

LODDON SHIRE COUNCIL

Notice of an Ordinary Meeting of the Loddon Shire Council to be held in the Council Chambers, Serpentine on Tuesday 22 September 2015 at 3pm.

ORDER OF BUSINESS

1.	APOLOGIES	2
2.	PREVIOUS MINUTES	2
2.1	CONFIRMATION OF MINUTES	2
2.2	REVIEW OF ACTION SHEET	2
3.	COUNCILLORS' REPORTS	3
3.1	MAYORAL REPORT	3
3.2	COUNCILLORS' REPORT	3
4.	DECISION REPORTS	4
4.1	AUGUST 2015 AUDIT COMMITTEE MEETING	4
4.2	FINANCE REPORT FOR THE PERIOD ENDING 31 AUGUST 2015	8
4.3	REVIEW OF DELEGATIONS	10
4.4	PYRAMID HILL COLLEGE PAVEMENT, DRAINAGE AND AMENITY WORKS	12
4.5	DESIGNATION OF CAMPING AREAS WITHIN LODDON SHIRE	15
5.	INFORMATION REPORTS	18
5.1	MINISTERIAL STATEMENT ON LOCAL GOVERNMENT 2015.....	18
5.2	2014/15 END OF FINANCIAL YEAR VARIATION ANALYSIS.....	20
6.	COMPLIANCE REPORTS.....	28
6.1	DOCUMENTS FOR SIGNING AND SEALING.....	28
6.2	AMENDED INSTRUMENT OF DELEGATION TO REFLECT NEW NAME OF BOORT BUSINESS AND TOURISM COUNCIL COMMITTEE OF MANAGEMENT	29
6.3	SECTION 86 COMMITTEE OF MANAGEMENT MEMBERSHIP DETAILS- INGLEWOOD TOWN HALL COMMITTEE OF MANAGEMENT.....	31
6.4	SECTION 86 COMMITTEE OF MANAGEMENT MEMBERSHIP DETAILS- JONES EUCALYPTUS DISTILLERY SITE COMMITTEE OF MANAGEMENT	33
6.5	SECTION 86 COMMITTEE OF MANAGEMENT MEMBERSHIP DETAILS- BOORT PARK COMMITTEE OF MANAGEMENT	35
7.	GENERAL BUSINESS	37
8.	CONFIDENTIAL ITEMS	37

1. APOLOGIES

Nil

2. PREVIOUS MINUTES

2.1 CONFIRMATION OF MINUTES

SUMMARY

Seeking approval of the unconfirmed minutes of the previous Council Forum and Meetings.

Author: John McLinden - Chief Executive Officer

Council Plan ref: Core business 8: Compliance

File No: 02/01/001

Attachment: Nil

RECOMMENDATION

That Council confirm:

1. *the minutes of the Council Briefing of 24 August 2015*
2. *the minutes of the Ordinary Council Meeting of 24 August 2015*
3. *The minutes of the Council Forum of 10 September 2015*

2.2 REVIEW OF ACTION SHEET

SUMMARY

Approval of Action Sheet.

Author: John McLinden - Chief Executive Officer

Council Plan ref: Core business 8: Compliance

File No: 02/01/001

Attachment: 2.2 Action Sheet

RECOMMENDATION

That Council receive and note the Action Sheet.

3. COUNCILLORS' REPORTS

3.1 MAYORAL REPORT

SUMMARY

Approval of the Mayoral Report.

Author:	John McLinden, Chief Executive Officer
Council Plan ref:	Core business 1: Leadership
File No:	02/01/001
Attachment:	Nil

RECOMMENDATION

That Council receive and note the Mayoral Report.

3.2 COUNCILLORS' REPORT

SUMMARY

Approval of Councillors' Reports.

Author:	John McLinden, Chief Executive Officer
Council Plan ref:	Core business 1: Leadership
File No:	02/01/001
Attachment:	Nil

RECOMMENDATION

That Council receive and note the Councillors' Report.

4. **DECISION REPORTS**

4.1 **AUGUST 2015 AUDIT COMMITTEE MEETING**

SUMMARY

This report provides Council with an overview of the Audit Committee Meeting held on 18 August 2015.

Author	Jude Holt, Director Corporate Services
Council Plan ref:	Strategic enabler: Effective and efficient operating systems and procedures
File no:	06/02/003
Attachment:	Nil

RECOMMENDATION

That Council:

1. *receives and notes the August 2015 Audit Committee Meeting Report*
2. *receives and notes the Risk Management Report*
3. *endorses the committee's recommendation that Local Government Performance Reporting Framework data be provided half yearly and annually*
4. *endorses the performance improvement recommendations documented in the Audit Report – Follow up of planning review undertaken in July 2012*
5. *endorses the Closing Report to the Audit Committee for the year ended 30 June 2015*
6. *endorses the Strategic Internal Audit Program 2015-2019.*

CONFLICT OF INTEREST

Are there any conflicts of interest for any council staff involved in writing this report, or involved in the subject matter of the report?

No

If yes, the following details identify the conflict of interest.

Officer name	Nature of interest	Reason for conflict
Click here to enter text.	Choose an item. If indirect, the type of indirect interest is: Choose an item.	[Explain the specific circumstances of this person's conflict of interest.]

PREVIOUS COUNCIL DISCUSSION

Council was provided with a summary of the May 2015 Audit Committee Meeting at the Ordinary Meeting held on 26 May 2015.

BACKGROUND

The Audit Committee was created under Section 139 of the Local Government Act 1989, which states that "Council must establish an audit committee".

The committee is made up of four independent community members, and Cr Gavan Holt, as Council's representative. Council's Chief Executive Officer and Director Corporate Services attend the meetings in an advisory capacity.

The primary objective of the Audit Committee is to assist Council in the effective conduct of its responsibilities for:

- the enhancement of the credibility and objectivity of internal and external financial reporting
- effective management of financial and other risks and the protection of Council assets
- compliance with laws and regulations as well as use of best practice guidelines
- the effectiveness of the internal audit function
- the provision of an effective means of communication between the external auditor, internal audit, management and the Council
- facilitating the organisation's ethical development
- maintaining a reliable system of internal controls.

In order to provide a structured approach and ensure that the committee addresses each of its responsibilities, an annual calendar of actions and an internal audit review program are established each year, and these guide the activities of the committee.

ISSUES/DISCUSSION

Meeting held under clause 5.3(e) of the Audit Committee Charter

In accordance with the Audit Committee Charter, a meeting was held with the internal and external auditors and the committee, without officers present.

This meeting provides time for non-officer members of the committee to have open discussion with the internal and external auditors.

Agenda

The agenda for the August 2015 meeting included the following:

Presentation of Financial Statements and Performance Statement and Closing Report

Council's external auditor, Martin Thompson of Crowe Horwath, presented the financial statements and performance statement to the committee and provided an overview of the Closing Report.

Audit Report – Follow up of Planning Review undertaken in July 2012

Council's internal auditor, Mark Holloway of HLB Mann Judd, presented the report on the follow up of the planning review undertaken in July 2012.

This report noted that three actions had been completed and two were outstanding, and those outstanding were dependent on finalisation of procedures for the town planning department – although it was noted that Council is exploring the purchase of a new corporate software system and implementation may make the need for procedures redundant.

Review of internal audit program

Mark Holloway provided the committee with the draft internal audit program that was developed after a risk profiling exercise with the management team.

The program identifies the first year reviews as:

- succession planning and workforce development
- disaster recovery
- building management
- implementation of council decisions.

Presentation of the results of the Local Government Performance Reporting Framework for 2014/2015

The committee was provided with the input and output sheets for the Local Government Performance Reporting Framework (LGPRF) for reference.

Discussion regarding frequency of providing committee with Local Government Performance Reporting Framework updates

The committee discussed the frequency of receiving LGPRF data, as the better practice guide suggests quarterly.

The committee is recommending half yearly to Council due to the seasonal nature of some of the activities, and that some indicators will only provide valid results when they are calculated over the full year.

Presentation of the Essential Services Commission Local Government Rates Capping and Variation Framework Review Draft Report

The committee was provided with an overview of the draft report from the Essential Services Commission on rate capping in Victoria.

The committee has asked that the Long Term Financial Plan, and the impact on the LTFP from rate capping, be provided to them at the November meeting.

Review of Outstanding Action List

The Outstanding Action List showed 46 actions at the commencement of the reporting period. There were 6 actions added from the Review of induction, performance review, and performance management, while seven were completed during the reporting period, leaving 45 outstanding.

Of the 45 actions, two are high risk, 32 are medium risk, and 11 are low risk.

Other agenda items

Other agenda items, some of which are standard items included:

- risk management report, which now incorporates more detail in line with the new risk management framework
- fraud report
- major lawsuits report
- monthly finance report.

Next review

The next review will be succession planning and workforce development. This review will be partly internal audit and partly consultation in an effort to develop an evidence based succession and workforce plan for Council.

It will be presented at the next meeting of the committee which has been scheduled for 19 November 2015.

COSTS/BENEFITS

There are costs associated with the audit committee and internal audit function.

However, in most cases, actions resulting from audit reviews do not bear any new costs as they are undertaken by current staff.

The benefits that the internal audit function provides Council are:

- business improvement relating to the audit review areas
- standard policy and procedure documents which are developed through the action list
- improvement in knowledge management that will assist with succession planning over time
- a reduction in risk in areas relating to audit reviews.

RISK ANALYSIS

The internal audit program has been created and is annually updated on a risk basis, ensuring that Council's program addresses the areas of highest risk or greatest concern to audit committee members and Council officers.

CONSULTATION AND ENGAGEMENT

Nil

4.2 FINANCE REPORT FOR THE PERIOD ENDING 31 AUGUST 2015

SUMMARY

This report provides Council with financial information for the period ending 31 August 2015.

Author	Deanne Caserta, Manager Financial Services
Council Plan ref:	Strategic enabler: Sound financial management protocols
File no:	08/06/001
Attachment:	Finance Report for Period Ending 31 August 2015

RECOMMENDATION

That Council:

1. *receives and notes the 'Finance Report for the period ending 31 August 2015'*
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 2015/16 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 2015/16.*

CONFLICT OF INTEREST

Are there any conflicts of interest for any council staff involved in writing this report, or involved in the subject matter of the report?

No

If yes, the following details identify the conflict of interest.

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PREVIOUS COUNCIL DISCUSSION

Council is provided with Finance Reports on a monthly basis.

BACKGROUND

The Finance Report for the period ended 31 August 2015 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 is in the format provided in the 2015/16 Budget, and includes operating results, capital expenditure and funding sources.

This Finance Report also includes 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

Nil.

COSTS/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 2015/16.

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.

4.3 REVIEW OF DELEGATIONS

SUMMARY

Council approval is sought for a revised set of delegations following their review.

Author	Lynne Habner, Executive Assistant
Council Plan ref:	Core business 8: Compliance
File no:	18/01/003
Attachment:	Updated Loddon Shire Council Instrument of Delegation to Members of Council Staff Updated Instrument of Delegation to Members of Council Staff under the Marine Safety Act 1988

RECOMMENDATION

That Council, in the exercise of the powers conferred by section 98(1) of the Act and the other legislation referred to in the attached instrument of delegation, resolves that:

1. *There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached Instruments of Delegation to members of Council staff, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.*
2. *The instrument comes into force immediately the common seal of Council is affixed to the instrument.*
3. *On the coming into force of the instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked.*
4. *The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.*

CONFLICT OF INTEREST

Are there any conflicts of interest for any council staff involved in writing this report, or involved in the subject matter of the report?

No

If yes, the following details identify the conflict of interest.

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PREVIOUS COUNCIL DISCUSSION

In March 2014, Council reviewed delegations to members of Council staff.

BACKGROUND

In order for Council officers to effectively and efficiently discharge their duties, specific delegations, authorisations and appointments are required under a variety of Acts.

Council is required to review its delegations within 12 months after a general election in accordance with section 98 (6) of the Local Government Act.

In addition to this statutory requirement, presentation of new or revised delegations has become a more regular process for Council. Due to the ever changing nature of legislation, Council has subscribed to a service by Maddocks legal firm that regularly reviews all applicable delegations, authorisations and appointments.

ISSUES/DISCUSSION

The attached amended delegations have been updated in accordance with most recent advice provided by Maddocks.

COSTS/BENEFITS

Adoption of the recommendation will not have any financial impacts.

RISK ANALYSIS

Adoption of the recommendation will ensure that council staff are able to act on behalf of Council under the various pieces of legislation. If current delegations are not in place, actions of a council officer exercising those powers could be legally challenged.

CONSULTATION AND ENGAGEMENT

Council's CEO and Directors were consulted during the review of delegations.

4.4 PYRAMID HILL COLLEGE PAVEMENT, DRAINAGE AND AMENITY WORKS

SUMMARY

Outlines the scope of works requested at the Pyramid Hill College in respect to road and footpath improvements as well as recommendations regarding the funding and delivery of these works.

Author	David Fry, Manager Infrastructure (Program Development)
Council Plan ref:	Core business 5: Providing quality infrastructure
File no:	14/01/001
Attachment:	Nil

RECOMMENDATION

That Council:

1. *Provide in-principle support for this project pending a decision on funding*
2. *Clarify the financial contribution to the project available from the Pyramid Hill College*
3. *Defer a decision on including this project in the 2015/16 Works Program until Council has considered the broader infrastructure funding issues in October 2016.*

CONFLICT OF INTEREST

Are there any conflicts of interest for any council staff involved in writing this report, or involved in the subject matter of the report?

No

If yes, the following details identify the conflict of interest.

Officer name	Nature of interest	Reason for conflict
Click here to enter text.	Not applicable If indirect, the type of indirect interest is: Choose an item.	Nil

[Refer to the Staff and Contractors Code of Conduct for definitions of conflict of interest.]

PREVIOUS COUNCIL DISCUSSION

At its Ordinary meeting in July 2015, Council requested that officers investigate a scope of works and associated estimate of costs for road pavement and footpath improvement works at the entrance to the Pyramid Hill College.

BACKGROUND

In late 2006 a request was received from the Pyramid Hill College to provide a scope of works including estimated cost for improvements to the bus parking area immediately adjacent to the entrance of the school. Subsequent investigations were completed in February 2007 and a copy of a draft plan and project scope along with an estimate of costs was provided to the school. No further request for these works, or offers of funding, were received from the school.

ISSUES/DISCUSSION

On the 14 August a site meeting was held at the Pyramid Hill College between Councils Manager infrastructure, Mr David Fry, Cr Cheryl McKinnon and the school principal, Mr Joe Mazzarella.

Issues raised at this site meeting related to the school entrance which is also the bus pick up and drop off area, the parking area fronting the school to the north of the entrance, provision of a footpath associated with this parking area and line marking to both delineate parking and bus areas as well as improve the visual amenity of the area. Drainage at the entrance was also raised as an issue. The principal also pointed out that the works he was requesting would significantly improve the amenity of the school, complimenting the works completed within the school grounds over a number of years.

The paved area at the front of the school is beginning to deteriorate with several minor failures appearing. There are also a number of areas that have been patched. A natural drainage swale running across the front of the school in the paved area is also failing. This drain runs into a section of Kerb and Channel that is in poor condition and has been identified by Council as requiring replacement.

Even though a section of the above paved area is on the school property, the entire pavement area appears on Council's asset register. As such it is considered that Council has accepted responsibility for the above pavement. All of the drainage is within the road reserve.

The parking area to the north of the entrance is to service visitors to the school as well as pick up and drop off of students. Some sealing works are required as well as line marking to ensure appropriate parking and safe vehicle movements.

The college has requested that a section of footpath be installed to service this parking area.

Line marking at the front of the school in the bus drop off/pick up area to improve safety and appropriately designate bus waiting areas was also a priority of the college.

The proposed works required are:

- rehabilitation of approximately 1000m² failing pavement
- installation of a concrete spoon drain to ensure appropriate drainage of the new pavement
- replacement of the existing failed Kerb and Channel
- seal extension of parking area at front of school
- placement of a concrete footpath to service parking area
- placement of all line marking to improve pedestrian and vehicle safety and enhance traffic flow.

The total estimated cost for all the above works is \$150,000. It is proposed that the Pyramid Hill College be asked to part fund these works. The proposed amount would represent the costs associated with the requested footpath works and a share of the seal extension and line marking works.

Council's budget for 2015/16 has now been settled and all funds available for infrastructure renewal have been committed.

These works can be funded from Council's surplus or from the additional Roads to Recovery funds recently received by Council. A report providing options for the use of these Roads to Recovery funds will be provided to the October Council Forum. Council may wish to defer a decision to fund these works until the broader infrastructure funding discussion occurs in October.

COSTS/BENEFITS

Council would benefit in the long term from reduced maintenance costs. The school and Pyramid Hill community would benefit from the improved amenity and safety.

RISK ANALYSIS

As Council has already accepted responsibility for this area no additional risk occurs. The risk of not completing these works could come if there was an accident involving vehicles or pedestrians, and Council had not responded to the request for works.

CONSULTATION AND ENGAGEMENT

Initial consultation with the school has occurred. Additional consultation will occur in relation to the school's requested contribution.

4.5 DESIGNATION OF CAMPING AREAS WITHIN LODDON SHIRE

SUMMARY

Seeks that Council determine that various public areas within the municipality be available for the purposes of Camping.

Author	Ian McLauchlan, Director Operations
Council Plan ref:	Core business 9: Regulation
File no:	04/02/0112
Attachment:	Nil

RECOMMENDATION

That Council, pursuant to section 7.1 of Local Law No. 4, designate the following areas within Loddon Shire as being available for camping:

- *Hardhill Tourist Reserve*
- *Loddon River Recreation Reserve (Laanecoorie)*
- *Newbridge Recreation Reserve*
- *Bridgewater Recreation Reserve*
- *Tarnagulla Recreation Reserve*
- *Boort Park*
- *All State and Regional Forests, Parks and Nature Conservation Reserves*

CONFLICT OF INTEREST

Are there any conflicts of interest for any council staff involved in writing this report, or involved in the subject matter of the report?

No

If yes, the following details identify the conflict of interest.

Officer name	Nature of interest	Reason for conflict
Click here to enter text.	Choose an item. If indirect, the type of indirect interest is: Choose an item.	

PREVIOUS COUNCIL DISCUSSION

At its Ordinary meeting in July 2015 Council resolved to adopt Local Law No. 4. Local Law No. 4 has been adopted to achieve a range of objectives including the control of activities or land use which may be hazardous, unsafe or detrimentally impact upon quality of life or the environment within the municipal district.

BACKGROUND

The activity of camping throughout Loddon Shire is regulated via provisions within Local Law No. 4. Section 7.1 of Local Law No. 4 states that a person must not, without a permit, camp on Council land, a public place, highway, road or car park in a tent, vehicle or caravan or any other temporary or makeshift structure unless they are within a caravan park registered under the Residential Tenancies Act 1997 or an area determined by the Council to be available for camping purposes.

The intent of this clause is to ensure that the activity of camping (in any public place) is appropriately controlled so as to not detrimentally impact upon the quality of life or the environment within the municipal district. The application of this clause encompasses all public places throughout the municipality, as defined under the Summary Offences Act 1966 (the Act). Camping on private land is also addressed within local law No.4 however is not the subject of this report.

Pursuant to the Act, the definition of a public place encompasses a broad range of locations including any park, garden, reserve or other place of public recreation or resort as well as any open place to which the public whether upon or without payment for admittance have or are permitted to have access.

At present Council has not formally designated any area within the Shire as being available for camping. As such, under the provisions of Local Law No. 4 any camping activity in a public area requires that a local laws permit first be obtained.

ISSUES/DISCUSSION

The requirement to obtain a permit for camping not only applies to Council land, which is defined as land vested in or under the control of Council, including roads, streets, reserves, watercourses, reservations and the like, but also other public places as defined under the Act.

This means that under section 7.1 of Local law No. 4, anyone camping on crown land such as within State Forests, recreation reserves, National Parks or along river foreshores, requires a local laws permit from Council. In many circumstances Council does not control or manage crown land upon which such permits may be issued.

Municipal local laws apply to these areas and as such Council must consider how best to balance the appropriateness of applying local laws versus other third party management and regulatory arrangements put in place by such agencies as Parks Victoria, Department of Environment Land Water and Planning or their appointed Committees of Management (CoM).

It is therefore considered appropriate that Council consider the designation of various public places as being available for camping so as to alleviate the need for individuals to obtain a local laws permit. This will result in a reduction in potential permit administration, reduce red tape for visitors to the Shire and provide greater clarity for the general public.

Whilst designation of an area pursuant to Local Law No. 4 as being available for camping purposes alleviates the requirement to obtain a local laws permit, it is important to note that other permits, controls or restrictions may still be in force in relation to such areas. For example, Parks Victoria has the power to place restrictions or specific controls on activities within areas of National Parks and Forests.

As such whilst a camping permit from Council may not be required for such crown land areas, restrictions on camping may still be in place. Before accessing any crown land for the purposes of camping, individuals should confirm with the relevant land manager as to whether the proposed activity can be undertaken.

Areas which are being recommended for designation by Council as being available for camping are as follows:

- Hardhill Tourist Reserve
- Loddon River Recreation Reserve (Laanecoorie)
- Newbridge Recreation Reserve
- Bridgewater Recreation Reserve
- Tarnagulla Recreation Reserve

- Boort Park
- All State and Regional Forests, Parks and Nature Conservation Reserves

It is believed that the above list represents those public areas throughout the municipality, subject to any other restrictions, which should be considered appropriate for camping. Many of the areas listed above are already being utilised for camping and are also being promoted as such.

COSTS/BENEFITS

Benefits associated with designating camping areas within the Shire relate to the avoidance of administrative requirements in the form of having to issue individual camping permits to the public, as well as a reduction in the associated monitoring and enforcement of camping activities in certain public areas.

RISK ANALYSIS

Risks associated with the designation of particular areas as being available for camping relate to the relative loss of control in respect to the number of people which may be accessing particular areas at any given time. Operation of a permit system provides Council with the ability to manage patron numbers across the Shire or within particular areas.

Many of the areas identified above maintain separate rules imposed by either CoM's or other government agencies. As such it is considered that adequate controls for the management of designated areas will still be in place.

In addition to patron numbers, operation of camping areas in proximity to residential development has the potential to create amenity impacts. Such impacts may include antisocial behaviour of patrons, litter, noise and wastewater management. It is considered that sufficient powers remain in place through other legislation or provisions within the local laws to enable CoM's, Victoria Police or Council local laws officers to undertake necessary enforcement.

CONSULTATION AND ENGAGEMENT

Consultation was undertaken with Councils Manager Tourism with respect to the identification of those areas throughout the Shire which may be considered available for camping pursuant to Local Law No. 4.

Previous consultation with relevant COM's responsible for such areas has been undertaken by Councils Tourism department, as reflected in the publication of these areas on Councils website as being available for camping.

No general public consultation has occurred with respect to the designation of these areas as being available for camping however Council has received previous complaints in relation to the operation of both the Hardhill tourist reserve and Laanecoorie foreshore camping area.

5. INFORMATION REPORTS

5.1 MINISTERIAL STATEMENT ON LOCAL GOVERNMENT 2015

SUMMARY

Report presenting the Ministerial Statement on Local Government 2015.

Author	John McLinden, Chief Executive Officer
Council Plan ref:	Core business 8: Compliance
File no:	17/02/003
Attachment:	Ministerial Statement on Local Government 2015

RECOMMENDATION

That Council receive and note the Ministerial Statement on Local Government 2015.

CONFLICT OF INTEREST

Are there any conflicts of interest for any council staff involved in writing this report, or involved in the subject matter of the report?

No

If yes, the following details identify the conflict of interest.

Officer name	Nature of interest	Reason for conflict
Click here to enter text.	Choose an item. If indirect, the type of indirect interest is: Choose an item.	[Explain the specific circumstances of this person's conflict of interest.]

[Refer to the Staff and Contractors Code of Conduct for definitions of conflict of interest.]

PREVIOUS COUNCIL DISCUSSION

Nil.

BACKGROUND

The Honourable Natalie Hutchins MP, Minister for Local Government has recently released the 2015 Ministerial Statement on Local Government.

ISSUES/DISCUSSION

The statement sets out the Victorian government's reform agenda for local government and is focusing on three areas:

- integrity and good governance
- capacity and performance
- delivering for communities

The Ministerial statement includes a total of 17 actions that have been designed to implement the government's reform agenda for local government.

These actions include a complete review of the Local Government Act, changes to the legislation controlling councillor behaviour and councillor conduct panels, and reforms to improve the integrity of the council election process.

A number of the actions implement programs that were previously flagged, including the implementation of the local government performance reporting framework, implementation of common funding agreements and the implementation of the fair go rate system.

There are a number of actions aimed at supporting the redesign of the way councils do business and supporting councils to find innovative and more cost-effective ways of delivering services to their community. There is support for rural municipalities including reference to the redirection of the Victorian Grants Commission funds to the most vulnerable communities.

COSTS/BENEFITS

No specific costs to Council.

RISK ANALYSIS

No risks are identified with the release of the Ministerial Statement.

CONSULTATION AND ENGAGEMENT

Nil.

5.2 2014/15 END OF FINANCIAL YEAR VARIATION ANALYSIS

SUMMARY

This report provides Council with an analysis of variances contained within the Finance Report for the year ended 30 June 2015 compared to the revised budget projection at the time of setting the 2015/16 Budget.

Author	Deanne Caserta, Manager Financial Services
Council Plan ref:	Strategic enabler: Sound financial management protocols
File no:	08/06/001
Attachment:	Nil

RECOMMENDATION

That Council receives and notes the "2014/15 End of Financial Year Variation Analysis" Report.

CONFLICT OF INTEREST

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No

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[Refer to the Staff and Contractors Code of Conduct for definitions of conflict of interest.]

PREVIOUS COUNCIL DISCUSSION

As part of the 2015/16 budget process, budget projections for the end of 2014/15 financial year were presented to Council in the form of a Revised Budget.

BACKGROUND

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

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

This report outlines the variations which have arisen between the budget projections made and the actual final results achieved at year end 30 June 2015.

ISSUES/DISCUSSION

The revised budget projections called for an end of financial year closing cash surplus position of \$334K. The actual cash surplus was \$1.19M, a positive variance of \$860K.

The monthly Finance Report tables are provided as Appendix 1 to this report, and include the budget, actuals, variance in dollars and percentage terms.

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

SUMMARISED FINANCIAL RESULT

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

Report item	2014/15 Budget	2014/15 Actual	Variance of Actual to Budget \$	Variance of Actual to Budget %
Revenue	(31,017,696)	(31,828,836)	811,141	103%
Expenses	28,485,839	26,507,849	1,977,990	93%
Net operating result	(2,531,857)	(5,320,986)	2,789,131	210%
Funding decisions	(4,468,513)	6,998,297	(11,466,808)	-157%
Capital expenditure	17,581,611	8,207,365	9,374,246	47%
Non cash adjustments	(8,333,772)	(8,495,024)	161,251	102%
Accumulated deficit b/f	(2,581,513)	(2,581,513)	0	100%
Net cash surplus/(deficit)	(334,043)	(1,191,863)	857,820	357%

INCOME

Income for the year was \$31.83M representing a variance of 3% or \$811K higher than the budget of \$31.02M. Within the income items the following variances occurred:

Revenue grants

Revenue grants were over budget by 41% or \$4.2M.

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

- Victorian Grants Commission 50% advance payment of 2015/16 funding of \$3.87M
- emergency management project funding of \$64K.

Instances where Council received income less than the budget were:

- Serpentine pavilion project of \$155K which is to be raised during 2015/16
- home and community care funding of \$43K
- preschool grant income of \$148K; due to lower than anticipated student numbers.

Capital grants

Capital grants were under budget by 53% or \$3.95M.

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

- Bridgewater foreshore project of \$1.51M where the funding of this project did not eventuate
- Wedderburn streetscape of \$203K due to the delay in reaching the next funding milestone
- Inglewood Town Hall of \$1.6M due to the delay in commencement of this project.

Instances where Council received income that was not included in the budget projection process:

- major towns streetscape project of \$108K.

User fees

User fees income was higher than budget by \$461K or 23%.

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

- operation of the Council caravan parks of \$72K due to a decline in caravan park attendance.

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

- Commonwealth packaged care program of \$332K due to an increase in number of services funded
- standpipe and truck wash usage of \$69K; with an exceptionally dry year requiring more Loddon residents to use the service
- local laws fine income of \$53K due to finalisation of court proceedings late in the financial year.

Recurrent contributions

Recurrent contributions were below budget by \$125K or 38%. This is due to a delay in the commencement of community projects where contributions are required from the committees. These are for the Serpentine Pavilion project of \$100K and Boort Pavilion project of \$40K.

Reimbursements

Reimbursements were higher than budget by \$130K or 50%.

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

- WorkCover claims of \$36K with a decrease in the costs associated with WorkCover incidents for the year
- Murray River Group of Councils of \$21K which is due to be invoiced in early 2015/16.

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

- Bridgewater Caravan Park works where a reimbursement was taken from the retention that was put aside for restitution works \$169K
- fuel rebate income of \$17K with higher than anticipated diesel usage.

EXPENDITURE

Expenditure for the year was \$26.51M representing a variance of 7% or \$1.98M below budget. Within the line items the following variances occurred:

Materials and services

Materials and services were \$1.92M or 21% below budget; the main reasons are outlined below.

Items below budget include:

- home and community care items of \$154K due to a lower demand for these types of services and some unspent funds which have been carried forward into 2015/16
- Commonwealth packaged care program of \$60K which has been carried forward into 2015/16 with some expected to be returned to the regional coordinator.

Items below budget where transfers to reserve have resulted are:

- Serpentine pavilion project of \$1.13M with the project not expected to commence until after the 2015 football season
- heritage loan scheme of \$73K with only part of this allocated to suitable projects during 2014/15
- insurance for toilet damage at Donaldson Park of \$77K which is not expected to be expended until works at the new or upgraded pavilion commence.

Items above budget:

- maintenance on local roads of \$80K with higher than expected demand for repair and maintenance costs, this is offset by savings in other areas
- recreation mowers of \$75K which was originally budgeted as a capital item, therefore no operating budget was allowed.

Utilities

Utilities were above budget by 13% or \$56K.

The main items with variances over budget are:

- standpipes and truck washes of \$30K
- townscape services and lawn irrigation of 32K.

Contract payments

Contract payments were \$348K or 25% below budget.

Items below budget include:

- allowance of \$167K for tip rehabilitation expenditure
- national hands BSN initiative of \$10K
- RV friendly town works of \$9K.

CAPITAL EXPENDITURE

Capital expenditure was \$8.21M representing a variance of 53% or \$9.37M below budget of \$17.58M.

Furniture and office equipment

Furniture and office equipment were 29% or \$60K below budget.

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

- PC replacement program of \$30K
- Serpentine office IT system works of \$22K.

Land & buildings

Land and buildings were 61% or \$943K below budget.

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

- Inglewood Industrial estate of \$175K, carried over to 2015/16 through the Economic Development Reserve
- building maintenance allocation of \$206K, carried over to 2015/16 through the Capital Expenditure Reserve
- livestock pound of \$91K, carried over through the Capital Expenditure Reserve
- Council building purchases of \$150K, funds remaining in the Land and Buildings Reserve
- Serpentine public toilet works of \$131K, carried over to 2015/16 through the Capital Expenditure Reserve.

Plant and equipment

Plant and equipment was 79% or \$1.95M below budget.

The main variance was the delay in purchasing new plant and fleet due to the introduction of a new vehicle policy and works restructure undertaken. This is expected to be expended in 2015/16 in addition to the 2015/16 budget allocation.

Roads infrastructure

Roadworks was 6% or \$229K below budget.

This represents a relatively small variation which falls outside reporting threshold.

Urban drainage

Drainage was 38% or \$144K below budget.

The main projects that were under budget due to expected savings in delivery were:

- Nixon Street projects of \$76K
- Nardoo Creek project of \$60K.

Recreation, leisure and community facilities

Recreation, leisure and community facilities were 67% or \$4.16M below budget.

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

- Captain Melville trail of \$100K
- Inglewood Town Hall works of \$2.36M
- Boort Park pavilion works of \$231K.

Items below budget include:

- Bridgewater foreshore project of \$1.65M with the funding for this project not eventuating.

Items higher than budget include:

- Bridgewater Caravan Park works of \$146K after the additional expenditure required to rectify the contractor default.

Parks, open spaces and streetscapes

Parks, open spaces and streetscapes were 74% or \$1.76M below budget.

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

- Wedderburn streetscape works of \$1.23M due to a delay in commencement of this project
- streetscape planning project of \$120K
- Pyramid Hill streetscape works of \$120K with the consultation period for design still being undertaken.

Footpaths

Footpaths were 41% or \$134K below budget.

This is mainly due to savings in this area along with the Railway Avenue item of \$92K which is expected to commence in 2015/16. This was carried over through the Capital Expenditure Reserve.

FUNDING DECISIONS

Funding decisions were \$11.47M or 157% below budget.

Transfers to reserves

Transfers to reserves were \$9.35M above budget.

The main reasons were:

- Unspent Grants Reserve was \$7.2M above budget which represents funds received for a variety of projects that remained unspent at 30 June 2015
- Capital Expenditure Reserve was \$1.88M above budget which represents projects that will now be completed in 2015/16
- Community Planning Reserve was \$328K above budget due to deferral of larger projects into 2015/16 as external funding becomes available.

Transfers from reserves

Transfers from reserves were \$1.74M below budget.

The main reasons were:

- Plant Replacement Reserve was \$1.48M below budget due to a delay in plant replacement program
- Fleet Replacement Reserve was \$174K below budget due to the introduction of a new vehicle policy which delayed the purchase of fleet vehicles for 2014/15.

Proceeds from sale of assets

Proceeds from sale of assets were \$377K below budget.

This was due to a delay in the plant and fleet replacement program.

SUMMARY

In summary, at the end of the financial year Council earned a surplus of \$858K in excess of expectation.

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

- Council used Capital Expenditure, Community Planning and Unspent Grants to capture any financial items that were not affected in 2014/15 and will be completed in 2015/16 or subsequent years
- savings in many areas of the accounts were realised due to strong financial management by the officers responsible for delivering projects and programs.

COSTS/BENEFITS

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

RISK ANALYSIS

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

CONSULTATION AND ENGAGEMENT

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

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

APPENDIX 1: Finance report for the year ended 30 June 2015

	2014/15 Original Budget	2014/15 Revised Budget	YTD Budget	YTD Actual	Variance of YTD Actual & YTD Budget	% YTD Actual to YTD Budget	% YTD Actual to Budget
REVENUE FROM ORDINARY ACTIVITIES							
Rates	\$9,145,729	\$9,145,729	\$9,145,729	\$9,172,250	\$26,521	100%	100%
Revenue grants	\$10,535,993	\$10,347,430	\$10,347,430	\$14,551,659	\$4,204,230	141%	141%
Capital grants	\$5,514,673	\$7,490,868	\$7,490,868	\$3,544,481	(\$3,946,387)	47%	47%
Vic Roads	\$1,088,350	\$785,133	\$785,133	\$800,015	\$14,882	102%	102%
User fees	\$1,696,398	\$2,029,265	\$2,029,265	\$2,490,336	\$461,071	123%	123%
Capital contributions	\$0	\$200,000	\$200,000	\$200,000	\$0	100%	100%
Recurrent contributions	\$253,500	\$332,669	\$332,669	\$207,350	(\$125,319)	62%	62%
Interest income	\$325,000	\$425,000	\$425,000	\$468,375	\$43,375	110%	110%
* Reversal of impairment losses	\$0	\$1,873	\$1,873	\$1,873	\$0	100%	100%
* Library equity	\$0	\$0	\$0	\$2,952	\$2,952	0%	0%
Reimbursements	\$203,739	\$259,729	\$259,729	\$389,545	\$129,816	150%	150%
Total revenue	\$28,763,382	\$31,017,696	\$31,017,696	\$31,828,836	\$811,141	103%	103%
EXPENDITURE FROM ORDINARY ACTIVITIES							
Labour	\$8,518,323	\$8,740,047	\$8,740,047	\$8,809,591	(\$69,544)	101%	101%
Materials & services	\$8,335,712	\$9,289,099	\$9,289,099	\$7,373,971	\$1,915,128	79%	79%
Depreciation	\$8,335,645	\$8,335,645	\$8,335,645	\$8,446,064	(\$110,419)	101%	101%
Utilities	\$408,681	\$438,681	\$438,681	\$494,206	(\$55,525)	113%	113%
Contract payments	\$1,393,950	\$1,391,911	\$1,391,911	\$1,043,901	\$348,010	75%	75%
Loan interest	\$13,015	\$13,015	\$13,015	\$9,365	\$3,650	72%	72%
Auditor costs	\$72,240	\$72,240	\$72,240	\$69,456	\$2,784	96%	96%
Councillor costs	\$205,200	\$205,200	\$205,200	\$207,510	(\$2,310)	101%	101%
Loss on sale of assets	\$0	\$0	\$0	\$16,965	(\$16,965)	0%	0%
* Impairment losses	\$0	\$0	\$0	\$570	(\$570)	0%	0%
Bad debts expense	\$0	\$0	\$0	\$36,250	(\$36,250)	0%	0%
Total expenditure	\$27,282,767	\$28,485,839	\$28,485,839	\$26,507,849	\$1,977,990	93%	93%
NET RESULT FOR THE PERIOD	\$1,480,615	\$2,531,857	\$2,531,857	\$5,320,988	(\$2,789,131)	210%	210%

APPENDIX 1: Finance report for the year ended 30 June 2015

	2014/15 Original Budget	2014/15 Revised Budget	YTD Budget	YTD Actual	Variance of YTD Actual & YTD Budget	% YTD Actual to YTD Budget	% YTD Actual to Budget
FUNDING DECISIONS							
Add loan interest accrued	\$0	\$0	\$0	\$0	\$0	0%	0%
Less loan repayments	(\$129,205)	(\$129,205)	(\$129,205)	(\$129,225)	\$20	100%	100%
Add transfer from reserves	\$2,912,630	\$8,358,585	\$8,258,583	\$6,518,995	\$1,739,588	79%	78%
Less transfer to reserves	(\$3,432,572)	(\$4,225,552)	(\$4,125,552)	(\$13,475,670)	\$9,350,118	327%	319%
Add proceeds from sale of assets	\$314,689	\$464,685	\$464,685	\$87,603	\$377,082	19%	19%
TOTAL FUNDING DECISIONS	(\$334,458)	\$4,468,513	\$4,468,511	(\$6,998,297)	\$11,466,808	-157%	-157%
NET FUNDS AVAILABLE FOR CAPITAL	\$1,146,157	\$7,000,370	\$7,000,368	(\$1,677,309)	\$8,677,677	-24%	-24%
CAPITAL EXPENDITURE BY ASSET TYPE							
Furniture and office equipment	\$197,500	\$202,500	\$202,500	\$142,774	\$59,726	71%	71%
Land and buildings	\$1,258,500	\$1,556,696	\$1,556,696	\$613,573	\$943,123	39%	39%
Plant and equipment	\$2,074,878	\$2,480,474	\$2,480,474	\$531,765	\$1,948,709	21%	21%
Roadworks	\$3,519,285	\$4,009,852	\$4,009,852	\$3,781,207	\$228,645	94%	94%
Urban and road drainage	\$330,000	\$379,470	\$379,470	\$234,997	\$144,473	62%	62%
Recreation, leisure and community facilities	\$3,247,003	\$6,243,583	\$6,243,583	\$2,085,552	\$4,158,031	33%	33%
Parks, open space and streetscapes	\$668,000	\$2,380,518	\$2,380,518	\$622,761	\$1,757,757	26%	26%
Footpaths	\$139,150	\$328,518	\$328,518	\$194,736	\$133,782	59%	59%
TOTAL CAPITAL EXPENDITURE PAYMENT	\$11,434,316	\$17,581,611	\$17,581,611	\$8,207,365	\$9,374,246	47%	47%
NON CASH ADJUSTMENTS							
Less depreciation	\$8,335,645	\$8,335,645	\$8,335,645	\$8,446,064	(\$110,419)	101%	101%
Add reversal of impairment losses	\$0	(\$1,873)	(\$1,873)	(\$1,873)	\$0	100%	100%
Add library equity	\$0	\$0	\$0	(\$2,952)	\$2,952	0%	0%
Less impairment losses	\$0	\$0	\$0	\$570	(\$570)	0%	0%
Less loss on sale of assets	\$0	\$0	\$0	\$16,965	(\$16,965)	0%	0%
Less bad debts expense	\$0	\$0	\$0	\$36,250	(\$36,250)	0%	0%
TOTAL NON CASH ADJUSTMENTS	\$8,335,645	\$8,333,772	\$8,333,772	\$8,495,024	(\$161,251)	102%	102%
Accumulated surplus brought forward	(\$2,352,875)	(\$2,581,513)	(\$2,581,513)	(\$2,581,513)	\$0	100%	100%
NET CASH (SURPLUS)/DEFICIT	(\$400,362)	(\$334,043)	(\$334,043)	(\$1,191,863)	\$857,820	357%	357%

6. COMPLIANCE REPORTS

6.1 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
Council Plan ref:	Core business 8: Compliance
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*

CONFLICT OF INTEREST

Are there any conflicts of interest for any council staff involved in writing this report, or involved in the subject matter of the report?

No

If yes, the following details identify the conflict of interest.

Officer name	Nature of interest	Reason for conflict
Click here to enter text.	Choose an item. If indirect, the type of indirect interest is: Choose an item.	[Explain the specific circumstances of this person's conflict of interest.]

PREVIOUS COUNCIL DISCUSSION

Nil

BACKGROUND

N/A

ISSUES/DISCUSSION

Loddon Shire Council Municipal Emergency Management Plan

Contract 353 Wedderburn Pioneer Caravan Park Caretaker Services agreement between Loddon Shire Council and Gregory Williams

6.2 AMENDED INSTRUMENT OF DELEGATION TO REFLECT NEW NAME OF BOORT BUSINESS AND TOURISM COUNCIL COMMITTEE OF MANAGEMENT

SUMMARY

This report seeks Council's approval of an amended Instrument of Delegation for the Boort Business and Tourism Council Committee of Management.

Author	Jude Holt, Director Corporate Services
Council Plan ref:	Strategic Platform 1: Build a network of strong communities
File no:	02/01/012
Attachment:	Instrument of Delegation for Boort Business and Tourism Council

RECOMMENDATION

That Council approves the amended Instrument of Delegation for Boort Business and Tourism Council Committee of Management.

CONFLICT OF INTEREST

Are there any conflicts of interest for any council staff involved in writing this report, or involved in the subject matter of the report?

No

If yes, the following details identify the conflict of interest.

Officer name	Nature of interest	Reason for conflict
Click here to enter text.	Choose an item. If indirect, the type of indirect interest is: Choose an item.	[Explain the specific circumstances of this person's conflict of interest.]

PREVIOUS COUNCIL DISCUSSION

Nil

BACKGROUND

Boort Tourism Committee of Management has been a Section 86 committee of Council for some time. The committee's last Instrument of Delegation was approved on 25 February 2013.

The committee has sought a name change to the Boort Business and Tourism Council Committee of Management which requires an update to the Instrument of Delegation to reflect the committee's new name.

No other content in the Instrument of Delegation has been amended.

ISSUES/DISCUSSION

Nil

COSTS/BENEFITS

Nil

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. Therefore, it is important that their Instrument of Delegation reflects accurate details about the committee, and provides strong parameters under which the committees must operate.

CONSULTATION AND ENGAGEMENT

The Boort Development Committee of Management was consulted about the name change, and has no issue with it.

6.3 SECTION 86 COMMITTEE OF MANAGEMENT MEMBERSHIP DETAILS- INGLEWOOD TOWN HALL COMMITTEE OF MANAGEMENT

SUMMARY

This report seeks Council's approval of the membership of Inglewood Town Hall Committee of Management.

Author	Jude Holt, Director Corporate Services
Council Plan ref:	Strategic Platform 1: Build a network of strong communities
File no:	02/01/023
Attachment:	Nil

RECOMMENDATION

That Council appoints the names provided in this report as members of the Inglewood Town Hall Committee of Management, effective immediately.

CONFLICT OF INTEREST

Are there any conflicts of interest for any council staff involved in writing this report, or involved in the subject matter of the report?

No

If yes, the following details identify the conflict of interest.

Officer name	Nature of interest	Reason for conflict
Click here to enter text.	Choose an item. If indirect, the type of indirect interest is: Choose an item.	[Explain the specific circumstances of this person's conflict of interest.]

[Refer to the Staff and Contractors Code of Conduct for definitions of conflict of interest.]

PREVIOUS COUNCIL DISCUSSION

Council approved the current list of committee members for Inglewood Town Hall Committee of Management on 27 January 2015.

BACKGROUND

Current Section 86 committee instruments of delegations include 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.

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.

ISSUES/DISCUSSION

Inglewood Town Hall is a community based committee with representation of at least 6 community representatives . The following is a list of nominated representatives for the committee which meets the minimum requirement:

Name	Position/Community group
Don Walker	President
Dona Martin	Vice President
Colleen Condliffe	Secretary
Rick Martin	Treasurer
Les Miller	Committee Member
Jan Graham	Committee Member
Karen Akers	Committee Member
Alan Saunders	Committee Member
Dennis Rodgers	Committee Member

The Council representative for this committee is Cr Colleen Condliffe .

COSTS/BENEFITS

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

RISK ANALYSIS

Section 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

Nil

6.4 SECTION 86 COMMITTEE OF MANAGEMENT MEMBERSHIP DETAILS- JONES EUCALYPTUS DISTILLERY SITE COMMITTEE OF MANAGEMENT

SUMMARY

This report seeks Council's approval of the membership of Jones Eucalyptus Distillery Site Committee of Management.

Author	Jude Holt, Director Corporate Services
Council Plan ref:	Strategic Platform 1: Build a network of strong communities
File no:	02/01/024
Attachment:	Nil

RECOMMENDATION

That Council appoints the names provided in this report as members of the Jones Eucalyptus Distillery Site Committee of Management, effective immediately.

CONFLICT OF INTEREST

Are there any conflicts of interest for any council staff involved in writing this report, or involved in the subject matter of the report?

No

If yes, the following details identify the conflict of interest.

Officer name	Nature of interest	Reason for conflict
Click here to enter text.	Choose an item. If indirect, the type of indirect interest is: Choose an item.	[Explain the specific circumstances of this person's conflict of interest.]

[Refer to the Staff and Contractors Code of Conduct for definitions of conflict of interest.]

PREVIOUS COUNCIL DISCUSSION

Council approved the current list of committee members for Jones Eucalyptus Distillery Site Committee of Management on 28 October 2014.

BACKGROUND

Current Section 86 committee instruments of delegations include 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.

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.

ISSUES/DISCUSSION

Jones Eucalyptus Distillery Site is a community based committee with representation of at least 6 community representatives . The following is a list of nominated representatives for the committee which meets the minimum requirement:

Name	Position/Community group
Lynette Rose	President
Kevin Poyser	Vice President
Murray Baud	Secretary/Treasurer
Bert Bradley	Committee Member
Ian Collie	Committee Member
Peter Blanch	Committee Member
Des Lamprell	Committee Member

The Council representative for this committee is Cr Cheryl McKinnon .

COSTS/BENEFITS

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

RISK ANALYSIS

Section 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

Nil

**6.5 SECTION 86 COMMITTEE OF MANAGEMENT MEMBERSHIP DETAILS- BOORT PARK
COMMITTEE OF MANAGEMENT**

SUMMARY

This report seeks Council's approval of the membership of Boort Park Committee of Management.

Author	Jude Holt, Director Corporate Services
Council Plan ref:	Strategic Platform 1: Build a network of strong communities
File no:	02/01/046
Attachment:	Nil

RECOMMENDATION

That Council appoints the names provided in this report as members of the Boort Park Committee of Management, effective immediately.

CONFLICT OF INTEREST

Are there any conflicts of interest for any council staff involved in writing this report, or involved in the subject matter of the report?

No

If yes, the following details identify the conflict of interest.

Officer name	Nature of interest	Reason for conflict
Click here to enter text.	Choose an item. If indirect, the type of indirect interest is: Choose an item.	[Explain the specific circumstances of this person's conflict of interest.]

[Refer to the Staff and Contractors Code of Conduct for definitions of conflict of interest.]

PREVIOUS COUNCIL DISCUSSION

Council approved the current list of committee members for Boort Park Committee of Management on 28 October 2014.

BACKGROUND

Current Section 86 committee instruments of delegations include 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.

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.

ISSUES/DISCUSSION

Boort Park is an organisation based committee with representatives from each of the stakeholder groups. The following is a list of nominated representatives for the committee which meets the minimum requirement:

Name	Position/Community group
Neil Beattie	President
Marjorie Potter	Vice President
Ian Mercer	Secretary/Treasurer
Gordon Parker	Boort Football Club
Michael Fitzpatrick	Boort Football Club
Angela Doyle	Boort Netball Club
Judy Parker	Boort Netball Club
Jacque Verley	Boort Hockey Club
David Meadows	Boort Hockey Club
Marjorie Potter	Boort Agricultural & Pastoral Society
Ken Loader	Boort Agricultural & Pastoral Society
John Byrne	Boort District Harness Racing Club
Ray Stomann	Boort District Harness Racing Club
Ian Mercer	Boort Cricket Club
Vacant	Boort Cricket Club
Tom Bleicher	Boort P-12 College
Lee-Anne Sherwell	Boort P-12 College

The Council representative for this committee is Cr Neil Beattie.

COSTS/BENEFITS

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

RISK ANALYSIS

Section 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

Nil

7. GENERAL BUSINESS

8. 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 October at Serpentine commencing at 3pm.