



Date: Tuesday, 27 June 2017
Time: 3pm
Location: Council Chambers, Serpentine

MINUTES

Ordinary Council Meeting

27 June 2017

**MINUTES OF LODDON SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, SERPENTINE
ON TUESDAY, 27 JUNE 2017 AT 3PM**

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

IN ATTENDANCE: Wendy Gladman (Director Community Wellbeing), Lynne Habner (A/Manager Executive & Commercial Services), Sharon Morrison (Director Corporate Services), Steven Phillips (A/Director Operations), 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

Nil

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 23 May 2017
2. The minutes of the Ordinary Council Meeting of 23 May 2017
3. The minutes of the Council Forum of 13 June 2017

REPORT

Seeking approval of the unconfirmed minutes of the previous meetings.

RESOLUTION 2017/91

Moved: Cr Geoff Curnow

Seconded: Cr Colleen Condliffe

That Council confirm:

1. The minutes of the Council Briefing of 23 May 2017
2. The minutes of the Ordinary Council Meeting of 23 May 2017
3. The minutes of the Council Forum of 13 June 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 2017/92

Moved: Cr Cheryl McKinnon

Seconded: Cr Gavan Holt

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
3/6/17	Opened canoe trail at Durham Ox
3/6/17	Attended opening Serpentine new sporting facilities with Jacinta Allan.
13/6/17	Attended Council Forum at Wedderburn
18 - 21/6/17	Attended ALGA National General Assembly
22/6/17	Mayor's presentation at Regional Partnerships in Echuca

RESOLUTION 2017/93

Moved: Cr Colleen Condliffe

Seconded: Cr Geoff Curnow

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
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
25/5/17: Campbells Forest meeting 29/5/17: Meeting of Lions Elderly Persons Units 7/6/17: Meeting Inglewood Hall Hub 21/6/17: BOLD Bridgewater
Australia Day Committee
Loddon Youth Committee
Healthy Minds Network
21/6/17: Healthy Minds meeting, Newbridge

Other Council activities	
DATE	Activity
23/5/17	Inglewood and District Community Bendigo Bank meeting
24/5/17	Bridgewater railway station meeting
24/5/17	CWA meeting Dingee
25/5/17	Inglewood Tourism Development meeting
28/5/17	Dingee Bush Nursing Centre meeting
29/5/17	Meeting with IDHS and Murray Mallee Service and Healthy Minds regarding the loss of mental health nurse and social worker
31/5/17	Meeting Inglewood Ridign Club and Inglewood Car Club Inglewood to combine as a section 86 Committee
29/5/17	Meeting with Rob Scholes regarding the new development in Bridgewater
1/6/17	Loddon Plains Landcare held in Pyramid Hill
3/6/17	Official launch of canoe trail at Durham Ox at Serpentine Creek
3/6/17	Official opening of Serpentine Recreation Reserve redevelopment of change room and function area
6/6/17	Meeting WCLN Charlton
10/6/17	Bridgewater market
13/6/17	Council Forum Wedderburn
13/6/17	Inglewood Resource Community meeting
14/6/17	Mens Matter Bridgewater Recreation Reserve
16/6/17	Lions Dinner Inglewood
19/6/17	Dingee Bush Nursing Centre meeting
15/6/17	Womens Health Loddon Mallee Board meeting in Bendigo
23/6/17	St Arnaud Lions changeover
27/6/17	Council meeting 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
29/5/17	LMWRRG Forum at Gisborne
1/6/17	MAV Emergency Management Meeting at MAV Melbourne
2/6/17	LMWRR Board meeting in Melbourne
3/6/17	Opening of facilities at Janiember Park Serpentine
13/6/17	Council Forum at Wedderburn
14 and 15/6/17	LMWRRG Board Induction and Training conference, Melbourne
20/6/17	Triennial meeting and election of new Hall Committee at Tarnagulla
23/6/17	Interview panel member of LMWRRG Project Officer position
6/6/17	Triennial meeting at election of new Hall Committee at Laanecoorie
27/6/17	June Loddon Shire Council meeting

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
24/5/17	Attended meeting of the Wedderburn Development Association
26/5/17	Attended Wedderburn College's debutante ball
27/5/17	Attended Wedderburn v Sea Lake winter sport day
31/5/17	Attended committee meeting of Wedderburn Harness Racing Club
6/6/17	Chaired meeting Wedderburn Open Art Gallery Committee
13/6/17	Attended Council Forum in Wedderburn
16/6/17	Attended South West Loddon Pipeline Steering Committee meeting
24/6/17	Attended Wedderburn v Donald winter sport day

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
26/5/17	GLC Board meeting in Bendigo
29/5/17	Attended the launch of Multicultural Victoria's new interactive truck, Vicky, in Bendigo, by Minister for Multicultural Affairs Robin Scott

1/6/17	Janiember Park Steering Committee meeting
3/6/17	Joined the Mayor and CEO for the lauch of the Serpentine Creek canoe trail at Durham Ox. We were also treated with a unique Welcome to Country by Jida Gulpilil. From there we travelled to Serpentine for the official opening of the Janiember Park redevelopment project. The end result is an outstanding facility for the Serpentine Community, and a valuable asset for Loddon Shire.
5/6/17	Fiesta Committee meeting
6/6/17	NCLLEN meeting in Charlton
7/6/17	East Loddon Lions celebrated their 35 th birthday, coinciding with the Lions International 100 year anniversary
13/6/17	Council Forum in Wedderburn followed by Pyramid Hill Hall Committee meeting.
14/6/17	Janiember Park Steering Committee met in Serpentine
18/6/17	ALGA National General Assembly in Canberra, with the buffet dinner and general assembly dinner held in Parliament House, and the conference at the Convention Centre. I attended with the Mayor and CEO, and found the experience interesting and stimulating.
22/6/17	Nature Tourism Advisory Committee meeting in Wedderburn
23/6/17	Attended a briefing with the GLC CEO in Bendigo.
27/6/17	Today we are here in Wedderburn for our Council meeting, having just welcomed 3 new resident of Loddon as Australian Citizens.

RESOLUTION 2017/94

Moved: Cr Colleen Condliffe

Seconded: Cr Geoff Curnow

That Council receive and note the Councillors' reports

CARRIED

8 DECISION REPORTS**8.1 ADOPTION OF THE 2017/18 BUDGET****File Number:** 07/01/001**Author:** Deanne Caserta, Manager Financial Services**Authoriser:** Sharon Morrison, Director Corporate Services**Attachments:** 1. 2017/18 Budget**RECOMMENDATION**

That Council, having advertised the Draft Budget and having received no submissions, adopt the 2017/18 Budget.

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 Tuesday 11 April 2017.

Council resolved to advertise the Draft Budget at a Council Meeting on Wednesday 26 April 2017.

BACKGROUND

Advertisements were placed in the Bendigo Advertiser on Saturday 29 April 2017 and Saturday 6 May 2017 and in the Loddon Times on Tuesday 2 May 2017.

The Draft Budget was placed on public display for 28 days from Monday 8 May 2017 until Monday 5 June 2017, in accordance with the requirements of Section 223 of the Local Government Act 1989 (the Act).

During this period, copies of the Draft Budget were made available for public inspection at the Wedderburn and Serpentine Council Offices, at post offices, neighbourhood houses and resource centres across the municipality, and on Council's website.

ISSUES/DISCUSSION

No submissions were received during the public display period.

However, during the submission period Council was advised of the Victorian Grants Commission intention to pay 50% of the 2017/18 allocation in June 2017 (within the 2016/17 financial year). As a result, changes were required to the 2016/17 Revised and 2017/18 Draft Budget, with the summary results on the following page.

Comprehensive Income Statement

Version 1 Draft Budget

Version 2 Draft Budget – VGC Changes

	Forecast 2016/17	Budget 2017/18		Forecast 2016/17	Budget 2017/18
Income			Income		
Rates and charges	\$10,105,251	\$10,406,865	Rates and charges	\$10,105,251	\$10,406,865
Statutory fees and fines	\$257,417	\$248,670	Statutory fees and fines	\$257,417	\$248,670
User fees	\$1,744,874	\$1,432,607	User fees	\$1,744,874	\$1,432,607
Grants - operating	\$9,902,028	\$9,844,316	Grants - operating	\$14,004,302	\$5,830,781
Grants - capital	\$6,192,226	\$3,343,519	Grants - capital	\$6,150,476	\$3,296,530
Contributions - monetary	\$115,331	\$15,000	Contributions - monetary	\$115,331	\$15,000
Net gain/(loss) on disposal of property, infrastructure, plant and equipment	\$0	\$0	Net gain/(loss) on disposal of property, infrastructure, plant and equipment	\$0	\$0
Share of net profits/(losses) of associates and joint ventures	\$0	\$0	Share of net profits/(losses) of associates and joint ventures	\$0	\$0
Other income	\$1,424,947	\$1,393,967	Other income	\$1,424,947	\$1,393,967
Total income	\$29,742,074	\$26,684,944	Total income	\$33,802,598	\$22,624,420
Expenses			Expenses		
Employee costs	\$10,212,285	\$10,809,393	Employee costs	\$10,212,285	\$10,809,393
Materials and services	\$10,212,014	\$8,606,761	Materials and services	\$10,212,014	\$8,606,761
Bad and doubtful debts	\$0	\$0	Bad and doubtful debts	\$0	\$0
Depreciation and amortisation	\$8,757,634	\$8,976,575	Depreciation and amortisation	\$8,757,634	\$8,976,575
Borrowing costs	\$0	\$0	Borrowing costs	\$0	\$0
Other expenses	\$299,116	\$304,738	Other expenses	\$299,116	\$304,738
Total expenses	\$29,481,049	\$28,697,467	Total expenses	\$29,481,049	\$28,697,467
Surplus/(deficit) for the year	\$261,025	(\$2,012,523)	Surplus/(deficit) for the year	\$4,321,549	(\$6,073,047)
Other comprehensive income			Other comprehensive income		
Net asset revaluation increment/(decrement)	\$0	\$0	Net asset revaluation increment/(decrement)	\$0	\$0
Shares of other comprehensive income of associates and joint ventures	\$0	\$0	Shares of other comprehensive income of associates and joint ventures	\$0	\$0
Total comprehensive result	\$261,025	(\$2,012,523)	Total comprehensive result	\$4,321,549	(\$6,073,047)

Although there have been changes to the document in both years, there has been no overall impact to the cash surplus/(deficit) for each year.

These changes to the 2017/18 Draft Budget will also be reflected in the Strategic Resource Plan in the 2017-2021 Council Plan.

COST/BENEFITS

The benefits to Council and the community are that a consultative budget process complies with the Local Government Act 1989, and allows the community to provide feedback to Council on the budget's content.

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 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 adoption of the 2017/18 Budget.

RESOLUTION 2017/95

Moved: Cr Cheryl McKinnon

Seconded: Cr Colleen Condliffe

That Council, having advertised the Draft Budget and having received no submissions, adopt the 2017/18 Budget.

CARRIED

UNCONFIRMED

8.2 FINANCE REPORT FOR THE PERIOD ENDING 31 MAY 2017**File Number:** 08/06/001**Author:** Lorraine Jackson, Finance Officer**Authoriser:** Sharon Morrison, Director Corporate Services**Attachments:** 1. FINANCE REPORT FOR THE PERIOD ENDING 31 MAY 2017**RECOMMENDATION**

That Council:

1. receives and notes the 'Finance report for the period ending 31 May 2017'
2. approves budget revisions included in the report for internal reporting purposes only

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 May 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.

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

- splitting of parcels into new rateable assessments
- development of vacant or unproductive land (urban and rural)
- consolidation of separate rateable assessments into one assessment
- re-assessment of property valuations arising from objections to the initial valuation
- additions and cancellations of licences (grazing and water frontages)
- change of use
- covenant on Title
- area amendment
- change of Australian Valuation Property Classification Code (AVPCC)
- supplementary valuation corrections.

ISSUES/DISCUSSION

Projected Actual Surplus - Council's budgeted cash surplus has decreased from \$1.95M to \$1.8M. Reasons are provided below.

Income Statement (Revenue) - Council's year to date (YTD) operating revenue is at 82% of YTD budget. The revised budget has changed by \$4.1M due to 2017/18 Grants Commission funding being paid in advance in June.

Income Statement (Expenditure) - Council's operating expenditure is at 100% of YTD budget. The main variation is within materials, services and contractors. These areas are within the reporting variation threshold and are less than \$150K each. Payments for this month totalled just over \$2.5M, compared to \$2.5M last month.

Capital Works - The revised budget for capital works is \$17.7M and is 39% complete in financial terms (39% at the end of April) for the current financial year. 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, recreation, leisure and community facilities, parks, open space and streetscapes and footpaths, with many projects behind expected timing.

Balance Sheet - Council has a \$19.5M cash total with \$3.5M in general accounts. Debtors are just over \$1.4M which is a decrease of \$0.5M since the last report. Sundry debtors total \$432K with invoices outstanding for 60 or more days relating to community wellbeing debtors and local community groups totalling approximately \$18K.

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

Superannuation Advice - An update was also received for Vision Super in regards to the 31 March 2017 VBI which is estimated at 106.6%. This is higher than the 100.0% required of the fund.

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 2017/96

Moved: Cr Cheryl McKinnon

Seconded: Cr Gavan Holt

That Council:

1. receives and notes the 'Finance report for the period ending 31 May 2017'
2. approves budget revisions included in the report for internal reporting purposes only

CARRIED

UNCONFIRMED

8.3 REVIEW OF DELEGATIONS, APPOINTMENTS AND AUTHORISATIONS

File Number: 18/01/003

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

Authoriser: Phil Pinyon, Chief Executive Officer

Attachments: 1. Instrument of Delegation - Members of Staff
2. Instrument of Appointment and Authorisation

RECOMMENDATION

That Council

1. In the exercise of the powers conferred by section 98(1) of the Act and the other legislation referred to in the attached instrument of delegation, resolves that:
 - (a) There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached Instrument of Delegation to members of Council staff, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.
 - (b) The instrument comes into force immediately the common seal of Council is affixed to the instrument.
 - (c) On the coming into force of the instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked.
 - (d) The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.
2. In the exercise of the powers conferred by section 224 of the Act and the other legislation referred to in the attached instruments of appointment and authorisation, resolves that:
 - (a) The members of Council staff referred to in the instruments be appointed and authorised as set out in the instruments.
 - (b) The instruments come into force immediately the common seal of Council is affixed to the instruments, and remain in force until Council determines to vary or revoke them.
 - (c) The instruments be sealed.
3. Revokes all existing Instruments of Appointment and Authorisation (Planning and Environment Act 1987), effective from the date that the CEO approves the new instrument as attached.

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 updates contained in this report have not been discussed by Council.

BACKGROUND

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

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

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

ISSUES/DISCUSSION

The attached amended delegations have been updated in accordance with most recent advice provided by Maddocks and changes have also been made as a result of the addition of a dedicated Municipal Building Surveyor.

The attached Instrument of Appointment and Authorisation under the Planning and Environment Act 1987 and associated request for revocation is submitted for approval due to the staffing changes, including the resignation of Ian McLauchlan and the filling of the position of Director Operations on an acting basis until a permanent appointment has been made.

COST/BENEFITS

Adoption of the recommendation will not have any financial impacts.

RISK ANALYSIS

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

CONSULTATION AND ENGAGEMENT

The supervisors of the relevant staff were consulted about the changes to be made.

RESOLUTION 2017/97

Moved: Cr Geoff Curnow
Seconded: Cr Colleen Condliffe

That Council

1. In the exercise of the powers conferred by section 98(1) of the Act and the other legislation referred to in the attached instrument of delegation, resolves that:
 - (a) There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached Instrument of Delegation to members of Council staff, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.
 - (b) The instrument comes into force immediately the common seal of Council is affixed to the instrument.
 - (c) On the coming into force of the instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked.
 - (d) The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.
2. In the exercise of the powers conferred by section 224 of the Act and the other legislation referred to in the attached instruments of appointment and authorisation, resolves that:
 - (a) The members of Council staff referred to in the instruments be appointed and authorised as set out in the instruments.

(b) The instruments come into force immediately the common seal of Council is affixed to the instruments, and remain in force until Council determines to vary or revoke them.

(c) The instruments be sealed.

3. Revokes all existing Instruments of Appointment and Authorisation (Planning and Environment Act 1987), effective from the date that the CEO approves the new instrument as attached.

CARRIED

UNCONFIRMED

8.4 PROGRESS REPORT ON THE 2016 - 2017 ANNUAL INFRASTRUCTURE PROGRAM**File Number:** 14/01/001**Author:** Indivar Dhakal, Manager Technical Services**Authoriser:** Steven Phillips, A/Director Operations**Attachments:** Nil**RECOMMENDATION**

That Council receive and note this report on the progress of capital works projects, including footpath renewal works specific to Pyramid Hill, contained within the 2016 – 2017 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 approved the 2016 – 2017 Annual Infrastructure Program as submitted at the ordinary Council meeting held in May 2016.

At the February 2017 ordinary Council meeting, Cr Cheryl McKinnon raised concerns expressed by the Pyramid Hill community about the condition of footpaths in Pyramid Hill. At that meeting the Director Operations Ian McLauchlan, undertook to investigate the matter and report to Council. This report is the result of that investigation.

BACKGROUND

At the May 2016 ordinary Council meeting the Council approved the 2016 – 2017 Annual Infrastructure Program. This report is the result of investigating the status of the delivery of that program and specifically footpaths in Pyramid Hill. There are five footpath projects in Pyramid Hill that were programed within the 2016 – 2017 Annual Infrastructure Program. Four of the five footpath projects have been programed for rehabilitation to address their condition.

ISSUES/DISCUSSION

The 2016 – 2017 Annual Infrastructure Program contains four footpath renewal projects within Pyramid Hill business precinct to address their condition. These projects are as follows:

- TSI0408 Kelly St Pyramid Hill
- TSI0409 Victoria St Pyramid Hill
- TSI0410 Victoria St Pyramid Hill
- TSI0411 Victoria St Pyramid Hill

The total funding allocated to deliver the above four projects is \$518,000.

There has been a delay in delivering these projects due to a potential shortfall in the original funding allocation. Sufficient savings have now been identified across the 2016 – 2017 Annual Infrastructure Program and these projects are ready to be advertised for tender. Once a suitable contractor has been appointed, projects will be delivered.

There is also a project for a new footpath in Railway Ave Pyramid Hill to provide pedestrian access from Victoria St to the railway station.

- TSI0382 Railway Ave Pyramid Hill

This project has a funding allocation of \$88,139.

This project has been delayed due to the requirement for necessary approvals from VicTrack.

The following table details the progress of the 2016 – 2017 Annual Infrastructure Program.

Loddon Shire Council Annual Infrastructure Program 2016 - 2017

Status Update

Works Category	Status as of June 2017
Local Road Gravel Resheet	Complete
Local Road Shoulder Resheet	85% Complete
Local Road Construction - Asset Preservation	70% Complete
Local Road Construction - Amenity	About to be tendered, works to be done during 2017 Christmas School holidays
Township Street Improvements	30% Complete 10% Under Construction 10% Tender Awarded 50% About to be tendered
Urban & Township Drainage	80% Complete 20% to be completed after Wedderburn Streetscape
Local Bridges & Culverts	Complete with Council resolution of deferring Janevale Bridge to 2017/2018
Road Reseals	Complete

COST/BENEFITS

The proposed budget variation is within the overall approved 2016 – 2017 Annual Infrastructure Program allocation thus incurring no additional cost.

There is an expectation within the community that the above mentioned projects will be completed in the very near future.

RISK ANALYSIS

The risk associated with not executing the projects is that the future renewal need will increase and community's expectations will not be addressed.

CONSULTATION AND ENGAGEMENT

The proposal has been submitted after internal consultation within Technical Services Department of the Council, Acting Director Operations and the Manager Financial Services.

RESOLUTION 2017/98

Moved: Cr Cheryl McKinnon

Seconded: Cr Gavan Holt

That Council receive and note this report on the progress of capital works projects, including footpath renewal works specific to Pyramid Hill, contained within the 2016 – 2017 Annual Infrastructure Program.

CARRIED

8.5 PLANT AND EQUIPMENT PRIVATE HIRE POLICY

File Number: 18/01/001
Author: Sharon Morrison, Director Corporate Services
Authoriser: Phil Pinyon, Chief Executive Officer
Attachments: 1. Plant and equipment private hire policy

RECOMMENDATION

That the Plant and Equipment Private Hire Policy v2 be rescinded.

CONFLICT OF INTEREST

There is a direct conflict of interest for all Council staff members, including those involved in the preparation of this report. This conflict is due to the nature of the policy in question providing benefits to Council staff through making Loddon Shire plant and equipment available for private hire by Council staff at cost.

PREVIOUS COUNCIL DISCUSSION

The Plant and Equipment Private Hire Policy Version 2 (the policy) was adopted on 23 July 2012 and was due for review on 22 July 2016.

BACKGROUND

The purpose of the policy is to outline Council's policy and associated conditions relating to the private hire of Loddon Shire plant and equipment with the aim of:

- improving council plant and equipment utilisation and productivity and
- providing employees with the opportunity to hire Council plant and equipment for non-commercial purposes.

The policy provides for plant and equipment owned and operated by the Loddon Shire to be made available for private hire by Council staff, at cost, providing such hire does not interfere or impact upon Council's operations.

Section 95(1)(b) of the Local Government Act states that Council staff must act with integrity including avoiding conflicts of interest.

Section 65(2)(b) states that in performing the role of a Councillor, a Councillor must observe principles of good governance and act with integrity.

ISSUES/DISCUSSION

This policy was discussed by the Management Executive Group (MEG) on 10 August 2016 and it was decided to discuss the policy with Loddon Leaders. On 24 August 2016 the policy was discussed at Loddon Leaders where it was suggested that Council discontinue the practice and it was agreed to refer the policy to the Consultative Committee and obtain advice on insurance and IR impacts.

Shortly after these meetings MEG members became aware of several IBAC and Ombudsman reports on the topic.

In June 2016 the Victorian Ombudsman issued "A report on misuse of council resources" (see <https://www.ombudsman.vic.gov.au/Publications/Parliamentary-Reports/Investigation-into-the-misuse-of-council-resources>).

Case study 3, at paragraph 99, talks about a council officer using council assets at work for personal use in a context where it was implied that there was management support for the practice.

In paragraph 253 the Ombudsman states that in [using] council assets for his benefit the council officer breached section 95(1) of the Local Government Act in failing to act with integrity.

This report also refers to two fairly recent Independent Broad-based Anti-corruption Commission (IBAC) reports on a similar topic.

The May 2015 report "Local Government: Review of council works depots" (see <http://www.ibac.vic.gov.au/publications-and-resources/article/local-government-review-of-council-works-depots>) identifies common vulnerabilities in the operation of works depots. One of the four vulnerabilities was the management of small plant and equipment. On page 4 IBAC states:

"Overall, the review found that there were significant deficiencies in the management of small plant and equipment at depots. In particular, one council allowed for the private use of plant and equipment by staff. However, following IBAC's visit, that council acknowledged the issues raised and issued an immediate directive to cease the practice."

The March 2015 report "A review of integrity frameworks in six Victorian councils" (see <http://www.ibac.vic.gov.au/publications-and-resources/article/a-review-of-integrity-frameworks-in-six-victorian-councils>) also identified a risk area of misuse of assets and resources. The report stated on page 12:

"All but one of the staff codes of conduct stated the councils' expectations of staff accountability when using council assets and resources. Those five codes state that employees are responsible for using council property effectively and economically, and for official purposes only.

One section of the policy (3.1.3) refers to equipment hire to external community groups or organisations. This aspect of the policy is being incorporated into the revised Community Support Policy. In the interim, community groups or organisations are encouraged to contact Council to make arrangements for the use of council assets.

In light of the Ombudsman Report and the IBAC reports it is recommended that the policy be rescinded.

COST/BENEFITS

The benefit of rescinding the policy is that the observations of the Ombudsman and IBAC have been actioned. The purpose of the policy to maximise the use of council plant and equipment can still be achieved through the management of requests from the community and through the revised Community Support Policy.

RISK ANALYSIS

There is a significant risk that if Council chooses to retain the policy Council staff and Councillors would be in breach of the Local Government Act, and the Ombudsman and/or IBAC could investigate. Should this occur, there may be a significant public relations risk to Council. There is also a risk that some staff and the Union will object to the rescission of the policy on the basis that it removes a workplace entitlement. It is the view of the Management Executive Group that in light of the Ombudsman and IBAC reports, staff use of council assets can no longer reasonably be seen as a workplace entitlement.

CONSULTATION AND ENGAGEMENT

The policy was discussed by MEG on 10 August 2016 and Loddon Leaders on 24 August 2016. The rescission of the policy has been discussed by the Management Executive Group on 10 May 2017 and discussed at the Staff Consultative Committee on 18 May 2017.

RESOLUTION 2017/99

Moved: Cr Colleen Condliffe

Seconded: Cr Cheryl McKinnon

That the Plant and Equipment Private Hire Policy v2 be rescinded.

CARRIED

UNCONFIRMED

8.6 REVIEW OF REVENUE AND DEBT COLLECTION POLICY

File Number: 18/01/001

Author: Deanne Caserta, Manager Financial Services

Authoriser: Sharon Morrison, Director Corporate Services

Attachments: 1. Revenue and Debt Collection Policy v2

RECOMMENDATION

That Council adopts the Revenue and Debt Collection Policy v2

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 last approved version of the Revenue and Debt Collection Policy (the Policy) was in May 2015.

BACKGROUND

The purpose of the Policy is to provide guidance to the accounts receivable staff of the Loddon Shire Council to ensure sound credit management and recovery of sundry debtors in a timely manner.

ISSUES/DISCUSSION

The current version of the Policy was adopted on 26 May 2015, and was due for renewal by 26 May 2017.

The Policy addressed the important aspects of the revenue and debt collection process including:

- who has the responsibility for raising debtor invoices
- what is Council's trading terms
- provision of doubtful debts – where to refer
- what are the regular reporting requirements
- Heritage Interest Free Loan Scheme – where to refer
- Community Interest Free Loan Scheme – where to refer
- current taxation requirements
- current confidentiality requirements.

Council staff have reviewed the policy and have made one amendment clarifying that Council has a separate policy for the treatment of rate and rate related debtors.

COST/BENEFITS

There are no direct costs associated with the adoption of this policy.

RISK ANALYSIS

It is a Council function to raise charges in relation to works undertaken by Council. This policy outlines the principles within this process. The application of the policy, along with supporting procedures and other supporting documents, should help minimise risks.

CONSULTATION AND ENGAGEMENT

The document has been subject to the normal approval process of the policy review group and Management Executive Group prior to presentation in the Council Meeting Agenda.

RESOLUTION 2017/100

Moved: Cr Geoff Curnow

Seconded: Cr Cheryl McKinnon

That Council adopts the Revenue and Debt Collection Policy v2

CARRIED

UNCONFIRMED

8.7 ROAD MANAGEMENT PLAN REVIEW REPORT

File Number: 14/01/001

Author: Indivar Dhakal, Manager Technical Services

Authoriser: Steven Phillips, A/Director Operations

Attachments:

1. **Appendix 1 - Road Management Plan Administrative Amendments**
2. **Appendix 2 - Road Management Plan Grading Frequency Level Amendments**
3. **Appendix 3 - Road Management Plan Intervention Response Time Amendments**
4. **Appendix 4 - Road Management Plan 2014**
5. **Road Management Plan Review Report**

RECOMMENDATION

That Council:

- (a) Pursuant to the Road Management Act 2004 and the Road Management Regulations, resolve to publish the Road Management Plan Review Report
- (b) Note the officers' review of the intervention levels, grading frequency and response time to improve the standards of road maintenance and consequent cost implications

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

At its meeting held on 26 April 2017, Council resolved to provide by public notice the proposed amendments to the Road Management Plan (RMP). Council also resolved that a further report be provided on clause 8.2 of the RMP to allow consideration to be given to adjusting intervention levels so as to improve the standard of road maintenance and to provide advice on the consequent cost implications.

BACKGROUND

Pursuant to Section 54(5) of the Act and Section 8(3) of the Regulation, a Council that chooses to adopt the RMP is required to undertake a review of such plan within the period referred to in section 125(1) of the Local Government Act 1989 or, if that period is extended in accordance with section 125(4) of the Local Government Act 1989, within that extended period.

During a recent Shire tour by Councillors and staff, Councillors raised concerns regarding the maintenance and intervention levels of Sylvaterre Timms Lake Road. The then Director Operations, Ian McLauchlan and Manager Operations, Steve Phillips informed the Councillors that the corrugations on the road did not meet the intervention level set in Road Management Plan.

In the subsequent month, when Council was presented with the RMP proposed amendments, Councillors resolved to seek a further report regarding possible changes in the intervention levels and response timeframes along with advice to Council of the subsequent cost to Council of such changes.

ISSUES/DISCUSSION***Road Management Plan Review Report (Attachment 5)***

With the recent indoor and outdoor restructure within the organisation, it was necessary to revise the RMP to reflect the changes. Also, in 2015 Council purchased the "Reflect" software package to assist its maintenance management activity which is contained in the report (appendix 1) of this report.

The grading frequency on sealed road shoulders and formed roads was identified as requiring amendment (appendix 2), and the response times for intervention for pothole repairs on unsealed rural formed roads is recommended to be changed from 12 months to N/A (appendix 3). These changes are considered as a decrease in level of service and as per Council resolution 2017/69, notice in a public newspaper and government gazette has been provided and public comment sought.

An intervention level for setting the sight distance restriction for regulatory signs is proposed in the amendment as a higher priority in the risk matrix. Also, fallen branches and trees on footpaths have been identified as a new defect. These are considered as increase in level of service.

Review on intervention levels, grading frequency and response time

Councillors resolved to seek further information on the intervention levels and the response times for the defects currently identified in the RMP in the context of evaluating the cost of improving levels of service on its unsealed road network.

Council is responsible for 4,682km of road; this network is comprised of 919km of sealed road, 2,530km of unsealed gravel road, and 1,233km of formed & unformed road. Council currently undertakes its unsealed road grading and sealed road shoulder grading with 7 grading crews.

It should be noted that the intervention levels and response times contained in the RMP provide Council with a legal defence in the event that an incident occurs and a claim is made against Council for damages. Any alteration to defects and interventions could result in increased risk of non-compliance and hence the risk of an incident resulting in successful litigation.

Also relevant for consideration is that in addition to the RMP inspections:

- The maintenance grading program as per section 9.4.3 of the RMP provides for twice yearly inspection or grading of rural gravel collector and rural gravel access roads. Their condition is assessed against the RMP with the intention of preventing the road from reaching the intervention levels set in the RMP. This is additional to the surveillance inspections.
- In responding to a customer request informing of corrugations or potholes, the road is inspected and action is taken in accordance with the maintenance grading program and intervention levels of the RMP.

Whilst the corrugations on Sylvaterre Timms Lake Road did not meet the intervention standards of the RMP at the time, the road was however due for one of its twice yearly inspections or grades in accordance with the maintenance grading program and a grading crew was working its way towards the road to complete a grade before it reached intervention.

After discussions with the Manager Operations, possible alternative approaches, along with the associated costs are presented within this report. The following examples are provided to inform discussion and are not formal recommendations.

Table 1 comprises a number of amendments to the RMP defect intervention levels and response times for unsealed roads.

Table 1

Road Management Plan Intervention Level and Response Times

Response Times							
Item	Description	Existing	Possible Change/s	Impact	Document Reference	Remarks	Consequence
1	Potholes in unsealed road >150mm deep (Gravel collector and Gravel Access)	4 weeks	72 hours	Major	pg 30 - table 12.6	Impact on Operations finance and resources	More grading frequency
2	Potholes in unsealed roads, surface scours or rutting >100mm in depth or >300mm diameter	3 months	4 weeks	Major	pg 30 - table 12.6	Impact on Operations finance and resources	More grading frequency
3	Corrugations	6 months	4 weeks	Major	pg 30 - table 12.6	Impact on Operations finance and resources	More grading frequency
Intervention Levels							
Item	Description	Existing	Possible Change/s	Impact	Document Reference	Remarks	Consequence
4	Corrugations (intervention level)	>50mm for >200m length	>25mm for >100m length	Major	pg 30 - table 12.6	Impact on Operations finance and resources	More grading frequency

The above changes would require additional resources in order to be achievable. The changes would result in more frequent grading of the unsealed road network. Extra grading crews would be required to cover scheduled grading and reactive maintenance grading. The additional annual cost associated with a grading crew is as follows for one additional crew:

- additional grading crew annual cost \$840,000
- initial capital outlay to purchase require plant and equipment (only first year) \$920,000.

The exact number of grading crews required cannot be accurately estimated as it depends on the road maintenance issues that arise. It is possible that as many as 3 additional grading crews may be required to maintain compliance with a revised RMP. The possible changes identified are the major defects and covers majority of the road maintenance undertaken by Operations Department.

The above changes in intervention levels and response times are not recommended, as they will reduce the flexibility to respond to requests and increase the risk of litigation to Council.

Another possible approach is to alter the maintenance grading program frequency. This would almost eliminate the chances of reaching current intervention levels, enabling Council to respond

to defects before the specified timeframes in the RMP. Table 2 comprises possible changes to the maintenance grading program frequency.

Table 2

Road Management Plan Grading Frequency

Item	Description	Existing	Possible Change/s	Impact	Document Reference	Remarks	Consequence
1	Gravel Collector and Gravel Access Roads	Twice per year	Three times per year	Major	pg 18 - table 5	Impact on Operations finance and resources	More grading frequency
3	Gravel Minor	Once per year	No change	N/A	pg 18 - table 5		

Due to the sheer size of the unsealed road network, the increased service shown in the table above would require a minimum of 3 extra grading crews. The cost of three grading crews is as follows:

- additional 3 grading crews annual cost \$2,520,000
- initial capital outlay to purchase the required plant and equipment (first year only) \$2,760,000.

As a result of investigating the costs of possible revisions of intervention levels, timeframes and maintenance grading frequencies it is recommended to only undertake the amendments as presented in the Road Management Review Report, as any other amendments considered herein will require significant additional resources and budget increases.

COST/BENEFITS

There is no cost associated with the Road Management Plan Review Report. This is a statutory requirement as per the Act and the Regulation. However, there is significant cost associated with the other possible changes as discussed.

There are possible benefits of making changes to improved levels of service in terms of a potential increase in community satisfaction with unsealed road maintenance.

RISK ANALYSIS

There is a major risk associated with not adopting the review report. Council must undertake a review within the provisions of the Act and the Regulation and failing to do so will be a breach of the Act.

With regard to the review on the intervention levels, response times and frequency, any changes without the increase in resources will increase the risk of noncompliance and liability of legal actions taken against Council.

CONSULTATION AND ENGAGEMENT

The Road Management Plan Review Report has been prepared after consultation between Manager Technical Services, Manager Operations and Acting Director Operations. The proposed amendment in the review report has been published in newspaper and government gazette seeking public submissions.

The review on the intervention levels, response time and grading frequency is presented after discussions between Acting Director Operations, Manager Operations and Manager Technical Services.

RESOLUTION 2017/101

Moved: Cr Cheryl McKinnon

Seconded: Cr Geoff Curnow

That Council:

- (a) Pursuant to the Road Management Act 2004 and the Road Management Regulations, resolve to publish the Road Management Plan Review Report
- (b) Note the officers' review of the intervention levels, grading frequency and response time to improve the standards of road maintenance and consequent cost implications

CARRIED

UNCONFIRMED

8.8 ACCESS ON NANKERVILLS ROAD, CAMPBELLS FOREST**File Number:** 14/01/001**Author:** Indivar Dhakal, Manager Technical Services**Authoriser:** Steven Phillips, A/Director Operations**Attachments:** Nil**RECOMMENDATION**

That

1. Council resolve to remove the section of Nankervills Road between Campbells Road and Loddon Valley Highway at Campbells Forest from Council's Register of Public Roads.
2. The Department of Environment, Land, Water and Planning be advised that Council does not consent to the lease the road reserve to the adjacent landowner.
3. Council approve the installation of bollards to restrict vehicular access but allows unrestricted public pedestrian access on the road reserve.

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, Campbells Forest at the Council meeting held on January 2017. Council subsequently resolved to defer the proposed closure to seek further report on continued public access on Nankervills Road at the Council meeting held on April 2017.

BACKGROUND

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).

Council received 5 submissions of which 4 were objections and 1 was in support of road closure. The objections were primarily based on the need of the section of the road as a shortcut, fire access, stock movement and concerns around preservation of an old footbridge.

Council resolved to seek a further report on continued public access.

ISSUES/DISCUSSION

The adjacent property owner has shown interest in leasing the reserve if consent is provided by the Council. This process is however, carried out by DELWP. Under the Section 400 of the Land Act 1958, DELWP must get consent from Council in the form of Schedule 4 to declare that the road is unused and not required for public traffic.

In addition, DELWP will seek Council's consent and consult with Council regarding the required conditions of a lease. In a standard road reserve lease, public pedestrian access and fire access shall be maintained at all time. Only vehicular access to members of the public will be restricted.

The preferred option is to remove the section of road from Council's register of public roads but not agree to lease the road reserve and restrict vehicular access by the installation of bollards on both ends of the reserve. This will ensure pedestrian access but will restrict vehicular access on the section. However, there will be some relatively minor cost associated with the bollards' installation and ongoing maintenance of the infrastructure.

An alternative approach is that the road is removed from the Council's register of public roads and consent be provided to DELWP to lease the road reserve to the adjacent landowner subject to a lease condition that allows for and does not restrict public pedestrian access on the road reserve.

A further option would be to maintain the status quo; this will require the ongoing maintenance of the road as a rural formed road and will require the installation of a low flow culvert and suitable overflow structure or formation of a floodway.

COST/BENEFITS

The recommendation will incur a small cost of approximately \$1,000 to Council. This cost could be met by the Council's local road maintenance program.

The cost of installing a low flow culvert and suitable overflow structure or floodway would be approximately \$10,000 to \$50,000 depending on the requirements of the North Central Catchment Management Authority.

RISK ANALYSIS

There is no significant risk associated with the removal Nankervills Road from Council's register of public roads. The members of the public did raise concerns over fire safety. If the section of the road is to be leased, the road reserve can be required to have unlocked gates which can be opened for pedestrian and fire access at any time.

The option to not agree to the reserve being leased and the installation of bollards as suggested will allow pedestrian access whilst restricting vehicle access.

However, if public vehicular access is maintained without installing the culvert, it may impose significant risk to the safety of the road users.

CONSULTATION AND ENGAGEMENT

The issue has been discussed with the members of the public, Councillors during Council meeting and DELWP.

RESOLUTION 2017/102

Moved: Cr Colleen Condliffe

Seconded: Cr Geoff Curnow

That

1. Council resolve to remove the section of Nankervills Road between Campbells Road and Loddon Valley Highway at Campbells Forest from Council's Register of Public Roads.
2. The Department of Environment, Land, Water and Planning be advised that Council does not consent to the lease of the road reserve to the adjacent landowner.

CARRIED

8.9 BARRAPORT RECREATION RESERVE

File Number: 16/04/008

Author: Sharon Morrison, Director Corporate Services

Authoriser: Phil Pinyon, Chief Executive Officer

Attachments: 1. Barraport Recreation Reserve POZI map
2. Barraport Recreation Reserve Plan

RECOMMENDATION

That Council transfer Barraport Recreation Reserve to Alan Leslie Boyle for nil consideration and approve the affixing of the Council seal to any related documentation.

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

On 3 October 1951 the Shire of Gordon agreed to accept a gift of land from Mr F L Boyle. Barraport Recreation Reserve (the Reserve) was created in 1952.

BACKGROUND

By letter dated 12 November 1991 the Shire of Gordon asked Mr Boyle to indicate whether he would like the land transferred back to him. At the time, Council indicated that the land was of no use to Council nor was it likely it would be of value to Council in the future. Council further stated that it was unclear whether the Reserve had ever been used for its intended purpose.

ISSUES/DISCUSSION

Recently Council has been approached by Dorothy and Alan Boyle who have requested that Barraport Recreation Reserve be transferred to Alan Leslie Boyle, the son of F L Boyle. Mr and Mrs Boyle are concerned that the property is currently unused and the fences are in disrepair.

The property is currently owned by Council and valued at \$16,000.

Council does not have any strategic need for the property.

COST/BENEFITS

Some legal costs are associated with the transfer.

RISK ANALYSIS

There is a risk that Council will receive complaints about the maintenance of the Reserve should it remain in Council's ownership.

CONSULTATION AND ENGAGEMENT

The adjoining landowner has requested that the Reserve be transferred to them. Relevant Council staff have been consulted.

RESOLUTION 2017/103

Moved: Cr Colleen Condliffe

Seconded: Cr Gavan Holt

That Council transfer Barraport Recreation Reserve to Alan Leslie Boyle for nil consideration and approve the affixing of the Council seal to any related documentation.

CARRIED

UNCONFIRMED

9 INFORMATION REPORTS

9.1 BOORT BYPASS ROUTE

File Number: 14/01/001

Author: Indivar Dhakal, Manager Technical Services

Authoriser: Steven Phillips, A/Director Operations

Attachments: Nil

RECOMMENDATION

That Council note the progress regarding Boort bypass route study project.

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 at the April Ordinary Meeting as follows:

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.

BACKGROUND

Due to heavy volume of traffic on Lakeview Street, Boort, Council officers recommended to implement a permanent load restriction. There were a number of concerns raised by the local community members regarding the load restriction and safety of the residents if heavy vehicles were to be diverted on to the market precinct of the town. Council officers then recommended to the Council to undertake an investigation into the feasibility of a heavy vehicle bypass route in Boort to identify possible options, design and cost of the project.

ISSUES/DISCUSSION

A project brief is being prepared and will be finalised for consideration by Council at the 25 July 2017 meeting. There has been a delay in preparing the scope documents due to competing priorities.

In order to ensure that the project brief encompasses all matters required by Council, officers have commenced development of a scoping brief in consultation with Bendigo based consultants who may be interested in delivering the project.

Council will be kept informed with any further development in the process.

COST/BENEFITS

There is no cost associated with this report.

RISK ANALYSIS

There is no significant risk identified with this information report.

CONSULTATION AND ENGAGEMENT

Council officers are engaged with consultants who may have the capacity to deliver the bypass route study along with design and associated cost.

RESOLUTION 2017/104

Moved: Cr Cheryl McKinnon

Seconded: Cr Geoff Curnow

That Council note the progress regarding Boort bypass route study project.

CARRIED

UNCONFIRMED

9.2 STRATEGIC RISKS REPORT**File Number:** 02/02/001**Author:** Sharon Morrison, Director Corporate Services**Authoriser:** Phil Pinyon, Chief Executive Officer**Attachments:** Nil**RECOMMENDATION**

That Council receives and notes the Strategic Risks Report

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 receives quarterly Risk Management Reports following each Audit Committee meeting which includes strategic risks.

BACKGROUND

The Local Government Performance Reporting Framework has a requirement on Council to report six monthly its strategic business risks, their likelihood and consequence and risk minimisation strategies.

Below is the Risk Matrix as well as the Risk Definition Legend from Council's Risk Management Policy:

Risk Matrix

		Consequence criteria				
		1 – Insignificant	2 – Minor	3 – Moderate	4 – Major	5 – Catastrophic
		Overall Rating				
		Likelihood Criteria	A: Almost Certain	Medium (11)	High (16)	High (20)
B: Likely	Medium (7)		Medium (12)	High (17)	High (21)	Very High (24)
C: Possible	Low (4)		Medium (8)	Medium (13)	High (18)	High (22)
D: Unlikely	Low (2)		Low (5)	Medium (9)	Medium (14)	High (19)
E: Rare	Low (1)		Low (3)	Low (6)	Medium (10)	Medium (15)

Risk Definition Legend

Risk Color	Level	Description
	Low	Take reasonable steps to mitigate and monitor the risk. Institute permanent controls in the long term (may be administrative if hazard has low frequency, rare likelihood, and insignificant consequence).
	Medium	Take reasonable steps to mitigate the risk. Until elimination, substitution, or engineering controls can be implemented, institute administrative or personal protective equipment controls.
	High	Act immediately to mitigate the risk. Either eliminate, substitute, or implement engineering control measures.
	Very High	Act immediately to mitigate the risk. Either eliminate, substitute, or implement engineering control measures.

ISSUES/DISCUSSION

As part of the development of the 2017-2021 Council Plan, a number of strategic risks were identified.

These risks were assessed by Councillors and senior management staff at the Council forum on 13 June 2017 using Council's Risk Management Policy. The risk assessment and mitigation strategies are set out below.

Risk: Managing for population decline

Loddon Shire's population is in long-term decline and ageing faster than the rest of Victoria. Arresting these two trends will not result from adopting a 'business-as-usual' approach to the future. As leaders within the Shire, Council are at a fundamental fork in the road and need to honestly address the challenges facing the region: *"Are we managing the decline or going for growth?"*

Going for growth requires the bold pursuit of compelling vision of prosperous, vibrant and engaged communities. It requires the bold pursuit of tourism, economic development and demographic objectives designed to turn around the fortunes of the region.

This risk was also identified during the development of the 2013-2017 Council Plan and was assessed as:

- **Consequence:** Moderate
- **Likelihood:** Possible
- **Overall Rating:** Medium

Three risk mitigation strategies (CAR's – Corrective Action Requests) were identified to address the risk:

CAR 1	Officer	Status
Attracting businesses to Loddon Shire Council	Manager Executive and Commercial Services	In Progress Council has an officer dedicated to working with potential new businesses
CAR 2	Officer	Status
Adoption of the Settlement Strategy to facilitate the availability of housing blocks to attract residents	Manager Development and Compliance	In Progress The Settlement Strategy is currently being prepared.
CAR 3	Officer	Status
Improving streetscapes to improve the attractiveness of townships	Manager Technical Services	In Progress Wedderburn is currently undergoing streetscape improvements.
CAR 4	Officer	Status
Undertake a program of service delivery reviews to respond to changing levels of service	Director Corporate Services	In Progress A program of reviews has been scheduled for the next four years.

Risk: Federal and State Government Budgetary Pressures

Approximately two-thirds of Loddon Shire's budget is reliant upon state and federal government grants. With the Australia's economy facing fundamental challenges including an ageing population, declining consumerism and changing structural dynamics, government budgets are likely to remain under considerable stress into the foreseeable future. Consequently, opportunities for funding are likely to become more challenging and competition for funding is only likely to become more intense.

Such a likely outcome places pressure on Loddon Shire to maintain its excellent record at securing adequate financial support to deliver community amenities. Developing and communicating a compelling vision for the future will be critical to securing funding support in the future.

This risk was also identified during the development of the 2013-2017 Council Plan and was assessed as:

- **Consequence:** Minor
- **Likelihood:** Possible
- **Overall Rating:** Medium

Two risk mitigation strategies (CAR's – Corrective Action Requests) were identified during the development of the 2013-2017 Council Plan:

CAR 1	Officer	Status
Adoption of a Government Engagement Stakeholder Policy	Director Corporate Services	COMPLETE
CAR 2	Officer	Status
Annually review the Long Term Financial Plan to ensure that only current ongoing funding is included in the plan	Manager Finance	COMPLETE

As a result of the completed status of the Corrective Action Requests, the likelihood has been revised down from possible to unlikely resulting in a lower overall rating of low rather than medium.

- **Consequence:** Minor
- **Likelihood:** Unlikely
- **Overall Rating:** Low

Risk: Lack of Community Communication and Consultation

Facing external existential challenges and internal budgetary pressures, it's essential that Council be transparent with its communities and effectively communicate why the objectives and actions outlined in this plan are so necessary. Many people are resistant to change and the success of Council's plans are reliant on community understanding and buy-in to Council's vision for the future. Without such support, many Council initiatives are likely to be met with community resistance.

One risk mitigation strategy was identified to address the risk:

CAR 1	Officer	Status
Maintain section in Council Report template that requires commentary on consultation and engagement undertaken in relation to matters considered by Council	Manager Executive and Commercial Services	COMPLETE

- **Consequence:** Minor
- **Likelihood:** Unlikely
- **Overall Rating:** Low

Risk: Climate Variability

Loddon Shire is particularly vulnerable to volatile or sustained weather conditions such as floods or drought. Both extreme conditions represent challenges to agricultural output, tourism, regional prosperity and attractiveness, and to the upkeep of community infrastructure and amenities.

This risk was also identified during the development of the 2013-2017 Council Plan and was assessed as:

- **Consequence:** Insignificant
- **Likelihood:** Unlikely
- **Risk Rating:** Low

One risk mitigation strategy was identified to address this risk:

CAR 1	Officer	Status
Advocate on behalf of the community for secure piped water.	Chief Executive Officer	WORK IN PROGRESS Council is currently working with Grampians Wimmera Mallee Water and Goulburn Murray Water in securing piped water to communities and farmers in the Loddon Shire.

There was no change to the risk assessment.

COST/BENEFITS

The benefit of identifying strategic risks is to prepare Council for their occurrence.

RISK ANALYSIS

The identification and monitoring of Council's strategic risks should reduce the impact of those risks should Council encounter them in the future.

CONSULTATION AND ENGAGEMENT

The Council, with assistance from the Management Executive Group, assessed the new strategic risks at the Council Forum on 13 June 2017 and did not identify any further strategic risks.

RESOLUTION 2017/105

Moved: Cr Colleen Condliffe

Seconded: Cr Cheryl McKinnon

That Council receives and notes the Strategic Risks Report

CARRIED

UNCONFIRMED

10 COMPLIANCE REPORTS

10.1 ADOPTION OF COUNCIL PLAN 2017-2021

File Number: 02/02/003

Author: Sharon Morrison, Director Corporate Services

Authoriser: Phil Pinyon, Chief Executive Officer

Attachments: 1. Draft Council Plan 2017 to 2021
2. Council Plan Submission from Rod Poxon

RECOMMENDATION

That Council:

1. Thank Mr Rod Poxon for his submission
2. Amend the draft Council Plan in accordance with the proposals in this report
3. Adopt the Loddon Shire Council Plan 2017-2021
4. Forward a copy of the approved Council Plan to the Minister for Local Government

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 draft Council Plan was considered at the meeting on 26 April 2017 when Council resolved to advertise the draft for public comment.

BACKGROUND

Section 125 of the Local Government Act 1989 (The Act) 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 person has a right to make a submission under section 223 of The Act 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

Under section 223(1) of The Act, if a person is given a right to make a submission to the Council under this section (whether under this or any other Act)—

- a) the Council must publish a public notice—
 - (i) specifying the matter in respect of which the right to make a submission applies;
 - (ii) containing the prescribed details in respect of that matter;
 - (iii) specifying the date by which submissions are to be submitted, being a date which is not less than 28 days after the date on which the public notice is published;
 - (iv) stating that a person making a submission is entitled to request in the submission that the person wishes to appear in person, or to be represented by a person specified in the submission, at a meeting to be heard in support of the submission;
- b) if a request has been made under paragraph (a)(iv), the Council must—

- (i) provide the person with the opportunity to be heard in support of the submission in accordance with the request at a meeting of the Council or of a committee determined by the Council;
 - (ii) fix the day, time and place of the meeting;
 - (iii) give reasonable notice of the day, time and place of the meeting to each person who made a request;
- c) if the committee determined under paragraph (b)(i) is not responsible for making the decision in respect of which the submissions have been made, the committee must provide a report on its proceedings, including a summary of hearings, to the Council or the special committee which is responsible for making the decision;
- d) the Council or special committee responsible for making the decision must—
- (i) consider all the submissions made under this section and any report made under paragraph (c);
 - (ii) notify in writing, each person who has made a separate submission, and in the case of a submission made on behalf of a number of persons, one of those persons, of the decision and the reasons for that decision.

ISSUES/DISCUSSION

One written submission was made while informal feedback was received from a number of parties.

The author of the written submission was offered the opportunity to be heard in support of the submission at the Council Forum on 13 June 2017 but declined the opportunity.

The proposed responses to both the written submission and the informal feedback have been set out below and added to the draft Council Plan as tracked changes.

Submission: The only written submission was received from Mr Rod Poxon. A copy of the submission is attached. The submission suggests that:

“it’s essential for the new Loddon Council Plan to contain a commitment to Aboriginal Reconciliation, and the Plan ideally should outline the processes that Loddon will adopt to develop a Statement Of Reconciliation and associated aboriginal related policies.

- **Response:** added action and strategic indicator to the Council Plan Theme of Sustainability under the “Social sustainability” strategy as follows:

Action	Strategic Indicator
Develop a Reconciliation Action Plan at the ‘Reflect’ level	Acceptance of the Reconciliation Action Plan by Reconciliation Australia

Feedback: Feedback from staff, councillors and community groups suggested:

- inclusion of literacy data
 - **Response:** none – unable to locate Loddon specific data
- adding reference to libraries as lifestyle infrastructure
 - **Response:** none – included at a high level in 6.4.1
- adding Draft Library Plan 2017-2021 as an external document
 - **Response:** add at 4.1

- adding 'facilitating major partnerships within community' as an action in the sustainability theme and multipurpose facilities
 - **Response:** none – included at a high level in 6.4.4
- changing page 5 – paragraph 4 to insert Korong Vale, Laanecoorie and Eddington (these towns listed on top of the tourism event brochures being consistent)
 - **Response:** added at 2.1 paragraph 4
- changing page 5 – Loddon Shire is on 3 highways, Calder, Loddon Valley and Wimmera (Wimmera is a main route heading for South Australia, transport and travellers utilise this highway)
 - **Response:** added at 2.1 paragraph 6
- changing page 19 Natural resources to reference two main Parks - Terrick Terrick National Park and Kooyoora State Park (consider adding Kooyoora State Park into the document)
 - **Response:** added at 4.3 "Natural resources" heading
- changing page 19 Proximity and accessibility – consider adding Wimmera Highway as tourism from Bendigo, Melbourne and South Australia access our region via Wimmera Highway
 - **Response:** added at 4.3 "Proximity and accessibility"
- including reference to materials in draft Loddon and Buloke Education and Training Needs Analysis
 - **Response:** added action at 6.4.4 – "Work with the Local Learning and Employment Network to address employment, education and training opportunities"
- changing action for "Attractive housing policies" strategy to "Prepare Settlement Strategy to provide a suitable supply of residential land in and around towns" and changing the strategic indicators to "Provision of vacant land zoned for residential development in and around towns" and "New residential development in and around towns"
 - **Response:** added at 6.4.1
- add paragraph to explain the role of the Local Learning and Employment Network
 - **Response:** added at 4.3
- add reference to arterial roads in addition to major highways
 - **Response:** added at 2.1 and 4.3
- change "Continue to support provision of library services" to "Continue the provision of library services"
 - **Response:** added at page 6.4.3
- change "Actively promote policies and activities which facilitate community harmony and engagement" to "Actively promote policies and activities which facilitate community health, harmony and engagement" and add action and strategic indicator to incorporate Municipal Health and Wellbeing Plan
 - **Response:** added at 6.4.4
- update the Strategic Resource Plan to reflect the Victorian Grants Commission changes as outlined in the report on the Draft Budget.
 - **Response:** added at chapter 7

A tracked changes version of the Draft Council Plan noting the above responses is **attached**. A version with the tracked changes accepted and graphic design completed will be provided to the Minister.

COST/BENEFITS

Benefits in preparing a carefully drafted Council Plan are realised throughout the life of the plan. The plan will provide strategic direction for Council over the next four years and will ensure that the investment of Council's scarce resources is optimised.

RISK ANALYSIS

The Council Plan is the core document for Council activities over the next four years. Completion of the plan is a basic obligation prescribed to councils under the *Local Government Act 1989*.

CONSULTATION AND ENGAGEMENT

The Council Plan was on public notice for the period 1 May to 29 May. Significant consultation and engagement has occurred throughout its development and is documented in the draft plan.

RESOLUTION 2017/106

Moved: Cr Geoff Curnow

Seconded: Cr Cheryl McKinnon

That Council:

1. Thank Mr Rod Poxon for his submission
2. Amend the draft Council Plan in accordance with the proposals in this report
3. Adopt the Loddon Shire Council Plan 2017-2021
4. Forward a copy of the approved Council Plan to the Minister for Local Government

CARRIED

10.2 MAY 2017 AUDIT COMMITTEE MEETING OVERVIEW

File Number: 06/02/003

Author: Sharon Morrison, Director Corporate Services

Authoriser: Phil Pinyon, Chief Executive Officer

Attachments:

1. Minutes of February 2017 Audit Committee Meeting
2. Follow Up of Agreed Actions from Prior Year Internal Audit Reports
3. Review of Salary Oncost Rate, Project Costing and Budgeting Process
4. Outstanding Actions Report May 2017
5. Internal Audit Program 2015-2019 (2017-2018 focus)
6. External Audit Strategy
7. Audit Committee Charter
8. Performance Reporting Framework
9. Risk Management Report

RECOMMENDATION

That Council:

1. receives and notes the February 2017 Audit Committee Meeting Report
2. endorses the performance improvement recommendations documented in the:
 - (a) Follow up of Agreed Actions from Prior Year Internal Audit Reports and
 - (b) Review of Salary Oncost Rate, Project Costing and Budgeting Process
3. receives and notes the Outstanding Actions Report May 2017
4. receives and notes the Internal Audit Plan
5. receives and notes the External Audit Strategy
6. endorses the Audit Committee Charter version 5
7. endorses the Performance Reporting Framework version 2
8. receives and notes the Risk Management Report

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 a summary of the February 2017 Audit Committee Meeting at the Ordinary Meeting held on 28 February 2017.

BACKGROUND

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

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

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

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

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

ISSUES/DISCUSSION

The agenda for the May 2017 meeting included the following:

Appointment of the Chair

Mr Ken Belfrage was elected chair of the Audit Committee for the next 12 months. This election was adopted by Council at the May 2017 Council meeting.

Review of the Follow up of Agreed Actions from Prior Year Internal Audits undertaken in March 2017 (the Follow Up Review)

Mr Mark Holloway of HLB Mann Judd provided a report on the findings of the Follow Up Review.

There were 39 recommendations reviewed from six previous audits. It was noted that Council has addressed 19 recommendations and has plans for the remaining recommendations to be completed by December 2017.

The Audit Committee noted that staff workloads must be managed in achieving completion of actions as part of their workplace duties and functions.

Review of Salary Oncost Rate, Project Costing and Budgeting Process (the On Cost Review)

Mr Mark Holloway of HLB Mann Judd provided a report on the findings of the On Cost Review.

There were 3 risks identified and all were assessed with a high risk rating.

The Audit Committee noted that while the review seemed clinical, it was acknowledged that the recommendations will assist in improving internal accounting and reporting.

Outstanding Actions Report

Director Corporate Services Sharon Morrison provided a report on outstanding audit actions. It was noted that since the August 2016 Audit Committee meeting, 35 actions have been completed and new software is currently being installed to more easily monitor and report on audit actions.

The Audit Committee noted that a streamlined report in the future would be welcomed.

Internal Audit Plan

Mr Mark Holloway of HLB Mann Judd provided a copy of the Internal Audit Plan 2015-2019 (2017-2018 focus).

The Audit Committee agreed that the proposed reviews would benefit Council.

External Audit Strategy

Mr Martin Thompson of Crowe Horwath discussed the External Audit Strategy and indicated that the main areas of focus would be Related Parties Disclosure and Enhanced Auditor's Report.

The Audit Committee noted the main areas of focus.

Audit Committee Charter

The Audit Committee Charter was discussed and it was noted that its references to individuals could be included in an Appendix to the Charter. This change has been made and is attached to this report with the suggested changes.

Loddon Performance Reporting Framework

The Audit Committee considered version 2 of the Loddon Performance Reporting Framework.

The Committee noted the proposed Reporting Framework.

Performance Survey Summary for 2016/17

The Committee members considered and noted the results of the survey.

Draft Council Plan

Director Corporate Service Sharon Morrison provided an overview of the draft Council Plan 2017-2021.

The Committee particularly noted the importance of a volunteer strategy.

Draft Budget

Manager Financial Services Deanne Caserta provided an overview of the draft Budget 2017/18.

The Committee noted that an increase in valuations does not improve rate revenue to Council due to the overall rate cap applied by the State Government.

Monthly Finance Report for January 2017

The committee noted the report for the period ending 30 April 2017.

Risk Management Report

The committee considered the report and noted there are 9 high risks outstanding, many of which relate to the new Child Safe Standards which are currently being addressed.

Other agenda items

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

- staff presentation
- fraud report
- major lawsuits report

Next review

The next internal audit is scheduled to commence 10 July and will review Occupational Health and Safety.

COST/BENEFITS

There are costs associated with the Audit Committee and internal audit function.

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

The benefits that the internal audit function provides Council are:

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

- a reduction in risk in areas relating to audit reviews.

RISK ANALYSIS

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

CONSULTATION AND ENGAGEMENT

Nil

RESOLUTION 2017/107

Moved: Cr Geoff Curnow

Seconded: Cr Cheryl McKinnon

That Council:

1. receives and notes the February 2017 Audit Committee Meeting Report
2. endorses the performance improvement recommendations documented in the:
 - (a) Follow up of Agreed Actions from Prior Year Internal Audit Reports and
 - (b) Review of Salary Oncost Rate, Project Costing and Budgeting Process
3. receives and notes the Outstanding Actions Report May 2017
4. receives and notes the Internal Audit Plan
5. receives and notes the External Audit Strategy
6. endorses the Audit Committee Charter version 5
7. endorses the Performance Reporting Framework version 2
8. receives and notes the Risk Management Report

CARRIED

10.3 SECTION 86 COMMITTEE OF MANAGEMENT MEMBERSHIP DETAIL-WEDDERBURN ENGINE PARK

File Number: 02/01/048
Author: Sharon Morrison, Director Corporate Services
Authoriser: Phil Pinyon, Chief Executive Officer
Attachments: Nil

RECOMMENDATION

That Council appoints the persons named in this report as members of the Wedderburn Engine Park 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. Ms Michelle Hargreaves is involved in the subject matter of the report but has not been involved in its preparation. The interest has been declared in a primary return.

PREVIOUS COUNCIL DISCUSSION

Council approved the current list of committee members for Wedderburn Engine Park Committee of Management on 28 June 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

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

Name	Organisation
Bruce Hargreaves	President-Community member
Michelle Hargreaves	Secretary-Community member
Neville White	Wedderburn Historical Engines & Machinery Club
Peter Norman	Wedderburn Historical Engines & Machinery Club
Glenn Harrison	Wedderburn Men's Shed
Frank Cinquegrana	Wedderburn Men's Shed

The Council representative for this committee is Councillor Gavan Holt.

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 2017/108

Moved: Cr Colleen Condliffe

Seconded: Cr Cheryl McKinnon

That Council appoints the persons named in this report as members of the Wedderburn Engine Park Section 86 Committee of Management, effective immediately.

CARRIED

**10.4 SECTION 86 COMMITTEE OF MANAGEMENT MEMBERSHIP DETAIL-DINGEE
PROGRESS ASSOCIATION**

File Number: 02/01/017

Author: Michelle Hargreaves, Administration Officer

Authoriser: Sharon Morrison, Director Corporate Services

Attachments: Nil

RECOMMENDATION

That Council appoints the persons named in this report as members of the Dingee Progress Association 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 Dingee Progress Association Committee of Management on 15 December 2015.

BACKGROUND

Current Section 86 committee instruments of delegations include Clause 3.6 which outlines the requirement for nomination and appointment of committee members, which is as follows:

Members and Office Bearers of the Committee

At the Annual General Meeting each year nominations shall be called for proposed members of the committee. The committee must then elect from its proposed members the following office bearers:

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

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

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

For community based committees, 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

Dingee Progress Association is a community based committee with preferred representation requiring at least 6 community representatives. The following is a list of nominated representatives for the Committee which meets the minimum requirement:

Name	Position
John Gledhill	President
Robert Plant	Vice President
Wendy McCormick	Secretary
Pam Plant	Treasurer
Frank Winzar	Committee Member
John Martin	Committee Member
Sharon Martin	Committee Member
Marg Gledhill	Committee Member
Neil Stepien	Committee Member
Sharlene Crage	Committee Member
Paul Condliffe	Committee Member
David Lakeman	Committee Member
Keith Pratt	Committee Member
Julie Beck	Committee Member
Charlie Matarazzo	Committee Member
Barb Pratt	Committee Member
Jean Hellsten	Committee Member

Council officers recently met with members of the Committee of Management to discuss alternative governance arrangements. While these arrangements are being established it is proposed to reappoint the members to ensure continued insurance coverage in accordance with the delegation.

The Council representative for this committee is Councillor Cheryl McKinnon

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 2017/109

Moved: Cr Colleen Condliffe

Seconded: Cr Cheryl McKinnon

That Council appoints the persons named in this report as members of the Dingee Progress Association Section 86 Committee of Management, effective immediately.

CARRIED

UNCONFIRMED

10.5 SECTION 86 COMMITTEE OF MANAGEMENT MEMBERSHIP DETAILS-INGLEWOOD RIDING CLUB

File Number: 02/01/049

Author: Michelle Hargreaves, Administration Officer

Authoriser: Sharon Morrison, Director Corporate Services

Attachments: Nil

RECOMMENDATION

That Council appoints the persons named in this report as members of the Inglewood Riding Club 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 Inglewood Riding Club Committee of Management on 27 January 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

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

Name	Position
Emma Donaldson	President
Leigh Howard	Secretary
Brie Williams	Treasurer
Vhonda Pettit	Committee Member
Carey Imms	Committee Member
Susan Roberts	Committee Member

The Council representative for this committee is Councillor Colleen Condliffe.

Council officers recently met with members of the Committee of Management as well as members of the Inglewood Car Club to discuss alternative governance arrangement for the facility managed by the Committee of Management. While these arrangements are being established it is proposed to reappoint the Inglewood Riding Club members to ensure continued insurance coverage in accordance with the delegation.

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 2017/110

Moved: Cr Colleen Condliffe

Seconded: Cr Cheryl McKinnon

That Council appoints the persons named in this report as members of the Inglewood Riding Club Section 86 Committee of Management, effective immediately.

CARRIED

10.6 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:

- Lease between Loddon Shire Council (as Landlord) and Inglewood and Districts Community Enterprises for premises at 64 Brooke Street Inglewood

RESOLUTION 2017/111

Moved: Cr Cheryl McKinnon

Seconded: Cr Gavan Holt

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

10.7 DINGEE BUSHLAND RESERVE**File Number:** 19/01/010**Author:** Sharon Morrison, Director Corporate Services**Authoriser:** Phil Pinyon, Chief Executive Officer**Attachments:**

1. Letter from DELWP
2. Plan of Proposed Dingee Walking Track
3. Dingee Community Plan 2017 Revised Edition

RECOMMENDATION

That Council apply in writing to become the Committee of Management for Crown Allotments 2015, 2016, 2017, 141, 143 and 145.

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

None

BACKGROUND

Council recently applied to Department of Environment, Land, Water & Planning (DELWP) for consent for a walking track, culvert works and seating at the Dingee Bushland Reserve.

The area is adjacent to the Dingee Recreation Reserve. Attached is a map identifying the proposed walking track on both the Dingee Bushland Reserve (Crown Allotments 2015, 2017 and 145) and the Dingee Recreation Reserve (2016, 141 and 143).

A letter has been received from DELWP asking that Council become the Committee of Management for Crown Allotments 2015, 2016, 2017, 141, 143 and 145. Attached is a copy of the letter.

ISSUES/DISCUSSION

The proposed track has been identified in Dingee Community Plan (attached) as a high priority.

As part of the project Council will need to:

- apply in writing to become the Committee of Management for the reserve
- obtain advice from Aboriginal Victoria prior to commencing works
- not remove native vegetation during works
- manage earthmoving equipment to reduce the spread of weeds
- obtain a Minor Works Agreement from Parks Victoria

COST/BENEFITS

Establishment, auditing and maintenance of the track is within Council's tracks and trails budget.

RISK ANALYSIS

One of the key risks is the cost associated with becoming a Committee of Management. This risk has been addressed through the provision of a budget for the maintenance of the reserve as well as the involvement of the Dingee community in the management of the walking track.

CONSULTATION AND ENGAGEMENT

Council has been working with the community for some years to develop this track and the Progress Association is fully supportive of the project. The Department of Sustainability and Environment and Parks Victoria are also supportive of the project and have endorsed it.

RESOLUTION 2017/112

Moved: Cr Cheryl McKinnon

Seconded: Cr Colleen Condliffe

That Council apply in writing to become the Committee of Management for Crown Allotments 2015, 2016, 2017, 141, 143 and 145.

CARRIED

11 GENERAL BUSINESS**URGENT BUSINESS****RESOLUTION 2017/113**

Moved: Cr Cheryl McKinnon

Seconded: Cr Colleen Condliffe

That the following items be treated as urgent business

CARRIED**MOTION****RESOLUTION 2017/114**

Moved: Cr Colleen Condliffe

Seconded: Cr Cheryl McKinnon

That Council grants a leave of absence to Cr Holt and Cr Curnow for the next Council meeting.

CARRIED**PASSING OF WAYNE SMITH**

Cr Beattie asked Council officers to send a sympathy card from Council to the family of Wayne Smith of Boort, who passed away on the weekend, and had worked a lot with Council in the past.

12 CONFIDENTIAL ITEMS

Closing of Meeting to the Public

RESOLUTION 2017/115

Moved: Cr Geoff Curnow

Seconded: Cr Gavan Holt

That the meeting be closed to the public at 4.15pm.

CARRIED

RESOLUTION 2017/116

Moved: Cr Geoff Curnow
Seconded: Cr Cheryl McKinnon

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 Disposal of excess Council land

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.

12.3 Future Operation of Blue Eucy Museum

This matter is considered to be confidential under Section 89(2) - (a) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with personnel matters.

12.4 MAV Electricity Small Tariff Tender

This matter is considered to be confidential under Section 89(2) - (d) 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 contractual matters.

12.5 Provision for Cleaning Services at Loddon Shire Council Offices, Depot, Public Toilets, BBQs & Surrounds

This matter is considered to be confidential under Section 89(2) - (d) 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 contractual matters.

CARRIED

RESOLUTION 2017/117

Moved: Cr Geoff Curnow
Seconded: Cr Gavan Holt

That the meeting be re-opened to the public 4.52pm.

CARRIED

NEXT MEETING

The next Ordinary Meeting of Council will be held on 25 July 2017 at Serpentine commencing at 3pm.

There being no further business the meeting was closed at 4.52pm.

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

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CHAIRPERSON

UNCONFIRMED