - Christine Coombes</i> There have been ongoing discussions with GWM regarding community engagement with affected stakeholders and Council is awaiting confirmation of the engagement arrangements.</p> <p><i>08 Nov 2017 - 8:58 AM - Indivar Dhakal</i> Discussions with GWM Water have been started regarding the handover of Inglewood pipeline.</p> <p><i>17 Oct 2017 - 12:11 PM - Christine Coombes</i> Letter sent to all users of Skinners Flat pipeline advising of Council decision and reason behind decision. Also advised that representatives of GWMWater and Council will visit affected residences in the coming weeks.</p> <p>Letter being prepared to send to GWMWater regarding Council abandonment of Skinners Flat pipeline and agreement to obtaining "recreational" water for Skinners Flat, Wedderburn Caravan Park reservoir and Inglewood Reservoir. Also advise that Council is prepared to handover the ownership and management of the existing Inglewood pipeline to GWMWater including the new extension works.</p> <p>A letter to the Wedderburn Sports Clubs and the Inglewood sports Clubs affected is being prepared. A copy of Council decision will be provided to all Clubs.</p>	<p>Inglewood Reservoir</p> <p>Steven Phillips</p>														
<table border="1"> <thead> <tr> <th>Type</th> <th>Meeting</th> <th>Officer/Director</th> <th>Subject</th> <th>Est. Compl.</th> <th>Emailed</th> <th>Completed</th> </tr> </thead> <tbody> <tr> <td>New Item 11.1 2017/77</td> <td>Ordinary Council Meeting 24 October 2017</td> <td>Steven Phillips Phil Pinyon</td> <td></td> <td>7/11/2017</td> <td>6/11/2017</td> <td></td> </tr> </tbody> </table>	Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed	New Item 11.1 2017/77	Ordinary Council Meeting 24 October 2017	Steven Phillips Phil Pinyon		7/11/2017	6/11/2017		
Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed									
New Item 11.1 2017/77	Ordinary Council Meeting 24 October 2017	Steven Phillips Phil Pinyon		7/11/2017	6/11/2017										

Outstanding Actions	Division:	Date From: 1/01/2017
	Committee:	Date To: 31/12/2019
Action Sheets Report	Officer:	Printed: Thursday, 15 February 2018 4:00:42 PM

11.1 MEMSIE STATE SCHOOL

RESOLUTION 2017/77

Moved: Cr Gavan Holt
 Seconded: Cr Geoff Curnow

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

CARRIED

12 Feb 2018 - 1:50 PM - Steven Phillips

The plaque has been delayed in the manufacturing process. Once it arrives it will be scheduled for installation as soon as possible.

08 Jan 2018 - 11:51 AM - Steven Phillips

The supplier of the plaque has been contact recently and confirmed that the plaque should be ready for delivery the first week of February. Once we have the plaque works will commence on its installation.

05 Dec 2017 - 5:21 PM - Steven Phillips

The Plaque is on order ETA early in the New Year. Once the plaque arrives we should have access to the paddock for its installation.

10 Nov 2017 - 10:00 AM - Steven Phillips

The land holders on which the old Memsie school site is located (Shannon & Steve Brown) have agreed for the plaque to be located on their property, at the old school site, just inside their property fence. The plaque has been ordered. The access to the site is limited due to the paddock being under crop, the installation of the plaque will take place after the crop has been harvested.

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council Meeting 28 November 2017	Allan Stobaus	Disability Access and Inclusion Plan 2017-2021	12/12/2017	4/12/2017	
10.2		Wendy Gladman				
2017/104						

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

15 Feb 2018 - 8:35 AM - Allan Stobaus

DRAFT Plan to be presented for approval at February 2018 Ordinary Meeting.

09 Jan 2018 - 3:56 PM - Allan Stobaus

DRAFT CAIP was advertised for public comment on 6 January 2018 to 4 February 2018.

09 Jan 2018 - 3:49 PM - Christine Coombes

Action reassigned to Allan Stobaus by: Christine Coombes

Outstanding Actions	Division:	Date From: 1/01/2017
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04 Dec 2017 - 10:54 AM - Christine Coombes
 The Disability Access and Inclusion Plan will be prepared for public display shortly.

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council Meeting 23 January 2018	Deanne Caserta	Customer Service Strategy 2018-2022	6/02/2018	14/02/2018	
8.3		Sharon				
2018/7		Morrison				

RESOLUTION 2018/7

Moved: Cr Geoff Curnow
 Seconded: Cr Colleen Condliffe

That the draft Customer Service Strategy 2018-2022 be published for public comment.

CARRIED

14 Feb 2018 - 9:35 AM - Deanne Caserta
 February - Strategy is out for public comment, period closes late February 2018.

Actions completed since last meeting

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council Meeting 23 January 2018	Deanne Caserta	Finance Report for the period ending 30 November 2017	6/02/2018	14/02/2018	14/02/2018
8.1		Sharon				
2018/5		Morrison				

RESOLUTION 2018/5

Moved: Cr Neil Beattie
 Seconded: Cr Geoff Curnow

That Council:

1. receives and notes the 'Finance report for the period ending 30 November 2017'
2. approves budget revisions included in the report for internal reporting purposes only.

CARRIED

14 Feb 2018 - 9:34 AM - Deanne Caserta

Outstanding Actions	Division:	Date From: 1/01/2017
Action Sheets Report	Committee:	Date To: 31/12/2019
	Officer:	Printed: Thursday, 15 February 2018 4:00:42 PM

Action completed by: Deanne Caserta No further actions required from report						
Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council Meeting 23 January 2018	Deanne Caserta	Finance Report for the period ending 31 December 2017	6/02/2018	14/02/2018	14/02/2018
8.2		Sharon				
2018/6		Morrison				
RESOLUTION 2018/6						
Moved: Cr Colleen Condliffe						
Seconded: Cr Neil Beattie						
That Council:						
<ol style="list-style-type: none"> 1. receives and notes the 'Finance report for the period ending 31 December 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						
14 Feb 2018 - 9:35 AM - Deanne Caserta						
Action completed by: Deanne Caserta						
No further actions required from report						

7 MAYORAL REPORT

7.1 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.

8 COUNCILLORS' REPORT

8.1 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.

9 DECISION REPORTS**9.1 REVIEW OF FINANCIAL RESERVES POLICY**

File Number: 18/01/001
Author: Deanne Caserta, Manager Financial Services
Authoriser: Sharon Morrison, Director Corporate Services
Attachments: 1. Financial Reserves Policy v7

RECOMMENDATION

That Council adopts the Financial Reserves Policy v7

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 was previously known as the Reserves Policy and has been updated to give more clarification around the purpose. The last approved version of the Financial Reserves Policy (v6) was in May 2017.

BACKGROUND

The purpose of the Financial Reserves Policy is to allow Council to use funds in line with the purposes outlined in the policy.

ISSUES/DISCUSSION

The policy defines the specified purpose of each reserve and the conditions around the movements in and out of each reserve.

Since version six was adopted earlier this year there have been wording adjustments to two reserves.

Previously these reserves were established to fund the rehabilitation of Council's landfills and gravel pits. Council has a provision set aside for this requirement, therefore it was identified in a recent audit that the purpose of these reserves were outdated.

The first adjustment relates to the Landfill Rehabilitation Reserve which is proposed to change to the Waste Management Reserve.

The narrative for the transfer from reserve will be updated to fund the '*cost of strategic projects, compliance and long term planning within Council's landfills and transfer stations*'.

The second adjustment relates to the Gravel and Sand Pit Reserve.

The narrative for the transfer from reserve will be updated to fund the '*cost of purchasing new sites, development and restoration of gravel and sand pits*'.

COST/BENEFITS

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

RISK ANALYSIS

The policy defines the specified purpose of each reserve and the conditions around the movements in and out of each reserve.

CONSULTATION AND ENGAGEMENT

The document has been subject to the normal approval process of the policy review group and Management Executive Group prior to presentation in the Council Meeting Agenda. Councillors informally considered the proposed changes at the February Forum.



FINANCIAL RESERVES POLICY

DOCUMENT TYPE:	Council policy
DOCUMENT STATUS:	Draft
POLICY OWNER POSITION:	Manager Financial Services
INTERNAL COMMITTEE ENDORSEMENT:	Not applicable
APPROVED BY:	Council
DATE ADOPTED:	Click here to enter date of approval
VERSION NUMBER:	7
REVIEW DATE:	Click here to enter a date.
DATE RESCINDED:	
RELATED STRATEGIC DOCUMENTS, POLICIES OR PROCEDURES:	Annual Budget Annual Financial Statements Long Term Financial Plan
RELATED LEGISLATION:	Local Government Act 1989
EVIDENCE OF APPROVAL:	

Signed by Chief Executive Officer

FILE LOCATION:

Policy documents are amended from time to time, therefore you should not rely on a printed copy being the current version. Please consult the Loddon Shire website to ensure that the version you are using is up to date.

This document is available in alternative formats (e.g. larger font) if requested.



FINANCIAL RESERVES POLICY

1 PURPOSE

This policy outlines the creation and purpose of Council reserves.

2 SCOPE

Council can use reserve funds in line with the purposes outlined in this policy.

If it is determined financially prudent to do so, a decision to amend the policy can be undertaken by Council resolution.

3 POLICY

Council will set aside funds in the reserve with amounts to be decided during the annual budget process and at any other time by Council resolution, with the amounts to be transferred accordingly.

For reserves listed at 3.2.2, these may be approved by the Management Executive Group (MEG) as long as the movement fits within the specified purpose of the reserve. The Chief Executive Officer (CEO) may decide that approval is still required from Council via a formal report.

3.1 Purpose of reserves

The purpose of reserve accounting is to put aside funds in the current year for capital and other purchases to be made in future years.

This practice eliminates fluctuations in Council's annual budget for capital and large purchases, and provides more consistency in the level of rates required each year.

3.2 Movement of reserves

During the budget process Council outlines the expected transfers to reserves and transfers from reserves. These transactions will be in line with this policy.

At the end of each financial year the relevant amounts will be transferred to or from the reserves bank account (where a specific reserve account exists) and general bank account of Council. The reserves bank account will reflect the level of reserves Council currently holds for the individual reserve accounts.

The following are reserves currently used by Council and specifies their purpose and conditions around annual movements.



FINANCIAL RESERVES POLICY

3.2.1 Movements approved only by Council

Reserve name and purpose	Council transfers to the reserve	Council transfers from the reserve
<p>Capital Expenditure Reserve: The Capital Expenditure Reserve is used to set aside funds that have been budgeted for capital works projects in one financial year but will not be fully expended by the end of that year.</p>	the unexpended budget amounts for capital works and other projects that will be undertaken in the following financial year	the amount placed into the reserve at the end of the previous financial year
<p>Caravan Park Development Reserve: The Caravan Park Development Reserve is used to set aside surpluses made from the operations of Council's caravan parks to assist with financing major works carried out at those caravan parks.</p>	the annual surplus made on the operations of Council's caravan parks	funds required to finance major works undertaken at Council's caravan parks
<p>Community Planning Reserve: The Community Planning Reserve is used to set aside unspent funds for community planning projects.</p>	annually cumulative unspent funds for each ward's community planning projects	the amount placed into the reserve at the end of the previous financial year
<p>Gravel & Sand Pit (G.S.P.) Restoration Reserve: The G.S.P. Restoration Reserve is used to fund land purchase, development and restoration of gravel and sand pits used by Council for the extraction of road building materials.</p>	the annual surplus on operations of gravel and sand pits	the cost of purchasing new sites, development and restoration of gravel and sand pits
<p>Heritage Loan Scheme Reserve: The Heritage Loan Scheme Reserve is used to provide loans to owners of properties located in significant heritage precincts, heritage registered buildings or structures of local heritage significance, to enable repair and maintenance of those buildings with the aims of quality appearance and public safety.</p>	after establishment of the initial reserve in 2014/2015, there will be no movements in this reserve movements are reflected in debtor account for heritage loans	
<p>Land and Buildings Reserve: The Land and Buildings Reserve is used to fund the purchase and improvement of land and buildings.</p>	proceeds from the sale of Council owned land and buildings	the cost of purchase of Council owned land and buildings
<p>Little Lake Boort Water Reserve: The Little Lake Boort Water Reserve is used to secure proceeds of sale of temporary water rights relating to Little Lake Boort.</p>	proceeds from the sale of temporary water rights and unexpended amounts from annual expenditure budget	amounts required to purchase water rights or for other expenditures relating to Little Lake Boort
<p>Major Projects Reserve: The Major Projects Reserve is used to assist with the funding of major projects identified by Council.</p>	annually an amount determined during the budget process as sufficient to fund major projects	funds required to finance major works identified by Council



FINANCIAL RESERVES POLICY

Reserve name and purpose	Council transfers to the reserve	Council transfers from the reserve
<p>Recreation Facilities Improvement Reserve: The Recreation Facilities Improvement Reserve is an allocation of funds used to provide interest free loans to community groups.</p>	<p>there are no movements in this reserve</p> <p>movements are reflected in the debtor account for interest free loans</p>	
<p>Unfunded Superannuation Liability Reserve: The Unfunded Superannuation Liability Reserve is used to assist with the funding any call that may be made on Council as a result of shortfall in the Local Authorities Superannuation Fund Defined Benefits Plan.</p>	<p>annually an amount determined during the budget processes sufficient to fund potential future calls by the superannuation authority in relation to an unfunded superannuation liability</p>	<p>any funds required to finance a call made upon Council by the superannuation authority</p>
<p>Unightly Premises Enforcement Provision Reserve: The Unightly Premises Enforcement Provision Reserve is used to provide funds to assist with the enforcement and rectification works on determined unightly premises with costs recouped via legal or other action.</p>	<p>after establishment of the initial reserve in 2016/2017, there will be no movements in this reserve</p> <p>movements are reflected in debtor account for unightly premises enforcement</p>	
<p>Unspent Contributions Reserve: The Unspent Contributions Reserve is used to set aside contributions received for a specific purpose in one financial year that will not be expended until a later financial year.</p>	<p>contributions received during the financial year that have not been expended</p>	<p>the amount placed into the reserve at the end of the previous financial year</p>
<p>Unspent Grants Reserve: The Unspent Grants Reserve is used to set aside grants received in one financial year that will not be expended until a later financial year.</p>	<p>grants received during the financial year that have not been expended</p>	<p>the amount placed into the reserve at the end of the previous financial year</p>
<p>Valuations Reserve: The Valuations Reserve is used to fund the cost of Council's bi-annual revaluations for rating purposes.</p>	<p>the net surplus on valuations in the years that Council is paid for the provision of its data to state government authorities, and amounts determined during the budget processes sufficient to fund the bi-annual revaluation process</p>	<p>the net cost of the revaluation process</p>
<p>Waste Management Reserve: (Was previously Landfill Rehabilitation Reserve) The Waste Management Reserve is used to assist with the cost of strategic projects, compliance and long term planning for Council's landfills and transfer stations.</p>	<p>annually \$10 per kerbside collection levy</p>	<p>the cost of strategic projects, compliance and long term planning within Council landfills and transfer stations</p>



FINANCIAL RESERVES POLICY

Reserve name and purpose	Council transfers to the reserve	Council transfers from the reserve
War Memorial Restoration Reserve: The War Memorial Restoration Reserve is used to fund the cost of maintaining and renewing war memorials across the Shire.	annually an amount determined during the budget process as sufficient to fund the war memorial program	the cost of works to war memorials

3.2.2 Movements approved by the MEG where it fits within the purpose of the reserve or by Council where determined by the CEO

Reserve name and purpose	Council transfers to the reserve	Council transfers from the reserve
Economic Development Reserve: The Economic Development Reserve is used to assist with economic development initiatives that Council wishes to financially support.	annually an amount determined during the budget process as sufficient to fund economic development initiatives, and proceeds from the sale of industrial land	the cost of economic development initiatives during the financial year
Fleet Replacement Reserve: The Fleet Replacement Reserve is used to fund replacement of Council's office vehicles.	annually an amount determined during the budget process as sufficient to fund the fleet replacement program	the net cost of fleet purchases for the year
Information Technology Reserve: The Information Technology Reserve is used to assist with the purchase of information technology assets.	annually an amount determined during the budget process as sufficient to fund information technology assets	the net cost of information technology assets for the year
Plant Replacement Reserve: The Plant Replacement Reserve is used to fund plant purchases.	annually an amount determined during the budget process as sufficient to fund the plant replacement program	the net cost of plant purchases for the year
Professional Development Reserve: The Professional Development Reserve is used to fund professional development undertaken by executive officers of Council.	an annual allocation provided to each executive officer in accordance with their contract of employment	the cost of professional development undertaken during the year by executive officers
Skinner's Flat Water Reserve: The Skinner's Flat Water Reserve is used to fund major repairs and capital works at the Skinner's Flat Water Supply.	the surplus on operations of the Skinner's Flat Water Supply	the cost of major repairs and capital works on the Skinner's Flat Water Supply infrastructure



FINANCIAL RESERVES POLICY

Reserve name and purpose	Council transfers to the reserve	Council transfers from the reserve
Swimming Pool Major Projects Reserve: The Swimming Pool Major Projects Reserve is used to fund unplanned major repairs and capital works at the various swimming pool sites across the Shire.	annually an amount determined during the budget process, to a maximum reserve level of \$200K	the net cost of unplanned major repairs and capital works
Units Reserve: The Units Reserve is used to fund the purchase or improvement of Council owned elderly persons' units.	annually the net surplus generated from rental income	the cost of capital works undertaken at elderly persons' units
Urban Drainage Reserve: The Urban Drainage Reserve is used to fund urban drainage works in towns within the Shire.	annually an amount determined during the budget processes sufficient to fund the urban drainage program	the annual cost of urban drainage works

4 HUMAN RIGHTS STATEMENT

It is considered that this policy does not impact negatively on any rights identified in the Charter of Human Rights Act (2007). Loddon Shire Council is committed to consultation and cooperation between management and employees. The Council will formally involve elected employee Health and Safety Representatives in any workplace change that may affect the health and safety of any of its employees.

5 REVIEW

The Manager Financial Services will review this policy for any necessary amendments no later than 2 years after adoption of this current version.

9.2 DISABILITY ACCESS AND INCLUSION PLAN 2018 - 2021

File Number: 12/12/004

Author: Jolie Middleton, Rural Access and Inclusion Officer

Authoriser: Allan Stobaus, Manager Community Support

Attachments:

1. Draft Disability Access and Inclusion Plan 2018-2021
2. Draft Year 1 Action Plan Disability Access and Inclusion Plan 2018-2021

RECOMMENDATION

That Council endorse the Disability Access and Inclusion Plan 2018 - 2021 as the final version.

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 Disability Access and Inclusion Plan 2017 - 2021 was presented to Council at the Council Forum held 10 October 2017.

The draft Disability Access and Inclusion Plan 2017 – 2021 was endorsed by Council for a period of four weeks public exhibition.

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 2018 – 2021.

In addition to the Disability Access and Inclusion Plan 2018 – 2021 being developed to satisfy 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 2018 – 2021 is the fourth plan for the Loddon Shire Council with Council adopting its first Community Access Plan in 2003.

The Plan dates have been amended to reflect year of commencement following Council endorsement i.e. 2017 start year changed to 2018.

The previous plans have seen the Loddon Shire 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

Public comment was sought on the draft Plan from 6 January to 4 February 2018. The draft Plan was available on Council's website and could be viewed at Council's Serpentine and Wedderburn offices upon request.

Overall, positive feedback was received supporting the Plan's focus and direction.

Feedback suggested that:

- Council consider providing the Plan in a simpler, easily readable format for community members. An Easy English version of the Plan will be developed and Council officers also plan to develop a summary document to be available for community.
- Council establish an advisory or reference committee which includes people with a disability, carers, and professionals to assist Council with monitoring the plan's implementation and provide advice on the development of the annual action plans. The Year 1 Action Plan addresses this suggestion under Strategy 11. *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, Action 11.5: Investigate the feasibility of extending the internal Disability Access and Inclusion Steering Group to include community members with a disability. Develop a report to Council outlining the findings with recommendations. If determined to be feasible, develop a proposal to seek endorsement from Council.*
- Strategy 9 of the Plan was not as specific and measurable as other strategies. *Strategy 9. We will offer opportunities for people with a disability to increase their skills and confidence in the workplace* has been changed to *We will offer work experience opportunities for people with a disability to increase their skills and confidence in the workplace.*

COST/BENEFITS

Council will play many and varied roles in implementing the Disability Access and Inclusion Plan 2018 – 2021. Some activities will require resource allocation through Council's annual budget process.

There are 18 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 2018-2021. It directs Council to focus 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 report 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 2018 – 2021, for a detailed outline of the risks associated with not implementing the Plan.

CONSULTATION AND ENGAGEMENT

Feedback was sought on the draft Disability Access and Inclusion Plan 2018 – 2021 during a four week public exhibition period from the 6 January to 4 February 2018.



DISABILITY ACCESS AND INCLUSION PLAN 2018 - 2021



DOCUMENT INFORMATION

DOCUMENT TYPE:	Strategic document
DOCUMENT STATUS:	Draft
POLICY OWNER POSITION:	Manager Community Support
INTERNAL COMMITTEE ENDORSEMENT:	Not applicable
APPROVED BY:	Council
DATE ADOPTED:	Click here to enter date of approval
VERSION NUMBER:	1
REVIEW DATE:	Click here to enter a date.
DATE RESCINDED:	Click here to enter a date.
RELATED STRATEGIC DOCUMENTS, POLICIES OR PROCEDURES:	Council Plan 2017-2021 Municipal Public Health and Wellbeing Plan 2013-2017 Community Care Strategy 2013-2017 Municipal Early Years Plan 2014-2017 Economic Development Strategy 2015-2019 Municipal Emergency Management Plan Recreation Strategy 2015-2020 Tourism Strategy 2011-2016 Loddon Shire Diversity Action Plan 2015-2016
RELATED LEGISLATION:	United Nations Convention of the Rights of Persons with Disabilities 2006 - ratified in Australia July 2008. Commonwealth Disability Discrimination Act 1992 The National Disability Strategy 2010-2020 Building Code of Australia 2013 Information, Linkages and Capacity Building Commissioning Framework 2016 Victorian Charter of Human Rights and Responsibilities Act 2006 - 1 January 2008 The Victorian Disability Amendment Act 2012 (revises the Disability Act 2006) The Equal Opportunity Act 1995 The Local Government Act 1989 - Section 3C Absolutely Everyone, State Disability Plan 2017-2020
EVIDENCE OF APPROVAL:	

Signed by Chief Executive Officer

FILE LOCATION: Document1

Strategic documents are amended from time to time, therefore you should not rely on a printed copy being the current version. Please consult the Loddon Shire website to ensure that the version you are using is up to date.

This document is available in alternative formats (e.g. larger font) if requested.

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EXECUTIVE SUMMARY

Loddon Shire Council is working to achieve its vision to have a *prosperous, vibrant and engaged community* and its mission to *enhance the sustainability and liveability of Loddon Shire*. Loddon Shire Council acknowledges that to achieve a community that is liveable for everyone it must continue to increase the accessibility and inclusion of people with a disability in the Loddon Shire.

In 2015, the Australian Bureau of Statistics (ABS) identified that approximately 18.3% (4.3 million) of the national population reported living with a disability, which is almost one in five Australians. This means approximately 1383 residents of Loddon Shire could have some form of disability. Disability results from the interaction between a person's conditions or impairments and the social and physical environment around them. It is also important to consider that the impacts of disability can extend beyond the person with a disability, affecting families, carers and the community as a whole.

Council has used the Social Model of Disability to guide the development of the Disability Access and Inclusion Plan 2018 – 2021. The Social Model of Disability directs Council to focus 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.

The Plan reflects Council's commitment to continue to reduce barriers experienced by people with a disability. The Plan follows a review of Council's Community Action and Inclusion Plan 2013 – 2015.

The Plan has six focus areas that were identified through extensive community and staff consultation. The following outlines each focus area, the particular outcome that area addresses for the community, and the underlying strategies that state how Council will work to achieve each outcome.

Accessible services, programs and events

People with a disability have the same opportunities to participate in services, programs and events in the Loddon Shire as everyone else.

- We will ensure our services are accessible and flexible to meet the changing needs of people with a disability, their families and carers.
- We will support events in the Loddon Shire to be accessible and welcoming to people with a disability.

Accessible Council buildings and infrastructure

The 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.

- We will work with our community to understand what physical barriers are experienced by people with a disability in our built and natural environments.
- We will ensure new developments and infrastructure are built to the principles of universal design, planning beyond the Access Standards to meet community needs.
- We will work to increase the accessibility of our built and natural environments to reduce the physical barriers experienced by people with a disability.
- We will support our residents to maintain their independence to get about town.
- We will support private businesses and people working in the building sector to understand the importance of and improve their accessibility.

Equal employment opportunities

People with a disability are engaged in flexible and sustainable employment within the Loddon Shire and have opportunities to develop and succeed.

- We will lead and work with others to increase local employment opportunities for people with a disability.
- We will offer work experience opportunities for people with a disability to increase their skills and confidence in the workplace.

Accessible communication and engagement

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.

- 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.
- 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.

Inclusive community participation

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.

- 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.
- 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.

Respectful and safe communities

People with a disability feel welcome and safe, and are as recognised and respected as any other resident in the Loddon Shire.

- We will promote the importance of inclusion for all and provide information and education about good models of inclusive practices and approaches.
- We will ensure our residents with a disability do not experience discrimination in the Loddon Shire.

Council will play many and varied roles in implementing the Disability Access and Inclusion Plan 2018 – 2021. Some activities will require resource allocation through Council's annual budget process. Annual internal Action Plans will be developed to guide Council staff on what needs to be done to achieve each strategy. 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 progress reports will be provided to Council.

1 PURPOSE

The Disability Access and Inclusion Plan 2018 – 2021 (the Plan) has been developed to help identify how Loddon Shire Council can contribute to better access and inclusion for residents in the Loddon Shire. Though the Plan refers primarily to people living with a disability, the plan also considers improved access for all community members including the elderly, parents with prams, young children and people who use English as a second language.

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 2018 – 2021.

In addition to the Disability Access and Inclusion Plan 2018 – 2021 being developed to satisfy 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*.

2 DISABILITY IN LODDON SHIRE

2.1 Defining disability

The term 'disability' is an umbrella term which covers many different conditions and impairments. Some people's conditions or impairments are present from birth, others are acquired later in life. Conditions or impairments can be permanent or temporary. Some people's support needs can increase over time and some can fluctuate or be episodic (particularly for some people with mental illness).

The World Health Organisation describes disability as:

"[A] term, covering impairments, activity limitations, and participation restrictions. An impairment is a problem in body function or structure; an activity limitation is a difficulty encountered by an individual in executing a task or action; while a participation restriction is a problem experienced by an individual in involvement in life situations".

This definition acknowledges that disability is complex and recognises the interaction between a person and the community in which they live. For people with a disability to participate in all walks of life, interventions are required to remove both environmental and social barriers.

This Plan has been developed using the Social Model of Disability. The Social Model of Disability identifies systemic barriers, negative attitudes and exclusion by society as the contributing factors to a person's disability, rather than by the person's own impairment. Its emphasis is on dignity, independence and choice. Using the Social Model of Disability directs Council to focus on addressing barriers created by attitudes, practices and structures which limit opportunities for all people to fully participate in life.

2.2 Loddon Shire community profile

Loddon Shire is located within central Victoria. It has an area of almost 6700 square kilometres. The municipality is a 'community of communities', comprising a number of small towns spread throughout the Shire.

According to the 2016 census, the estimated population of Loddon Shire was 7555 people. 2675 people or 35.4% of the Loddon Shire population are aged 60 years and over, compared to

only 27.3% for regional Victoria. Loddon Shire's population is ageing, with the number of people over the age of 60 years increasing by 179 people between 2011 and 2016.

In 2015, the Australian Bureau of Statistics (ABS) identified that approximately 18.3% (4.3 million) of the national population reported living with a disability, which is almost one in five Australians. This means approximately 1383 residents of Loddon Shire could have some form of disability.

The 2016 census recorded that 553 people or 7.4% of the population need help in their day-to-day lives due to disability. This is 1.4% higher than the Victorian average and is an increase from 7.3% in 2011. Loddon Shire also has 854 people providing unpaid care to a person with a disability, long term illness or old age.

3 THE DEVELOPMENT PROCESS

3.1 History

Council is now heading into its fourth Disability Action Plan.

2003: Council adopted its first Community Access Plan in 2003.

2007: The 2007 Plan introduced a holistic approach to access and inclusion across the whole organisation with a strong focus on educating and informing the principles of universal access and social inclusion to bring systemic changes in attitudes and work practices.

2013: The 2013 Plan continued with the focus on awareness, attitudinal change, education and training, while addressing and responding to Loddon Shire's legislative requirements. Federal Government changes to the Building Code of Australia (BCA) to align with the Disability Discrimination Act and Australian Standard 1428.1-2009 Design for Access and Mobility provided regulatory control to ensure that universal access design principles are considered in the design and construction of buildings and other related structures.

The implementation of the previous plans reflects the gradual shift in community and government perception of accessibility and inclusion. Attitudinal changes are evident and processes are embedded to ensure accessibility across the organisation.

The previous plans have seen the Loddon Shire 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.

3.2 Review of the Community Access and Inclusion Plan 2013 – 2015

Council is committed to operating with a lens of continuous improvement to ensure it is doing its best for the people of Loddon Shire.

3.2.1 Achievements of the Community Access and Inclusion Plan 2013 – 2015

The Community Access and Inclusion Plan 2013 – 2015 identified action areas for Council to facilitate a truly inclusive community in relation to consultation, civic participation and community engagement, employment, the built environment, transport, and leisure and tourism activities.

Some significant achievements of the Community Access and Inclusion Plan 2013 – 2015 include, but are not limited to:

- Essential Safety Audits planned to assess the accessibility of all Council buildings and development of priority recommendations for upgrades.
- Inglewood Swimming Pool Universal Upgrade project designed to meet disability access needs and requirements, to include complete upgrades of all buildings; new change rooms, including an above standard accessible change room facility; a new kiosk with disability access to servery areas; and new public ambulant and accessible toilets.
- Council style guide reviewed by Vision Australia and recommended changes incorporated to increase the accessibility of Council documents and publications.
- New Council website developed with integrated accessibility features such as ReadSpeaker software.
- Accessible accommodation guide developed that allows visitors to identify which accommodation providers could potentially meet their access needs and helps accommodation providers to identify simple changes to their business to increase their accessibility.
- Completion of several major projects to townships such as: Pyramid Hill corner of Barber and Victoria St, increased access from the parking bays to footpath and egress into the hotel; Pyramid Hill Kelly St footpath upgrade with contrast paving for people with low vision; and Serpentine public toilets upgraded to be universally accessible.
- Easy English training provided to staff.
- Council's standard font type and size changed to make all Council publications more accessible.
- Events Management Plan developed to include accessibility information.

3.2.2 Key learnings from the previous plan

Annual reviews of the Community Access and Inclusion Plan 2013 – 2015 were conducted and a comprehensive review was completed at the end of the Plan in consultation with managers who were responsible action owners. Key learnings that came out of the reviews are:

- **Keep it clear and achievable.** The previous Plan was found to be unclear on what was the expected outcome. This meant that some actions could not be achieved as staff were not aware of why or how to implement their actions requiring a lot of support and advice from the Loddon Shire Council's Disability Inclusion Officer.
- **The importance of consultation with staff and community.** The previous Plan highlighted the importance of setting actions that meet community needs but also align to business unit plans. Some actions could not be achieved with existing resources or budget due to not aligning to the planned work of the business unit and became difficult for staff to find the capacity to complete.
- **The importance of continual review and modification.** The previous Plan's actions were developed to cover three years of implementation, meaning it became rigid and did not allow for changes or opportunities for continuous improvement.

This Plan has been developed after extensive consultation with staff and community to identify and set 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. The Plan sets out broad outcomes and strategies for the four years, with Action Plans to be reviewed and developed each year to ensure the plan continues to adapt to the needs of the community and aligns with business unit plans and staff capacity.

3.3 Researching best practice

Extensive research was conducted to ensure the Plan is aligned with current policy and trends, including:

- reviewing demographic and health statistics
- reviewing local, state and federal strategic, policy and service context
- benchmarking against other local government Disability Action Plans.

3.4 Consultation with the community and staff

Council values the voices of the people living in Loddon Shire and conducted an extensive range of consultations with community members and staff members to ensure the Plan is based on the needs and aspirations of people in Loddon Shire.

Council's Disability Access and Inclusion Steering Group had a key role in identifying the mechanisms for engaging and consulting with the community.

3.4.1 Community engagement methods

Council ran a series of targeted community engagement sessions to find out community views on how accessible and inclusive the Loddon Shire community is, and 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 it could get involved and have its say. A total of 111 community members and staff members participated in the consultation.

Direct contact

People were encouraged to contact the Disability Inclusion Officer by phone, email or in person. This was promoted through emails, flyers on community notice boards, website banner, social media posts, and local newspaper and community newsletter articles.

Survey

A survey was available online and in hardcopy encouraging people to answer questions related to the following areas:

- Council's buildings and facilities, such as sports grounds, swimming pools, public halls, footpaths, parks, playgrounds and any other Council owned places
- the services that Council offers, such as child care centres, garbage collection, customer service that the community receives either over the counter or on the phone, animal registration, and the many other services that Council provides to the community
- information and communications that Council produces, such as flyers, books, advertising, website and other documents
- employment as a person with a disability
- participation in the community as a person with a disability, such as participating in events, recreation activities, public activities
- attitudes and practices which discriminate against people with a disability
- best practice for accessible and inclusive communities of people with a disability.

The survey was promoted and 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.

15 surveys were completed: 12 online using Survey Monkey, 2 hardcopy and one over the phone with support from the Disability Inclusion Officer.

Pop-up listening posts

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Eight separate community engagement opportunities were held around the Loddon Shire through pop-up listening posts at neighbourhood houses and outside supermarkets. The opportunities encouraged community to think about what actions they would suggest Council take over the next five years so that they can answer 'yes' to the following questions:

- Do you feel comfortable and welcome in Loddon Shire?
- Can you easily find your way around?
- Can you find information about services and community activities easily?
- Are you able to participate in community life to the full extent you want to?
- Can you access buildings and facilities easily?

Six community members attended the community listening posts held at neighbourhood houses and 21 community members participated in the community engagement opportunities held outside the four local supermarkets.

Suggestion boxes

Suggestion boxes were left at each neighbourhood house and local supermarket for a week following each town's listening posts providing the opportunity for people to write a comment and post it in a box. Suggestion forms encouraged the community to consider the same questions as those asked at the pop-up listening posts.

14 suggestion forms were completed by community members.

Focus groups

Community groups and organisations were encouraged to invite the Disability Inclusion Officer to meetings if they were interested in discussing access and inclusion issues to feed into the development of the Plan.

The Disability Inclusion Officer attended three group meetings/gatherings to talk about the Plan.

Staff workshops

Four separate workshops were held for staff seeking feedback from staff on what works well and what needs improving. At these workshops staff reviewed Council's current practices focusing on services and public programs delivered and facilities provided, and identifying barriers that prevent people with a disability accessing them.

53 staff attended the four staff workshops held in Wedderburn and Serpentine. Two staff were not able to attend the staff workshops however arranged a separate meeting with the Disability Inclusion Officer to discuss the plan.

Staff survey

A staff survey was available for Council staff members to answer questions related to:

- their level of awareness of disability, the previous Plan and how it relates to their work
- their level of confidence to adapt work practices to meet the needs of people with a disability
- identifying opportunities to improve their work practice to be more accessible and inclusive of people with a disability
- rating the Loddon Shire Council's level of accessibility and inclusiveness.

52 staff members completed the survey.

3.4.2 What people told us

Feedback from the consultations generally indicated that the community was satisfied with the services provided by Council and thought that Council was making some good improvements to

the accessibility of the Loddon Shire. The common issues identified during the community and staff consultation were:

Accessibility of services, programs and events

Feedback identified that event organisers need awareness and support to understand how to set-up their events to be accessible, such as placing vans and toilets where there are clear and easy paths of travel, having an accessible toilet, signage at events to help people get around, and including information about the event accessibility in promotion material.

Many community members raised the need for information and face-to-face contact with Council to be more easily available. A common complaint was that people who didn't live in Wedderburn or Serpentine and have direct access to one of the Council offices found it difficult to get in contact with Council staff because they did not have access to transport and found it difficult to communicate over the phone. Suggestions included a council road show or regular attendance at neighbourhood houses.

A number of community members talked about how difficult they found it to find out about what services and activities were available in the Loddon Shire. A suggestion was made regarding the need for welcome packs from the shire to support access to information and about opportunities to participate in the community.

Accessibility of buildings and infrastructure

Footpath and gutter maintenance was raised often by community members as being a high priority within the towns of Loddon Shire. Of specific mention was the need for footpaths and gutters to be of a standard that supports the use of mobility aids such as scooters and wheel-walkers to support people to maintain their independence when getting around their towns.

The need to increase the accessibility of many existing public toilets and community buildings was raised in most community consultation sessions. Residents would like to see more ambulant toilets with rails in addition to the accessible toilets.

A number of community members also identified the need for Council to be thinking about access to and from buildings at recreation and natural reserves where there are often not designated footpaths and using universal design principles to plan beyond the standards to meet community needs.

Community members also understood that Council does not have control over all buildings and infrastructure in the Loddon Shire, however many people noted difficulty getting into shops and private businesses.

Employment opportunities

Community members said that programs that support creation of employment opportunities for people with a disability in the Loddon Shire was very important. People with a disability in the Loddon Shire community want to work but said that employers weren't willing to "give them a go". Suggestions included broader community support and awareness to businesses of State and Federal initiatives that encourage and support employment of people with a disability and providing opportunities for training/work placements for people with a disability to develop skills for employment.

Communication and information

Feedback indicates that community members access information in many different ways and there is no one type that suits all. Some feedback indicated that access to the internet is difficult and many community members reported that they would like Council to make better use of non-formal communication methods, such as community noticeboards, newsletters and distribution to community groups to support 'word of mouth' sharing of information. While other feedback suggested an increase in the use of social media by Council and improvements to the Council website to make it simpler, with plain English and easier to find information.

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A common suggestion from community members was also for Council to update and improve the signs around the Loddon Shire to make them easier to read.

Many community members identified that they did not hear about or know when Council had new projects or plans being developed, or know how they could get involved and have their say.

Inclusion and civic participation

Transport across the Loddon Shire was identified by many community members as a major barrier to participation in the community. Suggestions included advocating for improved public transport and the development of transport programs to events, activities and also to towns outside of the Loddon Shire to support people to access the services that are not available to them within the Shire.

Many people reported that they felt they were able to participate and be included in the Loddon Shire, however it was identified that people with a disability and their carers can be isolated in the community and may not have the same opportunities to make connections and feel supported in the Loddon Shire. Some suggestions included running organised programs for people with a disability to participate and build connections, such as “know your neighbour” and “come and try days” and more support groups for carers.

Attitudes and behaviours that discriminate

Feedback generally indicated that people with a disability felt welcome and safe in the Loddon Shire community, however there may be a lack of understanding of disability and therefore people with a disability may not be treated or respected the same as any other resident. Many community members identified the need for more disability awareness activities in the community to raise understanding of diversity, human rights and what discrimination is, such as workshops with community groups, businesses, clubs, and positive promotion/stories of disability in the community.

Staff training

It was also found through the staff and community consultations that for Council staff to be able to address the above identified needs of the community and adapt their work practices to consider and meet the needs of people with a disability, staff will need training to increase their confidence and help them know how they can do that.

4 POLICY CONTEXT

Access and inclusion for people with a disability is driven by international policy, such as the *United Nations Convention on the Rights of Persons with Disabilities 2006*. The Australian government ratified the convention on behalf of the country in 2008 and followed this with the development of the *National Disability Strategy 2010 – 2020*.

The Victorian Government’s *Absolutely Everyone, State disability plan 2017 – 2020* outlines how the state government will implement their obligations under the national strategy and the convention.

As a local government in Victoria the Loddon Shire Council also has responsibilities under state legislation such as the *Disability Act 2006* and the *Charter of Human Rights and Responsibilities Act 2006*.

Council must also act in accordance with the *Disability Discrimination Act 1992* to ensure there is no discrimination based on disability in any of its functions, services or corporate framework.

The Disability Access and Inclusion Plan 2018 – 2021 forms part of Council’s commitment to achieving its obligations under international, federal and state legislation, plans and policies. The Plan has been developed taking inspiration from the documents listed in Appendix 1.

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This Plan has specifically been developed to have outcomes that align with and support the aspirations of the Victorian Government's *Absolutely Everyone, State disability plan 2017 – 2020* and the *National Disability Insurance Scheme (NDIS) Information Linkages and Capacity Building (ILC) Framework*.

5 COUNCIL'S ROLE

Council acknowledges that people living with disability are valuable members of the community who have the same fundamental rights and responsibilities as all citizens. It commits to a proactive 'whole-of-organisation' approach informed by principles of universal access and social inclusion.

Council, in partnership with all its citizens, state and federal governments and other organisations, will work towards the following guiding outcomes to build a truly inclusive community:

- 1. People with a disability have the same opportunities to participate in services, programs and events in the Loddon Shire as everyone else.**
- 2. The 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.**
- 3. People with a disability are engaged in flexible and sustainable employment within the Loddon Shire and have opportunities to develop and succeed.**
- 4. 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.**
- 5. 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.**
- 6. People with a disability feel welcome and safe, and are as recognised and respected as any other resident in the Loddon Shire.**

The Loddon Shire Council has identified 15 strategies that will direct Council on how it will achieve the six outcomes of the Plan.

5.1 Accessible services, programs and events

People with a disability have the same opportunities to participate in services, programs and events in the Loddon Shire as everyone else.

1. We will ensure our services are accessible and flexible to meet the changing needs of people with a disability, their families and carers.
2. We will support events in the Loddon Shire to be accessible and welcoming to people with a disability.

5.2 Accessible Council buildings and infrastructure

The 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.

3. We will work with our community to understand what physical barriers are experienced by people with a disability in our built and natural environments.
4. We will ensure new developments and infrastructure are built to the principles of universal design, planning beyond the Access Standards to meet community needs.
5. We will work to increase the accessibility of our built and natural environments to reduce the physical barriers experienced by people with a disability.
6. We will support our residents to maintain their independence to get about town.
7. We will support private businesses and people working in the building sector to understand the importance of and improve their accessibility.

5.3 Equal employment opportunities

People with a disability are engaged in flexible and sustainable employment within the Loddon Shire and have opportunities to develop and succeed.

8. We will lead and work with others to increase local employment opportunities for people with a disability.
9. We will offer work experience opportunities for people with a disability to increase their skills and confidence in the workplace.

5.4 Accessible communication and engagement

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.

10. 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.
11. 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.

5.5 Inclusive community participation

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.

12. 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.
13. 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.

5.6 Respectful and safe communities

People with a disability feel welcome and safe, and are as recognised and respected as any other resident in the Loddon Shire.

14. We will promote the importance of inclusion for all and provide information and education about good models of inclusive practices and approaches.
15. We will ensure our residents with a disability do not experience discrimination in the Loddon Shire.

6 IMPLEMENTATION OF THE PLAN

Annual Action Plans will be developed to guide Council staff on what needs to be done to achieve each strategy of the Plan 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.

7 MONITORING AND EVALUATION

Council has identified an additional three key strategies for the Plan, these are:

1. We will meet our legislative requirements.
2. We will be accountable to our community and implement the Plan with good governance.
3. We will operate with a lens of continuous improvement to ensure we are doing our best for people with a disability in the Loddon Shire community.

The below table sets out how the Loddon Shire Council will continually monitor and report on the Plan's progress over its four years of implementation and inform future planning to continue to address the needs of people with a disability in the Loddon Shire community.

Table 1: Implementation and evaluation plan

Strategy	Actions	Lead Department	Partners
We will meet our legislative requirements.	1. Register the Disability Access and Inclusion Plan 2018-2021 with the Australian Human Rights Commission.	Community Support (Disability Inclusion)	
	2. Include a report on the Plan's progress in the Loddon Shire Council Annual Report.	Community Support (Disability Inclusion)	Corporate Services
We will be accountable to our community and implement the Plan with good governance.	3. Regularly monitor and support implementation of the Action Plan through the Disability Access and Inclusion Steering Group.	Community Support (Disability Inclusion)	Disability Access and Inclusion Steering Group
	4. Develop a monitoring and evaluation template for all lead departments to report on the progress of their actions every 6 months.	Community Support (Disability Inclusion)	All Lead Departments
	5. Publish annual updates on the Loddon Shire Council website.	Community Support (Disability Inclusion)	

Strategy	Actions	Lead Department	Partners
We will operate with a lens of continuous improvement to ensure we are doing our best for people with a disability in the Loddon Shire community.	6. Conduct a review of the Action Plan in the last month of each year of the Plan to assess progress, make appropriate changes and develop new actions to form the next year's Action Plan.	Community Support (Disability Inclusion)	All Lead Departments
	7. Provide annual progress reports to Council through internal reporting processes.	Community Support (Disability Inclusion)	Disability Access and Inclusion Steering Group
	8. Undertake a comprehensive review and evaluation of the DAIP 2018-2021 in the last quarter of the Plan, to inform the development of the new DAIP.	Community Support (Disability Inclusion)	
	9. Report to Council on the efficacy of this Plan, with future recommendations and priorities for action by the end of 2021.	Community Support (Disability Inclusion)	

8 BUDGET IMPLICATIONS

There are 18 strategies outlined within this 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.

9 RISK ANALYSIS

It is a legislative requirement that Council has a Disability Action Plan and report 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 considered that this Plan does not impact negatively on any rights identified in the *Victorian Charter of Human Rights and Responsibilities Act 2006*. It is important to note that Loddon Shire Council is liable under the *Disability Discrimination Act 1994* (DDA), if it discriminates against people with disabilities and or their carers/family members based on any of its functions, services or corporate framework. Therefore it is possible for the Council to be sued if it does not adhere to the DDA or the *Victorian Charter of Human Rights and Responsibilities Act*.

It is also costly to retrofit buildings to make them accessible rather than meet accessibility requirements in the initial construction.

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The following table outlines the risk analysis of not implementing a Community Access and Inclusion Plan:

Table 2: Disability Access and Inclusion Plan risk analysis

Possible risks	Consequential criteria	Likelihood criteria	Assessed risk
New or modified facilities not being disability compliant	Potential cost could be more than \$100,000	Unlikely to occur but could happen	Medium
Person with a disability unable to obtain and maintain employment with Loddon Shire Council	Potential cost could be more than \$100,000	Unlikely to occur but could happen	Medium
Person with a disability is not included in local activities coordinated by Loddon Shire Council due to negative attitudes, assumptions and barriers not addressed	Potential cost could be between \$20,000 and \$50,000	Unlikely to occur but could happen	Low
Loddon Shire Council staff discriminate on the basis of disability for Loddon Shire Council services	Potential cost could be between \$20,000 and \$50,000	Unlikely to occur but could happen	Low

APPENDIX 1: POLICY ENVIRONMENT

The Plan has been developed taking into account the following documents:

International

- United Nations Convention of the Rights of Persons with Disabilities 2006 - ratified in Australia July 2008.

National

- Commonwealth Disability Discrimination Act 1992
- The National Disability Strategy 2010-2020
- Building Code of Australia 2013
- Information, Linkages and Capacity Building Commissioning Framework 2016

State

- Victorian Charter of Human Rights and Responsibilities Act 2006 - 1 January 2008
- The Victorian Disability Amendment Act 2012 (revises the Disability Act 2006)
- The Equal Opportunity Act 1995
- The Local Government Act 1989 - Section 3C
- Absolutely Everyone, State Disability Plan 2017-2020

Local Government

- A Strategic Framework for Local Government, MAV

Loddon Shire Council

- Council Plan 2017-2021
- Municipal Public Health and Wellbeing Plan 2013-2017
- Community Care Strategy 2013-2017
- Municipal Early Years Plan 2014-2017
- Economic Development Strategy 2015-2019
- Municipal Emergency Management Plan
- Recreation Strategy 2015-2020
- Tourism Strategy 2011-2016
- Loddon Shire Diversity Action Plan 2015-2016

LODDON SHIRE COUNCIL

YEAR 1 ACTION PLAN DISABILITY ACCESS AND INCLUSION PLAN 2018 - 2021



DOCUMENT INFORMATION

DOCUMENT TYPE:	Strategic document
DOCUMENT STATUS:	Draft
POLICY OWNER POSITION:	Manager Community Support
INTERNAL COMMITTEE ENDORSEMENT:	Not applicable
APPROVED BY:	Council
DATE ADOPTED:	Click here to enter date of approval
VERSION NUMBER:	1
REVIEW DATE:	Click here to enter a date.
DATE RESCINDED:	Click here to enter a date.
RELATED STRATEGIC DOCUMENTS, POLICIES OR PROCEDURES:	Council Plan 2017-2021 Municipal Public Health and Wellbeing Plan 2013-2017 Community Care Strategy 2013-2017 Municipal Early Years Plan 2014-2017 Economic Development Strategy 2015-2019 Municipal Emergency Management Plan Recreation Strategy 2015-2020 Tourism Strategy 2011-2016 Loddon Shire Diversity Action Plan 2015-2016
RELATED LEGISLATION:	United Nations Convention of the Rights of Persons with Disabilities 2006 - ratified in Australia July 2008. Commonwealth Disability Discrimination Act 1992 The National Disability Strategy 2010-2020 Building Code of Australia 2013 Information, Linkages and Capacity Building Commissioning Framework 2016 Victorian Charter of Human Rights and Responsibilities Act 2006 - 1 January 2008 The Victorian Disability Amendment Act 2012 (revises the Disability Act 2006) The Equal Opportunity Act 1995 The Local Government Act 1989 - Section 3C Absolutely Everyone, State Disability Plan 2017-2020
EVIDENCE OF APPROVAL:	

Signed by Chief Executive Officer

FILE LOCATION: Document5

Strategic documents are amended from time to time, therefore you should not rely on a printed copy being the current version. Please consult the Loddon Shire website to ensure that the version you are using is up to date.

This document is available in alternative formats (e.g. larger font) if requested.

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1 Purpose

This Annual Action Plan should be read in conjunction with the Disability Access and Inclusion Plan 2018-2021.

Annual Action Plans are developed to guide Council staff on what needs to be done to achieve each strategy of the Disability Access and Inclusion Plan 2018-2021 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.

2 Accessible services, programs and events

Desired outcome: People with a disability have the same opportunities to participate in services, programs and events in the Loddon Shire as everyone else.

Strategy	Actions	Lead Department	Partners
1. We will ensure our services are accessible and flexible to meet the changing needs of people with a disability, their families and carers.	As part of the Customer Service Strategy development:		Loddon Leaders
	1.1 Investigate the feasibility of a six week rotation of Customer Service and Community Service staff to each area of the Shire, such as a Council road show or via regular staff attendance at community/neighbourhood houses. If determined feasible, budget bid and business case to be submitted to Council for the 19/20 financial year.	Information and Business Transformation	
	1.2 Review the level of Customer Service currently offered, considering the needs of people with differing communication needs.	Information and Business Transformation	
2. We will support events in the Loddon Shire to be accessible and welcoming to people with a disability.	2.1 Update the Event Management Guide to include minimum requirements for event accessibility.	Organisational Development	
	2.2 Investigate the need for a Loddon Shire accessible event guide and resource kit to be developed.	Community Support (Disability Inclusion)	
	2.3 Update Council's Community Support Policy to ensure events funded through the Community Grants Program have a	Community Support	

Strategy	Actions	Lead Department	Partners
	<p>minimum accessibility component.</p> <p>2.4 Provide advice and documentation distributed to external event holders with recommendations on how to be accessible and inclusive through tourism communications and marketing channels.</p> <p>2.5 Explore potential delivery of training every two years to raise awareness and provide support to event organisers re event accessibility:</p> <ul style="list-style-type: none"> • information available to public about events accessibility • physical environment re placement of vans, toilets, ramps etc. • portable accessible toilet • signage at events 	<p>Commercial Services (Tourism)</p> <p>Community Support (Disability Inclusion)</p>	

3 Accessible Council buildings and infrastructure

Desired outcome: 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.

Strategy	Actions	Lead Department	Partners
3. We will work with our community to understand what physical barriers are experienced by people with a disability in our built and natural environments.	<p>3.1. Investigate the use of a mobile number for community members to raise requests via text message.</p> <p>3.2. Investigate the integration of the Snap, Send, Solve app into Merit (Council's customer request system).</p> <p>3.3. Promote to community how to raise a customer request through social media, local newsletters, local newspapers, or on noticeboards.</p> <p>3.4. Explore partnerships with post offices to keep customer request forms with return paid envelopes.</p>	<p>Information and Business Transformation</p> <p>Information and Business Transformation</p> <p>Executive Services</p> <p>Information and Business Transformation</p>	<p>Information and Business Transformation</p>

Strategy	Actions	Lead Department	Partners
4. We will ensure new developments and infrastructure are built to the principles of universal design, planning beyond the Access Standards to meet community needs.	<p>4.1. Universal design principles are to be included as a requirement to be considered in all applicable infrastructure projects.</p> <p>4.2. A statement regarding the consideration of universal design principles is to be included within professional service agreements, and as part of contract management framework development.</p> <p>4.3. Deliver an annual training program to increase awareness and understanding of universal design principles for all relevant staff.</p> <p>4.4. Explore the feasibility of engaging an access consultant for projects over the value of \$100,000 versus training an internal staff member to be a qualified access auditor. If determined feasible, to inform business case and budget bid for the 19/20 financial year.</p>	<p>Technical Services</p> <p>Technical Services</p> <p>Community Support (Disability Inclusion)</p> <p>Development and Compliance</p>	
5. We will work to increase the accessibility of our built and natural environments to reduce the physical barriers experienced by people with a disability.	5.1. Undertake activities to identify high use buildings and public toilets within the Loddon Shire, with the vision to determine the compliance of identified buildings and the budget required to improve their accessibility (in Year 2 of this plan). To inform a business case and budget bid for the 19/20 financial year.	Technical Services	
6. We will support our residents to maintain their independence to get about town.	<p>6.1. Street furniture and mobility scooter parking bays that are accessible and compliant with universal design principles are to be considered as part of streetscape development plans.</p> <p>6.2. Identify the need and locations for new mobility scooter and wheelchair recharge points and implement new points where required.</p>	<p>Community Support</p> <p>Community Support (Disability Inclusion)</p>	

Strategy	Actions	Lead Department	Partners
7. We will support private businesses and people working in the building sector to understand the importance of and improve their accessibility.	7.1. Partner with the City of Greater Bendigo to continue to implement the Inclusive Towns project to encourage and support local businesses to make changes to increase their accessibility.	Community Support (Disability Inclusion)	
	7.2. Invite all key design and construction related contractors (e.g. civil designers, building surveyors, project managers) that Council has previously engaged to attend annual training on the Access Standards and Universal Design Principles (see Action 4.3).	Community Support (Disability Inclusion)	

4 Equal employment opportunities

Desired outcome: People with a disability are engaged in flexible and sustainable employment within the Loddon Shire and have opportunities to develop and succeed.

Strategy	Actions	Lead Department	Partners
8. We will lead and work with others to increase local employment opportunities for people with a disability.	8.1. Partner with local Disability Employment Service providers to identify potential job opportunities for people with disability within Council.	Organisational Development	Information and Business Transformation
	8.2. Promote Loddon Shire Council as a disability friendly workplace; advertising vacant positions with local Disability Employment Service providers, offering support to applicants and flexible work arrangements.	Organisational Development	
	8.3. Partner with the City of Greater Bendigo to continue to implement the Inclusive Towns project to encourage and support local businesses to employ people with a disability.	Community Support (Disability Inclusion)	
9. We will offer work experience opportunities for people with a disability to increase their	9.1. As part of the Work Experience Policy review, consider the inclusion of a targeted work experience program for people with a disability within various	Organisational Development	Community Support (Disability Inclusion)

Strategy	Actions	Lead Department	Partners
skills and confidence in the workplace.	Council departments.		

5 Accessible communication and engagement

Desired outcome: 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.

Strategy	Actions	Lead Department	Partners
10. 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.	10.1. Develop a Communication Plan template to support staff to consider what communication media to use for their intended audience, such as: <ul style="list-style-type: none"> • Audio (radio, video) • Visual (Auslan, pictures) • Written (Easy English, Braille, Plain English) • Online (social media, website) • Other methods (community newsletters, talking to community groups) 	Executive Services	Community Support (Disability Inclusion)
	10.2. Promote and encourage more community groups to register their contact information on the Loddon Shire Council's website to increase use of non-formal communication methods and support 'word of mouth' promotion.	Corporate Services	Community Services Community Support
	10.3. Send out quarterly promotions to encourage community to subscribe to Loddon Shire Council's website, social media pages etc.	Executive Services	Community Services Community Support
	10.4. Engage community members to review the website and make recommendations to make it more user friendly from a community perspective.	Information and Business Transformation	Community Support (Disability Inclusion) Executive Services

	<p>10.5. Work with local neighbourhood houses to ensure they have and know where to access information about the Loddon Shire Council to include in welcome material for new residents to Loddon Shire.</p> <p>10.6. Deliver training to staff on how to write in Plain English and Easy English, alternating each year.</p> <p>10.7. Include accessibility guidelines in the Signage Style Guide.</p> <p>10.8. Develop a shorter plain English version and an Easy English version of the Disability Access and Inclusion Plan 2017-2021.</p>	<p>Information and Business Transformation</p> <p>Community Support (Disability Inclusion)</p> <p>Community Support</p> <p>Community Support (Disability Inclusion)</p>	<p>Community Services Community Support</p> <p>Organisational Development</p>
<p>11. 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.</p>	<p>11.1. Promote the use of the Communications Plan template (see Action 10.1) to staff, to be used in liaison with Council's Media Officer.</p> <p>11.2. Raise awareness of the importance of community engagement through Loddon Leaders Network meetings and the staff newsletter.</p> <p>11.3. Finalise development of the Community Engagement Framework/Policy.</p> <p>11.4. Develop training for staff on effective community engagement/consultation raising awareness about the Community Engagement Framework once finalised. To be included in the 18/19 Training Calendar.</p> <p>11.5. Investigate the feasibility of extending the internal Disability Access and Inclusion Steering Group to include community members with a disability. Develop a report to Council outlining the</p>	<p>Executive Services</p> <p>Executive Services Community Support</p> <p>Executive Services Community Support</p> <p>Organisational Development</p> <p>Community Support (Disability Inclusion)</p>	<p>Community Support</p> <p>Executive Services Community Support</p>

	findings with recommendations. If determined to be feasible, develop a proposal to seek endorsement from Council.		
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6 Inclusive community participation

Desired outcome: 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.

Strategy	Actions	Lead Department	Partners
12. 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.	12.1. Continue to advocate for improved and accessible public transport systems.	Community Support	Community Services
	12.2. Explore potential partnerships through the Loddon Campaspe Regional Transport Working Group for transport programs to events, activities and towns outside of the Loddon Shire for accessing services. Explore possible grant opportunities.	Community Support	
13. 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.	13.1. Identify opportunities and explore delivery of programs/support for people with a disability to participate and build connections in their local community, such as Know Your Neighbour & Come & Try days.	Community Support	Community Services
	13.2. Explore the feasibility of support groups for carers and seek appropriate grants to support the delivery.	Community Services	Community Support (Disability Inclusion)

7 Respectful and safe communities

Desired outcome: People with a disability feel welcome and safe, and are as recognised and respected as any other resident in the Loddon Shire.

Strategy	Actions	Lead Department	Partners
14. We will promote the importance of inclusion for all and provide information and education about	14.1. Conduct disability awareness activities in the community through workshops with community groups and clubs.	Community Support (Disability Inclusion)	

Strategy	Actions	Lead Department	Partners
good models of inclusive practices and approaches.	14.2. Run an annual internal International Day of People with Disability event to promote positive stories of disability that increase awareness and inclusion in the workplace.	Community Support (Disability Inclusion)	
15. We will ensure our residents with a disability do not experience discrimination in the Loddon Shire.	15.1. Trial the delivery of diversity and inclusion training that focuses on unconscious bias to raise staff understanding of diversity, Human Rights and what discrimination is. Review of the trial is to potentially inform an ongoing business case and budget bid.	Organisation Development	Community Services Community Support (Disability Inclusion)

9.3 REVIEW OF KERBSIDE WASTE AND RECYCLING POLICY

File Number: 15/05/001
Author: Deanne Caserta, Manager Financial Services
Authoriser: Sharon Morrison, Director Corporate Services
Attachments: 1. Kerbside Waste and Recycling Policy v2

RECOMMENDATION

That Council adopts the Kerbside Waste and Recycling Policy v2.

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 last approved version of the Kerbside Waste and Recycling Policy (v1) (the Policy) was in April 2017.

BACKGROUND

The purpose of the Policy is to outline the conditions associated with the provision of kerbside waste and recycling services throughout the municipality including the application of associated fees and charges.

ISSUES/DISCUSSION

Council currently provides a kerbside waste and recycling service (the Service) to eligible residential properties throughout the Shire. The Service is provided to assist local residential and commercial properties to appropriately manage their waste and recyclable materials.

The Service is intended to provide a flexible, convenient and affordable mechanism to manage on-site waste generation, protect the amenity of our township and rural living areas and reduce the potential risk of illegal dumping or onsite waste disposal/accumulation.

Changes to the Policy include:

- adding a missing property classification of “industrial” under the mandatory kerbside waste and recycling collection service
- adding a new section for circumstances where a new bin request has been granted but collection is not available at the front of the property due to road access issues
- adding a new section to include information on refunds where a ratepayer believes that a charge has been incorrectly raised on a property.

COST/BENEFITS

It is not expected that this Policy will have any further financial impact upon Council beyond that which is currently being incurred through the provision and operation of the existing kerbside waste and recycling service.

RISK ANALYSIS

It is considered that no additional risk to Council shall be created through this policy. The provision of clear service parameters and expectations may however assist in the reduction of limited reputational or financial risks.

CONSULTATION AND ENGAGEMENT

The document has been subject to the normal approval process of the policy review group and Management Executive Group prior to presentation in the Council Meeting Agenda. Councillors informally considered the proposed changes at the February Forum.



KERBSIDE WASTE AND RECYCLING POLICY

DOCUMENT TYPE:	Council policy
DOCUMENT STATUS:	Draft
POLICY OWNER POSITION:	Manager Financial Services
INTERNAL COMMITTEE ENDORSEMENT:	Not applicable
APPROVED BY:	Council
DATE ADOPTED:	Click here to enter date of approval
VERSION NUMBER:	2
REVIEW DATE:	Click here to enter a date.
DATE RESCINDED:	Click here to enter a date.
RELATED STRATEGIC DOCUMENTS, POLICIES OR PROCEDURES:	Fees and Charges Schedule Loddon Shire Waste Management Strategy Loddon Planning Scheme Building Act 1993 Loddon Shire Community Support Policy
RELATED LEGISLATION:	Local Government Act 1989 Australian Taxation Office Goods and Services Tax Act (GST) 1999 Loddon Shire Local Law No. 4 - Environment
EVIDENCE OF APPROVAL:	

Signed by Chief Executive Officer

FILE LOCATION: K:\EXECUTIVE\Strategies policies and procedures\Policies - adopted PDF and Word\POL kerbside waste and recycling policy V1.docx

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This document is available in alternative formats (e.g. larger font) if requested.



KERBSIDE WASTE AND RECYCLING POLICY

1 PURPOSE

To outline conditions associated with the provision of kerbside waste and recycling services throughout the municipality including the application of associated fees and charges.

2 SCOPE

This policy applies to all properties within the Loddon Shire municipal boundary.

This policy should be read in conjunction with Loddon Shire Local Law No. 4 – Environment (the Local Law), Council's Waste Management Strategy and Council's Community Support Policy.

3 POLICY

Council operates a kerbside waste and recycling collection service to assist local residential and commercial properties to appropriately manage their waste and recyclable materials. The provision of a kerbside collection service is intended to provide a flexible, convenient and affordable mechanism to manage on site waste generation, protect the amenity of our township areas and reduce the potential risk of illegal dumping.

The provision of a separate recyclable service is consistent with Council's position of attempting to reduce the volume of waste being disposed to landfill. Complementing the kerbside collection service, Council also operates a number of waste management facilities or other services as detailed within its Waste Management Strategy.

This policy outlines the operational parameters which have been set with respect to the provision of the kerbside collection service to ensure its ongoing viability and effectiveness, as well as the application of associated charges.

To fund the kerbside collection service, Council annually levies charges under the Local Government Act.

3.1 Service eligibility

3.1.1 Residential and commercial properties

Council provides a mandatory kerbside waste and recycling collection service to all residential, industrial and commercial tenements located within the Township Zone (TZ), Low Density Residential Zone (LDRZ) or Rural Living Zone (RLZ) as defined within the Loddon Planning Scheme.

Where it is both economically viable and practical to do so, Council will attempt to provide access to the kerbside waste and recycling service to residential or commercial properties located outside of the TZ, LDRZ or RLZ, however provision of the service in these instances is subject to the conditions specified within clause 3.1.4 being met.

3.1.2 New service requests

Occupants or owners of commercial and residential properties not currently provided with a kerbside collection service may lodge a request for service with Council. In determining whether the property is eligible, consideration will be given to the following:



KERBSIDE WASTE AND RECYCLING POLICY

A set of bins will be supplied and the associated charges applied when:

- for new residential dwellings, construction is complete and the associated Certificate of Occupancy has been issued
- for pre-existing dwellings where no Certificate of Occupancy has been issued, the request has been referred to Council's rates staff to determine if the property is rated as a house; and the property has been assessed under the Building Act as being exempt from the requirement to obtain a Certificate of Occupancy
- a permit has been issued pursuant to clause 7.4 of the Local Law, for the erection, establishment or occupation of a temporary dwelling for the purpose of accommodation.

No consideration of new service requests shall be given for sheds.

There may be circumstances where a new request has been granted and collection is not available at the front of the property due to road access issues. In this circumstance an alternative collection point is to be determined in negotiation with the contractor, Council officer and customer. If this collection point is deemed to be unsuitable, Council staff have the right to determine that the service is no longer compulsory.

3.1.3 New rural service requests

In addition to the requirements specified in 3.1.2, in determining whether a service can be provided to properties located outside the TZ, LDRZ and RLZ, Officers will assess each request against the following criteria:

- the proximity of the proposed bin collection point from the existing service routes
- classification of roads required to be used to facilitate collection
- scope to improve economic viability by clustering or increasing number of properties to receive a new service

The distance required to be travelled by Council's contractor to provide a new service by extending or deviating from an existing route, is to be no more than one kilometre per service.

Any route variation or extension must be possible by utilising the existing all weather road network.

3.1.4 Service requests from clients outside of Loddon Shire

A landowner on the periphery of the Loddon Shire boundary may request a bin service due to their local council not providing a service to their property. Any request of this nature will be assessed on its merits in accordance with the requirements specified within this policy; and approved at the discretion of Council officers.

Where it is determined that a service may be accommodated for a property outside of the municipality, a rates notice for this property will be generated. If the landowner fails to pay for the service by the due date each year, access to the service may be reassessed and withdrawn as necessary.

3.1.5 Vacant land

Access to Council's waste and recycling services will not be provided to any vacant land.

3.2 **Service requirements**

Properties which are provided access to the kerbside waste and recycling service are obligated to receive both services in unison. There is no scope to independently cease either the waste or recycling service.



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Additional bins may however be issued for either service independently (e.g. request for additional waste bin only due to family size).

3.2.1 Minimum service standard

For eligible properties the minimum service standard provided is:

	<i>Property/Service Classification</i>	
	Residential	Commercial
<i>Waste Service</i>	1 x 140 Litre MGB with red lid	1 x 240 Litre MGB with green or blue lid
<i>Recycling Service</i>	1 x 240 Litre MRB with yellow lid	1 x 240 Litre MRB with yellow lid

3.2.2 Additional or extra bins

Where it can be demonstrated that the provision of a single mobile garbage bin (MGB) or mobile recycling bin (MRB) is insufficient to cater for the volume of waste or recyclables being generated from a residential property (e.g. due to large family or young children present) consideration may be given to the provision of a second MGB or MRB.

Council maintains a strategy of waste minimisation and as such allocation of an additional MGB is only considered where a genuine need can be demonstrated. Prior to an additional MGB being issued, Council officers may undertake an assessment of the waste generation practices on site including assessment of recyclable diversion rates.

Unlike residential properties which are restricted to a maximum of two MGB or MRBs, commercial properties may request the allocation of an unlimited number of additional MGBs or MRBs.

Specified charges shall apply for each bin provided to a property.

3.2.3 Collection scheduling

The scheduling of collections for both the waste and recycling service is detailed within Council's Waste Management Strategy. Modification of collection routes or impact of public holidays may require adjustment of collection scheduling. Where such changes are made Council will issue public or individual notices to inform the community of any service change.

3.2.4 Interruption of service

Council will endeavour to perform the kerbside collection service as detailed within its Waste Management Strategy however there may be situations or circumstances that affect Council's business activities to the extent that it cannot deliver the specified level of service. These include but are not limited to:

- natural disasters, such as fires, floods, or storms
- prolonged labour or resource shortage
- a need to commit or redeploy Council staff and/or equipment elsewhere.

Council will endeavour to inform residents of any suspension or reduction of service, including any interim arrangements for disposal of waste and recyclables and the period for which the suspension is likely to be in effect.



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No discount or refund of service charges shall be provided by Council in the event of a service interruption or delay.

3.2.5 Suspension of service

Where a property is identified as presenting inappropriate material (refer to Local Law) within either the waste or recycling bins, Council will initially contact the owner/occupier of the property and provide notice of the observed service breach.

Subsequent or repeated presentation of unsuitable materials may result in either the suspension of service until such time that unacceptable materials are removed from the bin, or property owner behaviour has been remedied to the satisfaction of Council.

Where bins presented for collection have been refused due to contamination, no discount or refund shall be provided with respect to the associated service charges.

3.2.6 Recreational and public facilities

Council's kerbside waste and recycling collection service is also made available to various sporting or public facilities located throughout the municipality. In addition to the provision of the kerbside collection service to these facilities, limited exemptions for the associated service charges have been determined (refer to Loddon Shire Community Support Policy).

3.3 **Service charges**

The garbage and recycling charge will be reviewed annually and set by Council as part of the budget process.

A service charge will be levied on all residential and commercial properties within the TZ, LDRZ or RLZ, whether permanently occupied or not, and regardless of whether the service is required or utilised.

3.3.1 New service

Where a request has been made for a new service or additional bins, a pro-rata charge will be applied from the delivery date of the bins for the remainder of the financial year.

3.3.2 Removal of service

Where a request has been made to remove a non-compulsory service (e.g. additional bin) a pro-rata charge will be applied for the part of the financial year where the service has been available up to the date of pick up.

For properties outside of the TZ, LDRZ or RLZ who have been provided with access to the kerbside collection service, cessation of this service shall only be considered where officers determine that there shall be no negative economic or functional impact upon the service provision i.e. where elimination of a single property does not create unreasonable travel distances to collect remaining services in the area.

3.3.3 Charge exemptions

Organisations or facilities identified as being eligible to receive charge exemptions for kerbside waste and recycling services under Council's Community Support Policy shall not be charged for the number and type of bins approved.

Any additional services beyond that which has been defined under the Community Support Policy shall incur the full service charge.



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Council shall not apply any charges to bins used internally by the organisation for municipal buildings or within public parks and reserves, under the direct management and control of Council.

3.3.4 Incorrect charge

If a ratepayer believes that a charge has been incorrectly raised on a property, the ratepayer must provide documentation (if available) to Council in order to establish that this charge is incorrect. If the charge has been raised continuously for a number of years and is proven to be incorrect, Council will refund up to three years retrospectively.

3.4 **General operation and management of service**

The following general requirements apply with respect to the operation of Council's kerbside collection service. Additional details pertaining to suitability of materials for disposal or other operational requirements are documented within the Local Law and Waste Management Strategy.

3.4.1 Bin ownership and location

All bins issued as part of Council kerbside service remain the property of the Loddon Shire Council at all times.

Each bin is labelled with a unique identification code and must remain with the property to which it has been issued. Bins must not be transferred or relocated from the property (e.g. where there is a change of tenant or ownership of the property).

3.4.2 Placement of bins for collection

Bins (with the lids fully closed) must be placed on the verge of the vehicle crossing (driveway) or roadway abutting the property with handles facing away from the roadway (i.e. towards property).

The bins must be presented for collection only on the night before the scheduled collection day. Bins must be returned within the property boundary within 24 hours of the collection.

Placing bins out for collection is at the property owner's discretion; however consideration should be given to the requirements under clause 3.4.4.

Applicable charges for the service shall apply regardless of its utilisation.

3.4.3 Weight of bins

The total weight of any bin placed out for collection must not exceed 80 kilograms.

3.4.4 Maintenance

Property owners/occupiers are responsible for ensuring the cleanliness of their bins. These bins must be maintained in a clean condition by users so as not to be offensive to any person or become a health hazard or nuisance.

3.4.5 Damaged bins

Damaged bins will be either repaired or replaced, within the next two (2) collection cycles, upon Council receiving notification from the property owner or occupier of such damage.

A bin damaged or lost as a result of misuse or other action on the part of the property owner may incur a charge to the property owner for the cost of repair or replacement.



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3.4.6 Replacement of stolen bins

Stolen bins must either be reported to the police with the subsequent police report forwarded to Council, or reported directly to Council and accompanied by a signed statutory declaration, in order for a replacement to be supplied. Replacement bins will be delivered within the next two (2) collection cycles following the provision of notification to Council.

3.5 Goods and services tax

Garbage collection charges for commercial and non-residential properties are subject to the appropriate amount payable pursuant to the Goods and Services Tax (GST) Act 1999.

4 DEFINITIONS OF TERMS OR ABBREVIATIONS USED

Term	Definition
GST	Goods and Services Tax
MGB	Mobile Garbage (waste) Bin
MRB	Mobile Recycling Bin

5 HUMAN RIGHTS STATEMENT

It is considered that this policy does not impact negatively on any rights identified in the Charter of Human Rights Act. Loddon Shire Council is committed to consultation and cooperation between management and employees. The Council will formally involve elected employee Health and Safety Representatives in any workplace change that may affect the health and safety of any of its employees.

6 REVIEW

The Manager Financial Services will review this policy for any necessary amendments no later than 4 years after adoption of this current version.

9.4 FINANCE REPORT FOR THE PERIOD ENDING 31 JANUARY 2018

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 January 2018

RECOMMENDATION

That Council:

1. receives and notes the 'Finance report for the period ending 31 January 2018'
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 January 2018 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. 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 \$625K to \$1.011M.

Income Statement (revenue) - Council's year to date (YTD) operating revenue is at 97% of YTD budget. Revenue brought to account for January was \$613K. Capital grants are behind YTD budget as is Vic Roads and recurrent contributions with interest currently ahead of YTD budget.

Income Statement (expenditure) - Council's operating expenditure is at 97% of YTD budget. Payments for this month totalled just over \$2.62M, compared to \$2.56M last month. Labour is still slightly behind budget at 97% (95% last month) and is expected to finish below Council's 104% cap.

Capital Works - The revised budget for capital works is \$18.3M and is 23% complete in financial terms for the current financial year (19% at the end of December). 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; parks, open space and streetscapes and footpaths with many projects timed for quarter two or three but are yet to be commenced. 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 cash total of \$16.7M with \$1.7M in general accounts. Debtors are \$8.4M which is a decrease of \$1.0M in the month primarily due to the receipt of outstanding rates. Sundry debtors total \$673K with invoices outstanding for 60 or more days relating to community wellbeing debtors and local community groups totalling approximately \$78K.

There was 1 supplementary valuation updated in January. The total rateable CIV at the end of January remains at \$1.82B.

An update was also received from Vision Super in regards to the December 2017 VBI which is estimated at 106.4% which is higher than the 97.0% required of the fund.

COST/BENEFITS

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

LODDON SHIRE COUNCIL

FINANCE REPORT FOR PERIOD ENDING 31 JANUARY 2018



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INTRODUCTION

During January, the 2018 – 2028 Long Term Financial Plan was presented to Councillors for discussion. Work has commenced on the 2018/19 salaries and wages budget, along with the 2018/19 fees and charges document.

1 CASH SURPLUS POSITION

1.1 Budget revisions

The overall budget cash surplus, which has been included in the attached financial reports has increased from \$625,336 to \$1,011,796.

These changes have adjusted the revised budget in the following areas:

Item	December Finance Report	January Finance Report	Change \$
Operating revenue	\$25,365,167	\$25,074,494	(\$290,673)
Operating expenditure	(\$31,833,733)	(\$31,802,579)	\$31,154
Transfers from reserves	\$16,705,278	\$16,555,278	(\$150,000)
Transfers to reserves	(\$2,182,392)	(\$2,432,392)	(\$250,000)
Other funding decisions	\$819,369	\$819,369	\$0
Capital expenditure	(\$19,367,973)	(\$18,321,994)	\$1,045,979
Other non cash adjustments	\$8,972,696	\$8,972,696	\$0
Accumulated surplus carried forward	\$2,146,924	\$2,146,924	\$0
Closing surplus (deficit) as reported in Appendix 2	\$625,336	\$1,011,796	\$386,460

Major changes are highlighted below:

1.2 Operating revenue

Operating revenue has decreased by \$291K.

The main decrease to budget relates to the flood mitigation project at Pyramid Hill of \$500K. This is not expected to occur this financial year with the grant application not expected to be submitted until 2018/19.

The main increase to budget relates to interest income with an additional \$50K expected for 2017/18 due to a higher amount of cash available on hand to invest.

1.3 Operating expenditure

Operating expenditure has decreased by \$31K.

The main decrease to budget relates to deferral of the urban drainage strategy project of \$150K to 2018/19.

The main increase to budget relates to the addition of a new funded project at Mitchell Park of \$70K for flood lighting.

1.4 Transfers from reserves

Transfers from reserves have decreased by \$150K.

The decrease to budget relates to the urban drainage strategy project which is not expected to be delivered until 2018/19.

1.5 Transfers to reserves

Transfers to reserves have increased by \$250K.

The main increase to budget relates to the flood mitigation works at Pyramid Hill. This is Council's contribution and will be required in a future budget period.

1.6 Capital expenditure

Capital expenditure has decreased by \$1.05M.

The main decreases to budget include:

- depot wash points of \$110K with works not expected to delivered in 2017/18
- Pyramid Hill flood mitigation works of \$750K with project not expected to commence until 2018/19
- urban drainage strategy project of \$150K project with the project deferred until 2018/19.

2 STANDARD INCOME STATEMENT

In the analysis of the statements only those areas which have a variance greater than 10% and \$10,000 will be reported. Variances have been explained in further detail below.

2.1 Operating revenue

Total revenue brought to account for the month of January 2018 was \$613K.

Revenue YTD is at 97% compared to YTD budget, or \$448K behind budget.

2.1.1 Capital grants

Capital grants are currently \$439K or 29% behind YTD budget.

Items behind YTD budget include:

- flood recovery federal income of \$81K, invoice yet to be raised
- roads to recovery of \$80K with funding claim sent, approval to be granted before invoice is raised
- flood mitigation Boort \$166K invoice not raised due to project being extended, waiting on new milestone dates
- Bridgewater foreshore of \$90K project dates has been extended.

2.1.2 Vic Roads

Vic Roads are currently \$95K or 23% behind YTD budget.

This is behind budget due to a lower than expected amount of works that have been requested by VicRoads.

2.1.3 Recurrent contributions

Recurrent contributions are currently \$17K or 37% behind YTD budget.

Items behind YTD budget include:

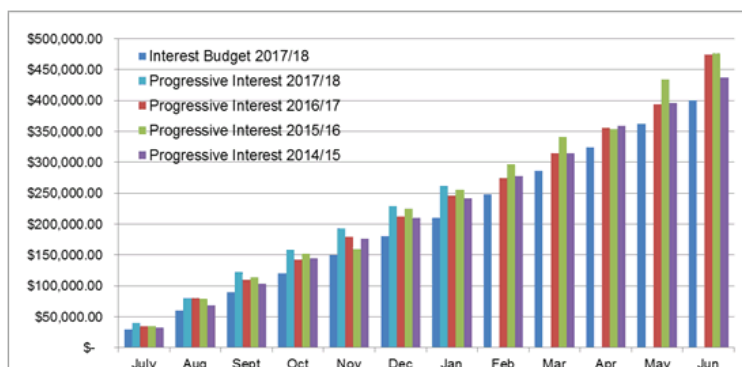
- supplementary valuations of \$11K with invoices submitted but not yet approved for payment
- Wedderburn Preschool disabled access project is complete with a saving of \$5K.

2.1.4 Interest income

Interest received on investments and rates for the month of December 2017 was \$32K. Year to date income from interest is \$275K.

The total investment interest received and accrued to date is \$262K, and rates interest amounted to \$13K. Year to date represents 64% of the year revised budget amount of \$428K (\$400K for investments only).

Progressive interest from investments for the years 2014/15 to 2017/18 are:



The appendices of this report include a table that shows all investments for the financial year to date for 2017/18. All investments are term deposits with National Australia Bank or the Bendigo Bank. Due to the short term nature of the term deposits, those deposits which have not reached maturity are included as cash in the Balance Sheet. Interest realised, and interest accrued on non-matured deposits, are shown separately on the appendix.

2.2 Operating expenditure

Total operating expenditure for January 2018 was \$2.62M.

Expenditure YTD is at 97% compared to YTD budget of \$17.96M or \$546K behind budget.

2.2.1 Utilities

Utilities are behind YTD budget by \$46K or 19%.

This is mainly due to timing of invoices being received with some on monthly cycle and others on a quarterly cycle.

2.2.2 Payments

During the month the following payments were made:

Creditor payments - cheque	\$16,187.44
Creditor payments - electronic funds transfer	\$1,998,646.61
Payroll (2 pays)	<u>\$609,828.70</u>
TOTAL	<u>\$2,624,662.75</u>

2.3 Operating surplus

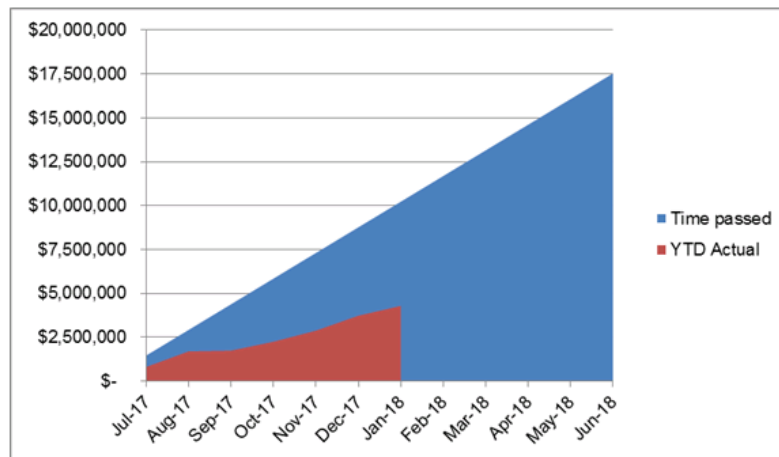
The operating surplus to date is \$775K which is \$98K or 11% ahead of YTD budget.

2.4 Capital expenditure

Total capital works expenditure for January was \$559K.

The total capital works expenditure is 23% complete in financial terms with 58% of the year elapsed.

YTD capital works is currently \$1.77M or 29% behind YTD budget.



Within the asset types the major variations to YTD budget are:

2.4.1 Furniture and office equipment

Furniture and office equipment is behind YTD budget by \$159K or 69%.

The main variation to budget is the IT strategy implementation works, which have commenced and are expected to progress as the year passes.

2.4.2 Land and buildings

Land and buildings is behind YTD budget by \$236K or 56%.

The main variations to budget relate to:

- upgrade of various public toilets with works in progress
- building safety audit works
- flood mitigation works in Boort which have commenced and works are ongoing.

2.4.1 Roadworks

Roadworks are behind YTD budget by \$576K or 33%.

Items behind budget include:

- safety amenity works at Kelly Street \$149K with the project not yet commenced
- safety amenity works at Pyramid Hill Yarraberb Road of \$100K with the project yet to commence
- construction works at Cemetery Road of \$79K with project yet to commence
- construction works at Sebastian Road of \$223K with project not yet commenced

2.4.2 Urban and road drainage

Urban and road drainage is ahead of YTD budget by \$62K or 35%.

The main variation to budget is Chapel Street Wedderburn works which is progressing ahead of budget timing.

2.4.3 Recreation, leisure and community facilities

Recreation, leisure and community facilities are behind YTD budget by \$102K or 31%.

Main variations include the purchase of mowers for the caravan parks and solar power to be finalised at the Inglewood and Boort swimming pools.

2.4.4 Parks, open space and streetscapes

Parks, open space and streetscapes are behind YTD budget by \$263K or 19%.

The main variations to budget are within the Wedderburn streetscape project and the Inglewood pool upgrade where works are underway.

2.4.5 Footpaths

Footpaths are currently behind YTD budget by \$490K or 64%.

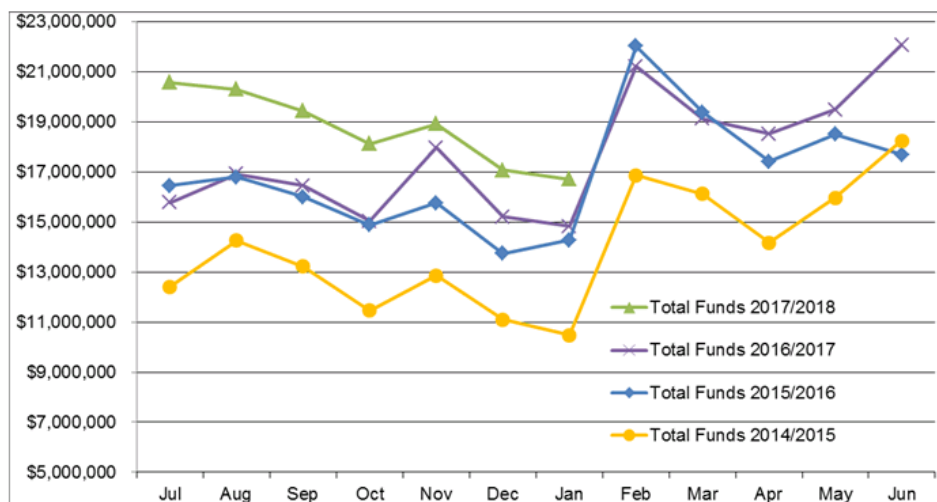
The main variations to budget relate to projects located in Railway Avenue Pyramid Hill , Serpentine car park, Victoria Street Pyramid Hill and Hospital Street Wedderburn with delays in the commencement of these projects.

3 STANDARD BALANCE SHEET

3.1 Cash

At the end of the month, Council’s overall cash total was \$16.7M which includes a balance of \$1.7M in general accounts.

Month end balances for Council’s cash, from July 2014 until the current month, are reflected in the graph that follows:



3.2 Receivables

3.2.1 Debtors

Monthly balances of the various categories of debtors for the financial year are:

Category of debtor	Jan 2017	June 2017	Dec 2017	Jan 2018
Rates	\$ 7,187,262	\$ 309,702	\$ 7,867,235	\$ 6,834,902
Fire Services Property Levy	\$ 860,208	\$ 42,826	\$ 876,143	\$ 765,964
Total Rates & Fire Services Property Levy	\$ 8,047,470	\$ 352,528	\$ 8,743,378	\$ 7,600,866
Sundry debtors	\$ 495,287	\$ 804,928	\$ 462,098	\$ 673,224
Community loans/advances	\$ 7,413	\$ 7,145	\$ 5,800	\$ 5,800
Long term loans/advances	\$ 160,000	\$ 160,000	\$ 160,000	\$ 80,000
Employee superannuation	\$ 4,498	\$ -	\$ -	\$ 7,812
Magistrates court fines	\$ 102,793	\$ 101,663	\$ 100,763	\$ 100,703
LESS provision for doubtful debts	\$ (73,952)	\$ (110,620)	\$ (92,370)	\$ (92,370)
Total	\$ 8,743,508	\$ 1,315,642	\$ 9,379,669	\$ 8,376,034

3.2.2 Rates debtors

Outstanding rates and the Fire Services Property Levy at the end of selected months were:

	Jan 2017 (5/1/2017)	June 2017 (6/7/2017)	Dec 2017 (3/01/2018)	Jan 2018 (2/02/2018)
2005/06	\$ 343	\$ 357		
2006/07	\$ 917	\$ 953	\$ 252	\$ 252
2007/08	\$ 1,378	\$ 1,432	\$ 397	\$ 397
2008/09	\$ 1,598	\$ 1,661	\$ 415	\$ 415
2009/10	\$ 4,043	\$ 4,196	\$ 1,643	\$ 1,641
2010/11	\$ 9,025	\$ 8,351	\$ 3,311	\$ 3,071
2011/12	\$ 12,503	\$ 12,506	\$ 7,065	\$ 5,972
2012/13	\$ 14,424	\$ 14,341	\$ 8,378	\$ 6,845
2013/14	\$ 17,068	\$ 16,987	\$ 10,456	\$ 8,479
2013/14 Fire Services Property Levy	\$ 4,160	\$ 4,113	\$ 2,303	\$ 1,987
2014/15	\$ 48,648	\$ 45,994	\$ 21,677	\$ 19,112
2014/15 Fire Services Property Levy	\$ 6,625	\$ 6,112	\$ 3,922	\$ 4,199
2015/16	\$ 105,041	\$ 83,817	\$ 37,016	\$ 31,739
2015/16 Fire Services Property Levy	\$ 14,831	\$ 10,372	\$ 6,159	\$ 5,453
2016/2017	\$ -	\$ 108,735	\$ 102,634	\$ 92,295
2016/2017 Fire Services Property Levy	\$ -	\$ 32,600	\$ 14,456	\$ 13,215
2017/2018			\$ 10,850	\$ 4,447
2017/2018 Fire Services Property Levy				\$ 462
Sub-total: arrears	\$ 240,604	\$ 352,528	\$ 230,933	\$ 199,980
Current year (outstanding but not due)	\$ 6,972,274	\$ -	\$ 7,663,142	\$ 6,662,224
Fire Services Property Levy	\$ 834,592	\$ -	\$ 849,303	\$ 738,662
Total outstanding	\$ 8,047,470	\$ 352,528	\$ 8,743,378	\$ 7,600,866
<i>Summary</i>				
Rates in arrears	\$ 214,989	\$ 309,702	\$ 204,093	\$ 172,678
FSPL in arrears	\$ 25,616	\$ 42,826	\$ 26,840	\$ 27,302
Total arrears	\$ 240,604	\$ 352,528	\$ 230,933	\$ 199,980

The next instalment of rates is due for payment on 28 February 2018, and for those ratepayers who pay in full the due date is 15 February 2018.

3.2.3 Sundry debtors

Outstanding sundry debtors at the end of the month consist of:

Current	\$53,515	19%
30 days	\$155,140	53%
60 days	\$17,772	6%
90 + days	\$60,563	21%
Sub total routine debtors	\$286,991	100%
Government departments	\$282,651	
GST	\$103,582	
Total	\$673,224	
60 + days consists of:		
Community Wellbeing debtors	\$72,355	
Local community groups	\$0	
Others	\$5,980	
Total	\$78,335	

Total outstanding for sundry debtors as at 31 December 2017 is \$673K.

The mainstream sundry debtors of \$287K have been broken into the amount of time they have been outstanding. At present \$78K or 27% of that total has been outstanding for more than 60 days.

3.2.4 Supplementary valuations

All rateable and non-rateable supplementary valuations are included in this report.

The supplementary valuations submitted in January 2018 gave the following result:

Details	Number	Site value	CIV	NAV
Amendments	1	0	\$ (60,000)	\$ (3,000)
Grand Total	1	0	\$ (60,000)	\$ (3,000)

The current balances at end of January 2018 were:

Valuation type	Opening balances	Supplementary changes	Closing balances
Site value	\$ 1,125,550,400	\$ -	\$ 1,125,550,400
Capital improved value	\$ 1,816,781,600	\$ (60,000)	\$ 1,816,721,600
NAV	\$ 93,487,399	\$ (3,000)	\$ 93,484,399

The total rateable CIV at the end of January 2018 was \$1.82B.

3.3 Vision Super Defined Benefits Plan update

On 6 February 2018, Council received official notification of the 31 December 2017 estimated VBI for the sub-plan being 106.4%

Currently, under the superannuation prudential standards, VBI's must generally be kept above a fund's nominated shortfall, currently 97%. When an actuarial review/investigation is in progress the fund's VBI must be at least 100% as is at June.

Below is the sub-plan's recent VBI history:

As at	30 June 2015 (actual)	30 June 2016 (actual)	30 June 2017 (actual)	30 September 2017 (estimated)	31 December 2017 (estimated)
LASF DB	105.8%	102.0%	103.1%	103.8%	106.4%

APPENDIX 1: STANDARD INCOME STATEMENT

	2017/18 Original Budget	2017/18 Revised Budget	YTD Budget	YTD Actual	Variance of YTD Actual & YTD Budget	% YTD Actual to YTD Budget	% YTD Actual to Revised Budget
REVENUE FROM ORDINARY ACTIVITIES							
Rates	\$10,406,865	\$10,449,413	\$10,250,264	\$10,326,498	\$76,234	101%	99%
Revenue grants	\$5,783,792	\$5,975,651	\$3,266,679	\$3,301,481	\$34,802	101%	55%
Capital grants	\$3,343,519	\$5,214,913	\$1,501,312	\$1,062,261	(\$439,051)	71%	20%
Vic Roads	\$710,647	\$710,647	\$414,540	\$319,109	(\$95,431)	77%	45%
User fees	\$1,681,277	\$1,780,360	\$1,072,555	\$1,006,654	(\$65,901)	94%	57%
Capital contributions	\$0	\$0	\$0	\$0	\$0	0%	0%
Recurrent contributions	\$15,000	\$65,000	\$45,000	\$28,257	(\$16,743)	63%	43%
Interest income	\$378,000	\$428,000	\$249,662	\$274,533	\$24,871	110%	64%
* Reversal of impairment losses	\$0	\$3,879	\$3,879	\$3,879	(\$0)	100%	100%
* Library equity	\$0	\$0	\$0	\$0	\$0	0%	0%
Reimbursements	\$305,320	\$446,632	\$287,358	\$320,098	\$32,740	111%	72%
Total revenue	\$22,624,420	\$25,074,494	\$17,091,249	\$16,642,771	(\$448,478)	97%	66%
EXPENDITURE FROM ORDINARY ACTIVITIES							
Labour	\$9,652,976	\$10,054,412	\$5,819,800	\$5,620,146	\$199,654	97%	56%
Materials & services	\$7,767,259	\$10,035,501	\$5,556,071	\$5,356,018	\$200,054	96%	53%
Depreciation	\$8,976,575	\$8,976,575	\$5,236,308	\$5,236,337	(\$29)	100%	58%
Utilities	\$430,439	\$430,439	\$242,088	\$196,220	\$45,868	81%	46%
Contract payments	\$1,565,480	\$2,000,915	\$952,319	\$860,855	\$91,464	90%	43%
Loan interest	\$0	\$0	\$0	\$0	\$0	0%	0%
Auditor costs	\$84,660	\$84,660	\$28,751	\$21,516	\$7,235	75%	25%
Councillor costs	\$220,078	\$220,078	\$128,380	\$126,352	\$2,028	98%	57%
Loss on sale of assets	\$0	\$0	\$0	\$0	\$0	0%	0%
* Impairment losses	\$0	\$0	\$0	\$0	\$0	0%	0%
Bad debts expense	\$0	\$0	\$0	\$0	\$0	0%	0%
Total expenditure	\$28,697,466	\$31,802,579	\$17,963,717	\$17,417,443	\$546,274	97%	55%
NET RESULT FOR THE PERIOD	(\$6,073,047)	(\$6,728,086)	(\$872,468)	(\$774,672)	(\$97,796)	89%	12%
The operating expenditure shown above is represented in Council's key direction areas as follows:							
	2017/18 Original Budget	2017/18 Revised Budget	YTD Budget	YTD Actual	Variance of YTD Actual & YTD Revised Budget	% YTD Actual to YTD Budget	% YTD Actual to Revised Budget
EXPENSES FROM ORDINARY ACTIVITIES							
Economic development & tourism	\$1,419,980	\$1,508,025	\$803,052	\$748,760	\$54,292	93%	50%
Leadership	\$1,218,296	\$1,870,586	\$1,067,692	\$1,261,425	(\$193,733)	118%	67%
Works & infrastructure	\$12,931,292	\$12,964,558	\$7,653,311	\$7,602,427	\$50,884	99%	59%
Good management	\$4,549,875	\$5,011,422	\$2,913,501	\$2,890,432	\$23,069	99%	58%
Environment	\$2,056,061	\$2,305,439	\$1,221,409	\$1,090,669	\$130,740	89%	47%
Community services & recreation	\$6,521,964	\$8,142,549	\$4,304,752	\$3,823,730	\$481,022	89%	47%
Loss on sale of assets	\$0	\$0	\$0	\$0	\$0	0%	0%
Total operating expenditure	\$28,697,466	\$31,802,579	\$17,963,717	\$17,417,443	\$546,274	97%	55%
NET RESULT FOR THE PERIOD	(\$6,073,047)	(\$6,728,086)	(\$872,468)	(\$774,672)	(\$97,796)	89%	12%

* Income and expense items required by Australian Accounting Standards (AAS)

APPENDIX 2: STANDARD CAPITAL WORKS STATEMENT

	2017/18 Original Budget	2017/18 Revised Budget	YTD Budget	YTD Actual	Variance of YTD Actual & YTD Budget	% YTD Actual to YTD Budget	% YTD Actual to Revised Budget
FUNDING DECISIONS							
Add loan interest accrued	\$0	\$0	\$0	\$0	\$0	0%	0%
Less loan repayments	\$0	\$0	\$0	\$0	\$0	0%	0%
Add transfer from reserves	\$6,557,088	\$16,555,278	\$0	\$3,318	(\$3,318)	0%	0%
Less transfer to reserves	(\$2,182,392)	(\$2,432,392)	\$0	\$0	\$0	0%	0%
Add proceeds from sale of assets	\$490,670	\$819,369	\$110,000	\$112,887	(\$2,887)	103%	14%
TOTAL FUNDING DECISIONS	\$4,865,366	\$14,942,255	\$110,000	\$116,205	(\$6,205)	106%	1%
NET FUNDS AVAILABLE FOR CAPITAL							
	(\$1,207,681)	\$8,214,169	(\$762,468)	(\$658,466)	(\$104,002)	86%	-8%
CAPITAL EXPENDITURE BY ASSET TYPE							
Furniture and office equipment	\$312,000	\$433,774	\$230,536	\$71,793	\$158,744	31%	17%
Land and buildings	\$2,360,363	\$2,127,126	\$421,672	\$185,613	\$236,059	44%	9%
Plant and equipment	\$844,100	\$2,792,000	\$311,669	\$307,005	\$4,664	99%	11%
Roadworks	\$3,516,452	\$6,176,826	\$2,460,472	\$1,884,058	\$576,415	77%	31%
Urban and road drainage	\$308,000	\$667,975	\$177,055	\$239,319	(\$62,264)	135%	36%
Recreation, leisure and community facilities	\$1,124,000	\$1,427,577	\$326,479	\$224,628	\$101,851	69%	16%
Parks, open space and streetscapes	\$354,500	\$3,229,446	\$1,368,625	\$1,106,003	\$262,622	81%	34%
Footpaths	\$544,755	\$1,467,270	\$760,467	\$270,476	\$489,991	36%	18%
TOTAL CAPITAL EXPENDITURE PAYMENTS	\$9,364,170	\$18,321,994	\$6,056,975	\$4,288,895	\$1,768,080	71%	23%
NON CASH ADJUSTMENTS							
Less depreciation	\$8,976,575	\$8,976,575	\$5,236,308	\$5,236,337	(\$29)	100%	58%
Add reversal of impairment losses	\$0	(\$3,879)	(\$3,879)	(\$3,879)	(\$0)	100%	100%
Less loss on sale of assets	\$0	\$0	\$0	\$0	\$0	0%	0%
Less bad debts expense	\$0	\$0	\$0	\$0	\$0	0%	0%
TOTAL NON CASH ADJUSTMENTS	\$8,976,575	\$8,972,696	\$5,232,429	\$5,232,458	(\$29)	100%	58%
Accumulated surplus brought forward	(\$1,802,528)	(\$2,146,924)	\$0	\$0	\$0	0%	0%
NET CASH (SURPLUS)/DEFICIT	(\$207,252)	(\$1,011,796)	\$1,587,015	(\$285,097)	\$1,872,112	-18%	28%

APPENDIX 3: STANDARD BALANCE SHEET

	January 2018 As per trial balance	June 2017 As per financial statements	January 2017 As per trial balance
ASSETS			
CURRENT ASSETS			
Cash and cash equivalents	\$16,706,060	\$9,672,238	\$ 14,829,285
Trade and other receivables	\$8,214,034	\$1,232,111	\$ 8,581,508
Financial assets	\$475,576	\$13,776,284	\$ 56,803
Inventories	\$65,972	\$53,966	\$ 75,002
Non-current assets classified as held for sale	\$865,424	\$865,424	\$ 190,356
TOTAL CURRENT ASSETS	\$26,327,066	\$25,600,023	\$23,732,954
NON-CURRENT ASSETS			
Trade and other receivables	\$162,000	\$79,921	\$ 162,000
Financial assets	\$274,045	\$274,045	\$ 362,225
Intangible assets	\$1,668,430	\$1,668,430	\$ 1,654,362
Property, infrastructure, plant and equipment	\$308,535,684	\$309,596,011	\$ 302,046,063
TOTAL NON-CURRENT ASSETS	\$310,640,159	\$311,618,407	\$ 304,224,650
TOTAL ASSETS	\$336,967,225	\$337,218,430	\$327,957,606
LIABILITIES			
CURRENT LIABILITIES			
Trade and other payables	\$199,480	\$642,364	\$ 106,755
Trust funds and deposits	\$1,204,652	\$404,438	\$ 1,231,799
Provisions	\$1,733,530	\$2,192,670	\$ 2,172,802
Interest bearing loans and borrowings	\$0	\$0	\$ -
TOTAL CURRENT LIABILITIES	\$3,137,663	\$3,239,472	\$ 3,511,356
NON-CURRENT LIABILITIES			
Provisions	\$2,324,221	\$1,698,946	\$ 2,324,221
Interest bearing loans & borrowings	\$0	\$0	\$ -
TOTAL NON-CURRENT LIABILITIES	\$2,324,221	\$1,698,946	\$2,324,221
TOTAL LIABILITIES	\$5,461,884	\$4,938,418	\$ 5,835,577
NET ASSETS	\$331,505,341	\$332,280,012	\$322,122,029
EQUITY			
Accumulated Surplus	\$94,761,305	\$37,161,521	\$ 98,625,873
Asset Revaluation Reserve	\$217,168,524	\$295,118,491	\$ 208,675,727
Other Reserves	\$19,575,512	\$0	\$ 14,820,429
TOTAL EQUITY	\$331,505,341	\$332,280,012	\$322,122,029

APPENDIX 4: INVESTMENTS

	Establishment date	Status	Maturity date	Investment days	Interest rate	Investment amount	Interest last year (accrued)	Interest this year	Current Investments	Interest received to date	Accrued Interest
NAB 44-452-1114	22/05/2017	Closed	21/07/2017	60	2.32%	\$ 2,000,000	\$ 4,958	\$ 2,669	\$ -	\$ 2,669	\$ -
NAB 70-700-8970	2/05/2017	Closed	31/07/2017	90	2.52%	\$ 2,000,000	\$ 8,147	\$ 4,280	\$ -	\$ 4,280	\$ -
NAB 44-452-1114	21/07/2017	Closed	21/08/2017	31	1.91%	\$ 1,000,000	\$ -	\$ 1,622	\$ -	\$ 1,622	\$ -
NAB 23-570-3368	22/08/2017	Closed	23/08/2017	62	2.28%	\$ 1,000,000	\$ 500	\$ 3,373	\$ -	\$ 3,373	\$ -
BGO 2294215	8/06/2017	Closed	6/09/2017	90	2.50%	\$ 2,000,000	\$ 3,014	\$ 9,315	\$ -	\$ 9,315	\$ -
BGO 2297208	13/06/2017	Closed	13/09/2017	92	2.55%	\$ 1,000,000	\$ 1,188	\$ 5,310	\$ -	\$ 5,310	\$ -
NAB 44-441-8766	30/05/2017	Closed	27/09/2017	120	2.47%	\$ 2,000,000	\$ 4,196	\$ 12,045	\$ -	\$ 12,045	\$ -
BGO 2294216	8/06/2017	Closed	9/10/2017	123	2.55%	\$ 2,000,000	\$ 3,074	\$ 14,112	\$ -	\$ 14,112	\$ -
BGO 2304969	20/06/2017	Closed	18/10/2017	120	2.55%	\$ 1,000,000	\$ 699	\$ 7,685	\$ -	\$ 7,685	\$ -
NAB 64-792-7106	22/06/2017	Closed	20/10/2017	120	2.50%	\$ 2,000,000	\$ 1,096	\$ 15,342	\$ -	\$ 15,342	\$ -
BGO 2294217	8/06/2017	Closed	6/11/2017	151	2.60%	\$ 500,000	\$ 784	\$ 4,594	\$ -	\$ 4,594	\$ -
NAB 70-082-6145	30/05/2017	Closed	14/11/2017	137	2.48%	\$ 2,000,000	\$ -	\$ 18,617	\$ -	\$ 18,617	\$ -
NAB 70-700-8970	31/07/2017	Closed	28/11/2017	120	2.45%	\$ 2,000,000	\$ -	\$ 16,110	\$ -	\$ 16,110	\$ -
NAB 64-792-7106	20/10/2017	Closed	20/12/2017	61	2.27%	\$ 2,000,000	\$ -	\$ 7,587	\$ -	\$ 7,587	\$ -
NAB 93-482-0424	6/09/2017	Closed	8/01/2018	124	2.55%	\$ 1,000,000	\$ -	\$ 8,653	\$ -	\$ 8,653	\$ -
NAB 55-839-5005 (LSL)	28/06/2017	Closed	16/01/2018	202	2.51%	\$ 1,709,312	\$ -	\$ 23,756	\$ -	\$ 23,756	\$ -
							\$ -	\$ -	\$ -	\$ -	\$ -
11:am Account BGO	at 31/1/2018	Open	N/A		1.50%	\$ 1,005,378	\$ -	\$ -	\$ 1,005,378	\$ -	\$ -
NAB 44-452-1114	21/08/2017	Open	19/02/2018	182	2.53%	\$ 1,000,000	\$ -	\$ 12,615	\$ 1,000,000	\$ -	\$ 11,298
NAB 35-640-3396	13/09/2017	Open	12/02/2018	152	2.56%	\$ 1,000,000	\$ -	\$ 10,661	\$ 1,000,000	\$ -	\$ 9,819
NAB 70-700-8970	28/11/2017	Open	26/02/2018	90	2.50%	\$ 2,000,000	\$ -	\$ 12,329	\$ 2,000,000	\$ -	\$ 8,767
NAB 44-441-8766	27/09/2017	Open	26/03/2018	180	2.61%	\$ 2,000,000	\$ -	\$ 25,742	\$ 2,000,000	\$ -	\$ 18,020
NAB Deal 10477451	9/10/2017	Open	9/04/2018	182	2.60%	\$ 2,000,000	\$ -	\$ 25,929	\$ 2,000,000	\$ -	\$ 16,241
NAB 70-082-6145	14/11/2017	Open	16/04/2018	153	2.54%	\$ 2,000,000	\$ -	\$ 21,294	\$ 2,000,000	\$ -	\$ 10,856
NAB 64-792-7106	20/12/2017	Open	21/05/2018	152	2.52%	\$ 2,000,000	\$ -	\$ 20,989	\$ 2,000,000	\$ -	\$ 5,800
NAB 55-839-5005 (LSL)	16/01/2018	Open	16/07/2018	181	2.54%	\$ 1,791,312	\$ -	\$ 22,563	\$ 1,791,312	\$ -	\$ 1,870
NAB 84-459-3192(Wedderburn Kinder)	16/01/2018	Open	16/07/2018	181	2.54%	\$ 197,543	\$ -	\$ -	\$ 197,543	\$ -	\$ -
Interest on Kinder account						\$ 2,488	\$ -	\$ -	\$ -	\$ -	\$ -
Interest on general bank accounts							\$ -	\$ 23,734	\$ -	\$ 23,734	\$ -
Totals							\$ 27,656	\$ 330,938	\$ 14,994,234	\$ 178,816	\$ 82,671
Interest earned											\$ 261,487
Interest transferred to/from externally funded projects											\$ -
Net interest on investments											\$ 261,487
National Australia Bank current investments									\$ 13,988,855		
Bendigo Bank current Investments									\$ 1,005,378		
Totals									\$ 14,994,234		

APPENDIX 5: CAPITAL AND MAJOR PROJECTS

Account	Original Budget	Revised Budget	YTD Budgets	YTD Actuals	YTD variance actual to Budg	YTD variance actual to Budg	Actual to total Budget
CAPITAL EXPENDITURE - AS PER APPENDIX C IN 2017/18 BUDGET							
Economic development & tourism							
Wedderburn Caravan Park Trees	\$0	\$15,900	\$0	\$1,600	\$1,600	0%	10%
Caravan park improvements	\$750,000	\$750,000	\$0	\$0	\$0	0%	0%
Wedderburn Caravan Park entrance	\$15,000	\$15,000	\$0	\$0	\$0	0%	0%
Caravan park equipment	\$40,000	\$40,000	\$40,000	\$0	(\$40,000)	0%	0%
Project not yet commenced with mowers to be purchased for parks.							
Council properties fencing	\$5,000	\$5,000	\$2,500	\$0	(\$2,500)	0%	0%
Council land and buildings sales and purchases	\$0	\$0	\$0	\$28,900	\$28,900	0%	#DIV/0!
Purchase of S181 unsold property at Jarklin and other associated legal costs for preparation of property sales.							
Inglewood Industrial Estate	\$0	\$0	\$0	\$2,960	\$2,960	0%	#DIV/0!
Works & infrastructure							
Reseal program	\$1,224,000	\$1,224,000	\$33,000	\$9,919	(\$23,081)	30%	1%
Program underway, contract approved by Council in October 2017. Due to start in 2018.							
Local road amenity program	\$37,125	\$185,995	\$161,122	\$3,370	(\$157,752)	2%	2%
Program underway, some projects timed to be completed in quarter three, but have not yet commenced.							
Local road safety program	\$302,280	\$302,280	\$99,753	\$808	(\$98,945)	1%	0%
Program underway, some projects timed to be completed in quarter three, but have not yet commenced.							
Local road construction program	\$1,246,240	\$3,686,934	\$1,459,801	\$1,404,736	(\$55,065)	96%	38%
Local road gravel resheet program	\$346,912	\$377,933	\$377,933	\$287,138	(\$90,795)	76%	76%
Program almost complete, savings expected.							
Local road shoulder sheet program	\$339,895	\$379,684	\$328,863	\$178,086	(\$150,777)	54%	47%
Program completed in quarter three, but have not yet commenced.							
Local bridges and culverts program	\$251,000	\$296,200	\$97,747	\$0	(\$97,747)	0%	0%
Program underway, some projects timed to be completed in quarter three, but have not yet commenced.							
Township street improvement program	\$293,755	\$1,171,070	\$662,720	\$270,476	(\$392,244)	41%	23%
Program underway, some projects timed to be completed in quarter three, but have not yet commenced.							
Urban drainage works program	\$308,000	\$667,975	\$177,055	\$239,319	\$62,264	135%	36%
Program underway, some projects timed to be completed in quarter three, but have not yet commenced.							
Salathiel's Pit clean up	\$0	\$11,747	\$8,811	\$0	(\$8,811)	0%	0%
Wedderburn depot wash point	\$110,000	\$0	\$0	\$0	\$0	0%	#DIV/0!
Pyramid Hill depot wash point	\$50,000	\$0	\$0	\$0	\$0	0%	#DIV/0!
Wedderburn depot automated gates	\$50,000	\$0	\$0	\$0	\$0	0%	#DIV/0!
Wedderburn workshop extension	\$41,500	\$0	\$0	\$0	\$0	0%	#DIV/0!
Reseal Wedderburn depot	\$40,000	\$40,000	\$0	\$0	\$0	0%	0%
Wedderburn operations centre expansion	\$0	\$97,871	\$97,871	\$90,462	(\$7,409)	92%	92%
Boundary entrance signage park and locality	\$20,000	\$20,000	\$0	\$0	\$0	0%	0%
Fleet replacement	\$188,600	\$680,000	\$100,000	\$104,489	\$4,489	104%	15%
Plant replacement	\$635,500	\$2,092,000	\$200,000	\$199,456	(\$544)	100%	10%
Minor plant and equipment - capital	\$20,000	\$20,000	\$11,669	\$2,882	(\$8,787)	25%	14%
Standpipe infrastructure	\$0	\$0	\$0	\$178	\$178	0%	#DIV/0!
Good management							
Building Asset Management Plan	\$263,500	\$77,603	\$0	\$843	\$843	0%	1%
Building safety audit stage 1	\$15,000	\$45,000	\$26,250	\$5,868	(\$20,382)	22%	13%
Project underway, waiting on consultants to submit invoices.							
Server replacement	\$50,000	\$50,000	\$0	\$1,400	\$1,400	0%	3%
Asset edge devices	\$2,000	\$2,000	\$1,169	\$0	(\$1,169)	0%	0%
Photocopier / scanner	\$10,000	\$10,000	\$0	\$0	\$0	0%	0%
PC replacement	\$30,000	\$30,000	\$30,000	\$29,632	(\$368)	99%	99%
IT strategy implementation	\$220,000	\$341,774	\$199,367	\$36,852	(\$162,515)	18%	11%
Expression of interest documentation is currently being finalised with a view to tender Jan - Feb 2018.							
Environment							
Flood mitigation works Boort	\$500,000	\$500,000	\$165,000	\$0	(\$165,000)	0%	0%
Project still in planning phase.							
Flood mitigation works Pyramid Hill	\$750,000	\$0	\$0	\$0	\$0	0%	#DIV/0!
Community services & recreation							
Swimming pools strategy capital	\$0	\$25,676	\$8,473	\$0	(\$8,473)	0%	0%
Parks and gardens strategy	\$104,500	\$16,542	\$0	\$0	\$0	0%	0%
Swimming pool solar power	\$314,000	\$314,000	\$183,167	\$163,734	(\$19,433)	89%	52%
Program underway, expected delays in Inglewood installation with construction works still underway.							
Captain Melville Trail	\$0	\$100,000	\$0	\$0	\$0	0%	0%
PGC009 Senior Citizens Centre Boort	\$0	\$14,300	\$14,300	\$7,182	(\$7,118)	50%	50%
PGC012 Lakeview Street Boort Irrigation	\$0	\$5,500	\$5,500	\$2,936	(\$2,564)	53%	53%
PGC013 Wedderburn Office	\$0	\$27,200	\$0	\$7,616	\$7,616	0%	28%
PGC014 Gladfield Rd Durham Ox Rd	\$0	\$13,000	\$13,000	\$8,876	(\$4,124)	68%	68%
PGC015 St Arnaud Rd Calder Hwy intersection	\$0	\$14,000	\$4,620	\$0	(\$4,620)	0%	0%
PGC016 Boort bin surrounds	\$0	\$30,500	\$30,500	\$31,774	\$1,274	104%	104%
PGC010 Inglewood botanical gardens	\$0	\$13,814	\$8,040	\$0	(\$8,040)	0%	0%

Account	Original Budget	Revised Budget	YTD Budgets	YTD Actuals	YTD variance actual to Budget	YTD variance actual to Budget	Actual to total Budget
CAPITAL EXPENDITURE - AS PER APPENDIX C IN 2017/18 BUDGET							
Community services & recreation (continued)							
Wedderburn Kinder disabled access	\$0	\$55,000	\$55,000	\$49,096	(\$5,904)	89%	89%
Wedderburn Kinder capital	\$5,363	\$5,363	\$3,129	\$0	(\$3,129)	0%	0%
Property maintenance - mower	\$0	\$0	\$0	\$3,909	\$3,909	0%	#DIV/0!
Inglewood Senior Citizens airconditioner replacement	\$0	\$3,728	\$1,230	\$0	(\$1,230)	0%	0%
Community planning strategic fund	\$500,000	\$500,000	\$0	\$0	\$0	0%	0%
BCP16 Nolens Park playground	\$0	\$23,232	\$23,232	\$23,232	\$0	100%	100%
BCP17 Lake Boort outdoor furniture	\$0	\$30,000	\$17,500	\$10,272	(\$7,228)	59%	34%
BCP community plan capital	\$50,000	\$13,051	\$0	\$0	\$0	0%	0%
WCP community plan capital	\$50,000	\$60,233	\$0	\$0	\$0	0%	0%
KCP11 Bridgewater Streetscape	\$0	\$39,500	\$0	\$0	\$0	0%	0%
ICP13 Inglewood Eucy Museum annex	\$0	\$25,000	\$0	\$4,000	\$4,000	0%	16%
ICP15 Engine display Eucy Museum	\$0	\$20,000	\$0	\$0	\$0	0%	0%
ICP17 Sports power UG	\$0	\$20,000	\$11,669	\$0	(\$11,669)	0%	0%
Projects not commenced yet, still in planning phase.							
ICP17 Inglewood Eucy Museum annex	\$0	\$20,000	\$11,669	\$0	(\$11,669)	0%	0%
Projects not commenced yet, still in planning phase.							
ICP community plan capital	\$50,000	\$8,215	\$0	\$0	\$0	0%	0%
TeCP14 Pyramid Hill Caravan Park	\$0	\$16,330	\$0	\$0	\$0	0%	0%
TeCP17 Pyramid Hill Hall power upgrade	\$0	\$20,000	\$11,669	\$909	(\$10,760)	8%	5%
Projects not commenced yet, still in planning phase.							
TeCP community plan capital	\$50,000	\$0	\$0	\$0	\$0	0%	#DIV/0!
TaCP17 Laanecoorie boat ramp	\$0	\$100,000	\$0	\$0	\$0	0%	0%
TaCP community plan capital	\$50,000	\$31,251	\$0	\$0	\$0	0%	0%
VFP11 Bridgewater Caravan Park	\$0	\$0	\$0	\$709	\$709	0%	#DIV/0!
Wedderburn Community Centre	\$0	\$21,796	\$7,193	\$0	(\$7,193)	0%	0%
LGIP Wedderburn streetscape	\$0	\$1,554,354	\$1,208,942	\$1,022,511	(\$186,431)	85%	66%
Project well underway and tracking as expected.							
LGIP Pyramid Hill streetscape	\$0	\$610,000	\$0	\$0	\$0	0%	0%
FRRR Bridgewater foreshore stage 2	\$0	\$318,697	\$0	\$13,449	\$13,449	0%	4%
Project planning still underway.							
Wedderburn Streetscape bin surrounds	\$0	\$17,000	\$0	\$0	\$0	0%	0%
Wedderburn Streetscape wheel stoppers	\$0	\$1,600	\$1,600	\$1,551	(\$49)	97%	97%
Upgrade public toilets	\$30,000	\$30,000	\$0	\$1,304	\$1,304	0%	4%
Donaldson Park pavillion upgrade	\$0	\$500,000	\$0	\$0	\$0	0%	0%
Newbridge public toilets septic replacement	\$0	\$95,000	\$31,350	\$2,180	(\$29,170)	7%	2%
Project has received further funding, expected to commence soon.							
Livestock and domestic pound	\$0	\$54,018	\$0	\$0	\$0	0%	0%
Trails signage	\$5,000	\$12,357	\$7,210	\$0	(\$7,210)	0%	0%
Inglewood Pool upgrade	\$0	\$316,189	\$79,047	\$6,030	(\$73,017)	8%	2%
Project underway, delays in delivery.							
Donaldson Park redevelopment	\$0	\$76,534	\$25,256	\$18,250	(\$7,006)	72%	24%
Pyramid Hill Kelly St playground	\$0	\$13,048	\$13,048	\$10,000	(\$3,048)	77%	77%
Total capital expenditure	\$9,364,170	\$18,321,994	\$6,056,975	\$4,288,894	(\$1,768,081)	71%	23%
MAJOR PROJECTS - OPERATING EXPENDITURE IN 2017/18 BUDGET							
Canoe trail	\$0	\$19,363	\$19,363	\$7,650	(\$11,713)	40%	40%
ANZAC sculptures	\$0	\$149,470	\$149,040	\$81,060	(\$67,980)	54%	54%
First sculpture expected to be delivered during November 2017. To be installed during 2018.							
Centenary of ANZAC	\$0	\$42,164	\$0	\$2,231	\$2,231	0%	5%
LGIP Serpentine Pavilion	\$0	\$26,020	\$26,020	\$35,266	\$9,246	136%	136%
Flood mitigation survey & design	\$0	\$108,896	\$15,000	\$13,915	(\$1,085)	93%	13%
Tracks and trails strategy	\$20,000	\$22,375	\$13,055	\$2,214	(\$10,841)	17%	10%
Delays in delivery of project.							
Major projects	\$80,000	\$80,000	\$0	\$0	\$0	0%	0%
Total major project expenditure	\$100,000	\$448,288	\$222,478	\$142,336	(\$80,142)	64%	32%
TOTAL CAPITAL EXPENDITURE & MAJOR PROJECTS	\$9,464,170	\$18,770,282	\$6,279,453	\$4,431,230	(\$1,848,223)	71%	24%

9.5 MANAGEMENT AGREEMENTS AND INSTRUMENTS OF DELEGATION - GENERAL PRINCIPLES

File Number: 02/01/005

Author: Sharon Morrison, Director Corporate Services

Authoriser: Phil Pinyon, Chief Executive Officer

Attachments: 1. Committee of Management responsibility

RECOMMENDATION

That Council:

1. Confirms its commitment to the allocation of responsibilities set out in the attached appendix v2
2. Endorses the updating of the section 86 instruments of delegation and management agreements with the attached appendix v2.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

At the Council meeting on 26 September 2017, Council endorsed a draft management agreement for incorporated associations and a draft instrument of delegation for unincorporated committees managing Council assets.

BACKGROUND

A range of committees and associations manage facilities on behalf of Council through either a section 86 instrument of delegation where they are unincorporated or through a management agreement where they are incorporated.

ISSUES/DISCUSSION

The report to the Council meeting on 26 September 2017 was a review (as required by section 86(6) of the Local Government Act) of the Instruments of Delegation issued to section 86 committees of management. The aim of the review was to provide members of section 86 committees and Council officers with a clear understanding of the objectives of the section 86 committee and the duties of various officers and section 86 committee members.

After meetings with council officers and section 86 committees it became clear that some of the key issues to be addressed included:

- maintenance obligations/expenses including reference to Building Asset Management Plan
- equitable allocation of council funds and annual review of amounts.

Two draft documents were established to address these issues in part:

- draft section 86 instrument of delegation to be offered to unincorporated committees managing council assets
- draft management agreement to be offered to incorporated associations managing council assets

A number of each of these agreements have been sent to committees or associations.

Three have returned the agreements signed by their committee or association without change and are the subject of another agenda paper.

Another one has provided feedback which indicates that there is a gap in the allocation of responsibilities.

Minor changes have been made to the wording of the appendix for instruments of delegation and management agreements. Changes can be identified by the tracked changes in the attached appendix v2.

Another association is in discussions with Council regarding the nature and extent of the agreement between the association and Council.

The template documents contain more detail than in the past to assist with setting clear expectations. Agreements have been written to enable the deletion of inapplicable parts according to the type of facility being managed.

COST/BENEFITS

The costs associated with implementing the recommendations in this report relate to council staff time. The benefits of implementing the recommendations include consistency across committees and associations managing council facilities/assets. This helps to reduce the confusion and uncertainty around responsibilities for the management of council facilities/assets and increases the fairness for all committees and associations managing council facilities/assets. It also reduces the level to which ratepayers subsidise the management of council facilities/assets and shifts the cost to users of the facilities/assets.

RISK ANALYSIS

By clarifying the responsibilities for the management of council facilities/assets, Council is able to more effectively budget for the maintenance and improvement of council facilities/assets. It is almost certain that lack of maintenance will result in facilities/assets needing an increased level of expenditure due to faster deterioration. Consequences range from insignificant (such as minimal disruption to one service) to catastrophic (multiple services cease to be delivered for many months) depending on the facilities/assets involved.

CONSULTATION AND ENGAGEMENT

Feedback from committees, associations and council staff have informed the revision of the appendix to the instrument of delegation and management agreement.

APPENDIX 2: COMMITTEE OF MANAGEMENT RESPONSIBILITY

MAINTENANCE GUIDELINES FOR COMMITTEES OF MANAGEMENT MANAGING COUNCIL FACILITIES:

This document provides guidelines to your Committee of Management for the maintenance of Loddon Shire's (Council) owned / managed facilities. [This document must be read in conjunction with Loddon Shire's Building Asset Management Plan.](#)

[Where an item is not applicable, parties may strikethrough the item. Both parties must initial the strikethrough for the item to be considered not applicable.](#)

Item	Responsibility		Comments
	Council	Committee of Management	
UTILITIES			
Power (electricity) Gas (bottled and mains) Water (building) Telecommunications		✓	Payment for all supply costs, service charges and associated expenses.
BUILDINGS			
Includes: Main buildings, grandstands, scoreboards, timekeepers hut, player and public shelters, ticket entrances, shedding, carports, verandas, toilets, fences etc. Note: does not apply to public toilets which Council is responsible for as defined in Council's Building Asset Management Plan.			
Rates	✓		Council will be responsible for any rates and charges, including land tax if applicable. Contact Council's Revenue Coordinator
Building insurance	✓		Council insures building. Contact Council's Manager Organisational Development
Structural integrity of the building – including foundations, footings, load bearing wall frames, roof trusses and roof coverings	✓		Council will be responsible for all structural integrity issues subject to Council funding approval. Contact Council's Manager Technical Services Committee of Management are responsible for reporting issues immediately as they arise

Item	Responsibility		Comments
	Council	Committee of Management	
<p>Structure—foundations, floors and walls.</p> <p>Roof and guttering</p>	✓		<p>Council will be responsible for all structural and roof/guttering maintenance and repairs/replacement.</p> <p>This may include ageing materials, rising damp, pest (termite) damage, ground movement, drainage, storm damage etc.</p>
<p>General building maintenance and repairs.</p>		✓	<p>All <u>general building</u> maintenance and repairs including electrical, plumbing, fit outs, cladding, spouting, guttering, <u>storm water and sewer/septic blockages</u> spouting (cleaning), drainage etc.</p> <p>Cleaning internally and externally and supply of cleaning products and consumables.</p> <p>Repairs due to vandalism including the removal of graffiti.</p> <p>Report any structural damage to Council's Building Maintenance Officer</p>
Gutter-cleaning		✓	Committee of Management is responsible for organising the cleaning of guttering
External painting		✓	<p>Committee of Management is responsible for external painting.</p> <p><u>Colour changes are to be confirmed with Council's Building Maintenance Officer.</u></p>
Internal painting		✓	<p>Committee of Management is responsible for internal painting.</p> <p><u>Colour changes are to be confirmed with Council's Building Maintenance Officer.</u></p>
Kitchen – food safety/hygiene		✓	<p>Committee of Management must comply with requirements of the Food Act.</p> <p>Contact Council's Public Health Officer for further information.</p>

Item	Responsibility		Comments
	Council	Committee of Management	
Cleaning of sports use toilets		✓	Day to day cleaning and supply of all consumables such as toilet paper and hand towels (excluding public toilets recognised within Council's Building Asset Management Plan.)
Asbestos Audits and Asbestos Register Asbestos containment and/or removal	✓		Council will be responsible for engaging suitably qualified contractors to undertake Asbestos Audits on Council buildings over a 5 year period. Council will maintain the Asbestos Register. Council will manage identified asbestos in buildings through regular inspection checks or removal. Contact Council's Building Maintenance Officer.
Asbestos Control Methods		✓	Committee of Management is responsible for ensuring site hazard control methods are adhered to and breaches are immediately reported to Council.
Seasonal inspections		✓	Where facilities involve the running of seasonal sports, the Committee of Management is responsible for arranging for Council to inspect all sporting facilities prior to the season
BUILDING CONTENTS			
Contents insurance		✓	Committee of Management is responsible for insuring contents that are not owned by the Council.

Item	Responsibility		Comments
	Council	Committee of Management	
Electrical testing and tagging of appliances		✓	The Committee of Management is responsible for engaging competent person(s) to undertake testing and tagging of electrical equipment to Australian Standards.
Floor coverings		✓	The Committee of Management is responsible for <u>cleaning/maintenance and replacement</u> general upkeep and cleaning of floor coverings.
Window furniture		✓	The Committee of Management is responsible for the general upkeep, cleaning <u>cleaning/maintenance</u> and replacement of curtains, blinds and other window furnishings.
ESSENTIAL SAFETY MEASURES			
Records of service must be kept in the installed Essential Safety Measures Cabinet and also be provided to Council on request.			
Fire extinguishers Fire blankets Hose reels Fire hydrants		✓	The Committee of Management is responsible for engaging competent person(s) to undertake servicing of fire-fighting equipment to Australian Standards.
Air-conditioning and Mechanical Ventilation Systems		✓	Servicing of Air Conditioning Systems (Heating and Cooling) and Mechanical Ventilation Systems to Australian Standards. Service requirements and frequencies may vary from site to site
Fire mains		✓	Servicing and testing of Fire Mains (Ring Mains) to Australian Standards. Currently required every 5 years. <u>Council's Building Maintenance Officer will provide a reminder before due date</u>

Item	Responsibility		Comments
	Council	Committee of Management	
Lifts		✓	Serviced to Australian Standards by suitably qualified person(s) Minimum service requirement is annually unless Council deem a more frequent service is required.
Emergency lighting and exit lights		✓	Serviced to Australian Standards by suitably qualified person(s) at 6 monthly intervals
Material Safety Data Sheets (MSDS)		✓	Committee of Management is responsible for holding and maintaining applicable MSDS.
Access and egress Paths of travel to exits		✓	Internal audits to be conducted by a suitably responsible person at quarterly intervals. Written records must be completed and filed in the supplied Essential Safety Measures cabinet from 1 July 2018
Emergency Evacuation Policy		✓	Committee of Management are responsible for implementation and ongoing reviews. Council's Manager Organisational Development may assist the Committee of Management with the development and/or review of Emergency Evacuation policies and procedures.
BUILDING SERVICES			
Rubbish and recycle Kerbside collection			Council Policy currently under review.
Septic tank and lines	✓		Council will be responsible for major maintenance or replacement subject to Council funding approval . Contact Council's Building Maintenance Officer.

Item	Responsibility		Comments
	Council	Committee of Management	
Septic tank and lines servicing		✓	General annual/tri-annual servicing and repairs is the Committee of Management's responsibility.
<u>Grease traps / triple interceptor pits</u>	✓		Council will be responsible for repairs , major maintenance or replacement <u>subject to Council funding approval</u> . Contact Council's Building Maintenance Officer.
Grease traps / triple interceptor pits servicing		✓	General annual/tri-annual servicing and repairs is the responsibility of the Committee of Management.
Thermostatic Mixing Valves / Tempering valves		✓	Serviced to Australian Standards by suitably qualified person(s) at 12 monthly intervals
Backflow Prevention Devices		✓	Annual serving and repairs of Backflow Prevention Devices annually or as directed by Coliban Water
Automatic doors		✓	Serviced to Australian Standards by suitably qualified person(s). Committee of Management is responsible for all service and maintenance costs.
GROUNDS			
Including nature strips			
Fencing maintenance and renewal		✓	Committee of Management responsible for all maintenance and renewal of boundary and internal fencing
Playground equipment		✓	Committee of Management is responsible for regular safety checks and general upkeep.
Seat and bench maintenance		✓	Committee of Management is responsible for maintenance and up-keep.

Item	Responsibility		Comments
	Council	Committee of Management	
Ovals and surrounds maintenance		✓	Committee of Management responsible for all maintenance and upkeep of ovals and surrounds.
Light tower maintenance		✓	Committee of Management is responsible for all maintenance and upkeep of light towers.
Water (sporting grounds)		✓	Irrigation systems are managed and maintained by Committee of Management.
Garden beds maintenance and watering around halls, clubrooms or pavilions		✓	Includes maintenance of all garden beds, ornamental lawns, mowing and their respective watering systems. New garden beds situated in close proximity of buildings must be approved by Council prior to installation.
Netball and tennis courts maintenance		✓	Committee of Management is responsible for all maintenance and upkeep of netball and tennis courts.
Pest plants (weeds) and animals		✓	Includes insects, rodents, rabbits, feral animals and weeds
Road and path maintenance		✓	Committee of Management is responsible for: inspection, maintenance and renewal of all internal driveways, roadways, footpaths and parking areas.
Hard surfaces - (paving, asphalt, concrete etc.)		✓	Committee of Management is responsible for all maintenance and upkeep of all hard surfaces.
Advertising sign maintenance		✓	The erection and maintenance of advertising signs is subject to Council approval and must meet all regulations and planning requirements. A Planning Permit may be required.

Item	Responsibility		Comments
	Council	Committee of Management	
Barbecue maintenance		✓	Committee of Management is responsible for all maintenance and works associated with the BBQ facilities at reserves
Rubbish maintenance		✓	Rubbish generated from activities that use the facility must be disposed of in bins on site kerbside collection service. If no bins available, the Committee of Management must remove rubbish off site. Hard rubbish that is generated from works must be carted away from the property at the completion of the works.

MISCELLANEOUS			
Smoking		✓	No smoking is permitted in any Council property. Committees are responsible to ensure no cigarette butts litter the ground and surrounding areas.
Special events		✓	Any special events costs and damage is the responsibility of the Committee of Management
Alcohol		✓	No alcohol is permitted to be sold unless a liquor licence is held– see Department of Justice for more information (www.justice.vic.gov.au/alcohol)
Gambling		✓	No gambling is permitted in any Council property without appropriate approvals
Politicians		✓	Committee of Management must seek authorisation from Council prior to contacting a politician.

Committees may apply for funding assistance for any maintenance requirement via Council's Community Grants Program or Recreation Grants. If successful for grant funding, all works are subject to written approval from the Technical Services department.

9.6 SUBMISSION ON THE LOCAL GOVERNMENT BILL EXPOSURE DRAFT

File Number: 17/01/001

Author: Sharon Morrison, Director Corporate Services

Authoriser: Phil Pinyon, Chief Executive Officer

Attachments: 1. **Submission to Local Government Victoria on the proposed Local Government Bill**

RECOMMENDATION

That Council endorse the attached submission to Local Government Victoria on the proposed Local Government Bill.

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

Councillors were consulted about the draft Bill and raised concerns about various provisions at the Council Forum on 9 January 2018.

At the Council Forum on 13 February 2018, Councillors discussed a draft response to Local Government Victoria developed in response to input from a range of Council stakeholders (outlined later in this report).

BACKGROUND

Since 2015, the State Government has been undertaking a review of the Local Government Act 1989. Stage 1 involved issue identification and resulted in the release of a Discussion Paper in 2015. Stage 2 involved establishing 157 reform directions which were set out in a Directions Paper in 2016. Stage 3 involved targeted consultation to inform the Exposure Draft Bill. Stage 4 was the release of the Local Government Bill – Exposure Draft (the draft Bill) for comment. The final Stage is the introduction of the final Bill into Parliament, which is expected in the Autumn session of Parliament.

Initially the draft Bill was open for public comment until Friday 23 February 2018. This period has now been extended to 16 March 2018.

ISSUES/DISCUSSION

The Local Government Act is the key piece of legislation governing Council's activities. It is important to take an active interest in the review of this legislation to help ensure Council and its community will benefit from the changes.

The attached submission has been developed following consultation with Councillors, the audit committee, staff, library and other key players in the sector.

Key issues addressed in the submission include the:

- expanded role of the mayor
- proposed introduction of a deputy mayor being mandated
- format for the Councillor Code of Conduct
- expanded role of the audit committee
- proposal that the Minister set the voting system e.g. postal, attendance or other

- value of developing a four year budget
- percentage of the fixed component for municipal rates
- additional resources required to implement the new legislation when it comes into effect

Another key issue is the transition arrangements for libraries. The Local Government Act currently provides for governance arrangements for libraries under section 196. The draft Bill envisages a transition to different governance arrangements. Council will need to continue to work with the North Central Goldfields Regional Library Corporation (trading as Goldfields Library Corporation) and the other member libraries (City of Greater Bendigo, Mount Alexander Shire Council and Macedon Ranges Shire Council) to ensure a smooth transition to any new governance model.

The draft submission is now presented for endorsement by Councillors.

COST/BENEFITS

The costs associated with the submission relate to the time stakeholders have invested in reviewing the Bill and preparing and collating responses. The benefits associated with the submission are the opportunity to influence changes to the Bill before it is tabled in Parliament.

RISK ANALYSIS

There risks involved in providing a submission are insignificant.

CONSULTATION AND ENGAGEMENT

Internally, feedback about the proposed bill was received from:

- Councillors
- the Audit Committee
- staff
- Goldfields Library Corporation

A review of draft submissions by other key players in the sector was also conducted including MAV, VLGA, LGPro, Meerkin and Apel (industrial relations lawyers), Revenue Management Association (RMA) and other councils.

**Submission Template****Local Government Bill – Exposure Draft**

Name	
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If you work in an organisation or council, please provide the following information:

Organisation or council name	Loddon Shire Council
Position	Phil Pinyon
Are you providing this submission on behalf of the organisation or council?	Organisation

Key information about making a submission



What feedback should I provide on the exposure draft bill?

Following an extensive consultation process that considered the policy issues that underpin the Local Government Act, we are now seeking feedback on the Local Government Exposure Draft Bill to inform the final draft legislation before the Government reviews it to present to the Victorian Parliament. We strongly encourage you to read the explanatory document (*A New Local Government Act for Victoria*) to assist you to navigate the draft legislation.

What is the closing date for submissions?

The closing date for submissions is **5:00 pm, Friday 23 February 2018**. Given that the draft bill is subject to parliamentary timeframes, submissions received after this date will be considered at the Government's discretion.

How do I make a submission?

Submissions can be made in three ways:

- **Online** by uploading your submission to the www.yourcouncilyourcommunity.vic.gov.au website
- **Emailing** your submission to local.government@delwp.vic.gov.au
- **Posting** your submission to:
Local Government Act Review Secretariat
C/o Local Government Victoria,
PO Box 500, Melbourne VIC 3002

How do I complete this template?

To complete this template:

- (1) Locate the part of the Draft Bill you wish to comment on.
- (2) Insert the clause number, your level of support for the clause, the proposed change and any other comments into the table.

Can I provide a submission in another format?

It is strongly preferred for submissions to be made by completing this template. However, if another format suits your needs or the requirements of your organisation you are welcome to use another format.

Will submissions be made publicly available?

Written submissions and the name of the author will be published on the www.yourcouncilyourcommunity.vic.gov.au website unless confidentiality is requested and the Executive Director of Local Government Victoria grants it, or if it is determined your submission should remain confidential. Submissions that are defamatory or offensive will not be published.

Please contact the Local Government Act Review Secretariat if you have any questions on (03) 9948 8518 or local.government@delwp.vic.gov.au

Part 1: Preliminary

Clause (No.)	Support / Do Not Support / Neutral	What changes do you propose and why?	Are there any other comments you would like to make on this clause?
3 - Definitions	Support	Removal of definition of 'senior officer'.	Council supports the submission by Meerkin and Apel to include transitional provisions to facilitate the transition of Senior Officers on maximum term contracts to a suitable employment arrangement determined by Council (in the case of the CEO) or determined by the CEO (in the case of management level positions).

<p>Do you have any overall comments on Part 1 of the Exposure Draft Bill?</p>
Empty space for comments

Part 2: Councils

Clause (No.)	Support / Do Not Support / Neutral	What changes do you propose and why?	Are there any other comments you would like to make on this clause?
10(4) – Power of delegation	Support		Council supports to proposal to allow councils to specify maximum contractual limits that are suitable for the council concerned.
12 – Constitution of a Council	Support		Council supports the retention of a minimum of five councillors.
15(7)– Electoral structure review and 16(6) Ward boundary review	Do not support	Electoral structure reviews to be undertaken, and associated expenses to be incurred, in consultation with Council to limit any unreasonable costs incurred.	Council is liable to pay invoices incurred by the VEC, and has no influence over the extent of the review. VEC may choose to undertake a community engagement process that is excessive for a small rural council, and council must pay for it.
17(g) – Role of the Mayor	Support		Council supports the proposal that the Mayor take a leadership role in ensuring the regular review of the performance of the CEO.
17(h) – Role of the Mayor	Do not support	Delete the clause - in conjunction with 45(2) (d), this appears to require the CEO to check with the Mayor whenever setting the agenda for a Council meeting. This adds another step in the process which may create delays for no useful purpose	If the CEO considers the Mayor should be consulted, the choice should remain with the CEO, and not be a legislated obligation.
19 – When does the office of Mayor become vacant	Support		Council supports the ability to elect a mayor for one or two years at the discretion of the Council.
21 – Role and powers of the Deputy Mayor	Do Not Support	The role of Deputy Mayor should be an option for councils not a mandatory requirement.	Council currently has five single member ward councillors. When the Mayor is not available, the ward councillor deputises for the Mayor.
22(a) – When does the office of Deputy Mayor become vacant	Do not support	Should this read “Deputy Mayor”?	

25 – Election of Mayor	Do Not Support	Council suggests that the provisions in the current Act which provide a mechanism for resolving a drawn vote be included in the proposed Bill.	It is foreseeable that there would be situations where a majority cannot be achieved, therefore an additional mechanism for resolving such situations needs to be included in the legislation.
27(1) – Election of Deputy Mayor	Do not support	Council suggests that the requirement for Deputy Mayor be discretionary.	Council does not see the need for a Council of five Councillors to have a Deputy Mayor.
45(2)(d) – Functions of the CEO	Do not support	See comments for 17(h) above.	
45(4) – Functions of the CEO	Do Not Support	More information is required about the requirements of a workforce plan before informed feedback can be provided.	<p>In relation to the workforce plan it is proposed that:</p> <ul style="list-style-type: none"> • Further consultation take place with the sector on the function and operation of the plan • Any conflicts between a council’s obligations under the Fair Work Act and the new LGA provisions be clarified and resolved • Further consultation take place with the sector on the notion of gender equity targets
45(4)(a)(ii)	Do not support	The obligation for “specifying” projected staffing requirements for at least 4 years may be unreasonable, depending on the level of detail that is expected.	
47(1) – Members of Council Staff	Neutral		CEO may appoint as many members of staff as required under the workforce plan – is it intended that the plan can be changed when and as regularly as needed?

48 – Code of conduct for members of Council staff	Support	The provision appears overly prescriptive. Regulation or ministerial directions could provide the detail on mandatory inclusions. Remove (2) and (3)	
49 – Long Service Leave	Neutral		Council supports the submission by Meerkin and Apel in relation to definitions or ordinary pay and in relation to recognition of prior service with a public service body or special body.
52 – Council must establish an Audit and Risk Committee	Neutral		Councillors are not supportive of an expanded role for the Audit and Risk Committee.
53 – Audit and Risk Committee Charter	Neutral		Councillors are not supportive of an expanded role for the Audit and Risk Committee.
58(1) – Governance Rules	Neutral	Council suggests that a cross-reference be included to clauses 13(2) (c) Use of the seal, and 66(1) Election period policy, which are requirements for inclusion in the governance rules elsewhere in the Bill.	

Do you have any overall comments on Part 2 of the Exposure Draft Bill?
Advocacy – The Bill does not appear to acknowledge the important advocacy role councils play.

Part 3: Council decision making

Clause (No.)	Support / Do Not Support / Neutral	What changes do you propose and why?	Are there any other comments you would like to make on this clause?
58 – Governance Rules	Support		Council supports the need for rules/local laws that describe the way they will conduct council meetings.
59 – Council meetings	Support		Council notes that abstaining constitutes a vote against the question.
60 – Joint meetings of Council	Do Not Support	Council suggests that further consideration be given to the practicalities of meeting procedures for joint meetings.	Council notes that there would be difficulties with meeting procedures for joint meetings.
61 – Delegated committees	Do Not Support	The proposed requirement to have a minimum of two councillors on delegated committees is too onerous. Council currently has a single member ward structure which adequately responds to the needs of committee representation.	
64 – Council decision making where quorum cannot be maintained	Support		Council notes that where a quorum cannot be maintained due to conflicts of interest, a decision can be made by dealing with the matter in an alternative manner such as splitting the resolution in parts.
70(10) – Making a local law	Neutral	How long after a local law is made does the Council have to publish a notice? As written, it could any length of time and Council would be compliant. It does not require this publication for the local law to be in effect.	
71(2) – Incorporation by reference	Do not support	This requires Council to publish a notice of an amendment to other documents, codes, standards, etc. before that amendment is recognised for the purpose of the local law. If Council is not aware of an amendment and does not publish a notice accordingly, this could cause confusion and difficulties in enforcement. Could the local law simply reference the codes,	

		etc as amended from time to time? This enables there to be a single point of truth by referring to the source document, rather than members of the public checking whether (and when) Council has published notices of amendments about that document.	
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Do you have any overall comments on Part 3 of the Exposure Draft Bill?

Part 4: Planning and financial management

Clause (No.)	Support / Do Not Support / Neutral	What changes do you propose and why?	Are there any other comments you would like to make on this clause?
85 – Council Plan	Support		Council supports the retention of the adoption of the Council Plan by 30 June after the election of councillors.
89 – The budget	Neutral	Further detail is needed regarding the proposed four year budget before an informed response can be provided. How would the four year budget be different to the Strategic Resource Plan?	Councillors see little value in a four and ten year budget. Council officers see merit in aligning the Council Plan with a four year budget.

<p>Do you have any overall comments on Part 4 of the Exposure Draft Bill?</p>
--

Part 5: Rates and charges

Clause (No.)	Support / Do Not Support / Neutral	What changes do you propose and why?	Are there any other comments you would like to make on this clause?
101 – Rateable land	Do Not Support	Council would like to clarification on the term “incidental to” in regards to charities conducting commercial activities on land in competition with other business	Council is supportive of land used exclusively for mining becoming rateable.
106 – Municipal rates – fixed component	Do Not Support	<p>Council does not support the fixing of the fixed component of the municipal rate in a financial year to a maximum of 10 per cent of the sum total of Council’s municipal rates in the financial year. Council could support a maximum of 15%.</p> <p>Council’s preference is for each Council to set their own fixed component based on the Rating Strategy developed by the Council.</p>	Council currently has a percentage comparison of 14.56%.
120 (4) – Levying of municipal rates and service charges	Do Not Support	Revert to 14 days.	<p>New Act (Draft) - Sec 120 (4) Notices must be issued at least 28 days before the due date</p> <p>Up from 14 days in the old Act, most Council get the annual notice out well before the 28 days specified, however the reminder notices are usually about 20 to 25 days due to:</p> <ul style="list-style-type: none"> • Changes in the data - sales, C of A’s and general maintenance. • Supplementary changes. • Waste charge amendments. • Objections. • Subdivisions. <p>In order to meet the new deadlines Council are going to have to get the file ready for the printer about six weeks out and allow for Australia Post-delivery speeds, which means when you have just wound up receipts and objections in September (“SAY” mid-October) it will be time to send another instalment file and the data will not</p>

			be up to date.
126 – Waiver	Do not support	There does not appear to be any scope for Council to waive rates or charges for properties that may need incentives to attract businesses or other economic development opportunities. This appears to allow for waivers only for residential properties.	To attract investment, Council needs the ability to offer incentives for other types of properties.

Do you have any overall comments on Part 5 of the Exposure Draft Bill?

Part 6: Council operations

Clause (No.)	Support / Do Not Support / Neutral	What changes do you propose and why?	Are there any other comments you would like to make on this clause?
146 – Complaints policy	Neutral	Specify whether a timeframe is required.	There is no timeframe required in which the policy should be reviewed – is it intended for Council to determine its own review requirements? Procurement Policy is required to be reviewed every 4 years (147(4))
153(2)(b) – Restriction on power to sell or exchange land	Neutral	Could public consultation simply consist of the public notice required by 153(2) (a) if the policy says that is sufficient, or must it be something additional?	Public consultation is a requirement in various parts of the legislation. Is public notice sufficient for these types of public consultation requirements as well?
153(2)(c) – Restriction on power to sell or exchange land	Do not support	Council suggests that the valuation be required not more than 6 months prior to <u>Council’s decision to</u> sell or exchange the property	The requirement to obtain a valuation not more than 6 months prior to the sale creates difficulties when there is a protracted negotiation process following Council’s decision to sell a property. If this takes longer than 6 months, Council is required to pay for another valuation, even if it is only 7 months prior to obtaining the last one.

Do you have any overall comments on Part 6 of the Exposure Draft Bill?

Part 7: Council integrity

Clause (No.)	Support / Do Not Support / Neutral	What changes do you propose and why?	Are there any other comments you would like to make on this clause?
166/167 – General/material conflict of interest	Support	Further consideration needs to be given to the impact of conflict of interest provisions on councillors in small communities.	Councillors in small communities are involved in many activities to support their communities. Conflict of interest provisions prove challenging to manage in these circumstances.
173 – Lodging of a biannual personal interests return	Do not support	Annual returns should be sufficient.	The requirement for biannual personal interest returns is excessive and onerous for small councils to resource, particularly in light of the additional task to summarise the information and publish on a website.
174 – Public access to summary of personal interests	Do Not Support	Further detail is needed before an informed response can be given.	Clauses 174(2) (b) to (c) refer to regulations which have not been provided.
175(2)(a) – Confidentiality of personal interests returns	Neutral		There may be more than one member of Council staff that needs to manage the returns (e.g. information management staff for electronic recording in addition to executive support staff to summarise). Does this allow for multiple members of staff other than the CEO?
176 – Councillor gift policy	Neutral	Timeframe for the review of the policy	There is no timeframe provided for review of the policy, unlike the Procurement Policy.
178 – Councillor Conduct principles and 179 Councillor Code of Conduct	Do Not Support	Council’s preference is to incorporate the councillor conduct framework into the legislation as a standard requirement for all councils.	

Do you have any overall comments on Part 7 of the Exposure Draft Bill?



Part 8: Ministerial oversight

Clause (No.)	Support / Do Not Support / Neutral	What changes do you propose and why?	Are there any other comments you would like to make on this clause?

Do you have any overall comments on Part 8 of the Exposure Draft Bill?

Part 9: Electoral provisions

Clause (No.)	Support / Do Not Support / Neutral	What changes do you propose and why?	Are there any other comments you would like to make on this clause?
276 – Voting system	Do Not Support	Council prefers the voting method to be decided at the discretion of individual councils.	Council does not support the proposal for the Minister to set the voting system. Various factors contribute to the determination of a preferred voting system such a geographic areas, demographic factors and the accessibility of technology. Councils are best place to determine the best system for their area.
285 -289 – counting of votes	Support		Council supports an absolute majority voting method.

<p>Do you have any overall comments on Part 9 of the Exposure Draft Bill?</p>

Part 10: General provisions

Clause (No.)	Support / Do Not Support / Neutral	What changes do you propose and why?	Are there any other comments you would like to make on this clause?
326 – Authorised officers	Do Not Support	Reinstatement of the provisions of the 1989 Act to enable an authorised officer to administer and enforce any Act which relates to the functions of a council.	There is concern that current form of the clause will remove Council Officers ability to enter a property to conduct fire hazard inspections. As the CFA Act is silent on authorising Municipal Fire Prevention Officers to enter properties, the LGA has been used in the past to justify access; however that may no longer be possible if the changes are adopted in their current form.

<p>Do you have any overall comments on Part 10 of the Exposure Draft Bill?</p>

Part 11: Consequential amendments and repeals

Clause (No.)	Support / Do Not Support / Neutral	What changes do you propose and why?	Are there any other comments you would like to make on this clause?

Do you have any overall comments on Part 11 of the Exposure Draft Bill?

Overall comments on the Exposure Draft Bill?

Resourcing Implementation - Loddon Shire Council is concerned about the level of resourcing required to respond to the phase implementation of the Act in the period of time contemplated. For a small rural shire, the phased implementation plan has a significant impact on day-to-day operations and will necessitate additional resourcing for a period of time to ensure the requirements and deadlines are met.

Regulatory Impact Statement – Loddon Shire Council is keen to understand the detail contained in the regulations. Council’s ability to implement the Act and Regulations will be impacted by the level and type of detail contained in and required by the regulations. For this reason, Council seeks a regulatory impact statement at the earliest opportunity.

Drainage – Loddon Shire Council supports the MAV submission that the drainage provisions in the LGA 1989 be transferred to the new Act pending the outcome of the Melbourne Urban Stormwater Institutional Arrangements Project expected to be in 2019. The outcome of the Project to form the basis for consultation with local government.

Libraries - Previously articulated in Section 196 and 197 of the Act which specifically described how Regional Library Corporations could be formed. At this time there are no explicit provisions in the draft bill relating to Regional Library Corporations. Regional Library Corporations are not described at all in the draft bill and are not expected to be recognised in the future. It is proposed that there will be transitional arrangements to cover RLC's but these have not yet been established. Local Government Victoria advises that the transitional provisions relating to regional library corporations are still being worked on and are not, therefore, included in the draft exposure Bill. The transitional provisions will ensure regional library corporations continue when the new Act commences; but they will contain the period after which corporations may have to wind-up, although details of any new model and the timeframe are still being worked out. The questions that need to be answered regarding this removal of RLC's from the Act include:

1. Assuming there is a transition period, how long will this be? It is expected that this may require some complex negotiation and legal advice and could take several years to enact.
2. How will Councils be protected from the possible liability of mass redundancies as structures are changed?
3. How might the transfer of assets owned by the Corporation take place?
4. Will State Government assist Councils in undertaking this transition?
5. How might unions need to be involved and will there be potential for a collective agreement that staff agree to in order to transition from one model to another?
6. Have agreements, licences and other registrations currently in the name of RLC's been considered? These will need to be wound up or transferred. (E.g. service agreement, software licences etc.)

Council's preference is for the existing provisions in the 1989 Act to continue indefinitely or be subject to a lengthy sunset timeframe.

9.7 FEBRUARY 2018 AUDIT COMMITTEE MEETING OVERVIEW

File Number: 06/02/003
Author: Sharon Morrison, Director Corporate Services
Authoriser: Phil Pinyon, Chief Executive Officer
Attachments: 1. Review of Records Management
2. Annual Report of the Audit Committee
3. Risk Management Report

RECOMMENDATION

That Council:

1. receives and notes the February 2018 Audit Committee Meeting Report; and
2. endorses the performance improvement recommendations documented in the Review of Records Management; and
3. receives and notes the Annual Report of the Audit Committee; and
4. receives and notes the Risk Management Report.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

Council was provided with a summary of the November 2017 Audit Committee Meeting at the Ordinary Meeting held on 12 December 2017.

BACKGROUND

The Audit Committee was created under Section 139 of the Local Government Act 1989, which states that "Council must establish an audit committee".

The committee is made up of four independent community members, and Cr Gavan Holt, as Council's representative. Council's Chief Executive Officer and Director Corporate Services attend the meetings in an advisory capacity.

The primary objective of the Audit Committee is to assist Council in the effective conduct of its responsibilities for:

- the enhancement of the credibility and objectivity of internal and external financial reporting
- effective management of financial and other risks and the protection of Council assets
- compliance with laws and regulations as well as use of best practice guidelines
- the effectiveness of the internal audit function
- the provision of an effective means of communication between the external auditor, internal audit, management and the Council
- facilitating the organisation's ethical development
- maintaining a reliable system of internal controls.

In order to provide a structured approach and ensure that the Committee addresses each of its responsibilities, an annual calendar of actions and an internal audit review program are established each year, and these guide the activities of the Committee.

ISSUES/DISCUSSION

The agenda for the February 2018 meeting included the following:

Election of the Chair

Due to a proposed change to the Charter, an election of the chair took place. The rationale for changing the timing was to separate the date of the commencement of a new member (May annually) from the election of the chair (previously May annually, proposed for February annually). This means that the new chair is being nominated by members who have been in place for at least nine months before being asked to nominate a chair, rather than at the meeting when they commence their term.

This topic is the subject of a separate report in the Council meeting agenda papers.

Audit report – Records Management

Mark Holloway provided an overview of the audit report, which found that there are good controls in place such as having a records management team within Council, induction processes, responsibilities for records management included in position descriptions of staff, and a comprehensive filing system in place.

Improvement opportunities included the need for a Records Management Strategy, completion of Records Management policies and procedures, ongoing organisation-wide training of staff, implementation of key performance indicators and ongoing monitoring, a retention and disposal program for electronic records, and inconsistencies in records management practices.

Mark noted that the management response was appropriate, and the timeframes for actions were realistic.

Committee members considered the report and discussed security of record keeping, which was not part of the scope of the review. The Manager Information and Business Transformation, Mr Peter Williams was present for this item and commented that some digitisation of documents will be deferred until a new corporate IT system is implemented. The committee also discussed the resources required to deliver the recommended actions, including staff time, and it was confirmed that most actions would be undertaken by staff within their existing roles.

Draft Annual Report of Audit Committee

The committee considered the draft report of activities of the Audit Committee during the previous calendar year. Members agreed that it was a good, concise report.

Draft Charter

The committee considered the suggested amendments to the Charter, including some made as a result of legislative changes that impact on the Charter. One change discussed by the committee was the addition of a second Councillor to the committee.

The Charter is the subject of a separate Council meeting agenda paper.

Draft Performance Survey

Each year the audit committee undertakes a self-assessment. The committee reviewed the draft survey, which has not changed since the previous year's survey, the results of which were also provided for information.

The committee agreed to adopt the draft survey for this year.

Loddon Performance Framework Report – July 2017 to December 2017

The committee noted the Governance and Management Checklist, and the KPI report on several organisational measures. It was noted that the KPI Report requires further work on the analysis information provided, such as target levels.

The committee agreed to continue receiving this report every six months. The report with additional analysis will be presented to the Council meeting after the next Audit Committee meeting.

Presentation by staff member

Carol Canfield, Manager Organisational Development, gave a presentation about her role. She advised that there are four staff in the department, which includes functions of payroll, training, recruitment, industrial relations, occupational health and safety, staff health and wellbeing programs, risk management, insurance, quarterly all staff meetings, and uniform committee.

Current projects include the Enterprise Agreement negotiation, Workforce Planning (in partnership with other councils), establishing MyGov functionality with staff to enable group certificates to be distributed, and development of a gender equity program.

The committee noted that Council's current insurance of non-Council buildings on Crown land is being reconsidered.

Fraud Report

Phil Pinyon advised there is nothing to report.

Review of major lawsuits facing Council

Phil Pinyon advised there are no major lawsuits to report.

An issue is being brought before VCAT relating to the Yemaya Festival planning application. VCAT had ordered that a number of items be provided to Council by the applicant, which did not occur in the required timeframe. VCAT has noted that the order had not been complied with, and a new hearing date will be set in July or August.

Update on review of Local Government Act

A submission is being prepared by Sharon Morrison, and a draft will be presented to the February Council Forum for consideration.

Overview of the Long Term Financial Plan and the impact of the latest rate cap

Deanne Caserta gave a presentation on the Long Term Financial Plan, which uses the 2017/18 original budget as the base year, and extends over ten years. The committee noted the overall position is a \$7.62 million deficit, compared with the previous plan's deficit of \$23.6 million.

Monthly Finance Report

The Committee received the report for the period ending 31 December 2017.

The committee noted that the capital works expenditure is 19% complete with 50% of the year complete, and significant work is being undertaken to review what will realistically be spent during the remainder of the financial year.

Risk management report – Charter 2.5(vii)

The Manager Organisational Development presented the Risk Management Report, including occupational health and safety and risk management meeting business. Risks rated as high largely relate to the requirements for Child Safe Standards, which are expected to be developed in the short term.

The Committee noted the risk management report, and commented that the due dates should be revised if they have not been met.

Items raised by Council that may impact the Audit Committee

Cr Holt reported on the draft Customer Service Strategy and Charter out for public comment, which he suggested that the committee members read and provide feedback to Deanne Caserta before 25 February 2018.

Next review

The next internal audit will follow up prior year internal audit recommendations.

COST/BENEFITS

There are costs associated with the Audit Committee and internal audit function.

However, in most cases, actions resulting from audit reviews do not bear any new costs as they are undertaken by current staff.

The benefits that the internal audit function provides Council are:

- business improvement relating to the audit review areas
- standard policy and procedure documents which are developed through the action list
- improvement in knowledge management that will assist with succession planning over time
- a reduction in risk in areas relating to audit reviews.

RISK ANALYSIS

The internal audit program has been created and is annually updated on a risk basis, ensuring that Council's program addresses the areas of highest risk or greatest concern to Audit Committee members and Council officers.

CONSULTATION AND ENGAGEMENT

Nil

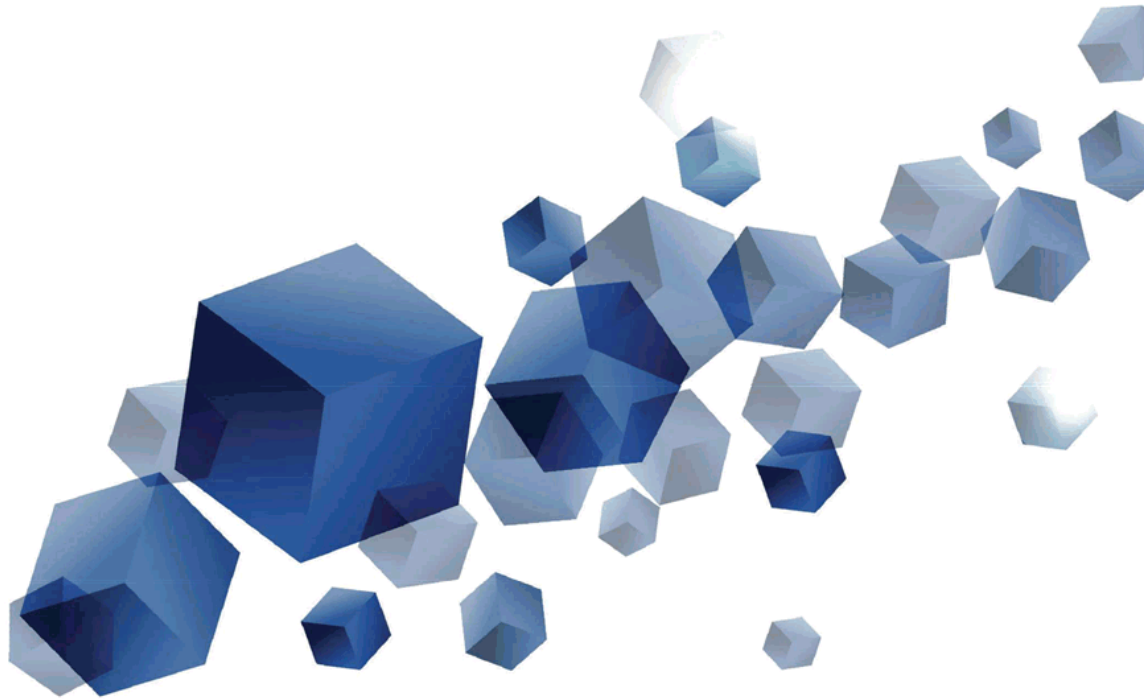


Loddon Shire Council

Internal Audit Report

Review of Records Management

December 2017



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Third party reliance

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EXECUTIVE SUMMARY

Introduction

As part of the internal audit services provided to Loddon Shire Council ("Council" or "LSC"), HLB Mann Judd has undertaken a review of its records management processes. The objective of the internal audit was to evaluate internal controls and processes relating to records management and to identify potential risks and opportunities to improve related practices.

The review has been agreed by the Council's Audit Committee and forms part of the 2017-18 Internal Audit Program.

Background

Organisational records are essential to maintain historical records of operational activities, provide adequate evidence and information to support decision making processes, and to meet the record keeping requirements of various legislations and mandates (i.e. *Public Records Act 1973*, *Freedom of Information Act 1982* and Public Records Office of Victoria (PROV) Standards etc.).

Critical to effective records management is the need for strong controls over identification, recording, preservation, management, use and disposal of records. With the proliferation of information technology, organisations are generating information at ever-increasing rates. As such, development and implementation of robust processes to identify the types and sources of corporate records is critical. In Victoria, a programme of records management consists of the following components:

- A Recordkeeping Framework;
- Recordkeeping Procedures, Processes and Practices;
- Records Management Systems and Structures;
- A Personnel and Organisational Structure; and
- Resources, including sufficient budget and facilities.

As such, it is important that LSC maintains appropriate records across all aspects of its operations, to ensure that staff members can effectively and efficiently deliver services to the community.

Positive aspects of control

The following positive business practices were noted regarding records management processes at LSC:

- There is a records management team comprising of the Information Manager, Records Officer and a part-time Archivist. The team assists LSC in meeting its responsibilities under PROV legislation through administration of the Infovision Records Management System, and providing relevant training, advice, support and guidance to LSC staff;
- Records management related training is provided to all new employees during induction processes;
- Records management related responsibilities are adequately included in staff position descriptions to ensure accountability and compliance with both internal and external requirements;
- An Infovision Overdues Report is prepared on a weekly basis and sent out to Managers/staff for actioning records management related activities. On a monthly basis, an Infovision Registration Statistic Report is produced and reported to the Director of Corporate Service and Information Manager for review and comments;
- A Filing Index for the Infovision system is in place. It comprises of a set of hierarchical categories in which records are arranged and is based on 3 levels of classification. The first level classification reflects the major functions of the organisation (i.e. Human Resource), the second level classification characterises types of documents (i.e. Policies and Procedures, Management Reports) and the third level captures activities within the function (i.e. Induction, Recruitment, Enterprise Agreement).

Summary of Key Findings

The primary objective was to assess and evaluate the effectiveness and efficiency of internal controls embedded in records management processes, to determine whether the following audit objectives were addressed:

Audit Objectives	Related Finding	Risk Rating*			
		Extreme	High	Medium	Low
The Records Management Framework that exists at Council is appropriate and in line with legislative requirements and the Public Records Office of Victoria ("PROV").	A Records Management Strategy has not been developed and implemented.		Finding 1		
	Various Records Management policies and procedures were outdated and/or still in draft form. Further, certain key processes surrounding records management practices were not formally documented.			Finding 2	
	Absence of formal and periodic organisation-wide records management related training.			Finding 3	
	Absence of key performance indicators, internal compliance/monitoring program and periodic reporting to executive management on records management activities.		Finding 4		
Appropriate policies and procedures exist to effectively govern the management of records at Council.	Refer to Findings No.1, 2, 3 & 4 above.				
Compliance with policies and procedures in terms of operational and archived data.	A Retention and Disposal Program for electronic records was not implemented.			Finding 5	
	Records management practices (i.e. retention, file naming conventions etc.) are inconsistent across departments and locations.			Finding 6	
Adequate controls exist to identify and capture corporate data.	Refer to Findings No.1 to No. 6 above.				
Key controls over manual and computerised data are adequate and effective.	Refer to Findings No.1 to No. 6 above.				
Data is securely maintained and is stored in accordance with privacy and confidentiality requirements.	Refer to Findings No.1 to No. 6 above.				

The risk rating of each of the above findings is contained in the following matrix:

Risk Matrix:

		Consequence				
		1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Likelihood	5 Frequent / almost certain	Yellow	Orange	Orange	Red	Red
	4 Probable / likely	Green	Yellow	Orange	Orange	Red
	3 Occasional / possible	Green	Yellow	Yellow	Yellow	Orange
	2 Unlikely	Green	Green	Yellow	Yellow	Orange
	1 Rare	Green	Green	Green	Green	Yellow

Upon deployment of the new records management system, Council should continue reviewing, updating all records management related processes and executing a formal proactive performance monitoring and reporting mechanism surrounding records management practices across the organisation.

As part of continuous improvement, a formal and regular training/awareness and compliance check program should be implemented to reinforce Council’s recordkeeping practices and meet PROV requirements.

Overall Conclusion

Based on the results of the review, we believe that there are opportunities for improvement with respect to the records management processes at LSC.

Improvements should be focused on developing and adopting a formal Records Management Strategy that sets the strategic focus and direction of records management at LSC, the need to deploy a Victorian Electronic Records Strategy (“VERS”) compliant system following by the formalisation and implementation of a Retention and Disposal Program for the electronic records to ensure compliance with VERS.

DETAILED FINDINGS

Description of Finding	Observation	Impact and Recommended Action	Management Response
<p>1. A Records Management Strategy has not been developed and implemented.</p>	<p>Risk Rating: High</p> <p>Standard/Criteria: A records management strategy is a useful tool to ensure that the records management function is aligned to the overall organisational plan. The strategy document is also a key component of a records management framework and/or the <i>Strategic Management Standard PROS 10/10</i> established by the PROV. The benefits of having a strategy in place are to promote:</p> <ul style="list-style-type: none"> ■ A systematic and planned approach to records management covering records from creation through to disposal; ■ Compliance with relevant statutory requirements; ■ Alignment with the organisation’s strategic and tactical objectives; ■ Better awareness of the importance of records management and the attached responsibilities for all staff members; ■ Decrease risks associated with record keeping practices and systems; and ■ Greater visibility and improved communication for projects, major initiatives and significant activities for records management. <p>Audit Finding: Our review noted that:</p> <ul style="list-style-type: none"> ■ LSC did not have a formally documented records management strategy as part of its current records management framework. 	<p>Impact: The absence of a formalised records management strategy may lead to:</p> <ul style="list-style-type: none"> ■ A lack of strategic focus for data, document and records management; ■ An increased risk of non-compliance with the <i>Public Records Act 1973</i> and other records management related legislation and/or mandates; ■ Initiatives, projects and other key activities for records management may not be sufficiently communicated to relevant staff and may lack endorsement from internal stakeholders (e.g. executive management); ■ Resistance or lack of support for the implementation of initiatives for records management (e.g. a move to an electronic records management system, etc.); and ■ Operations that are not supported by a strategy may diverge from LSC strategic objectives. <p>Recommended Action: We recommend that LSC management should:</p> <ol style="list-style-type: none"> 1. Develop and implement a formalised and comprehensive records management strategy. Refer to Appendix A for A Quick Guide for Developing a Records Management Strategy. 2. Ensure that the strategy is approved and formally endorsed and communicated to all staff members; and 	<p>Management Action: Recommendation 1: Management Agrees. Action 1.1 - Develop and implement a Records Management Strategy. Responsibility: Peter Williams, Manager Information and Business Transformation. Timeframe: 31 July 2018. Recommendation 2: Management Agrees. Action 2.1 - Ensure the strategy is approved and formally endorsed and communicated to all staff members. Responsibility: Peter Williams, Manager Information and Business Transformation. Timeframe: 31 July 2018. Recommendation 3:</p>

CONTENTS

Description of Finding	Observation	Impact and Recommended Action	Management Response
		3. Evaluate and update the records management strategy periodically (e.g. 6-monthly or annually) to ensure it remains relevant to changing scenarios.	Management Agrees. Action 3.1 – Ensure the Records Management Strategy has an annual review date to ensure it remains relevant to changing scenarios. Responsibility: Peter Williams, Manager Information and Business Transformation. Timeframe: 31 July 2018.
2. Various Records Management policies and procedures were outdated and/or still in draft form. Further, certain key processes surrounding records management practices were not formally documented.	<p>Risk Rating: Medium</p> <p>Standard/Criteria: Comprehensive and up-to-date policies, procedures and guidelines forming part of an overarching records management framework provide assurance to the Executive Team that processes are well designed, documented and remain relevant to meet organisational objectives over the long-term.</p> <p>Audit Finding: Our review noted that:</p> <ul style="list-style-type: none"> ■ Certain records management related policies and procedures were outdated. They included, but not limited, to the following: <ul style="list-style-type: none"> - Records Management policy (adopted in June 2012, due for review in June 2016); - Electronic Document Naming procedure (adopted in April 2014, due for review in April 2016); 	<p>Impact: Absence of formally documented and updated policies and procedures may result in:</p> <ul style="list-style-type: none"> ■ Inconsistent operations due to the lack of common and current guidelines; ■ Increasing financial related risks; and ■ Loss of corporate knowledge in the event related staff leave the organisation. <p>Recommended Action: We recommend that LSC management should:</p> <p>4. Ensure that upon implementation of the new electronic records management system, that all records management related policies and procedures identified under the "Observation" column are formalised, reviewed and/or updated in a timely manner to ensure they remain relevant and reflect current practices; and</p>	<p>Management Action: Recommendation 4: Management Agrees. Action 4.1 – Revise overdue records management policies and procedures (refer to Audit Findings). Action 4.2 – Finalise draft records management policies and procedures (refer to Audit Findings). Action 4.3 – Develop and finalise missing records management policies and procedures (refer to Audit Findings). Responsibility: Peter Williams, Manager Information and Business Transformation.</p>

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Description of Finding	Observation	Impact and Recommended Action	Management Response
	<ul style="list-style-type: none"> - Protected Disclosure procedure (adopted in July 2016, due for review in July 2017); - Social Media Post Submission and Approval procedure (adopted in Sep 2014, due for review in Sep 2015); - Transferring Records to Council Archives Guide No.1 and No.3 (last updated in March 2009, next review date was not documented); ■ Certain policies and procedures are still in draft form. They included, but not limited to, the following: <ul style="list-style-type: none"> - Records scanning procedure; - Privacy policy and procedure; - Freedom of Information policy and procedure; - Registering an email into Infovision procedure; - Mail management/correspondence procedure; - Reporting Infovision overdues reporting procedure; - Records Disposal procedure; ■ The following key requirements/processes were not guided by formally documented procedures. They included, but not limited to, the following: <ul style="list-style-type: none"> - Records management requirements for volunteers (i.e. training, roles and responsibilities of creation, capture, retention, etc.); - Periodic user access reviews of the Infovision system; - Periodic generation and review of audit reports from Infovision on key criteria such as high/medium/low users or deleted files from the registry; and 	<p>5. Ensure updated policies and procedures above are communicated/trained to all relevant staff members and made available for staff easy access.</p>	<p>Timeframe: 31 December 2018.</p> <p>Recommendation 5: Management Agrees.</p> <p>Action 5.1 - Involve staff in the review and development of policies and procedures are advise staff when policies and procedures have been approved.</p> <p>Responsibility: Peter Williams, Manager Information and Business Transformation.</p> <p>Timeframe: 31 March 2019.</p>

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Description of Finding	Observation	Impact and Recommended Action	Management Response
	<p>- Periodic risk assessment of the databases/records stored/hosted in the Cloud (i.e. Attaché, Advent Manager, CAMMS).</p> <p>Management advised that the Council is currently in the process of going to tender for a Victorian Electronic Records Strategies/Standards (VERS) compliant system to meet the requirements of one or more of the specifications under VERS Version 2 (PROS 99/007 Standard for the management of electronic records). The system's specification is currently being developed and implementation is expected to roll out during 2018. Given the deployment of the new system, management will revisit and update all records management related policies and procedures to ensure compliance and consistency.</p>		
<p>3. Absence of formal and periodic organisation-wide records management related training.</p>	<p>Risk Rating: Medium</p> <p>Standard/Criteria:</p> <p>As LSC is required to comply with the requirements of PROV, it is imperative that all LSC staff are adequately aware of and comply with both the external requirements and internal records management practices. This should be emphasised through development of various training programs and communication mechanisms to raise awareness of the expectations and ensure they are followed.</p> <p>Audit Finding:</p> <p>Our review noted that:</p> <ul style="list-style-type: none"> Records management processes are covered during staff induction processes (e.g. Infovision introduction, what documents to be registered, etc.). However, there is no formal and ongoing organisation-wide training (e.g. structured workshops, emails, posters, etc.) provided to staff on their requirements under the PROV directives and internal requirements; <p>LSC relies heavily on staff knowledge and experience of how to identify and manage corporate records to</p>	<p>Impact:</p> <p>The absence of ongoing organisation-wide records management-related training and staff awareness may lead to:</p> <ul style="list-style-type: none"> A lack of staff understanding of related PROV requirements (especially if these were to change periodically); and A lack of awareness of the role of records management in supporting organisational efficiency and accountability. <p>Recommended Action:</p> <p>We recommend that LSC management should:</p> <p>6. Formalise and implement a regular training and awareness program for all LSC staff on both the requirements of PROV directives and internal records management requirements (e.g. via e-learning modules, structured workshops, external training, posters, updates through newsletters, emails, etc.).</p>	<p>Management Action:</p> <p>Recommendation 6:</p> <p>Management Agrees.</p> <p>Action 6.1 - Ensure up-to-date records management training is delivered to relevant new and existing staff.</p> <p>Responsibility:</p> <p>Peter Williams, Manager Information and Business Transformation.</p> <p>Timeframe:</p> <p>31 December 2018.</p>

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Description of Finding	Observation	Impact and Recommended Action	Management Response
	<p>ensure they are compliant with the PROV directives and the <i>Public Records Act 1973</i>;</p> <p>We noted that refresher training was provided to staff upon request by the individual staff member rather than LSC initiating regular and structured organisation-wide training. We reviewed the training register maintained by LSC and noted only 1 personnel had requested refresher training since late 2015.</p> <p>Management advised that LSC is in the process of implementing an overarching e-learning online training platform for ongoing staff training across various areas, however, records management-related training modules were not included yet.</p>		
<p>4. Absence of key performance indicators, internal compliance/monitoring program and periodic reporting to executive management on records management activities.</p>	<p>Risk Rating: High</p> <p>Standard/Criteria:</p> <p>In <i>PROS 10-17 Operations Management</i>, it is stated that continuous improvement activities must be conducted to ensure recordkeeping practices meet agency needs and reflect industry best practices. The intention of this principle is to ensure that recordkeeping practices within the agency are continuously improved via implementation of key performance indicators (KPIs) and other quality orientated measurement criteria, including progress made for initiatives and projects. Performance reporting allows management to capture, discuss and action any ongoing, one-off and emerging issues that may impact one or multiple areas at LSC. Conducting continuous improvement activities will ensure that innovations and process improvements are identified, assessed and realised.</p> <p>Audit Finding:</p> <p>Our review noted that:</p> <ul style="list-style-type: none"> ■ LSC had not developed and implemented a relevant set of KPIs over records management; ■ LSC did not have a formalised and proactive internal compliance/monitoring program/calendar for records 	<p>Impact:</p> <p>Absence of a formal performance management, monitoring and reporting over records management may result in:</p> <ul style="list-style-type: none"> ■ A lack of oversight for current activities and support for key initiatives relating to records management strategies and plans; and ■ Issues relating to records management may not be fully known, understood and subsequently addressed adequately and timely. <p>Recommended Action:</p> <p>We recommend that LSC management should:</p> <ol style="list-style-type: none"> 7. Develop and implement a formal records management compliance program/schedule covering the entire organisation (e.g. all departments and across different LSC sites, etc.) and that assists in overseeing records management-related audits and activities (e.g. on a quarterly, 6 monthly or annual basis); 8. Develop formal records management related KPIs and reports to facilitate the performance 	<p>Management Action:</p> <p>Recommendation 7:</p> <p>Management Agrees.</p> <p>Action 7.1 - As part of the Records Management Strategy, develop a records management compliance program.</p> <p>Responsibility:</p> <p>Peter Williams, Manager Information and Business Transformation.</p> <p>Timeframe:</p> <p>31 July 2018.</p> <p>Recommendation 8:</p> <p>Management Agrees.</p> <p>Management currently receives weekly and monthly reports on overdue actions against records. Other KPIs</p>

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Description of Finding	Observation	Impact and Recommended Action	Management Response
	<p>management as part of its current risk management framework; and</p> <ul style="list-style-type: none"> LSC management currently received limited performance reporting relating to records management (i.e. weekly and monthly reports on overdue actions) and has indicated a desire to review the indicators with the introduction of new records management system. 	<p>monitoring processes. Key areas may include, but not limited to, the following:</p> <ul style="list-style-type: none"> Economy measurement (i.e. cost per record retrieval, cost per file created, etc.); Efficiency measurement (i.e. number of complaints, enquiries completed in x hours, speed of retrieval from storage, existence/relevance of records management policy, procedures, etc.); Effectiveness measurement (i.e. number of emails registration per period, proportion of new users, training attended/completed, number of audit/compliance check completed, etc.); Progress against implementation and action items from the records management strategy (from Recommendation 1); Actions to address any related outstanding items; Records management related training undertaken including attendees listing, as well as the next scheduled training dates; Outcomes and actions from the compliance program; and <p>9. Ensure that the above are monitored and reported on a periodic basis (i.e. quarterly, 6 monthly or annually) to the Executive Team and other stakeholders where necessary (e.g. Audit Committee).</p>	<p>will be considered through the development of the Records Management Strategy.</p> <p>Action 8.1 - As part of the Records Management Strategy, develop KPIs and reports to facilitate monitoring.</p> <p>Responsibility: Peter Williams, Manager Information and Business Transformation.</p> <p>Timeframe: 31 July 2018.</p> <p>Recommendation 9: Management Agrees.</p> <p>Action 9.1 - Ensure Records Management Strategy Compliance Program has monitoring and reporting framework.</p> <p>Responsibility: Peter Williams, Manager Information and Business Transformation.</p> <p>Timeframe: 31 July 2018.</p>
<p>5. A Retention and Disposal Program for electronic records was not implemented.</p>	<p>Risk Rating: Medium</p> <p>Standard/Criteria: One of the key objectives for records management is to ensure that records are being disposed of in accordance</p>	<p>Impact:</p> <ul style="list-style-type: none"> The absence of a documented retention and disposal program for electronic records could result in records not being disposed of in accordance with PROS and VERS leading to 	<p>Management Action: Recommendation 10: Management Agrees.</p>

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Description of Finding	Observation	Impact and Recommended Action	Management Response
	<p>with legislation for both hardcopies and electronic records. PROV have issued a specific guideline in this regard titled <i>PROS 10-13 Implementing a disposal program</i>. The purpose of this guideline is to facilitate the implementation of requirements contained in the <i>Disposal Standard and Specification 2: Implementing Disposal Authorities</i>.</p> <p>For local governments, the <i>PROS 07-01 VAR 4 Retention and Disposal Authority for Records of Common Administrative Functions</i> and <i>PROS 09 -05 Retention and Disposal Authority for Records of Local Government Functions</i> are effectively from 06/03/2017 and 21/07/2015 respectively.</p> <p>The <i>Victorian Electronic Records Strategy (VERS) Standard</i> seeks to support agencies in managing and preserving complete, documented, and authentic digital records.</p> <p>Audit Finding:</p> <p>Our review noted that:</p> <ul style="list-style-type: none"> ■ A Retention and Disposal Program for electronic records registered in Infovision or local drives at LSC was not implemented as per requirement of the VERS. <p>Management advised that due to limitation of the Infovision records management system where it does not facilitate the capturing of retention period and disposal status, the Council was not able to comply with VERS requirements regarding the retention and disposal of electronic records.</p> <p>Management also advised that the Council is currently in the process of going to tender for a VERS compliant system. The system's specification is currently being developed to encompass and facilitate in the record retention and disposal process and implementation is expected to roll out during 2018.</p> <p>LSC currently only disposes hard copy documents and not soft/electronic documents as part of internal protocols.</p>	<p>premature disposal of records or non-disposal of records.</p> <p>Recommended Action:</p> <p>We recommend that LSC management should:</p> <p>10. Ensure that upon implementation of the new electronic records management system, that LSC formally documents and implements a Retention and Disposal Program for electronic records in accordance with <i>VERS, PROS 10-13, PROS 07-01 VAR 4 and PROS 09-05</i>; and</p> <p>11. Communicate and upload the Retention and Disposal Program onto the intranet for easy reference for staff.</p>	<p>Action 10.1 - Develop a Retention and Disposal Program for electronic records.</p> <p>Responsibility:</p> <p>Peter Williams, Manager Information and Business Transformation.</p> <p>Timeframe:</p> <p>31 December 2018.</p> <p>Recommendation 11:</p> <p>Management Agrees.</p> <p>Action 11.1 - Advise staff of Retention and Disposal Program and add to intranet.</p> <p>Responsibility:</p> <p>Peter Williams, Manager Information and Business Transformation</p> <p>Timeframe:</p> <p>31 December 2018.</p>

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Description of Finding	Observation	Impact and Recommended Action	Management Response
<p>6. Records management practices are inconsistent across departments and locations.</p>	<p>Risk Rating: Medium</p> <p>Standard/Criteria:</p> <p><i>PROS 11-07 Capture Standard</i> stipulates that systems that capture public records should maintain the integrity of the records as evidence, protecting them from undetected and unauthorised alteration.</p> <p>The intention of this principle is to ensure that the integrity of the records captured by agency systems is maintained over time. This means that any annotations, additions or deletions to records are captured, including the time of the change, what change was made and who made it.</p> <p>LSC's Recordkeeping Policy also stipulates that Council's documents should be managed and captured through an identifiable records management program/system (i.e. Infovision).</p> <p>Further, the LCS's Document Naming procedure also states rules with respect to naming conventions over documents such as:</p> <ul style="list-style-type: none"> ■ Make it meaningful and easy to understand, ■ Use sentence case in all titles, ■ Provide details that will distinguish between similar records, ■ Use standardise date and number formats, and ■ Limit punctuation characters. <p>Audit Finding:</p> <p>Our review noted that the records management practices at LSC are inconsistent across departments and locations. To be specific:</p> <ul style="list-style-type: none"> ■ Certain records were retained in local electronic shared drives (K:/S:/R:/H:/M:/I: Drives) instead of Infovision as required by internal protocols. For instance: <ul style="list-style-type: none"> - Serpentine office utilised S: drive and developed their own "community services file register" for 	<p>Impact:</p> <p>Inconsistent records management processes and practices across the organisation may impact on:</p> <ul style="list-style-type: none"> ■ LSC's ability to adequately comply with PROV standards and guidelines; ■ The potential loss of key data stored in hard copy files in the event of a disaster (e.g. fire); and ■ Time and cost overruns due to the timeliness of locating central files (both current and historical) and subsequently obtaining them (if across various LSC locations) and the costs associated with continually using hard copy documentation (e.g. paper and printer toner costs, etc.). <p>Recommended Action:</p> <p>We recommend that LSC management should:</p> <ol style="list-style-type: none"> 12. Streamline organisation-wide records management requirements on structured filing and document registration across the Council's different departments; 13. Reinforce the requirements on the use of creating and maintaining files as appropriate amongst all staff members to minimise/avoid duplication, confusion and loss of data; 14. Re-enforce to all staff that documents should be named as per the naming convention set out in the Document Naming procedure; and 15. Ensure Council's department/staff are complying with the records management requirements through the implementation of relevant key performance indicators (KPIs) and formal records management monitoring program (Refer to Audit Finding No.4 above). 	<p>Management Action:</p> <p>Recommendation 12:</p> <p>Management Agrees.</p> <p>Action 12.1 - Develop a standard procedure for capturing public records.</p> <p>Responsibility:</p> <p>Peter Williams, Manager Information and Business Transformation.</p> <p>Timeframe:</p> <p>31 December 2018.</p> <p>Recommendation 13:</p> <p>Management Agrees.</p> <p>Action 13.1 - Through implementation of the Records Management Strategy Compliance Program, assist staff to understand and meet records management requirements relating to maintaining files.</p> <p>Responsibility:</p> <p>Peter Williams, Manager Information and Business Transformation.</p> <p>Timeframe:</p> <p>31 December 2018.</p> <p>Recommendation 14:</p> <p>Management Agrees.</p>

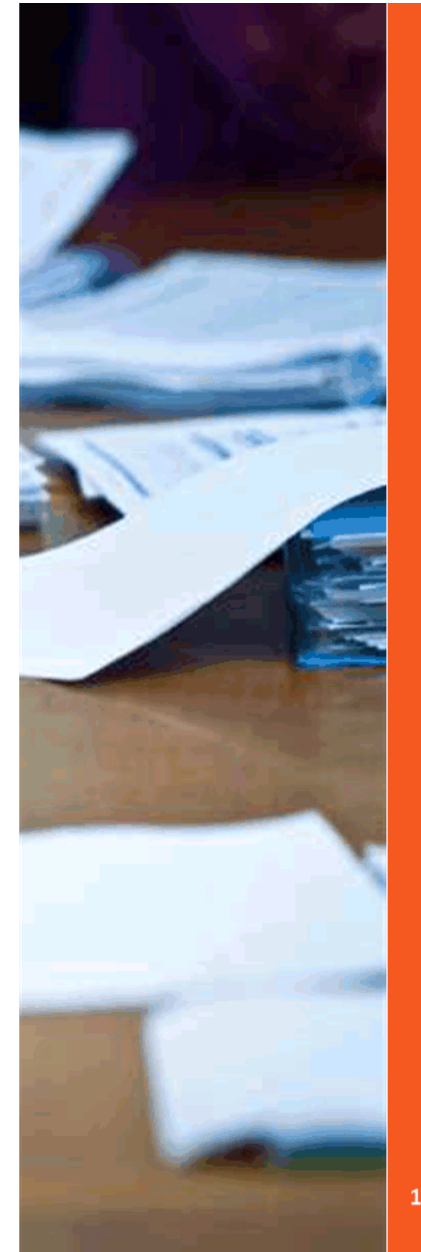
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Description of Finding	Observation	Impact and Recommended Action	Management Response
	<p>their records management practices. Management advised that only certain types of documents would be registered in Infovision such as Funding, Acquittals and Reporting or Common Care Standards Quality Review. Other documents were scanned and retained under "Community Services Registered Documents" folder in S drive accessible by the Director, Manager and Coordinator of Community Services only;</p> <ul style="list-style-type: none"> - Other electronic shared drives such as M: for personnel related documents, R: drive only for Records Management team, K: drive is utilised by various LSC departments at Wedderburn Office where each department would create their own filing structure; and - Instances where Council agendas and minutes from 2013 onwards were not registered in Infovision as at the date of our review. <ul style="list-style-type: none"> ■ Instances where document naming conventions were not followed. For example: <ul style="list-style-type: none"> - We selected 4 folder indexes (02/01/001 – Council minute; 02/01/002 – Council agenda; 03/04/002 – Enterprise Agreement and 12/05/003 – Immunisation) and noted that certain records were named with same titles, all in capital letters or did not follow standardised date or number format set out by LSC internal protocols. 		<p>Action 14.1 - Through implementation of the Records Management Strategy Compliance Program, assist staff to understand and meet records management requirements relating to document naming.</p> <p>Responsibility: Peter Williams, Manager Information and Business Transformation.</p> <p>Timeframe: 31 December 2018.</p> <p>Recommendation 15: Management Agrees.</p> <p>Action 15.1 - As part of the Records Management Strategy identify KPIs for staff which are capable of being monitored and can be incorporated in individual performance plans.</p> <p>Responsibility: Peter Williams, Manager Information and Business Transformation.</p> <p>Timeframe: 31 July 2018.</p>

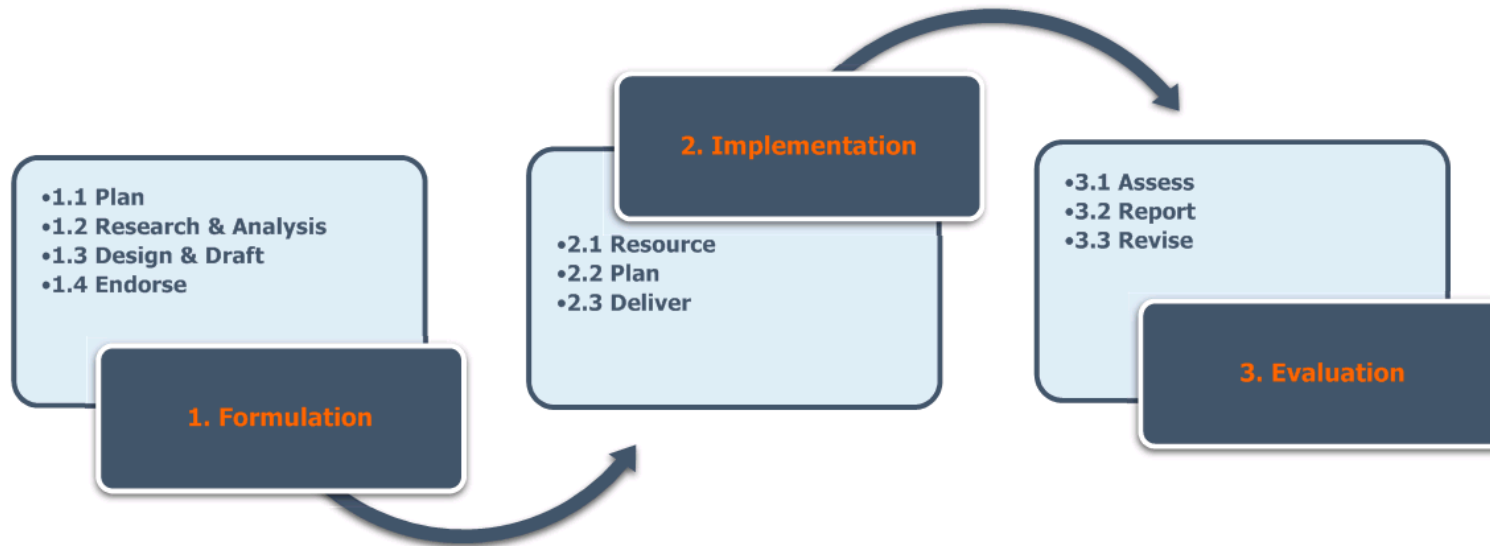
APPENDICES

- Appendix A:** Quick Guide for Developing a Records Management Strategy
- Appendix B:** Audit Approach and Procedures
- Appendix C:** Personnel Consulted
- Appendix D:** Finding Risk Rating Matrix
- Appendix E:** Basis and Use of Report

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APPENDIX A: QUICK GUIDE FOR DEVELOPING A RECORDS MANAGEMENT STRATEGY



Stage	Key Questions for Consideration
<p>1. Formulation</p>	<ul style="list-style-type: none"> ■ Does a current records management strategy for the organisation exist? ■ Has the records management programme of the organisation been independently audited? ■ Have self-assessments of the records management practice of each business area of the organisation been completed? ■ Has an assessment of the recordkeeping requirements of the organisation been undertaken? ■ Have the strategies that will need to align with the records management strategy been identified? ■ Have the key stakeholder groups for the records management strategy been identified and contacted? ■ Has the governance structure for the strategy been agreed? ■ Is there a particular strategic methodology that must be used when drafting the strategy? ■ Is there a specific Strategy template that must be used? ■ Has the records management culture of the organisation been fully understood? ■ Has the regulatory and technological environment of the organisation been considered? ■ Have various information sources for research been used in the planning the development of the strategy? (i.e. Annual Report, Business Plans, Corporate Policies, Interviews with relevant stakeholders, Founding or governing legislation, surveys of business areas, observation of work practice, etc.) ■ Has a SWOT Analysis of the organisation’s recordkeeping environment been completed? ■ Has an aim (or series of aims) covering the organisation’s direction regarding records management been determined from the SWOT Analysis results? ■ Has the aim been broken down into a series of discreet objectives? ■ Have the objectives been associated with issues and risks, which are linked to the SWOT Analysis? ■ Are the measures recorded for each objective written as strategic measures? ■ Have financial costs anticipated for drafting up of the strategy been considered? ■ Are the timeframes specified in person / working hours? ■ Has agreement been reached across the organisation regarding how the records management strategy and other strategies are to align? ■ Ensure realistic and achievable timeframes, resources and actions are established ■ The strategy must be a priority for the whole organisation and not just the records management department ■ Have responsibilities for achieving each objective been agreed? ■ Has the records management strategy been formally endorsed?

Stage	Key Questions for Consideration
<p>2. Implementation</p>	<ul style="list-style-type: none"> ■ Have resources for the implementation of the records management strategy been identified and formally requested from the Executive and/or Committee? ■ Has the Executive and/or Committee supplied the resources required for the implementation of the records management strategy? ■ Have the tools required for the successful implementation of the records management strategy been identified, located, developed, and obtained? ■ Have the actions required for achieving the objectives of the strategy been incorporated into operational plans? ■ Have the measures required to determine whether the objectives of the strategy have been achieved been translated across into operational plans? ■ Are the measures located in the operational plans written as operational measures? ■ Does the records management programme provide sufficient means for the records management strategy to be implemented across the organisation? ■ Are there processes in place to ensure that the progress regarding meeting the objectives of the records management strategy is reported to the Executive?
<p>3. Evaluation</p>	<ul style="list-style-type: none"> ■ Has a method for monitoring the success of the records management strategy been determined? ■ Does the method chosen for monitoring the success of the records management strategy map to the strategic planning methodology used by the organisation (if one exists)? ■ Are the measures included within the records management strategy for measuring the progress of the strategy adequate, practical and achievable? ■ Have triggers been put in place to flag the need for the records management strategy to be adjusted? ■ Has there been any machinery of government or administrative changes that may impact the records management strategy? ■ Have any new systems, structures or processes been implemented across the organisation that will need to be aligned with the records management strategy? ■ Have the results from assessing the records management strategy been fed into improving the strategy? ■ Have the results from assessing the records management strategy been fed into improving the records management programme?

APPENDIX B: AUDIT APPROACH AND PROCEDURES

The approach for this engagement is presented below:

- Conducted interviews and perform walkthroughs with key personnel involved in records management related processes to gain an understanding of key activities and to identify key internal controls over records management practices;
- Reviewed relevant records management policies and procedural documents;
- Conducted sample testing of records management activities across different departments to determine whether internal/external requirements were followed;
- Evaluated the results of the review to identify potential improvements and recommendations over records management processes and positive aspects of control;
- Conducted the closing meeting with the Project Sponsor following completion of the fieldwork to discuss:
 - Findings and potentials improvements;
 - Recommendations to improve business process and internal controls;
 - Management proposed actions to address the findings identified.
- Issued draft report to management which contains audit findings, recommendations and implementation plans as a basis for continual improvement;
- Issued final report to presented findings to Council's Audit Committee.

APPENDIX C: PERSONNEL CONSULTED

We would like to take this opportunity to thank the staff at Loddon Shire Council for their co-operation and assistance during the course of our engagement.

Name	Title	Topic Discussed
Sharon Morrison	Director Corporate Services	<ul style="list-style-type: none"> ■ Audit scope and findings; and ■ Records Management Strategy, Policies and Procedures.
Heather Christie	Records Officer	<ul style="list-style-type: none"> ■ Audit scope; ■ Records Management Strategy, Policies and Procedures; ■ Walkthrough of INFOVISION and Network Drives; ■ Staff training on records management in INFOVISION; and ■ Disposal testing.
Michael Ralph	Acting Manager Information	<ul style="list-style-type: none"> ■ Cloud computing risk assessment; and ■ INFOVISION's user access reviews and audit logs.

Name	Title	Topic Discussed
Janine Jackson	HR Coordinator	<ul style="list-style-type: none"> ■ Audit scope; ■ Walkthrough of HR records management practices; and ■ Testing of induction and exit processes for staff.
Carol Canfield	Manager Organisational Development	<ul style="list-style-type: none"> ■ Audit scope; and ■ Records management of OHS related documents.
Paula Yorston	Manager Community Services	<ul style="list-style-type: none"> ■ Audit scope; and ■ Records management of community services.

APPENDIX D: FINDING RISK RATING MATRIX

Findings arising during the course of the internal audit have been rated against the Issue Ratings Matrices below.

Risk Rating Matrix		Consequence				
		1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Likelihood	5 Frequent / almost certain	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
	4 Probable / likely	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
	3 Occasional / possible	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
	2 Unlikely	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
	1 Rare	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

Explanatory Notes to Risk Rating

Risk Rating	Definition	Guidance	Action Required
Extreme	Issue represents a serious control weakness, which could cause or is causing severe disruption of the process or severe adverse effect on the ability of the process to achieve its objectives.	Material errors and departures from the organisation's policies and procedures. Financial management / accountability / probity concerns. Significant breach of governing legislation and regulations which	Requires significant senior management intervention and may require significant mobilisation of resources, including external assistance. Close and on-going monitoring by senior management to

Risk Rating	Definition	Guidance	Action Required
		may result in fines or other penalties.	resolution is highly recommended. Requires extreme priority to immediate action and a program for prompt resolution. Recommended timeframe for action: Immediate – 3 months.
High	Issue represents a control weakness, which could cause or is causing major disruption of the process or major adverse effect on the ability of the process to achieve its objectives.	Errors and departures from the organisation's policies and procedures. Non-compliance with governing legislation and regulations which may result in fines or other penalties. Collective impact of many medium or low issues.	Requires substantial senior management intervention, On-going resource diversionary potential and may require possible external assistance. Requires high priority to action. Recommended timeframe for action: 3 – 6 months.
Medium	Issue represents a control weakness, which could cause or is causing moderate adverse effect on the ability of the process to achieve its objectives.	Events, operational, business, and financial risks that could expose the organisation to losses that could be marginally material to the organisation. Departures from best practice management procedures and processes.	Requires considerable management intervention and may require possible external assistance. Requires prompt action. Recommended timeframe for action: 6 – 12 months.

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Risk Rating	Definition	Guidance	Action Required
Low	Issue represents a minor control weakness, which is minimal but reportable impact on the ability of the process to achieve its objectives.	<p>Events, operational, and business risks that could expose the organisation to losses which are not material due to the low probability of occurrence of the event on the operating capacity, reputation and regulatory compliance.</p> <p>Departures from management procedures and processes; however, appropriate monitoring and governance generally mitigates these risks.</p>	<p>Requires management attention and possible use of external resources.</p> <p>Requires action commensurate with the process objectives.</p> <p>Recommended timeframe for action: Depending on the availability of scarce resources.</p>

APPENDIX E: BASIS AND USE OF REPORT

We are engaged by Loddon Shire Council (the client) to provide internal audit services and the scope of our activities is determined by management and reviewed by the Audit Committee.

This report has been prepared in accordance with the objectives and procedures agreed in the audit scope document and subject to the following limitations:

- Our procedures were designed to provide limited assurance which recognises that absolute assurance is rarely attainable, due to such factors as the use of judgement in gathering and evaluating evidence and forming conclusions, and the use of selective testing, and because much of the evidence available for review is persuasive rather than conclusive in nature.
- Because of the inherent limitations of any internal control structure, it is possible that errors or irregularities may occur and not be detected. Our procedures were not designed to detect all weaknesses in control procedures as they were not performed continuously throughout a specified period and any tests performed were on a sample basis.
- Any projection of the evaluation of the control procedures to future periods is subject to the risk that the systems may become inadequate because of changes in conditions, or that the degree or compliance with them may deteriorate.
- The matters raised in this report are only those which come to our attention during the course of performing our procedures and are not necessarily a comprehensive statement of all the weaknesses that exist or improvements that might be made. We cannot, in practice, examine every activity and procedure, nor can we be a substitute for management's responsibility to maintain adequate controls over all levels of operations and their responsibility to prevent and detect

irregularities, including fraud. Accordingly, management should not rely on our report to identify all weaknesses that may exist in the systems and procedures under examination, or potential instances of non-compliance that may exist.

- Recommendations for improvement should be assessed by management for their full commercial impact, before they are implemented.
- This report is not to be used by any other party for any purpose nor should any other party seek to rely on the opinions, advice or any information contained within this report. In this regard, we recommend that parties seek their own independent advice. HLB Mann Judd disclaims all liability to any party other than the client for which it was prepared in respect of or in consequence of anything done, or omitted to be done, by any party in reliance, whether whole or partial, upon any information contained in this report. Any party, other than the client for which it was prepared, who chooses to rely in any way on the contents of this report, does it so at their own risk.

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Audit Committee – 09/02/2018

2017 Annual Report

Introduction

This report is provided to Council in accordance with Clause 5.4(e) of the Audit committee Charter, which states that the committee will report annually to the Council summarising the activities of the Committee during the previous calendar year.

It also complies with the Department of Planning and Community Development's Audit Committees, A Guide to Good Practice for Local Government (Good Practice Guide), which states that the "LGE should undertake a period and regular review of the performance of the audit committee usually on an annual basis".

The report, along with the annual self-assessment of the committee (which will be undertaken in February-March and provided to the Audit Committee Meeting in May), satisfy the areas suggested for review by the Good Practice Guide.

Committee

Committee membership

During the year the committee consisted of:

Name	Full term	Notes
Mr David Peterson	1 May 2013 to 30 April 2017	Retired as at 30 April 2017
Mr Rod Poxon	1 May 2015 to 30 April 2018	
Mr Ken Belfrage	1 May 2015 to 30 April 2019	Chair 28 May 2012 to 31 May 2018 (consecutive terms)
Mr Rod Baker	1 May 2016 to 30 April 2020	
Mr Alan Darbyshire	1 May 2017 to 30 April 2021	Commenced 1 May 2017

On 18 May 2017 Mr Ken Belfrage was nominated as Chair of the committee; Council endorsed that nomination and appointed Mr Belfrage at the Ordinary Meeting of Council held on 23 May 2017.

Mr Ken Belfrage's term as chair is due to expire on 31 May 2018. Mr Rod Poxon's term is due to expire 30 April 2018.

Committee attendances

There were four meetings held throughout the year. The following table indicates the number of attendances by each committee member.

	February 2017	May 2017	August 2017	November 2017
Mr David Peterson	Yes			
Mr Rod Poxon	Yes	Yes	Yes	Yes
Mr Ken Belfrage	Yes	Yes	Yes	Yes
Mr Rod Baker	Yes	Yes	No	Yes
Mr Alan Darbyshire		Yes	Yes	Yes
Councillor Gavan Holt	Yes	No	No	No

Audit Program

In May 2017 the Audit Committee considered the draft internal audit plan. Committee members considered the proposed audit program for the following year.

The Committee agreed that audit reviews for the period May 2017 to April 2018 should be:

- Occupational Health and Safety
- Data Interrogation
- Records Management
- Whole of Life Costing
- Follow-up report for discussion with the Audit Committee and internal auditor

Internal audit reports

During 2017, the committee received audit reports for reviews in relation to:

- Privacy responsibilities
- Follow up of agreed actions from prior year internal audit reports
- Salary Oncost Rate, Project Costing and Budgeting Process
- Occupational Health and Safety
- Data analytics

External audit management letter

The end of financial year management letter was presented to the committee at the 16 November 2017 meeting. One action item was recommended:

“Council should review the ability to deliver projects outlined in the capital budget, and where necessary make provision for adjustment. Where budgeted works are not likely to be delivered in the year, this should be identified and disclosed at the earliest point possible.”

The management comment and action plan in response was:

“Council will continue to report on the performance of the capital works progress throughout the financial year to management and Council. In addition, a business case has recently been discussed with Council regarding the resourcing of current and future works programs. In 2017/18, Council will seek additional project managers to help deliver projects in the 2017/18 program. When setting the 2018/19 Budget, the resources required will be assessed to ensure that the full capital works program is achievable. Projects that will not be completed during 2017/18 will be identified and included within the 2018/19 Budget where possible as carry forward projects.”

Outstanding Actions

During 2017, Council purchased software to assist with monitoring and reporting against audit management actions. The following table represents the progress status as at 2 January 2018 for recommendations contained in the audit reports:

Audit No.	Audit Title	No. of Recommendations	Recommendations Complete	Recommendations Not Complete
GOV1704-00	09 Review of IT Network Security 2012/13	32	31	1
GOV1717-00	10 Review of Section 86 Committees 2012/13	14	5	9
GOV1701-00	14 Review of Asset Management Registers (with financials) 2013/14	25	21	4
GOV1724-00	15 Review of Project Management 2014/15	1	0	1
GOV1702-00	16 Review of Local Laws 2014/15	22	7	15
GOV1703-00	18 Review of Contract Management 2014/15	22	5	17
GOV1725-00	20 Follow-up of July 2012 Planning Review 2015/16	9	5	4
GOV1718-00	22 Review of Succession Planning and Workforce Development 2014/15	6	0	6

Audit No.	Audit Title	No. of Recommendations	Recommendations Complete	Recommendations Not Complete
GOV1705-00	24 Review of Building Management Services 2015/16	13	0	13
GOV1720-00	25 Review of Purchases and Issues from Council depot stores (including purchases made on credit cards) 2015/16	26	16	10
GOV1721-00	27 Review of Accounts Payable (including data interrogation) 2015/16	16	13	3
GOV1722-00	28 Review of Privacy Responsibilities 2016/17	58	26	32
GOV1706-00	30 Review of Salary Oncost Rate, Project Costing and Budgeting Process 2016/17	6	4	2
GOV1726-00	32 Review of Data Analytics (accounts payable, accounts receivable and payroll) 2017/18	0	0	0
GOV1727-00	33 Final management letter year ended 30 June 2017	1	0	1
	Total	251	133 (53%)	118 (47%)

Governance Activities

Meeting under Clause 5.3(e) of the Charter

Under Clause 5.3(e) of the Charter, the committee may choose to hold a meeting without officers present. That meeting was held in August, when the committee met with Council's external auditor, Martin Thompson of Crowe Horwath and the internal auditor, Mark Holloway of HLB Mann Judd.

Audit Committee Survey

The committee undertook a performance survey during the year and the results were presented for discussion and recommendation at the May 2017 committee meeting.

The outcomes were very positive with 93% of responses in the "meets expectations" category, and only 7% in the "unsure" category.

After reviewing the results and management responses where answers were 'unsure', the Audit Committee noted the results of the survey.

Audit Committee Charter

The committee Charter was assessed at the May 2017 meeting and the committee suggested minor changes to improve the flow of the document.

Agenda

Since the committee survey of 2008 assessment of the agenda format has been a standing item. The agenda was assessed at the February 2017 meeting without change.

Presentations by Council Officers

The committee indicated that they would like regular presentations by Council officers in order to learn more about Council's business and to hear from the people managing the various function of Council. During 2017 the committee was addressed by:

Meeting	Council officer	Topic
February 2017	Ian McLauchlan, Director Operations	Overview of Operations Directorate
May 2017	Glenn Harvey, Manager Development and Compliance	Overview of Development and Compliance Department
August 2017	None	None
November 2017	Wendy Gladman, Director	Overview of Community Wellbeing

	Community Wellbeing	Directorate
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Focus for 2018

In addition to the audit program mentioned earlier, the focus in 2018 will be on fulfilling the objectives of the committee as set out in the Audit Committee Charter. Of particular note this year is the Local Government Bill.



Audit Committee – 8/02/18

Risk Management Report

Introduction

This Risk Management Report provides the Audit Committee with a summary of the OH&S Meeting and the Risk Management Meeting as well as the Risk Register Report and other risk items of interest.

OH&S Committee Meeting

The last OH&S Committee Meeting was held on 14 December 2017.

Items on the agenda included:

- Review of incident reports since the last meeting:
 - 17 incidents were reported for the 2 months to 5 December 2017
 - 3 personal injuries to staff – 1 incidents resulted in WorkCover claim.
- Policies and procedures to be reviewed:
 - Emergency Evacuation Policy
 - Hazardous Substances Policy
- Health and wellbeing:
 - Skin checks to be held in early 2018
 - Bi- annual hearing tests for staff have been completed
 - ELearning training is being rolled out to all staff
- General Business, the following were discussed:
 - Recent OH&S audit was discussed particular in respect to chemicals
 - Incident on the Bridgewater Serpentine Road was discussed
 - Outdoor staff uniform - Staff brought up the wearing of shorts and short sleeves in summer
 - Committee members expressed disappointment that the action in respect to flood lights on Patrol trucks has taken a long time to be completed

Outstanding Actions

Summary of status of outstanding actions

Meeting Reference	Item	Officer	Status and details
5 10/16	Patrol trucks to be fitted with flood lights	Team Leaders	Work in Progress – when trucks are in for service they will have the lights attached. 2 patrol trucks have had the lights fitted.
3 10/17	Depots and work spaces – remove obsolete MSDS and outdated signs	Manager, team leaders and HSR representatives	Work in Progress
6 10/17	Hep B Injection	Carol Canfield	Not started

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7 10/17	Revised traffic management plan at depots	Team Leaders	Work in Progress – All depots other than Pyramid Hill have been completed. HSR at Pyramid Hill to check.
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Risk Management Committee Meeting

The Risk Management Committee Meeting scheduled for 24 January, 2018 has been rescheduled to 28 February 2018 so there is no update for this meeting.

Risk Register Report

At the time of the November Committee Meeting 124 risks had been identified and input into Council's Organisational Risk Register. Of those risks nine (9) were assessed as HIGH.

The 124 risks identified to date have resulted in 273 CAR's (Corrective Action Requests), 200 of these have been actioned and closed. Of the remaining 73, 54 are overdue. Twenty of the overdue CAR's relate to the Child Safety Standards which are currently being developed.

The CAR's for risks identified by the Internal Auditors will now be actions in the new Audit module.

The table below shows the change in status of the Risk Register since May 2017:

Risk Level	May 2017	August 2017	November 2017	February 2017
Very High	0	0	0	0
High	6	10	9	9
Medium	70	70	71	71
Low	44	44	44	44
Total Risks Identified	123	124	124	124

There are currently nine risks that have been identified as HIGH or VERY HIGH risks. They are:

Risk No	No of CAR's	Register	Risk	Risk Level
57	1	Strategic Risk Register	Council's Ageing Workforce	High
68	2	Operations	Not having a procedure document detailing the tendering and contracting management processes, in particular on how to comply with Council's Procurement Policy	High
93	1	Operations/Infrastructure Program Development	Council does not have a formal process/requirement that inspections of contractor works are carried out prior to payment of the invoice	High
118	1	Corporate Services/Organisational Development	Non-compliance with Child Safe Standard 1 and 3. 1. Strategies to embed an organisational culture of child safety. 3. A Code of Conduct that establishes clear expectations.	High
119	4	Corporate	Non-Compliance with Child Safe	

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		Services/Organisational Development	Standard 2 - A Child Safe Policy or a Statement of Commitment to Child Safety	High
120	6	Corporate Services/Organisational Development	Non-Compliance with Child Safe Standard No. 4 - Screening supervision, training and other human resource practices that reduce the risk of child abuse by new and existing personnel	High
121	5	Corporate Services/Organisational Development	Non-Compliance with Child Safe Standard No. 5 (Processes for responding to and reporting suspected child abuse)	High
122	1	Corporate Services/Organisational Development	Non-Compliance with Child Safe Standard No. 6 - Strategies to identify and reduce or remove risks of child abuse	High
123	3	Corporate Services/Organisational Development	Non-Compliance with Child Safe Standard No. 7 - Strategies to promote the participation and empowerment of children and young people	High

RISK 57 - Council's Ageing Workforce

IMPACT: Could lead to a reduction in long term knowledge and experience due to retirement and resignations.

Three CAR's have been identified to address this risk, one remains outstanding, it is:

CAR 2	Officer	Status	Due Date
Development of a Workforce Strategy	Manager Organisational Development	Work in Progress	01/12//2016
Comments: Council is part of a working group of 6 regional councils working with LGPro on a project to develop a workforce planning model for LG in Victoria that is scalable for large and small, rural and metro councils.			

RISK 68:– Council does not have procedure documents detailing the tendering and contracting management processes, in particular on how to comply with Council's Procurement Policy

IMPACT: There is an increased risk that tendering and contract management activities within Council are not being undertaken in a structured and consistent manner

Three CAR's have been identified to address this risk, two remain outstanding. They are:

CAR 1	Officer	Status	Due Date
Explore the purchase of a formal proprietary contract management software package to compliment the contract management framework which will be developed.	Director Operations	Work in Progress	01/11/2015
Comments: eCMS options report complete and provided to Manager Technical Service and Director Operations. Demos undertaken with working group. Scoping document and business case to be developed.			

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CAR 3	Officer	Status	Due Date
Development of a Contract Management Framework	Director Operations	Work in Progress	01/11/2016
Comments: The development of new checklists, forms, and workflows has already commenced, and existing templates are being reviewed, as project/contract management process gaps are identified. These documents will form an integral part of the subsequent contract management manual (CMM), to be delivered in draft format.			

RISK 93:– Council does not have a formal process/requirement that inspections of contractor works are carried out prior to payment of the invoice

IMPACT: Council is exposed to the financial and probity risk of unwarranted payments

One CAR has been identified to address this risk. It is:

CAR 1	Officer	Status	Due Date
Strengthen the procurement procedures in regards to contracts	Manager Technical Services	Not started	01/08/2016
Comments: The procurement Procedure is to be reviewed to include criteria for work to be inspected prior to invoices being paid.			

RISK 118:– Non-compliance with Child Safe Standard 1 and 3. 1. Strategies to embed an organisational culture of child safety. 3. A Code of Conduct that establishes clear expectations.

IMPACT: Children could be exposed to unsafe behaviour

One CAR's has been identified to address this risk, it is:

CAR 1	Officer	Status	Due Date
Modify the Council Code of Conduct and the Staff Code of Conduct to reflect Child Safe Standards in an holistic approach.	Service Delivery Review Coordinator	Work in Progress	01/07/2017
Comments: Codes are currently being reviewed and are progressing towards adoption			

RISK 119:– Non-Compliance with Child Safe Standard 2 - A Child Safe Policy or a Statement of Commitment to Child Safety

IMPACT: Children could be exposed to unsafe behaviour.

Four CAR's has been identified to address this risk, all remain outstanding. They are:

CAR 1	Officer	Status	Due Date
Develop a framework for Child Safe Standards	Service Delivery Review Coordinator	Work in Progress	01/07/2017
Comments: A draft Framework has been developed and is to be reviewed and adopted..			
CAR 2	Officer	Status	Due Date
Develop a Child Safe Standard Policy and Procedure	Service Delivery Review Coordinator	Work in Progress	01/07/2017
Comments: A draft Policy and Procedure has been developed and is to be reviewed and adopted.			
CAR 3	Officer	Status	Due Date
Engaging children and young people and seek ideas as to how the organisation promotes child safety	Director Community Wellbeing	Not Started	01/07/2017

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Comments:			
CAR 4	Officer	Status	Due Date
Update Community Engagement Policy to include engaging with children and young people	Service Delivery Review Coordinator	Work in Progress	01/07/2017
Comments: Community Engagement Policy is currently being reviewed and is progressing towards adoption.			

RISK 120:– Non-Compliance with Child Safe Standard No. 4 - Screening supervision, training and other human resource practices that reduce the risk of child abuse by new and existing personnel

IMPACT: Children could be exposed to unsafe behaviour

Seven CAR's has been identified to address this risk, six remain outstanding, they are:

CAR 2	Officer	Status	Due Date
Develop a statement around child safety contractors and make aware of the child safety standard documentation	Director Corporate Services	Not Started	01/07/17
Comments:			
CAR 3	Officer	Status	Due Date
Modify the Code of Conduct to encompass volunteers and contractors	Service Delivery Review Coordinator	Work in Progress	01/07/17
Comments: Code is currently being reviewed and are progressing towards adoption			
CAR 4	Officer	Status	Due Date
Determine which Councillors, staff, volunteers and contractor require a Working with Children Check	Service Delivery Review Coordinator	Not Started	01/07/17
Comments:			
CAR 5	Officer	Status	Due Date
Develop recruitment procedures including interview processes, referee checks, working with children checks and other screening requirements	Manager Organisational Development	Not Started	01/07/17
Comments:			
CAR 6	Officer	Status	Due Date
Develop a strategy to ensure staff are aware and have the required skills regarding the risks to children and young people, the different types of harm and relevant legislative requirements	Manager Organisational Development	Not Started	01/07/17
Comments:			
CAR 7	Officer	Status	Due Date
Review staff, volunteers and contractors performance management	Manager Organisational Development	Not Started	01/07/17
Comments:			

RISK 121:– Non-Compliance with Child Safe Standard No. 5 (Processes for responding to and reporting suspected child abuse)**IMPACT: Children could be exposed to unsafe behaviour**

Five CAR's has been identified to address this risk. They are:

CAR 1	Officer	Status	Due Date
Implement a whole of Council approach for reporting and acting on disclosures of concerns in respect to child safety	Service Delivery Review Coordinator	Not Started	01/07/17
Comments:			
CAR 2	Officer	Status	Due Date
Train all Councillors, staff, volunteers and contractors on responding and reporting suspected child abuse.	Manager Organisational Development	Not Started	01/07/17
Comments:			
CAR 3	Officer	Status	Due Date
Develop policies and procedures concerning record keeping requirements, confidentiality and privacy	Manager Information	Not Started	01/07/17
Comments:			
CAR 4	Officer	Status	Due Date
Develop a Complaints process that is accessible for children and families	Manager Finance	Not Started	01/07/17
Comments:			
CAR 5	Officer	Status	Due Date
Develop child friendly processes to ensure children and young people know who to talk to if they feel unsafe or have a concern	Service Delivery Review Coordinator	Not Started	01/07/17
Comments:			

RISK 122:– Non-Compliance with Child Safe Standard No. 6 – Strategies to identify and reduce or remove risks of child abuse.**IMPACT: Children could be exposed to unsafe behaviour**

One CAR's has been identified to address this risk. It is:

CAR 1	Officer	Status	Due Date
Develop a child safe framework with consideration to the culture and safety of aboriginal children, children with disability and children from CALD and inform Councillors, staff, volunteer, contractors and community about the importance of the Child Safe Standards.	Service Delivery Review Coordinator	Work in Progress	01/07/17
Comments: A draft Framework has been developed and is to be reviewed and adopted			

RISK 123:– Non-Compliance with Child Safe Standard No. 7 - Strategies to promote the participation and empowerment of children and young people

IMPACT: Children could be exposed to unsafe behaviour

Three CAR's has been identified to address this risk. They are:

CAR 1	Officer	Status	Due Date
Promote the participation and empowerment of children in decision making process	Director Community Wellbeing	Not Started	01/07/17
Comments:			
CAR 2	Officer	Status	Due Date
Inform children of their rights and empower them to bring up concerns	Director Community Wellbeing	Not Started	01/07/17
Comments:			
CAR 3	Officer	Status	Due Date
Provide information in a child friendly and accessible way	Director Community Wellbeing	Not Started	01/07/17
Comments:			

9.8 AUDIT COMMITTEE CHARTER

File Number: 06/02/003
Author: Sharon Morrison, Director Corporate Services
Authoriser: Phil Pinyon, Chief Executive Officer
Attachments: 1. Proposed Audit Committee Charter v6

RECOMMENDATION

That Council adopts the Audit Committee Charter v6.

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 Audit Committee Charter v5 was adopted by Council 27 June 2017.

BACKGROUND

The Audit Committee Charter requires review annually.

ISSUES/DISCUSSION

At the February 2018 Audit Committee meeting, the committee considered suggested amendments to the Charter.

One change discussed by the committee was the addition of a second Councillor to the committee, which was discussed by the committee at a previous meeting to cover any absences of the Councillor member. The committee supported the amendments to the Charter.

A number of small changes were suggested and have been made in the attached proposed Charter and can be identified by the tracked changes.

COST/BENEFITS

The adoption of the proposed Charter may result in additional costs incurred by Council relating to the attendance of more than one councillor. The benefits of adopting the charter include: an increased likelihood of a councillor attending each meeting and increasing the knowledge and experience of another councillor in relation to governance matters. This helps to provide for succession planning.

RISK ANALYSIS

There is a risk that adopting the charter will result in additional costs incurred by Council relating to the attendance of more than one councillor. The costs are likely to be travel allowances. There is also a risk that a councillor may be unable to attend other commitments due to the need to attend an audit committee meeting.

CONSULTATION AND ENGAGEMENT

The draft charter was reviewed by the audit committee.

LODDON SHIRE COUNCIL

AUDIT COMMITTEE CHARTER



DOCUMENT INFORMATION

DOCUMENT TYPE: Strategic document

DOCUMENT STATUS: Approved

POLICY OWNER POSITION: Director Corporate Services

INTERNAL COMMITTEE ENDORSEMENT:
APPROVED BY: Audit Committee
Council

DATE ADOPTED:

VERSION NUMBER: 6

REVIEW DATE:

DATE RESCINDED:

RELATED STRATEGIC DOCUMENTS, POLICIES OR PROCEDURES:

RELATED LEGISLATION: Local Government Act 1989

EVIDENCE OF APPROVAL:

Signed by Chief Executive Officer

FILE LOCATION:

Strategic documents are amended from time to time, therefore you should not rely on a printed copy being the current version. Please consult the Loddon Shire Internet to ensure that the version you are using is up to date.
This document is available in alternative formats (e.g. larger font) if requested.

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1 PURPOSE

The purpose of this charter is to outline the scope, roles and responsibilities of Council's Audit Committee.

2 BUDGET IMPLICATIONS

This document has no direct budget implications.

3 RISK ANALYSIS

The Audit Committee has a responsibility to oversee Council's risk management function, and the audit program is a risk based program. [It is a requirement of Section 139 of the Local Government Act 1989 that Council establish an audit committee.](#)

4 OBJECTIVES OF THE COMMITTEE

The Audit Committee is an independent [advisory](#) Committee to Council. The primary objective of the Audit Committee is to assist Council in the effective conduct of its responsibilities for:

- the enhancement of the credibility and objectivity of internal and external financial reporting
- effective management of financial and other risks and the protection of Council assets
- compliance with laws and regulations as well as use of best practice guidelines
- the effectiveness of the internal audit function
- the provision of an effective means of communication between the external auditor, internal audit, management and the Council
- facilitating the organisation's ethical development
- maintaining a reliable system of internal controls.

5 TERMS OF REFERENCE

5.1 General

- (a) The Audit committee is a formally appointed advisory committee of the Council and is responsible to that body. The Audit Committee does not have executive powers or authority to implement actions in areas over which management has responsibility and does not have any delegated financial responsibility. The Audit Committee does not have any management functions and is therefore independent of management.
- (b) The Committee's role is to report to Council and provide appropriate advice and recommendations on matters relevant to its Charter in order to facilitate decision making by Council in relation to the discharge of its responsibilities.
- (c) Meetings of the Audit Committee shall not be open to the public due to the sensitive nature of information discussed.
- (d) Council shall provide secretarial and administrative support to the Committee.

5.2 Membership

- (a) The Audit Committee will comprise of five-six members – one-two Councillors and four external independent persons. Council's Chief Executive Officer and Director Corporate Services will attend the meeting in an advisory capacity.
- (b) External independent persons will have senior business, governance or financial management / reporting knowledge and experience, demonstrated commitment to local communities or be conversant with the financial and other reporting requirements.

The Mayor and Chief Executive Officer taking account of the experience of candidates and their likely ability to apply appropriate analytical and strategic management skills will undertake the evaluation of potential members, and a recommendation for appointment taken to Council. Council's External Financial Auditor will be approached to advise the committee where appropriate.

- (c) Members will be provided the opportunity to attend technical and professional development courses as appropriate.
- (d) Appointments of external persons shall be made by Council by way of public advertisement and be for a term of four years. The terms of the appointment should be arranged to ensure an orderly rotation and continuity of membership despite changes to Council's elected representatives. A sitting member is able to reapply and be appointed for subsequent terms.
- (e) If the Council proposes to remove a member of the Committee, it must give written notice to the member of its intention to do so and provide that member with the opportunity to be heard at a Council meeting which is open to the public, if that member so requests.
- (f) Remuneration will be paid to each independent member of the Committee. The fee will be reviewed and set by the Council on an annual basis in line with setting the annual budget.
- (g) At the second-first Audit Committee meeting each calendar year an election of Chair from the external members of the committee will be held.

At the first Council Meeting following the election, the Chair will be appointed by Council on advice of the committee.

The term of the new Chair will commence at the conclusion of the current Chair's term, and will be for a period of 12 months.

In the absence of the appointed Chair from a meeting, the meeting will appoint an acting Chair from the external members present.

- (h) A quorum shall be a majority of the Committee membership.
- (i) The internal auditor (whether a member of staff or contractor), Chief Executive Officer and Director Corporate Services should attend all meetings wherever possible, except when the Committee chooses to meet in camera. Other members of Council or Council staff may be invited to attend at the discretion of the Committee to advise and provide information when required.
- (j) Guests may be invited from time to time as appropriate. An invited guest will not have decision voting powers.
- (k) Representatives of the external auditor should be invited to attend at the discretion of the Committee but must attend meetings considering the draft annual financial report and results of the external audit.

- (l) When an extraordinary vacancy occurs, the replacement member will complete the term of the committee member which he/she has replaced. In the situation where the remaining term is less than 12 months, the Committee can apply to Council for leave to extend the term. If the term is for a period less than 12 months there is no requirement to advertise the vacancy.

5.3 Meetings

- (a) The Committee shall meet at least quarterly.
- (b) A schedule of meetings will be developed and agreed to by the members. As an indicative guide, meetings would be arranged to coincide with relevant Council reporting deadlines, and in August to coincide with the finalisation of the financial statements and the draft annual report ~~to the Minister~~.
- (c) Additional meetings shall be convened at the discretion of the Chair or at the written request of any member of the Committee, internal or external auditor.
- (d) Management including the Chief Executive Officer may be asked to leave meetings at any time. In addition, the agenda for each meeting shall include general business for Councillors and external independent persons to raise other matters.
- (e) At the committee's discretion, significant time will be set aside with non-officer members of the committee for the purpose of open discussion with the internal and/or external auditors.
- (f) At any other time the Committee, without management present, may decide to meet separately with the internal and external auditor to discuss issues of mutual interest.
- (g) An agenda will be issued one week before each meeting and will include relevant supporting documentation. The format of the agenda will be as set out in Appendix 1.
- (h) Minutes will be taken by an appointed Secretary and signed by the Chair.

5.4 Reporting

The Audit Committee shall after every meeting forward the minutes of that meeting to the next ordinary meeting of the Council, including a report explaining any specific recommendations, formal resolutions, and key outcomes.

The committee will also provide Council with:

- (a) Information about the audit process and the results of internal and external audits
- (b) An annual review of the Committee's charter and its achievement of the charter
- (c) Other matters the Committee believes need to be reported to the Council
- (d) Any recommendations requiring Council action and/or approval.
- (e) The Committee shall report annually to the Council summarising the activities of the Committee during the previous financial year.

5.5 Duties and responsibilities

The following are the duties and responsibilities of the Audit Committee in pursuing its Charter:

- (i) To review the scope of the internal audit plan and program and the effectiveness of the function. This review should consider whether, over a period of years the internal audit plan systematically addresses:
- internal controls over significant areas or risk, including non-financial management control systems
 - internal controls over revenue, expenditure, assets and liability processes
 - the efficiency, effectiveness and economy of significant Council programs

- compliance with regulations, policies, best practice guidelines, instructions and contractual arrangements.
- (ii) Review the appropriateness of special internal audit assignments undertaken by internal audit at the request of Council or Chief Executive Officer.
- (iii) Review the level of resources allocated to internal audit and the scope of its authority.
- (iv) Review reports of internal audit and the extent to which Council and management react to matters raised by internal audit, by monitoring the implementation of recommendations made by internal audit.
- (v) Facilitate liaison between the internal and external auditor to promote compatibility, to the extent appropriate, between their audit programs.
- (vi) Critically analyse and follow up any internal or external audit report that raises significant issues relating to risk management, internal control, financial reporting and other accountability or governance issues, and any other matters relevant under the Committee's terms of reference. Review management's response to, and actions taken as a result of the issue raised.
- (vii) Monitor the risk exposure of Council by determining if management has appropriate risk management processes and adequate management information systems.
- (viii) Monitor ethical standards and related party transactions by determining whether the systems of control are adequate.
- (ix) Review Council's draft annual financial report, focusing on:
 - accounting policies and practices
 - changes to accounting policies and practices
 - the process used in making significant accounting estimates
 - explanations for significant adjustments to the financial report (if any) arising from the audit process
 - compliance with accounting standards and other reporting requirements
 - significant variances from prior years.
- (x) Recommend adoption of the annual financial report to Council. Review any significant changes that may arise subsequent to any such recommendation but before the financial report is signed.
- (xi) Discuss with the external auditor the scope of the audit and the planning of the audit.
- (xii) Discuss with the external auditor issues arising from the audit, including any management letter issued by the auditor and the resolution of such matters.
- (xiii) Review issues relating to financial reporting by Council business units and comparative performance indicators.
- (xiv) Receive from management reports on all suspected and actual frauds, thefts and breaches of the law.
- (xv) Identify and refer specific projects or investigations deemed necessary through the Chief Executive Officer, the internal auditor and the Council if appropriate. Where appointed oversee any subsequent investigation, including overseeing of the investigation of any suspected cases of fraud within the organisation in accordance with Council's fraud policy.
- (xvi) Monitor the progress of any major lawsuits facing the Council.
- (xvii) Address issues brought to the attention of the Committee, including responding to requests from Council for advice that is within the parameters of the Committee's terms of reference.

The Audit Committee, through the Chief Executive Officer and following authorisation from the Council, and within the scope of its responsibilities, may seek information or obtain expert advice on matters of concern.

5.6 Induction of new members

An adequate induction package will be provided for new members, including a copy of the Charter.

Insofar as they have not received and/or retained the following information as Councillors, the new member will be provided with information, and where required a briefing, in the following areas:

- business operations
- the local government industrysector
- financial performance
- risk management program
- corporate governance
- internal control system and current internal audit program
- register of outstanding audit recommendations
- legal and regulatory requirements
- Investments Policy
- accounting policies and procedures
- details of any unusual transactions, events or issues
- material previously provided to members relating to matters still before the Committee.

New members will meet with key management and internal and external auditors as soon as practical.

5.7 Rights to obtain information

- (a) Should the committee wish to obtain information from any employee and any relevant external party it will do so by requesting such information from the Chief Executive Officer or Director Corporate Services
- (b) The Committee will have right of access to the Chief Executive at any time; and
- (c) The Committee may recommend to the Council the instigation of special investigations..

5.8 Performance monitoring

The Committee will assess its performance as a Committee annually, which will include completion of a survey. The Chair will arrange assessment of the Committee with all members present to consider the following types of matters:

- Has the Committee taken action on each of its responsibilities in the past year?
- Has the action taken been effective?
- Has the Committee achieved all elements of its charter?
- Are there functions to which more time or effort should have been devoted?
- Does the Committee receive from management:
 - (a) Adequate information about Council's performance of its statutory functions?
 - (b) All the information it needs to allow it to discharge its function effectively and efficiently?
- Can Committee agendas be improved:
 - (a) By including additional matters on a regular basis?
 - (b) By considering matters less frequently?
 - (c) By changing the order in which items are considered?
 - (d) In any other way?
- Can the conduct of meetings be improved?

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- Can papers for meetings be improved:
 - (a) By providing additional information in any area?
 - (b) Being shorter or more detailed?
 - (c) In any other way?
- Should there be more oral briefings from Council officers?
- Can oral briefings received from Council officers be improved?
- Can meeting arrangements be improved:
 - (a) By holding longer or shorter meetings?
 - (b) By holding meetings at different times?
 - (c) By inviting visitors?
 - (d) In any other way?
- Are there other ways in which the Committee could increase its effectiveness?

5.9 Dispute resolution

In situations where a dispute arises between any member of the Audit Committee and officers of Council, the Chair of the Audit Committee will have the opportunity to raise the grievance with the Mayor. The Mayor will have the discretion to resolve the dispute by convening a meeting with the disputing parties.

5.10 Insurance

Members of the committee are covered by Council's insurance policies.

6 TERMS OF APPOINTMENT

6.1 Chair

| The current Chair and term is listed in the attached Appendix [24](#).

6.2 Committee members

| The current committee members' and their terms of appointment are listed in the attached Appendix [24](#).

6.3 Councillor representative

| The current Councillor representatives [are](#) listed in the attached Appendix [24](#).

7 APPROVAL

| The Audit Committee Charter approval details are in the attached Appendix [24](#).

8 REVIEW

The Director Corporate Services under direction of the Audit Committee will review the Audit Committee Charter for any necessary amendments no later than 1 year after adoption of this current version.

Appendix 1: Agenda Format

1. Welcome/Present/Apologies
2. Evacuation overview
3. Declaration of conflicts of interest
4. Attachment 1: Minutes of Previous Meeting
5. Review of Action Table
6. Decision Items*
7. Compliance Items*
8. Information Items*
9. Items referred to Council
10. Next review details
11. Next meeting date
12. Close of meeting

The items marked with * are standard agenda sections for Council meetings. Reports for the Audit Committee will be allocated under these headings.

- Decision items require the audit committee to review and recommend any changes prior to items being reported to Council.
- Compliance items are reports mandated by legislation.
- Information items are often retrospective reports updating the audit committee members on actions taken.

Report topics will be drawn from:

- Audit Committee Charter
- Audit Committee Annual Calendar
- Actions arising from previous meetings
- Topics of interest

Appendix 24: Terms Of Appointment

6.1 Chair

The current Chair is ~~Ken Belfrage~~[insert].

The term of current Chair is 1 February [year] to 31 January [year] or the date of the Ordinary Meeting of Council in February [year] where resolution for appointment of Chair for the new term will be made, whichever is the earlier.

6.2 Committee members

The current committee members' terms of appointment are as follows:

Rod Poxon	1 May 2015 to 30 April 2018
Ken Belfrage	1 May 2015 to 30 April 2019
Rod Baker	1 May 2016 to 30 April 2020
Alan Darbyshire	1 May 2017 to 30 April 2021

6.3 Council representative

The current Councillor representatives are:

- [insert name] for the period November 20xx to November 20yy.
- [insert name] for the period November 20xx to November 20yy.

APPROVAL

The Audit Committee Charter was approved by the Audit Committee on 8 February 2018 and endorsed by Council on [insert].

9.9 APPOINTMENT OF AUDIT COMMITTEE CHAIR FOR 2018/19

File Number: 06/02/003
Author: Deanne Caserta, Manager Financial Services
Authoriser: Sharon Morrison, Director Corporate Services
Attachments: Nil

RECOMMENDATION

That Council endorses the Audit Committee's recommendation to appoint Ken Belfrage as Audit Committee Chair to 28 February 2019 or the date of the Ordinary Meeting of Council in February 2019 where a resolution for appointment of Chair for the new term will be made, whichever is the earlier.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

Nil

BACKGROUND

The Audit Committee Charter v6 at 5.2(g) states:

- (a) At the first Audit Committee meeting each year an election of Chair from the external members of the committee will be held.

At the first Council Meeting following the election, the Chair will be appointed by Council on advice of the committee.

The term of the new chair will commence at the conclusion of the current Chair's term, and will be for a period of 12 months.

ISSUES/DISCUSSION

At the Audit Committee meeting held on 8 February 2018 Ken Belfrage was the only nominee for the position of Chair, and accepted the nomination.

This report seeks Council's approval of the committee's recommendation that Ken Belfrage be Chair of the Audit Committee.

Although the Audit Committee Charter currently states "for a period of 12 months", in practicality, the term of the Chair ends at the Ordinary Meeting of Council following the February Audit Committee Meeting where the committee provides a recommendation for the new Chair to the Council.

It is suggested that the recommendation cater for what happens practically, which in this instance will be an end of term for the Chair on 28 February 2019, or the date of the Ordinary Meeting of Council in February 2019 where resolution for appointment of the Chair for the new term will be made, whichever is the earlier.

COST/BENEFITS

Nil

RISK ANALYSIS

Appointment of the Chair by Council will ensure compliance with the Audit Committee's Charter.

Appointment of an external member of the committee as Chair is in line with good governance principles, and increases transparency and accountability of the committee.

CONSULTATION AND ENGAGEMENT

Nil

9.10 SUBMISSION TO MUNICIPAL ASSOCIATION VICTORIA DISCUSSION PAPER ON COUNCILLOR CONDUCT

File Number: 17/01/001

Author: Sharon Morrison, Director Corporate Services

Authoriser: Phil Pinyon, Chief Executive Officer

Attachments: 1. Proposed Submission to Municipal Association Victoria

RECOMMENDATION

That Council endorse the attached proposed submission to the Municipal Association Victoria on Councillor Conduct.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

This matter was discussed at the Council Forum on 13 February 2018.

BACKGROUND

As part of the review of the Local Government Act, Municipal Association Victoria (MAV) is seeking feedback from Councillors on provisions in the draft Local Government Bill relating to Councillor conduct.

ISSUES/DISCUSSION

By email dated 25 January 2018 the President of the MAV, Rob Spence, sought feedback from Councillors on a discussion paper entitled "Councillor Conduct".

Councillors were provided with this discussion paper and asked for feedback at the February 2018 forum so that a draft response could be prepared.

The attached proposed submission has been prepared based upon Councillor input.

COST/BENEFITS

There are no costs associated with the adoption of the recommendation other than officer time in managing the response. The benefits of providing a response include the potential to influence changes to the draft Local Government Bill.

RISK ANALYSIS

There is a risk that not adopting the recommendation will limit Council's ability to influence changes to the draft Local Government Bill.

CONSULTATION AND ENGAGEMENT

Consultation and engagement with Councillors was undertaken on 13 February 2018.



PP:sm
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Mr Rob Spence
Chief Executive Officer
Municipal Association of Victoria
Level 12, 60 Collins Street
Melbourne VIC 3000

Dear Mr Spence

Re: Councillor Conduct - MAV Discussion Paper - January 2018

I refer to the above discussion paper and provide the following responses from our councillors:

Q1. Would your council prefer to retain the power to develop its own code (subject to any mandatory inclusions) or to have a mandated code that would apply to all councils?

Council's preference is to have a model code that Councils are encouraged to use, but not mandated to use.

Q2. Do you think a mandated code would reduce the number of applications for an internal resolution procedure?

It would depend on the content of such a code, but in principle, not necessarily. Council has not needed to use the internal resolution procedure.

Q3. Does your council consider that the internal resolution procedure is working effectively?

Council has not needed to use the internal resolution procedure so is not in a position to comment.

Q4. Would you support the creation of a position of "gatekeeper" to review applications for an internal resolution procedure? If so, do you have any suggestions on who should perform the role of "gatekeeper"?

Council does not support the idea of any gatekeeper being government appointed or a member of staff. There is some merit in having a gatekeeper to review applications for an internal review process. Council's preferred option is to have a panel of gatekeepers which Council could access.

Q5. Do you support the role of the mayor as provided for in section 73AA.

Council does support the idea of the mayor being an informal mediator and would prefer to have access to a panel of mediators to assist with this process should the mayor feel the need for assistance due to the nature or complexity of the matter.

Municipal Offices:
41 High Street, Wedderburn, Victoria
PO Box 21, Wedderburn VIC 3518
Telephone: 03 5494 1200
Facsimile: 03 5494 3003
Email: loddon@loddon.vic.gov.au
ABN: 90 925 450 534
www.loddon.vic.gov.au

Q6. Do you believe that it is reasonable to expect the mayor to have the skills to mediate disputes between councillors? If this function is not performed by the mayor, who should perform this role?

Depending upon the size and nature of the dispute a mayor may have the skills to mediate disputes. The ability of mayors to undertake this role will be highly dependent on the skill set and experience of the individual. A mayor should be able to access a panel of advisers or more experienced mediators if required.

Q7. Do you believe that the introduction of the internal resolution procedure has resulted in improved councillor conduct?

Council has not needed to use the internal resolution procedure.

Q8. Do you believe that it is appropriate for the council to determine the sanctions that should apply to a councillor who has been found to have breached the councillor code of conduct? Would you support an arrangement where the sanctions are applied by an independent person?

Council's preference is for the Councillor Conduct Panel to make recommendations regarding sanctions which may or may not be endorsed by Councillors.

Q9. Do you believe the range of sanctions provided for in the Bill is appropriate?

The range of sanctions in section 182 is reasonable.

Q10. Do you consider that, on balance, the opportunity to ventilate councillor conduct issues through an internal resolution procedure?

- resolves issues and builds better working relationships between councillors; or
- is divisive and further entrenches existing disputes and divisions.

Council has not needed to use the internal resolution procedure so is not in a position to make an informed comment.

Q11. Do you consider that the costs associated with an internal resolution procedure are a reasonable cost of good governance to be borne by a council? If not, what alternative arrangements would you suggest?

Council has not needed to use the internal resolution procedure.

Q12. Do you consider that the Minister should be required, before making a recommendation to the Governor in Council to suspend all the councillors of a council, to:

- Give a council notice in writing of his or her intention to suspend the council
- Specify in the notice the reasons why it is proposed to suspend the council

- invite the Council and individual councillors to make submissions in respect of the proposed suspension within a submissions period specified in the notice.
- have due regard to any submissions made by the Council and Councillors during the submissions period in deciding whether or not to suspend the Council?

Yes

Q13. When the Order in Council is laid before both Houses of Parliament, should the submissions made to the Minister be tabled with the Order?

Yes

Q14. Should the Minister be required, before introducing a Bill to dismiss a Council into the Parliament, to give a Council (or the suspended Councillors where the Councillors have been previously suspended) notice in writing of his or her intention to dismiss the Council together with reasons and an opportunity to make submissions? If so, should the Minister be required to have due regard to the submissions in deciding whether to proceed with the introduction of a Bill into the Parliament or to return the suspended councillors with a direction to give effect to any recommendations/directions of the Minister?

Yes

Should you require any further information please contact Director Corporate Services Sharon Morrison on (03) 5494 1200.

Yours sincerely

Phil Pinyon
Chief Executive Officer

[insert date – dd mmm yyyy]

10 INFORMATION REPORTS**10.1 LOCAL LAWS AND PLANNING 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 planning 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 second report for the 2017 – 2018 financial year, summarising the local law and planning 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

Council is responsible for a range of advisory, compliance and enforcement services to the community and maintains powers under various legislation and Council local laws to enable effective animal management, planning enforcement, local law compliance and fire prevention for community and township amenity.

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
- investigate planning scheme breaches and enforce planning permit conditions
- intervention in public nuisance issues.

ISSUES/DISCUSSIONAdministrative and fire prevention

Table 1 provides a summary of administrative and fire prevention actions undertaken.

Table 1: Administrative and fire prevention activities

Quarter 2 (1 October 2017 – 31 December 2017)				
Activity	After hours call outs (*)	Littering or illegal rubbish dumping	Fire prevention notices	Local law permits issued

No. actions	10	2	206	2
--------------------	----	---	-----	---

(*) 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 unsightly properties is provided in Table 2. Identified unsightly properties are assessed and prioritised for compliance action. A detailed presentation of the Development & Compliance Departments approach and progress on unsightly properties will be presented at the April Council Forum.

Table 2: Summary of unsightly properties activities

Quarter 2 (1 October 2017 – 31 December 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	4	2	5	2	13	2	2	2	2	0	1	0	0	40
No. resolved during quarter	0	1	0	0	0	0	0	1	0	0	0	0	1	0	0	3
New action commenced	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1
No. currently pursuing	4	0	4	2	5	2	13	1	2	2	2	0	0	0	1	38
Progress Activities																
Site meeting / discussion held	3	1	2	2	3	1	11	2	2	2	2	0	1	0	1	33
Letter to comply issued	1	1	3	2	3	1	8	1	2	2	2	0	1	0	1	28
Occupier has commenced clean-up work	1	1	0	1	1	1	5	2	0	1	1	0	1	0	1	16
Notice to comply issued	0	0	0	0	0	0	1	1	1	0	1	0	0	0	0	4
Contractor engaged for clean-up work	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

The local laws staff are continuing to work with community members in resolving unsightly property issues. Achieving resolution of unsightly property issues can be difficult, with many property owners committing to attend to the issue and in some cases starting the process of cleaning up only to relapse. This requires an approach of escalation of interventions until compliance is reached. Many of these issues involve longstanding patterns of behaviour that will require

continual intervention and time to establish significant change in individual's behaviour in order for lasting compliance to be reached.

Animal management

Table 3 provides a high level summary of animal management activities.

Table 3: Summary of animal management activities

Quarter 2 (1 October 2017 – 31 December 2017)						
Activity	Wandering livestock	Trespassing livestock	Dog attack	Domestic animal at large	Distribution of cat traps	General complaints / other
No. of actions	6	1	4	8	12	10

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

Table 4: Impoundment activities

Quarter 2 (1 October 2017 – 31 December 2017)				
Animal type	Impoundments	Returned to owners	Animals rehoused	Animals disposed
Livestock	1	1	0	0
Dogs	8	6	2	0
Cats	14	0	0	14
Total	23	7	2	14

Planning Compliance and Enforcement

Table 5 provides a summary of planning compliance and enforcement activities undertaken.

Table 5: Planning compliance and enforcement activities

Quarter 2 (1 October 2017 – 31 December 2017)					
Type	No. identified from previous report period	New action commenced	PIN's issued	No. resolved during this quarter	No. currently pursuing resolution
Land use in contravention of planning scheme without a permit	2	3	0	1	4
Native vegetation removal without a permit	3	2	8	3	2
Breach of planning permit	1	1	0	2	0

Dog breeding / animal keeping facility	2	2	0	2	2
Land used as a store without planning permit	5	0	0	1	4
Occupation of a shed without a planning permit	1	0	0	0	1
Total	14	8	8	9	13

Throughout all of the above compliance activities tabled, the Development and Compliance Department aims to work proactively with property and animal owners to achieve a positive outcome within the legislative framework set by the State Government and Council Local Laws.

COST/BENEFITS

The year to date actual expenditure for the second quarter of 2017 – 2018 financial year for the local laws and compliance activities contained within this report is \$ 56,531. As the identified properties are escalated through the compliance process, costs associated with legal proceedings may also be incurred by Council.

The resulting cost to Council can be significant in terms of officer(s) time; particularly undertaking various site inspections across Loddon 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 wherever possible.

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

- improving and maintaining township amenity
- ensuring that appropriate development occurs
- maintaining and improving public safety
- encouraging good domestic animal and livestock management
- reduced bushfire risks.

RISK ANALYSIS

Failure of Council to adequately manage the provisions associated with the Loddon Planning Scheme, Planning and Environment Act 1987 or other applicable legislation including the Domestic Animals Act 1994, Impounding of Livestock Act 1994, Country Fire Authority Act 1958 or Council Local Laws is considered to pose the following risks:

- barrier to development and associated economic growth within Loddon Shire
- inappropriate development
- Council's reputation as a regulatory authority
- public safety that endangers life and property
- adverse amenity of our townships
- increased bushfire hazards.

CONSULTATION AND ENGAGEMENT

Land and animal owners subject to compliance and enforcement actions under the abovementioned legislation and local laws are consulted with at each stage of the process.

10.2 PLANNING APPLICATION ACTIVITY REPORT**File Number:** 13/01/002**Author:** Alexandra Jefferies, Planning Officer**Authoriser:** Glenn Harvey, Manager Development and Compliance**Attachments:** 1. Planning permits status report 1 October 2017 - 31 December 2017**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 second report for the 2017 – 2018 financial year, summarising planning application activities undertaken within the Development and Compliance Department.

BACKGROUND

This report covers the planning permit activity for each quarter and provides Council with a high level summary for the purpose of monitoring performance within this area.

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 planning permits.

ISSUES/DISCUSSIONPlanning permit activities

Table 1 provides a summary of the type and total number of applications issued during the second quarter of the 2017 - 2018 financial year. A detailed summary of the status of planning permits can be found in attachment 1: Planning permits status report 1 October 2017 - 31 December 2017.

Table 1: Planning permit issued type summary

Quarter 2 (1 October 2017 – 31 December 2017)					
Type	Number	Permit issued	Amended permit issued	Refused	Withdrawn or lapsed
One or more new buildings	4	4	0	0	0
Single dwelling	3	3	0	0	0
Change of use	1	1	0	0	0
Subdivision	2	2	0	0	0
Native vegetation	1	1	0	0	0

removal					
Change to easement or restrictions	0	0	0	0	0
Extension or existing dwelling or associated building	1	1	0	0	0
Alterations to a structure	0	0	0	0	0
Alterations to building other than dwelling	0	0	0	0	0
Signage	0	0	0	0	0
Waiving of car parking requirements	0	0	0	0	0
Demolition	0	0	0	0	0
Liquor license	1	1	0	0	0
Other buildings and works	6	6	0	0	0
Extractive Industry	1	0	1	0	0
Total	20	19	1	0	0

Please note Table 1 only includes applications determined under delegation and not permits issued directly by Council. The applications that are presented to Council for determination have received objections or are being recommended for refusal. These are presented to Council independently in a decision report pertaining to that permit application.

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 assessed and issued Planning Permits during the second quarter of the 2017 – 2018 financial year and compares these to the rural average.

Table 3: Average timeframes for decisions

Second quarter of the 2017/2018 financial year			
Month	Average gross days to determine	Completed within 60 days	Rural average completed within 60 days
October	91	57%	77%
November	166	25 %	78 %
December	42	80%	74%

During the second quarter of the 2017 – 2018 financial year 54 % of all Planning Permit applications were assessed and issued within the timeframes as set in the Planning & Environment Act.

The average gross days to determine in November are particularly high. A number of factors contributed to this outcome. Firstly a small portion can be attributed to the Statutory Planning Officer accessing annual leave entitlements during the month of November. Secondly and most significantly four complex applications had permits issued during that month. These applications include a broiler breeder complex in Newbridge, a two lot subdivision which required VicRoads referral, a 2 lot subdivision that the North Central Catchment Management Authority originally objected to requiring a resolution to be sought and a native vegetation removal application which

required a number of amendments to satisfy DELWP. Due to either the complex nature of the applications and/or referral authorities responses, the average timeframe for each of these application was greater than 100 days. This significantly impacts on the overall average number of days to issue a permit.

Complex planning permit applications can require a significant amount of the Planning Officer's time to adequately assess and coordinate information required by a referral authority. The main responsibilities include contact with the applicant and objectors, contact with referral authorities, assessing an application against the scheme and other regulations, site inspections, mediation meetings and report writing.

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

COST/BENEFITS

The year to date actual expenditure for the second quarter of 2017 – 2018 financial year of the statutory and strategic planning activities contained within this report is \$39,789.

Benefits derived from investing in the planning process managed by 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 Loddon Shire Council departments
- other municipalities.

file No. 13/02/004

Planning Applications Being Processed Between 01-10-2017 and 31-12-2017

Application	Date Received	Property No	Applicant	Address of Land	Proposal	Status
5117	28/08/2015	31109500	Adrian Cummins	CA 3 Section 9 Parish of Bridgewater (14 Park Street Bridgewater on Loddon)	3 lot Residential Subdivision	Referral
5118	28/08/2015	52807700	PM Lewis	Plan No PP5391 CA 9 & 10 Section 4A Parish of Inglewood (Nixon Street Inglewood)	Residential Subdivision of 41 lots	Further Info Requested
5251	07/12/2016		Graeme Smith	CA 16F Section G Parish of Boort (Crown Land Boort Pyramid Rd BOORT)	Provision of new earthen levees & upgrading existing levees	Referral
5298	13/07/2017	28406600	Jamie Horkings	CA 12.20 Section E Parish of Yarrowalla (1611 Boort-Pyramid Road Durham Ox)	Permit for removal of native vegetation	Further Info Requested
5303	25/07/2017	28405500	Jamie Horkings	Lot 1&2 Plan No 388470 & 862510 Parish of Yarrowalla (99 Yarrowalla West Road DURHAM OX)	Removal of Native Vegetation	Referral
5314	12/09/2017	32701710	Corie Birthisel	CA CA 8A Section 2 Parish of Inglewood (Calder Highway Bridgewater)	Use and development of the land as timber store and alteration of access to Road Zone 1	In Progress
5319	23/10/2017	31016700	Craig Stephen	Lot Lot 1 Plan No PS 548297 CA 22 Parish of Inglewood (2 Arnold Road Bridgewater on Loddon)	Construction of shed	Referral
5322	25/10/2017	23105000	Wes Pye	Lot Lot 1 Plan No TP 681129 Parish of Jarklan (536 Boort-Mitiamo Road Jarklan)	House lot excision	In Progress
5323	25/10/2017	25305800	Vanessa Taylor	Lot Lot 1 Plan No TP 103695 Parish of Mologa (535 Boort-Pyramid Road Pyramid Hill)	use and dvelopment of the land for a domestic animal business (dog breeding)	Notice of Application
5326	09/11/2017	45606500	Jack Robinson	CA 11 Section 6 Parish of Tamagulla (Raglan Street NEWBRIDGE)	Residential- single dwelling	Further Info Requested
5328	15/11/2017	53600100	Orana Agriculture Pty Ltd	CA 17 Section NO SEC Parish of Kinypanial (167 Borung-Hurstwood Road BORUNG)	Tree removal for proposed pivot and linear irrigation development	Further Info Requested

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Application	Received	No	Applicant	Address of Land	Proposal	Status
5330	23/11/2017	25103400	Kevin Brown	Lot 2 Plan No 143842 Parish of Mitiamo (21 Frances Lane Mitiamo)	2 lot subdivision to accord with zone boundaries	In Progress
5331	23/11/2017	41500200	Lis Holloway	Lot 1 Plan No TP3455311 Parish of Dunolly (Model Farm Road Dunolly)	Dog Breeding	Further Info Requested

PLANNING PERMITS ISSUED UNDER DELEGATION BETWEEN 01-10-2017 and 31-12-2017

APP. No	DATE RECEIVED	APPLICANT	ADDRESS OF LAND	PROPOSAL	DATE ISSUED
5225	09/09/2016	Rodney Broom	CA 51B,53A53B Section 78A,78B1 Parish of DERBY (Calder Highway Derby)	Construction of irrigation channels	01/11/2017
5261	07/02/2017	Roger Bury	Lot Lot 2 Plan No PS 407524 Parish of Boort (BP Boort 41 Boort Pyramid Road Boort)	Creation an alteration of access to Road Zone Category 1 and buildings and works associated with sevice station (retrospective)	06/10/2017
5275	11/04/2017	Karl Lawson	CA CA 1A & 1B Section Section 15 Parish of Tarnagulla (Boyds Road Newbridge)	Use and development of the land for 2 x chicken rearing farms (construction of 8 sheds)	08/11/2017
5284	25/05/2017	Graeme Poole	Lot 3,2,1,3,1 CA 43 Parish of Mysia (97 Fyfes Road Boort)	Construction of on farm irrigation channel	08/11/2017
5288	05/06/2017	Adrian Cummins	CA 10 Section 7 Parish of Bridgewater (19 Main Street Bridgewater on Loddon)	2 Lot Subdivision	08/11/2017
5297	11/07/2017	Rebecca Slater	CA 16 Section 12 Parish of Kingower (928 Kingower Kurting Road Kingower)	Construction of a storage shed	23/10/2017
5300	19/07/2017	Brendan Williams	Lot 2 Plan No 747943B Parish of Janiember East (465 Echuca-Serpentine Road Serpentine)	Earthworks within the LSIO	20/10/2017
5301	19/07/2017	Brendan Williams	CAA&B113&117 Section NO SEC Parish of Janiember East (Whites Pit Road Bears Lagoon)	Removal of native vegetation for extension irrigation channel	08/11/2017
5302	24/07/2017	Mark Trembath	Lot 3 Plan No 210960 Parish of Inglewood (3616 Bridgewater-Dunolly Road Bridgewater)	Two lot subdivision	23/11/2017
5304	03/08/2017	DJ Brain	Lot 4 Plan No 206795 Parish of Glenalbyn (Inglewood-Arnold West Road Inglewood)	Construction of a dwelling	08/11/2017
5309	28/08/2017	Graincorp Operations Limited	Lot 1 Plan No 500892V CA 24H Section NO Parish of Mitiamo (Joffre Street Mitiamo)	Extend the Mitiamo grain bunker site	24/10/2017
4674.1	29/08/2017	Dr John Clout	46D Bealiba - Wehla Road Wehla	Amend permit to meet 173 Agreement principal-proposed haulage	24/10/2017
5312	04/09/2017	Rodney McEwin	Lot Lot 16 Plan No PS 219610 Parish of Moliagul (O'Briens Drive Moliagul)	use and development of a dwelling	13/12/2017
5316	19/09/2017	Ian Harrison	Lot 12 Plan No 872417L CA 26 Parish of Loddon (865 Loddon Valley Highway GLADFIELD)	Upgrading existing channel, relasering & new channel structures.	27/10/2017

Item	Date	Applicant	Location	Description	Start Date
5318	04/10/2017	Stephen Sperling	Lot 1 Plan No 072711E Parish of Loddon (865 Loddon Valley Highway GLADFIELD)	Construction of hay storage area	10/10/2017
5318	04/10/2017	Stephen Sperling	Plan No PC 374204 Parish of Bridgewater (1 to 3 Main Street Bridgewater on Loddon)	Construction of garage within the Land Subject to Inundation Overlay and Heritage Overlay	08/11/2017
5325	31/10/2017	John & Robin Fraser	CA CA 1A Section Sec 11 Parish of Moliagul (Orville Road Moliagul)	Alluvial mining for gold	07/12/2017
5327	15/11/2017	Corie Birthisel	Lot 2 Plan No 206058 CA 5 Parish of Inglewood (45 Chinamans Lane BRIDGEWATER)	Extension of existing home	08/12/2017
5329	20/11/2017	Carlo Gazzola	CA 8 Section 1A Parish of Inglewood (Southey Street Inglewood)	Single Dwelling	13/12/2017
5333	01/12/2017	Ian Mercer	Lot 1 Plan No 432233 Parish of Boort (53 to 83 Malone Street BOORT)	Amend Red Line area for licensing requirement.	08/12/2017

10.3 BUILDING SERVICES ACTIVITY

File Number: 13/06/001, 13/08/001 & 13/08/003
Author: Greg Johnston, Municipal Building Surveyor
Authoriser: Glenn Harvey, Manager Development and Compliance
Attachments: Nil

RECOMMENDATION

That Council receive and note the Building Services 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 second report for the 2017 – 2018 financial year summarising building services activities relating to permits, certificates and statutory enforcement activity undertaken within the Development & Compliance Department.

At the August 2017 Ordinary Council meeting two reports were provided. These were a report pertaining to building activity for the 2016 - 2017 financial year and a report containing statutory enforcement activity information from 1 February 2016 to August 2017.

This report combines information previously contained in those two separate reports and covers the period of the first and second quarters of the 2017 – 2018 financial year.

BACKGROUND

Council provides a range of building services through the Municipal Building Surveyor including the following:

- issuing relevant permits and certificates
- building advisory services
- consultancy and building control functions
- administrative functions prescribed by the Building Act & Regulations including keeping records relating to the activity of private building surveyors issuing permits within Loddon Shire
- regulatory enforcement of relevant Acts.

The information in this report with respect to building and occupancy permits and final inspections is a basic indicator of local building development and investment.

Whilst new issues requiring enforcement are brought to Council's attention regularly it is also noted there are some longstanding enforcement activities that require follow up. These are gradually being followed up by the Municipal Building Surveyor on a risk management basis as part of his work plan. Current activities include essential safety measures in hotels.

ISSUES/DISCUSSIONBuilding permits

Table 1 provides the number and total value of building permits issued in the first and second quarters of the 2017 – 2018 financial year. There is variation in the number and value of permits

across the various quarters throughout any given financial year. The variation in value is largely attributable to the scale and cost of the projects.

Table 1: Summary of new building permits issued

	Quarter 1 (01/072017 – 30/09/2017)	Quarter 2 (01/10/2017 – 31/12/2017)
No. of new Permits	40	52
Value of Works	\$3,565,904	\$2,664,223

Table 2 provides a summary of the number of final inspections and certificates of occupancy issued for building permits during the first and second quarter of the 2017 – 2018 financial year.

Table 2: Summary of final inspections and certificates of occupancy

	Quarter 1 (01/072017 – 30/09/2017)	Quarter 2 (01/10/2017 – 31/12/2017)
Certificates of final inspection	27	33
Certificates of occupancy Permits	18	24

It is noted that there is a significant backlog of incomplete building permits that the Development and Compliance Department are following up with owners as part of a proactive program to try and finalise these building permits.

Statutory enforcement

Table 3 provides a high level summary of statutory enforcement activities undertaken by the Municipal Building Surveyor.

Table 3: Summary of statutory enforcement activities

Type	No. identified from previous report period	New action commenced	Building notice issued	Building order issued	No. resolved during this quarter
Building damaged by fire	1		1	1	
Works required to make building safe	2		2	2	1

Carrying out building works without a permit	1		1		
Illegal occupation of non-habitable building	2		2	2	
Building with non-complying essential safety measures	3	1	1	2	

During January a number of pools and pools without appropriate safety barriers have been identified, these will be included in the next quarterly Building Services Activity report.

COST/BENEFITS

The year to date actual expenditure for the first and second quarter of the 2017 – 2018 financial year for building services activities contained within this report is \$60,332.

The provision of building activity statistics informs Council of the level of building activity and statutory enforcement activity in the municipality.

The cost to Council of enforcement activity can be quite significant, particularly in terms of Council officer's time. This in turn impacts on other activities such as the timeframe for building permits. Direct monetary costs significantly escalate if matters progress to a Magistrate's hearing or the Municipal Building Surveyor needs to arrange for the work associated with any order to be completed by Council. As such, the Development & Compliance Department staff endeavour to work through enforcement matters in a manner that engages with property owners / occupiers to have required works completed.

RISK ANALYSIS

There are risks associated with building and development works. As such, it is imperative that Building legislation, standards and controls are administered effectively. Failure of Council to adequately enforce the provisions of applicable legislation poses the following possible risks:

- unsafe development and building works which may affect the safety of property owners, occupiers and the general public within Loddon Shire
- Council's reputation as a regulatory authority
- Council being held liable for failure to act in a matter which results in damage to other property, or injury or death to a person
- failure to meet statutory obligations set within relevant legislation.

1.

As part of the risk management process when undertaking enforcement work the Municipal Building Surveyor makes reference to the building enforcement intervention filter criteria, developed by the Victorian Municipal Building Surveyors Group and which forms part of the procedures covered in Loddon Shire Council's Building Control Policy.

CONSULTATION AND ENGAGEMENT

The Municipal Building Surveyor regularly engages with business operators, developers, residents and ratepayers during the admonition of the various Acts which can range from annual assessments/inspection to the provision of advice for the processing of building permits. Any

business operator, developer, residents or ratepayer that is subject to enforcement action is regularly consulted with during the enforcement process.

10.4 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 second report for the 2017 – 2018 financial year, summarising public health activities within the Development and Compliance Department.

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
- Tobacco Act 1987.

Council's Public Health officer 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**

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. Table 1 provides a summary of the inspections undertaken during the reporting period.

Table 1: Registered premises inspections

1 October 2017 to 31 December 2017		
Governing Legislation	Inspection Outcome	Number of inspections
Food Premises	Compliant*	20
	Major Non Compliance	0
Health Premises	Compliant*	0
Caravan Parks	Compliant*	2
Swimming Pools	Satisfactory	6
	Unsatisfactory	1
Total number of inspections for reporting period		29

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

All unsatisfactory inspections are followed up with the businesses to ensure remedial actions are taken.

Sampling Program

The number of 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 food products. This approach to the program assists local businesses in verifying the content on the food label of their products. 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 for water quality, with water samples taken from each pool. Council maintains five public swimming pools and one pool at a caravan park. There are a varying number of pools at each site with each pool being sampled individually.

Table 2 summaries the sampling program activities undertaken during the reporting period.

Table 2: Sampling program summary

1 October 2017 to 31 December 2017				
Sample Type	Number	Testing	Outcome	
Food	4	Microbiological	Satisfactory*	4
			Unsatisfactory	0
		Labelling	Satisfactory	2
			Unsatisfactory	2
Swimming Pool	14	Microbiological	Complies	13
			Does not comply	1
Total number of Samples	18			

*satisfactory microbiological results include samples that were marginal

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

Septic Systems

Table 3 summarises septic system permit applications processed during the reporting period.

Table 3: Septic system permits

1 October 2017 – 31 December 2017	
Permit Type	Number
Installation or alteration	2
Certificate to use	3
Total Number of Permits	5

The average processing time for permits to install or alter is seven days.

Table 4 summarises the activities associated with management of septic tank applications and installed systems.

Table 4: Septic system activity

1 October 2017 – 31 December 2017	
Activity / Inspection Type	Number
Application Inspection	2
Installation Inspection	3
Final Inspection	2
Requested Inspection	1
AWTS Project Site Visits	22
Total Number of Inspections	30

Tobacco Act

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 non-smoking public outdoor venues such as at kindergartens, schools, play grounds and hospitals. Table 5 summarises the Tabaco Act activities undertaken during the reporting period.

Table 5: Tobacco inspections

1 October 2017 to 31 December 2017	
Inspection Type	Number
Licensed Premises	0
Retailer	7
Eating Establishment	3
Vending Machine	0
Public Outdoor Venues	6
Outdoor Dining	4
Total number of Inspections	20

Public Health Complaints

Council is responsible for the investigation of nuisance complaints under the Public Health and Wellbeing Act. Complaints of nuisance can be complex and time consuming. Table 6 summaries the complaints during the reporting period

Table 6: Public health complaints

1 October 2017 – 31 December 2017			
Nature of Complaint	Number Received	Number Resolved	Number outstanding
Odour			
Noise	2	2	
Mosquitoes			
Burning Off / Smoke			
Waste water	1		1
Tobacco			
Other	2		2
Total	5	2	3

COST/BENEFITS

The actual expenditure for the second quarter of 2017 – 2018 financial year of the public health unit activities contained within this report is \$35,149.

Administration of the Acts that the Public Health officer has 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 health and 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

The Public Health officer regularly engages with business operators, developers, residents and ratepayers during the admonition of the various Acts which can range from annual assessments/inspections 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.

10.5 UPDATE ON THE PROGRESS OF ANNUAL INFRASTRUCTURE PROGRAM 2017 - 2018 AND FLOOD RESTORATION PROGRAM

File Number: 14/01/001
Author: Indivar Dhakal, Manager Technical Services
Authoriser: Steven Phillips, Director Operations
Attachments: Nil

RECOMMENDATION

That Council note the update on progress of the Annual Infrastructure Program 2017 - 2018 and Flood Restoration Program.

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 is the first report for the 2017 - 2018 financial year, summarising progress of the Annual Infrastructure Program and the Flood Restoration Program.

Council approved the annual infrastructure program 2017 - 2018 at the May 2017 ordinary council meeting. There has been no formal report provided at any previous ordinary council meeting regarding the update of the flood restoration program.

BACKGROUND

The intention is for this report to be provided quarterly to Council for the purpose of reporting progress of the Annual Infrastructure Program and the Flood Restoration Program. As this is the first report of the 2017 - 2018 financial year the information will cover the first and second quarters of the current financial year.

ISSUES/DISCUSSIONAnnual Infrastructure Program

Table 3 provides a progress summary for the first and second quarter of the 2017 - 2018 financial year on capital works projects in the Annual Infrastructure Program.

Table 3: Annual Infrastructure Program progress

Program Category	Total number of projects listed in Annual Infrastructure Program 2017 - 2018	Total number of projects carried over from previous year(s)	Total number of projects	Total number of projects completed to date	Total number of projects under construction	Remaining projects	Program Category Progress % Complete
Local Roads Gravel Resheet	7	0	7	7	0	0	100%
Local Roads Gravel Shoulder Resheet	7	1	8	5	0	3	63%
Local Road Construction - Asset Preservation	3	3	6	1	1	4	17%
Local Road Construction - Safety	1	0	1	0	1	0	0%
Local Road Construction - Amenity	1	1	2	0	1	1	0%
Township Street Improvement	7	5	12	4	0	8	33%
Urban Drainage	3	3	6	2	0	4	33%
Local Bridges and Culverts	6	0	6	0	0	6	0%
Buildings	9	0	9	4	0	5	44%
Parks and Gardens	6	1	7	2	3	2	29%

Note: This update does not include any projects that did not form a part of annual infrastructure program submitted to the Council for adoption (eg. Wedderburn Streetscape)

Flood Restoration

Table 4 provides a summary of progress for the Flood Restoration Program during the first and second quarter of the 2017 - 2018 financial.

Table 4: Flood Restoration Program summary

Restoration type	Total number of damages recorded	Total number of damages rectified	Number of damage rectifications currently in progress	Number of damages waiting to be processed
Sealed Roads Damage	81	13	24	44
Grading*	289	289	0	0
Shoulder Failure	112	45	0	67
Grading with material	783	0	0	783
Gravel resheet	450	43	24	383
Bridge repair	3	0	1	2
Major tree removal*	12	10	2	0
Minor tree removal	40	35	0	5
Floodway reinstatement and repair	177	47	87	43
Major culvert restoration and cleaning	26	7	5	14
Minor culvert restoration and cleaning	112	80	4	28
Waterway cleaning	50	25	0	25
Guardrail restoration and sign replacement	7	0	0	7
Minor rehabilitation	13	0	13	0
Floodway asphalt	15	0	15	0
Others	88	0	0	88
Total	2258	594	175	1489

**Includes damages restored by Works Department as a part of Council's maintenance grading program.*

The flood restoration team is aiming to complete the majority of restoration works by December 2018 with some projects to be completed in early 2019. Council must complete all the restoration works by 30 June 2019 to be funded under the Natural Disaster Relief and Recovery Arrangement (NDRRA).

COST/BENEFITS

The year to date actual expenditure for the first and second quarter of 2017 - 2018 financial year of the Annual Infrastructure Program is \$1,359,291.

The year to date actual expenditure for the first and second quarter of 2017 - 2018 financial year of the Flood Restoration Program is \$319,955. The expected total expenditure for 2017 – 2018 financial year is approximately \$3.3m.

The benefit to the community in delivering the Annual Infrastructure Program and the Flood Restoration Program is that it will ensure a safe usable road network into the future for Loddon Shire.

RISK ANALYSIS

There are a number of risks associated with the delivery of the Annual Infrastructure Program and the Flood Restoration Program. The following is a list of some but not all of the associated risks.

- delivering within timeframe and budget
- meeting community expectations
- delivering projects in accordance with engineering standards
- compliance with procurement legislation

Council officers are committed to monitoring and managing the risks associated with the Annual Infrastructure Program and the Flood Restoration Program to ensure that any issues are minimised.

CONSULTATION AND ENGAGEMENT

The information provided in this report is presented after consultation between Manager Technical Services, Flood Restoration Team and the Works Department.

10.6 ROAD MANAGEMENT PLAN DEFECT RECTIFICATION COMPLIANCE REPORT

File Number: 14/01/022
Author: Daniel Lloyd, Manager Works
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 second 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

Quarter 2 (01/10/2017 – 31/12/2017)					
District	Number of scheduled inspections	Number completed by due date	Number completed after due date	Number not completed	Compliance
Loddon Plains	115	115	0	0	100%
Loddon Goldfields	128	128	0	0	100%
Total	243	243	0	0	100%

During the second quarter of 2017 – 2018 financial year, 100% of the programmed inspections were completed according to the schedule. 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. There are a higher number of inspections than usual this quarter due to bridge and major culvert inspections being due.

Table 2: Defect rectification summary report

Quarter 2 (01/10/2017 – 31/12/2017)								
District	Number of Defects				Compliant with RMP			
	Adhoc	Requests	Defects from inspections	Total	Yes	No	Not complete	%
Loddon Goldfields	111	14	477	602	581	21	0	96.5%
Loddon Plains	59	4	552	615	614	1	0	99.8%
Shire Wide	32	9	738	779	779	0	0	100.0%
Townscape Services	93	5	33	131	131	0	0	100.0%
Total	295	32	1800	2127	2105	22	0	99.1%

Table 2 comprises a summary of defects that have been identified through programmed inspections, customer requests and works crews identifying and rectifying defects as they find them, known as adhoc work actions. During the second quarter of 2017 – 2018 financial year, 99.1% of all date imposed defects were completed before their due date. This is 0.9% below the target of 100% set in the RMP.

Table 3 provides a summary of performance against the unsealed road maintenance grading program, defects as identified through programmed inspections, customer requests and works crews identifying and rectifying defects as they find them, known as adhoc work actions. The maintenance grading program identifies each road segment by its road hierarchy and grading frequency as detailed in the RMP.

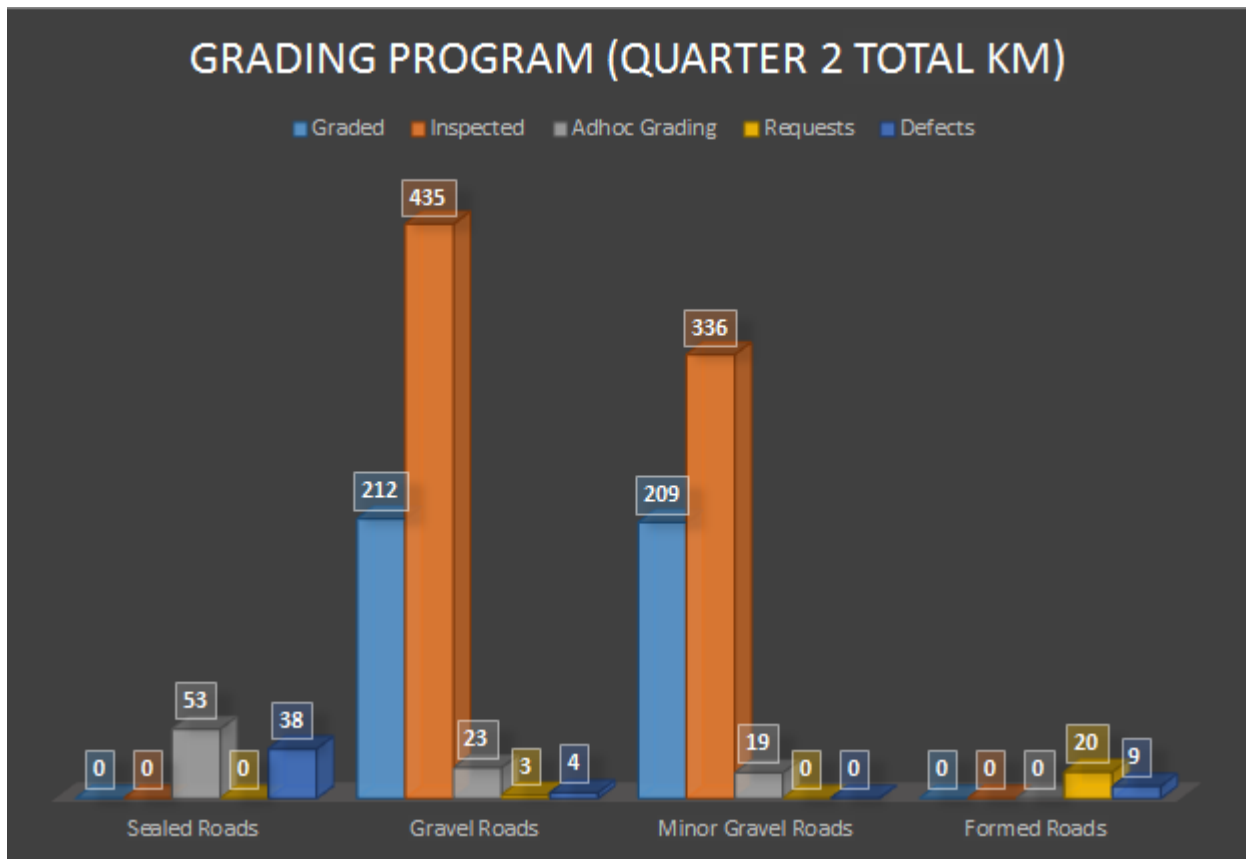
Table 3: Maintenance grading program

Quarter 2 (01/10/2017 – 31/12/2017)								
District	Number of Grading Work Actions				Compliant with scheduled timeframes			
	Programmed Maintenance Grading	Requests	Adhoc	Total	Yes	No	Not completed	%
Loddon Goldfields	626	3	39	668	457	211	0	68.41%
Loddon Plains	426	6	3	435	420	15	0	96.5%
Total	1052	9	42	1103	877	226	0	82.5%

The data in table 3 indicates that 1103 grading work actions were completed for the second quarter of the 2017 – 2018 financial year. There is no set level of compliance for the maintenance grading program in the RMP.

A graph has been provided in Chart 1 indicating a breakdown of the grading work actions, by road hierarchy and kilometres. The sealed roads section relates to shoulder grading work actions on the Sealed Road network. The gravel road section includes all grading work actions on Gravel Collector and Gravel Access roads. The Gravel Minor and the Formed Road sections relate directly to Council's road hierarchy and show all grading work action on roads within that hierarchy.

Chart 1: Maintenance Grading Program



COST/BENEFITS

The year to date actual expenditure for the second quarter of 2017 – 2018 financial year of the Local Road Maintenance Program is \$1,425,209.

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.

11 COMPLIANCE REPORTS**11.1 MANAGEMENT AGREEMENT AND INSTRUMENTS OF DELEGATION FOR SIGNING**

File Number: 02/01/005

Author: Sharon Morrison, Director Corporate Services

Authoriser: Phil Pinyon, Chief Executive Officer

Attachments:

1. Management Agreement - Inglewood Community Sports Riding Club Reserve
2. Instrument of Delegation - Yando Public Hall
3. Instrument of Delegation - Wedderburn Mechanics Literary Institute Hall

RECOMMENDATION

That Council:

1. Note the signing of the attached management agreement by the Inglewood Riding Club Incorporated and Inglewood Cars and Bikes Club Incorporated
2. Note the signing of the attached section 86 instrument of delegation by Yando Public Hall Committee of Management
3. Note the signing of the attached section 86 instrument of delegation by Wedderburn Mechanics Literary Institute Hall Committee of Management
4. Authorise the Chief Executive Officer to sign and affix the common seal of Council to the attached management agreement and instruments of delegation
5. Authorise the Chief Executive Officer to sign and affix the common seal of Council to section 86 agreements and management agreements where required.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

At the Council meeting on 26 September 2017, Councillors endorsed, subject to finalisation of the documentation following receipt of feedback from committees, a new template for section 86 agreements and management agreements.

At the Council meeting on 24 October 2017, Councillors endorsed the issuing of a Management Agreement jointly to the Inglewood Riding Club Incorporated and Inglewood Cars and Bikes Incorporated after the section 86 committee requested joint management of the facility by both incorporated associations.

BACKGROUND

Council is currently working with a number of groups to finalise management agreements and section 86 instruments of delegation for the management of various facilities.

ISSUES/DISCUSSION

The attached agreements are in the form approved by Council at the meeting held 26 September 2017.

As the use of the common seal is not usually a requirement for such documents, future documents will have the common seal provision removed and replaced with a standard signing clause.

COST/BENEFITS

There are no direct costs associated with these recommendations.

RISK ANALYSIS

Issuing management agreements or section 86 instruments of delegation helps to ensure clear expectations and responsibilities.

CONSULTATION AND ENGAGEMENT

The management agreement and instrument of delegation have been developed in consultation with councillors, staff and community members.

LODDON SHIRE COUNCIL

MANAGEMENT AGREEMENT

BETWEEN LODDON SHIRE COUNCIL AND INGLEWOOD
RIDING CLUB INC. AND INGLEWOOD CARS AND BIKES
CLUB INC.



DOCUMENT INFORMATION

DOCUMENT TYPE: Management agreement

DOCUMENT STATUS: Approved

POLICY OWNER POSITION: Director Corporate Services

INTERNAL COMMITTEE ENDORSEMENT:
APPROVED BY: Not applicable
Council

DATE ADOPTED: 17/01/2018

VERSION NUMBER: 1

REVIEW DATE: 21/10/2021

DATE RESCINDED: [Click here to enter a date.](#)

RELATED STRATEGIC DOCUMENTS, POLICIES OR PROCEDURES: [Click here to enter text.](#)

RELATED LEGISLATION: [Click here to enter text.](#)

EVIDENCE OF APPROVAL:



Signed by Chief Executive Officer

FILE LOCATION: Document1

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This document is available in alternative formats (e.g. larger font) if requested.

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This **Management Agreement** is made on the date in which the Common Seal of the Loddon Shire Council was affixed to the agreement.

BETWEEN:

Loddon Shire Council ("Council") of 41 High Street, Wedderburn, Vic 3518 and **Inglewood Riding Club Inc.** and **Inglewood Cars and Bikes Club Inc.** with regard to the facility known as the **Inglewood Community Sports Riding Club Reserve** ("Committee of Management") of Grant Street Inglewood, Vic 3517.

1 THE PARTIES AGREE:

1.1 Purpose

The purpose of this Agreement is to:

1. Define the relationship between the Council and the Committee of Management
2. Identify the respective roles of each Party in relation to the effective management of the Site and
3. Establish occupancy arrangements to enable the Committee of Management to fulfill its responsibilities under this Agreement.
4. Identify the user groups for this facility.

2 Definitions

In this Agreement:

Activity means the management, control and operation of the Site as specified in Appendix 1 in accordance with this Agreement

Activity period means the duration of this Agreement

Agreement means this document, including any appendix, and if there is an inconsistency between any of these parts, a provision in the appendix is intended to prevail to the extent of any inconsistency

Appendix means an appendix to this Agreement

Chief Executive Officer means the Chief Executive Officer of the Loddon Shire Council

Constitution means any instrument, charter, rules or memorandum constituting or defining the activities of the Committee of Management or its members

Financial Year means each period from 1 July to the following 30 June

Party means a party to this Agreement

Records include documents, information and data (e.g. Constitution, notes or minutes of meetings, financial information) stored by any means and all copies and extracts of the same

Site means the property described in the appendix, including any building, facility, structure or equipment as specified

3 Revocation of prior agreements

Any existing licence, agreement or memorandum relating to the management and operation of the Site is revoked and replaced by this Agreement.

4 Term of this agreement

This Agreement starts on the date that the Common Seal of Council is affixed to it, and unless terminated earlier, ends on 21 October 2021

5 Mutual obligations

1. The Committee of Management will undertake the activity for the Council.
2. The Council will fulfill its responsibilities as specified in The information specific to this committee Appendix 1.

6 Permission to occupy and manage a site

1. The Chief Executive Officer authorises the Committee of Management to occupy the Site as necessary for the purposes of this Agreement.
2. This permission does not create any interest or estate in the Site and is subject to the terms of this Agreement.
3. The Chief Executive Officer may designate, manage and operate the Site for any emergency related purpose or as otherwise required under this Agreement.
4. The Committee of Management will not, without the prior written consent of the Chief Executive Officer, or his/her delegate, assign, mortgage or charge this permission or part with or share possession of the Site or part of it.
5. The Committee of Management has no authority to mortgage or borrow against the assets of the site.

7 Reporting

1. The Committee of Management is to provide a list of names of the current Office Bearers, other positions on the Committee and contact details at the commencement of this Agreement and must notify Council in writing of any changes to the Office Bearers or other members of the Committee.
2. The Committee of Management will provide the Chief Executive Officer, or his/her delegate, with an annual report of the Activity and its obligations under this Agreement.
3. The Chief Executive Officer, or his/her delegate, may, at his/her discretion, waive the requirement to provide an annual report as required under sub-clause (2).

8 Access to Site and records

1. With reasonable prior notice (at least seven days), the Committee of Management will give persons authorised by the Chief Executive Officer, or his/her delegate, access to records associated with this Agreement and allow those authorised persons to inspect and copy records in the possession and control of the Committee of Management for purposes associated with this Agreement.
2. During the Activity Period the Council, its staff, contractors and agents shall have full access to the Site.

9 Incorporation

1. The Committee of Management warrants that it is a fully operational incorporated body (or joint parties are individually fully operational incorporated bodies) compliant with all applicable legal requirements, and its Constitution is not (or their Constitutions are not) inconsistent with this Agreement.
2. The Committee of Management will not alter its Constitution (or their Constitutions) in a way that makes it (them) inconsistent with this Agreement without the prior written consent of the Chief Executive Officer or his/her delegate.

10 No partnership or agency

1. The Committee of Management will not become, or be deemed to be, a partner or agent of the Council by establishment of this Agreement.
2. The employees, partners and agents of the Committee of Management will not, by virtue of this Agreement, be, or for any other purpose be deemed to be, employees, partners or agents of the Council.

11 Subcontracting and assignment

1. The Committee of Management will not, without the prior written consent of the Chief Executive Officer, or his/her delegate, subcontract the whole or any part of the Activity.
2. The Committee of Management agrees not to assign its rights under this Agreement without the prior written consent of the Chief Executive Officer, or his/her delegate.

12 Termination

1. The Chief Executive Officer, or his/her delegate, may, in writing, terminate or suspend this Agreement where:
 - (a) there is a breach of any terms or conditions by the Committee of Management after notice of the breach and a period of one month from receipt of the notice to correct the breach, or
 - (b) the Committee of Management becomes insolvent, does not comply with any applicable legal requirements, or is subject to petition or resolution for winding up, or
 - (c) the Committee of Management is discontinued or its purpose is varied without the consent of the Chief Executive Officer, or his/her delegate, or
 - (d) the Chief Executive Officer, or his/her delegate, determines that an alternative administrative or operational arrangement is more appropriate.
2. If this Agreement is terminated:
 - (a) the permission granted under clause 6 is also terminated
 - (b) the Committee of Management forfeits all rights and entitlements to the management, operation and control of the Site, and
 - (c) the Committee of Management must deliver up and vacate the Site in good order as required under this Agreement, including all keys, fixtures and any fittings owned by the Council, within 30 days of the date of termination.

13 Insurance

1. The Committee of Management, its members and volunteers, while performing those activities, functions and duties specified or contained within this Agreement, will be provided with cover under the Council public liability and personal accident insurance policy.
2. The Council public liability and personal accident insurance policy does not and cannot be extended to cover any activities undertaken by the Committee of Management, its members or volunteers, which are outside the scope of the activities, functions and duties specified or contained within this Agreement.
3. The Committee of Management must provide Council with a Certificate of Currency annually upon renewal of its own public liability insurance.

14 Dispute resolution

1. The Chief Executive Officer and the Committee of Management agree to make every effort to resolve any dispute arising in relation to this Agreement in good faith.
2. If a dispute is not settled a person nominated by the Chairperson of the Victorian Chapter of the Institute of Arbitrators will be appointed to arbitrate the matter.
3. If a dispute is arbitrated the Parties will share the costs associated with conducting the arbitration.

15 Compliance with laws, Council policies and operational guidelines

The Committee of Management must comply with all laws and Council policies relating to the management, control and operation of the Site, as well as any activity conducted on the site. Where applicable, relevant standards, codes of practice and operational guidelines must also be adhered to. Examples include relevant sporting requirements, *Liquor Control Reform Act 1998*, *Occupational Health and Safety Act 2004* and *Occupational Health and Safety Regulations 2008*.

16 Fundraising

The Committee of Management is responsible for obtaining all applicable permits and licences for any fundraising activities for or in relation to the Site.

17 Council funding

The Committee of Management may make application to the Council for funding support from any grant scheme or other funding source.

18 Variation


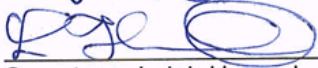
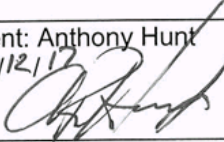
This Agreement may be varied with the written consent of both Parties.

19 Consent and notices

Any consent, approval or notice required by this Agreement must be in writing and may be served either in person or by post at the relevant address set out at the head of this Agreement.

20 Authorised signatures

By signing this agreement all relevant parties understand and agree to the foregoing, and the items identified in the Schedules.

<p>The COMMON SEAL of the LODDON SHIRE COUNCIL was affixed to this Management Agreement on</p> <hr/> <p>in the presence of</p> <p>Phil Pinyon Chief Executive Officer</p> <hr/> <p>Date / /</p>	<p>Inglewood Riding Club Inc A0026205S</p> <p></p> <p>President: Emma Donaldson Date 8/12/17 <i>Brie Williams</i></p> <p></p> <p>Secretary: Leigh Howard Date 8/12/17</p>
	<p>Inglewood Cars and Bikes Inc. A0093512V</p> <p>President: Anthony Hunt Date 29/12/17</p> <p></p> <p>Secretary/Treasurer: Simon Taylor Date 29/12/17 <i>Simon Taylor</i></p>

APPENDIX 1: INFORMATION SPECIFIC TO THIS COMMITTEE

ITEM 1: Description (the site)

1.1 Name of Site

Inglewood Community Sports Riding Club Reserve

1.2 Location of Site

Grant Street, Inglewood, Vic 3517

1.3 Crown allotment details of Site

8A and 9A SEC 16 COMMUNITY SPORTS RIDING CLUB T/SHIP INGLEWOOD

1.4 Map of Site



ITEM 2: Activity at the Site**2.1 Activities and shared arrangements**

To manage, operate and maintain the Community Sports Riding Reserve Site for the benefit of the local community.

This responsibility is shared by Inglewood Riding Club Inc. and Inglewood Cars and Bikes Club Inc.

2.2 Role of the Committee of Management

The Committee of Management will manage, control, operate, promote and jointly maintain the Site for the benefit of the community in a responsible, efficient, effective and practical manner, having regard to the principles of good governance, without the day to day involvement of the Council.

2.3 Functions and duties

To further its objectives in relation to the Site, the Committee of Management is required to:

1. Manage, operate and maintain the Site in accordance with the principles of sound financial management.
2. Determine the terms and conditions under which the Site will be made available for use by the general public or by specific user groups.
3. Develop and adopt policies and procedures for its effective and efficient management (e.g. hiring policies and procedures).
4. Promote the use of the Site with a view to maximising community involvement and participation.
5. Actively seek grants and conduct fundraising to meet the costs of managing, operating and maintaining the site.
6. Develop a budget for works in collaboration with Council.

2.4 Financial management and outgoings

1. The Committee of Management must do all things necessary to ensure responsible, prudent, and transparent financial management of the Site.
2. The Committee of Management is responsible for payment of all utility and other like services supplied to the Site including, but not limited to, water, gas, electricity, sewerage and telephone.

2.5 Use of the site and fees

1. The Site is to be used for the following purpose(s) *additional to those listed in 2.1. Nil.*
2. The Committee of Management is responsible for the formulation and administration of the terms and conditions for the use of the Site, including recommending to Council the setting of hire charges and security deposits.
3. All terms and conditions of use and access must be consistent with Council policy and relevant local laws.
4. The Committee of Management must use the Standard User Agreement approved by the Chief Executive Officer or his/her delegate that includes an indemnity to be entered into with users of the Site.
5. The Committee of Management must ensure that all users of the Site execute the required user agreement and indemnity before use of the Site.
6. The Committee of Management must ensure that the hirer has appropriate public liability insurance or the hirer takes out public liability insurance with the scheme offered by Council.

7. A temporary liquor license for any function or event must be obtained by the relevant organiser. Any person behind a bar catering for these functions or events must maintain a Responsible Serving of Alcohol certificate.
8. No smoking is permitted within any building located on the Site or within distance set by regulations of any doorway or window associated with said buildings. Signs indicating this restriction must be installed and maintained by the Committee of Management. Should the Committee of Management wish to impose further smoking restrictions, consultation with Council shall be required to facilitate the necessary designation of smoke free areas.
9. The Committee of Management is responsible for ensuring that the site is maintained in a neat and tidy condition at all times. This includes but is not limited to such actions as maintaining adequate numbers of waste and recycling receptacles, collecting and disposing of general litter, preventing accumulation of debris and where applicable providing receptacles for cigarette butts.
10. No gambling is permitted at the Site without prior written permission from the Chief Executive Officer or his/her delegate. A minor gaming permit issued by The Victorian Commission for Gambling and Liquor Regulation for any function or event must be obtained by the relevant organiser.

2.6 Security

1. The Committee of Management is responsible for the day to day security of the Site, including, but not limited to, storing and issuing keys, changing of locks and other like processes.
2. If the Site is keyed to the Council key system (restricted system):
 - a. Council will provide the Committee of Management with four (4) sets of keys for Committee members; however any additional keys are to be requested in writing, and will be charged directly to the Committee.
 - b. The Committee of Management must not make any copies of keys. Lost or stolen keys shall be reported to the Council within 24 hours. The cost of replacing lost or damaged keys or reconfiguring facility locksets will be charged directly to the Committee of Management.
 - c. No installation of locks, key cylinders or padlocks is permitted without prior written consent from Council. If found to be installed or removed without written consent, the Council will rectify the issue and any expenses incurred from doing so will be charged directly to the Committee of Management.
3. Buildings on individual key systems will be progressively changed to the Council key system as funding allows.

2.7 Maintenance

1. The Committee of Management must keep the Site, including fittings, furniture and equipment in good repair and condition.
2. The Committee of Management is responsible for maintenance and other matters as specified in Annexure A. However, the Committee of Management may impose a maintenance obligation on a user group as a term or condition of a User Agreement.
3. Unless otherwise specified within an Annexure to this agreement or Council's Building Asset Management Plan (BAMP), the Committee of Management shall be responsible for all ongoing building inspection, maintenance and renewal activities including but not limited to essential service maintenance, pest control, utility costs, structural repairs, painting, equipment servicing, and fencing where applicable.
4. Any capital improvements proposed on the Site must be approved by Council e.g. air conditioner installation, building extensions or structural modifications.
5. All works undertaken at the Site must comply with the applicable statutory standards

including (but not limited to) Building Act and Regulations, Environment Protection Act, Planning and Environment Act, Disability Discrimination Act, and Public Health and Wellbeing Act.

APPENDIX 2: COMMITTEE OF MANAGEMENT RESPONSIBILITY**MAINTENANCE GUIDELINES FOR COMMITTEES OF MANAGEMENT MANAGING COUNCIL FACILITIES:**

This document provides guidelines to your Committee of Management for the maintenance of Loddon Shire's (Council) owned / managed facilities.

Item	Responsibility		Comments
	Council	Committee of Management	
UTILITIES			
Power (electricity) Gas (bottled and mains) Water (building) Telecommunications		✓	Payment for all supply costs, service charges and associated expenses.
BUILDINGS			
Includes: Main buildings, grandstands, scoreboards, timekeepers hut, player and public shelters, ticket entrances, shedding, carports, verandas, toilets, fences etc. Note: does not apply to public toilets which Council is responsible for as defined in Council's Building Asset Management Plan.			
Rates	✓ Contact Revenue Coordinator		Council will be responsible for any rates and charges, including land tax if applicable.
Building insurance	✓ Contact Manager Organisational Development		Council insures building
Structure – foundations, floors and walls. Roof and guttering	✓ Contact Building Maintenance Officer		Council will be responsible for all structural and roof/guttering maintenance and repairs/replacement. This may include ageing materials, rising damp, pest (termite) damage, ground movement, drainage, storm damage etc.
Guttering cleaning		✓	Committee is responsible for organising cleaning of guttering

Item	Responsibility		Comments
	Council	Committee of Management	
General building maintenance.		✓	All general maintenance including electrical, plumbing, fit outs, spouting (cleaning), drainage etc. Cleaning internally and externally and supply of cleaning products and consumables. Repairs due to vandalism including the removal of graffiti. Report any structural damage to Council.
External painting		✓ Contact Building Maintenance Officer	Committee is responsible for external painting.
Internal painting		✓	Committee is responsible for internal painting.
Kitchen – food safety/hygiene		✓	Committee must comply with Environmental Health regulations.
Cleaning of sports use toilets		✓	Day to day cleaning and supply of all consumables such as toilet paper and hand towels (excluding public toilets recognised within Council's Building Asset Management Plan.)
Asbestos Audits and Asbestos Register Asbestos containment and/or removal	✓ Contact Building Maintenance Officer		Committee is responsible for ensuring site hazards are isolated Council will be responsible for engaging suitably qualified contractors to undertake Asbestos Audits on Council buildings over a 5 year period. Council will maintain the Asbestos Register. Council will manage identified asbestos in buildings through regular inspection checks or removal.

Item	Responsibility		Comments
	Council	Committee of Management	
Seasonal inspections		✓	Where facilities involve the running of seasonal sports, the committee is responsible for arranging for Council to inspect all sporting facilities prior to the season
BUILDING CONTENTS			
Contents insurance		✓	For contents not owned by the Council.
Electrical testing and tagging of appliances		✓	The Committee of Management is responsible for engaging competent person(s) to undertake testing and tagging of electrical equipment every 12 months or to Australian Standards, whichever is the lesser term.
Floor coverings		✓	The Committee of Management is responsible for general upkeep and cleaning of floor coverings.
Window furniture		✓	The Committee of Management is responsible for the general upkeep, cleaning and replacement of curtains, blinds and other window furnishings.
ESSENTIAL SAFETY MEASURES			
Records of service must be kept in the installed Essential Safety Measures Cabinet and also be provided to Council on request.			
Fire extinguishers Fire blankets Hose reels Fire hydrants		✓	The Committee of Management is responsible for engaging competent person(s) to undertake servicing of equipment every 6 months to Australian Standards.
Air-conditioning and Mechanical Ventilation Systems		✓	Servicing of Air Conditioning Systems (Heating and Cooling) and Mechanical Ventilation Systems to Australian Standards. Service requirements and frequencies may vary from site to site

Item	Responsibility		Comments
	Council	Committee of Management	
Fire mains	✓ Contact Building Maintenance Officer		Servicing and testing of Fire Mains (Ring Mains) to Australian Standards. Currently required every 5 years.
Lifts		✓	Serviced to Australian Standards by suitably qualified person(s) Minimum service requirement is annually unless Council deem a more frequent service is required.
Emergency lighting and exit lights		✓	Serviced to Australian Standards by suitably qualified person(s) at 6 monthly intervals
Material Safety Data Sheets (MSDS)		✓	Committee is responsible for maintaining applicable MSDS.
Access and egress paths of travel to exits		✓	Internal audits to be conducted by a suitably responsible person at quarterly intervals.
Emergency Evacuation Policy	✓ Contact Manager Organisational Development		Committee of Management are responsible for implementation and ongoing reviews. Council may assist the Committee of Management with the development and/or review of Emergency Evacuation policies and procedures.
BUILDING SERVICES			
Rubbish and recycle Kerbside collection			Council Policy currently under review.
Septic tank and lines	✓		Council will be responsible for major maintenance repairs or replacement
Septic tank and lines servicing		✓	General annual/tri-annual servicing is the Committee of Management's responsibility.
Grease traps / triple interceptor pits	✓		Council will be responsible for repairs, major maintenance or replacement

Item	Responsibility		Comments
	Council	Committee of Management	
Grease traps / triple interceptor pits servicing		✓	General annual/tri-annual servicing is the Committee of Management's responsibility.
Thermostatic Mixing Valves / Tempering valves		✓	Serviced to Australian Standards by suitably qualified person(s) at 12 monthly intervals
Backflow prevention devices		✓	Annual servicing and repairs of Backflow Prevention Devices where installed by Coliban Water
Automatic doors		✓	Serviced to Australian Standards by suitably qualified person(s) at 6 monthly intervals. Committee of management is responsible for all service and maintenance costs.
GROUNDS			
Including nature strips			
Fencing maintenance and renewal		✓	Committee of Management responsible for all maintenance and renewal of boundary and internal fencing
Playground equipment		✓ Contact Building Maintenance Officer	Annual Safety Check of installations provided by Council, however Committee is responsible for general upkeep.
Seat and bench maintenance		✓	Where installed by Committee of Management
Ovals and surrounds maintenance		✓	Committee of Management responsible for all maintenance and upkeep of ovals and surrounds.
Light tower maintenance		✓	Committee of Management is responsible for all maintenance and upkeep of light towers.
Water (sporting grounds)		✓	Irrigation systems are managed and maintained by Committees of Management.

Item	Responsibility		Comments
	Council	Committee of Management	
Garden beds maintenance and watering around halls, clubrooms or pavilions		✓	Includes maintenance of all garden beds, ornamental lawns, mowing and their respective watering systems. New garden beds situated in close proximity of buildings must be approved by Council prior to installation.
Netball and tennis courts maintenance		✓	Committee of Management is responsible for all maintenance and upkeep of netball and tennis courts.
Pest plants (weeds) and animals		✓	Includes insects, rodents, rabbits, feral animals and weeds
Road and path maintenance		✓	Committee of Management is responsible for: inspection, maintenance and renewal of all internal driveways, roadways, footpaths and parking areas.
Hard surfaces - (paving, asphalt, concrete etc.)		✓	Committee of Management is responsible for all maintenance and upkeep of all hard surfaces.
Advertising sign maintenance		✓	The erection and maintenance of advertising signs is subject to Council approval and must meet all regulations and planning requirements. A Planning Permit may be required.
Barbecue maintenance		✓	Committee of Management is responsible for all maintenance and works associated with the BBQ facilities at reserves
Rubbish maintenance		✓	Rubbish generated from activities that use the facility must be disposed of in bins on site kerbside collection service. If no bins available, the Committee must remove rubbish off site. Hard rubbish that is generated from works must be carted away from the property at the completion of the works.

MISCELLANEOUS			
Smoking		✓	No smoking is permitted in any Council property. Committees are responsible to ensure no cigarette butts litter the ground and surrounding areas.
Special events		✓	Any special events costs and damage is the responsibility of the Committee of Management
Alcohol		✓	No alcohol is permitted to be sold unless a liquor licence is held– see Department of Justice for more information (www.justice.vic.gov.au/alcohol)
Gambling		✓	No gambling is permitted in any Council property without appropriate approvals
Politicians		✓	Committee of Management must seek authorisation from Council prior to contacting a politician.

Committees may apply for funding assistance for any maintenance requirement via Council's Community Grants Program or Recreation Grants. If successful for grant funding, all works are subject to written approval from the Building and Property Services unit.

Documents

Documents provided with this Agreement	
By the Committee of Management:	By Council:
a) evidence of Incorporation of Committee of Management	a) copy of annual report form (refer section 7 Reporting)
b) committee Office Bearers and members (refer section 7 Reporting)	b) copy of relevant Council policies relating to the management, control and operation of the Site (refer section 15 Compliance with laws, Council policies).
c) copy of Certificate of Currency for public liability insurance (refer section 13(3).	c) copy of standard User Agreement approved by the Chief Executive Officer (refer Schedule, 2.5 4)

LODDON SHIRE COUNCIL

INSTRUMENT OF DELEGATION YANDO PUBLIC HALL COMMITTEE OF MANAGEMENT



DOCUMENT INFORMATION

DOCUMENT TYPE: Instrument of Delegation
DOCUMENT STATUS: Draft
POLICY OWNER POSITION: Director Corporate Services
INTERNAL COMMITTEE ENDORSEMENT: Not applicable
APPROVED BY: Council
DATE ADOPTED:
VERSION NUMBER:
REVIEW DATE:
DATE RESCINDED:
RELATED STRATEGIC DOCUMENTS, POLICIES OR PROCEDURES:
RELATED LEGISLATION:
EVIDENCE OF APPROVAL:

Signed by Chief Executive Officer

FILE LOCATION: Document2

Strategic documents are amended from time to time, therefore you should not rely on a printed copy being the current version. Please consult the Loddon Shire website to ensure that the version you are using is up to date.

This document is available in alternative formats (e.g. larger font) if requested.

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1 ADOPTION OF DELEGATION

This instrument of delegation was adopted by [Council on Click here to enter a date.](#)

2 REVIEW OF DELEGATION

The delegation must be reviewed before 21 October 2021.

3 LEGISLATIVE CONTEXT

A section 86 committee is a special committee of Council established under section 86 of the *Local Government Act 1989* (the Act).

The full wording of section 86 is as follows:

- (1) In addition to any advisory committees that a Council may establish, a Council may establish one or more special committees of the following—
 - (a) Councillors;
 - (b) Council staff;
 - (c) other persons;
 - (d) any combination of persons referred to in paragraphs (a), (b) and (c).
- (2) A Council may appoint members to a special committee and may at any time remove a member from a special committee.
- (3) Except as provided in subsection (4), a Council may by instrument of delegation delegate any of its functions, duties or powers under this or any other Act to a special committee.
- (4) A Council cannot delegate to a committee the following powers —
 - (a) this power of delegation;
 - (b) to declare a rate or charge;
 - (c) to borrow money;
 - (d) to enter into contracts for an amount exceeding an amount previously determined by the Council;
 - (e) to incur any expenditure exceeding an amount previously determined by the Council;
 - (f) any prescribed power.
- (5) A Council may require a special committee to report to the Council at intervals determined by the Council.
- (6) The Council must review any delegations to a special committee in force under this section within the period of 12 months after a general election.

4 THE COMMITTEE

4.1 Establishment of committee

This committee is a special committee of Council established under section 86(1) of the *Local Government Act 1989*. The information specific to this committee is contained in Appendix 1.

4.2 Term of the Committee

The term of the Committee commences immediately the common seal of Council is affixed to this Instrument of Delegation, and remains in force until Council resolves to vary or revoke it.

4.3 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 (it is recommended that a Councillor not be a President as any Councillor appointed to the committee does not have deliberative or casting vote rights – refer to Appendix 1)
- Vice President (not mandatory, but recommended)
- 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.

The term of office shall be for a period of 12 months.

4.4 Appointment and removal of members

In accordance with section 86(2) Council may appoint or remove a member from a special committee at any time.

4.5 Instrument of delegation

Under section 86 (3) of the Act a Council may by instrument of delegation delegate any of its functions, duties or powers under this or any other Act to a special committee, with the exception of those matters listed in section 86(4) of the Act.

4.6 Review of delegation

In accordance with section 86 (6) of the Act, Council must review any delegations to a special committee in force under this section within the period of 12 months after a general election.

4.7 Changes to the committee

4.7.1 Amalgamation of committees

Should a special committee wish to amalgamate with another special committee, each committee must:

- express this intention in the minutes of their meeting and indicate the proposed new name for the committee and who is proposed as officer bearers for the amalgamated committee. The delegation will need to go through the formal process of being approved, signed and sealed by Council before the new members can act on behalf of Council.
- advise Council by letter of those intentions and proposed membership
- arrange for all assets and funds held by the committee to be transferred back to Council who will then arrange for auditing, archiving and/or transfer to the amalgamated committee

4.7.2 Winding up of committee as a special 86 committee of management

If there is no longer a need for a committee of management, the outgoing committee will need to wind up its affairs before disbanding including:

- arranging for the transfer of all funds and assets back to Council;
- resolving to disband at a meeting of the special committee;
- notifying Council of the intention to disband.

In the event of dissolution the Chairperson shall arrange for:

- a financial statement to be prepared, audited and presented to Council;
- the Committee's bank account to be closed and the balance paid to Council;
- all keys to be handed over to Council.

The members of the special committee remain responsible until the Council resolves to dissolve the special committee.

4.7.3 Dissolution of special committee

Any special committee may be dissolved by Council at any time.

Council may wish to dissolve a Management Committee to carry out the control of the facility itself. Council may also dissolve a special committee if that committee is not complying with the roles and responsibilities of the committee.

The special committee shall be dissolved in the event of membership dropping to less than four (4) persons, unless Council specifically resolves otherwise.

5 DUTIES OF THE COMMITTEE

5.1 Meeting of the Committee

The powers, duties and functions set out in the Instrument are delegated to the Committee. This means that the Committee can only act under delegation when sitting in a formally constituted meeting.

It also means that the meeting must be called and conducted in a manner that complies with the provisions of the Act and with the Council's meeting procedures local law.

5.2 Management of a facility

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

- Council is advised of any maintenance, whether routine, planned or cyclical, over \$20,000 prior to the works being undertaken to ensure that the required authorisation is provided
- Council is advised of any proposed capital works projects that create a new asset at the facility, or renew, expand or upgrade the current facility. This is to ensure that the required authorisation is provided
- The works fit into Council's Building Asset Management Plan
- Council is advised if anticipated annual expenditure of the Committee is expected to exceed \$50,000 in any committee year.
- It develops a budget for works and seeks grants to minimize the cost to Council and the committee.
- The activities at the site are management in accordance with Appendix 2 and Appendix 3.

5.3 Hiring of the facility

Where the special committee is authorised to hire out a facility the special committee shall recommend to Council the charges to be made. Council will then need to approve those charges for inclusion in the Fees and Charges schedule.

5.4 Compliance with Council requirements

Any written communication by a committee to a Member of Parliament must be authorised by the Council prior to being actioned.

The committee will comply with any guidelines or advice provided by Council in relation to legislation or regulations relating to their activities.

5.5 Code of Conduct

Members of a special committee are required to comply with Council's Staff, Contractors and Volunteers Code of Conduct.

6 DUTIES OF SECRETARY AND TREASURER

The Secretary shall:

- conduct the correspondence of the Committee
- have the custody of all documents belonging to the Committee
- keep full and correct minutes of all proceedings and records of the Committee
- carry out the directions of the meetings
- forward a copy of all minutes to Loddon Shire Council following each meeting
- forward a copy of the minutes and Financial Statements to the Loddon Shire Council following the Annual General Meeting.

The Treasurer shall:

- deposit all income within 7 days of receipt into the Committee's bank account
- keep correct accounts and books showing the financial affairs of the Committee
- prepare Annual Financial Statements.

7 COMMITTEE PROCEEDINGS

1. The Committee shall at its Annual General Meeting each year appoint a time and place for regular meetings. The frequency of meetings is identified in Appendix 1.

Should it be necessary to alter the times or place of a regular appointed meeting all members of the Committee shall be given at least forty-eight (48) hours' notice in writing of the new time or place.

2. The quorum of the Committee is listed in Appendix 1 of this document.
3. Each member shall be entitled to one vote and in the event of equality of votes the President shall have a casting vote as well as a deliberative vote.
4. The Committee shall hold an Annual General Meeting within 90 days of the end of the financial year. The Annual General Meeting shall be notified in an appropriate manner.

advertised in the local newspaper or community newsletter at least fourteen (14) days prior to the meeting date.

5. The Secretary of the Committee shall, forward an agenda of items to be discussed at the meeting on receipt of a requisition signed by the President, or three (3) members, stating the object of such meeting, within fourteen (14) days call a Special Meeting. Written notice of such meeting shall be given to each member of the Committee specifying the object of the meeting and the time and place where the meeting shall be held.
6. The Committee shall cause minutes to be kept of all meetings and shall forward to the Council a copy of such minutes within fourteen (14) days of the meeting.

8 FINANCIAL REQUIREMENTS

1. The Committee shall open a bank account and advise the Council of the name of the bank.
2. The Committee shall authorise the manager of its bank to supply the Council a copy of the Committee's bank account on the written request of the Chief Executive Officer.
3. The Committee shall keep proper records of all monies received and expended and shall by its Treasurer, within seven days of its receipt, pay all monies received to the credit of the Committee's bank account.
4. All expenditure shall be authorised by the Committee and shall be paid by cheque signed by 2 office bearers.
5. The Committee shall submit to the Annual General Meeting the audited Financial Statements:
 - a. by a commercial auditing firm when they have:
 - i. A turnover of greater than \$50,000 in the financial year, **or**
 - ii. Cash holdings of greater than \$50,000 at any time during the financial year
 - b. by Council's Financial Services Department when they have:
 - i. A turnover of less than \$50,000 in the financial year, **and**
 - ii. Cash holdings of less than \$50,000 during the financial year.
6. All funds obtained by the Committee can only be expended on the facility as outlined in Clause 6 of Appendix 1.
7. In accordance with the Local Government Act 1989 the Committee cannot obtain funds by way of loan or overdraft. Any such arrangement can only be entered into by Council.

9 REPORTING REQUIREMENTS

The following information is required to be forwarded to Council in the appropriate timeframe.

Source	Action	Due date
The Act	Provide a copy of all minutes of meetings	Within 14 days of the meeting
Delegation	Arrange for audit of Financial Statements	Must be available for Annual General Meeting
Delegation	Hold Annual General Meeting	Within 90 days of end of financial year
Delegation	Provide copy of minutes of Annual General Meeting	Within 14 days following the meeting
Delegation	Provide certified copy of audited Financial Statements (if completed externally)	Within 30 days of receipt
Delegation	Provide paperwork to enable auditing of financials by council	Within 30 days of end of financial year
Delegation	Provide an estimate of the number of hiring's and types of each event for insurance purposes.	By 1 May each year
Delegation	Recommend proposed hire fees to Council	By end of November annually
Delegation	Submit "Usage of Public Hall's/Facilities" form	Every January and July October
Delegation	Submit casual hirer agreement payments and forms	Every January, April, July and October
The Act	Provide a listing of all members of the Committee to be appointed by Council	Within 14 days after the Annual General Meeting

Please Note: Information forwarded to Council should be addressed to the:

Administration Officer Corporate Services
PO Box 21, Wedderburn Vic 3518
loddon@loddon.vic.gov.au

APPENDIX 1: INFORMATION SPECIFIC TO THIS COMMITTEE

1. Name of committee

The special committee of Council shall be entitled “Yando Public Hall Committee of Management” (“the Committee”).

2. Membership of the committee

In order to ensure broad representation the preferred composition of the Committee is:

- at least 6 community representatives
- at least one representative nominated by Council.

- Community representatives
Community representatives shall be nominated by the special committee at the Annual General Meeting and will have one vote per resolution.

- At least one representative nominated by Council.
Council’s representative can be a Councillor or staff member. Council representatives will not be in attendance at every meeting but can be called upon by the Committee when required. The nominated Council representative will not have voting rights. Council representatives cannot hold committee positions and participate only in an advisory capacity.

3. Quorum of the committee

The quorum of the committee is five (5).

4. Annual cycle of the committee

1 July-30 June

5. Meeting frequency of committee

Annually

6. Objectives of the committee

To administer, manage, and control the facility known as the Yando Public Hall

8. Facility details

a) Location

Boort-Yando Road, Yando, indicated by the red outline on the map

b) Crown allotment details:

LOT 1 TP 116422 SEC C YANDO PUBLIC HALL PARISH BOORT.
Property number 10604610

c) Map



9. Powers and duties specific to this committee



The Committee shall be responsible for:

- Managing Council’s annual allocation of funds
- Ensuring that all decisions related to improving facilities at the hall are resolved through the committee
- Ensuring that organisation member bodies when hiring out their facilities understand their responsibilities to ensure that hirers have the appropriate public liability insurance
- Advising Council of an estimate of the number of hiring’s and types of each event by 1 May each year for insurance purposes
- Submitting quarterly (6 monthly) usage statistics which is to be recorded on the “Usage of Public Halls/Facilities” form due in January and July. (Data to be provided includes: date of event, hirer, type of event, type of insurance and number of attendees).
- The committee cannot delegate any of its powers or functions.

10. Exemptions specific to this committee

Nil

11. Authorised Signatures

<p>The COMMON SEAL of the LODDON SHIRE COUNCIL was affixed to this Appointment and Instrument of Delegation on</p>	<p>Yando Public Hall Committee of Management</p>
<p>_____</p> <p>in the presence of</p>	
<p>Phil Pinyon Chief Executive Officer</p>	<p>_____ President: Craig Slatter Date... 6.2.18.</p>
<p>_____</p>	<p> _____ Secretary/Treasurer: Roslyn Gawne Date... 5.2.18.</p>

APPENDIX 2: ACTIVITIES AT THE SITE

1. Activities and shared arrangements

To administer, manage, and control the facility known as the Yando Public Hall (the Site) for the benefit of the local community.

There are no shared arrangements for the site.

2. Role of the Committee of Management

The Committee of Management will manage, control, operate, promote and maintain the Site for the benefit of the community in a responsible, efficient, effective and practical manner, having regard to the principles of good governance, without the day to day involvement of the Council.

3. Functions and duties

To further its objectives in relation to the Site, the Committee of Management is required to:

1. Manage, operate and maintain the Site in accordance with the principles of sound financial management.
2. Determine the terms and conditions under which the Site will be made available for use by the general public or by specific user groups.
3. Develop and adopt policies and procedures for its effective and efficient management (e.g. hiring policies and procedures).
4. Promote the use of the Site with a view to maximising community involvement and participation.

4. Financial management and outgoings

1. The Committee of Management must do all things necessary to ensure responsible, prudent, and transparent financial management of the Site.
2. The Committee of Management is responsible for payment of all utility and other like services supplied to the Site including, but not limited to, water, gas, electricity, sewerage and telephone.

5. Use of the site and fees

1. The Site is to be used for the following purpose(s) *additional to those listed in 1 above, Nil.*
2. The Committee of Management is responsible for the formulation and administration of the terms and conditions for the use of the Site, including recommending to Council the setting of hire charges and security deposits.
3. All terms and conditions of use and access must be consistent with Council policy and relevant local laws.
4. The Committee of Management must use the Standard User Agreement/Casual Hirers form approved by the Chief Executive Officer or his/her delegate that includes an indemnity to be entered into with users of the Site.
5. The Committee of Management must ensure that all users of the Site execute the required user agreement and indemnity before use of the Site.
6. The Committee of Management must ensure that the hirer has appropriate public liability insurance or the hirer takes out public liability insurance with the scheme offered by Council.

7. A temporary liquor license for any function or event must be obtained by the relevant organiser. Any person behind a bar catering for these functions or events must maintain a Responsible Serving of Alcohol certificate.
8. No smoking is permitted within any building located on the Site or within distance set by regulations of any doorway or window associated with said buildings. Signs indicating this restriction must be installed and maintained by the Committee of Management. Should the Committee of Management wish to impose further smoking restrictions, consultation with Council shall be required to facilitate the necessary designation of smoke free areas.
9. The Committee of Management is responsible for ensuring that the site is maintained in a neat and tidy condition at all times. This includes but is not limited to such actions as maintaining adequate numbers of waste and recycling receptacles, collecting and disposing of general litter, preventing accumulation of debris and where applicable providing receptacles for cigarette butts.
10. No gambling is permitted at the Site without prior written permission from the Chief Executive Officer or his/her delegate. A minor gaming permit issued by The Victorian Commission for Gambling and Liquor Regulation for any function or event must be obtained by the relevant organiser.

6. Security

1. The Committee of Management is responsible for the day to day security of the Site, including, but not limited to, storing and issuing keys, changing of locks and other like processes.
2. If the Site is keyed to the Council key system (restricted system):
 - a. Council will provide the Committee of Management with four (4) sets of keys for Committee members; however any additional keys are to be requested in writing, and will be charged directly to the Committee.
 - b. The Committee of Management must not make any copies of keys. Lost or stolen keys shall be reported to the Council within 24 hours. The cost of replacing lost or damaged keys or reconfiguring facility locksets will be charged directly to the Committee of Management.
 - c. No installation of locks, key cylinders or padlocks is permitted without prior written consent from Council. If found to be installed or removed without written consent, the Council will rectify the issue and any expenses incurred from doing so will be charged directly to the Committee of Management.
3. Buildings on individual key systems will be progressively changed to the Council key system as funding allows.

7. Maintenance

1. The Committee of Management must keep the Site, including fittings, furniture and equipment in good repair and condition.
2. The Committee of Management is responsible for maintenance and other matters as specified in Annexure A. However, the Committee of Management may impose a maintenance obligation on a user group as a term or condition of a User Agreement.
3. Unless otherwise specified within an Annexure to this agreement or Council's Building Asset Management Plan (BAMP), the Committee of Management shall be responsible for all ongoing building inspection, maintenance and renewal activities including but not limited to essential service maintenance, pest control, utility costs, structural repairs, painting, equipment servicing, and fencing where applicable.
4. Any capital improvements proposed on the Site must be approved by Council e.g. air

conditioner installation, building extensions or structural modifications.

5. All works undertaken at the Site must comply with the applicable statutory standards including (but not limited to) Building Act and Regulations, Environment Protection Act, Planning and Environment Act, Disability Discrimination Act, and Public Health and Wellbeing Act.
-

APPENDIX 3: COMMITTEE OF MANAGEMENT RESPONSIBILITY

MAINTENANCE GUIDELINES FOR COMMITTEES OF MANAGEMENT MANAGING COUNCIL FACILITIES:

This document provides guidelines to your Committee of Management for the maintenance of Loddon Shire's (Council) owned / managed facilities.

Item	Responsibility		Comments
	Council	Committee of Management	
UTILITIES			
Power (electricity) Gas (bottled and mains) Water (building) Telecommunications		✓	Payment for all supply costs, service charges and associated expenses.
BUILDINGS			
Includes: Main buildings, grandstands, scoreboards, timekeepers hut, player and public shelters, ticket entrances, shedding, carports, verandas, toilets, fences etc. Note: does not apply to public toilets which Council is responsible for as defined in Council's Building Asset Management Plan.			
Rates	✓ Contact Revenue Coordinator		Council will be responsible for any rates and charges, including land tax if applicable.
Building insurance	✓ Contact Manager Organisational Development		Council insures building
Structure – foundations, floors and walls. Roof and guttering	✓ Contact Building Maintenance Officer		Council will be responsible for all structural and roof/guttering maintenance and repairs/replacement. This may include ageing materials, rising damp, pest (termite) damage, ground movement, drainage, storm damage etc.
Guttering cleaning		✓	Committee is responsible for organising cleaning of guttering

Item	Responsibility		Comments
	Council	Committee of Management	
General building maintenance.		✓	All general maintenance including electrical, plumbing, fit outs, spouting (cleaning), drainage etc. Cleaning internally and externally and supply of cleaning products and consumables. Repairs due to vandalism including the removal of graffiti. Report any structural damage to Council.
External painting		✓ Contact Building Maintenance Officer	Committee is responsible for external painting.
Internal painting		✓	Committee is responsible for internal painting.
Kitchen – food safety/hygiene		✓	Committee must comply with Environmental Health regulations.
Cleaning of sports use toilets		✓	Day to day cleaning and supply of all consumables such as toilet paper and hand towels (excluding public toilets recognised within Council's Building Asset Management Plan.)
Asbestos Audits and Asbestos Register Asbestos containment and/or removal	✓ Contact Building Maintenance Officer		Committee is responsible for ensuring site hazards are isolated Council will be responsible for engaging suitably qualified contractors to undertake Asbestos Audits on Council buildings over a 5 year period. Council will maintain the Asbestos Register. Council will manage identified asbestos in buildings through regular inspection checks or removal.

Item	Responsibility		Comments
	Council	Committee of Management	
Seasonal inspections		✓	Where facilities involve the running of seasonal sports, the committee is responsible for arranging for Council to inspect all sporting facilities prior to the season
BUILDING CONTENTS			
Contents insurance		✓	For contents not owned by the Council.
Electrical testing and tagging of appliances		✓	The Committee of Management is responsible for engaging competent person(s) to undertake testing and tagging of electrical equipment every 12 months or to Australian Standards, whichever is the lesser term.
Floor coverings		✓	The Committee of Management is responsible for general upkeep and cleaning of floor coverings.
Window furniture		✓	The Committee of Management is responsible for the general upkeep, cleaning and replacement of curtains, blinds and other window furnishings.
ESSENTIAL SAFETY MEASURES			
Records of service must be kept in the installed Essential Safety Measures Cabinet and also be provided to Council on request.			
Fire extinguishers Fire blankets Hose reels Fire hydrants		✓	The Committee of Management is responsible for engaging competent person(s) to undertake servicing of equipment every 6 months to Australian Standards.
Air-conditioning and Mechanical Ventilation Systems		✓	Servicing of Air Conditioning Systems (Heating and Cooling) and Mechanical Ventilation Systems to Australian Standards. Service requirements and frequencies may vary from site to site

Item	Responsibility		Comments
	Council	Committee of Management	
Fire mains	✓ Contact Building Maintenance Officer		Servicing and testing of Fire Mains (Ring Mains) to Australian Standards. Currently required every 5 years.
Lifts		✓	Serviced to Australian Standards by suitably qualified person(s) Minimum service requirement is annually unless Council deem a more frequent service is required.
Emergency lighting and exit lights		✓	Serviced to Australian Standards by suitably qualified person(s) at 6 monthly intervals
Material Safety Data Sheets (MSDS)		✓	Committee is responsible for maintaining applicable MSDS.
Access and egress paths of travel to exits		✓	Internal audits to be conducted by a suitably responsible person at quarterly intervals.
Emergency Evacuation Policy	✓ Contact Manager Organisational Development		Committee of Management are responsible for implementation and ongoing reviews. Council may assist the Committee of Management with the development and/or review of Emergency Evacuation policies and procedures.
BUILDING SERVICES			
Rubbish and recycle Kerbside collection			Council Policy currently under review.
Septic tank and lines	✓		Council will be responsible for major maintenance repairs or replacement
Septic tank and lines servicing		✓	General annual/tri-annual servicing is the Committee of Management's responsibility.
Grease traps / triple interceptor pits	✓		Council will be responsible for repairs, major maintenance or replacement

Item	Responsibility		Comments
	Council	Committee of Management	
Grease traps / triple interceptor pits servicing		✓	General annual/tri-annual servicing is the Committee of Management's responsibility.
Thermostatic Mixing Valves / Tempering valves		✓	Serviced to Australian Standards by suitably qualified person(s) at 12 monthly intervals
Backflow prevention devices		✓	Annual serving and repairs of Backflow Prevention Devices where installed by Coliban Water
Automatic doors		✓	Serviced to Australian Standards by suitably qualified person(s) at 6 monthly intervals. Committee of management is responsible for all service and maintenance costs.
GROUNDS			
Including nature strips			
Fencing maintenance and renewal		✓	Committee of Management responsible for all maintenance and renewal of boundary and internal fencing
Playground equipment		✓ Contact Building Maintenance Officer	Annual Safety Check of installations provided by Council, however Committee is responsible for general upkeep.
Seat and bench maintenance		✓	Where installed by Committee of Management
Ovals and surrounds maintenance		✓	Committee of Management responsible for all maintenance and upkeep of ovals and surrounds.
Light tower maintenance		✓	Committee of Management is responsible for all maintenance and upkeep of light towers.
Water (sporting grounds)		✓	Irrigation systems are managed and maintained by Committees of Management.

Item	Responsibility		Comments
	Council	Committee of Management	
Garden beds maintenance and watering around halls, clubrooms or pavilions		✓	Includes maintenance of all garden beds, ornamental lawns, mowing and their respective watering systems. New garden beds situated in close proximity of buildings must be approved by Council prior to installation.
Netball and tennis courts maintenance		✓	Committee of Management is responsible for all maintenance and upkeep of netball and tennis courts.
Pest plants (weeds) and animals		✓	Includes insects, rodents, rabbits, feral animals and weeds
Road and path maintenance		✓	Committee of Management is responsible for: inspection, maintenance and renewal of all internal driveways, roadways, footpaths and parking areas.
Hard surfaces - (paving, asphalt, concrete etc.)		✓	Committee of Management is responsible for all maintenance and upkeep of all hard surfaces.
Advertising sign maintenance		✓	The erection and maintenance of advertising signs is subject to Council approval and must meet all regulations and planning requirements. A Planning Permit may be required.
Barbecue maintenance		✓	Committee of Management is responsible for all maintenance and works associated with the BBQ facilities at reserves
Rubbish maintenance		✓	Rubbish generated from activities that use the facility must be disposed of in bins on site kerbside collection service. If no bins available, the Committee must remove rubbish off site. Hard rubbish that is generated from works must be carted away from the property at the completion of the works.

MISCELLANEOUS			
Smoking		✓	No smoking is permitted in any Council property. Committees are responsible to ensure no cigarette butts litter the ground and surrounding areas.
Special events		✓	Any special events costs and damage is the responsibility of the Committee of Management
Alcohol		✓	No alcohol is permitted to be sold unless a liquor licence is held– see Department of Justice for more information (www.justice.vic.gov.au/alcohol)
Gambling		✓	No gambling is permitted in any Council property without appropriate approvals
Politicians		✓	Committee of Management must seek authorisation from Council prior to contacting a politician.

Committees may apply for funding assistance for any maintenance requirement via Council's Community Grants Program or Recreation Grants. If successful for grant funding, all works are subject to written approval from the Building and Property Services unit.

LODDON SHIRE COUNCIL

INSTRUMENT OF DELEGATION WEDDERBURN MECHANICS AND LITERARY INSTITUTE HALL COMMITTEE OF MANAGEMENT



DOCUMENT INFORMATION

DOCUMENT TYPE:	Instrument of Delegation
DOCUMENT STATUS:	Draft
POLICY OWNER POSITION:	Director Corporate Services
INTERNAL COMMITTEE ENDORSEMENT: APPROVED BY:	Not applicable Council
DATE ADOPTED:	Click here to enter date of approval
VERSION NUMBER:	Choose an item.
REVIEW DATE:	Click here to enter a date.
DATE RESCINDED:	Click here to enter a date.
RELATED STRATEGIC DOCUMENTS, POLICIES OR PROCEDURES: RELATED LEGISLATION:	Click here to enter text. Click here to enter text.
EVIDENCE OF APPROVAL:	

Signed by Chief Executive Officer

FILE LOCATION: Document2

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This document is available in alternative formats (e.g. larger font) if requested.

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1 ADOPTION OF DELEGATION

This instrument of delegation was adopted by Council on [Click here to enter a date.](#)

2 REVIEW OF DELEGATION

The delegation must be reviewed before 21 October 2021.

3 LEGISLATIVE CONTEXT

A section 86 committee is a special committee of Council established under section 86 of the *Local Government Act 1989* (the Act).

The full wording of section 86 is as follows:

- (1) In addition to any advisory committees that a Council may establish, a Council may establish one or more special committees of the following—
 - (a) Councillors;
 - (b) Council staff;
 - (c) other persons;
 - (d) any combination of persons referred to in paragraphs (a), (b) and (c).
- (2) A Council may appoint members to a special committee and may at any time remove a member from a special committee.
- (3) Except as provided in subsection (4), a Council may by instrument of delegation delegate any of its functions, duties or powers under this or any other Act to a special committee.
- (4) A Council cannot delegate to a committee the following powers —
 - (a) this power of delegation;
 - (b) to declare a rate or charge;
 - (c) to borrow money;
 - (d) to enter into contracts for an amount exceeding an amount previously determined by the Council;
 - (e) to incur any expenditure exceeding an amount previously determined by the Council;
 - (f) any prescribed power.
- (5) A Council may require a special committee to report to the Council at intervals determined by the Council.
- (6) The Council must review any delegations to a special committee in force under this section within the period of 12 months after a general election.

4 THE COMMITTEE

4.1 Establishment of committee

This committee is a special committee of Council established under section 86(1) of the *Local Government Act 1989*. The information specific to this committee is contained in Appendix 1.

4.2 Term of the Committee

The term of the Committee commences immediately the common seal of Council is affixed to this Instrument of Delegation, and remains in force until Council resolves to vary or revoke it.

4.3 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 (it is recommended that a Councillor not be a President as any Councillor appointed to the committee does not have deliberative or casting vote rights – refer to Appendix 1)
- Vice President (not mandatory, but recommended)
- 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.

The term of office shall be for a period of 12 months.

4.4 Appointment and removal of members

In accordance with section 86(2) Council may appoint or remove a member from a special committee at any time.

4.5 Instrument of delegation

Under section 86 (3) of the Act a Council may by instrument of delegation delegate any of its functions, duties or powers under this or any other Act to a special committee, with the exception of those matters listed in section 86(4) of the Act.

4.6 Review of delegation

In accordance with section 86 (6) of the Act, Council must review any delegations to a special committee in force under this section within the period of 12 months after a general election.

4.7 Changes to the committee

4.7.1 Amalgamation of committees

Should a special committee wish to amalgamate with another special committee, each committee must:

- express this intention in the minutes of their meeting and indicate the proposed new name for the committee and who is proposed as officer bearers for the amalgamated committee. The delegation will need to go through the formal process of being approved, signed and sealed by Council before the new members can act on behalf of Council.
- advise Council by letter of those intentions and proposed membership
- arrange for all assets and funds held by the committee to be transferred back to Council who will then arrange for auditing, archiving and/or transfer to the amalgamated committee

4.7.2 Winding up of committee as a special 86 committee of management

If there is no longer a need for a committee of management, the outgoing committee will need to wind up its affairs before disbanding including:

- arranging for the transfer of all funds and assets back to Council;
- resolving to disband at a meeting of the special committee;
- notifying Council of the intention to disband.

In the event of dissolution the Chairperson shall arrange for:

- a financial statement to be prepared, audited and presented to Council;
- the Committee's bank account to be closed and the balance paid to Council;
- all keys to be handed over to Council.

The members of the special committee remain responsible until the Council resolves to dissolve the special committee.

4.7.3 Dissolution of special committee

Any special committee may be dissolved by Council at any time.

Council may wish to dissolve a Management Committee to carry out the control of the facility itself. Council may also dissolve a special committee if that committee is not complying with the roles and responsibilities of the committee.

The special committee shall be dissolved in the event of membership dropping to less than four (4) persons, unless Council specifically resolves otherwise.

5 DUTIES OF THE COMMITTEE

5.1 Meeting of the Committee

The powers, duties and functions set out in the Instrument are delegated to the Committee. This means that the Committee can only act under delegation when sitting in a formally constituted meeting.

It also means that the meeting must be called and conducted in a manner that complies with the provisions of the Act and with the Council's meeting procedures local law.

5.2 Management of a facility

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

- Council is advised of any maintenance, whether routine, planned or cyclical, over \$20,000 prior to the works being undertaken to ensure that the required authorisation is provided
- Council is advised of any proposed capital works projects that create a new asset at the facility, or renew, expand or upgrade the current facility. This is to ensure that the required authorisation is provided
- The works fit into Council's Building Asset Management Plan
- Council is advised if anticipated annual expenditure of the Committee is expected to exceed \$50,000 in any committee year.
- It develops a budget for works and seeks grants to minimize the cost to Council and the committee.
- The activities at the site are management in accordance with Appendix 2 and Appendix 3

5.3 Hiring of the facility

Where the special committee is authorised to hire out a facility the special committee shall recommend to Council the charges to be made. Council will then need to approve those charges for inclusion in the Fees and Charges schedule.

5.4 Compliance with Council requirements

Any written communication by a committee to a Member of Parliament must be authorised by the Council prior to being actioned.

The committee will comply with any guidelines or advice provided by Council in relation to legislation or regulations relating to their activities.

5.5 Code of Conduct

Members of a special committee are required to comply with Council's Staff, Contractors and Volunteers Code of Conduct.

6 DUTIES OF SECRETARY AND TREASURER

The Secretary shall:

- conduct the correspondence of the Committee
- have the custody of all documents belonging to the Committee
- keep full and correct minutes of all proceedings and records of the Committee
- carry out the directions of the meetings
- forward a copy of all minutes to Loddon Shire Council following each meeting
- forward a copy of the minutes and Financial Statements to the Loddon Shire Council following the Annual General Meeting.

The Treasurer shall:

- deposit all income within 7 days of receipt into the Committee's bank account
- keep correct accounts and books showing the financial affairs of the Committee
- prepare Annual Financial Statements.

7 COMMITTEE PROCEEDINGS

1. The Committee shall at its Annual General Meeting each year appoint a time and place for regular meetings. The frequency of meetings is identified in Appendix 1.

Should it be necessary to alter the times or place of a regular appointed meeting all members of the Committee shall be given at least forty-eight (48) hours' notice in writing of the new time or place.

2. The quorum of the Committee is listed in Appendix 1 of this document.
3. Each member shall be entitled to one vote and in the event of equality of votes the President shall have a casting vote as well as a deliberative vote.
4. The Committee shall hold an Annual General Meeting within 90 days of the end of the financial year. The Annual General Meeting shall be notified in an appropriate manner

advertised in the local newspaper or community newsletter at least fourteen (14) days prior to the meeting date.

5. The Secretary of the Committee shall, forward an agenda of items to be discussed at the meeting on receipt of a requisition signed by the President, or three (3) members, stating the object of such meeting, within fourteen (14) days call a Special Meeting. Written notice of such meeting shall be given to each member of the Committee specifying the object of the meeting and the time and place where the meeting shall be held.
6. The Committee shall cause minutes to be kept of all meetings and shall forward to the Council a copy of such minutes within fourteen (14) days of the meeting.

8 FINANCIAL REQUIREMENTS

1. The Committee shall open a bank account and advise the Council of the name of the bank.
2. The Committee shall authorise the manager of its bank to supply the Council a copy of the Committee's bank account on the written request of the Chief Executive Officer.
3. The Committee shall keep proper records of all monies received and expended and shall by its Treasurer, within seven days of its receipt, pay all monies received to the credit of the Committee's bank account.
4. All expenditure shall be authorised by the Committee and shall be paid by cheque signed by 2 office bearers.
5. The Committee shall submit to the Annual General Meeting the audited Financial Statements:
 - a. by a commercial auditing firm when they have:
 - i. A turnover of greater than \$50,000 in the financial year, **or**
 - ii. Cash holdings of greater than \$50,000 at any time during the financial year
 - b. by Council's Financial Services Department when they have:
 - i. A turnover of less than \$50,000 in the financial year, **and**
 - ii. Cash holdings of less than \$50,000 during the financial year.
6. All funds obtained by the Committee can only be expended on the facility as outlined in Clause 6 of Appendix 1.
7. In accordance with the Local Government Act 1989 the Committee cannot obtain funds by way of loan or overdraft. Any such arrangement can only be entered into by Council.

9 REPORTING REQUIREMENTS

The following information is required to be forwarded to Council in the appropriate timeframe.

Source	Action	Due date
The Act	Provide a copy of all minutes of meetings	Within 14 days of the meeting
Delegation	Arrange for audit of Financial Statements	Must be available for Annual General Meeting
Delegation	Hold Annual General Meeting	Within 90 days of end of financial year
Delegation	Provide copy of minutes of Annual General Meeting	Within 14 days following the meeting
Delegation	Provide certified copy of audited Financial Statements (if completed externally)	Within 30 days of receipt
Delegation	Provide paperwork to enable auditing of financials by council	Within 30 days of end of financial year
Delegation	Provide an estimate of the number of hiring's and types of each event for insurance purposes.	By 1 May each year
Delegation	Recommend proposed hire fees to Council	By end of November annually
Delegation	Submit "Usage of Public Hall's/Facilities" form	Every January, April, July and October
Delegation	Submit casual hirer agreement payments and forms	Every January, April, July and October
The Act	Provide a listing of all members of the Committee to be appointed by Council	Within 14 days after the Annual General Meeting

Please Note: Information forwarded to Council should be addressed to the:

**Administration Officer Corporate Services
PO Box 21, Wedderburn Vic 3518
loddon@loddon.vic.gov.au**

APPENDIX 1: INFORMATION SPECIFIC TO THIS COMMITTEE

1. Name of committee

The special committee of Council shall be entitled "Wedderburn Mechanics and Literary Institute Hall Committee of Management" ("the Committee").

2. Membership of the committee

In order to ensure broad representation the preferred composition of the Committee is:

- at least 6 community representatives
- at least one representative nominated by Council.

- Community representatives
Community representatives shall be nominated by the special committee at the Annual General Meeting and will have one vote per resolution.

- At least one representative nominated by Council.
Council's representative can be a Councillor or staff member. Council representatives will not be in attendance at every meeting but can be called upon by the Committee when required. The nominated Council representative will not have voting rights. Council representatives cannot hold committee positions and participate only in an advisory capacity.

3. Quorum of the committee

The quorum of the committee is five (5).

4. Annual cycle of the committee

1 July-30 June

5. Meeting frequency of committee

Quarterly

6. Objectives of the committee

To administer, manage, and control the facility known as the Wedderburn Mechanics and Literary Institute Hall

7. Facility details

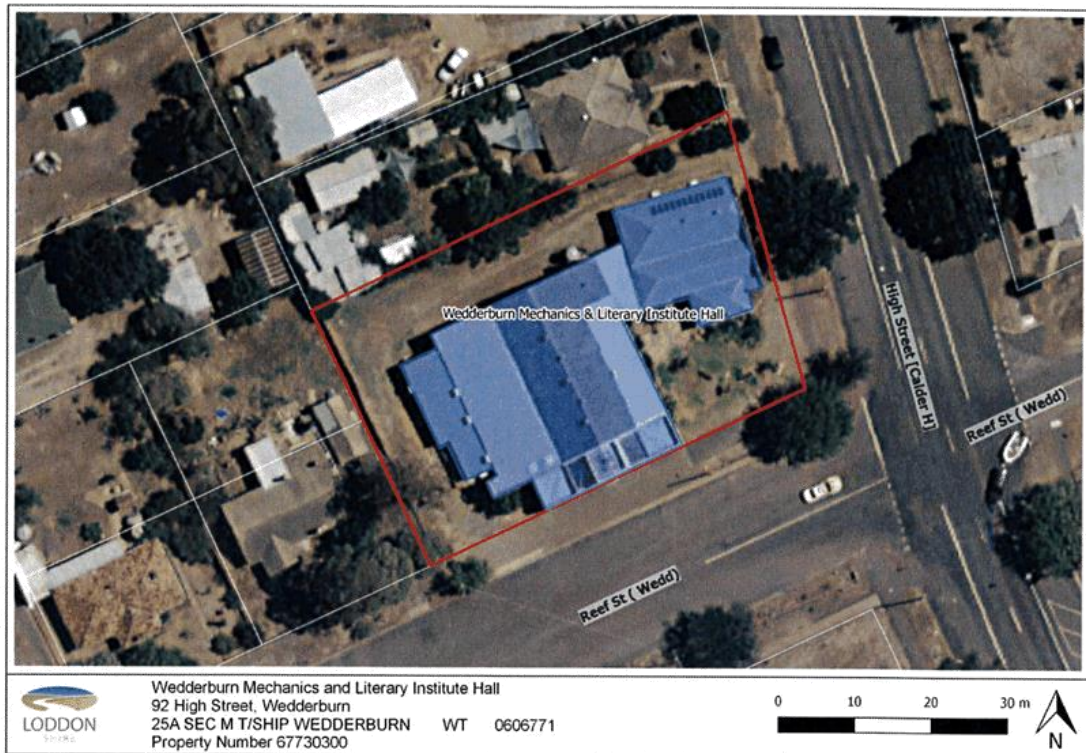
a) Location

92 High Street, Wedderburn, indicated by the red outline on the map

b) Crown allotment details:

25A SEC M T/SHIP WEDDERBURN WT 0606771.
Property number 67730300

c) Map



8. Powers and duties specific to this committee


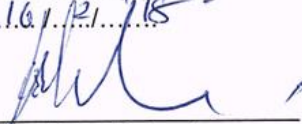
The Committee shall be responsible for:

- Managing Council's annual allocation of funds
- Ensuring that all decisions related to improving facilities at the hall are resolved through the committee
- Ensuring that organisation member bodies when hiring out their facilities understand their responsibilities to ensure that hirers have the appropriate public liability insurance
- Advising Council of an estimate of the number of hiring's and types of each event by 1 May each year for insurance purposes
- Submitting quarterly (3 monthly) usage statistics which is to be recorded on the "Usage of Public Halls/Facilities" form due in January, April, July and October. (Data to be provided includes: date of event, hirer, type of event, type of insurance and number of attendees).
- The committee cannot delegate any of its powers or functions.

9. Exemptions specific to this committee

Nil

10. Authorised Signatures

<p>The COMMON SEAL of the LODDON SHIRE COUNCIL was affixed to this Appointment and Instrument of Delegation on</p> <hr/> <p>in the presence of</p> <p>Phil Pinyon Chief Executive Officer</p> <hr/>	<p>Wedderburn Mechanics and Literary Institute Hall Committee of Management</p>  <hr/> <p>President: David Thomas Date...16/1/18</p>  <hr/> <p>Secretary: Barry Bolwell Date...16/1/18</p>
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APPENDIX 2: ACTIVITIES AT THE SITE

1. Activities and shared arrangements

To administer, manage, and control the facility known as the Wedderburn Mechanics and Literary Institute Hall (the Site) for the benefit of the local community.

There are no shared arrangements for the site.

2. Role of the Committee of Management

The Committee of Management will manage, control, operate, promote and maintain the Site for the benefit of the community in a responsible, efficient, effective and practical manner, having regard to the principles of good governance, without the day to day involvement of the Council.

3. Functions and duties

To further its objectives in relation to the Site, the Committee of Management is required to:

1. Manage, operate and maintain the Site in accordance with the principles of sound financial management.
2. Determine the terms and conditions under which the Site will be made available for use by the general public or by specific user groups.
3. Develop and adopt policies and procedures for its effective and efficient management (e.g. hiring policies and procedures).
4. Promote the use of the Site with a view to maximising community involvement and participation.

4. Financial management and outgoings

1. The Committee of Management must do all things necessary to ensure responsible, prudent, and transparent financial management of the Site.
2. The Committee of Management is responsible for payment of all utility and other like services supplied to the Site including, but not limited to, water, gas, electricity, sewerage and telephone.

5. Use of the site and fees

1. The Site is to be used for the following purpose(s) *additional to those listed in 1.above:*
Nil
2. The Committee of Management is responsible for the formulation and administration of the terms and conditions for the use of the Site, including recommending to Council the setting of hire charges and security deposits.
3. All terms and conditions of use and access must be consistent with Council policy and relevant local laws.
4. The Committee of Management must use the Standard User Agreement approved by the Chief Executive Officer or his/her delegate that includes an indemnity to be entered into with users of the Site.
5. The Committee of Management must ensure that all users of the Site execute the required user agreement and indemnity before use of the Site.
6. The Committee of Management must ensure that the hirer has appropriate public liability insurance or the hirer takes out public liability insurance with the scheme offered by Council.

7. A temporary liquor license for any function or event must be obtained by the relevant organiser. Any person behind a bar catering for these functions or events must maintain a Responsible Serving of Alcohol certificate.
8. No smoking is permitted within any building located on the Site or within distance set by regulations of any doorway or window associated with said buildings. Signs indicating this restriction must be installed and maintained by the Committee of Management. Should the Committee of Management wish to impose further smoking restrictions, consultation with Council shall be required to facilitate the necessary designation of smoke free areas.
9. The Committee of Management is responsible for ensuring that the site is maintained in a neat and tidy condition at all times. This includes but is not limited to such actions as maintaining adequate numbers of waste and recycling receptacles, collecting and disposing of general litter, preventing accumulation of debris and where applicable providing receptacles for cigarette butts.
10. No gambling is permitted at the Site without prior written permission from the Chief Executive Officer or his/her delegate. A minor gaming permit issued by The Victorian Commission for Gambling and Liquor Regulation for any function or event must be obtained by the relevant organiser.

6. Security

1. The Committee of Management is responsible for the day to day security of the Site, including, but not limited to, storing and issuing keys, changing of locks and other like processes.
2. If the Site is keyed to the Council key system (restricted system):
 - a. Council will provide the Committee of Management with four (4) sets of keys for Committee members; however any additional keys are to be requested in writing, and will be charged directly to the Committee.
 - b. The Committee of Management must not make any copies of keys. Lost or stolen keys shall be reported to the Council within 24 hours. The cost of replacing lost or damaged keys or reconfiguring facility locksets will be charged directly to the Committee of Management.
 - c. No installation of locks, key cylinders or padlocks is permitted without prior written consent from Council. If found to be installed or removed without written consent, the Council will rectify the issue and any expenses incurred from doing so will be charged directly to the Committee of Management.
3. Buildings on individual key systems will be progressively changed to the Council key system as funding allows.

7. Maintenance

1. The Committee of Management must keep the Site, including fittings, furniture and equipment in good repair and condition.
2. The Committee of Management is responsible for maintenance and other matters as specified in Annexure A. However, the Committee of Management may impose a maintenance obligation on a user group as a term or condition of a User Agreement.
3. Unless otherwise specified within an Annexure to this agreement or Council's Building Asset Management Plan (BAMP), the Committee of Management shall be responsible for all ongoing building inspection, maintenance and renewal activities including but not limited to essential service maintenance, pest control, utility costs, structural repairs, painting, equipment servicing, and fencing where applicable.
4. Any capital improvements proposed on the Site must be approved by Council e.g. air

conditioner installation, building extensions or structural modifications.

5. All works undertaken at the Site must comply with the applicable statutory standards including (but not limited to) Building Act and Regulations, Environment Protection Act, Planning and Environment Act, Disability Discrimination Act, and Public Health and Wellbeing Act.

APPENDIX 3: COMMITTEE OF MANAGEMENT RESPONSIBILITY

MAINTENANCE GUIDELINES FOR COMMITTEES OF MANAGEMENT MANAGING COUNCIL FACILITIES:

This document provides guidelines to your Committee of Management for the maintenance of Loddon Shire's (Council) owned / managed facilities.

Item	Responsibility		Comments
	Council	Committee of Management	
UTILITIES			
Power (electricity) Gas (bottled and mains) Water (building) Telecommunications		✓	Payment for all supply costs, service charges and associated expenses.
BUILDINGS			
Includes: Main buildings, grandstands, scoreboards, timekeepers hut, player and public shelters, ticket entrances, shedding, carports, verandas, toilets, fences etc. Note: does not apply to public toilets which Council is responsible for as defined in Council's Building Asset Management Plan.			
Rates	✓ Contact Revenue Coordinator		Council will be responsible for any rates and charges, including land tax if applicable.
Building insurance	✓ Contact Manager Organisational Development		Council insures building
Structure – foundations, floors and walls. Roof and guttering	✓ Contact Building Maintenance Officer		Council will be responsible for all structural and roof/guttering maintenance and repairs/replacement. This may include ageing materials, rising damp, pest (termite) damage, ground movement, drainage, storm damage etc.
Guttering cleaning		✓	Committee is responsible for organising cleaning of guttering

Item	Responsibility		Comments
	Council	Committee of Management	
General building maintenance.		✓	All general maintenance including electrical, plumbing, fit outs, spouting (cleaning), drainage etc. Cleaning internally and externally and supply of cleaning products and consumables. Repairs due to vandalism including the removal of graffiti. Report any structural damage to Council.
External painting		✓ Contact Building Maintenance Officer	Committee is responsible for external painting.
Internal painting		✓	Committee is responsible for internal painting.
Kitchen – food safety/hygiene		✓	Committee must comply with Environmental Health regulations.
Cleaning of sports use toilets		✓	Day to day cleaning and supply of all consumables such as toilet paper and hand towels (excluding public toilets recognised within Council's Building Asset Management Plan.)
Asbestos Audits and Asbestos Register Asbestos containment and/or removal	✓ Contact Building Maintenance Officer		Committee is responsible for ensuring site hazards are isolated Council will be responsible for engaging suitably qualified contractors to undertake Asbestos Audits on Council buildings over a 5 year period. Council will maintain the Asbestos Register. Council will manage identified asbestos in buildings through regular inspection checks or removal.

Item	Responsibility		Comments
	Council	Committee of Management	
Seasonal inspections		✓	Where facilities involve the running of seasonal sports, the committee is responsible for arranging for Council to inspect all sporting facilities prior to the season
BUILDING CONTENTS			
Contents insurance		✓	For contents not owned by the Council.
Electrical testing and tagging of appliances		✓	The Committee of Management is responsible for engaging competent person(s) to undertake testing and tagging of electrical equipment every 12 months or to Australian Standards, whichever is the lesser term.
Floor coverings		✓	The Committee of Management is responsible for general upkeep and cleaning of floor coverings.
Window furniture		✓	The Committee of Management is responsible for the general upkeep, cleaning and replacement of curtains, blinds and other window furnishings.
ESSENTIAL SAFETY MEASURES			
Records of service must be kept in the installed Essential Safety Measures Cabinet and also be provided to Council on request.			
Fire extinguishers Fire blankets Hose reels Fire hydrants		✓	The Committee of Management is responsible for engaging competent person(s) to undertake servicing of equipment every 6 months to Australian Standards.
Air-conditioning and Mechanical Ventilation Systems		✓	Servicing of Air Conditioning Systems (Heating and Cooling) and Mechanical Ventilation Systems to Australian Standards. Service requirements and frequencies may vary from site to site

Item	Responsibility		Comments
	Council	Committee of Management	
Fire mains	✓ Contact Building Maintenance Officer		Servicing and testing of Fire Mains (Ring Mains) to Australian Standards. Currently required every 5 years.
Lifts		✓	Serviced to Australian Standards by suitably qualified person(s) Minimum service requirement is annually unless Council deem a more frequent service is required.
Emergency lighting and exit lights		✓	Serviced to Australian Standards by suitably qualified person(s) at 6 monthly intervals
Material Safety Data Sheets (MSDS)		✓	Committee is responsible for maintaining applicable MSDS.
Access and egress paths of travel to exits		✓	Internal audits to be conducted by a suitably responsible person at quarterly intervals.
Emergency Evacuation Policy	✓ Contact Manager Organisational Development		Committee of Management are responsible for implementation and ongoing reviews. Council may assist the Committee of Management with the development and/or review of Emergency Evacuation policies and procedures.
BUILDING SERVICES			
Rubbish and recycle Kerbside collection			Council Policy currently under review.
Septic tank and lines	✓		Council will be responsible for major maintenance repairs or replacement
Septic tank and lines servicing		✓	General annual/tri-annual servicing is the Committee of Management's responsibility.
Grease traps / triple interceptor pits	✓		Council will be responsible for repairs, major maintenance or replacement

Item	Responsibility		Comments
	Council	Committee of Management	
Grease traps / triple interceptor pits servicing		✓	General annual/tri-annual servicing is the Committee of Management's responsibility.
Thermostatic Mixing Valves / Tempering valves		✓	Serviced to Australian Standards by suitably qualified person(s) at 12 monthly intervals
Backflow prevention devices		✓	Annual serving and repairs of Backflow Prevention Devices where installed by Coliban Water
Automatic doors		✓	Serviced to Australian Standards by suitably qualified person(s) at 6 monthly intervals. Committee of management is responsible for all service and maintenance costs.
GROUNDS Including nature strips			
Fencing maintenance and renewal		✓	Committee of Management responsible for all maintenance and renewal of boundary and internal fencing
Playground equipment		✓ Contact Building Maintenance Officer	Annual Safety Check of installations provided by Council, however Committee is responsible for general upkeep.
Seat and bench maintenance		✓	Where installed by Committee of Management
Ovals and surrounds maintenance		✓	Committee of Management responsible for all maintenance and upkeep of ovals and surrounds.
Light tower maintenance		✓	Committee of Management is responsible for all maintenance and upkeep of light towers.
Water (sporting grounds)		✓	Irrigation systems are managed and maintained by Committees of Management.

Item	Responsibility		Comments
	Council	Committee of Management	
Garden beds maintenance and watering around halls, clubrooms or pavilions		✓	Includes maintenance of all garden beds, ornamental lawns, mowing and their respective watering systems. New garden beds situated in close proximity of buildings must be approved by Council prior to installation.
Netball and tennis courts maintenance		✓	Committee of Management is responsible for all maintenance and upkeep of netball and tennis courts.
Pest plants (weeds) and animals		✓	Includes insects, rodents, rabbits, feral animals and weeds
Road and path maintenance		✓	Committee of Management is responsible for: inspection, maintenance and renewal of all internal driveways, roadways, footpaths and parking areas.
Hard surfaces - (paving, asphalt, concrete etc.)		✓	Committee of Management is responsible for all maintenance and upkeep of all hard surfaces.
Advertising sign maintenance		✓	The erection and maintenance of advertising signs is subject to Council approval and must meet all regulations and planning requirements. A Planning Permit may be required.
Barbecue maintenance		✓	Committee of Management is responsible for all maintenance and works associated with the BBQ facilities at reserves
Rubbish maintenance		✓	Rubbish generated from activities that use the facility must be disposed of in bins on site kerbside collection service. If no bins available, the Committee must remove rubbish off site. Hard rubbish that is generated from works must be carted away from the property at the completion of the works.

MISCELLANEOUS			
Smoking		✓	No smoking is permitted in any Council property. Committees are responsible to ensure no cigarette butts litter the ground and surrounding areas.
Special events		✓	Any special events costs and damage is the responsibility of the Committee of Management
Alcohol		✓	No alcohol is permitted to be sold unless a liquor licence is held– see Department of Justice for more information (www.justice.vic.gov.au/alcohol)
Gambling		✓	No gambling is permitted in any Council property without appropriate approvals
Politicians		✓	Committee of Management must seek authorisation from Council prior to contacting a politician.

Committees may apply for funding assistance for any maintenance requirement via Council's Community Grants Program or Recreation Grants. If successful for grant funding, all works are subject to written approval from the Building and Property Services unit.

11.2 SECTION 86 COMMITTEE OF MANAGEMENT MEMBERSHIP DETAIL-WEDDERBURN COMMUNITY CENTRE

File Number: 02/01/036
Author: Michelle Hargreaves, Administration Officer
Authoriser: Sharon Morrison, Director Corporate Services
Attachments: Nil

RECOMMENDATION

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

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this report. Some staff members do have an involvement in the subject matter of the report but have not been involved in the preparation of the report.

PREVIOUS COUNCIL DISCUSSION

Council approved the current list of committee members for Wedderburn Community Centre Committee of Management on 24 October 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

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

Name	Organisation
Patricia Lea	Community member
Leo Mathews	Community member
Richard Stephenson	Community member
Tracey Wilson	Inglewood and Districts Health Service
	Inglewood and Districts Health Service
Paula Yorston (Secretary)	Loddon Shire Council Community Wellbeing
Brooke Arnold	Loddon Shire Council Community Wellbeing
Robyn Vella (Vice President)	Loddon Shire Council Tourism
Pauline Brown	Loddon Shire Council Tourism
Marg Van Veen (President)	Wedderburn Community House
Jon Chandler	Wedderburn Community House

There is currently only one member from Inglewood and Districts Health Service.

The Council representative for this committee is Gavan Holt.

COST/BENEFITS

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

RISK ANALYSIS

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

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

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

CONSULTATION AND ENGAGEMENT

Nil

12 GENERAL BUSINESS

13 CONFIDENTIAL ITEMS**RECOMMENDATION**

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

13.1 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.

13.2 Contract 407 - Landscaping and Street Furniture for the Wedderburn Streetscape Improvement Project

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.

13.3 INGLEWOOD FUEL CO-OP SITE

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.

13.4 SALE OF PROPERTY, MURPHYS CREEK

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.

Closing of Meeting to the Public

RECOMMENDATION

That the meeting be closed to the public.

NEXT MEETING

The next Ordinary Meeting of Council will be held on 27 March 2018 at Serpentine commencing at at 3pm.

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

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

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