<u>LODDON SHIRE COUNCIL</u> COUNCIL - MINUTES OF THE ORDINARY MEETING HELD IN THE CO

LODDON SHIRE COUNCIL - MINUTES OF THE ORDINARY MEETING HELD IN THE COUNCIL OFFICE, WEDDERBURN - MONDAY 22 APRIL 2013

The meeting commenced at 3.30pm with the Prayer.

<u>Present</u> In Attendance

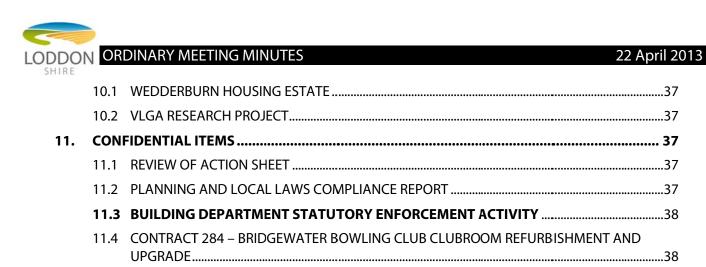
Cr Geoff Curnow (Mayor) Mr John McLinden, Chief Executive Officer
Cr Neil Beattie Mr Ian McLauchlan, Director Operations
Cr Colleen Condliffe Mrs Jude Holt, Director Corporate Services

Cr Gavan Holt Mr Bryan McEwan, Director Economy and Community

Cr Cheryl McKinnon

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1. APOLOGIES

Nil

2. PREVIOUS MINUTES

2.1 CONFIRMATION OF MINUTES

SUMMARY

Approval of the Forum Minutes of 25 March 2013. Approval of Ordinary Minutes of 25 March 2013

Author: John McLinden - Chief Executive Officer

File No: 02/01/001

Attachment: Nil

RECOMMENDATION

That Council confirm:

- 1. the minutes of the Council Forum of 25 March 2013
- 2. the minutes of the Ordinary Council Meeting of 25 March 2013

MOTION

Moved: Cr McKinnon Seconded: Cr Holt

That Council confirm:

- 1. the minutes of the Council Forum of 25 March 2013
- 2. the minutes of the Ordinary Council Meeting of 25 March 2013

Carried

2.2 REVIEW OF ACTION SHEET

SUMMARY

Approval of Action Sheet.

Author: John McLinden - Chief Executive Officer

File No: 02/01/001

Attachment: 2.2 Action Sheet

RECOMMENDATION

That Council receive and note the Action Sheet.

Moved: Cr Holt Seconded: Cr Beattie

That Council receive and note the Action Sheet.

3. INWARDS CORRESPONDENCE

SUMMARY

Relevant correspondence received by Council since previous meeting.

Author:

John McLinden - Chief Executive Officer

File No:

Attachment: Copies of inwards correspondence

RECOMMENDATION

That Council receive and note the Inwards Correspondence.

Date	From	Subject
19/3/13	Minister Peter Walsh, Minister for Agriculture and Food Security	Weeds Management (response to a letter from Loddon Shire Council, also attached)
	Agriculture and Food Security	Loudon Silie Council, also attached)

MOTION

Moved: Cr Holt Seconded: Cr Condliffe

That Council receive and note the Inwards Correspondence.

4. **COUNCILLORS' REPORTS**

4.1 MAYORAL REPORT

SUMMARY

Approval of the Mayoral Report.

Author: John McLinden – Chief Executive Officer

File No: 02/01/001

Attachment: Nil

RECOMMENDATION

That Council receive and note the Mayoral Report.

Central Murray Region Waste Management Group

Section 86 Committees: Eddington Community Centre Committee of Management, Kingower Development and Tourism Committee Inc.

Municipal Emergency Management Plan Committee

Municipal Fire Prevention Committee

DATE	Activity
25/3/13	Following the March Council Meeting, I attended the Dingee Bush Nursing Hospital community information meeting
26/3/13	I had the pleasure of launching the Loddon Tourism App
1/4/13	I attended the Rheola Easter Charity Carnival
3/4/13	I attended the MRGC Dinner at Wedderburn
4/4/13	Attended and Chaired the MRGC meeting at Wedderburn
5/4/13	Attended the announcement of funding for netball court replacement and streetscape project for Pyramid Hill by the Hon Peter Walsh

5/4/13	Attended announcement of funding for Boort Caravan Park by the Hon Peter Walsh
6/4/13	Went to Serpentine for the opening of their new netball courts by Hon Peter Walsh and myself as Mayor. Minister Walsh also announced funding for the new sports facility for the Bears Lagoon/Serpentine Football Club
9/4/13	Attended the Loddon Campaspe Group of Councils meeting held at Kyneton where we met with the Minister for Transport, the Hon Terry Mulder
16/4/13	Opened the Agrifood Skills Australia Loddon Mallee Job Summit held at Boort
16/4/13	Attended the Council planning workshop in Wedderburn
17/4/13	Attended Steering Committee Meeting of Newbridge Pavilion Reserve
19/4/13	Attended launch luncheon of the Regional Living Expo at the Melbourne Exhibition Centre
19/4/13	Attended the NCCMA Expo and Celebration Dinner of the Loddon Stressed River Project held at Newbridge
21/4/13	Dropped in at the working bee for Peter Smith and family at their property at Archdale
22/4/13	Attended April Loddon Shire Council meeting at Wedderburn

Moved: Cr Condliffe Seconded: Cr Beattie

That Council receive and note the Mayoral Report.

Carried

Mr Bryan McEwan mentioned the efforts of council staff who worked for Loddon Shire at the Regional Living Expo on 19-21 April. Loddon Shire won the Best Council Stand award, from a total of 48 councils. He presented the award to the Mayor, and the Mayor congratulated all staff who contributed to the success of the event.

4.2 COUNCILLORS' REPORT

SUMMARY

Approval of Councillors' Reports.

Author: John McLinden – Chief Executive Officer

File No: 02/01/001

Attachment: Nil

RECOMMENDATION

That Council receive and note the Councillors' Report.

Cr Condliffe

Calder Highway Improvement Committee

Section 86 Committees: Bridgewater Memorial Hall Committee of Management, Bridgewater on Loddon Progress Association, Campbells Forest Hall Committee of Management, Inglewood Community Sports Centre Committee of Management, Inglewood Equestrian Centre, Inglewood Lions Community Elderly Persons Units Committee of Management, Inglewood Pre-School Committee of Management, Inglewood Reservoir Committee of Management

11/4/13: Campbells Forest Hall Committee of Management

Australia Day Committee

Loddon Youth Committee

Healthy Minds Network

17/4/13: Healthy Minds meeting, Bridgewater

DATE	Activity
25/3/13	TAC Meeting Dingee
29/3/13	Lions Club Good Friday fish BBQ, Inglewood
26/3/13	Inglewood and District Community Bendigo Bank

8/4/13	Campbells Forest Community Planning meeting
9/4/13	Inglewood Resource Centre Meeting
10/4/13	Rural Financial Counselling meeting
16/4/13	Meeting Wedderburn for planning future Loddon Shire
17/4/13	Meeting Bridgewater Caravan Park
17/4/13	Bridgewater Development Committee
19/4/13	Inglewood Lions Club Dinner
22/4/13	Council meeting Wedderburn

Cr McKinnon

North Central Goldfields Reg	ional Library
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Section 86 Committees: Dingee Pre-School Committee of Management, Dingee Progress Association, East Loddon Community Centre Committee of Management, Mitiamo Municipal Recreation Reserve Committee of Management, Pyramid Hill Memorial Hall Committee of Management, Pyramid Hill Pre-School Committee of Management, Pyramid Hill Swimming Pool Committee of Management, Serpentine Bowls and Tennis Pavilion and Reserve Committee of Management

14/3/13: Pyramid Hill Memorial Hall meeting – Neighbourhood House is now taking hall bookings

Nature Tourism Advisory Team

DATE	Activity
25/3/13	TAC community forum with Cr Curnow, Cr Condliffe, Mr McLinden, at Dingee as Chair
3/4/13	Chaired Transition Advisory Committee for Dingee Bush Nursing Centre
5/4/13	Attended Minister Walsh's funding announcement with Mayor and CEO in Pyramid Hill for streetscape and new netball courts
6/4/13	Attended official opening of Serpentine netball courts with Minister Walsh, Mayor Curnow and Mr McLinden, and announcement of funding for sports pavilion



15/4/13	Chaired two TAC community forums at 3pm and 7pm in preparation for DBNC Special Meeting to vote on the proposed partnership with REDHS on 23 April
16/4/13	Council Planning Workshop with McKinna Consultants, Wedderburn
17/4/13	Chaired Dingee TAC meeting

Cr Beattie			
Murray Darling Association			
Rail Freight Allia	Rail Freight Alliance		
Section 86 Comm	nittees: Boort Aerodrome Committee of Management, Boort Development		
Committee Inc., Bo	port Memorial Hall Committee of Management, Boort Pre-School Committee		
of Management, B	oort Resource Information Centre Committee Inc., Boort Tourism Committee		
Inc., Korong Vale N	Mechanics Hall Committee of Management, Korong Vale Sports Centre		
	nagement, Little Lake Boort Management Committee Inc., Yando Public Hall		
Committee of Mar	nagement		
Recreation Strate	egy Implementation Steering Committee		
Other Council Activities			
DATE	Activity		
29/3/13	Attended Boort Easter tennis tournament		
5/4/13	Attended funding announcement by MP Peter Walsh at Boort Caravan Park		
8/4/13	Attended Boort Development Committee meeting		
9/4/13	General inspection and meeting at Boort Aerodrome		
18/4/13	Attended meeting at Boort Park		
22/4/13	Attended Council meeting Wedderburn		

Cr Holt

Municipal Association of Victoria

19/4/13: Attended MAV Planning Sub-committee meeting in Melbourne

Section 86 Committees: Donaldson Park Committee of Management, Wedderburn Community Centre Committee of Management, Wedderburn Historical Engines & Machinery Society Committee of Management, Wedderburn Mechanics Institute Hall Committee of Management, Wedderburn Pre-School Committee of Management, Wedderburn Tourism Inc.

21/3/13: Attended Wedderburn Community Centre Committee of Management meeting

Audit Committee

DATE	Activity
26/3/13	Attended major launch of the Loddon Valley Tourist app at Loddon Tourism Information Centre
26/3/13	Attended meeting of Inglewood and District Community Bank Board
27/3/13	Attended meeting of Wedderburn and District Community Bank Steering Committee
27/3/13	Attended meeting of Wedderburn Development Association. At the meeting they confirmed their commitment to the Wedderburn streetscape project
13/4/13	Attended Wedderburn v St Arnaud winter sports day at Donaldson Park Wedderburn
16/4/13	Participated in Council Plan workshop with consultants in We3dderburn. Significant suggestions were discussed around making improvements to the plan and the result will be a more vibrant and strategic Council Plan.
16/4/13	Attended meeting of Wedderburn and District Community Bank Steering Committee. Progress continues to be made towards the establishment of a community bank in Wedderburn. The next step will be the conduct of a feasibility study by independent auditor.
17/4/13	Attended meeting of Wedderburn Community Centre Project Steering Committee. The final detailed plans were signed off by the committee
20/4/13	Attended Wedderburn v Charlton winter sports day in Charlton.

Moved: Cr Condliffe Seconded: Cr McKinnon

That Council receive and note the Councillors' Report.



5. CHIEF EXECUTIVE OFFICER'S REPORT

5.1 DOCUMENTS FOR SIGNING AND SEALING

SUMMARY

This report provides Council with a list of documents signed and sealed during the month.

Author: John McLinden - Chief Executive Officer

File No: 02/01/001

Attachment: Nil

RECOMMENDATION

That Council:

- 1. receive and note the 'Document for Signing and Sealing' report
- 2. endorse the use of the seal on the documents listed

PREVIOUS COUNCIL DISCUSSION

Nil

BACKGROUND

N/A

ISSUES/DISCUSSION

Contract 249 Kerbside Recyclable Collection Services between Loddon Shire Council and Four Seasons Waste Pty Ltd

Transfer of land Volume 10515 Folio 172 and Volume 11031 Folio 440 from Boort Park Committee of Management Inc. to Loddon Shire Council

Contract 255 Construction of Kerb and Channel and Associated Civil Works in Wedderburn, between Loddon Shire Council and Morrissy Civil Works Pty Ltd

Contract 272 Rehabilitation, Reconstruction and Resheeting Works on Pyramid Yarraberb Road from Ch20.13km to Ch21.27km between Loddon Shire Council and Global Contracting Pty Ltd

Instrument of Delegation to members of Council staff from Loddon Shire Council (as Waterway Management for the Loddon River and Little Lake Boort)

Instrument of Delegation for Loddon Southern Tourism and Development Committee of Management

MOTION

Moved: Cr Holt Seconded: Cr Beattie

That Council:

- 1. receive and note the 'Document for Signing and Sealing' report
- 2. endorse the use of the seal on the documents listed

6. DIRECTOR CORPORATE SERVICES' REPORTS

6.1 FINANCE REPORT FOR THE PERIOD ENDING 31 MARCH 2013

SUMMARY

This report provides Council with financial information for the period ending 31 March 2013.

Author: James Rendell - Manager Financial Services

File No: 8/06/001

Attachment: 6.1

RECOMMENDATION

That Council:

- 1. Receives and notes the "Finance Report for the period ending 31 March 2013"
- 2. Approves budget revisions included in the report for internal reporting purposes only.

PREVIOUS COUNCIL DISCUSSION

Council is provided with Finance Reports on a monthly basis.

BACKGROUND

The Finance Report for the period ended 31 March 2013 includes standard monthly information about budget variations, cash, investments, interest, debtors and creditors, and provides a comparison of year-to-date actual results to year-to-date budget (by dollars and percentage) and total revised budget (by percentage).

The information provided is in the format provided in the 2012/2013 Budget, and includes operating results, capital expenditure and funding sources. It also provides a focus report.

ISSUES/DISCUSSION

As this is an end of quarter report, detailed information about the capital works program has been provided. This includes progress to date on the full schedule of capital works as disclosed in the 2012/2013 Budget.

COSTS/BENEFITS

The benefit to Council and the community is that accurate and regular financial reporting is being disclosed and the approved budget is being monitored on a constant basis.

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

RISK ANALYSIS

Council's management of projects against budget at officer level, and the provision of regular and accurate finance reports to Council minimises the risk of Council not delivering projects within the approved budget.

Council's practice of revising budgets as changes become known provides current information about the expected results for the financial year, and assists in forward planning for future budgets.

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 of the budget, and regular reporting provides a mechanism of monitoring the financial outcomes of Council against that expectation.

Moved: Cr Beattie Seconded: Cr Holt

That Council:

- 1. Receives and notes the "Finance Report for the period ending 31 March 2013"
- 2. Approves budget revisions included in the report for internal reporting purposes only.

6.2 AUDIT COMMITTEE REMUNERATION

SUMMARY

This report seeks Council's approval to increase the remuneration paid to independent members of Council's Audit Committee.

Author: Lisa Poulier – Acting Director Corporate Services

File No: 06/02/003

Attachment: Nil

RECOMMENDATION

That Council:

- 1. Increases the quarterly remuneration paid to independent members of the Audit Committee to \$410, effective the quarter commencing 1 May 2013
- 2. Retains payment of an extra quarter remuneration to the Chair during a one year term
- 3. Retains a travel reimbursement for independent members of the Audit Committee, paid at the rate that Councillors are reimbursed for travel

PREVIOUS COUNCIL DISCUSSION

Council was provided with an Audit Committee Remuneration Report at the Ordinary Meeting held on 23 April 2012, where Council resolved to:

- 1. Increase the quarterly remuneration paid to independent members of the Audit Committee to \$400, effective the year ended December 2013
- 2. Index the quarterly remuneration paid to independent members of the Audit Committee annually on 1 May, based on the December Consumer Price Index for All Groups Melbourne
- 3. Retain payment of an extra quarter remuneration to the Chair during a one year term
- 4. Introduce a travel reimbursement for independent members of the Audit Committee, paid at the rate that Councillors are reimbursed for travel, effective the guarter commencing 1 May 2011

BACKGROUND

The Consumer Price Index for All Groups – Melbourne for December has been sourced from the Australian Bureau of Statistics. The indexation factor is 2.1%.

Application of 2.1% to the Audit Committee's current remuneration of \$400 per quarter calculates to \$408.40 per quarter. This report recommends that this amount be rounded to \$410 per quarter.

ISSUES/DISCUSSION

Last year's report confirmed Council's commitment of an extra quarterly payment to the Chair during a one-year term. This payment recognises the additional responsibility held by the Chair.

It also introduced a travel reimbursement to be paid to independent members at the same rate as the Councillors' travel reimbursement.

This report recommends that the travel reimbursement and extra payment for the Chair be retained.

Moved: Cr Condliffe Seconded: Cr McKinnon

That Council:

- 1. Increases the quarterly remuneration paid to independent members of the Audit Committee to \$410, for the year ended December 2013
- 2. Retains payment of an extra quarter remuneration to the Chair during a one year term
- 3. Retains a travel reimbursement for independent members of the Audit Committee, paid at the rate that Councillors are reimbursed for travel

6.3 FEES AND CHARGES FOR THE YEAR 1 JULY 2013 TO 30 JUNE 2014

SUMMARY

This report seeks Council's approval of the Fees and Charges for the Year 1 July 2013 to 30 June 2014

Author: Duncan Campbell, Financial Accountant

File No: 07/01/006

Attachment: Fees and Charges for the Year 1 July 2013 to 30 June 2014

RECOMMENDATION

That:

1. Council approves Fees and Charges for the Year 1 July 2013 to 30 June 2014

- 2. Fees and Charges are implemented from 1 July 2013 for items not subject to a notice period, and at the end of the notice period for those items subject to the same
- 3. Where Fees and Charges are subject to legislation, any changes become effective immediately, subject to approval by Director Corporate Services or Chief Executive Officer, and amendment to the Fees and Charges for the Year 1 July 2013 to 30 June 2014.

PREVIOUS COUNCIL DISCUSSION

A draft schedule was submitted for scrutiny by Councillors at the Council Forum held on 25 March 2013.

BACKGROUND

Each year as part of the budget process a Fees and Charges Schedule is prepared and submitted for approval by Council.

Generally the new schedule takes effect from the start of the financial year; however, included in the schedule are residential accommodation charges which require a minimum notification period to the tenant of 60 days. Notification will be forwarded to tenants as soon as practicable after approval by Council.

ISSUES/DISCUSSION

This year's schedule shows a general increase of 2.5% on the previous schedule. The calculated figures are rounded to convenient amounts. An increase of 2.1% is the CPI adjustment for Melbourne as advised in the data supplied by the Australian Bureau of Statistics for the year December 2011 on December 2012. 2.5% is the expected increase for June 2012 to June 2013.

In addition to discretionary charges, various charges are levied on the basis of legislated changes. Those items are notified progressively through the year, via the Government Gazette, and direct advice from Victorian Government Departments, and will be incorporated into the published schedule as required.

Fees and Charges for the Year 1 July 2013 to 30 June 2014 is attached.

Moved: Cr McKinnon

Seconded: Cr Condliffe

That:

- 1. Council approves Fees and Charges for the Year 1 July 2013 to 30 June 2014
- 2. Fees and Charges are implemented from 1 July 2013 for items not subject to a notice period, and at the end of the notice period for those items subject to the same
- 3. Where Fees and Charges are subject to legislation, any changes become effective immediately, subject to approval by Director Corporate Services or Chief Executive Officer, and amendment to the Fees and Charges for the Year 1 July 2013 to 30 June 2014.



6.4 REVIEW OF SECTION 86 COMMITTEES OF MANAGEMENT DELEGATIONS - LITTLE LAKE BOORT COMMITTEE OF MANAGEMENT

SUMMARY

This report seeks Council's approval of an Instrument of Delegation for the Little Lake Boort Committee of Management.

Author: Lisa Poulier – Acting Director Corporate Services

File No: 02/01/028

Attachment: Instrument of Delegation for Little Lake Boort Committee of Management

RECOMMENDATION

That Council approves the Instrument of Delegation as presented for Little Lake Boort Committee of Management.

PREVIOUS COUNCIL DISCUSSION

Council has been progressively approving amended Instruments of Delegation as they are returned by committees.

BACKGROUND

A review of Section 86 committees' Instruments of Delegation within 12 months of a general election is required under Section 86(6) of the Local Government Act 1989.

Council had not reviewed committee delegations for some time, and late in 2010 a review commenced. After the flood event of January 2011 the project was put on hold, and recommenced in January 2012.

Since then a number of delegations have been reviewed, including the one presented with this report. However, as they were all reviewed prior to the 2012 general election (and in some cases very close to the general election), and the Act states that all delegations must be reviewed within 12 months after a general election, they have been provided to committee's to reconfirm that their content is correct, and are now being presented to Council for approval.

ISSUES/DISCUSSION

The Instrument of Delegation for Little Lake Boort Committee of Management is presented with this report.

The delegation has been prepared in the format that Council approved at the Ordinary Meeting held on 23 April 2012, and the further amendment of Clause 3.3 (representatives shall be nominated, not appointed) at the Ordinary Meeting held on 23 July 2012.

COSTS/BENEFITS

There are a number of benefits of this project including:

- Standardisation of committee Instruments of Delegation, which will be easier to administer during future reviews
- Inclusion of the committee's reporting requirements to ensure that all legislative requirements are met
- Increased compliance with the Local Government Act 1989
- An increased understanding of Section 86 of the Act for officers and Councillors.

RISK ANALYSIS

Section 86 Committees act for and on behalf of Council which creates a risk for Council should they ever act outside their delegated authority.

The project of updating every Section 86 committee delegation will be followed by a project to prepare a governance manual for use by committees which will guide them in their activities and provide information about their responsibilities.

This will not only support committees better, but ensure that they understand their legislative responsibilities and Council requirements.

CONSULTATION AND ENGAGEMENT

Every committee was advised that their delegation would be updated as part of an overall Council review of Section 86 committee delegations.

Each committee is consulted and communicated with as part of the individual review process.

MOTION

Moved: Cr Beattie Seconded: Cr Condliffe

That Council approves the Instrument of Delegation as presented for Little Lake Boort Committee of Management.

6.5 SECTION 86 COMMITTEES OF MANAGEMENT COMMITTEE MEMBERSHIP: BOORT DEVELOPMENT, LITTLE LAKE BOORT, AND MITIAMO MUNICIPAL RECREATION RESERVE COMMITTEES OF MANAGEMENT

SUMMARY

This report seeks Council's appointment of members to the Boort Development, Little Lake Boort, and Mitiamo Municipal Recreation Reserve Section 86 committees of management

Author: Lisa Poulier – Acting Director Corporate Services

File No: 02/01/008, 02/01/028, 02/01/030

Attachment: Nil

RECOMMENDATION

That Council appoints members to the Boort Development, Little Lake Boort and Mitia mo Municipal Recreation Reserve Section 86 committees of management, effective immediately, as per the names provided in this report.

PREVIOUS COUNCIL DISCUSSION

Council has been progressively approving committee membership of Section 86 committees of management as they are provided.

BACKGROUND

Council has been progressively approving amended Instruments of Delegation for Section 86 committees of management.

Included in the amended delegations is Clause 3.6 which outlines the requirement for nomination and appointment of committee members, which is as follows:

Members and Office Bearers of the Committee

At the Annual General 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:

- President, who shall be Chairperson of the Committee
- Secretary
- Treasurer.

The full list of proposed members must be forwarded to Council for formal appointment at an Ordinary Meeting of Council, in accordance with section 86(2). Until this formal appointment by Council occurs, the previous committee members will continue to hold office.

As contact has been made with committees, a form has been issued to them asking them to provide their current committee members' names and contact details.

Where delegations have organisation representatives (not community representatives), the names and details of the groups being represented are provided in the list.

ISSUES/DISCUSSION

Clause 3.3 Membership of the committee outlines Council's preferred composition of the committee specific to each delegation, and states that Council seeks to provide broad representation to the committees.

For community based committees, that is at least 6 community representatives.



For organisation based committees, each delegation has a list of organisations that are required to provide representatives for the committee.

The committees of management presented for Little Lake Boort and Mitiamo Municipal Recreation Reserve are both community based committees, which have preferred representation of at least 6 community members. The following is a list of nominated representatives for each committee, both of which exceed the minimum requirement:

Little Lake Boort	Mitiamo Municipal Recreation Reserve
Neil Beattie (President)	Trevor Mitchell (President)
Doug Aldrich (Vice- President)	Wayne Thomas (Vice President)
Barry Kennedy (Secretary)	Peter Meighan (Secretary- Treasurer)
Ray Stomann (Treasurer)	Caroline Whitfield
Barry Barnes	Geoff Thomas
Doug Haw	lan Anderson
Gordon McCracken	lan Marlow
lan Lanyon	John Forbes
Jim Nolan	Nick Marlow
John Nelson	Pat Mitchell
Ken Pattison	Sue Thomas
Kevin Sutton	
Lance Slatter	
Murray Chalmers	
Paul Haw	

The Boort Development Committee Instrument of Delegation does not list the Committee as either a community or organisation based committee, however section 3.3 requires a broad representation of at least 6 community representatives and at least one representative nominated by Council. The following is a list of nominated representatives, which far exceeds the minimum requirement:

Boort Development Committee:

Name	Group represented
Barry Barnes (President)	Community Plan
Jim Nolan (Vice President)	Boort District Health
Sue Forster (Secretary)	Boort Radio
Alister McDougal (Treasurer)	Boort District Health
Neil Beattie	Loddon Shire Councillor
Barry Kennedy	Little Lake Boort Committee of Management
John Nelson	Historical Society
Margaret Nelson	Historical Society
Ken Loader	Boort Aerodrome Committee of Management
Paul Haw	Cemetery Trust
Cathie Haw	Cemetery Trust
Steve Maxted	Durham Ox
Kevin Sutton	Boort Memorial Hall

Leah Toose	Arts & Culture Committee
Andrew Whatley	Boort District School
Stephen Field	Church Group
John Campbell	Boort Harness Racing Club
Marilyn Lanyon	Boort Tourism Committee of Management:
Marlies Eicher	Boort Tourism Committee of Management
Peter Eicher	Boort Tourism Committee of Management:
Jeanette Wagner	Boort Memorial Hall Committee of Management
Kathy Velleley	Community Plan
Ken Pattison	Community Representative
Dalip Chawla	Local Business Owner
Salil Chawla	Local Business Owner
Robyn McConnell	Boort Tourism Committee of Management
Jodie Curtis	Boort Tourism Committee of Management

COSTS/BENEFITS

The benefit of this project 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 86 Committees act for and on behalf of Council which creates a risk for Council should they ever act outside their delegated authority.

Under Section 86(2) of the Act, "Council may appoint members to a special committee and may at any time remove a member from a special committee".

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

Council has been advising committees in writing of the requirement to provide the list of committee members nominated at their Annual General Meeting, which requires Council approval.

MOTION

Moved: Cr Condliffe Seconded: Cr McKinnon

That Council appoints members to the Boort Development, Little Lake Boort and Mitiamo Municipal Recreation Reserve Section 86 committees of management, effective immediately, as per the names provided in this report.

7. DIRECTOR OPERATIONS' REPORTS

7.1 PLANNING APPLICATIONS CURRENTLY BEING PROCESSED

SUMMARY

Provides Council with an update on Planning applications currently under consideration and a register of planning permits issued between 13 March 1013 and 8 April 2013.

Author: Tyson Sutton – Manager Planning & Local Laws

File No: 02/01/001

Attachment: 7.1(a) List of Active Planning Applications

7.1(b) List of Applications Approved under Delegation

RECOMMENDATION

That Council receives and notes 'Planning Applications Currently Being Processed' report.

PREVIOUS COUNCIL DISCUSSION

Council is provided with a monthly report identifying the status of planning applications currently under consideration or those permits which have been issued within the preceding month.

BACKGROUND

The Loddon Shire's Planning Scheme sets out Council's objectives for the Shire with regard to land use and development via the Municipal Strategic Statement and Local Policies, and specifies which uses and developments require planning approval via zones and overlays.

As the responsible Authority it is Loddon Shire Council's duty to administer and enforce its planning scheme.

ISSUES/DISCUSSION

Attachments 7.1(a) and 7.1(b) provides Council with a full list of planning applications currently under consideration and those planning permits issued between 13 March 1013 and 8 April 2013.

COSTS/BENEFITS

Nil

RISK ANALYSIS

Failure to process planning applications in a timely manner or undertake rigorous assessment of development or works proposals is considered to pose the following risks:

- Barrier to development and associated economic growth within the Shire
- Proliferation of incompatible land use development
- Council's reputation as a regulatory authority
- Infrastructure, service provision or regulatory and enforcement pressures
- Protection of zones to accommodate intended activities or reduction of surrounding property amenity

CONSULTATION AND ENGAGEMENT

Consultation and engagement with planning permit applicants is routinely conducted at the required periods throughout the assessment and permit approval process.

Moved: Cr Beattie Seconded: Cr Holt

That Council receives and notes 'Planning Applications Currently Being Processed' report.

7.2 PROTOCOL FOR INTER-COUNCIL EMERGENCY MANAGEMENT RESOURCE SHARING

SUMMARY

The Municipal Association of Victoria are seeking reaffirmation of Council's commitment to the Inter-Council Emergency Management Resource Sharing protocol. Loddon Shire originally committed to this protocol following its inception in in 2007 and have tri-annually re-committed to the protocol for the past 6 years.

Author: Ian McLauchlan – Director Operations

File No: 11/01/001

Attachment: MAV Protocol for Inter-Council Emergency Management Resource Sharing

RECOMMENDATION

That Council renew its commitment to the Municipal Association of Victoria Inter-Council Emergency Management Resource Sharing protocol for 2013-17.

PREVIOUS COUNCIL DISCUSSION

At its ordinary meeting in November 2007 Council agreed to participate with the Municipal Association of Victoria (MAV) protocol for inter-council emergency management resource sharing. This commitment was re-affirmed in 2010.

BACKGROUND

The Protocol of Inter-Council Emergency Management Resource Sharing was first established in 2007 following recognition throughout the local government sector that in the event of large scale emergency events, any single council may not necessarily have adequate resources to manage its response and recovery efforts.

Accordingly a protocol was established by the MAV clarifying operational, insurance and reimbursement issues which could potentially arise in instances where municipal resources are shared or seconded between councils.

As stated within the MAV letter attached, the protocol is consistent with the concepts and policy guidelines contained within the Emergency Management Act 1986 and the Emergency Management Manual of Victoria.

Whilst adoption of the protocol is voluntary, its effectiveness is significantly improved through widespread uptake and commitment of local councils throughout Victoria. The protocol is not intended to replace or diminish any separate resource sharing arrangement Councils may have with neighbouring or regional municipalities.

At present 69 of the 79 Victorian local government municipalities have re-affirmed their commitment to the MAV protocol with a full list of participating councils available on the MAV website.

ISSUES/DISCUSSION

Whilst Council's involvement in emergency management is limited to a support role for lead agencies such as the SES, CFA or DSE, significant demands may be placed upon council staff and physical resources during an emergency event. This demand is significantly heightened in the event of large scale or widespread emergencies such as the flood events of 2010/11.

As demonstrated during recent large scale emergency events, the ability of Council to adequately meet demand for support in response, relief and recovery efforts can be severely impacted given competing demands in maintaining core council services as well as participation in emergency management activities.

There are a number of core business areas within Loddon Shire which generally are called upon to assist in the event of an emergency, given their area of expertise or services offered to the local community. Often these business areas maintain limited staffing provisions and also provide important services to the local community through Council's normal operations.

Accordingly, the ability to draw upon similar resources maintained within other municipalities provides greater flexibility to respond in an emergency whilst minimising the risk to the integrity of council core operations. Similarly there are numerous staff within the local government sector who poses valuable experience or knowledge of emergency management practices, which may be drawn upon to assist the local community to return to normality as quickly as possible.

Sharing of resources between councils can however create a number of issues which require clarification such as who incurs costs, extent of insurance protection and extent of operational authority. Hence the MAV have been working with key stakeholders and councils to establish a protocol (see attached) for inter council resource sharing which attempts to address these concerns and clarify arrangements by which Council may assist one another in the event of large scale emergencies.

It is considered that the ability of Loddon Shire to obtain resources to assist in the event of an emergency provides a greater level of security for our local community and will greatly improve our ability to maintain services whilst being able to respond to requests for material or personnel support to the emergency response and recovery effort.

It is noted that by agreeing to the protocol Council is not obliged to provide resources as and when requested, but rather the position of providing assistance as resources permit stands. Rather, the intent of the protocol is to formalise the process, rules and obligations for participating councils in providing, sourcing or utilising resources from other organisations.

COSTS/BENEFITS

Commitment to the MAV protocol does commit Council to either costs or a requirement to provide resources as and when required. Rather, costs which are likely to be incurred by Council relate to the release of and potential requirement to backfill staff, productivity losses due to resources being unavailable or cost of engaging external resources during an emergency situation.

Benefits in participating in the protocol and sharing resources in the field of emergency management are believed to outweigh the potential costs and are identified as follows:

- Opportunity to development staff skills and experience in emergency management activities through practical application in a range of environments and scenarios.
- Ability to draw upon experience and resources within other councils in times of emergency.
- Certainty around processes and obligations with respect to resource sharing.
- Greater protection and understanding of insurance, operational authority and reimbursement of costs arrangements for shared resources.

RISK ANALYSIS

Potential risk to Council in relation to commitment or otherwise to this protocol are as follows:

Commitment to Protocol

- Potential expectation that Council will make resources available or take on more responsibility in the area of emergency management and response.
- Declining to participate in the Protocol
 - Uncertainty around arrangements for resource sharing e.g. costs, insurance cover and engagement processes.
 - Difficulty or delay in sourcing resources and establishing necessary agreements if the need arises

CONSULTATION AND ENGAGEMENT

In preparing the protocol the MAV has consulted with Office of Emergency Services Commissioner, Civic Mutual Plus, WorkSafe and the Victorian Managed Insurance Authority. Consideration was also given to feedback and advice from all Victorian councils in the formation of the protocol.

MOTION

Moved: Cr Holt Seconded: Cr McKinnon

That Council renew its commitment to the Municipal Association of Victoria Inter-Council Emergency Management Resource Sharing protocol for 2013-17.

7.3 BUILDING DEPARTMENT ACTIVITY STATISTICS JANUARY TO MARCH 2013

SUMMARY

Provides information to Council on the level of building activity within the municipality.

Author: David Turner – Municipal Building Surveyor

File No: 13/06/001

Attachment: Building Permit Approvals

Occupancy Permits Issued

Certificates of Final Inspection Issued

Summary of Building Inspections undertaken Graph Sheets of Comparisons – 2005 to 2012

RECOMMENDATION

That Council receive and note the "Building Department Activity Statistics Report"

PREVIOUS COUNCIL DISCUSSION

Council is provided with a quarterly report regarding building activity statistics within the Shire.

BACKGROUND

Loddon Shire provides a range of building advisory and control functions through its building department. The role of the Municipal Building Surveyor encompasses the provision of building advice, administration, issuing or review of relevant permits and approvals, advisory and consultancy services as well as preforming regulatory administration and enforcement activities.

Capturing and reporting statistics relating to building activity within the Shire also forms part of the Municipal Building Surveyors role. Accordingly this information is provided to Council as an indicator of local development and investment.

ISSUES/DISCUSSION

For the period January to March 2013 available data indicates that there has been a slight decrease in the number of building permits issued and an approximate 58% decrease in the total value of building works as compared with the previous 3 month period. This decrease in value is attributed to the comparison between the scale of works in the previous three months to the more conventional projects in the first part of 2013.

Compared to the same period in 2012, figures show a very minor change in the number of building permits that have been issued with the value of works being approximately 31% less.

COSTS/BENEFITS

Nil

RISK ANALYSIS

Nil

CONSULTATION AND ENGAGEMENT

Nil

Moved: Cr McKinnon Seconded: Cr Beattie

That Council receive and note the "Building Department Activity Statistics Report".



8. DIRECTOR ECONOMY AND COMMUNITY REPORTS

8.1 STATUS OF THE COMMUNITY PLANNING PROGRAM COMMENCING APRIL 2013

SUMMARY

This report provides Council with a list and the status of projects and initiatives currently active in community planning.

Author: Tim Jenkyn, Manager Community Planning

File No:

Attachment: Status of the Loddon Shire Community Planning Program April 2013

RECOMMENDATION

That Council note the 'Status of the community planning program commencing April 2013' report.

PREVIOUS COUNCIL DISCUSSION

- Council Report October 2012 Community Planning Program Status
- Council Report January 2013 Community Planning Program Status

BACKGROUND

The community planning program has a number of large, medium and small scale projects underway across the Shire, as detailed in the attached report.

The attached spread sheet lists the location, type of project, funding sources, community planning allocation, percentage complete and project management information on items initiated in community planning.

ISSUES/DISCUSSION

COSTS/BENEFITS

Currently Loddon Shire Council's community planning program represents an allocation value close to \$1.5 million for Loddon's communities (October 2012). This figure is based on projects that Council and the community have invested in over previous and the current financial year.

As detailed in the attached report many large and medium scale projects have attracted or seek external funding. Together with smaller projects numerous members of each community volunteer their time in planning, contributing funds and in kind work on the ground.

RISK ANALYSIS

NA

CONSULTATION AND ENGAGEMENT

NA

MOTION

Moved: Cr Condliffe Seconded: Cr Beattie

That Council note the 'Status of the community planning program commencing April 2013' report.

8.2 DJA DJA WURRUNG CLANS TRADITIONAL OWNERS GROUP NATIVE TITLE DETERMINATION

SUMMARY

The Victorian Government and the Dja Dja Wurrung Clans Aboriginal Corporation (DDWCAC) (on behalf of the Dja Dja Wurrung traditional owner group) have entered into a 'Recognition and Settlement Agreement' which formally recognises the Dja Dja Wurrung people as the traditional owners for part of Central Victoria.

Author: Bryan McEwan, Director Economy and Community

File No: 13/09/001

Attachment: Dja Dja Wurrung Native Title Agreement Map

Notice of an application to register an area agreement on the Register of Indigenous

Land Use Agreements

RECOMMENDATION

That Council receive and note the 'Dja Dja Wurrung Clans Traditional Owners Group Native Title determination' report

PREVIOUS COUNCIL DISCUSSION

Council has received previous reports on progress of the Dja Dja Wurrung native title settlement and has had representation from the Victorian Department of Justice on the subject.

BACKGROUND

The Victorian Government and the Dja Dja Wurrung Clans Aboriginal Corporation have entered into a 'Recognition and Settlement Agreement' which formally recognises the Dja Dja Wurrung people as the traditional owners over a major part of Central Victoria and including a significant proportion of the Loddon Shire.

The agreement is the first comprehensive settlement under the Victorian *Traditional Owner Settlement Act* 2010 and settles four native title claims in the Federal Court dating back to 1998.

The attached map indicates the settlement area and also includes areas of public land which are specifically included within the agreement.

Public land which is to be handed back to the Dja Dja Wurrung, within the Loddon Shire comprises:

- Kooyoora State Park
- Wehla Nature Conservation Reserve

This means that title to these lands will be held by the Dja Dja Wurrung as 'Aboriginal title'.

A new entity, in the 'Dhelkunya Dja Land Management Board', will be created to assist in the joint management of public land within the agreement area and will consist primarily of members of the Dja Dja Wurrung. Other members of the board, consisting of Department of Sustainability and Environment staff and the community, will be nominated by the state government.

The state government through DSE and Parks Victoria will maintain its usual management functions, including functions such as fire management and catchment management.

Access and use will be through a joint management plan but will incorporate existing use rights (licences or leases) and public access such as recreational fishing and hunting.

The agreement also affects other areas of Crown land within the claim area including Lake Boort. A new system of referral to the traditional owners, a 'Land Use Activity Agreement' will enable the Dja Dja Wurrung to provide comment and agreement for activities on Crown lands within the claim area.

ISSUES/DISCUSSION

Two mechanisms exist under which a native title group (such as the Dja Dja Wurrung) can enter into an agreement with others in relation to the use and management of land and waters (for example on Crown lands) within a claim area:

- Indigenous Land Use Agreements (ILUA) under the Native Title Act (Commonwealth) and
- Land Use Activity Agreements (LUAA) which is defined under the Traditional Owner Settlement Act 2010 (Victorian)

The Victorian system has been developed as a simplified alternative to the system developed under the *Native Title Act 1993.*

As an example, Council has recently received notification of an application for registration on the Register of Indigenous Land Use Agreements.

The notification advises Council of the intention to register the agreement within the Register of Land Use Agreements, which signals that an agreement has been reached between the Dja Dja Wurrung and the applicant (Fiddlers Creek Gold Mining Company).

The 'Application to register' indicates that the parties agree that specific provisions under the Native Title Act do not apply to Mining Licence Application number 5510.

The subject land in this instance relates to approximately 3.16 km² or Crown Land North of Dunolly and over an existing mining licence.

References:

Victorian Department of Justice: www.justice.vic.gov.au

National Native Title Tribunal: www.nntt.gov.au

Dja Dja Wurrung Clans Aboriginal Corporation: www.djadjawurrung.com.au

COSTS/BENEFITS

N/A

RISK ANALYSIS

N/A

CONSULTATION AND ENGAGEMENT

N/A

MOTION

Moved: Cr McKinnon Seconded: Cr Condliffe

That Council receive and note the 'Dja Dja Wurrung Clans Traditional Owners Group Native Title determination' report

9. DIRECTOR COMMUNITY WELLBEING REPORTS

9.1 IMPROVING LIVEABILITY FOR OLDER PEOPLE – PROJECT UPDATE

SUMMARY

This report is to provide Council with an update on the progress of the Improving Liveability for Older People project

Author: Wendy Gladman – Acting Director Community Wellbeing

File No: 12/07/001

Attachment: Project summary

RECOMMENDATION

That Council receive and note the Improving Liveability for Older People project update.

PREVIOUS COUNCIL DISCUSSION

A report presented to Council in January 2012 introduced the Improving Liveability for Older People (ILOP) initiative detailing the first phase of the project which included consultation, planning and project proposals. The ILOP project aims to deliver projects that will make a positive difference to the quality of life, social participation, health and wellbeing of older people in towns with an ageing population.

The Loddon Shire Council, along with 11 other local government areas received funding for this project from the State Government of Victoria - Department of Health.

BACKGROUND

Department of Health approval of the project proposals was required and received to enable the second phase of the project to continue. Funding of \$80,000 has been provided to Loddon Shire Council as the project lead agency to manage the implementation of the project plan.

The consultation phase raised many issues that impact on the health and wellbeing of older people in the Loddon Shire, but within the confines of the project funding and criteria four projects were approved. (As attached)

ISSUES/DISCUSSION

The ILOP project commenced in July 2012 and is due for completion in July 2013. Progress on the projects is as follows:

PROJECT	PROGRESS
Purchase of chairs for Pyramid Hill	Complete
Memorial Hall	 Occupational Therapy assessment of target group and venue. Recommendation of preferred chair accepted by Hall Committee Supplied 42 chairs (6 small, 6 large and 30 standard)
	to the Pyramid Hill Hall.
Access to fresh food supplies	 In Progress Inglewood & Districts Health Service (IDHS) are leading the delivery of this project. Commenced in August 2012 Meetings with Korong Vale community to develop a trial project Meetings with Loddon fresh fruit suppliers Eligibility Criteria and Trial project developed

	 March 2013 – no interest expressed from eligible residents at Korong Vale to participate in trial. April 2013 – IDHS will review project and determine new trial site.
Successful volunteer programs and submission writing	Not Started
Town mapping for pedestrians and	In Progress
scooters	 In partnership with Loddon Shire Council – Transport Connections Project Financial contribution to mapping of towns and production of final documentation

COSTS/BENEFITS

Nil cost to Council. The completion of the projects will contribute to the creation of more age-friendly communities.

RISK ANALYSIS

Nil

CONSULTATION AND ENGAGEMENT

In developing the project submission, group consultation occurred in the communities of Boort, Pyramid Hill, Wedderburn, Inglewood, Bridgewater, Dingee, Tarnagulla, Wedderburn, East Loddon district and Korong Vale.

Individual interviews were conducted with five community members and staff from:

- Loddon Shire Council
- Boort, Inglewood and Dingee Health Services
- Wedderburn, Boort, Pyramid Hill and Inglewood Community Centres.

MOTION

Moved: Cr Condliffe Seconded: Cr McKinnon

That Council receive and note the Improving Liveability for Older People project update.

10. GENERAL BUSINESS

10.1 WEDDERBURN HOUSING ESTATE

Cr Holt asked about the rules surrounding the purchase of blocks of land in the housing estate in Wedderburn. The Wedderburn Development Association raised concerns that they may be too onerous for prospective buyers. There was recognition that Council wanted to encourage timely building on these developments. Bryan McEwan will circulate the rules to all councillors.

10.2 VLGA RESEARCH PROJECT

The CEO provided councillors with an invitation from the Victorian Local Government Association to participate in a research project.

11. CONFIDENTIAL ITEMS

Closing of Meeting to the Public

RECOMMENDATION

That the meeting be closed to the public.

MOTION

Moved: Cr Condliffe Seconded: Cr McKinnon

That the meeting be closed to the public at 5.10pm

Carried

11.1 REVIEW OF ACTION SHEET

MOTION

Moved: Cr Condliffe Seconded: Cr McKinnon

That Council receive and note the Action Sheet.

Carried

11.2 PLANNING AND LOCAL LAWS COMPLIANCE REPORT

MOTION

Moved: Cr McKinnon Seconded: Cr Condliffe

That Council receives and notes the Planning & Local Laws Compliance report.

11.3 BUILDING DEPARTMENT STATUTORY ENFORCEMENT ACTIVITY

MOTION

Moved: Cr Holt Seconded: Cr Condliffe

That Council receive and note the Building Department Statutory Enforcement Activity report.

Carried

MOTION

Moved: Cr Beattie Seconded: Cr Condliffe

That the following item be treated as urgent business.

Carried

11.4 CONTRACT 284 – BRIDGEWATER BOWLING CLUB CLUBROOM REFURBISHMENT AND UPGRADE

MOTION

Moved: Cr Holt Seconded: Cr McKinnon

That Council:

- 1. Award contract 284, providing for construction of a new toilet block and refurbishment of existing kitchen, function room and bar at the Bridgewater Bowling Club, to B P & R M Carboon for the lump sum price of \$190,103 (Excluding G.S.T).
- 2. Nominate Councillor Condliffe to sit on the project steering committee.

Carried

MOTION

Moved: Cr Holt Seconded: Cr Beattie

That the meeting be re-opened to the public at 5.49pm

NEXT MEETING

The next Ordinary Meeting of Council will be held on 27 May 2013 at Serpentine commencing at 3.30pm.

There being no further business the meeting was closed at 5.49pm.	
Confirmed thisday of	