



Date: Tuesday, 24 August 2021
Time: 3.05pm
Location: Via videoconference – public access by video live streaming

MINUTES

Council Meeting

24 August 2021

**MINUTES OF LODDON SHIRE COUNCIL
COUNCIL MEETING
HELD VIA VIDEOCONFERENCE
ON TUESDAY, 24 AUGUST 2021 AT 3.05PM**

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

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

OPENING COMMENT

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

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

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:** Jude Holt, Acting Chief Executive Officer**Attachments:** Nil**RECOMMENDATION**

That Council confirm:

1. The minutes of the Council Briefing of 27 July 2021.
2. The minutes of the Ordinary Council Meeting of 27 July 2021.
3. The minutes of the Confidential Council Meeting of 27 July 2021.
4. The minutes of the Council Forum of 10 August 2021.

REPORT

Seeking approval of the unconfirmed minutes of the previous meetings.

RESOLUTION 2021/168

Moved: Cr Linda Jungwirth

Seconded: Cr Wendy Murphy

That Council confirm:

1. The minutes of the Council Briefing of 27 July 2021.
2. The minutes of the Ordinary Council Meeting of 27 July 2021.
3. The minutes of the Confidential Council Meeting of 27 July 2021.
4. The minutes of the Council Forum of 10 August 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: Jude Holt, Acting Chief Executive Officer****Attachments: Nil****RECOMMENDATION**

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

1. Council Briefing 27 July 2021.
2. Council Forum 10 August 2021.

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

The record is therefore presented for Council's noting.

RECORD OF ASSEMBLIES OF COUNCIL

Assembly details	Briefing
Date	27 July 2021
Councillor Attendees	Cr Beattie Cr Holt Cr Jungwirth Cr Murphy Cr Straub
Staff/Stakeholder representatives	Jude Holt, Acting Chief Executive Officer Wendy Gladman, Director Community Wellbeing Steven Phillips, Director Operations Lynne Habner, Manager Executive and Commercial Services
Items discussed.	1. Community Vision and Council Plan discussion 2. Video livestreaming of Council meetings 3. General business: <ul style="list-style-type: none"> • Pandemic committees
Conflict of Interest Disclosures - Councillor/officer making disclosure	Nil
Councillor/officer left room	

Assembly details	Forum
Date	10 August 2021
Councillor Attendees	Cr Beattie Cr Holt Cr Jungwirth Cr Murphy Cr Straub
Staff/Stakeholder representatives	Jude Holt, Acting Chief Executive Officer Wendy Gladman, Director Community Wellbeing Steven Phillips, Director Operations Lynne Habner, Manager Executive and Commercial Services Janine Jackson, Manager Organisation Development Kirsten Nichols, Governance Coordinator Shelby Hutchinson, Acting Tourism and Marketing Officer Sarah Perry, Manager Community Support VICPOLICE representative
Items discussed.	<ol style="list-style-type: none"> 1. Economic Development and Tourism monthly progress report 2. Media and Social Media Policy 3. VicPolice Goldfields 4. Risk Management update 5. Itinerant Trading Policy 6. Loddon Shire Community Grants Program 2021/22 – Group 2 7. Review of Business Continuity Framework V3 and Business Continuity Plan V4 8. Community Vision and Council Plan 9. Pyramid Hill Maternal and Child Health Centre Building 10. General business: <ul style="list-style-type: none"> • Boort Agricultural Show • Calivil Bowls Club • Energy audits and upgrades
Conflict of Interest Disclosures - Councillor/officer making disclosure	Nil
Councillor/officer left room	

RESOLUTION 2021/169

Moved: Cr Linda Jungwirth

Seconded: Cr Dan Straub

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

1. Council Briefing 27 July 2021.
2. Council Forum 10 August 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: Jude Holt, Acting 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 2021/170

Moved: Cr Wendy Murphy

Seconded: Cr Dan Straub

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: Jude Holt, Acting 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**

28/7/21

Attended Senior Citizens AGM

30/7/21

Attended meeting Boort Caravan Park

3/8/21

Community Plan and Community Vision discussion, Council Chambers

5/8/21	Attended Murray River Group of Councils meeting at Yarrawonga
10/8/21	Attended Council Forum Wedderburn
17/8/21	Attended Zoom meeting with Davidson re CEO interviews

RESOLUTION 2021/171

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:** Jude Holt, Acting 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 Tourist Reserve Community Asset Committee	
Other Council activities	
DATE	Activity
3/8/21	Attended Council Plan discussion with councillors and MEG.
10/8/21	Attended Council forum at Wedderburn.
17/8/21	Participated in on line discussions with consultants Davidsons to discuss Loddon Shire CEO recruitment
19/8/21	Participated in Internal Audit and Risk Committee meeting.
21/8/21	Met with representatives of the Wedderburn Bowls Club to discuss toilet facilities at their venue.

23/8/21	Chaired the Annual General Meeting of the Donaldson Park Community Asset Committee where I was returned as president.
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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
27/7/21	Council Meeting and Council Briefing
28/7/21	Eddington Planning Application Meeting
3/8/21	Meeting – workshop Council Plan and Community Vision
4/8/21	MAV Emotional Intelligence training
5/8/21	IMEMPC meeting
10/8/21	Council Forum
17/8/21	Shortlist discussion re CEO recruitment
18/8/21	Group coaching for councillors
19/8/21	Local Government Waste Forum and CVGA Board meeting
23/8/21	MAV and VCOSS Emergency Management Forum

Cr Murphy

Calder Highway Improvement Committee
30/7/21: AGM and general meeting held online
Local Government Women's 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	
2/8/21: Inglewood Town Hall Hub CAC meeting 23/8/21: Jones Eucalyptus Distillery Site CAC postponed	
Other Council activities	
DATE	Activity
27/7/21	Online COVID Response and Recovery discussion Brimbank City Council experience – hosted by ALGWA Vic
27/7/21	Invited to talk at the Inglewood and Districts Community Enterprises online meeting
29/7/21	Attended the Inglewood Development and Tourism Committee meeting
3/8/21	Attended the Council Plan discussion and workshopping at Council Chambers
3/8/21	Met with BOLD committee members to discuss Community Planning application for Bridgewater Hall
4/8/21	Online meeting with Sebastian Klein of Wood4Good to assist local timber business transition from native forest harvesting
5/8/21	Met with Council officer Daniel Lloyd to discuss roadside vegetation removal and trimming
10/8/21	Attended the Council Forum at Wedderburn
17/8/21	Attended the CEO shortlisting meeting at Wedderburn
17/8/21	Met with a local resident in Inglewood to discuss local mining
20/8/21	Attended an online MAV Understanding Council Finances workshop
24/8/21	Online Council Briefing and Meeting

Cr Straub

North Central Goldfields Regional Library	
30/7/21: online Board meeting	
North Central Local Learning and Employment Network	
3/8/21: Online Board meeting	
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
27/7/21	Citizenship ceremony invitation as Terrick Ward Councillor
	Council Briefing and Council meeting, webex
29/7/21	Meeting with Pyramid Hill Progress Association and share shop committee (mixedbag@PyramidHill) to discuss the use of the building at 30 Kelly Street, Pyramid Hill, with Wendy Gladman and Sarah Perry
30/7/21	Goldfields Library Ordinary Board Meeting
3/8/21	Council Plan workshop with Councillors and Executive, Wedderburn Council Chambers
	North Central LLEN Board meeting from 6pm
4/8/21	MAV Emotional Intelligence training, online
10/8/21	Council Forum, Wedderburn Council Chambers
17/8/21	Councillor discussion – CEO recruitment with online presentation, Wedderburn Council Chambers
	Mitiamo Recreation Reserve Committee meeting, where I was invited to Chair the meeting for their AGM (Mitiamo Golf Club)
18/8/21	Pyramid Hill Progress Association meeting, Vic Hotel, Pyramid Hill
20/8/21	Understanding Council Finances, online training, MAV

RESOLUTION 2021/172

Moved: Cr Gavan Holt

Seconded: Cr Wendy Murphy

That Council receive and note the Councillors' reports

CARRIED

10 DECISION REPORTS

10.1 MEDIA AND SOCIAL MEDIA POLICY

File Number: FOL/19/124937

Author: Lynne Habner, Manager Executive and Commercial Services

Authoriser: Jude Holt, Acting Chief Executive Officer

Attachments: 1. Draft Media and Social Media Policy version 2

RECOMMENDATION

That Council adopt the revised Media and Social Media Policy version 2.

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 considered the draft policy at the August 2021 Council Forum.

BACKGROUND

The Media and Social Media Policy outlines protocols for appropriately managing communication between Loddon Shire Council, the media and the community.

It applies to all Councillors and Council staff (including contractors), and addresses matters including authorisation to make comment to the media and social media, comments as a private citizen, approval of media releases, use of social media on behalf of Council, advertising and record keeping.

ISSUES/DISCUSSION

Minor changes to the previously adopted policy are proposed in the attached draft version 2, mostly providing clearer direction around social media approval processes.

COST/BENEFITS

There are no financial implications directly related to the recommendation in this report.

RISK ANALYSIS

Setting a clear Council policy for media and social media helps in managing reputational risks related to the provision of information to, and interaction with, the media and the community. The absence of a policy could lead to inappropriate management of communications which may damage Council's professional image and integrity.

CONSULTATION AND ENGAGEMENT

Staff across the organisation have been consulted about this policy review, and Councillors provided feedback at the August Council Forum.

RESOLUTION 2021/173

Moved: Cr Gavan Holt

Seconded: Cr Dan Straub

That Council adopt the revised Media and Social Media Policy version 2, subject to an amendment to section 3.1.1 that where a matter is ward specific, the ward councillor is able to speak on the issue without being required to first clear it with the Mayor.

CARRIED

10.2 2020/21 FINANCIAL AND PERFORMANCE STATEMENTS IN PRINCIPLE REPORT

File Number: FOL/19/432524
Author: Deanne Caserta, Manager Financial Services
Authoriser: Jude Holt, Acting Chief Executive Officer
Attachments: 1. Draft Financial Statements
2. Draft Performance Statements

RECOMMENDATION

That Council:

1. Adopts the Financial Statements and Performance Statement for the year ended 30 June 2021 as presented "in principle".
2. Authorises the Chief Executive Officer to make any amendments to the Financial Statements and Performance Statement for the year ended 30 June 2021 that may be requested by the Victorian Auditor-General.
3. Authorises the Mayor Cr Neil Beattie, one other Councillor, and the Chief Executive Officer to certify the audited Financial Statements and Performance Statement for the year ended 30 June 2021.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

Nil.

BACKGROUND

Council's external auditors, RSD Audit, acting on behalf of the Victorian Auditor-General, have finalised remotely the audit of Council's Financial Statements and Performance Statement for the year ended 30 June 2021.

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

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

ISSUES/DISCUSSION

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

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

- seven sustainable capacity indicators, which are financial and non-financial indicators of the sustainability of Council

- 10 service performance indicators, which are non-financial indicators
- 11 financial performance indicators, which are all financial indicators taken from the financial statements.

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

COST/BENEFITS

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

RISK ANALYSIS

Preparation and auditing of Financial Statements and the Performance Statement are legislated functions of Council. Council must provide these documents along with the Report of Operations to the Minister for Local Government by 30 September 2021.

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

CONSULTATION AND ENGAGEMENT

The Audit Committee has been provided with an overview of the Financial Statements and Performance Statement at the Audit Committee Meeting held on 19 August 2021.

RESOLUTION 2021/174

Moved: Cr Dan Straub

Seconded: Cr Wendy Murphy

That Council:

1. Adopts the Financial Statements and Performance Statement for the year ended 30 June 2021 as presented "in principle".
2. Authorises the Chief Executive Officer to make any amendments to the Financial Statements and Performance Statement for the year ended 30 June 2021 that may be requested by the Victorian Auditor-General.
3. Authorises the Mayor Cr Neil Beattie, one other Councillor (Cr Holt), and the Chief Executive Officer to certify the audited Financial Statements and Performance Statement for the year ended 30 June 2021.

CARRIED

10.3 LODDON SHIRE COMMUNITY GRANTS PROGRAM 2021/2022 - GROUP 2**File Number:** DOC/21/68671**Author:** Sarah Perry, Manager Community Support**Authoriser:** Wendy Gladman, Director Community Wellbeing**Attachments:** 1. Community Grants Scheme Group 2 - 2021/2022**RECOMMENDATION**

That Council endorse the allocation of \$61,251 in grants to Group 2 applications under the 2021/22 Loddon Shire Community Grants Scheme as outlined in the attachment provided with this report.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

Information on the Community Grant applications received for the 2021/22 allocation was provided to Council at the 13 July 2021 Council Forum and specific information on Group 2 applications provided at the 10 August Council Forum.

BACKGROUND

The Loddon Shire Community Grants Scheme commenced in 2000/2001.

Council initiated the scheme to assist sporting, recreation and service organisations to deliver projects that improve the quality of life for residents. Since the scheme was initiated, Council has invested approximately \$2,690,000, supporting over seven hundred community-based projects worth over \$5,490,000.

Council's 2021/22 budget includes an allocation of \$180,000 for the Community Grants Scheme. In addition to this amount, \$3,746 has been carried over from the 2020/2021 community grants program. This means that an amount of \$183,746 is available in the 2021/2022 financial year for allocation through the community grants program.

Applications have been assessed against the following criteria:

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

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

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

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

- applicants who have outstanding acquittals from previous funding rounds
- retrospective projects or projects which have already been commenced
- projects which are not ready and which will not be completed within a 12 month

- period from the date of receiving the funding
- projects that are considered the sole responsibility of another authority (for example, water authorities and health and welfare agencies)
- activities (programs, services, projects or initiatives) that are the responsibility of others:
 - activities that Council considers are the responsibility of other authorities, agencies or levels of government
 - activities that are the funding responsibility of other levels of government
 - proposals that address shortfalls in funding from other authorities or levels of government
 - curriculum based activities or where the activity is confined to the school or kindergarten, including groups and organisations proposing to work with schools and kindergartens (excluding shared facility use by community groups for their specific activity; for example, local cricket clubs using school ovals).
- activities that duplicate other local service responses (unless it can be demonstrated that it meets an unmet community need)
- open space projects on public owned or managed land
- activities such as administrative costs (such as wages, rent or insurance), utility charges (such as power) or projects of an ongoing maintenance nature (such as mowing lawns)
- political, religious or spiritual activities:
 - projects designed to promote political or religious ideals
 - organisations whose sole or dominant purpose is of a political nature
 - proselytising, religious worship or sectarian activities
- applications from individuals
- community groups with access to sufficient cash reserves to undertake the project independently
- projects which do not meet the funding ratio.

Additionally:

- applications are unable to be submitted after the application closing date
- incomplete applications have not been considered in the first round of assessments
- incomplete applications were provided with 14 days to supply required information and/or documentation to qualify for a second round assessment; those who did not supply the required information within the 14 days have not been recommended for funding.

ISSUES/DISCUSSION

In total 28 applications requesting financial assistance to the approximate value of \$166,000 were received. Of these, 13 applications were assessed by Councillors at the 27 July 2021 Council Meeting with 12 approved for funding totalling \$61,683.

Six (6) applications did not meet the extended deadline and were deemed ineligible in Group 1. Nine (9) Group 2 applications have been assessed for eligibility against the Community Grants criteria, with the assessment outcomes the subject of this report.

Following assessment of the nine (9) applications in Group 2, eight (8) have been recommended for funding totalling \$61,251. Please see the attachment for details of the assessment recommendations.

The Campbell's Forest & District Community Action Planning Group Inc. has not been recommended for funding. The applicant did not submit the required documentation/information to allow Council officers to assess the application against the community grant guidelines.

COST/BENEFITS

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

The total funding for Group 1 was \$61,683, leaving a total of \$122,063 available for Group 2 applications. The total funding recommended for Group 2 allocated is \$61,251.

RISK ANALYSIS

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

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

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

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

CONSULTATION AND ENGAGEMENT

The Loddon Shire Community Grants program is advertised annually with applications for the 2021/22 round closing on 1 May 2021. During this period, community groups or individuals interested in applying for grants are able to contact relevant staff to discuss their proposals.

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

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

RESOLUTION 2021/175

Moved: Cr Gavan Holt

Seconded: Cr Linda Jungwirth

That Council endorse the allocation of \$61,251 in grants to Group 2 applications under the 2021/22 Loddon Shire Community Grants Scheme as outlined in the attachment provided with this report.

CARRIED

10.4 PROPOSED USE OF 30 KELLY STREET PYRAMID HILL BY THE MIXED BAG @ PYRAMID HILL COMMUNITY ENTERPRISE**File Number:** FOL/19/432500**Author:** Wendy Gladman, Director Community Wellbeing**Authoriser:** Jude Holt, Acting Chief Executive Officer**Attachments:**

1. The Mixed Bag @ Pyramid Hill Business Plan
2. Building inspection report - 30 Kelly Street, Pyramid Hill

RECOMMENDATION

That Council:

1. make the building at 30 Kelly Street available for use by The Mixed Bag @ Pyramid Hill community enterprise subject to a satisfactory resolution of items 1-6 detailed in the Issues/Discussion section of this report
2. revisit the future of the building if The Mixed Bag @ Pyramid Hill community enterprise is not operational within 12 months, or at such time as advised that the building is no longer required for use by the community enterprise.

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

A discussion paper was provided to the August 2021 Council forum.

BACKGROUND

The subject of this report is the Council owned building at 30 Kelly Street, Pyramid Hill. Whilst Council's Maternal & Child Health service originally operated from the premises, the site has not been used to provide this or any other Council service for a number of years. Most recently the building has been used by the Pyramid Hill Men's Shed, auspiced by the Pyramid Hill Neighbourhood House under a Memorandum of Understanding (MOU) arrangement with Council. The Men's Shed group used a separate shed facility to the rear of the building, accessing the building to use the kitchen and toilet facilities. The Men's Shed ceased operations prior to the pandemic and the building has not been used since that time.

ISSUES/DISCUSSION

A number of events have triggered some discussion about the future of the 30 Kelly Street building:

- Council officers have been in discussion with the Neighbourhood House coordinator that the existing MOU, whilst it doesn't have an end date, is overdue for review and that the building was no longer suitable to be accessed/used.
- The Neighbourhood House advised that they were keen to attempt to re-open the Men's Shed group. With no agreement in place about use of the MCH building, discussions had included use of the 'Shed' facility only, with no access to the MCH building until the future of the building was determined.
- The streetscape has provided an opportunity to consider if the building is surplus to Council requirements and if the space created by the removal of the building would contribute a positive outcome to the streetscape design.

- A group of local community members have approached Council officers with a community enterprise proposal to establish a 'Share Shop' business and have asked for the 30 Kelly Street building to be retained for community use.

An inspection of the building prior to the start of the pandemic in 2020 identified that works had been undertaken on the interior of the building which would require some reinstatement and that the building was in a general state of disrepair.



1: 30 Kelly Street building

2: Men's Shed building

There are currently no plans to undertake any repairs or maintenance on the building, as it is considered surplus to Council's operational needs. It is likely that if the building remains vacant it will continue to deteriorate.

The building is surplus to Council's operational needs and in its current state, without an alternative use in place, would likely be assessed for sale or removal. As the building does not sit on an independent parcel of land, sale of the building has not been further explored at this time. The recent funding received to commence the streetscape works in Pyramid Hill has provided the opportunity to consider removal of the building and redevelopment of the space as part of the streetscape works. The streetscape project is currently in the planning and design phase and no formal decision on this building as part of that project has been made at this time.

If Council was to provide future use of the facility to The Mixed Bag @ Pyramid Hill there are a number of items that will need to be considered and/or implemented prior to any transition, and to ensure that all parties understand the associated terms and conditions of any ongoing use:

1. formal ending of the expired Memorandum of Understanding with the Pyramid Hill Neighbourhood House
2. identification of any shared utilities and an understanding of how any associated costs will be shared amongst the users
3. the ability to provide continued access to the Men's Shed by future users of that facility
4. availability of a formal user agreement that will result in no cost to Council, including but not limited to repairs and maintenance, utilities, rates and charges, and any required

insurances (including public liability) - where Council will be required to provide a level of service at a cost to Council, an arrangement to recoup those costs will be required to maintain a zero net cost to Council

5. acknowledgement that the proposed facility change of use will likely trigger the need for planning, building and health permits with the works and costs associated with lodging the required permits and any subsequent required works to be at no cost to Council
6. that the operating model remains as a not for profit community enterprise

Outside of any agreement in place, it is suggested that the community enterprise be able to access Council's competitive community funding programs subject to any eligibility criteria being met.

Council may wish to consider setting some time parameters relating to the proposed changes, to enable Council to revisit decisions on the building's future.

COST/BENEFITS

The community enterprise group, The Mixed Bag @ Pyramid Hill Inc. has provided a business plan (Attachment 1) outlining the community enterprise business model and demonstrating the costs and benefits of the proposal.

The business plan outlines the community enterprise model, demonstrating a not for profit arrangement. Council officers have not assessed the validity or sustainability of the business plan in preparing this report.

As the building is surplus to Council operational requirements, it is suggested that if the building is retained for an alternative use, that this is at no cost to Council. This will be subject to a suitable agreement between Council and the community enterprise to facilitate this.

The business plan provided by The Mixed Bag @ Pyramid Hill has identified the benefits as:

- bringing visitors into the community to see the shop and having a flow on effect to other businesses in the town
- creating an outlet for creative people to show and sell their wares
- increasing opportunities for people to get involved in the community, building community connections
- bringing added variety to the goods available in town, encouraging more people to shop local.

RISK ANALYSIS

The risks outlined are relevant to the building being retained and a reliance on a community enterprise model to sustain the start-up and ongoing facility costs:

- the inability of the community enterprise group to find the funds needed to complete the initial repairs
- the reliance on volunteers in the overall sustainability of the business model
- the turnover of the share shop does not meet the level indicated as needed in the business model for the community enterprise to be sustainable, impacting on the ability to fund the operational costs of the facility.

These factors can be mitigated through the Council applying some appropriate 'subject to' clauses and timelines in any agreement for a community enterprise use of the building to ensure that it doesn't remain unused and in disrepair, and that provides Council with the opportunity to revisit the retention of the building.

CONSULTATION AND ENGAGEMENT

A range of information has been provided to The Mixed Bag @ Pyramid Hill and the Pyramid Hill Progress Association including a comprehensive building assessment (Attachment 2) and an

outline of the requirements associated with a facility change of use. Councillor Straub and Council officers met with representatives from these groups to discuss the community enterprise proposal and the steps needed to support bringing this report to Council.

RESOLUTION 2021/176

Moved: Cr Dan Straub

Seconded: Cr Linda Jungwirth

That Council:

1. make the building at 30 Kelly Street available for use by The Mixed Bag @ Pyramid Hill community enterprise subject to a satisfactory resolution of items 1-6 detailed in the Issues/Discussion section of this report
2. revisit the future of the building if The Mixed Bag @ Pyramid Hill community enterprise is not operational within 12 months, or at such time as advised that the building is no longer required for use by the community enterprise.

CARRIED

10.5 EVENT SPONSORSHIP - COVID EVENT PLAN SUPPORT**File Number:** GF/19/83681**Author:** Wendy Gladman, Director Community Wellbeing**Authoriser:** Jude Holt, Acting Chief Executive Officer**Attachments:** Nil**RECOMMENDATION**

That Council:

1. approve the establishment of a COVID event planning support expenditure budget of \$50K, funded from surplus
2. approve the establishment of an 'Event Sponsorship - COVID Event Planning Support Program' for events conducted up to 30 June 2022 that require a Tier 2 COVIDSafe Event Plan, to be administered through the Smarty Grants platform
3. provide sponsorship of \$5,000 per Tier 2 event where:
 - a) the organisation can demonstrate the requirement to operate within as a Tier 2 event within the COVID-19 Public Events Framework
 - b) the application is received in advance of the event
 - c) the event is scheduled to be conducted prior to 30 June 2022
 - d) any unspent funds are returned if the event does not proceed.

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

At the August 2021 Council Forum, Councillors discussed the impact COVID event planning requirements have on community groups when planning and conducting events.

BACKGROUND

The Victorian Government has implemented a COVID-19 Public Events Framework (the Framework), detailing the event size thresholds and actions required when conducting public events during the pandemic to protect event participants and volunteers from the risk of COVID-19 transmission. Public events are assessed under the Framework according to their scale, complexity and associated risk factors. The three tiered system also ensures that there is appropriate public health oversight applied to public events.

The tiers detailed in the Framework include:

Tier 1: Highly complex and involves more than 7,500 attendees

Tier 2: Moderately complex and involves between 1,001 – 7,500 attendees

Tier 3: Low complexity and involves 1,000 or fewer attendees (and not already covered by a venue or business's existing COVIDSafe Plan)

The event organisers must demonstrate adherence to what is allowed under the Restricted Activity Directions (Victoria) including:

- limits on the number of people attending the event
- density requirements

- COVID safety requirements.

Organisers of Tier 1 and 2 have requirements to submit a COVIDSafe Event Plan to the Victorian Government for review and/or approval (depending on the level of exemption from the Framework settings). There are long lead in times for submission of documentation prior to an event.

A COVIDSafe Plan or completion of the online COVIDSafe checklist is required for Tier 3 events.

When considering the events conducted by community groups in Loddon Shire Council, it is likely that there will be a number of Tier 3 events, and some Tier 2 events. It is unlikely there will be an event that exceeds 7,500 attendees (Tier 1).

ISSUES/DISCUSSION

Council acknowledges that the planning and conducting of some local events may be impacted as community groups meet the requirements of the Framework. An event sponsorship program created specifically to support community groups to meet the requirements of the COVID-19 Public Events Framework will assist community groups to meet the financial costs associated with the planning and conducting COVIDSafe events, and providing valuable social and economic contributions to the wider Loddon community.

Any introduced Event Sponsorship – COVIDSafe Event Planning Support Program would need to operate separately to the existing Event Promotion program as eligibility would be assessed based on different parameters.

Tier 2 events have a higher degree of planning, with a COVIDSafe Event Plan to be developed. Increased activities during the event include security, COVID marshals (1:200), increased signage, and increased cleaning and sanitising. The costs associated with the additional required activities have been estimated at approximately \$5,000.

Tier 3 events will be required to have a COVIDSafe Plan and will likely incur some additional costs associated with increased signage and increased cleaning and sanitising. It is suggested that these additional requirements can be met by the groups through their existing resources.

It is recommended that the sponsorship be available for those community groups who will be required to submit a Tier 2 COVIDSafe Event Plan. An acquittal requirement after the event will confirm the event was conducted and the funds expended to support the activities related to operating a COVIDSafe event. Where events are not conducted, the acquittal will identify any unspent funds which will be required to be returned to Council. It is also recommended that retrospective funding is not provided.

COST/BENEFITS

Local events have both an economic and social benefit for local community groups and members. Events will often attract people into our community, who may then visit other local businesses or attractions during their visit. The social benefit of local events could be considered to be highly important in the protracted restrictive environment we are currently experiencing, allowing community members to maintain social connections, confident that they are participating in events that have considered and planned to reduce the risks associated with COVID19.

The financial cost of planning and conducting COVIDSafe events may deter community groups from hosting larger Tier 2 events.

In the 2020/21 budget Council had included \$400K for COVID community support, with actual expenditure against the budget of \$81,677. With a stable COVID environment the available budget was revised to \$100K as the 2021/22 budget was prepared, and at 30 June 2021 the unspent expenditure was returned to surplus.

RISK ANALYSIS

Use of the Smarty Grants platform limits the risk in administering the program. The eligibility criteria and acquittal processes implemented will ensure that the funds are provided for use as expected, and will allow for a recall of funds not spent on the proposed event.

There are some administration activities required to progress from application, through assessment to payment which, depending on the level of detail provided in the initial application, may require some lead in time. This may impact on the funds being available as needed by the event organiser. This can be mitigated by encouraging community groups holding a Tier 2 event to engage with Council offers at the earliest opportunity and to factor in an administration turnaround of 4 – 6 weeks from application to payment (subject to the required information being provided to allow an assessment of the application to proceed).

There is a risk that without this support, larger Tier 2 classified events will not be conducted, having a broader social and economic impact on Loddon communities.

CONSULTATION AND ENGAGEMENT

There has been no broader consultation by officers in relation to this report.

RESOLUTION 2021/177

Moved: Cr Gavan Holt

Seconded: Cr Dan Straub

That Council:

1. approve the establishment of a COVID event planning support expenditure budget of \$50K, funded from surplus
2. approve the establishment of an 'Event Sponsorship - COVID Event Planning Support Program' for events conducted up to 30 June 2022 that require a Tier 2 COVIDSafe Event Plan, to be administered through the Smarty Grants platform
3. provide sponsorship of \$5,000 per Tier 2 event where:
 - a) the organisation can demonstrate the requirement to operate within as a Tier 2 event within the COVID-19 Public Events Framework
 - b) the application is received in advance of the event
 - c) the event is scheduled to be conducted prior to 30 June 2022
 - d) any unspent funds are returned if the event does not proceed.

CARRIED

11 INFORMATION REPORTS

11.1 PUBLIC HEALTH QUARTERLY ACTIVITY REPORT

File Number: 12/02/001

Author: Teresa Arnup, Senior Public Health Officer

Authoriser: Glenn Harvey, Manager Development and Compliance

Attachments: Nil

RECOMMENDATION

That Council receive and note the Public Health Quarterly Activity Report.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

This is the second report for the 2020-2021 financial year, summarising public health activities within the Development and Compliance Department for the six months from January 2021 to the end of June 2021.

BACKGROUND

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

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

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

ISSUES/DISCUSSION

Pandemic Response

Council's Senior Public Health Officer is currently on secondment into the role of Pandemic Coordinator and Community Connector role.

The Pandemic Coordinator role is a requirement of Council's Municipal Pandemic Plan which has been activated due to the declaration of the Coronavirus Pandemic. This is a different role from the Community Connector role that was funded by the State Government to assist the community to recover from the pandemic.

Considerable time has been devoted to both roles including community messaging, visiting businesses impacted by the restrictions, management of funding applications, provision of advice to community groups and attendance at briefings. There has been a significant number of enquiries regarding the restrictions and the impacts that they have on community gatherings, community facilities and businesses, and this increases each time changes to the restrictions are announced. This has affected the normal functions significantly of Council's Public Health staff.

When available an additional staff member has been supporting the public health activities in order to address urgent public health duties such as enquiries, complaints and applications.

Registered Premises

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

Table 1: Registered premises inspections

1 January 2021 to 30 June 2021		
Governing Legislation	Inspection Outcome	Number of inspections
Food Premises	Compliant*	44
Health Premises	Compliant*	5
Total number of inspections for reporting period		49

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

Tobacco Act

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

Table 2: Tobacco Act inspections

1 January 2021 to 30 June 2021	
Inspection Type	Number
Tobacco Retailer	5
Tobacco – Indoor Dining and drinking area	5
Tobacco – Outdoor Dining and drinking area	5
Public Outdoor Venues	11
Total number of inspections	26

Infectious Disease Referrals

Council is responsible for undertaking the investigation into infectious disease when they are referred to the Public Health Officer by the Department of Health. Infectious disease referrals may be for a single incident or that of an outbreak. Time taken to undertake these investigations will vary considerably depending on the type of referral. Table 3 summaries the activities associated with infectious disease referrals.

Table 3: Infectious Disease Referrals

1 January 2021 to 30 June 2021	
Referral Type	Number
Single Incident Referral	0
Outbreak Referral	1
Total number of referrals	1

Septic Systems

Table 4 summarises septic system permit applications processed during the reporting period.

Table 4: Septic system permits

1 January 2021 to 30 June 2021	
Permit Type	Number
Installation or alteration	17
Certificate to use	12
Total number of Permits	29

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

Table 5 summarises the activities associated with management of septic tank applications and installed systems.

Table 5: Septic system activity

1 January 2021 to 30 June 2021	
Activity / Inspection Type	Number
Application Inspection	15
Installation Inspection	7
Final Inspection	12
Total number of inspections	34

Public Health Complaints

Council is responsible for the investigation of nuisance complaints under the Public Health and Wellbeing Act. Complaints of nuisance can be complex and time consuming. Table 6 summarises the complaints during the reporting period. In preparing this report an error was identified in our record keeping process which means that the number of complaints reported below may be lower than the actual number of complaints received for this reporting period. This issue has now been addressed and future reports will be more accurate.

Table 6: Public health complaints

1 January 2021 to 30 June 2021				
Nature of complaint	Number carried over from previous reporting period	Number received	Number resolved	Number currently pursuing resolution
Food Premises	0	3	3	0
Wastewater	2	2	1	3
Other	0	3	3	0
Total	2	8	7	3

COST/BENEFITS

The actual expenditure for the final half of the 2020-2021 financial year of the public health unit activities contained within this report is \$87,136.

Administration of the Acts that the Public Health Officer has responsibility for includes significant fieldwork, with staff regularly in the field engaging with business operators, developers, residents and ratepayers. This investment increases significantly when compliance issues are identified within registered premises and when complaints are received.

The benefits that stem from this investment include:

- improved public health and safety within registered premises

- improved local amenity
- full implementation by Council of our responsibilities under the various Acts and regulations.

RISK ANALYSIS

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

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

CONSULTATION AND ENGAGEMENT

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

RESOLUTION 2021/178

Moved: Cr Dan Straub

Seconded: Cr Wendy Murphy

That Council receive and note the Public Health Quarterly Activity Report.

CARRIED

11.2 ROAD MANAGEMENT PLAN DEFECT RECTIFICATION COMPLIANCE REPORT

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

Recommendation

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

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

This is the fourth report for the 2020 - 2021 financial year, summarising road network defect rectification compliance against requirements specified within Council's Road Management Plan (RMP).

BACKGROUND

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

ISSUES/DISCUSSION

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

Table 1: Inspection summary report

Quarter 4 (01/04/2021 – 30/06/2021)						
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	122	121	1	0	99.2%	410
Loddon Goldfields	130	130	0	0	100.0%	522
Total	252	251	1	0	99.6%	932

During the fourth quarter of 2020 – 2021 financial year, 99.6% of the programmed inspections were completed according to the schedule.

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

Table 2: Defect rectification summary report

Quarter 4 (01/04/2021 – 30/06/2021)								
Work Group	Number of Defects				Compliant with RMP			
	Adhoc	Requests	Defects from inspections	Total	Yes	No	Not complete	%
Loddon Goldfields	2	33	443	478	474	4	0	99.2%
Loddon Plains	2	24	376	402	402	0	0	100.0%
Shire Wide	6	24	363	393	393	0	0	100.0%
Townscape Services	29	4	88	121	119	2	0	98.3%
Total	39	85	1270	1394	1388	6	0	99.4%

Table 2 comprises a summary of defects identified through programed inspections, customer requests, and works crews identifying and rectifying defects as they find them, known as adhoc work actions. During the fourth quarter of 2020 – 2021 financial year, 99.4% of all date-imposed defects were completed before their due date. This is 0.6% 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 programed 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.

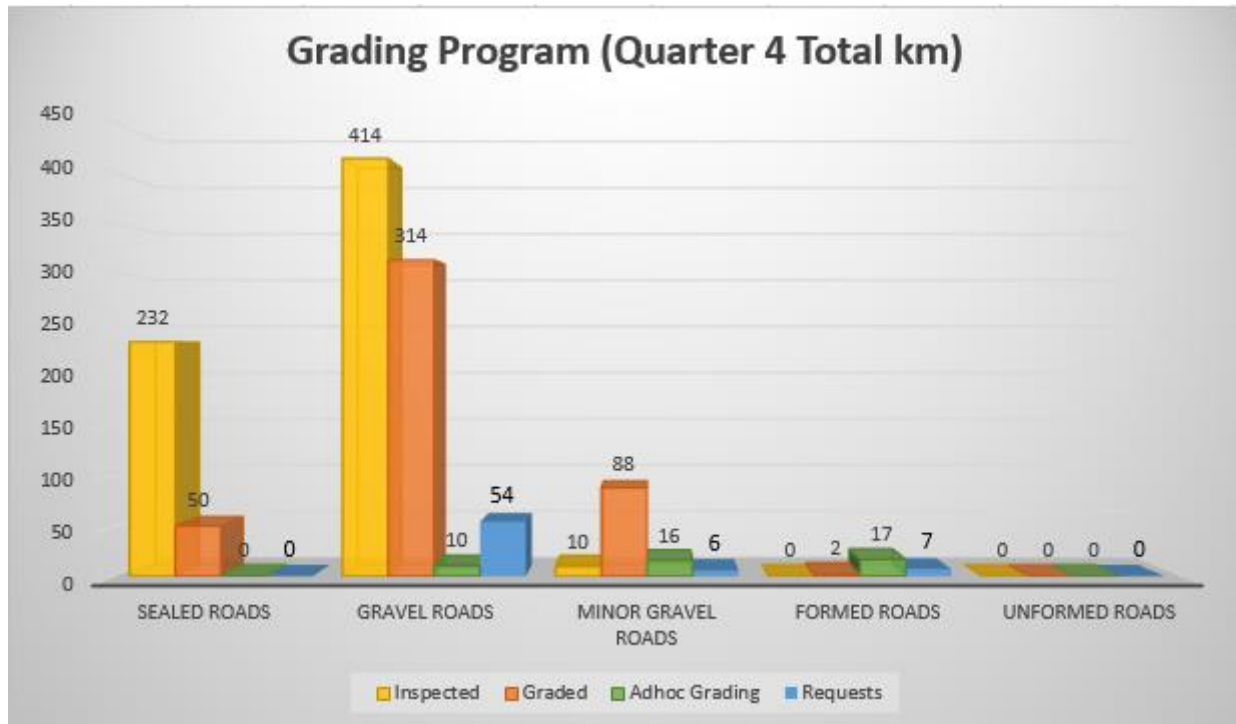
Table 3: Maintenance grading program

Quarter 4 (01/04/2021 – 30/06/2021)										
Work Group	Number of Grading Work Actions					Compliant with scheduled timeframes				Programmed Localities
	Localities Inspected	Roads Graded	Defects	Requests	Total	Yes	No	Not completed	%	
Loddon Goldfields	25	80	2	2	109	108	1	0	99.1%	25
Loddon Plains	18	109	2	14	143	143	0	0	100.0%	18
Shire Wide	0	0	0	0	0	0	0	0	Nil	0
Total	43	189	4	16	252	251	1	0	99.5%	43

The data in Table 3 indicates that 252 grading work actions were completed for the fourth quarter of 2020 – 2021 financial year. There is no set level of compliance for the maintenance grading program in the RMP.

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

Chart 1: Maintenance Grading Program



COST/BENEFITS

The year to date actual expenditure to the end of fourth quarter of 2020 – 2021 financial year of the Local Road Maintenance Program is \$6,433,988. The expenditure for the fourth quarter was \$1,412,111.

The benefit to the community in complying with the RMP is 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 2021/179

Moved: Cr Linda Jungwirth

Seconded: Cr Gavan Holt

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

CARRIED

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

That Council receive and note the 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 fourth and final 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
- control of roadside activities, occupation and utilisation
- investigation of planning scheme breaches and enforcing planning permit conditions
- intervention in public nuisance issues.

ISSUES/DISCUSSIONAdministrative and fire prevention

Table 1 provides a summary of administrative actions undertaken.

Table 1: Administrative activities

Quarter 4 (1 April 2021 – 30 June 2021)			
Activity	After hours call outs (*)	Littering or illegal rubbish dumping	Local law permits issued
No. actions	5	7	7

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

Unsightly properties

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

Table 2: Summary of unsightly properties activities

Quarter 4 (1 April 2021 – 30 June 2021)																
Town/Locality	Eddington	Rheola	Newbridge	Tarnagulla	Inglewood	Bridgewater	Wedderburn	Korong Vale	Borong	Boort	Pyramid Hill	Mitiamo	Dingee	Serpentine	Rural/Other	Total
No. identified from previous report period	2	0	5	1	6	2	19	3	4	4	4	1	1	0	0	52
No. resolved during quarter	0	0	1	0	1	1	4	1	0	2	2	0	1	0	0	13
New action commenced	1	0	0	1	4	2	9	0	0	3	2	0	0	1	0	23
No. currently pursuing	3	0	4	2	9	3	24	2	4	5	4	1	0	1	0	62
Progress Activities																
Site meeting / discussion held	3	0	3	2	8	3	16	3	4	5	4	1	1	1	0	54
Letter to comply issued	1	0	1	1	5	3	12	1	4	4	1	1	1	0	0	35
Occupier has commenced clean-up work	3	0	2	2	7	2	10	2	2	5	3	1	1	0	0	40
Notice to comply issued	1	0	0	0	5	0	6	1	4	4	1	1	0	0	0	23
Contractor engaged for clean-up work	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	1

Achieving resolution of unsightly property issues can be difficult, with many property owners committing to attend to the issue and in some cases starting the process of cleaning up only to relapse. This requires an approach of escalation of interventions until compliance is reached. Many of these issues involve longstanding patterns of behaviour that will require continual intervention and time to establish significant change in individual's behaviour in order for lasting compliance to be reached.

Animal management

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

Table 3: Summary of animal management activities

Quarter 4 (1 April 2021 – 30 June 2021)						
Activity	Wandering livestock	Trespassing livestock	Dog attack	Domestic animal at large	Distribution of cat traps	General complaints / other
No. of actions	18	3	1	15	12	79

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

Table 4: Impoundment activities

Quarter 4 (1 April 2021 – 30 June 2021)				
Animal type	Impoundments	Returned to owners	Animals rehoused	Animals disposed
Livestock	1	1	0	0
Dogs	2	0	2	0
Cats	3	0	3	0
Feral Animals	-	-	-	9
Total	6	1	5	9

Planning Compliance and Enforcement

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

Table 5: Planning compliance and enforcement activities

Quarter 4 (1 April 2021 – 30 June 2021)					
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	4	2	0	2	4
Native vegetation removal without a permit	5	8	0	3	10
Breach of planning permit	2	1	0	1	2
Dog breeding / animal keeping	3	0	0	1	2
Land used as a store without planning permit	1	0	0	0	1
Occupation of a shed without a planning permit	5	0	0	2	3
Total	20	11	0	9	22

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

COST/BENEFITS

The expenditure for the fourth quarter of 2020-2021 financial year for the local laws and compliance activities contained within this report is \$81,951. 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 2021/180

Moved: Cr Dan Straub

Seconded: Cr Gavan Holt

That Council receive and note the Quarterly Local Laws and Planning Compliance Activity Report.

CARRIED

11.4 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 2019-2021

RECOMMENDATION

That Council note the update on progress of the Annual Infrastructure Program 2020-2021 and Other Projects as at the end of 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 report is for the fourth and final quarter of 2020-2021 financial year, providing an update on the progress of the Annual Infrastructure Program. The status of other projects that are delivered by the Assets & Infrastructure Department, but are not part of the Annual Infrastructure Program, are also included in the report.

BACKGROUND

This report is produced quarterly and is provided to Council for the purpose of reporting progress of the Annual Infrastructure Program and other projects that the Assets & Infrastructure Department is responsible for delivering. The information in this report covers progress up until the end of June 2021.

ISSUES/DISCUSSIONAnnual Infrastructure Program

Attachment 1 provides a progress summary of the Annual Infrastructure Program for the Fourth quarter of the 2020-2021 financial year.

There are 123 individual projects listed including carryovers from previous financial years; 83 have been completed. Of the remaining 40 projects 25 have commenced or been awarded, with 15 being carried over until 2021-2022. Overall 67% of the Program has been completed, 87% when including awarded, commenced and removed. The incomplete projects will be reported as carryovers in future quarterly progress reports.

Other Projects

In addition to the Annual Infrastructure Program, the Assets & Infrastructure Department is responsible to oversee the delivery of a number of different projects. Attachment 2 provides a summary of the other projects at the end of fourth quarter of 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 was \$10,839,558. The expenditure for the fourth quarter is \$2,034,346 and \$6,681,030 for the full financial year.

Attachment 1 gives a summary of progress of individual projects within this program as at 30 June 2021. Please note that the attachment includes carry over projects additional to the 2020-2021 annual infrastructure program, which brings the total value of projects being delivered to \$12,038,956.

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 \$3.89 million. Expenditure to date on these active projects is \$905,907.

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 2021/181

Moved: Cr Linda Jungwirth

Seconded: Cr Dan Straub

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

CARRIED

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

That Council receive and note the Quarterly Strategic Planning Activity report.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

This is the final report for the 2020-2021 financial year summarising the strategic planning activities undertaken within the Development and Compliance Department.

BACKGROUND

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

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

ISSUES/DISCUSSION

The strategic planning projects have been inhibited during the past nine months while recruitment for a Planning Coordinator is being undertaken. This has meant that limited time has been available for strategic projects due to the need for staff to focus on statutory planning applications. The Manager Development and Compliance has been performing the role of Municipal Building Surveyor, due to a vacancy in that role which has also affected the strategic planning projects. Staff members prioritise the processing of permit applications over other activities. These two staff vacancies are currently open for recruitment.

The availability of temporary staff to assist with planning and building functions has also proven difficult. This and the already limited hours allocated per week for strategic projects (8 hours per week) and the need to prioritise permits has meant progress on these projects is negligible. At this time until the vacant positions within the Development & Compliance Department have been filled, completion of strategic planning projects will remain uncertain. Work on the projects is prioritised in the time available to progress items where possible. Due to these factors, many of the projects do not have an estimated project completion date.

Current Strategic Planning Projects

Table 1 provides a summary of current strategic planning projects and the activities undertaken as part of these projects during the final quarter of the 2020-2021 financial year.

Table 1: Current Strategic Planning Projects

Current Strategic Planning Projects Quarter 4 (1 April 2021 – 30 June 2021)			
Project	Tasks undertaken during the quarter	Future tasks	Estimated project completion
Planning Scheme Review	A draft review report (which provides an assessment of the scheme's performance and currency and identifies the areas for review) was completed in 2020. The first step in the revision of the Loddon Planning Scheme was the redraft of the planning policy framework, which was completed in this quarter.	Circulation to policy review committee. Presentation and adoption of report by Council. Submission of report to Minister for Planning. Implement the changes.	TBA
Planning Scheme Amendment – Bridgewater and Dunolly Flood controls	Council is partnering with North Central Catchment Management Authority (NCCMA) for this project. Council and NCCMA are currently considering options for completion of this work, including updating flood controls across the entire municipality.	Exhibition of the planning scheme amendment.	TBA
New dwelling information sheet to provide advice to new residents/existing residents on the requirements and issues associated with use and development of land for a dwelling in different parts of Loddon Shire. Incorporates some of the directions from the Settlement Strategy and highlights the areas where dwelling development can be supported.	This information is currently being incorporated into the Council website with other information about planning requirements, including bushfire and native vegetation.	Publish on Council website.	TBA
Industrial Land Strategy. A recommendation of the Settlement Strategy was to undertake an Industrial Land Strategy to ensure a suitable supply of industrial land	Quotations for this project have been sought, with three strategic planning firms all declining the project due to current workloads. We continue to reach out to appropriate	Engage suitable consultant	TBA

Current Strategic Planning Projects Quarter 4 (1 April 2021 – 30 June 2021)			
Project	Tasks undertaken during the quarter	Future tasks	Estimated project completion
as employment is key to population growth.	consultancy firms with experience in this area.		
Heritage loan policy	Preparation of a draft that provides conditions and criteria for applications is continuing.	Policy committee review and Council adoption.	TBA
Loddon Planning Scheme – Planning Policy Translation. Incorporation of local planning policy into the restructured Statewide planning policy framework. This translation is policy neutral.	Project completed.	Ministerial approval	June 2021
Investigate development of Stage 2 of Ridge Street residential development.	A consultant has been engaged and the project has commenced.	Site assessment, including bushfire risk and native vegetation values. Design options.	October 2021
Undertake detailed investigation of identified residential growth opportunities in the priority towns to determine yield and estimated development cost.	A contract brief has been prepared.	Seek tenders for the project.	TBA

COST/BENEFITS

The expenditure for the final quarter of the 2020-2021 financial year for the strategic planning activities contained within this report is \$7,689.

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

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

RISK ANALYSIS

Failure of Council to undertake strategic planning includes:

- outdated planning controls that do not respond to current issues and opportunities
- inappropriate development that compromises the amenity of towns and undermines economic development opportunities

- loss of opportunities for population and residential growth.

CONSULTATION AND ENGAGEMENT

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

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

RESOLUTION 2021/182

Moved: Cr Gavan Holt

Seconded: Cr Dan Straub

That Council receive and note the Quarterly Strategic Planning Activity report.

CARRIED

11.6 QUARTERLY STATUTORY PLANNING PERMIT ACTIVITY REPORT**File Number:** 13/01/002**Author:** Glenn Harvey, Manager Development and Compliance**Authoriser:** Steven Phillips, Director Operations**Attachments:**

1. Planning applications completed in the Quarter
2. Planning applications being processed

RECOMMENDATION

That Council receive and note the Quarterly Statutory Planning Permit Activity Report for April to June 2021.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

This is the fourth quarter report for the 2020- 2021 financial year summarising planning application activities undertaken within the Development and Compliance Department.

BACKGROUND

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

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

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

ISSUES/DISCUSSIONPlanning permit activities

A detailed summary of the status of planning permits can be found in attachments 1 and 2.

Timeframes

The Planning & Environment Act 1987 requires a 60 day timeframe for the processing of planning applications by councils. The Act details how the 60 days is to be measured following the acceptance of a planning permit application.

Table 1 provides a summary of the average timeframes in which the Development and Compliance Department assessed and issued Planning Permits during the fourth quarter of the 2020-2021 financial year and compares these to the Victorian rural average.

Table 1: Average timeframes for decisions

Quarter 4 of the 2020/2021 financial year			
Month	Average gross days to determine	Completed within 60 days	Rural average completed within 60 days
April	112	50%	71%
May	59	78%	71%
June	87	80%	72%
Total Quarterly average		69%	71%

During the fourth quarter of the 2020-2021 financial year 69% of all Planning Permit applications were assessed and issued within the timeframes as set in the Planning & Environment Act 1987. This is 3% lower than the rural average. The Development and Compliance Department currently has a vacancy for a statutory planner. Once the planning team has returned to its full strength it is anticipated that the assessment timeframes will improve.

COST/BENEFITS

The expenditure for the third quarter of 2020-2021 financial year of the statutory planning activities contained within this report is \$43,692. This is significantly lower than normal and reflects the current staffing levels.

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

- well managed and appropriate development
- well informed community members who understand the value of planning within local government
- applications processed in a timely manner
- correct implementation of regulations and standards.

RISK ANALYSIS

Failure of Council to adequately implement the planning scheme poses the following risks:

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

Insufficient investment in resources in the Development and Compliance Department may result in extended timeframes for the processing of applications.

CONSULTATION AND ENGAGEMENT

The Planning Staff consult with a number of stakeholders on a regular basis including:

- applicants
- surrounding land owners
- regulatory authorities
- other Loddon Shire Council departments
- other municipalities.

RESOLUTION 2021/183

Moved: Cr Linda Jungwirth

Seconded: Cr Wendy Murphy

That Council receive and note the Quarterly Statutory Planning Permit Activity Report for April to June 2021.

CARRIED

11.7 QUARTERLY BUILDING SERVICES ACTIVITY REPORT**File Number:** 13/06/001, 13/08/001 & 13/08/003**Author:** Glenn Harvey, Manager Development and Compliance**Authoriser:** Steven Phillips, Director Operations**Attachments:** Nil**Recommendation**

That Council receive and note the Quarterly Building Services Activity Report.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

Council is provided with information quarterly summarising building services activities relating to permits, certificates and statutory enforcement activity undertaken within the Development & Compliance Department. This is the fourth quarterly report for the 2020-2021 financial year.

BACKGROUND

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

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

The number of building permits, occupancy permits and final inspections is a basic indicator of building development and investment within the Loddon Shire Council area.

ISSUES/DISCUSSION

Throughout the fourth quarter of the 2020-2021 financial year, items of significance relating to the activity of Council's building services include:

- ongoing measures relating to COVID-19 (as with all staff and the community)
- implementation of swimming pool registration requirements
- follow up on enforcement activities including following up Court and Building Appeals items
- ongoing implementation and improvement of software changes.

1.

Building permits

Table 1 provides the number and total value of building permits issued for the four quarters of 2020-2021. There is variation in the value of permits throughout any given financial year and this is attributable to the scale and cost of individual projects.

Table 1: Summary of new building permits issued

	Quarter 1 2020-21 (01/07/2020 – 30/09/2020)	Quarter 2 2020-21 (01/10/2020 – 31/12/2020)	Quarter 3 2020-21 (01/01/2021 – 31/03/2021)	Quarter 4 2020-21 (01/04/2021 – 30/06/2021)
No. of new Permits	50	51	44	41
Value of Works	\$4,297,563	\$10,199,564	\$2,467,359	\$4,527,209

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

Table 2: Summary of final inspections and occupancy permits

	Quarter 1 2020-21 (01/07/2020 – 30/09/2020)	Quarter 2 2020-21 (01/10/2020 – 31/12/2020)	Quarter 3 2020-21 (01/01/2021 – 31/03/2021)	Quarter 4 2020-21 (01/04/2021 – 30/06/2021)
Certificates of final inspection	33	30	18	24
Occupancy Permits	2	8	17	10

Council Building Services staff continue to work proactively with Council issued permit holders, sending follow up letters to notify building owners approximately two months before their building permits are due to lapse. This allows owners to arrange a final inspection/occupancy permit or apply for an extension of time for their building permit.

Statutory enforcement

Table 3 provides a high level summary of statutory enforcement activities undertaken by the Municipal Building Surveyor.

Table 3: Summary of statutory enforcement activities

Type	Actions incomplete from previous report period	New action started	Total actions	Building notice issued	Building order issued	Appeal to Building Appeals Board	Legal action / solicitors letter started this quarter	Legal action ongoing	No. resolved during this quarter
Building damaged by fire	0	1	1	0	0	0	0	0	0

Type	Actions incomplete from previous report period	New action started	Total actions	Building notice issued	Building order issued	Appeal to Building Appeals Board	Legal action / solicitors letter started this quarter	Legal action ongoing	No. resolved during this quarter
Works required to make building safe (including pools)	15	4	19	3	1	1	0	1	0
Carrying out building works without a permit	4	0	4	1	0	0	0	0	0
Works not in accordance with building permit	2	0	2	0	0	0	0	0	0
Illegal occupation of non-habitable building	0	0	0	0	0	0	0	0	0
Building with non-complying essential safety measures	1	0	1	0	0	0	0	0	0

Whilst new issues requiring enforcement are identified regularly, it is also noted there are some longstanding enforcement activities that are ongoing. The time spent on individual items can be significant particularly when it requires escalation to Court. Council officers work to try to resolve matters without legal intervention.

The Manager Development and Compliance is currently also performing the role of Municipal Building Surveyor whilst recruitment for the vacancy is continuing. This is impacting on progressing compliance matters as well as permit applications. Community members that are making Building Permit applications are being advised that there may be some delays in processing their applications due to our current situation. They are also being informed of the alternative of engaging a Private Building Surveyor.

COST/BENEFITS

The expenditure for the fourth quarter of the 2020-2021 financial year for building services activities was zero due to the position being vacant. The functions associated with the delivery of the Municipal Building Surveyor service have been delivered by the Manager Development and Compliance.

The cost to Council of enforcement activity can be quite significant, particularly in terms of Council officers' time. This in turn impacts on other activities such as the timeframe for building permits.

Direct monetary costs significantly escalate if matters progress to a Magistrate's hearing or the Municipal Building Surveyor needs to arrange for the work associated with any order to be completed by Council. As such, the Municipal Building Surveyor, together with other Development & Compliance Department staff endeavour to work through enforcement matters in a manner that engages with property owners/occupiers to have required works completed.

RISK ANALYSIS

There are risks associated with all building and development works. As such, it is vital that Building legislation, standards and controls are administered effectively. Failure of Council to adequately enforce the provisions of applicable legislation poses the following possible risks:

- unsafe development and building works which may affect the safety of property owners, occupiers and the general public within Loddon Shire
- Council's reputation as a regulatory authority
- Council being held liable for failure to act in a matter which results in damage to other property, or injury or death to a person
- failure to meet statutory obligations set within relevant legislation.

2.

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

A significant risk within Loddon Shire is unregulated developments, in particular small allotments which are sold to purchasers that have expectations of using it for a cheap home or "weekender". Often the landholder is unable or unwilling to meet the regulatory requirements to safely utilise the site as they desire. This has led to a number of undesirable and potentially unsafe outcomes of unregulated developments. This remains a matter of concern for Council's Municipal Building Surveyor and Local Laws & Planning Compliance Officer.

CONSULTATION AND ENGAGEMENT

The Municipal Building Surveyor regularly engages with business operators, developers, residents and ratepayers during the administration of the various Acts which can range from essential safety measures assessments/inspections to the provision of advice relating to the need for building permits and other functions administered by the Municipal Building Surveyor under the Building Act and Building Regulations. Any business operator, developer, resident or ratepayer that is subject to enforcement action is regularly consulted with during the enforcement process to give them the opportunity to avoid the escalation of enforcement action.

RESOLUTION 2021/184

Moved: Cr Dan Straub

Seconded: Cr Wendy Murphy

That Council receive and note the Quarterly Building Services Activity Report.

CARRIED

12 COMPLIANCE REPORTS

Nil

13 URGENT BUSINESS

In accordance with Council's Governance Rules, Clause 53 provides that at a scheduled or special meeting of Council, business that is not included in the agenda notice must only be considered if no more than one Councillor is absent and the Council resolves that the matter is urgent.

Despite this requirement, a matter that is not included in the agenda notice must not be considered at a Council meeting if it will:

- (a) directly and significantly affect the exercise of a person's rights;
- (b) alter the Council Plan or the budget; or
- (c) commit the Council to expenditure exceeding \$20,000.

14 CONFIDENTIAL ITEMS**RESOLUTION 2021/185**

Moved: Cr Wendy Murphy
Seconded: Cr Linda Jungwirth

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 Approval of water trade of 5.5ML of Zone 1B water for Zone 1A water

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

14.2 Request to Write Off Bad Debt

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

This report contains information relating to a services client.

CARRIED

Closing of Meeting to the Public

RESOLUTION 2021/186

Moved: Cr Wendy Murphy
Seconded: Cr Linda Jungwirth

That the meeting be closed to the public at 3.52pm.

CARRIED

14 CONFIDENTIAL ITEMS

14.1 APPROVAL OF WATER TRADE OF 5.5ML OF ZONE 1B WATER FOR ZONE 1A WATER

RESOLUTION 2021/187

Moved: Cr Dan Straub

Seconded: Cr Linda Jungwirth

That Council approve the water trade as detailed within this report.

CARRIED

14.2 REQUEST TO WRITE OFF BAD DEBT

RESOLUTION 2021/188

Moved: Cr Linda Jungwirth

Seconded: Cr Wendy Murphy

That Council resolve to write off the bad debt as outlined in this report for the amount of \$2,776.06.

CARRIED

NEXT MEETING

The next Ordinary Meeting of Council will be held on 28 September 2021 at Wedderburn commencing at 3pm.

There being no further business the meeting was closed at 4.04pm.

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

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CHAIRPERSON