



Date: Tuesday, 26 May 2020
Time: 3.23pm
Location: Meeting held by video conference - public access by virtual audio stream.

MINUTES

Ordinary Council Meeting

26 May 2020

**MINUTES OF LODDON SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD BY VIDEOCONFERENCE
ON TUESDAY, 26 MAY 2020 AT 3.23PM**

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 on-line and in accordance with the Local Government Act 2020 as temporarily amended to enable meeting by electronic means of communication.

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 April 2020
2. The minutes of the Ordinary Council Meeting of 28 April 2020
3. The minutes of the Council Forum of 12 May 2020

REPORT

Seeking approval of the unconfirmed minutes of the previous meetings.

RESOLUTION 2020/61

Moved: Cr Colleen Condliffe

Seconded: Cr Gavan Holt

That Council confirm:

1. The minutes of the Council Briefing of 28 April 2020
2. The minutes of the Ordinary Council Meeting of 28 April 2020
3. The minutes of the Council Forum of 12 May 2020

CARRIED

6 REVIEW OF ACTION SHEET**6.1 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.

REPORT

Refer attachment.

Cr Holt referred to the action item relating to recreational water for Skinners Flat within the South West Loddon Pipeline Project, and thanked Mr Steven Phillips for his efforts in progressing the matter. It was noted that in the original scheme development planning, the reservoir would be provided with a continuous supply of water for recreational uses. He noted that the Chair and CEO of Grampians Wimmera Mallee Water had undertaken to supply water to Skinners Flat.

Cr Holt confirmed that the last South West Loddon Pipeline Steering Committee meeting agreed that a sub-committee, which would involve the CEO, Crs Holt and Beattie, and Mr Phillips, should be formed to progress the issue and develop a proposal to take to the Minister for Water.

Cr Beattie reiterated the commitment from the Chair of GWM Water to resolve the issue.

RESOLUTION 2020/62**Moved:** Cr Geoff Curnow**Seconded:** Cr Gavan Holt

That Council receive and note the action sheet.

CARRIED

7 MAYORAL REPORT**7.1 MAYORAL REPORT****File Number:** 02/01/001**Author:** Christine Coombes, Executive and Commercial Services Officer**Authoriser:** Phil Pinyon, Chief Executive Officer**Attachments:** Nil**RECOMMENDATION**

That Council receive and note the Mayoral Report

REPORT

The Mayor provided a report for inclusion with the meeting agenda..

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**

| DATE | Activity |
|-------------|--|
| 28/4/2020 | NCLLEN meeting via zoom |
| 4/5/2020 | Joined "Our Say" zoom webinar on Virtual Meetings |
| 5/5/2020 | MAV webinar – Virtual meeting protocols - zoom |
| 11/5/2020 | Loddon Pandemic Relief and Recovery committee held their first meeting via video link. |
| 11/5/2020 | Strong Families Strong Children forum meeting held via zoom |
| 12/5/2020 | Council Forum – I attended in Wedderburn via webex forum |
| 14/5/2020 | GRL Finance Committee meeting via MS teams |

26/5/2020

Council Meeting by videoconference

RESOLUTION 2020/63

Moved: Cr Colleen Condliffe

Seconded: Cr Geoff Curnow

That Council receive and note the Mayoral Report

CARRIED

8 COUNCILLORS' REPORT**8.1 COUNCILLORS' REPORTS**

File Number: 02/01/001

Author: Lynne Habner, Manager Executive and Commercial Services

Authoriser: Phil Pinyon, Chief Executive Officer

Attachments: Nil

RECOMMENDATION

That Council receive and note the Councillors' reports

REPORT

Each Councillor provided a report for inclusion with the meeting agenda.

Cr Beattie

| | |
|---|------------------------------------|
| Murray Darling Association | |
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| Rail Freight Alliance | |
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| GMW Connections Project: | |
| | |
| Section 86 Committees: Boort Aerodrome Committee of Management, Boort Development Committee Inc., Boort Memorial Hall Committee of Management, Boort Park Committee of Management, Korong Vale Mechanics Hall Committee of Management, Korong Vale Sports Centre Committee of Management, Little Lake Boort Management Committee Inc., Yando Public Hall Committee of Management | |
| | |
| Other Council activities | |
| DATE | Activity |
| 12/5/2020 | Council Forum via WebEx |
| | Numerous phone hook-ups |
| 26/5/2020 | Council Meeting by videoconference |

Cr Condliffe

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|---|--|
| Calder Highway Improvement Committee | |
| | |
| Section 86 Committees: Bridgewater on Loddon Development Committee of Management, Campbells Forest Hall Committee of Management, Inglewood Community Sports Centre Committee of Management, Inglewood Lions Community Elderly Persons Units Committee of Management, Inglewood Town Hall Hub Committee of Management, Jones Eucalyptus Distillery Site Committee of Management | |
| | |
| Australia Day Committee | |
| | |
| Central Victorian Greenhouse Alliance | |
| 14/5/2020 CVGA virtual meeting | |
| Central Victoria Rural Women's Network | |
| | |
| Healthy Minds Network | |
| 6/5/2020 Loddon Healthy Minds – Serpentine for virtual meeting | |
| Loddon Youth Committee | |
| | |
| Other Council activities | |
| DATE | Activity |
| 5/5/2020 | Community kitchen take away meals in Inglewood Community kitchen |
| 7/5/2020 | Loddon Plains Network phone meeting |
| 12/5/2020 | Council Forum via WebEx |
| 19/5/2020 | Community kitchen take away meals in Inglewood Community kitchen |
| 26/5/2020 | Council Meeting by videoconference |

Cr Curnow

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| Loddon Mallee Waste Resource Recovery Group |
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|---|--|
| | |
| Section 86 Committees: Kingower Development and Tourism Committee | |
| | |
| Municipal Emergency Management Plan Committee and Municipal Fire Management Plan Committee | |
| 7/5/2020 Virtual attendance at Integrated Municipal Emergency Management Planning Committee | |
| Other Council activities | |
| DATE | Activity |
| 29/4/2020 | Tarnagulla Community Planning Virtual Meeting organised by Allan Stobaus via zoom. |
| 12/5/2020 | Loddon Shire Council Forum via WebEx |
| 26/5/2020 | Council Meeting by videoconference |

Cr Holt

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|--|------------------------------------|
| Municipal Association of Victoria | |
| | |
| Section 86 Committees: Donaldson Park Committee of Management, Wedderburn Community Centre Committee of Management, Wedderburn Engine Park Committee of Management, Wedderburn Mechanics Institute Hall Committee of Management, Wedderburn Tourism Committee of Management | |
| | |
| Audit Committee | |
| | |
| Other Council activities | |
| DATE | Activity |
| | Cr Holt provided a nil report. |
| 26/5/2020 | Council Meeting by videoconference |

RESOLUTION 2020/64

Moved: Cr Colleen Condliffe

Seconded: Cr Geoff Curnow

That Council receive and note the Councillors' reports

CARRIED

9 DECISION REPORTS

9.1 FINANCE REPORT FOR THE PERIOD ENDING 30 APRIL 2020

File Number: 08/06/001

Author: Deanne Caserta, Manager Financial Services

Authoriser: Sharon Morrison, Director Corporate Services

Attachments: 1. Finance Report for the period ending 30 April 2020

RECOMMENDATION

That Council:

1. receives and notes the 'Finance report for the period ending 30 April 2020'
2. approves budget revisions included in the report for internal reporting purposes only
3. approves the supplementary valuations of rateable and non-rateable properties in respect of the 2019/20 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 2019/20.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

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

BACKGROUND

The Finance Report for the period ended 30 April 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 2019/20 Budget, and includes operating results, capital expenditure and funding sources.

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

- splitting of parcels into new rateable assessments
- development of vacant or unproductive land (urban and rural)
- consolidation of separate rateable assessments into one assessment
- re-assessment of property valuations arising from objections to the initial valuation
- additions and cancellations of licences (grazing and water frontages)
- change of use
- covenant on Title
- area amendment

- change of Australian Valuation Property Classification Code (AVPCC)
- supplementary valuation corrections.

ISSUES/DISCUSSION

Budgeted Surplus - Council's budgeted cash surplus has decreased by \$7K to \$3.64M.

Income Statement (revenue) - Council's year to date (YTD) operating revenue is at 95% of YTD budget. Revenue brought to account for April was \$1.63M (\$400K for March).

Income Statement (expenditure) - Council's operating expenditure is at 87% of YTD budget. Payments for this month totalled just over \$2.58M (\$2.52M for March).

Capital Works - The revised budget for capital works is \$20.1M and is 27% complete in financial terms for the current financial year (26% at the end of March).

Balance Sheet - Council has a cash total of \$25.6M with \$3.94M in general accounts. Debtors are \$1.95M which is a decrease of \$202K for the month. Sundry debtors total \$827K (\$812K in March) with invoices outstanding for 90 or more days relating to community wellbeing debtors and local community groups totalling approximately \$58K.

There were supplementary valuations updated during April. The total rateable CIV at the end of April is just over \$2.35B.

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 2019/20.

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 2020/65

Moved: Cr Geoff Curnow

Seconded: Cr Colleen Condliffe

That Council:

1. receives and notes the 'Finance report for the period ending 30 April 2020'
2. approves budget revisions included in the report for internal reporting purposes only
3. approves the supplementary valuations of rateable and non-rateable properties in respect of the 2019/20 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 2019/20.

CARRIED

9.2 MAY 2020 AUDIT COMMITTEE MEETING OVERVIEW

File Number: 06/02/003

Author: Sharon Morrison, Director Corporate Services

Authoriser: Phil Pinyon, Chief Executive Officer

Attachments:

1. Minutes of the February 2020 Audit Committee meeting
2. Review of Cash Handling
3. Outstanding Audit Recommendations
4. Draft version 5 Performance Reporting Framework

RECOMMENDATION

That Council:

1. receives and notes this report on the May 2020 Audit Committee Meeting
2. receives and notes the confirmed signed minutes of the February 2020 Audit Committee meeting (**attached**)
3. endorses the performance improvement recommendations documented in the:
 - (a) "Review of Cash Handling" (**attached**)
4. notes the Outstanding Audit Recommendations
5. approves version 5 of the Loddon Performance Framework

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 February 2020 Audit Committee Meeting at the Ordinary Meeting held on 28 April 2020.

BACKGROUND

The Audit Committee was created under Section 139 of the Local Government Act 1989, which states that "Council must establish an audit committee".

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 decided that Councillor Beattie be the alternate Council representative in the event that Cr Holt is unable to attend the Audit Committee Meeting. Council's Chief Executive Officer and Director Corporate Services attend the meetings in an advisory capacity.

The primary objective of the Audit Committee is to assist Council in the effective conduct of its responsibilities for:

- the enhancement of the credibility and objectivity of internal and external financial reporting
- effective management of financial and other risks and the protection of Council assets
- compliance with laws and regulations as well as use of best practice guidelines
- the effectiveness of the internal audit function
- the provision of an effective means of communication between the external auditor, internal audit, management and the Council
- facilitating the organisation's ethical development

- maintaining a reliable system of internal controls.

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

ISSUES/DISCUSSION

The agenda for the May 2020 meeting included the following:

Decision Reports

Mr Rod Baker was welcomed back as a committee member and resumed the position of elected chair.

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

A review of Cash Handling (**attached**) was considered and referred to the Council meeting for endorsement.

The draft version 5 of the Loddon Performance Framework was endorsed and referred to Council for adoption.

Compliance Reports

A report on outstanding audit recommendations was noted and referred to Council.

A number of compliance reports were considered and noted including:

- the Fraud Report for the January to March quarter – the CEO provided an update
- a review of major lawsuits facing council since February 2020 – the CEO provided an update
- items raised by Council that may impact the Audit Committee – Cr Holt spoke to this item.

Information Reports

The Audit Committee also received the following information reports:

- Committee Self-Assessment of Performance Survey Results
- Monthly Finance Report
- Shell Financial and Performance Statements – Financial Year ending 30 June 2020
- Presentation by a staff member – Manager Executive and Commercial Services
- Update on Service Planning
- Council's response to COVID-19
- HLB Mann Judd Quarterly Sector Report.

The date of next audit committee meeting is 13 August 2020.

The next review will be Outstanding Actions.

COST/BENEFITS

There are costs associated with the Audit 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 Committee members and Council officers.

CONSULTATION AND ENGAGEMENT

Nil

RESOLUTION 2020/66

Moved: Cr Geoff Curnow

Seconded: Cr Gavan Holt

That Council:

1. receives and notes this report on the May 2020 Audit Committee Meeting
2. receives and notes the confirmed signed minutes of the February 2020 Audit Committee meeting (**attached**)
3. endorses the performance improvement recommendations documented in the:
 - (a) "Review of Cash Handling" (**attached**)
4. notes the Outstanding Audit Recommendations
5. approves version 5 of the Loddon Performance Framework

CARRIED

9.3 SURRENDER OF LAND POLICY V3

File Number: 18/01/001

Author: Deanne Caserta, Manager Financial Services

Authoriser: Sharon Morrison, Director Corporate Services

Attachments: 1. Surrender of Land Policy v3

RECOMMENDATION

That Council adopts the Surrender of Land 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

Version 2 of the Surrender of Land Policy (the Policy) was adopted on 24 July 2018 with a two year review date. The Policy is now due for review.

BACKGROUND

The purpose of the Surrender of Land Policy is to support Council in its decision making in circumstances where ratepayers apply to surrender parcels of land within the Shire.

ISSUES/DISCUSSION

The policy outlines how an application needs to be submitted and what needs to accompany the submission.

The most important section of the policy identifies what Council needs to consider when making its decision and includes:

- legal costs involved in transferring ownership of the land
- payment of future rates and related charges
- possible escalation into a Section 181 property sale
- payment of future Fire Service Property Levy fixed and variable charges
- suitability for resale
- previous land use (possible contamination, risk of mine shafts)
- liability for maintenance of the vacant land which includes grass slashing and control of weeds if the property is not suitable for resale.

COST/BENEFITS

Only land with an identified future benefit to Council will be considered for surrender.

RISK ANALYSIS

Occasionally applications are made by ratepayers who no longer want to own particular parcels of land within the Shire. In order to avoid further rates and charges an application is made to transfer the ownership and liability for these charges to Council.

CONSULTATION AND ENGAGEMENT

The document has been subject to the normal approval process of Management Executive Group and Policy Review Group prior to presentation in the Council Meeting Agenda. As there are only minor changes recommended, it was not seen as necessary to review at a Council Forum.

RESOLUTION 2020/67

Moved: Cr Colleen Condliffe

Seconded: Cr Gavan Holt

That Council adopts the Surrender of Land Policy v3

CARRIED

9.4 CEMETERY POLICY V1**File Number:** 18/01/001**Author:** Sharon Morrison, Director Corporate Services**Authoriser:** Phil Pinyon, Chief Executive Officer**Attachments:** 1. Proposed Cemetery Policy v1**RECOMMENDATION**

That Council:

1. adopts the Cemetery Policy v1
2. pursue funding opportunities for the restoration of the Waanyarra Cemetery
3. allocates a maximum amount of \$10,000 annually for the general care, protection and management of the Waanyarra Cemetery.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

A draft policy was discussed at the Council forum on 12 May 2020.

BACKGROUND

The purpose of the Cemetery Policy is to support Council in its decision making in circumstances where Council is asked to act as the trust for a cemetery or Council acts as the trust for a cemetery.

There are twenty cemeteries the Loddon Shire currently managed by independent cemetery trusts.

Pursuant to the model rules contained in the Cemeteries and Crematoria Regulations 2015 (the Regulations) Council, as the trust for the Waanyarra Cemetery, is required to provide for the general care, protection and management of the Waanyarra Cemetery.

The Waanyarra Cemetery was closed in 1891. The Shire of Bet Bet became the trustee for the Waanyarra Cemetery in 1965. Loddon Shire Council is now the trustee.

In the past, a group of community members have undertaken maintenance and repair work. This group is no longer in a position to undertake this work.

The obligation for general care, protection and management now falls to Council.

ISSUES/DISCUSSION

The policy outlines Council's position on acting as a trust for a cemetery, establishes a governance framework for Council as a trust and establishes a level of service for cemeteries over which Council is the trust.

As Council is the trust for the Waanyarra Cemetery, the policy also establishes a framework for the general care, protection and management of that cemetery.

A hazard report has been undertaken to identify immediate works required. The following restorative projects were identified which could be the subject of an application for funding:

- Fence and path construction: \$39,970.00 excluding GST
- Hazard reduction pruning: \$5,629.00 excluding GST

Ongoing maintenance works have been quoted by a third party at \$698.00 per month excluding GST and would cover the monthly, six monthly and annual tasks listed in the attached policy. An additional amount would be required for ad hoc tasks such as:

- Large Tree pruning (Trees greater than 2 meters in height)
- Individual Monument/Grave condition reporting not posing a public risk
- Path construction
- Fence repairs/painting
- Monument repairs

COST/BENEFITS

It is appropriate for an annual allocation of \$10,000 (\$698 x 12 plus funds for ad hoc costs) to be made for the general care, protection and management of the Waanyarra Cemetery. The adoption of a policy on cemeteries will help to identify the level of service and consequently the budget applicable to cemeteries.

RISK ANALYSIS

There is a risk that Council will be asked to become a trust for other cemeteries in the Shire. With a policy in place, this risk is managed in a considered way.

CONSULTATION AND ENGAGEMENT

Councillors (as the trust for the cemetery) have been consulted in the development of this policy. Staff responsible for asset maintenance have also been consulted about how the cemetery can be maintained in the most efficient and affordable way.

RESOLUTION 2020/68

Moved: Cr Geoff Curnow

Seconded: Cr Neil Beattie

That Council:

1. adopts the Cemetery Policy v1
2. pursue funding opportunities for the restoration of the Waanyarra Cemetery
3. allocates a maximum amount of \$10,000 annually for the general care, protection and management of the Waanyarra Cemetery.

CARRIED

9.5 REVIEW OF FINANCIAL HARDSHIP POLICY**File Number:** 18/01/001**Author:** Deanne Caserta, Manager Financial Services**Authoriser:** Sharon Morrison, Director Corporate Services**Attachments:** 1. Proposed COVID-19 Financial Hardship Policy version 1**RECOMMENDATION**

That Council adopts the COVID-19 Financial Hardship Policy v1.

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

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

ISSUES/DISCUSSION

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

COST/BENEFITS

There are costs associated with the adoption of this policy. Council has 7840 rateable properties: 29% pay by instalment and 71% pay in full. At the end of April, 9.38% of rates and garbage charges are outstanding. Of the outstanding amounts, \$421,610 is from those who pay their amounts in full (including an amount of \$178,369 outstanding from 2006 onwards) while \$615,313 is from those who pay their amount by instalment. The cost of this initiative is foregone interest on outstanding amounts. The benefit of the initiative is supporting the community with an interest free period for the payment of rates and charges in recognition of the difficult circumstances some ratepayers are facing.

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

Consultation and engagement on this document has been accelerated to ensure a timely response to the COVID-19 situation.

RESOLUTION 2020/69

Moved: Cr Colleen Condliffe

Seconded: Cr Neil Beattie

That Council adopts the COVID-19 Financial Hardship Policy v1.

CARRIED

10 INFORMATION REPORTS

10.1 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

1. Recommendation

That Council receive and note the Building Services Activity report.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

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

Building permits

Table 1 provides the number and total value of building permits issued for the last quarter of the 2018-2019 financial year and the first three quarters of the 2019-2020 financial year. The number of building permits across the various quarters is relatively constant with variation in the value of permits throughout any given financial year which is largely attributable to the scale and cost of individual projects. In this quarter there have been no projects with a value exceeding \$400,000 and only 4 projects with a value of over \$200,000 hence the relatively low total value of building work for the quarter. Anecdotally, January was slow with a pick up in the number of applications in February & March.

Table 1: Summary of new building permits issued

| | Quarter 4 2018-19 (04/01/2019 – 30/06/2019) | Quarter 1 2019-20 (01/07/2019 – 30/09/2020) | Quarter 2 2019-20 (01/10/2019 – 31/12/2020) | Quarter 3 2019-20 (01/01/2020 – 31/03/2020) |
|---------------------------|--|--|--|--|
| No. of new Permits | 45 | 45 | 42 | 37 |
| Value of Works | \$13,484,687.57 | \$3,951,645.58 | \$3,137,156.30 | \$2,804,011.60 |

Table 2 provides a summary of the number of final inspections and certificates of occupancy issued for building permits for the final quarter of the 2018-2019 financial year and the first three quarters of the 2019-2020 financial year.

Table 2: Summary of final inspections and occupancy permits

| | Quarter 4 2018-19 (01/04/2019 – 30/06/2019) | Quarter 1 2019-20 (01/07/2019 – 30/09/2020) | Quarter 2 2019-20 (01/10/2018 – 31/12/2020) | Quarter 3 2018-19 (01/01/2020 – 31/03/2020) |
|---|--|--|--|--|
| Certificates of final inspection | 32 | 42 | 27 | 34 |
| Occupancy Permits | 7 | 9 | 7 | 16 |

The Building Regulations have been amended, requiring Building Surveyors to send out letters notifying building owners that building permits are due to lapse and advising owners that they will either require an inspection to be carried out or an extension of time granted for the building permit. This is required to be sent a minimum of thirty (30) days prior to the due to lapse date. Council typically notifies building owners approximately two months before their building permits are due to lapse. This seems to be improving completion rates.

There has been an increase in the use of Private Building Surveyors. Of the most recent 50 final inspections and occupancy permits, 28 or 56% were carried out by Council and 22 or 44% were undertaken by private building surveyors. In the past Council was typically responsible for approximately 75% of all Building Permits. This is allowing Council to concentrate on compliance and enforcement issues as well as clearing the remaining number of old building permits that pre-date the regulatory change requiring the letter of notification, that needed 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 | 0 | 1 | 0 | 0 | 1 | 0 | 0 | 0 | 0 |
| Works required to make building safe (including pools) | 10 | 5 | 15 | 3 | 2 | 1 | 0 | 1 | 1 |
| Carrying out building works without a permit | 2 | 3 | 5 | 2 | 1 | 0 | 0 | 0 | 1 |
| Works not in accordance with building permit | 1 | 0 | 1 | 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. With respect to the ongoing legal action Council has had a consent order issued by the Court. The consent order provided for the owner to complete work within a specified period and pay Council's legal costs associated with the enforcement action. Council officers work to try to resolve matters without taking formal enforcement action or legal interventions, unfortunately this cannot always be achieved.

There have been a number of 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.

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, that resources are not available to

follow up. This matter is covered in more detail under the Risk Analysis section. It remains a significant challenge for Council.

Council has issued approvals for some structures built with permits to remain following submission of documentation similar to that required for a building permit. These approvals to retain works are not reflected in the summary of building permits issued.

COST/BENEFITS

The expenditure for the third quarter of the 2019-2020 financial year for building services activities contained within this report is \$33,671. 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.

Council's Municipal Building Surveyor has arranged for work to be carried out in respect to one property that required an emergency order and co-operation of the owner to complete the work could not be achieved. Ongoing costs are mounting in relation to this matter. This matter has been referred to Council's solicitor for prosecution with the first hearing set for 20 January 2020. Once prosecution of this matter is completed costs will be sought to be recovered through the courts.

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 unregulated developments. Action by Council's Local Laws & Planning Compliance Officer either through Planning enforcement powers or in conjunction with Municipal Building Surveyor 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 with pools & spas to be registered with Council before 1 June 2020. Inspections and compliance certificates are subsequently required to be obtained by owners in dates staggered from 1 June 2021 depending on the date of the installation of the pool or spa. Council has put in place some media notification but only received a small number of registrations to date.

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 2020/70

Moved: Cr Neil Beattie
Seconded: Cr Geoff Curnow

That Council receive and note the Building Services Activity report.

CARRIED

10.2 LOCAL LAWS AND PLANNING COMPLIANCE ACTIVITY REPORT**File Number:** 04/02/012**Author:** David Price, Local Laws \ Planning Compliance Officer**Authoriser:** Glenn Harvey, Manager Development and Compliance**Attachments:** Nil**RECOMMENDATION**

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

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

This is the third report for the 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/DISCUSSIONAdministrative and fire prevention

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

Table 1: Administrative and fire prevention activities

| Quarter 3 (1 January 2020 – 31 March 2020) | | | | |
|--|---------------------------|--------------------------------------|-----------------------------|--------------------------|
| Activity | After hours call outs (*) | Littering or illegal rubbish dumping | Fire prevention notices (^) | Local law permits issued |
| No. actions | 5 | 8 | 0 | 5 |

(*) 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 3 (1 January 2020 – 31 March 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 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| New action commenced | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| No. currently pursuing | 2 | 0 | 3 | 2 | 4 | 3 | 12 | 11 | 3 | 1 | 2 | 1 | 0 | 0 | 2 | 46 |
| Progress Activities | | | | | | | | | | | | | | | | |
| Site meeting / discussion held | 0 | 0 | 0 | 0 | 0 | 0 | 5 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 6 |
| Letter to comply issued | 0 | 0 | 0 | 0 | 0 | 0 | 5 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 5 |
| Occupier has commenced clean-up work | 0 | 0 | 0 | 0 | 0 | 0 | 5 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 6 |
| Notice to comply issued | 0 | 0 | 0 | 0 | 0 | 0 | 5 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 6 |
| Contractor engaged for clean-up work | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

There are two sites that have had contractors conduct site inspections to provide quotation on cleaning up the properties. Both property owners are aware of this, resulting in one property owner acting to clean up their own site and the other becoming more defensive.

Local laws staff continue to work with community members in resolving unsightly property issues. Achieving resolution of unsightly property issues can be difficult, with many property owners committing to attend to the issue and in some cases starting the process of cleaning up only to

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

Animal management

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

Table 3: Summary of animal management activities

| Quarter 3 (1 January 2020 – 31 March 2020) | | | | | | |
|--|---------------------|-----------------------|------------|--------------------------|---------------------------|----------------------------|
| Activity | Wandering livestock | Trespassing livestock | Dog attack | Domestic animal at large | Distribution of cat traps | General complaints / other |
| No. of actions | 22 | 8 | 1 | 31 | 11 | 38 |

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

Table 4: Impoundment activities

| Quarter 3 (1 January 2020 – 31 March 2020) | | | | |
|--|--------------|--------------------|------------------|------------------|
| Animal type | Impoundments | Returned to owners | Animals rehoused | Animals disposed |
| Livestock | 14 | 7 | 2 | 5 |
| Dogs | 1 | 1 | 0 | 0 |
| Cats | 3 | 0 | 3 | 0 |
| Feral Animals | - | - | - | 33 |
| Total | 18 | 8 | 5 | 38 |

Planning Compliance and Enforcement

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

Table 5: Planning compliance and enforcement activities

| Quarter 3 (1 January 2020 – 31 March 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 | 2 | 0 | 2 | 7 |
| Native vegetation removal without a permit | 7 | 2 | 0 | 1 | 8 |
| Breach of planning permit | 3 | 0 | 0 | 1 | 2 |

| | | | | | |
|--|-----------|----------|----------|----------|-----------|
| Dog breeding / animal keeping | 4 | 1 | 0 | 1 | 4 |
| Land used as a store without planning permit | 3 | 0 | 0 | 0 | 3 |
| Occupation of a shed without a planning permit | 7 | 1 | 0 | 0 | 8 |
| Total | 31 | 6 | 0 | 5 | 32 |

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

COST/BENEFITS

The expenditure for the third quarter of 2019-2020 financial year for the local laws and compliance activities contained within this report is \$60,056. 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 2020/71

Moved: Cr Gavan Holt

Seconded: Cr Geoff Curnow

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

CARRIED

10.3 ROAD MANAGEMENT PLAN DEFECT RECTIFICATION COMPLIANCE REPORT

File Number: 14/01/022
Author: Daniel Lloyd, Manager Works
Authoriser: Steven Phillips, Director Operations
Attachments: Nil

RECOMMENDATION

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

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

This is the third report for the 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 3 (01/01/2020 – 31/03/2020) | | | | | | |
|-------------------------------------|---------------------------------|------------------------------|---------------------------------|----------------------|---------------|--------------------------|
| 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 | 18 | 18 | 0 | 0 | 100.0% | 940 |
| Loddon Goldfields | 23 | 23 | 0 | 0 | 100.0% | 1007 |
| Total | 41 | 41 | 0 | 0 | 100.0% | 1947 |

During the third quarter of 2019 – 2020 financial year, 100% of the programmed inspections were completed according to the schedule.

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

Table 2: Defect rectification summary report

| Quarter 3 (01/01/2020 – 31/03/2020) | | | | | | | | |
|-------------------------------------|-------------------|-----------|--------------------------|-------------|--------------------|----------|--------------|--------------|
| District | Number of Defects | | | | Compliant with RMP | | | |
| | Adhoc | Requests | Defects from inspections | Total | Yes | No | Not complete | % |
| Loddon Goldfields | 101 | 16 | 500 | 617 | 614 | 3 | 0 | 99.5% |
| Loddon Plains | 170 | 16 | 466 | 652 | 651 | 1 | 0 | 99.8% |
| Shire Wide | 0 | 4 | 331 | 335 | 335 | 0 | 0 | 100.0% |
| Townscape Services | 31 | 2 | 51 | 84 | 82 | 2 | 0 | 97.6% |
| Total | 302 | 38 | 1348 | 1688 | 1682 | 6 | 0 | 99.6% |

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 third 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. The six defects not completed by their due date have all 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.

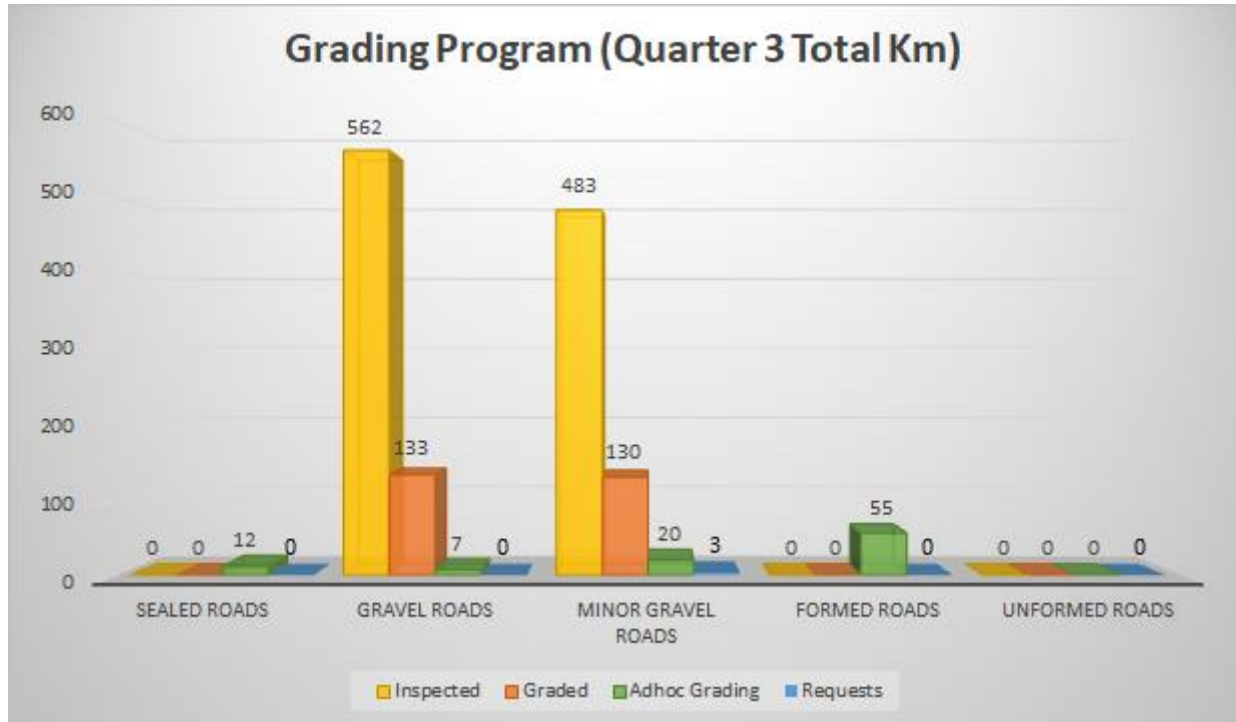
Table 3: Maintenance grading program

| Quarter 3 (01/01/2020 – 31/03/2020) | | | | | | | | | |
|-------------------------------------|--------------------------------|----------|----------|-----------|-------------|-------------------------------------|----------|---------------|--------------|
| District | Number of Grading Work Actions | | | | | Compliant with scheduled timeframes | | | |
| | Programmed Maintenance Grading | Defects | Requests | Adhoc | Total | Yes | No | Not completed | % |
| Loddon Goldfields | 680 | 0 | 0 | 26 | 706 | 655 | 7 | 45 | 92.8% |
| Loddon Plains | 542 | 2 | 8 | 2 | 554 | 553 | 1 | 0 | 99.8% |
| Total | 1222 | 2 | 8 | 28 | 1260 | 1208 | 8 | 45 | 95.9% |

The data in table 3 indicates that 1216 grading work actions were completed for the third 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 third quarter of 2019 – 2020 financial year of the Local Road Maintenance Program is \$4,688,215. The expenditure for the third quarter was \$1,535,396.

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 2020/72

Moved: Cr Colleen Condliffe
 Seconded: Cr Geoff Curnow

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

CARRIED

10.4 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 third 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/DISCUSSIONCurrent Strategic Planning Projects

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

Table 1: Current Strategic Planning Projects

| Current Strategic Planning Projects Quarter 3 (1 January 2020 - 31 March 2019) | | | |
|---|---|---------------------|---|
| Project | Tasks undertaken during the quarter | Future tasks | Estimated project completion |
| Settlement Strategy | The strategy was finalised and presented to Council for adoption. A response was provided to WDA who prepared a submission about the draft strategy. | - | The Settlement Strategy was adopted by Council in February. |

| | | | |
|--|--|---|---|
| Planning Scheme Review | No work on the planning scheme review was undertaken in this quarter. | Circulation to policy review committee. Presentation and adoption of report by Council. Submission of report to Minister for Planning. | It is proposed that the Planning Scheme Review Report be completed in the next quarter. Implementation of recommendations are to be staged over 2020 - 2025. |
| Planning Scheme Amendment – Bridgewater Flood controls | This planning scheme amendment is being prepared by the NCCMA. Council staff have been involved in the review of the prepared documentation. | Exhibition of the planning scheme amendment. Dates have not yet been set due to the situation with COVID-19, however it is not likely to commence until mid 2020. | 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. |
| Planning Scheme Amendment – Dunolly Flood controls | This planning scheme amendment is being prepared by the NCCMA. Council staff have been involved in the review of the prepared documentation. | Exhibition of the planning scheme amendment. Dates have not yet been set due to the situation with COVID-19, however it is not likely to commence until mid 2020. | 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. |
|--|--|--|---|

The time available for staff to spend on strategic planning is limited and can lead to protracted timeframes for the delivery of projects. During this quarter, the strategic planner has had to take on more statutory planning tasks following the resignation of the statutory planner. A number of these statutory planning tasks were complex projects, including the Raywood Solar Farm.

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

| Future Strategic Planning Projects | | | |
|--|--|--|---|
| Project | Overview | Key Tasks | Estimated project timeframes |
| Heritage Framework | Council has allocated \$100,000 in reserve to be used to support restoration of heritage buildings in the municipality. It is proposed that this money be used to provide loans to owners of buildings subject to heritage protection under the planning scheme or State legislation. The loans will be provided to successful applicants to undertake works on their property that would support the protection of the heritage buildings within Loddon Shire. | Preparation of guidelines, criteria and process for approval and implementation. | Document prepared for Policy Review Group: September 2020 Document prepared for Management Executive Group: October 2020 Document presented at Council Forum: November 2020 Policy adopted by Council: December 2020 |
| 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. | Brief to be prepared by 30 June 2020 |
| Undertake detailed | This project will be completed by an external consultant. The aim of | Prepare brief for consultant. | Brief to be prepared by 30 |

| | | | |
|---|---|-------------------------------|--------------------------------------|
| investigation of identified residential growth opportunities in the priority towns to determine yield and estimated development cost. | 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. | | June 2020 |
| Industrial Strategy | This project will be completed by an external consultant. The aim of this project is to take the findings of the Loddon Shire Economic Development Strategy and assess and provide recommendations in relation to the suitability of the supply of land zoned for industrial use and development in the Loddon Planning Scheme. | Prepare brief for consultant. | Brief to be prepared by 30 July 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 \$ 3,784.

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 2020/73

Moved: Cr Geoff Curnow

Seconded: Cr Gavan Holt

That Council receive and note the Strategic Planning Activity report.

CARRIED

10.5 QUARTERLY 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 between 1 January 2020 and 31 March 2020 |
| | 2. Planning Applications being processed between 1 January 2020 and March 31 2020 |

RECOMMENDATION

That Council receive and note the planning application and permit activity report for January – March 2020.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

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

BACKGROUND

This report covers the planning permit activity for each quarter and provides Council with a high level summary for the purpose of monitoring performance within this area.

Council maintains powers under the Planning & Environment Act 1987 which are delegated to Planning Officers. Applications made under these powers may include (but are not limited to) the following:

- consideration of a planning application for a new use/development
- consideration of an amendment to an existing planning permit
- secondary consent applications (minor changes)
- extensions of time to existing planning permits.

ISSUES/DISCUSSION

Planning permit activities

A detailed summary of the status of planning permits can be found in 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

| Quarter 3 of the 2019/2020 financial year | | | |
|---|---------------------------------|--------------------------|--|
| Month | Average gross days to determine | Completed within 60 days | Rural average completed within 60 days |
| January | 77 | 89% | 71% |
| February | 52 | 82% | 70% |
| March | 101 | 75% | 72% |
| | Total Quarterly average | 82% | 71% |

During the third quarter of the 2019- 2020 financial year 82% 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 third quarter of 2019-2020 financial year of the statutory planning activities contained within this report is \$23,496. This is significantly lower than normal and reflects the current staffing levels.

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 2020/74

Moved: Cr Neil Beattie

Seconded: Cr Colleen Condliffe

That Council receive and note the planning application and permit activity report for January – March 2020.

CARRIED

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

That Council receive and note the Public Health activity report.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

This is the third report for the 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 January to 31 March 2020 | | |
|---|--------------------|-----------------------|
| Governing Legislation | Inspection Outcome | Number of inspections |
| Food Premises | Compliant* | 41 |
| Health Premises | Compliant* | 5 |
| Swimming Pools | Satisfactory | 2 |
| Residential Tenancies | Satisfactory | 3 |
| Total number of inspections for reporting period | | 51 |

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

Tobacco Act

Council is funded to undertake a set number of Tobacco inspections throughout the year. Most of the inspections are carried out in conjunction with Food Act inspections, however a number of them are non-smoking public outdoor venues such as at kindergartens, schools, play grounds and hospitals. Table 2 summarises the Tobacco Act activities undertaken during the reporting period.

Table 2: Tobacco inspections

| 1 January to 31 March 2020 | |
|------------------------------------|----------|
| Inspection Type | Number |
| Retailer includes vending machines | 6 |
| Indoor Drinking and Dinning Areas | 1 |
| Outdoor Drinking and Dinning Areas | 1 |
| Public Outdoor Venues | 0 |
| Total number of Inspections | 8 |

Septic Systems

Table 3 summarises septic system permit applications processed during the reporting period.

Table 3: Septic system permits

| 1 January to 31 March 2020 | |
|--------------------------------|-----------|
| Permit Type | Number |
| Installation or alteration | 8 |
| Certificate to use | 4 |
| Total Number of Permits | 12 |

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

Table 4 summarises the activities associated with management of septic tank applications and installed systems.

Table 4: Septic system activity

| 1 January to 31 March 2020 | |
|------------------------------------|-----------|
| Activity / Inspection Type | Number |
| Application Inspection | 5 |
| Installation Inspection | 1 |
| Final Inspection | 3 |
| Other Inspection | 1 |
| Total Number of Inspections | 10 |

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 5 summaries the complaints during the reporting period.

Table 5: Public health complaints

| 1 January to 31 March 2020 | | | | |
|----------------------------|--|-----------------|-----------------|--------------------------------------|
| Nature of complaint | Number carried over from previous reporting period | Number received | Number resolved | Number currently pursuing resolution |
| Food Premises | 1 | 1 | 2 | 0 |
| Wastewater | 3 | 1 | 1 | 3 |
| Other | - | - | - | - |
| Total | 4 | 2 | 3 | 3 |

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 \$32,298.

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 2020/75

Moved: Cr Colleen Condliffe

Seconded: Cr Gavan Holt

That Council receive and note the Public Health activity report.

CARRIED

10.7 2020 PROPERTY VALUATIONS**File Number:** 09/01/001**Author:** Deanne Caserta, Manager Financial Services**Authoriser:** Sharon Morrison, Director Corporate Services**Attachments:** Nil**RECOMMENDATION**

That Council receives and notes the '2020 Property Valuations' 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

Nil.

BACKGROUND

From 1 July 2018 land valuations were centralised under Valuer-General Victoria (VGV), with a new annual cycle of valuations for land tax, the Fire Services Property Levy and council rates setting purposes.

Previously, land valuations were carried out by a valuation authority, either a council or VGV, on nomination by a council, and revaluations were completed in each of Victoria's 79 municipalities every two years.

The Valuation Best Practice Specifications Guidelines is a legislated requirement. The document provides a framework to assist valuation authorities prepare for and conduct revaluations. It provides templates and information about:

- the deliverables and stages required for certification
- improving the quality of valuations and property databases
- audit procedures and legislative requirements
- the roles, responsibilities and relationship between the council, the valuer and Valuer-General Victoria.

ISSUES/DISCUSSION

Valuation Best Practice Specifications Guidelines outline the timeframe for completion of the annual valuation process as detailed below:

Stage 1 – Preparation – Due 31 July 2019 – Consists of general planning and preparation for the revaluation

Stage 2 - Analysis – Due 31 December 2019 – Consists of data collection, analysis and value level setting.

Stage 3 – Application – Due 28 February 2020 – Consists of the valuation of all properties.

Stage 4 – Review – Due 30 April 2020 – Consists of quality checks, exception reporting, final adjustments.

VGV has re-appointed Council's previous external contractor, LG Valuations Pty Ltd to undertake the valuation process for Loddon. This valuation process is now complete and certification was recommended by the Minister on 6 May 2020.

Below is the approved data comparison from 2019 and 2020.

| | Residential | Commercial | Rural | Non-Rateable | Total |
|-----------------------------|---------------|---------------|-----------------|--------------|-----------------|
| Number of assessments | 2,845 | 275 | 4,719 | 271 | 8,110 |
| 2020 Capital Improved Value | \$406,017,100 | \$180,681,100 | \$1,806,020,600 | \$46,551,900 | \$2,439,270,700 |
| 2019 Capital Improved Value | \$379,645,200 | \$163,659,400 | \$1,715,365,700 | \$52,365,500 | \$2,311,035,800 |
| % variance | 107% | 110% | 105% | 89% | 106% |

COST/BENEFITS

The revaluation process has a budgetary allocation each year.

Council receives a contribution from the State Revenue Office for the supplementary data sold, which assists in defraying costs associated with the revaluation process.

Council had a reserve specifically for revaluations which assists in evening out the costs over the full two-year period of the revaluation process. As this process is now undertaken yearly the valuation reserve was no longer required and was closed in 2019/20.

RISK ANALYSIS

By undertaking the revaluation process Council is ensuring:

- that it complies with the Valuation of Land Act 1960 requirements
- that valuation data is up to date and relevant so that valuations used for rating purposes are current and accurate.

This reduces the financial and reputational risk that could be experienced by Council if valuations did not reflect current levels, and a large number of ratepayers were successful in objecting to valuations.

CONSULTATION AND ENGAGEMENT

Council advises property owners of the revaluation process in the Mayoral Column.

Information about valuations for rating purposes and how property owners can object to their valuation are included on Council's rates notices.

RESOLUTION 2020/76

Moved: Cr Gavan Holt
Seconded: Cr Geoff Curnow

That Council receives and notes the '2020 Property Valuations' report.

CARRIED

10.8 UPDATE ON THE ANNUAL INFRASTRUCTURE PROGRAM 2019-2020 AND OTHER PROJECTS

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 March 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 third 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 March 2020.

ISSUES/DISCUSSIONAnnual Infrastructure Program

Attachment 1 provides a progress summary of the Annual Infrastructure Program for the third quarter of the 2019-2020 financial year. There are 92 individual projects, including carryovers from previous financial years that form the Annual Infrastructure Program 2019-2020.

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 third 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 third quarter is \$1,015,506 and \$2,486,716 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

During the period covered within this report a number of major projects have been put out to public tender. Attachment 1 gives a summary of progress of individual projects within this program as at 31 March 2020.

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), while Sloans Road Bridge has had all concrete components cast for installation, they now have delays on getting cranes to site.

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 \$325,769.

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 2020/77

Moved: Cr Colleen Condliffe
Seconded: Cr Geoff Curnow

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

CARRIED

11 COMPLIANCE REPORTS

11.1 SECTION 86 COMMITTEES - STATUS REPORT

File Number: 02/01/005

Author: Michelle Hargreaves, Administration Officer

Authoriser: Sharon Morrison, Director Corporate Services

Attachments: Nil

RECOMMENDATION

That Council note the status of the Section 86 Committees of Management.

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 noted the status of Section 86 Committees of Management at the Council meeting on 26 November 2019.

BACKGROUND

Section 86 of the Act allows Loddon Shire Council (the Council) to delegate its powers, duties or functions (with certain limitations) to special Committees. These are commonly known as Section 86 Committees. A Section 86 Committee is established by an instrument of delegation by the Council, which outlines the Committee's purpose and specific powers. These Committees typically involve activities such as the management of halls, community centres, pools, recreation reserves and development & tourism within Council boundaries.

In April 2013, the internal auditors conducted a review of Section 86 Committees. The review assessed whether Council:

- has appropriate policies and procedures to effectively govern the delegation of Council's powers, functions and duties under Section 86 of the Act
- complies with the Act in relation to the delegation of powers and functions, the appointment and on-going operation of Section 86 Committees
- has appropriate monitoring and reporting mechanisms in place to enable effective management of the Committees.

The results of the review identified a number of strong controls around the management and operation of Section 86 Committees as well as some opportunities for improvement including:

- the need for formal reporting to the Council on the on-going conduct and financial operations of Section 86 Committees
- monitoring the holding of meetings and provision of financial reports on a consistent basis.

Council indicated at the Council meeting on 24 October 2017 that a half yearly report would assist in monitoring the status of Section 86 Committees.

ISSUES/DISCUSSION

Annual meetings generally take place at the end of the financial year, generating the requirement for financials and Committee appointments to be provided to Council.

At the time of preparing this report (13 May 2020), the status of Committees was as follows:

| Committee Name | Status of Committee (active / disbanded / under review) | Status of Instrument of Delegation (reviewed and approved / under review / draft sent / due for review / overdue for review) | Annual meeting minutes received? (yes / no / comment) | 2018/19 financials received to be audited? (yes / no / comment) | Committee appointment received? (yes / no / comment) | Compliant with minutes forwarded (yes / no / comment) |
|--|---|--|---|---|--|---|
| Boort Aerodrome | Active | Reviewed and approved | Yes | Yes | Yes | 4 required 2 received on time; |
| Boort Tourism Development | Active | Reviewed and approved | Yes | Yes late | Yes | No 12 required 8 received 5 late |
| Boort Memorial Hall | Active | Reviewed and approved | Yes | Yes late | Yes | 4 required 2 received on time |
| Boort Park | Active | Reviewed and approved | Yes late | Yes | Yes | No 4 required 1 received late |
| Bridgewater On Loddon Development | Active | Reviewed and approved | Yes late | Yes | Yes | 6 required 2 received late |
| Campbell's Forest Hall | Active | Reviewed and approved | Yes late | Yes | Yes | 6 required 3 received late |
| Donaldson Park | Active | Reviewed and approved | Yes (no quorum) | Yes | Yes | 4 required 1 on time 1 received late |
| East Loddon Community Centre | Active | Reviewed and approved | Yes late | Yes | Yes | 4 required 1 received late |

| Committee Name | Status of Committee (active / disbanded / under review) | Status of Instrument of Delegation (reviewed and approved / under review / draft sent / due for review / overdue for review) | Annual meeting minutes received? (yes / no / comment) | 2018/19 financials received to be audited? (yes / no / comment) | Committee appointment received? (yes / no / comment) | Compliant with minutes forwarded (yes / no / comment) |
|--|---|--|---|---|--|---|
| Inglewood Community Sports Centre | Active | Reviewed and approved | Yes late | Yes | Yes | 4 required 3 received late |
| Inglewood Community Elderly Persons Units | Active | Reviewed and approved | Yes late | Yes | Yes | 4 required 1 received late |
| Inglewood Town Hall Hub | Active | Reviewed and approved | Yes (late) | Yes | Yes | 6 required 2 received late 1 on time |
| Jones Eucalyptus Distillery Site | Active | Reviewed and approved | Yes | Yes | Yes | 6 required 2 received late 1 on time |
| Kingower Development and Tourism | Active | Under review | Yes | Yes | Yes | 4 required 2 received on time |
| Korong Vale Mechanics Hall | Active | Reviewed and approved | Yes | Yes | Yes | 4 required 3 on time |
| Korong Vale Sports Centre | Active | Reviewed and approved | Yes late | Yes | Yes | 1 required 1 not on time |
| Little Lake Boort Management | Active | Reviewed and approved | Yes (late) | Yes | Yes | 4 required 1 received on time |
| Loddon Southern Tourism and Development | Active | Reviewed and approved | Yes | Yes | Yes | 4 required 4 not on time Changed to quarterly meetings |
| Pyramid Hill Memorial Hall | Active | Reviewed and approved | Yes | Yes | Yes | 6 required 3 received on time |

| Committee Name | Status of Committee (active / disbanded / under review) | Status of Instrument of Delegation (reviewed and approved / under review / draft sent / due for review / overdue for review) | Annual meeting minutes received? (yes / no / comment) | 2018/19 financials received to be audited? (yes / no / comment) | Committee appointment received? (yes / no / comment) | Compliant with minutes forwarded (yes / no / comment) |
|---|---|--|---|---|--|---|
| Pyramid Hill Swimming Pool | Active | Reviewed and approved | Yes | Yes | Yes | 6 required 4 received on time 1 late |
| Serpentine Bowls and Tennis Pavilion Reserve | Under review | Disbanded | No | Exempt | No | No 1 required None received since September 2017 |
| Wedderburn Community Centre | Active | Reviewed and approved | Yes late | Yes | No | 6 required 3 received on time 1 late |
| Wedderburn Engine Park | Active | Reviewed and approved | Yes | Exempt | No | Yes 1 required 1 on time |
| Wedderburn Mechanics and Literary Institute | Active | Reviewed and approved | Yes | Yes | Yes | Yes 6 required 3 received late |
| Wedderburn Tourism | Active | Draft under review | Yes | Yes | Yes | No 11 required 1 received on time |
| Yando Public Hall | Active | Reviewed and approved | Yes | Yes | Yes | No 1 required 1 receive late |

Section 86 committees will be replaced in accordance with provisions under the Local Government Act 2020. Council has until September 2020 to put new arrangements in place, replacing section 86 committees.

COST/BENEFITS

There are no costs associated with the preparation of this report. The benefits of preparing this report include responding to previously identified opportunities for improvement identified in 2013 audit review.

RISK ANALYSIS

The risk of not reviewing the Section 86 Committees is a potential reputational impact. This is emphasised following an investigation by Local Government Inspectorate where it was identified that the Council involved, had not reviewed most Instruments of Delegation since 1995. There is also a risk that services for the community may not be suitable.

CONSULTATION AND ENGAGEMENT

Section 86 Committees are contacted on a regular basis to follow up any outstanding documentation required for auditing purposes.

RESOLUTION 2020/78

Moved: Cr Gavan Holt
Seconded: Cr Neil Beattie

That Council note the status of the Section 86 Committees of Management.

CARRIED

12 GENERAL BUSINESS**URGENT BUSINESS****RESOLUTION 2020/79**

Moved: Cr Neil Beattie

Seconded: Cr Colleen Condliffe

That the following item be treated as urgent business

CARRIED

12.1 RE-OPENING OF THE EAGLEHAWK TO INGLEWOOD RAIL LINK**RESOLUTION 2020/80**

Moved: Cr Neil Beattie

Seconded: Cr Colleen Condliffe

That Council resolve to:

1. Support the advocacy of the Rail Futures Institute for re-opening of the Eaglehawk to Inglewood rail link, subject to it not being to the detriment of the completion of the Murray Basin Rail Project to its original specifications.
2. Write to the Minister for Transport and the Minister for Freight in support of the proposal and seeking information about the State Government's position on the matter.

CARRIED

12.2 STATE GOVERNMENT FUNDING FOR SPORTING CLUBS

Cr Holt referred to the announcement of Victorian Government grants for community sporting clubs, and how it may be applied to the shortfall of funding currently available for the Donaldson Park Pavilion Development. Wendy Gladman reported that officers are preparing to apply to this fund for that purpose, and is also communicating the availability of the funding to other community groups in Loddon Shire.

The CEO also referred to a funding request that has recently been submitted to Minister Martin Pakula, Minister for Racing and Minister for Tourism, Sport and Major Events, seeking funding of \$200,000 to contribute towards the Donaldson Park upgrade in recognition of the harness racing activity at Donaldson Park. He also noted that the Federal Government has advised Council officers that funding proposed for the Donaldson Park Pavilion project is expected to be confirmed soon.

The CEO confirmed that Council's submission to Minister Pakula for funding of potential Loddon Shire tourism infrastructure projects had included a request for funding to provide a continuous water supply to Skinners Flat Reservoir.

12.3 STATE GOVERNMENT FUNDING ANNOUNCEMENT – BUILDING WORKS PACKAGE

The Mayor noted appreciation for the State Government's recent announcement of \$800,000 for the Pyramid Hill Streetscape project in its Building Works package, which is wonderful news for the Pyramid Hill community.

The Mayor also congratulated the East Loddon College on receiving \$4.05 million from the package for its refurbishment project.

13 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.

The livestreaming of the meeting to the public was terminated to allow consideration of two matters to be dealt with in the Confidential session.

RESOLUTION 2020/81

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 89(2) of the Local Government Act 1989:

13.1 Review of confidential actions

This matter is considered to be confidential under Section 89(2) - (h) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with Any other matter which the Council or special committee considers would prejudice the Council or any person.

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

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

CARRIED

Closing of Meeting to the Public

RESOLUTION 2020/82

Moved: Cr Colleen Condliffe

Seconded: Cr Geoff Curnow

That the meeting be closed to the public at 4.37pm.

CARRIED

13.1 REVIEW OF CONFIDENTIAL ACTIONS**RESOLUTION 2020/83**

Moved: Cr Neil Beattie

Seconded: Cr Geoff Curnow

That Council receive and note the action sheet.

CARRIED

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

RESOLUTION 2020/84

Moved: Cr Colleen Condliffe

Seconded: Cr Geoff Curnow

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

CARRIED

NEXT MEETING

The next Ordinary Meeting of Council is scheduled to be held on 23 June 2020 at Serpentine commencing at 3pm.

There being no further business the meeting was closed at 4.44pm.

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

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CHAIRPERSON