



**Date:** Tuesday, 25 August 2020  
**Time:** 3pm  
**Location:** Video conference  
Public access via audio live stream

# **MINUTES**

## **Ordinary Council Meeting**

**25 August 2020**

**MINUTES OF LODDON SHIRE COUNCIL  
ORDINARY COUNCIL MEETING  
HELD VIA VIDEO CONFERENCE, PUBLIC ACCESS VIA AUDIO LIVE STREAM  
ON TUESDAY, 25 AUGUST 2020 AT 3PM**

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

**IN ATTENDANCE:** Wendy Gladman (Director Community Wellbeing), Lynne Habner (Manager Executive and Commercial Services), Sharon Morrison (Director Corporate Services), Phil Pinyon (Chief Executive Officer), Steven Phillips (Director Operations)

**OPENING COMMENT**

This meeting is being conducted in accordance with the Local Government Act 2020 as temporarily amended to enable meeting by electronic means of communication.

All participants are meeting via video link.

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

**1 OPENING PRAYER**

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

**2 ACKNOWLEDGEMENT OF COUNTRY**

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

**3 APOLOGIES**

Nil

**4 DECLARATIONS OF CONFLICT OF INTEREST**

Nil

**5 PREVIOUS MINUTES****5.1 CONFIRMATION OF MINUTES****File Number:** 02/01/001**Author:** Lynne Habner, Manager Executive and Commercial Services**Authoriser:** Phil Pinyon, Chief Executive Officer**Attachments:** Nil**RECOMMENDATION**

That Council confirm:

1. The minutes of the Council Briefing of 28 July 2020.
2. The minutes of the Ordinary Council Meeting of 28 July 2020.
3. The minutes of the Confidential Council Meeting of 28 July 2020.
4. The minutes of the Council Forum of 11 August 2020.

**REPORT**

Seeking approval of the unconfirmed minutes of the previous meetings.

**RESOLUTION 2020/99**

Moved: Cr Colleen Condliffe

Seconded: Cr Geoff Curnow

That Council confirm:

1. The minutes of the Council Briefing of 28 July 2020.
2. The minutes of the Ordinary Council Meeting of 28 July 2020.
3. The minutes of the Confidential Council Meeting of 28 July 2020.
4. The minutes of the Council Forum of 11 August 2020.

**CARRIED**

**6 ASSEMBLY OF COUNCILLORS****6.1 RECORD OF ASSEMBLY OF COUNCILLORS****File Number:** 02/01/001**Author:** Lynne Habner, Manager Executive and Commercial Services**Authoriser:** Phil Pinyon, Chief Executive Officer**Attachments:** Nil**RECOMMENDATION**

That Council note the Assembly of Councillors records for the following meetings:

1. Council Briefing 28 July 2020.
2. Council Forum 11 August 2020.

In accordance with Section 80A of the Local Government Act 1989 (the Act), records of Assemblies of Councillors must be reported at the next practicable Council meeting and recorded in the minutes.

An Assembly of Councillors is defined in Section 76AA of the Act as a meeting at which matters are considered that are intended or likely to be the subject of a Council decision or the exercise of a delegated authority and which is either of the following:

- A meeting of an advisory committee where at least one Councillor is present; or
- A planned or scheduled meeting that includes at least half the Councillors and at least one Council officer.

The record is therefore presented for Council's noting.

**RECORD OF ASSEMBLIES OF COUNCIL**

Assembly details	Briefing
Date	28 July 2020
Councillor Attendees	Cr Beattie Cr Condliffe Cr Curnow Cr Holt Cr McKinnon
Staff/Stakeholder representatives	Phil Pinyon, Chef Executive Officer Wendy Gladman, Director Community Wellbeing Sharon Morrison, Director Corporate Services Steven Phillips, Director Operations Lynne Habner, Manager Executive and Commercial Services
Items discussed.	<ol style="list-style-type: none"> <li>1. Annual Infrastructure Program – Korong Vale Hall</li> <li>2. Draft Governance Rules – Public Comment</li> <li>3. Draft Community Asset Committee Policy</li> <li>4. General business: <ul style="list-style-type: none"> <li>• Nil</li> </ul> </li> </ol>
Conflict of Interest Disclosures - Councillor/officer making disclosure	Nil
Councillor/officer left room	

Assembly details	Forum
Date	11 August 2020
Councillor Attendees	Cr Beattie Cr Condliffe Cr Curnow Cr Holt Cr McKinnon
Staff/Stakeholder representatives	Phil Pinyon, Chef Executive Officer Wendy Gladman, Director Community Wellbeing Sharon Morrison, Director Corporate Services Steven Phillips, Director Operations Lynne Habner, Manager Executive and Commercial Services Robyn Vella, Tourism & Marketing Officer Shelby Hutchinson, Tourism and Marketing Assistant David Southcombe, Manager Assets and Infrastructure Deanne Caserta, Manager Financial Services Teresa Arnup, Senior Public Health Officer Christine Coombes, Executive and Commercial Services Officer Allan Stobaus, Community Planning Project Officer Sarah Perry, A/Manager Community Support  Item 4 and 11: Projectura representatives Item 12: Central Victorian Greenhouse Alliance representative
Items discussed.	<ol style="list-style-type: none"> <li>1. Economic Development and Tourism Update</li> <li>2. The Loddon Shed</li> <li>3. Local Government Act 2020 Implementation Plan Update</li> <li>4. Childcare Business Case Report</li> <li>5. Update on Service Planning Project</li> <li>6. Asset Management Policy</li> <li>7. Community Asset Committee Instrument of Delegation</li> <li>8. Election of Mayor Policy</li> <li>9. Governance Rules</li> <li>10. Governance Rules – Conflict of Interest for Councillors on Committees</li> <li>11. The Loddon Project</li> <li>12. Electric Vehicle Charging Network Implementation</li> <li>13. Review of Covid-19 Financial Hardship Policy</li> <li>14. Covid-19 Business Support</li> <li>15. Kerbside Waste and Recycling Reserve Policy</li> <li>16. Procurement Policy</li> <li>17. Community Planning Framework Update</li> <li>18. Community Grants – Group 2</li> <li>19. Tarnagulla Ward Strategic Fund</li> <li>20. General business:</li> </ol>

	<ul style="list-style-type: none"><li>• Victorian Local Governments Grants Commission</li></ul>
Conflict of Interest Disclosures - Councillor/officer making disclosure	Cr Holt, item 14.
Councillor/officer left room	Yes

**RESOLUTION 2020/100**

Moved: Cr Gavan Holt

Seconded: Cr Neil Beattie

That Council note the Assembly of Councillors records for the following meetings:

1. Council Briefing 28 July 2020.
2. Council Forum 11 August 2020.

**CARRIED**

**7 REVIEW OF ACTION SHEET**

**7.1 REVIEW OF ACTIONS**

**File Number:** 02/01/002

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

**Authoriser:** Phil Pinyon, Chief Executive Officer

**Attachments:** 1. Action sheet

**RECOMMENDATION**

That Council receive and note the action sheet.

**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**

Refer attachment.

**RESOLUTION 2020/101**

Moved: Cr Geoff Curnow

Seconded: Cr Colleen Condliffe

That Council receive and note the action sheet.

**CARRIED**



**8 MAYORAL REPORT****8.1 MAYORAL REPORT****File Number:** 02/01/001**Author:** Lynne Habner, Manager Executive and Commercial Services**Authoriser:** Phil Pinyon, Chief Executive Officer**Attachments:** Nil**RECOMMENDATION**

That Council receive and note the Mayoral Report

**REPORT**

The Mayor will present a report at the meeting.

**Cr McKinnon****North Central Goldfields Regional Library**

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

**Nature Tourism Advisory Team****Other Council activities**

<b>DATE</b>	<b>Activity</b>
30/7/20	MAV virtual Mayoral Forum – main topics of discussion were LG elections and COVID-19
31/7/20	GLC ordinary meeting CEO has done an excellent job in shifting services and programmes to online as libraries have closed, re-opened and closed again.
4/8/20	NCCLLEN virtual board meeting
5/8/20	Phone meeting with Anne Webster, Member for Mallee, to discuss the impacts of COVID restrictions on our Shire.
11/8/20	Council Forum

	Virtual launch of "The Loddon Shed"
13/8/20	Participated in a Zoom Strategic Planning session for NCLLEN with LG representatives from the 3 Shires involved, i.e. Loddon, Buloke, Northern Grampians (St Arnaud).
18/8/20	I Chaired the Pandemic Relief and Recovery Committee meeting.
	I conducted 2 citizenship ceremonies, welcoming 4 Filipino residents of Pyramid Hill as Australian Citizens
24/8/20	MRGC meeting to meet the new Chair of MDBA, Sir Angus Houston and Chief Executive Phillip Glyde
	Victorian LG Grants Commission virtual information session – advising that FAGs increase will only be .9%, not 3-4% we have budgeted for.
25/8/20	This morning I conducted a citizenship ceremony, welcoming our newest citizen, Naj from Thailand, now residing in Inglewood. When restrictions eventually ease, I would like to suggest we hold a Civic Reception to personally welcome our newest citizens who have had a "virtual" ceremony.

**RESOLUTION 2020/102**

Moved: Cr Cheryl McKinnon

Seconded: Cr Geoff Curnow

That Council receive and note the Mayoral Report

**CARRIED**

**9 COUNCILLORS' REPORT****9.1 COUNCILLORS' REPORTS**

File Number: 02/01/001

Author: Lynne Habner, Manager Executive and Commercial Services

Authoriser: Phil Pinyon, Chief Executive Officer

Attachments: Nil

**RECOMMENDATION**

That Council receive and note the Councillors' reports

**REPORT**

Each Councillor will present a report at the meeting.

**Cr Beattie**

<b>Murray Darling Association</b>	
<b>Rail Freight Alliance</b>	
<b>GMW Connections Project:</b>	
<b>Section 86 Committees:</b> Boort Aerodrome Committee of Management, Boort Development Committee Inc., Boort Memorial Hall Committee of Management, Boort Park Committee of Management, Korong Vale Mechanics Hall Committee of Management, Korong Vale Sports Centre Committee of Management, Little Lake Boort Management Committee Inc., Yando Public Hall Committee of Management	
<b>Other Council activities</b>	
<b>DATE</b>	<b>Activity</b>
11/08/20	Council Forum
20/08/20	Boort Park Building inspection with Peter Sporn

**Cr Condliffe**

<b>Calder Highway Improvement Committee</b>	
<b>Section 86 Committees:</b> Bridgewater on Loddon Development Committee of Management, Campbells Forest Hall Committee of Management, Inglewood Community Sports Centre Committee of Management, Inglewood Lions Community Elderly Persons Units Committee of Management, Inglewood Town Hall Hub Committee of Management, Jones Eucalyptus Distillery Site Committee of Management	
<b>Australia Day Committee</b>	
<b>Central Victorian Greenhouse Alliance</b>	
20/8/20: CVGA meeting on phone-in	
<b>Central Victoria Rural Women's Network</b>	
<b>Healthy Minds Network</b>	
19/8/20: Healthy Minds Network meeting online, Serpentine	
<b>Loddon Youth Committee</b>	
<b>Other Council activities</b>	
<b>DATE</b>	<b>Activity</b>
28/7/20	Inglewood and Districts Community Bendigo Bank Zoom meeting
4/8/20	Councillor information session online, Wedderburn
11/8/20	Council Forum Wedderburn online
13/8/20	Inglewood Tourism and Development 10 yr community planning online, Inglewood
21/8/20	Loddon Plains Landcare Network meeting mid meeting regarding goods shed online Inglewood
6/8/20	Loddon Plains Landcare meeting online Bridgewater

25/8/20	Council meeting Wedderburn
20/8/20	Womens Health Loddon Mallee Board Meeting online, Bendigo
4/8/20	North Central Local Learning Network Board Meeting online
3/8/20	High tea, Inglewood
11/8/20	Inglewood Resource Centre meeting online
24/8/20	Dingee Bush Nursing Centre Meeting online

### Cr Curnow

<b>Loddon Mallee Waste Resource Recovery Group</b>	
<b>Section 86 Committees:</b> Kingower Development and Tourism Committee	
<b>Municipal Emergency Management Plan Committee and Municipal Fire Management Plan Committee</b>	
<b>Other Council activities</b>	
<b>DATE</b>	<b>Activity</b>
27/7/20	Tarnagulla Community Centre Committee meeting
11/8/20	Loddon Shire Council Forum
20/8/20	LMWRR Group Forum
21/8/20	LMWRRG Board meeting
24/8/20	Tarnagulla Community Centre Committee meeting
25/8/20	Loddon Shire Council meeting
	<i>All meetings above were conducted via videoconferencing</i>

Cr Holt

<b>Municipal Association of Victoria</b>	
<b>Section 86 Committees:</b> Donaldson Park Committee of Management, Wedderburn Community Centre Committee of Management, Wedderburn Engine Park Committee of Management, Wedderburn Mechanics Institute Hall Committee of Management, Wedderburn Tourism Committee of Management	
<b>Audit Committee</b>	
<b>Other Council activities</b>	
<b>DATE</b>	<b>Activity</b>
31/7/20	Participated in MAV Rural North Central Zone meeting
6/8/20	Participated in Wedderburn Engine Club and Market Square Committee of Management Annual General Meeting
11/8/20	Participated in Council Form meeting
13/8/20	Participated in Council Internal Audit Committee meeting
14/8/20	Participated in Rural Councils Victoria Executive Committee meeting

**RESOLUTION 2020/103**

Moved: Cr Gavan Holt

Seconded: Cr Geoff Curnow

That Council receive and note the Councillors' reports

**CARRIED**

## 10 DECISION REPORTS

### 10.1 AUGUST 2020 AUDIT AND RISK COMMITTEE MEETING OVERVIEW

**File Number:** 06/02/003

**Author:** Sharon Morrison, Director Corporate Services

**Authoriser:** Phil Pinyon, Chief Executive Officer

**Attachments:**

1. Accepted minutes of May 2020 Audit Committee meeting unsigned
2. Draft Strategic Internal Audit Plan 2020-2023
3. Review of VPDSS with Audit and Risk Committee changes
4. Risk Management Report
5. Audit and Risk Committee Annual Work Plan for the year ending 30 June 2021
6. Loddon Performance Framework results for the year ending 30 June 2020

#### RECOMMENDATION

That Council:

1. receives and notes this report on the August 2020 Audit and Risk Committee Meeting
2. receives and notes the accepted minutes of the May 2020 Audit Committee meeting unsigned (**attached**)
3. receives and note the draft Strategic Internal Audit Plan 2020-2023 including changes to timing of audits and additional focus on manslaughter legislation (**attached**)
4. endorses the performance improvement recommendations documented in the "Review of the Victorian Protective Data Security Standards (VPDSS)" with Audit and Risk Committee changes (**attached**)
5. notes the acceptance of Financial and Performance Statements for the year ended 30 June 2020 in principle by the Audit and Risk Committee
6. receives and notes the Risk Management Report (**attached**)
7. receives and notes the Audit and Risk Committee Annual Work Plan for the year ending 30 June 2021(**attached**)
8. receives and notes the Loddon Performance Framework results for the year ending 30 June 2019 (**attached**)
9. notes the upcoming external audit by the Victorian Auditor General's Office of Council's grant programs

#### CONFLICT OF INTEREST

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

#### PREVIOUS COUNCIL DISCUSSION

Council was provided with a summary of the May 2020 Audit Committee Meeting at the Ordinary Meeting held on 26 May2020.

## BACKGROUND

The Audit and Risk Committee was established under Section 53 of the Local Government Act 2020, which states that “A Council must establish an Audit and Risk Committee”, by Council resolution on 23 June 2020.

The committee is made up of four independent community members, and Cr Gavan Holt, as Council’s representative. At the Statutory Meeting on 7 November 2019, it was resolved that Councillor Beattie be the alternate Council representative in the event that Cr Holt is unable to attend the Audit and Risk Committee meeting. Council’s Chief Executive Officer and Director Corporate Services attend the meetings in an advisory capacity.

The objectives of the Audit and Risk Committee are to:

- a) monitor the compliance of Council policies and procedures with
  - i. the overarching governance principles; and
  - ii. this Act and the regulations and any Ministerial directions
- b) monitor Council financial and performance reporting
- c) monitor and provide advice on risk management and fraud prevention systems and controls
- d) oversee internal and external audit functions.

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

## ISSUES/DISCUSSION

The agenda for the August 2020 meeting included the following:

### Decision Reports

The minutes of the May 2020 Audit Committee meeting (**attached**) were endorsed.

The Strategic Internal Audit Plan 2020-2023 was discussed. Changes to timing of audits were suggested and the addition of a focus on the recently introduced manslaughter legislation was recommended for inclusion. The scope of the Capital Works review was also discussed and a commitment was made to circulate the draft scope before proceeding with the review. It was recommended that additional hours be provided for the review of Capital Works. **Attached** to this report is a draft of the Plan including the changes recommended by the Audit and Risk Committee.

A review of the Victorian Protective Data Security Standards (**attached**) was considered and referred to the Council meeting for endorsement, with a recommendation to prioritise responding to the high risk finding.

The 2019/20 Financial and Performance Statements were reviewed and approved in principle, subject to the final opinion of the external auditor which was still completing their end of year audit.

The committee also discussed the revised Investment Policy and recommended it to the next meeting of Council.

### Compliance Reports

A report on risk management was noted and referred to Council.

The committee discussed a report on corporate governance after a recent self-assessment by the committee revealed that there was lack of clarity on the committee’s oversight of corporate governance. An annual plan was proposed to the committee which covered various elements of corporate governance. The committee agreed to use the annual plan as a guiding document.

A number of compliance reports were considered and noted including:

- the Fraud Report for the April to June quarter – the CEO provided an update



- a review of major lawsuits facing council since May 2020 – the CEO provided an update
- items raised by Council that may impact the Audit Committee – Cr Holt spoke to changes resulting from the new Local Government Act and the community's response to the COVID-19 Financial Hardship Policy.

#### Information Reports

The Audit Committee also received the following information reports:

- The Loddon Performance Framework results for the year ending 30 June 2020 were discussed, with the committee noting the increasing alignment of requests from and reporting to various government agencies.
- A report on the impact on the committee of the recently introduced 'manslaughter' legislation was discussed and resulted in a change to the Strategic Internal Audit Plan.
- The new Audit and Risk Committee Charter was noted.
- A presentation by the Manager Community Wellbeing noted the challenges and priorities of the services in that department.
- The HLB Mann Judd Quarterly Sector Report was noted.
- The VAGO Annual Plan 2020-21 was noted and the inclusion of Loddon as a potential agency to be audited in relation to grant programs was also noted.

The date of next audit committee meeting is 12 November 2020.

The next review will be Capital Works.

#### **COST/BENEFITS**

There are costs associated with the Audit and Risk Committee and internal audit function. However, in most cases, actions resulting from audit reviews do not bear any new costs as they are undertaken by current staff.

The benefits that the internal audit function provides Council are:

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

#### **RISK ANALYSIS**

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

#### **CONSULTATION AND ENGAGEMENT**

Nil

**RESOLUTION 2020/104**

Moved: Cr Gavan Holt

Seconded: Cr Geoff Curnow

That Council:

1. receives and notes this report on the August 2020 Audit and Risk Committee Meeting
2. receives and notes the accepted minutes of the May 2020 Audit Committee meeting unsigned (**attached**)
3. receives and note the draft Strategic Internal Audit Plan 2020-2023 including changes to timing of audits and additional focus on manslaughter legislation (**attached**)
4. endorses the performance improvement recommendations documented in the "Review of the Victorian Protective Data Security Standards (VPDSS)" with Audit and Risk Committee changes (**attached**)
5. notes the acceptance of Financial and Performance Statements for the year ended 30 June 2020 in principle by the Audit and Risk Committee
6. receives and notes the Risk Management Report (**attached**)
7. receives and notes the Audit and Risk Committee Annual Work Plan for the year ending 30 June 2021(**attached**)
8. receives and notes the Loddon Performance Framework results for the year ending 30 June 2019 (**attached**)
9. notes the upcoming external audit by the Victorian Auditor General's Office of Council's grant programs

**CARRIED**

**10.2 2019/20 FINANCIAL AND PERFORMANCE STATEMENTS IN PRINCIPLE REPORT****File Number:** 06/01/001**Author:** Deanne Caserta, Manager Financial Services**Authoriser:** Sharon Morrison, Director Corporate Services**Attachments:** 1. Performance Statements for the period ending 30 June 2020  
2. Financial Statements for the period ending 30 June 2020**RECOMMENDATION**

That Council:

1. Adopts the Financial Statements and Performance Statement for the year ended 30 June 2020 as presented "in principle".
2. Authorise the Chief Executive Officer to make any amendments to the Financial Statement and Performance Statement for the year ended 30 June 2020 that may be requested by the Victorian Auditor-General.
3. Authorise the Mayor Cr Cheryl McKinnon, one other Councillor and the Chief Executive Officer to certify the audited Financial Statements and Performance Statement for the year ended 30 June 2020.

**CONFLICT OF INTEREST**

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

**PREVIOUS COUNCIL DISCUSSION**

Nil.

**BACKGROUND**

Council's external auditors, RSD Audit, acting on behalf of the Victorian Auditor-General, have partially completed the audit remotely and attended again remotely during 13 to 14 August 2020 to finalise the audit of Council's Financial Statements and Performance Statement for the year ended 30 June 2020.

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

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

**ISSUES/DISCUSSION**

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

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

- 10 mandatory service performance indicators (two Home and Community Care indicators were discontinued after the 2015/16 reporting period and four others are optional – Economic Development, Immunisation, Sports Grounds and Street Sweeping),
- 11 financial sustainability indicators and
- 7 sustainable capacity indicators, which are financial and non-financial indicators of the sustainability of Council.

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

### **COST/BENEFITS**

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

### **RISK ANALYSIS**

Preparation and auditing of Financial Statements and the Performance Statement are legislated functions of Council. Council must provide these documents along with the Report of Operations to the Minister for Local Government by 30 September 2020 generally, or 30 November 2020 due to an extension granted by the Minister as a result of the impact of COVID-19.

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

### **CONSULTATION AND ENGAGEMENT**

The Audit Committee has been provided with an overview of the Financial Statements and Performance Statement at the Audit Committee Meeting held on 13 August 2020.

### **RESOLUTION 2020/105**

Moved: Cr Geoff Curnow

Seconded: Cr Colleen Condliffe

That Council:

1. Adopts the Financial Statements and Performance Statement for the year ended 30 June 2020 as presented "in principle".
2. Authorise the Chief Executive Officer to make any amendments to the Financial Statement and Performance Statement for the year ended 30 June 2020 that may be requested by the Victorian Auditor-General.
3. Authorise the Mayor Cr Cheryl McKinnon, Cr Holt, and the Chief Executive Officer to certify the audited Financial Statements and Performance Statement for the year ended 30 June 2020.

**CARRIED**

**10.3 FINANCE REPORT FOR THE PERIOD ENDING 31 JULY 2020****File Number:** 08/06/001**Author:** Deanne Caserta, Manager Financial Services**Authoriser:** Sharon Morrison, Director Corporate Services**Attachments:** 1. Finance Report for period ending 31 July 2020**RECOMMENDATION**

That Council:

1. receives and notes the 'Finance report for the period ending 31 July 2020'
2. approves the supplementary valuations of rateable and non-rateable properties in respect of the 2020/21 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 2020/21.

**CONFLICT OF INTEREST**

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

**PREVIOUS COUNCIL DISCUSSION**

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

**BACKGROUND**

The Finance Report for the period ended 31 July 2020 includes standard monthly information about budget variations, cash, investments, interest, debtors and creditors, and provides a comparison of year-to-date actual results to year-to-date budget (by dollars and percentage) and total revised budget (by percentage).

The information is in the format provided in the adopted 2020/21 Budget, and includes operating results, capital expenditure and funding sources.

The report this month does not provide explanation on budget timing variances as this timing work has not been completed for 2020/21. This will occur during August 2020.

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 remained at \$95,718, this is expected to increase due to a higher than budgeted carry forward amount from 2019/20.

**Income Statement (revenue)** - Council's year to date (YTD) operating revenue is at 52% of total budget. Revenue brought to account for July was \$12.2M.

**Income Statement (expenditure)** - Council's operating expenditure is at 11% of total budget. Payments for this month totalled just over \$3.67M.

**Capital Works** - The approved budget for capital works is \$7.24M and is less than 1% complete in financial terms for the current financial year.

**Service Areas** – Appendix 3 now provides Council with a clearer picture of the net result for each service area. As further work is done on service planning and reviews throughout the year, the cost of each service will be refined.

**Balance Sheet** - Council has a cash total of \$28.0M with \$1.8M in general accounts. Total debtors are \$13.75M with rates raised during July 2020. Sundry debtors total \$1.06M with invoices outstanding for 90 or more days relating to community wellbeing debtors and local community groups totalling approximately \$32K.

### COST/BENEFITS

The benefit to Council and the community is that accurate and regular financial reporting is being disclosed, along with an accurate representation of property valuations being reflected in Council's rating system and the distribution of rate notices for the year 2020/21.

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

### RISK ANALYSIS

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

### CONSULTATION AND ENGAGEMENT

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

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

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

**RESOLUTION 2020/106**

Moved: Cr Gavan Holt

Seconded: Cr Colleen Condliffe

That Council:

1. receives and notes the 'Finance report for the period ending 31 July 2020'
2. approves the supplementary valuations of rateable and non-rateable properties in respect of the 2020/21 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 2020/21.

**CARRIED**

**10.4 RESCISSION OF SECTION 86 COMMITTEE INSTRUMENTS OF DELEGATION****File Number:** GF/19/20**Author:** Sharon Morrison, Director Corporate Services**Authoriser:** Phil Pinyon, Chief Executive Officer**Attachments:** Nil**RECOMMENDATION**

That Council:

- a) rescind all instruments of delegation issued to committees of management pursuant to section 86 of the Local Government Act 1989 effective from 31 August 2020
- b) support relevant committees to transition to Community Asset Committees with the role stated in Table 1 for the asset stated in Table 1
- c) support relevant committees to transition to other structures in order to fulfil their role as stated in Table 2.

**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 has established numerous section 86 committees over the years and generally appointed committee members to them annually following their annual general meeting.

**BACKGROUND**

The Local Government Act 2020 (2020 Act) received Royal Assent on 24 March 2020. It is being introduced in stages.

Section 86 of the Local Government Act 1989 (1989 Act) ceased on 1 May 2020. Councils were provided with 4 months to transition to new arrangements under the 2020 Act. Section 65 of the 2020 Act allows a council to establish a committee for the purpose of managing a community asset. These committees receive delegations from the CEO.

Council adopted a Community Asset Committee Policy on 28 July 2020 demonstrating its commitment to transitioning all section 86 committees currently managing assets to section 65 community asset committees.

**ISSUES/DISCUSSION****Table 1**

Council currently has section 86 committees of management for the following assets:

<b>Asset</b>	<b>Committee role</b>
<b>Sporting facilities</b>	
Boort Park	to administer, manage and control the facility known as Boort Park.
Donaldson Park	to administer, manage and control the facility known as Donaldson Park.



<b>Asset</b>	<b>Committee role</b>
Inglewood Community Sports Centre	to administer, manage and control the facility known as Inglewood Community Sports Centre.
Korong Vale Sports Centre	to administer, manage and control the facility known as Korong Vale Sports Centre.
Pyramid Hill Swimming Pool	to administer, manage and control the facility known as Pyramid Hill Swimming Pool.
<b>Halls:</b>	
Boort Memorial Hall	to administer, manage and control the facility known as the Boort Memorial Hall.
Campbells Forest Hall	to administer, manage and control the facility known as the Campbells Forest Hall.
Inglewood Town Hall Hub	to administer, manage and control the facility known as the Inglewood Town Hall Hub.
Korong Vale Mechanics Hall	to administer, manage and control the facility known as the Korong Vale Mechanics Hall.
Pyramid Hill Memorial Hall	to administer, manage and control the facility known as the Pyramid Hill Memorial Hall.
Wedderburn Mechanics and Literary Institute Hall	to administer, manage and control the facility known as the Wedderburn Mechanics and Literary Institute Hall.
Yando Public Hall	to administer, manage and control the facility known as the Yando Public Hall.
<b>Community centres:</b>	
East Loddon Community Centre	to administer, manage and control the facility known as East Loddon Community Centre.
Wedderburn Community Centre	to administer, manage and control the facility known as Wedderburn Community Centre.
<b>Other facilities:</b>	
Boort Aerodrome	to administer, manage and control the facility known as the Boort Aerodrome.
Inglewood Community Elderly Persons Units	to administer, manage and control the facility known as the Inglewood Community Elderly Persons Units.
Jones Eucalyptus Distillery Site	to administer, manage and control the land known as the Jones Eucalyptus Distillery Site.
Little Lake Boort	to administer, manage and control the facility known as Little Lake Boort.
Wedderburn Engine Park and Market Square Reserve	to administer, manage and control the facility known as Wedderburn Engine Park and Market Square Reserve.
<b>Tourism/Development:</b>	
Bridgewater on Loddon Development	to administer, manage and control the facility known as Bridgewater on Loddon Memorial Hall.

Asset	Committee role
Wedderburn Tourism	to promote economic development and tourism in the region. To facilitate events that support economic development and tourism in the region. To administer, manage and control Government Battery, Hard Hill Wedderburn. To administer, manage, maintain and control Hard Hill Tourist Reserve, a crown land reserve with a community committee of management.

**Table 2**

In addition, Council has the following section 86 committees which do not manage assets and therefore are not eligible to be Community Asset Committees pursuant to section 65 of the 2020 Act.

Asset	Committee role	Recommended structure
<b>Tourism/Development:</b>		
Boort Tourism Development	to promote economic development and tourism in the region. To facilitate events that support economic development and tourism in the region.	Incorporated association
Kingower Development and Tourism	to promote economic development and tourism in the region. To facilitate events that support economic development and tourism in the region.	Incorporated association
Loddon Southern Tourism and Development	to promote economic development and tourism in the region. To facilitate events that support economic development and tourism in the region.	Incorporated association

## COST/BENEFITS

There is little cost associated with this recommendation other than officer time in administration. The benefit of the recommendations is compliance with the Local Government Act 1989 and 2020.

Committees transitioning to incorporated association status can expect increased costs for insurance and administration. Council's Community Planning Officer is currently investigating how these costs can be minimised.

## RISK ANALYSIS

There is a risk that the recommendations in this report will cause confusion for section 86 committees and staff involved with section 86 committees. This risk has been managed by maintaining communication and engagement with section 86 committees and staff during the transition from the 1989 Act and 2020 Act.

## CONSULTATION AND ENGAGEMENT

There will be ongoing communication and support provided to committees as they transition to section 65 Community Asset Committees or other structures if they are not managing assets.

**RESOLUTION 2020/107**

Moved: Cr Neil Beattie

Seconded: Cr Gavan Holt

That Council:

- a) rescind all instruments of delegation issued to committees of management pursuant to section 86 of the Local Government Act 1989 effective from 31 August 2020
- b) support relevant committees to transition to Community Asset Committees with the role stated in Table 1 for the asset stated in Table 1
- c) support relevant committees to transition to other structures in order to fulfil their role as stated in Table 2.

**CARRIED**

**10.5 LOCAL GOVERNMENT ACT 2020 - ESTABLISHMENT OF COMMUNITY ASSET COMMITTEES****File Number:** GF/19/20**Author:** Sharon Morrison, Director Corporate Services**Authoriser:** Phil Pinyon, Chief Executive Officer

- Attachments:**
1. **Community Asset Committees**
  2. **Proposed Instrument of Delegation template version 1**
  3. **Proposed Community Asset Committee Policy version 2**

**RECOMMENDATION**

1. That in exercise of the power conferred by section 65 of the Local Government Act 2020 (the 2020 Act), Council resolves that:
  - a. From the date of this resolution, there be established as a Community Asset Committee the Community Asset Committee (the Committee) listed in column 2 of Attachment 1 to this report
  - b. The purpose of each Committee is set out in column 3 of Attachment 1 to this report
  - c. The members of each Committee are set out in column 4 of Attachment 1 to this report
  - d. The Chairperson of the Committee is set out in column 6 of Attachment 1 to this report
  - e. The quorum for each Committee is a whole number that is an absolute majority, which is greater than half the total number of members or member groups (where applicable) of the Committee
  - f. All members of the Committee have voting rights on the Committee in accordance with the Committee's instrument of delegation
2. That Council endorse Attachment 2 as the proposed delegation template to be received by the Committees from the Chief Executive Officer.
3. That Council adopt Community Asset Committee Policy version 2

**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 provided feedback on the proposed instrument of delegation at the August 2020 forum.

**BACKGROUND**

The 2020 Act received Royal Assent on 24 March 2020. It is being introduced in stages.

Section 65 of the 2020 Act allows Council to establish Community Asset Committees for the purpose of managing community assets. These committees receive a delegation from the Chief Executive Officer and do not have a requirement to be chaired by a Councillor or Mayor.

Council adopted a Community Asset Committee Policy on 28 July 2020 demonstrating its commitment to transitioning all section 86 committees currently managing assets to section 65 community asset committees.

This report establishes committees consistent with section 65 of the 2020 Act.

## ISSUES/DISCUSSION

Column 1 of Attachment 1 to this report contains a list of community assets to be managed pursuant to section 65 of the Act. The assets have previously been managed by committees of management pursuant to section 86 of the Local Government Act 1989.

Column 2 of Attachment 1 lists the proposed committee name for each asset. With the exception of two committees, the names are consistent with their former section 86 names. The two exceptions are noted with \*\*. Formerly these committees had a tourism/development focus and also managed assets. Section 65 does not provide for the delegation of tourism/development focus therefore it is proposed to change the name of the committee but retain the membership of the former section 86 committee to reflect the provisions of the 2020 Act.

Column 3 of Attachment 1 provides a brief description of the proposed committee which is consistent with the purpose of the former section 86 committee with the exception of the two committees with \*\*. The role of these committees has been amended to remove the tourism/development focus which is not provided for in the 2020 Act.

Column 4 of Attachment 1 contains the names of the committee members appointed by Council most recently, with the exception of one committee (Wedderburn Engine Park ad Market Square Reserve) whose details have been provided to Council since the last Council meeting but have not been the subject of a formal committee member appointment report. The proposed committee members for this committee are listed in Column 4 as recommended committee members for the section 65 committee. Where the former committee was comprised of member groups, the representative is listed followed by the member group they represent. In addition, the Ward Councillor has been included as a member in accordance with clause 3.2 of the Community Asset Committee version 1 and proposed version 2.

Column 5 of Attachment 1 contains the date the committee members were last appointed to the committee by Council.

Column 6 of Attachment 1 contains the name of the chairperson last appointed by Council and recommended for appointment as chair of the section 65 committee.

As a result of proposed recommendation 1 in this report, Council will have established Community Asset Committees. The next step is for the committees to receive a delegation from the Chief Executive Officer. The form of this proposed instrument of delegation template is Attachment 2 to this report. This proposed template was reviewed by Councillors at the August forum. The instrument of delegation attempts to reduce the governance burden on the committees compared with the former section 86 instrument of delegation.

During review of the proposed template, the need for amendment to the Community Asset Committee Policy was recognised. The adopted policy provided only 60 days for committees to report to Council after the end of financial year. It is proposed to extend this timeframe to 90 days after the end of financial year.

## COST/BENEFITS

The cost of the recommendations in this report is a significant amount of officer time in administration and support. The benefit of the recommendations is compliance with the 2020 Act and a clear and consistent framework for the management of assets by Community Asset Committees of Council.

## RISK ANALYSIS

There is a risk that committee members and staff will feel overwhelmed and frustrated by the changes. The changes are unavoidable and efforts have been made to reduce the administrative burden on both staff involved in the administration of the committees and volunteer committee members.

**CONSULTATION AND ENGAGEMENT**

Councillors have been engaged frequently during the transition of section 86 committees to section 65 committees and have been instrumental in providing guidance on the preferred approach. The short timeframe for the transition, the number of committees, the limited staff resources for supporting committees and the social distancing measures coinciding with the transition have proved difficult for the engagement of committees in the transition process. Written communication has been provided advising of the upcoming transition and in seeking input on the related policy. A funded position has been applied for to assist with the transition however the outcome of this grant is not yet known. Committees will continue to receive written communications and will be able to contact Council officers for information regarding the approach under the 2020 Act.

**RESOLUTION 2020/108**

Moved: Cr Colleen Condliffe

Seconded: Cr Neil Beattie

1. That in exercise of the power conferred by section 65 of the Local Government Act 2020 (the 2020 Act), Council resolves that:
  - a. From the date of this resolution, there be established as a Community Asset Committee the Community Asset Committee (the Committee) listed in column 2 of Attachment 1 to this report
  - b. The purpose of each Committee is set out in column 3 of Attachment 1 to this report
  - c. The members of each Committee are set out in column 4 of Attachment 1 to this report
  - d. The Chairperson of the Committee is set out in column 6 of Attachment 1 to this report
  - e. The quorum for each Committee is a whole number that is an absolute majority, which is greater than half the total number of members or member groups (where applicable) of the Committee
  - f. All members of the Committee have voting rights on the Committee in accordance with the Committee's instrument of delegation
2. That Council endorse Attachment 2 as the proposed delegation template to be received by the Committees from the Chief Executive Officer.
3. That Council adopt Community Asset Committee Policy version 2

**CARRIED**

**10.6 GOVERNANCE RULES FOR ADOPTION****File Number:** fol/19/126277**Author:** Lynne Habner, Manager Executive and Commercial Services**Authoriser:** Phil Pinyon, Chief Executive Officer**Attachments:** 1. Governance Rules - final draft for adoption**RECOMMENDATION**

That Council:

1. adopt the Governance Rules
2. rescind the Election Period Policy
3. authorise staff to make arrangements, if necessary, to rescind Local Law 1.

**CONFLICT OF INTEREST**

There are no conflicts 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 presentation was provided to the July Council Forum outlining the development process and timeframe for delivery of a draft set of Governance Rules. At its July meeting, Council resolved to advertise the draft Governance Rules for public comment. At the August Council Forum, Council discussed minor changes to the draft, and was provided a presentation about the conflict of interest requirements of the Local Government Act 2020.

**BACKGROUND**

Section 60 of the Local Government Act 2020 states:

**60 Governance Rules**

- (1) A Council must develop, adopt and keep in force Governance Rules for or with respect to the following—
  - (a) the conduct of Council meetings;
  - (b) the conduct of meetings of delegated committees;
  - (c) the form and availability of meeting records;
  - (d) the election of the Mayor and the Deputy Mayor;
  - (da) the appointment of an Acting Mayor;
  - (e) an election period policy in accordance with section 69;
  - (f) the procedures for the disclosure of a conflict of interest by a Councillor or a member of a delegated committee under section 130;
  - (g) the procedure for the disclosure of a conflict of interest by a Councillor under section 131;
  - (h) the disclosure of a conflict of interest by a member of Council staff when providing information in respect of a matter within the meaning of section 126(1);
  - (i) any other matters prescribed by the regulations.
- (2) The Governance Rules must provide for a Council to—
  - (a) consider and make decisions on any matter being considered by the Council fairly and on the merits; and

(b) institute decision making processes to ensure that any person whose rights will be directly affected by a decision of the Council is entitled to communicate their views and have their interests considered.

- (3) A Council may amend its Governance Rules.
- (4) Subject to subsection (5), a Council must ensure that a process of community engagement is followed in developing or amending its Governance Rules.
- (5) Subsection (4) does not apply if the Council is developing and adopting or amending a Governance Rule that only adopts a good practice guideline issued by the Minister under section 87.
- (6) A Council must comply with its Governance Rules.
- (7) A Council must adopt the first Governance Rules under this section on or before 1 September 2020.
- (8) Until a Council adopts Governance Rules under this section, the Local Law Meeting Procedures made by the Council under the Local Government Act 1989 apply as if the Local Law Meeting Procedures had been adopted as Governance Rules under this section.

## ISSUES/DISCUSSION

Council had adopted its current version of Local Law 1 - Processes of Municipal Government in April 2017, following a thorough review and consultation conducted by a consultant.

Local Government Victoria has produced a template to assist councils in developing their new Governance Rules. On reviewing the template, it was found to be significantly more complex and detailed than the current Local Law 1.

Given the short timeframe required for Council to adopt the new Governance Rules, a consultant was engaged to review Local Law 1 with a view to changing it into the required Governance Rules by incorporating the elements that are required under the Local Government Act 2020, but without making the new document any more complex than is necessary.

The amendments considered necessary to comply with the new Act included:

- Committee arrangements under the new Act
- Provision for Deputy Mayor, if desired by future Councils
- New meeting descriptions to replace “ordinary” and “special” council meetings
- Replacing more technical meeting procedures with:
  - empowering the Mayor to decide many procedural matters such as putting the question, adjourning debate, suspending standing orders, altering speaking times, etc. without requiring a formal motion and vote
  - providing that matters not covered in the Governance Rules will be decided by the Mayor (noting that capacity for the Mayor to misuse these powers is limited by the ability of Council to dissent from a Mayor’s decision).
- Describing the role of the Mayor as leading the meeting in a way that ensures good decision making, which will provide guidance for the exercise of the Mayor’s powers and reinforce the Act. Good decision making:
  - Is informed about relevant circumstances and requirements
  - Involves open participation by councillors
  - Is transparent to participants and observers
  - Allows a fair hearing for anyone affected by a decision
  - Reflects the results of community engagement
  - Is focussed on the issues at hand
  - Is conducted in an orderly manner.



- Describing the role of the CEO in Council meetings to clarify that the CEO has important roles under the Act to support the Mayor and councillors in council meetings by:
  - Ensuring council is provided with information needed to make good decisions
  - Advising of any legal or administrative implications of decisions
  - Helping clarify any resolution that has unclear application
  - Ensuring support for procedural and administrative matters.
- Describing the role of Councillors
- Clarifying procedures for conflicts of interest
- Inclusion of the Election Period Policy in the Governance Rules.

In order to adopt new Governance Rules before 1 September 2020, they will need to be presented to the August Council meeting for final adoption.

Prior to adoption, section 60(4) requires that a process of community engagement is followed. Council advertised the draft Governance Rules for a comment period closing 17 August 2020.

No submissions were received from the public. Two minor amendments were made to the draft Rules as a result of further internal discussions:

- Clarification of separate commencement of Part 5 Conflicts of Interest to come into operation on 24 October 2020, in line with the Act
- Clarification of clause 8(1) Failed election of the Mayor “If there are two remaining candidates (added) in an election is conducted under clause 7 and no candidate obtains the votes of an absolute majority of the Councillors, the election fails.”

### **COST/BENEFITS**

Development of the new Governance Rules within the required timeframe has necessitated the engagement of a consultant, which is a cost to Council. However, the approach to amending the existing Local Law 1 was considered to be a more streamlined process than replacing it with a completely new document, providing efficiencies for its adoption within the time allowed.

### **RISK ANALYSIS**

By adopting the Governance Rules, Council is addressing the risk of non-compliance with the new Local Government Act 2020.

### **CONSULTATION AND ENGAGEMENT**

The Governance Rules have been developed in consultation with relevant staff within the organisation, and Councillors have been consulted as outline in “Previous Council Discussion” above.

**RESOLUTION 2020/109**

Moved: Cr Colleen Condliffe

Seconded: Cr Gavan Holt

That Council:

1. adopt the Governance Rules
2. rescind the Election Period Policy
3. authorise staff to make arrangements, if necessary, to rescind Local Law 1.

**CARRIED**

**10.7 REVIEW OF ELECTION OF MAYOR POLICY****File Number:** 18/01/001**Author:** Phil Pinyon, Chief Executive Officer**Authoriser:** Phil Pinyon, Chief Executive Officer**Attachments:** 1. Election of Mayor Policy v4 draft**RECOMMENDATION**

That Council adopts the Election of Mayor 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**

The draft Election of Mayor Policy (the Policy) was presented to the August 2020 Council Forum for discussion.

**BACKGROUND**

Council policies are those policies that relate to, or may impact, our customers and community.

Version 3 of the Policy was adopted on 23 August 2016 with a four year review date. The Policy is now due for review.

**ISSUES/DISCUSSION**

The Policy is additional to Council's Governance Rules, also presented today for adoption. Whereas the Governance Rules set out the process of election, this policy lists some guidelines for choosing the Mayor.

Minor changes have been made to the policy in accordance with the new Local Government Act and Governance Rules.

**COST/BENEFITS**

No costs to Council are associated with this policy.

**RISK ANALYSIS**

No risks have been identified as a result of this proposal.

**CONSULTATION AND ENGAGEMENT**

Councillors were consulted about the review of this policy.

**RESOLUTION 2020/110**

Moved: Cr Geoff Curnow

Seconded: Cr Neil Beattie

That Council adopts the Election of Mayor Policy v4.

**CARRIED**

**10.8 REVIEW OF PROCUREMENT POLICY**

**File Number:** 18/01/001

**Author:** Deanne Caserta, Manager Financial Services

**Authoriser:** Sharon Morrison, Director Corporate Services

**Attachments:** 1. Procurement Policy v10

**RECOMMENDATION**

That Council adopts the Procurement Policy v10.

**CONFLICT OF INTEREST**

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

**PREVIOUS COUNCIL DISCUSSION**

Council adopted version 9 of the Procurement Policy at the August 2019 Council Meeting.

**BACKGROUND**

It is a requirement of Section 186A (7) of the Local Government Act 1989 that “at least once in each financial year, a Council must review the current procurement policy and may, in accordance with this section, amend the procurement policy”. This section of the 1989 Act is still in force.

**ISSUES/DISCUSSION**

The Procurement Policy addresses the important aspects of procurement including:

- consistency in procurement activities
- complying with legal obligations
- obtaining value for money
- supporting local and environmental sustainability
- managing procurement risks
- incorporating continuous improvement processes.

The previous version (version 9) of the Policy had a complete rewrite and has been tested thoroughly over the past 12 months.

The only proposed change for this version is to add the adopted recommendations from joint independent study with City of Greater Bendigo and Mount Alexander Shire Council which reviewed Aboriginal procurement within each Council.

**COST/BENEFITS**

There are no direct costs associated with adoption of the policy; however staff time will be necessary for training and deployment of this new version.

**RISK ANALYSIS**

As one of the policy statements is that Loddon Shire Council will manage procurement risks when purchasing goods, services and works, application of the policy, along with supporting procedures and other supporting documents, should help to minimise risks.

**CONSULTATION AND ENGAGEMENT**

The document has been drafted by the Procurement Team, Policy Review Group and Management Executive Group. Council was provided with a presentation of the proposed policy at a Council Forum in August.

**RESOLUTION 2020/111**

Moved: Cr Colleen Condliffe

Seconded: Cr Gavan Holt

That Council adopts the Procurement Policy v10.

**CARRIED**

**10.9 REVIEW OF KERBSIDE WASTE AND RECYCLING POLICY****File Number:** 15/05/001**Author:** Deanne Caserta, Manager Financial Services**Authoriser:** Sharon Morrison, Director Corporate Services**Attachments:** 1. Kerbside Waste and Recycling Policy v3**RECOMMENDATION**

That Council adopts the Kerbside Waste and Recycling Policy v3.

**CONFLICT OF INTEREST**

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

**PREVIOUS COUNCIL DISCUSSION**

The last approved version of the Kerbside Waste and Recycling Policy (v2) (the Policy) was in February 2018.

**BACKGROUND**

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

**ISSUES/DISCUSSION**

The latest version (version 2) of the Kerbside and Recycling Policy (the Policy) was approved in February 2018. Although it is not up for review until February 2022, it has been identified that the current version needed some alterations to include some wording around circumstances that have occurred since adoption.

The Policy has had some minor updates including adding reference where required to the Building Asset Management Plan and the Waste and Recycling Services Contract to ensure that the policy is linked to any relevant changes within these key documents.

The policy has also had two further key sections added as below:

**3.5 Planning scheme amendments**

*Where there are amendments to the Loddon Planning Scheme and properties change classification, property owners will be offered the option to take up a bin service where they are deemed to be eligible within the conditions of this policy. There will be no mandatory requirement for them to take up the service in the first instance. Council may decide at a later date that their land classification may make the service mandatory. At this point an assessment will need to be undertaken to determine the additional property numbers, contractor capacity, route maps and road accessibility.*

**3.3.5 Non-payment of charges**

*Where a ratepayer ceases to pay rates and charges for a property that exists within the non-compulsory service areas, Council may decide to cancel the services and apply a pro-rata charge for that financial year.*

*Where a ratepayer ceases to pay rates and charges for a property that exists within the compulsory service area, Council may decide to cancel any additional services above the standard two bin system and will apply a pro-rata charge for that financial year.*

*Only when the rates and charges are up to date will Council approve re-commencement of the service/s.*

To further support the statement above an additional sentence has been added to the request for additional bins section. *Where payments for current rates and charges are not being met, Council may refuse this additional service request.*

These additional sections will assist in ensuring there is a clear understanding for staff of Council's position towards the provision of waste and kerbside recycling.

The Policy has a four year review timeline.

### **COST/BENEFITS**

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

### **RISK ANALYSIS**

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

### **CONSULTATION AND ENGAGEMENT**

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

### **RESOLUTION 2020/112**

Moved: Cr Neil Beattie

Seconded: Cr Geoff Curnow

That Council adopts the Kerbside Waste and Recycling Policy v3.

**CARRIED**

**10.10 REVIEW OF ASSET MANAGEMENT POLICY****File Number:** FOL/19/432648**Author:** David Southcombe, Manager Assets and Infrastructure**Authoriser:** Steven Phillips, Director Operations**Attachments:** 1. Asset Management Policy**RECOMMENDATION**

That Council resolve to adopt the reviewed Asset Management Policy version 3.

**CONFLICT OF INTEREST**

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

**PREVIOUS COUNCIL DISCUSSION**

The review of the Asset Management Policy was discussed at the August 2020 Council Forum.

**BACKGROUND**

The purpose of the Asset Management Policy is to outline a framework for the sustainable management of Council's infrastructure to meet the needs of current and future generations. It identifies how Council will achieve this by:

- delivering financial sustainability by making decisions that lead to a cost effective asset base
- providing a level of service to the community that responds to community needs
- ensuring the services currently provided are available for future generations
- providing infrastructure in a condition that supports the services provided
- identifying funding to support and maintain our infrastructure
- managing locally while planning regionally.

In addition to the above, it describes the asset management framework, and lists the tools that support asset management.

Council's current Asset Management Policy was adopted in 2012. This existing policy has been reviewed as part of the Asset Management Improvement Project undertaken by Heron Solutions.

**ISSUES/DISCUSSION**

Council's new draft Asset Management Policy includes many of the elements of the existing policy and expands on it in a few areas.

It identifies how Council will achieve asset management similar to the previous policy and expands on this to include items such as:

- ensuring asset management practices are aligned to Council strategic policies and directives
- developing an asset management framework and asset management plans covering a period of no less than 10 years
- investing in training of staff



- continuing to pursue external funding to support and maintain infrastructure.

In addition it also outlines the key roles and responsibilities of Council staff associated with asset management including Councillors, the Management Executive Group, the Asset Management Working Group, the Asset Management Team and Council Staff.

Similar to the previous policy, a section of Capacity Building and Definition of Terms and Abbreviations is included. These areas too have both been expanded to include greater detail.

### **COST/BENEFITS**

This does not have policy any direct financial impact upon Council.

### **RISK ANALYSIS**

There is no change in risk associated with the adoption of the new policy. It is a required update of an existing policy.

### **CONSULTATION AND ENGAGEMENT**

The Draft Asset Management Policy has been discussed with internal stakeholders on a number of occasions. This includes the Loddon Leaders, MEG, and other staff who have had opportunity to review and comment on the new Asset Management Policy. The Draft Asset Management Policy was discussed at the August 2020 Council Forum.

### **RESOLUTION 2020/113**

Moved: Cr Colleen Condliffe

Seconded: Cr Geoff Curnow

That Council resolve to adopt the reviewed Asset Management Policy version 3.

**CARRIED**

**10.11 SERVICE PLANNING POLICY VERSION 1****File Number:** 18/01/001**Author:** Sharon Morrison, Director Corporate Services**Authoriser:** Phil Pinyon, Chief Executive Officer**Attachments:** 1. Proposed Service Planning Review Policy version 1**RECOMMENDATION**

That Council adopts the Service Planning Review Policy version 1.

**CONFLICT OF INTEREST**

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

**PREVIOUS COUNCIL DISCUSSION**

The draft policy was presented to Council at the August 2020 forum for input.

**BACKGROUND**

In January 2019 the internal auditors completed a review of Council's service planning framework. The review found that Council was at an early stage of implementing service reviews and would benefit from a formally documented framework. Council's risk was assessed as high.

A report was presented to the February 2019 Audit Committee where the Audit Committee noted the review and referred it to Council.

At the February 2019 Council meeting, Council endorse the performance improvement recommendations documented in the Review of Service Planning (the Review).

Appendix C of the Review provided a proposed implementation plan. Stage 1 of the plan was the adoption of a Service Planning Review Policy.

**ISSUES/DISCUSSION**

The proposed policy establishes a service planning framework consisting of:

- service planning
- service reviews (a program of reviews each year)
- implementation of service reviews (throughout the period of the service review implementation plan).

The policy takes into consideration the findings in the 2019 Review of Service Planning by the internal audits, and the recommendations in "Delivering Local Government Services" September 2018 report by the Victorian Auditor-General's Office.

**COST/BENEFITS**

The purpose of service delivery planning and reviews is to assist in ensuring that council meets the community's priorities, needs and expectations about the services it provides. This drives better management of the Council's current and future resources.

**RISK ANALYSIS**

The adoption of a formally documented framework for service planning review will assist Council in reducing the level of risk associated with an undocumented framework.

**CONSULTATION AND ENGAGEMENT**

The draft policy has been reviewed by staff, the policy review group, management and leaders, the audit committee and councillors before being presented to Council with a recommendation for adoption.

**RESOLUTION 2020/114**

Moved: Cr Colleen Condliffe

Seconded: Cr Neil Beattie

That Council adopts the Service Planning Review Policy version 1.

**CARRIED**

**10.12 INVESTMENT POLICY V5**

**File Number:** 06/02/004

**Author:** Deanne Caserta, Manager Financial Services

**Authoriser:** Sharon Morrison, Director Corporate Services

**Attachments:** 1. Investment Policy v5

**RECOMMENDATION**

That Council adopts the Investment Policy v5.

**CONFLICT OF INTEREST**

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

**PREVIOUS COUNCIL DISCUSSION**

The last approved version of the Investment Policy (version 4) was in 2018.

**BACKGROUND**

The purpose of the Investment Policy is to set the principles for investment decisions by Loddon Shire Council.

**ISSUES/DISCUSSION**

There have been minimal changes made to this policy.

This policy has been updated to provide further clarification around the 40% investment limit for any authorised banking institution. It now outlines that this calculation is undertaken at the time the investment is being made.

Further updates were also undertaken in Section 3.1 – Requirements of the Local Government Act 2020, to ensure it complies with the new Act.

The policy has a review timeline of four years.

**COST/BENEFITS**

The investment caps that Council imposes can impact on the availability of interest rates available when competition is low, it does however share the investment portfolio with other reputable institutions.

**RISK ANALYSIS**

There is a risk that Council's income will be reduced due to accepting lower interest rates on investments. This risk is minimised by limiting the percentage of funds invested with any one institution and also putting a limit on the extent to which a lower interest rate will be acceptable.

**CONSULTATION AND ENGAGEMENT**

The document has been subject to the normal approval process and includes presentation to and approval in principle from the Audit and Risk Committee in August 2020, prior to presentation in the Council Meeting Agenda.

**RESOLUTION 2020/115**

Moved: Cr Gavan Holt

Seconded: Cr Neil Beattie

That Council adopts the Investment Policy v5.

**CARRIED**

**10.13 REVIEW OF COVID-19 FINANCIAL HARDSHIP POLICY**

**File Number:** 18/01/001

**Author:** Deanne Caserta, Manager Financial Services

**Authoriser:** Sharon Morrison, Director Corporate Services

**Attachments:** 1. COVID-19 Financial Hardship Policy v2

**RECOMMENDATION**

That Council adopts the COVID-19 Financial Hardship Policy v2.

**CONFLICT OF INTEREST**

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

**PREVIOUS COUNCIL DISCUSSION**

The first version of the COVID-19 Financial Hardship Policy (the Policy) was approved in May 2020 and had a review timeline of three months.

**BACKGROUND**

The purpose of the Policy is to set principles for Loddon Shire Council to assist ratepayers who are experiencing financial hardship as a result of COVID-19 in making payments of rates and waste charges raised by Council.

The effect of the COVID-19 Financial Hardship Policy is to extend Council's existing Financial Hardship Policy by:

- extending the application of the policy to all ratepayers, not just residential ratepayers in relation to their primary place of residence
- encouraging payment plans
- placing a hold on interest on debt accumulated during the COVID-19 pandemic from 16 March 2020 until 31 December 2020
- refraining from legal action for the collection of current rates and charges.

**ISSUES/DISCUSSION**

The only change to the policy is the extension of its application until 31 December 2020 due to the ongoing impact of COVID-19.

**COST/BENEFITS**

Council has received minimal contact from most ratepayers in regard to applications for COVID-19 financial assistance.

In response, Council staff have increased the written and telephone correspondence to outstanding ratepayers. Staff have been encouraging a payment plan to be put into place where possible, to gradually reduce the outstanding amounts which has resulted in an increase in payment plan arrangements.

As at 30 June 2019, Council had a total rates and charges outstanding amount of \$214,420 or 2.0% of total rates and charges raised for the year.

As at 30 June 2020, Council had a total rates and charges outstanding amount of \$275,552 or 2.5% of total rates and charges raised for the year, only a small increase on the previous year.

**RISK ANALYSIS**

There is a risk that service delivery will be impacted due to lost income. With only 9.38% of rates and garbage charges outstanding at the end of April, currently the risk is limited to interest on \$1M for up to 8 months at less than 2% interest rate.

As the policy does not provide relief for non-current rates and charges (that is, rates and charges due in previous years), there is a risk that debt collection procedures for these amounts will be seen as lacking in compassion. These debts have been outstanding as far back as 2006 and were due well before COVID-19 commenced.

**CONSULTATION AND ENGAGEMENT**

Council was presented with this document for review and comment at the August Council Forum.

**RESOLUTION 2020/116**

Moved: Cr Geoff Curnow

Seconded: Cr Colleen Condliffe

That Council adopts the COVID-19 Financial Hardship Policy v2.

**CARRIED**

**10.14 COVID-19 BUSINESS SUPPORT**

**File Number:** FOL/20/1254

**Author:** Sharon Morrison, Director Corporate Services

**Authoriser:** Phil Pinyon, Chief Executive Officer

**Attachments:** Nil

**RECOMMENDATION**

That Council:

1. waive the fees outlined in this report totalling \$39,777.10
2. fund the waived fees from the \$400,000 allocation set aside for initiatives to support the community to recover from the impacts of COVID-19.

**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.

*Cr Holt declared a conflict of interest due to his involvement in local businesses.*

*Cr Holt left the meeting at 4.13pm.*

**PREVIOUS COUNCIL DISCUSSION**

This matter was discussed by Councillors at the August 2020 forum.

**BACKGROUND**

The 2020/21 Budget currently has \$400k allocated to a community support package for initiatives to assist the community to recover from the impacts of COVID-19.

In response to COVID-19 Council has put in place:

- COVID-19 Financial Hardship Policy in relation to rates and
- community facility reopening support for cleaning Council facilities.

Council approved the COVID-19 Financial Hardship Policy on 26 May 2020 for a period of 3 months. It is proposed that this policy be extended to 31 December 2020. The scope of the policy is rates. New fees and charges have not been addressed.

In June 2020, Council approved \$48,150 of the \$400k for allocations to various Committees of Management, the Library agencies and the Laanecoorie Camp Group toilets for costs associated with a deep clean and the purchase of bleach based sanitiser for community facilities, to assist in covering the costs associated with cleaning facilities to meet COVID-19 reopening requirements.

In May 2020 Council officers foreshadowed further information on a business support package in response to COVID-19.

**ISSUES/DISCUSSION**

Council's Fees and Charges Schedule for 1 July 2020 to 30 June 2021 contains numerous fees and charges applicable to businesses. While some fees and charges are mandatory, many are discretionary.



Usually during the first week in August each year, Council sends out invoices and registration paperwork for business registration fees. This year, that process has been put on hold to seek Councillors' feedback on Council's approach to fees and charges.

### Caravan parks

This year Caravan Park registration fees are due. These fees are set by the State and are payable every 3 years. This year's fees are:

Name	Fee (\$)
Laanecoorie Caravan Park	2,028.97
Boort Lakes Caravan Park	1,007.08
Inglewood Motel and Caravans	503.54
Bridgewater Public Caravan Park	1,525.43
Wedderburn Pioneer Caravan Park	1,007.08
Pyramid Hill Caravan Park	251.00
<b>Total Fees</b>	<b>6,323.10</b>

### Public health

From a public health perspective, Council issues notices in relation to the following:

Description	No. of premises	Fee (\$)	Total Fees (\$)
<b>Food Act premises</b>			
Class 1	2	383	766
Class 2	58	296	17,168
Class 2 – community group – with liquor licence	24	158	3,792
Class 2 – community group – no liquor licence	11	110	1,210
Class 3	24	184	4,416
Class 3 – community group – with liquor licence	5	99	495
Class 3 – community group – no liquor licence	2	74	148
Temporary Food Premises – community group	30	27	810
Temporary Food Premises – business (class 3)	1	184	184
Mobile food premises - Business (class 3)	3	184	552
Mobile food premises – community group	1	27	27
<b>Public Health and Wellbeing premises</b>			
Accommodation	11	212	2,332
Skin penetration – ear piercing	1	151	151
Hairdressing and beauty premises	2	173	346
Barber	1	151	151
Beauty premises	6	151	906
<b>Total income from fees</b>			<b>33,454</b>

These fees are discretionary. Council may decide to charge, defer or waive the fees.

COVID-19 has had a negative impact on many businesses. To assist the abovementioned business types in managing the impact of COVID-19, the waiving of these fees goes some way toward reducing expenses when business income is also reduced.

### **COST/BENEFITS**

Waiving these fees will cost Council \$39,777.10. Whilst waiving these fees reduces Council's income it also helps businesses in the Shire keep costs lower while income is reduced due to COVID-19. The benefit is that waiving fees may mean that more businesses will remain viable throughout COVID-19 and beyond.

### **RISK ANALYSIS**

There is a risk that there will be a call for other fees and charges to be waived, resulting in Council having less income to cover the cost of service delivery. This risk is partially offset by Council allocating \$400,000 in rate income to initiatives to support the community recovery from the COVID-19 pandemic.

### **CONSULTATION AND ENGAGEMENT**

Councillors have been consulted in the development of this initiative. Council pandemic working group and business continuity team have also been involved in the development of this initiative.

#### **RESOLUTION 2020/117**

Moved: Cr Geoff Curnow

Seconded: Cr Colleen Condliffe

That Council:

1. waive the fees outlined in this report totalling \$39,777.10
2. fund the waived fees from the \$400,000 allocation set aside for initiatives to support the community to recover from the impacts of COVID-19.

**CARRIED**

*Cr Holt returned to the meeting at 4.15pm.*

**10.15 ELECTRIC VEHICLE CHARGING NETWORK IMPLEMENTATION****File Number:** FOL/19/432607**Author:** David Southcombe, Manager Assets and Infrastructure**Authoriser:** Steven Phillips, Director Operations**Attachments:** 1. CVGA EV Charger site assessment**RECOMMENDATION**

That Council resolve to:

1. Install three 25kW Electric Vehicle Chargers within Loddon Shire using funding available through a DELWP grant.
2. Install one 25kW Charger in each Town of Wedderburn, Inglewood, and Newbridge.
3. Install each charger at the preferred location as indicated in the attachment.
4. Fund any required upgrade to the power supply at each site should there be a shortfall in the allocated grant funding from the Annual Infrastructure Program by reallocation of the Reseal Program.

**CONFLICT OF INTEREST**

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

**PREVIOUS COUNCIL DISCUSSION**

Electric Vehicle Charging Network Implementation was discussed at the August 2020 Council Forum.

**BACKGROUND**

Council has been participating in the Charging the Regions Project undertaken by the Central Victorian Greenhouse Gas Alliance (CVGA). The CVGA undertook the project on behalf of 43 regional councils, 11 metropolitan councils, the Goulburn Broken Greenhouse Alliance, the Western Alliance for Greenhouse Action, the Eastern Alliance for Greenhouse Action and the Electric Vehicle Council of Australia.

The Charging the Regions project undertook a study for participating regional, rural and metropolitan Councils across Victoria to:

- provide guidance to councils on the factors relevant to the placement of the various types of charging stations and costing for alternative charge station network options
- understand the role of local government in charging infrastructure
- understand the opportunities for ongoing collaboration in a statewide rollout.

The project is now in its second phase with the CVGA applying for and being successful in obtaining a DELWP grant to install Electric Vehicle chargers in six shires, including Loddon Shire. Tendering for the installation of the chargers is beginning at the end of August. The CVGA require locations for EV chargers within Loddon Shire to be decided to inform the tendering process.

**ISSUES/DISCUSSION**

The funding sourced by the CVGA allows for any of the following combinations of installation within the shire:

- 2 x 50kW EV chargers in one location

- 1 x 50kW in one location, 1 x 25kW in one location
- 1 x 25kW in one location, 1 x 25kW in one location, 1 x 25kW in one location

The advantage of the 50kW charger is quicker charging time, approximately 30 minutes – 1 hour to full charge for a typical car. The 25kW chargers are less expensive but take approximately 1 – 2 hours to charge a car. The best option is considered to be installing three separate 25kW chargers. As tourism is expected to be the primary driver of users for the chargers, 1 – 2 hours of charging time is considered reasonable.

An assessment was undertaken by the CVGA on the best location to install the chargers. Refer to the attachment for a table with the assessment results. Locations were assessed against the potential demand, being desirable for an EV driver to stop, access to power and capacity, and physical space. Inglewood, Wedderburn, Newbridge, and Tarnagulla were identified as the priority towns for installation. Both Newbridge and Tarnagulla were assessed as having the same overall ranking, Newbridge has been recommended as an EV charger has been included in their Community Plan.

A requirement for the installation of the EV chargers is access to a three phase power connection. Access to three phase power across the recommended sites is still yet to be confirmed. Ideally this would be completed before seeking a Council resolution on the matter. However Project delivery timeframes prevents confirmation of accessibility to three phase power at these locations. An allowance has been made for electrical connections within the project funding on the assumption that three phase is already connected to an existing Council managed power supply. Council may be required to provide approximately \$60,000 supplementary funding to cover additional costs in the event that three phase needs to be provided to the sites. Should this be required, it is proposed that the funding be reallocated from the Annual Infrastructure Program.

### **COST/BENEFITS**

A DELWP grant will fund the installation of the EV chargers as described, however Council may be required to fund approximately \$60,000 in additional costs associated with upgrading power supplies to three phase.

Maintenance and electricity costs for the EV chargers will be recouped by charging users a fee to charge their cars.

### **RISK ANALYSIS**

There is a risk the chargers will be underutilised. This is offset by Council obtaining external funding for the chargers' installation and electric vehicles becoming more common.

### **CONSULTATION AND ENGAGEMENT**

This Project has been discussed with Councillors by the CVGA and Council officers at the August 2020 Council Forum.

**RESOLUTION 2020/118**

Moved: Cr Geoff Curnow

Seconded: Cr Colleen Condliffe

That Council resolve to:

1. Install three 25kW Electric Vehicle Chargers within Loddon Shire using funding available through a DELWP grant.
2. Install one 25kW Charger in each Town of Wedderburn, Inglewood, and Newbridge.
3. Install each charger at the preferred location as indicated in the attachment.
4. Make available funding of up to \$60,000 in total for any required upgrade to the power supply at each site, should there be a shortfall in the allocated grant funding from the Annual Infrastructure Program by reallocation of the Reseal Program.

**CARRIED**

**10.16 REVIEW OF DELEGATIONS, APPOINTMENTS AND AUTHORISATIONS****File Number:** FOL/19/126337**Author:** Lynne Habner, Manager Executive and Commercial Services**Authoriser:** Phil Pinyon, Chief Executive Officer

- Attachments:**
1. S6 Instrument of Delegation - members of staff
  2. Instrument of appointment and authorisation - CEO
  3. Instrument of Appointment and Authorisation Planning and Environment Act
  4. Revocation of Authorisation and Appointment

**RECOMMENDATION**

That Council

1. In the exercise of the powers conferred by the legislation referred to in the attached instrument of delegation, resolves that:
  - (a) There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached Instrument of Delegation to members of Council staff, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.
  - (b) On the coming into force of the instrument all previous Council delegations to members of Council staff (other than the Chief Executive Officer) are revoked.
  - (c) The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.
2. In the exercise of the powers conferred by section 224 of the Local Government Act 1989 and the other legislation referred to in the attached instruments of appointment and authorisation, resolves that:
  - (a) The members of Council staff referred to in the instruments be appointed and authorised as set out in the instrument.
  - (b) The instruments come into force immediately and remain in force until Council determines to vary or revoke them.
3. Revokes existing Instruments of Appointment and Authorisation in the attached Revocation of Authorisation and Appointment, effective from the date the new instrument comes into force.

**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 updates contained in this report have not been discussed by Council.

**BACKGROUND**

In order for Council officers to effectively and efficiently discharge their duties, specific delegations, authorisations and appointments are required under a variety of Acts.

Council is required to review its delegations within 12 months after a general election. In addition, due to the ever-changing nature of legislation, Council has subscribed to a service by Maddocks legal firm that regularly reviews all applicable delegations, authorisations and appointments, so revised delegations are submitted to Council more frequently.

Section 11(9) of the Local Government Act 2020 provides that “Unless sooner revoked, a delegation made by a Council under the Local Government Act 1989 continues in force until 1 September 2020.”

### **ISSUES/DISCUSSION**

The attached amended delegations have been updated in accordance with most recent advice provided by Maddocks.

The attached Instruments of Appointment and Authorisation are submitted for approval to amend the reference to the new section 313 of the Local Government Act 2020 as the provision that a person authorised by the Council either generally or in a particular case may institute proceedings in the corporate name of the Council. This reference was previously section 232 of the Local Government Act 1989.

### **COST/BENEFITS**

Adoption of the recommendation will not have any financial impacts.

### **RISK ANALYSIS**

Adoption of the recommendation will ensure that council staff are able to act on behalf of Council under the various pieces of legislation. If current delegations and appointments and authorisations are not in place, actions of a council officer exercising those powers could be legally challenged.

### **CONSULTATION AND ENGAGEMENT**

The supervisors of the relevant staff were consulted about the changes to be made.

**RESOLUTION 2020/119**

Moved: Cr Geoff Curnow

Seconded: Cr Colleen Condliffe

That Council

1. In the exercise of the powers conferred by the legislation referred to in the attached instrument of delegation, resolves that:
  - (a) There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached Instrument of Delegation to members of Council staff, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.
  - (b) On the coming into force of the instrument all previous Council delegations to members of Council staff (other than the Chief Executive Officer) are revoked.
  - (c) The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.
2. In the exercise of the powers conferred by section 224 of the Local Government Act 1989 and the other legislation referred to in the attached instruments of appointment and authorisation, resolves that:
  - (a) The members of Council staff referred to in the instruments be appointed and authorised as set out in the instrument.
  - (b) The instruments come into force immediately and remain in force until Council determines to vary or revoke them.
3. Revokes existing Instruments of Appointment and Authorisation in the attached Revocation of Authorisation and Appointment, effective from the date the new instrument comes into force.

**CARRIED**



**10.17 TARNAGULLA WARD STRATEGIC FUND ALLOCATION**

**File Number:** FOL/19/432449  
**Author:** Wendy Gladman, Director Community Wellbeing  
**Authoriser:** Phil Pinyon, Chief Executive Officer  
**Attachments:** Nil

**RECOMMENDATION**

That Council allocate funds from the Tarnagulla Ward strategic fund budget as follows:

- (a) \$30,000 to support the development of detailed plans for new public toilet amenities at Soldiers Memorial Park, Tarnagulla
- (b) \$27,500 to support the restoration and painting of the Rheola Hall exterior and roof
- (c) \$20,000 to further support the painting of the Laanecoorie Hall.

**CONFLICT OF INTEREST**

There are no conflicts 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 proposal for allocations from the Tarnagulla Ward strategic fund was presented to the August 2020 Council Forum. Council has previously considered recommendations for allocation from the Tarnagulla Ward strategic fund to deliver a number of smaller projects.

**BACKGROUND**

Council has previously resolved to, by exception, allow the Tarnagulla Ward strategic fund to be used to deliver a number of smaller projects, with an initial \$40,000 allocation to support the re-pointing of brickwork in the Newbridge Hall, followed by \$20,000 to support the painting of the Laanecoorie Hall, \$40,000 to support the Newbridge Recreation Reserve Committee of Management to purchase a tractor for use at the reserve, \$50,000 to asphalt the entrance to the Tarnagulla Community Centre and associated drainage works and most recently \$1,500 for interpretive signage and frames for the Shelbourne Railway Station Complex.

**ISSUES/DISCUSSION**

The following projects have been identified as new, requiring additional funds to complete or a worthy project not yet connected to a Community Plan. These projects are proposed for Council consideration for a funding allocation from the Tarnagulla Ward strategic fund.

Project 1: Development of detailed plans for new public toilet amenities at Soldiers Memorial Park, Tarnagulla

An allocation of \$30,000 will deliver a shovel ready project including detailed construction plans, soil testing and the required survey work.

Council's Building Maintenance Program has identified the need for moderate works to occur to the existing facility to make it a more attractive and compliant facility (with today's standards). A project to reach compliance with the package wastewater treatment plant and disposal fields is currently being developed and is already funded.

The toilet facility is currently a dark and unattractive facility. Whilst the public toilets met standards when constructed, they are not compliant with today's standards and expectations.

It is proposed that instead of renovating the existing facility, a new purpose built toilet facility is commissioned.

In recent years, there has been much construction and landscaping completed around the township of Tarnagulla. A new toilet facility will complement this work and complete the renewal of the township centre.

It is proposed that a portion of the Tarnagulla Ward strategic fund is used in this financial year to develop detailed plans to allow for a new facility to be programmed for construction in the 2021/22 financial year.

Project 2: Funding of \$27,500 to restore and paint the Rheola Hall exterior and roof.

The Rheola community has submitted an application to rejuvenate the hall in time for Rheola Carnival's 150th birthday. This project includes painting the exterior and roof, replace weatherboards and repair door bottoms.

The Community Planning Project Officer has been tasked with engaging with the Rheola community, in particular the three (3) existing Committees of Management groups to explore the formation of a Community Planning Group and has received a favourable reception to the suggestion in the first instance.

As Rheola does not currently have a Community Planning Group, this project is recommended for funding from the Tarnagulla Ward strategic fund.

Project 3: Funding of \$20,000 to allow for completion of the Laanecoorie Hall painting project.

The Laanecoorie Hall was allocated \$20,000 in 2019/20 from the Tarnagulla Ward strategic fund to paint the hall. The budget was developed with use of the Middleton Landmate Program (Loddon Prison) to carry out the painting. The Covid-19 pandemic has resulted in the program being suspended. To progress this project, extra funds are required to allow the hall to be painted by professional painters. Council officers will assist the Laanecoorie Committee of Management to procure, engage and manage the painting project. The additional funds will bring the total project to \$40,000.

### **COST/BENEFITS**

With a number of smaller towns within the Tarnagulla Ward, the ability to use the Tarnagulla Ward strategic fund to deliver a number of smaller projects provides a direct benefit to these communities through the delivery of important local projects that may otherwise not be undertaken.

The total cost of the proposed projects equates to: \$77,500. With \$348,500 of the initial \$500,000 strategic funding available, there are sufficient funds to support these projects.

### **RISK ANALYSIS**

There is little risk associated with the deliverable components of this report. The associated risk is that without the support of the Tarnagulla Ward strategic fund, these projects, which have been identified as important to the local communities, may not be undertaken.

### **CONSULTATION AND ENGAGEMENT**

Council staff have been involved in the preliminary work undertaken to develop these funding recommendations in consultation with Cr Curnow.

**RESOLUTION 2020/120**

Moved: Cr Geoff Curnow

Seconded: Cr Gavan Holt

That Council allocate funds from the Tarnagulla Ward strategic fund budget as follows:

- (a) \$30,000 to support the development of detailed plans for new public toilet amenities at Soldiers Memorial Park, Tarnagulla
- (b) \$27,500 to support the restoration and painting of the Rheola Hall exterior and roof
- (c) \$20,000 to further support the painting of the Laanecoorie Hall.

**CARRIED**

**10.18 LODDON SHIRE COMMUNITY GRANTS PROGRAM 2020/2021 - GROUP 2 ALLOCATIONS**

**File Number:** FOL/19/432452

**Author:** Wendy Gladman, Director Community Wellbeing

**Authoriser:** Phil Pinyon, Chief Executive Officer

**Attachments:** 1. 2020/2021 Community Grants (Group 2) Assessment Summary

**RECOMMENDATION**

That Council endorse the allocation of \$55,688 in grants to Group 2 applications under the 2020/21 Loddon Shire Community Grants Scheme as outlined in the attachment provided with 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.

**PREVIOUS COUNCIL DISCUSSION**

Information on the Community Grant group 2 applications received for the 2020/21 allocation was provided to Council at the August 2020 Council forum.

**BACKGROUND**

The Loddon Shire Community Grants Scheme commenced in 2000/2001. Council initiated the scheme to assist sporting, recreation and service organisations to deliver projects that improve the quality of life for residents. Since the scheme was initiated, Council has invested approximately \$2,500,000, supporting over seven hundred community-based projects worth over \$5,300,000.

Council's 2020/21 budget includes an allocation of \$200,000 for the Community Grants Scheme. In addition to this amount, \$10,513 has been carried over from the 2019/2020 community grants program. This means that an amount of \$210,513 is available in the 2020/2021 financial year for allocation through the community grants program.

Applications for the 2020/21 Community Grants Scheme opened in 1 March 2020 and closed on 1 June 2020.

Applications have been assessed against the following criteria:

- demonstrated community need
- improved existing facilities
- increased participation
- multi-use and broad community benefit
- self-help i.e. in-kind and/or cash commitment

Where applicable, projects have also been assessed in consideration of:

- the efficient use of resources, for example energy efficiency components of the project or sharing of resources with the wider community
- ability to provide access for all, for example does the project consider the needs of people with a disability or the elderly
- projects that pose inherent risk in terms of public safety have been assessed in terms of the severity of the risk prior to being considered for funding.

As per the guidelines, the following types of projects are ineligible for funding:

- applicants who have outstanding acquittals from previous funding rounds

- retrospective projects or projects which have already been commenced
- projects which are not ready and which will not be completed within a 12 month period from the date of receiving the funding
- projects that are considered the sole responsibility of another authority (for example water authorities and health and welfare agencies)
- open space projects on public owned or managed land
- activities such as administrative costs (such as wages, rent or insurance), utility charges (such as a power bill) or projects of an ongoing maintenance nature (such as mowing lawns)
- projects designed to promote political or religious ideals
- projects which do not meet the funding ratio.

With the transition to online applications, there is no ability for applicants to submit projects after the closing date, so there is no information on late projects included in this report.

## ISSUES/DISCUSSION

In total 40 applications requesting financial assistance to the approximate value of \$210,000 were received.

Of these 40 applications, 29 were assessed and presented as Group 1 to the July 2020 Council meeting. The total funding committed at this time was \$124,243.

The remaining 11 applications that constitute Group 2 have been assessed by Council officers against the guidelines.

Of the remaining 11 applications, 10 have been recommended for funding totalling \$55,688.

The following application has not been recommended for funding as it did not align with the application guidelines:

- Boort Development Committee: Painting Old Jail.  
The application submitted was incomplete with no quote provided for the contractor works to be undertaken. In accordance with the program guidelines, the absence of any quote meant Council Officers were unable to assess the application.

## COST/BENEFITS

The Community Grants Scheme offers significant benefit to the local community through provision of funding for specific projects which may otherwise struggle to secure funding through other infrastructure programs or initiatives. As demonstrated in the value of projects delivered since the inception of the scheme, Council's investment towards these grants yields far greater community benefit both in terms of financial investment and social wellbeing.

As per Council's previous commitment; administration of the scheme has continued on the basis of \$200,000 being available annually to contribute towards proposed community projects and programs, with an additional \$10,513 of unspent funds carried forward from the 2019/20 funding round.

A total of \$179,931, across the two groups, has been recommending for funding under the 2020/2021 Community Grant Scheme.

## RISK ANALYSIS

Primary risks associated with the Community Grants Scheme are believed to be as follows:

Adherence to Program Guidelines: Detailed program guidelines identify which projects and programs are considered eligible for Community Grants. All applications are assessed against these guidelines for eligibility so as to ensure that funding made available through this program is distributed equitably and provides greatest benefit to the overall Loddon community.

Failure to adhere to these guidelines could comprise the integrity of the grant program and the ability for Council to adequately fund appropriate community projects.

Failure to deliver projects: All successful applicants are required to adhere to a formal funding agreement which clearly identifies the purpose of the grant, delivery timeframes and reporting requirements. This is to ensure that expenditure of public money is conducted in a transparent and efficient manner.

### **CONSULTATION AND ENGAGEMENT**

The Loddon Shire Community Grants program is advertised annually with applications for the 2020/21 round closing on 1 June 2020. During this period, community groups or individuals interested in applying for grants are able to contact relevant staff to discuss their proposals.

Funding guidelines are also made available to prospective applicants via Council's website.

All unsuccessful applicants will be provided feedback in regard to their applications after recommendations are finalised and endorsed by Council.

### **RESOLUTION 2020/121**

Moved: Cr Neil Beattie

Seconded: Cr Geoff Curnow

That Council endorse the allocation of \$55,688 in grants to Group 2 applications under the 2020/21 Loddon Shire Community Grants Scheme as outlined in the attachment provided with this report.

**CARRIED**

**10.19 REVIEW OF THE COMMUNITY GRANT PROGRAM ELIGIBILITY CRITERIA**

**File Number:** FOL/20/1608

**Author:** Wendy Gladman, Director Community Wellbeing

**Authoriser:** Phil Pinyon, Chief Executive Officer

**Attachments:** Nil

**RECOMMENDATION**

That Council endorse the suggested new or amended Community Grant Program criteria as detailed in the body of 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.

**PREVIOUS COUNCIL DISCUSSION**

Information on the Community Grant Program eligibility review was provided to Council at the July 2020 Council Forum.

**BACKGROUND**

A review of Council's community grants eligibility criteria was requested by Councillors earlier this year.

The following points are currently listed in relation to eligibility for community grants:

Community grant funding is open to not-for-profit organisations based in the Loddon Shire wanting to deliver projects that directly benefit Loddon Shire residents. To be eligible to apply groups must:

- be a not-for-profit organisation/group and incorporated body (or be auspiced by one)
- have Public Liability insurance (to the minimum of \$10 million)
- projects must take place within (or for the benefit of) the Loddon Shire Council municipality.

Community grants are available for projects that:

- fulfil a demonstrated community need
- develop or improve upon existing facilities
- fund programs or purchase equipment that will increase opportunities for participation
- funding can also be used as a co-contribution as part of an organisation's financial contribution for an external funding application.

Community grants will not fund the following:

- applicants who have outstanding acquittals from previous funding rounds
- retrospective projects or projects which have already been commenced
- projects which are not ready and which will not be completed within a 12 month period from the date of receiving the funding
- projects that are considered the sole responsibility of another authority (for example water authorities and health and welfare agencies)
- open space projects on public owned or managed land

- activities such as administrative costs (such as wages, rent or insurance), utility charges (such as a power bill) or projects of an ongoing maintenance nature (such as mowing lawns)
- projects designed to promote political or religious ideals
- projects which do not meet the funding ratio.

General conditions:

- late applications will not be accepted
- incomplete applications will not be approved
- applicants must include written approval to undertake works from the land manager
- where applicable, applicants must demonstrate what planning, building or other permits are required to undertake the project and demonstrate steps already undertaken to obtain these approvals
- the cost of planning and building permits must be included in the project's budget
- successful applicants will be required to enter into a formal agreement prior to receiving any funds
- the grant must be acquitted as per the terms and conditions of this application form
- if a grant is not acquitted within the 12 month period Council will require in writing the reason as to why the project is not complete. Failure to notify or acquit the project will impact consideration of future applications.

## ISSUES/DISCUSSION

The current community grant criteria have generally supported the assessment function, but there have been some applications where some criteria, during the assessment cycle, have been ambiguous or silent on particular components.

A review of the current eligibility criteria, including discussion with Councillors, has provided some suggested changes to sections of the criteria as follows:

<b>Current criteria</b>	<b>Suggested new or amended criteria</b>
Community grant funding is open to not-for-profit organisations based in the Loddon Shire wanting to deliver projects that directly benefit Loddon Shire residents.	No change
<b>To be eligible to apply groups must:</b>	
<ul style="list-style-type: none"> <li>• be a not-for profit organisation/group and incorporated body (or be auspiced by one)</li> </ul>	No change
<ul style="list-style-type: none"> <li>• have Public Liability insurance (to the minimum of \$10 Million)</li> </ul>	<ul style="list-style-type: none"> <li>• have Public Liability insurance (to the minimum of \$20 Million)</li> </ul>
<ul style="list-style-type: none"> <li>• projects must take place within (or for the benefit of) the Loddon Shire Council municipality</li> </ul>	No change
<b>Community grants are available for projects that:</b>	
<ul style="list-style-type: none"> <li>• fulfil a demonstrated community need</li> <li>• develop or improve upon existing facilities</li> </ul>	No change



Current criteria	Suggested new or amended criteria
<ul style="list-style-type: none"> <li>fund programs or purchase equipment that will increase opportunities for participation</li> <li>funding can also be used as a co-contribution as part of an organisation's financial contribution for an external funding application.</li> </ul>	No Change
<b>Community grants will not fund the following:</b>	
<ul style="list-style-type: none"> <li>applicants who have outstanding acquittals from previous funding rounds</li> </ul>	No change
<ul style="list-style-type: none"> <li>retrospective projects or projects which have already been commenced</li> </ul>	No change
<ul style="list-style-type: none"> <li>projects which are not ready and which will not be completed within a 12 month period from the date of receiving the funding</li> </ul>	No change
<ul style="list-style-type: none"> <li>projects that are considered the sole responsibility of another authority (for example water authorities and health and welfare agencies)</li> </ul>	<ul style="list-style-type: none"> <li>activities (programs, services, projects or initiatives) that are the responsibility of others <ul style="list-style-type: none"> <li>activities that Council considers the responsibility of other authorities, agencies or levels of government</li> <li>activities that are the funding responsibility of other levels of government</li> <li>proposals that address shortfalls in funding from other authorities levels of government</li> <li>curriculum based activities or where the activity is confined to the school or kindergarten, including groups and organisations proposing to work with schools and kindergartens (excluding shared facility use by community groups for their specific activity – for example local cricket clubs using school ovals)</li> </ul> </li> <li>activities that duplicate other local service responses (unless it can be demonstrated that it meets an unmet community need)</li> </ul>
<ul style="list-style-type: none"> <li>open space projects on public owned or managed land</li> </ul>	No change
<ul style="list-style-type: none"> <li>activities such as administrative costs (such as wages, rent or insurance), utility charges (such as a power bill) or projects of an ongoing maintenance</li> </ul>	No change

Current criteria	Suggested new or amended criteria
nature (such as mowing lawns)	
<ul style="list-style-type: none"> <li>• projects designed to promote political or religious ideals</li> </ul>	<ul style="list-style-type: none"> <li>• political, religious or spiritual activities:                             <ul style="list-style-type: none"> <li>○ projects designed to promote political or religious ideals</li> <li>○ organisations whose sole or dominant purpose is of a political nature</li> <li>○ proselytising, religious worship or sectarian activities</li> </ul> </li> </ul>
	<ul style="list-style-type: none"> <li>• individuals</li> </ul>
	<ul style="list-style-type: none"> <li>• community groups with access to sufficient cash reserves to undertake the project independently</li> </ul>
<ul style="list-style-type: none"> <li>• projects which do not meet the funding ratio.</li> </ul>	No change
<b>General conditions:</b>	
<ul style="list-style-type: none"> <li>• late applications will not be accepted</li> </ul>	No change
<ul style="list-style-type: none"> <li>• incomplete applications will not be approved</li> </ul>	<ul style="list-style-type: none"> <li>• incomplete applications will not be considered in the first round of assessments</li> <li>• where funds are not likely to be fully expended in the first round of assessments, a second round of assessments will be conducted. Applicants will be:                             <ul style="list-style-type: none"> <li>○ notified of the incomplete information/documentation within seven days of close of applications</li> <li>○ provided with 14 days from above notification to supply required information/documentation to qualify for a second round assessment</li> <li>○ advised that at the expiry of this time, any applications that remain incomplete will be deemed ineligible</li> </ul> </li> </ul>
<ul style="list-style-type: none"> <li>• applicants must include written approval to undertake works from the land manager</li> </ul>	No change
<ul style="list-style-type: none"> <li>• where applicable, applicants must demonstrate what planning, building or other permits are required to undertake the project and demonstrate steps already undertaken to obtain these approvals</li> </ul>	No change

Current criteria	Suggested new or amended criteria
<ul style="list-style-type: none"> <li>the cost of planning and building permits must be included in the project's budget</li> </ul>	No change
<ul style="list-style-type: none"> <li>successful applicants will be required to enter into a formal agreement prior to receiving any funds</li> </ul>	No change
<ul style="list-style-type: none"> <li>the grant must be acquitted as per the terms and conditions of this application form</li> </ul>	No change
<ul style="list-style-type: none"> <li>if a grant is not acquitted within the 12 month period Council will require in writing the reason as to why the project is not complete. Failure to notify or acquit the project will impact consideration of future applications</li> </ul>	No change
	<ul style="list-style-type: none"> <li>no additional community grant funding rounds will be offered in the financial year</li> </ul>
	<ul style="list-style-type: none"> <li>unspent community grant funds will be rolled over into the subsequent financial year funds available for allocation</li> </ul>

## COST/BENEFITS

Where there has been some ambiguity or lack of clarity when applying the eligibility criteria during the assessment stage, the proposed new or amended community grants criteria will provide clarity for applicants, the assessment panel members and Councillors.

The rollover of unspent funds will provide the opportunity to support subsequent oversubscribed years, where the applications exceed the funds provided in the budget, providing benefit to additional community groups than would normally be able to occur.

## RISK ANALYSIS

The primary risks associated with amending the Community Grants Program criteria are believed to be as follows:

Adherence to Program Guidelines: Detailed program guidelines identify which projects and programs are considered eligible for community grants. All applications are assessed against these guidelines for eligibility so as to ensure that funding made available through this program is distributed equitably and provides greatest benefit to the overall Loddon community.

Failure to adhere to these guidelines could comprise the integrity of the grant program and the ability for Council to adequately fund appropriate community projects.

The strengthening of these guidelines in relation to the eligibility criteria provides additional clarity to support the assessment of community grant applications.

Community understanding of changes to eligibility criteria: Council's community grants are a long standing program, with no change to the criteria guidelines for many years. The amending or adding of criteria may create some confusion in the community in relation to what groups and what activities are now eligible for funding.

Updating all information related to community grants and introducing a frequently asked questions document will guide the community on the changes, eligibility and requirements when applying for

a community grant. Further, Council's Community Support team will be available to respond to any queries from the community.

**CONSULTATION AND ENGAGEMENT**

Council staff involved in the assessment cycle of community grants and Councillors were involved in the consultation informing this report.

**RESOLUTION 2020/122**

Moved: Cr Neil Beattie

Seconded: Cr Colleen Condliffe

That Council endorse the suggested new or amended Community Grant Program criteria as detailed in the body of this report.

**CARRIED**

**10.20 CHILDCARE FEASIBILITY STUDY AND BUSINESS CASE**

**File Number:** PRO/20/62

**Author:** Wendy Gladman, Director Community Wellbeing

**Authoriser:** Phil Pinyon, Chief Executive Officer

**Attachments:** 1. Loddon Shire Childcare Feasibility Study and Business Case

**RECOMMENDATION**

That Council

1. receive and note the Childcare Feasibility Study and Business Case
2. endorse Option 3: Long Day Care as Council's preferred model as recommended in the 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**

The Childcare Feasibility Study and Draft Business Case was provided to the August 2020 Council Forum.

**BACKGROUND**

The availability of childcare has been identified as a high priority by Council, parents, caregivers and service providers. Council has previously attempted to provide childcare services through the establishment of an occasional care model, and whilst this model was successful for a short period for a small number of families, this was not an attractive or universally available level of care to the wider early year's community as access was limited to children already attending kindergarten programs and was only offered for limited time periods. There are two Family Day Care services currently operating in the municipality, providing varying levels of childcare to small numbers of families.

The draft Childcare Feasibility Study and Business Case has been developed to realise the action identified in the Council Plan 2017-2021 relating to the development of a feasibility study, business case and advocacy strategy identifying required levels of childcare services and designs a sustainable model of delivery.

The feasibility study and business case have been combined into one piece of work, which is being presented to Council today for endorsement.

Projectura were engaged to support the development of the feasibility study and business case and following this an advocacy strategy.

The key criteria for the business case included:

- identifying the most appropriate operational model(s) for the provision of care and education for children (prior to entering primary school)
- identifying delivery model(s) that may meet the needs of small rural communities (including options that do not fit current regulatory and funding frameworks)
- incorporating community feedback gathered from the discussion paper and community and stakeholder engagements

- considering the environmental, financial and social constraints for families and Council to implement proposed models
- identifying potential barriers to adoption of sustainable and appropriate childcare services in small rural communities.

Projectura conducted a desktop review exploring social and demographic data, early years policy and service provision literature, community based strategies, Council plans, legislation and quality and safeguarding frameworks. They then conducted community and stakeholder engagement to identify the potential need for childcare and, the impact of the lack of childcare in the Council area.

A discussion paper was developed outlining the early years' service offering in the Council area, the impact of the lack of childcare and, an overview of initial engagement findings. Further community and stakeholder engagement was then conducted to assess community support, industry norms and practices and test options for the potential models of childcare.

## ISSUES/DISCUSSION

The review of the current childcare models found that the current funding and delivery models presented a range of barriers when attempting to introduce child care options into rural communities with little or no existing service structure. The business case exploration encouraged the development of achievable and sustainable models of care suited to rural communities.

From this, a range of options were developed to explore potential models which were then scrutinised further to assess the strengths and risks of each approach and detail the parameters that would be needed to implement each model.

The options explored included:

### Option 1: Upscale the current offering

Option 1 seeks to upscale the current service offering of Family Day Care in the Council area. It examines the family day care option by exploring current demand and costings.

Benefits associated with this model are: relatively low start-up costs, flexibility for educators and parents, and the provision of a place based response.

Risks associated with this model are: a lack of locally coordinated recruitment of educators and limited support from local auspicing organisations. This results in abrupt service cessation if an educator is unwell or leaves the area which not only leaves family stranded and reduces overall confidence in the system.

The provision of current services could be scaled up in a relatively short time frame if educators were available and chose to offer the service.

### Option 2: Community care

Community care would introduce a new service model based on in-venue family day care and mobile childcare services. Option 2 proposes that a service provider be engaged to staff community care sessions, as opposed to an individual educator. The service would be staffed by qualified educators who would be supported by volunteers to deliver childcare sessions in existing community facilities across the Council area. This model would be supported by the introduction of a rural rate subsidy.

Benefits associated with this model are: the utilisation of existing community facilities, the provision of a place based service, and reduced risks of abrupt cessation of services due to use of pools of staff.

Risks associated with this model are: attracting and retaining enough local, qualified staff and volunteers, consideration of whether proposed operating hours would meet community need and financial reliance on the adoption of the rural rate subsidy.

This is a medium term solution that could take approximately three years to establish.

Option 3: Long day care.

Option 3 proposed a model of funding that would support the establishment and viability of long day care services in the Council area. The model is premised on appointing a service provider to deliver kindergarten and childcare services, introducing the regional rate subsidy, a 5 year service guarantee to bolster financial viability during the set up phase and, identifying the need for new infrastructure to support this model.

Benefits of this model are that it would facilitate economies of scale and scope for early years' service provision, it would meet contemporary quality and safeguarding standards and it aligns with current policy to develop early years' hubs. Option 3 proposes infrastructure upgrades at two pilot sites to support the introduction of 3 year old kindergarten and the establishment of childcare services.

Risks of this model are: attracting a service provider with the volume of qualified staff needed and the level of enrolments and attendance required to make the service viable, securing funding for infrastructure upgrades and obtaining Government support for the rural rate subsidy and the 5 year service guarantee.

This is a long term solution which would take between 3-5 years to establish.

An assessment of each of the options identified a rating of between 60-70/100, with each model achieved higher ratings in specific areas for different reasons. Although the current model of family day care compared well, it is understood that this model is not meeting community needs. Further consultation with community and stakeholders identified that they are seeking a solution which is community based and sufficiently robust to continue to operate through staff changes and turnover.

Table 21. Summary option assessment

Criteria	Assessment score (out of a total of 100 percent)		
	Option 1	Option 2	Option 3
1. Financial viability	20	13.33	13.33
2. Improved social outcomes	10	10	15
3. Sustainability	5	10	10
4. Start up costs	6.66	6.66	3.33
5. Adaptability and flexibility	3.33	6.66	3.33
6. Quality and safeguarding	10	3.33	10
7. Provides place based solution	3.33	10	6.66
8. Policy change required	10	3.33	3.33
<b>Total</b>	<b>68.32</b>	<b>63.31</b>	<b>64.98</b>

Further details on the assessment criteria and the individual options are available in the report attached.

The information gained through the development of the feasibility study and business case has informed the report recommendation to pursue option three as the preferred model of service and suggested that Council:

- seek funding for, and appoint, a suitably qualified project officer to lead advocacy and establishment efforts (this could be an internal or external appointment)
- advocate to State and Federal Governments for the adoption of the rural rate subsidy, service guarantee, policy initiatives and the upgrading of early years infrastructure at Boort and Inglewood which have been selected as the two pilot sites

- convene an advisory group to support advocacy efforts and provide assistance to the project officer.

### **COST/BENEFITS**

The report notes that rural communities are disproportionately affected by market-based reforms to social services such as childcare. This is amplified in communities such as the Loddon Shire that have limited infrastructure, and human and financial capital to establish these services. Lack of essential social services contributes to disadvantage within Loddon Shire and embeds the cycle of disadvantage within the community. Other efforts to increase Loddon Shire's population may be impacted because families and individuals cannot access services that enable their economic and social participation, therefore impacting on their health, wellbeing and quality of life.

The social, education and economic benefits of childcare are well documented and were further supported by stakeholders and community identified objectives that drive the implementation of childcare services in Loddon:

- improved outcomes in early childhood development domains
- increased local employment opportunities and participation rates
- improved parental health and wellbeing, connection to community, and, community involvement
- innovative service delivery model(s) that responds to community need
- service delivery model(s) that provide financially sustainable, long term solutions
- the development of a supported and dynamic early years workforce.

### **RISK ANALYSIS**

The report contains a range of risk assessments. The strengths and risks of each model were identified and used to inform the recommended option.

A risk assessment relating to the delivery of Option 3 has been included in the report as appendix 2 (page 45 of the report) and assesses the risks relating to financial, people, reputation, service, legal and compliance, and management impacts.

If Council endorse Option 3 as the preferred model, the risk assessment identifies risk mitigation strategies that would need to be considered and implemented to ensure that risk is managed at an acceptable level.

### **CONSULTATION AND ENGAGEMENT**

Consultation supporting the development of this report has included Council officers, community members, key agency stakeholders, funding bodies, childcare services providers and regulatory agencies.

Projectura conducted community and stakeholder engagement to identify the potential need for childcare and, the impact of the lack of childcare in the Council area.

A discussion paper was developed outlining the early years' service offering in the Council area, the impact of the lack of childcare and, an overview of initial engagement findings.

Further community and stakeholder engagement was then conducted to assess community support, industry norms and practices and test options for the potential models of childcare.



**RESOLUTION 2020/123**

Moved: Cr Colleen Condliffe

Seconded: Cr Cheryl McKinnon

That Council

1. receive and note the Childcare Feasibility Study and Business Case
2. endorse Option 3: Long Day Care as Council's preferred model as recommended in the report.

**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 fourth and final report for the 2019 - 2020 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 4 (01/04/2020 – 30/06/2020)						
District	Number of scheduled inspections	Number completed by due date	Number completed after due date	Number not completed	Compliance	Number of Defects Raised
Loddon Plains	137	137	0	0	100.0%	1004
Loddon Goldfields	112	111	1	0	99.1%	1289
<b>Total</b>	<b>249</b>	<b>248</b>	<b>1</b>	<b>0</b>	<b>99.6%</b>	<b>2293</b>

During the fourth quarter of 2019 – 2020 financial year, 99.6% of the programmed inspections were completed according to the schedule.

Table 2 below provides a summary of compliance of actual response times for rectification works of defects as detailed in the defect intervention levels and response timetables of the RMP.

*Table 2: Defect rectification summary report*

Quarter 4 (01/04/2020 – 30/06/2020)								
District	Number of Defects				Compliant with RMP			
	Adhoc	Requests	Defects from inspections	Total	Yes	No	Not complete	%
Loddon Goldfields	152	11	391	554	546	8	0	98.6%
Loddon Plains	71	9	314	394	394	0	0	100.0%
Shire Wide	0	17	318	335	335	0	0	100.0%
Townscape Services	9	2	35	46	46	0	0	100.0%
<b>Total</b>	<b>232</b>	<b>39</b>	<b>1058</b>	<b>1329</b>	<b>1321</b>	<b>8</b>	<b>0</b>	<b>99.6%</b>

Table 2 comprises a summary of defects that have been identified through programed inspections, customer requests and works crews identifying and rectifying defects as they find them, known as adhoc work actions. During the fourth quarter of 2019 – 2020 financial year, 99.6% of all date imposed defects were completed before their due date. This is 0.4% below the target of 100% set in the RMP. All defects have now been completed.

Table 3 provides a summary of performance against the unsealed road maintenance grading program, defects as identified through programed inspections, customer requests and works crews identifying and rectifying defects as they find them, known as adhoc work actions. The maintenance grading program identifies each road segment by its road hierarchy and grading frequency as detailed in the RMP.

*Table 3: Maintenance grading program*

Quarter 4 (01/04/2020 – 30/06/2020)									
District	Number of Grading Work Actions					Compliant with scheduled timeframes			
	Programmed Maintenance Grading	Defects	Requests	Adhoc	Total	Yes	No	Not completed	%
Loddon Goldfields	354	0	2	41	397	365	0	32	91.9%
Loddon Plains	278	0	1	3	282	263	0	19	93.3%
Shire Wide	5	0	0	0	5	5	0	0	100.0%
<b>Total</b>	<b>637</b>	<b>0</b>	<b>3</b>	<b>44</b>	<b>684</b>	<b>633</b>	<b>0</b>	<b>51</b>	<b>92.5%</b>

The data in Table 3 indicates that 633 grading work actions were completed for the fourth quarter of the 2019 – 2020 financial year. There is no set level of compliance for the maintenance grading program in the RMP.

A graph has been provided in Chart 1 indicating a breakdown of the grading work actions, by road hierarchy and kilometres. The sealed roads section relates to shoulder grading work actions on the Sealed Road network. The gravel road section includes all grading work actions on Gravel Collector and Gravel Access roads. The Gravel Minor and the Formed Road sections relate directly to Council's road hierarchy and show all grading work action on roads within that hierarchy.

Chart 1: Maintenance Grading Program



**COST/BENEFITS**

The year to date actual expenditure to the end of fourth quarter of 2019 – 2020 financial year of the Local Road Maintenance Program is \$6,696,207. The expenditure for the fourth quarter was \$2,007,993.

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 2020/124**

Moved: Cr Neil Beattie

Seconded: Cr Colleen Condliffe

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

**CARRIED**

**11.2 QUARTERLY BUILDING SERVICES ACTIVITY REPORT**

**File Number:** 13/06/001, 13/08/001 & 13/08/003

**Author:** Greg Johnston, Municipal Building Surveyor

**Authoriser:** Glenn Harvey, Manager Development and Compliance

**Attachments:** Nil

**Recommendation**

That Council receive and note the Building Services Activity report.

**CONFLICT OF INTEREST**

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

**PREVIOUS COUNCIL DISCUSSION**

Council is provided with information quarterly summarising building services activities relating to permits, certificates and statutory enforcement activity undertaken within the Development & Compliance Department. This is the final quarterly report for the 2019-2020 financial year.

**BACKGROUND**

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

- issuing relevant permits and certificates
- issuing report & consent determinations on matters not complying with the Building regulations
- building advisory and information services including legal point of discharge requests
- consultancy and building control functions
- administrative functions prescribed by the Building Act & Regulations including keeping records relating to the activity of private building surveyors issuing permits within Loddon Shire
- regulatory enforcement of relevant Acts.

The number of building 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 fourth quarter of the 2019-2020 financial year a number of significant matters that impacted on Councils Building Services Staff:

- implementation of Covid-19 restrictions
- implementation of swimming pool registration requirements
- follow up on enforcement activities
- inspections and follow up of three house fires.

**Building permits**

Table 1 provides the number and total value of building permits issued for each quarter of the 2019-2020 financial year. 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. Whilst the number of

permits is lower for quarter four, the total value of building work was higher in the fourth compared to the previous quarter. During the fourth quarter there were no building permits with a value over \$485,000, there were however five new dwellings which had a value exceeding \$265,000 each.

*Table 1: Summary of new building permits issued*

	<b>Quarter 1 2019-20 (01/07/2019 – 30/09/2020)</b>	<b>Quarter 2 2019-20 (01/10/2019 – 31/12/2020)</b>	<b>Quarter 3 2019-20 (01/01/2020 – 31/03/2020)</b>	<b>Quarter 4 2019-20 (01/04/2020 – 30/06/2020)</b>
<b>No. of new Permits</b>	45	42	37	33
<b>Value of Works</b>	\$3,951,645.58	\$3,137,156.30	\$2,804,011-60	\$2,944,362.81

Table 2 provides a summary of the number of final inspections and certificates of occupancy issued for building permits for each quarter of the 2019-2020 financial year.

*Table 2: Summary of final inspections and occupancy permits*

	<b>Quarter 1 2019-20 (01/07/2019 – 30/09/2019)</b>	<b>Quarter 2 2019-20 (01/10/2019 – 31/12/2019)</b>	<b>Quarter 3 2019-20 (01/01/2020 – 31/03/2020)</b>	<b>Quarter 4 2019-20 (01/04/2020 – 30/06/2020)</b>
<b>Certificates of final inspection</b>	42	27	34	40
<b>Occupancy Permits</b>	9	7	16	16

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 them arrange a final inspection/occupancy permit or apply for an extension of time for their building permit. This minimise the likelihood of a permit not being finalised or not having occupancy permits issued. This approach seems to be improving completion rates for the more recent permits issued by Council with 40 of the total of 56 final inspections and occupancy permits for quarter four being carried out by Council. There still is a number of building permits dating prior to 2015 to be finalised.

#### 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	1	0	0	0	1
Works required to make building safe (including pools)	14	3	17	1	2	0	0	1	2
Carrying out building works without a permit	4	2	6	2	0	0	0	0	2
Works not in accordance with building permit	1	1	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	2	0	2	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 has one action that is the subject of a "save as to costs order" issued by the Court in February for work to be completed by mid-June. This work has not been completed by the owner and will be the subject of further legal action. Ongoing costs are mounting in relation to this matter. Once enforcement of this matter is completed costs will be sought to be recovered through the courts.

Council officers work to try to resolve matters without legal intervention. Unfortunately this cannot always be achieved. On the positive side there have been a number of other actions relating to matters under the Building Act & Building Regulations that have been resolved without the need for formal enforcement action. This has been achieved by staff working pro-actively with property

owners to have works completed. Other inspections that have taken place during this reporting period have identified more matters that will require enforcement actions that are yet to be formally followed up with a notice or an order.

Council is largely responding to matters on a complaints basis. There are a significant number of properties with illegal buildings, some of which are occupied, however at this point in time insufficient staffing resources are available to enable follow up. It remains a significant challenge and potential risk for Council. To assist in following up matter of this nature Council has sought additional short term resources through the Working for Victoria program initiated by the State Government in light of the Covid-19 pandemic.

### **COST/BENEFITS**

The expenditure for the fourth quarter of the 2019-2020 financial year for building services activities contained within this report is \$33,263. The provision of building activity statistics informs Council of the level of building activity and statutory enforcement activity in the municipality.

The cost to Council of enforcement activity can be quite significant, particularly in terms of Council officers' time. This in turn impacts on other activities such as the timeframe for building permits. Direct monetary costs significantly escalate if matters progress to a Magistrate's hearing or the Municipal Building Surveyor needs to arrange for the work associated with any order to be completed by Council. As such, the Municipal Building Surveyor, together with other Development & Compliance Department staff endeavours 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.

1.

As part of the risk management process when undertaking enforcement work, the Municipal Building Surveyor makes reference to the building enforcement intervention filter criteria, developed by the Victorian Municipal Building Surveyors Group and which forms part of the procedures covered in Loddon Shire Council's Building Control Policy.

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

The Victorian Building Authority released Amended Building Regulations on 30 November 2019 for changes to the regulations affecting swimming pool and spa safety barriers. The Regulations came into effect on 1 December 2019. These changes initially included requirements that pool owners register their swimming pool or spa with Council by 30 June 2020 and to arrange for a certificate of compliance to be issued by one of three dates over an 18 month period commencing 30 June 2021 and dependant on the age and regulations applicable to the pool or spa fence/safety



barrier construction. This period was extended to 1 November 2020 in light of the Covid-19 restrictions with dates for inspections that were previously commencing 30 June 2021 extended to 30 November 2021. Approximately 1/3 of known pools were registered by 30 June 2020. The registration process has impacted on timeframes for Council issued building permits in this quarter. The obligations on Council's Building staff with the changes to the Regulations include advising pool and/or spa owners of the applicable date of the construction of a pool or spa and following up with enforcement action where a certificate of non-compliance has been issued by a private swimming pool inspector and completion of inspections when requested.

### **CONSULTATION AND ENGAGEMENT**

The Municipal Building Surveyor regularly engages with business operators, developers, residents and ratepayers during the administration of the various Acts which can range from annual assessments/inspection to the provision of advice for the processing of building permits. Any business operator, developer, residents or ratepayer that is subject to enforcement action is regularly consulted with during the enforcement process to give them the opportunity to avoid the next step up in enforcement action.

#### **RESOLUTION 2020/125**

Moved: Cr Geoff Curnow  
Seconded: Cr Colleen Condliffe

That Council receive and note the Building Services Activity report.

**CARRIED**

**11.3 LOCAL LAWS AND PLANNING COMPLIANCE ACTIVITY REPORT****File Number:** FOL/19/115192**Author:** David Price, Local Laws \ Planning Compliance Officer**Authoriser:** Glenn Harvey, Manager Development and Compliance**Attachments:** Nil**RECOMMENDATION**

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

**CONFLICT OF INTEREST**

There is no conflict of interest for any council staff writing the report, or involved in the subject matter of the report.

**PREVIOUS COUNCIL DISCUSSION**

This is the fourth and final report for the 2019-2020 financial year, summarising the local law and planning compliance and enforcement actions taken within the Development and Compliance Department. It provides Council with a high level summary for the purpose of monitoring performance within this area.

**BACKGROUND**

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

A number of organisational policies and procedures have been developed, outlining the methodology and circumstances under which Council officers will undertake compliance action. Key areas of focus in respect to compliance action include:

- management of local laws, particularly with respect to unsightly properties
- effective animal management
- assessment of properties for potential fire risk/fire prevention measures
- control of roadside activities, occupation and utilisation
- investigate planning scheme breaches and enforce planning permit conditions
- intervention in public nuisance issues.

**ISSUES/DISCUSSION**Administrative and fire prevention

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

Table 1: Administrative and fire prevention activities

Quarter 4 (1 April 2020 – 30 June 2020)				
Activity	After hours call outs (*)	Littering or illegal rubbish dumping	Fire prevention notices (^)	Local law permits issued
No. actions	5	7	0	4

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

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

### Unightly properties

A summary of activity statistics and locations that are the subject of compliance with local laws relating to unsightly properties is provided in Table 2. Identified unsightly properties are assessed and prioritised for compliance action.

*Table 2: Summary of unsightly properties activities*

Quarter 4 (1 April 2020 – 30 June 2020)																
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	3	2	4	3	12	11	3	1	2	1	0	0	2	46
No. resolved during quarter	0	0	0	0	0	0	2	0	0	0	0	0	0	0	0	2
New action commenced	1	0	0	0	0	0	1	0	0	0	0	0	0	0	0	2
No. currently pursuing	3	0	3	2	4	3	11	11	3	1	2	1	0	0	2	46
Progress Activities																
Site meeting / discussion held	1	0	0	0	0	0	1	0	0	0	0	0	0	0	1	3
Letter to comply issued	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	1
Occupier has commenced clean-up work	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1	2
Notice to comply issued	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Contractor engaged for clean-up work	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Opportunities for compliance activities have been impacted by the COVID-19 situation. Where appropriate Local laws staff continue to liaise with community members in resolving unsightly property issues. There has been some success with two unsightly properties being resolved this quarter.

Achieving resolution of unsightly property issues can be difficult, with many property owners committing to attend to the issue and in some cases starting the process of cleaning up only to

relapse. This requires an approach of escalation of interventions until compliance is reached. Many of these issues involve longstanding patterns of behaviour that will require continual intervention and time to establish significant change in individual's behaviour in order for lasting compliance to be reached.

#### Animal management

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

*Table 3: Summary of animal management activities*

Quarter 4 (1 April 2020 – 30 June 2020)						
Activity	Wandering livestock	Trespassing livestock	Dog attack	Domestic animal at large	Distribution of cat traps	General complaints / other
No. of actions	13	4	2	21	16	42

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

*Table 4: Impoundment activities*

Quarter 4 (1 April 2020 – 30 June 2020)				
Animal type	Impoundments	Returned to owners	Animals rehoused	Animals disposed
Livestock	0	0	0	0
Dogs	9	7	2	0
Cats	1	0	1	0
Feral Animals	-	-	-	17
<b>Total</b>	<b>10</b>	<b>7</b>	<b>3</b>	<b>17</b>

#### Planning Compliance and Enforcement

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

*Table 5: Planning compliance and enforcement activities*

Quarter 4 (1 April 2020 – 30 June 2020)					
Type	No. identified from previous report period	New action commenced	PIN's issued	No. resolved during this quarter	No. currently pursuing resolution
Land use in contravention of planning scheme without a permit	7	1	0	2	6
Native vegetation removal without a permit	7	4	0	1	10
Breach of planning permit	2	0	0	0	2

Dog breeding / animal keeping	4	0	0	1	3
Land used as a store without planning permit	3	0	0	0	3
Occupation of a shed without a planning permit	7	2	0	1	8
<b>Total</b>	<b>30</b>	<b>7</b>	<b>0</b>	<b>5</b>	<b>32</b>

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

### **COST/BENEFITS**

The expenditure for the fourth quarter of 2019-2020 financial year for the local laws and compliance activities contained within this report is \$59,973. As the identified properties are escalated through the compliance process, costs associated with legal proceedings may also be incurred by Council.

The resulting cost to Council can be significant in terms of officer(s) time; particularly undertaking various site inspections across Loddon Shire. Direct monetary costs can be significant should a matter progress to the Victorian Civil and Administrative Tribunal (VCAT) or the Magistrates Court. Therefore, it is of benefit to Council and the community that the Development and Compliance Department work through these matters in a timely and respectful manner to reach an appropriate outcome wherever possible.

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

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

### **RISK ANALYSIS**

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

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

### **CONSULTATION AND ENGAGEMENT**

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

**RESOLUTION 2020/126**

Moved: Cr Colleen Condliffe

Seconded: Cr Neil Beattie

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

**CARRIED**

**11.4 QUARTERLY STRATEGIC PLANNING ACTIVITY REPORT****File Number:** 13/01/002**Author:** Carolyn Stephenson, Statutory / Strategic Planner**Authoriser:** Glenn Harvey, Manager Development and Compliance**Attachments:** Nil**RECOMMENDATION**

That Council receive and note the Strategic Planning Activity report.

**CONFLICT OF INTEREST**

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

**PREVIOUS COUNCIL DISCUSSION**

This is the final report for the 2019-2020 financial year summarising the strategic planning activities undertaken within the Development and Compliance Department.

**BACKGROUND**

Council undertakes strategic land use planning projects to ensure that its planning scheme is robust, relevant and is consistent with the Council Plan.

This report provides an overview of the current activities of the Strategic Planner. The Strategic Planner's time is divided between statutory planning (10 hours per week) and strategic planning (8 hours per week) activities. It is the strategic planning activities that are the subject of this report.

**ISSUES/DISCUSSION**Current Strategic Planning Projects

Table 1 provides a summary of current strategic planning projects and the activities undertaken as part of these projects during the final quarter of the 2019-2020 financial year.

Table 1: Current Strategic Planning Projects

<b>Current Strategic Planning Projects Quarter 4 (1 April 2020 – 30 June 2020)</b>			
<b>Project</b>	<b>Tasks undertaken during the quarter</b>	<b>Future tasks</b>	<b>Estimated project completion</b>
Planning Scheme Review	Draft finalised and submitted to Manager for review	Circulation to policy review committee. Presentation and adoption of report by Council. Submission of report to Minister for Planning.	Implementation of recommendations are to be staged over 2020 - 2025.

<p>Planning Scheme Amendment – Bridgewater Flood controls</p>	<p>Advice sought from NCCMA regarding progress.</p>	<p>Exhibition of the planning scheme amendment. Dates have not yet been set due to the situation with COVID-19.</p>	<p>Completion of the amendment will be determined by the receipt of adverse submissions. If there are no submissions that cannot be addressed by an appropriate change to the amendment, the amendment should be completed by end of 2020. If a planning panel is required to consider submissions about the amendment, it is possible it may not be completed until mid 2021.</p>
<p>Planning Scheme Amendment – Dunolly Flood controls</p>	<p>Advice sought from NCCMA regarding progress.</p>	<p>Exhibition of the planning scheme amendment. Dates have not yet been set due to the situation with COVID-19.</p>	<p>Completion of the amendment will be determined by the receipt of adverse submissions. If there are no submissions that cannot be addressed by an appropriate change to the amendment, the amendment should be completed by end of 2020. If a planning panel is required to consider submissions about the amendment, it is possible it may not be completed until mid 2021.</p>
<p>New dwelling information sheet (provides advice to new residents/existing residents on the requirements and issues</p>	<p>Draft submitted to Manager for review.</p>	<p>Publish on Council website.</p>	<p>Once finalised, the information sheet can be published on the website</p>



associated with use and development of land for a dwelling in different parts of Loddon Shire. Incorporates some of the directions from the Settlement Strategy and highlights the areas where dwelling development can be supported).			immediately and made available to the public when enquiries are made.
Industrial Strategy Brief (a recommendation of the Settlement Strategy was to undertake an Industrial Strategy to ensure a suitable supply of industrial land as employment is key to population growth).	Draft submitted to Manager for review.	Distribute brief to suitable consultants with an invitation to submit a fee proposal.	December 2020
Heritage loan policy	Draft policy has been prepared and submitted to Manager for review. This policy provides the criteria for applications.	Document prepared for Policy Review Group: September 2020  Document prepared for Management Executive Group: October 2020  Document presented at Council Forum: November 2020	December 2020
Loddon Planning Scheme – Planning Policy Translation. (Incorporation of local planning policy into the restructured Statewide planning policy framework. This translation is policy neutral.)	Although this project is largely being conducted by DELWP, a level of input by Council staff is required. This input recently has been participation in an inception meeting and review of some existing material in the scheme to determine its relevance).	Review of draft PPF prepared by DELWP.	December 2020

#### Upcoming Strategic Planning Projects

Table 2 outlines future strategic planning projects that have been identified to commence as soon as practicably possible.

*Table 2: Upcoming Strategic Planning Projects*

<b>Future Strategic Planning Projects</b>			
<b>Project</b>	<b>Overview</b>	<b>Key Tasks</b>	<b>Estimated project timeframes</b>
Investigate development of Stage 2 of Ridge Street residential development	This project will be completed by an external consultant. The aim of this project is to provide an understanding of the opportunities, constraints and scope of costs associated with Stage 2 of the Ridge Street residential development	Prepare brief for consultant and seek fee proposal.	Invitation to submit fee proposal to be distributed October 2020. Project to be completed by December 2020.
Undertake detailed investigation of identified residential growth opportunities in the priority towns to determine yield and estimated development cost.	This project will be completed by an external consultant. The aim of this project is to provide an understanding of the opportunities, constraints and scope of costs associated with the key growth opportunities identified in the Settlement Strategy.	Prepare brief for consultant and seek fee proposal.	Invitation to submit fee proposal to be distributed October 2020. Project to be completed by December 2020.

### **COST/BENEFITS**

The expenditure for the third quarter of the 2019-2020 financial year for the strategic planning activities contained within this report is \$4,431.

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

- clearly defined directions for land use and development that are underpinned by research and supported by the community
- a relevant and effective planning scheme that provides for economic development, population growth, attractive townships and protection of heritage and the environment.

### **RISK ANALYSIS**

Failure of Council to undertake strategic planning includes:

- outdated planning controls that do not respond to current issues and opportunities
- inappropriate development that compromises the amenity of towns and undermines economic development opportunities
- loss of opportunities for population and residential growth.

### **CONSULTATION AND ENGAGEMENT**

The strategic planning staff member consults with a number of stakeholders on a regular basis including:

- community members and organisations
- government agencies including Department of Environment Land Water & Planning, Department of Economic Development Jobs Transport & Resources, North Central Catchment Management Authority
- other Loddon Shire Council departments

- other municipalities.

**RESOLUTION 2020/127**

Moved: Cr Geoff Curnow

Seconded: Cr Colleen Condliffe

That Council receive and note the Strategic Planning Activity report.

**CARRIED**

**11.5 PUBLIC HEALTH ACTIVITY REPORT****File Number:** 12/02/001**Author:** Teresa Arnup, Senior Public Health Officer**Authoriser:** Glenn Harvey, Manager Development and Compliance**Attachments:** Nil**RECOMMENDATION**

That Council receive and note the Public Health activity report.

**CONFLICT OF INTEREST**

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

**PREVIOUS COUNCIL DISCUSSION**

This is the fourth report for the 2019-2020 financial year, summarising public health activities within the Development and Compliance Department.

**BACKGROUND**

Loddon Shire Council is responsible for the administration and enforcement of a number of Acts including the:

- Food Act 1984
- Public Health and Wellbeing Act 2008
- Residential Tenancies Act 1997
- Environment Protection Act 1970
- Tobacco Act 1987.

Council's Public Health officer has regular contact with business operators, community groups, home owners and developers whilst administering the above Acts. Activities undertaken by the staff include inspection of registered premises, the taking of food and water samples, the issuing of septic tank permits and complaint investigations.

**ISSUES/DISCUSSION****Registered Premises**

Council undertakes annual inspections of premises that are registered under the Food Act, Public Health and Wellbeing Act and Residential Tenancies Act. Inspections are also undertaken of public swimming pools and of properties that are required to meet the requirements of the Tobacco Act. Table 1 provides a summary of the inspections undertaken during the reporting period.

*Table 1: Registered premises inspections*

1 April 2020 to 30 June 2020		
Governing Legislation	Inspection Outcome	Number of inspections
Food Premises	Compliant*	38
	Major Non Compliance	2
Health Premises	Compliant*	2
<b>Total number of inspections for reporting period</b>		<b>42</b>

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

**Septic Systems**

Table 2 summarises septic system permit applications processed during the reporting period.

*Table 2: Septic system permits*

1 April 2020 to 30 June 2020	
Permit Type	Number
Installation or alteration	6
Certificate to use	7
<b>Total Number of Permits</b>	<b>13</b>

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

Table 3 summarises the activities associated with management of septic tank applications and installed systems.

*Table 3: Septic system activity*

1 April 2020 to 30 June 2020	
Activity / Inspection Type	Number
Application Inspection	3
Installation Inspection	2
Final Inspection	3
Other Inspection	1
<b>Total Number of Inspections</b>	<b>9</b>

**Public Health Complaints**

Council is responsible for the investigation of nuisance complaints under the Public Health and Wellbeing Act. Complaints of nuisance can be complex and time consuming. Table 4 summarises the complaints during the reporting period.

*Table 4: Public health complaints*

1 April 2020 to 30 June 2020				
Nature of complaint	Number carried over from previous reporting period	Number received	Number resolved	Number currently pursuing resolution
<b>Food Premises</b>	0	1	1	0
<b>Wastewater</b>	3	0	0	3
<b>Other</b>	0	0	0	0
<b>Total</b>	<b>3</b>	<b>1</b>	<b>1</b>	<b>3</b>

**COST/BENEFITS**

The actual expenditure for the third quarter of 2019-2020 financial year of the public health unit activities contained within this report is \$16,795.

Administration of the Acts that the Public Health officer has responsibility for includes significant field work, with staff regularly in the field engaging with business operators, developers, residents and ratepayers.

This investment increases significantly when compliance issues are identified within registered premises and when complaints are received.

The benefits that stem from this investment include:

- improved public health and safety within registered premises
- improved local amenity
- full implementation by Council of our responsibilities under the various Acts and regulations.

### **RISK ANALYSIS**

Failure of Council to adequately administer and enforce the provisions of the applicable legislation would pose the following possible risks:

- the spread of infectious diseases through the community including food poisoning
- a barrier to the new developments and economic growth within Council
- Council's reputation as a regulatory authority
- contamination of the local environment
- failure to meet obligations set within the relevant legislation.

### **CONSULTATION AND ENGAGEMENT**

The Public Health officer regularly engages with business operators, developers, residents and ratepayers during the administration of the various Acts which can range from annual assessments/inspections to the provision of advice for the processing of septic tank permits. Any business operator, developer, residents or ratepayer that is subject to enforcement action is regularly consulted with during the enforcement process.

#### **RESOLUTION 2020/128**

Moved: Cr Geoff Curnow

Seconded: Cr Colleen Condliffe

That Council receive and note the Public Health activity report.

**CARRIED**

## 11.6 STATUTORY PLANNING PERMIT ACTIVITY REPORT

**File Number:** 13/01/002  
**Author:** Grant Trenwith, Senior Statutory Planning Officer  
**Authoriser:** Glenn Harvey, Manager Development and Compliance  
**Attachments:** 1. Planning applications completed in the quarter  
2. Planning applications being processed in the quarter

### RECOMMENDATION

That Council receive and note the statutory planning application and permit activity report for the fourth quarter of the 2019-2020 financial year.

### CONFLICT OF INTEREST

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

### PREVIOUS COUNCIL DISCUSSION

This is the fourth and final report for the 2019 - 2020 financial year summarising statutory planning application activities undertaken within the Development and Compliance Department.

### BACKGROUND

This report provides Council with a quarterly high level summary of the statutory planning permit activities 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 statutory 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 are to be measured following the acceptance of a planning permit application.

Table 1 provides a summary of the average timeframes in which the Development and Compliance Department assessed and issued Planning Permits during the third quarter of the 2019-2020 financial year and compares these to the Victorian rural average.

*Table 1: Average timeframes for decisions*

<b>Quarter 4 of the 2019/2020 financial year</b>			
<b>Month</b>	<b>Average gross days to determine</b>	<b>Completed within 60 days</b>	<b>Rural average completed within 60 days</b>
<b>April</b>	90	89%	77%
<b>May</b>	131	88%	77%
<b>June</b>	77	77%	77%
	<b>Total Quarterly average</b>	<b>83%</b>	<b>77%</b>

During the fourth quarter of the 2019 - 2020 financial year 83% of all Planning Permit applications were assessed and issued within the timeframes as set in the Planning & Environment Act 1987.

### **COST/BENEFITS**

The expenditure for the fourth quarter of 2019-2020 financial year of the statutory planning activities contained within this report is \$42,127.

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 2020/129**

Moved: Cr Colleen Condliffe

Seconded: Cr Geoff Curnow

That Council receive and note the statutory planning application and permit activity report for the fourth quarter of the 2019-2020 financial year.

**CARRIED**

**11.7 ANNUAL INFRASTRUCTURE PROGRAM 2019-2020 AND OTHER PROJECTS UPDATE**

**File Number:** 14/01/001  
**Author:** Adam Cooper, Project Management Coordinator  
**Authoriser:** David Southcombe, Manager Assets and Infrastructure  
**Attachments:** 1. Annual Infrastructure Program 2019-2020  
2. Other Projects 2019 - 2020

**RECOMMENDATION**

That Council note the update on progress of the Annual Infrastructure Program 2019-2020 and Other Projects as at the end of June 2020.

**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 is for the fourth and final quarter of 2019-2020 financial year, providing an update on the progress of the Annual Infrastructure Program. The statuses of other projects that are delivered by the Assets & Infrastructure Department but are not part of the Annual Infrastructure Program are also included in the report.

**BACKGROUND**

This report is produced quarterly and is provided to Council for the purpose of reporting progress of the Annual Infrastructure Program and other projects that the Assets & Infrastructure Department is responsible for delivering. The information in this report covers progress up until the end of June 2020.

**ISSUES/DISCUSSION**Annual Infrastructure Program

Attachment 1 provides a progress summary of the Annual Infrastructure Program for the fourth quarter of the 2019-2020 financial year. There are 61 individual projects listed including carryovers from previous financial years, of these 43 have been 100% completed, of the remaining 18 projects all but 5 have commenced. Overall 80% of the Program has been completed. The incomplete projects will be reported as carryovers in future quarterly progress reports.

The Coronavirus pandemic has had an effect on the completion of the Annual Infrastructure program. The footpath contract has been delayed (crews got back to site in May 2020, delays again in July 2020), while Sloans Road Bridge has had all concrete components cast for installation, they are currently (August) commencing on site. Additionally, the ability to secure precast concrete components has been slowed. This has delayed the commencement of Kiniry Street drainage Boort and culvert upgrades in Kelly Street in Pyramid Hill.

Other Projects

In addition to the Annual Infrastructure Program, the Assets & Infrastructure Department is responsible to oversee the delivery of a number of different projects. Attachment 2 provides a summary of the other projects at the end of fourth quarter of 2019-2020 financial year. All completed projects are removed for subsequent quarterly progress reports.

**COST/BENEFITS**

The total proposed expenditure for the 2019-2020 financial year for the Annual Infrastructure Program is \$6,468,236.12. The expenditure for the fourth quarter is \$1,122,899 and \$3,609,615 for the financial year to date.

The Annual Infrastructure Program includes a number of substantial grants for projects including:

- Bridgewater-Raywood Road widening – Heavy Vehicle Programme
- Echuca-Serpentine Road widening – Fixing Country Roads
- Echuca Serpentine-Prairie Road intersection upgrade – Fixing Country Roads
- Sloans Road bridge replacement – Bridges Renewal
- Old Inglewood Dam safety upgrade – DELWP Dam Safety
- Solar and LED installations - Local Government Energy Saver Facilities Upgrade

Attachment 1 gives a summary of progress of individual projects within this program as at 30 June 2020.

The Assets & Infrastructure Department is currently managing other significant projects covered in Attachment 2 which are in different stages of progress. The combined value of such projects is in excess of \$3.633 million. Expenditure to date is on these projects is \$392,753.

**RISK ANALYSIS**

There are a number of risks associated with the delivery of the Annual Infrastructure Program and other significant projects. The following is a list of some but not all of the associated risks:

- delivering within timeframe and budget
- meeting community expectations
- delivering projects in accordance with engineering standards
- compliance with procurement legislation

Council officers are committed to monitoring and managing the risks associated with the Annual Infrastructure Program and other significant projects to ensure that any issues are minimised.

**CONSULTATION AND ENGAGEMENT**

The information provided in this report is presented after consultation between Manager Assets and Infrastructure and the Works Department.

**RESOLUTION 2020/130**

Moved: Cr Geoff Curnow  
Seconded: Cr Neil Beattie

That Council note the update on progress of the Annual Infrastructure Program 2019-2020 and Other Projects as at the end of June 2020.

**CARRIED**

**12 COMPLIANCE REPORTS**

Nil

**13 GENERAL BUSINESS****URGENT BUSINESS****RESOLUTION 2020/131**

Moved: Cr Neil Beattie

Seconded: Cr Colleen Condliffe

That the following items be treated as urgent business

**CARRIED**

**13.1 COMMUNITY GRANTS - KORONG VALE GOLF CLUB****RESOLUTION 2020/132**

Moved: Cr Neil Beattie

Seconded: Cr Colleen Condliffe

That Council:

1. provide funding of \$2000 to the Korong Vale Golf Club to be combined with the Club's \$1000 allocation, to assist in establishing a free camping area at the Golf Club facility, subject to written confirmation being received from the land manager, the Department of Environment Land, Water and Planning indicating approval for this use to proceed
2. that these funds are provided from the 2020/21 Community Grant unallocated funds.

**CARRIED**

**13.2 COMMUNITY GRANTS – BOORT RESOURCE AND INFORMATION CENTRE****RESOLUTION 2020/133**

Moved: Cr Neil Beattie

Seconded: Cr Colleen Condliffe

That Council:

- provide funding of \$3,500 to the Boort Resources and Information Centre (BRIC) to support publication of the About Boort Newsletter
- that these funds are provided from the 2020/21 Community Grant unallocated funds.

**CARRIED**

**URGENT BUSINESS****RESOLUTION 2020/134**

Moved: Cr Colleen Condliffe

Seconded: Cr Neil Beattie

That the following item be treated as urgent business

**CARRIED****13.3 COMMUNITY GRANTS - KORONG NEWSLETTER AND CAMPBELLS FOREST AND DISTRICT COMMUNITY NEWSLETTER****RESOLUTION 2020/135**

Moved: Cr Colleen Condliffe

Seconded: Cr Neil Beattie

That Council:

1. provide funding of \$3,500 to the Inglewood Community Neighbourhood House to support publication of the Korong News newsletter
2. provide funding of \$500 to the Campbell's Forest and District Community Action Planning Group to support publication of the Campbells Forest and District Community Newsletter
3. that these funds are provided from the 2020/21 Community Grant unallocated funds.

**CARRIED****URGENT BUSINESS****RESOLUTION 2020/136**

Moved: Cr Gavan Holt

Seconded: Cr Neil Beattie

That the following item be treated as urgent business

**CARRIED**

**13.4 WEDDERBURN AGED CARE FACILITY****RESOLUTION 2020/137**

Moved: Cr Gavan Holt

Seconded: Cr Geoff Curnow

That advice be given to the Wedderburn Lions Club that Council is prepared to make Council owned land at 32 Wilson Street Wedderburn available to the Wedderburn Lions Club at no cost for the purpose of building an aged care facility.

This offer is subject to all costs associated with the establishment and operation of the aged care facility being met by parties other than the Loddon Shire Council.

This offer from the Loddon Shire Council expires on 31 August 2024 if the project has not been substantially commenced by that date.

It should also be noted that the Wedderburn Community Centre Committee of Management is the Council's delegated operator of this site, and it should be informed of Council's offer to the Wedderburn Lions Club.

**CARRIED**

**ENQUIRY - SALE OF COUNCIL PROPERTY**

Cr Holt asked what conditions determine whether a Council property is offered for sale via calling for expressions of interest or real estate agent. The CEO advised that both options are considered by staff, and noted that expressions of interest may realise a better return to Council than the market valuation at the time, depending on demand, and costs to Council are minimised by avoiding agent fees. If no expressions of interest are received, staff would generally then refer the property to a real estate agent.

**ENQUIRY – PUBLIC HALLS AND RESERVE ALLOCATIONS**

Cr Holt noted that the Public Hall and Reserve Allocation Policy has expired and asked what the current funding allocations are. Mrs Gladman undertook to provide a report to the September Council meeting with the current allocations once they have been made.

**ENQUIRY – COMMUNITY GRANTS PROCESS**

Cr Holt referred to the Community Grant funding approved earlier in the meeting and asked if the funding requests made by Councillors in General Business fit the eligibility criteria. Mrs Gladman advised that only one Community Grants funding round is assessed and allocated per year. She noted that Councillors may bring forward requests for funding on behalf of their communities, and if there are Community Grants funds available, Council may resolve to allocate that funding from the unspent Community Grants.

Councillors noted that ongoing funding of publication of community newsletters has been considered for inclusion in the proposed Community Support Policy, which is still under development. Mrs Gladman undertook to provide a report to address funding of community newsletters to the September Council meeting.

**14 CONFIDENTIAL ITEMS**

The Mayor announced that Council had completed the items listed in the open Council meeting that has been live streamed to the public and that the live streaming will now cease, to allow Council to consider the following confidential matters:

**RESOLUTION 2020/138**

Moved: Cr Colleen Condliffe

Seconded: Cr Geoff Curnow

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 C480 - Caravan Park Upgrades**

This matter is considered to be confidential under Section 3(1)(a) and (g(ii)) 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 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 and/or disadvantage a private business, as various negotiations remain pending.

**14.2 Sale of Land - Lot 1 TP162011 Boort - Charlton Road, Boort**

This matter is considered to be confidential under Section 3(1)(a) 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 Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

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

**CARRIED**

Closing of Meeting to the Public

**RESOLUTION 2020/139**

Moved: Cr Colleen Condliffe

Seconded: Cr Geoff Curnow

That the meeting be closed to the public at 5.29 pm.

**CARRIED**

**14.1 C480 - CARAVAN PARK UPGRADES****RESOLUTION 2020/140**

Moved: Cr Colleen Condliffe

Seconded: Cr Neil Beattie

That Council:

- (i) award Contract 480 – Caravan Park Upgrades to Yarrawonga Manufactured Housing Pty Ltd
  - (ii) note the intention of Council staff to negotiate an outcome within the allocated budget for the installation of new cabins at Wedderburn Caravan Park
- and
- (ii) authorise the Chief Executive Officer to sign and affix the common seal of Council to documentation related to the contract.

**CARRIED**

**14.2 SALE OF LAND - LOT 1 TP162011 BOORT - CHARLTON ROAD, BOORT****RESOLUTION 2020/141**

Moved: Cr Neil Beattie

Seconded: Cr Colleen Condliffe

That Council resolve to:

1. Sell Lot 1 TP162011 Boort-Charlton Road, Boort, all that piece of land being Lot 1 on Title Plan 162011B, being the land more particularly described as Certificate of Title Volume 9173 and Folio 984, for at least the price set within the valuation in this report, or if lower than this price and within 10% of that amount, at the discretion of the Chief Executive Officer.
2. Pursuant to Section 223 of the Local Government Act 1989, provide public notice of the intended sale of this property for a minimum of four weeks prior to sale.
3. Authorise the CEO to affix the Council seal to any related documentation to complete the sale.

**CARRIED**



**NEXT MEETING**

The next Ordinary Meeting of Council will be held on 15 September 2020 via videoconference commencing at 3pm.

There being no further business the meeting was closed at 5.43pm.

Confirmed this.....day of..... 2020

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**CHAIRPERSON**