



Date: Tuesday, 28 May 2019
Time: 3pm
Location: Council Chambers, Serpentine

MINUTES

Ordinary Council Meeting

28 May 2019

**MINUTES OF LODDON SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, SERPENTINE
ON TUESDAY, 28 MAY 2019 AT 3PM**

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

IN ATTENDANCE: Stephen Mahon (A/Director Community Wellbeing), Lynne Habner (Manager Executive and Commercial Services), Sharon Morrison (Director Corporate Services), Phil Pinyon (Chief Executive Officer), Steven Phillips (Director Operations)

1 OPENING PRAYER

“Almighty God, we humbly ask you 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

Nil

4 DECLARATIONS OF CONFLICT OF INTEREST

Nil

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 April 2019
2. The minutes of the Ordinary Council Meeting of 23 April 2019
3. The minutes of the Council Forum of 14 May 2019

REPORT

Seeking approval of the unconfirmed minutes of the previous meetings.

RESOLUTION 2019/91

Moved: Cr Geoff Curnow

Seconded: Cr Neil Beattie

That Council confirm:

1. The minutes of the Council Briefing of 23 April 2019
2. The minutes of the Ordinary Council Meeting of 23 April 2019
3. The minutes of the Council Forum of 14 May 2019

CARRIED

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.

RESOLUTION 2019/92

Moved: Cr Geoff Curnow

Seconded: Cr Gavan Holt

That Council receive and note the action sheet.

CARRIED

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.

Cr McKinnon**North Central Goldfields Regional Library**

Section 86 Committees: East Loddon Community Centre Committee of Management, Pyramid Hill Memorial Hall Committee of Management, Pyramid Hill Swimming Pool Committee of Management, Serpentine Bowls and Tennis Pavilion and Reserve Committee of Management

Nature Tourism Advisory Team**Other Council activities**

DATE	Activity
24/4/19	I attended the launch of "Healthy Heart of Victoria Active Living Census" in Bendigo as Loddon is a member council of this important project.
	I attended a meeting with Dja Dja Wurrung and the Treaty Commission to learn about the process of electing the First People's Assembly of Victoria.
25/4/19	I attended Anzac Day services at Mologa and Pyramid Hill with large attendance at both services.
30/4/19	Met with the Dingee Progress Association to review their Community Plan
7/5/19	Nature Tourism and Spring Festival Committee met in Serpentine.
9/5/19	GLC Finance Sub-committee meeting in Bendigo
10/5/19	Independent Candidate for Mallee Ray Kingston met with the CEO and

	myself in Wedderburn
13/5/19	Dingee Hall Committee held their triennial meeting
14/5/19	We held our Council Forum in Wedderburn, and at lunchtime all attended the opening of Rejoov salon in Wedderburn. This enterprise has huge community support, and I'd like to see more social enterprises of this kind in Loddon.
15/5/19	Pyramid Hill Progress meeting with CEO and Manager Executive and Commercial Services, Lynne Habner, attending to update the community on a number of issues.
16/5/19	Met with Minister for Local Government, Adem Somyurek, in Wedderburn.
17/5/19	Attended the MAV State Council meeting in Melbourne.
19/5/19	I attended the Friends of Kooyoora Reconciliation event at Melvilles Caves where I spoke on Loddon Shire's reconciliation process. There was a large attendance, a number of speakers and cultural activities. Cr Condliffe and the CEO also attended.
20/5/19	The first meeting was held in Pyramid Hill at the Project Control Group for the Pyramid Hill Community Hub.
24/5/19	I was a guest speaker at the MAV Future of Local Government Conference in Melbourne, also attended by Ms Habner, where I spoke on Pyramid Hill's successful migration story.
	Later that day I attended the GLC ordinary meeting in Bendigo.
28/5/19	Dja Dja Wurrung representatives met with myself, Phil Pinyon and executive staff to provide background information on the Treaty process, and support to Council.

RESOLUTION 2019/93

Moved: Cr Cheryl McKinnon

Seconded: Cr Geoff Curnow

That Council receive and note the Mayoral Report

CARRIED

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.

Cr Beattie

Murray Darling Association	
Rail Freight Alliance	
GMW Connections Project:	
Section 86 Committees: Boort Aerodrome Committee of Management, Boort Development Committee Inc., Boort Memorial Hall Committee of Management, Boort Park Committee of Management, Korong Vale Mechanics Hall Committee of Management, Korong Vale Sports Centre Committee of Management, Little Lake Boort Management Committee Inc., Yando Public Hall Committee of Management	
Other Council activities	
DATE	Activity
25/4/19	Attended Anzac Day service at Boort
6/5/19	Attended Boort Tourism Development Committee meeting
14/5/19	Attended Council Forum Wedderburn
20/5/19	Attended meeting with Lesley Humphreys and Allan Stobaus regarding Lake

	Boort Foreshore Management Plan
24/5/19	Boort Development and garden staff meeting regarding tree planting
27/5/19	Attended meeting with planning staff and Fernihurst Olives

Cr Condliffe

Calder Highway Improvement Committee	
Section 86 Committees: Bridgewater on Loddon Development Committee of Management, Campbells Forest Hall Committee of Management, Inglewood Community Sports Centre Committee of Management, Inglewood Lions Community Elderly Persons Units Committee of Management, Inglewood Town Hall Hub Committee of Management, Jones Eucalyptus Distillery Site Committee of Management	
29/4/19: Eucy Museum meeting Inglewood 6/5/19: Inglewood Sports Centre meeting 15/5/19: Campbells Forest Hall meeting	
Australia Day Committee	
Central Victorian Greenhouse Alliance	
16/5/19: Meeting held in Kerang, we visited the solar farm as well.	
Central Victoria Rural Women's Network	
Healthy Minds Network	
Loddon Youth Committee	
Other Council activities	
DATE	Activity
24/4/19	CWA meeting Dingee
25/4/19	Dawn service at Bridgewater Anzac Day
	Memorial Service Inglewood march to the Shrine followed by a service, well attended.

30/4/19	Inglewood and Districts Community Bendigo Bank meeting
1/5/19	Kooyoora Womens Network dinner held at Serpentine Recreation Reserve
1/5/19	IDHS Community Engagement meeting
2/5/19	Womens Heath Loddon Mallee meeting in Bendigo
5/5/19	DBNC Strategic Planning Day meeting Dingee
9/5/19	Meeting NCLLEN in Inglewood regarding play group in Inglewood
10/5/19	Kooyoora Womens Network meeting regarding Women on Farms gathering held in 2020 in Bridgewater.
11/5/19	Bridgewater market
14/5/19	Council Forum Wedderburn
14/5/19	Congratulations to the opening of the Rejoov salon – great community project
14/5/19	Inglewood Resource Community meeting
17/5/19	Inglewood Lions Club dinner
19/5/19	I attended the smoking ceremony held at Kooyoora State Forest – well attended
20/5/19	DBNC meeting, Dingee
21/5/19	I attended a dinner in Bendigo raising money for the prostate machine for Bendigo. Lions raised the funds and David Parkin was the speaker.
25/5/19	I attended the op shop fashion parade at Inglewood Senior Citizens
28/5/19	Council meeting Serpentine

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

Other Council activities	
DATE	Activity
25/4/19	Anzac service at Newbridge – laid wreath on behalf of Loddon Shire Council
1/5/19	Loddon Municipal Fire Management Planning meeting Serpentine
6/5/19	Tarnagulla Community Centre Committee of Management appointment and inaugural meeting
14/5/19	Loddon Shire Council Forum at Wedderburn
21/5/19	Laanecoorie Loddon River Reserve Committee meeting
22/5/19	Southern Loddon Tourism Development meeting at Tarnagulla
25/5/19	Local winter sports day at Newbridge
27/5/19	Laanecoorie “Biggest Morning Tea”
28/5/19	Loddon Shire Council meeting at Serpentine

Cr Holt

Municipal Association of Victoria	
Section 86 Committees: Donaldson Park Committee of Management, Wedderburn Community Centre Committee of Management, Wedderburn Engine Park Committee of Management, Wedderburn Mechanics Institute Hall Committee of Management, Wedderburn Tourism Committee of Management	
Audit Committee	
23/5/19: Attended Loddon Shire Internal Audit Committee meeting	
Other Council activities	
DATE	Activity
24/4/19	Attended meeting of the Wedderburn Development Association
25/4/19	Attended Wedderburn/Korong Vale RSL sub branch Anzac Day dawn service at Soldiers’ Memorial Park at Wedderburn

25/4/19	As above for service at Borella Park in Korong Vale
25/4/19	Attended main Anzac Day service at Wedderburn
2/5/19	Attended Wedderburn Shearing School steering committee meeting
4/5/19	Attended Wedderburn vs Birchip winter sports program at Wedderburn
14/5/19	Attended the official opening by our Mayor, Cr McKinnon of the Rejoov hair and beauty salon in Wedderburn
14/5/19	Attended Council Forum in Wedderburn
20/5/19	Attended the Cultural Awareness training day at Wedderburn
20/5/19	Chaired meeting of the Donaldson Park Committee of Management

RESOLUTION 2019/94

Moved: Cr Colleen Condliffe

Seconded: Cr Geoff Curnow

That Council receive and note the Councillors' reports

CARRIED

9 DECISION REPORTS

9.1 APPOINTMENT OF AUDIT COMMITTEE CHAIR FOR 2019

File Number: 06/02/003

Author: Sharon Morrison, Director Corporate Services

Authoriser: Phil Pinyon, Chief Executive Officer

Attachments: Nil

RECOMMENDATION

That Council endorses the Audit Committee's recommendation to appoint Mr Rod Baker as Audit Committee Chair to 28 February 2020 or the date of the Ordinary Meeting of Council in February 2020 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

At the Council meeting on 26 February 2019, Mr Ken Belfrage was appointed chair of the Audit Committee for 2019.

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

Mr Belfrage's term as a community member of the Audit Committee finished at the end of April 2019. A recruitment process took place and another member was appointed.

At the Audit Committee meeting on 23 May 2019, the Audit Committee recommended the appointment of Mr Rod Baker as the new Audit Committee chair.

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

COST/BENEFITS

The chair of the Audit Committee receives an additional payment per year equivalent to one meeting attendance allowance.

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

The Audit Committee has been consulted in the preparation of this report.

RESOLUTION 2019/95

Moved: Cr Geoff Curnow

Seconded: Cr Colleen Condliffe

That Council endorses the Audit Committee's recommendation to appoint Mr Rod Baker as Audit Committee Chair to 28 February 2020 or the date of the Ordinary Meeting of Council in February 2020 where a resolution for appointment of Chair for the new term will be made, whichever is the earlier.

CARRIED

9.2 PLANNING APPLICATION 5377: THE USE OF LAND FOR MATERIALS RECYCLING**File Number:** 13/02/004**Author:** Alexandra Jefferies, Planning Officer**Authoriser:** Glenn Harvey, Manager Development and Compliance**Attachments:** 1. **DECISION REPORT 5377: THE USE OF LAND FOR MATERIALS RECYCLING****RECOMMENDATION**

That Council determines to issue a notice of decision to approve planning application 5377 for the use of the land for material recycling (scrap metal) subject to conditions.

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

There have been no previous Council discussions on this matter.

BACKGROUND

Application 5377- for the use of land for materials recycling (scrap metal) is being put forth for a consideration and a decision by Council.

The subject site is located approximately 9.41 km to the north west of the Wedderburn Township at the corner of the Calder Highway and Turnbulls Road. The site is approximately 4.60 ha in size and is within the Farming Zone with no overlays. The site currently contains a single dwelling and is used to store a large amount of scrap metal including car bodies.

This application has been made following the investigation of a compliance matter raised with Council Officers. The investigation involved both Council Officers as well as Environmental Protection Agency staff. The use of the site requires planning approval to permit the ongoing use of the land for material recycling.

Please refer to the attachment for the full recommendation and decision report associated with the above application.

ISSUES/DISCUSSION

Under the Planning and Environment Act 1987 (the Act) the Minister of Planning delegates a municipal council power to become the planning authority for any planning scheme in force in its municipal district.

A municipal council is obligated to enforce and administer the relevant Planning Scheme and must use the Scheme to determine applications which are put forth to the council.

For Council the Loddon Planning Scheme is the relevant Planning Scheme which must be used by Council when determining applications.

Council has delegated authority to its Planning officer to determine outcomes of applications, however it is custom for the Council to make the final determination for applications which:

- receive one or more public objection and/or
- are to be recommended for refusal by the Planning officer.

In the case of this application Council has received two objections as the result of the public notification process, pursuant to Section 52 of the Planning and Environment Act 1987. Notices were sent to owners and occupiers of adjoining land as well as land opposite and surrounding the site.

COST/BENEFITS

There are various cost associated with having a delegated Planning Officer consider an application and make a recommendation as well as with the time of the Councillors to consider this recommendation.

The benefits associated with this cost are the ability for Council to fulfil its requirement under law and provide the community with a statutory service that delivers well managed and appropriate development.

In the specific instance of this application, following investigation into this matter and the subsequent submission of the planning application, Council is provided with the opportunity to assess the appropriateness of the land use for material recycling. It will also provide all stakeholders with clarity for the ongoing use of the land.

RISK ANALYSIS

The risks of Council not fulfilling its statutory obligation under the Act include:

- 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.

CONSULTATION AND ENGAGEMENT

Please refer to the decision report for further detail on the application.

RESOLUTION 2019/96

Moved: Cr Colleen Condliffe

Seconded: Cr Neil Beattie

That Council determines to issue a notice of decision to approve planning application 5377 for the use of the land for material recycling (scrap metal) subject to conditions.

CARRIED

9.3 STAFF, VOLUNTEERS AND CONTRACTORS CODE OF CONDUCT**File Number:** 03/01/001**Author:** Carol Canfield, Manager Organisational Development**Authoriser:** Sharon Morrison, Director Corporate Services**Attachments:** 1. Staff, Volunteers and Contractors Code of Conduct v3**RECOMMENDATION**

That Council adopts the Staff, Volunteers and Contractors Code of Conduct version 3.

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 an overview of the new Staff, Volunteers and Contractors Code of Conduct at the Forum held on 14 May 2019.

BACKGROUND

The Local Government Act requires a Chief Executive Officer to develop and implement a code of conduct for Council staff.

The Loddon Shire Council Staff and Contractors Code of Conduct (Code) version 2 was approved in January 2013.

ISSUES/DISCUSSION

The draft revised Code has the following additions and changes to version 2:

- Volunteers have now been included in the Code which means the name is now the Staff, Volunteers and Contractors Code of Conduct
- Section 6 has been updated with the values as in the current Council Plan
- Section 7 has been updated to reflect the key focus areas in the current Council Plan
- Additional standards of conduct have been added (Section 8) for:
 - Child Safe Standards
 - Discipline
 - Lobbying
 - Outside employment
 - Security clearances
 - Social Media

The Code has been provided to staff for comment before submitting it to Council.

COST/BENEFITS

There are no additional costs associated with the adoption of version 3 of the Code.

RISK ANALYSIS

An up to date Code that is provided to all staff can help mitigate risks in number of areas. The Code guides staff, volunteers and contractors in appropriate behaviours and activities when representing Council, and sets standards that define performance requirements for all affected personnel. Appropriate action may be taken by Council if requirements under the Code are breached.

CONSULTATION AND ENGAGEMENT

Councillors, the management executive, managers and staff committees have been consulted during the review of this Code

RESOLUTION 2019/97

Moved: Cr Geoff Curnow

Seconded: Cr Colleen Condliffe

That Council adopts the Staff, Volunteers and Contractors Code of Conduct version 3.

CARRIED

9.4 COMMUNICATION AND COMMUNITY ENGAGEMENT**File Number:** 18/01/01**Author:** Sharon Morrison, Director Corporate Services**Authoriser:** Phil Pinyon, Chief Executive Officer**Attachments:**

1. Communication and community engagement policy version 3
2. Community Engagement Policy version 1
3. Media and Social Media Policy version 1

RECOMMENDATION

That Council:

1. Rescind the Communication and Community Engagement Policy
2. Adopt the Media and Social Media Policy
3. Adopt the Community Engagement Policy

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

Council adopted the Communication and Community Engagement Policy (the Policy) on 27 May 2014. The Policy was due for review 27 May 2018.

BACKGROUND

Section 131(3) of the Local Government Act (the Act) requires the annual report of operations to contain the results of the Council's assessment against prescribed governance and management checklist items.

Regulation 12 of the Local Government (Planning and Reporting) Regulations 2014 (Regulations) requires reporting against the governance and management checklist (the GMC). Items 1 and 2 of the GMC require a community engagement policy and community engagement guidelines respectively.

ISSUES/DISCUSSION

Currently, community engagement forms part of the Communication and Community Engagement Policy. This policy has been separated into two distinct policies:

- the Media and Social Media Policy and
- the Community Engagement Policy.

In addition, to meet the requirements of the Act and Regulations, a Community Engagement Procedure/Guideline has been developed.

Media and social media policy

One of the key inclusions in the Media and social media policy is paragraph 3.1.1. This paragraph:

- captures current practice
- addresses a gap in the Councillor Code of Conduct

Community engagement policy and procedure/guideline

This policy has been developed to respond to the requirements of the Local Government Act in a way that is achievable for Loddon Shire Council. It is been developed with the assistance of community engagement professionals and is accompanied by a procedure/guideline which aims to support staff in meeting the expectations of a number of stakeholders in a consistent and flexible way.

COST/BENEFITS

Separate policies do not add to costs. The benefit of separating the policies is a clear focus on two very different areas. Media and social media is not subject to the same legislative regulations as community engagement.

RISK ANALYSIS

The current policy does not adequately address the regulations. The recommendations in this report will ensure the regulations are adequately addressed.

CONSULTATION AND ENGAGEMENT

Staff have been consulted in the development of these two policies and Councillors considered these policies at the Forum held on 14 May 2019.

RESOLUTION 2019/98

Moved: Cr Neil Beattie

Seconded: Cr Geoff Curnow

That Council:

1. Rescind the Communication and Community Engagement Policy
2. Adopt the Media and Social Media Policy
3. Adopt the Community Engagement Policy

CARRIED

9.5 FINANCE REPORT FOR THE PERIOD ENDING 30 APRIL 2019**File Number:** 08/06/001**Author:** Sharon Morrison, Director Corporate Services**Authoriser:** Phil Pinyon, Chief Executive Officer**Attachments:** 1. Finance Report for period ending 30 April 2019**RECOMMENDATION**

That Council

1. receives and notes the Finance Report for the period ending 30 April 2019
2. approves budget revisions included in the report for internal reporting purposes only.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

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

BACKGROUND

The Finance Report for the period ended 30 April 2019 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 2018/19 Budget, and includes operating results, capital expenditure and funding sources.

ISSUES/DISCUSSION

Budgeted Surplus - Council's budgeted cash surplus has decreased from \$3.595M to \$3.591M due to an increase in grant income and a higher increase in expected operating expenditure.

Income Statement (revenue) - Council's year to date (YTD) operating revenue is at 85% of YTD budget. Revenue brought to account for March was \$869K (\$4.42M last month). Capital grants are behind YTD budget with interest, reimbursements and user fees currently ahead of YTD budget.

Income Statement (expenditure) - Council's operating expenditure is at 90% of YTD budget. Payments for this month totalled just over \$3.38M, compared to \$3.78M last month. Labour is slightly behind budget at 96% (96% last month) and is expected to remain below budget and the 4% mandated cap for the remainder of the year. Materials and services are currently behind YTD budget with utilities currently ahead of YTD budget.

Capital Works - The revised budget for capital works is \$13.62M and is 46% complete in financial terms for the current financial year (41% last month). Asset types with major variations (10% or \$10K) include furniture and equipment, land and buildings, roadworks, urban and road drainage, recreation leisure and community facilities and footpaths along with many projects underway or still to commence.

Balance Sheet - Council has a cash total of \$20.8M with \$3.8M in general accounts. Debtors are \$1.70M which is a decrease of \$0.3M in the month primarily due to the receipt of rates and sundry

debtors. Sundry debtors total \$564K, with invoices outstanding for 60 or more days relating to community wellbeing debtors and local community groups totalling approximately \$130K.

There were no supplementary valuations updated during March. The total rateable CIV at the end of March remains at \$2.16B.

COST/BENEFITS

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

Provision of financial reports on at least a quarterly basis is a requirement of the Local Government Act.

RISK ANALYSIS

The provision of regular and accurate finance reports to Council minimises the risk of Council not delivering projects within the approved budget.

CONSULTATION AND ENGAGEMENT

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

Consultation with ratepayers and authorities that act on behalf of ratepayers occurs when a change to a property is required by virtue of a sale.

External engagement with the community was undertaken during the submission period of the budget, and regular reporting provides a mechanism of monitoring the financial outcomes of Council against that expectation.

RESOLUTION 2019/99

Moved: Cr Colleen Condliffe

Seconded: Cr Neil Beattie

That Council

1. receives and notes the Finance Report for the period ending 30 April 2019
2. approves budget revisions included in the report for internal reporting purposes only.

CARRIED

10 INFORMATION REPORTS**10.1 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 third report for the 2018-2019 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 3 (01/01/2019 – 31/03/2019)					
District	Number of scheduled inspections	Number completed by due date	Number completed after due date	Number not completed	Compliance
Loddon Plains	66	66	0	0	100%
Loddon Goldfields	71	71	0	0	100%
Total	137	137	0	0	100%

During the third quarter of 2018-2019 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.

Table 2: Defect rectification summary report

Quarter 3 (01/01/2019 – 31/03/2019)								
	Number of Defects				Compliant with RMP			
District	Adhoc	Requests	Defects from inspections	Total	Yes	No	Not complete	%
Loddon Goldfields	78	11	403	492	489	3	0	99.4%
Loddon Plains	89	8	472	569	569	0	0	100.0 %
Shire Wide	49	8	414	471	470	1	0	99.8%
Townscape Services	43	4	91	138	134	4	0	97.1%
Total	259	31	1380	1670	1662	8	0	99.5%

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 third quarter of 2018-2019 financial year, 99.5% of all date imposed defects were completed before their due date. This is 0.5% 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.

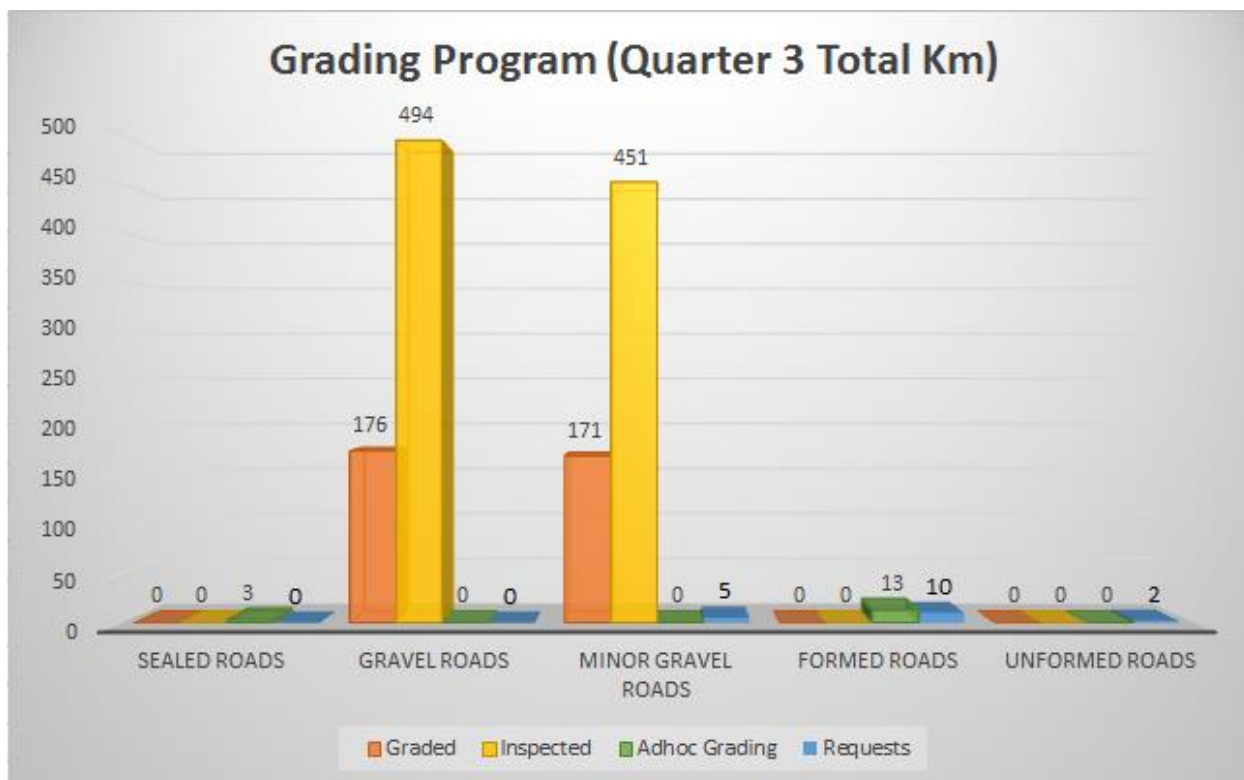
Table 3: Maintenance grading program

Quarter 3 (01/01/2019 – 31/03/2019)									
	Number of Grading Work Actions					Compliant with scheduled timeframes			
District	Programmed Maintenance Grading	Defects Done	Requests Done	Adhoc Done	Total	Yes	No	Not completed	%
Loddon Goldfields	733	0	4	22	759	759	18	24	94.5%
Loddon Plains	480	2	2	9	493	474	3	16	96.1%
Total	1213	2	6	31	1252	1191	21	40	95.1%

The data in table 3 indicates that 1191 grading work actions were completed for the third quarter of the 2018-2019 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 to the end of third quarter of 2018-2019 financial year of the Local Road Maintenance Program is \$4,701,493. The expenditure for the third quarter was \$1,381,672.

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

RISK ANALYSIS

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

CONSULTATION AND ENGAGEMENT

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

RESOLUTION 2019/100

Moved: Cr Geoff Curnow
 Seconded: Cr Neil Beattie

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

CARRIED

10.2 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 third report for the 2018-2019 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 Organisational 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 3 (1 January 2019 – 31 March 2019)				
Activity	After hours call outs (*)	Littering or illegal rubbish dumping	Fire permits to burn (^)	Local law permits issued
No. actions	8	3	20	4

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

(^) Figures are provided by the OHS/Risk Management Officer.

Following an internal review of service delivery, the statutory role of Municipal Fire Prevention Officer is now undertaken by the OHS/Risk Management Officer. This position is within Council's Corporate Services Directorate and no longer part of the local laws/planning compliance role. The reporting of municipal fire prevention activities to Council will still be included in this report.

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.

Table 2: Summary of unsightly properties activities

Quarter 3 (1 January 2019 – 31 March 2019)																
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	2	0	3	2	4	3	8	9	2	1	2	0	0	0	1	37
No. resolved during quarter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
New action commenced	0	0	0	0	0	0	2	0	0	0	0	1	0	0	0	3
No. currently pursuing	2	0	3	2	4	3	10	9	2	1	2	1	0	0	1	40
Progress Activities																
Site meeting / discussion held	0	0	0	0	0	0	2	0	0	0	0	1	0	0	0	3
Letter to comply issued	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Occupier has commenced clean-up work	1	0	0	0	0	0	1	2	0	0	0	1	0	0	0	5
Notice to comply issued	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Contractor engaged for clean-up work	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Local laws staff continue 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 3 (1 January 2019 – 31 March 2019)						
Activity	Wandering livestock	Trespassing livestock	Dog attack	Domestic animal at large	Distribution of cat traps	General complaints / other
No. of actions	8	7	3	10	9	22

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

Table 4: Impoundment activities

Quarter 3 (1 January 2019 – 31 March 2019)				
Animal type	Impoundments	Returned to owners	Animals rehoused	Animals disposed
Livestock	41	41	0	0
Dogs	9	7	2	0
Cats	5	2	3	38(feral)
Total	55	50	5	38

Planning Compliance and Enforcement

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

Table 5: Planning compliance and enforcement activities

Quarter 3 (1 January 2019 – 31 March 2019)					
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	4	1	0	0	5
Native vegetation removal without a permit	2	1	0	1	2
Breach of planning permit	1	0	0	0	1
Dog breeding / animal keeping	0	1	0	0	1

Land used as a store without planning permit	1	1	0	0	2
Occupation of a shed without a planning permit	1	1	0	0	2
Total	9	5	0	1	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 expenditure for the third quarter of 2018-2019 financial year for the local laws and compliance activities contained within this report is \$48,330. 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 the Victorian Civil and Administrative Tribunal (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.

RESOLUTION 2019/101

Moved: Cr Colleen Condliffe

Seconded: Cr Geoff Curnow

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

CARRIED

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

Council is provided with information quarterly summarising building services activities relating to permits, certificates and statutory enforcement activity undertaken within the Development & Compliance Department. This is the third quarterly report for the 2018-2019 financial year.

BACKGROUND

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

- issuing relevant permits and certificates
- issuing report & consent determinations on matters not complying with the Building regulations
- building advisory and information services including legal point of discharge requests
- 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 number of building and occupancy permits and final inspections is a basic indicator of building development and investment within Loddon Shire.

ISSUES/DISCUSSION

Building permits

Table 1 provides the number and total value of building permits issued for the three quarters of the 2018-2019 financial year and the last quarter 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 individual projects. In the third quarter of this year one building permit had a value exceeding \$1,000,000 while no other project exceeded \$190,000 in value. Anecdotally the following observations are made:

- The first quarter of this year was a little slower with the number and value of building permits down on the previous quarter. This could be due to a number of factors such as it being the beginning of the financial year and or the seasonal conditions impacting confidence.

- The number and value of building permits increases in the second quarter with things starting to taper off in the third quarter as seasonal conditions failed to improve.

1.

Table 1: Summary of new building permits issued

	Quarter 4 2017-18 (01/04/2018 – 30/06/2018)	Quarter 1 2018-19 (01/07/2018 – 30/09/2018)	Quarter 2 2018-19 (01/10/2018 – 31/12/2018)	Quarter 3 2018-19 (01/01/2019 – 31/03/2019)
No. of new Permits	52	38	55	44
Value of Works	\$4,289,104.07	\$3,017,724.60	\$7,014,588.00	\$3,588,195.65

Table 2 provides a summary of the number of final inspections and certificates of occupancy issued for building permits during the first three quarters of 2018-2019 financial year and the last quarter of the 2017-2018 financial year.

Table 2: Summary of final inspections and occupancy permits

	Quarter 4 2017-18 (01/04/2018 – 30/06/2018)	Quarter 1 2018-19 (01/07/2018 – 30/09/2018)	Quarter 2 2018-19 (01/10/2018 – 31/12/2018)	Quarter 3 2018-19 (01/01/2019 – 31/03/2019)
Certificates of final inspection	39	35	39	31
Occupancy Permits	8	7	12	12

Council Building Services Staff continue to work proactively sending follow up letters with respect to the significant number of incomplete building permits that have lapsed from past years. Most people have contacted Council staff in response to these letters and final inspections have been carried out enabling these old building permits to be finalised, with 24 of the total of 31 final inspections being carried out by Council.

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	Actions incomplete from previous report period	New action started	Total actions	Building notice issued	Building order issued	Legal action / solicitors letter started this quarter	Legal action ongoing	No. resolved during this quarter
Building damaged by fire	1	0	1	0	0	0	0	1 (Demolition arranged by MBS)
Works required to make building safe (including pools)	1	7	8	1	4	0	0	3
Carrying out building works without a permit	9	2	11	1	1	0	0	3
Works not in accordance with building permit	0	1	1	0	1	0	0	0
Illegal occupation of non-habitable building	1	0	1	0	0	1 (Progress has been made after letter sent)	0	0
Building with non-complying essential safety measures	1	0	1	0	0	0	0	0

Whilst new issues requiring enforcement are identified regularly it is also noted there are some longstanding enforcement activities that are ongoing. The time spent on individual items can be significant particularly when it requires escalation to Court. Council officers work to try to resolve matters without legal intervention, unfortunately this cannot always be achieved.

There have been a number of other actions relating to matters under the Building Act & Building Regulations, including swimming pool safety, that have been resolved without the need for formal enforcement action, by staff working pro-actively with property owners to have works completed. A number of other inspections have taken place following this reporting period. These inspections

have identified a number of matters that will require enforcement actions that will be captured in the next quarterly report.

COST/BENEFITS

The expenditure for the third quarter of the 2018-2019 financial year for building services activities contained within this report is \$29,147. 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 Officers' 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 Municipal Building Surveyor, together with other 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 all 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.

2.

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.

A significant risk within Loddon Shire is unregulated developments in particular small allotments which are sold to purchasers that have expectations of using it for a cheap home or "weekender". Often the landholder is unable or unwilling to meet the regulatory requirements to safely utilise the site as they desire. This has led to a number of undesirable and potentially unsafe outcomes of unregulated developments. Action by Council's Local Laws & Planning Compliance Officer has improved some areas of the Shire in this regard. Development & Compliance staff will continue to work collaboratively to make best use of limited resources to address some of these issues. It is noted that Council's current capacity to enforce compliance in every instance, is limited. Generally enforcement matters are followed up by the Municipal Building Surveyor on a complaints basis having regard to risk management principles.

CONSULTATION AND ENGAGEMENT

The Municipal Building Surveyor regularly engages with business operators, developers, residents and ratepayers during the administration 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 to give them the opportunity to avoid the next step up in enforcement action.

RESOLUTION 2019/102

Moved: Cr Neil Beattie

Seconded: Cr Gavan Holt

That Council receive and note the Building Services Activity report.

CARRIED

10.4 UPDATE ON THE ANNUAL INFRASTRUCTURE PROGRAM 2018-2019, FLOOD RESTORATION PROGRAM AND OTHER PROJECTS

File Number: 14/01/001

Author: Adam Cooper, Project Management Coordinator

Authoriser: David Southcombe, A/Manager Technical Services

Attachments:

1. Attachment 1 - Annual Infrastructure Program 2018-2019
2. Attachment 2 - Flood Restoration Program
3. Attachment 3 - Other projects 2018-2019

RECOMMENDATION

That Council note the update on progress of the Annual Infrastructure Program 2018-2019, Flood Restoration Program and Other Projects as at March 2019.

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 report for the third quarter of 2018-2019 financial year, providing an update on the progress of the Annual Infrastructure Program and Flood Restoration Program. The status of other projects that are delivered by the Technical Services Department but are not part of the Annual Infrastructure Program or the Flood Restoration Program are also included in the report.

BACKGROUND

This report is produced quarterly and is provided to Council for the purpose of reporting progress of the Annual Infrastructure Program, Flood Restoration Program and Other Projects that the Technical Services Department is responsible for delivering. The information in this report covers progress up until the end of March 2019.

ISSUES/DISCUSSIONAnnual Infrastructure Program

Attachment 1 provides a progress summary for the end of quarter three of the 2018-2019 financial year of the Annual Infrastructure Program. There are 92 individual projects, including carryovers from previous financial years that form the Annual Infrastructure Program 2018-2019.

Flood Restoration Project

Attachment 2 provides a progress summary for the end of quarter three of the 2018-2019 financial year of the Flood Restoration Project. The recorded damages are continuously monitored and reassessed which has resulted in consolidation of multiple damages and as such the total number of recorded damages may vary from previous reports. All on ground works are effectively complete at 30 April 2019. Work is continuing on completing the administrative tasks associated with the delivery of the program.

Other Projects

In addition to the Annual Infrastructure Program and Flood Restoration Program, the Technical Services Department is responsible to oversee the delivery of a number of different projects.

Attachment 3 provides a summary of the other projects at the end of third quarter of 2018-2019 financial year.

COST/BENEFITS

The total proposed expenditure for the 2018-2019 financial year for the Annual Infrastructure Program is \$4,531,425. The total expenditure for the year to date is \$2,576,778. During the period covered within this report all major projects have been awarded, with many of the projects commenced. Attachment 1 gives a summary of progress of individual projects within this program as at 31 March 2019 including carryover projects from previous financial year. The remaining projects as of now have completed the procurement process with the expectation of having the majority projects completed by the next report to Council.

The total to date expenditure for the Flood Restoration Program across the two year program is \$19,222,441. Progress is summarised in Attachment 2. All physical on ground works are complete at 30 April 2019. The details of the final expenditure will be provided in the fourth quarter report following the finalisation of the claims process.

The Technical Services Department is currently managing other significant projects covered in Attachment 3 which are in different stages of progress. The combined value of such projects is in excess of \$1.5 million.

RISK ANALYSIS

There are a number of risks associated with the delivery of the Annual Infrastructure Program, the Flood Restoration Program and other significant projects. 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, the Flood Restoration Program and other significant projects 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.

RESOLUTION 2019/103

Moved: Cr Geoff Curnow

Seconded: Cr Gavan Holt

That Council note the update on progress of the Annual Infrastructure Program 2018-2019, Flood Restoration Program and Other Projects as at March 2019.

CARRIED

10.5 PLANNING PERMIT ACTIVITY REPORT

File Number: 13/01/002
Author: Alexandra Jefferies, Planning Officer
Authoriser: Glenn Harvey, Manager Development and Compliance
Attachments: 1. Planning permit activity report

RECOMMENDATION

That Council receive and note the planning application and permit activity report for January – March 2019.

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 third report for the 2018-2019 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/DISCUSSION

Planning permit activities

A detailed summary of the status of planning permits can be found in attachment 1: Planning permits status report 1 January 2019 – 31 March 2019.

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 1 provides a summary of the average timeframes in which the Development and Compliance Department assessed and issued Planning Permits during the third quarter of the 2018-2019 financial year and compares these to the Victorian rural average.

Table 1: Average timeframes for decisions

Quarter 3 of the 2018/2019 financial year			
Month	Average gross days to determine	Completed within 60 days	Rural average completed within 60 days
January	116 days	33%	71%
February	85 days	100%	79%
March	33 days	100%	69%
	Total Quarterly average	78%	73%

During the third quarter of the 2018- 2019 financial year 78% of all Planning Permit applications were assessed and issued within the timeframes as set in the Planning & Environment Act 1987. While not all permit application have been assessed within the statutory 60 day timeframe, Council's performance is above the rural average. For both February and March 100% of all applications were assessed within the statutory 60 days. The average gross days to determine applications in January are particularly high. During this month two complex applications were determined under delegation by Council officers following the assessment process. The two applications are Application 5341 development of accommodation and Application 5341 development of a solar farm. This has significantly impacted on the overall average number of days to issue a permit.

COST/BENEFITS

The expenditure for the third quarter of 2018-2019 financial year of the statutory planning activities contained within this report is \$69,052.

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
- correct implementation of 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 Staff consult with a number of stakeholders on a regular basis including:

- applicants
- surrounding land owners
- regulatory authorities

- other Loddon Shire Council departments
- other municipalities.

RESOLUTION 2019/104

Moved: Cr Geoff Curnow

Seconded: Cr Colleen Condliffe

That Council receive and note the planning application and permit activity report for January – March 2019.

CARRIED

10.6 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 third report for the 2018-2019 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 January to 31 March 2019		
Governing Legislation	Inspection Outcome	Number of inspections
Food Premises	Compliant*	42
	Major Non Compliance	0
Health Premises	Compliant*	8
Caravan Parks	Compliant*	1
Swimming Pools	Satisfactory	3
Total number of inspections for reporting period		54

*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.

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 2 summarises the Tabaco Act activities undertaken during the reporting period.

Table 2: Tobacco inspections

1 January to 31 March 2019	
Inspection Type	Number
Retailer includes vending machines	7
Indoor Drinking and Dinning Areas	4
Outdoor Drinking and Dinning Areas	1
Public Outdoor Venues	0
Total number of Inspections	12

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 also 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 3 summaries the sampling program activities undertaken during the reporting period.

Table 3: Sampling program summary

1 January to 31 March 2019				
Sample Type	Number	Testing	Outcome	
Food	4	Microbiological	Satisfactory*	4
			Unsatisfactory	0
		Labelling	Satisfactory	2
			Unsatisfactory	0
Swimming Pool	4	Microbiological	Complies	4
			Does not comply	0

Total number of Samples	8	
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*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.

At the commencement of the swimming season all public pools are assessed under the sampling program. As part of that assessment a water sample is taken from each pool. A follow up sample is taken on pools that return a result of does not comply. Follow up samples from pools that failed microbiological testing taken in the previous quarter were undertaken in early January at which time all the pools passed.

Septic Systems

Table 4 summarises septic system permit applications processed during the reporting period.

Table 4: Septic system permits

1 January to 31 March 2019	
Permit Type	Number
Installation or alteration	8
Certificate to use	2
Time Extensions or Change to Existing Permit	0
Total Number of Permits	10

The average processing time for permits to install or alter is seven days.

Table 5 summarises the activities associated with management of septic tank applications and installed systems.

Table 5: Septic system activity

1 January to 31 March 2019	
Activity / Inspection Type	Number
Application Inspection	7
Installation Inspection	4
Final Inspection	1
Requested Inspection	0
AWTS Project Site Visits	0
Total Number of Inspections	12

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 January to 31 March 2019				
Nature of complaint	Number carried over from previous reporting period	Number received	Number resolved	Number currently pursuing resolution
Food Premises	0	4	4	0
Odour	0	0	0	0
Noise	1	0	1	0
Mosquitoes	0	0	0	0
Wastewater	0	0	0	0
Tobacco	0	1	1	0
Other	1	2	1	2
Total	2	7	7	2

COST/BENEFITS

The actual expenditure for the third quarter of 2018-2019 financial year of the public health unit activities contained within this report is \$34,647

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 administration 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.

RESOLUTION 2019/105

Moved: Cr Geoff Curnow

Seconded: Cr Colleen Condliffe

That Council receive and note the Public Health activity report.

CARRIED

11 COMPLIANCE REPORTS**11.1 SECTION 86 COMMITTEE OF MANAGEMENT MEMBERSHIP DETAILS-
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 are involved 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 27 February 2018.

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
Jacko Schanksea	Community member
Richard Stephenson	Community member
Tracey Wilson	Inglewood & Districts Health Service
Jess Pevinski (Treasurer)	Inglewood & Districts Health Service
Paula Yorston (Secretary)	Loddon Shire Council Community Wellbeing
Brooke Arnold	Loddon Shire Council Community Wellbeing
Sandra Steel (Vice President)	Loddon Shire Council Tourism
Pauline Brown	Loddon Shire Council Tourism
Marg Van Veen (President)	Wedderburn Community House
Jon Chandler	Wedderburn Community House

The Council representative for this committee is Cr Gavan Holt.

COST/BENEFITS

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

RISK ANALYSIS

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

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

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

CONSULTATION AND ENGAGEMENT

Nil

RESOLUTION 2019/106

Moved: Cr Colleen Condliffe
Seconded: Cr Gavan Holt

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

CARRIED

11.2 SECTION 86 COMMITTEE OF MANAGEMENT MEMBERSHIP DETAILS-INGLEWOOD COMMUNITY ELDERLY PERSONS UNITS

File Number: 02/01/043

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 Inglewood Community Elderly Persons Units 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 by virtue of their volunteer commitment to the Committee of Management or the volunteer commitment by their family members.

PREVIOUS COUNCIL DISCUSSION

Council approved the current list of committee members for Inglewood Community Elderly Persons Units Committee of Management on 12 December 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

Inglewood Community Elderly Persons Units 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
Allan Saunders	Community representative
Tracey Wilson	Inglewood and Districts Health Service
Jess Pevinski	Inglewood and Districts Health Service
Robert Condliffe (President/Treasurer)	Inglewood Lions Club
Frank Stoel	Inglewood Lions Club
Paula Yorston (Secretary)	Loddon Shire Council Community Wellbeing
Brooke Arnold	Loddon Shire Council Community Wellbeing

The Council representative for this committee is Cr Colleen Condliffe.

COST/BENEFITS

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

RISK ANALYSIS

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

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

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

CONSULTATION AND ENGAGEMENT

Nil

RESOLUTION 2019/107

Moved: Cr Colleen Condliffe

Seconded: Cr Gavan Holt

That Council appoints the persons named in this report as members of the Inglewood Community Elderly Persons Units Section 86 Committee of Management, effective immediately.

CARRIED

11.3 SECTION 86 COMMITTEE OF MANAGEMENT MEMBERSHIP DETAILS-BOORT TOURISM DEVELOPMENT

File Number: 02/01/008

Author: Michelle Hargreaves, Administration Officer

Authoriser: Sharon Morrison, Director Corporate Services

Attachments: Nil

RECOMMENDATION

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

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this report. A staff member does have an involvement in the subject matter of the report by virtue of their volunteer commitment with the Committee of Management.

PREVIOUS COUNCIL DISCUSSION

Council approved the current list of committee members for Boort Tourism Development Committee of Management on 27 March 2018.

BACKGROUND

Current Section 86 committee instruments of delegations include Clause 3.6 which outlines the requirement for nomination and appointment of committee members, which is as follows:

Members and Office Bearers of the Committee

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

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

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

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

For community based committees, at least 6 community representatives are preferred.

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

ISSUES/DISCUSSION

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

Name	Position
Neil Beattie	President
Wendy James	Secretary
Alister McDougal	Treasurer
Kathryn Lanyon	Vice President
Barry Barnes	Committee Member
Barry Kennedy	Committee Member
Jacqui Verley	Committee Member
John Nelson	Committee Member
Kevin Sutton	Committee Member
Margaret Nelson	Committee Member
Marilyn Lanyon	Committee Member
Paul Haw	Committee Member
Rob Ashton	Committee Member
Sharlene Stringer	Committee Member
Suzi Kirkham	Committee Member

The Council representative for this committee is Cr Neil Beattie.

COST/BENEFITS

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

RISK ANALYSIS

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

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

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

CONSULTATION AND ENGAGEMENT

Nil

RESOLUTION 2019/108

Moved: Cr Colleen Condliffe

Seconded: Cr Gavan Holt

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

CARRIED

11.4 SECTION 86 COMMITTEE OF MANAGEMENT DETAILS-KORONG VALE MECHANICS HALL

File Number: 02/01/26

Author: Michelle Hargreaves, Administration Officer

Authoriser: Sharon Morrison, Director Corporate Services

Attachments: Nil

RECOMMENDATION

That Council appoints the persons named in this report as members of the Korong Vale Mechanics Hall Section 86 Committee of Management, effective immediately.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

Council approved the current list of committee members for Korong Vale Mechanics Hall Committee of Management on 27 November 2018. Since then, new members have been appointed and some have left.

BACKGROUND

Current Section 86 committee instruments of delegations include Clause 3.6 which outlines the requirement for nomination and appointment of committee members, which is as follows:

Members and Office Bearers of the Committee

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

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

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

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

For community based committees, at least 6 community representatives are preferred.

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

ISSUES/DISCUSSION

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

Name	Position
Glenda Brooker	President
Lyn Chapman	Secretary/ Treasurer
Debbie Rowan	Committee Member
Jenni Bligh	Committee Member
Laurie Barby	Committee Member
Milivoj Zec	Committee Member
Rosmaliza Azahar	Committee Member

The Council representative for this committee is Cr Neil Beattie.

COST/BENEFITS

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

RISK ANALYSIS

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.

CONSULTATION AND ENGAGEMENT

Nil

RESOLUTION 2019/109

Moved: Cr Colleen Condliffe

Seconded: Cr Gavan Holt

That Council appoints the persons named in this report as members of the Korong Vale Mechanics Hall Section 86 Committee of Management, effective immediately.

CARRIED

11.5 SECTION 86 COMMITTEE OF MANAGEMENT MEMBERSHIP DETAILS-DONALDSON PARK**File Number:** 02/01/018**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 Donaldson Park Section 86 Committee of Management, effective immediately.

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this report. Some staff members do have an involvement in the subject matter of the report by virtue of their volunteer commitment to the Committee of Management or the volunteer commitment by their family members.

PREVIOUS COUNCIL DISCUSSION

Council approved the current list of committee members for Donaldson Park Committee of Management on 27 November 2018.

BACKGROUND

Current Section 86 committee instruments of delegations include Clause 3.6 which outlines the requirement for nomination and appointment of committee members, which is as follows:

Members and Office Bearers of the Committee

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

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

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

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

For community based committees, at least 6 community representatives are preferred.

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

ISSUES/DISCUSSION

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

Name	Organisation
Gavan Holt (President)	Councillor
Jon Chandler (Secretary/ Treasurer)	Community Member
Brett Jackson	Wedderburn Bowls Club
Laurie Whitham	Wedderburn Bowls Club
Danny Fowles	Wedderburn College
Vacant	Wedderburn College
Bruce Hargreaves (Vice President)	Wedderburn Harness Racing Club
Tom Nisbet	Wedderburn Harness Racing Club
Chris Holt	Wedderburn Lawn Tennis Club
Tim Lockhart	Wedderburn Lawn Tennis Club
Alex Holt	Wedderburn Redbacks
Andrew Caserta	Wedderburn Redbacks
Ian Gould	Wedderburn Redbacks
Julie Benaim	Wedderburn Redbacks
Sharyn Lockhart	Wedderburn Redbacks
Trudi Van de Wetering	Wedderburn Redbacks

The Council representative for this committee is Cr Gavan Holt.

COST/BENEFITS

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

RISK ANALYSIS

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

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

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

CONSULTATION AND ENGAGEMENT

Nil

RESOLUTION 2019/110

Moved: Cr Colleen Condliffe

Seconded: Cr Gavan Holt

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

CARRIED

12 GENERAL BUSINESS

URGENT BUSINESS

RESOLUTION 2019/111

Moved: Cr Geoff Curnow

Seconded: Cr Colleen Condliffe

That the following items be treated as urgent business

CARRIED

12.1 USE OF COUNCIL SEAL

RESOLUTION 2019/112

Moved: Cr Geoff Curnow

Seconded: Cr Colleen Condliffe

That Council authorise the Chief Executive Officer to apply the seal to any documentation that is necessary to complete the transaction relating to the execution of the Deed of Settlement & Release for the property situated at 11 Tolls Road Jarklin.

CARRIED

13 CONFIDENTIAL ITEMS**RESOLUTION 2019/113**

Moved: Cr Colleen Condliffe

Seconded: Cr Neil Beattie

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 Sale of Properties for Rate Recovery Under Section 181 of the Local Government Act 1989

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

CARRIED

Closing of Meeting to the Public

RESOLUTION 2019/114

Moved: Cr Colleen Condliffe

Seconded: Cr Neil Beattie

That the meeting be closed to the public at 4.01pm.

CARRIED

13.1 REVIEW OF CONFIDENTIAL ACTIONS**RESOLUTION 2019/115**

Moved: Cr Geoff Curnow

Seconded: Cr Neil Beattie

That Council receive and note the action sheet.

CARRIED

13.2 SALE OF PROPERTIES FOR RATE RECOVERY UNDER SECTION 181 OF THE LOCAL GOVERNMENT ACT 1989

RESOLUTION 2019/116

Moved: Cr Colleen Condliffe

Seconded: Cr Geoff Curnow

That Council approves the sale of properties listed in this report under Section 181 of the Local Government Act 1989 and authorises the use of the Council seal on any related documentation.

CARRIED

RESOLUTION 2019/117

Moved: Cr Colleen Condliffe

Seconded: Cr Gavan Holt

That the meeting be re-opened to the public at 4.08pm.

CARRIED

NEXT MEETING

The next Ordinary Meeting of Council will be held on 25 June 2019 at Serpentine commencing at 3pm.

There being no further business the meeting was closed at 4.08pm.

Confirmed this.....day of..... 2019

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CHAIRPERSON