



Date: Wednesday, 26 April 2017
Time: 3.15pm
Location: Council Chambers, Serpentine

MINUTES

Ordinary Council Meeting

26 April 2017

**MINUTES OF LODDON SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, SERPENTINE
ON WEDNESDAY, 26 APRIL 2017 AT 3.15PM**

PRESENT: Cr Neil Beattie (Mayor), Cr Colleen Condliffe, Cr Geoff Curnow, Cr Gavan Holt, Cr Cheryl McKinnon

IN ATTENDANCE: Deanne Caserta (A/Director Corporate Services), Peter Cownley (A/Director Operations), Wendy Gladman (Director Community Wellbeing), Lynne Habner (A/Manager Executive & Commercial Services), Phil Pinyon (Chief Executive Officer)

1 OPENING PRAYER

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

2 APOLOGIES

Nil

3 DECLARATIONS OF CONFLICT OF INTEREST

Cr Beattie declared a conflict of interest for item 8.4.

4 PREVIOUS MINUTES**4.1 CONFIRMATION OF MINUTES****File Number:** 02/01/001**Author:** Lynne Habner, A/Manager Executive and Commercial Services**Authoriser:** Phil Pinyon, Chief Executive Officer**Attachments:** Nil**RECOMMENDATION**

That Council confirm:

1. The minutes of the Council Briefing of 28 March 2017
2. The minutes of the Ordinary Council Meeting of 28 March 2017
3. The minutes of the Council Forum of 11 April 2017

REPORT

Seeking approval of the unconfirmed minutes of the previous meetings.

RESOLUTION 2017/64

Moved: Cr Colleen Condliffe

Seconded: Cr Cheryl McKinnon

That Council confirm:

1. The minutes of the Council Briefing of 28 March 2017
2. The minutes of the Ordinary Council Meeting of 28 March 2017
3. The minutes of the Council Forum of 11 April 2017

CARRIED

5 REVIEW OF ACTION SHEET

5.1 REVIEW OF ACTIONS

File Number: 02/01/002

Author: Lynne Habner, A/Manager Executive and Commercial Services

Authoriser: Phil Pinyon, Chief Executive Officer

Attachments: 1. Action sheet

RECOMMENDATION

That Council receive and note the action sheet.

REPORT

Refer attachment.

RESOLUTION 2017/65

Moved: Cr Geoff Curnow

Seconded: Cr Colleen Condliffe

That Council receive and note the action sheet.

CARRIED

6 MAYORAL REPORT**6.1 MAYORAL REPORT****File Number:** 02/01/001**Author:** Lynne Habner, A/Manager Executive and Commercial Services**Authoriser:** Phil Pinyon, Chief Executive Officer**Attachments:** Nil**RECOMMENDATION**

That Council receive and note the Mayoral Report

REPORT

The Mayor will present a report at the meeting.

Cr Beattie

Murray Darling Association	
Rail Freight Alliance	
Section 86 Committees: Boort Aerodrome Committee of Management, Boort Development Committee Inc., Boort Memorial Hall Committee of Management, Boort Resource Information Centre Committee Inc., Boort Tourism Committee Inc., Korong Vale Mechanics Hall Committee of Management, Korong Vale Sports Centre Committee of Management, Little Lake Boort Management Committee Inc., Yando Public Hall Committee of Management	
Recreation Strategy Implementation Steering Committee	
Other Council activities	
DATE	Activity
3/4/17	Attended Boort Development Committee meeting
4/4/17	Attended South West Loddon Steering Committee meeting at Wedderburn
10/4/17	Attended Loddon Campaspe Councils meeting in Kerang
11/4/17	Attended Council Forum Wedderburn
17/4/17	Attended Rheola Charity Carnival

25/4/17	Attended Anzac Day in Melbourne football at the MCG
26/4/17	Council meeting in Serpentine

RESOLUTION 2017/66

Moved: Cr Colleen Condliffe

Seconded: Cr Gavan Holt

That Council receive and note the Mayoral Report

CARRIED

UNCONFIRMED

7 COUNCILLORS' REPORT**7.1 COUNCILLORS' REPORTS**

File Number: 02/01/001

Author: Lynne Habner, A/Manager Executive and Commercial Services

Authoriser: Phil Pinyon, Chief Executive Officer

Attachments: Nil

RECOMMENDATION

That Council receive and note the Councillors' reports

REPORT

Each Councillor will present a report at the meeting.

Cr Condliffe

Calder Highway Improvement Committee
31/3/17: Meeting held at Hume City Council office, Broadmeadows
Section 86 Committees: Bridgewater Memorial Hall Committee of Management, Bridgewater on Loddon Development Committee of Management, Campbells Forest Hall Committee of Management, Inglewood Community Sports Centre Committee of Management, Inglewood Riding Club, Inglewood Lions Community Elderly Persons Units Committee of Management, Inglewood Town Hall Committee of Management, Inglewood Reservoir Committee of Management
11/4/17: Inglewood Town Hall Hub meeting
19/4/17: BOLD meeting Bridgewater, community planning meeting
Australia Day Committee
Loddon Youth Committee
Healthy Minds Network
12/4/17: Meeting at Inglewood Town Hall Hub
Other Council activities

DATE	Activity
28/3/17	Inglewood and Districts Community Bendigo Bank meeting
30/3/17	Tourism and Development meeting, Inglewood
5/4/17	Kooyoora Womens Network Dinner held in Inglewood
6/4/17	Loddon Plains Landcare meeting held in Serpentine
7/4/17	Meeting in Bendigo regarding beef bull program and dairy farmers within Loddon Shire and Campaspe Shire, to be rolled out in June.
8/4/17	Bridgewater market
11/4/17	Council Forum Wedderburn
11/4/17	Inglewood Community Resource Centre Meeting
13/4/17	Kooyoora Womens Network meeting Inglewood
17/4/17	Rheola Carnival Easter Monday
12/4/17	Meeting with Jude Hannah looking at streetscape planning review in Inglewood
20/4/17	Dingee Bush Nursing Planning Day
20/4/17	Rural Womens Network meeting Bendigo
21/4/17	Lions Club Dinner Inglewood
23/4/17	Campbells Forest meeting
24/4/17	Dingee Bush Nursing Board meeting
25/4/17	Anzac Day service in Inglewood. Firstly the unveiling of Major General Edwin Tivey outside the town hall, followed by a parade to the shrine in Inglewood
26/4/17	Council meeting in Serpentine

Cr Curnow

Loddon Mallee Waste Resource Recovery Group

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

Municipal Emergency Management Plan Committee and Municipal Fire Prevention Committee	
Other Council activities	
DATE	Activity
6/4/17	Community Planning meeting at Laanecoorie
11/4/17	Loddon Council Forum at Wedderburn
15/4/17	Loddon valley winter sports day at Newbridge
17/4/17	Rheola Easter Charity Carnival
24/4/17	Community Planning meeting at Laanecoorie
25/4/17	Anzac Day ceremony at Newbridge, about 80 attended
	Anzac Day ceremony at Eddington, about 65 attended
26/4/17	Loddon Shire Council meeting at Serpentine
7/4/17	Loddon Mallee Waste Resource Recovery Group Board meeting at Bendigo
	Attended Goldfields Library meeting at Bendigo

Cr Holt

Municipal Association of Victoria	
Section 86 Committees: Donaldson Park Committee of Management, Wedderburn Community Centre Committee of Management, Wedderburn Engine Park Committee of Management, Wedderburn Mechanics Institute Hall Committee of Management, Wedderburn Tourism Inc.	
Audit Committee	
Other Council activities	
DATE	Activity

30/3/17	Attended the AFL Victoria Local Government Forum in Melbourne. The goal of the forum is to foster greater cooperation and understanding of issues between the two groups
3/4/17	Attended a meeting of the Korong (Wedderburn) Historical Society
4/4/17	Chaired meeting of the Donaldson Park Redevelopment Steering Committee. The terms of reference for the committee was adopted.
4/4/17	Chaired meeting of the Southwest Loddon Pipeline Community Consultative Committee
6/4/17	Attended a Rural Councils Victoria workshop in Melbourne
7/4/17	Continuation of the above workshop followed by RCV Executive committee meeting
	Attended the Wedderburn vs Birchip winter sports (football, netball, hockey) program at Wedderburn
11/4/17	Attended afternoon session of Council Forum at Wedderburn
17/4/17	Attended Wedderburn Harness Racing Club Easter Monday race meeting. Club is discussing the future of this date as it clashes with the Rheola Charity Carnival.
21/4/17	Met with officials from Grampians Wimmera Mallee Water to discuss Memorandum of understanding issues
22/4/17	Attended the Wedderburn vs Donald winter sports program at Donald
25/4/17	Attended the Wedderburn/Korong Vale RSL Branch Anzac Day dawn service at Wedderburn
25/4/17	Attended the Wedderburn/Korong Vale RSL Branch Anzac Day service at Korong Vale and laid a wreath on behalf of Loddon Shire Council
25/4/17	Attended the Wedderburn/Korong Vale RSL Branch Anzac Day service at Wedderburn and laid a wreath on behalf of Loddon Shire Council

Cr McKinnon

North Central Goldfields Regional Library

Section 86 Committees: Dingee Progress Association, East Loddon Community Centre Committee of Management, Mitiamo Municipal Recreation Reserve Committee of Management, Pyramid Hill Memorial Hall Committee of Management, Pyramid Hill Swimming Pool Committee of Management, Serpentine Bowls and Tennis Pavilion and Reserve Committee of Management

Nature Tourism Advisory Team	
Other Council activities	
DATE	Activity
29/3/17	Pyramid Hill Memorial Hall sub-committee meeting to review the hall masterplan
31/3/17	NCGRL meeting in Bendigo – I was unwell and not able to attend, and I thank Cr Curnow for stepping in at very short notice to take my place
4/4/17	Nature Tourism Advisory Team and Spring Festival meetings in Wedderburn
10/4/17	Met at Janiember Park to discuss variations to the project, and inspect site
10/4/17	Pyramid Hill Fiesta planning meeting with a proposed change of date
11/4/17	Council Forum, followed by the launch of the new Loddon Visitor Guide at Inglewood
19/4/17	Janiember Park meeting with Sport and Recreation Victoria to discuss the official opening
	Pyramid Progress Association meeting
21/4/17	Met with Phil Pinyon and Lynne Habner in Pyramid Hill to discuss a proposed arts initiative and the future need for an industrial estate in the town
24/4/17	Met at the Pyramid Hill Caravan Park with Progress Association and LSC staff to discuss management arrangements in a review of the memorandum of understanding
25/4/17	Attended Anzac Day services at Mologa and Pyramid Hill. Both events were well attended. Phil Pinyon was attending Calivil on my behalf, as I alternate with Pyramid Hill each year.
26/4/17	Called in at the Mitiamo Pipeline Information session hosted by GMW in Mitiamo this morning, before attending the citizenship ceremony in Serpentine prior to the Council Meeting

RESOLUTION 2017/67

Moved: Cr Gavan Holt

Seconded: Cr Geoff Curnow

That Council receive and note the Councillors' reports

CARRIED

UNCONFIRMED

8 DECISION REPORTS

8.1 ADVERTISEMENT OF DRAFT COUNCIL PLAN 2017-2021

File Number: 02/02/003

Author: Deanne Caserta, Manager Financial Services

Authoriser: Phil Pinyon, Chief Executive Officer

Attachments: 1. Council Plan 2017-2021 draft

RECOMMENDATION

That Council approves the Loddon Shire Council Plan 2017-2021 to be placed on public exhibition with advertisements being placed in local papers inviting submissions on this plan in accordance with Sections 125 and 223 of the Local Government Act 1989.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

Development of the draft Council Plan has been discussed at previous forums and briefings in 2016 and 2017. Council was presented with the draft Council Plan 2017-2021 at the Council Forum held on 11 April 2017.

BACKGROUND

Section 125 of the Local Government Act 1989 requires Council to prepare and approve a Council Plan within the period of 6 months after each general election or by the next 30 June, whichever is later.

A Council Plan must include:

- a) the strategic objectives of the Council;
- b) strategies for achieving the objectives for at least the next 4 years;
- c) strategic indicators for monitoring the achievement of the objectives;
- d) a Strategic Resource Plan containing the matters specified in Section 126;
- e) any other matters which are prescribed by the regulations.

A person has a right to make a submission under Section 223 on the proposed Council Plan. The Council must ensure that, for at least 28 days after the public notice is published under Section 223 a copy of the proposed Council Plan is:

- available for inspection by the public at the Council office and any district offices;
- published on the Council's Internet website;
- and any other place required by the regulations.

Council must submit a copy of the Council Plan to the Minister by 30 June 2017 or by such time as extended by the Minister.

ISSUES/DISCUSSION

Structure of new Council Plan

The draft 2017-2021 Council Plan builds on the previous 2013-17 Council Plan by reinforcing the mission and values and has developed a new vision.

After extensive consultation a new vision is proposed which reflects the aspirations of the community which is to have a prosperous, vibrant and engaged community. This vision has been distilled from the feedback and input across all consultation sessions.

Council's mission is to enhance the sustainability and liveability of Loddon Shire.

Council's proposed values continue to be leadership, accountability, respect, integrity and impartiality.

Five themes emerged through the consultation process. Excelling in these five areas will help Council to achieve the vision. The themes describe the key areas of focus for the next four years:

1. Population
2. Economic Prosperity
3. Liveability
4. Sustainability
5. High Performance Organisation

Each theme has a strategic objective, strategies for achieving the objectives and strategic indicators for monitoring the achievement of those objectives. Each strategy has one or more actions.

This structure follows the requirements of the *Local Government Act 1989*.

The actions will be reported against at least every six months in accordance with the Loddon Performance Framework.

The Council Plan also identifies strategic risks which have been identified through the consultation process. Identifying strategic risks helps to fulfil another requirement in the Loddon Performance Framework.

COST/BENEFITS

Council sees its role being one of delivering services that enhance the sustainability and liveability of our communities. By focusing Council resources on the five strategic objectives and their related strategies detailed in the attached Council Plan, Council believes that it will achieve its vision for the community.

The actions arising from the Council Plan will be considered in the appropriate budget cycles.

RISK ANALYSIS

There are risks involved if Council fails to develop the Council Plan in accordance with the requirements of the *Local Government Act 1989*.

There is a risk that if Council does not plan properly, and within the context of investing Council's limited resources, the effectiveness of the services provided to the community by Council will be reduced.

CONSULTATION AND ENGAGEMENT

Section 125 of the *Local Government Act 1989* requires that Council place on exhibition its draft Council Plan and provide our community with the opportunity to have input into and provide feedback on the draft Council Plan.

A significant amount of consultation has occurred in developing the 2017-2021 Council Plan, this consultation included:

Interviews

In December 2016 and January 2017 thirteen senior staff and all councillors were interviewed to gain an understanding of the key issues, strengths and opportunities facing Loddon Shire Council and its community. Key themes emerging from the interviews include:

- **purpose:** providing relevant community services to enhance lifestyles
- **key trends:** ageing population; declining population; farming consolidation
- **significant developments in next 5 years:** water security; shared council service arrangements; rationalisation of services and facilities; increased tourism
- **prosperous future:** quality services and infrastructure in strategic locations; good job prospects; prospering industries; active, healthy, engaged community; improved visual aspects of towns and streetscapes
- **major decisions on the horizon:** service delivery reviews; strategic asset management; streetscapes
- **constraints:** financial capability/rate capping; attracting and retaining quality staff
- **core competencies:** respected as deliverers/a 'can do' council; responsible council; financial management.

Community and Business Leaders Workshop

On 6 March 2017 a workshop with community leaders and business leaders was held, attracting strong representation from each ward and various businesses and community groups.

Ward/Group	Number
Boort	13
Inglewood	18
Tarnagulla	9
Terrick	13
Wedderburn	16
Agencies	7
Council Staff and Councillors	18
Total	94

Key themes emerging from the workshop included:

- a prosperous Loddon economy
- a healthy, engaged Loddon community; and
- a vibrant and sustainable built and natural environment.

Community Input

Community members were invited to contribute ideas for the Council Plan and vote on them through an on-line OurSay Forum from 26 March 2017 to 2 April 2017. A commitment was made that the top 10 ideas would help inform the Council Plan. A total of 34 ideas were submitted and 137 votes cast. The top 10 ideas included:

1. Implement Donaldson Park Masterplan (60 votes)
2. Advocate for access to quality childcare - #2 and #5 (18 and 8 votes respectively)
3. Improve availability of aged care facilities (9 votes)
4. Advocate for improved public transport (8 votes)
5. (As above stated in #2)
6. Provide work experience opportunities within Council (7 votes)
7. Investigate creation of community gardens (5 votes)
8. Maximise the solar potential of our region (5 votes)
9. Support farmers to remain vital citizens of our communities (4 votes)
10. Promote our region as a tourism destination with natural assets (4 votes)

Youth Engagement

Youth were also invited to contribute ideas. A workshop was conducted attracting 14 participants. Surveys were also distributed with two returned by the end of the survey period. Key issues identified by youth include:

- lack of employment opportunities, part time work after school, work placements along with limited career options/role models in the community
- transport options limited, having to travel to study and work
- more entertainment/community events needed to bring people together.

Site Visits

On 21 March Councillors and staff toured the Shire by bus to gain an understanding of strategic issues affecting the Shire. Feedback (verbatim) provided as a result of the tour included:

- advocate for NBN for all regions
- support City of Greater Bendigo plans to extend living and rail links to Marong
- infrastructure spend in growth areas
- establish agreed service levels with community and focus spending for long term benefits
- better long term costing on projects
- don't always listen to the squeaky wheel
- make our streetscapes appealing including private dwellings on main streets
- clean up unsightly buildings and yards
- attract labouring businesses to the area for employment
- concentrate on main towns improving services and the appeal to attract new residents
- promote water recreation areas
- Resolve infrastructure management at key water recreation areas
- pride in township appearance – signage, footpaths, manicured public spaces, no 'unsightly' premises
- good road access – farm to market and town to town
- economic development – job opportunities – be proactive in pursuing investment in Loddon
- get the systems, process and resources right so that we are maintaining our infrastructure sustainably.

RESOLUTION 2017/68

Moved: Cr Colleen Condliffe
Seconded: Cr Geoff Curnow

That Council approves the Loddon Shire Council Plan 2017-2021 to be placed on public exhibition with advertisements being placed in local papers inviting submissions on this plan in accordance with Sections 125 and 223 of the Local Government Act 1989.

CARRIED

8.2 ROAD MANAGEMENT PLAN 2017**File Number:** 14/01/001**Author:** Indivar Dhakal, Manager Technical Services**Authoriser:** Peter Cownley, A/Director Operations**Attachments:** 1. Road Management Plan 2017 (Draft)**RECOMMENDATION**

That Council, pursuant of Section 54 of the Road Management Act 2004 (the Act), provide public notice on government gazette and local newspaper of its proposal to amend the Loddon Shire Councils Road Management Plan (the Plan)

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

The Council was presented with a draft of the Plan with proposed changes at a Council Forum held on March 2017. Councillors were advised of all the proposed changes including but not limited to service levels and changes to reflect internal organizational restructure.

BACKGROUND

Council has adopted a Road Management Plan in accordance with the Section 54 of the Act to manage the operation and maintenance of its road and footpath assets. This plan outlines the inspection regime, defect intervention and allowable time for Council to respond to any defect in the road and footpath assets. The Plan was previously developed in 2014.

Pursuant to Section 54 of the Act and Part 3, Division 1 of Road Management (General) Regulations 2016 (the Regulation), if a municipal Council develops and publishes a Road Management Plan, they are required to conduct and complete a review of its Road Management Plan within the period of referred to in section 125(1) of the Local Government Act 1989 or, if that period is extended in accordance with the section 125(4) of the Local Government Act, within that extended period.

With the recent restructure of the organisation and changes in the systems used for maintenance management of the road assets, it was deemed necessary to revise the Plan which was developed in 2014. Some service levels encompassed within the existing plan also required amendment to meet the risk assessment criteria and justify Council's resources.

Pursuant to Part 3, Division 2, Regulation 10(1) and (2) of the Regulation, any amendment that decreases the standard previously determined under Section of 41 of the Act, must be published in government gazette and local newspaper and any person who is aggrieved by the proposed amendment shall be given an opportunity to make a submission on the proposed amendment.

ISSUES/DISCUSSION

Pursuant of the Road Management Act, Road Management Regulation and the Local Government Act, Council is required to undertake and complete a review of its Road Management Plan within 6 months after the general Local Government election or by 30 June of the following year, whichever is later.

With the recent indoor and outdoor restructure within the organization, it was deemed necessary to revise the Plan to reflect the changes. Also, in 2015 Council purchased "Reflect" software package to undertake its maintenance management activity which is reflected in the proposed amendment.

The major changes in the level of service provided include the grading frequency of local road sealed shoulders and grading of formed roads.

The current plan provides for a frequency of "once per year" for the grading of narrow seal gravel shoulders. However, it has been identified during the routine inspections that annual grading is not always required and it is now proposed to grade "as identified during the road and street inspections."

For formed roads, the current plan provides for a frequency of grading "once in two years". Given the very low volume of traffic on formed roads and the lack of gravel (no pavement) in this hierarchy of road, the need of grading decided on the basis of customer request and available resources is more appropriate. It is proposed to change the grading frequency to "upon request and as resource permit" for formed roads.

The other notable change proposed is the response timeframe for surface scours, potholes or rutting greater than 100mm in depth and 300mm in diameter in formed roads. Currently, the response time for this particular defect is 12 months. However, due to the very low traffic use and the lack of gravel pavement in this hierarchy of road, it is proposed to change the response time to "as not applicable".

It is proposed to separately identify "the obstruction to a safe sight distance of regulatory signs due to roadside vegetation" and consider a higher risk for this defect. It is also proposed to identify fallen branches from roadside vegetation as a defect in footpaths.

Another of the key issues identified in the plan is the management of tracks and trails which are not recognised as a footpath. The Council officers within different departments are still in discussion regarding tracks and trails. However, pursuant to the Regulation, inclusion of tracks and trails in the Plan is considered to be an increase in level of service which does not require Council to provide notice of amendment.

COST/BENEFITS

The proposed amendments will not create any additional cost to the Council. The service levels defined in the plans are mainly unchanged from its previous version and only formalises any practice that Council has been undertaking in managing its road and footpath assets.

The proposed changes in the Plan reflect the changes occurred in the organisation in the past few years, making the plan a more accurate and reliable document.

RISK ANALYSIS

There is no risk identified in the adoption of the proposed Plan. However, it is a statutory and a regulatory requirement for Council to review its Road Management Plan in accordance with the Act.

The impact of the proposed changes in the risk matrix and the service levels are deemed to be insignificant and will remain largely unchanged in relation to the existing plan.

CONSULTATION AND ENGAGEMENT

The proposed changes are as a result of significant discussion and consultation between the Technical Services Department and the Operations Department. In addition, the plan has been discussed at the Loddon Leaders group meeting, MEG meeting and at the Council Forum as well.

Council officers have also engaged Macquarie Lawyers to review the proposed plan so as to ensure that the plan complies with all the provisions of the Act, Codes of Practice made under Section 28 of the Act and addresses any decision of the Court of Appeal of the Supreme Court in Victoria relation to the Plan.

RESOLUTION 2017/69

Moved: Cr Cheryl McKinnon

Seconded: Cr Geoff Curnow

1. That Council, pursuant of Section 54 of the Road Management Act 2004 (the Act), provide public notice on government gazette and local newspaper of its proposal to amend the Loddon Shire Council's Road Management Plan (the Plan).
2. That a further report be provided to Council on clause 8.2 of the Road Management Plan to allow consideration to be given to adjusting intervention levels so as to improve the standard of road maintenance and the consequent cost implications.

CARRIED

UNCONFIRMED

8.3 PERMANENT CLOSURE OF NANKERVILLS ROAD, CAMPBELLS FOREST AND WILKINSONS ROAD, LEAGHUR

File Number: 14/01/002

Author: Indivar Dhakal, Manager Technical Services

Authoriser: Peter Cownley, A/Director Operations

Attachments:

1. Submissions for Nankervills Road, Campbells Forest
2. Submissions for Wilkinsons Road, Leaghur
3. Footbridge at Nankervills Road, Campbells Forest

RECOMMENDATION

That Council resolve permanent closure and subsequent removal from Register of Public Roads of

1. Nankervills Road, Campbells Forest
2. Wilkinsons Road, Leaghur

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

Council resolved to advertise seeking public comment regarding the proposed permanent closure of Nankervills Road and Wilkinsons Road at the Council meeting held in January 2017.

BACKGROUND

Council advertised the proposed closure seeking public comment in the Bendigo Advertiser and the Loddon Times during February 2017. A four week period from the publication of the first notice was provided to allow for any submissions regarding the closures.

Council received 5 submissions regarding Nankervills Road closure encompassing 4 objections and 1 in favour of the closure.

Council received 7 submissions objecting to the proposed closure of Wilkinsons Road.

Nankervills Road, Campbells Forest

Nankervills Road Campbells Forest is located between Loddon Valley Highway and Campbells Rd and is a 580 metre long road classified as "Rural Formed". The road is gazetted as a public road in Council's road register, but the existing condition of the road is not suitable for vehicular movement.

The purpose of a "Rural Formed" road as specified in Council's Road Asset Management Plan 2017 (RAMP) has a functional use of providing access to undeveloped non-residential properties. The road does not provide a primary access to any of the adjacent undeveloped properties.

The adjoining property on both sides of the entirety of the road is owned by the same owner. The owner has shown interest in leasing the road reserve through the Department of Environment, Land, Water and Planning (DELWP).

Wilkinsons Road, Leaghur

Wilkinsons Road Leaghur, is located between Parkers Road and Frosts Lane and is a 3.2 km long road classified as "Rural Formed". The road is gazetted as a public road in Council's road register, but the existing condition of the road is not suitable for vehicular movement.

The purpose of a "Rural Formed road as specified in Council's Road Asset Management Plan 2017 (RAMP) has a functional use of providing access to undeveloped non-residential properties. The road does not provide a primary access to any of the adjacent undeveloped properties.

The majority of the property adjacent to the road is owned by Sawers Farms Pty Ltd., who has expressed an interest to lease the road reserve through DELWP. One parcel of property adjacent to the road reserve is not owned by Sawers Farms and is currently accessed via Parkers Rd.

ISSUES/DISCUSSIONNankervills Road, Campbells Forest

Council received 5 submissions of which 4 are objections from members of the community and 1 in favour of closure.

Each submission regarding the closure is discussed below.

1. *Objection by Donald Rothacker and Russell Rothacker*

The objection is primarily based on the Nankervills Rd being used by the objector as a shortcut between their properties. This argument is inconsistent with the Council's RAMP as a function of a Rural Formed road is to provide an access to the undeveloped property not a shortcut to a property. With Council's limited resources, it is recommended that as the proposed road closure does not provide a primary or secondary access to either of the objector's properties, Council not agree to the objection.

2. *Objection by Ann-Maree and Gary Davis*

The objection is primarily based on a fire safety issue and historical background. The fire safety issue is based upon the unlikely event that Oswalds Road being inaccessible due to fire and Nankervills Road therefore providing an alternate route for fire trucks. The fire station is located in Sebastian Road and in an event where Oswalds Road is closed due to a fire event, Loddon Valley Highway is considered to be an appropriate alternate route to access Nankervills Road.

It should also be noted that although access via Nankervills Road would be a shorter distance, it would require more travel time due the classification of road, when compared to the emergency vehicles using Loddon Valley Highway and Campbells Road. In an event of a fire emergency west of Oswalds Road at Campbells Road, Marwoods Road is deemed more suitable.

If the proposed road closure is to be approved with a subsequent grazing lease of the reserve to the adjoining property owner, fire access has to be maintained as a condition of the lease. Council officers will ensure this is a condition when providing consent to DELWP. In addition, there is precedence where fire trucks have travelled through paddocks and creeks in case of a fire emergency.

The historical background is based on an old footbridge located at Nankervills Road within the proximity of the creek. The footbridge is not in a usable condition (Attachment 3) and is not listed under the Victorian Heritage Database by Heritage Council of Victoria.

3. *Objection by Campbells Forest & District Community Action Planning Group Inc.*

The objection is primarily based on the maintaining fire access and the historical structure over the creek which has been discussed in Objection 2. The objector has raised that in the unlikely event where both Oswalds Road and Loddon Valley Highway are closed due to fire, then Nankervills Rd is the only access. The likelihood of this event is very unlikely and there is precedence where CFA operators have cut the fences to driven through paddocks in case of such event.

The objector has also raised the issue of the additional cost that Council has spent in the form of the staff time for consultation, newspaper advertisement, recent repair work at the creek and other administrative costs. These are considered as normal Council operational costs and are not extra

costs for this road closure. In addition, the ongoing maintenance costs of the road, which does not meet the RAMP criteria for a Rural Formed road, is significant when compared to Council's administrative cost.

The objection has been signed by 15 members of the group of some of which have also lodged submissions.

4. *Objection by Fred Shea*

The arguments for objection by Fred Shea are very similar to the previously discussed objections. The movement of livestock and farm machinery is another issue that the objector has raised. This issue was also raised by the community group and Ann-Maree and Gary Davis. As mentioned earlier, the proposed section of the road does not provide any form of primary or secondary access to any property with the exception of the adjoining property owner. The argument to avoid Loddon Valley Highway for stock movement and farm machinery movement is not deemed to be reasonable as the proposed section only links to Loddon Valley Highway from Campbells Road and hence stock and machinery movement on the highway is inevitable.

5. *Support by Jodi White*

The basis for the support from Jodi White is that the existing condition of the road being unsafe and unsuitable as described in this report. However, the objectors claim that the road has been damaged by Jodi White to restrict any movement along the road but there is no evidence to support this claim.

In 2016, Council officers were notified of an illegal structure that was put across Nankervills Road and upon investigation it was identified that the structure was set up by Jodi White. Council officers removed the illegal structure and verbally notified Jodi not to reinstall the structure. Since then, no illegal structure has created an obstruction to the road.

The supporter has also raised concerns of safety of her property and stock by the use of Nankervills Road. However this argument is not supported.

The supporter has indicated her intentions to seek the leasing of the road reserve through DELWP in future, subject to Council's consent.

Wilkinsons Road, Leaghur

Council received 7 submissions objecting to the proposed closure.

Each submission regarding the closure is discussed below:

1. *Objection by S. O'Connor for and on behalf of Kevin Thomas (both objectors have also submitted individual submissions)*

The basis for the objections is the transport of farm machinery and stock movement, Aboriginal cultural heritage and roadside vegetation. Closure of Wilkinsons Road is not considered to have any significant effect on farm machinery and stock movement as there are alternate routes available.

There are very strong legislation and regulations around protection of Aboriginal cultural heritage and roadside vegetation. Private land, road reserve and leased land through DELWP have restrictions around any activity that deteriorates the Aboriginal and cultural heritage. The proposal presented by the Council officers is a discontinuance of Wilkinsons Road as a public road and subsequent removal from register of public roads. The Council will remain the land manager for the reserve until such time when DELWP leases the reserve with conditions ensuring the preservation of Aboriginal and cultural heritage.

Preservation of roadside vegetation is also considered in a similar manner. There are very rigid planning requirements for removal of any native vegetation from the road reserve, private and/or leased land.

The other argument put forward by the objector is around the natural waterway. There appears to be a natural waterway crossing the road, however this is not on the North Central Catchment Management Authority's (NCCMA) declared waterway maps. Most of the declared and/or

undeclared waterway passes through paddocks and crown land with declared waterways managed by NCCMA.

S. O'Connor has lodged another separate submission based on similar grounds with an added argument around possible impact upon endangered birds. Maintenance of a road does not have any impact on the population of the birds. However, an indirect relationship between road, roadside vegetation and birds is being implied in the objection. Preservation of roadside vegetation has been discussed earlier.

The objectors have requested in writing that they be given an opportunity to address the Council.

2. *Objection by Cathie & Paul Haw*

The objectors have raised concerns about the environment and vegetation deterioration in the past they attribute to Sawers Farm. This is a planning and compliance related issue and maintenance of a road has no direct impact in either deterioration or preservation of vegetation and the environment.

The objectors have raised concerns over activities of Sawers Farm, which again is a separate issue and does not provide a reason for Council to not move forward with the closure.

In addition, the objectors have raised concerns over their predicted scenario when and if Sawers Farm decides to sell the individual blocks of land that they own along the proposed section of road. Buying and selling of property is within the jurisdiction of the prospective buyer and seller and it is buyer's responsibility to ensure that the land parcel has adequate road access. There exists strict planning and building regulations around subdivision of a land and development of a dwelling.

Fire access is another issue that the objector has raised. If Sawers Farm were to lease the reserve through DELWP, they will be required to provide fire access through the leased reserve. Also, there is precedence whereby fire truck operators and volunteers have cut through fences in case of a fire emergency.

3. *Objection by Elder Robert Nicholls & Elder Gary Murray for Teerap Balug Clan and Yung Balug Clan*

This objection is primarily focused around the preservation of the Aboriginal and cultural heritage of the area. The proposed closure of the road is not considered to have any adverse effect on the Aboriginal and cultural heritage of the area.

The other argument by the objector is regarding the legislative requirement for Council to maintain the road. This is not the case as pursuant to Section 12, Road Management Act 2004, Council has the authority to discontinue a road by notice published in the Government Gazette.

The objectors have requested in writing along with their submission to be given an opportunity to speak to the Council.

4. *Objection by Ash & Ros Gawne*

The objectors' primary concern is around the movement of livestock which has been discussed earlier in this report. In addition, the objectors have raised the issue of tomato trucks using Parkers Road which makes stock movement difficult. Parkers Road is gravel access road and no significant vehicular movement has been recorded. Agriculture is the primary industry throughout the Shire and livestock movement and farm machinery movement is expected in any road of the Shire including the arterial roads.

5. *Objection by Yando Road Users Association*

This objection is primarily focused on the past and current actions of Sawers Farm which has been previously addressed and is considered to be a planning and compliance issue and does not have any impact on road maintenance and/or possible closure.

The objectors have also raised concerns around Grey Crowned Babblers, carpet snakes, goannas and echidnas relying on the vegetation in the back roads. As discussed earlier, there are rigid frameworks and legislative requirement around vegetation and any removal. In addition, it could be argued that not having a road open to the public potentially reduces the risk to the endangered species mentioned.

The objectors have raised questions around compensation from Sawers Farm to take over the reserve. However this is not relevant to Council's consideration of this matter, as Sawers Farm have requested a lease of the reserve through DELWP in accordance with the fees and charges adopted by the State Government.

In addition, most of the objectors have also indicated an adverse effect on Lake Yando and Lake Leaghur. There are strict legislative requirements around preservation of waterways and waterbodies, Aboriginal and cultural heritage and roadside vegetation, the preservation of which Council is strongly committed to. In addition it could be argued that the proposed closure of the road and subsequent removal from the public register is very likely to lessen the detrimental impact on the heritage, vegetation and waterways.

COST/BENEFITS

Nankervills Road, Campbells Forest

There are no additional Council costs associated with the proposed closure. However, if Council chooses not to proceed with the closure and maintain the road, there are continuing road maintenance costs with the immediate installation of a floodway/culvert structure at the creek crossing being required by the CMA. Depending on the final design, the cost is estimated to be more than \$8000 in capital expenditure.

Wilkinsons Road, Leaghur

There is no additional Council cost associated with the proposed closure. However, if Council chooses not to proceed with the closure and maintain the road, there are continuing road maintenance costs.

Both proposed closures are in accord with the Council's strategic RAMP document.

RISK ANALYSIS

The associated risk of the proposed closure is the adjoining landowners not obtaining the lease through DELWP. The likelihood of the risk is unlikely with insignificant consequence which rates the risk as "very low". In this case, Council will be the land manager for the unused road reserve and will continue to manage this asset in accordance with its strategic documents.

CONSULTATION AND ENGAGEMENT

Following Council's resolution to publish the announcement and seek public submissions regarding the closure, Council received a number of submissions objecting and supporting the proposal that have been discussed and are attached (Attachment 1 & 2) to the report.

RESOLUTION 2017/70

Moved: Cr Gavan Holt
Seconded: Cr Colleen Condliffe

That Council defer a decision on the road closure of Nankervills Road, Campbells Forest to allow a further report to be provided to Council on continued public access.

CARRIED

MOTION

RESOLUTION 2017/71

Moved: Cr Geoff Curnow

Seconded: Cr Cheryl McKinnon

That Council:

1. Resolve closure and subsequent removal from Register of Public Roads of Wilkinsons Road, Leaghur.
2. Resolve that officers inspect properties adjoining Wilkinsons Road and report on matters relating to vegetation removal.

CARRIED

UNCONFIRMED

8.4 LOAD RESTRICTION ON LAKEVIEW STREET, BOORT**File Number:** 14/01/001**Author:** Indivar Dhakal, Manager Technical Services**Authoriser:** Peter Cownley, A/Director Operations

- Attachments:**
1. **Objection by Boort Development Committee and Boort Business and Tourism Council**
 2. **Objection by Robert Moon**
 3. **Objection by Graeme Lanyon**
 4. **Objection by Barry Kennedy**

RECOMMENDATION

1. That Council resolve in principle to undertake a study for the extension of the Ring Road as a by-pass route for heavy vehicles in Boort or any other alternate route deemed feasible.
2. That a project brief be prepared for suitably qualified traffic consultants to undertake the study and the brief be submitted for Council consideration at the Council meeting 27 June 2017.

CONFLICT OF INTEREST

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

Cr Neil Beattie declared a conflict of interest. The interest was an indirect interest due to a family member owning a property on Lakeview Street Boort. Cr Neil Beattie left the meeting at 4:15 pm.

Cr Holt took the Chair in the Mayor's absence.

PREVIOUS COUNCIL DISCUSSION

Council resolved to provide a public notice regarding the proposed introduction of a load limit at the meeting held on February 2017.

BACKGROUND

The section of Lakeview Street between Godfrey Street and Barclay St is classified as a Town Sealed Access (TSA) road. It primarily provides access to residential properties however is routinely used by heavy vehicles as an alternative route to the local grain handling and storage facilities.

During the harvest season, high volumes of heavy grain trucks use this section of road to access the silos and bunkers located along Silo Woolshed Rd.

This section of Lakeview Street is also significant in the context of local tourism. It forms a part of the road that encircles Little Lake Boort. Light vehicles (passenger cars) with boat trailers use this road frequently. The alignment and pavement type and thickness of this road is not designed for high volumes of heavy vehicles.

The majority of the road section was resealed in early 2017. The combination of very hot weather conditions and heavy vehicles had an adverse effect on the new seal and the pavement. With concerns over safety issues, Council temporarily closed the street to heavy vehicles to prevent damage to the wearing course and pavement (local traffic was permitted).

Pursuant to Schedule 11, Section 12(1) of the Local Government Act, a Council may prohibit or restrict the use of a road by any motor vehicle of, or over, a certain size or weight. Pursuant to Section 223 of the Act, Council published a notice in the local newspaper regarding the proposal for 4 weeks period from the date of first publication and received 4 submissions objecting the proposed load restriction.

ISSUES/DISCUSSION

Following the Council resolution, a public notice was published in the Bendigo Advertiser and the Loddon Times for 28 days, inviting submissions from the date of first publication. During that period, Council received 4 submissions objecting to the proposed load limit.

Each submission is discussed below:

1. *Objection by Boort Development Committee and Boort Business and Tourism Council (attachment 1)*

The basis for the objection is mainly focused around the predicted resultant increase of truck movements in Godfrey St within the market precinct. The objectors have raised concerns over the safety of reversing cars and the visibility of through traffic due to the crest located on Godfrey St.

Godfrey St is a part of the VicRoads arterial road network and within the township the speed limit of 50 kph is in effect. It is understood that the geometrical design of an arterial road is based on the speed and the subsequent safe sight distance and stopping distance.

The objectors have also mentioned that heavy vehicles are not desired within Godfrey Street and the community has been trying to find a solution to take heavy vehicles away from Godfrey Street.

The objectors have also mentioned that Council should be looking towards the upgrade and maintenance of Lakeview St.

It should be noted that, Council has been maintaining and renewing its entire road network in accordance with the adopted Road Management Plan (RMP) and Road Asset Management Plan (RAMP). However, the upgrade of Lakeview St is not considered desirable as the upgrade of any residential township street to accommodate heavy vehicles may encourage them away from using the arterial road network and this is inconsistent with the RAMP. Lakeview Street primarily caters for mostly residential traffic with additional access to the facilities around the lake as opposed to the Ring Road which is not used to primarily access residential properties.

Council is currently undertaking a study for a streetscape project around Boort and the provision of pedestrian crossings may be incorporated in the design to address the safety of pedestrians.

2. *Objection by Robert Moon (attachment 2)*

The basis for the objection by Robert Moon is around the same concerns as the previous objector which has been discussed above.

3. *Objection by Graeme Lanyon (attachment 3)*

The basis for the objection by Graeme Lanyon is predominantly focused on the safety of pedestrians in the market precinct which has been discussed earlier in this report. In addition, the objector has also raised concerns around the suitability/safety of the intersection of Barclay St and Charlton Rd. The objector has also asked Council to restrict B-Doubles on Lakeview St.

The intersection of Barclay St and Charlton Rd. is considered to be suitable for heavy vehicles and no issues have emerged to this day. Any load restriction that may be placed on Lakeview St would incorporate B-Doubles as well.

4. *Objection by Barry Kennedy (attachment 4)*

The basis for the objection of Barry Kennedy is focused on the safety of pedestrians on Godfrey St which has been discussed earlier in this report. In addition, the objector has acknowledged that Lakeview Street should not be used for heavy vehicles and an alternate route should be sought as a by-pass route. Barry has proposed the construction of a 1.4km long road off Boort-Kerang Road connecting to Victoria Street as a by-pass route.

This option will be referred for consideration in the proposed study of an alternate by-pass route as opposed to Ring Road.

Conclusion

To address the concerns raised with the proposed introduction of load limits together with the need to restrict the impact of heavy vehicles on the Boort township streets in general, it is proposed that Council consider undertaking a detailed study of a by-pass route around Boort Township.

The study, to be undertaken by external consultants, will include the options raised in this report by Officers and residents and address the concerns of the community regarding the movement of heavy vehicles within the shopping precinct. In addition, Council's desire to protect the pavement on Lakeview Street and the likely impact on residential streets in general will be addressed. Industry feedback and consultation with VicRoads and Goulburn Murray Water will also be an integral part of the study.

The preparation of the brief and the costs of the study are required to be identified by the end of the financial year so as to be ready for the next round of Commonwealth and/or State Government funding. External funding for the study may be available in the 2017-18 financial year, from programs such as the "Local Roads to Market" program.

The actual cost of the proposed study is not known at this time, but it is anticipated to be in the order of \$30,000. The project brief will be prepared and presented to Council at its meeting on 27 June 2017.

COST/BENEFITS

The possible upgrade of Ring Road or construction of any other alternate by-pass route will incur capital expenditure. The possible upgrade section of Ring Road would require a bridge upgrade to accommodate dual lanes and heavy vehicles. At this stage, no study has been undertaken and as such a cost cannot be estimated. The proposal of an alternate route as opposed to Ring Road extension can be encompassed within the study. All options will be considered.

In considering the risk factor of heavy vehicles on residential streets including Lakeview Street and Godfrey Street, the additional cost of the study to upgrade the Ring Road or other alternate routes is a factor.

RISK ANALYSIS

There is some risk associated with not taking immediate action to protect Lakeview Street but there is time to undertake the study to determine the best outcome. Lakeview Street will be monitored with the risk that pavement and seal surface failure may escalate into the future.

CONSULTATION AND ENGAGEMENT

Public submissions were sought during the process by publishing Council's proposal in local newspapers. The concerns of the submission makers have been discussed and considered earlier in this report.

RESOLUTION 2017/72

Moved: Cr Cheryl McKinnon

Seconded: Cr Colleen Condliffe

1. That Council resolve in principle to undertake a study for a by-pass route for heavy vehicles in Boort.
2. That a project brief be prepared for suitably qualified traffic consultants to undertake the study and the brief be submitted for Council consideration at the Council meeting 27 June 2017.
3. That advice be given by public advertisement regarding the current status relating to the use of Lakeview Street pending further consideration of the matter.

CARRIED

Cr Neil Beattie returned to the meeting at 4:17 pm and resumed the Chair.

UNCONFIRMED

8.5 NORTHERN VICTORIAN INTEGRATED MUNICIPAL EMERGENCY MANAGEMENT PLAN FOR ENDORSEMENT

File Number: 11/01/001

Author: Wendy Gladman, Director Community Wellbeing

Authoriser: Phil Pinyon, Chief Executive Officer

Attachments: 1. Northern Victorian Integrated MEMP Issue 1- Loddon v2

RECOMMENDATION

That Council endorse the Northern Victorian Integrated Municipal Emergency Management Plan - Loddon Shire.

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this report, or involved in the development of the attached Northern Victorian Integrated Municipal Emergency Management Plan - Loddon Shire (NVIMEMP).

PREVIOUS COUNCIL DISCUSSION

On 15 July 2015 Council endorsed the updated Municipal Emergency Management Plan (MEMP) pursuant to Section 21A(1) of the Emergency Management Act 1986.

Council was provided with a briefing and the draft NVIMEMP – Loddon Shire at the March 2016 Council forum.

BACKGROUND

The MEMP is prepared in accordance with Section 20(2) of the Emergency Management Act 1986. The Municipal Emergency Management Planning Committee (MEMPC) is charged with preparing and reviewing the plan annually and Council is responsible for ensuring the maintenance and hosting of the plan.

On Thursday 23 October 2014 the MEMP was audited by a team comprised of representatives from the State Emergency Service, Victoria Police and the Department of Health & Human Services in accordance with Section 21A (1) of the Emergency Management Act 1986. The MEMP is required to be audited every three years in accordance with the guidelines issued by the Minister.

Loddon Shire Council is one of five councils who have been participating in a project that clusters councils together to implement shared emergency management planning responsibilities. The Northern Victorian Integrated Cluster of Councils consists of City of Greater Bendigo, Loddon Shire, Central Goldfields Shire, Shire of Campaspe and Mount Alexander Shire. Under the cluster arrangements a Northern Victoria Integrated Municipal Emergency Management Planning Committee (NVIMEMPC) has been formed. The NVIMEMPC comprises senior personnel from all emergency service organisations and has developed the NVIMEMP which encompasses all participating councils.

The NVIMEMP structure and content has undergone major changes in the past twelve months with legislative and agency responsibilities undergoing reform. This includes a number of legislative amendments and new structure and section requirements under the Emergency Management Manual Victoria (EMMV). This has required a major rewrite of the previous MEMP by the cluster which allows all five councils to endorse the same plan, excluding appendices.

In order to reflect localised differences between participating municipalities, the appendices have been adapted to each individual council. Each council can therefore endorse the NVIMEMP knowing that local content has still be captured and reflected within the document.

ISSUES/DISCUSSION

The Emergency Management Coordinators from the five participating councils and emergency service organisations have prepared the NVIMEMP to meet the requirements of the EMMV and associated legislation. The development of the NVIMEMP represents a contemporary and superior version from the previous Loddon Shire MEMP, strengthening the commitment from the emergency service organisations to the content of the plan.

The new NVIMEMP is now presented to Council for consideration and endorsement in accordance with the EMMV and Emergency Management Act 1986. Effective from its endorsement the NVIMEMP will replace the previous Loddon Shire MEMP. Upon the NVIMEMP passing the subsequent audit, it is anticipated that all remaining cluster member councils will also seek to endorse the NVIMEMP.

In the context of Loddon Shire it is also intended that the NVIMEMPC will replace the existing local MEMPC within Loddon.

COST/BENEFITS

The ability to develop a shared plan reduces the previous commitment and resources required across all five Local Government Areas to the development of individual plans. The new format enables the attendance of emergency service and council personnel at one NVIMEMPC meeting, rather than five individual MEMPC meetings, ensuring that all agencies share and receive the same information simultaneously.

Upon the universal adoption of the NVIMEMP, the five participating councils will have a common shared information resource enabling a smoother transition of staff to neighbouring municipalities during a protracted emergency event.

RISK ANALYSIS

Continued changes to the EMMV and legislation are expected over the next year which will require ongoing alteration to the NVIMEMP and roles and responsibilities for council staff.

CONSULTATION AND ENGAGEMENT

All emergency service organisations have been consulted and participated in the development of the NVIMEMP through the NVIMEMPC.

RESOLUTION 2017/73

Moved: Cr Geoff Curnow
Seconded: Cr Colleen Condliffe

That Council endorse the Northern Victorian Integrated Municipal Emergency Management Plan - Loddon Shire.

CARRIED

8.6 REVIEW OF LOCAL LAW 1

File Number: 04/01/001

Author: Lynne Habner, A/Manager Executive and Commercial Services

Authoriser: Phil Pinyon, Chief Executive Officer

Attachments: 1. Draft Local Law No. 1
2. Explanatory document with review of Local Law No. 1

RECOMMENDATION

That Council resolve to make Local Law No. 1 Process of Municipal Government (Meetings and Common Seal).

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

Council discussed the revisions to the Local Law No. 1 at its Forum on 1 February 2017, and at its February 2017 meeting, resolved to publish a public notice to seek submissions in respect of the draft in accordance with section 223 of the Local Government Act 1989.

BACKGROUND

Loddon Shire Council Local Law No.1, Process of Municipal Government (Meetings and Common Seal) ceased to operate on 1 March 2017.

Jim Gifford Consulting P/L has been engaged to review the local law in order for it to be considered for adoption by Council.

ISSUES/DISCUSSION

Revisions to the Local Law No.1 include several specific changes to reflect best practice in the matters contained within the document, including election of Mayor, meeting preparation, general conduct of meetings, conduct of debate, common seal, and enforcement and penalties.

Closely related matters have been grouped to reduce the overall number of clauses from 106 to 64, clauses that reflect Local Government Act provisions specify the relevant sections of the Act, and provisions that were contrary to the current provisions of the Local Government Act have been amended or replaced.

The attached explanatory document outlines the content of the draft local law.

The draft was advertised seeking public comment until 3 April 2017. No submissions were received.

It is proposed that Council consider making the Local Law No. 1. Following Council's decision, a notice will be published in the Victorian Government Gazette, and a copy will be sent to the Minister for Local Government, in accordance with section 119 of the Local Government Act 1989.

COST/BENEFITS

The cost to Council of renewing Local Law No.1 is related to the engagement of a consultant. Benefits to Council accrue from having clear guidance for the conduct of meetings and related matters.

RISK ANALYSIS

This process will ensure that Council continues to have a local law concerning the process of municipal government.

CONSULTATION AND ENGAGEMENT

Senior staff and councillors have been consulted in the review of this local law. The draft has also been advertised seeking public submissions in accordance with section 223 of the Local Government Act 1989.

RESOLUTION 2017/74

Moved: Cr Geoff Curnow

Seconded: Cr Gavan Holt

That Council resolve to make Local Law No. 1 Process of Municipal Government (Meetings and Common Seal).

CARRIED

UNCONFIRMED

8.7 FINANCE REPORT FOR THE PERIOD ENDING 31 MARCH 2017**File Number:** 08/06/001**Author:** Deanne Caserta, Manager Financial Services**Authoriser:** Sharon Morrison, Director Corporate Services**Attachments:** 1. Finance Report for the period ending 31 March 2017**RECOMMENDATION**

That Council:

1. receives and notes the 'Finance report for the period ending 31 March 2017'
2. approves budget revisions included in the report for internal reporting purposes only
3. approves the write off a single bad debt to the value of \$1,051.50 for client 17296 against the Provision for Doubtful Debts.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

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

BACKGROUND

The Finance Report for the period ended 31 March 2017 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 2016/17 Budget, and includes operating results, capital expenditure and funding sources.

ISSUES/DISCUSSION

Budgeted Surplus - Council's budgeted cash surplus has significantly increased from \$161K to \$1.95M mainly due to new grants received and major savings within various projects being captured, with some carried forward into the 2017/18 Budget.

Income Statement (Revenue) - Council's year to date (YTD) operating revenue is at 90% of YTD budget. Just over \$0.67M within the various debtors accounts were raised in March. The main variance is capital grants revenue which is \$2.3M behind YTD budget due to delays in a number of capital projects.

Income Statement (Expenditure) - Council's operating expenditure is at 98% of YTD budget. The main variation is within contractor payments which are \$323K behind mainly due to delays in commencing some major projects and the timing of invoices being received. Payments for this month totalled just over \$2.9M, compared to \$1.9M last month.

Capital Works - The revised budget for capital works is \$17.5M and is 34% complete in financial terms (26% at the end of February) for the current financial year. Council is currently working towards measuring % practical completion. Asset types with major variations (10% or \$10K) include furniture and office equipment, land and buildings, plant and equipment, road works, urban

and road drainage, parks, open space and streetscapes and footpaths with many projects behind expected timing due to a decrease in activity as a result of the recent floods.

Balance Sheet - Council has a \$19.1M cash total with \$1.1M in general accounts. Debtors are nearly \$2.1M which is a decrease of \$0.5M since the last report. Sundry debtors total \$660K with invoices outstanding for 60 or more days relating to community wellbeing debtors and local community groups totalling approximately \$34K.

There were no supplementary valuations updated in March. The total rateable CIV at the end of March remains at \$1.80B.

Work has also been undertaken on reviewing overdue accounts and as a result there was a total of \$2,068.63 during March that has been written off under the authority of the CEO. Within this amount there were a total of 8 community wellbeing accounts, 10 Avdata accounts and one waste account. Individually these all have an amount under the \$1,000 threshold and fall within the scope of the Provision for Doubtful Debts and Writing Off Bad Debts Policy. A further \$1,015.50 is recommended for write off by Council within this report. This debt belongs to a deceased community wellbeing client where no funds were available from the estate to finalise the account. As this amount is over the \$1,000 threshold a council resolution is required to write off the debt against the Provision for Doubtful Debts.

COST/BENEFITS

The benefit to Council and the community is that accurate and regular financial reporting is being disclosed, along with an accurate representation of property valuations being reflected in Council's rating system and the distribution of rate notices for the year 2016/17.

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

RISK ANALYSIS

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

CONSULTATION AND ENGAGEMENT

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

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

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

RESOLUTION 2017/75

Moved: Cr Colleen Condliffe

Seconded: Cr Cheryl McKinnon

That Council:

1. receives and notes the 'Finance report for the period ending 31 March 2017'
2. approves budget revisions included in the report for internal reporting purposes only
3. approves the write off a single bad debt to the value of \$1,051.50 for client 17296 against the Provision for Doubtful Debts.

CARRIED

UNCONFIRMED

8.8 FEES AND CHARGES FOR THE YEAR 1 JULY 2017 TO 30 JUNE 2018**File Number:** 07/01/006**Author:** Deanne Caserta, Manager Financial Services**Authoriser:** Sharon Morrison, Director Corporate Services**Attachments:** 1. Fees and Charges 2017-18**RECOMMENDATION**

That Council:

1. approves the Fees and Charges for the year 1 July 2017 to 30 June 2018 v2
2. subject to the approval of the Director Corporate Services or Chief Executive Officer, make effective immediately any changes where the fees and charges are altered by legislation, and make amendment to the relevant Fees and Charges for the year 1 July 2017 to 30 June 2018.

CONFLICT OF INTEREST

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

Cr Gavan Holt declared a conflict of interest. The interest was an indirect interest due to a specific fee included in the Fees and Charges Schedule that is paid by himself.

Cr Gavan Holt left the meeting at 4:29 pm.

Cr Neil Beattie advised that he pays a boat launching fee, however he has decided that it would not be a conflict of interest due to fees and charges being part of the budget, which he has been advised is exempt from the requirement for Councillors to declare a conflict of interest.

PREVIOUS COUNCIL DISCUSSION

Version one of the Fees and Charges Schedule was approved by Council on 28 March 2017 with an amendment made to the building fees section.

At the Council Forum on 11 April 2017, a further discussion was held around the proposed changes and as a result, version two of the document has been created and requires approval by Council.

BACKGROUND

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

During the financial year changes may arise that require the document to go back to Council for authorisation.

ISSUES/DISCUSSION

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 notice period of 60 days. Notification will be forwarded to tenants as soon as practicable after approval by Council.

The approach to the 2017/18 schedule was to review fees and charges in line with the Long Term Financial Plan (LTFP), which included an indexation of 2.0% to discretionary charges.

Following the Council meeting on 28 March 2017 where it was resolved to amend table 3.1.1 to state that the fee for demolition of a building be set at the State Building Levy, Council officers provided further advice to Councillors at the Forum on 11 April 2017. As a result of this advice, a policy is being developed in relation to demolition fees and will be presented to Council for approval prior to the Fees and Charges Schedule becoming effective on 1 July 2017.

COST/BENEFITS

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

RISK ANALYSIS

There is a minor risk of avoidance of payment by customers.

CONSULTATION AND ENGAGEMENT

The recommendations in the report have been considered in detail by the Management Executive Group and Council.

RESOLUTION 2017/76

Moved: Cr Geoff Curnow
Seconded: Cr Cheryl McKinnon

That Council:

1. approves the Fees and Charges for the year 1 July 2017 to 30 June 2018 v2
2. subject to the approval of the Director Corporate Services or Chief Executive Officer, make effective immediately any changes where the fees and charges are altered by legislation, and make amendment to the relevant Fees and Charges for the year 1 July 2017 to 30 June 2018.

CARRIED

Cr Gavan Holt returned to the meeting at 4:33 pm.

8.9 ADVERTISEMENT OF THE 2017/18 DRAFT BUDGET**File Number:** 07/01/001**Author:** Deanne Caserta, Manager Financial Services**Authoriser:** Sharon Morrison, Director Corporate Services**Attachments:** 1. Draft Budget 2017-18**RECOMMENDATION**

That Council:

1. advertise the Draft Budget in accordance with Section 129 of the Local Government Act 1989
2. adopt the proportion of rates raised within various valuation categories as follows:
 - Rural Production to have a differential rate 11% lower than the General (Residential, Commercial and Other) differential rate
3. agree that the above distribution of rates raised demonstrates fairness and equity across the municipality
4. implement a differential rate to be struck between categories of Rural Production and General as follows:
 - General (Residential, Commercial and Other) - 0.004977 Cents in the Dollar of Capital Improved Value
 - Rural Production - 0.004431 Cents in the Dollar of Capital Improved Value
5. Apply a Municipal Charge of \$207 to all properties, except where an exemption has been granted for Single Farm Enterprise under the Local Government Act 1989
6. Apply a Garbage Charge of \$260 per Residential Garbage Service (140 Litre Bin) and \$352 per Commercial Garbage Service (240 Litre Bin)
7. Apply a Kerbside Recycling Service Charge of \$98 per service (240 Litre Bin)
8. Apply GST to the applicable service charges in accordance with the relevant tax legislation
9. Update the Strategic Resource Plan for the Council Plan 2017-21 with the current information contained in the Budget, in line with the Local Government Act 1989 and the Local Government (Planning and Reporting) Regulations 2014 requirements.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

Council was presented with the 2017/18 Draft Budget at a Council Forum on 11 April 2017.

BACKGROUND

The 2017/18 Draft Budget has been prepared in draft following discussions with Councillors and senior officers.

Council has once again used the Best Practice Guide 'Model Budget' to assist with developing the budget. The Executive Summary is based on this model and has been prepared to provide an explanation of the major components of the budget.

A number of financial reports have also been developed outlining expected income and expenditure for all areas of Council in 2017/18, and comparing these to the forecast actual results for 2016/17.

The Draft Budget includes:

- the continuation of a strong cash position
- the continuation of the Community Planning program
- projects and initiatives included in Council's various strategic plans
- no new borrowings
- continuation of the use of discretionary reserves.

Council's rating increase for 2017/18 is in line with the Victorian State Government's Rate Capping Policy which has been set at 2.0% on the 2016/17 forecast budget rate income. Council has discretion over increases relating to garbage and recycling charges, and has included in the draft budget an increase of 10.0% to assist in ensuring a cost neutral position for waste collection services.

ISSUES/DISCUSSION

Under Section 223 of the Local Government Act, Council must allow a 28 day timeframe for submissions to be made regarding the 2017/18 Draft Budget.

Subject to Council approval, the Draft Budget will be advertised in the Bendigo Advertiser on Saturday 29 April 2017 and the Loddon Times on Tuesday 2 May 2017. Council will receive submissions until close of business on Monday 29 May 2017.

It is proposed that Council consider submissions received at the Council Forum to be held on Tuesday 13 June 2017 and formally adopt the Draft Budget at the Ordinary Meeting of Council to be held on Tuesday 27 June 2017 in the Council Chambers at Serpentine.

COST/BENEFITS

The benefits to Council and the community is that a consultative budget process complies with the Local Government Act 1989, the budget provides a measure for accurate planning, and ensures that Council can deliver services and projects included in the document.

RISK ANALYSIS

The risk to Council of not discussing and then advertising the annual budget is that it will not comply with requirements under the Local Government Act 1989.

CONSULTATION AND ENGAGEMENT

The Local Government Act 1989 requires that the Draft Budget be available for public comment from a period of 28 days after Council advertisement. After the lapsing of 28 days all submissions received must be provided to Council when deliberating on the 2017/18 Budget.

RESOLUTION 2017/77

Moved: Cr Geoff Curnow

Seconded: Cr Colleen Condliffe

That Council:

1. advertise the Draft Budget in accordance with Section 129 of the Local Government Act 1989
2. adopt the proportion of rates raised within various valuation categories as follows:
 - Rural Production to have a differential rate 11% lower than the General (Residential, Commercial and Other) differential rate
3. agree that the above distribution of rates raised demonstrates fairness and equity across the municipality
4. implement a differential rate to be struck between categories of Rural Production and General as follows:
 - General (Residential, Commercial and Other) - 0.004977 Cents in the Dollar of Capital Improved Value
 - Rural Production - 0.004431 Cents in the Dollar of Capital Improved Value
5. Apply a Municipal Charge of \$207 to all properties, except where an exemption has been granted for Single Farm Enterprise under the Local Government Act 1989
6. Apply a Garbage Charge of \$260 per Residential Garbage Service (140 Litre Bin) and \$352 per Commercial Garbage Service (240 Litre Bin)
7. Apply a Kerbside Recycling Service Charge of \$98 per service (240 Litre Bin)
8. Apply GST to the applicable service charges in accordance with the relevant tax legislation
9. Update the Strategic Resource Plan for the Council Plan 2017-21 with the current information contained in the Budget, in line with the Local Government Act 1989 and the Local Government (Planning and Reporting) Regulations 2014 requirements.

CARRIED

8.10 KERBSIDE WASTE AND RECYCLING POLICY**File Number:** 18/01/001**Author:** Ian McLauchlan, Director Operations**Authoriser:** Phil Pinyon, Chief Executive Officer**Attachments:** 1. KERBSIDE WASTE AND RECYCLING POLICY**RECOMMENDATION**

That Council adopt the Kerbside Waste and Recycling Policy.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

Councillors were initially presented with the draft Kerbside Waste and Recycling Policy during its forum on 27 September 2016.

At its Ordinary meeting in February 2017 Council resolved to endorse the draft policy document and seek public comment prior to its finalisation and subsequent adoption.

BACKGROUND

Council currently provides a kerbside waste and recycling service (the Service) to eligible residential properties throughout the Shire. The Service is provided to assist local residential and commercial properties to appropriately manage their waste and recyclable materials.

The Service is intended to provide a flexible, convenient and affordable mechanism to manage on-site waste generation, protect the amenity of our township and rural living areas and reduce the potential risk of illegal dumping or onsite waste disposal/accumulation.

The Service in its current form has been in place for over a decade, however at no time has Council maintained a formal policy with respect to the conditions by which the Service shall be provided.

ISSUES/DISCUSSION

Over time a number of operational matters have arisen whereby the lack of a documented policy has contributed to ambiguity and debate with local residents accessing the Service, particularly where non-compliance with respect to service conditions are being observed or modification of standard protocols has been requested (e.g. surrender of a mandatory service).

The Kerbside Waste and Recycling Policy (attachment 1) seeks to provide clarity for both staff and local residents with respect to the level of service which Council shall provide, expectations of users and the application of associated fees.

The policy focuses on matters relating to:

- eligibility for access to the service (both mandatory and discretionary)
- the level of service to be provided (number and types of bins)
- interruption or suspension of services
- application of service charges
- general operational matters (e.g. weight and placement of bins for collection).

The policy is considered to address many of the historical issues requiring clarification raised by staff and residents over the last decade with respect to the Service. Complementing this policy, Council's Waste Management Strategy and Local Law No. 4 – Environment, contain further specific information relating to the operation of the Service.

At the conclusion of the public notice period no submissions were received. The draft policy is therefore being presented in the same form as that previously discussed with Council in February 2017 with a recommendation for its adoption.

COST/BENEFITS

It is not expected that this policy will have any further financial impact upon Council beyond that which is currently being incurred through the provision and operation of the existing kerbside waste and recycling service.

Establishment of this policy will provide a number of operational benefits, the primary one being greater clarity for both members of the public and customer service staff with respect to service conditions and expectations.

RISK ANALYSIS

It is considered that no additional risk to Council shall be created through this policy. The provision of clear service parameters and expectations may however assist in the reduction of limited reputational or financial risks.

CONSULTATION AND ENGAGEMENT

Development of this draft policy involved consultation with various internal staff and Councillors.

Public notice of the draft policy was issued on 9 March 2017 (via Council's web site and local newspaper publication) with submissions received until 7 April 2017. No public submissions in response to the draft policy were received.

RESOLUTION 2017/78

Moved: Cr Colleen Condliffe

Seconded: Cr Cheryl McKinnon

That Council adopt the Kerbside Waste and Recycling Policy.

CARRIED

8.11 AUDIT COMMITTEE REMUNERATION 2017-18 REPORT**File Number:** 06/02/003**Author:** Sharon Morrison, Director Corporate Services**Authoriser:** Phil Pinyon, Chief Executive Officer**Attachments:** Nil**RECOMMENDATION**

That Council:

1. increases the quarterly remuneration paid to independent members of the Audit Committee to \$455, effective the quarter commencing 1 May 2017
2. maintains payment of an extra quarter remuneration to the Chair during a one year term
3. maintains a travel reimbursement for independent members of the Audit Committee, paid at the rate that Councillors are reimbursed for travel.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

Council was provided with an Audit Committee Remuneration Report at the Ordinary Meeting held on 22 March 2016, where Council resolved as follows:

1. *increases the quarterly remuneration paid to independent members of the Audit Committee to \$445, effective the quarter commencing 1 May 2016*
2. *retain payment of an extra quarter remuneration to the Chair during a one year term*
3. *retain a travel reimbursement for independent members of the Audit Committee, paid at the rate that Councillors are reimbursed for travel.*

BACKGROUND

The Consumer Price Index for All Groups – Melbourne for December is used as the guide for increases to Audit Committee remuneration annually. The indexation has been sourced from the Australian Bureau of Statistics and is 1.5%.

Application of 1.5% to the Audit Committee's current remuneration of \$445 per quarter calculates to \$451.67 per quarter. This report recommends that this amount be rounded to \$455 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 confirmed 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.

COST/BENEFITS

There is a small financial cost to Council resulting from this report.

RISK ANALYSIS

Council increases the likelihood of recruiting and retaining quality Audit Committee members by ensuring that remuneration is increased on a regular basis.

CONSULTATION AND ENGAGEMENT

Nil

RESOLUTION 2017/79

Moved: Cr Gavan Holt

Seconded: Cr Cheryl McKinnon

That Council:

1. increases the quarterly remuneration paid to independent members of the Audit Committee to \$455, effective the quarter commencing 1 May 2017
2. maintains payment of an extra quarter remuneration to the Chair during a one year term
3. maintains a travel reimbursement for independent members of the Audit Committee, paid at the rate that Councillors are reimbursed for travel.

CARRIED

9 INFORMATION REPORTS

9.1 REVIEW OF FUNDING DISTRIBUTION METHODOLOGIES BETWEEN VARIOUS CATEGORIES OF ANNUAL INFRASTRUCTURE PROGRAM

File Number: 14/01/001

Author: Indivar Dhakal, Manager Technical Services

Authoriser: Peter Cownley, A/Director Operations

Attachments:

1. Asset Condition Graph and Annual Liability
2. 50 Years Required Annual Renewal Expenditure
3. Predicted Annual Capital Renewal Expenditure (Footpaths and Kerb and Channel)

RECOMMENDATION

That Council receive and note the review of funding distribution methodologies between various categories of the Annual Infrastructure Program.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

Council were presented with the 2016/2017 Annual Infrastructure Program (the Program) during the Council Forum held on 10 May 2016 and the Ordinary Meeting held on 24 May 2016. In addition to the subsequent Council resolution to adopt the Program, it was requested that officers undertake a review as to the existing funding distribution methodologies between various asset categories and report back to Council so as to verify the appropriate apportionment of capital investment across the Program.

BACKGROUND

Each year Council allocates and spends significant funds upon capital works across the Shire on road, road related and drainage infrastructure. Council officers routinely identify and scope potential infrastructure renewal, improvement or upgrade projects and include them within the future works register or Rolling Program.

The Rolling Program is used to prepare the Program through a process of project prioritisation and apportionment of available funding. The Program for roads and drainage is comprised of 9 asset categories.

Annual funding within each of these categories is based upon identified levels of service and consequential investment demand requirements outlined within each of the relevant asset management plans. These asset management plans also inform the development of the Long Term Financial Plan (LTFP).

Modelled investment demand as provided within the LTFP is entered into the annual budget process. The total funds allocated to the Program and the amount apportioned to each category may be adjusted following consideration of Council's financial position.

Following the adoption of the 2016/17 Program, Councillors requested that officers undertake a review of the methodology by which available funding is apportioned between Program categories. The review was requested for consideration in the preparation of the 2017/18 Program.

It is understood that one of the major factors in making this request was a desire to examine the potential for the allocation of additional funding towards the delivery of new infrastructure within the township precincts e.g. new footpath and kerb & channel construction or upgrades.

ISSUES/DISCUSSION

The current Program requires funding allocations to be determined by the specified level of service targets as outlined within relevant infrastructure asset management plans. The investment level required for each asset category is then determined using these service level targets and the additional information contained within each asset register, namely:-

- asset value (replacement cost)
- current condition and age of assets (condition)
- predicted condition deterioration rate (degradation rate)
- specified and accepted intervention levels (service level)

For roads and drainage assets, Council uses the Moloney's Asset Management System which generates a condition based degradation curve for each asset category. When combined with the current asset condition rating, estimated asset replacement value and proposed long term investment level (i.e. annual renewal expenditure), an infrastructure renewal gap analysis is produced.

In summary an asset renewal gap is created where the annual investment in the renewal of the existing infrastructure base is insufficient to account for the rate of deterioration over time, leading to a gradual increase in the number of assets for which the condition exceeds specified intervention standards.

Ideally the investment effort (i.e. annual expenditure) on each asset category should be maintained at a level which ensures that there is no infrastructure renewal gap. A number of factors influence the practicality of achieving this in any given year, hence a more practical approach is to consider infrastructure renewal demand over a longer term i.e. 10 year Long Term Financial Plan.

Through asset deterioration modelling, officers are able to calculate the annual infrastructure renewal investment required so as to maintain a negligible infrastructure gap. The calculated investment effort forms the basis of the budget request for asset renewal in each category of the Program.

Existing asset condition profiles

Attachment 1 provides an overview of the current condition of each asset category as well as the predicted annual liability. This data is based upon the asset valuations/condition inspections undertaken in 2013/14 with the exception of the unsealed pavement data which has been obtained via 20% network inspection per annum over the last 5 years.

Council is currently undertaking a condition based survey on the entire network of sealed road surface, footpath and kerb and channel. Information on the updated condition of assets and the annual liability can be expected before the end of 2016/17.

Renewal gap modelling

Council undertakes a renewal gap modelling process every year to establish the current and updated renewal gap on all its infrastructure classes. This gap model provides an overview of the required investment model that Council may adopt to avoid a renewal gap.

Attachment 2 was reported to the Council in 2015 and provides the required renewal expenditure to satisfy renewal requirements. There is limited upgrade expenditure included so as to avoid extending the infrastructure renewal gap.

The attachment clearly identifies the need for greater investment in large scale asset networks i.e. the sealed and unsealed road networks. The proportion of required expenditure in footpath and kerb and channel is very small when compared to the road network investment.

Any investment redirection into footpath and kerb and channel from the sealed and unsealed asset network will have a significant impact on the renewal gap for both categories unless additional funding is allocated above that identified within Attachment 2..

Footpaths and Kerb & Channel

Footpaths and kerb & channel assets, are included within the Township Street Improvement (TSI) category of the Program.

Council officers have conducted renewal gap modelling to identify the long term capital investment requirements for footpath and kerb and channel assets. Attachment 3 provides a graphical representation of predicted annual capital investment requirements for next 20 years.

The table below provides the predicted kerb and channel, and footpath annual investment required to avoid a renewal gap.

Year	Required Expenditure	
	Kerb and Channel	Footpath
2017/18	\$ 231,132	\$ 126,329
2018/19	\$ 222,432	\$ 125,616
2019/20	\$ 174,869	\$ 81,927
2020/21	\$ 142,788	\$ 72,315
2021/22	\$ 126,523	\$ 74,709
2022/23	\$ 113,568	\$ 79,402
2023/24	\$ 110,864	\$ 87,201
2024/25	\$ 108,884	\$ 93,512
2025/26	\$ 107,226	\$ 99,144
2026/27	\$ 105,693	\$ 105,107
2027/28	\$ 104,185	\$ 111,371
2028/29	\$ 102,654	\$ 117,243
2029/30	\$ 101,081	\$ 122,067
2030/31	\$ 99,462	\$ 125,580
2031/32	\$ 97,805	\$ 127,906
2032/33	\$ 96,125	\$ 129,391
2033/34	\$ 94,439	\$ 130,422
2034/35	\$ 92,766	\$ 131,339
2035/36	\$ 91,127	\$ 132,391
2036/37	\$ 89,541	\$ 133,734

The above expenditure only reflects the renewal of existing assets.

In addition, there is an associated routine operational and maintenance cost which is accommodated through Council's local roads maintenance budget (separate to the capital works program). Currently, Council invests approximately \$24,000 (indexed each year) in footpath and kerb and channel maintenance.

The table above together with Attachment 2, clearly shows that Council needs to invest on average approximately \$231,000 every year (indexed as per CPI) in capital renewal. Footpath and kerb and channel works are funded under the TSI category of the Program.

This category also includes other sub-categories like road improvements and pedestrian crossings. Council is currently spending \$234,000 on average under TSI (based on LTFFP June 2016 – July 2026).

It is understood that Council requested a review of funding distribution methodologies with the view to investigating the viability of constructing new footpath and kerb and channel. Construction of a

new footpath (green field unit rate) as opposed to replacement of footpath (brown field unit rate) is currently around \$115 per square meter. Construction of a 150 metre long standard residential footpath (average street to street distance within township) costs Council approximately \$26,000. The replacement cost of existing footpath for the same is approximately \$35,000.

Council's adopted LTFP and financial projections within the asset management plans are purely based upon the renewal needs. Any new infrastructure is funded from additional sources outside of funding notionally identified within the LTFP. However, Council does invest in construction of new infrastructure to address identified gaps in levels of service in accordance with relevant strategic asset management plans.

Current Process:

There are differing industry standards and guidelines that suggest the appropriate apportionment of available funding between capital renewal, capital upgrade or new investment. However, it is considered appropriate to invest in new, or upgrade existing infrastructure only to reduce the gap between existing levels of service and the target levels of service as determined within relevant asset management plans.

Each individual project (renewal, upgrade or new) will be incorporated in the rolling program and evaluated under an assessment matrix encompassed in the project scope document. The Program is then developed based upon each individual project's relative priority using this assessment matrix and the level of available funding within each category. Council's current assessment matrix does incorporate a component to assess the current level of service.

Council officers also provide information whether an individual project is considered to fit the classification of renewal, upgrade or new in the course of submitting the Program to Council for approval. Also, a categorised summary of investment will be included to show Council's total renewal, upgrade and new infrastructure cost estimate.

In doing so, Council officers will consider the investment model guideline as specified by the National Asset Management Assessment Framework (NAMAF) and International Infrastructure Management Manual (IIMM).

To determine how the total available pool of funding within the annual budget is distributed across the Program Categories, officers consider that; the utilisation of renewal gap modelling, subsequent investment demand forecasting and project prioritisation in accordance with relevant asset management plans, to be the most appropriate methodology.

COST/BENEFITS

Council's LTFP in regards to infrastructure investment is based on the asset management plan projections which is a derivative of renewal gap modelling. As such, any increased investment in addressing the service gap (ie new works) may lead to an increased renewal gap on infrastructure which will alter the financial projections for asset renewal.

It is proposed that Council will in future be advised as to whether projects are renewal, upgrade or new.

By advising Council which of the projects are renewal, upgrade or new, Council will be more engaged in current standard asset management practice. By maintaining the current methodology any identified service gaps will be gradually recovered along with a reduction in the infrastructure renewal gap.

If there was to be a shift towards projects which expand say the footpath network ie resolution of identified service gaps; such works would require either the redistribution of available funding from other Program Categories or alternatively the allocation of further funding for this specific purpose.

Redistribution of funding from other Program Categories is not recommended given the consequential impact upon their relative renewal gap and the longer term impact upon Council's infrastructure sustainability.

RISK ANALYSIS

One of the major risks associated with varying the current methodology is the potential increase in expenditure. The likelihood of the risk is “very likely” with significant consequences. To minimise the potential risk, officers utilise a defined assessment matrix to prioritise individual projects and ensure compliance with overarching strategic asset management principals contained within relevant asset management plans.

CONSULTATION AND ENGAGEMENT

Internal discussion and consultation has been carried out between the officers within the Operations Directorate. The proposed methodology is a result of the discussion within Technical Services and the Director Operations.

RESOLUTION 2017/80

Moved: Cr Geoff Curnow
Seconded: Cr Cheryl McKinnon

That Council receive and note the review of funding distribution methodologies between various categories of the Annual Infrastructure Program.

CARRIED

9.2 INWARDS CORRESPONDENCE

File Number: various
Author: Christine Coombes, Executive and Commercial Services Officer
Authoriser: Lynne Habner, A/Manager Executive and Commercial Services
Attachments: 1. Copies of inwards correspondence

RECOMMENDATION

That Council receives and notes the Inwards Correspondence.

Date	From	Subject
29/3/2017	Lisa Chesters MP Federal Member for Bendigo	Universal Access to Early Childhood Education
1/4/2017	Joan Ansell (individual letters were addressed to each Councillor – Mayor's only attached)	Refugee Welcome Zones

RESOLUTION 2017/81

Moved: Cr Cheryl McKinnon
 Seconded: Cr Geoff Curnow

That Council receives and notes the Inwards Correspondence.

CARRIED

10 COMPLIANCE REPORTS

10.1 APPOINTMENT OF AUDIT COMMITTEE MEMBER

File Number: 06/02/003

Author: Michelle Hargreaves, Administration Officer

Authoriser: Sharon Morrison, Director Corporate Services

Attachments: Nil

RECOMMENDATION

That Council appoints Alan Darbyshire to the Audit Committee for the period 1 May 2017 to 30 April 2021

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

Nil

BACKGROUND

Council's Audit Committee comprises four community members and one Councillor. Currently, Cr Gavan Holt is Council's Representative on the Audit Committee.

The terms of Audit Committee community members are scheduled to expire on the basis of one member per annum.

The Audit Committee Charter outlines the terms of community members, and Mr David Peterson's term ends 30 April 2017. Mr Peterson advised the Audit Committee at the November 2016 Audit Committee meeting that he was retiring from the role at the conclusion of his term.

ISSUES/DISCUSSION

The recruitment process for the vacant position commenced with advertisements in the Bendigo Advertiser, Loddon Times and Gannawarra Times and on Council's website.

The term of the vacancy is 1 May 2017 to 30 April 2021.

In accordance with the Audit Committee Charter:

"External independent persons will have senior business or financial management/reporting knowledge and experience, demonstrated commitment to local communities or be conversant with the financial and other reporting requirements.

The Mayor and Chief Executive Officer taking account of the experience of candidates and their likely ability to apply appropriate analytical and strategic management skills will undertake the evaluation of potential members, and a recommendation for appointment taken to Council."

The Mayor and Chief Executive Officer were joined by the Director Corporate Service in the evaluation of potential members.

The Mayor and the Chief Executive Officer recommend to Council that the most appropriate candidate for appointment is Alan Darbyshire.

COST/BENEFITS

Audit Committee members are paid a small attendance fee of \$445. They are also eligible to claim a travel allowance for meetings.

RISK ANALYSIS

The annual expiry of terms of Audit Committee members reduces the risk of losing more than one community member at any given time, which assists in inducting new members onto the committee while maintaining experience in the committee's make up.

CONSULTATION AND ENGAGEMENT

Nil

RESOLUTION 2017/82

Moved: Cr Colleen Condliffe

Seconded: Cr Cheryl McKinnon

That Council appoints Alan Darbyshire to the Audit Committee for the period 1 May 2017 to 30 April 2021

CARRIED

10.2 SECTION 86 COMMITTEE OF MANAGEMENT MEMBERSHIP DETAILS LODDON SOUTHERN TOURISM AND DEVELOPMENT

File Number: 02/01/029
Author: Michelle Hargreaves, Administration Officer
Authoriser: Sharon Morrison, Director Corporate Services
Attachments: Nil

RECOMMENDATION

That Council appoints Isabelle Marshall as an additional member of the Loddon Southern Tourism and Development Section 86 committee of management, effective immediately.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

Council approved the current list of committee members for Loddon Southern Tourism and Development Committee of Management on 22 November 2016.

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, at least 6 community representatives are preferred.

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

ISSUES/DISCUSSION

Loddon Southern Tourism and Development is a community based committee with preferred representation requiring at least 6 community representatives. The Loddon Southern Tourism and Development Committee of Management meets the minimum requirement and is seeking to add another member.

At the Council meeting on 22 November 2016 the following persons were appointed to the committee of management.

Name	Community group
Dorothy Silke	President
Jill Temby	Vice President
Robyn Vella	Secretary
Norma Sokolowski	Treasurer
Beryl Peters	Committee Member
Colin Silke	Committee Member
Darryl Peters	Committee Member
David Gordon	Committee Member
George Swinburne	Committee Member
Jan King	Committee Member
Ken Arnold	Committee Member
Susan Horsley	Committee Member

This report seeks to add the following person as a member of the committee:

Name	Position
Isabelle Marshall	Committee member

The Council representative for this committee is Robyn Vella.

COST/BENEFITS

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

RISK ANALYSIS

Section 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

RESOLUTION 2017/83

Moved: Cr Geoff Curnow

Seconded: Cr Gavan Holt

That Council appoints Isabelle Marshall as an additional member of the Loddon Southern Tourism and Development Section 86 committee of management, effective immediately.

CARRIED

10.3 DOCUMENTS FOR SIGNING AND SEALING**File Number:** 02/01/001**Author:** Lynne Habner, A/Manager Executive and Commercial Services**Authoriser:** Phil Pinyon, Chief Executive Officer**Attachments:** Nil**RECOMMENDATION**

That Council:

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

REPORT

This report provides Council with those documents signed and sealed during the month as follows:

- Discharge of Mortgage or Charge – Geoffrey & Cheryl Burnside, Security Property, 56 Hospital Street, Wedderburn - under Section 84 Transfer of Land Act 1958, for Land Title Volume 7630 Folio 153.

RESOLUTION 2017/84

Moved: Cr Colleen Condliffe

Seconded: Cr Cheryl McKinnon

That Council:

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

CARRIED

11 GENERAL BUSINESS**URGENT BUSINESS****RESOLUTION 2017/85**

Moved: Cr Gavan Holt
Seconded: Cr Colleen Condliffe

That the following items be treated as urgent business

CARRIED**11.1 KERB AND CHANNEL ON ALLEN STREET, KORONG VALE****RESOLUTION 2017/86**

Moved: Cr Gavan Holt
Seconded: Cr Colleen Condliffe

Cr Gavan Holt requested that Council make representations to VicRoads on behalf of the people of Korong Vale concerning the state of the kerb and channel in Allen Street, Korong Vale.

CARRIED**TARNAGULLA COMMUNITY CENTRE**

Councillor Holt referred to an email sent to Councillors from Southern Loddon Tourism and Development Committee President Dorothy Silke concerning the lack of use of the community centre in Tarnagulla. A response was sent to the Committee advising that the Community is located on Crown land and managed by the Tarnagulla Hall Committee, and that Council is discussing the management of the community centre with the Department of Environment, Land, Water and Planning. Councillors noted that progress of this action is reported in the action sheet at Item 5.1 of this agenda.

12 CONFIDENTIAL ITEMS

Closing of Meeting to the Public

RESOLUTION 2017/87

Moved: Cr Colleen Condliffe

Seconded: Cr Geoff Curnow

That the meeting be closed to the public at 5.36pm.

CARRIED

RECOMMENDATION

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 89(2) of the Local Government Act 1989:

12.1 Review of confidential actions

This matter is considered to be confidential under Section 89(2) - (h) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with Any other matter which the Council or special committee considers would prejudice the Council or any person.

12.2 TRANSFER OF FORMER INGLEWOOD FUEL COOPERATIVE SITE

This matter is considered to be confidential under Section 89(2) - (h) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with Any other matter which the Council or special committee considers would prejudice the Council or any person.

RESOLUTION 2017/88

Moved: Cr Gavan Holt

Seconded: Cr Colleen Condliffe

That the meeting be re-opened to the public at 5.46pm.

CARRIED

NEXT MEETING

The next Ordinary Meeting of Council will be held on 23 May 2017 at Serpentine commencing at 3pm.

There being no further business the meeting was closed at 5.47pm.

Confirmed this.....day of..... 2017

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CHAIRPERSON

UNCONFIRMED