

**LODDON SHIRE COUNCIL**

Notice of an Ordinary Meeting of the Loddon Shire Council to be held in the Council Office, Wedderburn on Monday 22 April 2013 at 3.30pm.

**ORDER OF BUSINESS**

<b>1.</b>	<b>APOLOGIES .....</b>	<b>2</b>
<b>2.</b>	<b>PREVIOUS MINUTES .....</b>	<b>2</b>
2.1	CONFIRMATION OF MINUTES .....	2
2.2	REVIEW OF ACTION SHEET .....	2
<b>3.</b>	<b>INWARDS CORRESPONDENCE.....</b>	<b>3</b>
<b>4.</b>	<b>COUNCILLORS' REPORTS .....</b>	<b>4</b>
4.1	MAYORAL REPORT .....	4
4.2	COUNCILLORS' REPORT.....	4
<b>5.</b>	<b>CHIEF EXECUTIVE OFFICER'S REPORT .....</b>	<b>5</b>
5.1	DOCUMENTS FOR SIGNING AND SEALING.....	5
<b>6.</b>	<b>DIRECTOR CORPORATE SERVICES' REPORTS .....</b>	<b>6</b>
6.1	FINANCE REPORT FOR THE PERIOD ENDING 31 MARCH 2013.....	6
6.2	AUDIT COMMITTEE REMUNERATION .....	7
6.3	FEES AND CHARGES FOR THE YEAR 1 JULY 2013 TO 30 JUNE 2014 .....	8
6.4	REVIEW OF SECTION 86 COMMITTEES OF MANAGEMENT DELEGATIONS - LITTLE LAKE BOORT COMMITTEE OF MANAGEMENT.....	9
6.5	SECTION 86 COMMITTEES OF MANAGEMENT COMMITTEE MEMBERSHIP : BOORT DEVELOPMENT, LITTLE LAKE BOORT, AND MITIAMO MUNICIPAL RECREATION RESERVE COMMITTEES OF MANAGEMENT .....	11
<b>7.</b>	<b>DIRECTOR OPERATIONS' REPORTS .....</b>	<b>14</b>
7.1	PLANNING APPLICATIONS CURRENTLY BEING PROCESSED .....	14
7.2	PROTOCOL FOR INTER-COUNCIL EMERGENCY MANAGEMENT RESOURCE SHARING .....	15
7.3	BUILDING DEPARTMENT ACTIVITY STATISTICS JANUARY TO MARCH 2013 .....	18
<b>8.</b>	<b>DIRECTOR ECONOMY AND COMMUNITY REPORTS .....</b>	<b>19</b>
8.1	STATUS OF THE COMMUNITY PLANNING PROGRAM COMMENCING APRIL 2013 .....	19
8.2	DJA DJA WURRUNG CLANS TRADITIONAL OWNERS GROUP NATIVE TITLE DETERMINATION .....	20
<b>9.</b>	<b>DIRECTOR COMMUNITY WELLBEING REPORTS .....</b>	<b>22</b>
9.1	IMPROVING LIVEABILITY FOR OLDER PEOPLE – PROJECT UPDATE.....	22
<b>10.</b>	<b>GENERAL BUSINESS .....</b>	<b>24</b>
<b>11.</b>	<b>CONFIDENTIAL ITEMS .....</b>	<b>24</b>

**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*

**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.*

### 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.*

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

#### **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.*

##### **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.*

## **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

## **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.

## 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 Poulter – 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 quarter commencing 1 May 2011
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 quarter 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.

### 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.

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

**SUMMARY**

This report seeks Council's approval of a 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.

**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 Poulter – 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 Mitiamo 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:

<b>Little Lake Boort</b>	<b>Mitiamo Municipal Recreation Reserve</b>
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	Ian Anderson
Gordon McCracken	Ian Marlow
Ian 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:**

<b>Name</b>	<b>Group represented</b>
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.

## **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 2013 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 2013 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.

## 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 possess 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 develop 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
  - o 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
  - o Uncertainty around arrangements for resource sharing e.g. costs, insurance cover and engagement processes.
  - o 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.

### 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 performing 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

## **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

## 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 km<sup>2</sup> of Crown Land North of Dunolly and over an existing mining licence.

*References:*

Victorian Department of Justice: [www.justice.vic.gov.au](http://www.justice.vic.gov.au)

National Native Title Tribunal: [www.nntt.gov.au](http://www.nntt.gov.au)

Dja Dja Wurrung Clans Aboriginal Corporation: [www.djadjawurrung.com.au](http://www.djadjawurrung.com.au)

### **COSTS/BENEFITS**

N/A

### **RISK ANALYSIS**

N/A

### **CONSULTATION AND ENGAGEMENT**

N/A

## 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:

<b>PROJECT</b>	<b>PROGRESS</b>
Purchase of chairs for Pyramid Hill Memorial Hall	<b>Complete</b> <ul style="list-style-type: none"> <li>• Occupational Therapy assessment of target group and venue.</li> <li>• Recommendation of preferred chair accepted by Hall Committee</li> <li>• Supplied 42 chairs (6 small, 6 large and 30 standard) to the Pyramid Hill Hall.</li> </ul>
Access to fresh food supplies	<b>In Progress</b> <ul style="list-style-type: none"> <li>• Inglewood &amp; Districts Health Service (IDHS) are leading the delivery of this project.</li> <li>• Commenced in August 2012</li> <li>• Meetings with Korong Vale community to develop a trial project</li> <li>• Meetings with Loddon fresh fruit suppliers</li> <li>• Eligibility Criteria and Trial project developed</li> </ul>

	<ul style="list-style-type: none"> <li>• March 2013 – no interest expressed from eligible residents at Korong Vale to participate in trial.</li> <li>• April 2013 – IDHS will review project and determine new trial site.</li> </ul>
Successful volunteer programs and submission writing	<b>Not Started</b>
Town mapping for pedestrians and scooters	<b>In Progress</b> <ul style="list-style-type: none"> <li>• In partnership with Loddon Shire Council – Transport Connections Project</li> <li>• Financial contribution to mapping of towns and production of final documentation</li> </ul>

### **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.

**10. GENERAL BUSINESS**

**11. CONFIDENTIAL ITEMS**

Closing of Meeting to the Public

**RECOMMENDATION**

*That the meeting be closed to the public.*

**NEXT MEETING**

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