



Date: Tuesday, 27 February 2024
Time: 3.00pm
Location: Loddon Shire Council Chambers, Wedderburn

MINUTES

Council Meeting

**MINUTES OF LODDON SHIRE COUNCIL
COUNCIL MEETING
HELD AT THE LODDON SHIRE COUNCIL CHAMBERS, WEDDERBURN
ON TUESDAY, 27 FEBRUARY 2024 AT 3.00PM**

PRESENT: Cr Gavan Holt (Mayor), Cr Dan Straub, Cr Neil Beattie, Cr Linda Jungwirth and Cr Wendy Murphy

IN ATTENDANCE: Lincoln Fitzgerald (Chief Executive Officer), Wendy Gladman (Director Community Wellbeing), Steven Phillips (Director Operations), Michelle Stedman (Director Corporate) and Lisa Clue (Manager Governance)

1 OPENING AFFIRMATION

The Mayor read the Opening Affirmation

2 ACKNOWLEDGEMENT OF COUNTRY

The Chief Executive Officer read the Acknowledgement of Country

3 APOLOGIES

Nil

4 DECLARATIONS OF CONFLICT OF INTEREST

Nil

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 23 January 2024
2. Council Meeting of 23 January 2024
3. Council Forum of 13 February 2024.

REPORT

This report seeks Council confirmation of Minutes from the January 2024 Council Briefing and Council Meeting, and the February 2024 Council Forum as previously circulated to Councillors.

RESOLUTION 2024/19**Moved:** Cr Dan Straub**Seconded:** Cr Wendy Murphy

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

1. Council Briefing of 23 January 2024
2. Council Meeting of 23 January 2024
3. Council Forum of 13 February 2024.

CARRIED

6 COUNCIL AUSPICED MEETINGS**6.1 RECORD OF COUNCIL AUSPICED 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 23 January 2024
2. Council Forum 13 February 2024.

Rule 35 of Council's Governance Rules requires a record of meetings conducted under the auspices of Council to be presented to the next available scheduled Council meeting for confirmation that 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.

Section 3 of the Governance Rules defines meetings conducted under the auspices of Council to mean a meeting of the kind described in section 131(1) of the Local Government Act 2020 and includes a meeting which:

- a) is schedule 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.

This report seeks confirmation of the following Council auspiced meetings as detailed within this report:

1. Council Briefing 23 January 2024
2. Council Forum 13 February 2024.

Meeting details	Briefing
Date	23 January 2024
Councillor Attendees	Cr Beattie Cr Jungwirth Cr Murphy Cr Straub
Staff/ Stakeholder representatives	<ol style="list-style-type: none"> 1. Lincoln Fitzgerald, Chief Executive Officer 2. Wendy Gladman, Director Community Wellbeing 3. Steven Phillips, Director Operations 4. Daniel Hirth, Acting Director Corporate 5. Lisa Clue, Governance Manager 6. Louise Johnston, Statutory Planning Coordinator and Darcy Jackson, Statutory Planning Officer – Item 5 below 7. Tracy Hunt, Governance Coordinator – Other Business (Australia Day Arrangements) 8. David Southcombe, Manager Assets and Infrastructure – Other Business (C590 – Reconstruction of Pyramid Yarraberb Road)
Item(s) discussed.	<ol style="list-style-type: none"> 1. Section 181 Sales Update - Sale of Properties for Unpaid Rates and Charges 2. Ward Boundary Review - Update 3. 2024 Council Election Update 4. North Central Goldfields Regional Library Agreement 2024 5. Use and Development of a Dwelling in the Farming Zone 6. Contract 579 - Canary Island Culvert Replacement - Amendment 7. Pyramid Hill Streetscape - Update On Contract C528 8. Sale of Land 9. Other Business: <ul style="list-style-type: none"> • Australia Day Arrangements • C590 – Reconstruction of Pyramid Yarraberb Road
Conflict of Interest Disclosures – Councillor/ officer making disclosure	Nil
Councillor/officer left room	n/a

Meeting details	Forum
Date	13 February 2024
Councillor Attendees	Cr Holt Cr Beattie Cr Jungwirth Cr Murphy Cr Straub
Staff/ Stakeholder representatives	9. Lincoln Fitzgerald, Chief Executive Officer 10. Wendy Gladman, Director Community Wellbeing 11. Steven Phillips, Director Operations 12. Michelle Stedman, Director Corporate 13. Lisa Clue, Governance Manager 14. Reid Mather, Rail Freight Alliance – Item 1 below 15. David Stretch, Manager Tourism and Economic Development – Item 2 below 16. Deanne Caserta, Manager Financial Services – Items 3 - 5 below 17. Tracy Hunt, Governance Coordinator – Item 6 below 18. Paul Scullie, Manager Community Partnerships and Ben Bainbridge, Otium Planning Group – Item 7 below
Item(s) discussed.	1. Rail Freight Alliance 2. Tourism And Economic Development - Quarterly Operations Report 3. Review of the Borrowing Policy v2 4. Related Party Disclosures Policy v4 5. Draft Fees And Charges 2024/25 6. Australia Day 2024 Review 7. Recreation, Open Space And Aquatic (ROSA) Strategy - Background Report 8. CEO Key Performance Indicators Mid-Year Review 9. General Business <ul style="list-style-type: none"> • Flood management • Local Government Reforms 2024
Conflict of Interest Disclosures – Councillor/ officer making disclosure	Lincoln Fitzgerald, Chief Executive Officer – Item 8. Left the room following questions.
Councillor/officer left room	n/a

RESOLUTION 2024/20

Moved: Cr Neil Beattie

Seconded: Cr Wendy Murphy

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

1. Council Briefing 23 January 2024
2. Council Forum 13 February 2024.

CARRIED

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 January 2024 Council Meeting**RECOMMENDATION**

That Council receive and note resolutions acted upon since the December 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 Agenda report.

Two actions from the December 2023 Council meeting, reported as progressing but not yet complete at the last Council meeting, have now been completed.

There are no outstanding actions from the January 2024 Council meeting.

RESOLUTION 2024/21**Moved:** Cr Linda Jungwirth**Seconded:** Cr Dan Straub

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

CARRIED

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

Mayor Holt presented a verbal report at the meeting.

Audit and Risk Committee	
05/02/2024 – Meeting - Wedderburn	
Section 65 Community Asset Committees:	
26/02/2024 - Donaldson Park – Chaired meeting in Wedderburn	
Other Council activities	
Date	Activity
09/02/2024	Loddon Campaspe Mayors and CEOs Forum – Bendigo
	Meeting with the Hon. Jacinta Allan, Victorian Premier
12/02/2024	Recognition of Service Dinner – Wedderburn
13/02/2024	February Council Forum - Wedderburn
15/02/2024	Ray and Bernice Tonkin – 94 th birthday lunch - Wedderburn
18/02/2024	Bridgewater Bowls Club – Official ‘Switching on of the Lights’ event - Bridgewater

RESOLUTION 2024/22

Moved: Cr Dan Straub

Seconded: Cr Wendy Murphy

That Council receive and note the Mayoral Report.

CARRIED

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 Jungwirth

Council activities	
Date	Activity
23/01/2024	January Council Briefing and Council Meeting - Wedderburn
26/01/2024	Australia Day Celebrations - Eddington, Tarnagulla and Newbridge
01/02/2024	Community dinner with speaker, David Younger - Pyramid Hill
03/02/2024	Tarnagulla Recreation Reserve Meeting - Tarnagulla
05/02/2024	Audit and Risk Committee Meeting - Wedderburn
08/02/2024	CVGA Advocacy Committee Meeting – Online
12/02/2024	Recognition of Service Dinner - Wedderburn
13/02/2024	February Council Forum - Wedderburn
16/02/2024	'Recalibrate' (Councillor training) - Melbourne
21/02/2024	Meeting with Newbridge residents - Newbridge
22/02/2024	CVGA Board Meeting – Online
	Local Government Reforms – MAV Consultation Session - Online

Cr Straub

Council activities	
Date	Activity
23/01/2024	January Council Briefing and Council Meeting - Wedderburn
26/01/2024	Australia Day Celebrations – Mitamo, Wedderburn and Pyramid Hill
02/02/2024	Minerals Council Australia function – Bendigo
09/02/2024	Pyramid Hill Art Show Opening - Pyramid Hill
13/02/2024	February Council Forum - Wedderburn
14/02/2024	North Central LLEN Finance and Risk Committee Meeting and catch up with CEO - Online
16/02/2024	Loddon Municipal Flood and Storms Events (2022-2024) Recovery Committee meeting - Wedderburn
20/02/2024	North Central LLEN Board Meeting – Charlton
21/02/2024	Pyramid Hill Progress Association Meeting – Pyramid Hill
22/02/2024	Onsite meeting with community members and landowners re flood damage and flooding issues – Calivil
23/02/2024	LEAD Loddon Murray Community Leadership Program – Orientation and Networking Event – Bendigo
24/02/2024 – 25/02/2024	Tennis, including Junior Tournament - Dingee

Cr Beattie

Council activities	
Date	Activity
26/01/2024	Australia Day Celebrations - Boort
27/01/2024	Flavours of Loddon - Boort
28/01/2024	Tour of flood damaged roads
05/02/2024	Boort Tourism Meeting - Boort
09/02/2024	Funeral of local community member, Ian Mercer
13/02/2024	February Council Forum
27/02/2024	February Council Briefing and Council Meeting

Cr Murphy

Healthy Minds Network	
15/02/2024 - Chaired the Loddon HMN meeting - Boort	
Other Council activities	
Date	Activity
24/01/2024	Meeting regarding Inglewood promotional video - Online
26/01/2024	Australia Day Celebrations – Bridgewater and Inglewood
07/02/2024	Presentation of Australia Day certificates to Inglewood Primary School students - Inglewood
08/02/2024	Jumpleads / Make A Change: Let's Talk About The Weather project discussion
13/02/2024	February Council Forum - Wedderburn
16/02/2024	Loddon Municipal Flood and Storms Events (2022-2024) Recovery Committee meeting - Wedderburn
18/02/2024	Bridgewater Bowls Club – Official 'Switching on of the Lights' event - Bridgewater
19/02/2024	Filming of the Inglewood promotional video - Inglewood
20/02/2024	Victorian Electoral Commission (VEC) ward boundary review for Loddon Shire information session - online
21/02/2024	Coffee with the Boss event – Bridgewater
22/02/2024	Local Government Reforms – MAV Consultation Session - Online
23/02/2024	LEAD Loddon Murray Community Leadership Program 2024 program launch - Bendigo
27/02/2024	Councillor only time, February Council Briefing and Council Meeting - Wedderburn
24/02/2024 – 25/02/2024	Upper Loddon Cricket Association, junior grand final - Wedderburn

RESOLUTION 2024/23

Moved: Cr Neil Beattie

Seconded: Cr Dan Straub

That Council receive and note the Councillors' reports.

CARRIED

10 DECISION REPORTS

10.1 APPOINTMENT OF AUDIT AND RISK COMMITTEE CHAIR

File Number: FOL/20/612
Author: Lisa Clue, Manager Governance
Authoriser: Michelle Stedman, Director Corporate
Attachments: Nil

RECOMMENDATION

That Council, on the recommendation of the Audit and Risk Committee, appoint Rodney Poxon as Chairperson of the Loddon Shire Council Audit and Risk Committee for the period 29 February 2024 to 28 February 2025.

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 appoints an Audit and Risk Committee (ARC) Chairperson annually, with the most recent appointment being made by Council at its meeting in February 2023.

BACKGROUND

Clause 5.4 (Chairperson) of the Audit and Risk Committee Charter v11 states:

- *The Chairperson of the Committee must be an independent member*
- *Council will appoint the Chairperson of the Committee on recommendation of the Committee*
- *If the Chairperson is unable to attend a meeting, the members in attendance at the meeting will appoint a Chairperson by resolution for that meeting from among the attending members.*

ISSUES/DISCUSSION

At its meeting held 5 February 2024, the ARC resolved 'That a recommendation be presented to Council to appoint Rodney Poxon as Chairperson of the Loddon Shire Audit and Risk Committee for the period 29 February 2024 to 28 February 2025'.

Rodney Poxon has been a member of Council's Audit and Risk Committee since 1 May 2015 and has qualifications relevant to business and finance. Rodney has owned and managed significant businesses throughout his career and been a member of a number of community organisations in and around the Bort area.

COST/BENEFITS

The benefit of an annual process to select an ARC Chairperson (including election if required) is providing all Committee Members with the opportunity to lead the Committee in its work for and on behalf of Council.

Clause 5.2.5 of the Audit and Risk Committee Charter states that remuneration is paid to each independent member as approved by Council from time to time. At its meeting on 28 March 2023, Council resolved to increase the quarterly remuneration paid to independent members of the Audit and Risk Committee to \$545, effective the quarter commencing 1 May 2023, and maintain payment of an extra quarter remuneration to the Chairperson during a one year term.

RISK ANALYSIS

An annual appointment of Chairperson provides all members with the opportunity to lead the Committee.

CONSULTATION AND ENGAGEMENT

Members of the Committee nominate the Chairperson of the ARC and recommend appointment to Council.

RESOLUTION 2024/24

Moved: Cr Dan Straub

Seconded: Cr Neil Beattie

That Council, on the recommendation of the Audit and Risk Committee, appoint Rodney Poxon as Chairperson of the Loddon Shire Council Audit and Risk Committee for the period 29 February 2024 to 28 February 2025.

CARRIED

10.2 FINANCE REPORT FOR THE QUARTER ENDING 31 DECEMBER 2023

File Number: FOL/22/4399

Author: Deanne Caserta, Manager Financial Services

Authoriser: Michelle Stedman, Director Corporate

Attachments: 1. Finance Report for the quarter ending 31 December 2023

RECOMMENDATION

That Council

1. receives and notes 'Finance Report for the quarter ending 31 December 2023'
2. approves budget revisions included in the report for internal reporting purposes only
3. approves the supplementary valuations of rateable and non-rateable properties in respect of the 2023/24 financial year, as returned by the Shire Valuer, LG Valuations Pty Ltd, and endorses them being incorporated into the Register of Rateable and Non Rateable Properties and Rate Book for 2023/24
4. approves the alteration of future reports to remove Appendix 7: Caravan Park Income and Expenditure.

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 report was presented and adopted in April 2021 that recommended that Council be provided with finance reports on a quarterly basis. The only exception is when changes to the Council Meeting timetable result in the Council Meeting occurring before the completion of the end of month finance procedures.

The last quarterly report presented was for the September 2023 quarter at the October 2023 Council Meeting. The 2022/23 full financials were presented to Council at the August 2023 Council Meeting.

BACKGROUND

The Finance Report for the quarter ended 31 December 2023 includes standard quarterly information about budget variations, cash, investments, interest, debtors and creditors, and provides a comparison of year-to-date actual results to year-to-date budget (by dollars and percentage) and total revised budget (by percentage).

The information is in the format provided in the adopted 2023/24 Budget, and includes operating results, capital expenditure and funding sources. The report also includes a cash flow statement and the community planning program financials.

This Finance Report also includes reporting on supplementary valuations. Each year Council makes a number of additions, subtractions and alterations to the valuations contained in the annual rate book. These changes arise from various sources including:

- splitting of parcels into new rateable assessments
- development of vacant or unproductive land (urban and rural)
- consolidation of separate rateable assessments into one assessment
- re-assessment of property valuations arising from objections to the initial valuation

- additions and cancellations of licences (grazing and water frontages)
- change of use
- covenant on Title
- area amendment
- change of Australian Valuation Property Classification Code (AVPCC)
- supplementary valuation corrections.

ISSUES/DISCUSSION

Budgeted Surplus - Council's budgeted cash surplus has decreased from October 2023 by \$115K to \$6.88M. The main variations include the increased WorkCover premium for 2023/24 of \$113K.

Income Statement (revenue) - Council's year to date (YTD) operating revenue is at 43% of total budget (35% as at September). Revenue brought to account for the quarter was \$3.98M (\$18.2M to September). Fees and charges, non-recurrent operating grants and recurrent capital grants actuals are all behind YTD budget. Other income types including reimbursements, recurrent operating grants and interest income are ahead of YTD budget.

Income Statement (expenditure) - Council's operating expenditure is at 33% of total budget (18% as at September). Payments for this quarter totalled \$9.58M (\$11.7M to September). Creditors, contractors and utilities are tracking behind expected budget expenditure and no areas at the moment are tracking ahead. The most significant variances are contractors and creditors.

Capital Works - The revised budget for capital works is \$26.7M and is 29% complete in financial terms (10% as at September) for the current financial year. Works for the quarter totalled \$5.1M (\$2.54M up to September).

The main variations within capital expenditure relate to:

- LRCI projects (\$1.96M) which have not yet been started, some contractors have been engaged and are expected to commence soon
- plant and fleet replacement program (\$750K) with many items on order but due to availability issues, delivery has been delayed
- Council funded infrastructure projects (\$834K) have started, however due to weather conditions and the importance of delivering the flood restoration projects, this has put some projects behind.

Service Areas – Appendix 3 provides Council with net results for each service area. As further work is undertaken on service planning and reviews throughout the year, the cost of each service will be refined.

Balance Sheet - Council has a cash total of \$33.6M with \$4.4M in general accounts (\$40.3M as at September). Total debtors at the end of December 2023 are \$12.73M (September 2023 were \$13.8M), this includes \$10.7M in rates. Sundry debtors total \$2.1M with invoices outstanding for 90 or more days relating to community wellbeing debtors and local community groups totalling approximately \$87K.

Reports are also provided on the community planning programs to show the progress against budget.

A previous audit action had recommended that Council receives quarterly reports on the operational income and expenditure of all four council caravan parks. This was added into the quarterly finance report for ease of reporting. With three of the four parks now on a leasing arrangement, Council staff are seeking clarification if this is required for future reports.

COST/BENEFITS

The benefit to Council and the community is that accurate and regular financial reporting is disclosed, along with an accurate representation of property valuations being reflected in Council's rating system and the distribution of rate notices for the year 2023/24.

Provision of financial reports on at least a quarterly basis is a requirement of the *Local Government Act 2020*.

RISK ANALYSIS

The provision of regular and accurate finance reports to Council minimises the risk of Council not delivering projects within the approved budget. Council's risk exposure is also increased if the rating system does not reflect the valuation changes associated with supplementary valuations as Council will not be aware of the changes, which can alter the rate revenue in the current year and in future rating years.

During October 2022 Loddon Shire experienced significant flooding which has resulted in many operational staff being diverted to respond or support flood recovery. This reallocation of human resources limits delivery of programmed services and infrastructure. There is potential that this could continue over the coming years as infrastructure is rebuilt creating variance between budget and delivery.

CONSULTATION AND ENGAGEMENT

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

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

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

RESOLUTION 2024/25

Moved: Cr Linda Jungwirth

Seconded: Cr Wendy Murphy

That Council

1. receives and notes 'Finance Report for the quarter ending 31 December 2023'
2. approves budget revisions included in the report for internal reporting purposes only
3. approves the supplementary valuations of rateable and non-rateable properties in respect of the 2023/24 financial year, as returned by the Shire Valuer, LG Valuations Pty Ltd, and endorses them being incorporated into the Register of Rateable and Non Rateable Properties and Rate Book for 2023/24
4. approves the alteration of future reports to remove Appendix 7: Caravan Park Income and Expenditure.

CARRIED

10.3 REVIEW OF THE BORROWING POLICY V2

File Number: FOI/19/432511
Author: Deanne Caserta, Manager Financial Services
Authoriser: Michelle Stedman, Director Corporate
Attachments: 1. Borrowing Policy v2

RECOMMENDATION

That Council adopts the Borrowing Policy v2.

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

The Policy was a new policy for Council back in 2021. This Policy expired in 2023, therefore is due for review.

BACKGROUND

With the introduction of the *Local Government Act 2020*, a review of current policies was undertaken and a recommendation made to draft a Borrowing Policy to assist and guide decisions on any future borrowings.

The Policy outlines situations in which Council may use borrowings as a funding source. The Policy allows Council the flexibility to respond to funding requirements whilst minimising risk, taking into account Council's financial management principles and the requirements of both the *Local Government Act 1989* and *Local Government Act 2020*.

Best practice documents and policies developed by similar Councils were used to initially draft and then review this Policy to ensure a sound basis for when and how Council may borrow.

ISSUES/DISCUSSION

Since the first version was adopted, no borrowings have been undertaken but a review has been completed to further enhance the document and ensure it remains relevant.

There have been only minor administrative changes to the document. The main change is a section that has been added to ensure any relevant proposed borrowing processes are assessed against the Loddon Shire Council Risk Management Framework, Policy and Risk Appetite Statement.

It is also proposed to have the review timeframe updated to four years.

COST/BENEFITS

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

RISK ANALYSIS

The policy will assist in providing guidance to staff to ensure sound financial management and borrowing. It also provides borrowing ratios and limits to determine the acceptable amount of risk Council will enter into when making borrowing decisions.

CONSULTATION AND ENGAGEMENT

The document has been subject to the approval process of the Loddon Leaders and Management Executive Group prior to presentation to the Audit and Risk Committee.

The Audit and Risk Committee at the February meeting approved a recommendation 'That the Audit and Risk Committee endorses the Borrowing Policy v2 and recommends that Council adopt the policy.'

It was considered at the February Council Forum before presenting to a formal Council Meeting for consideration.

RESOLUTION 2024/26

Moved: Cr Dan Straub

Seconded: Cr Neil Beattie

That Council adopts the Borrowing Policy v2.

CARRIED

10.4 REVIEW OF THE RELATED PARTY DISCLOSURES POLICY V4

File Number: FOL/19/432511
Author: Deanne Caserta, Manager Financial Services
Authoriser: Michelle Stedman, Director Corporate
Attachments: 1. Related Party Disclosures Policy v4

RECOMMENDATION

That Council adopts the Related Party Disclosures Policy v4.

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 version of the Related Party Disclosures Policy (the Policy). The third version was approved by Council on 22 February 2022. There are minor proposed changes to this document.

BACKGROUND

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

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

ISSUES/DISCUSSION

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

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

This Policy provides guidance around these duties and processes.

The Policy has had minor updates to reflect the wording change to the updated Councillor Expenses and Support Policy.

COST/BENEFITS

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

RISK ANALYSIS

Victorian Auditor General Office (VAGO) and Council's external auditors advise that Council require a Related Party Disclosure Policy in order to remain compliant with AASB 124 Related Party Disclosures.

CONSULTATION AND ENGAGEMENT

The document has been subject to the approval process of the Loddon Leaders and Management Executive Group.

It was considered at the February Council Forum before being presented to a formal Council Meeting for consideration.

The Policy will have a review timeline of two years.

RESOLUTION 2024/27

Moved: Cr Wendy Murphy

Seconded: Cr Neil Beattie

That Council adopts the Related Party Disclosures Policy v4.

CARRIED

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 second report for the 2023 - 2024 financial year, summarising road network defect rectification compliance against requirements specified within the Loddon Shire Road Management Plan (RMP).

BACKGROUND

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

ISSUES/DISCUSSION

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

Table 1: Inspection summary report

Quarter 2 (01/10/2023 – 31/12/2023)						
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	58	58	0	0	100.0%	631
Loddon Goldfields	60	59	1	0	98.3%	619
Total	118	117	1	0	99.2%	1250

During the second quarter of 2023 - 2024 financial year, 99.2% of the programmed inspections were completed according to the schedule. This is 0.8% below the target of 100% set in the RMP.

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. It is important to note that flood damage is excluded from this report. In the context of the Road Management Plan these sites are considered as made safe through the utilisation of traffic management devices. Progress of the repair of flood damage on Council's road network is reported in a

separate Council report titled Update on the progress of the Annual Infrastructure Program 2023-2024 and Flood Restoration Program.

Table 2: Defect rectification summary report

Quarter 2 (01/10/2023 – 31/12/2023)								
Work Group	Number of Defects				Compliant with RMP			
	Ad hoc	Requests	Defects from inspections	Total	Yes	No	Not complete	%
Loddon Goldfields	0	34	349	383	367	10	6	95.8%
Loddon Plains	0	17	393	410	410	0	0	100.0%
Shire Wide	0	14	273	287	284	1	2	99.0%
Townscape Services	0	3	55	58	58	0	0	100.0%
Total	0	68	1070	1138	1119	11	8	98.3%

During the second quarter of 2023 - 2024 financial year, 98.3% of all date imposed defects were completed before their due date. This is 1.7% below the target of 100% set in the RMP. There are 8 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.

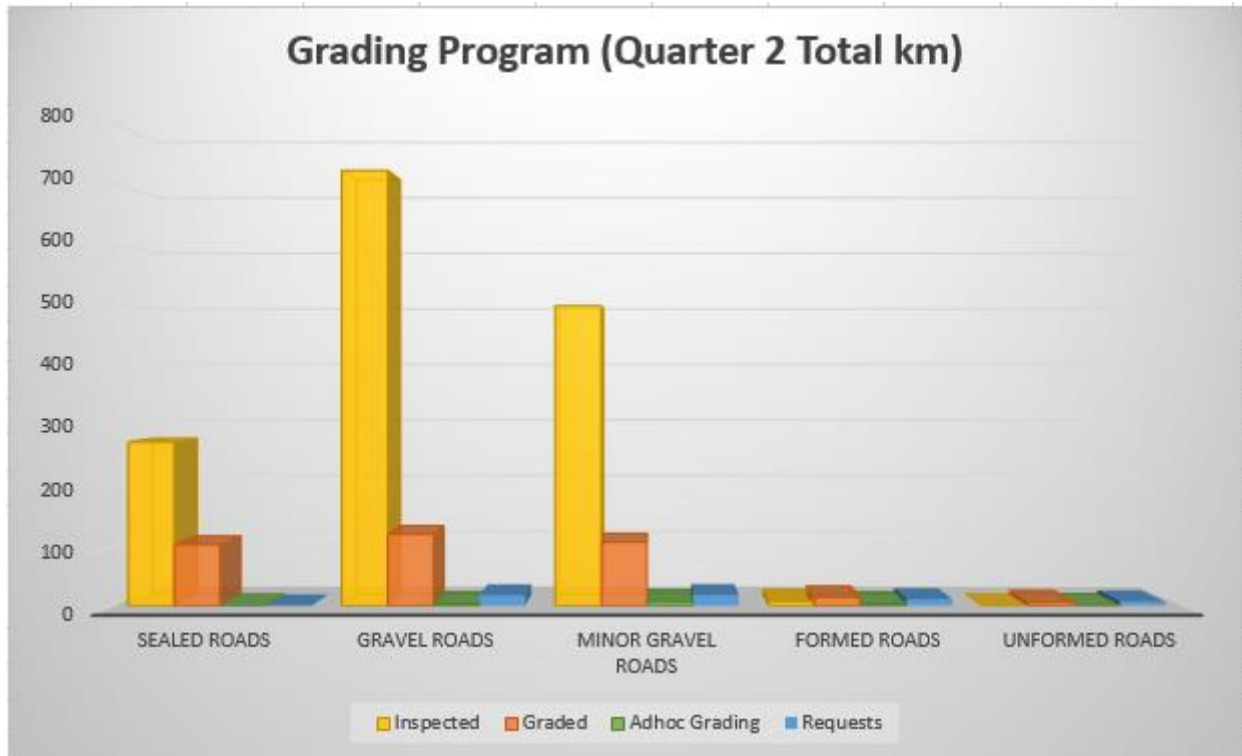
Table 3: Maintenance grading program

Quarter 2 (01/10/2023 – 31/12/2023)											
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	103	2	17	5	127	108	19	0	85.0%	284.4	719
Loddon Plains	90	0	14	5	109	109	0	0	100.0%	183.6	792
Shire Wide	1	1	0	0	2	2	0	0	100.0%	0.0	0
Total	194	3	31	10	238	219	19	0	92.0%	468.1	1511

The data in Table 3 indicates that 238 grading work actions were completed for the second quarter of 2023 - 2024 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 second quarter of 2023 - 2024 financial year of the Local Road Maintenance Program is \$4,041,709. The expenditure for the second quarter was \$1,779,353

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

RISK ANALYSIS

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

CONSULTATION AND ENGAGEMENT

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

RESOLUTION 2024/28

Moved: Cr Linda Jungwirth
 Seconded: Cr Dan Straub

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

CARRIED

11.2 LOCAL LAWS AND PLANNING COMPLIANCE QUARTERLY ACTIVITY REPORT**File Number:** FOL/19/115192**Author:** David Price, Manager Community Services**Authoriser:** Wendy Gladman, Director Community Wellbeing**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 second report for the 2023-2024 financial year, summarising the animal control, local laws, planning compliance and enforcement actions taken within the Community Services Department for the period 1 October to 31 December 2023. 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
- investigating 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 2 (1 October 2023 – 31 December 2023)			
Activity	After hours call outs (*)	Littering or illegal rubbish dumping	Local law permits issued
No. actions	1	6	4

(*) 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 during the quarter. Council has now appointed one of two Community Compliance Officers to specifically address untidy and/or unsightly properties. The officer commenced employment on 13 December and therefore limited progress has been achieved within this reporting period.

Table 2: Summary of unsightly properties activities

Quarter 2 (1 October 2023 – 31 December 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	6	2	19	3	4	4	4	1	1	0	1	54
No. resolved during quarter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
New action commenced	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
No. currently pursuing	2	0	5	2	6	2	19	3	4	4	4	1	1	0	1*	54
Progress Activities																
Site meeting / discussion held	0	0	0	0	0	0	0	0	1	0	0	0	0	0	1	2
Letter to comply issued	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Occupier has commenced clean-up work	0	0	0	0	0	0	0	0	1	0	0	0	0	0	1	2
Notice to comply issued	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	1
Contractor engaged for clean-up work	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

(*) Rural/other property is in the Arnold area in response to a complaint received.

Animal management

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

Table 3: Summary of animal management activities

Quarter 2 (1 October 2023 – 31 December 2023)						
Activity	Wandering livestock	Trespassing livestock	Dog attack	Domestic animal at large	Distribution of cat traps	General complaints / other
No. of actions	8	1	1	13	12	25

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

Table 4: Impoundment activities

Quarter 2 (1 October 2023 – 31 December 2023)				
Animal type	Impoundments	Returned to owners	Animals rehoused	Animals disposed
Livestock	0	0	0	0
Dogs	5	4	1	0
Cats	18	0	18	0
Feral Animals	-	-	-	9
Total	23	4	19	9

Planning Compliance and Enforcement

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

Table 5: Planning compliance and enforcement activities

Quarter 2 (1 October 2023 – 31 December 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	0	0	0	2	5
Native vegetation removal without a permit	2	1	0	0	0	3
Breach of planning permit	0	0	0	0	0	0
Dog breeding / animal keeping	2	0	0	0	1	1
Land used as a store without planning permit	3	0	0	0	1	2
Occupation of a site without a planning permit	2	0	0	0	0	2
Total	16	1	0	0	4	13

Throughout all of the above compliance activities tabled, the Community Services 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 second quarter of 2023-2024 financial year for the local laws and compliance activities contained within this report is \$59,092, and is within the expected budget expenditure for this period. 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 Community Services 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.

RESOLUTION 2024/29

Moved: Cr Dan Straub

Seconded: Cr Wendy Murphy

That Council receive and note the Local Laws and Planning Compliance Quarterly Activity Report.

CARRIED

11.3 PUBLIC HEALTH QUARTERLY ACTIVITY REPORT

File Number: FOL/19/115173
Author: David Price, Manager Community Services
Authoriser: Wendy Gladman, Director Community Wellbeing
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 second report for the 2023-24 financial year, summarising public health activities within the Community Services Department from 1 October 2023 to 31 December 2023.

BACKGROUND

Loddon Shire Council is responsible for the administration and enforcement of a number of Acts that relate to the role of local government in public health.

These include:

- Food Act 1984
- Public Health and Wellbeing Act 2008
- Residential Tenancies Act 1997
- Environment Protection Act 2017
- 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 staff include inspecting registered premises, taking food and water samples, issuing septic tank permits and investigating complaints.

ISSUES/DISCUSSION

Staff leave and interim arrangements

Staff resourcing was significantly reduced during the quarter as Council's Senior Public Health Officer took a period of long service leave. Council engaged a Public Health Officer on a 1 day per week basis to provide continuity of service for urgent and priority tasks during the quarter. Statistics and activity levels reflect this.

Mosquito Surveillance Program

Loddon Shire Council has again 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 each season. This is Council's second year in the full program.

The focus of the funded program is in the northern parts of the shire and Council's public health staff set traps in 4 locations on a weekly basis.

These locations are in:

- Boort
- Pyramid Hill
- Serpentine
- 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

No arbovirus detections have been recorded at this time.

Mosquito numbers have remained at low levels throughout the statistical reporting period of this quarterly report (November and December). Mosquito numbers naturally increase in abundance throughout the summer months as they develop quicker in warmer weather.

Although not part of this statistical reporting period, it is appropriate to report that trapped mosquito numbers have significantly increased to high and very high levels following the Christmas and January storm and flood events. However no arbovirus detections have been recorded at the time of preparing this report.

Registered Premises

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

Table 1 provides a summary of the inspections undertaken during the reporting period.

Table 1: Registered premises inspections

1 October 2023 to 31 December 2023		
Governing Legislation	Inspection Outcome	Number of inspections
Food Premises	Compliant*	3
	Major Non Compliance	0
Health Premises	Compliant*	2
	Major Non Compliance	0
Swimming Pools	Satisfactory	0
	Unsatisfactory	0
Residential Tenancies	Compliant*	0
Total number of inspections for reporting period		5

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

Council staff liaise with non-compliant premises to address any the issues that are identified.

Tobacco Act

Council is funded to undertake a number of tobacco inspections throughout the year. Most are carried out in conjunction with Food Act inspections; however, several are non-smoking public outdoor venues such as kindergartens, schools, playgrounds and sporting reserves. Table 2 summarises the Tobacco Act activities undertaken during the reporting period.

Table 2: Tobacco Act inspections

1 October 2023 to 31 December 2023	
Inspection Type	Number
Tobacco Retailer (including vending machine)	0
Tobacco – Indoor Dining and drinking area	0
Tobacco – Outdoor Dining and drinking area	0
Outdoors & Other locations	0
Total number of inspections	0

Septic Systems

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

Table 4: Septic system permits

1 October 2023 to 31 December 2023	
Permit Type	Number
Installation or alteration	5
Certificate to use	3
Total number of Permits	8

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

Table 5: Septic system activity

1 October 2023 to 31 December 2023	
Activity / Inspection Type	Number
Application Inspection	5
Installation Inspection	6
Final Inspection	4
Total number of inspections	15

Public Health Complaints

Council investigates nuisance complaints under the Public Health and Wellbeing Act. Complaints of nuisance can often be complex and time consuming. Table 6 summarises the complaints during the reporting period.

Table 6: Public health complaints

1 October 2023 to 31 December 2023				
Nature of complaint	Number carried over from previous reporting period	Number received	Number resolved	Number currently pursuing resolution
Food Premises	0	0	0	0
Wastewater	0	0	0	0
Other	0	0	0	0
Total	0	0	0	0

COST/BENEFITS

The actual expenditure for the second quarter of the 2023-2024 financial year of the public health unit activities contained within this report is \$35,825.

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.

RESOLUTION 2024/30

Moved: Cr Linda Jungwirth

Seconded: Cr Wendy Murphy

That Council receive and note the Public Health Quarterly Activity Report.

CARRIED

11.4 QUARTERLY ACTIVITY REPORT - STATUTORY PLANNING

File Number:

Author: Louise Johnston, Statutory Planning Coordinator

Authoriser: Glenn Harvey, Manager Development and Compliance

Attachments:

1. Applications processed in the quarter
2. Applications completed in the quarter

RECOMMENDATION

That Council receive and note the Quarterly Statutory Planning Permit Activity Report for October to December 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

This is the second report for the 2023- 2024 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/DISCUSSION

Planning 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 second quarter of the 2023-2024 financial year and compares these against the small to medium regional council's average.

Table 1: Average timeframes for decisions

Month	Quarter 2 of the 2023/2024 financial year			
	Average gross days to determine	Median processing days to determine	Completed within 60 days	Rural average completed within 60 days
October	42	32	100%	62%
November	101	91	92%	56%
December	23	22	100%	66%
Total Quarterly average	55	32	97%	61%

During the second quarter of the 2023-2024 financial year 97% of all Planning Permit applications were assessed and issued within the timeframes as set in the *Planning & Environment Act 1987*. This is 36% above the rural average. In addition, the median processing days for Council to make a determination on applications is 32 days, well below the rural median of 77 days, a great result for Council and its planning team.

The high average days for November included a planning application undertaken by the Department of Energy, Environment and Climate Action for a subdivision associated with an approved Solar energy facility in Loddon. This application was assessed and completed by the Department but recorded within Council's timeframes for the month of November.

COST/BENEFITS

The expenditure for the second quarter of 2023-2024 financial year of the statutory planning activities contained within this report is \$89,638

Benefits derived from investing in the planning process managed by the Development and Compliance Department include:

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

RISK ANALYSIS

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

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

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

CONSULTATION AND ENGAGEMENT

The Planning Staff consult with a number of stakeholders on a regular basis including:

- applicants
- surrounding land owners
- regulatory authorities
- other Loddon Shire Council departments
- other municipalities

RESOLUTION 2024/31

Moved: Cr Neil Beattie

Seconded: Cr Linda Jungwirth

That Council receive and note the Quarterly Statutory Planning Permit Activity Report for October to December 2023.

CARRIED

11.5 UPDATE ON THE PROGRESS OF THE ANNUAL INFRASTRUCTURE PROGRAM 2023-2024 AND FLOOD RESTORATION PROGRAM

File Number: FOL/19/432644
 Author: David Southcombe, Manager Assets and Infrastructure
 Authoriser: Steven Phillips, Director Operations
 Attachments: 1. Annual Infrastructure Program 2023 - 2024
 2. October 2022 Flood Program 2022 - 2025

RECOMMENDATION

That Council note the update on progress of the Annual Infrastructure Program 2023-2024 and Flood Restoration Program as at December 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

The Annual Infrastructure Program was presented at the June 2023 Council Meeting.

The last quarterly report on progress of the Annual Infrastructure Program 2023-2024 and Flood Restoration Program was provided at the November 2023 meeting.

BACKGROUND

This report is produced quarterly and is provided to Council for the purpose of reporting progress of the Annual Infrastructure Program and the Flood Restoration Program. The information in this report covers progress up until the end of December 2023.

ISSUES/DISCUSSION

Annual Infrastructure Program

There are currently 101 individual projects, including carryovers from previous financial years that form part of the Annual Infrastructure Program 2023-2024. 27 projects have been completed and 60 projects are in progress. Table 1 provides a progress summary for the second quarter of the 2023–2024 financial year of the Annual Infrastructure Program.

Table 1: Annual Infrastructure Program progress

Program Category	Total number of projects listed in Annual Infrastructure Program 2023 - 2024	Total number of projects carried over from previous year(s)	Total number of projects	Total number of projects completed to date	Total number of projects in progress	% Complete
Local Roads Gravel Resheet	6	3	9	6	0	67%
Local Roads Gravel Shoulder Resheet	3	0	3	1	1	33%

Program Category	Total number of projects listed in Annual Infrastructure Program 2023 - 2024	Total number of projects carried over from previous year(s)	Total number of projects	Total number of projects completed to date	Total number of projects in progress	% Complete
Local Road Construction - Asset Preservation	0	2	2	0	2	0%
Local Road Construction – Amenity	1	0	1	0	0	0%
Local Road Construction - Safety	0	1	1	0	1	0%
Township Street Improvement	3	7	10	6	4	60%
Local Bridges and Culverts	4	4	8	3	5	38%
Reseals	36	0	36	0	36	0%
Parks and Gardens	4	3	7	4	1	57%
Buildings	9	8	17	5	9	29%
Major Projects	0	7	7	2	5	29%
TOTAL	66	35	101	27	60	27%

As at the end of quarter two, 87 projects are either completed or commenced, that accounts for 86% of the total Program. Attachment 1 contains a detailed list of projects that forms the Annual Infrastructure Program.

Flood Restoration Program – October 2022 event

All packages of work to rectify the damages require submission to the Disaster Recovery Funding Arrangements (DRFA) for assessment by 31 March 2024. The Flood Restoration program works must be completed by June 2025.

Inspections following the October 2022 flood event initially identified approximately 1,200 items of damage. This data is continually being assessed as it is processed into DRFA claimable packages of work. Any double ups, errors, ineligible work and non-Council assets are being removed. This process will be ongoing until all items are submitted into DRFA claims. The remaining list totals 898 items of damage which Council officers are in the process of rectifying, scoping, identifying required treatments, and delivering projects to address the damages.

Officers are working with the Department of Transport and Planning DRFA assessors on approvals for further packages of works. This process is detailed and requires significant amounts of information.

Table 2 provides a summary of progress for the Flood Restoration Program.

Table 2: Flood Restoration Program summary

Treatment category	Total number of damages recorded	Total number of damages rectified	Number of damage rectifications currently seeking approval	Number of damage rectifications in progress	% Complete
Unsealed pavements	497	70	53	11	14%

Treatment category	Total number of damages recorded	Total number of damages rectified	Number of damage rectifications currently seeking approval	Number of damage rectifications in progress	% Complete
Sealed pavements	202	7	2	0	3%
Clearing and earthworks	9	0	0	0	0%
Road furniture and delineation	1	0	0	0	0%
Drainage structures	230	13	0	0	6%
Others	4	0	0	0	0%
Total	943	90	55	11	10%

Attachment 2 summarises the reimbursement claims for works so far (October 2022 to 31 December) in both, event response and restoration of essential public assets. To date Council has expended \$4,604,749 with \$2,075,515 reimbursed through the DRFA program, with \$5,963 of the claim amount rejected. As works progress further claims for reimbursement will be added.

There are several non-essential public assets that were damaged during the October Flood event, these have been summarised in Table 3. The approximate value of the works listed in Table 3 is \$2.8 Million.

Table 3 Insurance items

Item	Asset Owner	Activity	Comments
Newbridge Recreation Reserve	DEECA	100%	Complete.
Bridgewater Caravan Park	Council	95%	Works complete, final inspection identified defects which are being rectified.
Durham Ox Hall	DEECA	100%	Complete.
Fentons Creek Hall	DEECA	20%	Cash settlement has been paid, CoM delivering the works.
Miscellaneous assets	Council	80%	Mix of minor assets on the Loddon River.

Council has also received State Government funding to assist with flood restoration through the Council Flood Support Fund. Several projects have been funded by this program, Table 4 summarises their progress.

Table 4 Council Flood Support Fund projects

Item	Activity
Emergency repairs to Skinners Flat Reservoir	Completed – 100%
Repairs to Loddon River, river side walking tracks	Not yet started
Lake Lyndger outflow doors	Completed – 100%
Hydrographical survey of the Loddon River at Bridgewater	Completed – 100%

Item	Activity
Bridgewater boat ramp repairs	Completed – 100%
Bridgewater Swimming Hole pontoon	Completed – 100%
Skidders Flat Reservoir Flood damage remediation detailed engineering design	Not yet started

Flood Restoration Program – December 2023 event

Inspections following the December 2023 flood event initially identified approximately 199 items of damage. This data is still being reviewed for accuracy and will be updated as Council officers review each damage as part of scoping process before submitting to the DRFA for funding.

Table 5 provides a summary of progress for the December 2023 Flood Restoration Program.

Table 5: December 2023 Flood Restoration Program summary

Treatment category	Total number of damages recorded	Total number of damages rectified	Number of damage rectifications currently seeking approval	Number of damage rectifications in progress	% Complete
Unsealed pavements	119	2	0	0	2%
Sealed pavements	42	2	0	0	5%
Clearing and earthworks	0	0	0	0	0%
Concrete	2	0	0	0	0%
Road furniture and delineation	0	0	0	0	0%
Drainage structures	31	1	0	0	3%
Others	5	1	0	0	20%
Total	199	6	0	0	3%

COST/BENEFITS

The Annual Infrastructure Program expenditure in the Second quarter of the 2023–2024 financial year was \$3,378,437 for a total expenditure year to date of \$5,622,208. Attachment 1 lists all projects in the program which have an allocated budget of \$16,272,823 for the 2023-2024 financial year.

The Roads to Recovery and Local Roads and Community Infrastructure Program (LRCIP) Phases 1, 2, and 3 require construction for projects funded under these programs to be completed by June 30, 2024. Underspend from completed projects from these funding streams will be reallocated to new projects. Council will be updated of new and/or allocation changes at future quarterly reports.

RISK ANALYSIS

There is still some uncertainty around the methodology adopted by the DRFA for the funding of gravel road resheets. Currently the DRFA is assessing each damage scope of works on a case by case basis to make an evaluation of the claimable amount of funding. Council will be required to fund the gap between the cost of undertaking a 100mm gravel resheet versus the amount funded by the DRFA. Given the significant financial risk of this funding gap, this risk is being managed and reported regularly to Council's independent Audit & Risk Committee.

Long term rectification of the Skinners Flat Reservoir wall and spillway is not eligible for funding under the DRFA. This work is also likely to be beyond the financial capacity of Council without significant financial assistance from State and/or Federal governments. Council has approval to utilise funding from the LGV Council Flood Support Fund for detailed design and costing. In the interim, a range of risk management and monitoring processes are in place to minimise risk.

CONSULTATION AND ENGAGEMENT

The report has been completed in consultation with officers from the Works Department, Community Support Department, Manager Governance, Finance Department and other external government agencies.

RESOLUTION 2024/32

Moved: Cr Dan Straub

Seconded: Cr Linda Jungwirth

That Council note the update on progress of the Annual Infrastructure Program 2023-2024 and Flood Restoration Program as at December 2023.

CARRIED

11.6 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 report covers both the first and second quarters of this financial year as no report was presented in the first quarter.

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 first and second quarters of the 2023-2024 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.
- issuing of demolition consents and variations to sitting under Part 5 of the Building Regulations.
- 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 two quarters of 2022-2023 and the first two quarters of 2023-2024. 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 3 2022-23 (01/01/2023 – 31/03/2023)	Quarter 4 2022-23 (01/04/2023 – 30/06/2023)	Quarter 1 2023-24 (01/07/2023 – 30/09/2023)	Quarter 2 2023-24 (01/10/2023 – 31/12/2023)
No. of new Permits	34	40	25	42
Value of Works	\$8,027,758	\$15,006,840	\$2,319,670	\$14,523,408

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 3 2022-23 (01/01/2023 – 31/03/2023)	Quarter 4 2022-23 (01/04/2023 – 30/06/2023)	Quarter 1 2023-24 (01/07/2023 – 30/09/2023)	Quarter 2 2023-24 (01/10/2023 – 31/12/2023)
Certificates of final inspection	32	17	41	33
Occupancy Permits	11	8	23	11

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	2	2	1	0	1	1
Carrying out building works without a permit	12	0	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 first and second quarters of the 2023-2024 financial year for building services activities was \$7,313. The reason for the low cost is that the majority of 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.

RESOLUTION 2024/33

Moved: Cr Neil Beattie

Seconded: Cr Linda Jungwirth

That Council receive and note the Quarterly Building Services Activity Report.

CARRIED

11.7 TOURISM AND ECONOMIC DEVELOPMENT QUARTERLY ACTIVITY REPORT - OCT, NOV, DEC 2023

File Number:

Author: David Stretch, Manager Tourism and Economic Development

Authoriser: Lincoln Fitzgerald, Chief Executive Officer

Attachments: 1. Tourism and Economic Development Quarterly Activity Report Oct-Dec 2023

RECOMMENDATION

That Council receives and notes the Tourism and Economic Development, Quarterly Activity Report – Oct, Nov, Dec 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

This report (attached) was tabled and discussed at the Council Forum 13 February 2024.

BACKGROUND

Quarterly Activity Reports are produced by the Manager of Tourism and Economic Development and consider current Council Plan objectives as well as preliminary focus areas, including:

- Financially and environmentally sustainable infrastructure (incl. residential development)
- Employment growth
- Population growth and diversity
- Industry development and investment attraction
- Local business development, retention, and expansion
- The unique visitor economy
- Townships and place-making
- Loddon's live-ability: amenity, affordability, community, environment.

ISSUES/DISCUSSION

The Tourism and Economic Development Quarterly Activity Reports focus on operational activity under 4 key themes:

1. Support land and residential development
2. Grown business and employment
3. Grow Tourism and the Visitor Economy
4. Support Townships

COST/BENEFITS

Programs and activity are funded by Council operational budget, unless stated otherwise.

RISK ANALYSIS

Council's tourism and economic development team identifies potential threats to the region's attractiveness and economic stability. Key risks include natural disasters, economic downturns, and health crises that impact tourism, investment attraction and local businesses viability.

CONSULTATION AND ENGAGEMENT

Internal and external stakeholders, influencers, enablers and participants in tourism and economic development are regularly engaged across the unit's work and activity.

Tourism and Economic Development Quarterly Activity Reports have been presented at Council Forum Meetings since January 2023.

RESOLUTION 2024/34

Moved: Cr Dan Straub

Seconded: Cr Neil Beattie

That Council receives and notes the Tourism and Economic Development, Quarterly Activity Report – Oct, Nov, Dec 2023.

CARRIED

11.8 LODDON SHIRE COUNCIL WARD BOUNDARY REVIEW

File Number:

Author: Lincoln Fitzgerald, Chief Executive Officer

Authoriser: Lincoln Fitzgerald, Chief Executive Officer

Attachments: 1. Fact sheet - Loddon Shire Council

RECOMMENDATION

That Council note the Ward Boundary Review process and promote opportunities for community input.

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

Staff briefed Councillors regarding the Ward Boundary Review process at the January Council Briefing.

BACKGROUND

Victorian council ward boundary reviews are conducted under section 17 of the Local Government Act 2020.

Reviews are triggered when the number of voters per councillor in one or more wards of a council will vary from the average number of voters per councillor for all of the wards by more than 10%, by the time of the next general election (more commonly known as the 10% rule).

The Minister for Local Government has instructed the VEC to conduct ward boundary reviews of ten councils forecast to have unbalanced ward enrolments at the time of the 2024 elections, including Loddon Shire Council.

ISSUES/DISCUSSION

During a ward boundary review, the VEC reviews the internal ward boundaries with the aim of bringing voter-to-councillor ratios for all wards back into balance for the next general election. A recommendation on adjustments to the ward boundaries is then provided to the Minister for Local Government, who then decides whether to accept the recommendation.

Ward boundary reviews do not change the number of councillors or wards in a council, the number of councillors per ward, or the external council boundary.

Attached to this report is a Fact Sheet produced by the VEC which provides key information about the Loddon Shire Council ward boundary review, including timelines.

At the time of writing this report the Preliminary Report was not yet published, however this report will be available from Wednesday 21 February 2024 from the VEC website.

COST/BENEFITS

Loddon Shire Council is responsible to pay the reasonable costs for the VEC to conduct the Ward Boundary Review. The VEC has provided a cost estimate for the Review of \$36,529.56 which includes mandatory advertising, VEC technical/admin support and technical research to support the process. Additional costs may be incurred for additional local advertising.

The benefit of undertaking this review is that it will correct any imbalance in voter numbers between Wards to better represent the principle of One vote, One value.

RISK ANALYSIS

Ward boundary reviews support fair and equitable representation across all Loddon Shire Council wards. Local communities are encouraged to assist with the review to ensure that local context is taken into account where there are communities of interest (for example: common industry or geographic relationship).

CONSULTATION AND ENGAGEMENT

The VEC process relevant Loddon Shire ward boundary review dates are:

Online Public Information Session - 1	Monday, 19 February 2024 – 12pm
Online Public Information Session - 2	Tuesday, 20 February 2024 – 12pm
Release of Preliminary Report	Wednesday, 21 February 2024
Response submission period opens	Wednesday, 21 February 2024
Response submission period closes	Wednesday, 13 March 2024 – 5pm
Online Public Hearing	Tuesday, 19 March 2024 – 2pm
Final report provided to the Minister (close of review)	Wednesday, 17 April, 2024

The VEC website includes a submission tool which assists people to map their preferred Ward boundary and consider the impact of their changes on voter numbers.

Anyone wishing to present at the online public hearing must indicate their desire to do this as part of their submission.

RESOLUTION 2024/35

Moved: Cr Linda Jungwirth

Seconded: Cr Wendy Murphy

That Council note the Ward Boundary Review process and promote opportunities for community input.

CARRIED

12 COMPLIANCE REPORTS

12.1 AUDIT AND RISK COMMITTEE UPDATE

File Number:

Author: Lisa Clue, Manager Governance

Authoriser: Michelle Stedman, Director Corporate

Attachments: Nil

RECOMMENDATION

That Council receives and notes the summary of the Audit and Risk Committee Meeting - 5 February 2024.

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 (ARC) meeting at its November 2023 meeting.

BACKGROUND

Council's ARC has been established in accordance with section 53 of the *Local Government Act 2020*, to support it in discharging its oversight responsibilities related to financial and performance reporting, risk management, fraud prevention systems and control, maintenance of a sound internal control environment, assurance activities including internal and external audit, and Council's performance with regard to compliance with its policies and legislative and regulatory requirements.

This report is a requirement of the ARC Charter which 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 ARC meeting held on Monday, 5 February 2024 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
Michelle Stedman – Director Corporate
Daniel Hirth – Manager Information Technology
Lisa Clue – Manager Governance
Michelle Hargreaves – Administration Officer Governance
Tracy Hunt – Governance Coordinator
Deanne Caserta – Manager Financial Services

Other attendees:

Brad Ead – AFS & Associates
Cr Linda Jungwirth

Apologies:

Nil

The following matters were considered by the ARC at the meeting:

Report	Discussion points
Review actions generated during ARC meetings	The ARC acknowledged and noted all resolutions arising from the 13 November 2023 Audit and Risk Committee meeting decision and compliance reports have been acted upon; and three actions requested by the Audit and Risk Committee during the course of meetings are deemed complete. Two actions have not yet started or are not yet due.
Review scopes of proposed internal audit reviews	The ARC considered and subsequently endorsed the following internal audit planning documents as presented: <ol style="list-style-type: none"> 1. Review of Depot Operations. 2. Review of Occupational Health, Safety and Wellbeing 3. Review of Human Resources – Workforce and Succession Planning, Recruitment and Retention
Review and endorse Council's overall risk profile	The ARC received a report on Council's overall risk profile including progress on the development of a Risk Management Procedure; an update on the operational risk profile and the review of Council's strategic risks. The ARC noted the report and endorsed the reviewed strategic risks for presentation to Council.
Appointment of Chairperson 2024/25	The Committee resolved to recommend Council appoint Rodney Poxon as ARC Chairperson for the period 29 February 2024 to 28 February 2025 and thanked Rod Baker for his contribution to the Committee as Chair for the preceding two terms.
Fraud prevention system and control review	The ARC received a report on fraud prevention systems and controls and fraud control plan and awareness programme; and considered and subsequently endorsed the Anti-fraud and Corruption Policy v5 ahead of its future presentation to Council for formal adoption.
Review progress by management on open audit recommendations	The ARC received a report on the status of actions from past internal audits, endorsing five audit actions deemed complete.

Borrowing Policy v2	The ARC considered and subsequently resolved to endorse reviewed Borrowing Policy v2 and recommend that Council adopt the policy.
Review external audit strategy memorandum	The ARC reviewed and noted the External Audit Strategy Memorandum.
Ensure that management response to audit findings are appropriate and timely	The ARC received a report on management responses to audit findings, noting three actions outstanding.
Quarterly review of finance reports and performance reports	The ARC received and noted the Finance Report for the quarter ending 31 December 2023 that included information relating to budget revisions, cash, investments, interest, debtors and creditors and a comparison of year-to-date actual results to year-to-date budget.
Review reimbursement of Councillors expenses	The ARC received, and subsequently noted a report on Councillor expenses, including allowances and reimbursements; and comparative quarterly data.
Review processes for communicating Council's Employee Code of Conduct	The ARC received an update on processes for communicating Council's Staff Code of Conduct, and the actions taken to monitor compliance.
Review status of delivery of Strategic Internal Audit Program	The ARC received an update on the delivery status of the Strategic Internal Audit Program 2023-2026.
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 Council's insurance programme	The ARC received and noted a report on Council's insurance programme including the policy renewal process and high level claim data.
Review the Business Continuity Framework and testing regime	The ARC received and noted a report on the Business Continuity Framework and testing regime including a progress update on a current review of Council's Business Continuity Management Policy and Framework and the Business Continuity Plan.
Review of internal control environment	The ARC received and noted a report on the Internal Control Environment including: <ol style="list-style-type: none"> 1. the adequacy and effectiveness of key policies, systems and controls, 2. any significant changes to key systems and their impact on Council's risk profile, 3. the program in place to test compliance with systems and controls.

Briefing on significant compliance matters	The ARC noted that with the exception of those reported elsewhere in the Agenda, no significant compliance matters requiring Committee briefing have been identified since the August 2023 meeting.
Review of gifts, benefits and hospitality register	The ARC noted the Gifts, Benefits and Hospitality Register as presented.
Report on new and emerging risks and fraud related incidents	The ARC received and noted the CEO's report on new and emerging risks and fraud related incidents.

Before closing the meeting, the ARC acknowledged the contribution of Rod Baker as a Committee member for three 4-year terms, including five terms as Chairperson.

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 modest costs associated with the Audit & Risk Committee and undertaking regular internal and external auditing of Council activities. These costs are 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 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.

RESOLUTION 2024/36

Moved: Cr Dan Straub

Seconded: Cr Neil Beattie

That Council receives and notes the summary of the Audit and Risk Committee Meeting - 5 February 2024.

CARRIED

13 URGENT BUSINESS

RESOLUTION 2024/37

MOVED: CR DAN STRAUB
SECONDED: CR NEIL BEATTIE

THAT COUNCIL FORMALLY RECOGNISE MR ROD BAKER FOR HIS EFFORTS AS MEMBER AND CHAIR OF THE LODDON SHIRE COUNCIL AUDIT AND RISK COMMITTEE.

.CARRIED

RESOLUTION 2024/38

MOVED: CR DAN STRAUB
SECONDED: CR NEIL BEATTIE

THAT LODDON SHIRE COUNCIL MAKES A SUBMISSION TO THE WARD BOUNDARY REVIEW IN FAVOUR OF THE PRELIMINARY REPORT THAT WE RECEIVED.

CARRIED

14 CONFIDENTIAL ITEMS

Nil

NEXT MEETING

The next meeting of Council will be held on 26 March 2024 at Wedderburn commencing at 3.00pm.

There being no further business the meeting was closed at 5.00 pm.

Confirmed this.....day of..... 2024

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CHAIRPERSON