



Date: Tuesday, 24 November 2020
Time: 3pm
Location: Council office, Wedderburn
Public access via audio livestream

MINUTES

Ordinary Council Meeting

24 November 2020

**MINUTES OF LODDON SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL OFFICES, WEDDERBURN
ON TUESDAY, 24 NOVEMBER 2020 AT 3PM**

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

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

OPENING COMMENT

THIS MEETING IS BEING CONDUCTED IN ACCORDANCE WITH THE LOCAL GOVERNMENT ACT 2020 AS TEMPORARILY AMENDED TO ENABLE MEETING BY ELECTRONIC MEANS OF COMMUNICATION.

THIS MEETING IS BEING RECORDED AND AUDIO STREAMED VIA THE COUNCIL WEBSITE AND FACEBOOK.

1 OPENING PRAYER

“Almighty God, we humbly ask you to bless this Council, direct and prosper its deliberations towards the true welfare of your people of the Shire of Loddon.”

2 ACKNOWLEDGEMENT OF COUNTRY

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

3 APOLOGIES

Nil

4 DECLARATIONS OF CONFLICT OF INTEREST

Nil

5 PREVIOUS MINUTES**5.1 CONFIRMATION OF MINUTES**

File Number: 02/01/001

Author: Lynne Habner, Manager Executive and Commercial Services

Authoriser: Phil Pinyon, Chief Executive Officer

Attachments: Nil

RECOMMENDATION

That Council confirm:

1. The minutes of the Council Briefing of 13 October 2020.
2. The minutes of the Ordinary Council Meeting of 13 October 2020.
3. The minutes of the Confidential Council Meeting of 13 October 2020.
4. The minutes of the Special Council Meeting of 19 November 2020.

REPORT

Seeking approval of the unconfirmed minutes of the previous meetings.

RESOLUTION 2020/171

Moved: Cr Gavan Holt

Seconded: Cr Wendy Murphy

That Council confirm:

1. The minutes of the Council Briefing of 13 October 2020.
2. The minutes of the Ordinary Council Meeting of 13 October 2020.
3. The minutes of the Confidential Council Meeting of 13 October 2020.
4. The minutes of the Special Council Meeting of 19 November 2020.

CARRIED

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

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

1. Council Briefing 13 October 2020.

In accordance with Section 80A of the Local Government Act 1989 (the Act), records of Assemblies of Councillors must be reported at the next practicable Council meeting and recorded in the minutes.

An Assembly of Councillors is defined in Section 76AA of the Act as a meeting at which matters are considered that are intended or likely to be the subject of a Council decision or the exercise of a delegated authority and which is either of the following:

- A meeting of an advisory committee where at least one Councillor is present; or
- A planned or scheduled meeting that includes at least half the Councillors and at least one Council officer.

The record is therefore presented for Council's noting.

RECORD OF ASSEMBLIES OF COUNCIL

Assembly details	Briefing
Date	13 October 2020
Councillor Attendees	Cr Beattie Cr Condliffe Cr Curnow Cr Holt Cr McKinnon
Staff/Stakeholder representatives	Phil Pinyon, Chef Executive Officer Wendy Gladman, Director Community Wellbeing Sharon Morrison, Director Corporate Services Steven Phillips, Director Operations Lynne Habner, Manager Executive and Commercial Services Sarah Perry, A/Manager Community Support David Southcombe, Manager Assets & Infrastructure Deanne Caserta, Manager Financial Services
Items discussed.	<ol style="list-style-type: none"> 1. Economic Development and Tourism update 2. LGA2020 implementation plan update 3. B Double access 4. COVID safe Swimming Pools plan 5. Budget variation analysis 6. General business: <ul style="list-style-type: none"> • Private swimming pool registration • Rural Councils Transformation Program • Waterways maintenance
Conflict of Interest Disclosures - Councillor/officer making disclosure	Item 3: Wendy Gladman
Councillor/officer left room	Yes

RESOLUTION 2020/172

Moved: Cr Gavan Holt

Seconded: Cr Linda Jungwirth

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

1. Council Briefing 13 October 2020.

CARRIED

7 REVIEW OF ACTION SHEET**7.1 REVIEW OF ACTIONS**

File Number: 02/01/002

Author: Christine Coombes, Executive and Commercial Services Officer

Authoriser: Phil Pinyon, Chief Executive Officer

Attachments: 1. Action sheet

RECOMMENDATION

That Council receive and note the action sheet.

CONFLICT OF INTEREST

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

REPORT

Refer attachment.

RESOLUTION 2020/173

Moved: Cr Dan Straub

Seconded: Cr Gavan Holt

That Council receive and note the action sheet.

CARRIED

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

That Council receive and note the Mayoral Report

REPORT

The Mayor will present a report at the meeting.

Mayor to be elected at Special Meeting to be held on 19 November 2020.**Committee details to be confirmed at Special Meeting to be held on 19 November 2020.****Other Council activities**

DATE	Activity
13/10/20	Attended Council meeting online
20/10/20	Attended dinner at Bridgewater Hotel with staff and retiring Councillors
24/10/20	Elected to Council
17/11/20	Attended Council Briefing
19/11/20	Attended Statutory Meeting elected Mayor
23/11/20	Boort Park meeting
24/11/20	Attended Council meeting at Wedderburn

RESOLUTION 2020/174

Moved: Cr Neil Beattie

Seconded: Cr Wendy Murphy

That Council receive and note the Mayoral Report

CARRIED

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

That Council receive and note the Councillors' reports

REPORT

Each Councillor will present a report at the meeting.

Cr Holt

Committee details to be confirmed at Special Meeting to be held on 19 November 2020.	
Other Council activities	
DATE	Activity
20/10/20	Attended a dinner at Bridgewater with Councillors, the Management Executive Group and partners as a final gathering of the current Council.
22/10/20	Met with a number of local businesses to discuss their concerns around the availability of industrial land in Wedderburn
17/11/20	Attended an informal Council meeting at Wedderburn
18/11/20	Attended the Annual General Meeting of the Wedderburn Hall Community Asset Committee where I chaired the election of office bearers.

Cr Jungwirth

Committee details to be confirmed at Special Meeting to be held on 19 November 2020.

Other Council activities

DATE	Activity
12/11/20	Meeting with Ken O'Shea regarding Newbridge sewerage
17/11/20	Special meeting (councillor induction day)
19/11/20	Inaugural meeting of Council
22/11/20	Discussion with Community Planning at Newbridge

Cr Murphy

Committee details to be confirmed at Special Meeting to be held on 19 November 2020.

Other Council activities

DATE	Activity
17/11/20	LSC Councillor Induction Day
19/11/20	LSC Special Meeting
24/11/20	LSC Council meeting
24/11/20	Interview with WIN News Bendigo on the Basin Plan Action. Approval from Mayor Beattie and notification to CEO Mr Pinyon.

Cr Straub

Committee details to be confirmed at Special Meeting to be held on 19 November 2020.

Other Council activities

DATE	Activity
23/11/20	6pm: Pyramid Hill Historical Society. Met with members at the museum at Kelly Park, and was shown through the venue, we then moved to the PH football oval and was shown the storage sheds and the old motor at the PH Pet Food Factory venue. We then attended the site at Barber St, where I sighted the plans for a new museum building.
	7pm: Pyramid Hill Hotel where I attended the PH Historical Society general meeting. Meeting closed at 9pm.

RESOLUTION 2020/175

Moved: Cr Wendy Murphy

Seconded: Cr Dan Straub

That Council receive and note the Councillors' reports

CARRIED

10 DECISION REPORTS**10.1 2021 COUNCIL MEETING SCHEDULE****File Number:** 02/04/001**Author:** Phil Pinyon, Chief Executive Officer**Authoriser:** Phil Pinyon, Chief Executive Officer**Attachments:** Nil**RECOMMENDATION**

That Council:

1. approve the schedule of Council Meetings for 2021 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 2021. Tuesday 26 January is a public holiday; therefore the meeting is proposed to be held the next day.

ISSUES/DISCUSSION

The proposed 2021 schedule of Council Meetings is as follows:

Wednesday 27 January	Tuesday 25 May	Tuesday 28 September
Tuesday 23 February	Tuesday 22 June	Tuesday 26 October
Tuesday 23 March	Tuesday 27 July	Tuesday 23 November
Tuesday 27 April	Tuesday 24 August	Tuesday 14 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.

Council Meetings will commence at 3.00pm. The venue for Council Meetings is proposed to be the Council Chambers, Loddon Valley Highway, Serpentine. 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 audio 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. Council Meetings will continue to be open to the public.

COST/BENEFITS

No financial impacts are expected from continuing this established practice.

RISK ANALYSIS

Nil.

CONSULTATION AND ENGAGEMENT

Nil.

RESOLUTION 2020/176

Moved: Cr Gavan Holt

Seconded: Cr Linda Jungwirth

That Council:

1. approve the schedule of Council Meetings for 2021 as contained within this report
2. provide public notice of the Council Meetings schedule.

CARRIED

10.2 FINANCE REPORT FOR THE PERIOD ENDING 30 SEPTEMBER 2020**File Number:** 08/06/001**Author:** Deanne Caserta, Manager Financial Services**Authoriser:** Sharon Morrison, Director Corporate Services**Attachments:** 1. Finance Report for the period ending 30 September 2020**RECOMMENDATION**

That Council:

1. receives and notes the 'Finance Report for the period ending 30 September 2020'
2. approves budget revisions included in the report for internal reporting purposes only
3. approves the supplementary valuations of rateable and non-rateable properties in respect of the 2020/21 financial year, as returned by the Shire Valuer, LG Valuations Pty Ltd, and endorses them being incorporated into the Register of Rateable and Non Rateable Properties and Rate Book for 2020/21.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

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

BACKGROUND

The Finance Report for the period ended 30 September 2020 standard monthly information about budget variations, cash, investments, interest, debtors and creditors, and provides a comparison of year-to-date actual results to year-to-date budget (by dollars and percentage) and total revised budget (by percentage).

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

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

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

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

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

ISSUES/DISCUSSION

Budgeted Surplus - Council's budgeted cash surplus has increased by \$23K to \$1.36M.

Income Statement (revenue) - Council's year to date (YTD) operating revenue is at 44% of total budget. Revenue brought to account for September was \$1.3M (August was \$1.4M).

Income Statement (expenditure) - Council's operating expenditure is at 21% of total budget. Payments for this month totalled just over \$2.36M (\$2.23M in August).

Capital Works - The approved budget for capital works is \$24.07M and is 4% complete in financial terms for the current financial year.

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

Balance Sheet - Council has a cash total of \$28.2M with \$4.0M in general accounts. Total debtors at the end of September are \$12.46M (\$12.97M in August). Sundry debtors total \$1.43M with invoices outstanding for 90 or more days relating to community wellbeing debtors and local community groups totalling approximately \$30K.

COST/BENEFITS

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

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

RISK ANALYSIS

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

CONSULTATION AND ENGAGEMENT

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

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

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

RESOLUTION 2020/177

Moved: Cr Dan Straub

Seconded: Cr Wendy Murphy

That Council:

1. receives and notes the 'Finance Report for the period ending 30 September 2020'
2. approves budget revisions included in the report for internal reporting purposes only
3. approves the supplementary valuations of rateable and non-rateable properties in respect of the 2020/21 financial year, as returned by the Shire Valuer, LG Valuations Pty Ltd, and endorses them being incorporated into the Register of Rateable and Non Rateable Properties and Rate Book for 2020/21.

CARRIED

10.3 FINANCE REPORT FOR THE PERIOD ENDING 31 OCTOBER 2020

File Number: 08/06/001

Author: Deanne Caserta, Manager Financial Services

Authoriser: Sharon Morrison, Director Corporate Services

Attachments: 1. Finance Report for the Period Ending 31 October 2020

RECOMMENDATION

That Council:

1. receives and notes the 'Finance Report for the period ending 31 October 2020'
2. approves budget revisions included in the report for internal reporting purposes only
3. approves the supplementary valuations of rateable and non-rateable properties in respect of the 2020/21 financial year, as returned by the Shire Valuer, LG Valuations Pty Ltd, and endorses them being incorporated into the Register of Rateable and Non Rateable Properties and Rate Book for 2020/21.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

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

BACKGROUND

The Finance Report for the period ended 31 October 2020 standard monthly information about budget variations, cash, investments, interest, debtors and creditors, and provides a comparison of year-to-date actual results to year-to-date budget (by dollars and percentage) and total revised budget (by percentage).

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

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

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

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

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

ISSUES/DISCUSSION

Budgeted Surplus - Council's budgeted cash surplus has decreased by \$207K to \$1.15M.

Income Statement (revenue) - Council's year to date (YTD) operating revenue is at 50% of total budget. Revenue brought to account for October was \$2.26M (September was \$1.3M).

Income Statement (expenditure) - Council's operating expenditure is at 28% of total budget. Payments for this month totalled just over \$2.61M (\$2.36M in September).

Capital Works - The approved budget for capital works is \$24.49M and is 6% complete in financial terms for the current financial year (September was 4%).

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

Balance Sheet - Council has a cash total of \$28.6M with \$1.4M in general accounts. Total debtors at the end of October are \$12.13M (\$12.46M in September). Sundry debtors total \$1.48M with invoices outstanding for 90 or more days relating to community wellbeing debtors and local community groups totalling approximately \$45K.

COST/BENEFITS

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

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

RISK ANALYSIS

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

CONSULTATION AND ENGAGEMENT

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

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

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

RESOLUTION 2020/178

Moved: Cr Dan Straub

Seconded: Cr Wendy Murphy

That Council:

1. receives and notes the 'Finance Report for the period ending 31 October 2020'
2. approves budget revisions included in the report for internal reporting purposes only
3. approves the supplementary valuations of rateable and non-rateable properties in respect of the 2020/21 financial year, as returned by the Shire Valuer, LG Valuations Pty Ltd, and endorses them being incorporated into the Register of Rateable and Non Rateable Properties and Rate Book for 2020/21.

CARRIED

10.4 AMENDED FEES AND CHARGES FOR THE YEAR 1 JULY 2020 TO 30 JUNE 2021**File Number:** 07/01/006**Author:** Deanne Caserta, Manager Financial Services**Authoriser:** Sharon Morrison, Director Corporate Services**Attachments:** 1. Fees and Charges 2020/2021 v2**RECOMMENDATION**

That Council:

1. approves the amended Fees and Charges Schedule v2 for the year 1 July 2020 to 30 June 2021
2. subject to the approval of the Director Corporate Services or Chief Executive Officer, make effective immediately any changes where the fees and charges are altered by legislation, and make amendment to the relevant Fees and Charges Schedule for the year 1 July 2020 to 30 June 2021.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

Council adopted version one of the 2020/21 Fees and Charges Schedule (Schedule) at the Council meeting held on 23 June 2020.

BACKGROUND

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

Minor amendments occur throughout the year as a result of legislation changes. Other changes are required to be resubmitted to Council for approval.

ISSUES/DISCUSSION

The change for version two of the Schedule relates to the introduction of an outdoor area public liability insurance charge. This is a result of recent COVID-19 recommendations to increase outdoor dining capacity at eateries throughout Victoria, with many of these facilities currently uninsured for outdoor dining areas.

The other change relates to the sessional hire of Council swimming pools. This will allow sessions to be held out of normal operating hours and includes the cost of the required lifeguard.

COST/BENEFITS

The Schedule will raise an equitable contribution of revenue towards the cost of service delivery.

RISK ANALYSIS

There is a risk that if the Schedule is not updated there will be no ability to raise the new fees included in version two, therefore a failure to provide these new service opportunities to the Loddon community.

CONSULTATION AND ENGAGEMENT

The recommendations in the report have been considered by management.

RESOLUTION 2020/179

Moved: Cr Linda Jungwirth

Seconded: Cr Wendy Murphy

That Council:

1. approves the amended Fees and Charges Schedule v2 for the year 1 July 2020 to 30 June 2021
2. subject to the approval of the Director Corporate Services or Chief Executive Officer, make effective immediately any changes where the fees and charges are altered by legislation, and make amendment to the relevant Fees and Charges Schedule for the year 1 July 2020 to 30 June 2021.

CARRIED

10.5 NEIGHBOURHOOD SAFER PLACES (PLACES OF LAST RESORT)**File Number:** 11/01/009**Author:** Janine Jackson, Manager Organisation Development**Authoriser:** Sharon Morrison, Director Corporate Services**Attachments:** 1. Neighbourhood Safer Places (Places of Last Resort)**RECOMMENDATION**

That Council adopt the Loddon Shire Council Neighbourhood Safer Places Plan - September 2020, which includes and confirms designated Neighbourhood Safer Places within the municipality in the townships of Boort, Bridgewater, Inglewood, Pyramid Hill, Serpentine and Wedderburn.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

At its ordinary meeting on 23 August 2010, Council adopted the initial Neighbourhood Safer Places (NSP) Plan which contains the Council NSP Assessment Criteria.

At its ordinary meeting on 11 September 2011, Council endorsed the NSP assessment process and resolved to continue identification and assessment of potential sites for NSPs and once identified report these back to Council for consideration.

At its ordinary meeting on 27 August 2012 Council adopted the Loddon Shire Council Neighbourhood Safer Places Plan August 2012, which included designated NSPs at Boort, Bridgewater, Inglewood, Pyramid Hill, Serpentine and Wedderburn.

At ordinary meetings held in September in the years 2013 to 2019, Council has adopted the Loddon Shire Council Neighbourhood Safer Places Plan, which includes and confirms designated NSPs at Boort, Bridgewater, Inglewood, Pyramid Hill, Serpentine and Wedderburn.

BACKGROUND

NSPs and the NSP Plan are direct consequences of the Black Saturday fires and the interim recommendations from the Bushfires Royal Commission. NSPs are legislated under the Emergency Services Legislation Amendment Act 2009 (ESLA Act) which amends the Emergency Management Act 1986 and the Country Fire Authority Act 1958 (CFA Act). Councils in Victoria, under the ESLA Act are required to identify, certify, designate, establish and maintain NSPs within their municipal district.

The flow chart in section one of the NSP Plan sets out the process followed when establishing a NSP. In short this process includes:

- identification of potential sites by Council
- assessment by Council against Council's criteria
- assessment by CFA against CFA criteria
- designation by Council of the approved sites
- establishment and signage of site by Council
- annual review of existing and potential new sites by Council and CFA.

Under Section 50J of the CFA Act Council must, by 31 August each year, conduct a review of each designated NSP in its municipal district to determine if it is still suitable to be designated as a NSP

and ask the CFA to assess each NSP in its municipal district in accordance with the Country Fire Authority assessment guidelines.

Once the Council and CFA assessments have been completed and the established NSPs have been determined by each organisation as being compliant, the Municipal Fire Prevention Officer (MFPO) under section 50K of the CFA Act must provide an updated list of all designated neighbourhood safer places and community fire refuges in the municipal district to the Authority by 30 September in each year.

ISSUES/DISCUSSION

In compliance with Section 50J of the CFA Act, in June 2020, the CFA was requested to conduct the annual inspection of the current designated NSPs in Boort, Pyramid Hill, Bridgewater, Inglewood, Wedderburn and Serpentine. In August 2020 the CFA identified all current NSPs as compliant under the CFA Act. In September 2020 Council's Emergency Management Coordinator conducted Council's reassessment and has confirmed that the six current designated NSP sites are compliant with Council guidelines.

No new or additional NSP sites have been nominated by Council staff, the local community or the Municipal Emergency Management Planning Committee. An updated list of all designated Loddon Shire NSPs was provided to the Authority by 30 October 2020.

COST/BENEFITS

Administration of the NSP process requires the allocation of Council and CFA resources to undertake the necessary site assessment, and prepare the associated reports and supporting documentation. The cost of maintaining the NSPs contained within recreation reserves and at a local hall is borne by the associated committees of management for these facilities.

The remaining NSP is located in an area which Council maintains through routine operations. Provision and maintenance of designated NSPs within the municipality contributes to the overall safety and wellbeing of the local community in the event of a bushfire and forms part of the response provisions within the Municipal Fire Management Plan.

RISK ANALYSIS

Failure to adequately and regularly assess the designated NSP sites for compliance against specified criteria has the potential to place members of the community utilising these sites at risk should site conditions change over time. Failure to meet the inspection and reporting timelines may result in Loddon Shire failing to meet its legislated obligations under the CFA Act and ESLA Act.

CONSULTATION AND ENGAGEMENT

Determination of the suitability to retain the designated NSP sites has been made in consultation with the CFA.

RESOLUTION 2020/180

Moved: Cr Gavan Holt

Seconded: Cr Dan Straub

That Council adopt the Loddon Shire Council Neighbourhood Safer Places Plan - September 2020, which includes and confirms designated Neighbourhood Safer Places within the municipality in the townships of Boort, Bridgewater, Inglewood, Pyramid Hill, Serpentine and Wedderburn.

CARRIED

11 INFORMATION REPORTS**11.1 QUARTERLY LOCAL LAWS AND PLANNING COMPLIANCE ACTIVITY REPORT****File Number:** FOL/19/115192**Author:** David Price, Local Laws \ Planning Compliance Officer**Authoriser:** Glenn Harvey, Manager Development and Compliance**Attachments:** Nil**RECOMMENDATION**

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

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

This is the first report for the 2020-2021 financial year, summarising the local law and planning compliance and enforcement actions taken within the Development and Compliance Department. It provides Council with a high level summary for the purpose of monitoring performance within this area.

BACKGROUND

Council is responsible for a range of advisory, compliance and enforcement services to the community and maintains powers under various legislation and Council local laws to enable effective animal management, planning enforcement, local law compliance and fire prevention for community and township amenity.

A number of organisational policies and procedures have been developed, outlining the methodology and circumstances under which Council officers will undertake compliance action. Key areas of focus in respect to compliance action include:

- management of local laws, particularly with respect to unsightly properties
- effective animal management
- assessment of properties for potential fire risk/fire prevention measures
- control of roadside activities, occupation and utilisation
- investigate planning scheme breaches and enforce planning permit conditions
- intervention in public nuisance issues.

ISSUES/DISCUSSIONAdministrative and fire prevention

Table 1 provides a summary of administrative and fire prevention actions undertaken.

Table 1: Administrative and fire prevention activities

Quarter 1 (1 July 2020 – 30 September 2020)				
Activity	After hours call outs (*)	Littering or illegal rubbish dumping	Fire prevention notices (^)	Local law permits issued
No. actions	3	1	0	3

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

(^) Figures are provided by the OHS/Risk Management and Fire Prevention Officer.

Unightly properties

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

Table 2: Summary of unsightly properties activities

Quarter 1 (1 July 2020 – 30 September 2020)																
Town/Locality	Eddington	Rheola	Newbridge	Tarnagulla	Inglewood	Bridgewater	Wedderburn	Korong Vale	Borong	Boort	Pyramid Hill	Mitiamo	Dingee	Serpentine	Rural/Other	Total
No. identified from previous report period	3	0	3	2	4	3	11	11	3	1	2	1	0	0	2	46
No. resolved during quarter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
New action commenced	0	0	0	0	2	5	2	0	0	1	1	0	0	0	0	11
No. currently pursuing	3	0	3	2	6	8	13	11	3	2	3	1	0	0	2	57
Progress Activities																
Site meeting / discussion held	0	0	0	0	2	8	4	0	0	2	3	0	0	0	0	19
Letter to comply issued	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Occupier has commenced clean-up work	0	0	0	0	2	5	1	0	0	1	1	0	0	0	0	10
Notice to comply issued	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Contractor engaged for clean-up work	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

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

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

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

Animal management

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

Table 3: Summary of animal management activities

Quarter 1 (1 July 2020 – 30 September 2020)						
Activity	Wandering livestock	Trespassing livestock	Dog attack	Domestic animal at large	Distribution of cat traps	General complaints / other
No. of actions	18	6	2	23	14	92

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

Table 4: Impoundment activities

Quarter 1 (1 July 2020 – 30 September 2020)				
Animal type	Impoundments	Returned to owners	Animals rehoused	Animals disposed
Livestock	9	9	0	0
Dogs	5	4	1	0
Cats	4	0	4	0
Feral Animals	-	-	-	23
Total	18	13	5	23

Planning Compliance and Enforcement

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

Table 5: Planning compliance and enforcement activities

Quarter 1 (1 July 2020 – 30 September 2020)					
Type	No. identified from previous report period	New action commenced	PIN's issued	No. resolved during this quarter	No. currently pursuing resolution
Land use in contravention of planning scheme without a permit	6	2	0	1	7

Native vegetation removal without a permit	10	2	0	1	11
Breach of planning permit	2	1	0	0	3
Dog breeding / animal keeping	3	0	0	1	2
Land used as a store without planning permit	3	0	0	0	3
Occupation of a shed without a planning permit	8	0	0	1	7
Total	32	5	0	4	33

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

COST/BENEFITS

The expenditure for the first quarter of 2020-2021 financial year for the local laws and compliance activities contained within this report is \$64,068. As the identified properties are escalated through the compliance process, costs associated with legal proceedings may also be incurred by Council.

The resulting cost to Council can be significant in terms of officer(s) time; particularly undertaking various site inspections across Loddon Shire. Direct monetary costs can be significant should a matter progress to the Victorian Civil and Administrative Tribunal (VCAT) or the Magistrates Court. Therefore, it is of benefit to Council and the community that the Development and Compliance Department work through these matters in a timely and respectful manner to reach an appropriate outcome wherever possible.

Benefits derived from investing in local law and planning compliance activities include:

- improving and maintaining township amenity
- ensuring that appropriate development occurs
- maintaining and improving public safety
- encouraging good domestic animal and livestock management
- reduced bushfire risks.

RISK ANALYSIS

Failure of Council to adequately manage the provisions associated with the Loddon Planning Scheme, Planning and Environment Act 1987 or other applicable legislation including the Domestic Animals Act 1994, Impounding of Livestock Act 1994, Country Fire Authority Act 1958 or Council Local Laws is considered to pose the following risks:

- barrier to development and associated economic growth within Loddon Shire
- inappropriate development
- Council's reputation as a regulatory authority
- public safety that endangers life and property
- adverse amenity of our townships
- increased bushfire hazards.

CONSULTATION AND ENGAGEMENT

Land and animal owners subject to compliance and enforcement actions under the abovementioned legislation and local laws are consulted with at each stage of the process.

RESOLUTION 2020/181

Moved: Cr Dan Straub

Seconded: Cr Gavan Holt

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

CARRIED

11.2 ROAD MANAGEMENT PLAN DEFECT RECTIFICATION COMPLIANCE REPORT**File Number:** 14/01/022**Author:** Daniel Lloyd, Manager Works**Authoriser:** Steven Phillips, Director Operations**Attachments:** Nil**RECOMMENDATION**

That Council receive and note the road management plan defect rectification compliance report.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

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

BACKGROUND

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

ISSUES/DISCUSSION

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

Table 1: Inspection summary report

Quarter 1 (01/07/2020 – 30/09/2020)						
Work Group	Number of scheduled inspections	Number completed by due date	Number completed after due date	Number not completed	Compliance	Number of Defects Raised
Loddon Plains	21	20	1	0	95.2%	1164
Loddon Goldfields	27	27	0	0	100.0%	1097
Total	48	47	1	0	97.6%	2261

During the first quarter of 2020 – 2021 financial year, 97.6% of the programmed inspections were completed according to the schedule.

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

Table 2: Defect rectification summary report

Quarter 1 (01/07/2020 – 30/09/2020)								
	Number of Defects				Compliant with RMP			
Work Group	Adhoc	Requests	Defects from inspections	Total	Yes	No	Not complete	%
Loddon Goldfields	27	26	661	714	713	1	0	99.9%
Loddon Plains	134	9	584	727	726	1	0	99.9%
Shire Wide	10	4	390	404	402	2	0	99.5%
Townscape Services	30	1	22	53	53	0	0	100.0%
Total	201	40	1657	1898	1894	4	0	99.8%

Table 2 comprises a summary of defects that have been identified through programed inspections, customer requests and works crews identifying and rectifying defects as they find them, known as adhoc work actions. During the first quarter of 2020 – 2021 financial year, 99.8% of all date imposed defects were completed before their due date. This is 0.2% below the target of 100% set in the RMP. All defects have now been completed.

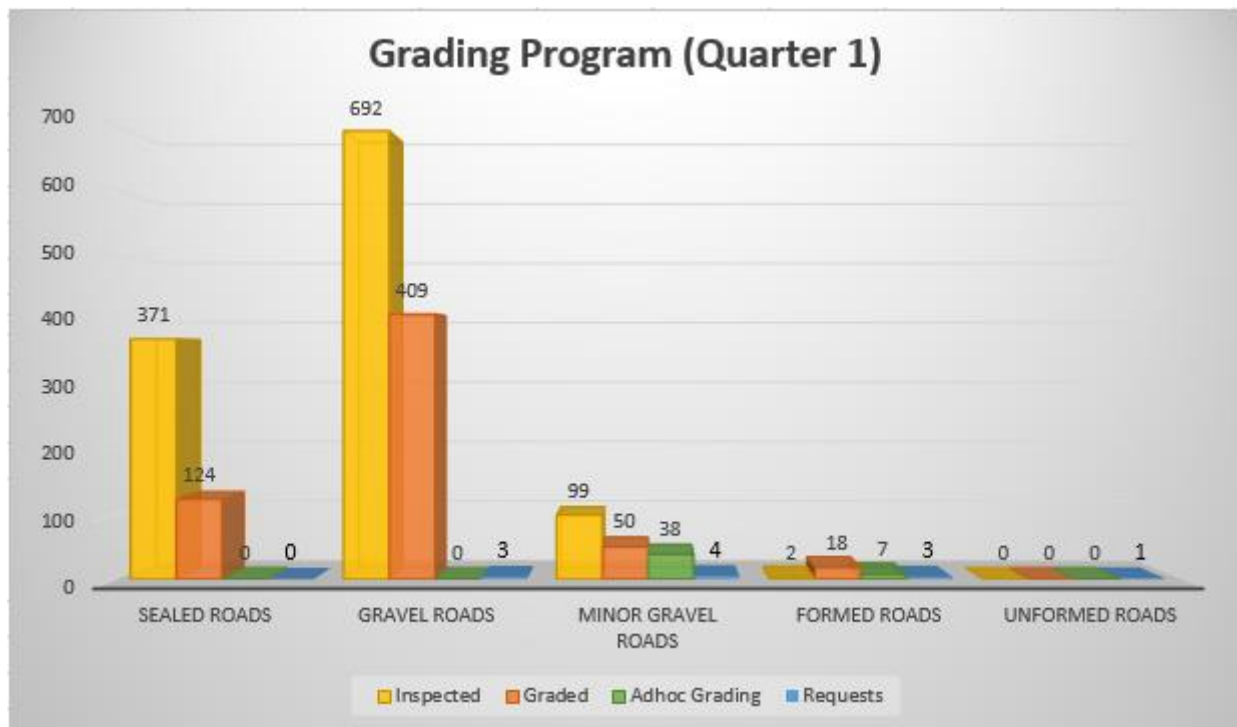
Table 3 provides a summary of performance against the unsealed road maintenance grading program, defects as identified through programed inspections, customer requests and works crews identifying and rectifying defects as they find them, known as adhoc work actions. The maintenance grading program identifies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

Table 3: Maintenance grading program

Quarter 1 (01/07/2020 – 30/09/2020)											
	Number of Grading Work Actions							Compliant with scheduled timeframes			
Work Group	Programmed Localities	Roads Inspected	Roads Graded	Defects	Requests	Adhoc	Total	Yes	No	Not completed	%
Loddon Goldfields	29	407	82	3	5	0	497	497	0	0	100.0%
Loddon Plains	26	181	163	6	7	0	357	357	0	0	100.0%
Shire Wide	0	0	0	16	2	0	18	18	0	0	100.0%
Total	55	588	245	25	14	0	872	872	0	0	100.0%

The data in Table 3 indicates that 872 grading work actions were completed for the first quarter of 2020 – 2021 financial year. There is no set level of compliance for the maintenance grading program in the RMP.

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

Chart 1: Maintenance Grading Program

COST/BENEFITS

The year to date actual expenditure to the end of first quarter of 2020 – 2021 financial year of the Local Road Maintenance Program is \$1,425,769

The benefits to the community in complying with the RMP are that it ensures a safe road network.

RISK ANALYSIS

Repairing 100% of all date imposed defects before their due date limits Council's liability for any claims for damage made against Council.

CONSULTATION AND ENGAGEMENT

No internal or external consultation is required in the formation of this report.

RESOLUTION 2020/182

Moved: Cr Gavan Holt

Seconded: Cr Wendy Murphy

That Council receive and note the road management plan defect rectification compliance report.

CARRIED

11.3 QUARTERLY BUILDING SERVICES ACTIVITY REPORT

File Number: 13/06/001, 13/08/001 & 13/08/003

Author: Greg Johnston, Municipal Building Surveyor

Authoriser: Glenn Harvey, Manager Development and Compliance

Attachments: Nil

Recommendation

That Council receive and note the quarterly Building Services Activity report.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

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

BACKGROUND

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

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

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

ISSUES/DISCUSSION

Throughout the first quarter of the 2020-2021 financial year, items of significance relating to the activity of Council's Building Services Staff include:

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

Building permits

Table 1 provides the number and total value of building permits issued for the last three quarters of the 2019-2020 financial year and the first quarter of 2020-21. There is variation in the value of

permits throughout any given financial year and this is attributable to the scale and cost of individual projects. During this quarter there was one building permit with a value over \$487,000 and 2 other buildings with a value exceeding \$330,000. At this stage after a low number of building permits at the start of the year the total number of building permits is projected to be above previous years.

Table 1: Summary of new building permits issued

	Quarter 2 2019-20 (01/10/2019 – 31/12/2020)	Quarter 3 2019-20 (01/01/2020 – 31/03/2020)	Quarter 4 2019-20 (01/04/2020 – 30/06/2020)	Quarter 1 2020-21 (01/07/2020 – 30/09/2020)
No. of new Permits	42	37	33	50
Value of Works	\$3,137,156.30	\$2,804,011-60	\$2,944,362.81	\$4,297,563.41

Table 2 provides a summary of the number of final inspections and certificates of occupancy issued for building permits for each quarter of the 2019-2020 financial year.

Table 2: Summary of final inspections and occupancy permits

	Quarter 2 2019-20 (01/10/2019 – 31/12/2019)	Quarter 3 2019-20 (01/01/2020 – 31/03/2020)	Quarter 4 2019-20 (01/04/2020 – 30/06/2020)	Quarter 1 2020-21 (01/07/2020 – 30/09/2020)
Certificates of final inspection	27	34	40	33
Occupancy Permits	7	16	16	2

Council Building Services Staff continue to work proactively with Council issued permit holders, sending follow up letters to notify building owners approximately two months before their building permits are due to lapse. This allows owners to arrange a final inspection/occupancy permit or apply for an extension of time for their building permit. This work minimises the likelihood of building permits issued by Council not being finalised or not having occupancy permits issued. This approach is improving completion rates for the more recent permits issued by Council with 22 of the total of 33 final inspections and occupancy permits for the quarter being carried out by Council. There are still a number of building permits dating prior to 2015 to be finalised.

Statutory enforcement

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

Table 3: Summary of statutory enforcement activities

Type	Actions incomplete from previous report period	New action started	Total actions	Building notice issued	Building order issued	Appeal to Building Appeals Board	Legal action / solicitors letter started this quarter	Legal action ongoing	No. resolved during this quarter
Building damaged by fire	2	0	2	0	1	0	0	0	2
Works required to make building safe (including pools)	15	4	19	3	1	1	0	1	4
Carrying out building works without a permit	4	2	6	2	0	0	0	0	2
Works not in accordance with building permit	2	0	2	0	0	0	0	0	0
Illegal occupation of non-habitable building	0	0	0	0	0	0	0	0	0
Building with non-complying essential safety measures	2	0	1	0	0	0	0	0	1

Whilst new issues requiring enforcement are identified regularly, it is also noted there are some longstanding enforcement activities that are ongoing. The time spent on individual items can be significant particularly when it requires escalation to Court. The Court action reported in the last meeting has escalated in an effort to have an injunction issued requiring work to be completed by the owner and Council and payment of Council's legal costs in bringing this matter before the Court. This work has not yet been completed by the owner and will be the subject of further legal action if no action is taken by the owner.

Council officers work to try to resolve matters without legal intervention. Unfortunately this cannot always be achieved. On the positive side there have been a number of other actions relating to

matters under the Building Act & Building Regulations that have been resolved without the need for formal enforcement action. This has been achieved by staff working pro-actively with property owners to have works completed. Other inspections that have taken place during this reporting period have identified more matters that will require enforcement actions that are yet to be formally followed up with a notice or an order.

Council is largely responding to matters on a complaints basis. There are a significant number of properties with illegal buildings, some of which are occupied, however at this point in time insufficient staffing resources are available to enable follow up of them all. It remains a significant challenge and potential risk for Council. In the June report it was noted additional short term resources were being sought through the Working for Victoria program initiated by the State Government to carry out building inspections. No suitable applications have been received to date.

COST/BENEFITS

The expenditure for the first quarter of the 2020-2021 financial year for building services activities contained within this report is \$30,875. The provision of building activity statistics informs Council of the level of building activity and statutory enforcement activity in the municipality.

The cost to Council of enforcement activity can be quite significant, particularly in terms of Council officers' time. This in turn impacts on other activities such as the timeframe for building permits. Direct monetary costs significantly escalate if matters progress to a Magistrate's hearing or the Municipal Building Surveyor needs to arrange for the work associated with any order to be completed by Council. As such, the Municipal Building Surveyor, together with other Development & Compliance Department staff endeavours to work through enforcement matters in a manner that engages with property owners/occupiers to have required works completed.

RISK ANALYSIS

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

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

1.

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

A significant risk within Loddon Shire is unregulated developments, in particular small allotments which are sold to purchasers that have expectations of using it for a cheap home or "weekender". Often the landholder is unable or unwilling to meet the regulatory requirements to safely utilise the site as they desire. This has led to a number of undesirable and potentially unsafe outcomes of unregulated developments. Action by and with Council's Local Laws & Planning Compliance Officer has improved some areas of the Shire in this regard. Some of the actions commenced have had to be extended with Covid-19 movement restrictions for Melbourne based owners.

Council's Local Law review and some guidelines being developed by Council Planning staff aim to provide further clarity for landowners and prospective purchasers in this regard. Development & Compliance staff will continue to work collaboratively to make best use of limited resources to address some of these issues. It is noted that Council's current capacity to enforce compliance in every instance, is limited. Generally enforcement matters are followed up by the Municipal Building Surveyor on a complaints basis having regard to risk management principles.

As previously reported, the Victorian Building Authority released Amended Building Regulations on 30 November 2019 for changes to the regulations affecting swimming pool and spa safety barriers. The Regulations came into effect on 1 December 2019. The first step in this process is for owners to register their pool or spa with Council. The revised date that pool owners were due to register their swimming pool or spa with Council was 1 November 2020.

Council has been successful in obtaining an administrative staff member through the Working for Victoria program. This has greatly assisted in work related to identifying pools and spas for which Council has no record of a building permit and in issuing notification / reminders to owners of requirements for registration of swimming pools and spas. The amount of pools / spas that Council did not have a building permit record for has approximately doubled the number of pools / spas known to Council.

Approximately 1/3 of known pools (including those that do not have a building permit) were registered at the time of writing the report. The registration process and inspections generated has impacted on timeframes for other Council Building Services action and this will be ongoing with the need for following up with enforcement action where a certificate of non-compliance has been issued by a private swimming pool inspector and completion of inspections of safety barriers by Council when requested.

CONSULTATION AND ENGAGEMENT

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

RESOLUTION 2020/183

Moved: Cr Linda Jungwirth

Seconded: Cr Wendy Murphy

That Council receive and note the quarterly Building Services Activity report.

CARRIED

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

That Council receive and note the Strategic Planning Activity report.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

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

BACKGROUND

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

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

ISSUES/DISCUSSIONCurrent Strategic Planning Projects

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

Table 1: Current Strategic Planning Projects

Current Strategic Planning Projects Quarter 1 (1 July 2020 – 30 September 2020)			
Project	Tasks undertaken during the quarter	Future tasks	Estimated project completion
Planning Scheme Review	Draft finalised and submitted to Manager for review	Circulation to policy review committee. Presentation and adoption of report by Council. Submission of report to Minister for Planning.	Implementation of recommendations are to be staged over 2020 - 2025.

Planning Scheme Amendment – Bridgewater Flood controls	Advice sought from NCCMA regarding progress.	Exhibition of the planning scheme amendment. Dates have not yet been set due to the situation with COVID-19 but recent discussions with NCCMA indicate exhibition may occur in February 2021.	December 2021.
Planning Scheme Amendment – Dunolly Flood controls	Advice sought from NCCMA regarding progress.	Exhibition of the planning scheme amendment. Dates have not yet been set due to the situation with COVID-19.	December 2021.
New dwelling information sheet to provide advice to new residents/existing residents on the requirements and issues associated with use and development of land for a dwelling in different parts of Loddon Shire. Incorporates some of the directions from the Settlement Strategy and highlights the areas where dwelling development can be supported.	Draft submitted to Manager for review.	Publish on Council website.	Once finalised, the information sheet can be published on the website immediately and made available to the public when enquiries are made.
Industrial Land Strategy, a recommendation of the Settlement Strategy was to undertake an Industrial Strategy to ensure a suitable supply of industrial land as employment is key to population growth.	A draft contract brief to engage a consultant to assist in the development of an Industrial Land Strategy has been submitted to Manager for review.	Distribute contact brief to suitable consultants with an invitation to submit a fee proposal.	March 2021
Heritage loan policy	Draft policy has been prepared and submitted to Manager for review. This policy provides the criteria for applications.	Policy committee review and Council adoption.	April 2021
Loddon Planning Scheme – Planning Policy Translation. Incorporation of local planning policy into the restructured Statewide planning policy framework. This	Although this project is largely being conducted by DELWP, a level of input by Council staff is required. This input recently has been participation in an inception meeting and review of some existing	Review of final document by Council staff.	December 2020

translation is policy neutral.	material in the scheme to determine its relevance. Council staff have commenced review of the draft.		
Investigate development of Stage 2 of Ridge Street residential development.	This project will be completed by an external consultant. The aim of this project is to provide an understanding of the opportunities, constraints and scope of costs associated with Stage 2 of the Ridge Street residential development. A contact brief has been prepared.	Invitation to submit fee proposal to be distributed November 2020. Consider tender submissions and appoint consultant.	Project to be completed by February 2021.
Undertake detailed investigation of identified residential growth opportunities in the priority towns to determine yield and estimated development cost.	This project will be completed by an external consultant. The aim of this project is to provide an understanding of the opportunities, constraints and scope of costs associated with the key growth opportunities identified in the Settlement Strategy. A contract brief is being prepared.	Seek tenders for the project.	Invitation to submit fee proposal to be distributed January 2021. Project aim to be completed by March 2021.

COST/BENEFITS

The expenditure for the first quarter of the 2020-2021 financial year for the strategic planning activities contained within this report is \$9,374.

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

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

RISK ANALYSIS

Failure of Council to undertake strategic planning includes:

- outdated planning controls that do not respond to current issues and opportunities
- inappropriate development that compromises the amenity of towns and undermines economic development opportunities
- loss of opportunities for population and residential growth.

CONSULTATION AND ENGAGEMENT

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

- community members and organisations

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

RESOLUTION 2020/184

Moved: Cr Wendy Murphy

Seconded: Cr Gavan Holt

That Council receive and note the Strategic Planning Activity report.

CARRIED

11.5 QUARTERLY UPDATE: ANNUAL INFRASTRUCTURE PROGRAM 2020-2021 AND OTHER PROJECTS

File Number: 14/01/001

Author: Adam Cooper, Project Management Coordinator

Authoriser: David Southcombe, Manager Assets and Infrastructure

Attachments: 1. Annual Infrastructure Program 2020-2021
2. Other Projects 2020-2021

RECOMMENDATION

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

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

This report is for the first quarter of 2020-2021 financial year, providing an update on the progress of the Annual Infrastructure Program. The statuses of other projects that are delivered by the Assets & Infrastructure Department but are not part of the Annual Infrastructure Program are also included in the report.

BACKGROUND

This report is produced quarterly and is provided to Council for the purpose of reporting progress of the Annual Infrastructure Program and other projects that the Assets & Infrastructure Department is responsible for delivering. The information in this report covers progress up until the end of September 2020.

ISSUES/DISCUSSIONAnnual Infrastructure Program

Attachment 1 provides a progress summary of the Annual Infrastructure Program for the first quarter of the 2020-2021 financial year. There are 122 individual projects listed including 28 carryovers from previous financial years, of these carryovers 24 have now been completed.

The Coronavirus pandemic has had an effect on the completion of the Annual Infrastructure program. The Footpath contract completion was delayed (August 2020), Sloans Road Bridge (October 2020), Kinary Street drainage Boort (October 2020) and culvert upgrades in Kelly Street in Pyramid Hill (commencing Oct/Nov 2020).

Other Projects

In addition to the Annual Infrastructure Program, the Assets & Infrastructure Department is responsible to oversee the delivery of a number of different projects. Attachment 2 provides a summary of the other projects at the end of first quarter of 2020-2021 financial year. All completed projects are removed from subsequent quarterly progress reports.

COST/BENEFITS

The total proposed expenditure for the 2020-2021 financial year for the Annual Infrastructure Program is \$8,633,509 as reported in the July 2020 Council report. The expenditure for the first quarter is \$1,433,055 for the financial year to date.

Attachment 1 gives a summary of progress of individual projects within this program as at 30 September 2020.

The Assets & Infrastructure Department is currently managing other significant projects covered in Attachment 2 which are in different stages of progress. The combined value of such projects is in excess of \$4.07 million. Expenditure to date is on these projects is \$180,508.

RISK ANALYSIS

There are a number of risks associated with the delivery of the Annual Infrastructure Program and other significant projects. The following is a list of some but not all of the associated risks:

- delivering within timeframe and budget
- meeting community expectations
- delivering projects in accordance with engineering standards
- compliance with procurement legislation

Council officers are committed to monitoring and managing the risks associated with the Annual Infrastructure Program and other significant projects to ensure that any issues are minimised.

CONSULTATION AND ENGAGEMENT

The information provided in this report is presented after consultation with the Manager Assets and Infrastructure and the Works Department.

RESOLUTION 2020/185

Moved: Cr Linda Jungwirth

Seconded: Cr Dan Straub

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

CARRIED

11.6 QUARTERLY PUBLIC HEALTH ACTIVITY REPORT**File Number:** 12/02/001**Author:** Teresa Arnup, Senior Public Health Officer**Authoriser:** Glenn Harvey, Manager Development and Compliance**Attachments:** Nil**RECOMMENDATION**

That Council receive and note the quarterly Public Health activity report.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

This is the first report for the 2020-2021 financial year, summarising public health activities within the Development and Compliance Department.

BACKGROUND

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

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

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

ISSUES/DISCUSSIONPandemic Response

Council's Senior Public Health Officer is currently on secondment into the role of Pandemic Coordinator. This role is a requirement of Council's Municipal Pandemic Plan which has been activated due to the declaration of the Coronavirus Pandemic. Considerable time has been devoted to Council's response to the pandemic including community messaging, visiting businesses impacted by the restrictions and attendance at briefings. This has impacted significantly on the normal functions that are carried out by Council's Public Health staff.

Additional staff have been required to support the Public Health activities in order to maintain Council legislated responsibilities.

Registered Premises

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

Table 1: Registered premises inspections

1 July 2020 to 30 September 2020		
Governing Legislation	Inspection Outcome	Number of inspections
Food Premises	Compliant*	9
	Major Non Compliance	1
Health Premises	Compliant*	8
Total number of inspections for reporting period		18

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

The major non compliance remains outstanding and work continues with the registered premises in order to bring about compliance.

Septic Systems

Table 2 summarises septic system permit applications processed during the reporting period.

Table 2: Septic system permits

1 July 2020 to 30 September 2020	
Permit Type	Number
Installation or alteration	9
Certificate to use	4
Total Number of Permits	13

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

Table 3 summarises the activities associated with management of septic tank applications and installed systems.

Table 3: Septic system activity

1 July 2020 to 30 September 2020	
Activity / Inspection Type	Number
Application Inspection	8
Installation Inspection	2
Final Inspection	3
Other Inspection	2
Total Number of Inspections	15

Public Health Complaints

Council is responsible for the investigation of nuisance complaints under the Public Health and Wellbeing Act. Complaints of nuisance can be complex and time consuming. Table 4 summarises the complaints during the reporting period.

Table 4: Public health complaints

1 July 2020 to 30 September 2020				
Nature of complaint	Number carried over from previous reporting period	Number received	Number resolved	Number currently pursuing resolution
Food Premises	0	1	1	0

Wastewater	3	0	0	3
Other	0	0	0	0
Total	3	1	1	3

COST/BENEFITS

The actual expenditure for the first quarter of 2020-2021 financial year of the public health unit activities contained within this report is \$22,258.

Administration of the Acts that the Public Health officer has responsibility for includes significant field work, with staff regularly in the field engaging with business operators, developers, residents and ratepayers.

This investment increases significantly when compliance issues are identified within registered premises and when complaints are received.

The benefits that stem from this investment include:

- improved public health and safety within registered premises
- improved local amenity
- full implementation by Council of our responsibilities under the various Acts and regulations.

RISK ANALYSIS

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

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

CONSULTATION AND ENGAGEMENT

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

The CEO made special note of the ongoing efforts of the Senior Public Health Officer in their role as Pandemic Coordinator during the COVID19 crisis. The Mayor also expressed his appreciation.

RESOLUTION 2020/186

Moved: Cr Dan Straub

Seconded: Cr Linda Jungwirth

That Council receive and note the quarterly Public Health activity report.

CARRIED

11.7 QUARTERLY STATUTORY PLANNING PERMIT ACTIVITY REPORT

File Number: 13/01/002

Author: Glenn Harvey, Manager Development and Compliance

Authoriser: Steven Phillips, Director Operations

Attachments: 1. Planning Applications completed in the quarter
2. Planning Applications being processed in the quarter

RECOMMENDATION

That Council receive and note the statutory planning application and permit activity report for the first quarter of the 2020-2021 financial year.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

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

BACKGROUND

This report provides Council with a quarterly high level summary of the statutory planning permit activities for the purpose of monitoring performance within this area.

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

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

ISSUES/DISCUSSIONPlanning permit activities

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

Timeframes

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

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

Table 1: Average timeframes for decisions

Quarter 1 of the 2020/2021 financial year			
Month	Average gross days to determine	Completed within 60 days	Rural average completed within 60 days
July	28	100%	DELWP data unavailable
August	96	81%	DELWP data unavailable
September	41	100%	DELWP data unavailable
	Total Quarterly average	94%	

During the first quarter of the 2020 - 2021 financial year, 94% of all Planning Permit applications were assessed and issued within the timeframes as set in the Planning & Environment Act 1987.

COST/BENEFITS

The expenditure for the first quarter of 2020-2021 financial year of the statutory planning activities contained within this report is \$39,078.

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

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

RISK ANALYSIS

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

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

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

CONSULTATION AND ENGAGEMENT

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

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

RESOLUTION 2020/187

Moved: Cr Gavan Holt

Seconded: Cr Dan Straub

That Council receive and note the statutory planning application and permit activity report for the first quarter of the 2020-2021 financial year.

CARRIED

12 COMPLIANCE REPORTS**12.1 CONSIDERATION OF THE ANNUAL REPORT FOR THE PERIOD ENDING 30 JUNE 2020**

File Number: 02/02/003

Author: Sharon Morrison, Director Corporate Services

Authoriser: Phil Pinyon, Chief Executive Officer

Attachments: 1. Annual Report 2019/20

RECOMMENDATION

That Council note the consideration of the Loddon Shire Council Annual Report for the period ending 30 June 2020.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

At the Councillor forum on 8 September 2020, Councillors were provided with the opportunity to comment on the content of the Annual Report prior to it being forwarded to the Minister for Local Government by 30 November 2020.

BACKGROUND

In accordance with Section 131 of the Local Government Act 1989 (Act), Council must prepare an Annual Report each financial year that includes a report of its operations, an audited Performance Statement, audited Financial Statements, a copy of the auditor's report on the performance statement, prepared under Section 132, a copy of the auditor's report on the financial statements under Part 3 of the Audit Act 1994, and any other matter required by the regulations.

Under Section 134 of the Act Council must consider the Annual Report at a meeting of the Council, as soon as practicable after the Annual Report has been sent to the Minister.

ISSUES/DISCUSSION

The Minister was provided with a copy of the Annual Report on 10 November 2020, in accordance with Local Government Victoria Bulletin 26/2020, which stated that the Minister had granted an extension to the submission of the Annual Report from 30 September 2020 to 30 November 2020.

The report is available at the Wedderburn and Serpentine offices and on Council's website and is being circulated to appropriate bodies including local library agencies and other locations.

COST/BENEFITS

Although it is a legislative requirement, preparation of the Annual Report provides Council with an opportunity to formally record the achievements of the financial year at an organisation level and by individual staff.

RISK ANALYSIS

Timely preparation and approval of the Annual Report ensures that Council complies with legislative requirements outlined in the Act.

CONSULTATION AND ENGAGEMENT

In accordance with Section 133(2) of the Act, public notice in the Bendigo Advertiser has been given that the Annual Report has been prepared and is available for inspection at Council's offices in Wedderburn and Serpentine, and on Council's website.

RESOLUTION 2020/188

Moved: Cr Wendy Murphy

Seconded: Cr Linda Jungwirth

That Council note the consideration of the Loddon Shire Council Annual Report for the period ending 30 June 2020.

CARRIED

13 GENERAL BUSINESS

Nil

14 CONFIDENTIAL ITEMS

The Mayor announced that Council had completed the items listed in the open Council meeting that has been live streamed to the public and that the live streaming will now cease, to allow Council to consider the following confidential matters:

RESOLUTION 2020/189

Moved: Cr Dan Straub

Seconded: Cr Wendy Murphy

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 Finalisation of Sale of Properties for Rate Recovery Under Section 181 of the Local Government Act 1989

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

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 personal information hardship of a resident or ratepayer.

14.2 Inglewood Industrial Estate

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

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

CARRIED

Closing of Meeting to the Public

RESOLUTION 2020/190

Moved: Cr Dan Straub

Seconded: Cr Wendy Murphy

That the meeting be closed to the public at 3.38pm.

CARRIED

NEXT MEETING

The next Ordinary Meeting of Council will be held on 15 December 2020 at Serpentine commencing at 3pm.

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

Confirmed this.....day of..... 2020

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CHAIRPERSON