



Date: Tuesday, 23 February 2021
Time: 3pm
Location: Kooyoora Room, Wedderburn Council Office

MINUTES

Ordinary Council Meeting

23 February 2021

**MINUTES OF LODDON SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE KOOYOORA ROOM, WEDDERBURN COUNCIL OFFICE
ON TUESDAY, 23 FEBRUARY 2021 AT 3PM**

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

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

1 OPENING AFFIRMATION

"WE, THE COUNCILLORS OF THE LODDON SHIRE, DECLARE THAT WE WILL CARRY OUT OUR DUTIES IN THE BEST INTERESTS OF THE COMMUNITY, AND THROUGH COLLECTIVE LEADERSHIP WILL MAINTAIN THE HIGHEST STANDARDS OF GOOD GOVERNANCE."

2 ACKNOWLEDGEMENT OF COUNTRY

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

3 APOLOGIES

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 27 January 2021.
2. The minutes of the Ordinary Council Meeting of 27 January 2021.
3. The minutes of the Confidential Council Meeting of 27 January 2021.
4. The minutes of the Council Forum of 9 February 2021.

REPORT

Seeking approval of the unconfirmed minutes of the previous meetings.

RESOLUTION 2021/26

Moved: Cr Wendy Murphy

Seconded: Cr Dan Straub

That Council confirm:

1. The minutes of the Council Briefing of 27 January 2021.
2. The minutes of the Ordinary Council Meeting of 27 January 2021.
3. The minutes of the Confidential Council Meeting of 27 January 2021.
4. The minutes of the Council Forum of 9 February 2021.

CARRIED

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

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

1. Council Briefing 27 January 2021.
2. Council Forum 9 February 2021.

In accordance with Clause 51 of Council's Governance Rules, records of Councillor briefings and forums must be reported to the next Ordinary Meeting of Council and confirmed in the minutes.

The record is therefore presented for Council's noting.

RECORD OF ASSEMBLIES OF COUNCIL

Assembly details	Briefing
Date	27 January 2021
Councillor Attendees	Cr Beattie Cr Holt Cr Jungwirth Cr Murphy Cr Straub
Staff/Stakeholder representatives	Phil Pinyon, Chef Executive Officer Wendy Gladman, Director Community Wellbeing Sharon Morrison, Director Corporate Services Steven Phillips, Director Operations Christine Coombes, A/Manager Executive and Commercial Services Deanne Caserta, Manager Financial Services
Items discussed.	<ol style="list-style-type: none"> 1. Six monthly report against the Council Plan 2. Council Financial Plan 3. Councillor Bus Tour 4. General business: <ul style="list-style-type: none"> • Korong Vale kerb and channel repair • Pyramid Hill Historical Society Mural Funding • Request to Coliban Water regarding infrastructure upgrades • Letter of appreciation for Ron Vinnicombe • Bears Lagoon Piggery • MAV elections
Conflict of Interest Disclosures - Councillor/officer making disclosure	Nil
Councillor/officer left room	

Assembly details	Forum
Date	9 February 2021
Councillor Attendees	Cr Beattie Cr Holt Cr Jungwirth Cr Murphy Cr Straub
Staff/Stakeholder representatives	Phil Pinyon, Chef Executive Officer Wendy Gladman, Director Community Wellbeing Sharon Morrison, Director Corporate Services Steven Phillips, Director Operations Lynne Habner, Manager Executive and Commercial Services Deanne Caserta, Manager Financial Services Sarah Perry, A/Manager Community Support Audit and Risk Committee members VicPol Goldfields representatives
Items discussed.	<ol style="list-style-type: none"> 1. Economic Development and Tourism monthly progress report 2. Update on the implementation of the Local Government Act 2020 3. Section 181 sales update – sale of properties for unpaid rates and charges 4. Revenue and Rating Plan – major revenue and rating principles discussion 5. Mayoral Vehicle Policy 6. Risk Management Induction and Strategic Direction 7. Update on The Loddon Project – Spotlight on Community Vision 8. Donaldson Park Community Hub redevelopment project – formal request to apply for funding 9. VICPOL - Goldfields 10. Update on Community Recovery activities 11. Community Support Policy – Inclusion of Insurance costs 12. Councillor Code of Conduct public comment 13. Community Engagement Policy public comment 14. Proposed V5 Corporate Credit Card Policy 15. General business: <ul style="list-style-type: none"> • Illegal rubbish dumping • Mitchell Park, Pyramid Hill • CEO's performance review • Availability of draft documents to community • Boort sporting precinct plan
Conflict of Interest Disclosures - Councillor/officer making disclosure	Nil
Councillor/officer left room	

RESOLUTION 2021/27

Moved: Cr Dan Straub

Seconded: Cr Linda Jungwirth

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

1. Council Briefing 27 January 2021.
2. Council Forum 9 February 2021.

CARRIED

7 REVIEW OF ACTION SHEET

7.1 REVIEW OF ACTIONS

File Number: 02/01/002

Author: Christine Coombes, Executive and Commercial Services Officer

Authoriser: Phil Pinyon, Chief Executive Officer

Attachments: 1. Action sheet February 2021

RECOMMENDATION

That Council receive and note the action sheet.

CONFLICT OF INTEREST

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

REPORT

Refer attachment.

RESOLUTION 2021/28

Moved: Cr Gavan Holt

Seconded: Cr Wendy Murphy

That Council receive and note the action sheet.

CARRIED

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

That Council receive and note the Mayoral Report

REPORT

The Mayor will present a report at the meeting.

Cr Beattie**Rail Freight Alliance****Loddon Campaspe Councils****Murray River Group of Councils****Special Committees Of Council (Section 65 Community Asset Committees):**

Boort Aerodrome Community Asset Committee

Boort Memorial Hall Community Asset Committee

Boort Park Community Asset Committee

Korong Vale Mechanics Hall Community Asset Committee

Korong Vale Sports Centre Community Asset Committee

Little Lake Boort Community Asset Committee

Yando Public Hall Community Asset Committee

DATE**Activity**

28/1/21

Attended meeting with Stuart Grimly MP

31/1/21

Attended Wedderburn Harness Racing Cup

4/2/21

Attended Boort Bowls Club meeting

4/2/21	Attended Boort Trotting Club meeting
5/2/21	Chaired meeting with Coliban Water CEO Daniel Wells and Steven Healey
8/2/21	Presented trophies at Boort Bowls triples championship
9/2/21	Attended Council Forum Wedderburn
17/2/21	Chaired Pandemic Relief and Recovery Committee meeting
19/2/21	Attended Loddon Campaspe Group of Councils meeting in Bendigo
20/2/21	Welcomed Railway Hotel's new owners into Boort community
22/2/21	Chaired Boort Park's AGM

RESOLUTION 2021/29

Moved: Cr Neil Beattie

Seconded: Cr Linda Jungwirth

That Council receive and note the Mayoral Report

CARRIED

9 COUNCILLORS' REPORT**9.1 COUNCILLORS' REPORTS****File Number:** 02/01/001**Author:** Lynne Habner, Manager Executive and Commercial Services**Authoriser:** Phil Pinyon, Chief Executive Officer**Attachments:** Nil**RECOMMENDATION**

That Council receive and note the Councillors' reports

REPORT

Each Councillor will present a report at the meeting.

Cr Holt

Municipal Association of Victoria	
Audit and Risk Committee	
18/2/21: Attended meeting of Loddon Shire Audit and Risk Committee	
Special Committees Of Council (Section 65 Community Asset Committees): Donaldson Park Community Asset Committee Wedderburn Community Centre Community Asset Committee Wedderburn Engine Park and Market Square Reserve Community Asset Committee Wedderburn Mechanics and Literary Institute Hall Community Asset Committee Hard Hill Reserve Community Asset Committee	
Other Council activities	
DATE	Activity
28/1/21	Chaired meeting of the Donaldson Park Redevelopment Steering Committee
30/1/21	Attended a working bee and meeting of the Wedderburn Harness Racing Club
31/1/21	Attended the Wedderburn Harness Racing Club Cup Day race meeting
2/2/21	Participated in a "Go Local First" campaign promotion
2/2/21	Chaired meeting of the Donaldson Park Redevelopment Steering Committee
4/2/21	Met with members of the Wedderburn Harness Racing Club committee to

	discuss their issues with the new development at Donaldson Park
5/2/21	With the Mayor and CEO, met with Damian Wells, CEO of Coliban Water to discuss options for obtaining water for Skinners Flat reservoir
8/2/21	Attended a Hard Hill Community Asset Committee meeting
9/2/21	Attended Council Forum in Wedderburn
9/2/21	Chaired meeting of Donaldson Park Redevelopment Steering Committee
10/2/21	Participated in a virtual Municipal Association of Victoria delegates briefing
16/2/21	Chaired meeting of Donaldson Park Redevelopment Steering Committee
22/2/21	Chaired the quarterly meeting of the Donaldson Park Committee of Management
22/2/21	Attended the Annual General Meeting of the Wedderburn Harness Racing Club

Cr Jungwirth

Loddon Mallee Local Government Waste Forum	
Central Victorian Greenhouse Alliance	
Municipal Emergency Management Plan Committee	
Other Council activities	
DATE	Activity
27/1/21	Council Briefing and meeting
3/2/21	Media training
4/2/21	Meeting with group of residents in Newbridge regarding concerns about a local road
9/2/21	Council Forum
10/2/21	Attended a public speaking webinar
11/2/21	IMEMPC meeting – the terms of reference were passed with a report due to the come to Council regarding the new MEMPC committee. Discussion regarding the continued development of a Cluster Mass Vaccination Plan but

	at this time COVID mass vaccination is being coordinated at a public health level.
17/2/21	Kingower and Newbridge Planning Committee walk cancelled due to COVID lockdown

Cr Murphy

Calder Highway Improvement Committee	
Local Government Womens Charter	
Australia Day Committee	
Healthy Minds Network	
17/2/21: Chaired the LHMN February meeting held via Zoom	
Special Committees Of Council (Section 65 Community Asset Committees):	
Bridgewater on Loddon Memorial Hall Community Asset Committee	
Campbells Forest Hall Community Asset Committee	
Inglewood Community Sports Centre Community Asset Committee	
Inglewood Community Elderly Persons Units Community Asset Committee	
Inglewood Town Hall Hub Community Asset Committee	
Jones Eucalyptus Distillery Site Community Asset Committee	
3/2/21: Attended Inglewood Town Hall Hub CAC general meeting	
22/2/21: Attended Jones Eucalyptus Distillery Site CAC general meeting	
Other Council activities	
DATE	Activity
31/1/21	Attended the Campbells Forest Community gathering at the Campbells Forest Hall
3/2/21	Media training for Councillors at Wedderburn office
3/2/21	Attended a walk and talk with members of the Inglewood Development and Tourism Committee and Kirsten McKay and Sarah Perry from Loddon Shire Council
3/2/21	Attended a walk and talk with members of Bridgewater on Loddon community group and Kirsten McKay and Sarah Perry from Council

9/2/21	Attended the Council Forum at LSC office Wedderburn
11/2/21	Invited to open the Northern Group SWA AGM at Campbells Forest
18/2/21	Attended the Inglewood Districts Health Service AGM online
19/2/21	Attended the Railway Freight Alliance AGM and general meeting online
19/2/21	Attended the Loddon Plains Landcare Network AGM online
22/2/21	Invited to attend a meeting with Robyn Vella (LSC Tourism) and Inglewood businesses to discuss opportunities to take part in upcoming Mary Quant exhibition in Bendigo, held at Inglewood Town Hall Hub.
23/2/21	Attended the Loddon Shire Council briefing and meeting at Wedderburn office

Cr Straub

North Central Goldfields Regional Library	
North Central Local Learning and Employment Network	
2/2/21: Board meeting, Charlton College	
Special Committees Of Council (Section 65 Community Asset Committees):	
East Loddon Community Centre Community Asset Committee	
Pyramid Hill Memorial Hall Community Asset Committee	
Pyramid Hill Swimming Pool Kiosk Community Asset Committee	
Other Council activities	
DATE	Activity
27/1/21	Council Briefing and Council meeting, Wedderburn
29/1/21	WIN Local News interview in Pyramid Hill regarding outdoor dining areas for our local hospitality venues
29/1/21	Go Local First promotional ad filmed in Pyramid Hill with our Loddon Shire media and promotion team
2/2/21	North Central LLEN Board meeting – lots of great discussion, getting to know all the members and planning for NCLLEN AGM to take place this year in the Loddon Shire (Serpentine)
3/2/21	Emmett Communications media training for Councillors – very worthwhile.

9/2/21	Council Forum, Loddon Shire offices, Wedderburn
10/2/21	Dingee Community Planning Group at Progress Park in Dingee.
22/2/21	Yarrawalla Community Planning Group, community hall
22/2/21	Mitiamo Community Planning Group (Phelan Reserve) – all meetings aimed at future planning and prosperity of towns.

RESOLUTION 2021/30

Moved: Cr Dan Straub

Seconded: Cr Wendy Murphy

That Council receive and note the Councillors' reports

CARRIED

10 DECISION REPORTS

10.1 PLANNING PERMIT APPLICATION 5542 - 58 FANTASY ROAD BRIDGEWATER

File Number: 31000600

Author: Carolyn Stephenson, Statutory / Strategic Planner

Authoriser: Glenn Harvey, Manager Development and Compliance

Attachments: 1. Decision Report 5542

RECOMMENDATION

That Council resolve to issue a Notice of Decision to grant a planning permit for the use and development of land for a dwelling, development of the site for an aircraft hangar, use of land for industry (aircraft maintenance), works in the Land Subject to Inundation Overlay and creation of access to a road in a Road Zone Category 1 in accordance with the endorsed plans at 58 Fantasy Road, Bridgewater, subject to the conditions set out in the attached decision report.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

This proposal has not been previously considered by Council.

BACKGROUND

The application seeks planning approval to use and develop the land for a dwelling, aircraft hangar and aircraft maintenance business.

The subject site is located at 58 Fantasy Road, Bridgewater and is zoned Farming with a small section of Land Subject to Inundation Overlay. The subject property is currently used for agriculture and as an airstrip.

ISSUES/DISCUSSION

Under the *Planning and Environment Act, 1987* ('the Act') the Minister for Planning delegates a municipal council power to become the planning authority for any planning scheme in force in its municipal district.

A municipal council is obligated to enforce and administer the relevant planning scheme and must use the scheme to determine applications.

For Council, the Loddon Planning Scheme is the relevant Planning Scheme which must be applied by Council when determining applications.

Council has delegated authority to its Planning Officer to determine outcomes of applications, however it is Council's practice to make the final determination for applications which:

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

This application received two objections. A detailed decision report is included in Attachment 1 outlining the Planning officer's assessment and considerations in determining the recommendation to Council. The two objections along with a response from the applicant are included in that report.

COST/BENEFITS

There are various costs associated with having a delegated Planning Officer consider an application and make a recommendation as well as with the time of the Councillors to consider this recommendation.

The benefits associated with this cost are the ability for Council to fulfil its requirement under law and provide the community with a statutory service that delivers well-managed and appropriate development.

The cost of inappropriate land use and development includes loss of amenity, inefficient use of infrastructure and environmental impacts. The benefit of appropriate land use and development is aesthetically appropriate development, land use that is compatible with land capability, sustainable infrastructure provision and enhancement of environmental values.

RISK ANALYSIS

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

- Inappropriate development which could endanger life and property.
- Council's reputation as a responsible authority.
- Breaches of the *Planning and Environment Act, 1987* requiring compliance action.

CONSULTATION AND ENGAGEMENT

Please refer to the decision report for further detail on the application including copies of the objections lodged and the applicant's response to the objections.

RESOLUTION 2021/31

Moved: Cr Wendy Murphy

Seconded: Cr Gavan Holt

That Council resolve to issue a Notice of Decision to grant a planning permit for the use and development of land for a dwelling, development of the site for an aircraft hangar, use of land for industry (aircraft maintenance), works in the Land Subject to Inundation Overlay and creation of access to a road in a Road Zone Category 1 in accordance with the endorsed plans at 58 Fantasy Road, Bridgewater, subject to the conditions set out in the attached decision report.

CARRIED

10.2 PLANNING PERMIT APPLICATION 5622 - 67 BROOKE STREET INGLEWOOD**File Number:** 52819900**Author:** Carolyn Stephenson, Statutory / Strategic Planner**Authoriser:** Glenn Harvey, Manager Development and Compliance**Attachments:** 1. Decision Report 5622**RECOMMENDATION**

That Council resolve to grant a permit for demolition of the verandah (with the exception of the verandah posts to 2m and grape vine), associated building works and painting at Royal Hotel, 67 Brooke Street, Inglewood subject to the conditions defined in the attached decision report.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

There have been no previous Council discussions on this matter.

BACKGROUND

Applicant: Jika Jika Pty Ltd

Owner: Jika jika Pty Ltd

Subject Land: 67 Brook Street Inglewood

Application 5622 proposes the demolition of the verandah (with the exception of the verandah posts to 2m and grape vine), associated buildings and works and painting at the Royal Hotel, 67 Brook Street Inglewood. Planning approval is required for these works as the building and the Brooke Street commercial area is subject to Heritage Overlays.

The property is also subject to a Building Order, issued by Council's Municipal Building Surveyor due to the condition of the existing verandah.

ISSUES/DISCUSSION

Under the *Planning and Environment Act, 1987* ('the Act') the Minister for Planning delegates a municipal council power to become the planning authority for any planning scheme in force in its municipal district.

A municipal council is obligated to enforce and administer the relevant planning scheme and must use the scheme to determine applications.

For Council, the Loddon Planning Scheme is the relevant Planning Scheme which must be applied by Council when determining applications.

Council has delegated authority to its Planning Officer to determine outcomes of applications, however it is Council's practice to make the final determination for applications which:

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

In this particular case there are no objections as the matter is exempt from notice to the public and from appeal. The recommendation from the Planning Officer is to grant the Planning Permit. Notwithstanding the above, this is a prominent site within Inglewood and as such the matter is

being brought to Council for consideration. A detailed decision report is included in attachment 1 outlining the Planning officer's assessment and considerations in determining the recommendation to Council. A Heritage Assessment Report is included in the Planning officer's decision report.

COST/BENEFITS

There are various costs associated with having a delegated Planning Officer consider an application and make a recommendation as well as with the time of the Councillors to consider this recommendation.

The benefits associated with this cost are the ability for Council to fulfil its requirement under law and provide the community with a statutory service that delivers well-managed and appropriate development.

The cost of inappropriate land use and development includes loss of amenity, inefficient use of infrastructure and environmental impacts. The benefit of appropriate land use and development is aesthetically appropriate development, land use that is compatible with land capability, sustainable infrastructure provision and enhancement of environmental values.

RISK ANALYSIS

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

- Inappropriate development which could endanger life and property.
- Council's reputation as a responsible authority.
- Breaches of the *Planning and Environment Act, 1987* requiring compliance action.

CONSULTATION AND ENGAGEMENT

Please refer to the decision report for further detail on the application.

RESOLUTION 2021/32

Moved: Cr Wendy Murphy

Seconded: Cr Dan Straub

That Council resolve to grant a permit for demolition of the verandah (with the exception of the verandah posts to 2m and grape vine), associated building works and painting at the Royal Hotel, 67 Brooke Street, Inglewood subject to the conditions defined in the attached decision report.

CARRIED

10.3 ADDITIONAL PROJECTS FOR ANNUAL INFRASTRUCTURE PROGRAM**File Number:** FOL/19/433061**Author:** David Southcombe, Manager Assets and Infrastructure**Authoriser:** Steven Phillips, Director Operations**Attachments:** 1. **Budget Summary**2. **Additional Infrastructure Projects - Confidential**

This attachment is designated as confidential in accordance with Section 77(2)(c) of the *Local Government Act 1989* on the grounds that it contains information defined as confidential in accordance with Section 3(1)(a) and (g(ii)) of the *Local Government Act 2020*. It contains Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released; AND private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

3. **Additional Infrastructure Projects Without Cost Estimates****RECOMMENDATION**

That Council adopt the additional projects into the Annual Infrastructure Program as detailed within this report.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

The 2020-2021 Annual Infrastructure Program was discussed at the July 2020 Council meeting.

BACKGROUND

Every year Council allocates and spends significant funds on capital infrastructure projects. Council continually carries out scoping of new infrastructure projects and maintains a rolling program of projects. The rolling program is a database that forms the basis of the elements of the Annual Infrastructure Program.

The 2020-2021 Annual Infrastructure Program was developed with a total forecast of \$8,633,509 expenditure. At the time of the July 2020 Council Meeting, the outcome of three grant applications to the Heavy Vehicle Safety & Productivity Program and two grant applications to the Bridges Renewal Program were not yet determined.

A response has now been received on the applications made to the Heavy Vehicle Safety & Productivity Program and Bridges Renewal Programs. Council was successful in obtaining all funding for the Heavy Vehicle Safety & Productivity Program and only one of the applications for the Bridges Renewal Program. The unsuccessful application was for the Bailey's Bridge replacement project which will instead be funded from underspend in Council's Roads to Recovery allocation from the 2019-2020 financial year. All existing projects within the 2020-2021 Annual Infrastructure Program are funded and scheduled for delivery this financial year.

Council has obtained additional funding for Infrastructure Projects since the beginning of the financial year. Council applied for and was successful in obtaining \$422,213 of funding for the Laanecoorie Newbridge road reconstruction project through an AgriLinks Upgrade Program grant from Agriculture Victoria. Along with the allocation Roads to Recovery underspend from 2019-2020 financial year, has allowed Council funds to be redirected to additional projects for inclusion

and delivery as part of Council 2020-2021 Annual Infrastructure Program. Council has also received additional funding from the Commonwealth Government through an extension to the Local Roads and Community Infrastructure (LRCI) program. The second round of this program has provided Council with a further \$1,789,074.

ISSUES/DISCUSSION

The terms of the LRCI grants require that the funds must be expended on construction projects as follows:

- LRCI round 1, before 30 June 2021
- LRCI round 2, before 31 December 2021.

The timing restrictions have been taken into consideration when selecting projects for delivery.

The projects scoped to be delivered under the additional available funding are as follows:

- Local Road Reconstruction (LRC) – Asset Preservation
Funding of \$1,617,588 has been proposed for Bridgewater Raywood Reconstruction and Widening project and \$258,743 for the Whites Pitt Road upgrade project. The section of Bridgewater Raywood Road proposed is the last section of narrow seal remaining and will result in the entire Bridgewater Raywood Road being two trafficable lanes. Completing The Whites Pitt Road upgrade project will result in a decrease in the grading and resheet maintenance costs on this section of road which is becoming excessive due to the high number of commercial vehicles using the road associated with local industry.
- Local Road Reconstruction (LRC) – Amenity
Funding of \$132,380 has been proposed for five amenity projects. These projects are all associated with sealing township gravel access (TGA) streets in Boort, Newbridge, Inglewood and Wedderburn that have a history of dust complaints. They will improve township amenity by reducing dust for adjoining properties. They will be delivered within the existing allocation for Local Roads Reconstruction – Amenity.
- Buildings
Funding of \$11,000 is allocated for two additional building projects and \$147,232 is allocated to increasing the budget associated with existing building projects. This funding has been made available for redirection due to Council being successful in obtaining a grant from the State Government's AgriLinks Upgrade Program.
- Unallocated Portion of LRCI Program Round 2
Funding of \$171,486 is unallocated from the LRCI Program Round 2. This funding will be made available for future infrastructure projects that can be completed by December 2021.

COST/BENEFITS

The Annual Infrastructure Program is a significant part of Council's annual expenditure. The additional funding Council has received through grants and delivering projects under the estimated cost has allowed additional projects to be added to Council's Annual Infrastructure Program.

The benefit of the proposed expenditure is that it will allow Council to maintain safe public infrastructure and decrease annual liability over all asset classes. Better roads, better public facilities and improved bridges are the key outcomes of the proposed program which aligns with the strategic objective of "Support development of a prosperous and diverse economy" as stipulated in Council Plan 2017-2021. In particular, the completion of the widening of Bridgewater Raywood Rd is a significant achievement for Council as this road has had significant investment over recent years to upgrade and improve the safety of this asset.

RISK ANALYSIS

One of the risks identified with the proposed program is cost overrun. The estimated cost of each project has been evaluated based on current unit rates, industry practice and contingencies. The

likelihood of the risk is unlikely and the consequence is minor as per Council's risk matrix. The risk is thus deemed to be low.

The other risk identified is the delay in delivering projects. In previous years, detailed design for projects in the program was only undertaken following Council resolution. However, the Whites Pitt Road upgrade project and Amenity projects can be completed without detailed design. The design team has already started designing the Bridgewater Raywood Road project as proposed in the program thus ensuring delays to this project are minimised.

There is a risk associated with not completing projects before the timing requirements of the LRCI program. This will be mitigated by careful tracking of project progress and ensuring costs are all expended by the required dates. The Bridgewater Raywood project risk will be managed by tracking progress and engaging contractors to deliver the project if Works indicate they don't have the resourcing to complete it by the end of the year.

CONSULTATION AND ENGAGEMENT

The program has been developed in consultation with Council staff, in particular the Assets & Infrastructure Department and the Works Department. Other stakeholders and community members make contributions to the rolling program throughout the year via works requests and onsite meetings and visits conducted by staff.

RESOLUTION 2021/33

Moved: Cr Linda Jungwirth

Seconded: Cr Dan Straub

That Council adopt the additional projects into the Annual Infrastructure Program as detailed within this report.

CARRIED

10.4 REQUEST TO ACCESS UNALLOCATED COMMUNITY PLANNING FUNDING

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

RECOMMENDATION

That Council allocate \$10,000 from the Loddon Shire Wedderburn Ward unallocated community planning funding to the Wedderburn Development Association in support of their application to assist the Wedderburn Mural project: 'Birds Eye View'.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

Council will normally review the applications and subsequent funding allocation recommendations as part of the annual community plan application assessment and allocation process.

BACKGROUND

Community planning is a direct allocation to projects identified and prioritised in the local community plan or other Council strategic document. Community plan funds often contribute to projects that go toward fulfilling the community's vision and improved liveability.

Annual community plan funding is based on a \$50,000 allocation per ward. Any unallocated funds or project underspends remain in reserve, ward by ward, for future allocation. This report seeks to access funds from the Wedderburn Ward community planning funds. The Wedderburn ward only receives applications to access community plan funding from the Wedderburn Development Association (WDA); there are no other active community planning groups in this ward. Due to the time critical nature of this project, this has prompted the consideration of a community planning funding application outside of the normal application process.

ISSUES/DISCUSSION

The Wedderburn community has been working on a local project that will see six murals added to building facades in and around Wedderburn to enhance the streetscape and encourage tourists to visit and explore the local area.

The WDA, as the Wedderburn Community Planning committee, have identified this as a priority project and are seeking to access Wedderburn Ward Community Planning funding that is currently being held in reserve to support this project.

Projects submitted are assessed on total funding available, project readiness, alignment with Council's strategic direction, and community involvement and support for the project.

When we consider the criteria for access to community plan funding:

- the group meets the criteria required to apply for access to community planning funding
- the project aligns with Council's strategic theme: Liveability
- the Birds Eye View project fits within the types of projects that will be considered for community plan funding

- there are sufficient funds available in the Wedderburn Ward community planning funds in reserve for the proposed allocation.

The project has been assessed by officers as meeting the community planning eligibility criteria and is presented to Council for consideration.

Wedderburn Ward

Wedderburn

WDA has requested consideration of one project; a local project that will see six murals added to building facades in and around Wedderburn, enhancing the streetscape and encourage tourists to visit and explore the local area.

Officer recommendation

- That \$10,000 is allocated to fund the Wedderburn Birds Eye View project.

Project	Summary	Total funds available	Request	Recommended allocation
WEDDERBURN				
Birds Eye View	Installation of six (6) murals to building facades in and around Wedderburn	\$150,233	\$ 10,000	\$ 10,000

COST/BENEFITS

The WDA have requested assistance of \$10,000 in support of the Birds Eye View project.

The Wedderburn Ward community planning unspent allocation currently has \$150,233 available.

These funds are in addition to the funds currently allocated to projects:

- Wedderburn Town Entry: \$33,310
- Wedderburn Caravan Park: \$50,000
- Wedderburn Caravan Park Redevelopment: \$25,000

RISK ANALYSIS

The provision of these funds will allow this community driven project to proceed with the risk that it cannot proceed without this allocation.

The funds will be allocated to the WDA, through a funding agreement, allowing them to proceed with delivery of the project. This will minimise Council officer's involvement in the delivery of the project, so an important component of the funding agreement between Council and the WDA will be an acknowledgment that all required approvals and permits must be sourced and in place prior to delivery of the project. The WDA has indicated that they have commenced this process with the relevant Council departments.

CONSULTATION AND ENGAGEMENT

The WDA undertook a thorough community consultation to develop the Wedderburn Community Plan 2015-2025. The development of this project has additionally been supported by a community committee.

RESOLUTION 2021/34

Moved: Cr Gavan Holt

Seconded: Cr Dan Straub

That Council allocate \$10,000 from the Loddon Shire Wedderburn Ward unallocated community planning funding to the Wedderburn Development Association in support of their application to assist the Wedderburn Mural project: 'Birds Eye View'.

CARRIED

10.5 RECOGNITION OF COMMUNITY PLANNING COMMITTEES**File Number:** FOL/20/724**Author:** Sarah Perry, Project Liaison Officer**Authoriser:** Wendy Gladman, Director Community Wellbeing**Attachments:** Nil**RECOMMENDATION**

That Council formally recognises the groups noted in this report as the Community Planning Committees for the nominated communities.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

The establishment of an eligibility criteria to be met by community groups to accompany a request for recognition as their nominated community's Community Planning Committee was discussed at the April 2019 Council Forum and included in the Community Planning Framework (the Framework) endorsed at the November 2019 Ordinary Council Meeting.

BACKGROUND

The Framework was developed to assist communities as they develop local community plans and to formalise the relationship between the community planning committees and Council. As detailed in the Framework, community groups who are incorporated, have community planning detailed in their constitution's purpose, and who have a membership structure that allows wider community participation, are eligible to request formal recognition from Council as a community planning committee.

Following this initial transition period, access to Council's annual community planning funding program will be prioritised to those groups who have received formal recognition and who have developed their community plan consistent with the principles of the Framework. It was planned that groups would be in a position to meet the requirements of the Framework and request Council recognition by the end of 2020. Due to delays caused by COVID19 restrictions, it is more likely that the requirements to be eligible for formal recognition will now be completed by the remaining groups during and up to the end of 2021 allowing them to seek recognition from Council as community planning committees.

This report identifies those groups who are seeking formal recognition and provides a recommendation for approval based on information provided as outlined above.

ISSUES/DISCUSSION

The following groups have requested Council recognition as a community planning committee and have demonstrated that they meet the minimum requirements as detailed in the Community Planning Framework:

Community	Community planning group	Request for recognition received	Incorporated	Constitution purpose includes community planning	Open membership
Calivil	Calivil Community Planning	Yes	Yes	Yes	Yes
Dingee	Dingee Community Plan/Sub Committee of Dingee Progress Association	Yes	Yes	Yes	Yes
Inglewood	Inglewood Development and Tourism Committee	Yes	Yes	Yes	Yes
Mitiamo	Mitiamo Community Planning (Mitiamo Progress Association)	Yes	Yes	Yes	Yes
Serpentine	Serpentine Community Planning	Yes	Yes	Yes	Yes
Wedderburn	Wedderburn Development Association	Yes	Yes	Yes	Yes

Council's Community Planning Officer continues to liaise with the following communities to progress additional requests for recognition:

Boort	Bridgewater	Campbells Forest/Yarraberb
Eddington	Korong Vale	Kingower
Laanecoorie	Newbridge	Pyramid Hill
Tarnagulla	Yarrowalla	

COST/BENEFITS

Formal recognition signals to the community that the group has agreed to develop a community plan in accordance with the principles outlined in the Framework, that membership is open to community members and acknowledges that the group will be representative of their community. The community plan committee, in turn, provides the conduit for the community to represent their collective views, ideas and strategic direction to Council and beyond.

Council is considering a report at the February 2021 meeting recommending financial assistance for community planning committees in meeting administration and insurance costs.

RISK ANALYSIS

The COVID19 pandemic halted momentum early 2020 for all groups as they transitioned to meet the recognition requirements of the Framework and commence the review and/or redevelopment of their community plan. This has delayed the initial transition timeframe with the likely completion now being the end of 2021, meaning that these will not be in place for the 2021/22 application assessment and funding allocation. To ensure that no communities are disadvantaged it may be necessary to allow the 2021/22 application and assessment round to operate similar to the 2020/21 round which occurred during the transition phase and did not enforce prioritisation based on compliance with the Framework components as an assessment criterion.

CONSULTATION AND ENGAGEMENT

The requirement of a letter and details for request of formal recognition has been explained to each potential group, and followed up with written information and a template to support the process. During the initial transition period, groups were supported by a project officer for 12 months. This position has now ended, with a Community Planning Officer role now in place to provide ongoing support and guidance.

RESOLUTION 2021/35

Moved: Cr Dan Straub
Seconded: Cr Wendy Murphy

That Council formally recognises the groups noted in this report as the Community Planning Committees for the nominated communities.

CARRIED

10.6 FINANCE REPORT FOR THE PERIOD ENDING 31 JANUARY 2021**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 31 January 2021**RECOMMENDATION**

That Council:

1. receives and notes the 'Finance Report for the period ending 31 January 2021'
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 2020/21 financial year, as returned by the Shire Valuer, LG Valuations Pty Ltd, and endorses them being incorporated into the Register of Rateable and Non Rateable Properties and Rate Book for 2020/21.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

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

BACKGROUND

The Finance Report for the period ended 31 January 2021 standard monthly information about budget variations, cash, investments, interest, debtors and creditors, and provides a comparison of year-to-date actual results to year-to-date budget (by dollars and percentage) and total revised budget (by percentage).

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

The report this month does not provide explanation on budget timing variances as this timing work is not fully complete.

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

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

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

ISSUES/DISCUSSION

Budgeted Surplus - Council's budgeted cash surplus has remained steady at \$0.86M.

Income Statement (revenue) - Council's year to date (YTD) operating revenue is at 57% of total budget. Revenue brought to account for January was \$1.92M (December was \$0.9M).

Income Statement (expenditure) - Council's operating expenditure is at 47% of total budget. Payments for this month totalled just over \$2.51M (\$3.47M in December).

Capital Works - The approved budget for capital works is \$25.0M and is 18% complete in financial terms for the current financial year (December was 17%).

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

Balance Sheet - Council has a cash total of \$26.1M with \$5.1M in general accounts. Total debtors at the end of January are \$10.57M (\$11.07M in December). Sundry debtors total \$2.29M with invoices outstanding for 90 or more days relating to community wellbeing debtors and local community groups totalling approximately \$93K.

COST/BENEFITS

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

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

RISK ANALYSIS

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

CONSULTATION AND ENGAGEMENT

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

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

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

RESOLUTION 2021/36

Moved: Cr Wendy Murphy

Seconded: Cr Gavan Holt

That Council:

1. receives and notes the 'Finance Report for the period ending 31 January 2021'
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 2020/21 financial year, as returned by the Shire Valuer, LG Valuations Pty Ltd, and endorses them being incorporated into the Register of Rateable and Non Rateable Properties and Rate Book for 2020/21.

CARRIED

10.7 COMMUNITY SUPPORT POLICY**File Number:** FOL/19/101**Author:** Sharon Morrison, Director Corporate Services**Authoriser:** Phil Pinyon, Chief Executive Officer**Attachments:** Nil**RECOMMENDATION**

That:

1. the Community Support Policy be amended to provide for the reimbursement of:
 - (a) administrative costs as outlined in the cost/benefit section of this report
 - (b) insurance costs as outlined in the cost/benefit section of this report
2. the financial impact of the amendment to the Community Support Policy be funded from surplus.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

This matter was discussed at the Council forum on 9 February 2021.

BACKGROUND**Community Support Policy**

In May 2019 Council discussed a number of aspects of the Community Support Policy, including the existing allocations to tourism, development and progress associations. As the name suggests, the purpose of these groups is to promote their towns/areas. This sometimes involves running events.

At the time, Councillors indicated their support for the continuation of allocations for operational costs for these groups on an annual basis. Councillors also indicated that it was not supportive of the introduction of a simple annual application process for operational funding.

Section 86 committees

As part of the response to the Local Government Act 2020 (the Act), Council needed to re-establish committees that manage Council assets.

Under the Local Government Act 1989 (the old Act), section 86 committees included a number of committees whose purpose was tourism, development or progress in addition to asset management. The tourism, development, progress parts of these committees could not be accommodated under the provisions of section 65 of the new Act so new arrangements need to be put in place. Many of the committees are either transitioning to or have transitioned to incorporated associations.

It was suggested by Council officers at the January forum that Council financially support these groups to meet the costs of insurance given the involvement the groups have with the Shire and the positive contribution they make to the achievement of Council's vision for the Shire. This report outlines how this support can be provided, and incorporated into the revised Community Support Policy.

Community planning committees

In addition, community planning committees are currently being established and will in future be formally recognised by Council. The purpose of these groups is to develop community plans for their towns/areas. This planning assists Council with understanding needs and wishes of the community and feeds into Council's vision and Council Plan. In some instances, the tourism and development or progress groups incorporate community planning into their purpose, but some are stand-alone groups and are not currently receiving similar assistance from Council. These groups are generally not involved in the managing of projects or running of events.

ISSUES/DISCUSSION

Allocations for administration costs

Council currently allocates a sum to most tourism, development, progress groups. Currently this sum assists local tourism, development and progress associations to cover administration expenses such as printing and postage and costs associated with marketing and promoting of the area/township.

After a review of current administration costs, it is apparent that expenditure has shifted from printing and postage to statutory fees. Current administration costs are:

Description	Cost
Incorporation (one off)	\$37 (model rules); \$214.70 (own rules)
Lodge annual statement with Consumer Affairs Victoria (Tier 1)	\$59.20
Printing, postage, marketing and promotion	Variable based on community represented

The following table lists the groups under consideration in this report, including existing allocations and proposed allocations for administration:

Current tourism, development, progress groups	Status	Existing allocation	Proposed allocation - ADMINISTRATION
Boort Tourism Development	Former section 86	\$500	\$500
Bridgewater on Loddon Development	Former section 86	\$500	\$500
Dingee Progress Association Committee of Management	Former section 86	\$200	\$200
Inglewood Development and Tourism Committee		\$500	\$500
Loddon Southern Tourism and Development	Former section 86	\$500	\$500
Mitiamo Progress Association		\$200	\$200
Pyramid Hill Progress Association		\$500	\$500
Wedderburn Development Association		\$500	\$500
Wedderburn Tourism	Former section 86	\$500	\$500
Subtotal for existing allocations		\$3900.00	

Kingower Development and Tourism	Former section 86	Nil	\$200
Community planning groups (n=9)			\$2100
Subtotal including new allocations			\$6200.00

Allocation for insurance costs

Committees have been in various situations in relation to insurance costs – from being considered part of Council and therefore covered by Council insurance to being separately incorporated and therefore required to maintain appropriate levels of insurance, with or without an allocation from Council.

The following table lists the various types of insurance available for incorporated bodies, the purpose of the insurance, the estimated cost of the insurance and the suggested allocation of funds from Council to relevant incorporated association:

Insurance type	Purpose	Estimated cost	Suggested allocation - INSURANCE
Associations and officials	Protects association and committee members, officials and officers against claims made against it/them jointly or individually arising from any 'wrongful act' committed or allegedly committed by it/them in its/their capacity as an association or an officer of the association. This can occur through a breach of duty, breach of power of authority or misleading statement. This is in addition to the protection they are afforded through incorporation.	\$412.50	\$412.50

Public liability	<p>Association needs this if it:</p> <ul style="list-style-type: none"> • works with volunteers/members, clients or customers in public spaces • visits or uses spaces owned or controlled by others • has visitors to its premises • manufactures/makes products 	\$637.26	\$637.26
Volunteer workers	<p>Provides members with financial compensation for personal injury sustained when undertaking an activity on behalf of organisation in an official capacity.</p> <p>It will not provide cover where the person injured is not working in an official capacity on association's behalf. The cover triggers on injury only while person is performing the volunteer work — so they need to be working for association in a recognised capacity helping to run the organisations activities.</p>	\$412.50	Nil – unlikely to require due to the nature of the associations in this report
Festival	Covers association if sued by a member of the public because they were injured or sustained property damage whilst attending an event organised by organisation.	\$1010.35	Nil – separate funding to be sought when event planned.
Total		\$2472.61	\$1049.76

The nature of the abovementioned groups suggests that 'associations and officials' insurance is the most appropriate cover. On this basis it is suggested that Council support the cost of obtaining this insurance as a minimum for all groups. In addition, the community planning groups are more likely to also need public liability insurance.

Accordingly, the recommended allocation per group would be up to \$1,050 per annum to cover insurance. There are ten tourism groups and nine planning groups that would be covered by these insurance allocations.

COST/BENEFITS

The final cost to Council is subject to Council's deliberation on the insurance coverage required by the relevant incorporated associations.

The benefit of allocating funds to the relevant incorporated associations is that Council will continue to receive the benefit of the efforts of the relevant incorporated associations at a modest cost to Council.

Current tourism, development, progress groups	Proposed allocation - ADMINISTRATION	Proposed allocation - INSURANCE	Total
Boort Tourism Development	\$500	\$1,050	1,550
Bridgewater on Loddon Development	\$500	\$1,050	1,550
Dingee Progress Association Committee of Management	\$200	\$1,050	1,250
Inglewood Development and Tourism Committee	\$500	\$1,050	1,550
Loddon Southern Tourism and Development	\$500	\$1,050	1,550
Mitiamo Progress Association	\$200	\$1,050	1,250
Pyramid Hill Progress Association	\$500	\$1,050	1,550
Wedderburn Development Association	\$500	\$1,050	1,550
Wedderburn Tourism	\$500	\$1,050	1,550
Kingower Development and Tourism	\$200	\$1,050	1,250
Community planning groups (n=9)	\$200 to \$500 per approved group depending upon size of community	\$1,050 per approved group	Between \$1,250 and \$1,550 per approved group
Total	\$6,200	\$19,950	\$26,150
Less current cost to Council	-\$3,900	0	-\$3,900
Net cost to Council	\$2,300	\$19,950	\$22,250

RISK ANALYSIS

There is a risk that other groups will seek similar funding however this will be managed by limiting the funds to existing groups and others by approval of Council.

CONSULTATION AND ENGAGEMENT

Various Council staff have been involved in developing this report.

RESOLUTION 2021/37

Moved: Cr Linda Jungwirth

Seconded: Cr Wendy Murphy

That:

1. the Community Support Policy be amended to provide for the reimbursement of:
 - (a) administrative costs as outlined in the cost/benefit section of this report
 - (b) insurance costs as outlined in the cost/benefit section of this report
2. the financial impact of the amendment to the Community Support Policy be funded from surplus.

CARRIED

10.8 VERSION 2 OF THE COMMUNITY ENGAGEMENT POLICY PROPOSED FOR ADOPTION

File Number: fol/19/101

Author: Sharon Morrison, Director Corporate Services

Authoriser: Phil Pinyon, Chief Executive Officer

Attachments: 1. Version 2 of the Community Engagement Policy proposed for adoption

RECOMMENDATION

That Council:

1. adopt the Community Engagement Policy
2. approve the cost of the design and printing of a community version of the policy and
3. consider a business case for the resourcing of the implementation of the policy.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

This policy was discussed at the Council forum on 12 January 2021.

BACKGROUND

Version 1 of this policy was adopted at the Council meeting on 28 May 2019.

ISSUES/DISCUSSION

Section 55(1) of the Local Government Act 2020 (the Act) states that a Council must adopt and maintain a community engagement policy, which must (section 55(2)):

- a) be developed in consultation with the municipal community; and
- b) give effect to the community engagement principles; and
- c) be capable of being applied to the making of the Council's local laws; and
- d) be capable of being applied in relation to the Council's budget and policy development; and
- e) describe the type and form of community engagement proposed, having regard to the significance and complexity of the matter and the level of resourcing required; and
- f) specify a process for informing the municipal community of the outcome of the community engagement; and
- g) include deliberative engagement practices which must include and address any matters prescribed by the regulations for the purposes of this paragraph and be capable of being applied to the development of the Community Vision, Council Plan, Financial Plan and Asset Plan; and
- h) include any other matters prescribed by the regulations.

The community engagement policy must be adopted on or before 1 March 2021.

Section 56 sets out the community engagement principles mentioned in section 55(2)(b) above.

The following are the community engagement principles—

- a) a community engagement process must have a clearly defined objective and scope;
- b) participants in community engagement must have access to objective, relevant and timely information to inform their participation;
- c) participants in community engagement must be representative of the persons and groups affected by the matter that is the subject of the community engagement;
- d) participants in community engagement are entitled to reasonable support to enable meaningful and informed engagement;
- e) participants in community engagement are informed of the ways in which the community engagement process will influence Council decision making.

Attached is a draft of version 2 of the Community Engagement Policy following public comment.

COST/BENEFITS

The costs associated with the implementation of this policy are operational. However, the Community Reference Group has suggested that the policy be formatted in a way that improves readability and attractiveness, and encourages the community to become involved in community engagement. An estimate for the artwork for this type of product is \$400 with printing additional depending upon the quantity.

RISK ANALYSIS

There is a risk that there will be insufficient budget to fund activities associated with the policy. This risk will be managed by obtaining quotes, identifying a funding source and seeking approval for expenditure.

CONSULTATION AND ENGAGEMENT

Consultation has occurred with relevant stakeholders.

In response to 55(2) Council undertook consultation (mostly during the pandemic lockdown) with the municipal community by:

- developing and distributing an information flyer
- conducting a webinar on 22 June 2020
- establishing a dedicated Facebook page - The Loddon Project which has 151 members
- conducting a Facebook live event on 23 June
- conducting a survey to understand how the community wants to engage
- emailing community groups information on how to get involved
- releasing media and Facebook posts to encourage participation and provide information
- creating a dedicated internet page
- establishing a community reference group to assist with reviewing documents and being involved in deliberative engagement
- circulated the policy for comment and feedback from key internal stakeholders
- conducting a community reference group consultation session to obtain feedback on the draft of version 2 of the Community Engagement Policy and Procedure
- seeking public comment 29 January to 12 February 2021.

Council received public comment from two individuals and the community reference group. Their feedback has been incorporated into the proposed policy attached to this report.

RESOLUTION 2021/38

Moved: Cr Wendy Murphy

Seconded: Cr Dan Straub

That Council:

1. adopt the Community Engagement Policy
2. approve the cost of the design and printing of a community version of the policy and
3. consider a business case for the resourcing of the implementation of the policy.

CARRIED

10.9 VERSION 5 OF COUNCILLOR CODE OF CONDUCT PROPOSED FOR ADOPTION

File Number: fol/19/101

Author: Sharon Morrison, Director Corporate Services

Authoriser: Phil Pinyon, Chief Executive Officer

Attachments: 1. Version 5 of the Councillor Code of Conduct proposed for adoption

RECOMMENDATION

That Council adopt version 5 of the Councillor Code of Conduct.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

The Councillor Code of Conduct (Code) was discussed at the January 2021 forum and the February briefing.

BACKGROUND

Section 139 of the *Local Government Act 2020* (2020 Act) replaces section 76C of the *Local Government Act 1989*.

Section 139(3) of the Act states that a Code:

- a) must include the *standards of conduct* prescribed by the regulations expected to be observed by Councillors; and
- b) must include any provisions prescribed by the regulations for the purpose of this section; and
- c) must include provisions addressing any matters prescribed by the regulations for the purpose of this section; and
- d) may include any other matters which the Council considers appropriate, other than any other standards of conduct.

Councils must adopt a Code that meets the requirements of the *Act* within four months of the general election (held on 24 October 2020), that is, before 24 February 2021. In the interim the existing code continues to operate.

ISSUES/DISCUSSION

Version 5 of the Code is based on a better practice version promoted by Local Government Victoria. Following a period of public comment a number of edits have been made to the Code. The edited version is attached and recommended for adoption.

Council received public comment from three individuals. The feedback received has largely been incorporated into the final version 5 attached to this report. Councillors have received a copy of all feedback in the February Councillor Briefing.

COST/BENEFITS

No provision is made in the annual budget for costs associated with managing the Code. The benefit of having a Code is setting clear expectations, and establishing clear processes for the management of councillor conduct and compliance with the 2020 Act.

RISK ANALYSIS

The risk of non-compliance with section 139 of the 2020 Act is addressed with the adoption of a Code consistent with the requirements of the Act.

CONSULTATION AND ENGAGEMENT

There is no deliberative engagement requirement for the Councillor Code of Conduct under the 2020 Act however a short period for public comment was undertaken between 29 January and 12 February 2021 to provide an opportunity for the public to provide feedback on the draft Code.

RESOLUTION 2021/39

Moved: Cr Dan Straub
Seconded: Cr Linda Jungwirth

That Council adopt version 5 of the Councillor Code of Conduct as publicly exhibited and that the public submissions received be given further consideration by Council within 6 months of the adoption of this version.

CARRIED

10.10 PROPOSED CORPORATE CREDIT AND FUEL CARD POLICY VERSION 5 FOR ADOPTION

File Number: FOL/19/101

Author: Sharon Morrison, Director Corporate Services

Authoriser: Phil Pinyon, Chief Executive Officer

Attachments: 1. Proposed Corporate Credit and Fuel Card Policy version 5

RECOMMENDATION

That Council adopt the Corporate Credit and Fuel Card Policy version 5

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

This matter was discussed at the February 2021 Councillor forum.

BACKGROUND

The Corporate Credit and Fuel Card Policy has previously applied only to staff. This revision expands the scope to Councillors.

ISSUES/DISCUSSION

The Mayor is seeking a credit card for expenses relating to the role of Mayor such as conference fees, related accommodation and meals expenses, and other allowable expenditure.

In addition to changes to the policy, there will also be an update to delegations to enable the Manager Financial Services to issue a credit card to the Mayor with a limit (\$3k) and to identify who will approve the transactions (CEO and Director Corporate Services).

COST/BENEFITS

There will be minor administration fees associated with the card, which are charged by NAB on all cards. The benefit of the Mayor having a credit card is more efficient recording of expenses.

RISK ANALYSIS

The risks associated with issuing a card are addressed in the policy.

CONSULTATION AND ENGAGEMENT

Relevant staff have been consulted in amending this policy.

RESOLUTION 2021/40

Moved: Cr Gavan Holt

Seconded: Cr Wendy Murphy

That Council adopt the Corporate Credit and Fuel Card Policy version 5

CARRIED

10.11 REQUEST TO ACCESS FUNDS HELD IN THE LITTLE LAKE BOORT WATER RESERVE

File Number: FOL/20/51
Author: Wendy Gladman, Director Community Wellbeing
Authoriser: Phil Pinyon, Chief Executive Officer
Attachments: Nil

RECOMMENDATION

That Council allocate up to \$10,000 from the Little Lake Boort Water Reserve to provide for beaching works adjacent to the location of the Little Lake Boort Footpath extension.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

There has been no previous discussion with Council in relation to the content of this report.

BACKGROUND

The Little Lake Boort Footpath project is nearing commencement and will see the construction of a 600m (approximate) granitic footpath at least 1.5m wide alongside Little Lake Boort foreshore linking Federation Walk to Lake View Street, south of the Boort Water Treatment Plant. The project also includes some landscape works and installation of bollards to improve pedestrian safety.

ISSUES/DISCUSSION

The location of the footpath extension between the croquet club and lake foreshore has presented an opportunity to complete some planned, but delayed beaching work by extending the project to complete beaching of the lake foreshore in the vicinity of the footpath installation.

These works will assist in the future protection of the works being completed, and allow formal landscaping to be completed to enhance the entire area. Due to the extent of the bank undercut in this area, there is some concern that any equipment brought in to undertake the footpath works may further damage this site. This work is in addition to what was originally in the project scope for the footpath installation.

The Little Lake Boort Committee of Management normally undertake beaching works on the lake foreshore. The works for this area, planned by the Committee for March/April 2020, were delayed due to the water levels in the lake at that time. The footpath project presents the opportunity for these works to be completed as part of the overall project delivery, with a contribution of up to \$10,000 from the Little Lake Boort Water Reserve to offset the additional cost. The final cost is still to be determined, as there is continuing work to determine if a more cost effective design would meet the required standard.

COST/BENEFITS

As at 30 June 2020, the Little Lake Boort Water Reserve had a balance of \$24,069 with no movements to date for 2020/21. The Financial Reserves Policy provides for transfers from the Little Lake Boort Water Reserve for 'amounts required to purchase water rights or for other expenditures relating to Little Lake Boort'.

RISK ANALYSIS

If the beaching works were not undertaken at this time, the project could still proceed, but there is a risk of future destabilising of works completed on the footpath or additional damage to the water's edge by machinery used to undertake the footpath installation. This work is planned for future completion by the Little Lake Boort Committee of Management, which if completed independently of this project may result in some duplication of works or damage to the installed path as beaching works are completed. The installation of beaching works by Council as a component of this project ensures that the standard of the works will support the ongoing landscape development in this area.

CONSULTATION AND ENGAGEMENT

Discussions on the completion of these works and accessing funds from the Little Lake Boort Water Reserve have been held with Cr Beattie.

RESOLUTION 2021/41

Moved: Cr Gavan Holt

Seconded: Cr Dan Straub

That Council allocate up to \$10,000 from the Little Lake Boort Water Reserve to provide for beaching works adjacent to the location of the Little Lake Boort Footpath extension.

CARRIED

10.12 DONALDSON PARK COMMUNITY HUB REDEVELOPMENT FUNDING APPLICATION

File Number: FOL/20/1047

Author: Wendy Gladman, Director Community Wellbeing

Authoriser: Phil Pinyon, Chief Executive Officer

Attachments: Nil

RECOMMENDATION

That Council resolve to support an application to the Community Sports Infrastructure Stimulus Program, ratifying Council's endorsement of the project and confirming the resources required to commence construction within six (6) months of signing the funding agreement are available.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

An update of the project's progression to date was provided to the February 2021 Council Forum.

BACKGROUND

Donaldson Park Community Hub Redevelopment Project is a Council priority infrastructure project as outlined in the current Council Plan. Funding for delivery of stage one of the Donaldson Park redevelopment was confirmed in 2020 with Council continuing to seek other funding opportunities that would allow for the simultaneous delivery of both stages 1 and 2. Council submitted an application to the first round of the Victorian Government's Community Sports Infrastructure Stimulus Program (CSISP) in late 2020. This application was unsuccessful.

ISSUES/DISCUSSION

A second round of CSISP funding has been released by the Victorian Government, for which Council is eligible to apply, with applications closing on 2 March 2021. There are a number of components that must be provided/undertaken to ensure the application is eligible for consideration including a Council resolution confirming that the project is supported and ready to proceed to construction within six (6) months of approval and the financial and staffing resources required to deliver the total project are available within the required timeframes. It is expected that announcements of successful funding applications will be made from May 2021 onwards.

COST/BENEFITS

The simultaneous delivery of stages 1 and 2 of the project will enhance the amenity of the facility provided to the community, and will reduce the duplication of effort that would occur if the stages were delivered as two discreet projects.

The benefits to the community were demonstrated in the feasibility study that was completed a number of years ago as the catalyst to commence planning for this project.

Council has \$3.6M funding secured for stage 1 and will not be required to make any additional co-contribution to support the CSISP application.

RISK ANALYSIS

The risk associated with the content of this report is that should the application be unsuccessful and the development of the plans to deliver the two stages simultaneously cannot proceed, a re-set of stage one delivery and the expectations of what can be delivered will be required.

The tight deadlines for delivery of a major project such as this will require dedicated attention to allow progress; this may have some impact on the delivery timeframes for other projects not yet commenced or in the planning stages.

CONSULTATION AND ENGAGEMENT

Council has worked closely with Donaldson Park user group representatives to progress the project.

RESOLUTION 2021/42

Moved: Cr Gavan Holt

Seconded: Cr Linda Jungwirth

That Council resolve to support an application to the Community Sports Infrastructure Stimulus Program, ratifying Council's endorsement of the project and confirming the resources required to commence construction within six (6) months of signing the funding agreement are available.

CARRIED

11 INFORMATION REPORTS**11.1 QUARTERLY LOCAL LAWS AND PLANNING COMPLIANCE ACTIVITY REPORT****File Number:** FOL19/115192**Author:** David Price, Local Laws \ Planning Compliance Officer**Authoriser:** Glenn Harvey, Manager Development and Compliance**Attachments:** Nil**RECOMMENDATION**

That Council receive and note the quarterly 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 second report for the 2020-2021 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 2 (1 October 2020 – 31 December 2020)				
Activity	After hours call outs (*)	Littering or illegal rubbish dumping	Fire prevention notices (^)	Local law permits issued
No. actions	3	4	387	14

(*) 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 2 (1 October 2020 – 31 December 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	3	0	3	2	6	8	13	11	3	2	3	1	0	0	2	57
No. resolved during quarter	0	0	0	0	2	7	0	4	0	0	2	1	0	0	1	17
New action commenced	0	0	1	0	0	1	2	0	0	0	1	2	0	0	0	7
No. currently pursuing	3	0	4	2	4	2	15	7	3	2	2	2	0	0	1	47
Progress Activities																
Site meeting / discussion held	2	0	0	2	4	9	7	6	1	1	4	3	0	0	1	40
Letter to comply issued	1	0	0	0	3	3	3	1	3	2	1	0	0	0	0	17
Occupier has commenced clean-up work	2	0	0	1	4	9	7	6	1	1	4	1	0	0	1	37
Notice to comply issued	1	0	0	0	3	3	3	1	3	2	1	0	0	0	0	17
Contractor engaged for clean-up work	0	0	0	0	1	0	1	0	2	1	0	0	0	0	0	5

In September 2020 Council engaged an additional Local Laws Officer funded through the State Government of Victoria's Working for Victoria initiative. This has allowed us to appoint an officer with a sole focus on unsightly properties. This position is funded for six months in line with the Working for Victoria arrangements.

Whilst some compliance activities have been impacted by the COVID-19 situation, local laws staff will continue to liaise with community members in resolving unsightly property issues where possible.

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 2 (1 October 2020 – 31 December 2020)						
Activity	Wandering livestock	Trespassing livestock	Dog attack	Domestic animal at large	Distribution of cat traps	General complaints / other
No. of actions	10	2	1	13	13	123

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

Table 4: Impoundment activities

Quarter 2 (1 October 2020 – 31 December 2020)				
Animal type	Impoundments	Returned to owners	Animals rehoused	Animals disposed
Livestock	-	-	-	0
Dogs	3	2	1	0
Cats	-	-	-	0
Feral Animals	-	-	-	29
Total	3	2	1	29

Planning Compliance and Enforcement

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

Table 5: Planning compliance and enforcement activities

Quarter 2 (1 October 2020 – 31 December 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	3	6

Native vegetation removal without a permit	11	2	0	6	7
Breach of planning permit	3	1	0	2	2
Dog breeding / animal keeping	2	1	0	1	2
Land used as a store without planning permit	3	0	0	2	1
Occupation of a shed without a planning permit	7	0	0	1	6
Total	33	6	0	15	24

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 second quarter of 2020-2021 financial year for the local laws and compliance activities contained within this report is \$86,293. 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 2021/43

Moved: Cr Dan Straub

Seconded: Cr Wendy Murphy

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

CARRIED

11.2 QUARTERLY REPORT: ANNUAL INFRASTRUCTURE PROGRAM 2020-2021 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 2020-2021
2. Other Projects

RECOMMENDATION

That Council note the update on progress of the Annual Infrastructure Program 2020-2021 and Other Projects as at the end of December 2020.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

This report is for the second quarter of 2020-2021 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 December 2020.

ISSUES/DISCUSSIONAnnual Infrastructure Program

Attachment 1 provides a progress summary of the Annual Infrastructure Program for the Second quarter of the 2020-2021 financial year. There are 122 individual projects listed including 28 carryovers from previous financial years.

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 second quarter of 2020-2021 financial year. All completed projects are removed from subsequent quarterly progress reports.

COST/BENEFITS

The total proposed expenditure for the 2020-2021 financial year for the Annual Infrastructure Program is \$8,633,509 as reported in the July 2020 Council report. The expenditure for the second quarter is \$1,145,298.87 and \$2,578,353.87 for the year to date.

Attachment 1 gives a summary of progress of individual projects within this program as at 31 December 2020.

The Assets & Infrastructure Department is currently managing other significant projects covered in Attachment 2 which are in different stages of progress. The combined value of such projects is in excess of \$4.07 million. Expenditure to date is on these projects is \$364,856.36.

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 with the Manager Assets and Infrastructure and the Works Department.

RESOLUTION 2021/44

Moved: Cr Dan Straub

Seconded: Cr Gavan Holt

That Council note the update on progress of the Annual Infrastructure Program 2020-2021 and Other Projects as at the end of December 2020.

CARRIED

11.3 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 second report for the 2020 - 2021 financial year, summarising road network defect rectification compliance against requirements specified within the Loddon Shire Road Management Plan (RMP).

BACKGROUND

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

ISSUES/DISCUSSION

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

Table 1: Inspection summary report

Quarter 2 (01/10/2020 – 31/12/2020)						
Work Group	Number of scheduled inspections	Number completed by due date	Number completed after due date	Number not completed	Compliance	Number of Defects Raised
Loddon Plains	130	130	0	0	100.0%	571
Loddon Goldfields	132	132	0	0	100.0%	596
Total	262	262	0	0	100.0%	1167

During the second quarter of 2020 – 2021 financial year, 100.0% 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 2 (01/10/2020 – 31/12/2020)								
Work Group	Number of Defects				Compliant with RMP			
	Adhoc	Requests	Defects from inspections	Total	Yes	No	Not complete	%
Loddon Goldfields	25	40	477	542	540	2	0	99.6%
Loddon Plains	82	7	433	522	522	0	0	100.0%
Shire Wide	48	9	347	404	402	2	0	99.5%
Townscape Services	15	4	31	50	47	3	0	94.0%
Total	170	60	1288	1518	1511	7	0	99.5%

Table 2 comprises a summary of defects that have been identified through programmed inspections, customer requests and works crews identifying and rectifying defects as they find them, known as adhoc work actions. During the second quarter of 2020 – 2021 financial year, 99.5% of all date imposed defects were completed before their due date. This is 0.5% below the target of 100% set in the RMP. All defects have now been rectified.

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

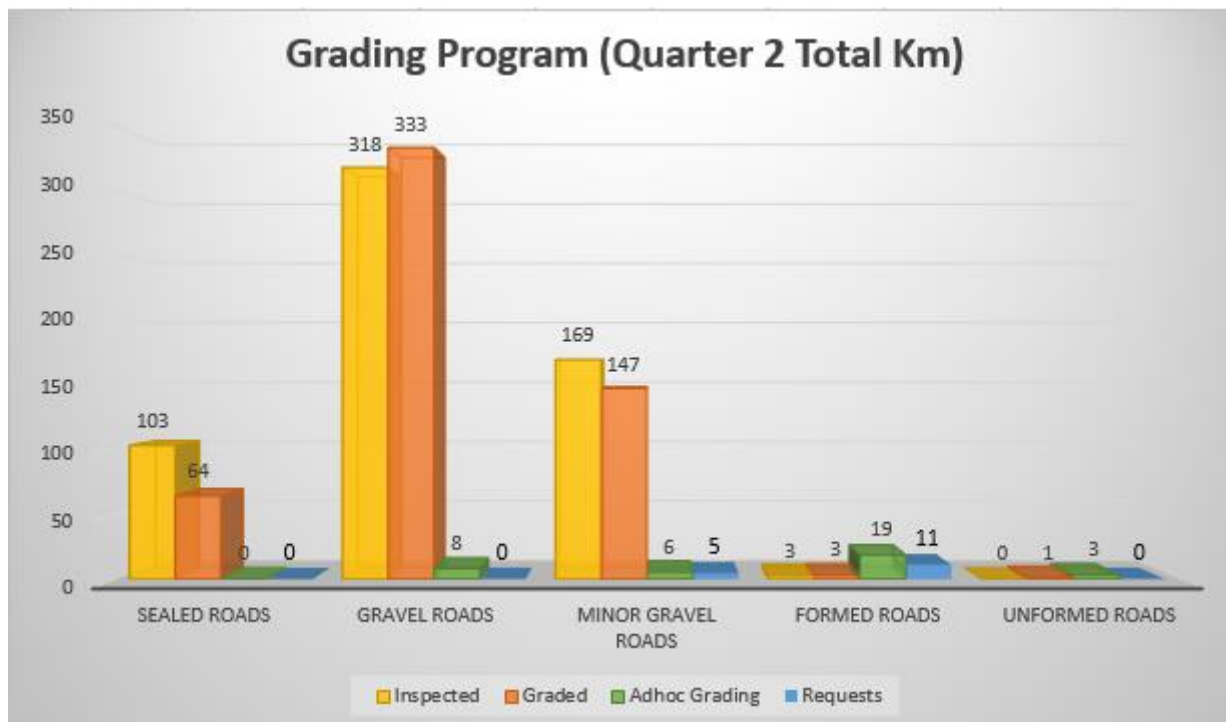
Table 3: Maintenance grading program

Quarter 2 (01/10/2020 – 31/12/2020)										
Work Group	Number of Grading Work Actions					Compliant with scheduled timeframes				Programmed Localities
	Roads Inspected	Roads Graded	Defects	Requests	Total	Yes	No	Not completed	%	
Loddon Goldfields	266	111	1	10	388	387	1	0	99.7%	25
Loddon Plains	397	99	1	5	502	500	2	0	99.6%	19
Shire Wide	0	0	2	0	2	2	0	0	100.0%	0
Total	663	210	4	15	892	889	3	0	99.7%	44

The data in Table 3 indicates that 892 grading work actions were completed for the second quarter of 2020 – 2021 financial year. There is no set level of compliance for the maintenance grading program in the RMP.

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

Chart 1: Maintenance Grading Program



COST/BENEFITS

The year to date actual expenditure to the end of second quarter of 2020 – 2021 financial year of the Local Road Maintenance Program is \$2,543,658. The expenditure for the second quarter was \$1,117,889

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 2021/45

Moved: Cr Linda Jungwirth
 Seconded: Cr Wendy Murphy

That Council receive and note the Road Management Plan Defect Rectification Compliance Report.

CARRIED

12 COMPLIANCE REPORTS**12.1 SECTION 65 COMMUNITY ASSET COMMITTEE MEMBERSHIP DETAILS - EAST LODDON COMMUNITY CENTRE**

File Number: FOL/20/7158

Author: Michelle Hargreaves, Administration Officer

Authoriser: Sharon Morrison, Director Corporate Services

Attachments: Nil

RECOMMENDATION

That Council appoints the persons named in this report as members of the East Loddon Community Centre Section 65 Community Asset Committee, effective immediately.

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this report. Some staff members do have an involvement in the subject matter of the report by virtue of their volunteer commitment to the Community Asset Committee or the volunteer commitment by their family members.

PREVIOUS COUNCIL DISCUSSION

Council approved the current list of committee members for East Loddon Community Centre Community Asset Committee on 25 August 2020.

BACKGROUND

Under section 65 of the Local Government Act 2020 (Act) Councillors establish community asset committees and appoint their members. Under section 47 of the Act the CEO issues their instrument of delegation.

Clause 7.1 of the instrument of delegation establishes the composition of the committee. Clause 7.2.1 provides for the appointment of the member by name by resolution of Council for a term of one year. For community based committees, at least 6 community representatives are preferred. For organisation based committees, each delegation has a list of organisations that are required to provide representatives for the committee.

Clause 7.6 states that:

At the annual meeting each year nominations shall be called for proposed members of the Committee. The Committee must then elect from its proposed members the following office bearers:

- chair
- deputy chair (not mandatory, but recommended)
- secretary
- treasurer*
- booking officer*
- general members

*The treasurer and booking officer must not be the same person.

Clause 7.2.4 states that Council shall appoint members to the Committee as soon as reasonably practicable after the date upon which their annual meeting occurs.

ISSUES/DISCUSSION

East Loddon Community Centre is a community based committee with preferred representation requiring at least 6 community representatives. The following is a list of nominated representatives for the committee which meets the minimum requirement:

Name	Position
Linden Barry	Chair
Margaret Gledhill	Deputy Chair / Booking officer
Nick Marlow	Secretary/ Treasurer
Suzie Jacobs	President
Alison Barry	Committee Member
Alison McKenzie	Committee Member
Darryl Chappel	Committee Member
Heather Atkinson	Committee Member
Helen O'Donoghue	Committee Member
June Dorman	Committee Member
Lachlan Berry	Committee Member
Margaret Smith	Committee Member
Marshall Jacobs	Committee Member
Pam Plant	Committee Member
Rod Biggs	Committee Member

This committee appoints a Chair and a President to assist with distributing the workload of the committee. The committee will need to identify the duties of each position to ensure strong governance.

The Council representative for this committee is Cr Dan Straub.

COST/BENEFITS

The benefit of this report is that Council has an up to date and accurate record of current committee members to ensure that contact can be made, particularly where Council is requesting committees to comply with reporting requirements under the legislation.

RISK ANALYSIS

Section 65 Community Asset Committees act for and on behalf of Council which creates a risk for Council should they ever act outside their delegated authority.

Clause 7.3 of the instrument of delegation provides for the removal of any committee member. This clause could be used to mitigate risk.

Council's appointment of committee members, not only satisfies the legislation, but also provides Council with the opportunity to sight the list of committee members before formally appointing them as they are the people that will be operating the committees, and in effect, acting for and on behalf of Council over the course of the year.

CONSULTATION AND ENGAGEMENT

The community asset committee has provided Council with the list of proposed committee members and their positions.

RESOLUTION 2021/46

Moved: Cr Gavan Holt

Seconded: Cr Linda Jungwirth

That Council appoints the persons named in this report as members of the East Loddon Community Centre Section 65 Community Asset Committee, effective immediately.

CARRIED

**12.2 SECTION 65 COMMUNITY ASSET COMMITTEE MEMBERSHIP DETAILS -
WEDDERBURN MECHANICS AND LITERARY INSTITUTE HALL**

File Number: FOL/20/7146
Author: Michelle Hargreaves, Administration Officer
Authoriser: Sharon Morrison, Director Corporate Services
Attachments: Nil

RECOMMENDATION

That Council appoints the persons named in this report as members of the Wedderburn Mechanics and Literary Institute Hall Section 65 Community Asset Committee, effective immediately.

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this report. Some staff members do have an involvement in the subject matter of the report by virtue of their volunteer commitment to the Community Asset Committee or the volunteer commitment by their family members.

PREVIOUS COUNCIL DISCUSSION

Council approved the current list of committee members for Wedderburn Mechanics and Literary Institute Hall Community Asset Committee on 25 August 2020.

BACKGROUND

Under section 65 of the Local Government Act 2020 (Act) Councillors establish community asset committees and appoint their members. Under section 47 of the Act the CEO issues their instrument of delegation.

Clause 7.1 of the instrument of delegation establishes the composition of the committee. Clause 7.2.1 provides for the appointment of the member by name by resolution of Council for a term of one year. For community based committees, at least 6 community representatives are preferred. For organisation based committees, each delegation has a list of organisations that are required to provide representatives for the committee.

Clause 7.6 states that:

At the annual meeting each year nominations shall be called for proposed members of the Committee. The Committee must then elect from its proposed members the following office bearers:

- chair
- deputy chair (not mandatory, but recommended)
- secretary
- treasurer*
- booking officer*
- general members

*The treasurer and booking officer must not be the same person.

Clause 7.2.4 states that Council shall appoint members to the Committee as soon as reasonably practicable after the date upon which their annual meeting occurs.

ISSUES/DISCUSSION

Wedderburn Mechanics and Literary Institute Hall is a community based committee with preferred representation requiring at least 6 community representatives. The following is a list of nominated representatives for the committee which meets the minimum requirement:

Name	Position
Jon Chandler	Chair
Geoff Maxwell	Deputy Chair
Dede Williams	Secretary
Julie Ritchie	Booking Officer
Peter Zubov	Treasurer
Barry Bolwell	Committee Member
Barry Finch	Committee Member
Leo Matthews	Committee Member

The Council representative for this committee is Cr Gavan Holt.

COST/BENEFITS

The benefit of this report is that Council has an up to date and accurate record of current committee members to ensure that contact can be made, particularly where Council is requesting committees to comply with reporting requirements under the legislation.

RISK ANALYSIS

Section 65 Community Asset Committees act for and on behalf of Council which creates a risk for Council should they ever act outside their delegated authority.

Clause 7.3 of the instrument of delegation provides for the removal of any committee member. This clause could be used to mitigate risk.

Council's appointment of committee members, not only satisfies the legislation, but also provides Council with the opportunity to sight the list of committee members before formally appointing them as they are the people that will be operating the committees, and in effect, acting for and on behalf of Council over the course of the year.

CONSULTATION AND ENGAGEMENT

The community asset committee has provided Council with the list of proposed committee members and their positions.

RESOLUTION 2021/47

Moved: Cr Gavan Holt
Seconded: Cr Linda Jungwirth

That Council appoints the persons named in this report as members of the Wedderburn Mechanics and Literary Institute Hall Section 65 Community Asset Committee, effective immediately.

CARRIED

12.3 SECTION 65 COMMUNITY ASSET COMMITTEE MEMBERSHIP DETAILS - HARD HILL TOURIST RESERVE

File Number: FOL/20/7157
Author: Michelle Hargreaves, Administration Officer
Authoriser: Sharon Morrison, Director Corporate Services
Attachments: Nil

RECOMMENDATION

That Council appoints the persons named in this report as members of the Hard Hill Tourist Reserve Section 65 Community Asset Committee, effective immediately.

CONFLICT OF INTEREST

Some staff members do have an involvement in the subject matter of the report by virtue of their volunteer commitment to the Community Asset Committee or the volunteer commitment by their family members. There is no conflict of interest for any Council staff member involved in the preparation of this report.

PREVIOUS COUNCIL DISCUSSION

Council approved the current list of committee members for Hard Hill Tourist Reserve Community Asset Committee on 25 August 2020.

BACKGROUND

Under section 65 of the Local Government Act 2020 (Act) Councillors establish community asset committees and appoint their members. Under section 47 of the Act the CEO issues their instrument of delegation.

Clause 7.1 of the instrument of delegation establishes the composition of the committee. Clause 7.2.1 provides for the appointment of the member by name by resolution of Council for a term of one year. For community based committees, at least 6 community representatives are preferred. For organisation based committees, each delegation has a list of organisations that are required to provide representatives for the committee.

Clause 7.6 states that:

At the annual meeting each year nominations shall be called for proposed members of the Committee. The Committee must then elect from its proposed members the following office bearers:

- chair
- deputy chair (not mandatory, but recommended)
- secretary
- treasurer*
- booking officer*
- general members

*The treasurer and booking officer must not be the same person.

Clause 7.2.4 states that Council shall appoint members to the Committee as soon as reasonably practicable after the date upon which their annual meeting occurs.

ISSUES/DISCUSSION

Hard Hill Tourist Reserve is a community based committee with preferred representation requiring at least 6 community representatives. The following is a list of nominated representatives for the committee which meets the minimum requirement:

Name	Position
Robyn Vella	Chair
Murray Smythe	Deputy Chair
Jude Raftis	Secretary / Booking officer
Karen Fazzani	Treasurer
Greg Canfield	Committee Member
Warren Smith	Committee Member
Robbie Collins	Committee Member
Cheryl Bailey	Committee Member
Trevor Bailey	Committee Member
Ric Raftis	Committee Member
Brett Jackson	Committee Member

The Council representative for this committee is Cr Gavan Holt.

COST/BENEFITS

The benefit of this report is that Council has an up to date and accurate record of current committee members to ensure that contact can be made, particularly where Council is requesting committees to comply with reporting requirements under the legislation.

RISK ANALYSIS

Section 65 Community Asset Committees act for and on behalf of Council which creates a risk for Council should they ever act outside their delegated authority.

Clause 7.3 of the instrument of delegation provides for the removal of any committee member. This clause could be used to mitigate risk.

Council's appointment of committee members, not only satisfies the legislation, but also provides Council with the opportunity to sight the list of committee members before formally appointing them as they are the people that will be operating the committees, and in effect, acting for and on behalf of Council over the course of the year.

CONSULTATION AND ENGAGEMENT

The community asset committee has provided Council with the list of proposed committee members and their positions.

RESOLUTION 2021/48

Moved: Cr Gavan Holt
Seconded: Cr Linda Jungwirth

That Council appoints the persons named in this report as members of the Hard Hill Tourist Reserve Section 65 Community Asset Committee, effective immediately.

CARRIED

12.4 SECTION 65 COMMUNITY ASSET COMMITTEE MEMBERSHIP DETAILS - PYRAMID HILL MEMORIAL HALL

File Number: FOL/20/7150

Author: Michelle Hargreaves, Administration Officer

Authoriser: Sharon Morrison, Director Corporate Services

Attachments: Nil

RECOMMENDATION

That Council appoints the persons named in this report as members of the Pyramid Hill Memorial Hall Section 65 Community Asset Committee, effective immediately.

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this report. Some staff members do have an involvement in the subject matter of the report by virtue of their volunteer commitment to the Community Asset Committee or the volunteer commitment by their family members.

PREVIOUS COUNCIL DISCUSSION

Council approved the current list of committee members for Pyramid Hill Memorial Hall Community Asset Committee on 25 August 2020.

BACKGROUND

Under section 65 of the Local Government Act 2020 (Act) Councillors establish community asset committees and appoint their members. Under section 47 of the Act the CEO issues their instrument of delegation.

Clause 7.1 of the instrument of delegation establishes the composition of the committee. Clause 7.2.1 provides for the appointment of the member by name by resolution of Council for a term of one year. For community based committees, at least 6 community representatives are preferred. For organisation based committees, each delegation has a list of organisations that are required to provide representatives for the committee.

Clause 7.6 states that:

At the annual meeting each year nominations shall be called for proposed members of the Committee. The Committee must then elect from its proposed members the following office bearers:

- chair
- deputy chair (not mandatory, but recommended)
- secretary
- treasurer*
- booking officer*
- general members

*The treasurer and booking officer must not be the same person.

Clause 7.2.4 states that Council shall appoint members to the Committee as soon as reasonably practicable after the date upon which their annual meeting occurs.

ISSUES/DISCUSSION

Pyramid Hill Memorial Hall is a community based committee with preferred representation requiring at least 6 community representatives. The following is a list of nominated representatives for the committee which meets the minimum requirement:

Name	Position
Ron Peacock	Chair
Andrew Scott	Deputy Chair
Jean Mann	Secretary
Kate Wood	Treasurer
Raelene Fletcher	Booking officer
Allan Mann	Committee Member
Betty Mann	Committee Member
Bill Quinn	Committee Member
Cheryl McKinnon	Committee Member
Jan Vincent	Committee Member
Kellie Stewart	Committee Member
Lisa Schilling	Committee Member
Sherrie Gumley	Committee Member

The Council representative for this committee is Cr Dan Straub.

COST/BENEFITS

The benefit of this report is that Council has an up to date and accurate record of current committee members to ensure that contact can be made, particularly where Council is requesting committees to comply with reporting requirements under the legislation.

RISK ANALYSIS

Section 65 Community Asset Committees act for and on behalf of Council which creates a risk for Council should they ever act outside their delegated authority.

Clause 7.3 of the instrument of delegation provides for the removal of any committee member. This clause could be used to mitigate risk.

Council's appointment of committee members, not only satisfies the legislation, but also provides Council with the opportunity to sight the list of committee members before formally appointing them as they are the people that will be operating the committees, and in effect, acting for and on behalf of Council over the course of the year.

CONSULTATION AND ENGAGEMENT

The community asset committee has provided Council with the list of proposed committee members and their positions.

RESOLUTION 2021/49

Moved: Cr Gavan Holt

Seconded: Cr Linda Jungwirth

That Council appoints the persons named in this report as members of the Pyramid Hill Memorial Hall Section 65 Community Asset Committee, effective immediately.

CARRIED

**12.5 SECTION 65 COMMUNITY ASSET COMMITTEE MEMBERSHIP DETAILS -
INGLEWOOD COMMUNITY SPORTS CENTRE**

File Number: FOL/20/7155

Author: Michelle Hargreaves, Administration Officer

Authoriser: Sharon Morrison, Director Corporate Services

Attachments: Nil

RECOMMENDATION

That Council appoints the persons named in this report as members of the Inglewood Community Sports Centre Section 65 Community Asset Committee, effective immediately.

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this report. Some staff members do have an involvement in the subject matter of the report by virtue of their volunteer commitment to the Community Asset Committee or the volunteer commitment by their family members.

PREVIOUS COUNCIL DISCUSSION

Council approved the current list of committee members for Inglewood Community Sports Centre Community Asset Committee on 25 August 2020.

BACKGROUND

Under section 65 of the Local Government Act 2020 (Act) Councillors establish community asset committees and appoint their members. Under section 47 of the Act the CEO issues their instrument of delegation.

Clause 7.1 of the instrument of delegation establishes the composition of the committee. Clause 7.2.1 provides for the appointment of the member by name by resolution of Council for a term of one year. For community based committees, at least 6 community representatives are preferred. For organisation based committees, each delegation has a list of organisations that are required to provide representatives for the committee.

Clause 7.6 states that:

At the annual meeting each year nominations shall be called for proposed members of the Committee. The Committee must then elect from its proposed members the following office bearers:

- chair
- deputy chair (not mandatory, but recommended)
- secretary
- treasurer*
- booking officer*
- general members

*The treasurer and booking officer must not be the same person.

Clause 7.2.4 states that Council shall appoint members to the Committee as soon as reasonably practicable after the date upon which their annual meeting occurs.

ISSUES/DISCUSSION

Inglewood Community Sports Centre is an organisation based committee with representatives from each of the stakeholder groups. The following is a list of nominated representatives for the committee which meets the minimum requirement:

Name	Organisation
Andrew Nevins (Secretary/Treasurer)	Community member
Gordon McNaughton	Community member
Les Miller	Community member
Shane Maxwell	Community member
Taj Rodwell	Community member
	Inglewood Cricket Club
Tony Noonan (Booking officer)	Inglewood Cricket Club
Bel Hawken	Inglewood Football / Netball Club
Chris Cohalan	Inglewood Football / Netball Club
Leigh Lamprell (Deputy chair)	Inglewood Football / Netball Club
Nat Rodwell	Inglewood Football / Netball Club
Alan Last (Chair)	Inglewood Lawn Tennis Club
Helen Canfield	Inglewood Lawn Tennis Club

The Council representative for this committee is Cr Wendy Murphy.

COST/BENEFITS

The benefit of this report is that Council has an up to date and accurate record of current committee members to ensure that contact can be made, particularly where Council is requesting committees to comply with reporting requirements under the legislation.

RISK ANALYSIS

Section 65 Community Asset Committees act for and on behalf of Council which creates a risk for Council should they ever act outside their delegated authority.

Clause 7.3 of the instrument of delegation provides for the removal of any committee member. This clause could be used to mitigate risk.

Council's appointment of committee members, not only satisfies the legislation, but also provides Council with the opportunity to sight the list of committee members before formally appointing them as they are the people that will be operating the committees, and in effect, acting for and on behalf of Council over the course of the year.

CONSULTATION AND ENGAGEMENT

The community asset committee has provided Council with the list of proposed committee members and their positions.

RESOLUTION 2021/50

Moved: Cr Gavan Holt
Seconded: Cr Linda Jungwirth

That Council appoints the persons named in this report as members of the Inglewood Community Sports Centre Section 65 Community Asset Committee, effective immediately.

CARRIED

**12.6 SECTION 65 COMMUNITY ASSET COMMITTEE MEMBERSHIP DETAILS -
INGLEWOOD TOWN HALL HUB**

File Number: FOL/20/7165

Author: Michelle Hargreaves, Administration Officer

Authoriser: Sharon Morrison, Director Corporate Services

Attachments: Nil

RECOMMENDATION

That Council appoints the additional persons named in this report as members of the Inglewood Town Hall Hub Section 65 Community Asset Committee, effective immediately.

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this report. Some staff members do have an involvement in the subject matter of the report by virtue of their volunteer commitment to the Community Asset Committee or the volunteer commitment by their family members.

PREVIOUS COUNCIL DISCUSSION

Council approved the current list of committee members for Inglewood Town Hall Hub Community Asset Committee on 27 January 2021.

BACKGROUND

Under section 65 of the Local Government Act 2020 (Act) Councillors establish community asset committees and appoint their members. Under section 47 of the Act the CEO issues their instrument of delegation.

Clause 7.1 of the instrument of delegation establishes the composition of the committee. Clause 7.2.1 provides for the appointment of the member by name by resolution of Council for a term of one year. For community based committees, at least 6 community representatives are preferred. For organisation based committees, each delegation has a list of organisations that are required to provide representatives for the committee.

Clause 7.6 states that:

At the annual meeting each year nominations shall be called for proposed members of the Committee. The Committee must then elect from its proposed members the following office bearers:

- chair
- deputy chair (not mandatory, but recommended)
- secretary
- treasurer*
- booking officer*
- general members

*The treasurer and booking officer must not be the same person.

Clause 7.2.4 states that Council shall appoint members to the Committee as soon as reasonably practicable after the date upon which their annual meeting occurs.

ISSUES/DISCUSSION

Inglewood Town Hall Hub is a community based committee with preferred representation requiring at least 6 community representatives. The following is an additional nominated representative for the committee, in addition to the appointments made at the January 2021 meeting:

Name	Position
Colleen Condliffe	Committee Member

The Council representative for this committee is Cr Wendy Murphy.

COST/BENEFITS

The benefit of this report is that Council has an up to date and accurate record of current committee members to ensure that contact can be made, particularly where Council is requesting committees to comply with reporting requirements under the legislation.

RISK ANALYSIS

Section 65 Community Asset Committees act for and on behalf of Council which creates a risk for Council should they ever act outside their delegated authority.

Clause 7.3 of the instrument of delegation provides for the removal of any committee member. This clause could be used to mitigate risk.

Council’s appointment of committee members, not only satisfies the legislation, but also provides Council with the opportunity to sight the list of committee members before formally appointing them as they are the people that will be operating the committees, and in effect, acting for and on behalf of Council over the course of the year.

CONSULTATION AND ENGAGEMENT

The community asset committee has provided Council with the list of proposed committee members and their positions.

RESOLUTION 2021/51

Moved: Cr Gavan Holt
 Seconded: Cr Linda Jungwirth

That Council appoints the additional persons named in this report as members of the Inglewood Town Hall Hub Section 65 Community Asset Committee, effective immediately.

CARRIED

12.7 SECTION 65 COMMUNITY ASSET COMMITTEE MEMBERSHIP DETAILS - LITTLE LAKE BOORT

File Number: FOL/20/7151
Author: Michelle Hargreaves, Administration Officer
Authoriser: Sharon Morrison, Director Corporate Services
Attachments: Nil

RECOMMENDATION

That Council appoints the persons named in this report as members of the Little Lake Boort Section 65 Community Asset Committee, effective immediately.

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this report. Some staff members do have an involvement in the subject matter of the report by virtue of their volunteer commitment to the Community Asset Committee or the volunteer commitment by their family members.

PREVIOUS COUNCIL DISCUSSION

Council approved the current list of committee members for Little Lake Boort Community Asset Committee on 25 August 2020.

BACKGROUND

Under section 65 of the Local Government Act 2020 (Act) Councillors establish community asset committees and appoint their members. Under section 47 of the Act the CEO issues their instrument of delegation.

Clause 7.1 of the instrument of delegation establishes the composition of the committee. Clause 7.2.1 provides for the appointment of the member by name by resolution of Council for a term of one year. For community based committees, at least 6 community representatives are preferred. For organisation based committees, each delegation has a list of organisations that are required to provide representatives for the committee.

Clause 7.6 states that:

At the annual meeting each year nominations shall be called for proposed members of the Committee. The Committee must then elect from its proposed members the following office bearers:

- chair
- deputy chair (not mandatory, but recommended)
- secretary
- treasurer*
- booking officer*
- general members

*The treasurer and booking officer must not be the same person.

Clause 7.2.4 states that Council shall appoint members to the Committee as soon as reasonably practicable after the date upon which their annual meeting occurs.

ISSUES/DISCUSSION

Little Lake Boort is a community based committee with preferred representation requiring at least 6 community representatives. The following is a list of nominated representatives for the committee which meets the minimum requirement:

Name	Position
Neil Beattie	Chair
Doug Aldrich	Deputy Chair
Barry Kennedy	Secretary
Ray Stomann	Treasurer
Barry Barnes	Committee Member
Dean Cosgriffe	Committee Member
Guy Contarino	Committee Member
John Nelson	Committee Member
Justin Kennedy	Committee Member
Kevin Sutton	Committee Member
Lance Slatter	Committee Member
Luke Stomann	Committee Member
Murray Chalmers	Committee Member
Paul Haw	Committee Member
Rod Stringer	Committee Member
Tim James	Committee Member
Wendy James	Committee Member

The Council representative for this committee is Cr Neil Beattie.

COST/BENEFITS

The benefit of this report is that Council has an up to date and accurate record of current committee members to ensure that contact can be made, particularly where Council is requesting committees to comply with reporting requirements under the legislation.

RISK ANALYSIS

Section 65 Community Asset Committees act for and on behalf of Council which creates a risk for Council should they ever act outside their delegated authority.

Clause 7.3 of the instrument of delegation provides for the removal of any committee member. This clause could be used to mitigate risk.

Council's appointment of committee members, not only satisfies the legislation, but also provides Council with the opportunity to sight the list of committee members before formally appointing them as they are the people that will be operating the committees, and in effect, acting for and on behalf of Council over the course of the year.

CONSULTATION AND ENGAGEMENT

The community asset committee has provided Council with the list of proposed committee members and their positions.

RESOLUTION 2021/52

Moved: Cr Gavan Holt

Seconded: Cr Linda Jungwirth

That Council appoints the persons named in this report as members of the Little Lake Boort Section 65 Community Asset Committee, effective immediately.

CARRIED

12.8 SECTION 65 COMMUNITY ASSET COMMITTEE MEMBERSHIP DETAILS - JONES EUCALYPTUS DISTILLERY SITE

File Number: FOL/20/7154
Author: Michelle Hargreaves, Administration Officer
Authoriser: Sharon Morrison, Director Corporate Services
Attachments: Nil

RECOMMENDATION

That Council appoints the additional person named in this report as a member of the Jones Eucalyptus Distillery Site Section 65 Community Asset Committee, effective immediately.

CONFLICT OF INTEREST

That Council appoints the persons named in this report as members of the Jones Eucalyptus Distillery Site Section 65 Community Asset Committee, effective immediately.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

Council approved the current list of committee members for Jones Eucalyptus Distillery Site Community Asset Committee on 27 January 2021.

BACKGROUND

Under section 65 of the Local Government Act 2020 (Act) Councillors establish community asset committees and appoint their members. Under section 47 of the Act the CEO issues their instrument of delegation.

Clause 7.1 of the instrument of delegation establishes the composition of the committee. Clause 7.2.1 provides for the appointment of the member by name by resolution of Council for a term of one year. For community based committees, at least 6 community representatives are preferred. For organisation based committees, each delegation has a list of organisations that are required to provide representatives for the committee.

Clause 7.6 states that:

At the annual meeting each year nominations shall be called for proposed members of the Committee. The Committee must then elect from its proposed members the following office bearers:

- chair
- deputy chair (not mandatory, but recommended)
- secretary
- treasurer*
- booking officer*
- general members

*The treasurer and booking officer must not be the same person.

Clause 7.2.4 states that Council shall appoint members to the Committee as soon as reasonably practicable after the date upon which their annual meeting occurs.

ISSUES/DISCUSSION

Jones Eucalyptus Distillery Site is a community based committee with preferred representation requiring at least 6 community representatives. The following is an additional nominated representative for the committee, in addition to the appointments made at the January 2021 meeting:

Name	Position
Colleen Condliffe	Committee Member

The Council representative for this committee is Cr Wendy Murphy.

COST/BENEFITS

The benefit of this report is that Council has an up to date and accurate record of current committee members to ensure that contact can be made, particularly where Council is requesting committees to comply with reporting requirements under the legislation.

RISK ANALYSIS

Section 65 Community Asset Committees act for and on behalf of Council which creates a risk for Council should they ever act outside their delegated authority.

Clause 7.3 of the instrument of delegation provides for the removal of any committee member. This clause could be used to mitigate risk.

Council's appointment of committee members, not only satisfies the legislation, but also provides Council with the opportunity to sight the list of committee members before formally appointing them as they are the people that will be operating the committees, and in effect, acting for and on behalf of Council over the course of the year.

CONSULTATION AND ENGAGEMENT

The community asset committee has provided Council with the list of proposed committee members and their positions.

RESOLUTION 2021/53

Moved: Cr Gavan Holt
Seconded: Cr Linda Jungwirth

That Council appoints the additional person named in this report as a member of the Jones Eucalyptus Distillery Site Section 65 Community Asset Committee, effective immediately.

CARRIED

13 GENERAL BUSINESS**URGENT BUSINESS****RESOLUTION 2021/54**

Moved: Cr Dan Straub

Seconded: Cr Gavan Holt

That the following item be treated as urgent business

CARRIED

13.1 MITCHELL PARK IRRIGATION REPLACEMENT – COMMUNITY GRANTS FUNDING**RESOLUTION 2021/55**

Moved: Cr Dan Straub

Seconded: Cr Gavan Holt

That Council allocate \$6,843 from the 2020/21 community grants unallocated funds to the Mitchell Park Committee of Management with the co-contribution of their allocated funds of \$3,421 in support of the irrigation infrastructure replacement program.

CARRIED

13.2 INSURANCE EXCESS FOR COMMUNITY ASSETS

Cr Holt referred to Council's insurance premiums, and sought clarification about whether the current policy requires an excess of \$5000 for directly managed Council assets, but if it is a community managed asset, the excess is \$1,000. Mrs Morrison confirmed that is the case.

14 CONFIDENTIAL ITEMS**RESOLUTION 2021/56**

Moved: Cr Dan Straub
Seconded: Cr Gavan Holt

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

14.1 REVIEW OF CONFIDENTIAL ACTIONS

This matter is considered to be confidential under Section 3(1)(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 confidential meeting information, being the records of meetings closed to the public under section 66(2)(a).

Pursuant to section 66(5)(b) of the Local Government Act 2020, if released the information to be received, discussed or considered in relation to this agenda item, may disclose confidential meeting information, being the records of meetings closed to the public under section 66(2)(a)

14.2 Proposal for sale of Council property, 12 - 14 Allen Street Korong Vale

This matter is considered to be confidential under Section 3(1)(a) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

Pursuant to section 66(5)(b) of the Local Government Act 2020, if released the information to be received, discussed or considered in relation to this agenda item, may prejudice the commercial position of Council, as various negotiations remain pending.

14.3 Contract 491 - Baileys Road Bridge Replacement

This matter is considered to be confidential under Section 3(1)(a) and (g(ii)) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released and private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

Pursuant to Section 66 (5)(b) of the Local Government Act 2020, If released the information to be received, discussed or considered in relation to this agenda item, may prejudice the commercial position of Council and/or disadvantage a private business, as various negotiations remain pending.

14.4 Contract 495 - Female Friendly Changerooms Bridgewater Recreation Reserve

This matter is considered to be confidential under Section 3(1)(a) and (g(ii)) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released and private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

Pursuant to Section 66 (5)(b) of the Local Government Act 2020, If released the information to be received, discussed or considered in relation to this agenda item, may prejudice the commercial position of Council and/or disadvantage a private business, as various negotiations remain pending.

CARRIED

Closing of Meeting to the Public

RESOLUTION 2021/57

Moved: Cr Dan Straub

Seconded: Cr Gavan Holt

That the meeting be closed to the public at 3.58pm.

CARRIED

14.1 REVIEW OF CONFIDENTIAL ACTIONS

RESOLUTION 2021/58

Moved: Cr Wendy Murphy

Seconded: Cr Linda Jungwirth

That Council receive and note the action sheet.

CARRIED

14.2 PROPOSAL FOR SALE OF COUNCIL PROPERTY, 12 - 14 ALLEN STREET KORONG VALE

RESOLUTION 2021/59

Moved: Cr Linda Jungwirth

Seconded: Cr Wendy Murphy

That Council resolve to:

1. Sell the land commonly known as the Korong Vale Senior Citizens Centre, 12-14 Allen Street Korong Vale, by calling for expressions of interest, for at least the price set within the valuation in this report, or if lower than this price and within 10% of that amount, at the discretion of the Chief Executive Officer. If no expression of interest is received and accepted, the land at 12-14 Allen Street, will be listed with relevant real estate agents for the Korong Vale area to conduct the sale under similar terms.
2. Pursuant to Section 223 of the Local Government Act 1989, provide public notice of the intended sale of this property for a minimum of four weeks prior to sale.
3. Authorise the CEO to affix the Council seal to any related documentation to complete the sale.

CARRIED

14.3 CONTRACT 491 - BAILEYS ROAD BRIDGE REPLACEMENT**RESOLUTION 2021/60**

Moved: Cr Gavan Holt
Seconded: Cr Wendy Murphy

That Council:

1. award Contract 491 – Baileys Road Bridge replacement to Murray Constructions Pty Ltd, Option 2 as tendered and
2. authorise the Chief Executive Officer to sign and affix the common seal of Council to the contract documents

CARRIED

14.4 CONTRACT 495 - FEMALE FRIENDLY CHANGEROOMS BRIDGEWATER RECREATION RESERVE**RESOLUTION 2021/61**

Moved: Cr Wendy Murphy
Seconded: Cr Dan Straub

That Council:

1. award Contract 495 – Female Friendly Change Rooms Bridgewater to 4Front Construction as tendered;
2. approve the use of Local Road and Community Infrastructure Program Round 2 grant funding to increase the required budget as per the details of this report; and
3. authorise the Chief Executive Officer to sign and affix the common seal of Council to the contract documents

CARRIED

NEXT MEETING

The next Ordinary Meeting of Council will be held on 23 March 2021 at 3pm.

There being no further business the meeting was closed at 4.22pm.

Confirmed this.....day of..... 2021

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CHAIRPERSON