



Date: Tuesday, 28 September 2021
Time: 3pm
Location: Loddon Shire Council Chambers (entry from Peters Street), behind Wedderburn office

MINUTES

Council Meeting

28 September 2021

**MINUTES OF LODDON SHIRE COUNCIL
COUNCIL MEETING
HELD AT THE LODDON SHIRE COUNCIL CHAMBERS (ENTRY FROM PETERS STREET),
BEHIND WEDDERBURN OFFICE
ON TUESDAY, 28 SEPTEMBER 2021 AT 3PM**

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)

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

Cr Wendy Murphy declared a conflict of interest in relation to item 10.2, due to her involvement in assessment of the permit in question as part of her employment with the Department of Environment Land Water and Planning.

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 24 August 2021.
2. The minutes of the Council Meeting of 24 August 2021.
3. The minutes of the Confidential Council Meeting of 24 August 2021.
4. The minutes of the Council Forum of 14 September 2021.
5. The minutes of the Special Council Meeting of 21 September 2021.
6. The minutes of the Confidential Special Council Meeting of 21 September 2021.

REPORT

Seeking approval of the unconfirmed minutes of the previous meetings.

RESOLUTION 2021/192

Moved: Cr Gavan Holt

Seconded: Cr Dan Straub

That Council confirm:

1. The minutes of the Council Briefing of 24 August 2021.
2. The minutes of the Council Meeting of 24 August 2021.
3. The minutes of the Confidential Council Meeting of 24 August 2021.
4. The minutes of the Council Forum of 14 September 2021.
5. The minutes of the Special Council Meeting of 21 September 2021.
6. The minutes of the Confidential Special Council Meeting of 21 September 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 24 August 2021.
2. Council Forum 14 September 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	24 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 Sharon Morrison, Director Corporate Services Steven Phillips, Director Operations Lynne Habner, Manager Executive and Commercial Services Deanne Caserta, Manager Financial Services CT Management representatives
Items discussed.	<ol style="list-style-type: none"> 1. Presentation of Long Term Financial Plan by CT Management 2. Background to write off of bad debt 3. Community Vision and Council Plan 4. General business: <ul style="list-style-type: none"> • COVID restrictions – advocacy for regional restrictions • Media and Social Media Policy • Community Asset Committee volunteers • Grants Commission • Health registration renewals • Pyramid Hill Caravan Park
Conflict of Interest Disclosures - Councillor/officer making disclosure	Nil
Councillor/officer left room	

Assembly details	Forum
Date	14 September 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 Sharon Morrison, Director Corporate Services Steven Phillips, Director Operations Lynne Habner, Manager Executive and Commercial Services Christine Coombes, Executive and Commercial Services Officer Deanne Caserta, Manager Financial Services Sarah Perry, Manager Community Support David Southcombe, Manager Assets and Infrastructure Coliban Water representatives Fire Rescue Victoria representatives
Items discussed.	<ol style="list-style-type: none"> 1. Economic Development and Tourism monthly progress report 2. Scheduling of Special Meeting for the Election of Mayor 3. Introduction of the Borrowing Policy V1 4. Review of the Revenue and Debt Collection Policy V4 5. Review of the Financial Management Policy V5 6. Review of the Rateable Properties with Environment Covenants Policy V3 7. Review of Draft Annual Report 2020/21 8. Draft Municipal Public Health and Wellbeing Plan 9. Loddon Aquatic Facilities – update on progress of operation and management contract 10. Community Vision and Council Plan 11. Coliban Water – Small Town Sewerage Schemes 12. Presentation from Fire Rescue Victoria 13. Financial Plan 2021-2031 14. General business: <ul style="list-style-type: none"> • Nil
Conflict of Interest Disclosures - Councillor/officer making disclosure	Nil
Councillor/officer left room	

RESOLUTION 2021/193

Moved: Cr Wendy Murphy

Seconded: Cr Linda Jungwirth

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

1. Council Briefing 24 August 2021.
2. Council Forum 14 September 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 2021/194**Moved:** Cr Dan Straub**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:** 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**

26/8/21

Interviews with Davidson re CEO

31/8/21

Discussions on Long Term Financial Plan

2/9/21

Conducted CEO interviews

7/9/21	Council discussion on Council Plan
8/9/21	CEO interviews
14/9/21	Attended Council Forum Wedderburn
17/9/21	Caravan Park tour with MEG
21/9/21	Attended special meeting to appoint CEO
24/9/21	Chaired Boort Park AGM
25/9/21	Chaired Little Lake Boort AGM
28/9/21	Citizenship ceremony and Council Meeting Wedderburn

RESOLUTION 2021/195

Moved: Cr Neil Beattie

Seconded: Cr Dan Straub

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
23/8/21	I chaired a meeting of the Donaldson Park Project Steering Committee
26/8/21	Participated in online CEO position face to face meeting with applicants
31/8/21	Attended a meeting with Councillors and management executive team to discuss Council's Long Term Financial Plan
7/9/21	Attended a meeting of Councillors and staff to discuss the Council Plan
8/9/21	Participated in online interviews for the CEO position
12/9/21	Attended a Wedderburn Harness Racing Club race meeting

13/9/21	Commenced the annual Wedderburn Shearing School
14/9/21	Attended Council Forum in Wedderburn
21/9/21	Attended a Special Council meeting online to appoint the new CEO

Cr Jungwirth

Loddon Mallee Local Government Waste Forum	
Central Victorian Greenhouse Alliance	
Municipal Emergency Management Plan Committee	
Other Council activities	
DATE	Activity
24/8/21	August Council Meeting and Briefing
26/8/21	CEO interviews
30/8/21	Victorian Local Government Grants Commission Info session
31/8/21	Meeting re Long Term Financial Plan
7/9/21	Meeting re Council Plan and Long Term Financial Plan online
8/9/21	CEO interviews
9/9/21	MASH microgrid Tarnagulla meeting – virtual
14/9/21	September Council Forum
15/9/21	Coaching session – Ruth McGowan
16/9/21	Rheola Recreation Reserve
21/9/21	Special Meeting of Council
23/9/21	Online workshop re election of Mayor, Coaching session – Back Yourself
27/9/21	Met with Community Reference Group re Community Vision and Council Plan

Cr Murphy

Calder Highway Improvement Committee	
Local Government Women's Charter	
Australia Day Committee	
Healthy Minds Network	
Special Committees Of Council (Section 65 Community Asset Committees):	
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	
27/9/21: Attended Jones Eucalyptus Distillery Site CAC AGM at Eucy Museum	
27/9/21: Attended Inglewood Town Hall Hub CAC AGM at Town Hall Hub	
Other Council activities	
DATE	Activity
26/8/21	CEO Interviews online
26/8/21	Inglewood Development and Tourism Committee meeting online
31/8/21	Long Term Financial Plan and Council Plan discussion online
3/9/21	VLGGC Financial Assistance Grants online information session
2/9/21	Electric vehicles, charging infrastructure and zero emission transport online information session.
7/9/21	Invited to attend the Wood4Good Crosbie Regenerative Forest Biodiversity Survey Virtual Launch opened by Hon Mary-Anne Thomas MP online
7/9/21	Online discussion on the Council Plan and Long Term Financial Plan
14/9/21	Attended the Council Forum
15/9/21	Attended the Campbells Forest Hall CAC AGM and following general meeting at Campbells Forest Hall

21/9/21	Attended the Special Meeting of Loddon Shire Council to appoint the new CEO
22/9/21	Chaired the Loddon Healthy Minds Network online meeting
23/9/21	Participated in the online Back Yourself workshop hosted by Ruth McGowan with core confidence authors Kate Booner and Fiona Pearman
23/9/21	Attended the online "Neighbourhood issue: climate costs and risks for councils" report discussion hosted by the Cities Power Partnership Team
24/9/21	Attended the Inglewood Community Sports Centre CAC AGM at the Inglewood Community Sports Centre
27/9/21	Attended the online Community Vision and Council Plan Community Reference Group consultation
28/9/21	Attended the Citizenship Ceremony at Council Chambers in Wedderburn
28/9/21	Attended the Council Briefing and Council Meeting at the Council Chambers in Wedderburn

Cr Straub

North Central Goldfields Regional Library	
10/9/21: GLC Ordinary Board Meeting	
North Central Local Learning and Employment Network	
22/9/21: NCLLEN FAR Committee	
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
24/8/21	Council Briefing and Council meeting online (WebEx)
26/8/21	Loddon CEO Panel interviews online
31/8/21	Meeting – Long Term Financial Plan online
2/9/21	Victorian Local Government Group of Councils information session. Presentation from the Grants Commission of Victoria
7/9/21	Councillor discussion of Council Plan and Long Term Financial Plan
8/9/21	Loddon CEO recruitment 2 nd round interviews

10/9/21	Goldfields Regional Library Ordinary Board meeting online
14/9/21	September Council Forum, Council Chambers
16/9/21	Cancelled networking event for Councillors held in Bendigo
18/9/21	Family holiday 18/9/-24/9
21/9/21	Special Meeting of Council to recruit CEO, online
22/9/21	North Central Local Learning and Employment Network, Finance and Risk Committee meeting, where I chaired as new Treasurer, online
25/9/21	Met with Sarah Perry and the Pyramid Hill streetscape advisory committee, to seek community comment on proposed plans.
27/9/21	Met with community reference group to hear comment on Community Vision and Council Plan.

RESOLUTION 2021/196

Moved: Cr Linda Jungwirth

Seconded: Cr Wendy Murphy

That Council receive and note the Councillors' reports

CARRIED

10 DECISION REPORTS**10.1 PLANNING APPLICATION 5674 - 499 LAANECOORIE NEWBRIDGE ROAD
NEWBRIDGE****File Number: FOL/21/2798****Author: Darcy Jackson, Statutory Planning Officer****Authoriser: Glenn Harvey, Manager Development and Compliance****Attachments: 1. Decision Report - 5674****RECOMMENDATION**

That Council determines to issue a notice of decision to issue planning application 5674 for the use and development of the land for a poultry breeder farm, use and development of the land for a dwelling and telecommunications facility in the Farming Zone, buildings and works under the Land Subject to Inundation Overlay and removal of native vegetation.

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 5674 is for the use and development of the land for a poultry breeder farm, utility installation and removal of native vegetation in the Farming Zone, and buildings and works under the Land Subject to Inundation Overlay.

The subject site is located at 499 Laanecoorie Newbridge Road, Newbridge, approximately four kilometres north of the Laanecoorie Township and five kilometres south of the Newbridge Township. The site currently contains four existing poultry breeder sheds each housing 10,000 birds. The sheds are located on abutting allotment with the surrounding land used for grazing and cropping.

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 and must use the scheme to determine applications. The Loddon Planning Scheme is the relevant Planning Scheme for Council. An application is referred to Council for determination, 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 two 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 report is the ability of 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 2021/197

Moved: Cr Linda Jungwirth

Seconded: Cr Dan Straub

That Council determines to issue a notice of decision to issue planning application 5674 for the use and development of the land for a poultry breeder farm, use and development of the land for a dwelling and telecommunications facility in the Farming Zone, buildings and works under the Land Subject to Inundation Overlay and removal of native vegetation.

CARRIED

10.2 PLANNING PERMIT APPLICATION 5509: NIXON STREET, INGLEWOOD**File Number:** 52807700**Author:** Carolyn Stephenson, Statutory / Strategic Planner**Authoriser:** Glenn Harvey, Manager Development and Compliance**Attachments:** 1. Decision Report - 5509**RECOMMENDATION**

That Council resolve to issue a Notice of Decision to grant a planning permit for the subdivision of the land into nine lots and the removal of native vegetation in accordance with the endorsed plans at CA 9 & 10, SEC 4A, Nixon Street, Township of Inglewood.

Cr Wendy Murphy declared a conflict of interest in relation to item 10.2, due to her involvement in the assessment of the permit application as part of her employment with the Department of Environment Land Water and Planning.

Cr Wendy Murphy left the meeting at 3:17 pm.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

This proposal has not been previously considered by Council.

BACKGROUND

The application seeks planning approval to subdivide the land into nine lots and remove native vegetation.

The subject site is located at Nixon Street, Inglewood and is zoned Township with most of the site also included in the Bushfire Management Overlay. The subject property is currently vacant land.

ISSUES/DISCUSSION

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

A municipal council is obligated to enforce and administer the relevant Planning Scheme and must use the scheme to determine applications. The Loddon Planning Scheme is the relevant Planning Scheme for Council. An application is referred to Council for determination, which:

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

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

COST/BENEFITS

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

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

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

RISK ANALYSIS

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

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

CONSULTATION AND ENGAGEMENT

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

RESOLUTION 2021/198

Moved: Cr Dan Straub

Seconded: Cr Linda Jungwirth

That Council resolve to issue a Notice of Decision to grant a planning permit for the subdivision of the land into nine lots and the removal of native vegetation in accordance with the endorsed plans at CA 9 & 10, SEC 4A, Nixon Street, Township of Inglewood.

CARRIED

Cr Wendy Murphy returned to the meeting at 3:19 pm.

10.3 2021 CHRISTMAS NEW YEAR HOLIDAY PERIOD**File Number:****Author:** Janine Jackson, Manager Organisation Development**Authoriser:** Sharon Morrison, Director Corporate Services**Attachments:** Nil**RECOMMENDATION**

That subject to the resumption of operations at Council's administrative centres in compliance with COVID-19 restrictions:

1. Council approve the closure of the Wedderburn and Serpentine administrative centres from midday Friday 24 December 2021 with a proposed reopening at 8.15 am on Tuesday 4 January 2022.
2. Council give notice of the amended office hours by publishing the details in the public notices section of the Bendigo Advertiser, in the Loddon Herald, on Council's website and on social media.

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

Nil

BACKGROUND

The Loddon Shire Council has historically closed the Wedderburn and Serpentine administrative centres to the public over the Christmas/New Year holiday period. At the time of preparing this report, both administrative centres are closed to staff who are not classified as authorised workers under the Chief Health Officer's Workplace Directions (currently no. 46), and closed to public access due to the COVID-19 pandemic. It is unknown when operational restrictions will ease sufficiently to allow the centres to re-open and staff to re-enter the office.

In 2020 the staff Christmas function was cancelled due to COVID-19 restrictions. Staff were provided with a gift card in recognition of their effort through a difficult 2020, and in lieu of the function.

ISSUES/DISCUSSION

In 2021, Christmas Day falls on a Saturday and it is proposed that Council shuts the Wedderburn and Serpentine administrative centres from midday Friday 24 December 2021 and reopens them at 8.15 am on Tuesday 4 January 2022. In the event that the impact of COVID-19 is still preventing the re-opening of the administrative centres on the 24 December, staff working from home and those who are working in the administrative centres, will cease work during the times nominated for the closure of the centres.

Council's traditional Staff Christmas Party is proposed to be held on the afternoon of Thursday 24 December 2021 at the Serpentine Recreation Reserve as this venue has a large outdoor area. Details of the function are to be confirmed.

An emergency response crew will be available on call for the afternoon of the staff function. A skeleton crew will be employed across the Christmas/New Year period to attend to any emergency callouts.

COST/BENEFITS

The shutdown provides the opportunity to allow staff to have a refreshing family break with minimum interruption to business activities at the end of the calendar year.

Many staff have deferred leave since the declaration of the pandemic in March 2020; the closure would provide an incentive to take a break.

There is a financial cost to holding the annual staff Christmas function, which is incorporated into the annual budget.

The office closure has no direct cost to Council, as staff are required to access leave accruals for their period of leave.

RISK ANALYSIS

This Christmas New Year period is generally a time of low customer enquiry and minimal deadlines in the organisation.

Staff will be on call as required, to attend to any incidents that may occur during the closure.

CONSULTATION AND ENGAGEMENT

The consultative Committee discussed this at the August 2021 meeting.

RESOLUTION 2021/199

Moved: Cr Gavan Holt

Seconded: Cr Wendy Murphy

That subject to the resumption of operations at Council's administrative centres in compliance with COVID-19 restrictions:

1. Council approve the closure of the Wedderburn and Serpentine administrative centres from midday Friday 24 December 2021 with a proposed reopening at 8.15 am on Tuesday 4 January 2022.
2. Council give notice of the amended office hours by publishing the details in the public notices section of the Bendigo Advertiser, in the Loddon Herald, on Council's website and on social media.

CARRIED

10.4 2022 COUNCIL MEETING SCHEDULE

File Number: 02/04/001

Author: Christine Coombes, Executive and Commercial Services Officer

Authoriser: Lynne Habner, Manager Executive and Commercial Services

Attachments: Nil

RECOMMENDATION

That Council:

1. approve the schedule of Council Meetings for 2022 as contained within this report
2. provide public notice of the Council Meetings schedule.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

Nil

BACKGROUND

The Loddon Shire Council has traditionally conducted Council meetings on a monthly cycle of the fourth Tuesday. It is proposed that this meeting schedule be continued through 2022.

ISSUES/DISCUSSION

The proposed 2022 schedule of Council Meetings is as follows:

Tuesday 25 January	Tuesday 24 May	Tuesday 27 September
Tuesday 22 February	Tuesday 28 June	Tuesday 25 October
Tuesday 22 March	Tuesday 26 July	Tuesday 22 November
Tuesday 26 April	Tuesday 23 August	Tuesday 13 December

It is also proposed that Council continue to have briefing meetings prior to each Council Meeting to primarily brief Council on Council Meeting agenda items for that day. It is suggested that Council Forums be held on the second Tuesday of the month to enable Councillors to consider any other current issues affecting the Loddon Shire, except December where forum items may be presented the morning of the December Council Meeting, dependent on the issues at hand.

It is proposed that Council Meetings will commence at 3.00pm, and the venue for Council Meetings will be the Council Chambers, off Peters Street, Wedderburn. Council Meetings will continue to be open to the public.

In the event that the impact of COVID-19 is preventing the ability to meet face to face, meetings will be held on a virtual basis with public access via virtual video stream only. This is subject to legislative provisions enabling this approach continuing.

Once approved, the schedule of Council meetings will be posted on Council's website, published in the Loddon Bulletin and advertised by way of public notice in newspapers and newsletters circulating generally within the municipality and on social media.

COST/BENEFITS

No financial impacts are expected from continuing this established practice.

RISK ANALYSIS

Nil.

CONSULTATION AND ENGAGEMENT

Nil.

RESOLUTION 2021/200

Moved: Cr Linda Jungwirth

Seconded: Cr Wendy Murphy

That Council:

1. approve the schedule of Council Meetings for 2022 as contained within this report
2. provide public notice of the Council Meetings schedule.

CARRIED

10.5 FINANCIAL MANAGEMENT POLICY V5

File Number: FOL/19/432511

Author: Deanne Caserta, Manager Financial Services

Authoriser: Sharon Morrison, Director Corporate Services

Attachments: 1. Financial Management Policy v5

RECOMMENDATION

That Council adopts the Financial Management Policy v5.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

The last version of the Financial Management Policy (v4) was approved by the Management Executive Group in October 2019.

The draft of the Financial Management Policy version 5 was discussed at the Councillor Forum on 14 September 2021.

BACKGROUND

The purpose of the Policy is to provide principles to ensure strong financial management for Council.

ISSUES/DISCUSSION

This Policy has been updated include any changes as a result of the introduction of the Local Government Act 2020.

It outlines the overall principles of sound financial management and any processes in place to limit financial risk for Council.

Previously this was an internally approved and reviewed document, but with the additions and alterations made which impact on Councillors and the community, it is appropriate to request further approval layers of Audit and Risk Committee and then Council.

The Audit and Risk Committee discussed the proposed v5 at the June 2021 meeting. Some updates, additions and simplifications were recommended by the committee with an updated version to be presented to the next meeting. Updates were undertaken in line with the recommendations, along with a further review by the Acting Chief Executive Officer.

The Financial Management Policy (the Policy) was provided to the Audit and Risk Committee on 19 August 2021. The Committee resolved *“That the Audit and Risk Committee endorses the Financial Management Policy v5 and recommends that Council adopt the policy.”*

The Policy has a review timeline of four years.

COST/BENEFITS

There are no direct costs associated with the adoption of this Policy.

RISK ANALYSIS

The Policy will assist in providing guidance to staff to ensure sound financial management practices for Council. The updates also ensure that it complies with any requirements outlined in the Local Government Act 2020.

CONSULTATION AND ENGAGEMENT

The document has been subject to the approval process of the Loddon Leaders, Policy Review Group, Management Executive Group and the Audit and Risk Committee prior to presentation to Council.

RESOLUTION 2021/201

Moved: Cr Gavan Holt

Seconded: Cr Dan Straub

That Council adopts the Financial Management Policy v5.

CARRIED

10.6 REVENUE AND DEBT COLLECTION POLICY V4**File Number:** FOL/19/432511**Author:** Deanne Caserta, Manager Financial Services**Authoriser:** Sharon Morrison, Director Corporate Services**Attachments:** 1. Revenue and Debt Collection Policy v4**RECOMMENDATION**

That Council adopts the Revenue and Debt Collection Policy v4.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

The last version of the Revenue and Debt Collection Policy v3 and Rates Policy v3 was adopted by Council in July 2019.

The draft of the Revenue and Debt Collection Policy v4 (the Policy) was discussed at the forum on 14 September 2021.

BACKGROUND

The purpose of the Policy is to provide guidance to the revenue collection staff of Council to levy and collect rates due on properties in the Shire and to ensure sound credit management and recovery of debts in a timely manner.

ISSUES/DISCUSSION

This Policy has been updated to include any changes as a result of the introduction of the Local Government Act 2020.

Council has an approved Revenue and Rating Plan and guidance provided in this Policy is based on the principles outlined in the plan.

In order to align with the recently adopted Revenue and Rating Plan, the Revenue and Debt Collection Policy v3 and Rates Policy v3 policies have been combined into one policy (the Revenue and Debt Collection Policy v4) which covers all aspects of revenue.

Once the documents were combined, the Policy was reviewed and simplified into sections to assist in providing clarification for the debt follow up process.

The draft Revenue and Debt Collection Policy (the Policy) was provided to the Audit and Risk Committee on 19 August 2021.

The Committee resolved *“That the Audit and Risk Committee endorses the Revenue and Debt Collection Policy v4 and recommends that Council adopt the policy...”*

The Policy has a review timeline of three years.

COST/BENEFITS

There are no direct costs associated with the adoption of this Policy. Most of the costs faced in the debt collection process are charged back to the client's account.

RISK ANALYSIS

The Policy will assist in providing guidance to staff to ensure consistent and sound financial and debt collection practices for Council. The updates also ensure that it complies with any requirements outlined in the Local Government Act 2020.

CONSULTATION AND ENGAGEMENT

The document has been subject to the approval process of the Loddon Leaders, Policy Review Group, Management Executive Group and the Audit and Risk Committee prior to presentation to Council.

RESOLUTION 2021/202

Moved: Cr Wendy Murphy

Seconded: Cr Dan Straub

That Council adopts the Revenue and Debt Collection Policy v4.

CARRIED

10.7 BORROWING POLICY V1**File Number:** FOL/19/432511**Author:** Deanne Caserta, Manager Financial Services**Authoriser:** Sharon Morrison, Director Corporate Services**Attachments:** 1. Borrowing Policy v1**RECOMMENDATION**

That Council adopts the Borrowing Policy v1.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

Nil.

BACKGROUND

With the introduction of the Local Government Act 2020, a review of current policies was undertaken and a recommendation made to draft a borrowing policy to assist with and guide decisions on any future borrowings.

ISSUES/DISCUSSION

The Borrowing Policy (the Policy) outlines situations in which Council may use borrowings as a funding source. The Policy allows Council the flexibility to respond to funding requirements whilst minimising risk, taking into account Council's financial management principles and the requirements of the Local Government Act 1989 and Local Government Act 2020.

Best practice documents and policies developed by similar councils were used to draft this Policy to ensure a sound basis for when and how Council may borrow.

In accordance with the Local Government Act 2020 and the Audit and Risk Committee Charter, all policies that affect the financial position of Council are reviewed and endorsed by the Audit and Risk Committee prior to recommending to Council that they be adopted.

At the Audit and Risk Committee Meeting held on 19 August 2021 the Committee recommended:

That the Audit and Risk Committee endorses the Borrowing Policy v1 and recommends that Council adopt the policy.

The Policy has a review timeline of two years.

COST/BENEFITS

There are no direct costs associated with the adoption of this Policy.

RISK ANALYSIS

The Policy will assist in providing guidance to staff on sound financial management and borrowing. It also provides borrowing ratios and limits to determine the acceptable amount of risk Council will enter into when making borrowing decisions.

CONSULTATION AND ENGAGEMENT

The document has been subject to the approval process of the Loddon Leaders, Policy Review Group, Management Executive Group and the Audit and Risk Committee prior to presentation to Council.

RESOLUTION 2021/203

Moved: Cr Wendy Murphy

Seconded: Cr Linda Jungwirth

That Council adopts the Borrowing Policy v1.

CARRIED

10.8 RATEABLE PROPERTIES WITH ENVIRONMENT COVENANTS V3

File Number: FOL/19/432511

Author: Deanne Caserta, Manager Financial Services

Authoriser: Sharon Morrison, Director Corporate Services

Attachments: 1. Rateable Properties with Environmental Covenants Policy v3

RECOMMENDATION

That Council adopts the Rateable Properties with Environment Covenants v3.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

The last version of the Rateable Properties with Environment Covenants Policy (Policy) (v2) was approved by the Council in May 2017.

The draft of version 3 of the Rateable Properties with Environment Covenants Policy was discussed at the Councillor Forum on 14 September 2021.

BACKGROUND

The purpose of the Rateable Properties with Environment Covenants Policy (the Policy) is to provide a documented position for Council in relation to rates rebates, waivers and reductions for properties that have conservation covenants over their title.

ISSUES/DISCUSSION

This Policy has been updated include any changes as a result of the introduction of the Local Government Act 2020.

It has also been simplified by removing any 'Trust for Nature' references allowing for a simplified treatment of all environmental covenants.

The Policy has a review timeline of four years.

COST/BENEFITS

The cost related to this Policy is the reduction in rates collected which is offset by the benefit of having properties within Loddon that are set aside for environmental purposes.

RISK ANALYSIS

The Policy will assist in providing guidance to staff with the treatment of any environmental covenant. The updates also ensure that it complies with any requirements outlined in the Local Government Act 2020.

CONSULTATION AND ENGAGEMENT

The document has been subject to the approval process of the Loddon Leaders, Policy Review Group and Management Executive Group presentation to Council.

RESOLUTION 2021/204

Moved: Cr Gavan Holt

Seconded: Cr Dan Straub

That Council adopts the Rateable Properties with Environment Covenants v3.

CARRIED

10.9 AUGUST 2021 AUDIT AND RISK COMMITTEE MEETING OVERVIEW**File Number:** FOL/20/612**Author:** Sharon Morrison, Director Corporate Services**Authoriser:** Jude Holt, Acting Chief Executive Officer**Attachments:** 1. **Review of Management of Recreation Reserves - Confidential**

This attachment is designated as confidential in accordance with Section 3(1)(a) of the *Local Government Act 2020*. It contains Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

Council business information **(under separate cover)**

2. **Review of Asset Management and Maintenance - Confidential**

This attachment is designated as confidential in accordance with Section 3(1)(a) of the *Local Government Act 2020*. It contains Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

Council business information **(under separate cover)**

RECOMMENDATION

That Council:

1. receives and notes this report on the 19 August 2021 Audit and Risk Committee Meeting
2. receive and notes the unconfirmed minutes of the Audit and Risk Committee Meeting held on 19 August 2021
3. receives and notes the "Review of Asset Management and Maintenance"
4. receives and notes the "Review of Management of Recreation Reserves"

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 June 2021 Audit and Risk Committee Meeting at the Council Meeting held on 27 July 2021.

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 scheduled 12 August 2021 Audit and Risk Committee meeting was deferred to 19 August 2021 to enable the finalisation of the external audit. The agenda for the 19 August 2021 meeting included the following:

Decision Reports

- The Audit and Risk Committee Charter was reviewed and further changes requested.
- The Internal Audit Charter was reviewed with minor edits required.
- Draft Financial Statements and Performance Statement for the year ended 30 June 2021 were presented and endorsed.
- The internal audit report on “Review of Asset Management and Maintenance” was noted and six recommendations approved.
- The internal audit report on “Review of Management of Recreation Reserves” was noted and two recommendations approved.
- The revised Financial Management Policy was endorsed.
- The revised Revenue and Debt Collection Policy was endorsed.
- The proposed Borrowing Policy was endorsed.
- The internal audit scope on “Review of Governance” was confirmed.

Compliance Reports

- An outstanding actions report was noted.
- The quarterly report on items raised by Council that may impact on the Audit and Risk Committee was noted.
- Standing reports on any suspected and actual fraud, thefts, and corruption, and major lawsuits being faced by the Council was provided by the Chief Executive Officer.

Information Reports

- The quarterly report on regulatory and integrity agencies and VAGO was provided.
- Reports by regulatory and integrity agencies were noted.
- Progress with delivery of the strategic internal audit plan was noted.
- The Finance Report for the period ended 30 June 2021 was reviewed.

Two items were deferred due to time: update on risk management framework and quarterly report on compliance with systems and controls.

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 2021/205

Moved: Cr Gavan Holt

Seconded: Cr Dan Straub

That Council:

1. receives and notes this report on the 19 August 2021 Audit and Risk Committee Meeting
2. receive and notes the unconfirmed minutes of the Audit and Risk Committee Meeting held on 19 August 2021
3. receives and notes the "Review of Asset Management and Maintenance"
4. receives and notes the "Review of Management of Recreation Reserves"

CARRIED

11 INFORMATION REPORTS**11.1 2020/21 END OF FINANCIAL YEAR VARIATION ANALYSIS****File Number:** FOL/20/2498**Author:** Deanne Caserta, Manager Financial Services**Authoriser:** Sharon Morrison, Director Corporate Services**Attachments:** 1. 2020/21 Variance Report - Snapshot**RECOMMENDATION**

That Council receives and notes the '2020/21 End of Financial Year Variation Analysis' Report.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

As part of the 2021/22 budget process, budget projections for the end of 2020/21 financial year were presented to Council in the form of a Revised Budget.

At the September Council Briefing a snapshot at activity level of the major variations between the 2020/21 Revised Budget and the 2020/21 Actuals was presented. Explanations were given where variances existed outside Council's threshold of 10% or \$20,000.

BACKGROUND

The annual budget process requires that budget projections of the current financial year be undertaken to calculate the potential carried forward surplus that will form part of the next year's budget.

As this process is generally finalised in late March or early April, there are a further three months of activity to the end of June which may give rise to variations to the budget projections.

This report outlines the variations which have arisen between the budget projections made and the actual final results achieved at year end 30 June 2021.

ISSUES/DISCUSSION

The revised budget projections called for an end of financial year closing cash surplus position of \$2.99M. The actual cash surplus was \$6.42M, a positive variance of \$3.43M.

The monthly Finance Report tables are provided as an attachment to this report, and include the budget, actuals, variance in dollars and percentage terms.

Whilst there are a number of variances, this report focuses on those which fall outside a 10% or \$20,000 threshold, whichever is the greater.

SUMMARISED FINANCIAL RESULT

The table below discloses the actual result for the year in comparison to the budget:

Report item	2020/21 Revised Budget \$	2020/21 Actual \$	Variance of Actual to Budget \$	Variance of Actual to Budget %
Revenue	(41,711,402)	(35,847,815)	5,863,588	86%
Expenses	39,095,592	33,101,213	(5,994,378)	85%
Net operating result	(2,615,810)	(2,746,601)	(130,790)	105%
Funding decisions	(12,701,338)	1,680,087	14,381,426	-13%
Capital expenditure	26,842,195	9,455,472	(17,386,722)	35%
Non cash adjustments	(9,666,789)	(9,962,753)	(295,963)	103%
Accumulated deficit b/f	(4,845,880)	(4,845,880)	1	100%
Net cash (surplus) / deficit	(2,987,621)	(6,419,676)	(3,432,048)	215%

INCOME

Income for the year was \$35.85M representing a variance of 24% or \$5.86M lower than the budget of \$41.71M. Within the income items the following variances occurred:

Statutory fees

Statutory fees received were higher than the budget by \$89K.

Instances where Council received income that was greater than the budget were:

- local laws fees and fines of \$29K due to higher animal registrations
- public health fees of \$11K due to an increase in health licence requests
- strategic and statutory fees of \$51K with a large increase in planning permit applications.

Fees and charges

Fees and charges received were higher than the budget by \$235K.

Instances where Council received income that was greater than the budget were:

- caravan park site fee income of \$164K with higher than expected visitation rates
- gravel pit income of \$80K due to an expanded infrastructure capital program
- waste site fee income of \$79K with higher than expected usage.

Instances where Council received income that was less than the budget were:

- pre-school contribution fees of \$138K with more grants to offset cost of operation.

Contributions

Contributions received were less than the budget by \$0.4M.

Instances where Council received income that was less than the budget were:

- Donaldson Park Wedderburn contributions of \$300K which will not be required until the project commences.

Reimbursements

Reimbursements received were less than the budget by \$55K.

Instances where Council received income that was less than the budget were:

- WorkCover income lower than expected by \$65K due to a decrease in claims against what was expected.

Recurrent capital grants

Recurrent capital grants received were less than the budget by \$0.9M.

Instances where Council received income that was less than the budget were:

- Roads to Recovery funding of \$377K where claims are made as the projects are completed

- caravan park funding of \$521K where claims are made as the required project stages are met.

Non recurrent capital grants

No recurrent capital grants received were less than the budget by \$5.2M.

Instances where Council received income that was less than the budget were:

- Donaldson Park Wedderburn of \$2.5M with some funds received by 30 June but treated as unearned income due to the nature of the grant
- local roads community infrastructure program grants of \$2.0M where claims are made as the required project stages are met.

EXPENDITURE

Expenditure for the year was \$30.90M representing a variance of 11% or \$3.74M lower than budget. Within the line items the following variances occurred:

Materials and services

Materials and services were \$5.5M or 41% lower than budget; the main reasons are outlined below.

Items below budget:

- home and community care unspent funds of \$811K, with some carried forward into 2021/22 to be spent on required projects
- economic development strategy delivery items of \$313K with delays in permits and other items still to be delivered
- program delivery and strategy costs of \$337K across administration and management with project contract staff on hold due to COVID
- community planning projects and other community grants of \$359K due to completion delays as a result of COVID shutdowns.

Stores

Stores were \$59K or 98% lower than budget.

Limited stores are now kept at all depot sites due to the transitioning of purchasing direct from local suppliers as needed.

Fuel

Fuel was \$97K or 11% lower than budget. The main reason was a decrease in demand with many staff required to work from home due to the COVID lockdowns; therefore, there was a decrease in vehicle usage.

Profit / (Loss) on sale of assets

There is no budget allocation for the profit or loss on the sale of assets due to its unpredictable nature. There was an \$89K profit for the 2020/21 financial year. This relates to the sale of land along with plant and equipment. In 2019/20 this was a profit of \$30K.

CAPITAL EXPENDITURE

Capital expenditure was \$9.46M representing a variance of 65% or \$17.39M below the revised budget of \$26.84M. Significant variations are set out below.

Caravan parks

Caravan park improvement works were 46% or \$0.93M below the set budget of \$2.01M.

This project has been carried forward into 2021/22 and is expected to be commenced by 30 June 2022.

Community planning

Community planning project spend was \$1.27M below the set budget of \$1.29M. This is mainly due to a delay in commencement with COVID lockdowns and the budget allocation to new projects with the relevant committees.

These projects have been carried forward into 2021/22.

Community facilities

The Donaldson Park Wedderburn project is behind budget by \$3.3M where a delay in final grant allocations had put a pause on the commencement.

Lake Boort improvement works is behind by \$686K with planning now complete and works commenced.

These projects have been carried forward into 2021/22 and are expected to be commenced by 30 June 2022.

Plant and equipment

Plant and equipment was 17% or \$276K below the set budget of \$1.62M.

The main variance was the delay in delivery of new plant with shortages in some heavy equipment pieces in the marketplace.

Roads infrastructure

Roadworks were 64% or \$8.18M below the set budget of \$12.86M. All projects that were not completed have been carried over to 2021/22, however there is some project delivery savings that has been returned to surplus for Council to redistribute to other expenditure needs.

The main variances below budget which are offset by transfers to reserves were:

- bridge and culvert works of \$1.22M
- footpath works of \$180K
- road construction works of \$276K.

FUNDING DECISIONS

Funding decisions were \$14.38M or 113% different than expected within the budget.

Transfers to reserves

Transfers to reserves were \$12.54M higher than the set budget.

The main reasons were:

- Unspent Grants Reserve was \$6.24M above budget which represents funds received for a variety of projects that remained unspent at 30 June 2021
- Capital Expenditure Reserve was \$4.28M above budget which represents projects that will now be added to the 2021/22 program
- Community Planning Reserve was \$1.86M above budget which represents projects that are either incomplete or will not commence until 2021/22.

Proceeds from sale of assets

Proceeds from sale of assets were \$179K or 21% above budget.

SUMMARY

In summary, at the end of the financial year Council earned a surplus of \$3.43M in excess of expectation.

There are many variances throughout the different elements of the financial statements, however, it can be reported that:

- Council used Capital Expenditure, Community Planning and Unspent Grants Reserves to capture any financial items that were not concluded in 2020/21 and will be completed in 2021/22 or subsequent years
- savings in many areas of the accounts were realised due to strong financial management by the officers responsible for delivering projects and programs.

COST/BENEFITS

The benefit of Council receiving a variation report of actual to projected budget is that it gives Council an understanding of the difference in the cash surplus position and keeps Council fully informed.

RISK ANALYSIS

The provision of a variance to budget report to Council minimises the risk of Council not understanding the financial position at year end, and provides reasons for carry over projects.

CONSULTATION AND ENGAGEMENT

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

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

RESOLUTION 2021/206

Moved: Cr Linda Jungwirth

Seconded: Cr Gavan Holt

That Council receives and notes the '2020/21 End of Financial Year Variation Analysis' Report.

CARRIED

12 COMPLIANCE REPORTS**12.1 SECTION 65 COMMUNITY ASSET COMMITTEE MEMBERSHIP DETAILS - WEDDERBURN ENGINE PARK AND MARKET SQUARE RESERVE COMMUNITY ASSET COMMITTEE**

File Number: FOL/20/7146

Author: Michelle Hargreaves, Administration Officer

Authoriser: Sharon Morrison, Director Corporate Services

Attachments: Nil

RECOMMENDATION

That Council appoints the persons named in this report as members of the Wedderburn Engine Park and Market Square Reserve Section 65 Community Asset Committee, effective immediately.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

Council approved the current list of committee members for Wedderburn Engine Park and Market Square Reserve Community Asset Committee on 25 August 2020.

BACKGROUND

Under Section 65 of the Local Government Act 2020 (Act) Councillors establish community asset committees and appoint their members. Under section 47 of the Act, the Chief Executive Officer 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 six community representatives are preferred. For organisation-based committees, each delegation has a list of organisations that are required to provide representatives for the committee.

Clause 7.6 states that:

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

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

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

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

ISSUES/DISCUSSION

Wedderburn Engine Park and Market Square is a community-based committee with preferred representation requiring at least six community representatives. The following is a list of nominated representatives for the committee, which meets the minimum requirement:

Name	Position
Bruce Hargreaves	Chair / Secretary
Trevor Bailey	Treasurer
Barry Bolwell	Booking Officer
Neville White	Deputy Chair
Murray Smyth	Committee Member
Glenn Harrison	Committee Member
Ian Gould	Committee Member
Jordan Hargreaves	Committee Member

The Council representative for this committee is Cr Gavan Holt.

COST/BENEFITS

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

RISK ANALYSIS

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

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

Council's appointment of committee members, not only satisfies the legislation, but also provides Council with the opportunity to sight the list of committee members before formally appointing them, as they are the people that will be operating the committee, 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 2021/207

Moved: Cr Dan Straub
Seconded: Cr Wendy Murphy

That Council appoints the persons named in this report as members of the Wedderburn Engine Park and Market Square Reserve Section 65 Community Asset Committee, effective immediately.

CARRIED

12.2 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 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. Some staff members have an involvement in the subject matter of the report by virtue of their volunteer commitment to the Community Asset Committee or the volunteer commitment by their family members.

PREVIOUS COUNCIL DISCUSSION

Council approved the current list of committee members for Donaldson Park Community Asset Committee on 25 August 2020.

BACKGROUND

Under section 65 of the Local Government Act 2020 (Act) Councillors establish community asset committees and appoint their members. Under section 47 of the Act, the Chief Executive Officer issues the committee's 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 six 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 is a list of nominated representatives for the committee, which meets the minimum requirement:

Name	Organisation
Gavan Holt (Chair)	
Jon Chandler (Secretary/ Treasurer)	Community Member
Alan Holt	Wedderburn Bowls Club
Lance Stanfield	Wedderburn Bowls Club
Danny Fowles	Wedderburn College
Vacant	Wedderburn College
Bruce Hargreaves (Deputy Chair)	Wedderburn Harness Racing Club
Tom Nisbet	Wedderburn Harness Racing Club
Peter McHugh	Wedderburn Lawn Tennis Club
Tim Lockhart	Wedderburn Lawn Tennis Club
Alex Holt	Wedderburn Redbacks Inc.
Andrew Caserta	Wedderburn Redbacks Inc.
Ian Gould	Wedderburn Redbacks Inc.
Julie Benaim	Wedderburn Redbacks Inc.
Sharyn Lockhart	Wedderburn Redbacks Inc.
Trudie Van de Wetering	Wedderburn Redbacks Inc.

Donaldson Park Community Asset Committee has not appointed a booking officer as all bookings for the various Donaldson Park facilities are completed by the user groups.

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 2021/208

Moved: Cr Dan Straub

Seconded: Cr Wendy Murphy

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

CARRIED

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

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

RECOMMENDATION

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

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

Council approved the current list of committee members for Wedderburn Mechanics and Literary Institute Hall Community Asset Committee on 23 February 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 six community representatives are preferred. For organisation based committees, each delegation has a list of organisations that are required to provide representatives for the committee.

Clause 7.6 states that:

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

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

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

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

ISSUES/DISCUSSION

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

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

The Council representative for this committee is Cr Gavan Holt.

COST/BENEFITS

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

RISK ANALYSIS

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

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

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

CONSULTATION AND ENGAGEMENT

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

RESOLUTION 2021/209

Moved: Cr Dan Straub
Seconded: Cr Wendy Murphy

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

CARRIED

12.4 SECTION 65 COMMUNITY ASSET COMMITTEE MEMBERSHIP DETAILS - BOORT MEMORIAL HALL

File Number: FOL/20/7163
Author: Michelle Hargreaves, Administration Officer
Authoriser: Sharon Morrison, Director Corporate Services
Attachments: Nil

RECOMMENDATION

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

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

Council approved the current list of committee members for Boort Memorial Hall 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 six 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

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

Name	Position
Ian Potter	Chair
Ken Loader	Deputy Chair
John Vernon	Secretary
Narelle Vernon	Treasurer
Cindy Brown	Booking officer
Karen Coutts	Committee Member
Deanne Smith	Committee Member
Isobel Loader	Committee Member
Jeanette Wagner	Committee Member
Judy Parker	Committee Member
Kevin Sutton	Committee Member
Marj Potter	Committee Member
Neil Gardner	Committee Member
Allen Stringer	Committee Member
Stephen Vanderkaay	Committee Member

The Council representative for this committee is Cr Neil Beattie.

COST/BENEFITS

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

RISK ANALYSIS

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

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

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

CONSULTATION AND ENGAGEMENT

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

RESOLUTION 2021/210

Moved: Cr Dan Straub

Seconded: Cr Wendy Murphy

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

CARRIED

12.5 SECTION 65 COMMUNITY ASSET COMMITTEE MEMBERSHIP DETAILS - PYRAMID HILL MEMORIAL HALL**File Number:** FOL/20/7150**Author:** Michelle Hargreaves, Administration Officer**Authoriser:** Sharon Morrison, Director Corporate Services**Attachments:** Nil**RECOMMENDATION**

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

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

Council approved the current list of committee members for Pyramid Hill Memorial Hall Community Asset Committee on 23 February 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

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

Pyramid Hill Memorial Hall	
Ron Peacock	Chair
Andrew Scott	Deputy Chair
Jean Mann	Secretary
Kate Wood	Treasurer
Raelene Fletcher	Booking officer
Allan Mann	Committee Member
Andrew Bewicke	Committee Member
Betty Mann	Committee Member
Bill Quinn	Committee Member
Cheryl Bartels	Committee Member
Cheryl McKinnon	Committee Member
Jan Vincent	Committee Member
Sherrie Gumley	Committee Member

The Council representative for this committee is Cr Dan Straub.

COST/BENEFITS

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

RISK ANALYSIS

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

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

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

CONSULTATION AND ENGAGEMENT

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

RESOLUTION 2021/211

Moved: Cr Dan Straub
Seconded: Cr Wendy Murphy

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

CARRIED

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**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 C504 Loddon Shire Council Aquatic Facilities Management Contract

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

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

14.3 approval of water trade of 5.8ML 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

Closing of Meeting to the Public

RESOLUTION 2021/212

Moved: Cr Dan Straub

Seconded: Cr Wendy Murphy

That the meeting be closed to the public at 3.49pm.

CARRIED

14.1 REVIEW OF CONFIDENTIAL ACTIONS**RESOLUTION 2021/213**

Moved: Cr Wendy Murphy
Seconded: Cr Linda Jungwirth

That Council receive and note the action sheet.

CARRIED

14.2 C504 LODDON SHIRE COUNCIL AQUATIC FACILITIES MANAGEMENT CONTRACT**RESOLUTION 2021/214**

Moved: Cr Linda Jungwirth
Seconded: Cr Dan Straub

That Council:

1. Award contract C504 – Loddon Shire Council Aquatic Facilities Management and Operation Contract to Belgravia Leisure as tendered
2. Authorise the Acting Chief Executive Officer to sign and affix the common seal of Council to the contract documents.

CARRIED

14.3 APPROVAL OF WATER TRADE OF 5.8ML OF ZONE 1B WATER FOR ZONE 1A WATER**RESOLUTION 2021/215**

Moved: Cr Dan Straub
Seconded: Cr Gavan Holt

That Council:

- rescind the decision of 24 August 2021, Resolution 2021/168.
- approve the sale of 5.8 ML of Zone 1B water from its holdings and the purchase of the equivalent amount of Zone 1A water.

CARRIED

NEXT MEETING

The next Ordinary Meeting of Council will be held on 26 October 2021 at Wedderburn commencing at 3pm.

There being no further business the meeting was closed at 4.05pm.

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

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CHAIRPERSON