



Date: Tuesday, 23 March 2021
Time: 3pm
Location: Wedderburn Council Chambers, behind
Wedderburn office

MINUTES

Ordinary Council Meeting

23 March 2021

**MINUTES OF LODDON SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE WEDDERBURN COUNCIL CHAMBERS, BEHIND WEDDERBURN OFFICE
ON TUESDAY, 23 MARCH 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)(*via videoconference*), 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 23 February 2021.
2. The minutes of the Ordinary Council Meeting of 23 February 2021.
3. The minutes of the Confidential Council Meeting of 23 February 2021.
4. The minutes of the Council Forum of 9 March 2021.

REPORT

Seeking approval of the unconfirmed minutes of the previous meetings.

RESOLUTION 2021/62

Moved: Cr Wendy Murphy

Seconded: Cr Linda Jungwirth

That Council confirm:

1. The minutes of the Council Briefing of 23 February 2021.
2. The minutes of the Ordinary Council Meeting of 23 February 2021.
3. The minutes of the Confidential Council Meeting of 23 February 2021.
4. The minutes of the Council Forum of 9 March 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 23 February 2021.
2. Council Forum 9 March 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	23 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 David Southcombe, Manager Assets and Infrastructure Glen Harvey, Manager Development and Compliance Christine Coombes, Executive and Commercial Services Officer Applicant and object to Planning application 5542
Items discussed.	<ol style="list-style-type: none"> 1. CEO performance review 2. Additional projects for the Annual Infrastructure Program 3. Planning Permit Application 5542 – 58 Fantasy Road Bridgewater 4. Planning Permit Application 5622 – 67 Brooke Street Inglewood 5. Female friendly change rooms, Bridgewater Recreation Reserve 6. Recognition of Community Planning committees 7. Proposal for sale of Council Property, 12-14 Allen Street Korong Vale 8. Request to access unallocated community planning funding 9. Public comment on the Councillor Code of Conduct 10. Public comment on Community Engagement Policy 11. General business: <ul style="list-style-type: none"> • Mitchell Park Recreation Reserve pipe works • COVID deep cleaning of community assets • Water for recreation reserves • Duck hunting
Conflict of Interest Disclosures - Councillor/officer making disclosure	Nil
Councillor/officer left room	

Assembly details	Forum
Date	9 March 2021
Councillor Attendees	Cr Holt (only for item 3.7) 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 David Price, Local Laws / Planning Compliance Officer Robyn Vella, Tourism & Marketing Officer Deanne Caserta, Manager Financial Services Janine Jackson, Manager Organisational Development Jayden Baber, OHS, Risk Management and Fire Prevention Officer GWM Water representatives Projectura 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. Development of the Community Local Law 4. Future Management of the Inglewood Blue Eucy Museum 5. Newbridge water and sewerage business case 6. Risk management framework – next steps 7. GWM water's strategic direction 8. Community Support facility/projects overview 9. Fire permit applications 10. Fees and Charges schedule 2021/22 11. Revenue and rating plan – major revenue and rating principles discussion 12. Review of Councillor allowances 13. Call for notices of motion ALGA and MAV state council 14. Update on The Loddon Project – spotlight on community vision 15. Signing of Councillor Code of Conduct (deferred to March Council Briefing due to the absence of two Councillors) 16. General business: <ul style="list-style-type: none"> • John Forbes OAM • Salaries and wages cap • NDIS • Murray River Group of Councils

Conflict of Interest Disclosures - Councillor/officer making disclosure	Nil
Councillor/officer left room	

RESOLUTION 2021/63

Moved: Cr Dan Straub

Seconded: Cr Gavan Holt

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

1. Council Briefing 23 February 2021.
2. Council Forum 9 March 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

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 2021/64

Moved: Cr Wendy Murphy

Seconded: Cr Linda Jungwirth

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**

28/2/21

Attended Boort Trotting Cup

23/3/21

Attended Council Meeting Wedderburn

RESOLUTION 2021/65

Moved: Cr Neil Beattie

Seconded: Cr Gavan Holt

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	
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
23/2/21	Chaired meeting of the Donaldson Park project Steering Committee
28/2/21	Attended the Boort Trotting Club cup day meeting
1/3/21	Met with the editor of the Loddon Herald to discuss the issue of illegal rubbish dumping in the Shire
9/3/21	Attended the senior of the Council Forum involving the final debriefing regarding the South West Loddon Pipeline Project. This involved the Chairman Peter Vogel and CEO Mark Williams
11/3/21	With our CEO and the school principal Danny Forrest in attendance, I had

	the pleasure at our Wedderburn Council Chamber of inducting into their roles the Wedderburn College school leaders.
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Cr Jungwirth

Loddon Mallee Local Government Waste Forum	
Central Victorian Greenhouse Alliance	
Municipal Emergency Management Plan Committee	
Other Council activities	
DATE	Activity
23/2/21	Council briefing and meeting
25/2/21	Loddon Mallee Local Govt Waste Forum (online)
25/2/21	CVGA Board meeting online
25/2/21	Meeting with an Eddington resident
25/2/21	VCOSS Disaster Recovery Conversation Series. Children and Young People in Disaster Recovery
1/3/21	Toastmasters in Long Gully
3/3/21	Kingower Walk and Talk
4/3/21	Met with Manager Works re local waste issues
4/3/21	Met with Director Operations re overlays
4/3/21	Kooyoora Women's Network – International Women's Day dinner. Speaker Dr Skye Kinder
7/3/21	Met with some Tarnagulla residents and an interested architect to discuss the townscape.
9/3/21	Attended Council Forum in Wedderburn
10/3/21	Newbridge Walk and Talk
11/3/21	Met with a Llanelly resident to discuss his concerns about the Council land beside his property

17/3/21	Commenced coaching with a one on one Councillor session online
18/3/21	Eddington Planning Group Walk and Talk
10/3/21	CVGA MASH Solar Information Evening

Cr Murphy

Calder Highway Improvement Committee	
Local Government Womens Charter	
Australia Day Committee	
Healthy Minds Network	
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	
9/3/21: Attended the Inglewood Community Elderly Persons Units CAC AGM and general meeting.	
11/3/21: Attended the Campbell's Forest Hall CAC meeting	
18/3/21: Attended Bridgewater on Loddon Memorial Hall CAC meeting, 7pm start and left at 7.35pm to attend Campbells Forest Action Group meeting	
Other Council activities	
DATE	Activity
25/2/21	Attended the Campbells Forest, Yarraberb and District Community Planning Walk and Talk with Kirsten McKay (LSC)
25/2/21	Attended the Inglewood Development and Tourism Committee general meeting

26/2/21	Attended the launch of the Loddon Murray Community Leadership Program 2021 cohort
3/3/21	Attended MAV Discrimination, Bullying and Harassment online training
4/3/21	Attended an International Women's Day Dinner
7/3/21	I was asked by residents to greet passengers from the Grainlander train when it stopped in Inglewood
9/3/21	Attended the Council Forum at Wedderburn
10/3/21	Attended MAV Sexual Harassment online training
10/3/21	Attended and opened the MASH information night at the Inglewood Town Hall
12/3/21	Attended the Victorian Local Government Grants Commission information session online
18/3/21	Attended a meeting between concerned residents and LSC staff in Bridgewater regarding the Stage 2 of the foreshore development
18/3/21	Attended the Campbells Forest and District Community Action Planning Group meeting at Campbells Forest
22/3/21	Attended a site meeting on Cemetery Rd Inglewood with LSC staff, Mr Steven Phillips and Mr Daniel Lloyd.
23/3/21	Attended LSC briefing and meeting

Cr Straub

North Central Goldfields Regional Library	
North Central Local Learning and Employment Network	
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	
16/3/21: Pyramid Hill Memorial Hall Committee meeting. Discussed new price list for hall hire, ANZAC Day and a demonstration of the big screen and projector.	
Other Council activities	
DATE	Activity
23/2/21	Council Briefing and Council meeting, Wedderburn

24/2/21	Calivil Walk and Talk, Calivil Community Planning Group, Calivil Recreation Reserve
1/3/21	East Loddon Community Centre Section 65 meeting – I was an apology and have been briefed on the meeting.
4/3/21 – 5/3/21	Murray River Group of Councils meeting held in Mildura (filling in for Mayor Beattie). Attended with Loddon CEO, Phil Pinyon. We met with Hon Keith Pitt MP, Federal Water Minister, member for Mallee Dr Anne Webster and Senator Hon Bridget McKenzie, followed by an official dinner where we again met with Dr Anne Webster and her husband Philip.
9/3/21	Council Forum (Wedderburn office) Chaired meeting.
11/3/21	Boort Caravan Park, meeting with the Vic Agriculture Minister regarding Agriculture Worker Accommodation - cancelled
11/3/21	Pyramid Hill school assemblies (Pyramid Hill College and St Patrick's primary school) Australia Day awards.

RESOLUTION 2021/66

Moved: Cr Dan Straub

Seconded: Cr Wendy Murphy

That Council receive and note the Councillors' reports

CARRIED

10 DECISION REPORTS

10.1 ADOPTION OF THE WASTE MANAGEMENT STRATEGY 2020-2030

File Number: 15/05/001

Author: Daniel Lloyd, Manager Works

Authoriser: Steven Phillips, Director Operations

Attachments: 1. Waste Management Strategy 2020-2030

RECOMMENDATION

That Council resolve to adopt the Waste Management Strategy 2020-2030

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 considered the draft Waste Management Strategy 2020-2030 in December 2020, where it resolved to release it for public comment.

BACKGROUND

Council's current Waste Management Strategy was adopted in 2011. The strategy has provided the framework for the development and implementation of environmentally sustainable and financially viable waste management policies and initiatives. Specific waste management services and methodologies addressed within that strategy included:

- kerbside waste and recycling collections
- resource recovery opportunities
- sustainable waste management education
- waste management and monitoring

The Waste Management Strategy requires a review to guide and support Council's future direction in waste management. Council engaged Rawtec to conduct an assessment of Council's waste services and waste facilities to assist in preparing a new Waste Management Strategy.

The Waste Management Strategy outlines key elements involved in managing Council's waste services and waste facilities. It combines financial management, and technical practices with the aim to improve systems and processes to maximise the use of our limited resources and provide a guide to better practice management of waste and recyclables.

ISSUES/DISCUSSION

The Waste Management Strategy 2020-2030 provides a proportional framework for development and implementation of environmentally sustainable waste management policies and initiatives over a ten-year period. Several targets are identified in the new Strategy, the achievement of which will rely on the commitment of all key stakeholders including Council, residents, businesses, and visitors.

The targets have been based on current baseline data and State Government modelling. The two main targets include aiming for greater than 60 percent diversion across the Shire by weight (currently 38 percent) and a resident satisfaction index score of greater than 70 (currently 69) for waste services in the Local Government Community Satisfaction Survey by 2030.

The ten year Waste Management Strategy will be used to guide and shape, not define the future direction of Council's waste management. The details of Council's management of kerbside collection services are provided in its Kerbside Waste and Recycling Policy.

The Strategy is based on the latest information in what is a rapidly changing sector as both the National and State Governments seek to ensure a future for a recycling industry in Australia.

COST/BENEFITS

Council spends significant funds on its waste management services each year. The current Long Term Financial Plan has average annual expenditure at \$1,727,677 for kerbside collections and facility management. The Waste Management Strategy 2020-2030 identifies several actions to support the achievement of the stated objectives. The estimated additional costs over the ten year life of the Strategy total \$730,000.

During the process of data collection and assessment, indicative costs have been estimated for the proposed action plan. However, several actions within the Strategy will require detailed scoping and costing before they can proceed.

The actions covered in the Strategy will be funded in accordance with Council's Rating Strategy section 7.3 Services rates and charges under Section 162 which states:

"Council currently applies a service charge for the collection and disposal of refuse on properties that fall within the collection area. Council's objective is to fully recover the costs of the waste management and waste removal function."

Council provides approximately 3,800 properties with weekly kerbside general waste and fortnightly mixed recycling bins. Council also provides public place bin collections, event bins and additional kerbside collections during the peak periods Easter/Christmas at high traffic locations. In addition to kerbside collections, Council manages six waste facilities including three unlicensed landfills which also accept recyclables and three Resource Recovery Centres.

RISK ANALYSIS

The risk to Council of not considering and then advertising the Waste Management Strategy 2020-2030 is that it will not comply with requirements under the Local Government Act 1989.

Without an agreed strategy, there is the risk that Council's efforts and resources could be applied ad hoc to tasks without clear objectives or results. The Strategy identifies priorities and actions which reflect research, consultation and consistency with wider regional directions to give clarity on where Council's resources and efforts should be directed.

CONSULTATION AND ENGAGEMENT

The Waste Management Strategy 2020-2030 has been discussed with internal stakeholders on a number of occasions, this includes the Management Executive Group as well as other staff who have had multiple opportunities to review the outcomes of the Strategy.

The Council was provided opportunity to have input into the development of the Waste Management Strategy 2020-2030 at its June 2020 Forum. Following further development Council was presented with a draft Waste Management Strategy at the November 2020 Council Briefing for review.

The draft strategy was released for public comment during January/February 2021, with no submission received.

RESOLUTION 2021/67

Moved: Cr Linda Jungwirth

Seconded: Cr Dan Straub

That Council resolve to adopt the Waste Management Strategy 2020-2030

CARRIED

10.2 COUNCILLOR GIFT POLICY**File Number:** FOL/19/101**Author:** Lynne Habner, Manager Executive and Commercial Services**Authoriser:** Phil Pinyon, Chief Executive Officer**Attachments:** 1. Draft Councillor Gift Policy v1**RECOMMENDATION**

That Council adopts version 1 of the Councillor Gift 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 January 2021 Council Forum.

BACKGROUND

Section 138 of the Local Government Act 2020 (the Act) requires a Council to adopt a Councillor gift policy within six months of 24 October 2020, that is by 24 April 2021. The Policy must make provision for the maintenance of a gift register and any matters in the regulations, including a minimum value of gifts that must be disclosed. Councils must also ensure their policy complies with the public transparency principles.

There was no requirement for a Councillor Gift Policy in the 1989 Act. The purpose of this new requirement is to complement personal interest returns by recording gifts that may be below the threshold for disclosure in a personal interest return or that may have been received since the latest return was lodged.

ISSUES/DISCUSSION

Attached is a draft policy based on a better practice version developed by DELWP and used by a number of councils as the foundation for their policy.

COST/BENEFITS

The costs associated with the implementation of this policy are operational.

RISK ANALYSIS

There is a risk that the policy will not be followed. This risk will be mitigated by informing stakeholders of its adoption and including the policy in induction programs.

CONSULTATION AND ENGAGEMENT

Consultation has occurred with relevant stakeholders. No deliberative engagement is required for this policy.

RESOLUTION 2021/68

Moved: Cr Wendy Murphy

Seconded: Cr Linda Jungwirth

That Council adopts version 1 of the Councillor Gift Policy.

CARRIED

10.3 FEBRUARY 2021 AUDIT AND RISK COMMITTEE MEETING OVERVIEW

File Number: FOL/20/612

Author: Sharon Morrison, Director Corporate Services

Authoriser: Phil Pinyon, Chief Executive Officer

Attachments:

1. **Signed minutes of November 2020 Audit and Risk Committee meeting**
2. **Review of Capital Project Management**
3. **Review of Swimming Pool Management**

RECOMMENDATION

That Council:

1. receives and notes this report on the February 2021 Audit and Risk Committee Meeting
2. receives and notes the signed minutes of the November 2020 Audit and Risk Committee meeting (**attached**)
3. notes the review of Capital Project Management and endorses the management actions contained in the review (**attached**)
4. notes the review of Swimming Pool Management and endorses the management actions contained in the review(**attached**).

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

Council was provided with a summary of the November 2020 Audit and Risk Committee Meeting at the Ordinary Meeting held on 15 December 2020.

BACKGROUND

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

The committee is made up of four independent community members, and Cr Gavan Holt, as Council's representative. At the Council Meeting on 19 November 2020, it was resolved that Councillor Beattie be the alternate Council representative in the event that Cr Holt is unable to attend the Audit and Risk Committee meeting. Council's Chief Executive Officer and Director Corporate Services attend the meetings in an advisory capacity.

The objectives of the Audit and Risk Committee are to:

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

d) oversee internal and external audit functions.

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

ISSUES/DISCUSSION

The agenda for the February 2021 meeting included the following:

Decision Reports

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

An election was held for the chair for 2021 and Mr Rod Baker was elected.

The external audit strategy was presented by Kathie Teasdale of RSD Audit.

The reporting requirements for the Audit and Risk Committee were discussed and it was determined to continue to provide an annual report to Council in addition to the quarterly reports following each meeting.

The draft performance survey for the Audit and Risk Committee members was endorsed and approved for distribution to members.

Two internal audit reviews were discussed:

- Review of Swimming Pool Management (**attached**) and
- Review of Capital Project Management (**attached**).

The Review of Swimming Pool Management contains five findings. The findings are all rated medium. There are ten management actions in response to the findings.

The Review of Capital Project Management was discussed extensively. The Review contains seven findings. The findings are rated medium (4) and low (3). There are 17 management actions in response to the findings.

Compliance Reports

A number of compliance reports were considered and noted including:

- CEO Report of suspected and actual fraud, thefts and breaches of the law - a nil report
- CEO Report on major lawsuits facing council - VEC matters were discussed
- Report of Councillor expenses
- Report on items raised by Council - a nil report
- Loddon Performance Framework Report – July 2020 to December 2020
- Quarterly report on Council's risk profile, any significant changes and review of treatment plans for significant risks

Information Reports

The Audit and Risk Committee also received the following information reports:

- Monthly finance report
- Presentation by staff member – Director Operations
- Status of delivery of annual internal audit plan
- Significant changes to key systems report
- Organisation health check report
- Report on impact of VAGO reports
- Report on impact of reports of other regulatory bodies

- Update on service planning
- Update on business continuity framework
- Update of risk management framework
- Upcoming vacancy for community member

A review of the Financial Plan was also listed but deferred to the next Audit and Risk Committee meeting to enable attendance by the Manager Financial Services.

The date of next audit committee meeting is 13 May 2021.

The next review will be asset management and maintenance.

COST/BENEFITS

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

The benefits that the internal audit function provides Council are:

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

RISK ANALYSIS

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

CONSULTATION AND ENGAGEMENT

Nil

RESOLUTION 2021/69

Moved: Cr Gavan Holt

Seconded: Cr Dan Straub

That Council:

1. receives and notes this report on the February 2021 Audit and Risk Committee Meeting
2. receives and notes the signed minutes of the November 2020 Audit and Risk Committee meeting (**attached**)
3. notes the review of Capital Project Management and endorses the management actions contained in the review (**attached**)
4. notes the review of Swimming Pool Management and endorses the management actions contained in the review(**attached**).

CARRIED

10.4 MUNICIPAL EMERGENCY MANAGEMENT PLANNING COMMITTEE**File Number:** FOL/20/927**Author:** Belinda McKnight, Emergency Management Coordinator**Authoriser:** Wendy Gladman, Director Community Wellbeing**Attachments:** 1. Integrated Municipal Emergency Management Planning Committee
- Terms of Reference**RECOMMENDATION**

That Council:

1. authorises the disestablishment of the existing Municipal Emergency Management Planning Committee (MEMPC) established under s21(3)-(5) of the *Emergency Management Act 1986*, in recognition that on 1 December these provisions are repealed by s82(2) of the *Emergency Management Legislation Amendment Act 2018* and replaced by the provisions of s68 of the *Emergency Management Legislation Amendment Act 2018*
2. authorises the CEO to facilitate the establishment of the MEMPC in accordance with the provisions of s68 of the *Emergency Management Legislation Amendment Act 2018* (which inserts a new 'Part 6-Municipal Emergency Management Planning Committees' into the *Emergency Management Act 2013* on 1 December 2020)
3. notes that, under the MEMPC Terms of Reference (attached) and the *Emergency Management Legislation Amendment Act 2018* (which inserts s59 and 59F into the *Emergency Management Act 2013* on 1 December 2020), Council's role is to establish the MEMPC. Once established, the MEMPC exists separately to Council and is not a committee of Council.

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 Council discussion related to the content of this report.

BACKGROUND

The Emergency Management Legislation Amendment Act 2018 (EMLA Act) was passed through Parliament in August 2018. The EMLA Act provides for a new framework for emergency management planning in the Emergency Management Act 2013 (the EM Act). This new framework seeks to address known and documented risks in emergency management planning by establishing an integrated, comprehensive and coordinated framework for emergency management planning.

The Emergency Management Act 2013 (as amended by the Emergency Management Legislation Amendment Act 2018 (EMLA Act)) transfers responsibility for municipal level emergency management planning from councils to new Municipal Emergency Management Planning Committees (MEMPC). This reflects significant feedback that councils should not own the plans and that they should be multi-agency plans.

ISSUES/DISCUSSION

It is the responsibility of MEMPC committee as a whole to deliver the emergency management plan and not that of the chair or one single agency. Whilst planning is a shared agency responsibility, Councils will convene and chair the MEMPC, recognising their expertise, networks,

and ability to coordinate across agencies at this level. The EMLA Act, s59B provides for Council's CEO or nominated delegate to act as MEMPC Chair. Director Community Wellbeing Wendy Gladman has been delegated as Chair of the Loddon Shire MEMPC.

Loddon Shire is part of an Integrated MEMPC; an IMEMPC is a cluster of Municipal Emergency Management Planning Committees that recognise there is a high proportion of shared issues, risks and membership across their Local Government areas. They seek to hold a combined meeting to increase planning efficiencies and ease the burden for those who are represented on more than one committee.

Core membership for MEMPCs includes the council or alpine resort management board, Victoria Police, Country Fire Authority and/or Fire Rescue Victoria, Ambulance Victoria, Victoria State Emergency Service, Australian Red Cross, the Department of Health and Human Services, a recovery representative, a community representative and at least one other nominated representative (for example, industry). The core representation is being coordinated at the IMEMPC level. Cr Jungwirth is participating as a Loddon Shire nominated community representative.

The Emergency Management Act 2013, as amended by the Emergency Management Legislation Amendment Act 2018, requires a MEMPC to collaborate with other MEMPCs in preparing its MEMP. The IMEMPC provides a forum for this collaboration. Involvement in an IMEMPC is optional and MEMPCs may choose other ways to collaborate.

The IMEMPC may collaboratively develop ideas and solutions that must then be agreed by individual MEMPCs before being adopted by that MEMPC. The IMEMPC is not a decision-making body on behalf of MEMPCs, nor is it a substitute for a MEMPC. Loddon Shire is part of the Northern Victorian Cluster Integrated Municipal Emergency Management Planning Committee, which also includes the Councils of Campaspe, Central Goldfields, Mount Alexander and the City of Greater Bendigo. A meeting format has been developed to combine both individual Council MEMPC business and IMEMPC collaborative opportunities.

COST/BENEFITS

There are no changes to any financials, with these changes being incorporated within existing budget parameters.

RISK ANALYSIS

The proposed disestablishment of the existing MEMPC structure and replacement with a structure that meets legislative requirements reduces the risk of not complying with new legislation.

CONSULTATION AND ENGAGEMENT

No broader consultation has taken place, as this is a legislative change to an internal function of Council.

RESOLUTION 2021/70

Moved: Cr Linda Jungwirth

Seconded: Cr Wendy Murphy

That Council:

1. authorises the disestablishment of the existing Municipal Emergency Management Planning Committee (MEMPC) established under s21(3)-(5) of the *Emergency Management Act 1986*, in recognition that on 1 December these provisions are repealed by s82(2) of the *Emergency Management Legislation Amendment Act 2018* and replaced by the provisions of s68 of the *Emergency Management Legislation Amendment Act 2018*
2. authorises the CEO to facilitate the establishment of the MEMPC in accordance with the provisions of s68 of the *Emergency Management Legislation Amendment Act 2018* (which

inserts a new 'Part 6-Municipal Emergency Management Planning Committees' into the *Emergency Management Act 2013* on 1 December 2020)

3. notes that, under the MEMPC Terms of Reference (attached) and the *Emergency Management Legislation Amendment Act 2018* (which inserts s59 and 59F into the *Emergency Management Act 2013* on 1 December 2020), Council's role is to establish the MEMPC. Once established, the MEMPC exists separately to Council and is not a committee of Council.

CARRIED

10.5 VICTORIAN LOCAL GOVERNMENT WOMEN'S CHARTER**File Number:** FOL/19/98**Author:** Sharon Morrison, Director Corporate Services**Authoriser:** Phil Pinyon, Chief Executive Officer**Attachments:** Nil**RECOMMENDATION**

That Council:

1. notes the history and progress of the Victorian Local Government Women's Charter ('the Charter')
2. reaffirms its commitment to the Charter
3. continues to progress actions in support of the Charter's three principles: gender equity, diversity and active citizenship;
4. appoint the following people as Charter Champions
 - (a) Councillor: Wendy Murphy until the annual meeting of Council where appointments are made to various committees and advisory roles
 - (b) Council Officer: Casey Shelton until the next annual report on progress against the Victorian Local Government Women's Charter
5. authorises the Chief Executive Officer to continue to promote Council's Charter signatory status and display the Charter in council premises and communications (including Council's website)
6. sends a copy of this report to the Victorian Local Governance Association (VLGA), notifying the VLGA of Council's reaffirmation of the Charter
7. supports the VLGA campaign to increase women's participation in local government as citizens, candidates and councillors
8. requests that an annual report be provided to Council on progress against the Charter principles.
9. rotate the Charter Champion position among Councillors throughout the Council term.

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

At the Council meeting on 26 February 2019, Council resolved to adopt the Victorian Local Government Women's Charter (the Charter) and appoint Councillor Colleen Condliffe as the Charter Champion.

On 28 April 2020 Council noted the first annual report on Council's progress against the Charter principles.

BACKGROUND

The Charter was established in 1998 by the Women's Participation in Local Government Coalition (WPILGC) to recognise the need for increased women's participation in the key decision-making forums in the community and in democratic governance.

The WPILGC was a coalition of organisations, including peak bodies in local government, the Victorian Immigrant and Refugee Women's Coalition, Victorian Women's Trust, Women's Electoral Lobby Victoria, Women's Planning Network and YWCA Victoria.

Following council amalgamations in 1996, the number of women councillors was at a record low (134 out of more than 600).

In 2013, the WPILGC dissolved itself and handed responsibility for this work to the MAV and the VLGA. At present, the VLGA manages the administration of the Charter signatories and network, working alongside the MAV on promoting the charter and achieving gender equity in local government.

In 2020, 73 of 79 Victorian councils were signatories to the Charter.

ISSUES/DISCUSSION

With the Local Government Bill 2019 and Gender Equality Act 2020 highlighting the importance of community engagement and equality, all 79 Victorian councils have a legislative imperative to prioritise the active and equal participation of women in council decision-making.

The VLGA has generated a list of suggested actions. Council's performance against these suggested actions is listed below:

CHARTER STATUS & CHARTER CHAMPIONS	STATUS
Become a Charter signatory.	Completed 26 February 2019
Reaffirm your commitment to the Charter.	Pending adoption of the recommendation in this report.
Reappoint your Charter Champions.	Pending adoption of the recommendation in this report.
Appoint a councillor and an officer.	Completed 26 February 2019
Try to rotate the Charter Champion position among councillors throughout the council term.	To be considered after the 2020 Council election.
Make the Charter a standing item on Council's agenda: <ul style="list-style-type: none"> requiring an annual report on actions related to gender equity, diversity and active citizenship. appoint Charter Champions at the same time as other delegations. 	Completed 26 February 2019
Send a copy of the minutes to the VLGA (deborah@vlga.org.au) for publication on their website.	Pending adoption of the recommendation in this report.
Display a framed copy of your council's Charter certificate (or multiple copies in different council buildings, including community centres, libraries etc).	Complete
Empower Charter Champions and council staff to use the Charter in their work. Provide them with the time or delegation to implement action items and attend network meetings or development sessions related to the Charter.	Complete
POLICY & ADVISORY GROUPS	
Undertake a simple audit of Council's activities, processes and community projects to identify what you have already achieved and can build on.	Council has developed a gender equity strategy which identifies priority actions. Council has developed a gender equity strategy which identifies priority actions.
Create a committee or working group of council that has oversight/responsibility for women's civic participation (i.e. Gender Equality Working Group, Women's Charter Advisory Committee).	
Empower the committee to operate in a meaningful advisory capacity on all relevant policies facing council – not just 'women's' or 'family' policies.	
Conduct a gender equality audit of all committees.	

CHARTER STATUS & CHARTER CHAMPIONS	STATUS
Encourage committees to consider diversity when recruiting new members.	
Provide regular opportunities for women on all committees to develop their skills in leadership, policy, negotiation and decision-making.	
Conduct an audit of committee meeting times and locations. <ul style="list-style-type: none"> • Are they held in venues and at times that suit working women and women with childcaring responsibilities? • Consider using a survey to investigate barriers to women’s attendance at/participation in committees. • Work to address these barriers and evaluate the success of these measures. 	
Compile a list of community groups (and their contact details) that may have women who are interested in running (or interested in supporting another woman to run) for local government. <ul style="list-style-type: none"> • Invite these groups to pre-candidate training and ask that they distribute details to their networks. • Invite these groups to participate in community engagement or consultation that council undertakes. 	
Make sure that you are actively seeking input from the Indigenous community, people with disabilities and culturally and linguistically diverse groups. Dedicate resources to provide cultural, language, accessibility support where appropriate.	
Ensure that the Charter is referenced in any council policy that relates to Charter principles.	
Include the Charter in relevant council documents and strategies, including the Council Plan and Municipal Health and Wellbeing Plan.	
Distribute the Charter document to officers and ensure that they are aware of Council’s signatory status. Encourage officers to consider the Charter as an authorising document in their reports and daily work.	
AWARENESS RAISING	
Increase information and resources available to the community about the business of local government, on topics such as: <ul style="list-style-type: none"> • How councillors are elected • How councils make decisions • What services councils provide 	Council has developed a gender equity strategy which identifies priority actions.
Make sure that these resources are accessible to all community members, particularly those from culturally and linguistically diverse groups.	
Spotlight the experiences and achievements of women leaders in your community, particularly those from culturally and linguistically diverse groups and current and former women councillors.	
Profile current and former women councillors on their backgrounds, their motivations for running for office and their achievements during their time as a councillor.	

CHARTER STATUS & CHARTER CHAMPIONS	STATUS
Facilitate community conversations about the importance of diverse representation. Seek local examples and anecdotes of the impact that diverse representation has on decision making and community outcomes.	Council has developed a gender equity strategy which identifies priority actions.
Hold an event for International Women's Day (8 March). Consider holding an awards ceremony celebrating the achievements of local women.	
Encourage the community to nominate women for civic awards (see Honour A Woman).	
Nominate a local active citizen for inclusion on the Victorian Women's Honour Roll.	
Celebrate the centenary of Mary Rogers' election – the first woman elected to local government in Victoria and only the second in Australia (1920).	
SUPPORTING WOMEN COUNCILLORS	
Host a Victorian Local Government Women's Charter Afternoon Tea with women councillors, community groups and women who were elected in the October 2020 election. This is a great opportunity for women to network and share information.	Continue to include events promoting women's civic participation.
Host one of the VLGA's Local Women Leading Change workshops for women in Council. These workshops are held across Victoria, free of charge for councils and communities.	
Encourage all community members to attend the VLGA's Candidate Information workshops.	
NEW COUNCILLOR INDUCTION	
Provide information on the Victorian Local Government Women's Charter as an authorising document for council during induction for new councillors.	Complete
Encourage councillors to consider the Charter when developing the Council Plan. As a task that must be completed within the first 6 months of the council term, it is important that councillors begin the next four years considering gender equity, diversity and active citizenship as core business for local government.	Charter will be included as a key reference document in development of Council Plan.
Provide opportunities for all councillors to learn about the importance of diversity and gender equity in local government, and the importance of a diversity of views in decision making processes.	Complete – included in induction
Provide gender equality and/or unconscious bias training as part of new councillor induction.	Training to be provided.
Connect women councillors with opportunities for mentorship and support, including the Australian Local Government Women's Association (ALGWA).	Networking opportunities included in councillor development budget.
Consider working with the VLGA and other councils in your area to initiate a mentorship/peer support program for new women councillors.	VLGA opportunities will be monitored.

COST/BENEFITS

Costs associated with the recommendations in this report will be contained within operational budgets. The benefit of adopting the recommendations is reaffirmation of Council's commitment to achieving gender equality and improving outcomes for women and men.

RISK ANALYSIS

There is a risk that Council will not be able to progress actions in support of the Charter due to competing priorities and limited resources.

CONSULTATION AND ENGAGEMENT

Various staff have been consulted during the preparation of this report.

RESOLUTION 2021/71

Moved: Cr Wendy Murphy

Seconded: Cr Gavan Holt

That Council:

1. notes the history and progress of the Victorian Local Government Women's Charter ('the Charter')
2. reaffirms its commitment to the Charter
3. continues to progress actions in support of the Charter's three principles: gender equity, diversity and active citizenship;
4. appoint the following people as Charter Champions
 - (a) Councillor: Wendy Murphy until the annual meeting of Council where appointments are made to various committees and advisory roles
 - (b) Council Officer: Casey Shelton until the next annual report on progress against the Victorian Local Government Women's Charter
5. authorises the Chief Executive Officer to continue to promote Council's Charter signatory status and display the Charter in council premises and communications (including Council's website)
6. sends a copy of this report to the Victorian Local Governance Association (VLGA), notifying the VLGA of Council's reaffirmation of the Charter
7. supports the VLGA campaign to increase women's participation in local government as citizens, candidates and councillors
8. requests that an annual report be provided to Council on progress against the Charter principles.
9. rotate the Charter Champion position among Councillors throughout the Council term.

CARRIED

10.6 CALL FOR NOTICES OF MOTION - ALGA AND MAV STATE COUNCIL**File Number:** FOL/19/432782**Author:** Lynne Habner, Manager Executive and Commercial Services**Authoriser:** Phil Pinyon, Chief Executive Officer**Attachments:** 1. ALGA Call for notices of motion**RECOMMENDATION**

That Council:

1. Advise the wording of any motions that should be lodged by Loddon Shire Council for the Australian Local Government Association National General Assembly or the Municipal Association of Victoria State Council.
2. Note that registrations and accommodation bookings will need to be completed as soon as possible for the Canberra National General Assembly to be held in June 2021.

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 raised at the March 2021 Council Forum so that Councillors could consider any motions in advance of this meeting.

BACKGROUND

The Australian Local Government Association (ALGA) is now calling for Notices of Motions for the National General Assembly (NGA) 2021, which is scheduled for 20-23 June in Canberra. The NGA provides a platform for local government to address national issues and advocate to the federal government on critical issues facing the sector.

The next Municipal Association of Victoria (MAV) State Council Meeting will be held from 9.30am to 2:30pm on Friday 21 May 2021 at the Melbourne Town Hall.

ISSUES/DISCUSSION**ALGA**

Attached is a discussion paper, including an invitation to register for the 2021 NGA. Previously, the Mayor, CEO and interested Councillors have attended on various occasions.

To be eligible for inclusion in the NGA Business Papers, and subsequent debate on the floor of the NGA, motions must meet the following criteria:

- 1) be relevant to the work of local government nationally
- 2) be consistent with the themes of the NGA
- 3) complement or build on the policy objectives of your state and territory local government association
- 4) be from a council which is a financial member of their state or territory local government association
- 5) propose a clear action and outcome

- 6) not be advanced on behalf of external third parties that may seek to use the NGA to apply pressure to Board members or to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of, local government.

Motions should be lodged online at alga.asn.au no later than 11:59pm on Friday 26 March 2021.

MAV

State Council is made up of representatives from each member council. Cr Holt is Council's MAV representative, and Cr Beattie is the substitute representative.

At the May 2019 State Council meeting there was unanimous support for a Rules change to minimise the number of repetitive motions that are included in State Council Business Papers.

Motions should be submitted online using the State Council Motion Submission Form. The form is in a 'survey' format and requires councils to identify whether the motion is supported by a council resolution and whether the subject matter of the motion:

- has state-wide significance to the sector
- relates to one of the sector's priority issues in the MAV Strategic Plan 2019-2021
- is identical or substantially similar to a motion submitted to State Council in October 2019, May 2019 or October 2018.

The Motion Submission Form requires details of Primary and Secondary Contacts for each motion to enable MAV communication on the motion, including where it may be considered not to be of state-wide significance.

In accordance with the MAV Rules, motions are to be submitted no later than midnight on Friday 23 April 2021.

COST/BENEFITS

The only costs associated with this report are travel and accommodation expenses for Councillors who may wish to attend either event. Costs will be paid in advance or reimbursed to Councillors in accordance with Council policy.

RISK ANALYSIS

No risks have been identified for the subject matter of this report.

CONSULTATION AND ENGAGEMENT

Councillors were advised at the March Council Forum that the calls for notices of motions had been made.

RESOLUTION 2021/72

Moved: Cr Wendy Murphy

Seconded: Cr Dan Straub

That Council:

1. Advise the wording of any motions that should be lodged by Loddon Shire Council for the Australian Local Government Association National General Assembly or the Municipal Association of Victoria State Council.
2. Note that registrations and accommodation bookings will need to be completed as soon as possible for the Canberra National General Assembly to be held in June 2021.

CARRIED

10.7 REVIEW OF COUNCILLOR ALLOWANCES

File Number: FOL/19/127662
Author: Sharon Morrison, Director Corporate Services
Authoriser: Phil Pinyon, Chief Executive Officer
Attachments: Nil

RECOMMENDATION

That Council:

1. provides in-principle support to the recommendation that the level of Mayoral and Councillor allowance be set at the top of the range for a Category One municipality
2. seeks community feedback on the recommendation for a period of 14 days from 26 March 2021 to 9 April 2021

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 in March 2021.

BACKGROUND

Under section 74(1) of the Local Government Act 1989, which is still in force, Councils must review and determine the level of mayoral and councillor allowances within six months of the general election or by 30 June, whichever is later.

Councillor allowance categories are divided into three categories based on the income and population of each Council. Loddon Shire is a Category One municipality. This means that the current range of allowances as at 1 December 2020 is:

- Councillors \$8,833 to \$21,049
- Mayor up to \$62,884

Councillors and the Mayor are currently paid at the top of these ranges in accordance with a resolution following the 2016 election.

ISSUES/DISCUSSION

The Local Government Act 2020 provides for the responsibility for determining mayoral, deputy mayoral and councillor allowances to transfer to the Victorian Independent Remuneration Tribunal (the Tribunal).

The Tribunal, which is also responsible for setting remuneration for Members of Parliament and executives in the Victorian public sector, will be required to make its first determination on allowances within six months of being requested by the Minister for Local Government. The latest advice is that no request has been received by the Tribunal yet.

As a result of no request being made by the Minister, Councils must conduct a review and determine the level of mayor and councillor allowances within six months of the general election or by 30 June, whichever is later.

As Council is already paying allowances at the top of the range of allowances, it is recommend that this continue at least until the Tribunal makes its first determination.

COST/BENEFITS

There is a budget for Councillor and Mayoral allowances adequate to meet the maximum level of allowance.

RISK ANALYSIS

The risk of not setting the allowance at the maximum of the range for Category One municipalities is that Councillors and the Mayor will not be adequately recognised for the considerable commitments they undertake as Councillors and as the Mayor.

CONSULTATION AND ENGAGEMENT

The community will be invited to comment on the recommendation that the level of mayoral and councillor allowance be set at the top of the range for a Category One municipality prior to Council making a final determination.

RESOLUTION 2021/73

Moved: Cr Gavan Holt

Seconded: Cr Dan Straub

That Council:

1. provides in-principle support to the recommendation that the level of Mayoral and Councillor allowance be set at the top of the range for a Category One municipality
2. seeks community feedback on the recommendation for a period of 14 days from 26 March 2021 to 9 April 2021

CARRIED

10.8 FINANCE REPORT FOR THE PERIOD ENDING 28 FEBRUARY 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 28 February 2021**RECOMMENDATION**

That Council:

1. receives and notes the 'Finance Report for the period ending 28 February 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 28 February 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 increased by \$774K to \$1.64M.

Income Statement (revenue) - Council's year to date (YTD) operating revenue is at 60% of total budget. Revenue brought to account for February was \$0.3M (January was \$1.92M).

Income Statement (expenditure) - Council's operating expenditure is at 54% of total budget. Payments for this month totalled just over \$2.49M (\$2.51M in January).

Capital Works - The approved budget for capital works is \$26.8M and is 20% complete in financial terms for the current financial year (January was 18%).

Service Areas – Appendix 3 provides Council with net results 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 \$31.3M with \$2.3M in general accounts. Total debtors at the end of February are \$2.95M (\$10.31M in January). Sundry debtors total \$1.09M with invoices outstanding for 90 or more days relating to community wellbeing debtors and local community groups totalling approximately \$34K.

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 2021/74

Moved: Cr Dan Straub

Seconded: Cr Wendy Murphy

That Council:

1. receives and notes the 'Finance Report for the period ending 28 February 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

10.9 PLANNING APPLICATION 5571 - 1453 WYCHITELLA QUAMBATOOK ROAD TERRAPEE

File Number: FOL/19/91357

Author: Darcy Jackson, Junior Statutory Planning Officer

Authoriser: Glenn Harvey, Manager Development and Compliance

Attachments: 1. **Decision Report 5571: Earthwork, which change the rate of flow of water across a property boundary**

RECOMMENDATION

That Council determines to issue a notice of decision to refuse planning application 5571 for earthworks, which change the rate of flow of water across a property boundary.

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

Planning application 5571 is for earthworks, which change the rate of flow across a property boundary.

The subject site is located at 1453 Wychitella Quambatook Road, Terrapee, approximately 14 km to the west of the Boort Township at the corner of Boort-Charlton Road and Wychitella-Quambatook Road. The site currently contains approximately 532 hectares of olive trees, with an olive oil processing plant also on site.

ISSUES/DISCUSSION

Under the Planning and Environment Act 1987 (the Act) the Minister of 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, which must use the scheme to determine applications, which are put forth to the council.

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

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

Pursuant to Section 52 of the Planning and Environment Act 1987 notices were sent to owners and occupiers of adjoining land as well as land opposite and surrounding the site. Council has received three objections as the result of the public notification process and as such the matter is being brought to Council for determination. A decision report detailing this application has been prepared and can be found in Attachment 1.

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.

RISK ANALYSIS

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

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

CONSULTATION AND ENGAGEMENT

Refer to the decision report for further detail on the application.

RESOLUTION 2021/75

Moved: Cr Gavan Holt

Seconded: Cr Linda Jungwirth

That Council determines to issue a notice of decision to refuse planning application 5571 for earthworks, which change the rate of flow of water across a property boundary.

CARRIED

11 INFORMATION REPORTS

Nil

12 COMPLIANCE REPORTS**12.1 SECTION 65 COMMUNITY ASSET COMMITTEE MEMBERSHIP DETAILS - DONALDSON PARK**

File Number: FOL/20/7159

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 Donaldson Park Section 65 Community Asset Committee, effective immediately.

CONFLICT OF INTEREST

That Council appoints the persons named in this report as members of the Donaldson Park 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 Donaldson Park 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

Donaldson Park is an organisation-based committee with representatives from each of the stakeholder groups. The following are nominated representatives for the committee, in addition to the appointments made at the January 2021 meeting:

Name	Organisation
Allan Holt	Wedderburn Bowls Club
Lance Stanfield	Wedderburn Bowls Club

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 2021/76

Moved: Cr Gavan Holt
Seconded: Cr Dan Straub

That Council appoints the additional persons named in this report as members of the Donaldson Park Section 65 Community Asset Committee, effective immediately.

CARRIED

13 GENERAL BUSINESS**13.1 WEDDERBURN HISTORICAL SOCIETY BUILDING**

Cr Holt noted that if the Donaldson Park redevelopment proceeds, the venue currently used by the Wedderburn Care Group will be demolished. The Care Group and the Historical Society have agreed that the group would use the same premises as the Wedderburn Historical Society.

The Historical Society building currently has no toilets. It was noted that Council staff are meeting with representatives of the Historical Society to discuss possible solutions.

13.2 ST ANDREWS HOUSING UNITS, WEDDERBURN

Cr Holt sought clarification of the Council role in maintaining the St Andrews housing units in Wedderburn. Mr Phillips confirmed that Council staff are responsible for maintenance of the lawn and gardening in common areas.

Cr Holt asked whether Council would trim limbs from the complex overhanging the footpath. Mr Phillips confirmed that officers would be available to discuss the matter with interested parties.

14 CONFIDENTIAL ITEMS**RECOMMENDATION**

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

14.1 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 C500 - Laanecoorie-Newbridge Road Reconstruction

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.

Closing of Meeting to the Public

RESOLUTION 2021/77

Moved: Cr Dan Straub

Seconded: Cr Linda Jungwirth

That the meeting be closed to the public at 3.42 pm.

CARRIED

14.1 REVIEW OF CONFIDENTIAL ACTIONS**RESOLUTION 2021/78**

Moved: Cr Linda Jungwirth

Seconded: Cr Wendy Murphy

That Council receive and note the action sheet.

CARRIED

14.2 C500 - LAANECORIE-NEWBRIDGE ROAD RECONSTRUCTION**RESOLUTION 2021/79**

Moved: Cr Dan Straub

Seconded: Cr Wendy Murphy

That Council:-

1. award Contract 500 – Laanecoorie-Newbridge Road reconstruction (1.80 – 5.40km) to Berne Fleming Civil Pty Ltd as tendered;
2. approve the use of savings in the Baileys Road bridge reconstruction 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 once the AgriLinks Upgrade Program Grant agreement has been executed.

CARRIED

NEXT MEETING

The next Ordinary Meeting of Council will be held on 27 April 2021 at Wedderburn commencing at 3pm.

There being no further business the meeting was closed at 3.49pm.

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

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CHAIRPERSON