



Date: Tuesday, 23 June 2020
Time: 3pm
Location: Council office, Wedderburn
Public access via audio live stream

MINUTES

Ordinary Council Meeting

23 June 2020

**MINUTES OF LODDON SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL OFFICE, WEDDERBURN
ON TUESDAY, 23 JUNE 2020 AT 3PM**

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

IN ATTENDANCE: Phil Pinyon (Chief Executive Officer)

Via videoconference: Wendy Gladman (Director Community Wellbeing),
Lynne Habner (Manager Executive and Commercial Services), Sharon
Morrison (Director Corporate Services), Steven Phillips (Director Operations)

OPENING COMMENT

This meeting is being conducted in accordance with the Local Government Act 2020 as temporarily amended to enable meeting by electronic means of communication.

This meeting is being recorded and audio streamed via the Council website and Facebook.

1 OPENING PRAYER

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

2 ACKNOWLEDGEMENT OF COUNTRY

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

3 APOLOGIES

Nil

4 DECLARATIONS OF CONFLICT OF INTEREST

Nil

5 PREVIOUS MINUTES**5.1 CONFIRMATION OF MINUTES****File Number:** 02/01/001**Author:** Lynne Habner, Manager Executive and Commercial Services**Authoriser:** Phil Pinyon, Chief Executive Officer**Attachments:** Nil**RECOMMENDATION**

That Council confirm:

1. The minutes of the Council Briefing of 26 May 2020
2. The minutes of the Ordinary Council Meeting of 26 May 2020
3. The minutes of the Council Forum of 9 June 2020

REPORT

Seeking approval of the unconfirmed minutes of the previous meetings.

RESOLUTION 2020/63

Moved: Cr Neil Beattie

Seconded: Cr Colleen Condliffe

That Council confirm:

1. The minutes of the Council Briefing of 26 May 2020
2. The minutes of the Ordinary Council Meeting of 26 May 2020
3. The minutes of the Council Forum of 9 June 2020

CARRIED

6 REVIEW OF ACTION SHEET**6.1 REVIEW OF ACTIONS****File Number:** 02/01/002**Author:** Christine Coombes, Executive and Commercial Services Officer**Authoriser:** Phil Pinyon, Chief Executive Officer**Attachments:** 1. Action sheet**RECOMMENDATION**

That Council receive and note the action sheet.

CONFLICT OF INTEREST

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

REPORT

Refer attachment.

RESOLUTION 2020/64

Moved: Cr Colleen Condliffe

Seconded: Cr Geoff Curnow

That Council receive and note the action sheet.

CARRIED

7 MAYORAL REPORT**7.1 MAYORAL REPORT****File Number:** 02/01/001**Author:** Lynne Habner, Manager Executive and Commercial Services**Authoriser:** Phil Pinyon, Chief Executive Officer**Attachments:** Nil**RECOMMENDATION**

That Council receive and note the Mayoral Report

REPORT

The Mayor will present a report at the meeting.

Cr McKinnon**North Central Goldfields Regional Library**

Section 86 Committees: East Loddon Community Centre Committee of Management, Pyramid Hill Memorial Hall Committee of Management, Pyramid Hill Swimming Pool Committee of Management and Reserve Committee of Management

Nature Tourism Advisory Team**Other Council activities**

DATE	Activity
22/5/20	GRL Zoom meeting
	WIN News interview in Pyramid Hill regarding streetscape funding
25/5/20	Chaired the Loddon Shire Relief and Recovery Committee meeting on Webex with around 23 external organisations taking part, identifying issues and sharing networks and resources.
26/5/20	Council meeting via Webex – I attended the Wedderburn office
2/6/20	NCLLEN Board meeting via Zoom
3/6/20	Pandemic Community Reference Group meeting on Webex – around 25 participants representing 17 local community groups. I welcomed everyone and expressed appreciation for their participation, then left Sarah and Allan

	to conduct the meeting
4/6/20	MRGC met via “go to meeting’ with rail, power grids and water continuing to be priorities
5/6/20	Spoke on ABC Radio about the MASH project with CVGA – “More Australian Solar Homes”
6/6/20	ABC radio interview on the Food Purveyor partnership – an online shop for Loddon Valley produce
9/6/20	Council Forum in Wedderburn in person
18/6/20	Pyramid Hill swimming pool committee meeting over dinner at the Pyramid Hill hotel – a nice change from virtual meetings
12/6/20	I joined the students at St Patricks Primary School in Pyramid Hill to celebrate Philippines Independence Day
19/6/20	Loddon Campaspe Councils Zoom meeting
22/6/20	WIN TV Zoom interview regarding setting local government boundaries to manage COVID19
	Pandemic Relief and Recovery meeting via Webex
	PHHS dinner meeting at Pyramid Hill hotel

RESOLUTION 2020/65

Moved: Cr Cheryl McKinnon

Seconded: Cr Colleen Condliffe

That Council receive and note the Mayoral Report

CARRIED

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

That Council receive and note the Councillors' reports

REPORT

Each Councillor will present a report at the meeting.

Cr Beattie

Murray Darling Association	
Rail Freight Alliance	
GMW Connections Project:	
Section 86 Committees: Boort Aerodrome Committee of Management, Boort Development Committee Inc., Boort Memorial Hall Committee of Management, Boort Park Committee of Management, 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	
Other Council activities	
DATE	Activity
26/5/20	Council meeting
1/6/20	Attended Boort Tourism Development Committee meeting
2/6/20	Phone hookup with Jacinta Allan MP to talk about rural small business closing due to COVID19

9/6/20	Council Forum at Wedderburn
16/6/20	Boort Park meeting and trotting club
22/6/20	Travelled to Beaufort for meeting with GWM Water with CEO and Cr Holt
23/6/20	Council meeting Wedderburn

Cr Condliffe

Calder Highway Improvement Committee	
Section 86 Committees: Bridgewater on Loddon Development Committee of Management, Campbells Forest Hall Committee of Management, Inglewood Community Sports Centre Committee of Management, Inglewood Lions Community Elderly Persons Units Committee of Management, Inglewood Town Hall Hub Committee of Management, Jones Eucalyptus Distillery Site Committee of Management	
Australia Day Committee	
Central Victorian Greenhouse Alliance	
Central Victoria Rural Women's Network	
Healthy Minds Network	
17/6/20: Healthy Minds Network meeting Serpentine	
Loddon Youth Committee	
Other Council activities	
DATE	Activity
26/5/20	Inglewood and District Community Bank Board meeting
2/6/20	NLLN meeting Charlton

4/6/20	Loddon Plains Landcare meeting online
9/6/20	Council Forum Wedderburn
12/6/20	WOFG Inglewood
15/6/20	DBNC Board Meeting, Dingee
18/6/20	WHLM Board Meeting online
23/6/20	Council meeting, Wedderburn

Cr Curnow

Loddon Mallee Waste Resource Recovery Group	
Section 86 Committees: Kingower Development and Tourism Committee	
Municipal Emergency Management Plan Committee and Municipal Fire Management Plan Committee	
Other Council activities	
DATE	Activity
9/6/20	Council Forum, Wedderburn

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 Committee of Management	
Audit Committee	
Other Council activities	
DATE	Activity
2/6/20	Met with Director Operations Steven Phillips to discuss issue with the upgrade of High Street Wedderburn west side footpath
9/6/20	Attended Council Forum in Wedderburn
12/6/20	Participated in Rural Councils Victoria Executive Committee meeting via video link
16/6/20	Attended Wedderburn Harness Racing Club committee meeting
22/6/20	With Cr Beattie and CEO, met at Beaufort with Chairman Peter Vogel and CEO Mark Williams of Grampians Wimmera Mallee Water to discuss the issue of recreational water for Skinners Flat Reservoir.

RESOLUTION 2020/66

Moved: Cr Gavan Holt

Seconded: Cr Neil Beattie

That Council receive and note the Councillors' reports

CARRIED

9 DECISION REPORTS

9.1 ADOPTION OF THE 2020/21 BUDGET

File Number: 07/01/001

Author: Deanne Caserta, Manager Financial Services

Authoriser: Sharon Morrison, Director Corporate Services

Attachments: 1. 2020/21 Fees and Charges Schedule
2. 2020/21 Budget

RECOMMENDATION

1. That Council:
 - (a) having advertised the Draft Budget and having received one submission, adopt the 2020/21 Budget.
 - (b) having advertised the Draft Fees and Charges Schedule and having received no submissions, adopt the 2020/21 Fees and Charges Schedule.
 - (c) update the Strategic Resource Plan in the Council Plan 2017-2021 to reflect figures included in the 2020/21 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 2020/21 Draft Budget at a Council Forum on Tuesday 16 April 2020.

Council resolved to advertise the Draft Budget at a Council Meeting on Tuesday 28 April 2020.

BACKGROUND

The Draft Budget was placed on public display for 28 days from Saturday 2 May 2020 until Friday 29 May 2020, 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 on Council's website and a printed copy posted to ratepayers where requested.

Advertisements were placed in the Bendigo Advertiser on Saturday 2 May and Saturday 9 May 2020. As the Loddon Times is currently not printing, advertising was not available in this newspaper.

ISSUES/DISCUSSION

One submission was received during the public display period. This was not targeted at any item within the budget directly, but more a request to ensure that the rating burden was fair and equitable for rural ratepayers.

During the advertisement period Council received notification and prepayment of 50% of 2020/21 funding from the Victoria Grants Commission, this has resulted in adjustments to the relevant areas within the budget document but leaves the same cash surplus result.

Other minor formatting changes have also been made but no adjustments to the budgeted financials. Due to changes in the valuation cycle it is intended to remove the valuation reserve during the financial year. However, this reserve remains in the budget as it reflects current policy.

The fees and charges document did not received any submissions but due to the introduction of a new service, will have a tourism website subscription fee included.

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 2020/21 Budget.

RESOLUTION 2020/67

Moved: Cr Neil Beattie

Seconded: Cr Colleen Condliffe

1. That Council:
 - (a) having advertised the Draft Budget and having received one submission, adopt the 2020/21 Budget.
 - (b) having advertised the Draft Fees and Charges Schedule and having received no submissions, adopt the 2020/21 Fees and Charges Schedule.
 - (c) update the Strategic Resource Plan in the Council Plan 2017-2021 to reflect figures included in the 2020/21 Budget.

CARRIED

9.2 NORTHERN VICTORIAN INTEGRATED MUNICIPAL EMERGENCY MANAGEMENT PLAN

File Number: 11/01/001

Author: Belinda McKnight, Emergency Management Coordinator

Authoriser: Wendy Gladman, Director Community Wellbeing

Attachments: 1. Northern Victorian Integrated Municipal Emergency Management Plan

RECOMMENDATION

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

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

On 26 April 2017 Council endorsed Version 1 of the Northern Victorian Integrated Municipal Emergency Management Plan (MEMP) pursuant to Section 21A(1) of the Emergency Management Act 1986.

A draft of the revised Northern Victorian Integrated Municipal Emergency Management Plan was provided to the May 2020 Council forum.

BACKGROUND

Loddon Shire Council is one of five councils who participate in an emergency management cluster. The Northern Victorian Emergency Management Cluster traverses the local government areas of City of Greater Bendigo, Loddon Shire, Central Goldfields Shire, Shire of Campaspe and Mount Alexander Shire.

Under the cluster arrangements a Northern Victoria Integrated Municipal Emergency Management Planning Committee (NVIMEMPC) has been formed. The NVIMEMPC comprises senior personnel from all emergency service organisations and has developed the Northern Victorian Integrated Municipal Emergency Management Plan (NVIMEMP) which encompasses all participating councils.

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

ISSUES/DISCUSSION

The MEMP has been recommended to Loddon Shire Council for endorsement by the NVIMEMPC in accordance with the Emergency Management Act 1986. The NVIMEMPC adopted the NVIMEMP on 7 May 2020.

COST/BENEFITS

The ability to develop a shared plan reduces time commitments and resources required across all five Local Government Areas to the development of individual plans. This format enables the attendance of emergency service and council personnel at one integrated meeting, rather than five individual Municipal Emergency Management Planning Committee meetings, ensuring that all

agencies share and receive the same information simultaneously. Because of the adoption of the previous version of the NVIMEMP, the five participating councils have had a common shared information resource enabling a smoother transition of staff to neighbouring municipalities during a protracted emergency event.

RISK ANALYSIS

Continued changes to the Emergency Management Manual Victoria and legislation will eventuate over the next year which will require ongoing alteration to the NVIMEMP and roles and responsibilities for council staff to enable the cluster model to continue.

CONSULTATION AND ENGAGEMENT

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

RESOLUTION 2020/68

Moved: Cr Geoff Curnow

Seconded: Cr Neil Beattie

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

CARRIED

9.3 INSTRUMENT OF DELEGATION TO THE CEO

File Number: FOL/19/126337

Author: Lynne Habner, Manager Executive and Commercial Services

Authoriser: Phil Pinyon, Chief Executive Officer

Attachments: 1. S5 Instrument of Delegation to CEO

RECOMMENDATION

In the exercise of the power conferred by s 11(1)(b) of the *Local Government Act 2020 (the Act)*, Council resolves that:

1. There be delegated to the person holding the position, or acting in or performing the duties, of Chief Executive Officer the powers, duties and functions set out in the attached *Instrument of Delegation to the Chief Executive Officer*, subject to the conditions and limitations specified in that Instrument.
2. The instrument comes into force immediately the common seal of Council is affixed to the instrument, and the CEO is authorised to use the common seal on the instrument.
3. On the coming into force of the instrument all previous S5 delegations to the Chief Executive Officer are revoked.
4. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

CONFLICT OF INTEREST

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 1989.

In addition to this statutory requirement, presentation of new or revised delegations has become a more frequent 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 delegation has been updated in accordance with most recent advice provided by Maddocks, and it is in response to the commencement of the new Local Government Act 2020.

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

Nil.

RESOLUTION 2020/69

Moved: Cr Gavan Holt

Seconded: Cr Colleen Condliffe

In the exercise of the power conferred by s 11(1)(b) of the *Local Government Act 2020 (the Act)*, Council resolves that:

1. There be delegated to the person holding the position, or acting in or performing the duties, of Chief Executive Officer the powers, duties and functions set out in the attached *Instrument of Delegation to the Chief Executive Officer*, subject to the conditions and limitations specified in that Instrument, with an amendment to clause 1.1 of the Schedule to replace “[insert amount]” with “\$150,000.00 (inc. GST) for the purchase of goods, services or works and \$200,000.00 (inc. GST) for building and construction works”.
2. The instrument comes into force immediately the common seal of Council is affixed to the instrument, and the CEO is authorised to use the common seal on the instrument.
3. On the coming into force of the instrument all previous S5 delegations to the Chief Executive Officer are revoked.
4. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

CARRIED

9.4 PROVISION FOR DOUBTFUL DEBTS AND WRITING OFF BAD DEBTS POLICY V4**File Number:** 18/01/001**Author:** Deanne Caserta, Manager Financial Services**Authoriser:** Sharon Morrison, Director Corporate Services**Attachments:** 1. Provision for Doubtful Debts and Writing Off Bad Debts Policy v4**RECOMMENDATION**

That Council adopts the Provision for Doubtful Debts and Writing Off Bad Debts Policy v4

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

Version 3 of the Provision for Doubtful Debts and Writing Off Bad Debts Policy (the Policy) was adopted on 24 July 2018 with a two year review date. The Policy is now due for review and the only recommended change is a proposed four year review date.

BACKGROUND

This Policy sets the principles for variations of the provision for doubtful debts and writing off bad debts.

ISSUES/DISCUSSION

The Policy delegates authority to the Chief Executive Officer, on receipt of advice from the Director of Corporate Services, to:

- vary the Provision for Doubtful Debts to such an amount as is required in the opinion for the CEO, and
- write off bad debts against the Provision for Doubtful Debts up to a value of \$1,000 in an individual case, and \$5,000 in aggregate per financial year.

Any amounts above the threshold will be submitted to Council at an Ordinary Meeting for consideration. This must occur prior to 30 June in the relevant financial year in order to comply with end of financial year audit requirements.

COST/BENEFITS

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

RISK ANALYSIS

Various charges are raised by Council for services provided and when overdue a debt collection process is undertaken. After exhausting this avenue and taking into consideration the individual amounts overdue, there are times when payment will not be received and need to be cleared from Councils debtors system. This policy outlines the principles within this process and 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 Management Executive Group and Policy Review Group prior to presentation in the Council Meeting Agenda. As there are only minor changes recommended, it was not seen as necessary to review at a Council Forum.

RESOLUTION 2020/70

Moved: Cr Colleen Condliffe

Seconded: Cr Gavan Holt

That Council adopts the Provision for Doubtful Debts and Writing Off Bad Debts Policy v4

CARRIED

9.5 FINANCE REPORT FOR THE PERIOD ENDING 31 MAY 2020**File Number:** 08/06/001**Author:** Deanne Caserta, Manager Financial Services**Authoriser:** Sharon Morrison, Director Corporate Services**Attachments:** 1. Finance report for the period ending 31 May 2020**RECOMMENDATION**

That Council:

1. receives and notes the 'Finance report for the period ending 31 May 2020'
2. approves the supplementary valuations of rateable and non-rateable properties in respect of the 2019/20 financial year, as returned by the Shire Valuer, LG Valuations Pty Ltd, and endorses them being incorporated into the Register of Rateable and Non Rateable Properties and Rate Book for 2019/20.

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 2020 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 adopted 2019/20 Budget, and includes operating results, capital expenditure and funding sources.

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

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

ISSUES/DISCUSSION

Budgeted Surplus - Council's budgeted cash surplus has remained at \$3.64M.

Income Statement (revenue) - Council's year to date (YTD) operating revenue is at 115% of YTD budget. Revenue brought to account for May was \$6.39M (\$1.63M for April).

Income Statement (expenditure) - Council's operating expenditure is at 88% of YTD budget. Payments for this month totalled just over \$2.30M (\$2.58M for April).

Capital Works - The revised budget for capital works is \$20.1M and is 30% complete in financial terms for the current financial year (27% at the end of April).

Balance Sheet - Council has a cash total of \$31.5M with \$9.32M in general accounts. Debtors are \$0.95M which is a decrease of \$1.0M for the month. Sundry debtors total \$275K (\$827K in April) with invoices outstanding for 90 or more days relating to community wellbeing debtors and local community groups totalling approximately \$76K.

There were supplementary valuations updated during May. The total rateable CIV at the end of May remains at just over \$2.35B.

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 2019/20.

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

RISK ANALYSIS

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

CONSULTATION AND ENGAGEMENT

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

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

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

RESOLUTION 2020/71

Moved: Cr Gavan Holt

Seconded: Cr Neil Beattie

That Council:

1. receives and notes the 'Finance report for the period ending 31 May 2020'
2. approves the supplementary valuations of rateable and non-rateable properties in respect of the 2019/20 financial year, as returned by the Shire Valuer, LG Valuations Pty Ltd, and endorses them being incorporated into the Register of Rateable and Non Rateable Properties and Rate Book for 2019/20.

CARRIED

9.6 2020 COUNCIL MEETING SCHEDULE AMENDMENT**File Number:** FOL/19/45613**Author:** Christine Coombes, Executive and Commercial Services Officer**Authoriser:** Lynne Habner, Manager Executive and Commercial Services**Attachments:** Nil**RECOMMENDATION**

That Council

1. approve the amendment to the date, time and location of the Special Council meeting to be held on Thursday 19 November 2020, commencing at 5pm to be held at the Serpentine Memorial Hall;
2. provide public notice of the change of date for the details of the Special Council meeting to be held on Thursday 19 November 2020.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

The 2020 schedule of Council Meetings was adopted on 24 September 2019.

Amendment of the September 2020 meeting and Special meeting were adopted at the April 2020 Council meeting, as listed below in the table of 2020 scheduled meetings.

Tuesday 28 January	Tuesday 26 May	Tuesday 15 September
Tuesday 25 February	Tuesday 23 June	Tuesday 13 October
Tuesday 24 March	Tuesday 28 July	Tuesday 24 November
Tuesday 28 April	Tuesday 25 August	Tuesday 15 December

Special meeting: Thursday 12 November at Serpentine Memorial Hall at 5pm

BACKGROUND

The Loddon Shire Council has traditionally conducted Council meetings on a monthly cycle on the fourth Tuesday of the month. It was proposed that this meeting schedule be continued through 2020.

ISSUES/DISCUSSION**Caretaker period and proposed meeting date change**

Caretaker and election period planning has been commenced by officers. Caretaker period for the 2020 Council Election will commence on Tuesday 22 September 2020. The election is scheduled to be held on Saturday 24 October 2020.

Special Council meeting following Election

It is proposed to amend the scheduled date, time and location of the Special meeting to be held for the taking of the Oath of Office, making written declaration to abide by the Code of Conduct, Election of Mayor and appointment to committees. The amendment is due to notification from the Victorian Electoral Commission that final declarations for all councils will not be complete until 13 November 2020, one week later than originally anticipated. This

implication was notified as a part of the items alerted to the Chief Executive Officer in regard to council elections being delivered with a COVID-19 overlay.

The scheduling of this meeting will allow officers to plan the induction program for the newly elected body. The proposed details for this meeting are 5.00pm on Thursday 19 November 2020 at the Serpentine Memorial Hall.

COST/BENEFITS

There are some costs associated with this recommendation related to advertising, venue hire and catering which can be accommodated within existing budget allocations.

RISK ANALYSIS

Nil

CONSULTATION AND ENGAGEMENT

The matter was discussed with the Chief Executive Officer and Management Executive Group.

RESOLUTION 2020/72

Moved: Cr Colleen Condliffe

Seconded: Cr Geoff Curnow

That Council

1. approve the amendment to the date, time and location of the Special Council meeting to be held on Thursday 19 November 2020, commencing at 5pm to be held at the Serpentine Memorial Hall;
2. provide public notice of the change of date for the details of the Special Council meeting to be held on Thursday 19 November 2020.

CARRIED

9.7 LOCAL GOVERNMENT ACT 2020 - AUDIT AND RISK COMMITTEE**File Number: 06/02/003****Author: Sharon Morrison, Director Corporate Services****Authoriser: Phil Pinyon, Chief Executive Officer****Attachments: 1. Audit and Risk Committee Charter proposed version 9****RECOMMENDATION**

That Council:

1. Establishes the Loddon Shire Council Audit and Risk Committee by appointing the persons named in this report as Audit Committee members for the periods stated in this report.
2. Approves the Audit and Risk Committee Charter version 9

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 version 8 of the Audit and Risk Committee Charter on 28 April 2020.

BACKGROUND

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

This section of the 1989 Act has been repealed however the section 54(8) of the Local Government Act 2020 (the 2020 Act) specifically allows for the continued operation of an audit committee established under section 139 of the 1989 Act until an Audit and Risk Committee is established under the 2020 Act.

ISSUES/DISCUSSION

Section 53 of the 2020 Act states that 'A Council must establish an Audit and Risk Committee (the Committee)'. Section 54(7) of the 2020 Act states that a Council must approve the first Audit and Risk Committee Charter and establish the first Audit and Risk Committee on or before 1 September 2020.

The Committee must:

- a) include members who are Councillors of the Council; and
- b) consist of a majority of members who are not Councillors of the Council and who collectively have-
 - i) expertise in financial management and risk; and
 - ii) experience in public sector management; and
- c) not include any person who is a member of Council staff of the Council.

The chairperson must not be a Councillor of the Council.

Section 123 (misuse of position) and 125 (confidential information) of the 2020 Act apply to a member of the Committee who is not a Councillor as if the member were a member of a delegated committee.

Section 54(3) of the 2020 Act states that Council may pay a fee to a member of the Committee who is not a Councillor of the Council.

Section 54 of the 2020 Act states that 'A Council must prepare and approve an Audit and Risk Committee Charter' (the Charter).

The Charter must specify the functions and responsibilities of the Audit and Risk Committee including the following-

- a) monitor the compliance of Council policies and procedures with—
 - i) the overarching governance principles; and
 - ii) this Act and the regulations and any Ministerial directions
 - b) monitor Council financial and performance reporting;
 - c) monitor and provide advice on risk management and fraud prevention systems and controls;
 - d) oversee internal and external audit functions.
 - a)
- b) The Committee must
- adopt an annual work program
 - undertake an annual assessment of its performance against the Audit and Risk Committee Charter; and
 - provide a copy of the annual assessment to the CEO for tabling at the next Council meeting
 - prepare a biannual audit and risk report that describes the activities of the Audit and Risk Committee and includes its findings and recommendations; and
 - provide a copy of the biannual audit and risk report to the CEO for tabling at the next Council meeting

The CEO must

- ensure the preparation and maintenance of agendas, minutes and reports for the Committee; and
- table reports and annual assessments of the Committee at Council meetings when required by the Act and when requested by the chairperson of the Committee

It is proposed that the existing members of the Audit Committee be appointed to the Audit and Risk Committee for the periods set out below:

- Alan Darbyshire to 30 April 2021
- Rod Poxon to 30 April 2022
- Jarrah O'Shea to 30 April 2023
- Rod Baker to 30 April 2024
- Councillor Gavan Holt as the substantive councillor member for the period to election day 2020.
- Councillor Neil Beattie as the alternate councillor member for the period to election day 2020.

Attached is proposed version 9 of the Charter. The document highlights the inclusion of requirements of the 2020 Act and tracks changes where there is a change from the recently adopted version 8 of the Charter.

COST/BENEFITS

Audit committee members are already paid a meeting fee and there is an internal audit program already funded by Council. The benefits of the recommendations in this report are good governance and compliance with the 2020 Act.

RISK ANALYSIS

The adoption of the recommendations in this report address the risk of non-compliance with the 2020 Act.

CONSULTATION AND ENGAGEMENT

Councillors discussed changes to the Audit and Risk Committee at the Council Forum on 9 June 2020.

RESOLUTION 2020/73

Moved: Cr Colleen Condliffe

Seconded: Cr Neil Beattie

That Council:

1. Establishes the Loddon Shire Council Audit and Risk Committee by appointing the persons named in this report as Audit Committee members for the periods stated in this report.
2. Approves the Audit and Risk Committee Charter version 9

CARRIED

10 INFORMATION REPORTS

Nil

11 COMPLIANCE REPORTS

Nil

12 GENERAL BUSINESS**URGENT BUSINESS****RESOLUTION 2020/74**

Moved: Cr Neil Beattie

Seconded: Cr Colleen Condliffe

That the following item be treated as urgent business.

CARRIED**12.1 COMMUNITY FACILITY REOPENING SUPPORT****RESOLUTION 2020/75**

Moved: Cr Neil Beattie

Seconded: Cr Colleen Condliffe

That Council:

1. assists Loddon Shire Committees of Management of Community facilities, the Library Agencies and the Laanecoorie Camp Ground toilets, to meet the re-opening and operating requirements related to COVID 19
2. uses the facility list as amended to reflect current facilities in operation and applied categories from the Halls and Recreation Reserves Allocation policy to determine levels of support to be provided as an allocation
3. provides \$48,150 from the 2020/2021 Community Recovery budget allocation to assist Committees of Management of Community facilities, the Library Agencies and the Laanecoorie Camp Ground toilets, with the associated costs of Undertaking a deep clean and the purchase of bleach based sanitiser.

4. CARRIED

13 CONFIDENTIAL ITEMS

The Mayor announced that Council had completed the items listed in the open Council meeting that has been live streamed to the public.

The livestreaming of the meeting to the public was terminated to allow consideration of matters to be dealt with in the Confidential session.

RESOLUTION 2020/76

Moved: Cr Colleen Condliffe

Seconded: Cr Gavan Holt

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 66(1) and 66(2)(a) of the Local Government Act 2020:

13.1 REVIEW OF CONFIDENTIAL ACTIONS

This matter is considered to be confidential under Section 3(1)(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 confidential meeting information, being the records of meetings closed to the public under section 66(2)(a).

Pursuant to section 66(5)(b) of the Local Government Act 2020, if released the information to be received, discussed or considered in relation to this agenda item, may disclose confidential meeting information, being the records of meetings closed to the public under section 66(2)(a)

13.2 Sale of land – Lot 1 Ballast Road, Pyramid Hill

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

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

13.3 Sale of Land - 25 Ridge Street, Wedderburn

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

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

13.4 MAV Small Tariff Electricity Tender

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

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

CARRIED

Closing of Meeting to the Public

RESOLUTION 2020/77

Moved: Cr Colleen Condliffe

Seconded: Cr Gavan Holt

That the meeting be closed to the public at 3.37pm.

CARRIED

13.1 REVIEW OF CONFIDENTIAL ACTIONS**RESOLUTION 2020/78**

Moved: Cr Neil Beattie

Seconded: Cr Geoff Curnow

That Council receive and note the action sheet.

CARRIED

13.2 SALE OF LAND - LOT 1 BALLAST ROAD, PYRAMID HILL**RESOLUTION 2020/79**

Moved: Cr Geoff Curnow

Seconded: Cr Colleen Condliffe

That Council resolve to:

1. accept the offer as stated in the report and sell Lot 1 (10.58 ha) of Crown Allotment 1B Section A Parish of Terrick Terrick West;
2. approve the use of the Council seal to any related documentation.

CARRIED

13.3 SALE OF LAND - 25 RIDGE STREET, WEDDERBURN**RESOLUTION 2020/80**

Moved: Cr Colleen Condliffe

Seconded: Cr Geoff Curnow

That Council resolve to:

1. Sell 25 Ridge Street, Wedderburn, by calling for expressions of interest, for at least the price set within the valuation in this report, or if lower than this price and within 10% of that amount, at the discretion of the Chief Executive Officer.
2. Pursuant to Section 223 of the Local Government Act 1989, provide public notice of the intended sale of this property for a minimum of four weeks prior to sale.
3. Authorise the CEO to affix the Council seal to any related documentation to complete the sale.

CARRIED

13.4 MAV SMALL TARIFF ELECTRICITY TENDER

RESOLUTION 2020/81

Moved: Cr Geoff Curnow

Seconded: Cr Neil Beattie

That Council:

1. accept the Municipal Association of Victoria's evaluation and recommendation to proceed with a 36 month contract with Origin Energy for the supply of electricity to Council buildings in accordance with the attached Recommendation Report
2. authorise the Chief Executive Officer to sign and seal relevant documents relating to this contract.

CARRIED

NEXT MEETING

The next Ordinary Meeting of Council will be held on 28 July 2020 at Serpentine commencing at 3pm.

There being no further business the meeting was closed at 4.22pm.

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

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CHAIRPERSON