



**Date:** Tuesday, 25 February 2020  
**Time:** 3pm  
**Location:** Council Chambers, Serpentine

# **MINUTES**

## **Ordinary Council Meeting**

**25 February 2020**

**MINUTES OF LODDON SHIRE COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBERS, SERPENTINE  
ON TUESDAY, 25 FEBRUARY 2020 AT 3PM**

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

**IN ATTENDANCE:** Wendy Gladman (Director Community Wellbeing), Lynne Habner (Manager Executive and Commercial Services), Sharon Morrison (Director Corporate Services), Phil Pinyon (Chief Executive Officer), Steven Phillips (Director Operations)

**APOLOGY:** Cr Gavan Holt

**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**

**APOLOGY**

**RESOLUTION 2020/5**

Moved: Cr Colleen Condliffe

Seconded: Cr Geoff Curnow

That the apology received from Cr Holt be accepted and leave of absence granted.

**CARRIED**

**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:** Allan Bawden, Acting Chief Executive Officer**Attachments:** Nil**RECOMMENDATION**

That Council confirm:

1. The minutes of the Council Briefing of 28 January 2020
2. The minutes of the Ordinary Council Meeting of 28 January 2020
3. The minutes of the Council Forum of 11 February 2020

**REPORT**

Seeking approval of the unconfirmed minutes of the previous meetings.

**RESOLUTION 2020/6**

Moved: Cr Neil Beattie

Seconded: Cr Geoff Curnow

That Council confirm:

1. The minutes of the Council Briefing of 28 January 2020
2. The minutes of the Ordinary Council Meeting of 28 January 2020
3. The minutes of the Council Forum of 11 February 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.

**REPORT**

Refer attachment.

**RESOLUTION 2020/7**

Moved: Cr Geoff Curnow

Seconded: Cr Colleen Condliffe

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:** Allan Bawden, Acting 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, Serpentine Bowls and Tennis Pavilion and Reserve Committee of Management

**Nature Tourism Advisory Team****Other Council activities**

| <b>DATE</b> | <b>Activity</b>  |
|-------------|--|
| 4/2/20      | Attended Calivil Development Committee meeting to discuss updating their Community Plan  |
| 6/2/20      | Goldfields Library Corporation Finance Sub-committee in Bendigo  |
| 7/2/20      | Attended the launch of Loddon Murray Community Leadership Program at Bendigo Art Gallery   |
| 8/2/20      | I joined the new Chair of MDBA Community Committee, Phil Duncan, Mayors of Gannawarra, Campaspe and Murray Councils and Irrigation Farmer representatives for breakfast in Echuca to inform the Chair of our concerns and priorities |
| 10/2/20     | Pyramid Hill Community Centre Project Control Group meeting to view draft  |

|         |  |
|---------|--|
|         | Master Plans   |
| 11/2/20 | Council Forum in Wedderburn  |
| 13/2/20 | Acting CEO met with me in Pyramid Hill for a final debrief, and Allan thanked Council for being so welcoming and accommodating.  |
| 14/2/20 | I attended an assembly at East Loddon College to present the Australia Day Competition certificates to students, as the certificates were not available at the Australia Day Ceremony.   |
| 18/2/20 | I met with the CEO and welcomed him back from his leave of absence. I would also like to thank the Executive Team for their Leadership in ensuring services were not disrupted over the past few months.   |
| 18/2/20 | Mitiamo Community Planning committee met with Allan Stobaus and myself to discuss updating their community plan. Coliban Water also attended to discuss the Mitiamo town water supply concerns.  |
| 19/2/20 | I attended a meeting of the Loddon Campaspe Irrigation Region Land and Water Management Plan Project Steering Committee. This plan sets a clear goal of “using water for healthy, productive, sustainable irrigated food and fibre” and applies to private land that has a Water Use Licence. It is a sub-strategy of the North Central Regional Catchment Strategy.   |
| 24/2/20 | I attended a meeting in Dingee with Mr Pinyon, to hear from Coliban Water and Water Source Australia about the potable water systems that have been trialled in the town. While the trial has ended and the individual units removed, the results were positive. The system can remove most contaminants including E-coli bacteria, but cannot remove salt. Water Source Australia will continue to work with Coliban Water to refine the process. |

**RESOLUTION 2020/8**

Moved: Cr Cheryl McKinnon

Seconded: Cr Neil Beattie

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**

|   |   |
|---|---|
| <b>Murray Darling Association</b>   |   |
|   |   |
| <b>Rail Freight Alliance</b>  |   |
|   |   |
| <b>GMW Connections Project:</b>   |   |
|   |   |
| <b>Section 86 Committees:</b> 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 |   |
|   |   |
| <b>Other Council activities</b>   |   |
| <b>DATE</b>   | <b>Activity</b>   |
| 3/2/20  | Attended Boort Tourism Development meeting                              |
| 4/2/20  | Attended meeting with Craig Bellenger and garden staff                  |
| 17/2/20   | Attended meeting at BRIC negotiating management agreement               |
| 18/2/20   | Attended meeting with Jaala Pulford and Peter Walsh at Parliament House |

|         |   |
|---------|---|
| 12/2/20 | Meeting with Jarrod Trevanion Southland Poultry |
| 11/2/20 | Attended Council Forum Wedderburn               |
| 25/2/20 | Council meeting Serpentine                      |

**Cr Condliffe**

|   |   |
|---|---|
| <b>Calder Highway Improvement Committee</b>   |   |
|   |   |
| <b>Section 86 Committees:</b> 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 |   |
| 5/2/20: Inglewood Town Hall Hub Committee of Management meeting.<br>19/2/20: BOLD meeting Bridgewater.  |   |
| <b>Australia Day Committee</b>  |   |
|   |   |
| <b>Central Victorian Greenhouse Alliance</b>  |   |
|   |   |
| <b>Central Victoria Rural Women's Network</b>   |   |
|   |   |
| <b>Healthy Minds Network</b>  |   |
| 19/2/20: Meeting in Pyramid Hill.   |   |
| <b>Loddon Youth Committee</b>   |   |
|   |   |
| <b>Other Council activities</b>   |   |
| <b>DATE</b>   | <b>Activity</b>   |
| 28/1/20   | Inglewood and Districts Community Bank meeting                |
| 30/1/20   | Campbells Forest meeting regarding water                      |
| 30/1/20   | Interview for Inglewood and Districts Community Bank position |

|         |  |
|---------|--|
| 4/2/20  | Australia Day Awards for Inglewood State School  |
| 6/2/20  | Loddon Plains Landcare Meeting Serpentine  |
| 7/2/20  | Lead Loddon Murray Leadership Program held in Bendigo at art gallery                   |
| 7/2/20  | Women on Farms meeting Inglewood   |
| 8/2/20  | Bridgewater market   |
| 10/2/20 | Australian Rural Leadership Program visit to Bendigo. I attended the dinner and spoke. |
| 11/2/20 | Council Forum Wedderburn   |
| 11/2/20 | Inglewood Resource Centre meeting  |
| 13/2/20 | Power to the people Cohort Bendigo   |
| 13/2/20 | ARLP Engine Room Bendigo guest.  |
| 16/2/20 | Bridgewater Bowling Club Tournament sponsored by Loddon Shire                          |
| 17/2/20 | Dingee Bush Nursing Centre Meeting   |
| 20/2/20 | Kooyoora Womens Network meeting at Inglewood fire station                              |
| 24/2/20 | Inglewood Eucy Museum meeting  |
| 24/2/20 | Community engagement meeting IDHS  |
| 25/2/20 | Council meeting Serpentine   |

### Cr Curnow

|   |
|---|
| <b>Loddon Mallee Waste Resource Recovery Group</b>  |
|   |
| <b>Section 86 Committees:</b> Kingower Development and Tourism Committee                          |
|   |
| <b>Municipal Emergency Management Plan Committee and Municipal Fire Management Plan Committee</b> |
|   |
| <b>Other Council activities</b>   |

| <b>DATE</b> | <b>Activity</b>                                 |
|-------------|---|
| 5/2/20      | Allan Bawden and I drove around Tarnagulla Ward |
| 10/2/20     | Tarnagulla Community Centre Committee meeting.  |
| 11/2/20     | Council Forum Wedderburn                        |
| 11/2/20     | Community Planning meeting Newbridge            |
| 12/2/20     | MEFM Planning Meeting Serpentine                |
| 18/2/20     | Met with Shelbourne residents                   |
| 20/2/20     | LMWRRG Forum at Wedderburn                      |
| 21/2/20     | LMWRRG Board meeting at Wedderburn              |
| 25/2/20     | Council meeting Serpentine                      |

**RESOLUTION 2020/9**

Moved: Cr Colleen Condliffe

Seconded: Cr Neil Beattie

That Council receive and note the Councillors' reports

**CARRIED**

## 9 DECISION REPORTS

### 9.1 NORTHERN VICTORIAN INTEGRATED INFLUENZA PANDEMIC PLAN

**File Number:** 11/01/009

**Author:** Belinda McKnight, Emergency Management Coordinator

**Authoriser:** Wendy Gladman, Director Community Wellbeing

**Attachments:** 1. Northern Victorian Integrated Influenza Pandemic Plan

#### RECOMMENDATION

That Council endorse the Northern Victorian Integrated Influenza Pandemic Plan as a sub plan of the Municipal Emergency Management Plan, as recommended by the Northern Victorian Integrated Municipal Emergency Management Planning Committee.

#### 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 Northern Victorian Integrated Influenza Pandemic Plan was provided to Councillors at the February 2020 Council Forum.

#### BACKGROUND

Loddon Shire Council is one of five Council's included in the Northern Victorian Emergency Management Cluster (NVEMC), consisting of City of Greater Bendigo, Central Goldfields Shire, Shire of Campaspe, Mount Alexander Shire and Loddon Shire. Under the cluster arrangement a single Northern Victorian Municipal Emergency Management Planning Committee has been formed, supported through the endorsement of an Integrated Municipal Emergency Management Plan (IMEMP) by each Council.

The development of sub-plans, which sit under the IMEMP is progressing with the Integrated Emergency Animal Welfare Plan being presented at council late last year for endorsement and the Northern Victorian Integrated Influenza Pandemic Plan now being presented to council for endorsement.

#### ISSUES/DISCUSSION

The NVEMC developed the Northern Victorian Integrated Influenza Pandemic Plan;

- To assist in reducing the impacts of an influenza pandemic on the community.
- To provide support and recovery assistance throughout the durations of the influenza pandemic.
- To ensure response activities are consistent across the whole of government.

#### COST/BENEFITS

It is intended that the bulk of the actions contained within this Plan will be undertaken within the current operational budget parameters. Where activities require additional resources, external funding will be sought to support these (where available).

#### RISK ANALYSIS

The Northern Victorian Integrated Influenza Pandemic Plan provides a framework and guidance to Loddon Shire Council to plan for and effectively respond to influenza pandemic conditions.

**CONSULTATION AND ENGAGEMENT**

The Northern Victorian Integrated Influenza Pandemic Plan has been developed by the IMEMP Integrated Municipal Emergency Management Planning Committee (IMEMPC) with input from all agencies included on the committee. The sub-plan for Influenza Pandemic has been recommended to Loddon Shire Council for endorsement from the IMEMPC.

**RESOLUTION 2020/10**

Moved: Cr Colleen Condliffe

Seconded: Cr Geoff Curnow

That Council endorse the Northern Victorian Integrated Influenza Pandemic Plan as a sub plan of the Municipal Emergency Management Plan, as recommended by the Northern Victorian Integrated Municipal Emergency Management Planning Committee.

**CARRIED**

**9.2 LODDON SHIRE COMMUNITY GRANTS SCHEME 2019 - 2020****File Number:** 16/02/01**Author:** Sarah Perry, Project Liaison Officer**Authoriser:** Anne Donovan, Manager Community Support**Attachments:** Nil**RECOMMENDATION**

That Council allocate the following amount from the 2019/2020 Community Grants unspent funds:

1. \$6,800 to the Pyramid Hill Swimming Pool Committee of Management in support of the purchase of an automatic pool cleaner

**CONFLICT OF INTEREST**

There are no conflicts 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**

Information on the community grant application in this report was provided to Councillors at the February 2020 Council Forum.

**BACKGROUND**

This application, seeking access to the 2019/20 community grants unspent funds is being presented to Council today. Council, at its August 2019 Ordinary meeting resolved to hold the surplus funds from the 2019/20 community grant funding round in reserve for suitable community projects that arose throughout the year.

**ISSUES/DISCUSSION****Pyramid Hill Swimming Pool Committee of Management – Automatic Pool Cleaner**

The Pyramid Hill Swimming Pool Committee of Management is seeking an allocation of \$6,800 to put towards the purchase of a suitably sized automatic pool cleaner. The total cost of the robot is \$10,200 with the Committee of Management contributing \$3,400 towards the purchase.

The Committee of Management are currently undertaking the cleaning of the swimming pools with their existing manual cleaner through volunteer labour. The purchase of the automatic cleaner will significantly decrease the labour involved in cleaning the pools and represents a reduction in risk to volunteers. The pool cleaner will be housed and used exclusively for the cleaning of the Pyramid Hill swimming pools including the main pool and toddler's pool.

When we consider the criteria for access to community grant funding:

- the group meets the eligibility criteria required to apply for a community grant.
- the project meets the grant eligibility; develop or improve upon existing facilities
- there are no sections of the 'what will not be funded' components that exclude this project from accessing Community grant funding.

**COST/BENEFITS**

The Community Grant Program 2019/2020 has allocated \$179,246 to date, resulting in an underspend of \$20,754 for the 2019/2020 grant round.

One request is being brought forward to Council for funding from Council's community grants scheme 2019/20 unspent funds. The amount applied for in this late application is within the total funds remaining for Community Grants.

### **RISK ANALYSIS**

Primary risks associated with the Community Grants Scheme are believed to be as follows:

Adherence to Program Guidelines: Detailed program guidelines identify which projects and programs are considered eligible for Community Grants. All applications are assessed against these guidelines for eligibility so as to ensure that funding made available through this program is distributed equitably and provides greatest benefit to the overall Loddon community.

Failure to adhere to these guidelines could comprise the integrity of the grant program and the ability for Council to adequately fund appropriate community projects.

Failure to deliver projects: All successful applicants are required to adhere to a formal funding agreement which clearly identifies the purpose of the grant, delivery timeframes and reporting requirements. This is to ensure that expenditure of public money is conducted in a transparent and efficient manner.

### **CONSULTATION AND ENGAGEMENT**

Consultation has been undertaken with the individual club identified in this report.

#### **RESOLUTION 2020/11**

Moved: Cr Neil Beattie

Seconded: Cr Geoff Curnow

That Council allocate the following amount from the 2019/2020 Community Grants unspent funds:

1. \$6,800 to the Pyramid Hill Swimming Pool Committee of Management in support of the purchase of an automatic pool cleaner.

**CARRIED**

### 9.3 SETTLEMENT STRATEGY

**File Number:** 13/01/002

**Author:** Carolyn Stephenson, Statutory / Strategic Planner

**Authoriser:** Glenn Harvey, Manager Development and Compliance

**Attachments:** 1. Settlement Strategy 2019-2034

#### RECOMMENDATION

That Council resolve to adopt the Settlement Strategy 2019-2034.

#### CONFLICT OF INTEREST

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

#### PREVIOUS COUNCIL DISCUSSION

Council considered the draft Settlement Strategy in September 2019, where it resolved to release it for public comment.

#### BACKGROUND

A strategic objective of the Council Plan (2017-2021) is to grow and invigorate Loddon's population. A key action nominated to support this objective is the preparation of a settlement strategy to provide a suitable supply of residential land in and around towns. This strategy has been developed over a number of years following research into population trends and land supply.

Development of the Settlement Strategy has involved:

- a workshop with community leaders to determine their vision for their communities and the Loddon Shire as a whole
- an audit of housing, vacant land and the public realm to assess the supply of housing, development options and opportunities to enhance connection and amenity
- a review of population and development data to determine trends and predict future opportunities
- community consultation via community drop in sessions and written submissions.

The purpose of this strategy is to identify Council's plans for population and housing growth and to ensure that this is recognised in the Loddon Planning Scheme.

#### ISSUES/DISCUSSION

The research conducted to inform the development of this strategy identified that:

- Loddon Shire has experienced population decline of approximately 1,000 people since 1996, however between 2011 and 2016 population stabilised with a slight increase from 7,296 in 2011
- population decline is not even across the Shire, with Inglewood showing a small increase in population
- a significant proportion of the Shire population is aged over 50 years
- new housing is being constructed in the Shire with an average of two new homes being constructed within the five larger towns (Boort, Bridgewater, Inglewood, Pyramid Hill, Wedderburn) each year

- there is a mismatch between the dominant housing form of detached family homes and the population profile that is aging with an average household size 2.2 people
- there is significant vacant urban land supply zoned for residential development within the Shire, in particular in our five larger towns
  - existing vacant lots are estimated to offer opportunities for urban infill of at least 500 new single dwellings across the five larger towns and considerably more multi-unit developments should the land be further subdivided to provide for additional stand-alone dwellings
- although this land is zoned for development much is not currently available on the market.

The Settlement Strategy recognises that there is an existing substantial supply of vacant residential land and that demand must accompany provision of land in the pursuit of growth. Demand can be encouraged through economic development and enhanced physical and social amenity. This strategy links a range of Council responsibilities and priorities including land supply, infrastructure provision and economic development to support sustainable settlement planning.

This strategy seeks to facilitate population growth and build on existing communities to support their viability and maximise infrastructure investment. This strategy provides for a range of residential forms across the Shire while also protecting the opportunity for the agricultural sector to readily operate and expand. It also seeks to manage Council's infrastructure liability and preserve the unique landscape and amenity of the Shire.

The strategy recommends that growth should be promoted in the well serviced towns of Inglewood, Wedderburn, Boort, Pyramid Hill and Bridgewater. These towns currently have a sufficient land supply, including the opportunity for increased density through the further subdivision of existing large residential lots. Rezoning and extending townships into the Farming Zone is not required at this time. Growth can also be accommodated in many of the smaller towns, subject to infrastructure considerations. The strategy does recognise the opportunity for growth at Newbridge should reticulated water and sewerage be provided. This is largely due to Newbridge's unique positioning on the Loddon River and proximity to Bendigo.

The key strategic directions of the Settlement Strategy are to:

- promote growth in Boort, Bridgewater, Inglewood, Pyramid Hill and Wedderburn and take advantage of all available development opportunities to fully develop the existing urban footprint
- accommodate new development in smaller settlements where effluent can be managed
- support a range of residential forms including rural living and medium density.

## **COST/BENEFITS**

The Settlement Strategy supports growth and housing development by ensuring that there is appropriate and sufficient land made available within the Planning Scheme. The strategy recommends a program of work, much of which will be accommodated within existing resources.

The strategy recommends a number of initiatives to support growth including:

- undertake an Industrial Strategy to support job creation (estimated cost \$30,000)
- undertake detailed investigation of identified residential growth opportunities in the priority towns to determine yield and estimated development cost (\$50,000)
- undertake research and develop policy to define the value of Council participating in residential land development (\$75,000)
- review the zoning of flood prone land at Laanecoorie, Newbridge and Serpentine to ensure that the zoning promotes appropriate development
- continue to seek funding opportunities to improve the amenity of towns
- promote infill opportunities, including further subdivision allowed under planning controls

- investigate opportunities to develop key sites
- support release of suitable Crown and Council land
- investigate options to upgrade Wet Lane / Walker Lane, Inglewood to support development in this area.

### **RISK ANALYSIS**

This strategy is an important component of Council's pursuit of population growth as it ensures we have a supportive land use planning framework. Relevant, current and responsive settlement planning enables the provision of suitable land to accommodate growth. The strategy also ensures existing infrastructure is used and economic resources such as agricultural land are not undermined. The strategy provides a foundation and path forward for it to investigate options to proactively participate in residential land supply through the provision of a settlement framework.

### **CONSULTATION AND ENGAGEMENT**

Direct consultation with the community as part of the development of this settlement strategy has involved the following:

- a workshop with community leaders to determine their vision for their communities and the Shire as a whole
- seven community drop in sessions across the Shire and written submissions.

The Council was provided opportunity to have input into the development of the Settlement Strategy at its February 2018 Forum. Following further development, Council was presented with a draft Settlement Strategy at the September 2019 Forum for review.

The draft strategy was released for public comment during October/November 2019, with one submission received. This submission was from the Wedderburn Development Association (WDA) and sought to ensure that the strategy did not compromise opportunities for growth in Wedderburn. Some modifications to the strategy were made to clarify the intent of the strategy with regard to growth and address the concerns of the WDA.

### **RESOLUTION 2020/12**

Moved: Cr Colleen Condliffe

Seconded: Cr Geoff Curnow

That Council resolve to adopt the Settlement Strategy 2019-2034.

**CARRIED**

**9.4 REQUEST FOR AUTHORISATION - PLANNING SCHEME AMENDMENT FOR UPDATE OF FLOOD CONTROLS AT DUNOLLY**

**File Number:** 13/01/003

**Author:** Carolyn Stephenson, Statutory / Strategic Planner

**Authoriser:** Glenn Harvey, Manager Development and Compliance

**Attachments:** Nil

**RECOMMENDATION**

That Council:

1. Request authorisation from the Minister for Planning to prepare an amendment to the Loddon Planning Scheme to update the Land Subject to Inundation Overlay (LSIO) at Dunolly;
2. Should authorisation be provided, prepare the amendment and place the amendment on exhibition.

**CONFLICT OF INTEREST**

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

**PREVIOUS COUNCIL DISCUSSION**

Nil

**BACKGROUND**

The Dunolly Flood Investigation, 2014 (the Study) was developed by North Central Catchment Management Authority (CMA) in partnership with Central Goldfields Shire after receiving funding via the Natural Disaster Resilience Grants Scheme.

North Central CMA engaged expert hydrologists Water Technology to undertake a detailed flood investigation to:

- Simulate recent flood events (2010-11);
- Determine flood levels and flood extents for flood events up to and including the 1 in 200 year ARI flood event;
- Provide information to improve flood warnings and emergency response activities; and
- Determine the feasibility of a range of potential flood mitigation options.

The Study was guided by a community-based Steering Committee inclusive of representatives from North Central CMA, Central Goldfields Shire Council staff and Councillors, Water Technology, Dunolly community members and members of state-based agencies.

The Plan was developed to industry best practice and involved significant consultation with the Dunolly community to verify the accuracy of the flood maps and gain support for the Study's final recommendations.

The final recommendations included the following action:

- Amendment of the planning scheme for Dunolly to reflect the flood risk identified by this project (the Study).

Amendment c31 of the Central Goldfields Planning Scheme is planned to go on exhibition shortly to update the flood related planning controls for Dunolly. There are 19 properties within the Loddon Shire on the outskirts of Dunolly that were identified as subject to flooding as part of the Study. As part of the authorisation process for the Central Goldfields amendment, the Department of Environment Land Water and Planning (DELWP) have recommended that the Loddon Planning Scheme also be updated to reflect the new flood modelling.

Also of note, Amendment c44 of the Loddon Planning Scheme to update the flood controls in Bridgewater has recently been authorised by the Minister for Planning to go on exhibition. Exhibition will commence shortly and tie in with the other proposed flood related amendments being coordinated by the North Central CMA.

## ISSUES/DISCUSSION

### The Planning Scheme Amendment Process

The purpose of this report is to seek Council resolution to request authorisation from the Minister for Planning to prepare an amendment to the Loddon Planning Scheme to update flood controls for Dunolly.

The Planning Scheme is a legal document prepared under the Planning and Environment Act 1987. Changes to the planning scheme, including updated flood mapping and controls, need to go through a prescribed amendment process that commences with consent from the Minister to prepare the amendment and place it on public exhibition.

Council is required to seek authorisation from the Minister for Planning prior to preparation of the amendment to ensure that the amendment is consistent with State planning policy and makes proper use of the Victoria Planning Provisions. Once authorisation is provided from the Minister, the amendment will be prepared and exhibited.

Exhibition will include notice to affected land owners, other agencies and public notices in the local paper and Victorian Government Gazette.

Following exhibition, Council will be provided the opportunity to consider all submissions and decide whether to proceed with the amendment, modify the amendment in response to a submission or abandon the amendment.

Should Council choose to proceed with the amendment and not modify it in response to a submission, the amendment will proceed to a panel hearing, which will consider the amendment and any submissions and make a recommendation to Council on how to proceed with the amendment. An amendment to the planning scheme is approved by the Minister for Planning when adopted by Council.

### Existing flood controls in Dunolly

The Loddon Planning Scheme currently includes flood controls in Dunolly in the form of the Floodway Overlay and Land Subject to Inundation Overlay.

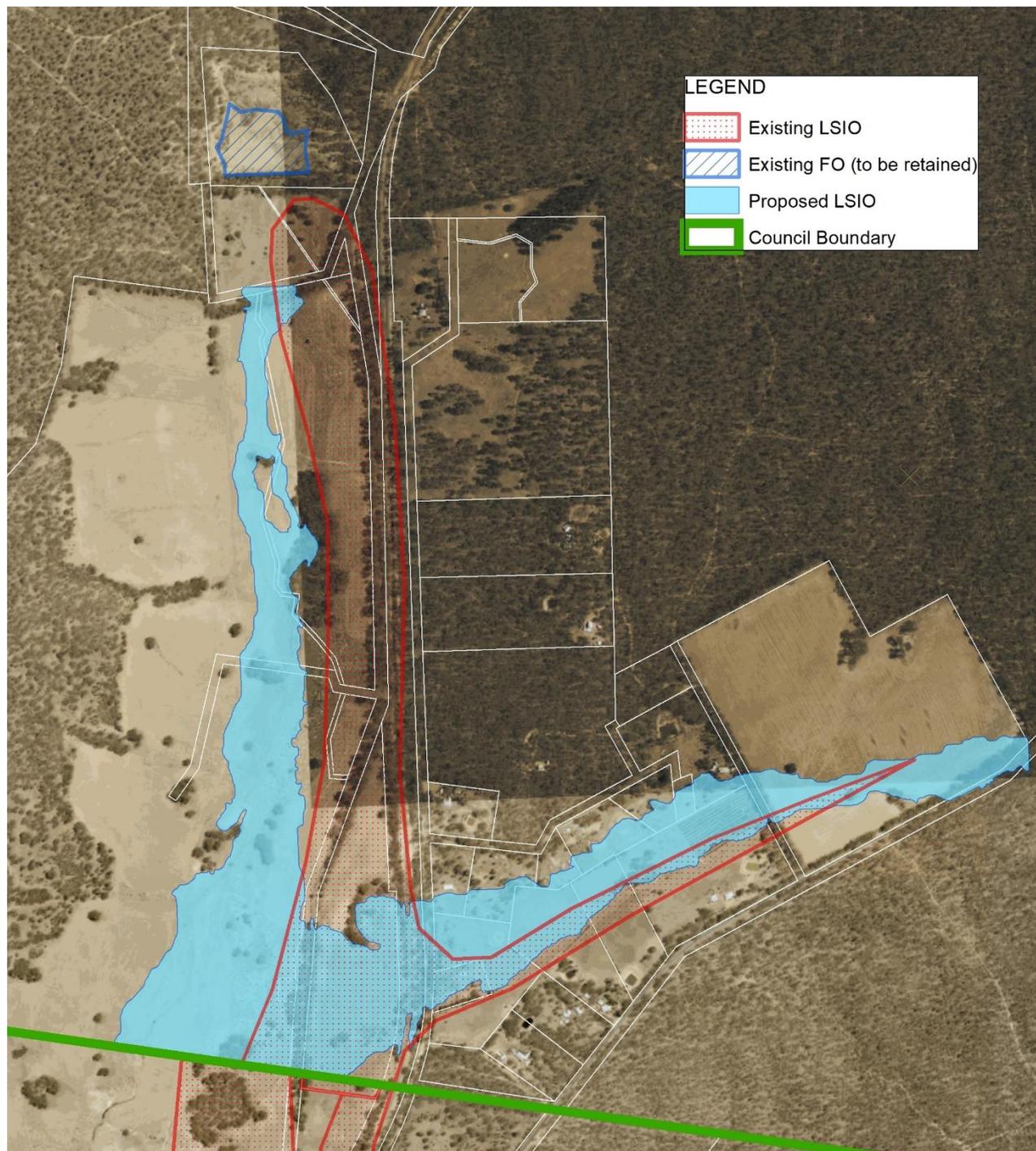
The Floodway Overlay (FO) – is usually applied to mainstream flooding in both rural and urban areas. These areas convey active flood flows and generally designate higher risk flood areas. In Dunolly, the existing FO aligns with the Old Lead Reservoir. There are no proposed changes to the FO.

The Land Subject to Inundation Overlay (LSIO) – is usually applied to the balance of the floodplain affected by 1 in 100 year flood and not included in the FO. Areas subject to the LSIO generally have lower flood risk and represent areas where moderate levels of development can still occur subject to appropriate conditions.

The existing LSIO was based on anecdotal information primarily geological maps. The accuracy of the existing LSIO is very poor and generally does not align with the location of the waterway. Figure 1 above shows the proposed changes to the LSIO to the north of Dunolly Township within the Loddon Shire.

The LSIO is unlikely to prevent development and is more about applying development conditions e.g. setting floor levels above flood levels and ensuring filling is managed so as not to change floodplain conditions.

**Figure 1 – Proposed LSIO (light blue shade)**



#### Preparation of the amendment

Once authorised by the Minister to prepare the amendment, Council staff will work with North Central CMA staff (the floodplain management authority and source of the flood mapping) to further refine the proposed LSIO maps. Overlay schedules to exempt minor developments from requiring a permit (e.g. minor dwelling extensions, small outbuildings, carports, hay sheds and similar) have been drafted as part of the Bridgewater amendment and will also be applied to this area.

North Central CMA has assisted the preparation of recent amendments for Bendigo, Charlton, Donald, Castlemaine, Creswick and Clunes, and therefore has good recent experience of the amendment process, consistency in development of FO and LSIO mapping and in developing appropriate schedules to exempt minor developments from requiring a permit.

It is expected that the amendment will provide greater clarity and guidance to development proposals in Dunolly.

### **COST/BENEFITS**

Amendments costs to Council can generally be categorised into staff time and fees.

*Staff time* – in this instance, Council is being assisted by North Central CMA who have received funding to assist local Councils to implement a backlog of amendments, including Dunolly. Council and North Central CMA have entered into a MOU for the provision of planning services to carry out the majority of tasks required for this amendment. There will be a low level of requirement on existing Council staff to assist with exhibition activities and a Planning Panel if required.

*Fees* – A small allocation of budget would be required for fees associated with public engagement activities when exhibiting the amendment (e.g. mailouts, venue hire, public notices). The exhibition is planned to occur in conjunction with the Central Goldfields amendment, as well as the proposed Bridgewater amendment, therefore, additional fees associated with a Planning Panel to hear unresolved community submissions are likely to be avoided.

The staff time to prepare an amendment is generally the most significant cost of an amendment process and therefore Council should take the opportunity presented by North Central CMA whilst available. If deferred to a future date, the amendment would need to be managed within Council's own budget and strategic priorities and based on the current work demands and short-term priorities it is uncertain when this amendment could be implemented if not completed now with North Central CMA assistance.

### **RISK ANALYSIS**

The Loddon Planning Scheme should be a robust document that correctly identifies known flood risk and provides clear guidance and transparency on potential uses and development of land. The amendment process is heavily prescribed in legislation and provides transparency and meaningful opportunities for community input. This explicitly defines the scope of community engagement activities and therefore manages any risks associated with community concerns of bias or unfairness.

Moreover, managing flood risk through Planning Schemes is an ongoing accountability for Council. Where mapping doesn't exist or is outdated the Planning Scheme should be amended:

“LGAs (Councils) are accountable for ensuring that their Planning Schemes correctly identify the areas at risk of a 1% Annual Exceedance Probability (1 in 100 year) flood, and that they contain the appropriate objectives and strategies to guide decisions in exercising land use controls in regard to flooding.”

*Victorian Floodplain Management Strategy 2016*

Figure 1 above clearly show inaccuracies in the flood overlays as compared to updated flood mapping produced through the Dunolly Flood Investigation, 2014. There are 19 properties affected by this amendment, of which only 7 properties are not currently within the LSIO. One dwelling is located within the existing LSIO and will continue to remain in the proposed LSIO. No other existing dwellings will be included in the proposed LSIO.

The amendment is required to update the overlay maps and amend the associated ordinance that controls buildings and works to ensure development within the floodplain in and around Dunolly is appropriately managed. Managing development through accurate and effective planning schemes is considered the most cost-effective method of managing flood risk and avoiding future flood damages and can promote faster recovery from major floods (e.g. because house floor levels were set above the flood levels).

**CONSULTATION AND ENGAGEMENT**

There is no requirement for consultation at this stage as the prescribed amendment process provides for consultation with the landholders and the community when exhibiting the amendment.

Community consultation activities occurred throughout the development of the Dunolly Flood Investigation, 2014. Community feedback was used to verify the accuracy of the flood models and determine the final recommendations of the Plan – which included amending the Planning Scheme with updated flood mapping.

**RESOLUTION 2020/13**

Moved: Cr Geoff Curnow

Seconded: Cr Neil Beattie

That Council:

1. Request authorisation from the Minister for Planning to prepare an amendment to the Loddon Planning Scheme to update the Land Subject to Inundation Overlay (LSIO) at Dunolly;
2. Should authorisation be provided, prepare the amendment and place the amendment on exhibition.

**CARRIED**

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

That Council:

1. receives and notes the 'Finance report for the period ending 31 January 2020'
2. approves budget revisions included in the report for internal reporting purposes only
3. approves the supplementary valuations of rateable and non-rateable properties in respect of the 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 January 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 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 decreased by \$69K to \$1.19M.

**Income Statement (revenue)** - Council's year to date (YTD) operating revenue is at 94% of YTD budget. Revenue brought to account for January was \$1.1M (\$552K for December).

**Income Statement (expenditure)** - Council's operating expenditure is at 86% of YTD budget. Payments for this month totalled just over \$2.24M (\$2.43M for December).

**Capital Works** - The revised budget for capital works is \$21.1M and is 20% complete in financial terms for the current financial year (17% at the end of December).

**Balance Sheet** - Council has a cash total of \$21.2M with \$3.79M in general accounts. Debtors are \$9.3M which is a decrease of \$0.81M for the month. Sundry debtors total \$1.17M (\$0.89M in December) with invoices outstanding for 90 or more days relating to community wellbeing debtors and local community groups totalling approximately \$69K.

There were 10 supplementary valuations updated during January. The total rateable CIV at the end of January remains just under \$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 2020/14**

Moved: Cr Geoff Curnow

Seconded: Cr Colleen Condliffe

That Council:

1. receives and notes the 'Finance report for the period ending 31 January 2020'
2. approves budget revisions included in the report for internal reporting purposes only
3. approves the supplementary valuations of rateable and non-rateable properties in respect of the 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 APPOINTMENT OF AUDIT COMMITTEE CHAIR FOR 2020****File Number:** 06/02/003**Author:** Sharon Morrison, Director Corporate Services**Authoriser:** Allan Bawden, Acting Chief Executive Officer**Attachments:** Nil**RECOMMENDATION**

That Council endorses the Audit Committee's recommendation to appoint [insert name] as Audit Committee Chair to 28 February 2020 or the date of the Ordinary Meeting of Council in February 2020 where a resolution for appointment of Chair for the new term will be made, whichever is the earlier.

**CONFLICT OF INTEREST**

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

**PREVIOUS COUNCIL DISCUSSION**

Nil

**BACKGROUND**

The Audit Committee Charter v7 at 5.2(g) states:

- (a) At the first Audit Committee meeting each year an election of Chair from the external members of the committee will be held.

At the first Council Meeting following the election, the Chair will be appointed by Council on advice of the committee.

The term of the new chair will commence at the conclusion of the current Chair's term, and will be for a period of 12 months.

**ISSUES/DISCUSSION**

This report seeks Council's approval of the Audit Committee recommendation from the meeting held on 20 February 2020 that [insert name] be Chair of Audit Committee.

Although the Audit Committee Charter currently states "for a period of 12 months", practically, the term of the Chair ends at the Ordinary Meeting of Council following the February Audit Committee Meeting where the committee provides a recommendation for the new Chair to the Council.

**COST/BENEFITS**

The chair of the Audit Committee receives an additional payment per year equivalent to one meeting attendance allowance.

**RISK ANALYSIS**

Appointment of the Chair by Council will ensure compliance with the Audit Committee's Charter.

Appointment of an external member of the committee as Chair is in line with good governance principles, and increases transparency and accountability of the committee.

**CONSULTATION AND ENGAGEMENT**

The Audit Committee has been consulted in the preparation of this report.

**RESOLUTION 2020/15**

Moved: Cr Geoff Curnow

Seconded: Cr Colleen Condliffe

That Council endorses the Audit Committee's recommendation to appoint Rod Baker as Audit Committee Chair to 28 February 2021 or the date of the Ordinary Meeting of Council in February 2021 where a resolution for appointment of Chair for a new term will be made, whichever is the earlier.

**CARRIED**

**9.7 RELEASE OF DRAFT YOUTH STRATEGY FOR PUBLIC COMMENT****File Number:** 12/06/005**Author:** Wendy Gladman, Director Community Wellbeing**Authoriser:** Allan Bawden, Acting Chief Executive Officer**Attachments:**

1. Draft Loddon Youth Strategy 2019-2025
2. Loddon Youth Strategy Engagement Summary 2019

**RECOMMENDATION**

That Council resolve to place the draft Loddon Youth Strategy 2019-2025 on public display for a period of 28 days and invite comment and feedback.

**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 this report.

**PREVIOUS COUNCIL DISCUSSION**

A presentation on the draft Youth Strategy was provided at the October 2019 Council Forum.

**BACKGROUND**

Council's previous Youth Strategy expired in 2013. Conversation Caravan was engaged in 2019 to undertake the consultation and engagement required to develop a new Youth Strategy.

The development of a Youth Strategy (strategy) will create a framework to effectively plan for, and consider the future needs of young people living in and returning to Loddon.

**ISSUES/DISCUSSION**

The strategy was developed in consultation with young people and describes the actions Council will take to support young people to access the same opportunities as their peers, are healthy, and are engaged and confident in their future.

The following activities were undertaken to inform the development of the strategy:

- literature review
- demographic analysis
- stakeholder and community engagement
- analysis of current services.

The stakeholder and community engagement resulted in 457 people being engaged across a broad age cross section. Consistent themes emerged from discussions with young people, their families and service providers:

- access to education
- access to employment
- travelling in and around Loddon
- access to reliable and confidential healthcare
- connection to friends and families
- access to the world

- access to entertainment
- being equipped for change
- connection to the land

Fourteen actions aligned to four strategic objectives provide the framework that will assist in bringing about the changes desired by young people living in, or returning to Loddon:

- strengthen connections
- consider young people in all we do
- equip young people for change
- provide engaging experiences.

### **COST/BENEFITS**

Retaining and providing support for our young people is a powerful exercise in community strengthening and community development. Well supported and energised young people contribute to rural economies, community groups, local governance and provision of services.

Delivery of the actions and initiatives in the strategy will require a coordinated response and for Loddon Shire Council to partner with agencies and service providers working closely with young people.

The strategy identifies what will be required to support the delivery of the actions based on:

- within existing resources
- partnering, within existing resources
- securing funding to support delivery
- within project planning processes.

The securing of funding may consist of external grant applications or internal budget bids (as part of the annual budget development).

### **RISK ANALYSIS**

The risk of implementing this strategy is minimal; rather the risks of not planning for the future of Loddon's young people are possibly more detrimental. The delivery of youth related initiatives is currently undertaken by one part time worker, and it has been identified that these limited resources influence the impact Council can have in make a positive difference to the lives of young people. This plan identifies seeking funding to enhance the work undertaken by Council in the youth space.

### **CONSULTATION AND ENGAGEMENT**

A range of engagement activities were undertaken to support the development of the strategy:

- creative arts activity
- interview with Anglicare
- guided online survey
- community pop ups

A total of 457 people were engaged throughout these activities, with a total of 250 youth people aged 12-25 years of age.

The draft strategy has moved through Council's internal strategy approval process.

**RESOLUTION 2020/16**

Moved: Cr Colleen Condliffe  
Seconded: Cr Neil Beattie

That Council resolve to place the draft Loddon Youth Strategy 2019-2025 on public display for a period of 28 days and invite comment and feedback.

**CARRIED**

**MOTION**

**RESOLUTION 2020/17**

Moved: Cr Geoff Curnow  
Seconded: Cr Colleen Condliffe

That the Captain Melville Trail Project Report be taken out of the agenda for the meeting closed to the public and dealt with as item 9.8 in the open Council meeting as a decision report.

**CARRIED**

**9.8 CAPTAIN MELVILLE TRAIL PROJECT**

**File Number:** 16/04/001  
**Author:** Wendy Gladman, Director Community Wellbeing  
**Authoriser:** Allan Bawden, Acting Chief Executive Officer  
**Attachments:** Nil

**RECOMMENDATION**

That Council, in relation to the Captain Melville Trail project resolve to:

1. determine the project in its current form is concluded
2. advise relevant stakeholders, such as Parks Victoria, Department of Environment Water Land and Planning (DEWLP) and affected adjoining landowners
3. reallocate the current project budget to an alternative recreation 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 considered this proposal at the February 2020 Council Forum.

**BACKGROUND**

Council endorsed the Loddon Tracks and Trails Strategy in September 2009<sup>1</sup>. The strategy recommended a shared walking/cycling trail from Mt Kooyoora to Inglewood via Kingower. This was given a high priority and was estimated to cost \$300,000 - \$400,000.

The Captain Melville Trail, over the course of the project, has had many proposed paths from Inglewood including through Crown Land, along designated fire tracks and through private land.

This project was led and managed by the Community Support team and had Council funding of \$100,000. DELWP and Parks Victoria were the land managers of the Crown Land and Kooyoora State Park (Melville Caves) respectively.

The most recent version of the walking track included a portion of freehold land that is in the process of being transferred to the Crown in exchange for the right to access native vegetation offset credits through the bush broker scheme. Council has been informed that this process may take up to 10 years. The finalisation of this land transfer may provide the trigger for Council to re-engage in planning and scoping this project.

**ISSUES/DISCUSSION**

This project has been ongoing for over ten years, and during this time a number of issues have been identified that remain unresolved. Impacting on these issues are that the operating environment of Council and relevant state government agencies have also changed during this time, making some of the initial proposed outcomes of the project difficult to achieve in its current format.

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<sup>1</sup> The Tracks and Trails Strategy (September 2009) has since been rescinded and is no longer an endorsed strategy.

**Project Scope**

It appears that the original project planning had not matured sufficiently to include key components such as project governance, delivery, land ownership issues, trail construction, activation and ongoing maintenance.

**Project Management**

Construction of tracks and trails are complex projects and require skilled project managers. Adding to the complexity of this project is that the proposed track would traverse land in different ownership.

A dedicated project manager with the right level of skills and experience was not engaged to deliver this project, and where resources allowed, existing Community Support officers attempted to progress the project.

**Project Budget**

A budget of \$100,000 has been attached to this project and has been rolled over due to lack of progress across several financial years. A total project whole of life cycle budget has not been developed.

**Landownership**

For this project to be successfully delivered and maintained, a number of different landowners need to provide long term consent. This requires obtaining legal advice to lead the complex legal negotiations to work through issues of consent, maintenance, access signage and restricting access to the areas outside of the delineated walking track.

As part of the proposed track is located on state government managed land, an agreement needs to be reached with the relevant agency on the long term viability of what is essentially a joint project.

**COST/BENEFITS**

Any new tracks and/or trails should be fully costed and part of Council's approved long term capital works program. This approach provides Council and the community with clear and current information on what works are occurring, where they will be delivered, what benefit will be provided and total project cost.

For this project to succeed, a total life cycle budget and plan would need to be developed. It is estimated that this would greatly exceed the current allocation \$100,000 and is also outside Council's current resources to plan and deliver.

**RISK ANALYSIS**

As this project has been ongoing with little progress over a number of years, there is a reputational and political risk to Council with key stakeholders, adjoining land owners and the general community. This may be allayed at a community level through a reinvestment of the funds into an alternative recreation or other suitable project.

Verbal discussions have, over the years, been conducted with an adjoining private landowner and the landowner had expressed an interest in transferring ownership of the land with caveats attached, such as environmental offsets. Council Officers understand that no formal arrangement has been agreed to by both parties and have sought legal advice confirming this. This report has been considered confidential to allow the required formal notification to the landowner to occur.

Council may also face a financial risk through the previous practice of carrying over unspent project funds over a number of subsequent financial years.

**CONSULTATION AND ENGAGEMENT**

Internal consultation with Council's Assets and Infrastructure department has been undertaken as part of preparing this report.

**RESOLUTION 2020/18**

Moved: Cr Geoff Curnow

Seconded: Cr Neil Beattie

That Council, in relation to the Captain Melville Trail project resolve to:

1. determine the project in its current form is concluded
2. advise relevant stakeholders, such as Parks Victoria, Department of Environment Water Land and Planning (DEWLP) and affected adjoining landowners
3. reallocate the current project budget to an alternative recreation project.

**CARRIED**

**9.9 BRIDGEWATER CHANGEROOM PROJECT FUNDING**

**File Number:** 16/04/010  
**Author:** Wendy Gladman, Director Community Wellbeing  
**Authoriser:** Phil Pinyon, Chief Executive Officer  
**Attachments:** Nil

**RECOMMENDATION.**

That Council provide additional funding of \$166,633 to the Bridgewater changeroom 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**

A briefing report was provided to the February 2020 Council forum.

**BACKGROUND**

In September 2017, Loddon Shire Council (Council) applied for \$100,000 through the *Female Friendly Facilities Program (2018/2019)* for the construction of female change-rooms at the Bridgewater Recreation Reserve. The Bridgewater Recreation Reserve is managed by a Crown (Department of Environment, Land, Water and Planning-DELWLP) Committee of Management.

Council was advised of the successful outcome of this grant and a funding agreement between Sport and Recreation Victoria (SRV) and Council was signed in June 2018.

The total estimated cost of the project at that time was \$209,000 which included construction costs of \$183,000 and project management costs of \$26,000.

The funding committed to the project initially included:

|  |                   |
|--|-------------------|
| SRV  | \$ 100,000        |
| Council (10% contribution as per Community Support Policy) | \$ 10,000         |
| Bridgewater Football and Netball Club                      | \$ 20,000         |
| Inglewood and District Community Enterprise Bank           | \$ 30,000         |
| Derby Hall   | \$ 20,000         |
| <b>Total</b>   | <b>\$ 180,000</b> |

**ISSUES/DISCUSSION**

Since signing the funding agreement Council officers have been liaising with representatives from the Bridgewater Recreation Reserve, the Bridgewater Football Netball Club and SRV to finalise the project scope and concept design, ensuring that all the necessary regulatory and sporting body requirements have been met. The governance and project delivery models have also been reviewed and strengthened to enhance the successful delivery of the project.

Following this, a reassessment of project costs was undertaken which identified the need to revise the cost estimate. The new total project cost estimate of \$366,633 includes project management, building contingency, construction costs, earthworks, building permits and service fees.

With the delays experienced in progressing to this stage, variations to the original project milestones have been negotiated; any additional delays may impact on expected milestones, requiring further discussions with the funding contributors as the project proceeds.

**COST/BENEFITS**

Council officers have re-confirmed the funding now committed to the project, with an increased contribution from the Bridgewater Recreation Reserve and Bridgewater Football and Netball Club.

|  |                   |
|--|-------------------|
| SRV  | \$ 100,000        |
| Council (10% contribution as per Community Support Policy) | \$ 10,000         |
| Bridgewater Football and Netball Club/Recreation Reserve   | \$ 40,000         |
| Inglewood and District Community Enterprise Bank           | \$ 30,000         |
| Derby Hall   | \$ 20,000         |
| <b>Total</b>   | <b>\$ 200,000</b> |

The revised project cost of \$366,633 along with the funding commitment of \$200,000 leaves a funding requirement of \$166,633. It is suggested that Council provide the required funds to allow completion of the project and staff can make some suggestions to Councillors at the meeting as to possible funding source/s to meet the shortfall.

The female changerooms currently available at the Bridgewater Recreation Reserve do not meet current standards and mean that many sport participants are required to find alternative arrangements prior to and after game play. This project will provide changerooms that meet the current expected standards, improving the amenity and experience for women participating in sporting activities conducted at the Recreation Reserve.

**RISK ANALYSIS**

Some of the initial risks associated with the delivery of the project will be mitigated through the improved governance and project delivery included in the new scope of works and project cost estimates.

Council has negotiated a variation to the original milestones, and faces political and reputational risks with the local community, Bridgewater FNC and the funding body if it fails to meet the new milestones of this project. The approval of the additional funding will allow the project to move to the next stage in an attempt to meet milestone deadlines.

**CONSULTATION AND ENGAGEMENT**

Council officers have been liaising with representatives from the Bridgewater Recreation Reserve, the Bridgewater Football Netball Club and SRV to continue to progress this project.

**RESOLUTION 2020/19**

Moved: Cr Colleen Condliffe

Seconded: Cr Geoff Curnow

That Council provide additional funding of \$166,633 to the Bridgewater Changeroom Project from the following funding sources:

- reallocation of \$100,000 released from the undelivered Captain Melville trail project
- \$66,633 allocation from the 2019/20 Major Projects Reserve allocation

**CARRIED**

**10 INFORMATION REPORTS****10.1 ROAD MANAGEMENT PLAN DEFECT RECTIFICATION COMPLIANCE REPORT**

**File Number:** 14/01/022  
**Author:** Daniel Lloyd, Manager Works  
**Authoriser:** Steven Phillips, Director Operations  
**Attachments:** Nil

**RECOMMENDATION**

That Council receive and note the road management plan defect rectification compliance report.

**CONFLICT OF INTEREST**

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

**PREVIOUS COUNCIL DISCUSSION**

This is the second report for the 2019 - 2020 financial year, summarising road network defect rectification compliance against requirements specified within the Loddon Shire Road Management Plan (RMP).

**BACKGROUND**

This report is produced quarterly and provides statistical data with respect to the Organisation's performance in managing the road network. Performance is measured through a comparison of actual defect rectification timeframes against requirements specified in the RMP.

**ISSUES/DISCUSSION**

Table 1 below provides a summary of the compliance against the schedule of road and street inspection regimes as set in the RMP.

*Table 1: Inspection summary report*

| Quarter 2 (01/10/2019 – 31/12/2019) |                                 |                              |                                 |                      |               |                          |
|-------------------------------------|---------------------------------|------------------------------|---------------------------------|----------------------|---------------|--------------------------|
| District                            | Number of scheduled inspections | Number completed by due date | Number completed after due date | Number not completed | Compliance    | Number of Defects Raised |
| Loddon Plains                       | 18                              | 18                           | 0                               | 0                    | 100.0%        | 610                      |
| Loddon Goldfields                   | 22                              | 22                           | 0                               | 0                    | 100.0%        | 649                      |
| <b>Total</b>                        | <b>40</b>                       | <b>40</b>                    | <b>0</b>                        | <b>0</b>             | <b>100.0%</b> | <b>1259</b>              |

During the second quarter of 2019 – 2020 financial year, 100% of the programmed inspections were completed according to the schedule.

Table 2 below provides a summary of compliance of actual response times for rectification works of defects as detailed in the defect intervention levels and response timetables of the RMP.

*Table 2: Defect rectification summary report*

| Quarter 2 (01/10/2019 – 31/12/2019) |                   |           |                          |             |                    |          |              |              |
|-------------------------------------|-------------------|-----------|--------------------------|-------------|--------------------|----------|--------------|--------------|
| District                            | Number of Defects |           |                          |             | Compliant with RMP |          |              |              |
|                                     | Adhoc             | Requests  | Defects from inspections | Total       | Yes                | No       | Not complete | %            |
| Loddon Goldfields                   | 41                | 13        | 345                      | 399         | 399                | 0        | 0            | 100.0%       |
| Loddon Plains                       | 116               | 7         | 496                      | 619         | 614                | 5        | 0            | 99.2%        |
| Shire Wide                          | 58                | 12        | 439                      | 509         | 509                | 0        | 0            | 100.0%       |
| Townscape Services                  | 31                | 2         | 47                       | 80          | 80                 | 0        | 0            | 100.0%       |
| <b>Total</b>                        | <b>246</b>        | <b>34</b> | <b>1327</b>              | <b>1607</b> | <b>1602</b>        | <b>5</b> | <b>0</b>     | <b>99.7%</b> |

Table 2 comprises a summary of defects that have been identified through programed inspections, customer requests and works crews identifying and rectifying defects as they find them, known as adhoc work actions. During the second quarter of 2019 – 2020 financial year, 99.7% of all date imposed defects were completed before their due date. This is 0.3% below the target of 100% set in the RMP.

Table 3 provides a summary of performance against the unsealed road maintenance grading program, defects as identified through programed inspections, customer requests and works crews identifying and rectifying defects as they find them, known as adhoc work actions. The maintenance grading program identifies each road segment by its road hierarchy and grading frequency as detailed in the RMP.

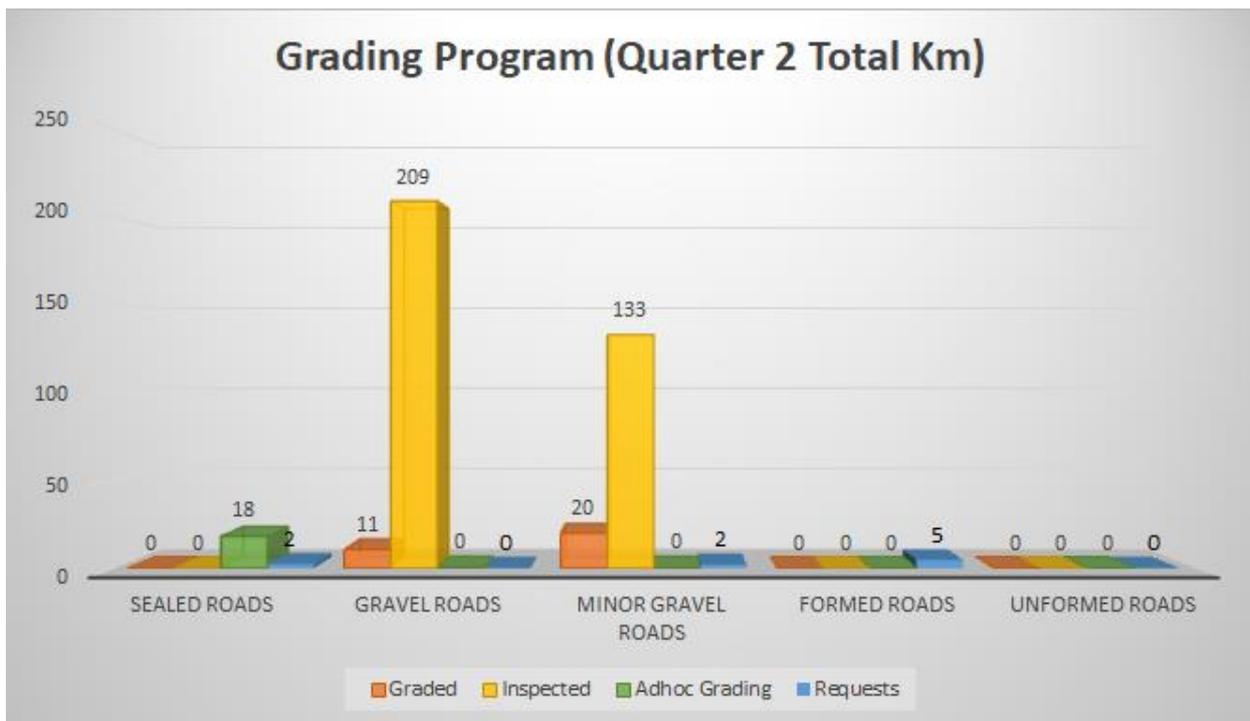
*Table 3: Maintenance grading program*

| Quarter 2 (01/10/2019 – 31/12/2019) |                                |          |          |           |             |                                     |          |               |              |
|-------------------------------------|--------------------------------|----------|----------|-----------|-------------|-------------------------------------|----------|---------------|--------------|
| District                            | Number of Grading Work Actions |          |          |           |             | Compliant with scheduled timeframes |          |               |              |
|                                     | Programmed Maintenance Grading | Defects  | Requests | Adhoc     | Total       | Yes                                 | No       | Not completed | %            |
| Loddon Goldfields                   | 632                            | 0        | 3        | 10        | 645         | 645                                 | 0        | 0             | 100.0%       |
| Loddon Plains                       | 433                            | 2        | 5        | 62        | 502         | 491                                 | 0        | 11            | 97.8%        |
| <b>Total</b>                        | <b>1065</b>                    | <b>2</b> | <b>8</b> | <b>72</b> | <b>1147</b> | <b>1136</b>                         | <b>0</b> | <b>11</b>     | <b>99.0%</b> |

The data in table 3 indicates that 1136 grading work actions were completed for the second quarter of the 2019 – 2020 financial year. There is no set level of compliance for the maintenance grading program in the RMP.

A graph has been provided in Chart 1 indicating a breakdown of the grading work actions, by road hierarchy and kilometres. The sealed roads section relates to shoulder grading work actions on the Sealed Road network. The gravel road section includes all grading work actions on Gravel Collector and Gravel Access roads. The Gravel Minor and the Formed Road sections relate directly to Council's road hierarchy and show all grading work action on roads within that hierarchy.

Chart 1: Maintenance Grading Program



**COST/BENEFITS**

The year to date actual expenditure to the end of second quarter of 2019 – 2020 financial year of the Local Road Maintenance Program is \$3,152,819. The expenditure for the second quarter was \$1,447,099.

The benefits to the community in complying with the RMP are that it ensures a safe road network.

**RISK ANALYSIS**

Repairing 100% of all date imposed defects before their due date limits Council’s liability for any claims for damage made against Council.

**CONSULTATION AND ENGAGEMENT**

No internal or external consultation is required in the formation of this report.

**RESOLUTION 2020/20**

Moved: Cr Neil Beattie

Seconded: Cr Colleen Condliffe

That Council receive and note the road management plan defect rectification compliance report.

**CARRIED**

**10.2 PUBLIC HEALTH ACTIVITY REPORT****File Number:** 12/02/001**Author:** Teresa Arnup, Senior Public Health Officer**Authoriser:** Glenn Harvey, Manager Development and Compliance**Attachments:** Nil**RECOMMENDATION**

That Council receive and note the Public Health activity report.

**CONFLICT OF INTEREST**

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

**PREVIOUS COUNCIL DISCUSSION**

This is the second report for the 2019-2020 financial year, summarising public health activities within the Development and Compliance Department.

**BACKGROUND**

Loddon Shire Council is responsible for the administration and enforcement of a number of Acts including the:

- Food Act 1984
- Public Health and Wellbeing Act 2008
- Residential Tenancies Act 1997
- Environment Protection Act 1970
- Tobacco Act 1987.

Council's Public Health officer has regular contact with business operators, community groups, home owners and developers whilst administering the above Acts. Activities undertaken by the staff include inspection of registered premises, the taking of food and water samples, the issuing of septic tank permits and complaint investigations.

**ISSUES/DISCUSSION****Registered Premises**

Council undertakes annual inspections of premises that are registered under the Food Act, Public Health and Wellbeing Act and Residential Tenancies Act. Inspections are also undertaken of public swimming pools and of properties that are required to meet the requirements of the Tobacco Act. Table 1 provides a summary of the inspections undertaken during the reporting period.

*Table 1: Registered premises inspections*

| 1 October to 31 December 2019                           |                      |                       |
|---|----------------------|-----------------------|
| Governing Legislation                                   | Inspection Outcome   | Number of inspections |
| Food Premises   | Compliant*           | 38                    |
|   | Major Non Compliance | 2                     |
| Health Premises   | Compliant*           | 3                     |
| Swimming Pools  | Satisfactory         | 4                     |
|   | Unsatisfactory       | 4                     |
| <b>Total number of inspections for reporting period</b> |                      | <b>51</b>             |

\*compliant includes sites that were fully compliant and some sites that required minor actions to become compliant

All unsatisfactory inspections are followed up with the businesses to ensure remedial actions are taken to reach compliance.

### **Tobacco Act**

Council is funded to undertake a set number of Tobacco inspections throughout the year. Most of the inspections are carried out in conjunction with Food Act inspections, however a number of them are non-smoking public outdoor venues such as at kindergartens, schools, play grounds and hospitals. Table 2 summarises the Tobacco Act activities undertaken during the reporting period.

*Table 2: Tobacco inspections*

| <b>1 October to 31 December 2019</b> |               |
|--------------------------------------|---------------|
| <b>Inspection Type</b>               | <b>Number</b> |
| Retailer includes vending machines   | 4             |
| Indoor Drinking and Dinning Areas    | 3             |
| Outdoor Drinking and Dinning Areas   | 5             |
| Public Outdoor Venues                | 5             |
| <b>Total number of Inspections</b>   | <b>17</b>     |

### **Septic Systems**

Table 3 summarises septic system permit applications processed during the reporting period.

*Table 3: Septic system permits*

| <b>1 October to 31 December 2019</b> |               |
|--------------------------------------|---------------|
| <b>Permit Type</b>                   | <b>Number</b> |
| Installation or alteration           | 4             |
| Certificate to use                   | 6             |
| <b>Total Number of Permits</b>       | <b>10</b>     |

The average processing time for permits to install or alter is six days.

Table 4 summarises the activities associated with management of septic tank applications and installed systems.

*Table 4: Septic system activity*

| <b>1 October to 31 December 2019</b> |               |
|--------------------------------------|---------------|
| <b>Activity / Inspection Type</b>    | <b>Number</b> |
| Application Inspection               | 3             |
| Installation Inspection              | 1             |
| Final Inspection                     | 5             |
| Complaint Inspection                 | 1             |
| <b>Total Number of Inspections</b>   | <b>10</b>     |

### **Public Health Complaints**

Council is responsible for the investigation of nuisance complaints under the Public Health and Wellbeing Act. Complaints of nuisance can be complex and time consuming. Table 5 summaries the complaints during the reporting period.

*Table 5: Public health complaints*

| 1 October to 31 December 2019 |  |                 |                 |                                      |
|-------------------------------|--|-----------------|-----------------|--------------------------------------|
| Nature of complaint           | Number carried over from previous reporting period | Number received | Number resolved | Number currently pursuing resolution |
| Food Premises                 | -  | 2               | 1               | 1                                    |
| Wastewater                    | 2  | 2               | 1               | 3                                    |
| Other                         | -  | 1               | 1               | -                                    |
| <b>Total</b>                  | <b>2</b>   | <b>5</b>        | <b>3</b>        | <b>4</b>                             |

### **Sampling Program**

The number of food samples that are to be taken by Council is set annually in the government gazette. The program focuses on the microbiological quality of the food items that are being sampled to ensure that safe food handling practices are being implemented within food premises. The focus is on sampling locally made and sold food products. This approach to the program also assists local businesses in verifying the content on the food label of their products. Food labelling is quite complex and small home businesses benefit by having their labels checked by the analysis.

At the commencement of the swimming season all public pools are assessed for water quality, with water samples taken from each pool. Council maintains five public swimming pools and one pool at a caravan park. There are a varying number of pools at each site with each pool being sampled individually.

Table 6 summaries the sampling program activities undertaken during the reporting period.

*Table 6: Sampling program summary*

| 1 October to 31 December 2019  |           |                 |                 |    |
|--------------------------------|-----------|-----------------|-----------------|----|
| Sample Type                    | Number    | Testing         | Outcome         |    |
| Food                           | 24        | Microbiological | Satisfactory*   | 14 |
|                                |           |                 | Unsatisfactory  | 0  |
|                                |           | Labelling       | Satisfactory    | 0  |
|                                |           |                 | Unsatisfactory  | 2  |
|                                |           | Allergen        | Satisfactory    | 2  |
|                                |           |                 | Unsatisfactory  | 8  |
| Swimming Pool                  | 15        | Microbiological | Complies        | 11 |
|                                |           |                 | Does not comply | 4  |
| <b>Total number of Samples</b> | <b>39</b> |                 |                 |    |

\*satisfactory microbiological results include samples that were marginal

A focus of this year's sampling program was allergens; milk free drinks were purchased and tested for milk protein. Unfortunately the failure rate for the samples was significant with 80% of the samples containing milk protein. An education campaign has been conducted with proprietors and resampling will occur in early 2020.

In general all other unsatisfactory samples were followed up with the businesses that produced and/or sold the product including the swimming pools to ensure remedial actions are taken.

Additional samples from the swimming pools that failed were taken in January 2020 and all have now passed.

### **COST/BENEFITS**

The actual expenditure for the second quarter of 2019-2020 financial year of the public health unit activities contained within this report is \$31,389

Administration of the Acts that the Public Health officer has responsibility for includes significant field work, with staff regularly in the field engaging with business operators, developers, residents and ratepayers.

This investment increases significantly when compliance issues are identified within registered premises and when complaints are received.

The benefits that stem from this investment include:

- improved public health and safety within registered premises
- improved local amenity
- full implementation by Council of our responsibilities under the various Acts and regulations.

### **RISK ANALYSIS**

Failure of Council to adequately administer and enforce the provisions of the applicable legislation would pose the following possible risks:

- the spread of infectious diseases through the community including food poisoning
- a barrier to the new developments and economic growth within Council
- Council's reputation as a regulatory authority
- contamination of the local environment
- failure to meet obligations set within the relevant legislation.

### **CONSULTATION AND ENGAGEMENT**

The Public Health officer regularly engages with business operators, developers, residents and ratepayers during the administration of the various Acts which can range from annual assessments/inspections to the provision of advice for the processing of septic tank permits. Any business operator, developer, residents or ratepayer that is subject to enforcement action is regularly consulted with during the enforcement process.

#### **RESOLUTION 2020/21**

Moved: Cr Geoff Curnow

Seconded: Cr Colleen Condliffe

That Council receive and note the Public Health activity report.

**CARRIED**

**10.3 LOCAL LAWS AND PLANNING COMPLIANCE ACTIVITY REPORT****File Number:** 04/02/012**Author:** David Price, Local Laws \ Planning Compliance Officer**Authoriser:** Glenn Harvey, Manager Development and Compliance**Attachments:** Nil**RECOMMENDATION**

That Council receive and note the local laws and planning compliance activity report.

**CONFLICT OF INTEREST**

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

**PREVIOUS COUNCIL DISCUSSION**

This is the second report for the 2019-20 financial year, summarising the local law and planning compliance and enforcement actions taken within the Development and Compliance Department. It provides Council with a high level summary for the purpose of monitoring performance within this area.

**BACKGROUND**

Council is responsible for a range of advisory, compliance and enforcement services to the community and maintains powers under various legislation and Council local laws to enable effective animal management, planning enforcement, local law compliance and fire prevention for community and township amenity.

A number of organisational policies and procedures have been developed, outlining the methodology and circumstances under which Council officers will undertake compliance action. Key areas of focus in respect to compliance action include:

- management of local laws, particularly with respect to unsightly properties
- effective animal management
- assessment of properties for potential fire risk/fire prevention measures
- control of roadside activities, occupation and utilisation
- investigate planning scheme breaches and enforce planning permit conditions
- intervention in public nuisance issues.

**ISSUES/DISCUSSION**Administrative and fire prevention

Table 1 provides a summary of administrative and fire prevention actions undertaken.

Table 1: Administrative and fire prevention activities

| Quarter 2 (1 October 2019 – 31 December 2019) |                           |                                      |                             |                          |
|---|---------------------------|--------------------------------------|-----------------------------|--------------------------|
| Activity                                      | After hours call outs (*) | Littering or illegal rubbish dumping | Fire prevention notices (^) | Local law permits issued |
| No. actions                                   | 8                         | 4                                    | 302                         | 8                        |

(\*) Council provides a 24 hour emergency call out service in respect to animal management or local law compliance and enforcement.

(^) Figures are provided by the OHS/Risk Management and Fire Prevention Officer.

Following an internal review of service delivery, the statutory role of Municipal Fire Prevention Officer is now undertaken by the OHS/Risk Management and Fire Prevention Officer. This position is within Council's Corporate Services Directorate and no longer part of the local laws/planning compliance role. The reporting of municipal fire prevention activities to Council will still be included in this report.

#### Unightly properties

A summary of activity statistics and locations that are the subject of compliance with local laws relating to unightly properties is provided in Table 2. Identified unightly properties are assessed and prioritised for compliance action.

*Table 2: Summary of unightly properties activities*

| Quarter 2 (1 October 2019 – 31December 2019) |           |        |           |            |           |             |            |             |        |       |              |         |        |            |             |       |
|--|-----------|--------|-----------|------------|-----------|-------------|------------|-------------|--------|-------|--------------|---------|--------|------------|-------------|-------|
| Town/Locality                                | Eddington | Rheola | Newbridge | Tarnagulla | Inglewood | Bridgewater | Wedderburn | Korong Vale | Borong | Boort | Pyramid Hill | Mitiamo | Dingee | Serpentine | Rural/Other | Total |
| No. identified from previous report period   | 2         | 0      | 3         | 2          | 4         | 3           | 12         | 11          | 3      | 1     | 2            | 1       | 0      | 0          | 2           | 46    |
| No. resolved during quarter                  | 0         | 0      | 0         | 0          | 0         | 0           | 0          | 0           | 0      | 0     | 0            | 0       | 0      | 0          | 0           | 0     |
| New action commenced                         | 0         | 0      | 0         | 0          | 0         | 0           | 0          | 0           | 0      | 0     | 0            | 0       | 0      | 0          | 0           | 0     |
| No. currently pursuing                       | 2         | 0      | 3         | 2          | 4         | 3           | 12         | 11          | 3      | 1     | 2            | 1       | 0      | 0          | 2           | 46    |
| Progress Activities                          |           |        |           |            |           |             |            |             |        |       |              |         |        |            |             |       |
| Site meeting / discussion held               | 0         | 0      | 0         | 0          | 0         | 0           | 5          | 0           | 0      | 0     | 0            | 0       | 0      | 0          | 1           | 6     |
| Letter to comply issued                      | 0         | 0      | 0         | 0          | 0         | 0           | 5          | 0           | 0      | 0     | 0            | 0       | 0      | 0          | 0           | 5     |
| Occupier has commenced clean-up work         | 0         | 0      | 0         | 0          | 0         | 0           | 5          | 0           | 0      | 0     | 0            | 0       | 0      | 0          | 1           | 6     |
| Notice to comply issued                      | 0         | 0      | 0         | 0          | 0         | 0           | 5          | 0           | 0      | 0     | 0            | 0       | 0      | 0          | 1           | 6     |
| Contractor engaged for clean-up work         | 0         | 0      | 0         | 0          | 0         | 0           | 0          | 0           | 0      | 0     | 0            | 0       | 0      | 0          | 0           | 0     |

Local laws staff continue to work with community members in resolving unsightly property issues. Achieving resolution of unsightly property issues can be difficult, with many property owners committing to attend to the issue and in some cases starting the process of cleaning up only to relapse. This requires an approach of escalation of interventions until compliance is reached. Many of these issues involve longstanding patterns of behaviour that will require continual intervention and time to establish significant change in individual's behaviour in order for lasting compliance to be reached.

#### Animal management

Table 3 provides a high level summary of animal management activities.

*Table 3: Summary of animal management activities*

| Quarter 2 (1 October 2019 – 31 December 2019) |                     |                       |            |                          |                           |                            |
|---|---------------------|-----------------------|------------|--------------------------|---------------------------|----------------------------|
| Activity                                      | Wandering livestock | Trespassing livestock | Dog attack | Domestic animal at large | Distribution of cat traps | General complaints / other |
| No. of actions                                | 18                  | 8                     | 2          | 13                       | 14                        | 39                         |

Table 4 summarises animal management activities that resulted in impoundments, encompassing both domestic animals and livestock.

*Table 4: Impoundment activities*

| Quarter 2 (1 October 2019 – 31 December 2019) |              |                    |                  |                  |
|---|--------------|--------------------|------------------|------------------|
| Animal type                                   | Impoundments | Returned to owners | Animals rehoused | Animals disposed |
| Livestock                                     | 53           | 27                 | 0                | 24 (sold)        |
| Dogs  | 11           | 7                  | 4                | 0                |
| Cats  | 6            | 2                  | 4                | 0                |
| Feral Animals                                 | -            | -                  | -                | 43               |
| <b>Total</b>                                  | <b>70</b>    | <b>36</b>          | <b>8</b>         | <b>67</b>        |

#### Planning Compliance and Enforcement

Table 5 provides a summary of planning compliance and enforcement activities undertaken.

*Table 5: Planning compliance and enforcement activities*

| Quarter 2 (1 October 2019 – 31 December 2019)                 |  |                      |              |                                  |                                   |
|---|--|----------------------|--------------|----------------------------------|-----------------------------------|
| Type  | No. identified from previous report period | New action commenced | PIN's issued | No. resolved during this quarter | No. currently pursuing resolution |
| Land use in contravention of planning scheme without a permit | 7  | 2                    | 0            | 3                                | 6                                 |
| Native vegetation removal without a permit                    | 7  | 1                    | 0            | 3                                | 5                                 |

| Quarter 2 (1 October 2019 – 31 December 2019)  |  |                      |              |                                  |                                   |
|--|--|----------------------|--------------|----------------------------------|-----------------------------------|
| Type   | No. identified from previous report period | New action commenced | PIN's issued | No. resolved during this quarter | No. currently pursuing resolution |
| Breach of planning permit                      | 4  | 0                    | 0            | 1                                | 3                                 |
| Dog breeding / animal keeping                  | 4  | 1                    | 0            | 1                                | 4                                 |
| Land used as a store without planning permit   | 4  | 1                    | 0            | 2                                | 3                                 |
| Occupation of a shed without a planning permit | 3  | 5                    | 0            | 1                                | 7                                 |
| <b>Total</b>                                   | <b>29</b>                                  | <b>10</b>            | <b>0</b>     | <b>11</b>                        | <b>28</b>                         |

Throughout all of the above compliance activities tabled, the Development and Compliance Department aims to work proactively with property and animal owners to achieve a positive outcome within the legislative framework set by the State Government and Council Local Laws.

### **COST/BENEFITS**

The expenditure for the second quarter of 2019-2020 financial year for the local laws and compliance activities contained within this report is \$56,168. As the identified properties are escalated through the compliance process, costs associated with legal proceedings may also be incurred by Council.

The resulting cost to Council can be significant in terms of officer(s) time; particularly undertaking various site inspections across Loddon Shire. Direct monetary costs can be significant should a matter progress to the Victorian Civil and Administrative Tribunal (VCAT) or the Magistrates Court. Therefore, it is of benefit to Council and the community that the Development and Compliance Department work through these matters in a timely and respectful manner to reach an appropriate outcome wherever possible.

Benefits derived from investing in local law and planning compliance activities include:

- improving and maintaining township amenity
- ensuring that appropriate development occurs
- maintaining and improving public safety
- encouraging good domestic animal and livestock management
- reduced bushfire risks.

### **RISK ANALYSIS**

Failure of Council to adequately manage the provisions associated with the Loddon Planning Scheme, Planning and Environment Act 1987 or other applicable legislation including the Domestic Animals Act 1994, Impounding of Livestock Act 1994, Country Fire Authority Act 1958 or Council Local Laws is considered to pose the following risks:

- barrier to development and associated economic growth within Loddon Shire
- inappropriate development
- Council's reputation as a regulatory authority
- public safety that endangers life and property
- adverse amenity of our townships
- increased bushfire hazards.

**CONSULTATION AND ENGAGEMENT**

Land and animal owners subject to compliance and enforcement actions under the abovementioned legislation and local laws are consulted with at each stage of the process.

**RESOLUTION 2020/22**

Moved: Cr Neil Beattie

Seconded: Cr Colleen Condliffe

That Council receive and note the local laws and planning compliance activity report.

**CARRIED**

#### 10.4 QUARTERLY BUILDING SERVICES ACTIVITY REPORT

**File Number:** 13/06/001, 13/08/001 & 13/08/003

**Author:** Greg Johnston, Municipal Building Surveyor

**Authoriser:** Glenn Harvey, Manager Development and Compliance

**Attachments:** Nil

#### **Recommendation**

That Council receive and note the Building Services Activity report.

#### **CONFLICT OF INTEREST**

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

#### **PREVIOUS COUNCIL DISCUSSION**

Council is provided with information quarterly summarising building services activities relating to permits, certificates and statutory enforcement activity undertaken within the Development & Compliance Department. This is the second quarterly report for the 2019-2020 financial year.

#### **BACKGROUND**

Council provides a range of building services through the Municipal Building Surveyor including the following:

- issuing relevant permits and certificates
- issuing report & consent determinations on matters not complying with the Building regulations
- building advisory and information services including legal point of discharge requests
- consultancy and building control functions
- administrative functions prescribed by the Building Act & Regulations including keeping records relating to the activity of private building surveyors issuing permits within Loddon Shire
- regulatory enforcement of relevant Acts.

The number of building permits, occupancy permits and final inspections is a basic indicator of building development and investment within the Loddon Shire Council area.

#### **ISSUES/DISCUSSION**

##### Building permits

Table 1 provides the number and total value of building permits issued for the last two quarters of the 2018-2019 financial year and the first two quarters of the 2019-2020 financial year. The number of building permits across the various quarters has been relatively constant with this latest quarter being slightly lower in number and value. There is variation in the value of permits throughout any given financial year. The variation in value is largely attributable to the scale and cost of individual projects with only one building permit for this quarter having a value over \$650,000 for a farm production (dairy) shed and only two others for new dwellings exceeded \$330,000 in value.

*Table 1: Summary of new building permits issued*

|                           | <b>Quarter 3<br/>2018-19<br/>(01/01/2019 –<br/>31/03/2019)</b> | <b>Quarter 4<br/>2018-19<br/>(04/01/2019 –<br/>30/06/2019)</b> | <b>Quarter 1<br/>2019-20<br/>(01/07/2019 –<br/>30/09/2020)</b> | <b>Quarter 2<br/>2019-20<br/>(01/10/2019 –<br/>31/12/2020)</b> |
|---------------------------|--|--|--|--|
| <b>No. of new Permits</b> | 44   | 45   | 45   | 42   |
| <b>Value of Works</b>     | \$3,588,195.65   | \$13,484,687.57  | \$3,951,645.58   | \$3,137,156.30   |

Table 2 provides a summary of the number of final inspections and certificates of occupancy issued for building permits for the final two quarters of the 2018-2019 financial year and the first two quarters of the 2019-2020 financial year.

*Table 2: Summary of final inspections and occupancy permits*

|   | <b>Quarter 3<br/>2018-19<br/>(01/01/2019 –<br/>31/03/2019)</b> | <b>Quarter 4<br/>2018-19<br/>(01/04/2019 –<br/>30/06/2019)</b> | <b>Quarter 1<br/>2019-20<br/>(01/07/2019 –<br/>30/09/2020)</b> | <b>Quarter 2<br/>2019-20<br/>(01/10/2018 –<br/>31/12/2020)</b> |
|---|--|--|--|--|
| <b>Certificates of final inspection</b> | 31   | 32   | 42   | 27   |
| <b>Occupancy Permits</b>                | 12   | 7  | 9  | 7  |

Council Building Services Staff continue to work proactively sending follow up letters with respect to the significant number of incomplete building permits that have lapsed from past years. Council now notifies building owners approximately two months before their building permits are due to lapse to inform them that they can either arrange a final inspection/occupancy permit or apply for an extension of time for their building permit to minimise the likelihood of old permits not being finalised or have occupancy permits issued. This seems to be improving completion rates for more recent permits with 26 of the total 34 final inspections and occupancy permits for the quarter being carried out by Council. There still remain a number of old building permits to be finalised.

#### Statutory enforcement

Table 3 provides a high level summary of statutory enforcement activities undertaken by the Municipal Building Surveyor.

*Table 3: Summary of statutory enforcement activities*

| Type   | Actions incomplete from previous report period | New action started | Total actions | Building notice issued | Building order issued | Appeal to Building Appeals Board | Legal action / solicitors letter started this quarter | Legal action ongoing | No. resolved during this quarter |
|--|--|--------------------|---------------|------------------------|-----------------------|----------------------------------|---|----------------------|----------------------------------|
| Building damaged by fire                               | 0  | 0                  | 0             | 0                      | 0                     | 0                                | 0   | 0                    | 0                                |
| Works required to make building safe (including pools) | 7  | 3                  | 10            | 0                      | 3                     | 1                                | 1   | 0                    | 1                                |
| Carrying out building works without a permit           | 1  | 2                  | 3             | 1                      | 1                     | 0                                | 0   | 0                    | 1                                |
| Works not in accordance with building permit           | 1  | 0                  | 1             | 0                      | 0                     | 0                                | 0   | 0                    | 0                                |
| Illegal occupation of non-habitable building           | 0  | 0                  | 0             | 0                      | 0                     | 0                                | 0   | 0                    | 0                                |
| Building with non-complying essential safety measures  | 2  | 0                  | 2             | 0                      | 0                     | 0                                | 0   | 0                    | 0                                |

Whilst new issues requiring enforcement are identified regularly, it is also noted there are some longstanding enforcement activities that are ongoing. The time spent on individual items can be significant particularly when it requires escalation to Court. Council officers work to try to resolve matters without legal intervention. Unfortunately this cannot always be achieved. One such matter where Council has tried to arrange an inspection has resulted in a threat to an Officer's life. This matter has been referred to Victoria Police for follow up.

There have been a number of other actions relating to matters under the Building Act & Building Regulations that have been resolved without the need for formal enforcement action. This has been achieved by staff working pro-actively with property owners to have works completed. Other inspections that have taken place following this reporting period have identified more matters that will require enforcement actions that will be captured in the next quarterly report.

Council is largely responding to matters on a complaints basis. There are a significant number of properties with illegal buildings, some of which are occupied that resources are not available to

follow up. This matter is covered in more detail under the Risk Analysis section. It remains a significant challenge for Council.

### **COST/BENEFITS**

The expenditure for the second quarter of the 2019-2020 financial year for building services activities contained within this report is \$28,958. The provision of building activity statistics informs Council of the level of building activity and statutory enforcement activity in the municipality.

The cost to Council of enforcement activity can be quite significant, particularly in terms of Council officers' time. This in turn impacts on other activities such as the timeframe for building permits. Direct monetary costs significantly escalate if matters progress to a Magistrate's hearing or the Municipal Building Surveyor needs to arrange for the work associated with any order to be completed by Council. As such, the Municipal Building Surveyor, together with other Development & Compliance Department staff endeavours to work through enforcement matters in a manner that engages with property owners/occupiers to have required works completed.

Council's Municipal Building Surveyor has arranged for work to be carried out in respect to one property that required an emergency order and co-operation of the owner to complete the work could not be achieved. Ongoing costs are mounting in relation to this matter. This matter has been referred to Council's solicitor for prosecution with the first hearing set for 20 January 2020. Once prosecution of this matter is completed costs will be sought to be recovered through the courts.

### **RISK ANALYSIS**

There are risks associated with all building and development works. As such, it is vital that Building legislation, standards and controls are administered effectively. Failure of Council to adequately enforce the provisions of applicable legislation poses the following possible risks:

- unsafe development and building works which may affect the safety of property owners, occupiers and the general public within Loddon Shire
- Council's reputation as a regulatory authority
- Council being held liable for failure to act in a matter which results in damage to other property, or injury or death to a person
- failure to meet statutory obligations set within relevant legislation.

1.

As part of the risk management process when undertaking enforcement work, the Municipal Building Surveyor makes reference to the building enforcement intervention filter criteria, developed by the Victorian Municipal Building Surveyors Group and which forms part of the procedures covered in Loddon Shire Council's Building Control Policy.

A significant risk within Loddon Shire is unregulated developments, in particular small allotments which are sold to purchasers that have expectations of using it for a cheap home or "weekender". Often the landholder is unable or unwilling to meet the regulatory requirements to safely utilise the site as they desire. This has led to a number of undesirable and potentially unsafe outcomes of unregulated developments. Action by Council's Local Laws & Planning Compliance Officer has improved some areas of the Shire in this regard. Development & Compliance staff will continue to work collaboratively to make best use of limited resources to address some of these issues. It is noted that Council's current capacity to enforce compliance in every instance, is limited. Generally enforcement matters are followed up by the Municipal Building Surveyor on a complaints basis having regard to risk management principles.

The Victorian Building Authority released Amended Building Regulations on 30 November 2019 for changes to the regulations affecting swimming pool and spa safety barriers. The Regulations came into effect on 1 December 2019. These changes include requirements that pool owners register their swimming pool or spa with Council by 30 June 2020 and to arrange for a certificate of compliance to be issued by one of three dates over an 18 month period commencing 30 June 2020 and dependant on the age and regulations applicable to the pool or spa fence/safety barrier construction. Council has a number of obligations under the changes to the Regulations including

advising pool and/or spa owners of the applicable date of the construction of a pool or spa and following up with enforcement action where a certificate of non-compliance has been issued by a private swimming pool inspector. The requirements of the proposed legislation will impact on Council's already limited Building Services resources.

### **CONSULTATION AND ENGAGEMENT**

The Municipal Building Surveyor regularly engages with business operators, developers, residents and ratepayers during the administration of the various Acts which can range from annual assessments/inspection to the provision of advice for the processing of building permits. Any business operator, developer, residents or ratepayer that is subject to enforcement action is regularly consulted with during the enforcement process to give them the opportunity to avoid the next step up in enforcement action.

### **RESOLUTION 2020/23**

Moved: Cr Geoff Curnow  
Seconded: Cr Colleen Condliffe

That Council receive and note the Building Services Activity report.

**CARRIED**

**10.5 UPDATE ON THE ANNUAL INFRASTRUCTURE PROGRAM 2019-2020 AND OTHER PROJECTS**

**File Number:** 14/01/001

**Author:** Adam Cooper, Project Management Coordinator

**Authoriser:** David Southcombe, Manager Assets and Infrastructure

**Attachments:**

1. Annual Infrastructure Program 2019-2020
2. Other Projects 2019-2020

**RECOMMENDATION**

That Council note the update on progress of the Annual Infrastructure Program 2019-2020 and Other Projects as at end of December 2019.

**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**

This report is for the second quarter of 2019-2020 financial year, providing an update on the progress of the Annual Infrastructure Program. The statuses of other projects that are delivered by the Assets & Infrastructure Department but are not part of the Annual Infrastructure Program are also included in the report.

**BACKGROUND**

This report is produced quarterly and is provided to Council for the purpose of reporting progress of the Annual Infrastructure Program and other projects that the Assets & Infrastructure Department is responsible for delivering. The information in this report covers progress up until the end of December 2019.

**ISSUES/DISCUSSION**Annual Infrastructure Program

Attachment 1 provides a progress summary of the Annual Infrastructure Program for the second quarter of the 2019-2020 financial year. There are 92 individual projects, including carryovers from previous financial years that form the Annual Infrastructure Program 2019-2020.

Other Projects

In addition to the Annual Infrastructure Program, the Assets & Infrastructure Department is responsible to oversee the delivery of a number of different projects. Attachment 2 provides a summary of the other projects at the end of second quarter of 2019-2020 financial year. All completed projects are removed for subsequent quarterly progress reports.

**COST/BENEFITS**

The total proposed expenditure for the 2019-2020 financial year for the Annual Infrastructure Program is \$6,468,236.12. The expenditure for the second quarter is \$1,091,625 and \$1,471,210 for the financial year to date.

The Annual Infrastructure Program includes a number of substantial grants for projects including:

- Bridgewater-Raywood Road widening – Heavy Vehicle Programme
- Echuca-Serpentine Road widening – Fixing Country Roads

- Serpentine-Prairie Road intersection upgrade – Fixing Country Roads
- Sloans Road bridge replacement – Bridges Renewal
- Old Inglewood Dam safety upgrade – DELWP Dam Safety
- Solar and LED installations - Local Government Energy Saver Facilities Upgrade

During the period covered within this report a number of major projects have been put out to public tender. Attachment 1 gives a summary of progress of individual projects within this program as at 31 December 2019.

The Assets & Infrastructure Department is currently managing other significant projects covered in Attachment 2 which are in different stages of progress. The combined value of such projects is in excess of \$3.625 million. Expenditure to date is on these projects is \$233,745.

### **RISK ANALYSIS**

There are a number of risks associated with the delivery of the Annual Infrastructure Program and other significant projects. The following is a list of some but not all of the associated risks:

- delivering within timeframe and budget
- meeting community expectations
- delivering projects in accordance with engineering standards
- compliance with procurement legislation

Council officers are committed to monitoring and managing the risks associated with the Annual Infrastructure Program and other significant projects to ensure that any issues are minimised.

### **CONSULTATION AND ENGAGEMENT**

The information provided in this report is presented after consultation between Manager Assets and Infrastructure and the Works Department.

#### **RESOLUTION 2020/24**

Moved: Cr Colleen Condliffe

Seconded: Cr Geoff Curnow

That Council note the update on progress of the Annual Infrastructure Program 2019-2020 and Other Projects as at end of December 2019.

**CARRIED**

**10.6 QUARTERLY STRATEGIC PLANNING ACTIVITY REPORT****File Number:** 13/01/002**Author:** Carolyn Stephenson, Statutory / Strategic Planner**Authoriser:** Glenn Harvey, Manager Development and Compliance**Attachments:** Nil**RECOMMENDATION**

That Council receive and note the Strategic Planning Activity report.

**CONFLICT OF INTEREST**

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

**PREVIOUS COUNCIL DISCUSSION**

This is the second report for the 2019 – 2020 financial year summarising the strategic planning activities undertaken within the Development and Compliance Department.

**BACKGROUND**

Council undertakes strategic land use planning projects to ensure that its planning scheme is robust, relevant and is consistent with the Council Plan.

This report provides an overview of the current activities of the Strategic Planner. The Strategic Planner's time is divided between statutory planning (10 hours per week) and strategic planning (8 hours per week) activities. It is the strategic planning activities that are the subject of this report.

**ISSUES/DISCUSSION**Current Strategic Planning Projects

Table 1 provides a summary of current strategic planning projects and the activities undertaken as part of these projects during the second quarter of the 2019 – 2020 financial year.

Table 1: Current Strategic Planning Projects

| <b>Current Strategic Planning Projects<br/>Quarter 2 (1 October 2019 – 31 December 2019)</b> |   |  |   |
|--|---|--|---|
| <b>Project</b>   | <b>Tasks undertaken during the quarter</b>  | <b>Future tasks</b>                              | <b>Estimated project completion</b>   |
| Settlement Strategy  | Following community consultation and forum presentation and discussion with Council, the strategy has been refined in response to feedback. | Present finalised strategy for Council adoption. | The strategy is to be considered for adoption at the February Ordinary Council meeting. |

|  |  |  |   |
|--|--|--|---|
| Planning Scheme Review                                 | Draft report prepared and circulated for comment.  | Circulation to policy review committee. Presentation and adoption of report by Council. Submission of report to Minister for Planning. | The Planning Scheme Review Report is to be presented to Council following finalisation of the Settlement Strategy. Implementation of recommendations are to be staged over 2020 - 2025. |
| Bridgewater Planning Scheme Amendment – Flood controls | This planning scheme amendment is being prepared by the NCCMA. Council staff have been involved in the review of the prepared documentation. | Exhibition of the planning scheme amendment. Dates have not yet been set, however it is not likely to commence until early 2020.       | It is estimated that this amendment will be completed by December 2020.   |

The time available for staff to spend on strategic planning is limited and can lead to protracted timeframes for the delivery of projects. During December, the strategic planner has had to take on more statutory planning tasks following the resignation of the statutory planner.

#### Upcoming Strategic Planning Projects

Table 2 outlines future strategic planning projects that have been identified to commence as soon as practicably possible.

Table 2: Upcoming Strategic Planning Projects

| <b>Future Strategic Planning Projects</b> |   |  |  |
|---|---|--|--|
| <b>Project</b>                            | <b>Overview</b>   | <b>Key Tasks</b>   | <b>Estimated project timeframes</b>  |
| Heritage Framework                        | Council has allocated \$100,000 in reserve to be used to support restoration of heritage buildings in the municipality. It is proposed that this money be used to provide loans to owners of buildings subject to heritage protection under the planning scheme or State legislation. The loans will be provided to successful applicants to undertake works on their property that would support the protection of the heritage buildings within Loddon Shire. | Preparation of guidelines, criteria and process for approval and implementation. | Document prepared for Policy Review Group: June 2020<br><br>Document prepared for Management Executive Group: August 2020<br><br>Document presented at Council Forum: October 2020<br><br>Policy adopted by Council: December 2020 |

**COST/BENEFITS**

The expenditure for the second quarter of the 2019-2020 financial year for the strategic planning activities contained within this report is \$6,844

Benefits derived from investing in strategic planning managed by the Development and Compliance Department include:

- clearly defined directions for land use and development that are underpinned by research and supported by the community
- a relevant and effective planning scheme that provides for economic development, population growth, attractive townships and protection of heritage and the environment.

**RISK ANALYSIS**

Failure of Council to undertake strategic planning includes:

- outdated planning controls that do not respond to current issues and opportunities
- inappropriate development that compromises the amenity of towns and undermines economic development opportunities
- loss of opportunities for population and residential growth.

**CONSULTATION AND ENGAGEMENT**

The strategic planning staff member consults with a number of stakeholders on a regular basis including:

- community members and organisations
- government agencies including Department of Environment Land Water & Planning, Department of Economic Development Jobs Transport & Resources, North Central Catchment Management Authority
- other Loddon Shire Council departments
- other municipalities.

**RESOLUTION 2020/25**

Moved: Cr Neil Beattie

Seconded: Cr Geoff Curnow

That Council receive and note the Strategic Planning Activity report.

**CARRIED**

**10.7 QUARTERLY PLANNING PERMIT ACTIVITY REPORT****File Number:** 13/01/002**Author:** Glenn Harvey, Manager Development and Compliance**Authoriser:** Steven Phillips, Director Operations**Attachments:**

1. Planning applications completed between 1 October 2019 and 31 December 2019
2. Planning applications being processed between 1 October 2019 and 31 December 2019

**RECOMMENDATION**

That Council receive and note the planning application and permit activity report for October – December 2019.

**CONFLICT OF INTEREST**

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

**PREVIOUS COUNCIL DISCUSSION**

This is the second report for the 2019- 2020 financial year summarising planning application activities undertaken within the Development and Compliance Department.

**BACKGROUND**

This report covers the planning permit activity for each quarter and provides Council with a high level summary for the purpose of monitoring performance within this area.

Council maintains powers under the Planning & Environment Act 1987 which are delegated to Planning Officers. Applications made under these powers may include (but are not limited to) the following:

- consideration of a planning application for a new use/development
- consideration of an amendment to an existing planning permit
- secondary consent applications (minor changes)
- extensions of time to existing planning permits.

**ISSUES/DISCUSSION**Planning permit activities

A detailed summary of the status of planning permits can be found in attachments 1 and 2.

Timeframes

The Planning & Environment Act 1987 requires a 60 day timeframe for the processing of planning applications by Councils. The Act details how the 60 days are to be measured following the acceptance of a planning permit application.

Table 1 provides a summary of the average timeframes in which the Development and Compliance Department assessed and issued Planning Permits during the second quarter of the 2019-2020 financial year and compares these to the Victorian rural average.

*Table 1: Average timeframes for decisions*

| Quarter 2 of the 2019/2020 financial year |                                 |                          |  |
|---|---------------------------------|--------------------------|--|
| Month                                     | Average gross days to determine | Completed within 60 days | Rural average completed within 60 days |
| October                                   | 48                              | 83%                      | 73%                                    |
| November                                  | 120                             | 73%                      | 69%                                    |
| December                                  | 57                              | 88%                      | 71%                                    |
|   | <b>Total Quarterly average</b>  | <b>81%</b>               | <b>71%</b>                             |

During the second quarter of the 2019- 2020 financial year 81% of all Planning Permit applications were assessed and issued within the timeframes as set in the Planning & Environment Act 1987.

### **COST/BENEFITS**

The expenditure for the second quarter of 2019-2020 financial year of the statutory planning activities contained within this report is \$44,275. This is significantly lower than normal and reflects the current staffing levels.

Benefits derived from investing in the planning process managed by the Development and Compliance Department include:

- well managed and appropriate development
- well informed community members who understand the value of planning within local government
- applications processed in a timely manner
- correct implementation of regulations and standards.

### **RISK ANALYSIS**

Failure of Council to adequately implement the planning scheme poses the following risks:

- inappropriate development which could endanger life and property
- Council's reputation as a responsible Authority
- breaches of the Planning & Environment Act 1987 requiring compliance action.

Insufficient investment in resources in the Development and Compliance Department may result in extended timeframes for the processing of applications.

### **CONSULTATION AND ENGAGEMENT**

The Planning Staff consult with a number of stakeholders on a regular basis including:

- applicants
- surrounding land owners
- regulatory authorities
- other Loddon Shire Council departments
- other municipalities.

**RESOLUTION 2020/26**

Moved: Cr Geoff Curnow

Seconded: Cr Neil Beattie

That Council receive and note the planning application and permit activity report for October – December 2019.

**CARRIED**

**11 COMPLIANCE REPORTS****11.1 SECTION 86 COMMITTEE OF MANAGEMENT MEMBERSHIP DETAILS-BOORT PARK****File Number:** 02/01/046**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 Boort 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, or involved in the subject matter of the report.

**PREVIOUS COUNCIL DISCUSSION**

Council approved the current list of committee members for Boort Park Committee of Management on 27 November 2018.

**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**

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

| <b>Name</b>                          | <b>Organisation</b>                     |
|--------------------------------------|---|
| Neil Beattie (Chairperson)           | Chairperson                             |
| Karen Coutts (Secretary / Treasurer) | Community representative                |
| Ken Loader                           | Boort Agricultural and Pastoral Society |
| Madeleine Scott                      | Boort Agricultural and Pastoral Society |
| Vacant                               | Boort Cricket Club                      |
| Vacant                               | Boort Cricket Club                      |
| Tim Byrne                            | Boort District Harness Racing Club      |
| Ray Stomann                          | Boort District Harness Racing Club      |
| Gordon Parker                        | Boort Football Club                     |
| Kane Arnold                          | Boort Football Club                     |
| Jacquie Verley (Vice President)      | Boort Hockey Club                       |
| Jacqui Challis                       | Boort Hockey Club                       |
| Kristen Gooding                      | Boort Netball Club                      |
| Vacant                               | Boort Netball Club                      |
| Tom Bleicher                         | Boort P12 College                       |
| Lee Anne Sherwell                    | Boort P12 College                       |
| John Nelson                          | Community representative                |
| Barry Kennedy                        | Community representative                |

The Council representative for this committee is Cr Neil Beattie.

**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 2020/27**

Moved: Cr Neil Beattie

Seconded: Cr Geoff Curnow

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

**CARRIED**

**11.2 SIX MONTHLY REPORT AGAINST COUNCIL PLAN**

**File Number:** 02/02/003

**Author:** Sharon Morrison, Director Corporate Services

**Authoriser:** Phil Pinyon, Chief Executive Officer

**Attachments:** 1. Six month report against Council Plan 2017-2021

**RECOMMENDATION**

That Council note the progress against the actions and tasks (strategic indicators) in the Council Plan contained in the attachment to this 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**

The Council Plan 2017-2021 was adopted by Council on 27 June 2017.

**BACKGROUND**

The Local Government Performance Reporting Framework requires reporting against the Council Plan half yearly.

A half year report is presented in about February each year. A full year report is provided in the Annual Report each year.

**ISSUES/DISCUSSION**

Attached is a report on the progress of actions and tasks (strategic indicators) identified in the Council Plan. Council is currently working on year three of the four year plan.

**COST/BENEFITS**

There are no costs associated with the recommendation of this report. Costs of individual projects within the plan are included in the Budget for the relevant delivery years.

**RISK ANALYSIS**

There are no risks associated with the recommendation of this report.

Reporting on a regular basis provides an opportunity to monitor progress and respond to any issues.

Reporting on a six monthly basis ensures compliance with Item 17 of the Local Government Performance Reporting Framework Governance and Management Checklist.

**CONSULTATION AND ENGAGEMENT**

Consultation was undertaken with responsible Council officers in the preparation of this report.

**RESOLUTION 2020/28**

Moved: Cr Geoff Curnow

Seconded: Cr Colleen Condliffe

That Council note the progress against the actions and tasks (strategic indicators) in the Council Plan contained in the attachment to this report.

**CARRIED**

**12 GENERAL BUSINESS**

Nil

**13 CONFIDENTIAL ITEMS****RESOLUTION 2020/29**

Moved: Cr Geoff Curnow  
Seconded: Cr Colleen Condliffe

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:

**13.1 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.

**13.2 C474 - Culvert Replacement - Kelly Street, Pyramid Hill**

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.

**13.3 Captain Melville Trail project**

That this matter is not considered to be confidential and will be moved from the agenda for the meeting closed to the public to be considered in the Ordinary Council meeting. Refer to item 9.8 of the Minutes for this report.

**CARRIED**

Closing of Meeting to the Public

**RESOLUTION 2020/30**

Moved: Cr Colleen Condliffe  
Seconded: Cr Neil Beattie

That the meeting be closed to the public at 4.13pm.

**CARRIED****13.1 REVIEW OF CONFIDENTIAL ACTIONS****RESOLUTION 2020/31**

Moved: Cr Geoff Curnow  
Seconded: Cr Colleen Condliffe

That Council receive and note the action sheet.

**CARRIED**

**13.2 C474 - CULVERT REPLACEMENT - KELLY STREET, PYRAMID HILL****RESOLUTION 2020/32**

Moved: Cr Geoff Curnow

Seconded: Cr Neil Beattie

That Council

1. award the Contract No. 474 Culvert Replacement – Kelly Street, Pyramid Hill to Tactile Australia Pty Ltd trading as One Stop Civil
2. authorise the Chief Executive Officer to sign and seal relevant documents relating to this contract.

**CARRIED**

**RESOLUTION 2020/331**

Moved: Cr Geoff Curnow

Seconded: Cr Colleen Condliffe

That the meeting be re-opened to the public at 4.18pm.

**CARRIED**

In accordance with resolution 2020/31 carried in closed Council, the meeting was re-opened to the public at 4.18pm.

**NEXT MEETING**

The next Ordinary Meeting of Council will be held on 24 March 2020 at Serpentine commencing at 3pm.

There being no further business the meeting was closed at 4.18pm.

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

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**CHAIRPERSON**