



**Date:** Tuesday, 23 July 2024  
**Time:** 3.00pm  
**Location:** Loddon Shire Council Chambers, Wedderburn

# **MINUTES**

## **Council Meeting**

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**MINUTES OF LODDON SHIRE COUNCIL  
COUNCIL MEETING  
HELD AT THE LODDON SHIRE COUNCIL CHAMBERS, WEDDERBURN  
ON TUESDAY, 23 JULY 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 Christine Coombes (Executive Services Officer)

**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**

Lincoln Fitzgerald, Chief Executive Officer declared a Material Conflict of Interest in relation to Agenda Item 14.1

**5 PREVIOUS MINUTES****5.1 CONFIRMATION OF MINUTES****File Number: FOL/19/45615****Author: Lisa Clue, Manager Governance****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 June 2024
2. Council Meeting of 25 June 2024
3. Council Forum of 9 July 2024.

**REPORT**

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

**RESOLUTION 2024/86****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 25 June 2024
2. Council Meeting of 25 June 2024
3. Council Forum of 9 July 2024.

**CARRIED**

**6 COUNCIL AUSPICED MEETINGS****6.1 RECORD OF COUNCIL AUSPICED MEETINGS****File Number:** 02/01/001**Author:** Lisa Clue, Manager Governance**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 June 2024
2. Council Forum 9 July 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 25 June 2024
2. Council Forum 9 July 2024.

Meeting details	Briefing
Date	25 June 2024
Councillor Attendees	Cr Holt (Mayor) Cr Beattie Cr Jungwirth Cr Murphy Cr Straub
Staff/ Stakeholder representatives	Lincoln Fitzgerald, Chief Executive Officer Wendy Gladman, Director Community Wellbeing David Southcombe, Acting Director Operations Michelle Stedman, Director Corporate Lisa Clue, Governance Manager
Item(s) discussed.	Review of Council Meeting Agenda General Business <ul style="list-style-type: none"> <li>• Bridgewater on Loddon Development Inc – Working Group</li> <li>• Loddon Shire Council Priorities Document</li> <li>• Meeting with Member for Rippon</li> </ul>
Conflict of Interest Disclosures – Councillor/ officer making disclosure	Nil
Councillor/officer left room	n/a

Meeting details	Forum
Date	9 July 2024
Councillor Attendees	Cr Holt (Mayor) Cr Straub Cr Beattie Cr Murphy
Staff/ Stakeholder representatives	Lincoln Fitzgerald, Chief Executive Officer Wendy Gladman, Director Community Wellbeing Glenn Harvey, Acting Director Operations Michelle Stedman, Director Corporate Lisa Clue, Manager Governance  Mark Hands, Goldfields Library Corporation – Item 1 below Deanne Caserta, Manager Financial Services – Item 2 below Janine Jackson, Manager Organisation Development – Item 6 below
Item(s) discussed.	Goldfields Library Transition Review of the Kerbside Waste and Recycling Policy V4 2024 Council Meeting Schedule Amendment Murray River Group of Councils Water Advocacy Notice of Motion – Amendment to Governance Rules Chief Executive Officer KPIs General Business <ul style="list-style-type: none"> <li>• Road Management responsibilities</li> <li>• Newbridge Water and Sewerage Supply</li> <li>• State Revenue Office – Land Tax</li> <li>• Housing Support Program</li> <li>• Strategic Fund</li> </ul>
Conflict of Interest Disclosures – Councillor/ officer making disclosure	Lincoln Fitzgerald, Chief Executive Officer declared a Material Conflict of Interest in relation to item 6 above.
Councillor/officer left room	Lincoln Fitzgerald, Chief Executive Officer – during Agenda item 6 discussion

**RESOLUTION 2024/87**

Moved: Cr Wendy Murphy

Seconded: Cr Neil Beattie

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

1. Council Briefing 25 June 2024
2. Council Forum 9 July 2024.

**CARRIED**

**7 REVIEW OF ACTIONS****7.1 REVIEW OF ACTIONS****File Number: 02/01/002****Author: Christine Coombes, Executive Services Officer****Authoriser: Lincoln Fitzgerald, Chief Executive Officer****Attachments: 1. Resolutions acted upon since the June 2024 Council Meeting****RECOMMENDATION**

That Council receive and note resolutions acted upon since the June 2024 Council meetings 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 June Council meeting resolutions is attached to this Agenda report.

There were no outstanding actions from Council meeting resolutions prior to June 2024.

All actions from the June Council meeting resolutions have been acted upon.

**RESOLUTION 2024/88****Moved: Cr Wendy Murphy****Seconded: Cr Linda Jungwirth**

That Council receive and note resolutions acted upon since the June 2024 Council meetings as attached to this report.

**CARRIED**

**8 MAYORAL REPORT****8.1 MAYORAL REPORT****File Number:** 02/01/001**Author:** Lisa Clue, Manager Governance**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.

<b>Murray River Group of Councils</b>	
19/07/2024 - Online meeting regarding water buy backs	
<b>Other Council activities</b>	
<b>Date</b>	<b>Activity</b>
29.06.2024	Meeting with the Filipino Consul General and Pyramid Hill Filipino community – Pyramid Hill
02.07.2024 – 05.07.2024	National General Assembly - Canberra
05.07.2024	Wedderburn Lions Club Handover Dinner – Barry Finch inducted as the new President
09.07.2024	July Council Forum
10.07.2024	Met with a group of irrigators from the Boort Pyramid Irrigation district – re concerns of water buy backs within the municipality
12.07.2024	Economic Development strategy update meeting with Nick Byrne from Remplan and Manager Tourism and Economic Development

**RESOLUTION 2024/89**

Moved: Cr Linda Jungwirth

Seconded: Cr Dan Straub

That Council receive and note the Mayoral Report.

**CARRIED**



**9 COUNCILLORS' REPORT****9.1 COUNCILLORS' REPORTS****File Number:** 02/01/001**Author:** Lisa Clue, Manager Governance**Authoriser:** Lincoln Fitzgerald, Chief Executive Officer**Attachments:** Nil**RECOMMENDATION**

That Council receive and note the Councillors' reports.

**REPORT**

Each Councillor presented a verbal report at the meeting.

**Cr Beattie**

<b>Section 65 Community Asset Committees:</b>	
18.07.2024 - Boort Park meeting with Netball Club	
<b>Other Council activities</b>	
<b>Date</b>	<b>Activity</b>
01.07.2024	Boort Development and Tourism meeting
02.07.2024 – 05.07.2024	National General Assembly - Canberra
09.07.2024	NCFL game day - Wedderburn
23.07.2024	Project Management meeting re lighting Netball Courts (2 <sup>nd</sup> Court)
23.07.2024	July Council Briefing and Council Meeting - Wedderburn

**Cr Straub**

<b>North Central Local Learning and Employment Network</b>	
16.07.2024 – Executive elections and adoption of budget	
<b>Other Council activities</b>	
<b>Date</b>	<b>Activity</b>
09.07.2024	July Council Forum
10.07.2024	Community Asset mapping day with leadership course
14.07.2024	Community Asset mapping working group – tour of Dingee and Inglewood
21.07.2024	Bendigo Sheep and Wool Show

**Cr Jungwirth**

<b>Council activities</b>	
<b>Date</b>	<b>Activity</b>
25.06.2024	June Council Briefing and Council Meeting - Wedderburn
27.06.2024	Meeting with constituent from Dunolly
18.07.2024	Make a Change event in Boort
21.07.2024	Meeting with NALPC - Newbridge

**Cr Murphy**

<b>Calder Highway Improvement Committee</b>	
19.07.2024 – Meeting - online	
<b>Other Council activities</b>	
<b>Date</b>	<b>Activity</b>
26.06.2024	Loddon Region Retailers and Traders Workshop Roadshow, facilitated by Lost Cause Events and Tough Cookie Digital Marketing - Inglewood
27.06.2024	Inglewood Development & Tourism Committee meeting - Inglewood
28.06.2024	Inglewood Districts Health Services - to see the new wicking beds being constructed as part of their community garden
04.07.2024	Chaired Inglewood Streetscape Community Advisory Group meeting - Inglewood
07.07.2024	NAIDOC Week Launch - Inglewood
09.07.2024	July Council Forum - Wedderburn
11.07.2024	ALGWA workshop facilitated by Dr. Louise Mahler on 'Managing Your Messaging' - online
18.07.2024	Make A Change Living With Water Workshop - Boort

**RESOLUTION 2024/90**

Moved: Cr Neil Beattie

Seconded: Cr Linda Jungwirth

That Council receive and note the Councillors' reports.

**CARRIED**

## 10 DECISION REPORTS

### 10.1 2024 COUNCIL MEETING SCHEDULE AMENDMENT

File Number:

Author: Renae Colls, Executive Assistant

Authoriser: Lincoln Fitzgerald, Chief Executive Officer

Attachments: Nil

### RECOMMENDATION

That Council

1. bring forward the date of the September Council meeting to Monday 16 September 2024 commencing at 3pm; and
2. provide public notice of the change of date for the September Council meeting in accordance with Council's Governance Rules.

### CONFLICT OF INTEREST

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

### PREVIOUS COUNCIL DISCUSSION

The changes proposed in this report were discussed at the July 2024 Council Forum.

### BACKGROUND

The 2024 schedule of Council Meetings was approved by Council at its November 2024 Council meeting.

Following recent legislation change, the Election Period (formally Caretaker Period) for 2024 Council elections has been brought forward one week and will now commence at 12 noon on Tuesday 17 September 2024.

The September Council meeting is currently scheduled for Tuesday 24 September, now within the election period.

### ISSUES/DISCUSSION

In accordance with section 69 of the *Local Government Act 2020*, Council's Election Period Policy (Part 9 of Council's Governance Rules) prohibits certain Council decisions during the election period for a general election including any Council decision that:

1. 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
2. Council considers could be deferred until the next Council is in place; or
3. Council considers should not be made during an election period.

It is proposed to bring forward the date of the September 2024 Council meeting to Monday 16 September to enable Council to make decisions, and officers to enact those decisions in the lead up to the commencement of the Election Period. It is not proposed to change the time of the meeting.

This change is considered important to allow Council to progress business in the September month. This month can be busy for Council as typically it can include finalisation of works and strategies from the previous 12 months or it can seek to progress new works which have been funded in the new budget.

**COST/BENEFITS**

There are costs associated with the public notice requirements for the meeting which can be covered within existing budget allocations.

**RISK ANALYSIS**

Nil

**CONSULTATION AND ENGAGEMENT**

Any change to the September Council meeting date will be communicated via print and social media and on Council's website.

While the CEO has the authority to change the date of the meeting in consultation with the Mayor and Councillors, for transparency and communication purposes, this report is being referred to Council for a decision.

**RESOLUTION 2024/91**

Moved: Cr Dan Straub

Seconded: Cr Neil Beattie

That Council

1. bring forward the date of the September Council meeting to Monday 16 September 2024 commencing at 3pm; and
2. provide public notice of the change of date for the September Council meeting in accordance with Council's Governance Rules.

**CARRIED**

## 10.2 INTENTION TO SELL - PROPERTIES LOCATED IN PYRAMID HILL, WEDDERBURN AND WOODSTOCK

**File Number:**

**Author:** Christine Coombes, Executive Services Officer

**Authoriser:** Lincoln Fitzgerald, Chief Executive Officer

**Attachments:** 1. **Valuations - Little Albert Street Pyramid Hill, Gregsons Road Wedderburn, Newbridge Road Woodstock on Loddon - 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(5)(b) 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, as various negotiations remain pending **(under separate cover)**

### RECOMMENDATION

That Council:

1. Provide public notice of Council's intention to sell:
  - a) Lot 1 TP407668 Little Albert Street Pyramid Hill
  - b) Allot. 38 Sec. 5 Parish of Wedderburne, Gregsons Road Wedderburn
  - c) Lot 1 TP951905 Newbridge Road Woodstock on Loddon
2. Undertake community engagement in accordance with Council's Community Engagement Policy and the *Local Government Act 2020*;
3. If no objections are raised during community engagement, authorise the Chief Executive Officer to sell, the individual properties listed above, within 10% of the independent valuation price for each property as attached to this report; and
4. Authorise the Chief Executive Officer to undertake the necessary administrative actions to complete the sales.

### 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

Properties which were identified as being surplus to Council and community needs were discussed at the September 2023 Council Forum.

### BACKGROUND

It is usual practice for Councils to review the property stock and consider the need to purchase or dispose of properties to best serve the community. Consideration is taken into if the land/building does not or will not support, facilitate or contribute to current or future service delivery outcomes as identified.

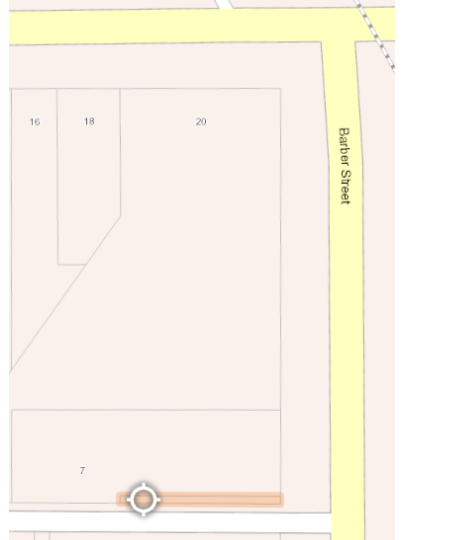
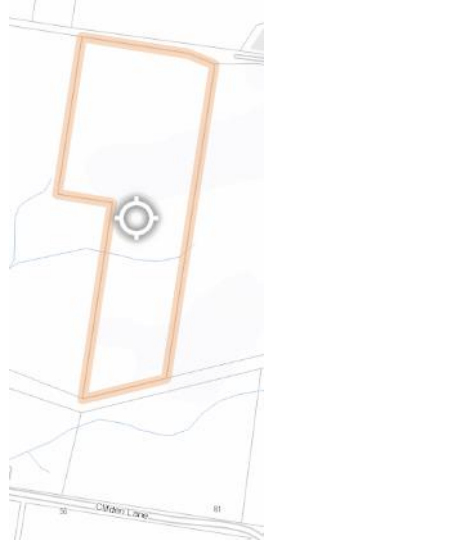
Identification of properties as surplus is based on the following:

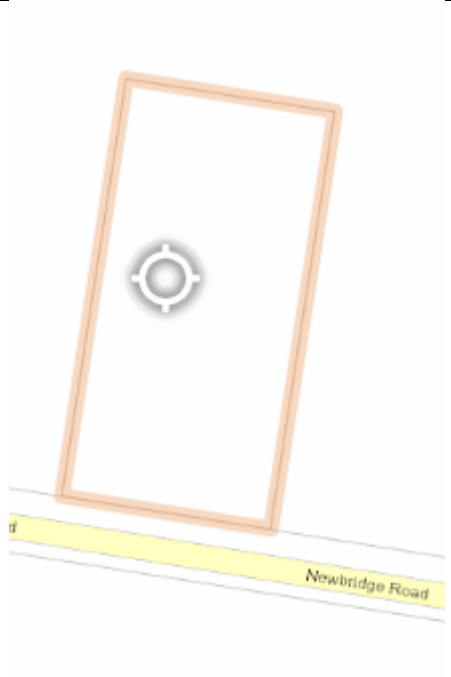
- lack of any significant identifiable and demonstrable community need
- if the asset is surplus to the needs of Council
- have no strategic value to Council on a long term basis
- ongoing cost to maintain the asset or the service provided by the asset
- any cultural or historical significance of the asset
- site location only being suitable for consolidation of titles with a neighbouring property.

The properties are excess to its needs for future public use.

**ISSUES/DISCUSSION**

The properties have been valued in accordance with the Local Government Act 2020, and the market value of the properties has been assessed at the value contained within the attached report. Dates and description details of valuations for each property is listed below:

Title Details	Title ariel view	Valuation description
<p><b>Lot 1 TP407668</b>  <b>Little Albert Street</b>  <b>Pyramid Hill</b>                      - being land more particularly described as Certificate of Title Volume 6157, Folio 330.</p> <p>Valuation Date:                      18 April 2024</p>		<p>The property comprises a vacant 72 square metre rectangular allotment situated on the northern side of Little Albert Street in Pyramid Hill. The site is level and even in contour. The property is between Little Albert Street and 7 Barber Street (1\TP246031) at the intersection of Little Albert Street and Barber Streets.</p>
<p><b>Allot. 38 Sec. 5 Parish of Wedderburne,</b>  <b>Gregsons Road</b>  <b>Wedderburn</b>                      - being land more particularly described as Certificate of Title Volume 10470, Folio 876.</p> <p>Valuation Date:                      11 June 2024</p>		<p>The property comprises a vacant 8.063 hectares "L"-shaped allotment situated on the southern side of Gregsons Road in Wedderburn. The site is uneven in contour, generally sloping from the north to south with unformed road access on the northern and southern boundaries. The property is located approximately 500 metres east of the intersection of Gregsons and Sommerville Roads.</p>

<p><b>Lot 1 TP951905</b>  <b>Newbridge Road</b>  <b>Woodstock on Loddon</b>  - being land more particularly described as Certificate of Title Volume 11419, Folio 231.</p> <p>Valuation Date:  18 April 2024</p>		<p>The property comprises a vacant 2.0233 hectares rectangular shaped allotment situated on the northern side of the Newbridge Road in Woodstock on Loddon. Previously containing a 0.15 hectare rock/gravel pit operated on this site, which has not been used in recent decades. The site is uneven in contour, generally sloping from the northwest to the southeast. There is obvious scarring where rock/gravel has been removed. The property is located approximately 450 metres east of the intersection of the Newbridge and Church Roads.</p>
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### **COST/BENEFITS**

Council is currently paying Fire Services Levy on these parcels, there would be a financial benefit to Council in eliminating this ongoing cost.

Cost of sale will include valuation, sale and legal fees. Cost will be expended from the Land and Buildings Reserve, with proceeds of sale to be returned to that Reserve.

### **RISK ANALYSIS**

The boundary of the parcels may require to be surveyed, land levelled in a number of places and fenced to separate ownership, if unable to sell to adjoining owner for consolidation to an existing property.

### **CONSULTATION AND ENGAGEMENT**

In accordance with Section 114 (2b) of the Local Government Act 2020, any sale of land by a Council under this section must be undertaken in accordance with the Council's Community Engagement Policy.

Council will publish notice of intention to sell land on Council's website and by public notice in the Loddon Herald newspaper for a period of four weeks. Council's Community Reference Group will be notified of the intention to sell.

Notification will be provided to the adjoining land owners.

If no submissions are received in regard to the intent to sell, the property will proceed to sale process. If submissions are received and are to be heard, follow up detail will be provided to Council for further consideration.

**RESOLUTION 2024/92**

Moved: Cr Wendy Murphy

Seconded: Cr Dan Straub

That Council:

1. Provide public notice of Council's intention to sell:
  - a) Lot 1 TP407668 Little Albert Street Pyramid Hill
  - b) Allot. 38 Sec. 5 Parish of Wedderburne, Gregsons Road Wedderburn
  - c) Lot 1 TP951905 Newbridge Road Woodstock on Loddon
2. Undertake community engagement in accordance with Council's Community Engagement Policy and the Local Government Act 2020;
3. If no objections are raised during community engagement, authorise the Chief Executive Officer to sell, the individual properties listed above, within 10% of the independent valuation price for each property as attached to this report; and
4. Authorise the Chief Executive Officer to undertake the necessary administrative actions to complete the sales.

**CARRIED**



### 10.3 INTENTION TO SELL - KURRACA

**File Number:** PF54100410

**Author:** Christine Coombes, Executive Services Officer

**Authoriser:** Lincoln Fitzgerald, Chief Executive Officer

**Attachments:** 1. Valuation - Logan Wedderburn Road Kurraca - 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.

Reason: Pursuant to section 66(5)(b) 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, as various negotiations remain pending **(under separate cover)**

### RECOMMENDATION

That Council:

1. Provide public notice of Council's intention to sell Lot 1 TP587250 and Lot 1 TP20444, Township of Kurraca, Parish of Kurraca, Logan-Wedderburn Road, Kurraca West, as one lot;
2. Undertake community engagement in accordance with Council's Community Engagement Policy and the *Local Government Act 2020*;
3. If no objections are raised during community engagement, authorise the Chief Executive Officer to sell, Lot 1 TP587250 and Lot 1 TP20444, Township of Kurraca, Parish of Kurraca, Logan-Wedderburn Road, Kurraca West, as one lot, within 10% of the independent valuation price as attached to this report; and
4. Authorise the Chief Executive Officer to undertake the necessary administrative actions to complete the sale.

### 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

Lot 1 TP587250 was processed through Section 181 of the *Local Government Act 1989*, with the finalisation of the detail in October 2023. Under previous ownership, the parcel was 'land locked' making it unsuitable for sale or transfer on its own. In order to resolve this issue, Council purchased the property, enabling the proposed sale with an adjacent property, the site of the former Kurraca West School, also owned by Council. It is proposed the two parcels would be sold as "one", to prevent future land locking. In October 2023 Council resolved to fund the purchase of the property, with the funds returned to the Land and Buildings Reserve upon the proposed sale of this and the adjacent property.

The site of the former Kurraca West School, Lot 1 TP20444M was approved by Council for intention to sell in February 2017.

## BACKGROUND

It is usual practice for Councils to review the property stock and consider the need to purchase or dispose of properties to best serve the community. Consideration is taken into if the land/building does not or will not support, facilitate or contribute to current or future service delivery outcomes as identified.

Identification of properties as surplus is based on the following:

- lack of any significant identifiable and demonstrable community need
- if the asset is surplus to the needs of Council
- have no strategic value to Council on a long term basis
- ongoing cost to maintain the asset or the service provided by the asset
- any cultural or historical significance of the asset
- site location only being suitable for consolidation of titles with a neighbouring property.

The property is excess to its needs for future public use.

The parcel to be sold is:

- All that piece of land being Lot 1 on Title Plan 20444M, being land more particularly described as Certificate of Title Volume 10560 Folio 714.
- All that piece of land being Lot 1 on Title Plan 587250L being land more particularly described as Certificate of Title Volume 12510 Folio 134.

The property has been valued in accordance with the *Local Government Act 2020*, and the market value of the property has been assessed at the value contained within the attached report (LG Valuation Services, 12 July 2024).



## ISSUES/DISCUSSION

General remarks by the valuer state:

- The vacant property is level in contour with scattered standing native timber.
- It consists of two parcels of land with an area of 1.2191 hectares and is situated on the eastern side of the Logan-Wedderburn Road, Kurraca West. The property is located approximately 320 metres north of the intersection of the Logan-Wedderburn and Johns Road.
- It is located approximately 10 kilometres southwest of Wedderburn.
- At the rear of the property Fentons Creek is located within a Crown Reserve adding to the amenity of the subject with the risk of periodic flooding.
- The property is essentially unfenced.

**COST/BENEFITS**

Council is currently paying Fire Services Levy on these parcels, there would be a financial benefit to Council in eliminating this ongoing cost.

Cost of sale will include valuation, sale and legal fees. Cost will be expended from the Land and Buildings Reserve, with proceeds of sale to be returned to that Reserve.

**RISK ANALYSIS**

There are no risks associated with this report.

**CONSULTATION AND ENGAGEMENT**

In accordance with Section 114 (2b) of the *Local Government Act 2020*, any sale of land by a Council under this section must be undertaken in accordance with the Council's Community Engagement Policy.

Council will publish notice of intention to sell land on Council's website and by public notice in the Loddon Herald newspaper for a period of four weeks. Council's Community Reference Group will be notified of the intention to sell.

If no submissions are received regarding the intent to sell, the property will proceed to sale process. If submissions are received and are to be heard, follow up detail will be provided to Council.

**RESOLUTION 2024/93**

Moved: Cr Wendy Murphy

Seconded: Cr Dan Straub

That Council:

1. Provide public notice of Council's intention to sell Lot 1 TP587250 and Lot 1 TP20444, Township of Kurraca, Parish of Kurraca, Logan-Wedderburn Road, Kurraca West, as one lot;
2. Undertake community engagement in accordance with Council's Community Engagement Policy and the *Local Government Act 2020*;
3. If no objections are raised during community engagement, authorise the Chief Executive Officer to sell, Lot 1 TP587250 and Lot 1 TP20444, Township of Kurraca, Parish of Kurraca, Logan-Wedderburn Road, Kurraca West, as one lot, within 10% of the independent valuation price as attached to this report; and
4. Authorise the Chief Executive Officer to undertake the necessary administrative actions to complete the sale.

**CARRIED**

## 10.4 HERITAGE LOAN POLICY AND PROCEDURE

**File Number:****Author:** Carolyn Stephenson, Statutory / Strategic Planner**Authoriser:** Glenn Harvey, Acting Director Operations**Attachments:**

1. Heritage Loan Scheme Policy
2. Heritage Loan Scheme Procedure

### RECOMMENDATION

That Council adopts the Heritage Loan Policy and Procedure

### CONFLICT OF INTEREST

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

### PREVIOUS COUNCIL DISCUSSION

The Heritage Loan Policy and Procedure were presented to Councillors at the 11 June, 2024 Forum.

### BACKGROUND

The Loddon Shire Council annual budget currently includes a reserve of \$100,000 for a Heritage Loan Scheme. The purpose of the Heritage Loan Scheme is to encourage repair and restoration of significant heritage properties through access to financial loans by Council to property owners and managers.

It is intended that this initiative will complement the regulatory framework that provides for the protection of heritage places through the Loddon Planning Scheme. This initiative recognises the benefit to the broader community that will eventuate from the implementation of heritage protection policies. These benefits include retaining an insight into our history, enhancing the amenity and presentation of our towns and supporting tourism.

The Heritage Loan Scheme Policy addresses the purpose of the heritage loan scheme fund, who is able to access the fund, the amounts of money available from the fund and the terms of the loan. The accompanying procedure sets out the application and approval process, and the management of loans provided.

Loan applications shall be determined by Council, following advice from the Strategic Planner and the Statutory Planning Coordinator.

### ISSUES/DISCUSSION

The key elements of the loan scheme that are set out in the policy are:

#### Heritage place

Loans will be available to owners or the committee of management of buildings and places that are included in the schedule to the Heritage Overlay of the Loddon Planning Scheme or are recommended for inclusion in the schedule to the Heritage Overlay by a heritage study completed by an appropriately qualified person.

#### Applicant

The applicant for the loan must be the owner or committee of management of the property. Applicants must have no outstanding debt to Loddon Shire Council.

### Works

The works that will be funded are those that restore, conserve, maintain or enhance the significant aspects of a building or of a place. The significant aspects of the building or place are those parts of the building or place that contribute to its heritage value. Works that contribute to the amenity of the streetscape or public presence of the building shall be prioritised.

Examples of works that will be prioritised through this loan are:

- exterior painting of buildings in prominent locations
- construction of sympathetic features which enhance the heritage property and its public presence, such as a front veranda or fence
- works to prolong the life of a heritage asset in a prominent location, including works to rectify water penetration, structural problems, rewiring and restumping.

The intended works must be consistent with the objectives of the Heritage Overlay.

### Amount

- The minimum amount of a loan will be \$1,000.
- The maximum amount of a loan will be \$20,000.

Where a loan applicant is carrying out the works instead of paying a tradesperson, the amount of the loan shall only cover cost of materials, not labour.

Once the funding reserve to support the grant scheme is exhausted, no further loans will be allocated until existing loans are repaid to replenish the funding reserve. The grant funding reserve will be reviewed by Council on an annual basis as part of setting the annual budget.

### Terms

The loan repayment period will be determined by agreement with the applicant as a part of the application process.

The maximum loan period is 5 years. In most cases, it would be expected that a loan of less than \$2,000 be repaid within 2 years.

The loan will be interest free.

### Default

Should the recipient of a loan default in the repayment of the loan in accordance with the loan agreement or performance of the works, the loan agreement will be terminated and all funds must be repaid to Council within 28 days.

Council's legal costs associated with recovering debts will be drawn from the Heritage Loan Scheme Reserve.

### **COST/BENEFITS**

The cost of the scheme is staff time and the cost of the funds loaned. The benefit of the scheme is preservation of heritage places and improvement in the appearance of public places.

### **RISK ANALYSIS**

The risk of implementing this policy is that funds will not be repaid or works will not be completed. Procedures have been included to minimise this risk, including obtaining information about the applicants capacity to pay and monitoring of the works being undertaken. The amount to be loaned has been kept modest to minimise the risk of financial loss.

### **CONSULTATION AND ENGAGEMENT**

Community consultation has not been undertaken.

**RESOLUTION 2024/94**

Moved: Cr Dan Straub

Seconded: Cr Neil Beattie

That Council adopts the Heritage Loan Policy and Procedure

**CARRIED**

## 10.5 MURRAY RIVER GROUP OF COUNCILS ADVOCACY POSITION - WATER BUY BACKS

**File Number:**

**Author:** Lincoln Fitzgerald, Chief Executive Officer

**Authoriser:** Lincoln Fitzgerald, Chief Executive Officer

**Attachments:** Nil

### RECOMMENDATION

That Council endorses the Murray River Group of Council's (MRGC) water advocacy position, specifically that the MRGC:

1. **Maintains** its strong opposition to open tender voluntary water purchase programs (buy backs) in the southern connected basin due to the long term social and economic damage such programs do to our communities;
2. **Stresses** that the Federal Government has grossly underestimated the detrimental socio-economic realities of open market water buy backs;
3. **Notes** the Victorian Government's draft response to the Federal Government's 'Restoring Our Rivers' Act, titled "Planning Our Basin Future Together: A prospectus to safeguard Victoria's environments and communities in the Murray-Darling Basin";
4. **Endorses** the four principles for water recovery contained within the prospectus as a better option for delivering the amended Basin Plan targets as opposed to open market water buy backs, as follows:
  - Principle 1 - Demonstrated environmental benefits in and for Victoria
  - Principle 2 - Minimised impact on water availability for towns, industries and agricultural production
  - Principle 3 - Proactive structural change to support a sustainable future for irrigators and communities
  - Principle 4 -Support progress towards Traditional Owner self-determination in water access and management;
5. **Supports** the completion of the Victorian Murray Floodplain Restoration Projects (VMFRP) to deliver environmental outcomes to critical wetlands in the MRGC region; and
6. **Stresses** the need to mitigate the socio-economic impacts on communities as a result of further water recovery through identification of strategic local economic investments in areas from where water is recovered.

### 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

Water and the Murray Darling Basin Plan has been discussed on many occasions by Council as part of Councillor reports regarding the Murray River Group of Councils.

Councillors were briefed on the Murray River Group of Councils Water Advocacy position at the Council forum on 9 July 2024.

## BACKGROUND

The Murray River Group of Councils (MRGC) is a cluster of 6 Victorian Councils that stretches along the length of the Murray River from Moira Shire Council to the Rural City of Mildura and covers much of the Victorian irrigation districts fed via the Murray Darling Basin.

The MRGC has consistently supported the Basin Plan since it was developed recognising that nationally co-ordinated water policy is necessary to rebalance the allocation of water resources in the Basin.

The 2023 legislative amendments, the “Restoring Our Rivers” Act, which MRGC campaigned against, has fundamentally altered the Basin Plan and its implementation. The legislation provides extended timelines for water recovery – until December 2027 for the contracting of water recovery and Sustainable Diversion Limit Adjustment Mechanism (SDLAM) projects as well as allowing for alternative SDLAM project proposals. It also enables the Commonwealth to use voluntary water purchase or “buy backs” to recover the 450GL where previously this was to be achieved through efficiency measures. The legislation further removed the socio-economic test requirements for buy backs meaning this is not a factor in considering the impact of the purchase on community or agricultural sustainability.

Although the legislation acknowledges that there will be negative socio-economic impacts from buy backs and commits to providing community adjustment funding to affected areas, the impacts are significantly and consistently understated or dismissed.

The new legislation means that considerable additional water will now be transferred to environmental water holders. Much of this will come from northern Victoria and significant volumes are likely to be recovered through buy backs. The first tranche of buy backs have commenced by open tender on 15 July and will seek to recover 70GL.

MRGC water advocacy has always centered on communities and focused on the socio-economic impact of the Basin Plan. MRGC has actively campaigned against open market buy backs due to the economic and social harm they have caused to our communities.

Of particular concern is the “Swiss cheese” effect of open tender buy backs. Previous water purchase programs led to water being purchased from ad hoc locations. Ultimately this left irrigation districts with a substantially intact geographic footprint and significantly reduced deliveries, meaning the same or similar overall infrastructure and operating costs are borne by fewer irrigators, increasing costs and farm risk for the remaining irrigators.

Further buy backs will have the same effect, further exacerbating the problem.

In response to the Commonwealth legislation the Victorian Government has developed a Prospectus: “Planning Our Basin Future Together” (the Prospectus) which sets out a strategic, catchment based methodology for water recovery that looks to increase environmental benefits and reduce socio-economic impacts on communities. This approach is more complex, costly and time consuming than open market buy backs and relies on working with Victorian communities to develop catchment specific plans. However, this approach will deliver a better outcome for the Australian people.

At the National General Assembly of Local Government on 4 July 2024, the following motion was passed:

*This National General Assembly calls on the Australian Government to enhance the Murray-Darling Basin Plan's implementation with a focus on the economic and social welfare of local communities. This entails revising water allocation policies to ensure equitable access and support for the agricultural sector, alongside community engagement initiatives to foster local input and trust in water management decisions, rejecting open market buy backs and putting communities at the heart of any water recovery plans. It further calls on the Australian Government to revise the proposed compensation package for communities which is grossly inadequate.*



Despite this call from the local governments of Australia, the Minister for Environment and Water, Tanya Plibersek almost immediately announced the first open tender to purchase 70 gigalitres of water from our southern connected basin.

## ISSUES/DISCUSSION

The prospectus notes that Victoria has delivered 77% of its “Bridging the Gap” target for Basin Plan implementation. This would rise to 93% with the completion of the Victorian Murray Floodplain Restoration projects.

Unlike open market buybacks, the proposed approach of the Victorian Government’s prospectus would deliver environmental outcomes in Victoria and water security for communities in northern Victoria through planned strategic system reconfiguration and funded transition.

The prospectus does not detail the social impacts or full economic impacts of open tender buybacks. MRGC has provided feedback that issues such as food security and cost of living impacts should be emphasised as well as the cumulative impact on the wellbeing of individuals and communities of the ongoing uncertainty anxiety and stress associated with constant reform and adaptation over decades.

Ultimately the future of irrigation in northern Victoria depends on irrigation districts being viable and irrigators having certainty about allocations regimes into the medium and long term.

MRGC strongly opposes open market buybacks as these programs have the worst impacts on communities and local economies. They also will have the least positive environmental benefits for Victorian ecosystems.

The prospectus does not provide detail of the methods for engaging with communities but proposes that this is done at catchment scale. MRGC will press for strong engagement with local government in these processes.

The Commonwealth has recently provided more detail about its Community Adjustment Assistance fund, which will be \$300 million over four years across the entire Basin. MRGC notes that the Commonwealth’s adjustment package is woefully inadequate to offset the economic damage that would be done to our region through open market buyback water recovery.

The Federal Government should be held responsible for the impacts that the Restoring Our Rivers legislation will have on the MRGC region.

MRGC will continue to advocate for large scale, regional transition investment in key regional economic development enablers such as digital connectivity, energy transition, agricultural innovation, housing supply and workforce and population growth.

## COST/BENEFITS

This report has been prepared utilising existing staff resources.

The Federal Government’s Bureau of Agricultural and Resource Economics and Sciences (ABARES) also released an updated estimate of farm gate (only, not value add) economic impact of water recovery in the Southern Basin only which notes that production will be reduced by some \$111 million per year. This is based on recovery of 225GL of water in total, which is likely to be an underestimate of what the Southern Basin will need to contribute.

With less water in the consumptive pool there will be lower agricultural production but the same infrastructure and operating cost for the irrigation network. This is likely to result in lower productivity and higher fixed costs spread between less irrigators. Consumers could expect this to impact on the cost of food during a time when cost of living is a key issue in our community.

## RISK ANALYSIS

The need to mitigate the socio-economic impacts on communities as a result of further water recovery through identification of strategic local economic investments in areas from where water is recovered is paramount long term prosperity and social well-being of the region.

Taking a position on this issue is consistent with Council's Establishing Formal Positions on Council Policy v1 given the significant impact it is deemed to have on the Loddon community.

The Loddon Shire Council Plan 2021-2025 states that Council will communicate our community's interests and priorities to government and other decision makers that are aligned with our objectives. The strategic direction is very clear that Council will advocate in the best interests of the Loddon community, provided it is in line with the objectives stated in the Council Plan.

## CONSULTATION AND ENGAGEMENT

The Murray River Group of Councils is a local government advocacy group in northern Victoria that comprises Mildura Rural City, Swan Hill Rural City, Gannawarra Shire, Loddon Shire, Campaspe Shire and Moira Shire Councils. The member councils work collaboratively on behalf of our communities to promote regional priorities.

The Mayor and Chief Executive Officer met with several members of the Loddon community who hold water entitlements for their significant agricultural enterprises or are involved in managing water across the Boort Pyramid Irrigation District. A clear message was that they oppose further water being taken from the consumptive pool. Their concerns related to the impact on agriculture within Loddon which makes up approximately 70% of the economic output, the flow on impact upon our townships, the alternative and better ways to achieve the outcomes through improved management, and the politicisation of water by the Federal Government.

## RESOLUTION 2024/95

Moved: Cr Neil Beattie

Seconded: Cr Dan Straub

That Council endorses the Murray River Group of Council's (MRGC) water advocacy position, specifically that the MRGC:

1. **Maintains** its strong opposition to open tender voluntary water purchase programs (buy backs) in the southern connected basin due to the long term social and economic damage such programs do to our communities;
2. **Stresses** that the Federal Government has grossly underestimated the detrimental socio-economic realities of open market water buy backs;
3. **Notes** the Victorian Government's draft response to the Federal Government's 'Restoring Our Rivers' Act, titled "Planning Our Basin Future Together: A prospectus to safeguard Victoria's environments and communities in the Murray-Darling Basin";
4. **Endorses** the four principles for water recovery contained within the prospectus as a better option for delivering the amended Basin Plan targets as opposed to open market water buy backs, as follows:
  - Principle 1 - Demonstrated environmental benefits in and for Victoria
  - Principle 2 - Minimised impact on water availability for towns, industries and agricultural production
  - Principle 3 - Proactive structural change to support a sustainable future for irrigators and communities
  - Principle 4 - Support progress towards Traditional Owner self-determination in water access and management;
5. **Supports** the completion of the Victorian Murray Floodplain Restoration Projects (VMFRP) to deliver environmental outcomes to critical wetlands in the MRGC region; and
6. **Stresses** the need to mitigate the socio-economic impacts on communities as a result of further water recovery through identification of strategic local economic investments in areas from where water is recovered.

**CARRIED**

**10.6 REVIEW OF THE KERBSIDE WASTE AND RECYCLING POLICY V4**

**File Number:** FOL/19/432511  
**Author:** Deanne Caserta, Manager Financial Services  
**Authoriser:** Michelle Stedman, Director Corporate  
**Attachments:** 1. Kerbside Waste and Recycling Policy v4

**RECOMMENDATION**

That Council adopts the Kerbside Waste and Recycling Policy v4.

**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**

Version 3 of the Kerbside Waste and Recycling Policy (the Policy) was adopted in August 2020. Councillors reviewed and discussed the revised version 4 of the Policy at the July Council Forum.

**BACKGROUND**

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

The Policy has been reviewed to align with more recent updates to local laws. The review also updates information regarding new service requests, the supply of bins to public recreational facilities, addition of hard waste collection guidance, and strengthens transparency around re-issue of stolen bins.

**ISSUES/DISCUSSION**

Proposed amendments to the Policy include minor administrative adjustments and the following material updates:

- where applicable referencing the updated document - Community Local Law 2022;
- new service requests to have a minimum three month charge applied;
- information around hard waste collection provisions;
- updates to the provided number of recreational and public facility bins; and
- a statutory declaration is now needed to support the notification of a stolen bin.

**COST/BENEFITS**

It is not expected that this Policy will change current operational costs in any material way for Council beyond that which is currently being incurred through the provision and operation of the existing kerbside waste and recycling service.

**RISK ANALYSIS**

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

It is noted that the revised Policy aligns with the recently released (December 2023) 'Local Government Service Rates and Charges – Minister's Good Practice Guidelines for their use' and (June 2024) 'Household Waste and Recycling DRAFT Service Standard - 2024' documents.

The Policy outlines appropriate management and justification of charges directly related to kerbside waste and recycling services.

The Policy does not include reference to any future proposal to change collection service frequency nor does it include reference to any future collection models. As the sector's understanding of mandatory collection requirements is clarified and standards around provision of these services develop, the Policy may be revisited in the future to consider any necessary changes.

### **CONSULTATION AND ENGAGEMENT**

The document has been subject to the normal approval process of the relevant stakeholders, Loddon Leaders and Management Executive Group. It was presented to Councillors at the July Council Forum.

This Policy has also had a Gender Impact Assessment undertaken as required under the *Gender Equality Act 2020*. The outcome from this assessment was 'no recommendation to change the Policy from a gender lens'.

The Policy will have a formal review timeline of four years.

### **RESOLUTION 2024/96**

Moved: Cr Linda Jungwirth

Seconded: Cr Wendy Murphy

That Council adopts the Kerbside Waste and Recycling Policy v4.

**CARRIED**

## 10.7 GOLDFIELDS LIBRARY TRANSITION

**File Number:****Author:** Renae Colls, Executive Assistant**Authoriser:** Lincoln Fitzgerald, Chief Executive Officer

- Attachments:**
1. Attachment 1 - GLC - A Value and Efficiency Analysis of Collective Library Services 2023
  2. Attachment 2 - GLC Collective Model Transition Risk Assessment

### RECOMMENDATION

That Council

1. commits to establishing and transitioning service to a new Library Service Beneficial Enterprise under section 110 and 111 of the *Local Government Act 2020*; and
2. authorise the Chief Executive Officer to undertake the necessary administrative actions to progress the relevant legal and financial steps required; and
3. delegate the Goldfields Library Corporation Board to undertake the necessary steps to progress the relevant legal and financial steps required; and
4. instructs the Goldfields Library Corporation to develop the following key documents:
  - a) a draft constitution for the new entity
  - b) a draft library agreement for Councils to review
  - c) a draft transfer of business agreement
  - d) a risk assessment of business transition; and
5. note that a further report will be presented to Council seeking to endorse the new Beneficial Enterprise constitution.

### CONFLICT OF INTEREST

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

### PREVIOUS COUNCIL DISCUSSION

Councillors discussed the North Central Goldfields Regional Library's transition to a new Library Service Beneficial Enterprise at the July 2024 Council Forum.

### BACKGROUND

The *Local Government Act 2020* removes the Sections from the *Local Government Act 1989* (s.196) providing for the establishment of Regional Library Corporations (RLCs) and instead provides for the establishment of Beneficial Enterprises (s.110 and 111 of the *Local Government Act 2020*).

This approach is aimed at allowing Councils to consider delivering any service, including libraries, that might benefit from a collective approach with other Councils to provide economies of scale or improved service levels for any Council delivered service.

Due to the removal of RLCs sections within the *Local Government Act 2020*, RLCs must be dissolved by 1 July 2030 as part of a sunset clause provided in the legislation.

Prior to the *Local Government Act 2020*, just over half the public library services in Victoria were provided through RLCs (44 of 79 services) and the model particularly served regional areas well in creating collective economic benefit.

Since this change to the *Act*, the following actions have taken place across the various RLCs.

<b>West Gippsland RLC</b> New entity: Myli	Bass Coast Shire, Baw Baw Shire and South Gippsland Shire	Moved all Councils and combined Cardinia Shire into an NFP Company limited by guarantee.
<b>Eastern RLC</b> New entity: Your Library	Knox City, Maroondah City, Yarra Ranges Shire	Moved all Councils into an NFP Company limited by guarantee.
<b>Casey Cardinia RLC</b> New entity: Connected Libraries	Casey City, Cardinia Shire	City of Casey has approved the NFP model and will be a single member of this company whilst Cardinia has merged with the new West Gippsland model also an NFP Company limited by guarantee.
<b>Geelong RLC</b>	Golden Plains Shire, Greater Geelong City, Borough of Queenscliffe, Surf Coast Shire	Resolution by Board move to a Not for Profit (NFP) Company limited by guarantee and this now includes Colac Otway Shire.
<b>Goulburn Valley RLC</b>	Moira Shire, Greater Shepparton City, Strathbogie Shire	All member Councils, have approved the move to an NFP company and will remain a shared service.
<b>Yarra Plenty RLC</b>	Banyule City, Nillumbik Shire, Whittlesea City	All Councils committed to a shared service and Board has recommended moving to an NFP limited by guarantee. Legal consultants are now drafting a constitution.
<b>Whitehorse Manningham RLC</b>	Manningham City, Whitehorse City	Currently still operating as an RLC without further action at this time.
<b>Wimmera RLC</b>	Hindmarsh Shire, Horsham Rural City, Northern Grampians Shire, West Wimmera Shire, Yarriambiack Shire	RLC dissolved.  Hindmarsh Shire now run a Council service. Northern Grampians has joined the Central Highlands Library Network (administered by Ballarat Council).  Horsham Council runs services for Horsham and West Wimmera Shire.  Yarriambiack Shire runs small libraries and a library van service.
<b>Corangamite RLC</b>	Colac Otway Shire, Corangamite Shire, Moyne Shire, Warrnambool City	Dissolved – Warrnambool Council run their single library service (Warrnambool Library) with some services purchased from Yarra Plenty RLC.  Colac Otway Shire have joined with Geelong RLC and will move to the new NFP company.  Corangamite and Moyne Shire provide a combined service, coordinated by Moyne Shire Council, with each Council employing staff directly.

## ISSUES/DISCUSSIONS

The Goldfields Library Corporation (GLC) Board and CEO have undertaken preliminary work to review the current library service and provide for informed decision-making for each member Council in considering a commitment to continue providing services as a collective.

The preliminary work by GLC has including the following elements:

### Service Review/Value Analysis (see Attachment 1):

An independent review of service level and investment for GLC member Councils compared to statewide library services and other RLCs. This includes findings from the statewide service review undertaken by VAGO as well as statewide figures collated by Public Libraries Victoria.

The report noted the following key findings:

- The statewide VAGO audit released in November 2019 ranked Goldfields Library Corporation as the most efficient service at delivering core services compared to all other public libraries in Victoria.
- The VAGO report noted that *“Sharing services makes libraries more efficient, enabling them to deliver more services to the community with fewer resources. Our data analysis shows that, overall, RLCs and co-operative models deliver core library services more efficiently than most standalone council libraries.”*
- The cost per capita to fund GLC services is around \$5.00 per capita **less** than the Victorian average:
  - Goldfields Libraries: \$36.39 per capita
  - Victorian Library Average: \$41.36 per capita
- GLC has capacity to attract diverse funding sources using internal resources. Of all services, GLC had the fifth highest income from other sources outside government of all services in Victoria.
- A collective approach has specific areas where collective benefits are tangible and can be supported with evidence. These include:
  - Movement of staff across municipalities to ensure continuity of operations, allowing efficiency in direct service delivery workforce and ensuring smaller libraries are staffed and are backed up and remain open when absences occur. GLC regularly has staff crossing municipal boundaries and working across multiple branches.
  - Collective arrangements and partnerships that benefit all municipalities are negotiated with partners at local, state and national levels. GLC negotiates services with organisations such as the Sydney Writers Festival, Orchestra Victoria, Australian Ballet to deliver programs across the region.
  - Agility to shift focus and respond to community without high level approval or delays that may be required in Council decision making. GLC rapidly develops partnerships and programs that can benefit Council and community, such as story walks and Healthy Loddon Campaspe initiatives that link directly to delivering Council outcomes.

- Dedicated collective resources to strategically plan a community driven service, alongside and aligned with member Councils. In 2019, VAGO noted that "...audited Councils do not document their service plans or link library services to the achievement of overall Council objectives." GLC has consistently developed a defined strategy that outlines measurable outcomes and explicitly aligns with Council plans.
- Providing a skilled workforce with a diversity of capacity to match library service delivery requirements. GLC has 100 staff with a range of professional accreditation and experience that transfers across the region, supporting management, program delivery and IT support.
- Collective agreements with partners and service providers deliver a coordinated and economically scaled level of service across all member Councils. Agreements for library management systems (catalogue, collection management, rostering, IT security, email, website) are all collectively negotiated by GLC at significant saving.
- A dedicated management structure focused on library industry best practice and library operations management. Collective structures provide dedicated management resources, focused solely on library services. GLC provides a CEO, senior operational managers and dedicated technical managers for IT, Collections, Programs and Communications, removing the need for any day-to-day management resource from Council at any level.

#### Financial Analysis

An independent desktop analysis of both collective costs and individual Council costs was undertaken by City of Greater Bendigo Financial Services. City of Greater Bendigo supports the financial reporting and payroll management under a fee for service arrangement with GLC. The key findings independently supported the conclusions of the Service Review and Value Analysis.

The calculations undertaken in the financial review assume a total separation of library services with each Council effectively operating as a stand-alone service and that service levels would be maintained to the existing levels of the Corporation. This allowed for fair and equitable comparison.

The analysis noted the following key losses in efficiency for a stand-alone Council service model:

- Increased staffing due to loss of capacity to shift staff across municipal boundaries to backfill or provide specialist skills/programs.
- Repeated provision of specialised staff across areas such as communications, graphic design, IT management, program and event management for each Council.
- Strategy, HR functions and operational support is separated between Councils and absorbed within existing structures, with some additional resources required.
- Current cost savings through scaled agreements for internal services such as library management software, IT security, courier services (collection movement), collection purchasing power, finance management and payroll services are reduced.

Based on these assumptions, a minimum collective cost increase per annum is estimated at \$710,008.00 for the four member Councils, outside of one-off changeover costs and redundancies.

#### Risk Assessment (see attachment 2)

Assessing and mitigating risk associated with movement to any new model with particular questions answered on the most common and preferred model - a not for profit company limited by guarantee. (Refer to Attachment 2 – GLC Collective Model Transition Risk Assessment)



Accounting and legal service support requirements:

Ensuring expert advice on any transition to enable all accounting standards and legal requirements for dissolution and transfer of business to a new service model to be met under Section 110 and 111 of the *Local Government Act 2020*.

Environmental Analysis

Given the completed transition to this new model by two RLCs, the GLC Board has access to and has reviewed the risk assessments, constitutions and agreements that have been established and are successfully operating for Myli (West Gippsland) and Your Library (Knox, Maroondah and Yarra Ranges).

Findings:

The best value analysis and risk assessment undertaken indicate the establishment of a Beneficial Enterprise for the purpose of collectively managing library services delivers the most efficient and effective service to our community. The preferred structure is that of a Not-for-Profit Company limited by guarantee.

This model was preferred as it provides a very close fit to the existing operation and meets the requirements of the *Local Government Act 2020* for a Beneficial Enterprise. Seven of the ten RLCs have either completed or are in the process of transferring services to this management model.

Given two RLCs have now completed this process and are operating under this model as new entities, the detail available is adequate to give a clear picture of how the new entity would likely operate.

GLC Board have set aside funding to cover the costs associated with the transition to a new entity under the Not-For-Profit Company model.

**Timelines**

The following briefly outlines the work to date and expected process following this report.

- **June 2023:** Undertake analysis and review of service value and financial analysis for Board decision and support due diligence for Councils.
- **December 2023:** Board decision to recommend to member Councils a transition to a Not-for-Profit Company as a preferred collective approach under the Beneficial Enterprise (s. 110 of the *Local Government Act 2020*).
- **March 2024:** Invitation to attend information session for all member Councils as a Q and A session on findings and information.
- **May/June 2024: Outlined in this report:** Reports to each member Council to formally endorse commitment to and progress of Beneficial Enterprise transition.
- **July 2024:** Proceed with both legal and accounting consultation to develop new library agreements and undertake dissolution of RLCs.
- **May 2025:** Return to Councils with agreed constitution and library service agreement for final endorsement.
- **July 2025:** Commence operations of new Beneficial Enterprise.
- **December 2025:** Finalise winding up of North Central Goldfields Regional Library Corporation.

**COST/BENEFITS**

The proposed model of service delivery has been analysed at a local and state level with results consistently showing that the provision of library services as a collective approach is highly efficient and provides a valued and effective service.

Moving to a library service delivered through a single Council approach is noted as less effective and/or more costly based on data analysed and evidence presented by VAGO and the Service and Value Analysis commissioned by the GLC Board.

The cost to deliver the transition is covered by the existing Corporation and will require no further funding from Council.

There was no additional financial cost to Council in preparing this report.

### **RISK ANALYSIS**

As noted above, several independent reviews have assessed the risk of not continuing to provide a shared service approach with the requirement for each Council to establish a new leadership and management structure, increase requirements for Corporate Services and ensure staffing levels are increased locally to cover absences and specialist roles. The risk assessment undertaken by Knox City Council is provided as an example and case study of the internal risk assessment undertaken.

GLC has also undertaken an initial risk assessment based on risk assessments provided by the RLCs that have transitioned to new entities. (*Refer to Attachment 2 – GLC Collective Model Transition Risk Assessment*).

### **CONSULTATION AND ENGAGEMENT**

Consultation and work to date has been completed by GLC Board who represent the member Councils. Cr Linda Jungwirth and Chief Executive Officer, Lincoln Fitzgerald are Loddon Shire Council's appointed members. Mr Fitzgerald also forms part of the Finance sub-committee.

### **RESOLUTION 2024/97**

Moved: Cr Linda Jungwirth

Seconded: Cr Dan Straub

That Council

1. commits to establishing and transitioning service to a new Library Service Beneficial Enterprise under section 110 and 111 of the *Local Government Act 2020*; and
2. authorise the Chief Executive Officer to undertake the necessary administrative actions to progress the relevant legal and financial steps required; and
3. delegate the Goldfields Library Corporation Board to undertake the necessary steps to progress the relevant legal and financial steps required; and
4. instructs the Goldfields Library Corporation to develop the following key documents:
  - a) a draft constitution for the new entity
  - b) a draft library agreement for Councils to review
  - c) a draft transfer of business agreement
  - d) a risk assessment of business transition; and
5. note that a further report will be presented to Council seeking to endorse the new Beneficial Enterprise constitution.

**CARRIED**

**11 INFORMATION REPORTS**

Nil

## 12 COMPLIANCE REPORTS

### 12.1 NOTICE OF MOTION - AMENDMENT TO GOVERNANCE RULES

**File Number:**

**Attachments:** Nil

#### MOTION

That Council receive a report to the August Council meeting to consider amending the Governance Rules following a period of community engagement.

The proposed change is:

That Council amends Division 2 – Standards of conduct, item 30. Addressing the meeting, to include an additional line (4), the use of Mr or Mrs or Miss or Madam is permitted in addressing persons, with established prior consent.

- (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.
- (4) The use of Mr or Mrs or Miss or Madam is permitted in addressing persons, with established prior consent. Eg; Mr Mayor, Madam Mayor, Mr, Mrs, Miss ... [surname]

On 14 June 2024 Councillor Dan Straub gave the Chief Executive Officer written notice that he wishes to move a notice of motion. Councillor Straub and the Chief Executive Officer further discussed the notice of motion alongside the Loddon Shire Governance Rules and Councillor Straub submitted an amended notice of motion, as detailed above.

In accordance with Section 60 (3) and (4) of the Local Government Act 2020, Council may amend its Governance rules but must ensure that a process of community engagement is followed. This notice of motion calls for a report to be submitted to the August Council meeting which will provide sufficient time for consultation on the proposed amendment in accordance with the Act.

#### RESOLUTION 2024/98

Moved: Cr Dan Straub

Seconded: Cr Neil Beattie

That Council receive a report to the August Council meeting to consider amending the Governance Rules following a period of community engagement.

The proposed change is:

That Council amends Division 2 – Standards of conduct, item 30. Addressing the meeting, to include an additional line (4), the use of Mr or Mrs or Miss or Madam is permitted in addressing persons, with established prior consent.

- (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.
- (4) The use of Mr or Mrs or Miss or Madam is permitted in addressing persons, with established prior consent. Eg; Mr Mayor, Madam Mayor, Mr, Mrs, Miss ... [surname]

**CARRIED**

**13 URGENT BUSINESS**

Nil

**14 CONFIDENTIAL ITEMS****RECOMMENDATION**

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 66(1) and 66(2)(a) of the Local Government Act 2020:

**14.1 2024-2025 CEO Performance Plan**

This matter is considered to be confidential under Section 3(1)(f) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

This report contains personal information regarding the setting of 2024-2025 Key Performance Indicators for the Chief Executive Officer.

**RESOLUTION 2024/99**

Moved: Cr Wendy Murphy

Seconded: Cr Neil Beattie

That the meeting be closed to the public in accordance with Section 66 of the Local Government Act 2020 while Council considers the confidential report listed below:

14.1 2024-2025 CEO Performance Plan

**CARRIED**

**RESOLUTION 2024/100**

Moved: Cr Wendy Murphy

Seconded: Cr Neil Beattie

That Council endorse the 2024-2025 Chief Executive Officer Performance Plan as detailed in the attachment to this report *with the following amendments*:

- Deletion of KRA4 - Success Measure: "Domestic Wastewater Management Plan (early 2024 commencement subject to release of a new code of practice late 2023)"
- Amendment of KRA 2 - Success Measure: Complete the PH Streetscape to read: "Complete the Pyramid Hill Streetscape"
- Amendment of KRA 2 - Success measure: Stage 1 of the community centre to read: "Stage 1 of the Pyramid Hill Community Centre"
- Amendment of KRA 2 - Success Measure: Continue to see funding for stage 2 of the community centre to read: "Continue to seek funding for stage 2 of the Pyramid Hill Community Centre"

**CARRIED**

**NEXT MEETING**

The next Meeting of Council will be held on 27 August 2024 at Wedderburn commencing at 3.00pm.

There being no further business the meeting was closed at 4.20pm.

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

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**CHAIRPERSON**