



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

Date: Tuesday, 22 August 2023
Time: 3.00pm
**Location: Loddon Shire Council Chambers,
Wedderburn**

AGENDA

Council Meeting

Order Of Business

1	OPENING AFFIRMATION	4
2	ACKNOWLEDGEMENT OF COUNTRY	4
3	APOLOGIES	4
4	DECLARATIONS OF CONFLICT OF INTEREST	4
5	PREVIOUS MINUTES	5
	5.1 CONFIRMATION OF MINUTES.....	5
6	ADVISORY MEETINGS	6
	6.1 RECORD OF ADVISORY MEETINGS.....	6
7	REVIEW OF ACTIONS	10
	7.1 REVIEW OF ACTIONS	10
8	MAYORAL REPORT	14
	8.1 MAYORAL REPORT.....	14
9	COUNCILLORS' REPORT	15
	9.1 COUNCILLORS' REPORTS	15
10	DECISION REPORTS	18
	10.1 2022/23 FINANCIAL AND PERFORMANCE STATEMENTS IN PRINCIPLE REPORT	18
	10.2 2022/23 END OF FINANCIAL YEAR VARIATION ANALYSIS	96
	10.3 NEW COMMUNITY PLANNING COMMITTEE - FORMAL RECOGNITION - RHEOLA	103
	10.4 GROWING REGIONS PROGRAM EOI - PYRAMID HILL COMMUNITY CENTRE - STAGES 2 & 3	106
	10.5 PA5892: USE AND DEVELOPMENT OF THE LAND FOR A DWELLING AND CREATION OF NEW ACCESS INTO A TRANSPORT ZONE 2 AT 4194 BRIDGEWATER MALDON ROAD, BRIDGEWATER.....	109
	10.6 GOVERNANCE RULES REVIEW	137
11	INFORMATION REPORTS	184
	11.1 ROAD MANAGEMENT PLAN DEFECT RECTIFICATION COMPLIANCE REPORT	184
	11.2 LOCAL LAWS AND PLANNING COMPLIANCE QUARTERLY ACTIVITY REPORT	187
	11.3 STATUTORY PLANNING QUARTERLY REPORT	191
	11.4 PUBLIC HEALTH QUARTERLY ACTIVITY REPORT	197
	11.5 QUARTERLY BUILDING SERVICES ACTIVITY REPORT	202
	11.6 PYRAMID HILL KINDERGARTEN ASSESSMENT AND RATING OUTCOME ...	206
12	COMPLIANCE REPORTS	210
	12.1 AUDIT AND RISK COMMITTEE UPDATE	210
13	URGENT BUSINESS	213
14	CONFIDENTIAL ITEMS	213
	Nil	

OPENING COMMENT

This meeting is being recorded and audio streamed via the Council website and Facebook.

1 OPENING AFFIRMATION

“We, the Councillors of the Loddon Shire, declare that we will carry out our duties in the best interests of the community, and through collective leadership will maintain the highest standards of good governance.”

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: FOL/19/45615
Author: Tracy Hunt, Governance Coordinator
Authoriser: Lincoln Fitzgerald, Chief Executive Officer
Attachments: Nil

RECOMMENDATION

That Council confirm the Minutes of the following meetings as previously circulated to Councillors:

1. Council Briefing of 25 July 2023
2. Council Meeting of 25 July 2023
3. Council Forum of 8 August 2023.

REPORT

This report seeks Council confirmation of Minutes from the July 2023 Council Briefing and Council Meeting, and August 2023 Council Forum as previously circulated to Councillors.

6 ADVISORY MEETINGS**6.1 RECORD OF ADVISORY MEETINGS**

File Number: 02/01/001
Author: Tracy Hunt, Governance Coordinator
Authoriser: Lincoln Fitzgerald, Chief Executive Officer
Attachments: Nil

RECOMMENDATION

That Council confirm records of the following as detailed within this report :

1. Council Briefing 25 July 2023
2. Council Forum 8 August 2023

Rule 51 of Council's Governance Rules requires a record of Councillor briefings, Councillor forums and advisory committees to be confirmed at scheduled Council meetings, and that the record include:

- a) a record of which Councillors attended the meeting;
- b) a summary of the matters considered in the meeting; and
- c) a record of any conflicts of interest disclosed by Councillors.

This report seeks confirmation of the following meetings and forums, conducted since the last scheduled meeting of Council and detailed within this report:

1. Council Briefing 25 July 2023
2. Council Forum 8 August 2023

Meeting details	Briefing
Date	25 July 2023
Councillor Attendees	Cr Beattie Cr Holt Cr Jungwirth Cr Murphy Cr Dan Straub
Staff/ Stakeholder representatives	1. Lincoln Fitzgerald, Chief Executive Officer 2. Wendy Gladman, Director Community Wellbeing 3. David Southcombe, Manager Assets and Infrastructure 4. Amanda Wilson, Director Corporate 5. Lisa Clue, Manager Governance
Item(s) discussed.	1. Notice of Motion – Cr Murphy – Adopted Fee Waiver 2. General Business: <ul style="list-style-type: none"> • Growing Regions Program • State Government Regional Housing Fund • Disaster Recovery Funding Arrangements • Ministerial visits
Conflict of Interest Disclosures – Councillor/ officer making disclosure	Cr Beattie in relation to item 1 above Cr Holt in relation to item 1 above
Councillor/officer left room	Cr Beattie Cr Holt

Meeting details	Forum
Date	8 August 2023
Councillor Attendees	Cr Beattie Cr Holt Cr Jungwirth Cr Murphy Cr Dan Straub
Staff/ Stakeholder representatives	6. Lincoln Fitzgerald, Chief Executive Officer 7. Wendy Gladman, Director Community Wellbeing 8. Steven Phillips, Director Operations 9. Amanda Wilson, Director Corporate 10. Lisa Clue, Manager Governance 11. Tracy Hunt, Governance Coordinator Janine Jackson, Manager, Organisation Development and Lindy McPherson, Group Manager, Davidson Advisory – Item 1 below Tony Raunic, Managing Principal, Hunt & Hunt Lawyers – Item 2 below David Stretch, Manager, Tourism and Economic Development – Item 3 below Deanne Caserta, Manager, Financial Services and members of the Financial Services Team – Item 4 below Paul Scullie, Acting Manager Community Support and Wendy Twigg, Aquatic Support Officer – Item 5 below Sarah Perry, Acting Manager Community Wellbeing – Item 7 below
Item(s) discussed.	1. Chief Executive Officer KPIs 2. Conflict of Interest and Governance Workshop 3. Tourism and Economic Development Quarterly Report 4. Department Presentation – Financial Services 5. Loddon Swimming Pools – End of Season Report 6. Small Towns Strategy, Appointment of Consultant 7. Immunisation Service Review and Cold Chain Audit Report 8. Instrument of Delegation – Council to CEO 9. Governance Rules Review – Consideration of Community Feedback 10. Overview – Operation Sandon Report 11. General Business <ul style="list-style-type: none"> • Flood repairs (roads) • Skinners Flat Reservoir • Audit and Risk Committee meeting update • Meeting with MP • Inquiry into the 2022 Flood Event in Victoria • VNI West • Rail Infrastructure

Conflict of Interest Disclosures - Councillor/officer making disclosure	Lincoln Fitzgerald, Chief Executive Officer declared a conflict of interest in relation to Agenda item 1 above but advised, due to the nature of the item being discussed, he is not required to leave the meeting.
Councillor/officer left room	No

7 REVIEW OF ACTIONS**7.1 REVIEW OF ACTIONS**

File Number: 02/01/002

Author: Tracy Hunt, Governance Coordinator

Authoriser: Lincoln Fitzgerald, Chief Executive Officer

Attachments: 1. Resolutions acted upon since the July 2023 Council Meeting

RECOMMENDATION

That Council receive and note resolutions acted upon since the July 2023 Council meeting as attached to this report.

CONFLICT OF INTEREST

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

REPORT

A document containing the status of actions from Council meeting resolutions is attached to this report.

There were no outstanding actions from Council meeting resolutions prior to July 2023.

All actions from July 2023 Council meeting resolutions have been completed.

Council resolutions acted upon since the July 2023 Council Meeting

Meeting	Officer/Director	Section	Subject
Council 25/07/2023	Wilson, Amanda Wilson, Amanda	Confidential Items	Appointment of Audit and Risk Committee Independent Member
<p>RESOLUTION 2023/74</p> <p>Moved: Cr Gavan Holt Seconded: Cr Neil Beattie</p> <p>That Council appoint Marg Allan as an Independent Member of the Audit and Risk Committee for a four-year term from 26 July 2023 to 30 June 2027.</p> <p style="text-align: right;">CARRIED</p> <p>31 Jul 2023 12:07pm Wilson, Amanda - Completion Completed by Wilson, Amanda (action officer) on 31 July 2023 at 12:07:05 PM - Endorsed Audit and Risk Committee Independent Member notified of appointment 28/07/2023. Audit and Risk Committee members notified of appointment 28/07/2023.</p>			

Council resolutions acted upon since the July 2023 Council Meeting

Meeting	Officer/Director	Section	Subject
Council 25/07/2023	Jackson, Janine Wilson, Amanda	Confidential Items	CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW
<p>RESOLUTION 2023/75</p> <p>Moved: Cr Dan Straub (Mayor) Seconded: Cr Wendy Murphy</p> <p>That Council:</p> <ol style="list-style-type: none"> 1. receive and note the Chief Executive Officer Performance Review Report 2023; and 2. seek external advice and guidance on the setting of the Chief Executive Officer KPIs for 2023/24. <p style="text-align: right;">CARRIED</p>			
<p>RESOLUTION 2023/76</p> <p>Moved: Cr Wendy Murphy Seconded: Cr Neil Beattie</p> <p>That Council:</p> <ol style="list-style-type: none"> 1. review the salary component of the CEO remuneration Package in accordance with clause 5.7.1 and 5.7.2 of the CEO contract of employment; and 2. authorise the Mayor to apply an amendment to schedule two of the CEO employment contract, aligned to the applicable salary increase percentage in Council's current Enterprise Agreement, for a period of twelve months, effective 1 November 2023. <p style="text-align: right;">CARRIED</p>			
<p>11 Aug 2023 10:10am Jackson, Janine - Completion</p> <p>Completed by Jackson, Janine (action officer) on 11 August 2023 at 10:10:38 AM - The appraisal of the CEO has been completed for the 2022/23 period and the salary component has been reviewed and the Mayor has amended schedule two which will take effect on 1 November 2023. A letter has been prepared for the CEO advising of the outcome.</p>			

Council resolutions acted upon since the July 2023 Council Meeting

Meeting	Officer/Director	Section	Subject
Council 25/07/2023	Clue, Lisa Wilson, Amanda	Decision Reports	Governance Rules Review
RESOLUTION 2023/75			
Moved: Cr Linda Jungwirth Seconded: Cr Wendy Murphy			
That Council endorse the Draft Loddon Shire Council Governance Rules as attached to this report for the purpose of community engagement in accordance with section 60(4) of the <i>Local Government Act 2020</i> .			
			CARRIED
09 Aug 2023 2:48pm Clue, Lisa - Completion			
Completed by Clue, Lisa (action officer) on 09 August 2023 at 2:48:34 PM - Community review and feedback was invited via the Mayoral Column, Facebook posts and the Loddon Herald Weekly update, until 9am on Tuesday, 8 August 2023.			

Meeting	Officer/Director	Section	Subject
Council 25/07/2023	Caserta, Deanne Wilson, Amanda	Decision Reports	Water Trading Policy v2
RESOLUTION 2023/76			
Moved: Cr Neil Beattie Seconded: Cr Linda Jungwirth			
That Council adopts the Water Trading Policy v2.			
			CARRIED
31 Jul 2023 4:16pm Caserta, Deanne - Completion			
Completed by Caserta, Deanne (action officer) on 31 July 2023 at 4:16:24 PM - Finalised and published to Council's website.			

8 MAYORAL REPORT**8.1 MAYORAL REPORT**

File Number: 02/01/001
Author: Tracy Hunt, Governance Coordinator
Authoriser: Lincoln Fitzgerald, Chief Executive Officer
Attachments: Nil

RECOMMENDATION

That Council receive and note the Mayoral Report.

REPORT

The Mayor will present a verbal report at the meeting.

Cr Straub

Loddon Campaspe Councils	
Murray River Group of Councils	
North Central Goldfields Regional Library	
North Central Local Learning and Employment Network	
Rural Councils Victoria	
Section 65 Community Asset Committees:	
East Loddon Community Centre	
Pyramid Hill Memorial Hall	
Other Council activities	
Date	Activity

9 COUNCILLORS' REPORT

9.1 COUNCILLORS' REPORTS

File Number: 02/01/001
Author: Tracy Hunt, Governance Coordinator
Authoriser: Lincoln Fitzgerald, Chief Executive Officer
Attachments: Nil

RECOMMENDATION

That Council receive and note the Councillors' reports.

REPORT

Each Councillor will present a verbal report at the meeting.

Cr Beattie

Rail Freight Alliance	
Section 65 Community Asset Committees:	
Boort Aerodrome	
Boort Memorial Hall	
Boort Park	
Korong Vale Mechanics Hall	
Korong Vale Sports Centre	
Little Lake Boort	
Yando Public Hall	
Other Council activities	
Date	Activity

Cr Holt

Municipal Association of Victoria	
Audit and Risk Committee	
Section 65 Community Asset Committees:	
Donaldson Park	
Wedderburn Community Centre	
Wedderburn Engine Park and Market Square Reserve	
Wedderburn Mechanics and Literary Institute Hall	
Hard Hill Tourist Reserve	
Other Council activities	
Date	Activity

Cr Jungwirth

Australia Day Committee	
Central Victorian Greenhouse Alliance	
Municipal Emergency Management Planning Committee	
Other Council activities	
Date	Activity

Cr Murphy

Calder Highway Improvement Committee	
Local Government Women’s Charter	
Healthy Minds Network	
Section 65 Community Asset Committees:	
Campbells Forest Hall	
Inglewood Community Sports Centre	
Inglewood Community Elderly Persons Units	
Inglewood Town Hall Hub	
Other Council activities	
Date	Activity

10 DECISION REPORTS**10.1 2022/23 FINANCIAL AND PERFORMANCE STATEMENTS IN PRINCIPLE REPORT**

File Number: FOL/23/1595
Author: Deanne Caserta, Manager Financial Services
Authoriser: Amanda Wilson, Director Corporate
Attachments: 1. DRAFT Financial Statements
2. DRAFT Performance Statements

RECOMMENDATION

That Council:

1. Adopts the Financial Statements and Performance Statement for the year ended 30 June 2023 as presented "in principle".
2. Authorises the Chief Executive Officer to make any amendments to the Financial Statements and Performance Statement for the year ended 30 June 2023 that may be requested by RSD Audit of the Victorian Auditor-General.
3. Authorises the Mayor Cr Dan Straub, one other Councillor, and the Chief Executive Officer to certify the audited Financial Statements and Performance Statement for the year ended 30 June 2023.

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

Council's external auditors, RSD Audit, acting on behalf of the Victorian Auditor-General, have finalised remotely the audit of Council's Financial Statements and Performance Statement for the year ended 30 June 2023.

A requirement of the Local Government Act 1989 (s132(2) which is still in force) is that Council cannot formally submit the Financial Statements or Performance Statement to the Minister without having passed a motion giving in principle support to those statements.

It is also a requirement of the Local Government Act 1989 (s132(5) that Council must ensure that the Financial Statements and Performance Statement, in their final form after any changes recommended or agreed by the auditor have been made, are certified in accordance with the regulations by two Councillors and any other prescribed person authorised by Council for this purpose.

ISSUES/DISCUSSION

The annual Financial Statements are presented in accordance with all relevant Australian Accounting Standards and consist of a Comprehensive Income Statement, Balance Sheet, Statement of Changes in Equity, and Statement of Cash Flows, along with detailed notes expanding on each of these.

The Performance Statement is in line with the Regulations. It includes:

- sustainable capacity indicators, which are financial and non-financial indicators of the sustainability of Council
- service performance indicators, which are non-financial indicators
- financial performance indicators, which are all financial indicators taken from the financial statements.

A standard format for the Performance Statement is provided by Local Government Victoria.

COST/BENEFITS

The benefit to Council and the community is accurate financial and non-financial information which shows the Council's results for the financial year, and provides insight into Council's sustainability.

RISK ANALYSIS

Preparation and auditing of Financial Statements and the Performance Statement are legislated functions of Council. Council must provide these documents along with the Report of Operations to the Minister for Local Government by 30 September 2023.

By having a structured project plan for delivery of the statements to the Victorian Auditor-General's representative, the risk of not meeting the legislative timeline is mitigated.

CONSULTATION AND ENGAGEMENT

The Audit Committee has been provided with an overview of the Financial Statements and Performance Statement at the Audit Committee Meeting held on 7 August 2023.

LODDON SHIRE COUNCIL

FINANCIAL STATEMENTS YEAR ENDING 30 JUNE 2023



TABLE OF CONTENTS

Certification of financial statements	3
Financial Statements	
Comprehensive Income Statement	6
Balance Sheet	7
Statement of Changes in Equity	8
Statement of Cash Flows	9
Statement of Capital Works	10
Notes to the financial statements	
Note 1	11
Overview	
Note 2	13
Analysis of our results	
2.1 Performance against budget	13
2.1.1 Income and expenditure	13
2.2.2 Capital works	14
2.2 Analysis of Council results by program	15
Note 3	16
Funding for the delivery of our services	
3.1 Rates and charges	16
3.2 Statutory fees and fines	16
3.3 User fees	17
3.4 Funding from other levels of government	17
3.5 Contributions	19
3.6 Reimbursements and subsidies	20
3.7 Net gain / (loss) on disposal of property, infrastructure, plant and equipment	20
3.8 Interest received	20
Note 4	21
The cost of delivering services	
4.1 Employee costs	21
4.2 Materials and services	21
4.3 Depreciation	23
4.4 Bad debts expense	23
4.5 Other expenses	23
Note 5	24
Our financial position	
5.1 Financial assets	24
5.2 Non-financial assets	26
5.3 Payables, trust funds and deposits and unearned income/revenue	28
5.4 Provisions	30
5.5 Financing arrangements	32
5.6 Commitments	33
5.7 Leases	34
Note 6	35
Assets we manage	
6.1 Non current assets classified as held for sale	35
6.2 Property, infrastructure, plant and equipment	36
6.3 Investments in associates, joint arrangements and subsidiaries	43
Note 7	45
People and relationships	
7.1 Council and key management remuneration	45
7.2 Related party disclosure	47
Note 8	48
Managing uncertainties	
8.1 Contingent assets and liabilities	48
8.2 Change in accounting standards	48
8.3 Financial instruments	49
8.4 Fair value measurement	51
8.5 Events occurring after balance date	52
Note 9	53
Other matters	
9.1 Reserves	53
9.2 Reconciliation of cash flows from operating activities to surplus / (deficit)	59
9.3 Superannuation	59
Note 10	62
Change in accounting policy	

CERTIFICATION OF FINANCIAL STATEMENTS

In my opinion the accompanying financial statements have been prepared in accordance with the *Local Government Act 2020*, the *Local Government (Planning and Reporting) Regulations 2020*, Australian Accounting Standards and other mandatory professional reporting requirements.

Signed: Dated: **XX / XXX / 2023**
AMANDA KAYE WILSON, BBus (Acc), DipHR, CertWHS, PRINCIPAL ACCOUNTING OFFICER
Wedderburn, Victoria 3518

In our opinion the accompanying financial statements present fairly the financial transactions of the Loddon Shire Council for the year ended 30 June 2023 and the financial position of the Council as at that date.

At the date of signing, we are not aware of any circumstances that would render any particulars in the financial statements to be misleading or inaccurate.

We have been authorised by the Council and by the *Local Government (Planning and Reporting) Regulations 2020* to certify the financial statements in their final form.

Signed: Dated: **XX / XXX / 2023**
DANIEL ALLAN STRAUB, MAYOR
Wedderburn, Victoria, 3518

Signed: Dated: **XX / XXX / 2023**
NEIL EDWARD BEATTIE, COUNCILLOR
Wedderburn, Victoria, 3518

Signed: Dated: **XX / XXX / 2023**
LINCOLN WILLIAM FITZGERALD, BA (Nature Tourism), GAICD, CertTAA, CHIEF EXECUTIVE OFFICER
Wedderburn, Victoria 3518

This page is deliberately blank.

This page is deliberately blank.

**COMPREHENSIVE INCOME STATEMENT
FOR THE YEAR ENDED 30 JUNE 2023**

	Note	2023 \$	2022 \$
Income / Revenue			
Rates and charges	3.1	12,283,025	11,890,953
Statutory fees and fines	3.2	329,402	383,610
User fees	3.3	1,313,104	1,538,812
Grants - operating	3.4	21,623,177	15,211,241
Grants - capital	3.4	6,081,169	2,965,192
Contributions - monetary	3.5	361,400	273,925
Reimbursements and subsidies	3.6	1,181,739	859,314
Donated assets		45,322	-
Net gain (or loss) on disposal of property, infrastructure, plant and equipment	3.7	17,390	34,433
Interest received	3.8	1,264,776	263,296
Share of net profits of associates and joint ventures	6.3	1,301	14,446
Total income / revenue		44,501,805	33,435,222
Expenses			
Employee costs	4.1	13,464,021	12,857,975
Materials and services	4.2	12,977,497	8,971,351
Depreciation	4.3	10,742,687	9,270,237
Bad and doubtful debts - allowance for impairment losses	4.4	57,799	40,478
Other expenses	4.5	311,346	292,978
Total expenses		37,553,350	31,433,019
Surplus (or deficit) for year		6,948,455	2,002,203
Other comprehensive income			
<i>Items that will not be reclassified to surplus or deficit in future periods</i>			
Net asset revaluation increment/(decrement)	9.1(a)	39,617,225	(10,365,945)
Share of other comprehensive income of associates and joint ventures accounted for by the equity method	6.3	(3,673)	(4,075)
Total other comprehensive income		39,613,552	(10,370,020)
Total comprehensive result		46,562,007	(8,367,817)

The above Comprehensive Income Statement should be read with the accompanying notes.

**BALANCE SHEET
AS AT 30 JUNE 2023**

	Note	2023 \$	2022 \$
Assets			
Current assets			
Cash and cash equivalents	5.1	15,992,321	3,727,157
Other financial assets	5.1	33,188,401	36,684,402
Trade and other receivables	5.1	2,025,564	1,063,989
Other assets	5.2	711,733	130,642
Prepayments	5.2	5,267	262,843
Non-current assets classified as held for sale	6.1	311,958	311,958
Total current assets		52,235,244	42,180,991
Non-current assets			
Other assets	5.2	100	100
Investments in associates, joint ventures and subsidiaries	6.3	292,682	295,054
Intangible assets	5.2	2,807,790	2,713,090
Property, infrastructure, plant and equipment	6.2	382,469,773	343,749,861
Total non-current assets		385,570,345	346,758,105
Total assets		437,805,589	388,939,096
Liabilities			
Current liabilities			
Trade and other payables	5.3(a)	2,375,392	692,750
Trust funds and deposits	5.3(b)	367,767	367,782
Unearned income	5.3(c)	3,176,276	3,076,276
Provisions	5.4	2,836,372	2,841,411
Total current liabilities		8,755,807	6,978,219
Non-current liabilities			
Provisions	5.4	1,773,183	1,246,284
Total non-current liabilities		1,773,183	1,246,284
Total liabilities		10,528,990	8,224,503
Net assets		427,276,599	380,714,592
Equity			
Accumulated surplus		91,709,883	91,667,547
Reserves	9	335,566,716	289,047,045
Total equity		427,276,599	380,714,592

The above Balance Sheet should be read with the accompanying notes.

STATEMENT OF CHANGES IN EQUITY FOR THE YEAR ENDED 30 JUNE 2023

2023

	Note	Total 2023 \$	Accumulated surplus 2023 \$	Revaluation reserve 2023 \$	Other reserves 2023 \$
Balance at beginning of the financial year		380,714,592	91,667,547	262,232,789	26,814,256
Surplus/(deficit) for the year		6,948,455	6,948,455	-	-
Net asset revaluation increment/(decrement)	9.1(a)	39,617,225	-	39,617,225	-
Transfer to reserves	9.1(b)	-	(24,971,210)	-	24,971,210
Transfer from reserves	9.1(b)	-	18,068,764	-	(18,068,764)
Share of other comprehensive income		(3,673)	(3,673)	-	-
Balance at end of financial year		427,276,599	91,709,883	301,850,014	33,716,702

2022

	Note	Total 2022 \$	Accumulated surplus 2022 \$	Revaluation reserve 2022 \$	Other reserves 2022 \$
Balance at beginning of the financial year		389,082,409	90,938,554	272,598,734	25,545,121
Surplus/(deficit) for the year		2,002,203	2,002,203	-	-
Net asset revaluation increment/(decrement)	9.1(a)	(10,365,945)	-	(10,365,945)	-
Transfer to reserves	9.1(b)	-	(19,065,147)	-	19,065,147
Transfer from reserves	9.1(b)	-	17,796,012	-	(17,796,012)
Share of other comprehensive income		(4,075)	(4,075)	-	-
Balance at end of financial year		380,714,592	91,667,547	262,232,789	26,814,256

**STATEMENT OF CASH FLOWS
FOR THE YEAR ENDED 30 JUNE 2023**

	Note	2023 Inflows/ (outflows) \$	2022 Inflows/ (outflows) \$
Cash flows from operating activities			
Rates and charges		12,127,262	11,936,398
Statutory fees and fines		336,507	356,251
User fees		649,596	1,632,691
Grants - operating		21,444,456	15,326,794
Grants - capital		6,181,169	3,065,192
Contributions - monetary		361,400	273,925
Donated assets		45,322	-
Reimbursements and subsidies		1,181,739	859,314
Interest received		1,390,151	196,033
Net GST refund		1,268,707	1,268,707
Trust funds and deposits taken		(15)	2,611
Employee costs		(13,361,866)	(12,960,079)
Material and services		(12,932,581)	(11,623,720)
Net cash provided by (used in) operating activities	9.2	18,691,847	10,334,117
Cash flows from investing activities			
Payments for property, infrastructure, plant and equipment	6.2	(10,224,734)	(7,579,652)
Proceeds from sale of property, infrastructure, plant and equipment	3.7	302,050	211,938
Payments for intangible assets		-	(650)
Payments from / (for) investments		3,496,001	(19,500,985)
Repayment of loans and advances from community organisations		-	-
Net cash provided by (used in) investing activities		(6,426,683)	(26,869,349)
Net increase/(decrease) in cash and cash equivalents		12,265,164	(16,535,232)
Cash and cash equivalents at the beginning of the financial year		3,727,157	20,262,389
Cash and cash equivalents at the end of the financial year	5.1	15,992,321	3,727,157

The above Statement of Cash Flows should be read with the accompanying notes.

**STATEMENT OF CAPITAL WORKS
FOR THE YEAR ENDED 30 JUNE 2023**

	Note	2023 \$	2022 \$
Land and buildings			
Land		-	840,934
Buildings - specialised		1,394,372	288,337
Work in progress		3,722,102	444,855
Total buildings		5,116,474	1,574,126
Plant and fittings			
Plant, machinery and equipment		974,628	749,230
Office furniture and equipment		40,182	90,326
Total plant and equipment		1,014,810	839,556
Infrastructure			
Roads		2,953,021	3,514,155
Bridges		445,562	920,762
Footpaths and cycleways		522,263	353,945
Kerb and channel		-	169,544
Drainage		172,604	207,563
Street furniture		-	-
Work in progress		-	-
Total infrastructure		4,093,450	5,165,970
Total capital works expenditure	6.2	10,224,734	7,579,652
Represented by:			
New asset expenditure		1,014,810	1,674,732
Asset renewal expenditure		4,762,106	5,451,463
Asset expansion expenditure		4,099,041	332,338
Asset upgrade expenditure		348,777	121,119
Total capital works expenditure		10,224,734	7,579,652

The above statement of capital works should be read with the accompanying notes.

NOTE 1 OVERVIEW

Introduction

The Loddon Shire Council was established by an Order of the Governor in Council on 19 January 1995 and is a body corporate. The Council's main office is located at 41 High Street, Wedderburn.

Statement of compliance

These financial statements are a general purpose financial report that consist of a Comprehensive Income Statement, Balance Sheet, Statement of Changes in Equity, Statement of Cash Flows, Statement of Capital Works and Notes accompanying these financial statements. The general purpose financial report complies with Australian Accounting Standards, other authoritative pronouncements of the Australian Accounting Standards (AAS), the *Local Government Act 2020*, and the *Local Government (Planning and Reporting) Regulations 2020*.

Council is a not-for-profit entity and therefore applies the additional AUS paragraphs applicable to a not-for-profit entity under the Australian Accounting Standards.

Significant accounting policies

(a) Basis of accounting

Accounting policies are selected and applied in a manner which ensures that the resulting financial information satisfies the concepts of relevance and reliability, thereby ensuring that the substance of the underlying transactions or other events is reported. Accounting policies applied are disclosed in sections where the related balance or financial statement matter is disclosed.

The accrual basis of accounting has been used in the preparation of these financial statements, except for the cash flow information, whereby assets liabilities, equity, income and expenses are recognised in the reporting period to which they relate, regardless of when cash is received or paid.

The financial statements are based on the historical cost convention unless a different measurement basis is specifically disclosed in the notes to the financial statements.

Judgements, estimates and assumptions are required to be made about the carrying values of assets and liabilities that are not readily apparent from other sources. The estimates and associated judgements are based on professional judgement derived from historical experience and various other factors that are believed to be reasonable under the circumstances. Actual results may differ from these estimates.

The financial statements have been prepared on a going concern basis. The financial statements are in Australian dollars. The amounts presented in the financial statements have been rounded to the nearest dollar unless otherwise specified. Minor discrepancies in tables between totals and the sum of components due to rounding.

Revisions to accounting estimates are recognised in the period in which the estimate is revised and also in future periods that are affected by the revision. Judgements and assumptions made by management in the application of AAS's that have significant effects on the financial statements and estimates relate to:

- the fair value of land, buildings, infrastructure, plant and equipment (refer to Note 6.2)
- the determination of depreciation for buildings, infrastructure, plant and equipment (refer to Note 6.2)
- the determination of employee provisions (refer to Note 5.4)
- the determination of landfill provisions (refer to Note 5.4)
- the determination of whether performance obligations are sufficiently specific as to determine whether an arrangement is within the scope of *AASB 15 Revenue from Contracts with Customers* or *AASB 1058 Income for Not-for-Profit Entities* (refer to Note 3)
- whether or not *AASB 1059 Service Concession Agreements: Grantors* is applicable
- other areas requiring judgements.

NOTE 1 OVERVIEW (CONTINUED)**Significant accounting policies (continued)*****(a) Basis of accounting (continued)***

Unless otherwise stated, all accounting policies are consistent with those applied in the prior year. Where appropriate, comparative figures have been amended to accord with current presentation and disclosure has been made of any material changes to comparatives.

Goods and Services Tax (GST)

Income and expenses are recognised net of the amount associated with GST. Receivables and payables are stated inclusive of the amount of GST receivable or payable. The net amount of GST recoverable from, or payable to, the taxation authority is included with other receivables or payables in the balance sheet.

(b) Impact of COVID-19

During 2022/23 the COVID-19 pandemic continued to impact on Council's operations. Council has noted only minor interruptions and no impacts of a material nature on its financial operations.

NOTE 2 ANALYSIS OF OUR RESULTS

2.1 Performance against budget

The performance against budget notes compare Council's financial plan, expressed through its annual budget, with actual performance. The *Local Government (Planning and Reporting) Regulations 2020* requires explanation of any material variances. Management has adopted a materiality threshold of 20 percent and \$50,000 where further explanation is warranted. Explanations have not been provided for variations below the materiality threshold.

The budget figures detailed below are those adopted by Council on 28 June 2022.

These notes are prepared to meet the requirements of the *Local Government Act 2020* and the *Local Government (Planning and Reporting) Regulations 2020*.

2.1.1 Income / revenue and expenditure

	Budget 2023 \$	Actual 2023 \$	Variance \$	Variance %	Ref
Income / revenue					
Rates and charges	12,257,016	12,283,025	26,009	0.2%	
Statutory fees and fines	284,357	329,402	45,045	15.8%	
User fees	1,531,648	1,313,104	(218,544)	-14.3%	
Grants - operating	4,174,076	21,623,177	17,449,101	418.0%	1
Grants - capital	2,387,726	6,081,169	3,693,443	154.7%	2
Contributions - monetary	-	361,400	361,400	100.0%	3
Reimbursements and subsidies	778,447	1,181,739	403,292	51.8%	4
Donated assets	-	45,322	45,322	100.0%	5
Interest earnings	235,000	1,264,776	1,029,776	438.2%	6
Net gain/(loss) on disposal of property, infrastructure, plant and equipment	-	17,390	17,390	100.0%	
Share of net profits/(losses) of associates and joint ventures	-	1,301	1,301	0.0%	
Total income / revenue	21,648,270	44,501,805	22,853,535	105.6%	
Expenses					
Employee costs	14,362,102	13,464,021	898,081	6.3%	
Materials and services	12,173,012	12,977,497	(804,485)	6.6%	
Depreciation	10,106,628	10,742,687	(636,059)	6.3%	
Bad and doubtful debts - allowance for impairment losses	-	57,799	(57,799)	100.0%	7
Other expenses	351,182	311,346	39,836	-11.3%	
Total expenses	36,992,924	37,553,350	(560,426)	1.5%	
Surplus/(deficit) for the year	(15,344,655)	6,948,455	22,293,109	-145.3%	

(I) Explanation of material variations

- 1 This includes the 100% upfront payment of the 2023/24 Grants Commission funding. This was not budgeted.
- 2 This includes further grant funding for major projects that were initially budgeted to occur within 2021/22.
- 3 This includes project funding for items that were expected to commence in 2021/22 and further new projects.
- 4 This mainly relates to reimbursement of expenses for the ongoing system implementation project along with insurance claims reimbursements.
- 5 Council was donated the assets funded from the mosquito monitor and eradication program. This was not expected when the budget was adopted.
- 6 Significant increases in interest rates and available cash has resulting in an increase to the interest earnt.
- 7 This is an unknown, therefore Council does not budget for doubtful debts.

NOTE 2 ANALYSIS OF OUR RESULTS (CONTINUED)**2.1 Performance against budget (continued)****2.1.2 Capital works**

	Budget 2023 \$	Actual 2023 \$	Variance \$	Variance %	Ref
Land and buildings					
Land	-	-	0	100.0%	
Buildings	405,000	928,563	(523,563)	129.3%	
Total land and buildings	405,000	928,563	(523,563)	129.3%	8
Plant and equipment					
Plant, machinery and equipment	2,097,340	974,628	1,122,712	-53.5%	
Office furniture and equipment	100,000	40,182	59,818	-59.8%	
Total plant and equipment	2,197,340	1,014,810	1,182,530	-53.8%	9
Infrastructure					
Roads	3,207,823	3,118,541	89,282	-2.8%	
Bridges	149,488	445,562	(296,074)	198.1%	
Footpaths and cycleways	426,183	522,263	(96,080)	22.5%	
Drainage	350,000	179,449	170,551	-48.7%	
Recreation, leisure and community facilities	500,000	3,798,050	(3,298,050)	659.6%	
Parks, open space and streetscapes	100,000	217,496	(117,496)	117.5%	
Total infrastructure	4,733,494	8,281,361	(3,547,867)	75.0%	10
Total capital works expenditure	7,335,834	10,224,734	(2,888,900)	39.4%	
Represented by:					
New asset expenditure	2,197,340	1,014,810	1,182,530	-53.8%	
Asset renewal expenditure	4,638,494	4,762,106	(123,612)	2.7%	
Asset expansion expenditure	-	4,099,041	(4,099,041)	100.0%	
Asset upgrade expenditure	500,000	348,777	151,223	-30.2%	
Total capital works expenditure	7,335,834	10,224,734	(2,888,900)	39.4%	

(i) Explanation of material variations

- 8** This mainly relates to the caravan park improvement works that were carried forward from 2021/22.
- 9** The variation relates to the delay in delivery for some major plant items. These have been ordered and are recognised as commitments in the schedule but are not available for delivery as yet.
- 10** The variations relate to projects that were carried forward from 2021/22. This includes Donaldson Park, Pyramid Hill Streetscape and Community Centre along with various road infrastructure projects.

NOTE 2 ANALYSIS OF OUR RESULTS (CONTINUED)

2.2 Analysis of Council results by program

Council delivers its functions and activities through the following programs:

2.2.1 Programs

A sustainable built and natural environment

Infrastructure: We will implement financially and environmentally sustainable infrastructure that supports our social and economic needs.

Environment: We will work with our partners to preserve and protect our local environment. We will support our community to respond to the impacts of climate change.

A growing and vibrant community

Population: We will promote population growth to support a growing and diverse community.

Community: We will support a connected and inclusive community that provides opportunities for current and new community members at all ages, abilities, and stages of their life.

Youth: We will support our youth to access pathways for education and employment and the ability to connect and actively engage with their community.

A diverse and expanding economy

Tourism: We will promote our unique tourism opportunities and support our local tourism industry to increase visitation to our area.

Economy: We will support established businesses and seek to attract new businesses to grow our local economy.

A supported and accessible community

Services: We will deliver our core services and advocate for access to other services for our community that support the health, wellbeing and liveability of our community.

Communication: We will listen to our community about how they wish to communicate with us and implement effective communication methods to achieve this. We will provide our community with opportunities to engage with us.

2.2.2 Summary of income / revenue, expenses, assets and capital expenses by program

2023 - Council Plan

	Income / revenue \$	Expenses \$	Surplus / (Deficit) \$	Grants included in income / revenue \$	Total assets \$
Sustainable built and natural environment	11,163,154	7,028,256	4,134,898	8,723,022	378,073,554
Growing and vibrant community	3,455,074	2,401,182	1,053,892	2,950,996	-
Diverse and expanding economy	825,819	1,095,862	(270,043)	269,287	311,958
Supported and accessible community	29,057,758	27,028,050	2,029,708	15,761,041	59,420,077
Total	44,501,805	37,553,350	6,948,455	27,704,346	437,805,589

2022 - Council Plan

	Income / revenue \$	Expenses \$	Surplus / (Deficit) \$	Grants included in income / revenue \$	Total assets \$
Sustainable built and natural environment	5,534,698	3,945,574	1,589,124	3,338,206	338,949,869
Growing and vibrant community	592,635	1,382,673	(790,038)	134,160	-
Diverse and expanding economy	1,015,660	971,524	44,136	337,844	311,958
Supported and accessible community	26,292,229	25,133,248	1,158,981	14,366,223	49,677,269
Total	33,435,222	31,433,019	2,002,203	18,176,433	388,939,096

NOTE 3 FUNDING FOR THE DELIVERY OF OUR SERVICES

3.1 Rates and charges

Council uses Capital Improved Value (C.I.V.) as the basis of valuation of all properties within the municipal district. The C.I.V. of a property includes the value of the land and all improvements on the land.

The valuation base used to calculate general rates for 2022/23 was \$3,497,520,100. The valuation base used in 2021/22 was \$2,672,413,100.

	2023	2022
	\$	\$
General rates	2,688,092	2,506,374
Rural production rates	6,181,689	6,205,467
Municipal charges	1,356,691	1,318,915
Kerbside recycling charges	527,248	476,727
Garbage charges	1,477,925	1,336,289
Interest on rates and charges	51,380	47,181
Total rates and garbage charges	12,283,025	11,890,953

The date of the latest general revaluation of land for rating purposes within the municipal district was 1 January 2022, and the valuation was first applied in the rating year commencing 1 July 2022.

Annual rates and charges are recognised as revenues when Council issues annual rates notices. Supplementary rates are recognised when a valuation and reassessment is completed and a supplementary rates notice issued.

3.2 Statutory fees and fines

	2023	2022
	\$	\$
Statutory fees and fines		
Rates and property	14,284	12,164
Risk management	3,232	6,099
Building regulation	44,998	76,676
Local laws and animal management	85,016	82,769
Public health	54,702	58,973
Strategic and statutory planning	127,170	146,929
Total statutory fees and fines	329,402	383,610

Statutory fees and fines (including building permits and local laws fines) are recognised as revenue when the service has been provided, the payment is received, or when the penalty has been applied, whichever occurs first.

NOTE 3 FUNDING FOR THE DELIVERY OF OUR SERVICES (Continued)**3.3 User fees**

	2023	2022
	\$	\$
User fees		
Caravan parks	494,146	635,256
Loddon Discovery Tours	-	675
Tourism	17,407	2,350
Aged care services	418,362	478,471
Seniors	4,516	1,897
Emergency management	4,911	3,675
Preschools	4,896	56,866
Corporate governance	565	6,328
Financial services	2,641	949
Human resources and development	49,058	51,371
Council engineering and technical services	63,831	50,072
Building regulation	2,217	1,162
Local laws and animal management	-	472
Building and property management	61,563	37,475
Gravel pits	16,203	34,155
Parks and townships	-	102
Roads	16,687	13,278
Waste management	38,013	61,314
Other	2,908	6,654
Rent received		
Elderly persons units	70,202	56,755
Economic development	44,978	39,535
Total user fees	1,313,104	1,538,812
User fees by timing of revenue recognition		
User fees recognised over time	-	-
User fees recognised at a point in time	1,313,104	1,538,812
Total user fees	1,313,104	1,538,812

User fees are recognised as revenue at a point in time, or over time, when (or as) the performance obligation is satisfied. Recognition is based on the underlying contractual terms.

3.4 Funding from other levels of government

	2023	2022
	\$	\$
Grants were received in respect of the following:		
Summary of grants		
Commonwealth funded grants	15,513,407	14,595,172
State funded grants	12,190,939	3,581,261
Total grants received	27,704,346	18,176,433

	2023	2022
	\$	\$
(a) Operating grants		
Recurrent - Commonwealth Government:		
Financial Assistance Grant - general purpose grant	7,927,689	7,020,658
Financial Assistance Grant - local roads	5,610,806	5,186,788
Total operating Commonwealth Government grants	13,538,495	12,207,446

NOTE 3 FUNDING FOR THE DELIVERY OF OUR SERVICES (Continued)

3.4 Funding from other levels of government (continued)

	2023	2022
	\$	\$
Recurrent - State Government:		
Aged care services	869,649	916,875
Seniors	3,700	6,700
Maternal and child health	274,172	277,885
Early years	186,834	161,029
Preschools	628,052	549,334
Youth	-	12,250
Rates and property	46,397	45,599
Roads	75,000	75,000
Waste management	6,635	27,252
Other	43,795	33,514
Total recurrent operating grants	2,134,234	2,105,438
Non recurrent - State Government:		
Administration and management	-	(85,550)
Economic development	-	210,000
Flood management	5,378,067	-
Community wellbeing projects	20,500	94,044
Community support	-	36,106
Emergency management	-	30,000
Grants and community planning	182,000	100,000
Early years	109,239	119,936
Preschools	-	69,968
Human resources and development	-	2,601
Project and contract management	58,400	296,000
Public health	152,242	7,052
Strategic and Statutory Plannin	50,000	-
Other	-	18,200
Total non recurrent operating grants	5,950,448	898,357
Total operating grants	21,623,177	15,211,241
(b) Capital grants		
Recurrent - Commonwealth Government:		
Roads to Recovery	1,974,912	2,387,726
Recurrent - State Government:		
Caravan parks	269,287	127,844
Non recurrent - State Government:		
Grants and community planning	1,000,000	90,000
Project and contract management	111,258	359,622
Infrastructure program	2,725,712	-
Total non recurrent capital grants	3,836,970	449,622
Total capital grants	6,081,169	2,965,192

NOTE 3 FUNDING FOR THE DELIVERY OF OUR SERVICES (Continued)

3.4 Funding from other levels of government (continued)

(c) Recognition of grant income

Before recognising funding from government grants as revenue Council assesses whether there is a contract that is enforceable and has sufficiently specific performance obligations in accordance with AASB 15 *Revenue from Contracts with Customers*. When both these conditions are satisfied, Council:

- identifies each performance obligation relating to revenue under the contract/agreement
- determines the transaction price
- recognises a contract liability for its obligations under the agreement
- recognises revenue as it satisfies its performance obligations, at the time or over time when services are rendered.

Where the contract is not enforceable and/or does not have sufficiently specific performance obligations, the Council applies AASB 1058 *Income for Not-for-Profit Entities*.

Grant revenue with sufficiently specific performance obligations is recognised over time as the performance obligations specified in the underlying agreement are met. Where performance obligations are not sufficiently specific, grants are recognised on the earlier of receipt or when an unconditional right to receipt has been established. Grants relating to capital projects are generally recognised progressively as the capital project is completed. The following table provides a summary of the accounting framework under which grants are recognised.

(d) Unspent grants received on condition that they be spent in a specific manner

	2023 \$	2022 \$
Operating		
Balance at start of year	7,137,817	7,350,767
Received during the financial year and remained unspent at balance date	5,642,536	5,539,277
Received in prior years and spent during the financial year	(2,263,674)	(5,752,227)
Balance at year end	10,516,679	7,137,817
Capital		
Balance at start of year	4,198,618	3,509,637
Received during the financial year and remained unspent at balance date	3,607,969	3,933,445
Received in prior years and spent during the financial year	(1,034,330)	(3,244,464)
Balance at year end	6,772,257	4,198,618
	2023 \$	2022 \$
Income recognised under AASB 1058 <i>Income of Not-for-Profit Entities</i>		
General purpose	13,546,014	12,288,338
Specific purpose grants to acquire non-financial assets	13,244,867	4,248,253
Other specific purpose grants	11,750	11,500
Revenue recognised under AASB 15 <i>Revenue from Contracts with Customers</i>		
Specific purpose grants	901,715	1,628,342
Total grants recognised in income statement	27,704,345	18,176,433

3.5 Contributions

	2023 \$	2022 \$
Contributions - operating - monetary	88,150	9,948
Contributions - capital - monetary	273,250	263,977
Total contributions	361,400	273,925

Monetary contributions are recognised as revenue at their fair value when Council obtains control over the contributed asset.

NOTE 3 FUNDING FOR THE DELIVERY OF OUR SERVICES (Continued)**3.6 Reimbursements and subsidies**

	2023	2022
	\$	\$
Council administration	119,282	55,000
Aged care services	-	12,860
Grants and community planning	11,770	17,753
Risk management	111,121	85,395
Governance	183,339	-
Plant and fleet	109,817	121,338
Department of Transport routine maintenance contract	640,338	566,968
Other	6,072	-
Total reimbursements and subsidies	1,181,739	859,314

Reimbursements and subsidies are recognised as revenue when the service has been provided or Council has otherwise earned the income.

3.7 Net gain (or loss) on disposal of property, infrastructure, plant and equipment

	2023	2022
	\$	\$
Proceeds from sale	302,050	211,938
Written down value of assets disposed	(284,660)	(177,505)
Total net gain (or loss) on disposal of property, infrastructure, plant and equipment	17,390	34,433

The profit or loss on sale of an asset is determined when control of the asset has passed to the buyer.

3.8 Interest received

	2023	2022
	\$	\$
Interest on investments	1,213,396	216,115
Rates interest	51,380	47,181
Total interest received	1,264,776	263,296

Interest is recognised as it is earned.

NOTE 4 THE COST OF DELIVERING SERVICES

4.1 (a) Employee costs

	2023	2022
	\$	\$
Salaries and wages	10,747,112	10,184,666
Annual leave and long service leave	1,203,601	1,298,849
Superannuation	1,192,587	1,127,908
Fringe benefits	109,776	84,049
Workcover	210,945	162,503
Total employee costs	13,464,021	12,857,975

(b) Superannuation

Council made contributions to the following funds:

	2023	2022
	\$	\$
Defined benefit fund		
Employer contributions to Local Authorities Superannuation Fund (Vision Super)	44,948	94,428
Total defined benefit fund	44,948	94,428

Employer contributions payable at reporting date is NIL.

	2023	2022
	\$	\$
Accumulation funds		
Employer contributions to Local Authorities Superannuation Fund (Vision Super)	562,593	492,304
Employer contributions - Australian Super	115,556	94,595
Employer contributions - VicSuper	66,789	58,185
Employer contributions - Hesta	39,794	47,946
Employer contributions - Cbus	55,644	47,057
Employer contributions - other funds	307,263	293,393
Total accumulated funds	1,147,639	1,033,480

Employer contributions payable at reporting date is NIL.

Contributions made exclude amounts accrued at balance date. Refer to Note 9.3 for further information relating to Council's superannuation obligations.

4.2 Materials and services

	2023	2022
	\$	\$
Major contracts		
Caravan parks	221,459	222,292
Swimming pools	416,885	529,900
Building and property maintenance	242,080	229,310
Waste management operations	1,160,677	1,209,526
Other contracts	276,940	73,051
Valuations	-	65,335
Other materials and services		
Cleaning	-	1,674
Insurance	552,532	516,998
Administration and management	385,461	343,910
Economic development	285,626	163,589
Council administration	162,635	162,865

NOTE 4 THE COST OF DELIVERING SERVICES (Continued)**4.2 Materials and services (continued)**

	2023	2022
	\$	\$
Library services	205,410	205,661
Flood management	1,920,573	-
Media	82,582	83,730
Caravan parks	148,674	151,208
Tourism	99,941	82,147
Aged care services	208,433	272,089
Elderly persons units	35,022	51,389
Seniors	30,699	25,072
Community wellbeing	86,588	27,536
Community support	214,029	265,158
Grants and community planning	277,805	564,597
Emergency management	25,187	30,511
Municipal health and wellbeing	23,857	45,156
Swimming pools	106,185	109,856
Early years	75,565	77,865
Preschools	41,867	92,867
Corporate governance	88,096	-
Financial services	70,145	43,886
Customer service	46,001	32,697
Information technology	239,348	137,599
Human resources and management	236,957	280,333
Risk management	115,909	159,874
Council engineering and technical services	72,810	63,504
Project and contract management	100,985	7,193
Building regulation	73,394	34,491
Local laws and animal management	33,704	31,987
Public health	106,072	42,637
Building and property maintenance	359,204	354,867
Plant and fleet	406,653	212,964
Gravel pits	244,628	(15,402)
Parks and townships	258,909	189,064
Roads	517,135	193,591
Department of Transport routine maintenance contract	260,402	158,349
Waste management	900,270	11,651
Waterways management	25,148	21,998
Software	841,854	668,941
Utilities	513,196	548,608
Other	179,965	189,227
Total materials and services	12,977,497	8,971,351

Expenses are recognised as they are incurred and reported in the financial year to which they relate.

NOTE 4 THE COST OF DELIVERING SERVICES (Continued)**4.3 Depreciation**

	2023	2022
	\$	\$
Roads	6,575,366	5,735,048
Buildings	1,583,137	1,504,207
Plant and equipment	818,814	886,211
Bridges	532,118	486,245
Urban drains	537,282	224,057
Furniture and equipment	206,589	125,220
Footpaths	220,964	158,066
Kerb and channel	199,965	108,243
Landfills	12,706	10,163
Street furniture	54,631	31,629
Quarries	1,115	1,148
Total depreciation	10,742,687	9,270,237

Refer to Note 6.2 for a more detailed breakdown of depreciation charges and accounting policy.

4.4 Bad and doubtful debts - allowance for impairment losses

	2023	2022
	\$	\$
Rates debtors	56,973	34,668
Sundry debtors	826	5,810
Total bad and doubtful debts - allowance for impairment losses	57,799	40,478

Movement in allowance for impairment losses in respect of debtors

	2023	2022
	\$	\$
Balance at beginning of the year	151,188	122,528
New provisions recognised during the year	57,799	40,748
Amounts already provided for and written off as uncollectible	(2,540)	(11,823)
Amounts provided for but recovered during the year	(977)	(265)
Balance at end of year	205,470	151,188

An allowance for impairment losses in respect of debtors is recognised based on an expected credit loss model. This model considers both historic and forward looking information in determining the level of impairment.

4.5 Other expenses

	2023	2022
	\$	\$
Councillors' allowances	226,466	210,005
Auditors' remuneration - Internal Audit	40,280	37,264
Auditors' remuneration - VAGO - Audit of the financial statements, performance	44,600	45,709
Total other expenses	311,346	292,978

NOTE 5 OUR FINANCIAL POSITION

5.1 Financial assets

(a) Cash and cash equivalents

	2023 \$	2022 \$
Cash on hand	1,800	2,450
Cash at bank (CEO's advance account)	4,000	4,000
Cash at bank (general account)	15,986,521	3,720,707
Cash and cash equivalents	15,992,321	3,727,157

(b) Other financial assets

	2023 \$	2022 \$
Current		
Term deposits (current)	33,000,000	36,500,000
Cash at bank (trust account)	188,401	184,402
Total current other financial assets	33,188,401	36,684,402
Total other financial assets	33,188,401	36,684,402

Council's other financial assets are subject to a number of internal and external restrictions that limit amounts available for discretionary or future use. These include:

	2023 \$	2022 \$
Restricted funds		
Trust funds (Note 5.3)	367,767	367,782
Total restricted funds	367,767	367,782
Total unrestricted funds	32,820,634	36,316,620

Intended allocations

Although not externally restricted the intended allocations above have been allocated for specific future purposes by Council.

	2023 \$	2022 \$
Unspent grants (refer to Note 9.1)	17,288,936	11,336,434
Long service leave (refer to Note 5.4)	2,027,056	1,999,063
Total restricted and intended allocation funds	19,315,992	13,335,497

Cash and cash equivalents include cash on hand, deposits at call, and other highly liquid investments with original maturities of three months or less, net of outstanding bank overdrafts.

Other financial assets are valued at fair value, at balance date. Term deposits are measured at original cost. Any unrealised gains and losses on holdings at balance date are recognised as either revenue or expense.

Other financial assets include term deposits and those with original maturity dates of three to 12 months are classified as current, whilst term deposits with maturity dates greater than 12 months are classified as non-current.

NOTE 5 OUR FINANCIAL POSITION (Continued)**5.1 Financial assets (continued)****(c) Trade and other receivables**

	2023	2022
	\$	\$
Current		
<i>Statutory receivables</i>		
Net receivable GST	359,175	180,454
Rates debtors	364,283	208,520
LESS provision for doubtful debts	(110,954)	(81,642)
	612,504	307,332
<i>Non statutory receivables</i>		
Sundry debtors	1,403,023	718,994
Other debtors	104,553	107,209
LESS provision for doubtful debts	(94,516)	(69,546)
Loans and advances to community organisations	-	-
	1,413,060	756,657
Total current trade and other receivables	2,025,564	1,063,989

Short term receivables are carried at invoice amount. A provision for doubtful debts is recognised when there is objective evidence that an impairment has occurred. Long term receivables are carried at amortised cost using effective interest rate method.

(d) Ageing of receivables

The ageing of the Council's trade and other receivables (excluding statutory receivables) that are not impaired was:

	2023	2022
	\$	\$
Current (not yet due)	311,549	484,070
Past due by up to 30 days	774,796	19,342
Past due between 31 and 180 days	276,135	31,530
Past due between 181 and 365 days	13,287	977
Past due over 365 days	131,809	290,284
Total trade and other receivables	1,507,576	826,203

NOTE 5 OUR FINANCIAL POSITION (Continued)**5.1 Financial assets (continued)****(e) Ageing of individually impaired receivables**

At balance date, other debtors representing financial assets with a nominal value of \$94,516 (2022: \$69,546) were impaired. The amount of the provision raised against these debtors was \$94,516 (2022: \$69,546). They individually have been impaired as a result of their doubtful collection. Many of the long outstanding past due amounts have been lodged with Council's debt collectors or are on payment arrangements.

The ageing of receivables that have been individually determined as impaired at reporting date was:

	2023	2022
	\$	\$
Current (not yet due)		
Past due by up to 30 days	-	-
Past due between 31 and 180 days	-	-
Past due between 181 and 365 days	-	69,546
Past due by more than 1 year	94,516	-
Total trade and other receivables	94,516	69,546

5.2 Non-financial assets**(a) Other assets**

	2023	2022
	\$	\$
Current		
Accrued income	711,733	130,642
Prepayments	5,267	262,843
Total current	717,000	393,485
Non-current		
Procurement Australia Pty Ltd Shares	100	100
Total non-current	100	100
Total other assets	717,100	393,585

NOTE 5 OUR FINANCIAL POSITION (Continued)**5.2 Non-financial assets (continued)****(b) Intangible assets**

	2023	2022
	\$	\$
Non-current		
Water rights	2,807,790	2,713,090
Total intangible assets	2,807,790	2,713,090

Reconciliation of movements in intangible assets for the reporting period

	2023	2022
	\$	\$
Water rights		
Gross carrying amount at beginning of period	2,713,090	2,674,570
Additional water rights obtained during the period	-	23,200
Water rights disposed of during the period	-	(22,500)
Revaluation increment / (decrement)	94,700	37,820
Depreciation and amortisation	-	-
Gross carrying amount at end of period	2,807,790	2,713,090

Water rights are revalued annually and are deemed to have an infinite life.

Water rights are revalued at 30 June 2023 to the published water trade market rate applying at that date.

NOTE 5 OUR FINANCIAL POSITION (Continued)**5.3 Payables, trust funds and deposits and unearned income/revenue****(a) Trade and other payables**

	2023	2022
	\$	\$
Current		
<i>Non-statutory payables</i>		
Trade payables	1,853,234	305,999
Accrued wages and salaries	476,066	340,881
Accrued expenses	46,092	45,870
Total trade and other payables	2,375,392	692,750

(b) Trust funds and deposits

	2023	2022
	\$	\$
Current		
Contract retentions	66,698	78,788
Fire services property levy	83,586	75,282
Building deposits	27,340	27,340
Unclaimed monies	1,742	1,672
Other refundable deposits:		
St Andrews church repair fund	-	298
Wedderburn Pre-school investment	188,401	184,402
Total trust funds and deposits	367,767	367,782

(c) Unearned income

	2023	2022
	\$	\$
Current		
Grants received in advance - operating	-	-
Grants received in advance - capital	3,176,276	3,076,276
Total unearned income	3,176,276	3,076,276

Unearned income/revenue, where applicable, represents contract liabilities and reflect consideration received in advance from customers. Unearned income/revenue are derecognised and recorded as revenue when promised goods and services are transferred to the customer.

Amounts received as deposits and retention amounts controlled by Council are recognised as trust funds until they are returned, transferred in accordance with the purpose of the receipt, or forfeited. Trust funds that are forfeited, resulting in council gaining control of the funds, are to be recognised as revenue at the time of forfeit.

Purpose and nature of items**Contract retentions**

Council has a contractual right to retain certain amounts until a contractor has met certain requirements or a related warrant or defect period has elapsed. Subject to the satisfactory completion of contractual obligations, or the elapsing of time, these amounts will be paid to the relevant contractor in line with council's contractual obligations.

NOTE 5 OUR FINANCIAL POSITION (Continued)**5.3 Payables, trust funds and deposits and unearned income/revenue (continued)****Purpose and nature of items (continued)*****Fire Services Property Levy***

Council is the collection agent for fire services levy on behalf of the State Government. Council remits amounts received on a quarterly basis. Amounts disclosed here will be remitted to the State Government in line with that process.

Building deposits

Under the provisions of the *Building Act 1993*, Council may issue a Building Permit subject to a condition that the applicant must deposit with the Council a bond, for an amount determined in accordance with the regulations, to secure the complete and satisfactory carrying out of the work authorised by the Building Permit.

St Andrews church repair fund

These funds were held by a Section 86 committee which was disbanded in 2012. The funds were returned to Council to use for repairs to the building.

Wedderburn Pre-school investment

Council is holding funds on behalf of the Wedderburn Pre-school. These funds are invested by Council according to the instructions of the pre-school.

NOTE 5 OUR FINANCIAL POSITION (Continued)

5.4 Provisions

2023	Employee					Total
	Annual leave	Long service leave	RDOs	Landfill rehabilitation	Gravel pit rehabilitation	
Balance at beginning of the financial year	1,042,900	1,999,063	94,218	886,416	65,098	4,087,695
Additional provisions	870,217	295,861	551,432	545,808	9,082	2,272,400
Amounts used	(935,733)	(267,868)	(546,939)	-	-	(1,750,540)
Balance at the end of the financial year	977,384	2,027,056	98,711	1,432,224	74,180	4,609,555

<i>Provisions - current</i>	977,384	1,688,666	98,711	71,611	-	2,836,372
<i>Provisions - non-current</i>	-	338,390	-	1,360,613	74,180	1,773,183

2022	Employee					Total
	Annual leave	Long service leave	RDOs	Landfill rehabilitation	Gravel pit rehabilitation	
Balance at beginning of the financial year	1,119,702	2,032,984	125,504	1,089,327	86,028	4,453,545
Additional provisions	862,822	325,304	532,809	(202,911)	(20,930)	1,497,094
Amounts used	(939,624)	(359,225)	(564,095)	-	-	(1,862,944)
Balance at the end of the financial year	1,042,900	1,999,063	94,218	886,416	65,098	4,087,695

<i>Provisions - current</i>	1,042,900	1,659,972	94,218	44,321	-	2,841,411
<i>Provisions - non-current</i>	-	339,091	-	842,095	65,098	1,246,284

(a) Employee provisions

	2023 \$	2022 \$
Current provisions expected to be wholly settled within 12 months		
Annual leave	781,907	834,320
Long service leave	219,527	215,797
RDOs	98,711	94,218
Total	1,100,145	1,144,335
Current provisions expected to be wholly settled after 12 months		
Annual leave	195,477	208,580
Long service leave	1,469,139	1,444,175
Total	1,664,616	1,652,755
Total current employee provisions	2,764,761	2,797,090
Non-current		
Long service leave	338,390	339,091
Total non-current employee provisions	338,390	339,091

NOTE 5 OUR FINANCIAL POSITION (Continued)**5.4 Provisions (continued)****(a) Employee provisions (continued)**

	2023	2022
	\$	\$
Aggregate carrying amount of employee provisions		
Current	2,764,761	2,797,090
Non-current	338,390	339,091
Total aggregate amount of employee provisions	3,103,151	3,136,181

The calculation of employee costs and benefits includes all relevant on-costs and are calculated as follows at reporting date.

Annual leave

A liability for annual leave is recognised in the provision for employee benefits as a current liability because Council does not have an unconditional right to defer settlement of the liability. Liabilities for annual leave are measured at:

- nominal value if the Council expected to wholly settle the liability within 12 months
- present value if the Council does not expect to wholly settle within 12 months.

Liabilities that are not expected to be wholly settled within 12 months of the reporting date are recognised in the provision for employee benefits as current liabilities, measured at present value of the amounts expected to be paid when the liabilities are settled using the remuneration rate expected to apply at the time of settlement.

Long service leave

Liability for long service leave (LSL) is recognised in the provision for employee benefits. Unconditional LSL is disclosed as a current liability as Council does not have an unconditional right to defer settlement. Unconditional LSL is measured at nominal value if expected to be settled within 12 months or at present value if not expected to be settled within 12 months. Conditional LSL that has been accrued, where an employee is yet to reach a qualifying term of employment, is disclosed as a non-current liability and measured at present value.

Key assumptions:

	2023	2022
Discount rate	5.76%	4.30%
Index rate	3.94%	2.48%

(b) Landfill restoration

	2023	2022
	\$	\$
Current	71,611	44,321
Non-current	1,360,613	842,095
Total landfill restoration	1,432,224	886,416

Council is obligated to restore landfill sites to a particular standard. The forecast life of the sites are based on current estimates of remaining capacity and the forecast rate of infill. The provision for landfill restoration has been calculated based on the present value of the expected costs of works to be undertaken. The expected cost of works have been estimated based on the current understanding of work required to reinstate the site to a suitable standard and budgeted costs for that work. Accordingly, the estimation of a provision required is dependent on the accuracy of the forecast timing of the work, work required and related costs. Council reviews the landfill restoration provision on an annual basis, including the key assumptions listed below.

Key assumptions:

	2023	2022
Discount rate	3.65%	3.65%
Index rate	3.17%	2.52%

NOTE 5 OUR FINANCIAL POSITION (Continued)

5.4 Provisions (continued)

(c) Gravel pit rehabilitation

	2023	2022
	\$	\$
Current	-	-
Non-current	74,180	65,098
Total gravel pit rehabilitation	74,180	65,098

Council is obligated to restore gravel pit sites to a particular standard. The forecast life of the site is based on current estimates of remaining capacity and the forecast rate of infill. The provision for gravel pit restoration has been calculated based on the present value of the expected cost of works to be undertaken. The expected cost of works has been estimated based on current understanding of work required to reinstate the site to a suitable standard and budgeted costs for that work. Accordingly, the estimation of the provision required is dependent on the accuracy of the forecast timing of the work, work required and related costs.

Key assumptions:	2023	2022
Discount rate	3.64%	3.57%
Index rate	3.17%	2.52%

Summary of provisions

	2023	2022
	\$	\$
Current	2,836,372	2,841,411
Non-current	1,773,183	1,246,284
Total provisions	4,609,555	4,087,695

5.5 Financing arrangements

	2023	2022
	\$	\$
Bank overdraft - Westpac	500,000	500,000
Credit card facilities	100,000	100,000
Total facilities	600,000	600,000
Used facilities	-	-
Unused facilities	600,000	600,000

NOTE 5 OUR FINANCIAL POSITION (Continued)**5.6 Commitments**

The Council has entered into the following commitments. Commitments are not recognised in the Balance Sheet. Commitments are disclosed at their nominal value and presented inclusive of the GST payable.

(a) Commitments for expenditure**2023**

	Not later than 1 year \$	Later than 1 year and not later than 2 years \$	Later than 2 years and not later than 5 years \$	Later than 5 years \$	Total \$
Operating					
Environmental services	972,385	972,385	2,917,155	-	4,861,925
Insurance services	693,287	-	-	-	693,287
Library corporation	252,910	-	-	-	252,910
Workcover	260,337	-	-	-	260,337
Flood restoration works	2,033,462	-	-	-	2,033,462
Strategy development	60,500	-	-	-	60,500
Total	4,272,881	972,385	2,917,155	-	8,162,421
Capital					
Donaldson Park	1,788,021	-	-	-	1,788,021
Footpath contracted works	375,878	-	-	-	375,878
Bridge and culvert contracted works	140,734	-	-	-	140,734
Major plant and fleet items	3,162,427	-	-	-	3,162,427
Lighting projects	540,628	-	-	-	540,628
Various computer equipment	-	-	-	-	-
Total	6,007,688	-	-	-	6,007,688
	10,280,569	972,385	2,917,155	-	14,170,109

2022

	Not later than 1 year \$	Later than 1 year and not later than 2 years \$	Later than 2 years and not later than 5 years \$	Later than 5 years \$	Total \$
Operating					
Environmental services	972,385	972,385	2,917,155	972,385	5,834,310
Insurance services	550,855	-	-	-	550,855
Library corporation	221,288	-	-	-	221,288
Workcover	210,719	-	-	-	210,719
Internal audit	26,000	-	-	-	26,000
Other minor orders committed	34,100	-	-	-	34,100
Total	2,015,347	972,385	2,917,155	972,385	6,877,272
Capital					
Donaldson Park	147,830	-	-	-	147,830
Footpath contracted works	191,382	-	-	-	191,382
Bridge and culvert contracted works	220,000	-	-	-	220,000
Major plant items	530,331	-	-	-	530,331
Fleet items	63,865	-	-	-	63,865
Various computer equipment	96,505	-	-	-	96,505
Total	1,249,913	-	-	-	1,249,913
	3,265,260	972,385	2,917,155	972,385	8,127,185

NOTE 5 OUR FINANCIAL POSITION (Continued)

5.6 Commitments (continued)

(b) Operating lease receivables

Council had commercial property leases on its caravan parks. These properties held under operating leases have remaining non-cancellation lease terms between 1 and 10 years. All leases include a CPI based revision of the rental charge annually.

	2023	2022
	\$	\$
Lease receivable		
No later than one year	60,000	-
Later than one year and not later than five years	191,018	-
Later than five years	-	-
	251,018	-

5.7 Leases

At inception of a contract, all entities would assess whether a contract is, or contains, a lease. A contract is, or contains, a lease if the contract conveys the right to control the use of an identified asset for a period of time in exchange for consideration. To identify whether a contract conveys the right to control the use of an identified asset, it is necessary to assess whether:

- the contract involves the use of an identified asset;
- Council has the right to obtain substantially all of the economic benefits from use of the asset throughout the period of use; and
- Council has the right to direct the use of the asset.

This policy is applied to contracts entered into, or changed, on or after 1 July 2019.

Council has elected to apply the temporary option available under *AASB 16 Leases* which allows not-for-profit entities to not measure right-of-use assets at initial recognition at fair value in respect of leases that have significantly below-market terms.

Council has concessionary leases covering crown land parcels as outlined below:

- caravan parks at Boort and Pyramid Hill
- office space at Serpentine
- various other community recreation and hall / centre facilities.

There is no cost for the lease of these properties, however Council is responsible for all maintenance, utility and relevant insurance costs associated with the land. No lease term has been determined for the properties outlined.

Short-term and low value leases

Council has elected not to recognise right-of-use assets and lease liabilities for short-term leases of machinery that have a lease term of 12 months or less and leases of low-value assets (individual assets worth less than existing capitalisation thresholds for a like asset up to a maximum of \$10,000), including IT equipment. Council recognises the lease payments associated with these leases as an expense on a straight-line basis over the lease term.

	2023	2022
	\$	\$
Expenses relating to:		
Short-term leases	-	-
Leases of low value assets	17,048	24,390
Total	17,048	24,390

NOTE 5 OUR FINANCIAL POSITION (Continued)

5.7 Leases (continued)

Non-cancellable lease commitments - Short-term and low-value leases

	2023	2022
	\$	\$
Commitments for minimum lease payments for short-term and low-value leases are payable as follows:		
Within one year	3,359	3,518
Later than 1 year but no later than 5 years	13,689	20,872
Total lease commitments	17,048	24,390

NOTE 6 ASSETS WE MANAGE

6.1 Non current assets classified as held for sale

	2023	2022
	\$	\$
Non current		
Land at valuation	323,273	323,273
LESS selling costs	(11,315)	(11,315)
Total non current assets held for sale	311,958	311,958

Capitalisation rate used in the allocation of borrowing costs N/A % N/A %

Non-current assets classified as held for sale (including disposal groups) are measured at the lower of its carrying amount and fair value less costs to disposal, and are not subject to depreciation. Non-current assets, disposal groups and related liabilities and assets are treated as current and classified as held for sale if their carrying amount will be recovered through a sale transaction rather than through continuing use. This condition is regarded as met only when the sale is highly probable and the asset's sale (or disposal group sale) is expected to be completed within 12 months from the date of classification.

NOTE 6 ASSETS WE MANAGE (Continued)**6.2 Property, infrastructure, plant and equipment****Summary of property, infrastructure, plant and equipment**

	Carrying amount 30 June 2022 \$	Additions / Transfers \$	Revaluations / Impairment \$	Depreciation \$	Disposals \$	Carrying amount 30 June 2023 \$
Land	14,010,670	-	-	-	-	14,010,670
Buildings	52,921,284	1,394,372	(118,190)	(1,583,137)	-	52,614,329
Plant and equipment	7,164,646	1,014,810	-	(1,025,403)	(284,660)	6,869,393
Infrastructure	266,801,707	4,093,450	39,640,713	(8,134,147)	-	302,401,724
Work in progress	2,851,555	3,722,101	-	-	-	6,573,656
Total	343,749,861	10,224,734	39,522,523	(10,742,687)	(284,660)	382,469,773
		Revaluation	57,484,045			
		Impairment	(17,961,522)			
			39,522,523			

Summary of work in progress

	Opening WIP \$	Additions \$	Transfers \$	Write-off \$	Closing WIP \$
Property	1,971,597	4,299,450	(577,349)	-	5,693,698
Infrastructure	879,958	-	-	-	879,958
Total	2,851,555	4,299,450	(577,349)	-	6,573,656

(a) Property

	Land	Buildings	Work in progress	Total land and buildings
Land and Buildings				
At fair value 1 July 2022	14,010,670	93,668,288	1,971,597	109,372,358
Accumulated depreciation at 1 July 2022	-	(40,747,004)	-	(40,468,808)
	14,010,670	52,921,284	1,971,597	68,903,550
Movements in fair value				
Additions	-	1,394,372	4,299,450	5,693,822
Impairment losses recognised	-	(118,190)	-	(118,190)
	-	1,276,182	4,299,450	5,575,632
Movements in accumulated depreciation				
Depreciation and amortisation	-	(1,583,137)	-	(1,583,137)
Transfers	-	-	(577,349)	(577,349)
	-	(1,583,137)	(577,349)	(2,160,486)
At fair value 30 June 2023	14,010,670	94,944,470	5,693,698	114,947,990
Accumulated depreciation at 30 June 2023	-	(42,330,141)	-	(42,629,294)
Carrying amount	14,010,670	52,614,329	5,693,698	72,318,696

NOTE 6 ASSETS WE MANAGE (Continued)**6.2 Property, infrastructure, plant and equipment (continued)****(b) Plant and equipment**

Plant and equipment	Plant machinery and equipment	Fixtures fittings and furniture	Total plant and equipment
At fair value 1 July 2022	14,046,082	1,848,576	15,894,658
Accumulated depreciation at 1 July 2022	(7,390,359)	(1,339,653)	(8,730,012)
	6,655,723	508,923	7,164,646
Movements in fair value			
Additions	974,628	40,182	1,014,810
Disposal	(855,780)	-	(855,780)
	118,848	40,182	159,030
Movements in accumulated depreciation			
Depreciation and amortisation	(818,814)	(206,589)	(1,025,403)
Accumulated depreciation of disposals	571,120	-	571,120
	(247,694)	(206,589)	(454,283)
At fair value 30 June 2023	14,164,930	1,888,758	16,053,688
Accumulated depreciation at 30 June 2023	(7,638,053)	(1,546,242)	(9,184,295)
Carrying amount	6,526,877	342,516	6,869,393

NOTE 6 ASSETS WE MANAGE (Continued)**6.2 Property, infrastructure, plant and equipment (continued)****(c) Infrastructure**

Infrastructure	Roads	Bridges	Footpaths and cycleways	Kerb and channel	Drainage
At fair value 1 July 2022	321,876,035	47,971,455	7,403,880	6,487,501	16,875,237
Accumulated depreciation at 1 July 2022	(97,903,934)	(23,582,921)	(1,848,773)	(2,518,675)	(8,828,561)
	223,972,101	24,388,534	5,555,107	3,968,826	8,046,676
Movements in fair value					
Additions	2,953,021	445,562	522,263		172,604
Revaluation	38,441,492	4,082,818	2,499,828	5,497,439	23,818,883
	41,394,513	4,528,380	3,022,091	5,497,439	23,991,487
Movements in accumulated depreciation					
Depreciation and amortisation	(6,575,366)	(532,118)	(220,964)	(199,965)	(537,282)
Revaluation (increments)/decrements	(5,200,442)	2,810,774	(859,543)	(1,909,573)	(12,136,503)
Impairment losses recognised	(17,093,332)	(750,000)	-	-	-
	(28,869,140)	1,528,656	(1,080,507)	(2,109,538)	(12,673,785)
At fair value 30 June 2023	363,270,548	52,499,835	10,425,971	11,984,940	40,866,724
Accumulated depreciation at 30 June 2023	(126,773,074)	(22,054,265)	(2,929,280)	(4,628,213)	(21,502,346)
Carrying amount	236,497,474	30,445,570	7,496,691	7,356,727	19,364,378

Infrastructure (continued)	Quarries	Street Furniture	Landfills	Work In Progress	Total Infrastructure
At fair value 1 July 2022	58,507	735,668	1,994,306	879,958	404,282,548
Accumulated depreciation at 1 July 2022	(29,482)	(213,642)	(1,674,894)	-	(136,600,882)
	29,025	522,026	319,412	879,958	267,681,666
Movements in fair value					
Additions	-	-	-	-	4,093,450
Revaluation	-	533,830	-	-	74,874,290
	-	533,830	-	-	78,967,740
Movements in accumulated depreciation					
Depreciation and amortisation	(1,115)	(54,631)	(12,706)	-	(8,134,147)
Revaluation (increments)/decrements	-	(94,958)	-	-	(17,390,245)
Impairment losses recognised	-	-	-	-	(17,843,332)
	(1,115)	(149,589)	(12,706)	-	(43,367,724)
At fair value 30 June 2023	58,507	1,269,498	1,994,306	879,958	483,250,287
Accumulated depreciation at 30 June 2023	(30,597)	(363,231)	(1,687,600)	-	(179,968,606)
Carrying amount	27,910	906,267	306,706	879,958	303,281,681

NOTE 6 ASSETS WE MANAGE (Continued)**6.2 Property, infrastructure, plant and equipment (continued)****Acquisition**

The purchase method of accounting is used for all acquisitions of assets, being the fair value of assets provided as consideration at the date of acquisition plus any incidental costs attributable to the acquisition. Fair value is the price that would be received to sell an asset (or paid to transfer a liability) in an orderly transaction between market participants at the measurement date.

Where assets are constructed by Council, cost includes all materials used in construction, direct labour, borrowing costs incurred during construction, and an appropriate share of directly attributable variable and fixed overheads.

In accordance with Council's policy, the threshold limits have applied when recognising assets within an applicable asset class and unless otherwise stated are consistent with the prior year.

Asset recognition thresholds and depreciation periods

	Depreciation period Years	Threshold limit \$
Property land	-	3,000
Buildings buildings	33 to 100	3,000
Plant and equipment plant, machinery, minor plant and equipment	2.5 to 20	3,000
motor vehicles	5 to 10	3,000
fixtures fittings and furniture	5 to 50	3,000
computers and telecommunications	3	3,000
Infrastructure road seals	5 to 50	3,000
road pavements - sealed	80	3,000
road pavements - unsealed	20 to 100	3,000
road kerb, channel and minor culverts	60 to 80	3,000
bridges deck and substructure	80 to 100	3,000
footpaths and cycle ways	15 to 50	3,000
drainage	50 to 80	3,000
waste management assets	17 to 28	3,000
quarries	5 to 29	3,000
street furniture	10 to 80	3,000

Land under roads

Council recognises land under roads it controls at fair value.

NOTE 6 ASSETS WE MANAGE (Continued)

6.2 Property, infrastructure, plant and equipment (continued)

Depreciation and amortisation

Buildings, land improvements, plant and equipment, infrastructure, and other assets having limited useful lives are systematically depreciated over their useful lives in a manner which reflects consumption of the service potential embodied in those assets. Estimates of remaining useful lives and methods are reviewed annually. Depreciation rates and methods are reviewed annually.

Where assets have separate identifiable components that are subject to regular replacement, these components are assigned distinct useful lives and residual values and a separate depreciation rate is determined for each component.

Road earthworks are not depreciated on the basis that they are assessed as not having a limited useful life.

Straight line depreciation is charged based on the residual useful life as determined each year.

Depreciation periods used are listed below and are consistent with the prior year unless otherwise stated.

Repairs and maintenance

Where the repair relates to the replacement of a component of an asset and the cost exceeds the capitalisation threshold, the cost is capitalised and depreciated. The carrying value of the replaced asset is expensed.

Valuation of land and buildings

The valuation of land and buildings was undertaken by LG Valuation Services a qualified independent valuation firm. The valuation of land and buildings is at fair value, being market value based on highest and best use permitted by relevant land planning provisions. Where land use is restricted through existing planning provisions the valuation is reduced to reflect this limitation. This adjustment is an unobservable input in the valuation. The adjustment has no impact on the Comprehensive Income Statement.

Specialised land is valued at fair value using site values adjusted for englobe (undeveloped and / or unserviced) characteristics, access rights and private interests of other parties and entitlements of infrastructure assets and services. This adjustment is an unobservable input in the valuation. The adjustment has no impact on the Comprehensive Income Statement.

Any significant movements in the unobservable inputs for land and land under roads will have a significant impact on the fair value of these assets.

The date and type of the current valuation is detailed in the following table. A full revaluation of these was conducted in 2021/22, this valuation was based on land values and market sales.

NOTE 6 ASSETS WE MANAGE (Continued)**6.2 Property, infrastructure, plant and equipment (continued)****Valuation of land and buildings (continued)**

Council values all land and building assets every two years. The next full revaluation is due on 30 June 2024. Details of the Council's land and buildings and information about the fair value hierarchy as at 30 June 2022 are as follows:

	Level 1	Level 2	Level 3	Date of valuation	Type of valuation
Land	-	2,004,567	12,006,103	30/6/2022	Full
Specialised buildings	-	-	52,614,329	30/6/2022	Full
TOTAL	-	2,004,567	64,620,432		

Valuation of infrastructure

A valuation of Council's, infrastructure assets was performed by David Southcombe, Manager Assets and Infrastructure of the Loddon Shire Council, as at 30 June 2023.

The date and type of the current valuation is detailed in the following table. An indexed based revaluation was conducted in the current year. This valuation was based on current unit rates and sample analysis of condition ratings. Full revaluation of all assets are coordinated on a cyclic timeframe.

The valuation is at fair value based on current replacement cost less accumulated depreciation as at date of valuation.

Details of the Council's infrastructure and information about the fair value hierarchy as at 30 June 2023 are as follows:

	Level 1	Level 2	Level 3	Date of valuation	Type of valuation
Unsealed roads formation	-	-	18,882,603	30/6/2023	Section
Unsealed roads pavement	-	-	45,322,371	30/6/2023	Section
Road seal	-	-	13,041,124	30/6/2023	Index
Sealed roads pavement	-	-	122,204,073	30/6/2023	Full
Sealed road formation	-	-	12,382,354	30/6/2023	Full
Footpaths	-	-	7,496,691	30/6/2023	Full
Culverts	-	-	24,664,951	30/6/2023	Section
Bridges	-	-	30,445,570	30/6/2023	Index
Kerb and channel	-	-	7,356,727	30/6/2023	Full
Urban drains	-	-	19,364,378	30/6/2023	Full
Street furniture	-	-	906,267	30/6/2023	Section
Landfills	-	-	306,706	30/6/2023	Index
Quarries	-	-	27,910	30/6/2023	Index
TOTAL	-	-	302,401,725		

NOTE 6 ASSETS WE MANAGE (Continued)

6.2 Property, infrastructure, plant and equipment (continued)

Description of significant unobservable inputs into level 3 valuations

Specialised land and land under roads is valued using a market based direct comparison technique. Significant unobservable inputs include the extent and impact of restriction of use and the market cost of land per square metre. The extent and impact of restrictions on use varies and results in a reduction to surrounding land values between 5% and 95%. The market value of land varies significantly depending on the location of the land and the current market conditions. Currently land values range between \$0 and \$71.50 per square metre.

Specialised buildings are valued using a depreciated replacement cost technique. Significant unobservable inputs include the current replacement cost and remaining useful lives of buildings. Current replacement cost is calculated on a square metre basis and ranges from \$45 to \$3,780 per square metre. The remaining useful lives of buildings are determined on the basis of the current condition of buildings and vary from 1 year to 100 years. Replacement cost is sensitive to changes in market conditions, with any increase or decrease in cost flowing through to the valuation. Useful lives of buildings are sensitive to changes in expectations or requirements that could either shorten or extend the useful lives of buildings.

Infrastructure assets are valued based on the depreciated replacement cost. Significant unobservable inputs include the current replacement cost and remaining useful lives of infrastructure. The remaining useful lives of infrastructure assets are determined on the basis of the current condition of the asset and vary from 2 years to 100 years. Replacement cost is sensitive to changes in market conditions, with any increase or decrease in cost flowing through to the valuation. Useful lives of infrastructure are sensitive to changes in use, expectations or requirements that could either shorten or extend the useful lives of infrastructure assets.

NOTE 6 ASSETS WE MANAGE (Continued)**6.3 Investments in associates, joint arrangements and subsidiaries****(a) Investments in associates****North Central Goldfields Regional Library Corporation**

The Council is a member of the North Central Goldfields Regional Library Corporation. At 30 June 2023 Council's equity was \$292,682. At 30 June 2022 Council's equity in the corporation was \$295,054.

Loddon has a 4.76 per cent share of the net assets, and this is calculated on the same ratio as Council contributes to the operating costs of the service. At 30 June 2022 Council's share of the net assets was 4.82 per cent. Any adjustments required due to the reduction in the share of net assets from 2022 to 2023 is reflected as Variation Account - Change in Equity in the following schedules.

Fair value of Council's share in its ownership

	292,682	295,054
	2023	2022
	\$	\$
Council's share of accumulated surplus/(deficit)		
Council's share of accumulated surplus/(deficit) at start of year	121,866	109,764
Reported surplus/(deficit) for year	1,301	14,446
Variation account - change in equity	(1,517)	(2,344)
Council's share of accumulated surplus/(deficit) at end of year	121,650	121,866
Council's share of reserves		
Council's share of reserves at start of year	173,189	174,920
Variation account - change in equity	(2,156)	(1,731)
Council's share of reserves at end of year	171,033	173,189
Movement in carrying value of share in library		
Carrying value of investment at start of year	295,054	284,683
Share of surplus/(deficit) for the year	1,301	14,446
Variation account - change in equity	(3,673)	(4,075)
Carrying value of investment at end of year	292,682	295,054
Council's share of expenditure commitments		
Operating commitments	11,588	3,925
Capital commitments	-	-
Council's share of expenditure commitments	11,588	3,925

Adjustment to the carrying value of North Central Goldfields Regional Library

	2023	2022
	\$	\$
Adjustment to the carrying value of North Central Goldfields Regional Library Corporation	(2,372)	10,371
Total adjustment to the carrying value of North Central Goldfields Regional Library Corporation	(2,372)	10,371

Associates are all entities over which Council has significant influence but not control or joint control. Investments in associates are accounted for using the equity method of accounting, after initially being recognised at cost.

NOTE 6 ASSETS WE MANAGE (Continued)**6.3 Investments in associates, joint arrangements and subsidiaries (continued)**

Investments in joint arrangements are classified as either joint operations or joint ventures depending on the contractual rights and obligations each investor has, rather than the legal structure of the joint arrangement.

For joint operations, Council recognises the right to its share of jointly held assets, liabilities, revenues and expenses of joint operations. Council has no joint arrangements at reporting date.

Interests in joint ventures are accounted for using the equity method. Under this method, the interests are initially recognised in the consolidated balance sheet at cost and adjusted thereafter to recognise Council's share of the post-acquisition profits or losses and movements in other comprehensive income in profit or loss and other comprehensive income respectively.

Community Asset Committee

All entities controlled by Council that have material revenues, expenses, assets or liabilities, such as community asset committees, have been included in this financial report. Any transactions between these entities and Council have been eliminated in full.

NOTE 7 PEOPLE AND RELATIONSHIPS

7.1 Council and key management remuneration

(a) Related parties

Loddon Shire Council is the parent entity. There are no further interests in subsidiaries and associates.

(b) Key Management Personnel

Key management personnel (KMP) are those people with the authority and responsibility for planning, directing and controlling the activities of Council. The Councillors, Chief Executive Officer and other members of the Management Executive Group are deemed KMP.

Details of persons holding the position of Councillor or other members of Key Management Personnel at any time during the year were:

Councillors:	2023 No.	2022 No.
Cr Neil Beattie (Councillor from November 2021 to June 2023 (Mayor from July 2021 to October 2021))	1	1
Cr Gavan Holt (Councillor from July 2021 to June 2023)	1	1
Cr Dan Straub (Councillor from July 2021 to October 2021) (Mayor from November 2021 to June 2023))	1	1
Cr Wendy Murphy (Councillor from July 2021 to June 2023)	1	1
Cr Linda Jungwirth (Councillor from July 2021 to June 2023))	1	1
Key Management Personnel:		
Mr Phil Pinyon (Chief Executive Officer July 2021 to July 2022)	-	1
Mrs Wendy Gladman (Director Community and Wellbeing July 2021 to June 2023)	1	1
Mrs Sharon Morrison (Director Corporate Services July 2020 to February 2022)	-	1
Mr Steven Phillips (Director Operations July 2021 to June 2023)	1	1
Ms Lynne Habner (Manager Executive and Commercial Services July 2021 to June 2022)	-	1
Mr Lincoln Fitzgerald (Chief Executive Officer November 2021 to June 2023)	1	1
Mrs Amanda Wilson (Director Corporate March 2022 to June 2023)	1	1
Mrs Jude Holt (Acting Chief Executive Officer, Acting Director Corporate Services, Acting Director Community Wellbeing (July 2021 to June 2022)	-	1
Total number of Councillors	5	5
Total of Chief Executive Officer and other Key Management Personnel	4	8
Total number of Key Management Personnel	9	13

(c) Remuneration of Key Management Personnel

Remuneration comprises employee benefits including all forms of consideration paid, payable or provided by Council, or on behalf of the Council, in exchange for services rendered. Remuneration of Key Management Personnel and other senior staff is disclosed in the following categories.

Short - term employee benefits include amounts such as wages, salaries, annual leave or sick leave that are usually paid or payable on a regular basis, as well as non-monetary benefits such as allowances and free or subsidised goods or services.

Other long- term employee benefits include long service leave, other long service benefits or deferred compensation.

Post - employment benefits include pensions, and other retirement benefits paid or payable on a discrete basis when employment has ceased.

Termination benefits include termination of employment payments, such as severance packages.

NOTE 7 PEOPLE AND RELATIONSHIPS (Continued)**7.1 Council and key management remuneration (continued)****(c) Remuneration of Key Management Personnel (continued)**

Total remuneration of Key Management Personnel was as follows:

	2023	2022
	\$	\$
Short-term employee benefits	1,012,832	1,086,774
Long-term employee benefits	26,244	177,389
Post employment employee benefits	79,866	114,557
TOTAL	1,118,942	1,378,720

The numbers of Key Management Personnel whose total remuneration from Council and any related entities, fall within the following bands:

Income range	2023	2022
	number	number
\$10,000 - \$19,999	-	1
\$20,000 - \$29,999	1	2
\$30,000 - \$39,999	3	1
\$40,000 - \$49,999	-	1
\$50,000 - \$59,999	-	1
\$70,000 - \$79,999	1	1
\$120,000 - \$129,999	-	2
\$150,000 - \$159,999	-	1
\$160,000 - \$169,999	-	1
\$170,000 - \$179,999	1	-
\$190,000 - \$199,999	1	-
\$200,000 - \$209,999	1	-
\$210,000 - \$219,999	-	1
\$300,000 - \$309,999	-	1
\$310,000 - \$319,999	1	-
	9	13

(d) Remuneration of other senior staff

Other senior staff are officers of Council, other than Key Management Personnel, who exceeds \$160,000 and who report directly to a member of the KMP. *

Total remuneration of other senior staff was as follows:

	2023	2022
	\$	\$
Short-term employee benefits	1,130,424	451,675
Long-term employee benefits	16,842	14,035
Post employment employee benefits	101,922	41,679
TOTAL	1,249,188	507,389

NOTE 7 PEOPLE AND RELATIONSHIPS (Continued)

7.1 Council and key management remuneration (continued)

(d) Remuneration of other senior staff (continued)

The number of Senior Officers are shown below in their relevant income bands:

Income range	2023 number	2022 number
\$160,000 - \$169,999	2	1
\$170,000 - \$179,999	2	2
\$180,000 - \$189,999	1	-
\$190,000 - \$199,999	2	-
	<u>7</u>	<u>3</u>

Total Remuneration for the reporting year for Senior Officers included above, amounted to:

\$ 1,249,188	\$ 507,389
---------------------	-------------------

* Due to a definition change the comparative figures in this note may not align with previous year's annual report, which included disclosure of senior officers as defined in the *Local Government Act 1989*.

7.2 Related party disclosure

(a) Transactions with related parties

No transactions other than remuneration payments or the reimbursement of approved expenses were entered into by Council with responsible persons or related parties of such responsible persons during the reporting year (Nil in 2021/22).

(b) Outstanding balanced with related parties

There are no outstanding balances outstanding at the end of the reporting period in relation to transactions with related parties (Nil in 2021/22).

(c) Loans to/from related parties

No loans have been made, guaranteed or secured by the Council to a responsible person of the Council during the reporting year (Nil in 2021/22).

(d) Commitments to/from related parties

No commitments have been made, guaranteed or secured by Council to a responsible person of the Council during the reporting year (Nil in 2021/22).

NOTE 8 MANAGING UNCERTAINTIES

8.1 Contingent assets and liabilities

Contingent assets and contingent liabilities are not recognised in the Balance Sheet, but are disclosed and if quantifiable, are measured at nominal value. Contingent assets and liabilities are presented inclusive of GST receivable or payable, respectively.

(a) Contingent assets

Contingent assets are possible assets that arise from past events, whose existence will be confirmed only by the occurrence or non-occurrence of one or more uncertain future events not wholly within the control of Council.

Council has no contingent assets.

(b) Contingent liabilities

Contingent liabilities are:

- possible obligations that arise from past events, whose existence will be confirmed only by the occurrence or non-occurrence of one or more uncertain future events not wholly within the control of Council; or
- present obligations that arise from past events but are not recognised because:
 - it is not probable that an outflow of resources embodying economic benefits will be required to settle the obligation; or
 - the amount of the obligation cannot be measured with sufficient reliability.

Superannuation

Council has obligations under a defined benefit superannuation scheme that may result in the need to make additional contributions to the scheme. Matters relating to this potential obligation are outlined below. As a result of the volatility in financial markets, the likelihood of making such contributions in future periods exists.

Future superannuation contributions

In addition to the disclosed contributions, Council has not paid unfunded liability payments to Vision Super totalling \$Nil (2021/22 \$Nil). There were no contributions outstanding and no loans issued from or to the above schemes as at 30 June 2023. The expected contributions to be paid to the Defined Benefit category of Vision Super for the year ending 30 June 2023 are \$Nil.

Landfill

Council operates landfills. Council will have to carry out site rehabilitation works in the future. At balance date Council assesses the financial implications of such works using the estimates provided by relevant Council staff.

Liability Mutual Insurance

Council is a participant of the MAV Liability Mutual Insurance (LMI) Scheme. The LMI scheme provides public liability and professional indemnity insurance cover. The LMI scheme states that each year the participant will remain liable to make further contributions to the scheme in respect of any insurance year in which it was a participant to the extent of the participant's share of any shortfall in the provision set aside in respect of that insurance year, and such liability will continue whether or not the participant remains a participant in future insurance years.

8.2 Change in accounting standards

Certain new Australian Accounting Standards and interpretations have been published that are not mandatory for the 30 June 2023 reporting period. Council assesses the impact of these new standards. As at 30 June 2023 there were no new accounting standards or interpretations issued by the AASB which are applicable for the year ending 30 June 2024 that are expected to impact Council.

NOTE 8 MANAGING UNCERTAINTIES (Continued)

8.3 Financial instruments

(a) Objectives and policies

The Council's principal financial instruments comprise cash assets, term deposits, receivables (excluding statutory receivables), payables (excluding statutory payables). Details of the significant accounting policies and methods adopted, including the criteria for recognition, the basis of measurement and the basis on which income and expenses are recognised, in respect of each class of financial asset, financial liability and equity instrument is disclosed in the notes to the financial statements. Risk management is carried out by senior management under policies approved by the Council. These policies include identification and analysis of the risk exposure to Council and appropriate procedures, controls and risk minimisation.

(b) Market risk

Market risk is the risk that the fair value or future cash flows of our financial instruments will fluctuate because of changes in market prices. The Council's exposures to market risk is primarily through interest rate risk with only insignificant exposure to other price risks and no exposure to foreign currency risk.

Interest rate risk

Interest rate risk refers to the risk that the value of a financial instrument or cash flows associated with the instrument will fluctuate due to changes in market interest rates. Council does not hold any interest bearing financial instruments that are measured at fair value, and therefore has no exposure to fair value interest rate risk. Cash flow interest rate risk is the risk that the future cash flows of a financial instrument will fluctuate because of changes in market interest rates. Council has minimal exposure to cash flow interest rate risk through its levels of cash and deposits that are at a floating rate.

Investment of surplus funds is made with approved financial institutions under the *Local Government Act 2020*.

Council manages interest rate risk by adopting an investment policy that ensures:

- diversification of investment product;
- monitoring of return on investment; and
- benchmarking of returns and comparison with budget.

There has been no significant change in Council's exposure, or its objectives, policies and processes for managing interest rate risk or the methods used to measure this risk from the previous reporting period.

Interest rate movements have not been sufficiently significant during the year to have an impact on the Council's year end result.

(c) Credit risk

Credit risk is the risk that a contracting entity will not complete its obligations under a financial instrument and cause Council to make a financial loss. Council has exposure to credit risk on some financial assets included in our balance sheet. Particularly significant areas of credit risk exist in relation to outstanding fees and fines as well as loans and receivables from sporting clubs and associations.

To help manage this risk:

- Council has a policy for establishing credit limits for the entities council deals with;
- Council may require bank guarantees or security deposits for contracts where appropriate; and
- Council will only invest surplus funds with financial institutions which have a recognised credit rating specified in Council's investment policy.

Receivables consist of a large number of customers, spread across the ratepayer, business and government sectors. Credit risk associated with the Council's financial assets is minimal because the main debtor is secured by a charge over the rateable property.

There are no material financial assets which are individually determined to be impaired.

NOTE 8 MANAGING UNCERTAINTIES (Continued)

8.3 Financial instruments (continued)

(c) Credit risk (continued)

Council may also be subject to credit risk for transactions which are not included in the balance sheet, such as when we provide a guarantee for another party. Council has no such guarantees in place at 30 June 2023.

The maximum exposure to credit risk at the reporting date to recognised financial assets is the carrying amount, net of any provisions for impairment of those assets, as disclosed in the balance sheet and notes to the financial statements. Council does not hold any collateral.

(d) Liquidity risk

Liquidity risk includes the risk that, as a result of our operational liquidity requirements it will not have sufficient funds to settle a transaction when required or will be forced to sell a financial asset at below value or may be unable to settle or recover a financial asset.

To help reduce these risks Council:

- has historically minimised borrowings in the short to medium term
- reduced its reliance on borrowings with repayment of all borrowings occurring in 2015/16
- has readily accessible standby facilities and other funding arrangements in place
- ensures that surplus funds are invested within various bands of liquid investments
- monitors budget to actual performance on a regular basis; and
- sets limits on borrowings relating to the percentage of loans to rate revenue and percentage of loan principal repayments to rate revenue.

There has been no significant change in Council's exposure, or its objectives, policies and processes for managing liquidity risk or the methods used to measure this risk from the previous reporting period.

With the exception of borrowings, all financial liabilities are expected to be settled within normal or agreed terms.

Unless otherwise stated, the carrying amount of financial instruments reflect their fair value.

(e) Sensitivity disclosure analysis

Taking into account past performance, future expectations, economic forecasts, and management's knowledge and experience of the financial markets, Council believes the following movements are 'reasonably possible' over the next 12 months:

- A parallel shift of +0.2% and -1.95% in market interest rates (AUD) from year-end rates of 4.95%.

These movements will not have a material impact on the valuation of Council's financial assets and liabilities, nor will they have a material impact on the results of Council's operations.

NOTE 8 MANAGING UNCERTAINTIES (Continued)

8.4 Fair value measurement

Fair value hierarchy

Council's financial assets and liabilities are not valued in accordance with the fair value hierarchy. Council's financial assets and liabilities are measured at amortised cost.

Council measures certain assets and liabilities at fair value where required or permitted by Australian Accounting Standards. AASB 13 Fair Value Measurement, aims to improve consistency and reduce complexity by providing a definition of fair value and a single source of fair value measurement and disclosure requirements for use across Australian Accounting Standards.

All assets and liabilities for which fair value is measured or disclosed in the financial statements are categorised within a fair value hierarchy, described as follows, based on the lowest level input that is significant to the fair value measurement as a whole:

Level 1 — Quoted (unadjusted) market prices in active markets for identical assets or liabilities

Level 2 — Valuation techniques for which the lowest level input that is significant to the fair value measurement is directly or indirectly observable; and

Level 3 — Valuation techniques for which the lowest level input that is significant to the fair value measurement is unobservable.

For the purpose of fair value disclosures, Council has determined classes of assets and liabilities on the basis of the nature, characteristics and risks of the asset or liability and the level of the fair value hierarchy as explained above.

In addition, Council determines whether transfers have occurred between levels in the hierarchy by re-assessing categorisation (based on the lowest level input that is significant to the fair value measurement as a whole) at the end of each reporting period.

Revaluation

Subsequent to the initial recognition of assets, non-current physical assets, other than plant and equipment and furniture and equipment, are measured at their fair value, being the price that would be received to sell an asset (or paid to transfer a liability) in an orderly transaction between market participants at the measurement date. For plant and equipment carrying amount is considered to be approximate fair value given short useful lives). At balance date, the Council reviewed the carrying value of the individual classes of assets measured at fair value to ensure that each asset materially approximated its fair value. Where the carrying value materially differed from the fair value at balance date, the class of asset was revalued.

Fair value valuations are determined in accordance with a valuation hierarchy. Changes to the valuation hierarchy will only occur if an external change in the restrictions or limitations of use on an asset result in changes to the permissible or practical highest and best use of the asset. In addition, Council undertakes a formal revaluation of land, buildings, and infrastructure assets on a regular basis ranging from 1 to 5 years. The valuation is performed either by experienced council officers or independent experts. The following table sets out the frequency of revaluations by asset class.

NOTE 8 MANAGING UNCERTAINTIES (Continued)

8.4 Fair value measurement (continued)

Revaluation (continued)

Asset class	Revaluation frequency
Land	2 years
Buildings	2 years
Roads	1 to 4 years
Bridges	4 years
Footpaths and cycleways	1 to 4 years
Drainage	1 to 4 years
Recreational, leisure and community facilities	2 years
Waste management	2 years
Parks, open space and streetscapes	2 years
Aerodromes	2 years
Other infrastructure	1 to 10 years

Where the assets are revalued, the revaluation increments are credited directly to the asset revaluation reserve except to the extent that an increment reverses a prior year decrement for that class of asset that had been recognised as an expense in which case the increment is recognised as revenue up to the amount of the expense. Revaluation decrements are recognised as an expense except where prior increments are included in the asset revaluation reserve for that class of asset in which case the decrement is taken to the reserve to the extent of the remaining increments. Within the same class of assets, revaluation increments and decrements within the year are offset.

Impairment of assets

At each reporting date, the Council reviews the carrying value of its assets to determine whether there is any indication that these assets have been impaired. If such an indication exists, the recoverable amount of the asset, being the higher of the fair value less costs to sell and value in use, is compared to the asset's carrying value. Any excess of the asset's carrying value over its recoverable amount is expensed to the comprehensive income statement, unless the asset is carried at the revalued amount in which case, the impairment loss is recognised directly against the revaluation surplus in respect of the same class of asset to the extent that the impairment loss does not exceed the amount in the revaluation surplus for that same class of asset.

8.5 Events occurring after balance date

No matters have occurred after balance date that require disclosure in the financial report.

NOTE 9 OTHER MATTERS

9.1 Reserves

(a) Asset revaluation reserve

2023

	Balance at beginning of reporting period \$	Increment / (decrement) \$	Impairment increment / (decrement) \$	Net movement for the reporting period \$	Balance at end of the reporting period \$
Property					
Land and land improvements	13,376,323	-	-	-	13,376,323
Buildings	39,159,663	-	(118,190)	(118,190)	39,041,473
	52,535,986	-	(118,190)	(118,190)	52,417,796
Infrastructure assets					
Sealed roads	117,068,685	26,757,655	(7,328,475)	19,429,180	136,497,865
Unsealed roads	73,417,620	6,483,397	(9,764,857)	(3,281,460)	70,136,160
Footpaths	809,198	1,640,285	-	1,640,285	2,449,483
Street furniture	171,446	438,872	-	438,872	610,318
Kerbs	1,335,648	3,587,866	-	3,587,866	4,923,514
Bridges	14,135,684	6,893,592	(750,000)	6,143,592	20,279,276
Drains	983,129	11,682,380	-	11,682,380	12,665,509
Other infrastructure	207,921,410	57,484,047	(17,843,332)	39,640,715	247,562,125
Total tangible assets	260,457,396	57,484,047	(17,961,522)	39,522,525	299,979,921
Intangible assets					
Water rights	1,775,394	94,700	-	94,700	1,870,094
Total	262,232,789	57,578,747	(17,961,522)	39,617,225	301,850,014

2022

	Balance at beginning of reporting period \$	Increment / (decrement) \$	Impairment increment / (decrement) \$	Net movement for the reporting period \$	Balance at end of the reporting period \$
Property					
Land and land improvements	9,107,674	4,268,649	-	4,268,649	13,376,323
Buildings	33,682,511	5,477,152	-	5,477,152	39,159,663
	42,790,185	9,745,801	-	9,745,801	52,535,986
Infrastructure assets					
Sealed roads	150,523,917	(33,455,232)	-	(33,455,232)	117,068,685
Unsealed roads	65,141,194	8,276,426	-	8,276,426	73,417,620
Footpaths	923,263	(114,065)	-	(114,065)	809,198
Street furniture	86,156	85,290	-	85,290	171,446
Kerbs	1,052,018	283,630	-	283,630	1,335,648
Bridges	9,805,444	4,330,240	-	4,330,240	14,135,684
Drains	539,034	444,095	-	444,095	983,129
Other infrastructure	228,071,026	(20,149,616)	-	(20,149,616)	207,921,410
Total tangible assets	270,861,211	(10,403,815)	-	(10,403,815)	260,457,396
Intangible assets					
Water rights	1,737,524	37,870	-	37,870	1,775,394
Total	272,598,734	(10,365,945)	-	(10,365,945)	262,232,789

The asset revaluation reserve is used to records the increased (net) value of Council's assets over time.

NOTE 9 OTHER MATTERS (Continued)**9.1 Reserves (continued)****(b) General reserves****2023**

	Balance at beginning of reporting period \$	Transfer from accumulated surplus \$	Transfer to accumulated surplus \$	Balance at end of reporting period \$
Land and buildings reserve	734,010	513,582	-	1,247,592
Boundary and township signage reserve	100,000	-	(100,000)	-
Capital expenditure reserve	3,746,399	3,776,304	(3,746,399)	3,776,304
Caravan park development reserve	330,220	34,530	(6,000)	358,750
Community planning reserve	3,031,608	1,623,115	(1,062,578)	3,592,145
Economic development reserve	513,582	-	(513,582)	-
Fleet replacement reserve	810,006	150,000	(62,253)	897,753
Gravel and sand pit restoration reserve	400,000	16,203	(244,628)	171,575
Heritage loan scheme reserve	100,000	-	-	100,000
Information technology reserve	688,838	150,000	(197,081)	641,757
Little Lake Boort water reserve	17,604	-	-	17,604
Waste management reserve	300,000	34,540	(23,410)	311,130
Major projects reserve	318,485	80,000	-	398,485
Plant replacement reserve	1,979,398	950,000	(565,003)	2,364,395
Professional development reserve	16,256	4,000	(8,042)	12,214
Recreation facilities improvement reserve	100,000	-	-	100,000
Swimming pool major projects reserve	200,000	-	-	200,000
Unfunded superannuation liability reserve	1,000,000	-	-	1,000,000
Units reserve	30,750	-	(30,750)	-
Unightly premises enforcement provision reserve	100,000	-	-	100,000
Unspent grants reserve	11,336,434	17,288,936	(11,336,434)	17,288,936
Urban drainage reserve	960,666	350,000	(172,604)	1,138,062
Total	26,814,256	24,971,210	(18,068,764)	33,716,702

NOTE 9 OTHER MATTERS (Continued)**9.1 Reserves (continued)****(b) General reserves (continued)****2022**

	Balance at beginning of reporting period \$	Transfer from accumulated surplus \$	Transfer to accumulated surplus \$	Balance at end of reporting period \$
Land and buildings reserve	455,274	283,736	(5,000)	734,010
Boundary and township signage reserve	100,000	-	-	100,000
Capital expenditure reserve	4,282,325	3,746,399	(4,282,325)	3,746,399
Caravan park development reserve	188,073	148,247	(6,100)	330,220
Community planning reserve	2,628,720	1,760,608	(1,357,720)	3,031,608
Economic development reserve	431,182	100,000	(17,600)	513,582
Fleet replacement reserve	713,468	200,000	(103,462)	810,006
Gravel and sand pit restoration reserve	400,000	-	-	400,000
Heritage loan scheme reserve	100,000	-	-	100,000
Information technology reserve	810,803	150,000	(271,965)	688,838
Little Lake Boort water reserve	17,604	-	-	17,604
Waste management reserve	300,000	-	-	300,000
Major projects reserve	233,996	84,489	-	318,485
Plant replacement reserve	1,574,210	900,000	(494,812)	1,979,398
Professional development reserve	15,619	5,233	(4,596)	16,256
Recreation facilities improvement reserve	100,000	-	-	100,000
Swimming pool major projects reserve	200,000	-	-	200,000
Unfunded superannuation liability reserve	1,200,000	-	(200,000)	1,000,000
Units reserve	60,000	-	(29,250)	30,750
Unightly premises enforcement provision reserve	100,000	-	-	100,000
Unspent grants reserve	10,860,404	11,336,435	(10,860,405)	11,336,434
Urban drainage reserve	773,443	350,000	(162,777)	960,666
Total	25,545,121	19,065,147	(17,796,012)	26,814,256

NOTE 9 OTHER MATTERS (Continued)**9.1 Reserves (continued)****(b) General reserves (continued)****Purpose of general reserves*****Land and buildings reserve***

The land and buildings reserve is used to fund the purchase and improvement of land and buildings which includes residential, commercial and industrial. Proceeds received from the sale of Council owned land and buildings are transferred to the reserve, and the cost of purchase and development of Council land and buildings is transferred from the reserve.

Boundary and township signage reserve

The boundary and township signage reserve is used to fund replacement of Council's boundary and township signage. Council transfers to the reserve annually an amount determined during the budget process as sufficient to fund the boundary and township signage replacement program, to a maximum reserve level of \$100K. The net cost of boundary and township signage purchases and installation for the year is transferred from the reserve. CLOSED IN 2021/22.

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 expended by the end of that year. Council transfers to the reserve annually the unexpended budget amounts for capital works and other projects that will be undertaken in the following financial year.

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. The annual surplus made on the operations of Council's caravan parks is transferred to the reserve annually, and the funds required to finance major works undertaken at Council's caravan parks are transferred from the reserve.

Community planning reserve

The community planning reserve is used to set aside unspent funds for community planning projects. Council transfers to the reserve annually cumulative unspent funds for each ward's community planning projects. Council transfers from the reserve the amount placed into the reserve at the end of the previous financial year.

Economic development reserve

The economic development reserve is used to assist with economic development initiatives that council wishes to financially support. Council transfers to the reserve annually an amount determined during the budget process as sufficient to fund economic development initiatives, and proceeds from the sale of industrial land along with the cost of economic development initiatives during the financial year are transferred from the reserve. CLOSED IN 2021/22.

Fleet replacement reserve

The fleet replacement reserve is used to fund the replacement of passenger vehicles. Council transfers to the reserve \$150K annually to fund the fleet replacement program, and transfers from the reserve the net cost of fleet purchases for the year.

Gravel and sand pit (GSP) restoration reserve

The gravel and sand pit (GSP) 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. Council transfers from the reserve the cost of purchasing new sites and development and restoration of gravel and sand pits, and transfers to the reserve annual surplus on operations of gravel and sand pits to a maximum of \$400K.

NOTE 9 OTHER MATTERS (Continued)**9.1 Reserves (continued)****(b) General reserves (continued)****Purpose of general reserves (continued)*****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.

Information technology reserve

The information technology reserve is used to assist with the purchase of information technology assets. Council transfers to the reserve \$150K annually to a maximum level of \$800K, and transfers from the reserve the net cost of information technology assets.

Little Lake Boort water

The Little Lake Boort water reserve is used to secure the proceeds from sale of temporary water rights relating to Little Lake Boort. Council transfers to the reserve the proceeds from the sale of temporary water rights and unexpended amounts from annual expenditure budget, and transfers from the reserve the amounts required to purchase water rights or for any other expenditure relating to Little Lake Boort.

Waste management 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. Council transfers to the reserve annually \$10 per kerbside collection levy (or a pro-rated amount for a pro-rated collection). Council transfers from the reserve the cost of strategic projects, compliance and long term planning within Council landfills and transfer stations.

Major projects reserve

The major projects reserve is used to assist with the funding of major projects identified by Council. An annual allocation determined during the budget process as sufficient to fund major projects is transferred to the reserve. When a major project is identified and approved, an amount will be transferred from the reserve to assist with funding the project.

Plant replacement reserve

The plant replacement reserve is used to fund plant purchases. Council transfers to the reserve \$950K annually. Council transfers from the reserve the net cost of plant purchases for the year.

Professional development reserve

The professional development reserve is used to fund the professional development undertaken by executive officers of Council. An annual allocation is provided to each executive officer in accordance with their contract of employment, while the cost of the professional development undertaken during the year is transferred from the reserve.

Community loans scheme reserve

The community loans scheme reserve is an allocation of funds used to provide interest free loans to community groups for improvements at council reserves.

Swimming pool major projects reserve

The swimming pool major projects reserve is used to fund unplanned major repairs and capital works on the various swimming pool sites across the Shire. Council transfers to the reserve annually an amount determined during the budget process, to a maximum reserve level of \$200K. Council transfers from the reserve the net cost of unplanned major repairs and capital works.

NOTE 9 OTHER MATTERS (Continued)**9.1 Reserves (continued)****(b) General reserves (continued)****Purpose of general reserves (continued)*****Unfunded superannuation liability reserve***

The unfunded superannuation liability reserve is used to assist with funding any call that may be made on council as a result of shortfall in the Local Authorities' Superannuation Defined Benefits Plan. Council transfers to the reserve annually an amount determined during the budget process as sufficient to fund potential future calls by the superannuation authority in relation to an unfunded superannuation liability. Council transfers from the reserve any funds required to finance a call made upon Council by the superannuation authority.

Units reserve

The units reserve is used to fund the purchase or improvement of council owned elderly persons' units. The net surplus generated from rental income is transferred to the reserve annually. Funds are transferred out of the reserve to cover the cost of capital works undertaken at elderly persons' units. CLOSED IN 2021/22.

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 identified unightly premises with costs recouped via legal or other action.

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. Council transfers to the reserve grants received during the financial year that have not been expended, and transfers from the reserve the amount placed into the reserve at the end of the previous financial year.

Urban drainage reserve

The urban drainage reserve is used to fund urban drainage works in the towns within the Shire. Council transfers to the reserve annually an amount determined during the budget process sufficient to fund the urban drainage program, and transfers from the reserve the annual cost of urban drainage work.

NOTE 9 OTHER MATTERS (Continued)**9.2 Reconciliation of cash flows from operating activities to surplus/(deficit)**

	2023	2022
	\$	\$
Surplus / (deficit) for the period	6,948,455	2,002,203
Depreciation	10,742,687	9,270,237
(Profit) / loss on disposal of assets	(17,390)	(34,433)
Bad debts expense	17,321	18,759
Share of other comprehensive income of associates	(3,673)	(4,075)
Change in assets and liabilities		
(Increase) / decrease in receivables (net of advances)	(961,575)	286,756
(Increase) / decrease in accrued income	(581,091)	(67,263)
(Increase) / decrease in prepayments	257,576	(90,576)
Increase / (decrease) in unearned income	100,000	100,000
Increase / (decrease) in trust funds and deposits	(15)	2,611
(Increase) / decrease in inventories	-	24,120
Increase / (decrease) in payables	1,665,321	(798,001)
Increase / (decrease) in employee benefits	(33,030)	(142,009)
Increase / (decrease) in other provisions	554,890	(223,841)
(Increase) / decrease in library equity	2,372	(10,371)
Net cash provided by / used by operating activities	18,691,847	10,334,117

9.3 Superannuation

Council makes the majority of its employer superannuation contributions in respect of its employees to the Local Authorities Superannuation Fund (the Fund). This Fund has two categories of membership, accumulation and defined benefit, each of which is funded differently. Obligations for contributions to the Fund are recognised as an expense in the Comprehensive Income Statement when they are made or due.

Accumulation

The Fund's accumulation categories, Vision MySuper / Vision Super Saver, receives both employer and employee contributions on a progressive basis. Employer contributions are normally based on a fixed percentage of employee earnings (for the year ended 30 June 2023, this was 10.5% required under Superannuation Guarantee (SG) Legislation, for 2022 this was 10.0%).

Defined benefit

Council does not use defined benefit accounting for its defined benefit obligations under the Fund's Defined Benefit category. This is because the Fund's Defined Benefit category is a pooled multi-employer sponsored plan.

There is no proportional split of the defined benefit liabilities, assets or costs between the participating employers as the defined benefit obligation is a floating obligation between the participating employers and the only time that the aggregate obligation is allocated to specific employers is when a call is made. As a result, the level of participation of Council in the Fund cannot be measured as a percentage compared with other participating employers. Therefore, the Fund Actuary is unable to allocate benefit liabilities, assets and costs between employers for the purposes of AASB119.

NOTE 9 OTHER MATTERS (Continued)

9.3 Superannuation (continued)

Defined benefit (continued)

Funding arrangements

Council makes employer contributions to the Defined Benefit category of the Fund at rates determined by the Trustee on advice of the Fund Actuary. A triennial actuarial investigation is currently underway for the Defined Benefit category which is expected to be completed by 31 December 2023. Council was notified of the 30 June 2023 VBI during August 2023 (2022: August 2022). The financial assumptions used to calculate the 30 June 2023 VBI were:

Net investment returns	5.7% pa
Salary information	3.5% pa
Price inflation (CPI)	2.8% pa

As at 30 June 2022, an interim actuarial investigation was held as the Fund provides lifetime pensions in the Defined Benefit category. The vested benefit index (VBI) of the Defined Benefit category of which Council is a contributing employer was 102.2%. The financial assumptions used to calculate the VBI were:

Net investment returns	5.5% pa
Salary information	2.5% pa to 30 June 2023, and 3.5% pa thereafter
Price inflation (CPI)	3.0% pa

Council was notified of the 30 June 2022 VBI during August 2022 (2021: August 2021). Vision Super has advised that the estimated VBI at June 2023 was 104.1%.

The VBI is used as the primary funding indicator. Because the VBI was above 100%, the June 2022 actuarial investigation determined the Defined Benefit category was in a satisfactory financial position and that no change was necessary to the Defined Benefit category's funding arrangements from prior years.

Employer contributions (regular contributions)

On the basis of the results of the 2022 interim actuarial investigation conducted by the Fund Actuary, Council makes employer contributions to the Fund's Defined Benefit category at rates determined by the Fund's Trustee. For the year ended 30 June 2023, this rate was 10.5% of members' salaries (10.0% in 2021/22). This rate is expected to increase in line with any increases in the SG contribution rate and was reviewed as part of the 30 June 2022 interim valuation.

In addition, Council reimburses the Fund to cover the excess of the benefits paid as a consequence of retrenchment above the funded resignation or retirement benefit.

Funding calls

If the Defined Benefit category is in an unsatisfactory financial position at an actuarial investigation or the Defined Benefit category's VBI is below its shortfall limit at any time other than the date of the actuarial investigation, the Defined Benefit category has a shortfall for the purposes of SPS 160 and the Fund is required to put a plan in place so that the shortfall is fully funded within three years of the shortfall occurring. The Fund monitors its VBI on a quarterly basis and the Fund has set its shortfall limit at 97%.

In the event that the Fund Actuary determines that there is a shortfall based on the above requirement, the Fund's participating employers (including Council) are required to make an employer contribution to cover the shortfall.

Using the agreed methodology, the shortfall amount is apportioned between the participating employers based on the pre-1 July 1993 and post-30 June 1993 service liabilities of the Fund's Defined Benefit category, together with the employer's payroll at 30 June 1993 and at the date the shortfall has been calculated.

Due to the nature of the contractual obligations between the participating employers and the Fund, and that the Fund includes lifetime pensioners and their reversionary beneficiaries, it is unlikely that the Fund will be wound up.

NOTE 9 OTHER MATTERS (Continued)

9.3 Superannuation (continued)

Funding calls (continued)

If there is a surplus in the Fund, the surplus cannot be returned to the participating employers. In the event that a participating employer is wound-up, the defined benefit obligations of that employer will be transferred to that employer's successor.

The 2022 interim actuarial investigation surplus amounts

An actuarial investigation is conducted annually for the Defined Benefit category of which Council is a contributing employer. Generally, a full actuarial investigation is conducted every three years and interim actuarial investigations are conducted for each intervening year. An interim investigation was conducted as at 30 June 2022 and the last full investigation was conducted as at 30 June 2020.

The Fund's actuarial investigations identified the following in the Defined Benefit category of which Council is a contributing employer:

	2022 (Interim)	2021 (Interim)
	\$M	\$M
- A VBI surplus	44.60	214.70
- A total service liability surplus	105.80	270.30
- A discounted accrued benefits surplus	111.90	285.20

The VBI surplus means that the market value of the fund's assets supporting the defined benefit obligations exceed the vested benefits that the defined benefit members would have been entitled to if they had all exited on 30 June 2022. The total service liability surplus means that the current value of the assets in the Fund's Defined Benefit category plus expected future contributions exceeds the value of expected future benefits and expenses as at 30 June 2022.

The discounted accrued benefit surplus means that the current value of the assets in the Fund's Defined Benefit category exceeds the value of benefits payable in the future but accrued in respect of service to 30 June 2022.

The 2023 triennial actuarial investigation

A triennial actuarial investigation is being conducted for the Fund's position as at 30 June 2023. It is anticipated that this actuarial investigation will be completed by 31 December 2023. The financial assumptions for the purposes of this investigation are:

	2023	2020
	Triennial investigation	Triennial investigation
- Net investment return	5.7% pa	5.6% pa
- Salary inflation	3.5% pa	2.5% pa for first two years then 2.75% pa thereafter
- Price inflation	2.8% pa	2.0% pa

Superannuation contributions

Contributions by Council (excluding any unfunded liability payments) to the above superannuation plans for the financial year ended 30 June 2023 are detailed below:

Scheme - Type of Scheme - Rate	2023	2022
	\$	\$
Vision super - Defined Benefit - 10.5% (2022: 10.0%)	44,948	94,428
Vision super - Accumulation fund - 10.5% (2022: 10.0%)	562,593	492,304
Other super funds	585,046	541,176

There were no contributions outstanding and no loans issued from or to the above schemes as at 30 June 2023. The expected contributions to be paid to the Defined Benefit category of Vision Super for the year ending 30 June 2023 is \$Nil.

NOTE 10 CHANGE IN ACCOUNTING POLICY

There have been no changes to accounting policies for the 2022/23 year.

LODDON SHIRE COUNCIL

PERFORMANCE STATEMENT YEAR ENDING 30 JUNE 2023



DESCRIPTION OF MUNICIPALITY

Loddon Shire Council is located in central Victoria, about 175 kilometres north-west of Melbourne. It is bounded by the Gannawarra Shire in the north, Shire of Campaspe and City of Greater Bendigo in the east, Mount Alexander Shire and Central Goldfields Shire in the south, and Northern Grampians Shire and Buloke Shire in the west.

Loddon Shire Council is a predominantly rural area, with many small towns and communities. The largest towns are Boort, Bridgewater on Loddon, Inglewood, Pyramid Hill, and Wedderburn.

The Shire encompasses a total land area of about 6,700 square kilometres. Land is used mainly for agriculture and horticulture, particularly grain, sheep, wool, beef cattle, dairy, pigs and poultry. In recent years, there has also been an increase in viticulture, olives, and fodder crops.

The primary source of employment in the Shire is agriculture, forestry and fishing with 37 per cent of employed residents working in those fields, while 10 per cent work in health care and social assistance, seven per cent in retail trade, and five per cent in public administration and safety.

SUSTAINABILITY CAPACITY INDICATORS

Indicator / measure	2020	2021	2022	2023
Indicator: Population <i>Measure:</i> Expenses per head of municipal population <i>Computation:</i> Total expenses / Municipal population	\$4,122	\$4,443	\$4,193	\$4,859
Material variations: Population remains steady with the main variation being expenses. With the commencement of the flood program restoration works expenses are significantly higher.				
Indicator: Population <i>Measure:</i> Infrastructure per head of municipal population <i>Computation:</i> Value of infrastructure / Municipal population	\$47,012	\$46,350	\$43,983	\$47,672
Material variations: There has been an increase to infrastructure valuations this year due increasing replacement cost of materials.				
Indicator: Population <i>Measure:</i> Population density per length of road <i>Computation:</i> Municipal population / Kilometres of local roads	1.59	1.58	1.59	1.64
Material variations: No material variations.				
Indicator: Own-source revenue <i>Measure:</i> Own source revenue per head of municipal population <i>Computation:</i> Own-source revenue / Municipal population	\$1,930	\$1,991	\$1,999	\$2,127
Material variations: Gradual increase to own source revenue over time with population remaining steady.				
Indicator: Recurrent grants <i>Measure:</i> Recurrent grants per head of municipal population <i>Computation:</i> Recurrent grants / Municipal population	\$1,771	\$1,850	\$2,245	\$2,318
Material variations: Recurrent grants have increased due to the 100% upfront payment from the Grants Commission.				
Indicator: Disadvantage <i>Measure:</i> Relative socio-economic disadvantage <i>Computation:</i> Index of relative socio-economic disadvantage by decile	2	2	2	2
Material variations: No material variations.				
Efficiency				
Indicator: Workforce turnover <i>Measure:</i> Percentage of staff turnover <i>Computation:</i> [Number of permanent staff resignations and terminations / Average number of permanent staff for the financial year] x100	13.59%	12.82%	21.33%	17.81%
Material variations: With the cessation of the home and community care service there has been high resignations and the average permanent staff is expecting to drop going forward.				

Definitions:

"adjusted underlying revenue" means total income other than:

- (a) non-recurrent grants used to fund capital expenditure; and
- (b) non-monetary asset contributions; and
- (c) contributions to fund capital expenditure from sources other than those referred in paragraphs (a) and (b)

"infrastructure" means non-current property, plant and equipment excluding land

"local road" means a sealed or unsealed road for which the council is the responsible road authority under the *Road Management Act 2004*

"population" means the resident population estimated by council

"own-source revenue" means adjusted underlying revenue other than revenue that is not under the control of council (including government grants)

"relative socio-economic disadvantage", in relation to a municipality, means the relative socio-economic disadvantage, expressed as a decile for the relevant financial year, of the area in which the municipality is located according to the Index of Relative Socio-Economic Disadvantage (Catalogue Number 2033.0.55.001) of SEIFA

"SEIFA" means the Socio-Economic Indexes for Areas published from time to time by the Australian Bureau of Statistics on its Internet website.

"unrestricted cash" means all cash and cash equivalents other than restricted cash.

SERVICE PERFORMANCE INDICATORS

Service / indicator / measure	2020	2021	2022	2023
Aquatic facilities Indicator: Utilisation <i>Measure:</i> Utilisation of aquatic facilities <i>Computation:</i> Number of visits to aquatic facilities / Municipal population	3	2	2	2
Material variations: Visitation to the pools had been decreasing since 2020, however 2023 is the first year which has seen an increase in visitation with better trading hours and staff stability.				
Animal management Indicator: Health and safety <i>Measure:</i> Animal management prosecutions <i>Computation:</i> Number of successful animal management prosecutions / Number of animal prosecutions x 100	0%	0%	0%	0%
Material variations: No cases that have required prosecution during the reporting period.				
Food Safety Indicator: Health and safety <i>Measure:</i> Critical and major non-compliance notifications <i>Computation:</i> Number of critical non-compliance notifications and major non-compliance notifications about a food premises followed up / Number of critical non-compliance notifications and major non-compliance notifications about food premises x100	100%	100%	67%	100%
Material variations: All notifications were followed up during the year.				
Governance Indicator: Satisfaction <i>Measure:</i> Satisfaction with Council decisions <i>Computation:</i> Community satisfaction rating out of 100 with how council has performed in making decisions in the interest of the community	57	61	58	54
Material variations: This indicator has seen a slight decrease since the impact and recovery of both COVID-19 and the 2022 flood event.				
Libraries Indicator: Participation <i>Measure:</i> Active library members <i>Computation:</i> [Number of active library members in the last three years / Municipal population in the last three years] x100	7%	6%	5%	5%
Material variations: Number of active library members continue to decrease.				
Maternal and Child Health (MCH) Indicator: Participation <i>Measure:</i> Participation in MCH service <i>Computation:</i> [Number of children who attend the MCH service at least once (in the year) / Number of children enrolled in the MCH service] x100	83%	85%	87%	90%
Material variations: 199 attended out of the 221 enrolled.				

SERVICE PERFORMANCE INDICATORS (Continued)

Service / indicator / measure	2020	2021	2022	2023
Maternal and Child Health (MCH) Indicator: Participation <i>Measure:</i> Participation in the MCH service by Aboriginal children <i>Computation:</i> [Number of Aboriginal children who attend the MCH service at least once (in the year) / Number of Aboriginal children enrolled in the MCH service] x100	86%	89%	78%	94%
Material variations: Seven children attended out of the eight enrolled, this is compared to last year where seven out of nine children attended.				
Roads Indicator: Satisfaction <i>Measure:</i> Satisfaction with sealed local roads <i>Computation:</i> Community satisfaction rating out of 100 with how council has performed on the condition of sealed local roads	47	50	50	43
Material variations: This indicator has seen a significant decrease for the reporting period as a result of the 2022 flood event and the time taken to restore assets.				
Indicator: Decision making <i>Measure:</i> Council planning decisions upheld at VCAT <i>Computation:</i> [Number of VCAT decisions that did not set aside council's decision in relation to a planning application / Number of VCAT decisions in relation to planning applications] x100	0%	0%	0%	0%
Material variations: Nil for the financial year.				
Indicator: Waste diversion <i>Measure:</i> Kerbside collection waste diverted from landfill <i>Computation:</i> [Weight of recyclables and green organics collected from kerbside bins / Weight of garbage, recyclables and green organics collected from kerbside bins] x100	28%	30%	28%	28%
Material variations: No material variations.				

SERVICE PERFORMANCE INDICATORS (Continued)

Definitions:

"Aboriginal child" means a child who is an Aboriginal person

"Aboriginal person" has the same meaning as in the Aboriginal Heritage Act 2006

"active library member" means a member of a library who has borrowed a book from the library

"annual report" means an annual report prepared by a council under section 98 of the Act

"class 1 food premises" means food premises, within the meaning of the *Food Act 1984*, that have been declared as class 1 food premises under section 19C of that Act

"class 2 food premises" means food premises, within the meaning of the *Food Act 1984*, that have been declared as class 2 food premises under section 19C of that Act

"critical non-compliance outcome notification" means a notification received by council under section 19N(3) or (4) of the *Food Act 1984*, or advice given to council by an authorised officer under that Act, of a deficiency that poses an immediate serious threat to public health

"food premises" has the same meaning as in the *Food Act 1984*

"local road" means a sealed or unsealed road for which Council is the responsible road authority under the *Road Management Act 2004*

"major non-compliance outcome notification" means a notification received by a council under section 19N(3) or (4) of the *Food Act 1984*, or advice given to council by an authorized officer under that Act, of a deficiency that does not pose an immediate serious threat to public health but may do so if no remedial action is taken

"MCH" means the Maternal and Child Health Service provided by a council to support the health and development of children within the municipality from birth until school age

"population" means the resident population estimated by council

FINANCIAL PERFORMANCE INDICATORS

Dimension / indicator / measure	Actuals				Forecasts			
	2020	2021	2022	2023	2024	2025	2026	2027
Efficiency Indicator: Expenditure level <i>Measure:</i> Expenses per property assessment Computation: Total expenses / Number of property assessments	\$3,948.74	\$4,190.23	\$3,938.48	\$4,687.72	\$7,168.86	\$7,208.43	\$4,812.10	\$4,973.02
Material variations: Property numbers have had a slight increase with expenditure levels being the main variance. During 2023, 2024 and 2025 there will be significant flood restoration works undertaken.								
Efficiency Indicator: Revenue level <i>Measure:</i> Average rate per property assessment Computation: General rates and municipal charges / Number of property assessments	\$1,226.81	\$1,244.14	\$1,256.83	\$1,276.55	\$1,328.37	\$1,374.86	\$1,422.98	\$1,472.78
Material variations: Property numbers remain constant with rate income increasing over the years.								
Liquidity Indicator: Working capital <i>Measure:</i> Current assets compared to current liabilities Computation: [Current assets / Current liabilities] x100	744.86%	506.54%	604.47%	596.58%	447.89%	342.28%	277.80%	121.98%
Material variations: Main variations occur in this indicator based on the cash available on hand. This decreases each year within the forecast amounts with capital works expected to be completed in those relevant years.								
Liquidity Indicator: Unrestricted cash <i>Measure:</i> Unrestricted cash compared to current liabilities Computation: [Unrestricted cash / Current liabilities] x100	3.10%	125.63%	-111.49%	-42.16%	235.44%	123.92%	22.30%	-142.64%
Material variations: Council has a large amount of cash on hand in some years, however forecasted years this decreases. For 2023, a significant amount of cash on hand is tied to unexpended grants. Forecasted years expect there to be no carried forward grants, therefore less cash restriction.								

FINANCIAL PERFORMANCE INDICATORS (Continued)

Dimension / indicator / measure	Actuals				Forecasts			
	2020	2021	2022	2023	2024	2025	2026	2027
Obligations Indicator: Loans and borrowings <i>Measure:</i> Loans and borrowings compared to rates Computation: [Interest bearing loans and borrowings / Rate revenue] x100	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Material variations: Council has no borrowings.								
Obligations Indicator: Loans and borrowings <i>Measure:</i> Loans and borrowings repayments compared to rates Computation: [Interest and principal repayments on interest bearing loans and borrowings / Rate revenue] x100	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Material variations: Council has no borrowings.								
Obligations Indicator: Indebtedness <i>Measure:</i> Non-current liabilities compared to own source revenue Computation: [Non-current liabilities / Own source revenue] x100	11.85%	10.17%	8.32%	10.79%	12.53%	14.46%	15.99%	17.44%
Material variations: Council's non current liabilities increase slightly each year and own source revenue increases steadily also.								
Obligations Indicator: Asset renewal <i>Measure:</i> Asset renewal and upgrade compared to depreciation Computation: [Asset renewal and upgrade expenses / Asset depreciation] x100	57.71%	79.27%	60.11%	47.58%	57.90%	53.26%	48.59%	50.35%
Material variations: Variations can occur within this indicator depending on the capital works program delivered for the year.								

FINANCIAL PERFORMANCE INDICATORS (Continued)

Dimension / indicator / measure	Actuals				Forecasts			
	2020	2021	2022	2023	2024	2025	2026	2027
Operating position Indicator: Adjusted underlying result <i>Measure:</i> Adjusted underlying surplus (or deficit) <i>Computation:</i> [Adjusted underlying surplus (deficit) / Adjusted underlying revenue] x100	-8.06%	-5.44%	3.94%	-37.44%	-17.35%	-16.50%	-26.43%	-26.55%
Material variations: Future year projections include the costs expected to address the renewal gap, however based upon current forecasting. Council will not have enough available funds to address the gap.								
Stability Indicator: Rates concentration <i>Measure:</i> Rates compared to adjusted underlying revenue <i>Computation:</i> [Rate revenue / Adjusted underlying revenue] x100	38.60%	36.59%	36.34%	30.41%	25.99%	26.54%	44.68%	44.90%
Material variations: Council has continued to apply the legislated cap to rates and charges for all forecast years.								
Stability Indicator: Rates effort <i>Measure:</i> Rates compared to property values <i>Computation:</i> [Rate revenue / Capital improved value of rateable properties in the municipality] x100	0.49%	0.43%	0.44%	0.35%	0.27%	0.27%	0.28%	0.28%
Material variations: Forecasting years are expecting a valuation growth of 2% with a rate increase slightly higher.								

FINANCIAL PERFORMANCE INDICATORS (Continued)

Definitions:

"adjusted underlying revenue" means total income other than:

(a) non-recurrent grants used to fund capital expenditure; and

(b) non-monetary asset contributions; and

(c) contributions to fund capital expenditure from sources other than those referred to in paragraphs (a) and (b)

"adjusted underlying surplus (or deficit)" means adjusted underlying revenue less total expenditure

"asset renewal expenditure" means expenditure on an existing asset or on replacing an existing asset that returns the service capability of the asset to its original capability

"current assets" has the same meaning as in the AAS

"current liabilities" has the same meaning as in the AAS

"non-current assets" means all assets other than current assets

"non-current liabilities" means all liabilities other than current liabilities

"non-recurrent grant" means a grant obtained on the condition that it be expended in a specified manner and is not expected to be received again during the period covered by a council's Strategic Resource Plan

"own-source revenue" means adjusted underlying revenue other than revenue that is not under the control of council (including government grants)

"population" means the resident population estimated by council

"rate revenue" means revenue from general rates, municipal charges, service rates and service charges

"recurrent grant" means a grant other than a non-recurrent grant

"residential rates" means revenue from general rates, municipal charges, service rates and service charges levied on residential properties

"restricted cash" means cash and cash equivalents, within the meaning of the AAS, that are not available for use other than for a purpose for which it is restricted, and includes cash to be used to fund capital works expenditure from the previous financial year

"unrestricted cash" means all cash and cash equivalents other than restricted cash.

OTHER INFORMATION

Basis of preparation

Council is required to prepare and include a Performance Statement within its Annual Report. The Performance Statement includes the results of the prescribed sustainability capacity, service performance and financial performance indicators and measures together with a description of the municipal district and an explanation of material variations in the results. This statement has been prepared to meet the requirements of the *Local Government Act 2020* and *Local Government (Planning and Reporting) Regulations 2020*.

Where applicable, the results in the Performance Statement have been prepared on accounting bases consistent with those reported in the Financial Statements. The other results are based on information drawn from Council information systems or from third parties (e.g. Australian Bureau of Statistics).

The Performance Statement presents the actual results for the current year and for the prescribed financial performance indicators and measures, the results forecast by Council's Strategic Resource Plan. The *Local Government (Planning and Reporting) Regulations 2020* requires explanation of any material variations in the results contained in the Performance Statement. Council has adopted materiality thresholds relevant to each indicator and measure and explanations have not been provided for variations below the materiality thresholds unless the variance is considered to be material because of its nature.

The forecast figures included in the Performance Statement are those adopted by Council in its Financial Plan on 27 June 2023 which forms part of the Council Plan. The Financial Plan includes estimates based on key assumptions about the future that were relevant at the time of adoption and aimed at achieving sustainability over the long term. Detailed information on the actual financial results is contained in the General Purpose Financial Statements. The Financial Plan can be obtained by contacting Council.

CERTIFICATION OF PERFORMANCE STATEMENT

In my opinion the accompanying Performance Statement has been prepared in accordance with the *Local Government Act 2020* and the *Local Government (Planning and Reporting) Regulations 2020*.

Signed: Dated: **XX / XXX / 2023**
AMANDA KAYE WILSON, BBus (Acc), DipHR, CertWHS, PRINCIPAL ACCOUNTING OFFICER
Wedderburn, Victoria 3518

In our opinion, the accompanying Performance Statement of the Loddon Shire Council for the year ended 30 June 2023 presents fairly the results of Council's performance in accordance with the *Local Government Act 2020* and the *Local Government (Planning and Reporting) Regulations 2020*.

The Performance Statement contains the relevant performance indicators, measures and results in relation to service performance, financial performance and sustainability capacity.

As at the date of signing, we are not aware of any circumstances that would render any particulars in the Performance Statement to be misleading or inaccurate.

We have been authorised by the Council and the Local Government (Planning and Reporting) Regulations 2020 to certify this Performance Statement in its final form.

Signed: Dated: **XX / XXX / 2023**
DANIEL ALLAN STRAUB, MAYOR
Wedderburn, Victoria, 3518

Signed: Dated: **XX / XXX / 2023**
NEIL EDWARD BEATTIE, COUNCILLOR
Wedderburn, Victoria, 3518

Signed: Dated: **XX / XXX / 2023**
LINCOLN WILLIAM FITZGERALD, BA (Nature Tourism), GAICD, CertTAA, CHIEF EXECUTIVE OFFICER
Wedderburn, Victoria 3518

This page is deliberately blank.

This page is intentionally blank.

10.2 2022/23 END OF FINANCIAL YEAR VARIATION ANALYSIS

File Number: FOL/23/1594
Author: Deanne Caserta, Manager Financial Services
Authoriser: Amanda Wilson, Director Corporate
Attachments: 1. Summary Financial Report

RECOMMENDATION

That receives and notes the '2022/23 End of Financial Year Variation Analysis' Report.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

As part of the 2023/24 budget process, budget projections for the end of 2022/23 financial year were presented to Council in the form of a Revised Budget.

At the August Council Briefing a snapshot at activity level of the major variations between the 2022/23 Revised Budget and the 2022/23 Actuals was presented. Explanations were given where variances existed outside Council's threshold of 10% or \$20,000.

BACKGROUND

The annual budget process requires that budget projections of the current financial year be undertaken to calculate the potential carried forward surplus that will form part of the next year's budget.

As this process is generally finalised in late March or early April, there are a further three months of activity to the end of June which may give rise to variations to the budget projections.

This report outlines the variations which have arisen between the budget projections made and the actual final results achieved at year end 30 June 2023.

ISSUES/DISCUSSION

The revised budget projections called for an end of financial year closing cash surplus position of \$7.53M. The actual cash surplus was \$9.85M, a positive variance of \$2.32M.

The monthly Finance Report tables are provided as an attachment to this report, and include the budget, actuals, variance in dollars and percentage terms.

Whilst there are a number of variances, this report focuses on those which fall outside a 10% or \$20,000 threshold, whichever is the greater.

SUMMARISED FINANCIAL RESULT

The table below discloses the actual result for the year in comparison to the budget:

Report item	2022/23 Revised Budget \$	2022/23 Actual \$	Variance of Actual to Budget \$	Variance of Actual to Budget %
Revenue	(44,602,774)	(44,437,790)	164,984	100%
Expenses	41,474,293	37,493,009	(3,981,284)	90%
Net operating result	(3,128,481)	(6,944,781)	(3,816,300)	222%
Funding decisions	(9,583,976)	6,600,396	16,184,372	-69%
Capital expenditure	24,280,353	10,224,734	(14,055,619)	42%
Non cash adjustments	(10,106,628)	(10,740,145)	(633,517)	106%
Accumulated deficit b/f	(8,993,042)	(8,993,042)	0	100%
Net cash (surplus) / deficit	(7,531,772)	(9,852,839)	(2,321,065)	131%

INCOME

Income for the year was \$44.4M representing a variance of less than 1% or \$165K lower than the budget of \$44.6M. Within the income items the following variances occurred:

Fees and charges

Fees and charges received were lower than the budget by \$185K.

Instances where Council received income that were less than the budget were:

- gravel pits of \$116K where there has been a shortage of material and a crush is underway
- pre school reimbursement fees where additional funding has been received from the department to assist in funding the operational costs of the centres.

Contributions

Contributions received were greater than the budget by \$169K.

Instances where Council received income that were greater than the budget were:

- Donaldson Park Wedderburn contributions of \$200K with the project well underway.

Interest

Interest received were higher than the budget by \$130K.

There was a large amount of cash on hand towards the end of the year and increasing investment rates on offer.

Reimbursements

Reimbursements received were higher than the budget by \$233K.

Instances where Council received income that were greater than the budget were:

- implementation of Council's new corporate system (RCCC project) has enabled additional staff wages to be reimbursed as part of the project funding, with claims of \$184K made during the last quarter of the year.

Non recurrent operating grants

Non recurrent operating grants received were greater than the budget by \$4.93M.

Instances where Council received income that was greater than the budget were:

- flood restoration and community recovery programs of \$5.38M, where no budget for expenditure or income was included within the revised budget as it was still unknown at that point in time.

Recurrent operating grants

Recurrent operating grants received were greater than the budget by \$3.10M.

Instances where Council received income that were greater than the budget were:

- the upfront payment of 100% of the grants commission funding. This was only budgeted to be 75%.

Recurrent capital grants

Recurrent capital grants received were less than the budget by \$0.49M.

Instances where Council received income that was less than the budget were:

- Roads to Recovery funding of \$200K where claims are made as the projects are completed
- caravan park funding of \$274K where claims are made as the required project stages are met.

Non recurrent capital grants

Non recurrent capital grants received were less than the budget by \$8.19M.

Instances where Council received income that was less than the budget were:

- Donaldson Park and Pyramid Hill Community Centre grants are recognised as a 'grant in advance'. Partial income has been received but it will not be recognised until the required stages are complete
- local roads community infrastructure program grants of \$2.6M where claims are made as the required project stages are met.

EXPENDITURE

Expenditure for the year was \$37.49M representing a variance of 10% or \$3.98M lower than budget. Within the line items the following variances occurred:

Materials and services

Materials and services were \$2.61M or 20% lower than budget; the main reasons are outlined below.

Items below budget:

- home and community care unspent funds of \$195K, with some carried forward into 2023/24 in case of a recall after the cessation of services
- plant and fleet operating expenses of \$885K with lower ongoing maintenance costs
- community planning projects and other community grants of \$820K due to completion delays.

These items are offset by the expenditure in the flood area of \$1.92M which is greater than budget, with no budget allocated.

Stores

Stores were \$72K or 100% lower than budget.

Limited stores are now kept at all depot sites due to the transitioning of purchasing direct from local suppliers as needed.

Contractors

Contractors were \$619K or 20% lower than budget; the main reasons are outlined below.

Items below budget:

- Calivil and Serpentine lighting projects of \$303K with the projects commenced but not yet completed
- swimming pool management fees of \$55K due to lower opening hours and better program management.

Utilities

Utilities were \$80K or 13% lower than budget; the main reasons are outlined below.

Items below budget:

- water service charges, with less watering required throughout the year due to a wet spring and increase to water storage facilities.

Donated assets

There is no budget allocation for donated assets due to its unpredictable nature.

Bad debts expense

There is no budget allocation for bad debts expense due to its unpredictable nature.

CAPITAL EXPENDITURE

Capital expenditure was \$10.22M representing a variance of 58% or \$14.06M below the revised budget of \$24.28M. Significant variations are set out below.

Community planning

Community planning project spend was \$292M below the set budget of \$293K. This is mainly due to a delay in commencement and the budget allocation to new projects by the relevant committees.

These projects have been carried forward into 2023/24.

Community facilities

The Donaldson Park Wedderburn project is behind budget by \$2.0M with the project well underway but completion time not expected until late 2023.

Pyramid Hill Community Centre project is behind budget by \$2.45M with the project only just commencing.

These projects have been carried forward into 2023/24 and are expected to be almost complete by 30 June 2024.

Plant and equipment

Plant and equipment was 64% or \$1.68M below the set budget of \$2.61M.

The main variance was the delay in delivery of new plant with shortages in some heavy equipment pieces in the marketplace.

Roads infrastructure

Roadworks were 54% or \$4.29M below the set budget of \$7.99M. All projects that were not completed have been carried over to 2023/24, however there is some project delivery savings that has been returned to surplus for Council to redistribute to other expenditure needs.

FUNDING DECISIONS

Funding decisions were \$16.18M or 169% different than expected within the budget.

Transfers from reserves

Transfers from reserves were \$3.93M lower than the set budget. This includes projects that were expected to be utilised, such as plant replacement program, for the year but a delay in expenditure has decreased the reserve transfer.

Transfers to reserves

Transfers to reserves were \$12.23M higher than the set budget.

This includes reserves where significant amounts were carried over as being unspent at 30 June 2023 and will now be included in the 2023/24 budget.

SUMMARY

In summary, at the end of the financial year Council had a surplus of \$2.32M in excess of expectation.

There are variances throughout the different elements of the financial statements, however, it can be reported that:

- Council used Capital Expenditure, Community Planning and Unspent Grants Reserves to capture any financial items that were not concluded in 2022/23 and will be completed in 2023/24 or subsequent years
- savings in many areas of the accounts were realised due to strong financial management by the officers responsible for delivering projects and programs.

COST/BENEFITS

The benefit of Council receiving a variation report of actual to projected budget is that it gives Council an understanding of the difference in the cash surplus position and keeps Council fully informed.

RISK ANALYSIS

The provision of a variance to budget report to Council minimises the risk of Council not understanding the financial position at year end, and provides reasons for carry over projects.

With delays in expenditure due supply shortages difficulty securing contractors, difficulty sourcing major plant items and construction escalations, there will continue to be a backlog of projects. Consideration should be given to increasing resourcing for delivery or deferring projects to future years.

CONSULTATION AND ENGAGEMENT

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

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

Element	2022/23 Full Year Budget	2022/23 Total Revised Budget	2022/23 YTD Revised Budget June	2022/23 YTD Actuals June
Income				
69 - Statutory Fees	284,357	314,357	314,357	329,402
70 - Fees & Charges	1,531,648	1,497,704	1,497,704	1,313,104
71 - Contribution	0	192,500	192,500	361,400
73 - Interest	235,000	1,135,000	1,135,000	1,264,776
77 - Reimbursements	260,081	308,068	308,068	541,401
80 - Rates	12,257,016	12,283,009	12,283,009	12,283,024
81 - Non Recurrent Grants (Operating)	0	1,014,500	1,014,500	5,950,448
82 - Recurrent Grants (Operating)	4,174,076	12,575,208	12,575,208	15,672,728
83 - Recurrent Grants (Capital)	2,387,726	2,736,119	2,736,119	2,244,199
84 - Non Recurrent Grants (Capital)	0	12,027,942	12,027,942	3,836,970
90 - VicRoads	518,366	518,366	518,366	640,338
Total Income	21,648,270	44,602,774	44,602,774	44,437,790
Expenses				
01 - Labour	12,635,376	12,941,914	12,941,914	11,950,713
04 - Creditors	9,062,423	12,951,525	12,951,525	10,342,701
05 - Stores	72,280	72,280	72,280	0
06 - Fuel	1,714,821	1,333,347	1,333,347	1,233,969
07 - Contractors	2,421,097	3,019,865	3,019,865	2,401,281
08 - Depreciation	10,106,628	10,106,628	10,106,628	10,742,687
09 - Utilities	593,342	593,342	593,342	513,196
13 - Imparement Losses	0	0	0	0
25 - Grants Expenditure	386,957	455,393	455,393	311,004
34 - Donated Assets	0	0	0	(45,322)
45 - Bad Debts Expense	0	0	0	57,799
48 - Equity Change	0	0	0	2,372
98 - Profit/(Loss) Sale of Assets	0	0	0	(17,390)
63 - Reversal of Impairment Losses	0	0	0	0
Total Expenses	36,992,923	41,474,293	41,474,293	37,493,009
Net Result Surplus / (Deficit)	(15,344,653)	3,128,481	3,128,481	6,944,781

Element	2022/23 Full Year Budget	2022/23 Total Revised Budget	2022/23 YTD Revised Budget June	2022/23 YTD Actuals June
Funding Decisions				
88 - Reserves Transfer From	10,064,192	20,376,456	20,376,456	16,445,649
89 - Reserves Transfer To	(1,844,270)	(11,120,469)	(11,120,469)	(23,348,094)
74 - Asset Sales (Capital)	327,989	327,989	327,989	302,050
Total Funding Decisions	8,547,911	9,583,976	9,583,976	(6,600,396)
Capital Expenditure				
21 - Caravan Parks	0	294,844	294,844	191,993
42 - Community Planning - Inglewood	0	163,612	163,612	1,571
43 - Community Planning - Tarnagulla	0	108,551	108,551	0
44 - Community Planning - Terricks	0	21,075	21,075	0
47 - Grants & Community Planning	500,000	6,975,102	6,975,102	3,752,734
49 - Swimming Pools	0	30,000	30,000	0
61 - Financial Services	0	0	0	45,322
65 - Information Technology	100,000	100,000	100,000	40,182
70 - LRCI Projects	0	4,567,159	4,567,159	758,232
72 - Project & Contract Management	1,765,768	5,127,328	5,127,328	1,296,297
73 - Roads to Recovery	2,387,726	2,859,431	2,859,431	2,401,555
75 - Local Laws and Animal Management	0	102,121	102,121	0
82 - Building & Property Maintenance	405,000	1,069,495	1,069,495	593,503
84 - Plant and Fleet	2,077,340	2,607,671	2,607,671	929,306
90 - Parks & Townships	100,000	110,444	110,444	75,153
96 - Waste Management	0	143,520	143,520	138,887
Total Capital Expenditure	7,335,834	24,280,353	24,280,353	10,224,734
Non Cash Adjustments				
08 - Depreciation	10,106,628	10,106,628	10,106,628	10,742,687
34 - Donated Assets	0	0	0	(45,322)
45 - Bad Debts Expense	0	0	0	57,799
48 - Equity Change	0	0	0	2,372
98 - Profit/(Loss) Sale of Assets	0	0	0	(17,390)
13 - Impairment Losses	0	0	0	0
63 - Reversal of Impairment Losses	0	0	0	0
Total Non Cash Adjustments	10,106,628	10,106,628	10,106,628	10,740,145
Accumulated surplus bought forward	4,625,317	8,993,042	8,993,042	8,993,042
Net Cash Surplus / (Deficit)	599,368	7,531,772	7,531,773	9,852,839

10.3 NEW COMMUNITY PLANNING COMMITTEE - FORMAL RECOGNITION - RHEOLA

File Number: FOL/21/3165
Author: Martin Mark, Community Development Officer
Authoriser: Paul Scullie, Acting Manager Community Support
Attachments: Nil

RECOMMENDATION

That Council formally recognise Rheola Community Planning Inc. as the Community Planning Committee for the Rheola community.

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 Officers presented to Councillors at the July 2023 Council Forum to discuss the request by the Rheola community to develop a Community Planning Committee in accordance with the Community Planning Framework (the Framework) endorsed at the November 2019 Council Meeting.

BACKGROUND

The Community Planning Framework was developed to assist communities as they formulate local community plans and to formalise the relationship between the community planning committees and Council.

As detailed in the Framework, community groups that meet the following criteria are eligible to request formal recognition from Council as a community planning committee:

- are incorporated bodies
- have community planning detailed in their constitution's purpose, and
- have a membership structure that allows wider community participation

Access to Council's annual community planning funding program is prioritised for those groups who have received formal recognition and who have developed their community plan consistent with the principles of the Framework.

ISSUES/DISCUSSION

Rheola Community Planning Inc. has requested Council recognition as the community planning committee for the Rheola and district community.

The Rheola community, through community engagement and subsequent establishment of Rheola Community Planning Inc., has demonstrated a commitment to addressing the requirements detailed in Council's Community Planning Framework in order to achieve formal recognition.

In anticipation of formal recognition, the Committee has commenced the community consultation phase of their Community Plan in 2023 and representatives have indicated they would be prepared to attend a future Council Forum to present their plan and its priorities to Council.

Community	Community planning group	Request for recognition received	Information request form received	Incorporated	Constitution purpose includes community planning	Open membership
Rheola	Rheola Community Planning Inc.	Yes	Yes	Yes	Yes	Yes

Council's Community Support Policy and Community Planning Framework does not preclude Council recognising new community planning committees. The inclusion of the Rheola Community Planning Inc. would increase to six the number of community planning committees in the Tarnagulla ward.

COST/BENEFITS

Community planning committees provide the conduit for their community to represent their collective views, ideas and strategic direction to Council and beyond.

Council provides financial assistance to community planning committees to offset incorporation, administrative, and insurance costs. The table below outlines the support that would be provided to Rheola Community Planning Inc. on an annual basis following formal recognition.

Community Planning Committee	Proposed allocation – Administration	Proposed allocation - Insurance	Total
Rheola Community Planning Inc.	\$200	\$1,050	\$1,250

Formal recognition signals to the community that the group has agreed to:

- develop a community plan in accordance with the principles outlined in the Framework
- have open membership for community members
- be representative of their community.

The inclusion of a new community planning committee does not alter the distribution of the \$250,000 community planning funding across the five Council wards, but does have the potential to dilute the available funds to the existing groups within the Tarnagulla Ward.

RISK ANALYSIS

The Rheola community has dedicated significant time and resources to reach a stage where they consider seeking recognition as a new community planning committee. With no direct alignment to existing community planning committees, the formal recognition of the Rheola community planning committee will enhance the opportunities for development within this community. This mitigates the risk of Rheola not having the same opportunities as other communities with a similar population and community plan.

The inclusion of a new community planning committee does not alter the distribution of the \$250,000 community planning funding across the five Council wards, but does have the potential to dilute the available funds to the existing groups within the Tarnagulla Ward.

The Community Planning Framework contains a component of plan assessment and reporting to Council with recommendations on levels of support for items contained within individual plans. The addition of another community plan will increase the number of plans that will require assessment by Council officers, which, if implemented, may delay the delivery of other Council activities.

CONSULTATION AND ENGAGEMENT

Council officers have provided continued support to the Rheola community throughout their community planning journey. In May 2021, Rheola indicated its endeavour to become a community planning committee.

The Manager Community Support and Community Development Officer met with members of the Rheola community on 31 August 2022, to discuss the community's appetite to become a formalised community planning committee. Since that initial meeting the Community Development Officer has attended subsequent meetings on the 24 November 2022, 28 March and 14 June 2023 to assist the committee as they become incorporated, established a bank account and commenced the initial process of developing their community plan.

10.4 GROWING REGIONS PROGRAM EOI - PYRAMID HILL COMMUNITY CENTRE - STAGES 2 & 3

File Number: FOL/20/988

Author: Paul Scullie, Acting Manager Community Support

Authoriser: Wendy Gladman, Director Community Wellbeing

Attachments: 1. **Pyramid Hill Community Centre - Stages 2 and 3 budget - Confidential**

This attachment is designated as confidential in accordance with Section 3(1)(a) and (g(ii)) of the *Local Government Act 2020*. It contains Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released; AND private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

Pursuant to Section 66 of the Local Government Act 2020, if released the information to be received, discussed or considered in relation to this agenda item, may prejudice the commercial position of Council and/or disadvantage a private business. **(under separate cover)**

RECOMMENDATION

That Council:

1. Supports an expression of interest submission to the Growing Regions Program seeking funding support for the development of the Pyramid Hill Community Centre – stages 2 and 3.
2. If the expression of interest is successful at the full 90% of eligible funding, supports a full application to the Growing Regions Program seeking funding for the development of the Pyramid Hill Community Centre – stages 2 and 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

A master plan and feasibility report for the entire Pyramid Hill Community Centre was presented to Council at the 28 April 2020 Council meeting.

An update on the Pyramid Hill Community Centre design was provided to Council at the 9 May 2023 Council Forum.

Funding options for Pyramid Hill Community Centre stages 2 and 3 was discussed with Council at the 25 July 2023 Council briefing.

BACKGROUND

In 2019, Council received funding from the Department of Economic Development, Jobs, Transport and Resources, Regional Development Victoria (Regional Development Victoria (RDV)) for the preparation of a master plan and feasibility study into the redevelopment of the Senior Citizens building into the Pyramid Hill Community Centre. The building was designed to allow the project to be delivered in three stages, if this became necessary.

In 2021, Council received funding through the Regional Infrastructure Fund (RDV) for the development of complete detailed designs for all three stages and construction of stage one, which included the allied health wing and refurbishment of the existing Senior Citizens facility. A \$200,000 contribution was allocated to the project through the Council's 2021/22 annual budget process to support the design component of the project.

The tender for Stage 1 – construction of the community centre, is expected to be released in August 2023, with construction to begin late in 2023.

ISSUES/DISCUSSION

The Federal Government has released an expression of interest process for councils to access funding through the Growing Regions Program (the Program). The purpose of the Program is to *“deliver community and economic benefits by investing in community-focused infrastructure which revitalises regions and enhances amenity and liveability throughout regional Australia”*.

The Program enables applicants to apply for funding of up to 90% of eligible costs, for those locations that were impacted by natural disasters from 1 May 2022, which includes the October floods. The first part of this process is the submission of an Expression of Interest (EOI), with a remaining indicative timeframe provided below:

Activity	Indicative Timeframe
Approval of EOI applications	October 2023
Open for full applications – stage 2	1 November 2023
Close of full applications – stage 2	12 December 2023
Announcement of successful applicants	December 2023 – January 2024
Project commencement	15 May 2024
Project completion date	31 December 2025

The construction of stages 2 and 3 of the community centre is yet to be funded, however, full tender issue floor plans have been finalised. The scope of stages 2 and 3 includes:

- construction of the library and learning centre/neighbourhood house – office, computers and meeting rooms
- construction of cleaning and storage rooms
- construction of a community gym and toilets
- associated landscaping works incorporating a breakout space for events/meetings
- development of carpark, including civil works (kerb and channel, drainage infrastructure)

To ensure that Council can adhere to the indicative timeframes provided above, projects have to be sufficiently developed to be ready to commence to be successful for funding. Pyramid Hill Community Centre – stages 2 and 3, meets this requirement.

COST/BENEFITS

The Pyramid Hill Community Centre project will centralise and co-locate services such as community health, maternal & child health, senior citizens program, United Filipino Organisation, neighbourhood house and the library agency. These services are currently delivered across multiple sites in the community.

Centralising these services will ensure greater integration across all agencies and organisations that contribute to the resident’s overall health and well-being. The centre will provide the opportunity to optimise efficiencies and community use and will provide a modern and functional space to attract visiting services.

Full tender issue designs have been developed as part of stage 1 of the project, enabling Council to be shovel ready for the construction of stages 2 and 3 of the community centre. A confidential budget is provided with indicative costs based on a previously provided quantity surveyor report.

RISK ANALYSIS

Council officers will submit an EOI for the full 90% of eligible funding towards this project. There may be a risk that Council may not be invited to apply as part of stage 2 of the application process. Conversely, the Department may not support the full 90% funding. If this were to occur, officers would return to Council to discuss the progression of this funding application and ultimately stages 2 and 3 of the Pyramid Hill Community Centre.

Despite having detailed tender issue floorplans, the short time frame between signing of funding agreement and the commencement of the project could be a risk to the adherence to the funding agreement of a 15 May 2024 commencement date. Council officers have mitigated all risks by having tender ready plans, hence would be able to commence procurement as soon as funding is received.

CONSULTATION AND ENGAGEMENT

Consultation with relevant community organisations and stakeholders has continued throughout the development of the plans, based on the needs and recommendations outlined in the master plan and feasibility study.

10.5 PA5892: USE AND DEVELOPMENT OF THE LAND FOR A DWELLING AND CREATION OF NEW ACCESS INTO A TRANSPORT ZONE 2 AT 4194 BRIDGEWATER MALDON ROAD, BRIDGEWATER**File Number:****Author:** Darcy Jackson, Statutory Planning Officer**Authoriser:** Glenn Harvey, Manager Development and Compliance**Attachments:**

1. Decision Report - PA5892
2. Proposed Plans

RECOMMENDATION

That the Responsible Authority having considered all matters which the Planning and Environment Act, 1987, requires it to consider, decides to issue a Notice of Decision to issue a planning application 5892 for use and development of a dwelling and creation of a new access within Transport Zone 2 subject to the following conditions:

Amended Plans Required

- 1 Before the development start(s), amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:
 - a) Elevations and dimensions of the garage and car port including materials and finishes
 - b) A five metre fenced tree buffer around the perimeter of the site planted with indigenous species to the satisfaction of the Responsible Authority

Layout not altered

- 2 The use and development as shown on the endorsed plans must not be altered or modified unless otherwise agreed in writing by the Responsible Authority.

Completion of Tree Planting

- 3 Prior to the commencement of the use all tree planting around the property boundaries, as shown on the endorsed plans, must be completed to the satisfaction of the Responsible Authority.

Materials

- 4 All external materials must be non-reflective and finished in natural colours or shades to the satisfaction of the Responsible Authority.

Drainage

- 5 All stormwater discharged from the subject land shall be connected to the legal point of discharge to the satisfaction of the Responsible Authority. No concentrated stormwater shall drain or discharge from the land to adjoining properties.

Services

- 6 The dwelling must be connected to reticulated sewerage, if available. If reticulated sewerage is not available, all wastewater from the dwelling must be treated and retained within the lot in accordance with the State Environment Protection Policy (Waters of Victoria) under the [Environment Protection Act 1970](#) to the satisfaction of the Responsible Authority.
- 7 The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply, with appropriate storage capacity, to the satisfaction of the Responsible Authority.
- 8 The dwelling must be connected to a reticulated electricity supply or have an alternative energy supply to the satisfaction of the Responsible Authority.

Erosion

- 9 Building construction must be carried out in accordance with Construction Techniques for Sediment Pollution Control (EPA May 1991) and Control of Erosion on Construction Sites (Soil Conservation Authority) to the satisfaction of the Responsible Authority.

Department of Transport

- 10 Prior to the commencement of use, the following must be completed to the satisfaction of and at no cost to the Head, Transport for Victoria and the Responsible Authority:
 - a) The proposed additional crossover to access the development must be provided and available for use and be:
 - i. In accordance with VicRoads Standard Drawing GD4010 for the largest anticipated design vehicle.
 - ii. Formed to such levels and drained so that can be used in accordance with the endorsed plans
 - iii. Treated with an all-weather seal or some other durable surface
- 11 The driveway must be maintained in a fit and proper state so as not to compromise the ability of vehicles to enter and exit the site in a safe manner or compromise operational efficiency of the road or public safety (e.g. by spilling gravel onto the roadway).

Planning Notes

- The proposed development requires the construction of a crossover. Separate approval under the Road Management Act 2004 for this activity may be required from the Head, Transport for Victoria. Please contact the Department of Transport prior to commencing any works.
- For more information regarding working within the road reserve please visit the VicRoads website:

<https://www.vicroads.vic.gov.au/business-and-industry/design-and-management/working-within-the-road-reserve>

Expiry

11. This permit will expire if the permitted development is not started within two years of the date of this permit, or is not completed within four years of that date, or the permitted use is not started within two years of the completion of the development, or is discontinued for a period of two years.

The responsible authority may extend these periods if a request is made in writing before the permit expires, or:

Within six months afterwards if the development has not been started, or the development is complete but the use has not started, or the use has been discontinued for a period of two years.

Within twelve months afterwards if the development started lawfully before the permit expired.

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

There have been no previous Council discussions on this matter.

BACKGROUND

The application was lodged on the 31st May 2023 proposing to use and develop the land for a dwelling and create a new access to Transport Zone 2 at 4194 Bridgewater Maldon Road, Bridgewater.

The application was advertised to adjoining and adjacent landowners; with one objection being received.

The application was referred externally to Department of Transport and Planning and internally to Councils Environmental Health Officer, who all provided conditional consent.

The objection raised issues mainly associated with the past operation of the piggery and the non-compliance with the original planning permit. The plans were amended to show the tree planting around all boundaries to screen the piggery, to comply with the original planning permit.

The application is considered to comply with the relevant policies and is consistent with the purpose of the Farming Zone, as the dwelling will support the ongoing use of the land for agriculture/piggery.

It is recommended that a Notice of Decision to grant a planning permit be issued.

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. The Loddon Planning Scheme is the relevant Planning Scheme for Council. An application is referred to Council for determination, which:

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

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. Council has received one objection as the result of the public notification and as such, the matter is being brought to Council for determination. A decision report detailing this application has been prepared and can be found in Attachment 1 and the proposed plans can be found in Attachment 2.

COST/BENEFITS

There are various costs 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 report is the ability of Council to fulfil its requirement under law and provide the community with a statutory service that delivers well-managed and appropriate development.

RISK ANALYSIS

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

- inappropriate use and 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

Refer to the decision report for further detail on the application.

LODDON SHIRE COUNCIL

DECISION REPORT 5892: Use and development of the land for a dwelling and create access to a road in Transport Zone 2 at 4194 Bridgewater Maldon Road, Bridgewater.



CONTENTS

1	RECOMMENDATION	4
2	DISCUSSION	6
	2.1 The Site & Locality	6
	2.2 Site History	7
	2.3 Proposal	8
	2.4 Loddon Planning Scheme	8
	2.4.1 Zone.....	8
	2.4.2 Overlay.....	8
	2.4.3 Relevant Particular Provisions.....	8
	2.4.4 Permit trigger.....	9
	2.4.5 Restrictive Covenant	9
	2.4.6 Planning Policy Framework	9
	2.4.7 Local Planning Policy Framework.....	10
	2.5 Referrals	11
	2.6 Public Notification	11
3	ASSESSMENT	12
	3.1 Planner assessment	12
4	CONCLUSION	15
5	Appendix 1:	16
	5.1 Objection 1	16

SUMMARY

Application Number:	5892
Applicant:	Alistair Perry
Subject Land:	4194 Bridgewater Maldon Road Bridgewater VIC 3516
Owner:	Edilan Pty Ltd
Zone:	Farming Zone
Overlay(s):	Land Subject to Inundation Overlay (part)
Existing use:	Piggery and agriculture
Proposal:	Use and development of the land for a dwelling and creation of a new access within a Transport Zone 2.

The following dot points provide a summary of the application:

- The application was lodged on the 31st May 2023 proposing to use and develop the land for a dwelling and create a new access into a TZ2 at 4194 Bridgewater Maldon Road, Bridgewater.
- The application was advertised to surrounding landowners; with one objection received.
- The application was also referred internally to the Councils Public Health Officer with external referrals to Department of Transport (Sec 55 referral).
- In response to objections, the application was amended on 11th May, 2022 by extending the vegetation buffer to all boundaries of the site to screen the development, and removal of "Learmonth's Place" reference on the plans.
- The amended application was sent to the objector with no further comments received.
- The department of Transport provided conditional consent to the new road opening within Transport Road Zone 2.
- Officer recommendation is to issue a notice of decision to grant a planning permit.

1 RECOMMENDATION

That the Responsible Authority having considered all matters which the Planning and Environment Act, 1987, requires it to consider, decides to issue a Notice of Decision to issue a planning application 5892 for use and development of the land for a dwelling and create access to a road in a Transport Road Zone 2 subject to the following conditions:

1. Amended Plans Required

Before the development start(s), amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:

- a) Elevations and dimensions of the garage and car port including materials and finishes
- b) A five metre fenced tree buffer around the perimeter of the site planted with indigenous species to the satisfaction of the Responsible Authority

2. Layout not altered

The use and development as shown on the endorsed plans must not be altered or modified unless otherwise agreed in writing by the Responsible Authority.

3. Completion of Tree Planting

Prior to the commencement of the use all tree planting around the property boundaries, as shown on the endorsed plans, must be completed to the satisfaction of the Responsible Authority.

4. Materials

All external materials must be non-reflective and finished in natural colours or shades to the satisfaction of the Responsible Authority.

5. Drainage

All stormwater discharged from the subject land shall be connected to the legal point of discharge to the satisfaction of the Responsible Authority. No concentrated stormwater shall drain or discharge from the land to adjoining properties.

6. Services

The dwelling must be connected to reticulated sewerage, if available. If reticulated sewerage is not available, all wastewater from the dwelling must be treated and retained within the lot in accordance with the State Environment Protection Policy (Waters of Victoria) under the [Environment Protection Act 1970](#) to the satisfaction of the Responsible Authority.

The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply, with appropriate storage capacity, to the satisfaction of the Responsible Authority.

The dwelling must be connected to a reticulated electricity supply or have an alternative energy supply to the satisfaction of the Responsible Authority.

7. Erosion

Building construction must be carried out in accordance with Construction Techniques for Sediment Pollution Control (EPA May 1991) and Control of Erosion on Construction Sites (Soil Conservation Authority) to the satisfaction of the Responsible Authority.

8. Department of Transport

Prior to the commencement of use, the following must be completed to the satisfaction of and at no cost to the Head, Transport for Victoria and the Responsible Authority:

- a. The proposed additional crossover to access the development must be provided and available for use and be:
 - i. In accordance with VicRoads Standard Drawing GD4010 for the largest anticipated design vehicle.
 - ii. Formed to such levels and drained so that can be used in accordance with the endorsed plans
 - iii. Treated with an all-weather seal or some other durable surface

The driveway must be maintained in a fit and proper state so as not to compromise the ability of vehicles to enter and exit the site in a safe manner or compromise operational efficiency of the road or public safety (e.g. by spilling gravel onto the roadway).

Planning Notes

- The proposed development requires the construction of a crossover. Separate approval under the Road Management Act 2004 for this activity may be required from the Head, Transport for Victoria. Please contact the Department of Transport prior to commencing any works.
- For more information regarding working within the road reserve please visit the VicRoads website:

<https://www.vicroads.vic.gov.au/business-and-industry/design-and-management/working-within-the-road-reserve>

10. Expiry

This permit will expire if the permitted development is not started within two years of the date of this permit, or is not completed within four years of that date, or the permitted use is not started within two years of the completion of the development, or is discontinued for a period of two years.

The responsible authority may extend these periods if a request is made in writing before the permit expires, or:

Within six months afterwards if the development has not been started, or the development is complete but the use has not started, or the use has been discontinued for a period of two years.

Within twelve months afterwards if the development started lawfully before the permit expired.

2 DISCUSSION

2.1 The Site & Locality

The subject site comprises one parcel of land that totals 23.67 hectares. The property is utilised for piggery grow out operation and other agricultural activities. Piggery infrastructure is contained in approximately 4 hectares of land close to the eastern boundary of the site. Currently there is 12 pig housing units and associated infrastructure on site.

The remainder of the site is arable farming land that is cleared from significant vegetation to enable the productive agricultural operation. The site fronts the Bridgewater Maldon Road for approximately 475 metres, with an existing crossover and access point 90.5 metres from the northern boundary of the site. This access extends into a gravel driveway that runs through the middle of the site to the existing piggery buildings at the rear.

There are no easements, restrictions or agreements registered on title.

The site area contains volcanic soils that tend to be more acidic. It is generally flat land with the southwest corner of the property subject to inundation from the nearby Loddon River. The River is approximately 650 metres from the site, the intermittent Little Creek runs through the far southwest corner across the road and into the Loddon River. The site has gentle slope to the south of the site.

The subject site is located on the eastern side of Bridgewater Maldon Road within the locality of Bridgewater. The Township of Bridgewater is situated 7 kilometres to the north of the subject site. Scattered dwellings exist on land surrounding the site mainly to the west and north-west. These dwellings are a mix of small rural residential properties and farmhouses. The closest intensive agricultural enterprise currently operating is the Hazeldene's Chicken Farm approximately 6.5 kilometres to the southeast.



Image: Aerial photo of subject site

2.2 Site History

The property has been used as piggery since 1998 with several applications and amendments since the original permit. Below is a summary of the planning application history:

- Planning Permit 3126 – issued 17/6/1998 for a 2500 intensive grower piggery.
- Planning Permit 3264 – issued 24/12/1999 for an extension to pig capacity from 2500 to 4500. This is the current permit under which the existing piggery facility is operating.
- Planning Permit 3639 – issued for extension to the piggery, this application was never acted on once issued and has expired.
- Planning Application 4733 – was refused in 2012 for the following reasons:
 - The proposal did not meet the variable buffer distance requirements in the Code of Practice – Piggeries, 1992
 - The proposed development would detrimentally affect the amenity of the area through increased odour emissions
 - The proposed development is contrary to the strategies of clause 14.01-2 of the Loddon Planning Scheme in that it does not facilitate the expansion of the piggeries in a manner consistent with orderly and proper planning and protection of the environment.
 - The proposed development does not implement the objectives of Intensive Animal Industries contained at Clause 22.06 of the Loddon Planning Scheme.

There is some history relating to non-compliance, with the previous owner failing to comply with the conditions of the permit. Condition 21 of planning permit 3126 required the boundaries of the site to be planted with suitable indigenous trees to provide a vegetation buffer to assist to screen the site.

The condition relating to suitable indigenous native trees planted around the boundaries of the site to create a visual buffer has not been satisfied. The property has since been sold with the current owner already working to comply with the conditions of the original permit.



Image: Photo from applicant showing vegetation planted

The image above shows the planting of the vegetation along the front of the piggery igloos, this is internally not on the property boundary; however, it will further screen the development from

the front. A site visit on the 6 July 2023 shows further planting has started on some of the site boundaries.

2.3 Proposal

The proposal seeks to use and develop the land for a dwelling in the Farming Zone and creation a new road access onto a Transport 2 Zone (Bridgewater Maldon Road).

The dwelling would be a single story design, comprising four bedrooms, an open plan living/dining area and kitchen. The plans also include a 47 square metre garage that will be detached for the proposed dwelling and 42sqm carport to the north of the dwelling. The existing access and driveway will provide access to the piggery, with the proposed access to the north solely being used for residential access to the dwelling. A small internal driveway will be created from the existing access to the dwelling, this will allow workers to remain within the site and ensure they do not come into contact with anybody. This is an important biosecurity requirement.

The dwelling will be constructed in the north-west corner of the site and cover an area of 3000sqm, including all outbuildings, parking areas and dwelling area.

A manager of the piggery to oversee operation on a 24-hour basis will occupy the dwelling.

To comply with the conditions on the original permit the 5-metre wide vegetation screen has been included on the plans and will extend around all boundaries apart from the western boundary, where it will instead run across the front of the sheds, ensuring an adequate screen of the existing structures.

2.4 Loddon Planning Scheme

2.4.1 Zone

The subject site is within the Farming Zone. Clause 35.07 of the scheme states that the purpose of the Farming Zone is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To provide for the use of land for agriculture.*
- *To encourage the retention of productive agricultural land.*
- *To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.*
- *To encourage the retention of employment and population to support rural communities.*
- *To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.*
- *To provide for the use and development of land for the specific purposes identified in a schedule to this zone.*

Under Clause 35.07-1, a permit is required for dwelling on land less than 100 hectares and under Clause 35.07-4:

- Building and works associated with a Section 2 Use.

2.4.2 Overlay

44.04- Land Subject to Inundation Overlay

A Land Subject to Inundation Overlay affects the south-west corner of the site. There is no proposed buildings and works within the overlay, therefore no planning permit trigger.

2.4.3 Relevant Particular Provisions

52.29- Land Adjacent to the principle road network.

The purpose of this provision includes

- To ensure appropriate access to identified roads.

A permit is required under Clause 52.29-1 to:

Create or alter access to:

- A road in a Transport Zone 2.

The application was referred to Department of Transport who have provided conditional consent to the application.

2.4.4 Permit trigger

Under clause 35.07-1 of the Farming Zone, a permit is required to use land for a dwelling on lots less than 100 hectares.

Under Clause 35.07-4 of the Farming Zone, a permit is required to construct buildings and works associated with a section 2 use (dwelling).

Under Clause 52.29, a planning permit is required to create access to a road in a Transport Zone 2.

2.4.5 Restrictive Covenant

No restrictive covenants exist on this site.

2.4.6 Planning Policy Framework

The following section considers the relevant sections of the Planning Policy Framework for this application.

13.07-1S- Land use compatibility

Objective:

- *To protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts.*

Strategies:

- *Ensure that use or development of land is compatible with adjoining and nearby land uses.*
- *Avoid locating incompatible uses in areas that may be impacted by adverse off-site impacts from commercial, industrial and other uses.*
- *Avoid or otherwise minimise adverse off-site impacts from commercial, industrial and other uses through land use separation, siting, building design and operational measures.*
- *Protect existing commercial, industrial and other uses from encroachment by use or development that would compromise the ability of those uses to function safely and effectively.*

Clause 14.01-1 Protection of Agricultural Land

This clause aims to protect productive farmland which is of significance in the local or regional context and also protect unplanned loss of agricultural land due to permanent changes in land use. Strategies include: Limit new housing development in rural areas by:

- Directing housing growth into existing settlements.
- Discouraging development of isolated small lots in the rural zones from use for dwellings or other incompatible uses.
- Encouraging consolidation of existing isolated small lots in rural zones.

14.01-2- Sustainable agricultural land use

Objective:

To encourage sustainable agricultural land use.

Strategies:

- *Ensure agricultural and productive rural land use activities are managed to maintain the long-term sustainable use and management of existing natural resources.*
- *Support the development of innovative and sustainable approaches to agricultural and associated rural land use practices.*
- *Support adaptation of the agricultural sector to respond to the potential risks arising from climate change.*
- *Encourage diversification and value-adding of agriculture through effective agricultural production and processing, rural industry and farm-related retailing.*
- *Assist genuine farming enterprises to embrace opportunities and adjust flexibly to market changes.*
- *Support agricultural investment through the protection and enhancement of appropriate infrastructure.*
- *Facilitate ongoing productivity and investment in high value agriculture.*
- *Facilitate the establishment and expansion of cattle feedlots, pig farms, poultry farms and other intensive animal industries in a manner consistent with orderly and proper planning and protection of the environment.*
- *Ensure that the use and development of land for animal keeping or training is appropriately located and does not detrimentally impact the environment, the operation of surrounding land uses and the amenity of the surrounding area.*

Clause 16.01-3 Rural Residential Development

Planning should manage development in rural areas to protect agriculture and avoid inappropriate rural residential development. Strategies include:

- Discourage development of small lots in rural zones for residential use or other incompatible uses.
- Maintaining an adequate buffer distance between rural residential development and animal production.

2.4.7 Local Planning Policy Framework

The following section gives consideration to be the relevant sections of the Local Planning Policy Framework for this application.

Clause 02-.03-4 – Agriculture

Agricultural production is the major focus of the economy and community in the Shire. The facilitation of innovative, diverse and sustainable agriculture is a central aim of planning in the Shire. Quality agricultural land is a valuable and a non-renewable resource. Its protection and sustainable use is fundamental to the future economic health of the Shire.

Generally large lots are required for agricultural production, especially in the dryland areas. Farms are often made up of a collection of lots, which may be scattered across a district. The protection of quality agricultural land for agriculture rests both with maintenance of it in viable sized lots, deterring non-agricultural land use and the ability to restructure and develop it for agricultural purposes.

Council's strategic directions for agriculture are to:

- Maintain agricultural land in large lots to support the agricultural industry.
- Ensure that land use is matched to soil capability.
- Minimise dwellings in agricultural areas.

- Support excision where it provides for farm consolidation and the excision will not compromise agricultural activities on surrounding land or remove an unreasonable amount of land from agriculture.
- Support the effective restructure and redevelopment of farm holdings to maximise opportunities for diversification and intensification of agricultural land use.
- Discourage non-agricultural land use and development in areas of high quality and productive agricultural potential.

Clause 14.01-1L- Agriculture

This policy applies to applications for use and development in the farming zone.

Strategies include:

- Support dwellings that are ancillary to the agricultural use of the land.
- Direct non soil based agricultural activity away from quality agricultural land.
- Support development (including subdivision) in agricultural areas that is directly related to ongoing agricultural use of the land.
- Site buildings and works to avoid or minimise loss of quality agricultural land.

2.5 Referrals

Table 6: External referrals

Department of Transport (Sec 55)	Conditional consent
----------------------------------	---------------------

The application was internally referred to Council’s Environmental Health Officer who do not raise any concerns in relation to wastewater from the site.

2.6 Public Notification

The application is not exempt from the notice requirement. Pursuant to Section 52 of the Planning and Environment Act 1987, the following forms of advertising were undertaken:

- Notices were sent to owners and occupiers of adjoining land (including opposite and surrounding).

One objection was received in response to the application. The matters raised in the objection are summarised below and with Officers response in italics:

- The plans do not meet the current planning permit conditions. The vegetation buffer surrounding the subject site has not been shown.

The applicant has amended the plans to show a 5-metre wide vegetation screen around the boundaries of the site excluding the eastern boundary which is at the rear of the piggery sheds and fronts undeveloped agricultural land. The applicant has proposed a vegetation screen along the western side of the piggery units to provide a visual screen from the Bridgewater Maldon Road and the existing dwellings adjacent to the site.

- The land in question seems to be under the 40Ha requirement for a building permit.

There is a minimum lot size in the Farming Zone for which no planning permit is required to use the land for a dwelling. The lot size is 100 hectares; the subject site is under the 100-hectare lot size however, an application for a dwelling can still be consider when associated with an agricultural use.

- A quick check with the EPA will also indicate that the piggery has also not maintained the ‘best practice’, as required by their permit, to mitigate the odour.

The piggery is an existing use with a current planning permit. Council have not had any correspondence from the EPA that indicates that the operation of the existing piggery is non-compliant under the relevant EPA guidelines.

- One must then question Councils allowance of a business with such a potentially high environmental impact to operate outside its planning permit conditions in such close proximity to a seasonal creek with inflow into the Loddon River.

Regarding the proximity to the seasonal creek the Code of Practice for Piggeries 1992, states that 100 metre fixed buffer zone must be maintained between the piggery housing or area used to keep pigs and a waterway. The creek to the south is at least 550 metres from the pig housing well outside the buffer. They will still need to ensure they manage any effluent and not let it enter the creek.

3 ASSESSMENT

3.1 Planner assessment

Is the proposed dwelling acceptable on the subject land taking into consideration planning policies for the protection of agricultural land in the Planning Scheme?

Does the proposed dwelling meet the purpose and applicable decision guidelines of the FZ in the Loddon Planning Scheme?

Policies for the protection of agricultural land in the Loddon Planning Scheme are grouped at Clause 14.01. Taken together, the policies have the objectives of:

- Preserving productive farmland.
- Protecting productive agricultural land from the encroachment of incompatible use and development.
- Encouraging sustainable land use.

The land is currently used for piggery and agriculture, it will continue to be used as a piggery and other agricultural activities based on the information contained within the planning report and ongoing financial investment into the property associated with the agricultural use. The dwelling would maintain a small footprint on the overall land size and has been purposely located to minimise adverse impacts on the adjoining agricultural uses and the loss of productive agricultural land.

The plans for the proposed dwelling show a modest building form with a single storey profile, external cladding will be concrete panels, roof and fascia's finished in surf mist. The dwelling occupies only a small proportion of the site. The main use and activity on the land will continue to be an agricultural use.

The Planning Policy Framework and Local Planning Policy Framework place a strong emphasis on protecting agricultural land for on-going agricultural use, and particularly avoiding dwellings adversely affecting this preferred outcome.

The proposal performs well against the State policy at Clause 14.01-1S as the land would continue to be used for agriculture as the main activity/use on the site, land would not be removed from agricultural use and the development and use of a dwelling on the land would not result in permanent changes in land use. The land is already fragmented by the existing internal access road that runs through the middle of the site to the piggery housing.

The proposal meets the specific guidance provided in Clause 14.01-1L, to support dwellings that are ancillary to the agricultural use of the land and are sited to avoid or minimise loss of quality agricultural land.

Clause 35.07- Farming Zone

The purposes of the Farming Zone includes the following:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To provide for the use of land for agriculture.*
- *To encourage the retention of productive agricultural land.*
- *To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.*
- *To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.*

The purpose of the Farming Zone is to implement the Planning Policy and provide for the use of land for agriculture. Dwellings within the Farming Zone can be considered when associated with an established agricultural use, where the dwelling is essential to the operation of that use. A key point from the purpose of the Farming Zone is:

- *To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture*

There needs to be connection between the dwelling and established agricultural use. Under the provisions of the Farming Zone, the minimum lot size for not requiring a planning permit for a dwelling is 100 hectares. A dwelling on a smaller lot therefore needs to be assessed as to whether it is necessary for the ongoing operation of the agricultural use.

The site is 23.47 hectares, which is less than the minimum lot size of 100 hectares. Current use of the land for a piggery has been operating on the land since 1998 when the original planning permit was issued. Since then several permit applications have been received, having the existing piggery operating under the planning permit 3264 issued in 1999.

Clause 35.07-6- Decision Guidelines Response

The decision guidelines for use and development in the Farming Zone at 35.07-6 provide the direction for assessing whether this proposal is acceptable and consistent with the purpose of the zone. The guidelines include the following relevant points:

- *Whether the dwelling will result in the loss or fragmentation of productive agricultural land.*
- *Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.*
- *Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.*
- *The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.*
- *Whether the use or development will support and enhance agricultural production.*
- *Whether the use or development will adversely affect soil quality or permanently remove land from agricultural production.*
- *The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.*

The land is considered productive agricultural land and has been used as a piggery since 1998, with the land surrounding the piggery housing units used for grazing animal production and cropping. A piggery is highly regulated agricultural use with stringent bio security rules. As such, a manager's residence on the land will not only ensure the biosecurity of the site but also enhance the productivity of the operation and allow 24-hour care for the pigs.

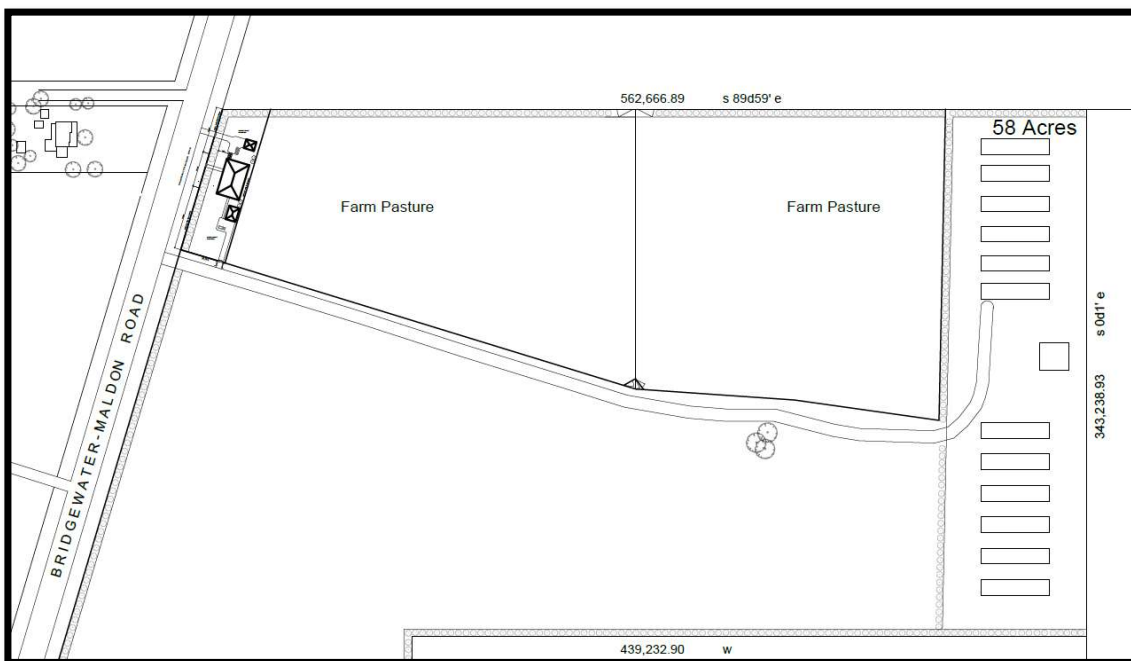


Figure 1: Site Plan (Source: Application Plans)

The decision guidelines for accommodation in the Farming Zone focus on whether the use and development of the land for a dwelling will cause a loss of productive agricultural land and whether it will result in adverse impacts on the surrounding agricultural land.

Construction of the dwelling and associated buildings is proposed in the North West corner of the property (see Figure 1). Total site coverage of the dwelling and outbuildings is 3000 square metres. The dwellings proposed location will not result in significant fragmentation of the productive agricultural land and will not affect the use of the land for a piggery. Fragmentation of the land has occurred from construction of the internal access road, piggery housing, and tree planting. The dwelling is proposed to be located close to the Bridgewater Maldon Road to ensure it does not encroach significantly into the farming pasture.

The site is located within an area that is predominately dryland cropping and grazing animal production. However, four properties on the opposite side of Bridgewater Maldon Road contain existing dwellings with no established agriculture evident. These properties are small and fragmented with very limited opportunities for the operation or expansion of an agricultural use therefore unlikely to impact on the proposed dwelling. There may be impacts from agricultural activities on the dwelling from the property to the north; however, the proposed vegetation screen around the boundaries will help to reduce this. The proposal is therefore considered compatible with the surrounding uses.

Taking into consideration the existing use of the land for a piggery, it is considered that the proposed dwelling will support the continuation of this use. The property is one single allotment, meaning the dwelling is unable to be sold off and will remain associated with the existing use of the land for a piggery.

In response to the planning policy 14.01-1S- Protection of agricultural land, the proposal for the use and development of the land for a dwelling in the Farming Zone is acceptable as:

- will not result in significant loss of agricultural land or change in land use
- will be ancillary to an established agricultural use
- would allow for 24 hour management of an intensive agricultural use
- will not limit the operation or expansion of surrounding agricultural activities

52.29- Land adjacent to the principal road network

The purpose of this particular provision includes the following relevant point:

- To ensure appropriate access to the Principal Road Network or land planned to form part of the Principal Road Network.

A planning permit it triggered to create or alter access to a Transport Zone 2 (Bridgewater Maldon Road) under clause 52.29 of the Loddon Planning Scheme.

52.29-6- Decision Guidelines Response

The decision guidelines contained at 52.29-6 outline the following relevant points which must be considered during assessment of an application under this clause:

The application was required to be referred to the Department of Transport and Planning under Section 55 of the Planning and Environment Act 1987. Conditional consent was granted for the application. No other issues were raised for the creation of the proposed access.

4 CONCLUSION


The proposal is consistent with the purpose of the Farming Zone and relevant State and Local Planning Policy Framework. The Loddon Planning Scheme allows consideration for the use and development of a dwelling that are ancillary to the agricultural use of the land.


For the reasons discussed above the planning officer recommends that planning application 5892 be approved, subject to the conditions listed in section 1 of this report.

5 Appendix 1:

5.1 Objection 1

RE: Copy of plans for application 5892

To  Darcy Jackson

 Follow up.

Hi Darcy,

At this point I would like to lodge a formal objection to the proposed plans.
(if this is also required by regular post to your offices please let me know as it's not exactly clear on the letter received)

The plans provided do not meet current planning permit conditions and from what I can see the scale used on the drawings does not seem to match existing conditions.

The applicants deliberate removal of the vegetation buffer to erect fencing and create pasture is not in keeping with the current planning permit. This needs to be addressed now.


Also the land in question seems to be under the 40Ha requirement for a building permit.

A quick check with the EPA will also indicate that the piggery has also not maintained the 'best practice', as required by their permit, to mitigate the odour.

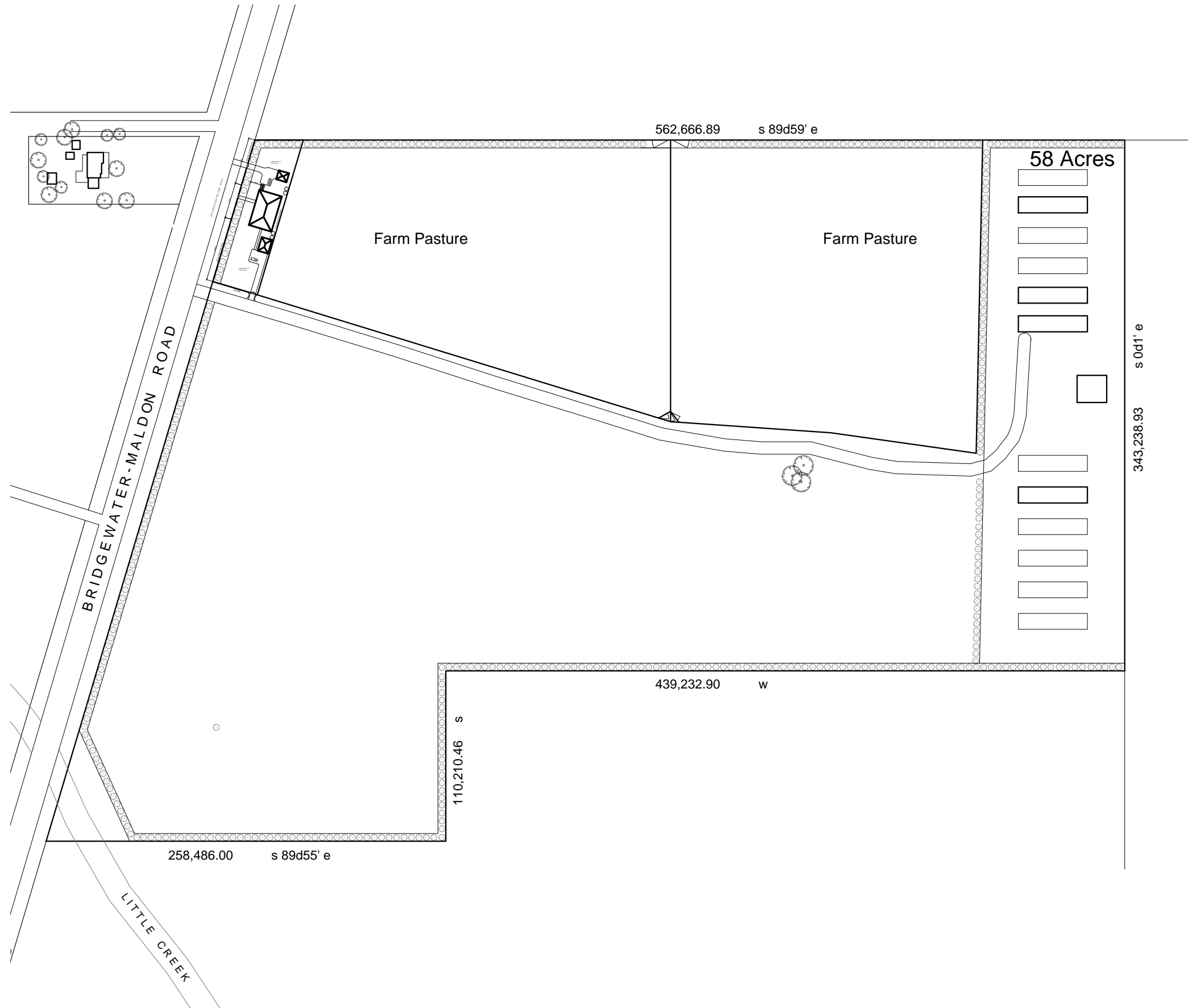
One must then question Councils allowance of a business with such a potentially high environmental impact to operate outside its planning permit conditions in such close proximity to a seasonal creek with inflow into the Loddon River.

All of the above will impact me and my guests being able to enjoy the quiet enjoyment of my property.

Sincerely



This page is intentionally blank



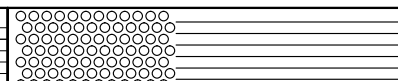
AREA Schedule	
Farm Area	58 Acres
Farm Manager Residence Site Area	3000 sqm
Residence Area	169 sqm
Balcony Area	185 sqm
Garage Area	47 sqm
Carport Area	42 sqm
Building Footprint	443 sqm
Site Coverage	15 %

RIDGEWATER PIGGERY - PROPOSED MANAGERS RESIDENCE

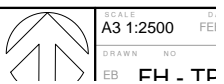
PRELIMINARY ISSUE 12/04/2
LODDON FARM MANAGERS RESIDENCE

DRAWINGS REMAIN THE
RIGHT OF THE ARCHITECTS
1: SCALE DIMENSIONS
2: DIMENSIONS ON SITE
TO COMMENCING WORKS
3: DIMENSIONS TO BE SHOWN

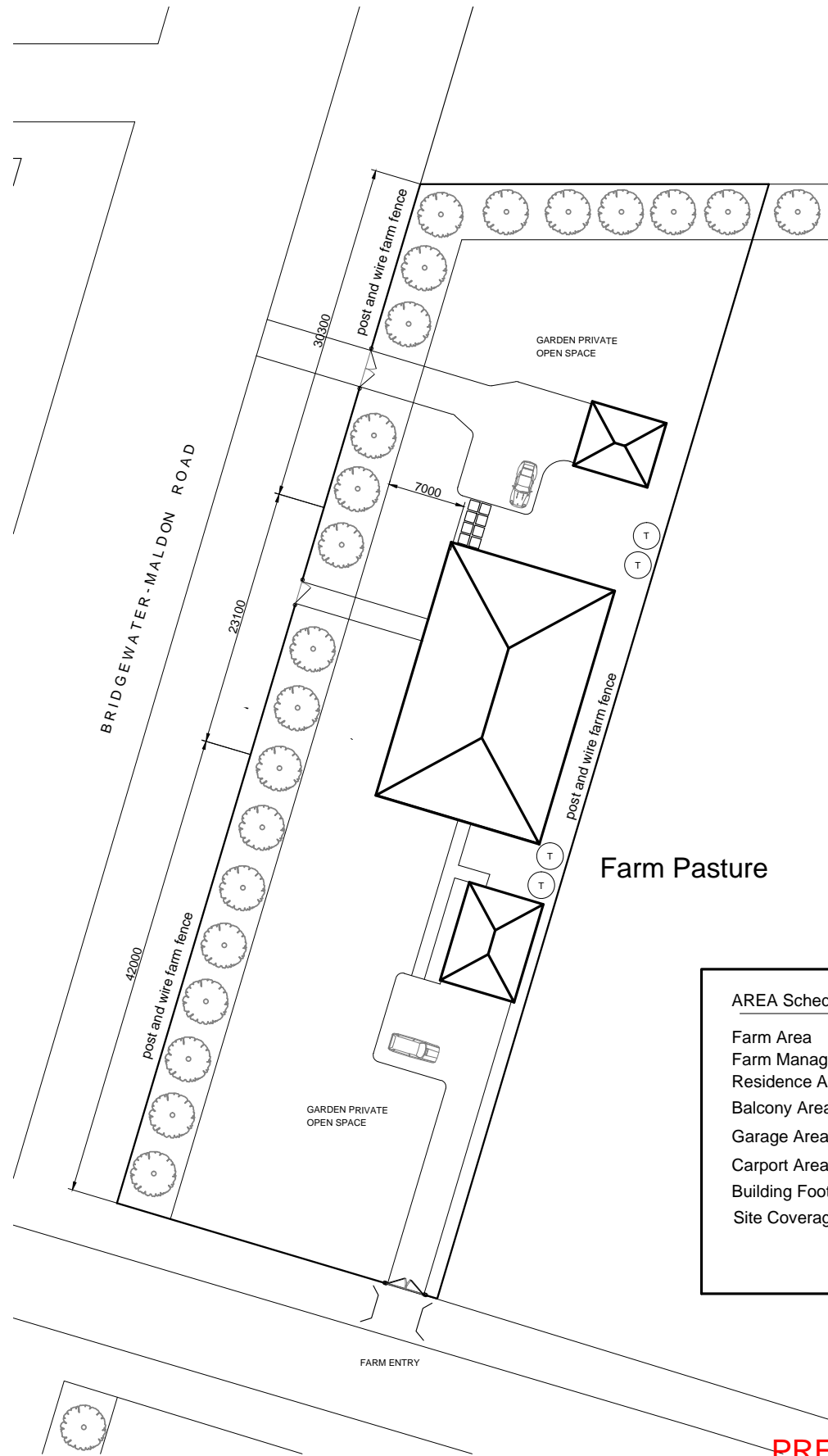
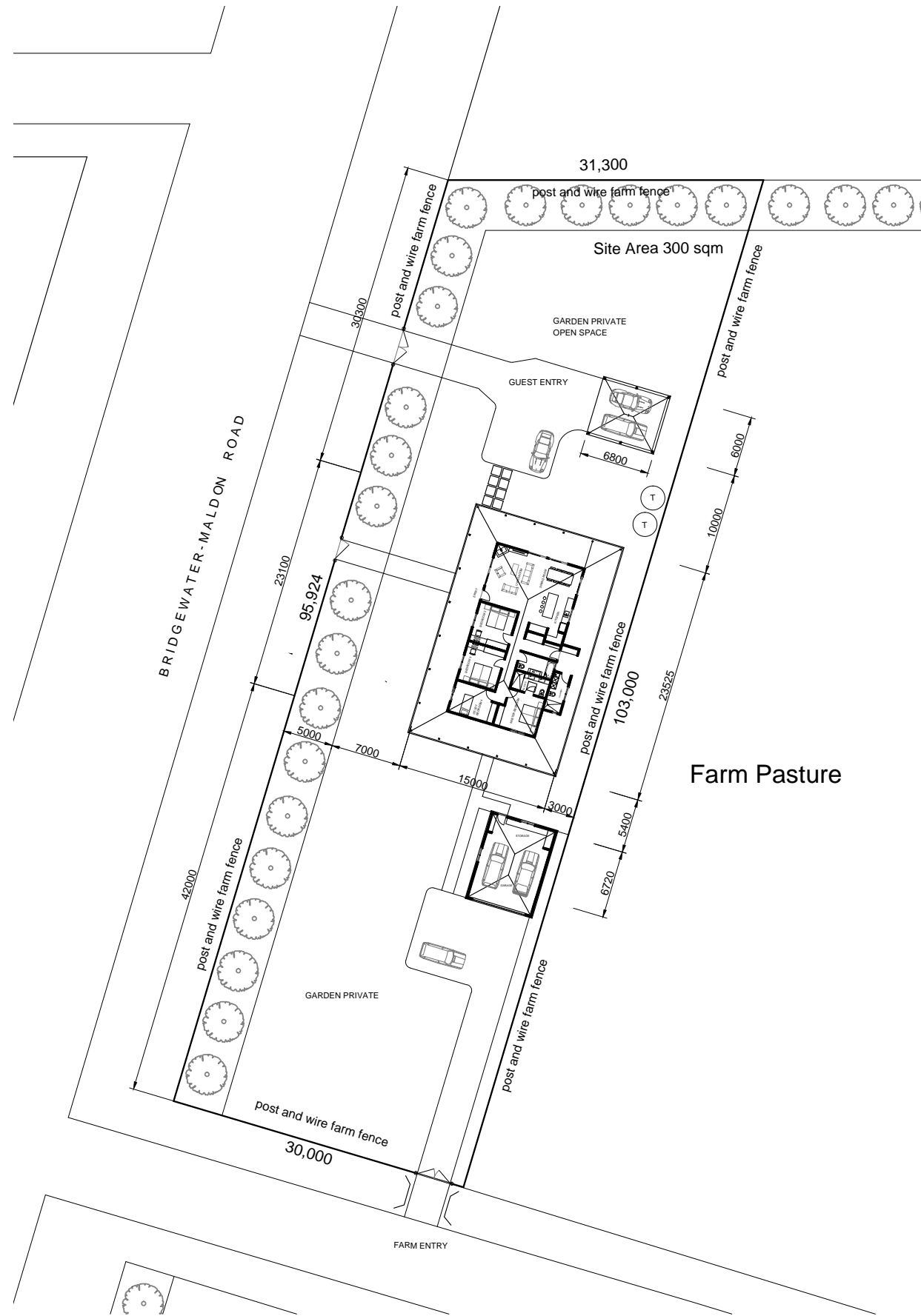
REVISION CODES				



PROJECT
Proposed New Residence
4194 Bridgewater Road
Bridgewater Vic 3516
For Edilan Pty Ltd t/a Murrnong Farming



SCALE
A3 1:2500
DRAWN
NO
EB FH - TF



AREA Schedule	
Farm Area	58 Acres
Farm Manager Residence Site Area	3000 sqm
Residence Area	169 sqm
Balcony Area	185 sqm
Garage Area	47 sqm
Carport Area	42 sqm
Building Footprint	443 sqm
Site Coverage	15 %

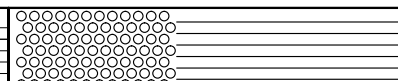
RIDGEWATER PIGGERY - PROPOSED MANAGERS RESIDENCE

PRELIMINARY ISSUE 12/04/23

FARM HOUSE - SITE PLAN

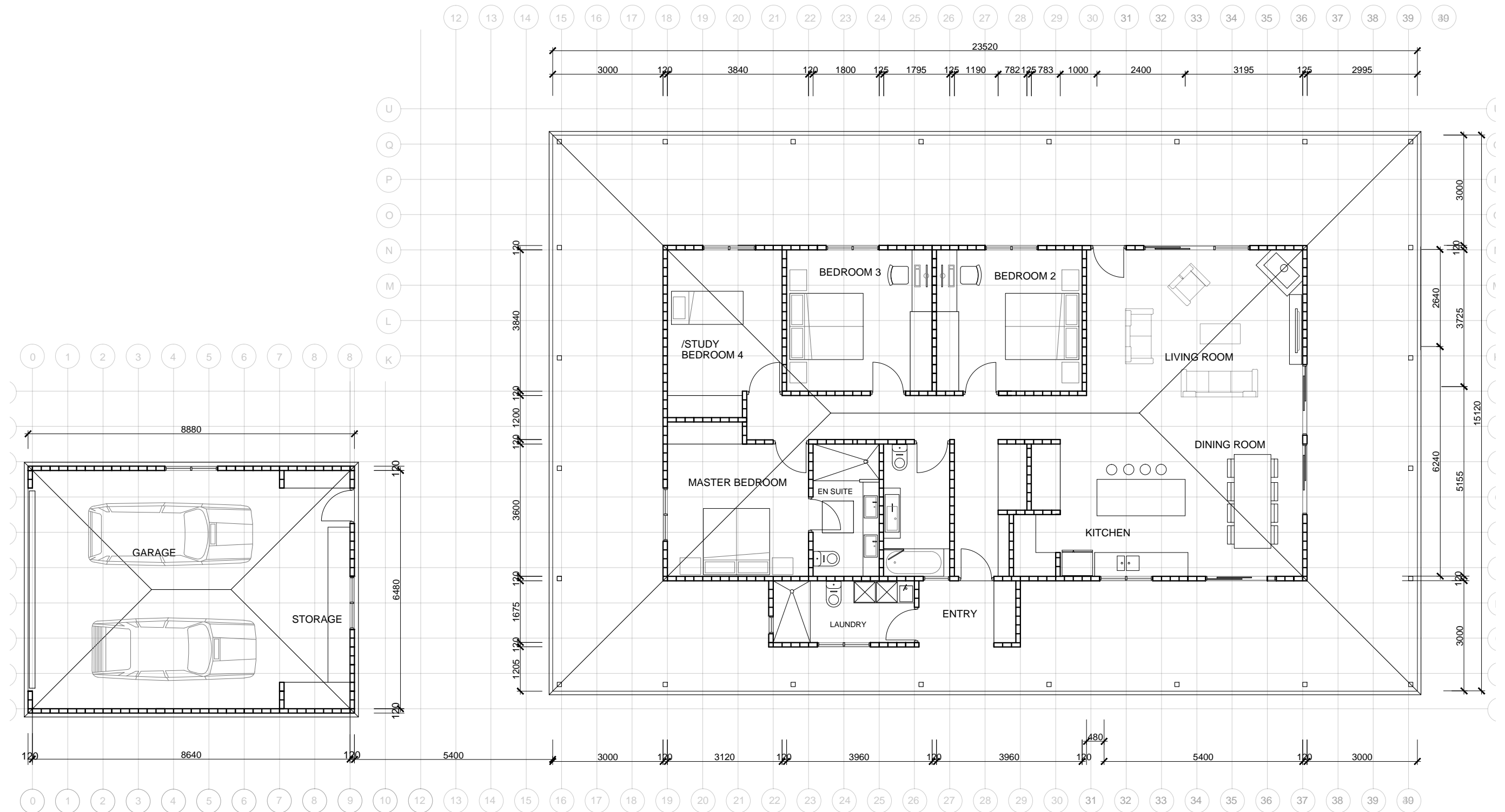
DRAWINGS REMAIN THE PROPERTY OF THE ARCHITECTS
 ALL DIMENSIONS IN METERS
 DIMENSIONS ON SITE TO COMMENCING WORKS
 (CT ARCHITECT SHOULD)

REVISION CODES	DATE	DESCRIPTION



PROJECT
 Proposed New Residence
 4194 Bridgewater Road
 Bridgewater Vic 3516
 For Edilan Pty Ltd t/a Murrnong Farming

SCALE
 A3 1:500
 DRAWN
 EB
 CHECKED
 FH - TF



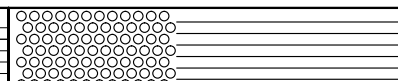
GARAGE
960x960 GRID

FARM HOUSE
960x960 GRID

RIDGEWATER PIGGERY - PROPOSED MANAGERS RESIDENCE

DRAWINGS REMAIN THE
RIGHT OF THE ARCHITECTS
AT SCALE DIMENSIONS
DIMENSIONS ON SITE
TO COMMENCING WORKS
CT ARCHITECT STUDIO

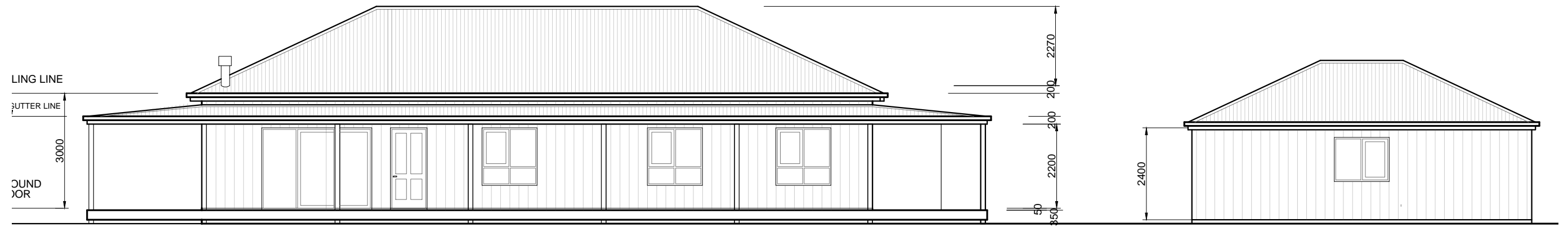
REVISION CODES				



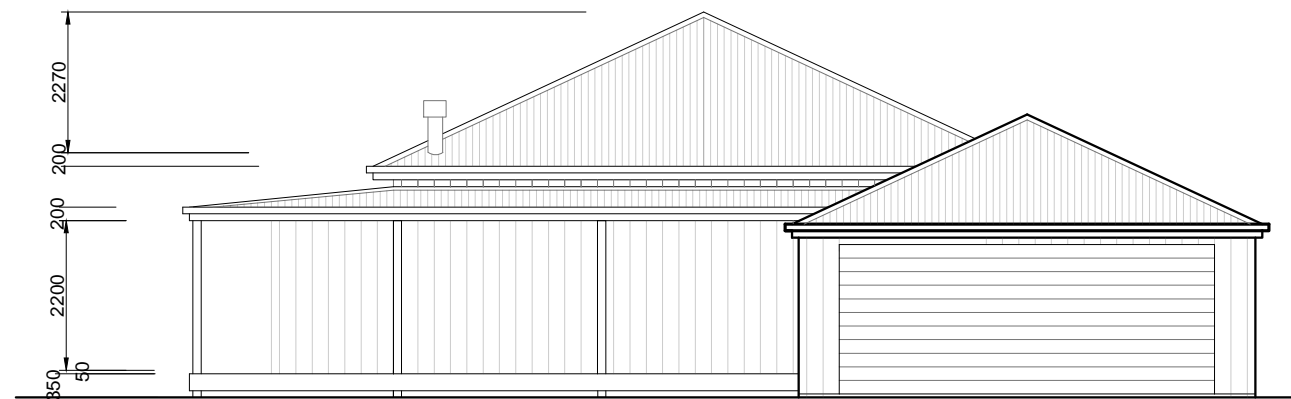
PROJECT
Proposed New Residence
4194 Bridgewater Road
Bridgewater Vic 3516
For Edilan Pty Ltd t/a Murrmona Farming

SCALE
A3 1:100
DRAWN NO
EB FH - TF

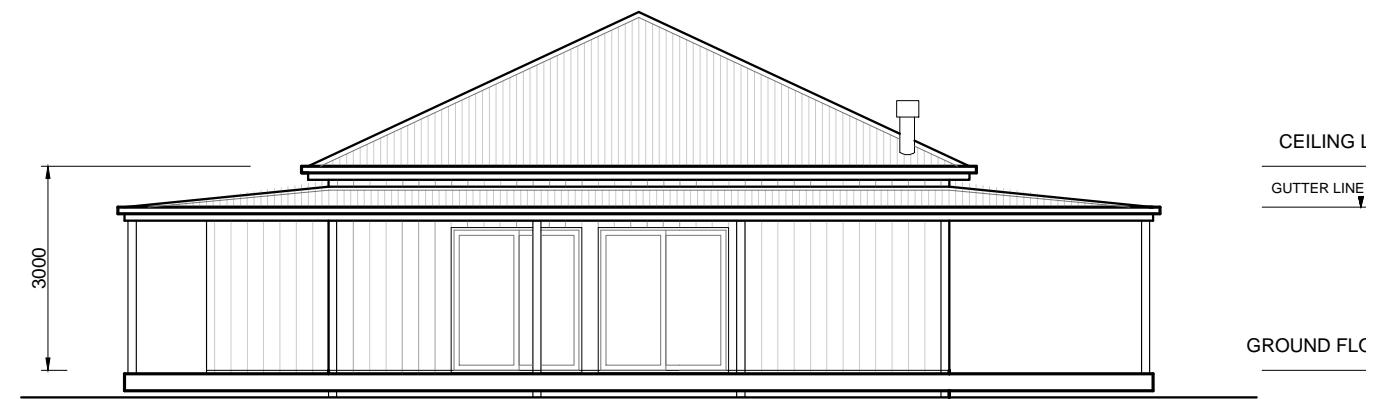
PRELIMINARY ISSUE 12/04/23
FARM HOUSE - FLOOR PLAN



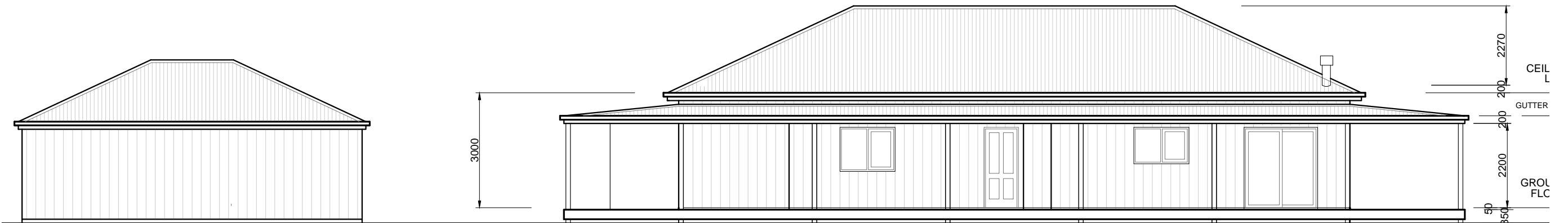
WEST ELEVATION (FRONT-ENTRY)



SOUTH ELEVATION (GARAGE)



NORTH ELEVATION (SIDE)



EAST ELEVATION (REAR)

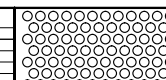
RIDGEWATER PIGGERY - PROPOSED MANAGERS RESIDENCE

PRELIMINARY ISSUE 12/04/2
FARM HOUSE - ELEVATION

DRAWINGS REMAIN THE
RIGHT OF THE ARCHITECTS
AT SCALE DIMENSIONS
DIMENSIONS ON SITE
TO COMMENCING WORKS
C/T ARCHITECT SHOULD

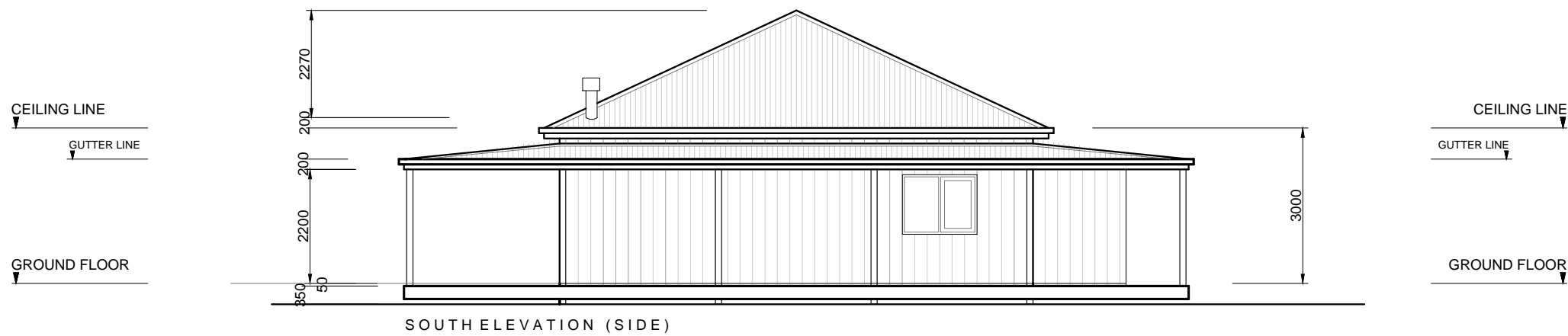
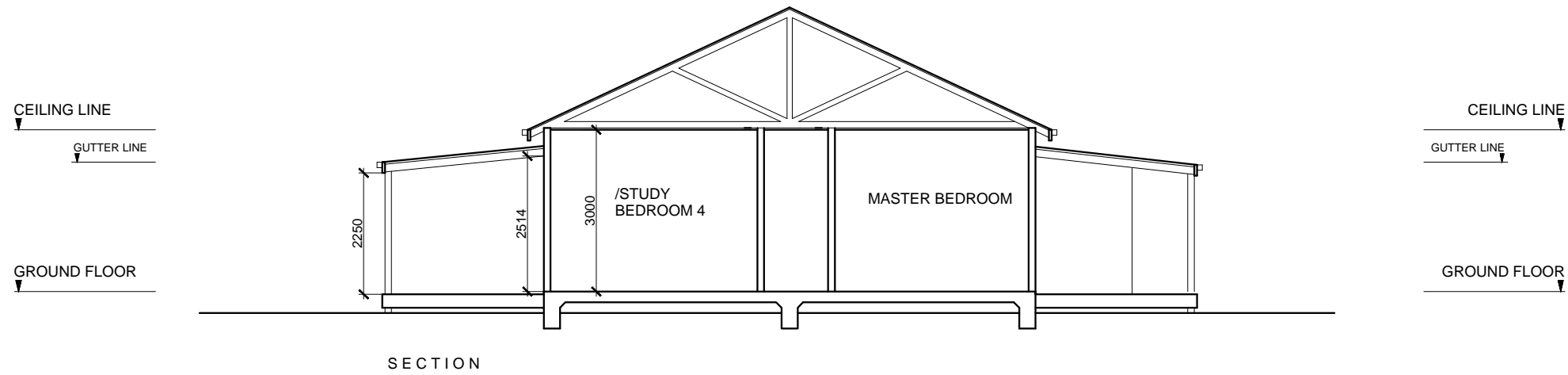
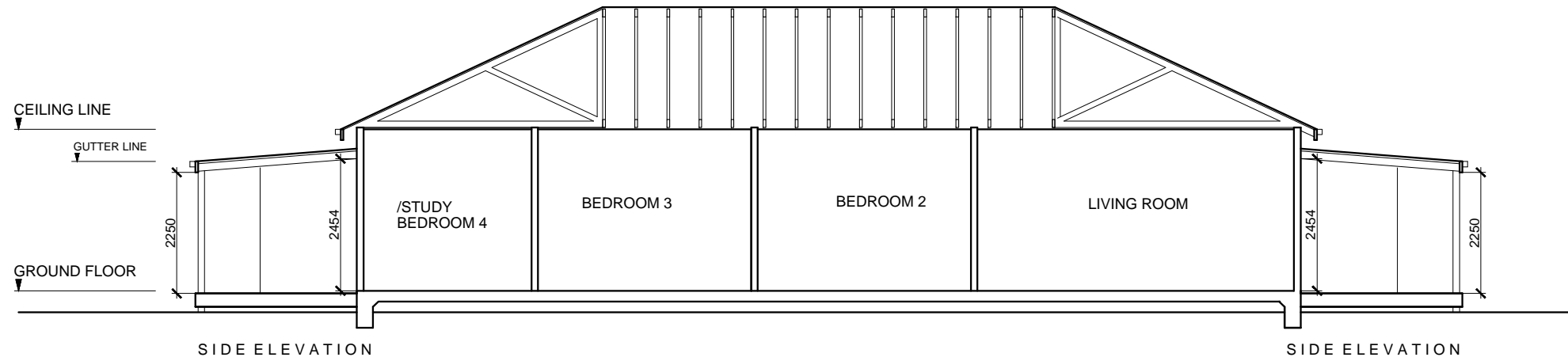
REVISION CODES

NO.	DESCRIPTION	DATE



PROJECT
Proposed New Residence
4194 Bridgewater Road
Bridgewater Vic 3516
For Edilan Pty Ltd t/a Murrnong Farming

SCALE
A3 1:100
DRAWN NO
EB FH - TF

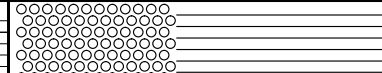


RIDGEWATER PIGGERY - PROPOSED MANAGERS RESIDENCE

DRAWINGS REMAIN THE
RIGHT OF THE ARCHITECTS
1: SCALE DIMENSIONS
2: DIMENSIONS ON SITE
TO COMMENCING WORKS
3: ARCHITECT SHOULD

REVISION CODES

NO.	DESCRIPTION	DATE



PRELIMINARY ISSUE 12/04/2
FARM HOUSE - ELEVATION

PROJECT
Proposed New Residence
4194 Bridgewater Road
Bridgewater Vic 3516
For Edilian Pty Ltd t/a Murrnong Farming

SCALE
A3 1:100
DRAWN
EB FH - TF

This page is intentionally blank

10.6 GOVERNANCE RULES REVIEW

File Number:

Author: Lisa Clue, Manager Governance

Authoriser: Amanda Wilson, Director Corporate

Attachments: 1. Loddon Shire Council Governance Rules v3

RECOMMENDATION

That Council:

1. revoke Governance Rules v2 adopted by Council on 26 July 2022; and
2. adopt Governance Rules v3 as presented and attached to this Agenda 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 most recently discussed this matter when endorsing the Draft Governance Rules for the purpose of community engagement at the July 2023 Council meeting, and at the August Council Forum, when Councillors considered community feedback on the Draft Governance Rules.

BACKGROUND

The Loddon Shire Council Governance Rules were first adopted by Council on 25 August 2020.

The Governance Rules were reviewed in July 2022 to make provision for holding meetings by electronic means, when it was acknowledged that a more substantial review of the Rules be undertaken 'when there is time to follow a process of community engagement about changes'.

That substantial review has now been undertaken, including a period of community engagement as required under section 60(4) of the Local Government Act 2020.

ISSUES/DISCUSSION

The Governance Rules review process identified a number of existing rules that require amendment in addition to new rules and sub-rules.

In the most part, rules have been added and amended to provide clarity, align to the *Local Government Act 2020* (the Act) and reflect good and best practice.

Following a Council resolution endorsing the Draft Governance Rules for a period of community engagement at the July 2023 Council meeting, members of the community were invited to review and provide feedback on the Draft Governance Rules during a two week period, communicated in local print and social media. Council's Community Reference Group was also invited to review and provide feedback on the draft document.

At the end of the community engagement period, feedback had been received from one member of the community specifically relating to:

- provision for matters to be resolved through circular resolutions
- public speaking and debating a point being limited to three minutes
- the timeframe and format of written responses to questions not able to be dealt with adequately or appropriately during Public Question Time.

These points were considered and discussed by Councillors and officers at the August Forum resulting in Sub-Rule 64(8) being expanded to align with Council's Customer Service Charter:

'If a question cannot be dealt with adequately or appropriately during public question time in accordance with sub-rule (7)(b), the Mayor may request the Chief Executive Officer to provide a written response to the question **in accordance with council's Customer Service Charter.**'

Additionally, the following amendment was suggested by officers and discussed with Councillors, to remove the requirement for a Council resolution regarding the recording of meetings and to clarify when a Council meeting will be adjourned if a livestream of the meeting is not able to be broadcast. This amendment has been incorporated into the Governance Rules attached to this Agenda report:

Current Rule	Suggested amendment
<p>66. Council may record meetings</p> <p>(1) The Council may resolve to:</p> <p>(a) Broadcast a Council meeting in any form;</p> <p>(b) Make a recording of a Council meeting; or</p> <p>(c) Specify how and in what form a recording of a Council meeting will be made available to the public.</p> <p>(2) Despite subclause (1), any part of a meeting that is closed to the public to consider a confidential matter must not be broadcast or a recording made available to the public in any form.</p>	<p>69. Recording of Council meetings</p> <p>(1) Council meeting proceedings will be livestreamed for real-time or on demand access via a Council social media channel.</p> <p>(2) If a meeting, or part of a meeting is closed to the public due to circumstances described in section 66(2)(b) or 66(2)(c) of the Act and the livestream is not able to be broadcast to a Council social media channel, the meeting may be adjourned, or a recording of the proceedings made available on social media as soon as practicable after the meeting.</p> <p>(3) If a meeting, or part of a meeting is open to the public and the livestream is not able to be broadcast to a Council social media channel, the meeting will continue, and a recording of the proceedings may be made available on social media page as soon as practicable after the meeting.</p>

COST/BENEFITS

There are no costs associated with this matter, benefits are associated with process improvement, alignment with good and best practice, and clarity.

RISK ANALYSIS

Clear Governance Rules ensure effective meetings, provide clear direction for meeting protocol and mitigate the risks of unacceptable conduct during meetings and mitigate reputational risk.

CONSULTATION AND ENGAGEMENT

Councillors and Officers participated in workshops to review the current Governance Rules during May, June and July 2023.

Following endorsement by Council, the Draft Governance Rules were made available for members of the community to review and provide feedback over a two week period, communicated via local print and social media, and through Council's Community Reference Group.

This report presents the outcomes of the Governance Rules review, including feedback received from the community.

LODDON SHIRE COUNCIL

GOVERNANCE RULES v3



DOCUMENT INFORMATION

DOCUMENT TYPE: Strategic document

DOCUMENT STATUS:

POLICY OWNER POSITION: Chief Executive Officer

INTERNAL COMMITTEE
ENDORSEMENT: Not applicable

APPROVED BY: Council

DATE ADOPTED:

VERSION NUMBER: 3

REVIEW DATE: [Click here to enter a date.](#)

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:

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.

ACKNOWLEDGEMENT OF COUNTRY

Loddon Shire Council acknowledges the Traditional Custodians of the land comprising the Loddon Shire Council area. Council would like to pay respect to their Elders both past and present.

CONTENTS

PART 1 – PRELIMINARY	1
1. Purpose	1
2. Authority and operation	1
3. Definitions.....	1
PART 2 – ELECTION OF MAYOR	4
4. Meeting to conduct an election of Mayor.....	4
5. Method of voting	4
6. Determining the election of the Mayor.....	4
7. Election if there are three or more candidates.....	4
8. Election if there are two candidates.....	5
9. Election if there is only one candidate	5
10. Electing a Deputy Mayor	5
11. Appointment of Acting Mayor	5
PART 3 – MEETING PREPARATION	6
Division 1 – Calling Council meetings	6
12. Types of Council meetings	6
13. Calling meetings	6
14. Public notice	6
15. Agenda notice.....	6
16. Adjourned meeting notices	7
Division 2 – Notices of motion	7
17. Giving a notice of motion	7
18. Notice may be rejected.....	7
19. Notice must be listed on the agenda	8
Division 3 – Notice of rescission.....	8
20. Giving a notice of rescission.....	8
21. Notice may be rejected.....	8
22. Affected persons to be notified	9
23. Notice must be listed on the agenda	9
Part 4 – ROLES AND CONDUCT.....	10
Division 1 – Roles of Mayor, Councillors and CEO in Council meetings.....	10
24. Role of the Mayor	10
25. Absence of the Mayor.....	10
26. Good decision making principles.....	10

27. Role of a Councillor10

28. Role of the Chief Executive Officer11

Division 2 – Standards of conduct11

29. Good conduct11

30. Addressing the meeting11

31. Mayor may call a Councillor to order11

32. Mayor may remove a member of the public12

33. Mayor may call a temporary adjournment12

Part 5 – CONFLICTS OF INTEREST13

Division 1 – Conflict of interest generally13

34. Conflict of interest definitions13

35. Recording of Conflict of Interest Disclosures13

Division 2 – Councillor conflict of interest disclosures13

36. General duty of disclosure by a Councillor13

37. Disclosure in a Council meeting14

38. Disclosure in a delegated committee Meeting14

39. Disclosure in a meeting conducted under the auspices of Council14

40. Disclosure in a community asset committee meeting15

41. Disclosure in general gatherings15

Division 3 – Staff conflict of interest disclosures15

42. Staff disclosure for a Council meeting matter15

43. Disclosure in delegated committee15

44. Disclosure in community asset committee15

45. Disclosure when exercising a delegation or statutory power16

Division 4 – Disclosures by committee members16

46. Disclosure by a delegated committee member16

47. Disclosure by community asset committee member16

PART 6 – GENERAL CONDUCT OF MEETINGS17

Division 1 – General lack of a quorum17

48. What is a quorum?17

49. Inability to obtain or maintain a quorum17

Division 2 – Loss of quorum due to conflicts of interest17

50. Application of this Division17

51. Mayor to take action17

52. Alternative manners to resolve quorum18

53. Delegated committee to decide matter18

Division 3 – Business of meetings.....	18
54. Business of scheduled meetings.....	18
55. Order of business.....	19
56. Urgent business.....	19
Division 4 – Procedural meeting determinations.....	19
57. Matters not provided for.....	19
58. Determination of procedural matters.....	19
59. Dissent from a Mayor’s ruling.....	20
60. Arrangements when standing orders suspended.....	20
61. Closing a meeting to members of the public.....	20
62. Adjourning a meeting.....	20
Division 5 – Point of order.....	20
63. Points of order.....	20
Division 6 – Public participation.....	21
64. Addressing meetings.....	21
65. Public question time.....	21
66. Petitions and joint letters.....	22
Division 7 – Minutes and recordings.....	22
67. Keeping of minutes.....	22
68. Confirmation of minutes.....	23
69. Council may record meetings.....	23
Division 8 – Attendance by electronic means.....	24
70. Requesting and approving attendance by electronic means.....	24
PART 7 – CONDUCT OF DEBATE.....	25
Division 1 – General debate matters.....	25
71. Preparation for debate.....	25
72. Speaking times.....	25
Division 2 – Motions and amendments.....	25
73. Order of motions and amendments.....	25
74. Rejecting a motion or amendment.....	25
75. Moving a motion.....	26
76. Debating the motion.....	26
77. Right of reply.....	26
78. Amendments.....	27
79. Lapsed motion or amendment.....	27
80. Foreshadowing motions or amendments.....	27

81. Withdrawal of motion or amendment.....	28
82. Separation of motions.....	28
Division 3 – Voting.....	28
83. Voting process.....	28
84. Division.....	29
Division 4 – Rescission	29
85. Motion to rescind	29
86. Deciding a rescission.....	29
Division 5 – Procedural motions.....	30
87. Procedural motions.....	30
Part 8 – Delegated Committees	34
88. Council may establish delegated committees	34
89. Application of Governance Rules	34
Part 9 – Election Period Policy	35
Division 1 – General election period matters.....	35
90. Election period.....	35
Division 2 – Council decisions in election period.....	35
91. Prohibited decisions	35
92. Chief Executive Officer scrutiny.....	35
93. Election Period Statements	36
Division 3 – Use of Council resources.....	36
94. Council resources.....	36
95. Council staff.....	36
96. Expenses claims.....	36
Division 4 – Communication and events	37
97. Publication of electoral material.....	37
98. Access to Council information	37
99. Public consultation.....	37
100. Council events.....	37
APPENDIX 1 – Confidential Information.....	39

PART 1 – PRELIMINARY

1. Purpose

The Governance Rules specify the principal governance procedures for the Loddon Shire Council, including:

- (a) the election the Mayor;
- (b) the conduct of Council meetings;
- (c) public participation in Council meetings;
- (d) disclosing conflicts of interest;
- (e) records of Council meetings;
- (f) the Council's election period policy.

2. Authority and operation

- (1) Governance Rules are adopted by the Council in accordance with section 60 of the *Local Government Act 2020* (the Act).
- (2) These Governance Rules:
 - (a) come into operation on the day after they are adopted by resolution of Council;
 - (b) may be amended from time to time by resolution of Council following community engagement; and
 - (c) cease to operate the day after they are repealed or replaced by resolution of Council.

3. Definitions

In these Governance Rules unless inconsistent with the context:

Absolute majority	means the number of Councillors which is greater than half the total number of the Councillors of a Council.
Act	means the <i>Local Government Act 2020</i> .
Broadcast	means the visual or aural transmission of proceedings on any medium, including radio, television or the internet.
Carried	means that the relevant motion or amendment is determined in the affirmative.
Chair	means the chair of a meeting and includes a Councillor who is appointed by resolution to chair a meeting under section 61(3) of the Act.

Chief Executive Officer	means the Chief Executive Officer or any person acting in the position of Chief Executive Officer.
Community asset committee	means a committee established by the Council under section 65 of the Act for the purpose of managing a community asset in the municipal district.
Council	means the Loddon Shire Council.
Councillor	means a Councillor of the Council.
Council Meeting	<p>means a meeting of the Council as defined in section 61 of the Act and includes a meeting held, either fully or in part, by electronic means of communication.</p> <p>It is a meeting at which all the Councillors are entitled to attend and vote and where decisions of the Council are made by formal resolution.</p>
Delegated committee	means a committee established by the Council under section 63 of the Act or a joint delegated committee established under section 64 of the Act.
Electoral material	<p>has the meaning described in section 3(1) of the Act.</p> <p>It includes any advertisement, handbill, pamphlet or notice that contains information that is intended or likely to affect voting in an election, including matter that refers to the election, a candidate or an election issue, excluding material produced by or on behalf of the election manager for conducting an election, or a newspaper advertisement only announcing the holding of a meeting.</p>
Mayor	means the Mayor of Council, any person appointed by Council to be the Acting Mayor and, in the context of a meeting, any Councillor who is a temporary Chair.
Meeting conducted under the auspices of Council	<p>means a meeting of the kind described in section 131(1) of the Act and includes a meeting which:</p> <ul style="list-style-type: none"> (a) is scheduled or planned for the purpose of discussing the business of Council or briefing Councillors; (b) is attended by a majority of Councillors (c) is attended by at least one member of Council staff; and (d) is not a Council meeting or delegated committee meeting.
Minister	means the Minister responsible for administering the Act.
Notice of motion	means a notice setting out the text of a motion, which it is proposed to move at the next relevant meeting.
Notice of rescission	means a notice of motion to rescind a decision of Council.

Lapsed	means the relevant motion or amendment was not put to the meeting either because it was not moved or it was not seconded.
Lost	means the relevant motion or amendment is not carried and is determined in the negative.
Recording	means a recording of proceedings made using any device that is capable of recording speech or actions, including a tape recorder, video camera or mobile device.

PART 2 – ELECTION OF MAYOR

4. Meeting to conduct an election of Mayor

- (1) An election to fill a vacancy in the office of Mayor must be conducted under this Part when required under section 26 of the Act.
- (2) At any meeting to elect the Mayor the Chief Executive Officer must open the meeting and chair the election as required under section 25 of the Act.
- (3) At the conclusion of an election under this Part, the Councillor elected to be Mayor must take the chair.

5. Method of voting

The election of the Mayor must be carried out by a show of hands or by such other means as the Chief Executive Officer lawfully permits.

6. Determining the election of the Mayor

- (1) The Chief Executive Officer invites nominations for the office of Mayor.
- (2) The following provisions apply to nominations:
 - (a) any Councillor may propose a nomination;
 - (b) a Councillor may decline a nomination; and
 - (c) nominations do not require a seconder and are not motions.
- (3) Once nominations for the office of Mayor have been received, the Chief Executive Officer must confirm that no further nominations can be accepted. At that point, nominees become candidates for election.
- (4) Each candidate must be provided up to three minutes to address Council, in the order in which their nominations were received.

7. Election if there are three or more candidates

- (1) If there are three or more candidates (or three or more remaining candidates after the completion of the process in this Rule) for the office of Mayor, the following provisions will govern the election of the Mayor:
 - (a) the Councillors present at the meeting must vote for one of the candidates;
 - (b) in the event of a candidate receiving an absolute majority of the votes, that candidate is declared to have been elected;
 - (c) if no candidate receives an absolute majority of the votes, the candidate with the fewest number of votes is declared defeated; and
 - (d) if two or more candidates have an equal lowest number of votes the defeated candidate is determined by lot in accordance with the following provisions:
 - i. the name of each candidate is placed in a receptacle;
 - ii. the Chief Executive Officer draws one name from the receptacle; and
 - iii. the candidate whose name is drawn is declared defeated.

- (2) Following the declaration of a candidate as a defeated candidate, all previous votes are declared void, and the process returns to this Rule 7 or Rule 8 (as applicable) with all remaining candidates.

8. Election if there are two candidates

If there are two candidates for the office of Mayor (or two remaining candidates after the completion of the process in Rule 7), the following provisions will govern the election of the Mayor:

- (a) the Councillors present at the meeting must vote for one of the candidates;
- (b) in the event of a candidate receiving an absolute majority of the votes, that candidate is declared to have been elected;
- (c) if there are two candidates remaining and neither candidate receives an absolute majority of votes, the votes are declared void and a further round of voting is conducted immediately; and
- (d) if, after a second round of voting, neither candidate receives an absolute majority of votes, the election is declared void and the Council must resolve to:
 - i. conduct a further election immediately; or
 - ii. conduct a further election at a later time or date as soon as practicable but no later than seven days after the current meeting.

9. Election if there is only one candidate

If there is only one candidate for the office of Mayor, that candidate must be declared to be duly elected.

10. Electing a Deputy Mayor

- (1) The Council may resolve to elect a Deputy Mayor.
- (2) A Deputy Mayor is elected in the same way as the Mayor to the extent that is reasonably applicable.
- (3) The Mayor must chair a meeting to elect a Deputy Mayor but must not cast a second vote if there is a tie.

11. Appointment of Acting Mayor

Any appointment of an Acting Mayor will be in accordance with sections 20B and 61(3) of the Act.

PART 3 – MEETING PREPARATION

Division 1 – Calling Council meetings

12. Types of Council meetings

A Council meeting must be:

- (a) a “scheduled meeting” where the normal business of Council is conducted;
- (b) a “special meeting” called for a particular purpose or purposes; or
- (c) an “urgent meeting” called to address a single urgent matter.

13. Calling meetings

- (1) The dates, times and places of scheduled meetings will be fixed by the Council from time to time.
- (2) Subject to public notice requirements, a special meeting may be called:
 - (a) by resolution of the Council; or
 - (b) by the Chief Executive Officer in consultation with the Mayor and Councillors.
- (3) Subject to public notice requirements, the date, time or place of a scheduled meeting or a special meeting may be altered by the Chief Executive Officer in consultation with the Mayor and Councillors.
- (4) An urgent meeting may be called with less than five (5) business days’ notice by the Chief Executive Officer in consultation with the Mayor and Councillors.

14. Public notice

- (1) Reasonable notice of each Council meeting will be provided to the public. Council may do this by publishing details of the meeting on its website and local print media as soon as practicable after the meeting has been scheduled.
- (2) Before an urgent meeting, the Chief Executive Officer will provide as much notice to the public as is practicable and the reasons for calling an urgent meeting will be specified in the notice.

15. Agenda notice

- (1) At least five (5) business days before a meeting is to occur, a notice of meeting, incorporating or accompanied by an agenda of the business to be dealt with, must be delivered or sent electronically to every Councillor for all Council meetings.
- (2) At least three (3) business days before a meeting is to occur, a notice of meeting, incorporating or accompanied by an agenda of the business to be dealt with, must be published on Council's website.
- (3) An agenda notice must include:
 - (a) the date, time and place of the meeting;
 - (b) the matter or matters to be considered at the meeting; and
 - (d) reports prepared for consideration at the meeting.

Page 6 of 39

- (4) If it is not possible to comply with Sub-Rules (1) or (2) for any reason, the Chief Executive Officer must ensure delivery and publication as soon as is reasonably possible.
- (5) If a Councillor has been granted leave of absence, it will not be necessary for an agenda notice to be delivered to the Councillor unless the Councillor requests delivery.

16. Adjourned meeting notices

If a Council meeting is adjourned to another day for any reason, this Division applies to the adjourned meeting to the extent that is reasonably practicable.

Division 2 – Notices of motion

17. Giving a notice of motion

- (1) A Councillor may give a notice of motion if the Councillor wishes to move a motion on a matter at a forthcoming Council meeting.
- (2) A notice of motion:
 - (a) must include the text of the proposed motion; and
 - (b) may include a brief written explanation for the proposed motion.
- (3) A notice of motion must be given in writing to the Chief Executive Officer no later than ten (10) business days before the meeting at which it is to be proposed.
- (4) A notice of motion must call for a Council report if the notice of motion proposes any action that:
 - (a) impacts the levels of Council service; or
 - (b) commits the Council to expenditure that is not included in the adopted Council Budget; or
 - (c) proposes to establish, amend or extend Council policy.

18. Notice may be rejected

- (1) The Chief Executive Officer must reject a notice of motion if:
 - (a) it appears to be contrary to the Act or any other law;
 - (b) it appears contrary to the Council's election period policy;
 - (c) it is vague or unclear in its intention; or
 - (d) it is not lodged in accordance with this Division.
- (2) If the Chief Executive Officer rejects a notice of motion, the Chief Executive Officer must:
 - (a) notify the Councillor within seven (7) business days before the meeting at which it is intended to be considered and give the reason/s for the rejection; and
 - (b) if reasonably possible before the agenda notice is delivered, give the Councillor an opportunity to amend the notice of motion.

19. Notice must be listed on the agenda

- (1) A notice of motion must be included on the agenda for the next scheduled meeting, unless:
 - (a) it has been rejected under Rule 18; or
 - (b) the Councillor lodging the notice of motion has requested it be listed for a different scheduled meeting.
- (2) If more than one Notice of Motion is received, the notices must be listed on the agenda in the order they were received.
- (3) If a brief written explanation of the notice of motion has been provided, it must be included in the agenda notice.
- (4) A Council meeting Agenda report addressing a notice of motion may include information provided by Council officers, including resourcing impacts and risk factors.
- (5) A Council meeting agenda report addressing a notice of motion is introduced to the meeting by the Councillor who has given the notice.

Division 3 – Notice of rescission

20. Giving a notice of rescission

- (1) A Councillor may give notice of a motion to rescind a decision of the Council provided that the decision has not been substantially commenced or implemented.
- (2) A decision will be deemed to have been substantially commenced or implemented once its details have been communicated to persons affected by or reliant upon the decision or where a statutory procedure has been carried out.
- (3) A notice of rescission must:
 - (a) specify the decision that it proposes to rescind;
 - (b) be clear in its intent;
 - (c) be in writing;
 - (d) be given to the Chief Executive Officer within two (2) business days of the decision of the Council; and
 - (e) include the written endorsement of at least one other Councillor.

21. Notice may be rejected

- (1) The Chief Executive Officer must reject a notice of rescission that does not comply with this Division.
- (2) If the Chief Executive Officer rejects a notice of rescission, the Chief Executive Officer must:
 - (a) notify the Councillor at least seven (7) business days before the meeting at which it is intended to be considered and give the reason/s for the rejection; and
 - (b) advise the Mayor and Councillors of the reason/s for the rejection at the earliest opportunity.

22. Affected persons to be notified

Unless a notice of rescission is rejected under Rule 21, the Chief Executive Officer must ensure that:

- (a) no further action is taken to implement the decision; and
- (b) any person directly affected by the proposed rescission is notified without delay.

23. Notice must be listed on the agenda

- (1) Unless a notice of rescission has been rejected under Rule 21 it must be included on the agenda for the next scheduled meeting of the Council.
- (2) If more than one notice of rescission is received in regard to a particular matter, the notices must be listed on the agenda in the order they were received.

PART 4 – ROLES AND CONDUCT

Division 1 – Roles of Mayor, Councillors and CEO in Council meetings

24. Role of the Mayor

The principle roles of the Mayor in Council meetings are to:

- (a) chair the meeting; and
- (b) promote good decision making by the Council.

25. Absence of the Mayor

- (1) If the Mayor is absent or otherwise unable to chair a Council meeting and the Council has elected a Deputy Mayor, the Deputy Mayor must chair the meeting.
- (2) If neither the Mayor nor the Deputy Mayor is in attendance and able to chair the Council meeting, or a Deputy Mayor has not been elected, the Council must, by resolution and in accordance with sections 20B and 61(3) of the Act, appoint an Acting Mayor for the purpose of chairing the meeting.
- (3) If neither the Mayor nor Deputy Mayor are able to chair part of the meeting, the Council must, by resolution and in accordance with sections 20B and 61(3) of the Act, appoint an Acting Mayor for the purpose of chairing that part of the meeting.

26. Good decision making principles

Good decision making is decision making done in accordance with the following principles:

- (a) Decisions will be made in a transparent and accountable manner.
- (b) Councillors will have sufficient information to make good decisions.
- (c) Councillors will be enabled to contribute to decisions.
- (d) People whose rights are affected will be entitled to a fair hearing.
- (e) Decisions will be made fairly and on the merits of the matter.
- (f) Debate and discussion will be focussed on the issue at hand.
- (g) Meetings will be conducted in an orderly manner.

27. Role of a Councillor

The role of a Councillor in Council meetings includes:

- (a) participating in decision making;
- (b) abiding by the good decision making principles;
- (c) acknowledging and respecting the role of the Mayor;
- (d) respecting the rights and responsibilities of other Councillors; and
- (e) being courteous and behaving in an orderly manner.

28. Role of the Chief Executive Officer

The Chief Executive Officer's role in Council meetings is to support good decision making by the Mayor and Councillors by:

- (a) ensuring information is provided to enable good decisions;
- (b) advising of any legal or administrative impediments to decisions;
- (c) assisting with any proposed resolution that has unclear application; and
- (d) ensuring general support for procedural and administrative matters.

Division 2 – Standards of conduct

29. Good conduct

Councillors, participants and observers at a Council meeting must:

- (a) treat all persons at the meeting with due courtesy;
- (b) respect the roles of the Mayor, the Councillors and the Council staff; and
- (c) avoid behaviour that is disorderly or that prevents the Council from performing its functions.

30. Addressing the meeting

- (1) Any person addressing the Mayor should refer to the Mayor as Mayor ... [surname].
- (2) All Councillors, other than the Mayor, should be addressed as Cr [surname].
- (3) All officers should be addressed as Officer ... [surname] or by their official title.

31. Mayor may call a Councillor to order

- (1) The Mayor may call to order any Councillor:
 - (a) who is disruptive or acting unruly during a meeting; or
 - (b) who makes a statement that is offensive, insulting or defamatory.
- (2) Without detracting from Sub-Rule (1), the Mayor may call to order any Councillor who is acting contrary to the Councillor Code of Conduct in a meeting.
- (3) If the Mayor calls a Councillor to order, the Mayor may direct the Councillor:
 - (a) to cease the actions for which they have been called to order; or
 - (b) to retract or apologise for a statement or action.
- (4) If a Councillor fails to comply with a direction under Sub-Rule (3), the Mayor may direct the Councillor to leave the meeting for a specified time.
- (5) The direction by the Mayor under Sub-Rule (4) may be overruled by a resolution of the meeting to dissent from the Mayor's ruling.

32. Mayor may remove a member of the public

- (1) The Mayor may direct a member of the public to leave a meeting if, in the opinion of the Mayor, the person is disrupting the orderly conduct of the meeting.
- (2) A person directed to leave a meeting under Sub-Rule (1) must not return to the meeting unless authorised by the Mayor.

33. Mayor may call a temporary adjournment

- (1) The Mayor may call a temporary adjournment at any time during the meeting, including if a disruption is preventing the Council from conducting its business in an orderly manner.
- (2) Unless otherwise specified by the Mayor, a temporary adjournment under Sub-Rule (1) will be for a period of 15 minutes.
- (3) The meeting must not dissent from a ruling to call a temporary adjournment.

PART 5 – CONFLICTS OF INTEREST

Division 1 – Conflict of interest generally

34. Conflict of interest definitions

- (1) Part 6 Division 2 of the Act requires relevant persons to disclose conflicts of interest.
- (2) “Relevant persons” for whom the provisions of the Act apply are:
 - (a) Councillors;
 - (b) members of Council staff; and
 - (c) members of delegated committees (if any).
- (3) Conflict of interest is defined in Part 6 Division 2 of the Act to include:
 - (a) material conflicts of interest; and
 - (b) general conflicts of interest.
- (4) A “Material conflict of interest” exists when a relevant person or an “affected person” with whom they are connected, as defined in the Act, would gain a benefit or suffer a loss depending on the outcome of the matter.
- (5) A “General conflict of interest” exists where an impartial, fair-minded person would consider that a relevant person's private interests could result in them acting in a manner that is contrary to their public duty.

35. Recording of Conflict of Interest Disclosures

- (1) All conflict of interest disclosures relating to Rules 36 – 45 will be recorded in meeting minutes and a register, available to the public in accordance with Council’s Public Transparency Policy.
- (2) A record of meetings conducted under the auspices of Council will be presented to the next available scheduled Council meeting for confirmation and must include:
 - (a) a record of which Councillors and officers attended the meeting;
 - (b) a summary of the matters considered in the meeting; and
 - (c) a record of any conflicts of interest disclosed by Councillors and officers and any Councillors or officers that left the meeting whilst a matter that their conflict of interest related to was being discussed.

Division 2 – Councillor conflict of interest disclosures

36. General duty of disclosure by a Councillor

A conflict of interest must be disclosed by a Councillor in any Council meeting or any other meeting conducted under the auspices of the Council.

37. Disclosure in a Council meeting

- (1) If a Councillor has a conflict of interest in a matter considered in a Council meeting, the Councillor must:
 - (a) disclose the conflict of interest in accordance with Sub-Rule (2); and
 - (b) exclude themselves from the decision making process in accordance with Sub-Rule (5).
- (2) A Councillor who has a conflict of interest and is attending the meeting of the Council must make a full disclosure of that interest by either advising:
 - (a) the Council at the meeting immediately before the matter is considered; or
 - (b) the Chief Executive Officer in writing before the meeting –whether the conflict of interest is a general conflict of interest or a material conflict of interest; and the nature of the interest.
- (3) If the Councillor advised the Chief Executive Officer of the details under Sub-Rule (2)(b), the Councillor must make a disclosure of the class of interest only to the meeting, immediately before the matter is considered.
- (4) The Chief Executive Officer must –
 - (a) keep written disclosures received under this division in a secure place for three years after the date the Councillor who made the written disclosure ceases to be a Councillor; and
 - (b) destroy the written disclosure when the three year period referred to in Sub-Rule (4)(a) has expired.
- (5) A Councillor excluding themselves from the decision making process:
 - (a) must leave the room where the meeting is being held and wait in a place where they cannot see or hear the meeting; and
 - (b) may return to the meeting before the next matter is considered.
- (6) The Mayor must ensure the meeting does not proceed to the next matter until a reasonable attempt has been made to notify any Councillor affected by this rule.

38. Disclosure in a delegated committee Meeting

If the Council has established a delegated committee, Councillors who are members of the delegated committee must comply with Rule 37 as if they are in a Council meeting.

39. Disclosure in a meeting conducted under the auspices of Council

- (1) A Councillor who has a conflict of interest in a matter being considered by a meeting conducted under the auspices of Council at which they are present must:
 - (a) before the matter is considered, or as soon as they become aware, disclose the conflict of interest in accordance with Rule 37(2); and
 - (b) absent themselves from any discussion of the matter.

40. Disclosure in a community asset committee meeting

A Councillor who is a Council delegated member of a community asset committee must comply with Rule 39 as if the committee meeting was a meeting conducted under the auspices of Council.

41. Disclosure in general gatherings

- (1) This Rule applies to meetings or gatherings that are not directly connected with Council decisions on specific matters. This includes:
 - (a) forums for general community engagement; and
 - (b) social and ceremonial functions.
- (2) If a Councillor has a conflict of interest in a matter that arises in a meeting or gathering under this Rule, the Councillor must:
 - (a) disclose that they have a conflict of interest in an appropriate manner; and
 - (b) exercise their own discretion to act in a responsible manner.

Division 3 – Staff conflict of interest disclosures

42. Staff disclosure for a Council meeting matter

- (1) If a member of Council staff has a conflict of interest in a matter to be considered in a Council meeting and is likely to be involved in providing advice on the matter, the member of Council staff:
 - (a) must notify their manager or director and the Chief Executive Officer; and
 - (b) must not provide advice to Council unless authorised by the Chief Executive Officer.
- (2) If a member of Council staff has a conflict of interest in a matter in which they are providing advice to Council:
 - (a) if the advice is included in a report, the report must disclose the conflict of interest; and
 - (b) if the officer is speaking in the Council meeting, the officer must disclose the conflict of interest before speaking on the matter.

43. Disclosure in delegated committee

A member of Council staff who is a member of a delegated committee must comply with Rule 37 as if they are a Councillor in a Council meeting.

44. Disclosure in community asset committee

A member of Council staff who is representing Council on a community asset committee must:

- (a) disclose any conflict of interest in a matter before the committee;
- (b) leave the meeting while the matter is considered; and
- (c) comply with any relevant procedure specified by the Chief Executive Officer for that committee.

45. Disclosure when exercising a delegation or statutory power

- (1) This Rule applies to a member of Council staff who exercises a power of delegation or a statutory function under any Act.
- (2) If the member of Council staff has a conflict of interest in the exercise of the delegation or the statutory function the staff member must:
 - (a) immediately notify their manager or director;
 - (b) not exercise the delegated power or statutory function; and
 - (c) comply with any relevant procedures in the staff code of conduct.
- (3) A manager or director who has been notified of a conflict of interest under this Rule must:
 - (a) make a record of the disclosure;
 - (b) provide for the power or function to be exercised by another person; and
 - (c) notify the Chief Executive Officer of the disclosure and the action taken.

Division 4 – Disclosures by committee members

46. Disclosure by a delegated committee member

A member of a delegated committee who is not a Councillor or a member of Council staff must comply with Rule 37 as if they are a Councillor in a Council meeting.

47. Disclosure by community asset committee member

A member of a community asset committee who is not a Councillor or a member of Council staff must:

- (a) disclose any conflict of interest in a matter being considered by the committee; and
- (b) comply with any terms and conditions specified by the Chief Executive Officer for that committee under section 47 of the Act.

PART 6 – GENERAL CONDUCT OF MEETINGS

Division 1 – General lack of a quorum

48. What is a quorum?

A quorum for a Council meeting is an absolute majority of the Councillors.

49. Inability to obtain or maintain a quorum

- (1) If a quorum cannot be obtained within thirty (30) minutes of the scheduled starting time of any meeting or adjournment, the meeting may be adjourned for a period not exceeding five (5) business days by:
 - (a) those Councillors present; or
 - (b) if there are no Councillors present, the Chief Executive Officer.
- (2) If a quorum cannot be maintained in a meeting for any reason, other than a result of conflicts of interest, Sub-Rule (1) will apply.

Division 2 – Loss of quorum due to conflicts of interest

50. Application of this Division

- (1) This division applies in a Council meeting where the Council is unable to maintain a quorum because of the number of Councillors with conflicts of interest.
- (2) This division does not apply to meetings conducted under the auspices of Council or committee meetings.

51. Mayor to take action

- (1) If the Council will be unable to maintain a quorum because of the number of Councillors with conflicts of interest in a matter, the Mayor must invite all Councillors to remain in the meeting until the quorum matter is addressed.
- (2) Actions to be taken under this Rule by the Mayor where feasible, in order of priority, are:
 - (a) if there are Councillors absent from the meeting who may not have conflicts of interest, defer the matter to a later time;
 - (b) propose that the motion be dealt with in an alternative manner under Rule 52; or
 - (c) propose that the Council appoint a delegated committee under Rule 53.
- (3) The Mayor may seek advice from the Chief Executive Officer when determining the feasibility of alternative actions under this Rule.

52. Alternative manners to resolve quorum

- (1) Section 67 of the Act specifies two alternative manners in which a matter may be considered by Council to avoid the loss of a quorum:
 - (a) resolving to split the matter into 2 or more separate parts; or
 - (b) making prior decisions on component parts of the matter at a meeting for which a quorum can be maintained, before deciding the overall matter at a meeting for which a quorum can be maintained.
- (2) Where a matter can be split into 2 or more separate parts to avoid the loss of a quorum:
 - (a) the Chair may put the parts to the Council as separate motions; and
 - (b) a Councillor who has a conflict of interest in any separate motion must disclose a conflict of interest in that motion under Rule 37.
- (3) Where a matter cannot be reasonably split, but component parts may be considered prior to deciding the overall matter, such as may apply to the Council Plan or the budget:
 - (a) each affected component part may be put to a vote for inclusion in the final motion;
 - (b) a Councillor who has a conflict of interest in a component part must disclose the conflict of interest under Rule 37 when that part is considered;
 - (c) a resolution to adopt the final motion may then be put to the meeting, subject to any amendments arising from the votes on component parts; and
 - (d) a Councillor may vote on the final motion if they have previously disclosed a conflict of interest in any component in which they have a conflict of interest.

53. Delegated committee to decide matter

- (1) Under section 67 of the Act, the Council must establish a delegated committee to determine a matter that cannot be resolved by an alternative manner after the loss of a quorum because of conflicts of interest.
- (2) A delegated committee to determine a matter under this Rule:
 - (a) must include all Councillors who have not disclosed a conflict of interest in regard to the matter;
 - (b) may include any other person the Council considers suitable; and
 - (c) must be chaired by a Councillor unless there are no Councillor members.

Division 3 – Business of meetings

54. Business of scheduled meetings

- (1) The Business of a scheduled Council meeting must include the following where applicable:
 - (a) confirmation of the minutes of the previous Council meeting or meetings;
 - (b) confirmation of records of meetings conducted under the auspices of Council;
 - (c) reports provided by the Audit and Risk Committee;
 - (d) reports provided by the Chief Executive Officer;
 - (e) notices of motion given under Rule 17; and
 - (f) notices of rescission given under Rule 20.

55. Order of business

- (1) Subject to Rule 54 and these Governance Rules, the order of business of a Council meeting will be determined by the Chief Executive Officer to facilitate and maintain open, efficient and effective processes of government.
- (2) Subject to these Governance Rules, the Chief Executive Officer may include any matter on an agenda of a scheduled meeting for consideration by the meeting.
- (3) Once an agenda notice has been issued, the order of business for the meeting may only be altered by the Mayor in the meeting or by resolution of the Councillors at the meeting.

56. Urgent business

- (1) At a scheduled or special meeting of Council, business that is not included in the agenda notice must only be considered if no more than one Councillor is absent and the Council resolves that the matter is urgent because:
 - (a) it relates to, or arises out of a matter which has arisen since compilation of the agenda; and
 - (b) a timeline requires it to be determined prior to the next Council meeting.
- (2) A Councillor may propose a matter be admitted as urgent business provided they have advised the Chief Executive Officer in writing no later than three hours prior to the commencement of the scheduled or special meeting.
- (3) Items of urgent business must be circulated to all Councillors prior to the meeting.
- (4) At an urgent meeting of Council, business that is not included in the agenda notice must only be considered if all Councillors are present and unanimously resolve that the matter is urgent.
- (5) Despite Sub-Rules (1) - (4), a matter that is not included in the agenda notice must not be considered at a Council meeting if it will:
 - (a) directly and significantly affect the exercise of a person's rights;
 - (b) alter the Council Plan or the budget; or
 - (c) commit the Council to expenditure exceeding \$20,000.

Division 4 – Procedural meeting determinations

57. Matters not provided for

Where a matter has not been provided for under the Act or in these Governance Rules, it must be determined as a procedural matter under this Division.

58. Determination of procedural matters

- (1) Unless otherwise specified in these Governance Rules, procedural matters relating to the conduct of a Council meeting shall be determined:
 - (a) by a ruling of the Chair; or
 - (b) by a resolution of the Council.

59. Dissent from a Mayor's ruling

- (1) A ruling of the Mayor under this Part may be negated by a resolution of the Council to dissent from the Mayor's ruling.
- (2) A motion of dissent in the ruling is not a motion of dissent in the Mayor. The Mayor remains in the chair and may exercise a second vote if exactly half the Councillors vote in favour of the motion of dissent.

60. Arrangements when standing orders suspended

- (1) During a period when standing orders are suspended, no decision, motion or other formal proceeding must be allowed, other than:
 - (a) the raising of a point of order; or
 - (b) a motion to resume standing orders.
- (2) The minutes of a meeting will not include an account of matters considered during a period when standing orders are suspended.

61. Closing a meeting to members of the public

- (1) A Council meeting must be closed to members of the public only if:
 - (a) the meeting is to consider confidential information (see Appendix 1); or
 - (b) it is necessary to close the meeting for security reasons or to enable the meeting to proceed in an orderly manner.
- (2) The Council must only close the meeting for the purpose listed in Sub-Rule (1)(b) if arrangements have been put in place to allow remote public viewing of the meeting as specified in section 66 of the Act.

62. Adjourning a meeting

A motion to adjourn the meeting may specify when the meeting will resume, which may be:

- (a) at a specific time, date and place;
- (b) at the conclusion of another scheduled meeting; or
- (c) at a time to be determined by the Chief Executive Officer.

Division 5 – Point of order

63. Points of order

- (1) A Councillor may raise a point of order at any time if the Councillor considers that the Act or these Governance Rules are not being complied with due to a statement or behaviour which is:
 - (a) Irrelevant, meaning it does not relate to the matter under consideration or is outside the powers of Council;
 - (b) Improper, meaning it constitutes improper behaviour or is offensive;
 - (c) Misleading, meaning it is an untrue or false assertion or statement;
 - (d) Disorderly, being an act that disrupts or distracts from the orderly operation of the meeting; or
 - (e) Contrary to these Rules, meaning it is contrary to the provisions set out in this part.

- (2) A Councillor raising a point of order must state:
 - (a) the point of order; and
 - (b) the reason for the point of order.
- (3) A Councillor raising a point of order is not deemed to be speaking to a motion or amendment before the meeting.
- (4) All other matters before the Council are suspended until the point of order is decided.
- (5) The Mayor may call a temporary adjournment to consider a point of order or otherwise rule on it as soon as it is raised.
- (6) The Mayor must rule on all points of order without entering into discussion or debate and the Mayor's ruling is final unless the meeting dissents from that ruling under Rule 59.

Division 6 – Public participation

64. Addressing meetings

- (1) At a Council meeting, standing orders may be suspended to enable a member of the public to address the meeting.
- (2) A member of the public addressing the Council must extend due courtesy and respect to the Council and must take direction from the Mayor.
- (3) Unless this procedure is varied under Rule 87, the maximum speaking time for a member of the public addressing the Council is three (3) minutes.

65. Public question time

- (1) Up to 30 minutes may be allocated in the early part of a scheduled Council meeting for members of the public to put questions to Councillors.
- (2) Sub-Rule (1) does not apply during any period when Council has resolved to close the meeting in respect of a matter under section 61 of the Act.
- (3) A limit of two questions per person applies, with a time allocation for each not exceeding three minutes.
- (4) Question put by members of the public:
 - (a) must be in writing;
 - (b) must relate to a matter of business on the meeting agenda;
 - (c) must not relate to subject matter previously responded to by Council;
 - (d) must not be offensive or defamatory or designed to embarrass a councillor or member of Council staff; and
 - (e) must be received by the Chief Executive Officer or the delegated officer no later than 12.00pm on the business day prior to the meeting day.
- (5) If the Council has received a question from the public under this Rule, the Council must suspend standing orders at an appropriate time for the question to be put.

- (6) The CEO must reject a question:
 - (a) that does not comply with Sub-Rule (4); or
 - (b) where answering the question would require the disclosure of confidential information.
- (7) Unless rejected under Sub-Rule (6) each question:
 - (a) will be read by the person who submitted it, or if absent from the meeting, the Mayor or CEO; and
 - (b) will be responded to by a Councillor or Council officer.
- (8) If a question cannot be dealt with adequately or appropriately during public question time in accordance with Sub-Rule (7)(b), the Mayor may request the Chief Executive Officer to provide a written response to the question in accordance with Council's Customer Service Charter.

66. Petitions and joint letters

- (1) A member of the public may give a petition or a joint letter to a Councillor, the Chief Executive Officer or the delegated officer.
- (2) A petition or joint letter must:
 - (a) state the name of the person forwarding the petition or joint letter and an address to which notice of Council's response may be forwarded;
 - (b) contain at least ten (10) signatures and include the name and address of each signatory to the petition or joint letter;
 - (c) clearly state the request or describe the action that the Council is asked to do on each page of the petition or in the joint letter (whichever is applicable);
 - (d) not include any statement that is offensive, defamatory or disrespectful to Council;
 - (e) be legible;
 - (f) not contain alterations; and
 - (g) not have any letters or other documents attached to it.
- (3) A petition or joint letter that complies with Sub-Rule (2) must be tabled at a scheduled Council meeting at the first reasonable opportunity.
- (4) A petition or joint letter may be tabled by any Councillor or by the Chief Executive Officer. It does not have to be tabled by the person to whom it was given.
- (5) A petition or joint letter tabled at a Council meeting must lay on the table until the next scheduled meeting of the Council and no motion, other than to receive the petition or joint letter may be accepted by the Chairperson unless the Council resolves to deal with it earlier.

Division 7 – Minutes and recordings

67. Keeping of minutes

- (1) The Chief Executive Officer must ensure that minutes of Council meetings are kept.

- (2) The minutes must be an accurate record of the meeting, including:
 - (a) the date, place, and nature of the meeting;
 - (b) the time the meeting opened;
 - (c) the name of each Councillor in attendance;
 - (d) any Councillor apology or leave of absence;
 - (e) every conflict of interest disclosure made, including the type of conflict;
 - (f) arrivals and departures during the meeting by Councillors;
 - (g) the name and title of each staff member attending and not in the gallery;
 - (h) all matters considered for decision;
 - (i) the name of any member of the public who spoke on a matter;
 - (j) all motions put to the meeting and the outcome of each motion;
 - (k) the result of any division; and
 - (l) the time the meeting closed.
- (3) The following must be published on the Council's website as soon as practicable after the conclusion of a Council meeting:
 - (a) the draft (unconfirmed) minutes of the Council meeting;
 - (b) any resolutions carried in a part of a meeting closed to consider a confidential matter.
- (4) The detailed records of any part of a meeting that was closed to the public to consider a confidential matter must not be published on the internet.

68. Confirmation of minutes

- (1) The Chief Executive Officer must ensure the draft minutes are submitted to the next applicable meeting of the Council for confirmation.
- (2) No discussion or debate on the confirmation of minutes will be permitted except where their accuracy as a record of the proceedings of the meeting to which they relate is questioned.
- (3) If a Councillor is dissatisfied with the accuracy of the minutes, then the Councillor must propose a motion specifying the alternative wording to amend the minutes.
- (4) The confirmed minutes, excluding the detailed records of any part of a meeting that was closed to the public to consider confidential information, must be published on the Council's website in place of the draft minutes as soon as practicable.

69. Recording of Council meetings

- (1) Council meeting proceedings will be livestreamed for real-time or on demand access via a Council social media channel.
- (2) If a meeting, or part of a meeting is closed to the public due to circumstances described in section 66(2)(b) or 66(2)(c) of the Act and the livestream is not able to be broadcast to a Council social media channel, the meeting may be adjourned, or a recording of the proceedings made available on social media as soon as practicable after the meeting.
- (3) If a meeting, or part of a meeting is open to the public and the livestream is not able to be broadcast to a Council social media channel, the meeting will continue, and a recording of the proceedings may be made available on a social media page as soon as practicable after the meeting.

Division 8 – Attendance by electronic means

70. Requesting and approving attendance by electronic means

- (1) Councillors who wish to attend a meeting via electronic means may submit a request to the Chief Executive Officer.
- (2) The request must be made in writing or verbally stating the reason for the request.
- (3) The request must be made no later than 9:00am on the day of the meeting that will be attended via electronic means.
- (4) The request must consider any criteria that the Council has set for consideration of approval for a method of attendance.
- (5) The Chief Executive Officer will provide a response to the request no later than 1 hour prior to the meeting and notify all Councillors of this decision.
- (6) It is the responsibility of the Councillor attending electronically to ensure that they have the required access and environment suitable for electronic communications.

PART 7 – CONDUCT OF DEBATE

Division 1 – General debate matters

71. Preparation for debate

Before any motion is put on a matter:

- (a) the Mayor will introduce the officer report and invite a member of the Management Executive Group to summarise the report, including the recommendation; and
- (b) the Mayor may ask if any Councillors require final clarification of the report before seeking a motion.

72. Speaking times

Unless varied under Rule 87, the maximum speaking time for a Councillor will be three (3) minutes when:

- (a) speaking to a motion or amendment; or
- (b) exercising a right of reply on a motion.

Division 2 – Motions and amendments

73. Order of motions and amendments

During consideration of a matter in a Council meeting:

- (a) only one motion may be considered by a meeting at a particular time;
- (b) only one amendment may be considered by a meeting at a particular time; and
- (c) a motion must not be voted upon until a decision has been made on any amendment to that motion which has been moved and seconded.

74. Rejecting a motion or amendment

- (1) The Mayor must reject any motion or amendment which is:
 - (a) offensive or defamatory;
 - (b) outside the powers of the Council or otherwise contrary to the Council's legal obligations;
 - (c) contrary the Council's election period policy;
 - (d) not relevant to the item of business on the agenda and has not been admitted as urgent business; or
 - (e) purports to be an amendment but would have the effect of negating the principle intent of the motion it seeks to amend.
- (2) If it appears to the Chief Executive Officer that a proposed motion or amendment is contrary to the Council's legal obligations, the Chief Executive Officer must advise the Mayor in a timely manner.

75. Moving a motion

- (1) A Councillor proposing to move a motion must first indicate a wish to address the Mayor.
- (2) Once recognised by the Mayor, the mover must state the motion, and may briefly state its intent or the desired outcome if it is passed, but without speaking to it.
- (3) Where the mover intends to move a recommendation as it appears in the agenda report, they may do so in the following manner, 'I move the officer recommendation'.
- (4) Where the mover intends to move a motion other than a recommendation as it appears in the agenda report, they must state the motion in full.
- (5) The Mayor must call for a seconder (who must be a Councillor other than the mover).
 - (a) If a motion is not seconded, the motion lapses for want of a seconder.
 - (b) If there is a seconder, the Mayor must call on the mover to speak to the motion.
- (6) After the mover has spoken to the motion, the seconder may also speak to the motion or reserve their right to speak until later in the debate.

76. Debating the motion

- (1) After the seconder has spoken to the motion (or after the mover has spoken to the motion if the seconder does not speak), the Mayor must ask 'Is the motion opposed?'.
- (2) If there is opposition, the Mayor must call on any Councillor who wishes to speak against the motion, then on any Councillor who wishes to speak for the motion, after waiting until all Councillors wishing to speak to the motion have spoken.
- (3) If no Councillor wishes to speak against the motion, then the Mayor may put the motion or call on any other Councillor to speak.
- (4) No Councillor may speak more than once in debating a motion, except where the mover of the motion has a right of reply.
- (5) Debate must always be relevant to the motion and the Mayor may:
 - (a) request a Councillor to confine debate to the subject motion; or
 - (b) direct a Councillor to cease speaking if the Councillor continues to debate irrelevant matters.

77. Right of reply

- (1) Once the debate has been exhausted, the mover of the motion is entitled to exercise a right of reply but may not raise any new matter.
- (2) If an amendment to a motion has been carried, the mover of the original motion retains the right of reply to that motion.
- (3) If no Councillor has spoken against a motion, there will be no right of reply.
- (4) Immediately after the mover's right of reply, the Mayor must put the motion to a vote without further discussion or debate.

78. Amendments

- (1) Any Councillor debating the motion, except the mover or seconder of the motion, may move an amendment to the motion.
- (2) There is no limit on the number of amendments that may be proposed to a motion. However, no amendment may be proposed while another amendment is being proposed or debated.
- (3) An amendment:
 - (a) must be relevant to the motion; and
 - (b) must not have the effect of negating the principal intent of the motion.
- (4) If the mover and the seconder of the motion accept the amendment, the motion must be altered to include the amendment, without debate or vote.
- (5) If Sub-Rule (4) does not apply, the amendment must be seconded by another Councillor. If the amendment is not seconded, it lapses.
- (6) If an amendment is seconded under Sub-Rule (5), the Mayor must invite the Councillors to debate the amendment in the same order and manner as a motion under Rule 76, except that the mover of an amendment does not have a right of reply.
- (7) A Councillor speaking to an amendment is not deemed to be speaking to the motion, so speaking to an amendment does not alter a Councillor's right to speak to the principal motion.
- (8) If an amendment is carried, the motion as amended then becomes the motion before the meeting (known as the 'substantive motion'), and may then be put or be subject to further amendment.
- (9) If an amendment is not carried then debate continues on the motion.

79. Lapsed motion or amendment

- (1) If a motion or amendment lapses under these Governance Rules:
 - (a) the motion or amendment is no longer debated or voted upon at that meeting;
 - (b) if it is an amendment, debate on the principle motion resumes; and
 - (c) if it is a motion, the meeting proceeds to the next matter on the agenda.
- (2) Nothing in these Governance Rules prohibits a lapsed motion from being considered at a later Council meeting.

80. Foreshadowing motions or amendments

- (1) At any time during debate, a Councillor may, without speaking to it, foreshadow a motion so as to inform Council of their intention to move a motion at a later stage in the meeting but this does not extend any special right to the foreshadowed motion.
- (2) A motion foreshadowed may be prefaced with a statement that, in the event of a particular motion before the meeting being resolved in a certain way, a Councillor intends to move an alternative or additional motion.
- (3) No discussion or debate is allowed on a foreshadowed motion unless and until the foreshadowed motion is subsequently formally moved as a motion.

- (4) A foreshadowed motion has no procedural standing and is merely a means to assist the flow of the meeting.
- (5) The minutes of the meeting will not include foreshadowed motions unless the foreshadowed motion is subsequently formally moved as a motion.

81. Withdrawal of motion or amendment

Before any motion or amendment is put to the vote, it may be withdrawn by the mover with the agreement of Council.

82. Separation of motions

Where a motion contains more than one part:

- (a) a Councillor may request the Mayor to put the motion to the vote in separate parts; or
- (b) the Mayor may decide to put the motion to the vote in separate parts.

Division 3 – Voting

83. Voting process

- (1) When putting a motion or amendment to a vote, the Mayor will first call for those in favour to vote and then those opposed to vote.
- (2) Voting:
 - (a) must not be in secret; and
 - (b) must be by show of hands unless the meeting resolves otherwise.
- (3) All Councillors are entitled to a single vote on each motion and each amendment.
- (4) If exactly half the Councillors in the meeting vote in favour of a motion or amendment, the Mayor may cast a second vote.
- (5) The Mayor must declare a motion or amendment carried if:
 - (a) a majority of the Councillors in the meeting vote in favour of the motion or amendment; or
 - (b) exactly half the Councillors in the meeting vote in favour of the motion or amendment and the Mayor casts a second vote in favour of the motion or amendment.
- (6) If neither Sub-Rule (5)(a) or (5)(b) apply, the Mayor must declare the motion or amendment lost.
- (7) Any Councillor may request that the way they voted on a motion or amendment be recorded in the minutes.
- (8) A Councillor is not required to divulge the way they voted on a matter considered in a meeting that was closed to the public to consider confidential information.

84. Division

- (1) Any Councillor may request a division:
 - (a) immediately before a vote is taken; or
 - (b) immediately after a vote is taken.
- (2) A division must not be requested after the next item of business has commenced.
- (3) If a division is requested, the Mayor must conduct a vote and the names of Councillors voting for or against the motion or amendment must be recorded in the minutes.
- (4) When a division is requested, any vote already taken must be treated as set aside and the division will decide the question, motion or amendment, that is, a Councillor is not prevented from changing their original vote at the division.
- (5) Once a vote has been taken under a division, no further vote may be taken on the relevant motion or amendment in that meeting.

Division 4 – Rescission

85. Motion to rescind

- (1) If a notice of motion to rescind has been given under Rule 20:
 - (a) the motion must not be amended; and
 - (b) any Councillor in attendance at the meeting may move the motion.
- (2) If a notice of motion to rescind is not put at the meeting it lapses.
- (3) If a motion to rescind is lost, that motion or any similar motion must not be put before the Council for at least three months unless the Councillors resolve to relist the motion for a future meeting.

86. Deciding a rescission

A motion to rescind a prior decision of the Council is not carried unless:

- (a) an absolute majority of Councillors vote in favour of the motion; or
- (b) exactly half the total number of all Councillors cast votes in favour of the motion at a Council meeting and the Mayor casts a second vote in favour of the motion.

Division 5 – Procedural motions

87. Procedural motions

- (1) A procedural motion must be dealt with immediately by the Mayor.
- (2) A procedural motion must not be moved or seconded by the Mayor.
- (3) A procedural motion is not required to be seconded.
- (4) The Mayor may reject a relevant procedural motion if they believe the Motion on which it is proposed has not been sufficiently debated.
- (5) Table 1 (on page 31 of these Governance Rules) outlines common procedural motions and their methodology, and if debate is permitted.

Table 1 – Procedural Motions

Motion	Form	Mover/Seconded	When prohibited	Effect if Carried	Effect if Lost	Debate permitted
Adjournment of debate to a later time and/or date	'That the debate on this matter be adjourned until (insert later time and/or date) to allow (purpose of deferral)'...	Any Councillor who has not moved or seconded the original motion or otherwise spoken to the original motion	(a) During the election of the Mayor/Deputy Mayor; (b) During the election of a Chairperson; or (c) When another Councillor is speaking	Consideration/debate on the motion and/or amendment is postponed to the stated time and/or date	Debate continues unaffected	Yes
Adjournment of debate indefinitely	'That the debate on this matter be adjourned until further notice'	Any Councillor who has not moved or seconded the original motion or otherwise spoken to the original motion	(a) During the election of a Chair; (b) When another Councillor is speaking; (c) When the matter is one in respect of which a call of the Council has been made for that meeting in accordance with section 85 of the Act; or (d)When the Motion would have the effect of causing Council to be in breach of a legislative requirement	Motion and any amendment postponed but may be resumed at any later meeting if on the agenda	Debate continues unaffected	Yes
Closure (of debate)	'That the motion now be put'	Any Councillor who has not moved or seconded the original motion or spoken for/against the original motion	During nominations for a Chairperson	Motion or amendment is put to the vote immediately without further debate, subject to any Councillor exercising his or her right to ask any question concerning or arising out of the motion	Debate continues unaffected	No

Motion	Form	Mover/Secunder	When prohibited	Effect if Carried	Effect if Lost	Debate permitted
Take a motion from the table (resume debate on a matter)	'That the motion in relation to xx be taken from the table'	Any Councillor	When no motion is on the table	Debate of the item resumes	Debate of the item remains paused	No
Extend a Councillor's speaking time	'That Cr x's speaking time be extended by 3 minutes'	Any Councillor who is not currently speaking	After another Councillor has commenced speaking	Cr x may continue speaking for up to 3 minutes	Cr x must cease speaking	No
Extend speaking time for a member of the public addressing the meeting	'That xxx's speaking time be extended by 3 minutes'	Any Councillor		Xxx may continue speaking for up to 3 minutes	Xx must cease speaking	No
Alter the order of business	'That the item listed at xx on the agenda be considered before/after the item listed at xy'	Any Councillor	(a) At a Meeting to elect the Mayor; or (b) During any debate	Alters the order of business for the meeting	Items are considered in the order as listed in the Agenda	No
Suspension of Standing Orders	'That Standing Orders be suspended to ...' (reason must be provided)	Any Councillor		The rules of the meeting are temporarily suspended for the specific reason given in the motion. No debate or decision on any matter, other than a decision to resume Standing Orders, is permitted	The meeting continues unaffected	No

Motion	Form	Mover/Seconder	When prohibited	Effect if Carried	Effect if Lost	Debate permitted
Resumption of Standing Orders	'That Standing Orders be resumed'	Any Councillor	When Standing Orders have not been suspended	The temporary suspension of the rules of the meeting is removed	The meeting cannot continue	No
Consideration of confidential matter(s) (Close the meeting to members of the public)	'That, in accordance with section 66(2)(a) of the Local Government Act 2020 the meeting be closed to members of the public for the consideration of item xx which is confidential as it relates to [insert reason]'	Any Councillor	During the election of the Mayor/Deputy Mayor	The meeting is closed to members of the public	The meeting continues to be open to the public	Yes
Reopen the meeting	'That the meeting be reopened to members of the public'	Any Councillor		The meeting is reopened to the public	The meeting remains closed to the public	No

PART 8 – DELEGATED COMMITTEES

88. Council may establish delegated committees

- (1) The Council may establish one or more delegated committees to which it delegates specific powers.
- (2) Unless Rule 53 applies, a delegated committee:
 - (a) must include at least two Councillors; and
 - (b) must be chaired by a Councillor.

89. Application of Governance Rules

Unless otherwise specified in the Act or in these Governance Rules, a delegated committee is subject to the Governance Rules to the extent reasonably applicable as if the committee were the Council and the members of the committee were the Councillors.

PART 9 – ELECTION PERIOD POLICY

Division 1 – General election period matters

90. Election period

- (1) The Council's Election Period Policy is described in this Part.
- (2) The Election Period Policy applies during the "election period", which is defined in section 3 of the Act to mean the period that:
 - (a) starts at the time that nominations close on nomination day; and
 - (b) ends at 6pm on election day.
- (3) The Chief Executive Officer will notify Councillors and staff of their obligations under this Policy prior to the commencement of the election period for an election.

Division 2 – Council decisions in election period

91. Prohibited decisions

- (1) This policy prohibits any Council decision during the election period for a general election or a by-election that would enable the use of Council's resources in a way that is intended to influence, or is likely to influence, voting at the election.
- (2) This policy also prohibits any Council decision during the election period for a general election that:
 - (a) relates to the appointment or remuneration of the Chief Executive Officer but not the appointment or remuneration of an Acting Chief Executive Officer; or
 - (b) commits Council to expenditure exceeding one per cent of Council's income from general rates, municipal charges and service rates and charges in the preceding financial year; or
 - (c) Council considers could be deferred until the next Council is in place; or
 - (d) Council considers should not be made during an election period.

92. Chief Executive Officer scrutiny

- (1) The Chief Executive Officer must scrutinise the content of Council agendas during the election period to exclude matters described in Rule 91.
- (2) The Chief Executive Officer must reject any notice of motion if it appears contrary to Rule 91.
- (3) If a motion is moved in a Council meeting that appears to be conflict with Rule 91, the Chief Executive Officer must advise the Mayor of the conflict.

93. Election Period Statements

- (1) In order to assist Council with its commitment to appropriate decision making during the Election Period, the Chief Executive Officer will ensure that an "Election Period Statement" is included in every officer's report submitted to the Council for a decision.
- (2) The "Election Period Statement" will describe the status of each item, specifically relating to section 69 of the Act.

Division 3 – Use of Council resources

94. Council resources

- (1) As specified in section 304 of the Act, a Councillor or a member of Council staff must not use Council resources in a way that is intended or likely to affect the result of a Council election.
- (2) A Councillor may use the following resources during an election period if and when required to perform their duties as a Councillor:
 - (a) mobile phones provided for Councillor use;
 - (b) computers provided for Councillor use; and
 - (c) the Mayoral vehicle.

95. Council staff

- (1) A Councillor must not request or use a member of Council staff to support their election campaign.
- (2) This Rule does not prohibit a member of staff from providing support for an election campaign if the staff member:
 - (a) only provides support voluntarily and in their own private time;
 - (b) does not use Council resources in providing support;
 - (c) does not take any action that implies Council support for the campaign; and
 - (d) gives the Chief Executive Officer prior written notice of their intention to support the campaign.

96. Expenses claims

- (1) A Councillor must not lodge a claim for reimbursement of expenses incurred in relation to an election campaign.
- (2) The Chief Executive Officer must reject any claim that is contrary to this Rule.

Division 4 – Communication and events

97. Publication of electoral material

- (1) As specified in section 304 of the Act, a Councillor or member of Council staff must not use Council resources to intentionally or recklessly print, publish or distribute or cause, permit or authorise to be printed, published or distributed any electoral material during the election period on behalf of, or purporting to be on behalf of, the Council unless the electoral material only contains information about the election process or is otherwise required under an Act or regulation.
- (2) During an election period, the Chief Executive Officer must establish procedures to support compliance with this Rule, including procedures applying to:
 - (a) media comments and media releases;
 - (b) use of social media; and
 - (c) Council newsletters and publications.

98. Access to Council information

- (1) Councillors will continue to access Council held documents during an election period, but only to the extent necessary for them to perform their duties as Councillors.
- (2) The Chief Executive Officer must ensure that information provided to candidates during an election period is made equally available to all candidates.
- (3) Sub-rule (2) does not apply to confidential information provided to Councillors under Sub-Rule (1).

99. Public consultation

- (1) The Council must not conduct any public consultation process during the election period unless the consultation is:
 - (a) required under an Act or regulation; or
 - (b) essential for the Council to perform its functions.
- (2) Any public consultation that does proceed during the election period will be vetted for electoral matter and express or implicit links to the election.

100. Council events

- (1) Normal Council events are not prohibited during the election period, however Council will keep these events to a minimum.
- (2) Any civic or ceremonial Council event held during the election period should meet one or more of the following criteria:
 - (a) it is a planned event endorsed by the current Council Plan;
 - (b) it is routinely held at the same time of year;
 - (c) it is a commemorative or anniversary event held on or near the anniversary date;
 - (d) it demonstrates a clear community benefit, or services an educational or welfare purpose; or
 - (e) it contributes to cultural development, social awareness or sense of community identify.

- (3) Where events occur and whether or not a Councillor is to make a speech, Councillors will be conscious of the fact that they are representing Council and are not to use the opportunity for electioneering.
- (4) Material printed or disseminated during the election period to publicise a function or event will be subject to a certification process.
- (5) Functions or events for the purpose of electioneering will not be resourced or publicised by Council.

APPENDIX 1 – CONFIDENTIAL INFORMATION

Under section 3 of the Act, certain information is defined to be confidential information because its premature or improper release may cause harm to the Council or to other persons.

Confidential Information remains confidential unless it can lawfully be released, and the Council has determined that it should be publicly available.

If the Chief Executive Officer is of the opinion that information relating to a meeting is confidential information within the meaning of the Act, they may designate the information as confidential and advise Councillors and/or members of Council staff in writing accordingly.

Information which has been designated by the Chief Executive Officer as confidential information within the meaning of the Act, and in respect of which advice has been given to Councillors and/or members of Council staff in writing accordingly, will be presumed to be confidential information.

The following table described the types of confidential information defined in the Act.

Type	Description
Council business information	Information that would prejudice the Council's position in commercial negotiations if prematurely released.
Security Information	Information that is likely to endanger the security of Council property or the safety of any person if released.
Land use planning information	Information that is likely to encourage speculation in land values if prematurely released.
Law enforcement information	Information which would be reasonably likely to prejudice the investigation into an alleged breach of the law or the fair trial or hearing of any person if released.
Legal privileged information	Information to which legal professional privilege or client legal privilege applies.
Personal information	Information which would result in the unreasonable disclosure of information about any person or their personal affairs if released.
Private commercial information	Information provided by a business, commercial or financial undertaking that relates to trade secrets or that would unreasonably expose the business, commercial or financial undertaking to disadvantage if released.
Confidential meeting information	Records of a Council and delegated committee meetings that are closed to the public to consider confidential information.
Internal arbitration information	Confidential information relating internal arbitration about an alleged breach of the Councillor Code of Conduct.
Councillor Conduct Panel confidential information	Confidential information relating to a Councillor Conduct Panel matter.
Confidential information under the 1989 Act	Information that was previously made confidential under the <i>Local Government Act 1989</i> .

11 INFORMATION REPORTS**11.1 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 fourth report for the 2022 - 2023 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

The information contained in this report is based on the fourth quarter (1/04/2023 – 30/06/2023) of the 2022-2023 financial year. In mid-October 2022 Loddon Shire experienced major flooding which significantly impacted Council's road network. Work has commenced in a separate program to restore flood damage.

In accordance with Council's RMP, on 18 October Council's CEO, Lincoln Fitzgerald enacted the exceptional circumstances clause of that Plan. The suspension of the RMP is to say that Council cannot maintain its road network to its usual standard. After completing a comprehensive network assessment we are now in a position to reinstate the Road Management Plan (RMP) service standards from 1 July 2023

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 4 (01/04/2023 – 30/06/2023)						
Work Group	Number of scheduled inspections	Number completed by due date	Number completed after due date	Number not completed	Compliance	Number of Defects Raised
Loddon Plains	127	127	0	0	100.0%	433
Loddon Goldfields	144	127	15	2	88.2%	323
Total	271	254	15	2	93.7%	756

During the fourth quarter of 2022 - 2023 financial year, 93.7% of the programmed inspections were completed according to the schedule. This is 6.3% below the target of 100% set in the RMP, this is due to staff being actively involved in flood impact assessments of the road network. As the RMP was suspended during this period the compliance target is not relevant.

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. The defects have been identified through programmed inspections, customer requests and works crews identifying and rectifying defects as they find them, known as ad hoc work actions.

Table 2: Defect rectification summary report

Quarter 4 (01/04/2023 – 30/06/2023)								
Work Group	Number of Defects				Compliant with RMP			
	Ad hoc	Requests	Defects from inspections	Total	Yes	No	Not complete	%
Loddon Goldfields	1	39	222	262	249	9	4	95.0%
Loddon Plains	7	7	283	297	296	1	0	99.7%
Shire Wide	0	5	295	300	297	3	0	99.0%
Townscape Services	51	4	100	155	146	8	0	94.2%
Total	59	55	900	1014	988	21	4	97.4%

During the fourth quarter of 2022 - 2023 financial year, 97.4% of all date imposed defects were completed before their due date. This is 2.6% below the target of 100% set in the RMP, as the RMP was suspended for this reporting period the compliance target is not relevant. The number of defects reported in Table 2 are slightly higher (65) than during this timeframe last year. These figures exclude the flood damaged parts of the network, these are reported as part of the Flood Restoration Program. There are 4 outstanding work actions to be completed. A plan is in place to complete the outstanding work actions in the next four weeks.

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 ad hoc 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 4 (01/04/2023 – 30/06/2023)											
Work Group	Number of Grading Work Actions					Compliant within scheduled timeframes				KM Graded	KM Inspected
	Roads Graded	Defects	Requests	Ad hoc	Total	Yes	No	Not completed	%		
Loddon Goldfields	91	2	15	0	108	107	1	0	99.1%	203	462
Loddon Plains	69	2	17	0	88	88	0	0	100.0%	269	535
Shire Wide	1	0	0	0	1	1	0	0	100.0%	N/A	N/A
Total	161	4	32	0	197	196	1	0	99.5%	472	997

The data in Table 3 indicates that 197 grading work actions were completed for the fourth quarter of 2022 - 2023 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 fourth quarter of 2022 - 2023 financial year of the Local Road Maintenance Program is \$6,929,162. The expenditure for the fourth quarter was \$1,628,532

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.

11.2 LOCAL LAWS AND PLANNING COMPLIANCE QUARTERLY ACTIVITY REPORT

File Number: FOL/19/115192
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 Quarterly Activity 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

This is the fourth and final report for the 2022-2023 financial year, summarising the animal control, local laws, 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's local law to enable effective animal management, planning enforcement and local law compliance 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 law provisions, particularly with respect to unsightly properties
- effective animal management
- control of roadside activities, occupation and utilisation
- investigate planning scheme breaches and enforce planning permit conditions
- intervention in public nuisance issues.

ISSUES/DISCUSSIONAdministrative

Table 1 provides a summary of administrative functions undertaken.

Table 1: Administrative

Quarter 4 (1 April 2023 – 30 June 2023)			
Activity	After hours call outs (*)	Littering or illegal rubbish dumping	Local law permits issued
No. actions	2	1	19

(*) 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.

Staffing vacancies within the unsightly properties area has limited the ability for significant progress to be made in this area. Additional resourcing is allocated in the 2023/24 budget.

Table 2: Summary of unsightly properties activities

Quarter 4 (1 April 2023 – 30 June 2023)																
Town/Locality	Eddington	Rheola	Newbridge	Tarnagulla	Inglewood	Bridgewater	Wedderburn	Korong Vale	Borong	Boort	Pyramid Hill	Mitiamo	Dingee	Serpentine	Rural/Other	Total
No. identified from previous report period	2	0	5	2	7	2	19	3	4	4	4	1	1	0	0	54
No. resolved during quarter	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	1
New action commenced	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3*	3*
No. currently pursuing	2	0	5	2	6	2	19	3	4	4	4	1	1	0	3	56
Progress Activities																
Site meeting / discussion held	0	0	0	0	1	0	0	0	0	0	0	0	0	0	2	3
Letter to comply issued	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3	3
Occupier has commenced clean-up work	0	0	0	0	1	0	0	0	0	0	0	0	0	0	2	3
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

(*) 3 new properties in the Arnold area were added in response to complaints received.

Animal management

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

Table 3: Summary of animal management activities

Quarter 4 (1 April 2023 – 30 June 2023)						
Activity	Wandering livestock	Trespassing livestock	Dog attack	Domestic animal at large	Distribution of cat traps	General complaints / other
No. of actions	7	1	3	10	14	26

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

Table 4: Impoundment activities

Quarter 4 (1 April 2023 – 30 June 2023)				
Animal type	Impoundments	Returned to owners	Animals rehoused	Animals disposed
Livestock	20	19*	0	0
Dogs	5	1	2	2^
Cats	24	2	22	0
Feral Animals	-	-	-	46
Total	49	22	24	48

(*) one sheep remained in the pound as at 30 June 2023

(^) two dogs responsible for a dog attack, not suitable to be rehoused

Planning Compliance and Enforcement

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

Table 5: Planning compliance and enforcement activities

Quarter 4 (1 April 2023 – 30 June 2023)						
Type	No. identified from previous report period	New action	PIN's	Warning Letter	No. resolved during quarter	No. currently pursuing
Land use in contravention of planning scheme without a permit	7	2	2	2	1	8
Native vegetation removal without a permit	5	1	0	1	2	4
Breach of planning permit	0	0	0	0	0	0
Dog breeding / animal keeping	4	0	0	0	2	2
Land used as a store without planning permit	3	2	0	2	1	4
Occupation of a site without a planning permit	4	0	0	1	2	2
Total	23	5	2	6	8	20

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's Local Law.

COST/BENEFITS

The expenditure for the fourth quarter of 2022-2023 financial year for the local laws and compliance activities contained within this report is \$60,089. 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 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* or Council's Community Local Law 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 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.

11.3 STATUTORY PLANNING QUARTERLY REPORT**File Number:****Author:** Louise Johnston, Statutory Planning Coordinator**Authoriser:** Glenn Harvey, Manager Development and Compliance**Attachments:**

1. Applications processed in the quarter
2. Application completed in the quarter

RECOMMENDATION

That Council receive and note the Quarterly Statutory Planning Permit Activity Report for April to June 2023.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

This is the fourth report for the 2022- 2023 financial year summarising planning application activities undertaken within the Development and Compliance Department.

BACKGROUND

This report covers the planning permit activity for the previous 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

A detailed summary of the status of planning permits can be found in Attachments 1 and 2.

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 is to be measured following the acceptance of a planning permit application.

Table 1 provides a summary of the average timeframe in which the Development and Compliance Department assessed and issued Planning Permits during the fourth quarter of the 2022-2023 financial year and compares these to the Victorian rural average.

Table 1: Average timeframes for decisions

Quarter 4 of the 2022/2023 financial year				
Month	Average gross days to determine	Median processing days to determine	Completed within 60 days	Rural average completed within 60 days
April	35	26	100%	65.7%
May	23	15	100%	72%
June	40.8	32	100%	71.6%
Total for the Quarter	34.29	28	100%	70%

During the fourth quarter of the 2022-2023 financial year 100% of all Planning Permit applications were assessed and issued within the statutory timeframes as set in the Planning & Environment Act 1987. This is 30% above the rural average. In addition, the average processing days for Council to make a determination on applications is 34 days, well below the rural average of 114 days, a great result for the applicants, Council and its planning team.

COST/BENEFITS

The expenditure for the fourth quarter of 2022-2023 financial year of the statutory planning activities contained within this report is \$91,627. The fees collected for the quarter total \$35,029.00.

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

Applications being processed in the quarter

April to June 2023

Number of Applications	22
------------------------	----

Number	Lodged	Site Address	Site Address Suburb	Status	Development Description	Applicant Name	Applicant Organisation
5407	10/12/2018	16 Park Street	Bridgewater on Loddon	Further Information	two lot subdivision and earthworks	Dave Edwards	
5808		6 Main Street	Bridgewater on Loddon	New Application	Extension and alterations to shop front	Patrick O'Toole	Bridgewater Bakehouse
5834	24/10/2022	10-16 Camp Street	Bridgewater	Further Information	Subdivision of the land into four lots	Peter Mitchell	c/o Total Property Developments
5842		52 Brooke Street	Inglewood	New Application	Liquor Licence	Smyth David	
5878	27/03/2023	Calder Highway	Wedderburn	Further Information	Use and development of a dwelling and shed (within 100 metres of a waterway) and new road opening within Transport Road Zone 2	Jessica Penny	
5880		Four Posts Hotel, 6696 Loddon Valley Highway	Jarklin	New Application	Development of a storage shed	David Williams	BWA National Building Consultants
5892	31/05/2023	4194 Bridgewater-Maldon Road	Bridgewater	Meeting	Use and development of the land for a dwelling in the Farming Zone and creation of new access to a Transport Zone 2 (Bridgewater Maldon Road)	Perry Town Planning	
5893	10/05/2023	Road Reserve, Newbridge Road	NEWBRIDGE	Advertising Complete	Native vegetation removal (for road safety upgrades)	LODDON SHIRE COUNCIL	
5895	14/05/2023	Lot 17 Boort-Wedderburn Road	Wedderburn	Referred	Development of a dwelling under the Bushfire Management Overlay	Philip Trajkov	
5901	6/07/2023	1477 Yorkshire Road	Newbridge	Further Information	Use and development of the land for a composting and bagging facility (industry)	Sage Hanh	Van Shalk's Bio Gro
5905	6/07/2023	Lot 1 Pickles Road	Durham Ox	Referral	Resubdivision of two lots and creation of a Goulburn Murray Water Reserve in the Farming Zone	Goulburn Murray Rural Water	
5906	10/07/2023	2531 Bridgewater-Dunolly Road	Arnold	Advertising	Re-subdivision of two lots and creation of an easement for rural water supply in the Farming Zone	Total Property Developments	
5907		20 Malone Street	Boort	New Application	Buildings and works associated with a section 2 use (store) in the Township Zone	Brett Overall	BOW TIE INVESTMENTS

5908	18/07/2023	Lot 3 Boort-Mitiamo Road	Calivil	Referral	Re-subdivision of two lots into two new lots	Price Merrett Consulting Pty Ltd	
5909		17 Days Road	Mysia	New Application	Use and development of a dwelling	Jack Russell	
5910		Lot 1 Calder Highway	Wedderburn	New Application	Use (industry-processing ore) and development	Vanning Resources Pty Ltd	
5911	20/07/2023	Lot 5 Richmond Plains-Wedderburn Road	Wedderburn	Further Information	Use and development of the land for a dwelling	Rod Hinton	Bendigo Planning Services
5912	21/07/2023	Lot 1 Market Street	Newbridge	Advertising	Use and development of a dwelling & Shed	Mark Peters	
5913	26/07/2023	Lot 31 Clay Gully Lane	McIntyre	Further Information	use and development of a dwelling	Sonia Galloway	
5914	25/07/2023	Lot 14 Giffard Street	Newbridge	Further Information	Development of a dwelling in the Land Subject to Inundation Overlay	Melinda Simmons	
5915		Burke Street	Newbridge	New Application	Development of a dwelling in an Land Subject to Inundation Overlay	Gary McKnight	Gazmack Pty Ltd
5916		Lake View Street	Boort	New Application	roof cover for the generator	Coliban Water	

Planning Application completed in the Quarter

1 April 2023 - 30th June 2023

Decisions 26

App Number	Lodged	Site Address	Locality	Status	Development Description	Applicant Name	Applicant Organisation
5768	11/03/2022	Grant Street	Newbridge	Application Complete	Use and development of the land for a dwelling, removal of native vegetation and associated works	NR Links	
5850	21/12/2022	71 Sullivan Street	Inglewood	Application Complete	Development of four (4) Single Storey Dwellings & 4 Lot subdivision	Regional Home Builders	
5861	15/02/2023	8 Commercial Road	Tarnagulla	Application Complete	Development of a dwelling, shed and new road opening within Transport Road Zone 2	Justine Smith	
5867	17/03/2023	Lot 8E Logan-Wedderburn Road	Logan	Application Complete	Development and use of a dwelling, buildings and works within 100 metres of a waterway and new road opening within Transport Road Zone 2.	Gaetano Spataro	
5869	15/03/2023	19 Main Street	Bridgewater on Loddon	Application Complete	Use of part of the land for food and drinks premises, signage and extension to the existing dwelling including (part) demolition.	Penno Drafting and Design	
5871	27/03/2023	Lot 3 Newbold Street	Wedderburn	Application Complete	Use and development of the land for a dwelling in the Rural Living Zone	Alec Hende	Humpy Co
5872	22/03/2023	359 Yarrowalla South Road	Yarrowalla	Application Complete	Use and development of the land for a replacement dwelling	DMC Drafting & Design	
5874	10/03/2023	3645 Boort-Pyramid Road	Boort	Application Complete	Storage Shed (11m x 7.5m) to be used as a museum (Aboriginal Artefacts)	Paul Haw	
5875	17/03/2023	5 Mitiamo Kerang Road	Mologa	Application Complete	Development of an agricultural shed with a total area of more than 130 metres squared in the Land Subject to Inundation Overlay	Entegra Signature Structures	
5876	22/03/2023	Lot 73 Woolshed Flat Road	Woolshed Flat	Application Complete	Use of the land to excavate and detect gold under the code of practice for Low Impact Mining	Peter B Lawrence	
5877	27/03/2023	Old Boort Road	Borong	Application Complete	Development of a shipping container for storage	Mark Revere	
5879	29/03/2023	Lot 1B St Arnaud Road	Wedderburn	Withdrawn	temporarily store 2 shipping containers	Rae De Niese	
5881	17/04/2023	229 Calder Highway	Wedderburn	Permit Not Required	Development of a storage shed	Stacey Rae	
5882	4/04/2023	Market Square Recreation Reserve / Wedderburn Cricket, Racecourse Road	Wedderburn	Application Complete	Construction of new cricket practice nets	Ian Gould	Wedderburn Band Cricket Club
5883	13/04/2023	7 Lyndhurst Street	Bridgewater on Loddon	Application Complete	Two Lot Subdivision	Daniel Stagg	Tomkinson Group

5884	17/04/2023	795 Mysia East Road	Fernihurst	Application Complete	Buildings and works (replacement shed) under a Heritage Overlay and construct a building with a floor area more than 130 metres squared under the Land Subject to Inundation Overlay	Dallas Evans	
5885	2/05/2023	Lot 25E Glossop Street	Mitiamo	Application Complete	pipeline, tanks and associated works at Mitiamo Basin	Coliban Water	
5886	8/05/2023	31 McMillans Road	Boort	Application Complete	Two lot subdivision in the Township Zone	Price Merrett Consulting Pty Ltd	
5887	9/05/2023	1 Factory Lane	Pyramid Hill	Application Complete	Use of land for- Industry (processing hemp straw), a depot and Community Groups, associated buildings and works, signage and reduction of car parking on site	PHAB Unit Trust PL	
5889	12/05/2023	46 Godfrey Street	Boort	Application Complete	Development of a storage shed at the rear of the site	Gary Anderson	Strumand Construction
5890	4/05/2023	Logan-Wedderburn Road	Fentons Creek	Application Complete	Development of a agricultural shed within a Heritage Overlay	Action Steel	
5891	5/05/2023	826 Gladfield Road	Pyramid Hill	Application Complete	Subdivide into two parts and consolidate with adjoining crown allotments.	Ravindra Senaratne	Goulburn Murray Water
5894	26/05/2023	Terrick Terrick National Park, Mitiamo Kow Swamp Road	TERRICK TERRICK	Application Complete	Removal of native vegetation under VPO (to replace the stock water supply to the Mitiamo pipeline scheme within the park)	Parks Victoria	
5896	17/05/2023	41 Burke Street	Newbridge	Application Complete	Development of a storage shed	Michele Mizzi	
5897	1/06/2023	957 Boort-Yando Road	Yando	Application Complete	Carry out works (earthworks) in the Land Subject to Inundation Overlay and the Floodway Overlay	NJC Irrigation Solutions	
5899	6/06/2023	Lot 7A Richmond Plains-Wedderburn Road	Wedderburn	Application Complete	Development and use of a single dwelling	Quality Home Design & Development	

11.4 PUBLIC HEALTH QUARTERLY 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 Quarterly 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 final report for the 2021-22 financial year, summarising public health activities within the Development and Compliance Department for the months from January 2023 to June 2023.

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 Senior Public Health Officer has regular contact with business operators, community groups, homeowners 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/DISCUSSIONMosquito Surveillance Program

Loddon Shire has been included in the state-wide mosquito surveillance and treatment program that is operated by the Department of Health. The program runs from the start of November to the end of April every year. This was Council's first year in the full program and it consumed considerable time.

During the reporting period, as part of this program Council's public health staff are setting traps in 6 locations across the municipality on a weekly basis. These locations are:

- Bridgewater on Loddon
- Serpentine
- Pyramid Hill
- Boort x 2 locations
- Wedderburn

The program monitors both mosquito numbers and the presence of arboviruses. Arboviruses that are monitored include:

- RRV – Ross river virus
- MVE – Murray valley encephalitis
- WNV –West Nile/Kunjin virus
- BFV – Barmah forest virus
- JEV - Japanese encephalitis virus

Detections of Murray valley Encephalitis, Barmah Forest and West Nile/Kunjin virus occurred in traps located in Boort.

Whilst Ross River was detected in traps in Serpentine and Wedderburn.

The trap in Pyramid Hill returned positive for Murray valley Encephalitis on a single occasion.

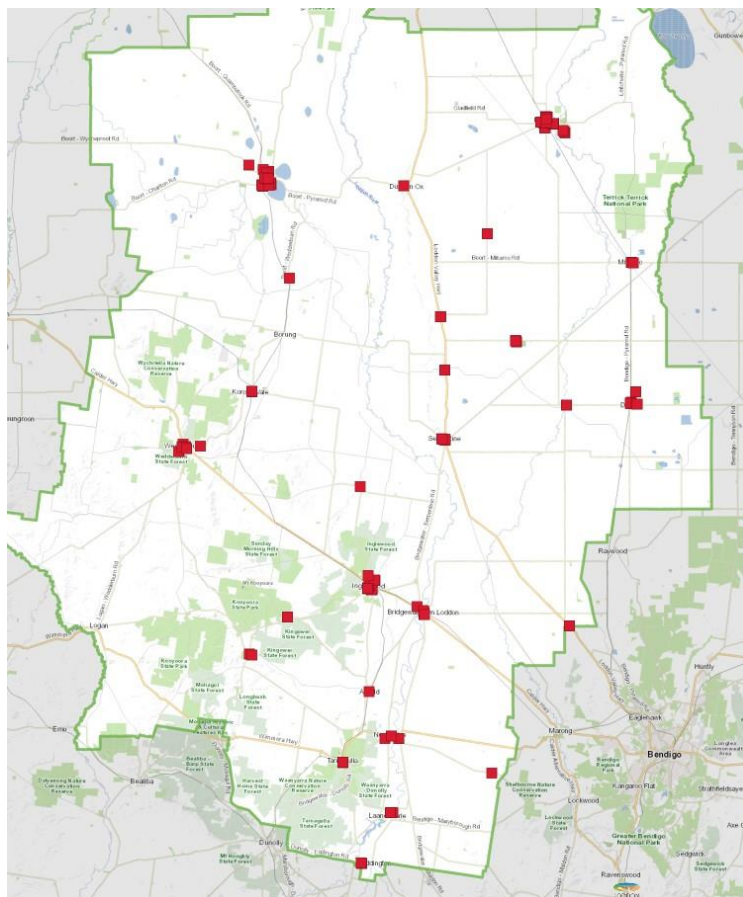
Along with the weekly trapping program, Council undertook treatment of public locations in townships on behalf of the State Government. The treatment methods being undertaken include barrier treatments, adulticiding and larviciding.

With the positive traps much of the work towards the end of the season focused on Boort and Pyramid Hill.

Throughout the whole season 255 treatments of public areas were undertaken, across the entire shire. Multiple visits were required to treated locations, generally visits were undertaken every 6 weeks in line with the retreatment requirements of the products being used.

While this activity has been funded by the State Government, Council co-contributed to this program to ensure successful delivery and protection of public health. This activity and workload is managed with minimal additional resources and has an impact on delivery of all public health activities.

Image 1: Mosquito Treatment Locations 2022-2023 season



As part of the program Council has received spraying equipment from the Department of Health. This equipment places Council in a strong position during future seasons to be able to treat large areas on a regular bases or prior to one off public events. Council must continue to seek adequate resourcing from the State Government to deliver this program.

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 2023 to 30 June 2023		
Governing Legislation	Inspection Outcome	Number of inspections
Food Premises	Compliant*	57
	Major Non Compliance	6
Health Premises	Compliant*	12
	Major Non Compliance	0
Swimming Pools	Satisfactory	12
	Unsatisfactory	0
Residential Tenancies	Compliant*	6
Total number of inspections for reporting period		93

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

Council officers are working with the non-compliant premises to address the issues that were identified.

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 kindergartens, schools, playgrounds and sporting reserves. Table 2 summaries the Tobacco Act activities undertaken during the reporting period.

Table 2: Tobacco Act inspections

1 January 2023 to 30 June 2023	
Inspection Type	Number
Tobacco Retailer (including vending machine)	9
Tobacco – Indoor Dining and drinking area	4
Tobacco – Outdoor Dining and drinking area	4
Outdoors & Other locations	10
Total number of inspections	27

Septic Systems

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

Table 4: Septic system permits

1 January 2023 to 30 June 2023	
Permit Type	Number
Installation or alteration	5
Certificate to use	15
Total number of Permits	20

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

Table 5: Septic system activity

1 January 2023 to 30 June 2023	
Activity / Inspection Type	Number
Application Inspection	7
Installation Inspection	13
Final Inspection	17
Total number of inspections	37

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 summarises the complaints during the reporting period.

Table 6: Public health complaints

1 January 2023 to 30 June 2023				
Nature of complaint	Number carried over from previous reporting period	Number received	Number resolved	Number currently pursuing resolution
Food Premises	0	4	2	2
Wastewater	0	3	0	3
Other	0	0	0	0
Total		7	2	5

COST/BENEFITS

The actual expenditure for the third and fourth quarter of the 2022-2023 financial year of the public health unit activities contained within this report is \$154,443.

Administration of the Acts that the Public Health Officer has responsibility for includes significant fieldwork, 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.

11.5 QUARTERLY BUILDING SERVICES ACTIVITY REPORT

File Number: 13/06/001, 13/08/001, 13/08/003
Author: Glenn Harvey, Manager Development and Compliance
Authoriser: Steven Phillips, Director Operations
Attachments: Nil

RECOMMENDATION

That Council receive and note the Quarterly 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 and fourth quarterly report for the 2022-2023 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 and 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 and 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 permits, occupancy permits and final inspections is a basic indicator of building development and investment within the Loddon Shire Council area.

ISSUES/DISCUSSION

Throughout the third and fourth quarters of the 2022-2023 financial year, items of significance relating to the activity of Council's building services include:

- swimming pool registration requirements and registration of the Complying Barrier Certificates.
- inspecting and decommissioning over 80 pools and spas and received 117 Complying Barrier Certificates in total.
- follow up on enforcement activities including following up Court and Building Appeals items
- ongoing implementation and improvement of software system changes.

Building permits

Table 1 provides the number and total value of building permits issued for the last four quarters of 2022-2023. There is variation in the value of permits throughout any given financial year and this is attributable to the scale and cost of individual projects.

Table 1: Summary of new building permits issued

	Quarter 1 2022-23 (01/07/2022 – 30/09/2022)	Quarter 2 2022-23 (01/10/2022 – 31/12/2022)	Quarter 3 2022-23 (01/01/2023 – 31/03/2023)	Quarter 4 2022-23 (01/04/2023 – 30/06/2023)
No. of new Permits	43	36	34	40
Value of Works	\$9,434,360	\$12,575,231	\$8,027,758	\$15,006,840

Table 2 provides a summary of the number of final inspections and certificates of occupancy issued for building permits for each quarter.

Table 2: Summary of final inspections and occupancy permits

	Quarter 1 2022-23 (01/07/2022 – 30/09/2022)	Quarter 2 2022-23 (01/10/2022 – 31/12/2022)	Quarter 3 2022-23 (01/01/2023 – 31/03/2023)	Quarter 4 2022-23 (01/04/2023 – 30/06/2023)
Certificates of final inspection	35	41	32	17
Occupancy Permits	8	20	11	8

Council Building Services staff continue to work proactively with Council issued permit holders, sending follow up letters to notify building owners approximately two months before their building permits are due to lapse. This allows owners to arrange a final inspection/occupancy permit or apply for an extension of time for their building permit.

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	Appeal to Building Appeals Board	Legal action / solicitors letter started this quarter	Legal action ongoing	No. resolved during this quarter
Building damaged by fire	1	1	2	0	0	0	0	0	0

Type	Actions incomplete from previous report period	New action started	Total actions	Building notice issued	Building order issued	Appeal to Building Appeals Board	Legal action / solicitors letter started this quarter	Legal action ongoing	No. resolved during this quarter
Works required to make building safe (including pools)	20	0	20	3	2	1	0	1	0
Carrying out building works without a permit	10	2	12	6	2	0	0	0	0
Works not in accordance with building permit	2	0	2	0	0	0	0	0	0
Illegal occupation of non-habitable building	0	0	0	0	0	0	0	0	0
Building with non-complying essential safety measures	1	0	1	0	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.

The Manager Development and Compliance is currently also performing the role of Municipal Building Surveyor whilst recruitment for the vacancy is continuing. This is impacting on progressing compliance matters as well as processing permit applications. Community members that are making Building Permit applications are being advised that there will be delays in processing their applications due to our current situation. They are also being informed of the alternative of engaging a Private Building Surveyor.

COST/BENEFITS

The expenditure for the third and fourth quarters of the 2022-2023 financial year for building services activities was \$46,125. The functions associated with the delivery of the Municipal Building Surveyor service have been delivered by the Manager Development and Compliance.

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 vital 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.

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. This remains a matter of concern for Council's Municipal Building Surveyor and Local Laws & Planning Compliance Officer.

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 essential safety measures assessments/inspections to the provision of advice relating to the need for building permits and other functions administered by the Municipal Building Surveyor under the Building Act and Building Regulations. Any business operator, developer, resident or ratepayer that is subject to enforcement action is regularly consulted with during the enforcement process to give them the opportunity to avoid the escalation of enforcement action.

11.6 PYRAMID HILL KINDERGARTEN ASSESSMENT AND RATING OUTCOME

File Number: FOL/23/2804
Author: Wendy Gladman, Director Community Wellbeing
Authoriser: Lincoln Fitzgerald, Chief Executive Officer
Attachments: 1. Pyramid Hill Assessment and Rating

RECOMMENDATION

That Council receive and note the report detailing the outcomes of the National Quality Framework assessment conducted at the Loddon Cluster Kindergarten at Pyramid Hill.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

There has been no previous discussion in relation to this report.

BACKGROUND

The National Quality Framework aims to raise quality and drive continuous improvement in education and care services. All services approved under the Education and Care Services National Law are assessed and rated by their state or territory regulatory authority.

The National Quality Standard (NQS) is a key aspect of the National Quality Framework and sets a national benchmark for early childhood education. The NQS includes seven quality areas that provide important outcomes for children. Services are assessed and rated by the regulatory authority against the NQS, and given a rating for each of the seven quality areas and an overall rating based on those results.

The available ratings are:

- Exceeding National Quality Standard
- Meeting National Quality Standard
- Working towards National Quality Standard
- Significant Improvement Required

ISSUES/DISCUSSION

Correspondence received from the Department of Education Quality Assessment and Regulation Division has advised that following a recent assessment and rating visit, the Pyramid Hill Kindergarten received the following rating outcome:

Quality Area 1	Educational program and practice <i>Educational program and practice of educators are child-centred, stimulating and maximise opportunities for enhancing and extending each child's learning and development.</i>	Meeting NQS
----------------	--	--------------------

Quality Area 2	Children's health and safety <i>Children have the right to experience quality education and care in an environment that safeguards and promotes their health, safety and wellbeing.</i>	Meeting NQS
Quality Area 3	Physical environment <i>Physical environment is safe, suitable and provides a rich and diverse range of experiences that promote children's learning and development.</i>	Meeting NQS
Quality Area 4	Staffing arrangements <i>Qualified and experienced educators, who develop warm, respectful relationships with children, create predictable environments and encourage children's active engagement in the learning program.</i>	Meeting NQS
Quality Area 5	Relationships with children <i>Relationships with children are responsive, respectful and promote children's sense of security and belonging.</i>	Meeting NQS
Quality Area 6	Collaborative partnerships with families and communities <i>Collaborative relationships with families are fundamental to achieving quality outcomes for children, and community partnerships based on active communication, consultation and collaboration are essential.</i>	Meeting NQS
Quality Area 7	Governance and leadership <i>Effective leadership and governance of the service contributes to quality environments for children's learning and development. Effective leaders establish shared values for the service and set clear direction for the service's continuous improvement.</i>	Meeting NQS
This service is rated overall at:		Meeting NQS

The NQS aims to raise quality and drive continuous improvement and consistency in services. The assessment provides service improvement suggestions that will assist Council's Early Years team to reflect on the assessment and rating experience and to continue to improve the quality of the service provided.

COST/BENEFITS

This assessment indicates that children attending the Loddon Cluster Kindergarten at Pyramid Hill receive a quality program which enhances their learning in the two years prior to primary school.

Research shows quality education and care early in life leads to better health, education and employment outcomes later in life. The early years are critical for establishing self-esteem, resilience, healthy growth and capacity to learn. Quality education and care shapes every child's future and lays the foundation for development and learning.

The work undertaken to satisfy the needs of the assessment and rating visit were undertaken within the existing budget.

RISK ANALYSIS

There are no risks associated with this report.

CONSULTATION AND ENGAGEMENT

The Notice of Rating is displayed in each centre and is published on the Australian Children's Education and Care Quality Authority (ACECQA) national registers and ACECQA's family focused website, Starting Blocks.



Department of Education

Pyramid Hill Preschool (SE-00004841)

Quality Area 1	Educational program and practice Meeting NQS
Quality Area 2	Children’s health and safety Meeting NQS
Quality Area 3	Physical environment Meeting NQS
Quality Area 4	Staffing arrangements Meeting NQS
Quality Area 5	Relationships with children Meeting NQS
Quality Area 6	Collaborative partnerships Meeting NQS
Quality Area 7	Governance and leadership Meeting NQS

Overall

Department of Education and Training



Date of issue: **4 August 2023**

Assessment and Rating ID number: **ASR-00036845**

12 COMPLIANCE REPORTS**12.1 AUDIT AND RISK COMMITTEE UPDATE****File Number:****Author:** Lisa Clue, Manager Governance**Authoriser:** Amanda Wilson, Director Corporate**Attachments:** Nil**RECOMMENDATION**

That Council receives and notes the 7 August 2023 Audit and Risk Committee meeting summary.

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 most recently received an update on a Loddon Shire Council Audit and Risk Committee meeting at its May 2023 meeting.

BACKGROUND

This report is provided in accordance with the Local Government Act 2020 (the Act) and the Audit and Risk Committee Charter 2023 – 2025.

Section 9 of the Charter states:

'A summary of each ARC meeting will be reported at the next meeting of the Council.'

ISSUES/DISCUSSION

Below is a summary of the Audit and Risk Committee (ARC) meeting held on Monday, 7 August 2023 in the Loddon Shire Council Chambers.

Member attendees:

Rod Baker – Independent Member – Chair
Rod Poxon – Independent Member
Rachelle Tippett – Independent Member
Marg Allan – Independent Member
Cr Gavan Holt – Councillor Representative

Officer attendees:

Lincoln Fitzgerald – Chief Executive Officer
Amanda Wilson – Director Corporate
Lisa Clue – Manager Governance
Tracy Hunt – Governance Coordinator
Michelle Hargreaves – Administration Officer Governance
Deanne Caserta – Manager Financial Services

Other attendees:

Brad Ead – AFS & Associates
Kathie Teasdale and Shivam Goel – RSD Audit

Apologies:

Nil

The following matters were considered by the ARC at the meeting:

Report	Discussion points
Review status of actions generated during ARC meetings	The ARC discussed the status of actions arising from both decision and compliance reports as well as those requested by members during the course of the 1 May 2023 meeting, including those that have been acted upon and those that are progressing.
Review and endorse Council's overall risk profile	The ARC was informed of Council's current risk profile, including identified strategic risks and related controls and treatment plans, and progress of risk and risk register reviews across the organisation. Members discussed and provided feedback on the five strategic risks, and while supporting the key themes, requested the risks be further reviewed and clarified; and presented to the next ARC meeting.
Scope for Strategic Internal Audit Plan development	The ARC received an update on internal audits completed during the life of the previous Strategic Internal Audit Plan and endorsed the approach proposed by AFS & Associates to establish a three year risk-based Strategic Internal Audit Program spanning 2023-2025.
Discuss any audit issues encountered during the course of the Final Audit	The ARC considered issues encountered during the most recent financial audit.
Financial and performance statements for endorsing for the year ended 30 June 2023	The ARC was updated on minor adjustments made to the statements presented with the agenda, in accordance with the requests made by the external auditors. The Committee then resolved to endorse the Financial Statements and Performance Statements for the year ended 30 June 2023 and recommended their adoption to Council.
Review outcomes of the external audit with management and auditors	Representatives from external auditors, RSD Audit provided a verbal update on the outcomes of the external audit for the information of the ARC.
Review reimbursement of Councillors expenses	The ARC received, and subsequently noted a report on Councillor expenses, including allowances and reimbursements; and comparative quarterly data.
Ensure that management responses to audit findings are appropriate and timely	The ARC received, and subsequently noted a report: <ol style="list-style-type: none"> 1. advising the current action relating to Information Technology is considered complete by management and is expected to be finalised by the external auditors at the 2023/24 interim audit; and 2. detailing two additional audit findings listed within the Final Management Report from the 2022/2023 external audit relating to Grands Assessment Training and DRP Testing.
Industry update: Regulatory and integrity agency findings relevant to Local Government	The ARC received and noted an update from AFS & Associates on examinations and investigations undertaken by regulatory and integrity agencies, and their findings, relevant to the local government sector.
Review of key policies	The ARC received and noted an update on the review status of key strategic documents and policies that provide a sound internal control environment.

Report	Discussion points
Briefings on any significant compliance matters	The ARC was briefed on one compliance matter relating to a National Quality Standard – Assessment and Rating Report – Pyramid Hill Preschool, when having met all 40 standards, the Preschool received an overall rating of ‘Meeting National Quality Standard’.
Review progress by management on open audit recommendations	The ARC received a report on the status of open internal audit recommended actions noting new software will support the closure of several open actions, while others are being progressed through the implementation of the recently approved IT Strategy.
VAGO report on Fraud Control over Local Government Grants Action Plan Progress	The ARC received a report on the progress of, and acknowledged the priority given by officers working on completing the ten audit recommendations within the VAGO report.
Report on emerging risks and fraud related incidents	The ARC received and noted a report from Council’s CEO on emerging risks and fraud related incidents including those relating to information technology, unethical behaviour, financial risk and reputation risk. The Committee acknowledged the financial impact of the October 2022 flood event and correlations between the impacts of the flood on Council’s road network and the latest Community Satisfaction Survey results.
Update on matters referred by Councillor Representative	The ARC received and noted a verbal update from the Committee’s Councillor representative, Cr Holt.
General Business	<p>The ARC acknowledged the work of the Manager Financial Services and members of the finance team in the lead up to the financial and performance statements.</p> <p>The ARC received an overview of the selection process leading to the appointment of the new Independent Member and the tender evaluation process for the provision of internal audit services.</p>

COST/BENEFITS

This report provides Council with oversight of the work of the ARC, providing a level of surety that services are undertaken efficiently and effectively.

There are no costs associated with development of this report, however there are costs associated with undertaking regular internal and external auditing of Council activities, provided for in Council’s approved budget.

RISK ANALYSIS

The ARC has risk management oversight for the Council and monitors, reviews, endorses and advises Council on the matters as set out in the Charter.

CONSULTATION AND ENGAGEMENT

Officers involved in the conduct of the ARC meeting were consulted in the preparation of this report.

13 URGENT BUSINESS

In accordance with Council's Governance Rules, Clause 53 provides that at a scheduled or special meeting of Council, business that is not included in the agenda notice must only be considered if no more than one Councillor is absent and the Council resolves that the matter is urgent.

Despite this requirement, a matter that is not included in the agenda notice must not be considered at a Council meeting if it will:

- (a) directly and significantly affect the exercise of a person's rights;
- (b) alter the Council Plan or the budget; or
- (c) commit the Council to expenditure exceeding \$20,000.

14 CONFIDENTIAL ITEMS

Nil

NEXT MEETING

The next Meeting of Council will be held on 26 September 2023 at Wedderburn commencing at at 3.00pm.

There being no further business the meeting was closed at _____.