



**Date:** Tuesday, 22 February 2022  
**Time:** 3pm  
**Location:** Loddon Shire Council Chambers, Wedderburn

# **MINUTES**

**Council Meeting**  
**22 February 2022**

**MINUTES OF LODDON SHIRE COUNCIL  
COUNCIL MEETING  
HELD AT THE LODDON SHIRE COUNCIL CHAMBERS, WEDDERBURN  
ON TUESDAY, 22 FEBRUARY 2022 AT 3PM**

**PRESENT:** Cr Dan Straub (Mayor), Cr Neil Beattie, Cr Gavan Holt, Cr Linda Jungwirth, Cr Wendy Murphy

**IN ATTENDANCE:** Lincoln Fitzgerald (Chief Executive Officer), Wendy Gladman (Director Community Wellbeing), Steven Phillips (Director Operations), Jude Holt (Acting Director Corporate), Lynne Habner (Manager Executive and Commercial Services)

**1 OPENING AFFIRMATION**

“We, the Councillors of the Loddon Shire, declare that we will carry out our duties in the best interests of the community, and through collective leadership will maintain the highest standards of good governance.”

**2 ACKNOWLEDGEMENT OF COUNTRY**

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

**3 APOLOGIES**

Nil

**4 DECLARATIONS OF CONFLICT OF INTEREST**

Nil

**5 PREVIOUS MINUTES****5.1 CONFIRMATION OF MINUTES****File Number:** 02/01/001**Author:** Christine Coombes, A/Manager Executive and Commercial Services**Authoriser:** Lincoln Fitzgerald, Chief Executive Officer**Attachments:** Nil**RECOMMENDATION**

That Council confirm:

1. The minutes of the Council Briefing of 25 January 2022.
2. The minutes of the Council Meeting of 25 January 2022.
3. The minutes of the Confidential Council Meeting of 25 January 2022.
4. The minutes of the Council Forum 8 February 2022.

**REPORT**

Seeking approval of the unconfirmed minutes of the previous meetings.

**RESOLUTION 2022/16**

Moved: Cr Wendy Murphy

Seconded: Cr Neil Beattie

That Council confirm:

1. The minutes of the Council Briefing of 25 January 2022.
2. The minutes of the Council Meeting of 25 January 2022, with corrections amended as noted by Cr Murphy.
3. The minutes of the Confidential Council Meeting of 25 January 2022.
4. The minutes of the Council Forum 8 February 2022.

**CARRIED**

**6 ASSEMBLY OF COUNCILLORS****6.1 RECORD OF ASSEMBLY OF COUNCILLORS****File Number: 02/01/001****Author: Christine Coombes, Executive and Commercial Services Officer****Authoriser: Lincoln Fitzgerald, Chief Executive Officer****Attachments: Nil****RECOMMENDATION**

That Council note the Assembly of Councillors records for the following meetings:

1. Council Briefing 25 January 2022.
2. Council Forum 8 February 2022.

In accordance with Clause 51 of Council's Governance Rules, records of Councillor Briefings and Forums must be reported to the next Council Meeting and confirmed in the minutes.

The record is therefore presented for Council's noting.

## RECORD OF ASSEMBLIES OF COUNCIL

Assembly details	Briefing
Date	25 January 2022
Councillor Attendees	Cr Beattie Cr Holt Cr Jungwirth (virtual) Cr Murphy (virtual) Cr Straub
Staff/Stakeholder representatives	Lincoln Fitzgerald, Chief Executive Officer Wendy Gladman, Director Community Wellbeing Sharon Morrison, Director Corporate Services Steven Phillips, Director Operations Christine Coombes, Acting Manager Executive and Commercial Services
Items discussed.	<ol style="list-style-type: none"> <li>1. Update - Volunteer Strategy</li> <li>2. COVID event plan support – review of eligibility criteria</li> <li>3. Pyramid Hill and District Historical Society – fee waiver application</li> <li>4. Update – Inglewood Elderly Person Units CAC</li> <li>5. General business: <ul style="list-style-type: none"> <li>• Councillors discussed the sad passing of Bella Canfield and outlined their desire to express their support for the family and community</li> <li>• Pump to recirculate water back to Goulburn Murray Water</li> <li>• Upcoming Federal election</li> <li>• Proposed MAV rule review</li> </ul> </li> </ol>
Conflict of Interest Disclosures - Councillor/officer making disclosure	Nil
Councillor/officer left room	

Assembly details	Forum
Date	8 February 2022
Councillor Attendees	Cr Beattie Cr Holt Cr Jungwirth Cr Murphy Cr Straub
Staff/Stakeholder representatives	Lincoln Fitzgerald, Chief Executive Officer Steven Phillips, Director Operations Wendy Gladman, Director Community Wellbeing Jude Holt, Acting Director Corporate Services Christine Coombes, Acting Manager Executive and Commercial Services Deanne Caserta, Manager Financial Services Janine Jackson, Manager Organisation Development David Southcombe, Manager Assets and Infrastructure Daniel McQueen, Asset Management Coordinator Graeme Smith, Design Engineer Shelby Hutchinson, Acting Tourism and Marketing Coordinator  Rail Freight Alliance representative Innoviv representative Local Logic Place representative
Items discussed.	<ol style="list-style-type: none"> <li>1. Economic Development and Tourism Monthly Update and Tourism Style Guide Update</li> <li>2. Priorities 2022</li> <li>3. Boort Strategic Fund – project allocation</li> <li>4. Rail Freight Alliance</li> <li>5. Leasing options for the Bridgewater Public Caravan Park and Wedderburn Pioneer Caravan Park</li> <li>6. Re- engaging Volunteers in Rural Towns – Loddon</li> <li>7. Bridges and Major Culvert Asset Management Plan</li> <li>8. Urban Stormwater Drainage Asset Management Plan</li> <li>9. Section 181 sales update – sale of properties for unpaid rates and charges</li> <li>10. Related Party Disclosures Policy</li> <li>11. Assets – Lease v Buy</li> <li>12. MAV Rule Review</li> <li>13. Future of Livestreaming of Council Meetings</li> <li>14. General business: <ul style="list-style-type: none"> <li>• Waste – glass collection</li> <li>• Tip vouchers</li> <li>• Inglewood Town Hall Asset Committee</li> </ul> </li> </ol>
Conflict of Interest Disclosures - Councillor/officer	Nil

making disclosure	
Councillor/officer left room	

**RESOLUTION 2022/17**

Moved: Cr Linda Jungwirth

Seconded: Cr Gavan Holt

That Council note the Assembly of Councillors records for the following meetings:

1. Council Briefing 25 January 2022.
2. Council Forum 8 February 2022.

**CARRIED**

**7 REVIEW OF ACTION SHEET**

**7.1 REVIEW OF ACTIONS**

**File Number:** 02/01/002

**Author:** Christine Coombes, Executive and Commercial Services Officer

**Authoriser:** Lincoln Fitzgerald, Chief Executive Officer

**Attachments:** 1. Action sheet

**RECOMMENDATION**

That Council receive and note the action sheet.

**CONFLICT OF INTEREST**

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

**REPORT**

Refer attachment.

**RESOLUTION 2022/18**

Moved: Cr Wendy Murphy

Seconded: Cr Gavan Holt

That Council receive and note the action sheet.

**CARRIED**

**8 MAYORAL REPORT****8.1 MAYORAL REPORT**

File Number: 02/01/001

Author: Christine Coombes, Executive and Commercial Services Officer

Authoriser: Lincoln Fitzgerald, 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 Straub**

<b>Loddon Campaspe Councils</b>	
<b>Murray River Group of Councils</b>	
<b>North Central Goldfields Regional Library</b>	
<b>North Central Local Learning and Employment Network</b>	
<b>Special Committees Of Council (Section 65 Community Asset Committees):</b>	
East Loddon Community Centre Community Asset Committee	
Pyramid Hill Memorial Hall Community Asset Committee	
Pyramid Hill Swimming Pool Kiosk Community Asset Committee	
<b>Other Council activities</b>	
<b>DATE</b>	<b>Activity</b>
25/2/22	Mayor and CEO catch up, citizenship ceremony, Council Briefing and Council meeting.
26/1/22	Australia Day Ceremony Serpentine, Inglewood and Pyramid Hill.

29/1/22	Shelbourne Railway complex, interpretative signs unveiling.
30/1/22	Wedderburn Pacing Cup presentation to the winning connections.
2/2/22	Online first aid and CPR course, in preparation for my Inglewood training
3/2/22	Serpentine recreation reserve meeting, where I was asked to chair their AGM
7/2/22	Meet with Loddon Campaspe Multicultural Services, with Loddon CEO and Loddon's health and wellbeing director
8/2/22	Council Forum
9/2/22	Chaired the north Central LLEN EAR committee meeting online.
10/2/22	Left for a short family holiday.
11/2/22	Lake Boort Scarred Trees Masterplan public meeting online
15/2/22	I was an apology for the North Central LLEN Board meeting as I had other business in Bendigo
16/2/22	Luncheon with Boort Senior Citizens.
17/2/22	Loddon Campaspe Councils Group meeting online
20/2/22	Pyramid Hill Mens Shed luncheon
21/2/22	St Patricks Primary School Australia Day Awards at a special assembly, with Loddon staff member Robina Little.

**RESOLUTION 2022/19**

Moved: Cr Dan Straub (Mayor)

Seconded: Cr Neil Beattie

That Council receive and note the Mayoral Report

**CARRIED**

**9 COUNCILLORS' REPORT****9.1 COUNCILLORS' REPORTS****File Number:** 02/01/001**Author:** Christine Coombes, Executive and Commercial Services Officer**Authoriser:** Lincoln Fitzgerald, 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>Rail Freight Alliance</b>	
<b>Special Committees Of Council (Section 65 Community Asset Committees):</b>	
<b>Boort Aerodrome Community Asset Committee</b>	
<b>Boort Memorial Hall Community Asset Committee</b>	
<b>Boort Park Community Asset Committee</b>	
<b>Korong Vale Mechanics Hall Community Asset Committee</b>	
<b>Korong Vale Sports Centre Community Asset Committee</b>	
<b>Little Lake Boort Community Asset Committee</b>	
<b>Yando Public Hall Community Asset Committee</b>	
<b>DATE</b>	<b>Activity</b>
26/1/22	Presented Australia Day Awards in Boort
30/1/22	Attended Wedderburn Cup
7/2/22	Attended Boort Tourism Development Committee meeting
8/2/22	Attended Council Forum at Wedderburn
11/2/22	Lake Boort Scarred Tree Masterplan Zoom Meeting

14/2/22	Presented awards at Boort Bowls triples annual event
16/2/22	Attended Lake Boort Management Committee meeting
17/2/22	Attended opening of Boort Cricket Clubs new nets
21/2/22	Attended BRIC meeting

**Cr Holt**

<b>Municipal Association of Victoria</b>	
<b>Audit and Risk Committee</b>	
<b>Special Committees Of Council (Section 65 Community Asset Committees):</b> Donaldson Park Community Asset Committee Wedderburn Community Centre Community Asset Committee Wedderburn Engine Park and Market Square Reserve Community Asset Committee Wedderburn Mechanics and Literary Institute Hall Community Asset Committee Hard Hill Tourist Reserve Community Asset Committee	
26/2/22: Attended the Australia Day ceremony at Bridgewater. 26/2/22: Attended the Australia Day ceremony at Wedderburn. I would like to acknowledge the Loddon Shire Citizen of the Year, Michael Rose and the recipient of the Wedderburn Community Service Award, Alan Mulraney.	
<b>Other Council activities</b>	
<b>DATE</b>	<b>Activity</b>
30/1/22	Attended the Wedderburn Harness Racing Club cup meeting. Despite hot and humid weather there was a very good crowd in attendance and proved once again the popularity of this racing venue with its natural half amphitheatre.
31/1/22	I met with members of the Wedderburn Historical Records Museum to discuss various issues including a preview of a new book they are producing in conjunction with Mr Geoff Arnott outlining the war service of people of the district.
8/2/22	Council Forum in Wedderburn
21/2/22	Chaired a meeting of the Donaldson Park Committee of Management.

**Cr Jungwirth**

<b>Loddon Mallee Local Government Waste Forum</b>	
<b>Central Victorian Greenhouse Alliance</b>	
<b>Municipal Emergency Management Plan Committee</b>	
<b>Other Council activities</b>	
<b>DATE</b>	<b>Activity</b>
25/1/22	Citizenship Ceremony, briefing and Council meeting.
26/1/22	Eddington for Australia Day Celebration
	Newbridge for Australia Day Celebration
	Tarnagulla for Australia Day Celebration (no nominations)
29/1/22	Shelbourne Railway complex for the unveiling of the interpretive signage.
3/2/22	IMEMPC online – Dr Nicki Vincent, gender equality commissioner noted 50% population is female, and in vehicle crash statistics, 70% of moderate injuries occur in females, and 17% more likely to die
8/2/22	Council Forum
9/2/22	Met with a community member (architect) to discuss improvements to Newbridge
21/2/22	Tarnagulla Community Centre Committee meeting
21/2/22	Met with Danielle Green to discuss Tarnagulla history and issues relating to Loddon (Member for Yan Yean, Parliamentary Secretary for Sport and Regional Victoria)
	Received a call from Leonie Baker, secretary of Laanecoorie Mechanics Institute Hall Committee to thank Council for the work performed on the hall land next to the CFA.

**Cr Murphy**

<b>Calder Highway Improvement Committee</b>	
<b>Local Government Women's Charter</b>	
<b>Australia Day Committee</b>	
<b>Healthy Minds Network</b>	
<b>Special Committees Of Council (Section 65 Community Asset Committees):</b>	
Campbells Forest Hall Community Asset Committee	
Inglewood Community Sports Centre Community Asset Committee	
Inglewood Community Elderly Persons Units Community Asset Committee	
Inglewood Town Hall Hub Community Asset Committee	
Jones Eucalyptus Distillery Site Community Asset Committee	
<b>Other Council activities</b>	
<b>DATE</b>	<b>Activity</b>
26/1/22	Inglewood Ward Australia Day ceremonies. Due to being in isolation I was unable to attend the Australia Day Ceremonies in Bridgewater and Inglewood. I thank Cr Holt for Attending Bridgewater and Mayor Cr Straub for attending Inglewood in my place at short notice. Thank you to all the staff who arranged things in the background.
27/1/22	I had a virtual meeting with CEO Lincoln Fitzgerald to discuss the Inglewood Ward Strategic Fund priorities
27/1/22	I was an apology for the Inglewood Development and Tourism Committee meeting. I did phone in to part of the meeting
2/2/22	I attended an online Round Table to discuss the MAV rules review
7/2/22	I attended the Inglewood Town Hall Hub CAC meeting
8/2/22	I attended the Loddon Shire Council Forum at the Council Chambers in Wedderburn

10/2/22	I presented Australia Day Award recipients their certificates at Inglewood Primary School
11/2/22	I attended the online Youth Take Over Women in Trades presentation
11/2/22	I was an apology for the online Boort Scarred Tree Masterplan stakeholder presentation. I did submit some comments for the meeting. Thank you to the staff who passed them on.
16/2/22	I was an apology for the first Regenerative Forest Plantation Establishment Program Round Table
16/2/22	I chaired the online Loddon Healthy Minds Network meeting
22/2/22	I attended the CEO reflection discussion and Council Briefing and Meeting.

**RESOLUTION 2022/20**

Moved: Cr Wendy Murphy

Seconded: Cr Neil Beattie

That Council receive and note the Councillors' reports

**CARRIED**

## 10 DECISION REPORTS

### 10.1 VICTORIAN LOCAL GOVERNMENT WOMEN'S CHARTER

**File Number:** FOL/19/432276

**Author:** Janine Jackson, Manager Organisation Development

**Authoriser:** Jude Holt, Acting Director Corporate

**Attachments:** 1. VLGA Womens Charter

#### RECOMMENDATION

That Council

1. notes the history and progress of the Victorian Local Government Women's Charter ('the Charter')
2. reaffirms its commitment to the Charter
3. continues to progress actions in support of the Charter's three principles: gender equity, diversity and active citizenship;
4. appoint the following people as Charter Champions
  - (a) Councillor: *[insert name]* until the annual meeting of Council where appointments are made to various committees and advisory roles
  - (b) Council Officer: Casey Shelton (or other delegate as administratively necessary) until the next annual report on progress against the Victorian Local Government Women's Charter
5. authorises the Chief Executive Officer to continue to promote Council's Charter signatory status and display the Charter in Council premises and communications (including Council's website)
6. sends a copy of this report to the Victorian Local Governance Association (VLGA), notifying the VLGA of Council's reaffirmation of the Charter
7. supports the VLGA campaign to increase women's participation in local government as citizens, candidates and Councillors
8. requests that an annual report be provided to Council on progress against the Charter principles.
9. rotates the Charter Champion position among Councillors throughout the Council term.

#### CONFLICT OF INTEREST

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

#### PREVIOUS COUNCIL DISCUSSION

At the Council Meeting on 26 February 2019, Council resolved to adopt the Victorian Local Government Women's Charter (the Charter) and appoint Councillor Colleen Condliffe as the Charter Champion.

On 23 April 2020, Council noted the first annual report on Council's progress against the Charter principles.

On 23 March 2021, Council noted the second annual report on Council's progress against the Charter principles.

## BACKGROUND

The Charter was established in 1998 by the Women's Participation in Local Government Coalition (WPILGC) to recognise the need for increased women's participation in the key decision-making forums in the community and in democratic governance.

The WPILGC was a coalition of organisations, including peak bodies in local government, the Victorian Immigrant and Refugee Women's Coalition, Victorian Women's Trust, Women's Electoral Lobby Victoria, Women's Planning Network and YWCA Victoria.

Following Council amalgamations in 1996, the number of women Councillors was at a record low (134 out of more than 600).

In 2013, the WPILGC dissolved itself and handed responsibility for this work to the MAV and the VLGA. At present, the VLGA manages the administration of the Charter signatories and network, working alongside the MAV on promoting the charter and achieving gender equity in local government.

In 2020, 73 of 79 Victorian councils were signatories to the Charter.

## ISSUES/DISCUSSION

With the Local Government Act 2020 and Gender Equality Act 2020 highlighting the importance of community engagement and equality, all 79 Victorian councils have a legislative imperative to prioritise the active and equal participation of women in Council decision-making.

The VLGA has generated a list of suggested actions. Council's performance against these suggested actions is listed below:

CHARTER STATUS & CHARTER CHAMPIONS	STATUS
Become a Charter signatory.	Completed 26 February 2019
Reaffirm your commitment to the Charter.	Pending adoption of the recommendation in this report.
Reappoint your Charter Champions.	Pending adoption of the recommendation in this report.
Appoint a Councillor and an officer.	Completed 26 February 2019
Try to rotate the Charter Champion position among Councillors throughout the Council term.	Pending adoption of the recommendation in this report.
Make the Charter a standing item on Council's agenda: <ul style="list-style-type: none"> <li>• requiring an annual report on actions related to gender equity, diversity and active citizenship.</li> <li>• appoint Charter Champions at the same time as other delegations.</li> </ul>	Completed 26 February 2019, and ongoing annually
Send a copy of the minutes to the VLGA for publication on their website.	Pending adoption of the recommendation in this report.
Display a framed copy of your Council's Charter certificate (or multiple copies in different council buildings, including community centres, libraries etc).	Complete: a framed copy of the Charter is displayed in the foyer of Council's Wedderburn Office
Empower Charter Champions and Council staff to use the Charter in their work. Provide them with the time or delegation to implement action items and attend network meetings or development sessions related to the Charter.	Initially complete after adoption of the Charter; however, this is ongoing (such as training and development and networking opportunities)

POLICY AND ADVISORY GROUPS	STATUS
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POLICY AND ADVISORY GROUPS	STATUS
<p>Undertake a simple audit of Council's activities, processes and community projects to identify what you have already achieved and can build on.</p>	<p>Council has developed a Gender Equity Strategy (GE Strategy), which identifies priority actions and will adhere to the requirements under the Gender Equality Act 2020.</p> <p>A workplace gender audit and analysis has been undertaken to meet the requirements of the Gender Equality (GE) Act 2020. The results of the audit will inform the Gender Equality Action Plan (GEAP) which is a further requirement of the GE Act 2020 and is due on 31 March 2022.</p> <p>Council participated in the People Matter Survey facilitated by the Victorian Public Sector Commission. The analysis from that survey will inform the GEAP.</p> <p>An assessment of the GE Strategy will be undertaken to understand remaining actions to be incorporated into the Gender Equality Action Plan (GEAP).</p> <p>Council has a dedicated GE Officer who is also the Women's Charter Champion and sits on Council's Policy Review Group (PRG).</p>
<p>Create a committee or working group of Council that has oversight/responsibility for women's civic participation (i.e. Gender Equality Working Group, Women's Charter Advisory Committee).</p>	<p>There has been no progress with these actions, but they will be incorporated into the Gender Equality Action Plan.</p>
<p>Empower the committee to operate in a meaningful advisory capacity on all relevant policies facing Council – not just 'women's' or 'family' policies.</p>	
<p>Conduct a gender equality audit of all committees.</p>	
<p>Encourage committees to consider diversity when recruiting new members.</p>	
<p>Provide regular opportunities for women on all committees to develop their skills in leadership, policy, negotiation and decision-making.</p>	
<p>Conduct an audit of committee meeting times and locations.</p> <ul style="list-style-type: none"> <li>• Are they held in venues and at times that suit working women and women with child caring responsibilities?</li> <li>• Consider using a survey to investigate barriers to women's attendance at/participation in committees.</li> <li>• Work to address these barriers and evaluate the success of these measures.</li> </ul>	

POLICY AND ADVISORY GROUPS	STATUS
<p>Compile a list of community groups (and their contact details) that may have women who are interested in running (or interested in supporting another woman to run) for local government.</p> <ul style="list-style-type: none"> <li>• Invite these groups to pre-candidate training and ask that they distribute details to their networks.</li> <li>• Invite these groups to participate in community engagement or consultation that council undertakes.</li> </ul>	<p>Council has developed a Community Directory that is updated regularly. This resource will be used when Council undertakes community engagement.</p>
<p>Make sure that you are actively seeking input from the Indigenous community, people with disabilities and culturally and linguistically diverse groups. Dedicate resources to provide cultural, language, and accessibility support where appropriate.</p>	<p>Cultural Awareness Training is included in the Learning and Development Calendar, which will support the development of resources that are suitable.</p>
<p>Ensure that the Charter is referenced in any Council policy that relates to Charter principles.</p>	<p>The GE Officer on the PRG will ensure the Charter is referenced in any Council policy that relates to Charter principles.</p>
<p>Include the Charter in relevant Council documents and strategies, including the Council Plan and Municipal Health and Wellbeing Plan.</p>	<p>The Municipal Health and Wellbeing Plan (MHWP) has been adopted without reference to the Charter however, as part of the implementation of the MHWP the Project Officer will work with the Family Violence Prevention Network to ensure the Charter is referenced in the action plan.</p>
<p>Distribute the Charter document to officers and ensure that they are aware of Council's signatory status. Encourage officers to consider the Charter as an authorising document in their reports and daily work.</p>	<p>Council Officers will be provided with a copy of the Charter (pending adoption of the recommendation in this report).</p>

AWARENESS RAISING	STATUS
<p>Increase information and resources available to the community about the business of local government, on topics such as:</p> <ul style="list-style-type: none"> <li>• How Councillors are elected</li> <li>• How councils make decisions</li> <li>• What services councils provide</li> </ul>	<p>A meeting has been held with Ella Hughes and Amanda McClelland who are working with four Local Learning agencies in the region to roll out the Youth Take Over (YTO) Program.</p> <p>The Manager Organisation Development and Human Resources Coordinator are investigating development of a film 'About Local Government' as a YTO project which can be shared on Council's website and with schools.</p>
<p>Make sure that these resources are accessible to all community members, particularly those from culturally and linguistically diverse groups.</p>	<p>Part of the YTO project will be ensuring resources are accessible for culturally and linguistically diverse groups.</p>
<p>Spotlight the experiences and achievements of women leaders in your community, particularly those from culturally and linguistically diverse groups and current and former women Councillors.</p>	<p>There has been no progress with these actions, but they will be incorporated into the Gender Equality Action Plan.</p>
<p>Profile current and former women Councillors on their backgrounds, their motivations for running for office and their achievements during their time as a</p>	

Councillor.	
Facilitate community conversations about the importance of diverse representation. Seek local examples and anecdotes of the impact that diverse representation has on decision-making and community outcomes.	
Hold an event for International Women's Day (8 March). Consider holding an awards ceremony celebrating the achievements of local women.	Council staff celebrate International Women's Day annually. This is an action on the GE strategy.
Encourage the community to nominate women for civic awards (see Honour A Woman).	There has been no progress with these actions, but they will be incorporated into the Gender Equality Action Plan.
Nominate a local active citizen for inclusion on the Victorian Women's Honour Roll.	
Celebrate the centenary of Mary Rogers' election – the first woman elected to local government in Victoria and only the second in Australia (1920).	

<b>SUPPORTING WOMEN COUNCILLORS</b>	<b>STATUS</b>
Host a Victorian Local Government Women's Charter Afternoon Tea with women Councillors, community groups and women who were elected in the October 2020 election. This is a great opportunity for women to network and share information.	There has been no progress with this action, but it will be incorporated into the Gender Equality Action Plan.
Encourage Councillors to consider the Charter when developing the Council Plan.  As a task that must be completed within the first 6 months of the Council term, it is important that Councillors begin the next four years considering gender equity, diversity and active citizenship as core business for local government.	The Councillors are aware of the development of the GEAP, and will be provided with a copy prior to its approval.
Provide opportunities for all Councillors to learn about the importance of diversity and gender equity in local government, and the importance of a diversity of views in decision-making processes.	Complete: Cr Murphy was appointed as the Charter Champion in 2021.  Rotation of Councillors will be considered pending adoption of the recommendation in this report.
Provide gender equality and/or unconscious bias training as part of new Councillor induction.	Complete: Included in Councillor induction.
Connect women Councillors with opportunities for mentorship and support, including the Australian Local Government Women's Association (ALGWA).	Training provided. Councillors were enrolled in the online Equal Employment Opportunity training as part of their induction and will be included in the face to face training that staff undertake in 2022.
Consider working with the VLGA and other councils in your area to initiate a mentorship/peer support program for new women Councillors.	Networking opportunities are included in Councillor development budget.  VLGA opportunities will be monitored.

### **COST/BENEFITS**

The benefit of adopting the recommendations is reaffirmation of Council's commitment to achieving gender equality and improving outcomes for all genders.

Costs associated with the recommendations in this report will be contained within operational budgets.

**RISK ANALYSIS**

Should Council continue with its support of the Charter:

1. There is a reduced risk of Council not meeting its legislative obligations under the Local Government Act 2020 and Gender Equality Act 2020 in relation to promoting gender equity.
2. There is an increased opportunity around recruitment of key staff as Council should be seen as an employer of choice and supporter of all genders in the workplace.
3. There is an increased opportunity for Council to increase its reputation in the community and local government sector around inclusiveness.

**CONSULTATION AND ENGAGEMENT**

Various staff have been consulted during the preparation of this report.

**RESOLUTION 2022/21**

Moved: Cr Linda Jungwirth

Seconded: Cr Wendy Murphy

That Council

1. notes the history and progress of the Victorian Local Government Women's Charter ('the Charter')
2. reaffirms its commitment to the Charter
3. continues to progress actions in support of the Charter's three principles: gender equity, diversity and active citizenship;
4. appoint the following people as Charter Champions
  - (a) Councillor Murphy: until the annual meeting of Council where appointments are made to various committees and advisory roles
  - (b) Council officer: Casey Shelton (or other delegate as administratively necessary) until the next annual report on progress against the Victorian Local Government Women's Charter
5. authorises the Chief Executive Officer to continue to promote Council's Charter signatory status and display the Charter in Council premises and communications (including Council's website)
6. sends a copy of this report to the Victorian Local Governance Association (VLGA), notifying the VLGA of Council's reaffirmation of the Charter
7. supports the VLGA campaign to increase women's participation in local government as citizens, candidates and Councillors
8. requests that an annual report be provided to Council on progress against the Charter principles.
9. rotates the Charter Champion position among Councillors throughout the Council term.

**CARRIED**

**10.2 EAST LODDON HISTORICAL SOCIETY - FEE WAIVER APPLICATION**

**File Number:** FOL/19/269835  
**Author:** Steven Phillips, Director Operations  
**Authoriser:** Lincoln Fitzgerald, Chief Executive Officer  
**Attachments:** Nil

**RECOMMENDATION**

That Council resolve to waive the Planning Permit Application fee of \$1,337.70 for East Loddon Historical Society Inc.

**CONFLICT OF INTEREST**

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

**PREVIOUS COUNCIL DISCUSSION**

At its July 2021 Ordinary meeting, Council resolved to adopt the Fees and Charges – Waiver or Reduction Policy.

**BACKGROUND**

Council's Fees and Chargers – Waiver or Reduction Policy applies to any not for profit organisation, incorporated association or unincorporated community group which provides a community benefit to the Shire and wishes to apply to have a fee and or charge waived or reduced. Applications over \$1,000 are reviewed by the Chief Executive Officer and submitted to Council for approval via a formal resolution.

**ISSUES/DISCUSSION**

The East Loddon Historical Society Inc. have applied for a Planning Permit to hold an event celebrating the centenary of Australia's first air race to be held in Serpentine on the Sunday 20 March 2022. They have requested that Council waive the Planning Permit Application fee of \$1,337.70.

Council previously have provided an allocation of \$5,000 to the East Loddon Historical Society from the Sponsorships and Donations budget to assist them with this event.

The granting of a fee waiver in no way affects or influences Council's obligations to assess the Planning Permit Application on its merits against the Loddon Planning Scheme.

**COST/BENEFITS**

The cost to the community is \$1,337.70. The East Loddon Historical Society expects that this event will bring visitors and encourage tourism in the Loddon Shire.

**RISK ANALYSIS**

The risks associated with this fee waiver is considered low.

**CONSULTATION AND ENGAGEMENT**

Council officers have had discussions with the East Loddon Historical Society on this matter.

**RESOLUTION 2022/22**

Moved: Cr Gavan Holt  
Seconded: Cr Neil Beattie

That Council resolve to waive the Planning Permit Application fee of \$1,337.70 for East Loddon Historical Society Inc.

**CARRIED**

**10.3 REVIEW OF THE RELATED PARTY DISCLOSURES POLICY V3**

**File Number:** FOL/19/432511  
**Author:** Deanne Caserta, Manager Financial Services  
**Authoriser:** Jude Holt, Acting Director Corporate  
**Attachments:** 1. Related Parties Disclosures Policy v3

**RECOMMENDATION**

That Council adopts the Related Party Disclosures Policy v3.

**CONFLICT OF INTEREST**

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

**PREVIOUS COUNCIL DISCUSSION**

Version 2 of the Related Party Disclosure Policy was adopted by Council on 24 September 2019.

**BACKGROUND**

The purpose of this Policy is to provide guidance in the application of and compliance with the Australian Accounting Standard AASB 124 Related Party Disclosures and the Australian Implementation Guidance for Not-for-profit Public Sector Entities.

It applies to staff and Councillors who have related party transactions that occur between Council, Key Management Personnel (KMP) and related parties.

**ISSUES/DISCUSSION**

Council will prepare and report related party disclosures in accordance with the Australian Accounting Standard requirements. To do this, Council has implemented a process to identify and capture related party transactions with related parties.

The process includes:

- identifying related party relationships
- recording of related party transactions
- ensuring privacy is maintained
- providing definitions of commonly used terms for clarification purposes.

This Policy provides guidance around these duties and processes.

The Policy has had minor updates to reflect any changes in the Local Government Act 2020, along with additional appendix documents added to reflect the template used for declarations along with a 'best practice' flow chart to help identify related parties.

**COST/BENEFITS**

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

**RISK ANALYSIS**

Victorian Auditor General Office (VAGO) and Council's external auditors advise that Council requires a Related Party Disclosure Policy to remain compliant with AASB 124 Related Party Disclosures.

**CONSULTATION AND ENGAGEMENT**

This Policy has been reviewed by Loddon Leaders, Policy Review Group and the Management Executive Group prior to submission to Council.

The Policy will have a review timeline of two years.

**RESOLUTION 2022/23**

Moved: Cr Wendy Murphy

Seconded: Cr Linda Jungwirth

That Council adopts the Related Party Disclosures Policy v3.

**CARRIED**

**10.4 BRIDGES AND MAJOR CULVERTS ASSET MANAGEMENT PLAN****File Number:** FOL/19/432738**Author:** David Southcombe, Manager Assets and Infrastructure**Authoriser:** Steven Phillips, Director Operations**Attachments:** 1. Bridges and Major Culverts Asset Management Plan**RECOMMENDATION**

That Council adopts the Bridges and Major Culverts Asset Management Plan.

**CONFLICT OF INTEREST**

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

**PREVIOUS COUNCIL DISCUSSION**

The Bridges and Major Culverts Asset Management Plan was discussed at the February 2022 Council Forum.

**BACKGROUND**

Council's current Bridges and Major Culverts Asset Management Plan was adopted in July 2010. It has been reviewed and updated as part of preparing for the completion of the Asset Plan. The Asset Plan is required by the Local Government Act 2020 and must be adopted by 30 June 2022.

The Bridges and Major Culverts Asset Management Plan outlines key elements involved in managing Council's bridges and major culverts. It combines management, financial, engineering and technical practices to ensure that the level of service required by the community is provided at the lowest long term cost and is within the limits of Council's fiscal constraints.

**ISSUES/DISCUSSION**

Council has a significant bridge and major culvert network that comprises 219 structures with an estimated asset value of \$38,599,332 (2020/21 dollars). These assets are an important part of Council's road network.

Overall, Council's bridge and major culvert network is well managed. This is due to the following:

- Bridge inspections and maintenance are undertaken regularly in accordance with Council's Road Management Plan
- Council has regularly invested in the replacement and upgrade of bridges as required. This is reflected in 0% of Council's bridge and major culvert network being above the condition intervention level of 7, refer Figure 3 in Appendix.
- Council undertakes level 2 inspections (component level assessments) on a four yearly cycle so any defects or condition issues are identified and rectified.
- Council has successfully applied for grants for bridge replacements, such as through the Bridges Renewal Program. Recent projects under this program include the Sloan's Rd Bridge and Murphy's Creek Bridge upgrade and replacement projects.

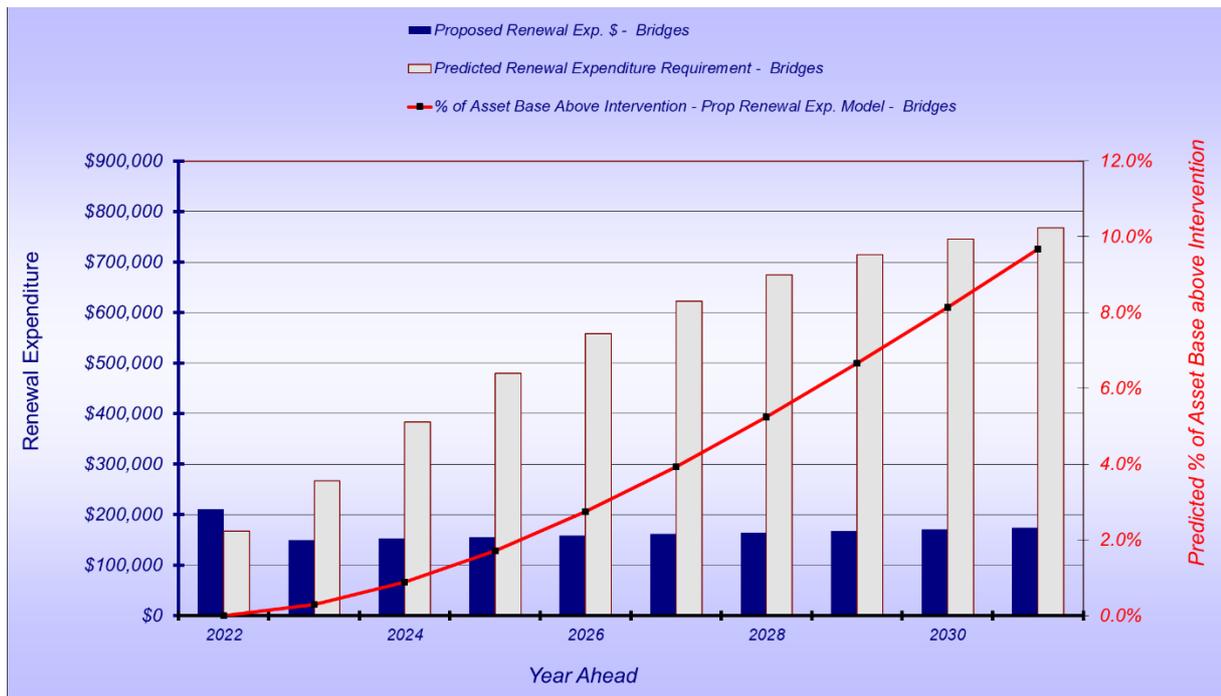
Whilst Council's bridge and major culvert network is well managed, there is some evidence that suggests Council needs to increase renewal funding allocations. Council is currently operating under the renewal modelling allocations from the 2010 Bridges and Major Culverts Asset Management Plan which recommended an average annual expenditure of \$120,000 per annum

over the next 20 years (2009/10 values). The change in bridge condition between 2010 and 2022, and renewal modelling undertaken as part of the development of the 2022 Bridges and Major Culverts Asset Management Plan suggests this may need to increase.

In the appendix, Figure 2 is a bar graph from Council’s 2010 Bridges Asset Management Plan and Figure 3 is a bar graph from Council’s current draft Bridges and Major Culvert Asset Management Plan that show the condition distribution of bridge and major culvert assets. The graphs shows that between 2010 and 2022, an overall shift in condition has occurred with the condition distribution trending towards higher, and thus poorer scores (0 = New, 10 = Failed). If this trend continues, Council will need to increase investment in bridges and major culverts as a number of bridges will approach the condition intervention level (condition score of 7).

This was also reflected by the renewal modelling projections undertaken that suggest Council needs to increase investment:

**Figure 1 – Renewal Projections for Bridges and Major Culverts**



In the current Financial Plan there is \$1.66 million allocated over the next 10 years for renewal. The modelling recommended \$5.38 million over this time which leaves a projected short fall of \$3.72 million over 10 years.

However, Council officer’s assessment is that there is uncertainty associated with the modelling that should be addressed prior to considering update of the Financial Plan. Three factors are driving this:

- Values in the database being based on greenfield rates as opposed to brownfield (which better reflect replacement costs) so potentially overestimating replacement costs
- Values based on existing infrastructure rather than what will be installed as a replacement (wooden bridge vs concrete bridge, existing bridge replaced by a floodway, etc).
- The modelling is based on overall bridge condition and value rather than looking at component level.

This uncertainty will affect the accuracy of predictions and it is recommended it is addressed prior to updating Financial Plan allocations. The following project detailed in the Improvement Plan is proposed:

- Conduct formal componentised condition assessments of the bridges and major culvert network at regular frequencies that are appropriate for the asset class. The results of each audit must be used to adjust the financial model presented in this document and inform renewal requirements in Council's Financial Plan and Annual Budget.

This project will expand on the existing Level 2 inspections undertaken four yearly to include renewal projections at a component level, including identifying a preferred renewal/replacement option, so that the renewal modelling accuracy and projections can be improved.

Whilst this project is undertaken, it is expected that Council will continue to invest in the renewal of bridges and major culverts above the Financial Plan allocations through Government grants in the immediate future. This will minimise the financial risk associated with the projected increased renewal costs. For example, in principle support was given at the October 2021 Council Forum to fund the renewal of bridges from the Local Roads and Community Infrastructure Program Round 3, and Federal and State Governments continue to provide stimulus funding in response to the Covid-19 pandemic some of which will be directed towards bridge renewals.

### **COST/BENEFITS**

The cost of maintaining Council's bridge network in adequate condition over the next 10 financial years is \$2.41 million. The benefits of this are numerous including improving access to road users, improving the safety for road users, and supporting a number of industries within Council boundaries.

### **RISK ANALYSIS**

The adoption of the Bridges and Major Culverts Asset Management Plan will minimise Council's risks associated with managing all of these assets.

As part of developing the plans, a risk assessment was undertaken. Risks were evaluated using Council's Risk Management Policy framework and had two risks evaluated as High. These were investment and decision making not being effective and collapse or damage to structure or road approach.

Improving the renewals projections by undertaking them at a component level will manage the risk associated with investment and decision making not being effective. The risk of collapse or damage to structure or road approaches is well managed by the inspections undertaken as part of the Road Management Plan and the 4 yearly Level 2 inspections.

### **CONSULTATION AND ENGAGEMENT**

The draft Bridges and Major Culverts Asset Management Plan has been discussed with internal stakeholders on a number of occasions. This includes Loddon Leaders, MEG, and other staff who have had opportunities to review the outcomes of both plans and provide feedback.

APPENDIX

Figure 2 - Bridges and Major Culverts condition profile, July 2010

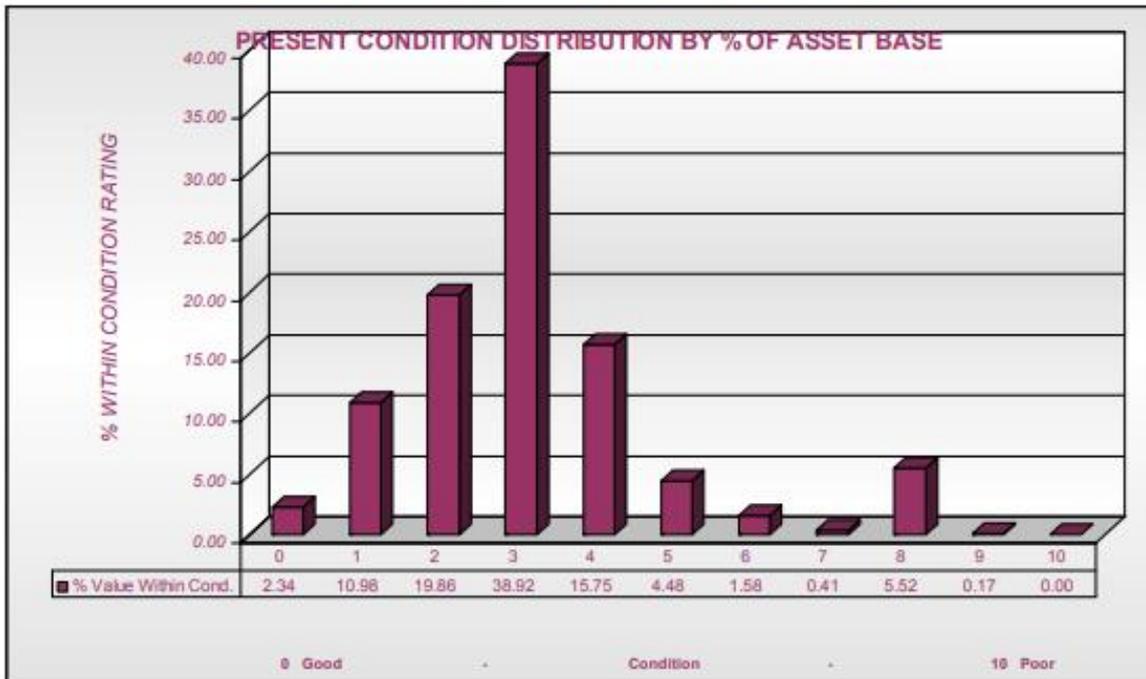
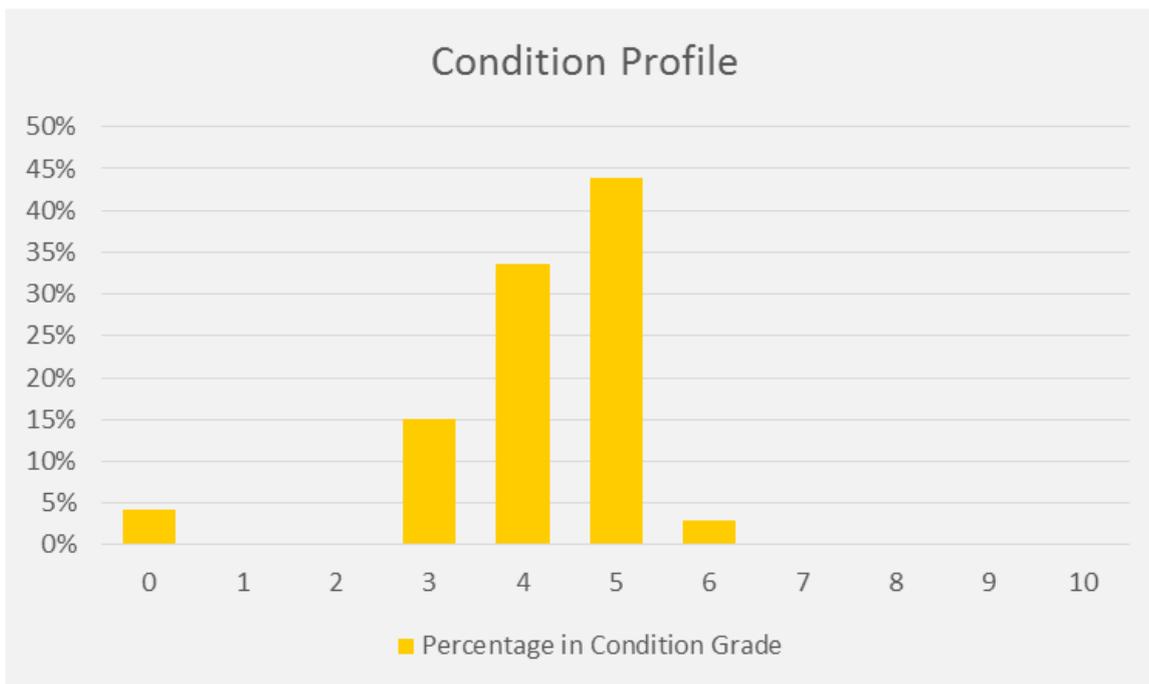


Figure 3 - Bridges and Major Culverts condition profile, February 2022



**RESOLUTION 2022/24**

Moved: Cr Wendy Murphy

Seconded: Cr Neil Beattie

That Council adopts the Bridges and Major Culverts Asset Management Plan, with corrections made as requested.

**CARRIED**

**10.5 STORMWATER DRAINAGE ASSET MANAGEMENT PLAN****File Number:** FOL/19/432736**Author:** David Southcombe, Manager Assets and Infrastructure**Authoriser:** Steven Phillips, Director Operations**Attachments:** 1. Stormwater Drainage Asset Management Plan**RECOMMENDATION**

That Council adopt the Stormwater Drainage Asset Management Plan.

**CONFLICT OF INTEREST**

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

**PREVIOUS COUNCIL DISCUSSION**

The Stormwater Drainage Asset Management Plan was discussed at the February Council Forum.

**BACKGROUND**

Council does not currently have a Stormwater Drainage Asset Management Plan. A plan has been developed as part of reviewing Council's asset management plans prior to the completion of the Asset Plan, which is required by the Local Government Act 2020 to be adopted by 30 June 2022.

The Stormwater Drainage Asset Management Plan outlines key elements involved in managing stormwater runoff in Council's urban areas. It combines management, financial, engineering and technical practices to ensure that the level of service required by the community is provided at the lowest long-term cost and is within the limits of Council's fiscal constraints.

**ISSUES/DISCUSSION**

Council officers have been updating all asset management plans in preparation for the completion of the Asset Plan, which is required by the Local Government Act 2020 to be adopted by 30 June 2022. The Stormwater Drainage Asset Management Plan is being presented to Council for review in preparation for adoption. Once adopted it will form part of the Asset Plan.

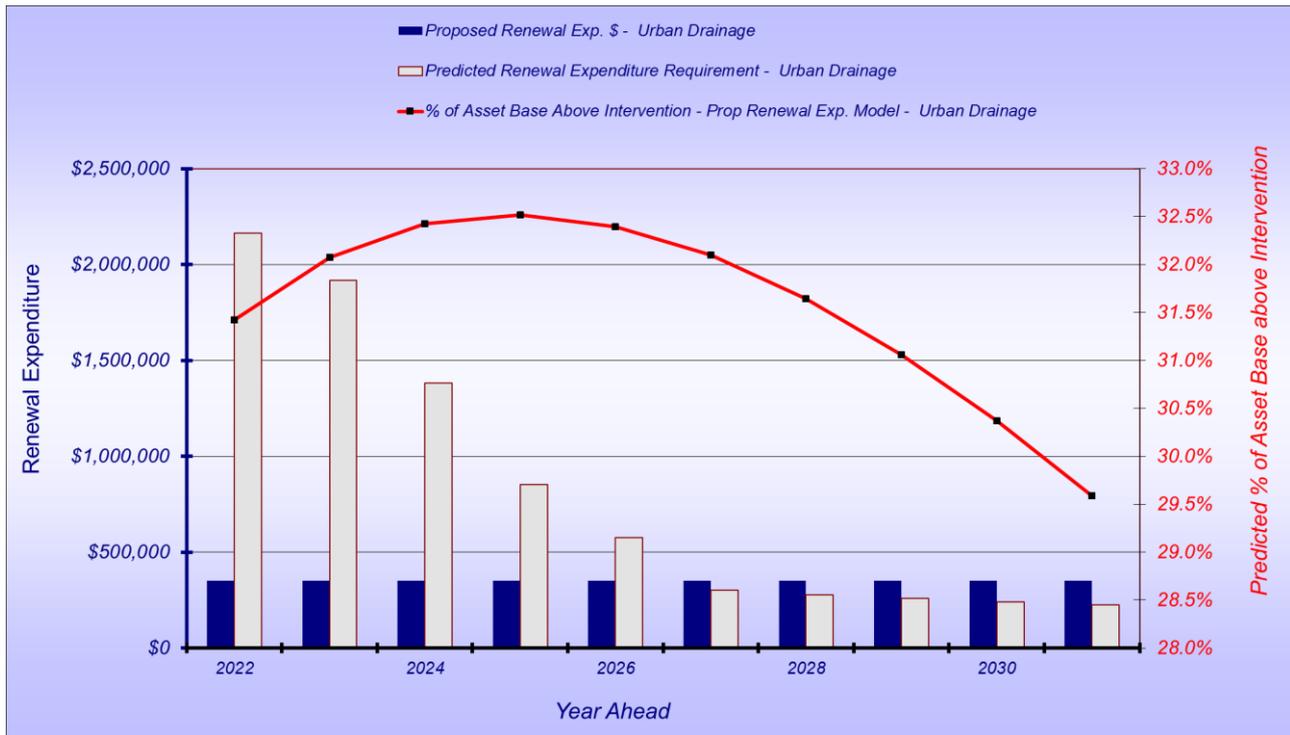
This is the first Stormwater Drainage Asset Management Plan for Loddon Shire Council. The sophistication of asset management for these assets is low as a result of the following:

- There is inaccuracy with the asset data – these assets are not easily audited due to being predominantly underground.
- There is inaccuracy with renewal projections – the inaccuracy with asset data and particularly condition data means renewal projections are inaccurate.
- The levels of service have not previously been established.

Anecdotally, Council officer's assessment is the performance of the stormwater network is satisfactory. It has performed well in general with many 'problem areas' of the network having been addressed recently through upgrades identified in stormwater drainage strategies. Customer complaints for drainage are rare, apart from after heavy rainfall events. These events that cause complaints are generally above the design level of the stormwater drainage network. The network is designed for 1 in 5 year rainfall event.

As an illustration of the data inaccuracy not reflecting the reality of the assets, refer to Figure 1 and the following text.

**Figure 1 – Renewal expenditure projections versus Financial Plan allocations for stormwater drainage assets**



The renewal modelling expenditure projections using existing data suggests the network is in very poor condition requiring significant investment to improve performance. Based on existing data, 31.5% of Council’s stormwater network is above the condition intervention level and Council is projected to require expenditure of \$8.2 million over the next 10 years on renewals versus the \$3.43 million currently in the Financial Plan. If this data is accurately reflecting Council’s stormwater assets, asset failures would be widespread and flooding events would be much more common than is observed.

The projects identified in Section 11 of the Stormwater Drainage Asset Management Plan are associated with addressing the data inaccuracy, lack of levels of service, and lack of criticality data for stormwater assets. Once completed, the renewal modelling projections will be updated and Council officers expect the projections on required renewal expenditure to be far more moderate.

Council officer’s recommendation is to continue allocations for stormwater drainage assets as per the existing Financial Plan.

**COST/BENEFITS**

The cost of maintaining Council’s stormwater drainage assets on infrastructure projects over the next 10 financial years is \$3.43 million. The benefits of this are numerous, including reducing the risk of flooding of roads, property, and damaging other Council and community assets.

**RISK ANALYSIS**

The adoption of the Stormwater Drainage Asset Management Plan will minimise Council’s risks associated with managing all of these assets.

As part of developing the plans, a risk assessment was undertaken. Risks were evaluated using Council’s Risk Management Policy framework and had two risks evaluated as High. These were investment and stormwater assets becoming unfit for intended purpose and no longer meet required standards.

The projects identified in the Improvement Plan of the asset management plan will address both of these risks and ensure they are well managed.

**CONSULTATION AND ENGAGEMENT**

The draft Stormwater Drainage Asset Management Plan has been discussed with internal stakeholders on a number of occasions. This includes Loddon Leaders, MEG, and other staff who have had opportunities to review the outcomes of both plans and provide feedback.

**RESOLUTION 2022/25**

Moved: Cr Neil Beattie

Seconded: Cr Wendy Murphy

That Council adopt the Stormwater Drainage Asset Management Plan.

**CARRIED**

**10.6 VIDEO LIVESTREAMING OF COUNCIL MEETINGS****File Number:** FOL/19/45618**Author:** Christine Coombes, A/Manager Executive and Commercial Services**Authoriser:** Lincoln Fitzgerald, Chief Executive Officer**Attachments:**

1. Minutes Extract - July 2021 Video Livestreaming of Council meetings
2. Minister's Good Practice Guideline MCPG-1: Virtual Meetings

**RECOMMENDATION**

That Council resolve to continue the Council meeting when:

- video livestreaming technical difficulties occur,
- and, or due to the unavailability of staff.

**CONFLICT OF INTEREST**

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

**PREVIOUS COUNCIL DISCUSSION**

At the 27 July 2021 Council Meeting Councillors agreed to video live stream Council Meetings, extract attached.

At the 25 January 2022 Council Meeting, Councillors resolved that Council resume standing orders with no video livestreaming. This resolution was passed because the video livestream experienced technical difficulties, however the Council Chamber was open to the public for in-person attendance.

At the 8 February 2022 Council Forum, Councillors discussed the issue of meetings being interrupted by technical difficulties during video livestreaming and the legislative changes proposed by the State Government which will impact the long term future of video livestreaming.

**BACKGROUND**

Audio livestreaming of Loddon Shire Council meetings commenced in May 2020 to allow the public to hear proceedings due to COVID restrictions, which prevented public access.

Video livestreaming of meetings commenced in August 2021.

**ISSUES/DISCUSSION**

At the January 2022 Council meeting, the video livestreaming was subjected to technical difficulties which initially caused the meeting to be suspended. Councillors resolved to continue with meeting business once a period of 15 minutes had elapsed given in-person attendance at the Chamber was available to the public.

Councillors discussed the requirement to review the July 2021 resolution to provide scope of when technical difficulties occur, to allow Council business to continue to be discussed.

Loddon Shire Council Chambers are open to the public for in person attendance, this provides the opportunity for public witness of Council business.

**COST/BENEFITS**

The cost of video livestreaming is significant due to the staffing resources required to manage this process. Loddon Shire Council most efficiently manages this utilising in-house resources. Other

Councils outsource this work to a contactor. It is not proposed in this report that video livestreaming would not continue, however in the event of technical difficulties, this would allow Council to transact business on behalf of the community without interruption.

### RISK ANALYSIS

1. The legislative environment supporting video livestreaming is evolving. For example the COVID-19 Omnibus (Emergency Measures) and Other Acts or amendments which introduced mechanisms into the Local Government Act 2020 to allow for virtual meetings. Details are included in the Minister's Good Practice Guideline, as attached.
2. If the requirement to video livestream is not changed and a technical difficulty occurs, there is a risk that Council would need to adjourn the meeting until a later date and would not be able to transact Council business in a timely manner;
3. Technical difficulties have the potential to impact on community awareness of key issues;
4. Technical difficulties interrupting livestreaming could impact on Council's reputation for transparency and professionalism;
5. The cost of video livestreaming has not currently been quantified, a more detailed review will be necessary to understand current costs and the cost to improve this service if it is to continue in the long term.

### CONSULTATION AND ENGAGEMENT

Councillors discussed this matter at the February Council Forum.

#### RESOLUTION 2022/26

Moved: Cr Linda Jungwirth

Seconded: Cr Wendy Murphy

That Council resolve to continue the Council meeting when:

- video livestreaming technical difficulties occur
- and/or due to the unavailability of staff.

**CARRIED**

## 11 INFORMATION REPORTS

### 11.1 PUBLIC HEALTH QUARTERLY 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 Quarterly 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 2021-22 financial year, summarising public health activities within the Development and Compliance Department for the months from October 2021 to December 2021.

#### 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 Senior Public Health Officer has regular contact with business operators, community groups, homeowners 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

##### Pandemic Response

Council's Senior Public Health Officer is currently on secondment into the role of Pandemic Coordinator. The Pandemic Coordinator role is a requirement of Council's Municipal Pandemic Plan which was activated in March 2020 due to the declaration of the Coronavirus Pandemic.

Considerable time has been devoted to both roles including community messaging, visiting businesses impacted by the restrictions, management of funding applications, provision of advice to community groups and attendance at briefings. There has been a significant number of enquiries regarding the restrictions and the impacts that they have on community gatherings, community facilities and businesses, and this increases each time changes to the restrictions are announced. This has affected the normal functions significantly of Council's Public Health staff.

When available an additional staff member has been supporting the public health activities in order to address urgent public health duties such as enquiries, complaints and applications.

### 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 2021 to 31 December 2021		
Governing Legislation	Inspection Outcome	Number of inspections
Food Premises	Compliant*	32
	Major Non Compliance	2
Health Premises	Compliant*	4
Swimming Pools	Satisfactory	3
	Unsatisfactory	6
Residential Tenancies	Compliant*	3
<b>Total number of inspections for reporting period</b>		<b>50</b>

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

Council officers are working with the non-compliant premises to address the issues that were identified.

### 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 kindergartens, schools, playgrounds and sporting reserves. Table 2 summarises the Tobacco Act activities undertaken during the reporting period.

*Table 2: Tobacco Act inspections*

1 October 2021 to 31 December 2021	
Inspection Type	Number
Tobacco Retailer (including vending machine)	6
Tobacco – Indoor Dining and drinking area	7
Tobacco – Outdoor Dining and drinking area	3
Public Outdoor Venues	5
<b>Total number of inspections</b>	<b>21</b>

### Septic Systems

Table 4 summarises septic system permit applications processed during the reporting period.

*Table 4: Septic system permits*

1 October 2021 to 31 December 2021	
Permit Type	Number
Installation or alteration	6
Certificate to use	3
<b>Total number of Permits</b>	<b>9</b>

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

Table 5 summarises the activities associated with management of septic tank applications and installed systems.

*Table 5: Septic system activity*

1 October 2021 to 31 December 2021	
Activity / Inspection Type	Number
Application Inspection	5
Installation Inspection	2
Final Inspection	1
Requested	1
Complaint Inspection	2
<b>Total number of inspections</b>	<b>11</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 general 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.

During this sampling program Council participated in the state wide free from survey that was organised by the Victorian Food Safety Unit, the survey focused on packaged products and products were sampled for compliance with their own free from statements. As an example products that made a gluten free claim were tested for gluten.

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 2021				
Sample Type	Number	Testing	Outcome	
Food	24	Microbiological	Satisfactory*	16
			Unsatisfactory	
		Labelling	Satisfactory	4
			Unsatisfactory	9
		Allergen	Not Detected	8
	Detected			
Swimming Pool	3	Microbiological	Complies	3
			Does not comply	
<b>Total number of Samples</b>	<b>27</b>			

\*satisfactory microbiological results include samples that were marginal

In general all 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.

### 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 6 summaries the complaints during the reporting period.

*Table 6: Public health complaints*

<b>1 October to 31 December 2021</b>				
<b>Nature of complaint</b>	<b>Number carried over from previous reporting period</b>	<b>Number received</b>	<b>Number resolved</b>	<b>Number currently pursuing resolution</b>
<b>Food Premises</b>	0	3	3	0
<b>Wastewater</b>	2	2	3	1
<b>Other</b>	0	3	3	0
<b>Total</b>	<b>2</b>	<b>8</b>	<b>9</b>	<b>1</b>

### **COST/BENEFITS**

The actual expenditure for the second quarter of the 2021-2022 financial year of the public health unit activities contained within this report is \$87,136.

Administration of the Acts that the Public Health Officer has responsibility for includes significant fieldwork, 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 2022/27**

Moved: Cr Gavan Holt

Seconded: Cr Wendy Murphy

That Council receive and note the Public Health Quarterly Activity Report.

**CARRIED**

**11.2 LOCAL LAWS AND PLANNING COMPLIANCE QUARTERLY ACTIVITY REPORT****File Number:** FOL/19/115192**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 Quarterly 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 2021-2022 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
- control of roadside activities, occupation and utilisation
- investigation of planning scheme breaches and enforcing planning permit conditions
- intervention in public nuisance issues.

**ISSUES/DISCUSSION**Administrative and fire prevention

Table 1 provides a summary of administrative actions undertaken.

Table 1: Administrative activities

Quarter 2 (1 October 2021 – 31 December 2021)			
Activity	After hours call outs (*)	Littering or illegal rubbish dumping	Local law permits issued
No. actions	3	1	8

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

Unightly properties

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

*Table 2: Summary of unsightly properties activities*

Quarter 2 (1 October 2021 – 31 December 2021)																
Town/Locality	Eddington	Rheola	Newbridge	Tarnagulla	Inglewood	Bridgewater	Wedderburn	Korong Vale	Borong	Boort	Pyramid Hill	Mitiamo	Dingee	Serpentine	Rural/Other	Total
<b>No. identified from previous report period</b>	1	0	2	1	11	0	23	2	3	2	2	2	0	0	0	<b>49</b>
<b>No. resolved during quarter</b>	0	0	3	1	2	0	8	0	1	2	2	1	0	0	0	<b>20</b>
<b>New action commenced</b>	0	0	2	1	1	0	2	0	0	2	2	0	0	0	1	<b>11</b>
<b>No. currently pursuing</b>	1	0	1	1	10	0	17	2	2	2	2	1	0	0	1	<b>40</b>
Progress Activities																
<b>Site meeting / discussion held</b>	1	0	2	1	11	0	16	2	2	2	4	2	0	0	0	<b>43</b>
<b>Letter to comply issued</b>	0	0	2	1	1	0	2	2	2	2	2	1	0	0	1	<b>16</b>
<b>Occupier has commenced clean-up work</b>	1	0	2	1	8	0	17	2	2	2	2	1	0	0	0	<b>38</b>
<b>Notice to comply issued</b>	0	0	0	1	1	0	2	0	1	1	2	0	0	0	1	<b>9</b>
<b>Contractor engaged for clean-up work</b>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	<b>0</b>

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 2021 – 31 December 2021)						
Activity	Wandering livestock	Trespassing livestock	Dog attack	Domestic animal at large	Distribution of cat traps	General complaints / other
<b>No. of actions</b>	10	6	3	9	12	25

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

*Table 4: Impoundment activities*

Quarter 2 (1 October 2021 – 31 December 2021)				
Animal type	Impoundments	Returned to owners	Animals rehoused	Animals disposed
Livestock	4	0	0	0
Dogs	10	4	2	4*
Cats	28	2	26 <sup>^</sup>	0
Feral Animals	3	0	0	3
<b>Total</b>	<b>45</b>	<b>6</b>	<b>28</b>	<b>7</b>

(\*) dog attacks

(<sup>^</sup>) 21 cats were rehoused following a specific trapping program of stray/unowned cats in the Inglewood township

### 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 2021 – 31 December 2021)					
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	3	2	0	3	2
Native vegetation removal without a permit	7	2	0	6	3
Breach of planning permit	2	1	0	1	2
Dog breeding / animal keeping	2	3	0	1	4
Land used as a store without planning permit	1	0	0	0	1
Occupation of a site without a planning permit	3	1	0	0	4
<b>Total</b>	<b>18</b>	<b>9</b>	<b>0</b>	<b>11</b>	<b>16</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 2021-2022 financial year for the local laws and compliance activities contained within this report is \$88,069. 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 2022/28**

Moved: Cr Gavan Holt  
Seconded: Cr Wendy Murphy

That Council receive and note the Local Laws and Planning Compliance Quarterly Activity report.

**CARRIED**

### 11.3 QUARTERLY 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 first report for the 2021 - 2022 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 (01/10/2021 – 31/12/2021)						
Work Group	Number of scheduled inspections	Number completed by due date	Number completed after due date	Number not completed	Compliance	Number of Defects Raised
Loddon Plains	124	124	0	0	100.0%	232
Loddon Goldfields	133	132	1	0	99.2%	335
<b>Total</b>	<b>257</b>	<b>256</b>	<b>1</b>	<b>0</b>	<b>99.6%</b>	<b>567</b>

During the second quarter of 2021 – 2022 financial year, 99.6% 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 (01/10/2021 – 31/12/2021)								
Work Group	Number of Defects				Compliant with RMP			
	Ad hoc	Requests	Defects from inspections	Total	Yes	No	Not complete	%
Loddon Goldfields	0	23	291	314	303	11	0	96.5%
Loddon Plains	1	20	383	404	404	0	0	100.0%
Shire Wide	0	9	360	369	369	0	0	100.0%
Townscape Services	13	2	18	33	33	0	0	100.0%
<b>Total</b>	<b>14</b>	<b>54</b>	<b>1052</b>	<b>1120</b>	<b>1109</b>	<b>11</b>	<b>0</b>	<b>99.1%</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 ad hoc work actions. During the second quarter of 2021 – 2022 financial year, 99.1% of all date imposed defects were completed before their due date. This is 0.9% below the target of 100% set in the RMP. All defects have now been completed.

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 ad hoc work actions. The maintenance grading program identifies each road segment by its road hierarchy and grading frequency as detailed in the RMP.

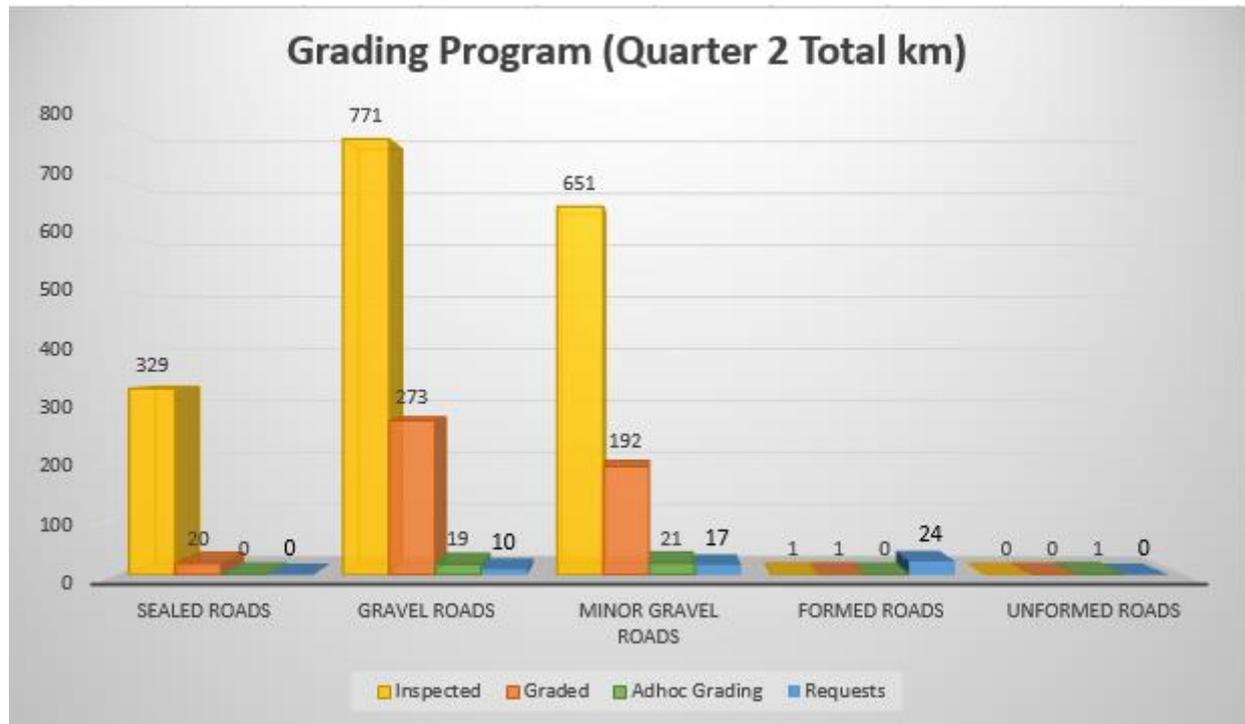
*Table 3: Maintenance grading program*

Quarter 2 (01/10/2021 – 31/12/2021)											
Work Group	Number of Grading Work Actions					Compliant with scheduled timeframes				KM Graded	KM Inspected
	Roads Graded	Defects	Requests	Ad hoc	Total	Yes	No	Not completed	%		
Loddon Goldfields	94	1	15	0	110	110	0	0	100.0%	158.6	847
Loddon Plains	155	5	19	0	179	179	0	0	100.0%	417.9	905
Shire Wide	2	0	1	0	3	3	0	0	100.0%	.6	0
<b>Total</b>	<b>251</b>	<b>6</b>	<b>35</b>	<b>0</b>	<b>292</b>	<b>292</b>	<b>0</b>	<b>0</b>	<b>100.0%</b>	<b>577</b>	<b>1752</b>

The data in Table 3 indicates that 292 grading work actions were completed in the second quarter of 2021 – 2022 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 2021 – 2022 financial year of the Local Road Maintenance Program is \$3,178,092. The expenditure for the second quarter was \$1,330,404

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 2022/29**

Moved: Cr Gavan Holt  
 Seconded: Cr Wendy Murphy

That Council receive and note the Road Management Plan Defect Rectification Compliance Report.

**CARRIED**

**11.4 STRATEGIC PLANNING QUARTERLY 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 Quarterly 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 2021-2022 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**

The ability to undertake strategic planning projects has been inhibited during the past year while recruitment for a Statutory Planning Coordinator has been undertaken. Limited time has been available for strategic projects due to the need for staff to focus on statutory planning applications. Staff members prioritise the processing of permit applications over other activities. Council has been successful in recruiting a Statutory Planning Coordinator. This will enable a number of strategic projects to be re-commenced during 2022.

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 2021-2022 financial year.

Table 1: Current Strategic Planning Projects

<b>Current Strategic Planning Projects Quarter 2 (1 October 2021 – 31 December 2021)</b>			
<b>Project</b>	<b>Tasks undertaken during the quarter</b>	<b>Future tasks</b>	<b>Estimated project completion</b>
Investigate development of Stage 2 of Ridge Street residential development.	A draft report has been completed.	Review of the draft report before presentation to Council.	April 2022

<b>Current Strategic Planning Projects Quarter 2 (1 October 2021 – 31 December 2021)</b>			
<b>Project</b>	<b>Tasks undertaken during the quarter</b>	<b>Future tasks</b>	<b>Estimated project completion</b>
Heritage loan policy	Preparation of a draft that provides conditions and criteria for applications is continuing.	Policy committee review and Council adoption.	April 2022
Undertake detailed investigation of identified residential growth opportunities in the priority towns to determine yield and estimated development cost.	A contract brief has been prepared.	Seek tenders for the project.	June 2022
Industrial Land Strategy. A recommendation of the Settlement Strategy was to undertake an Industrial Land Strategy to ensure a suitable supply of industrial land as employment is key to population growth.	Quotations for this project have been sought, with three strategic planning firms all declining the project due to current workloads. We will continue to reach out to appropriate consultancy firms with experience in this area.	Engage suitable consultant	A completion date can be set once a consultant has been engaged.
Planning Scheme Review	A draft review report (which provides an assessment of the scheme's performance and currency and identifies the areas for review) was completed in 2020. The first step in the revision of the Loddon Planning Scheme was the redraft of the planning policy framework, which was completed in mid 2021.	Circulation to policy review committee. Presentation and adoption of report by Council. Submission of report to Minister for Planning. Implement the changes.	December 2022
Planning Scheme Amendment – Bridgewater and Dunolly Flood controls	Council is partnering with North Central Catchment Management Authority (NCCMA) for this project. Council and NCCMA are currently considering options for completion of this work, including updating flood controls across the entire municipality.	Exhibition of the planning scheme amendment.	December 2022

**COST/BENEFITS**

The expenditure for the second quarter of the 2021-2022 financial year for the strategic planning activities contained within this report is \$3,087.

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 2022/30**

Moved: Cr Gavan Holt

Seconded: Cr Wendy Murphy

That Council receive and note the Strategic Planning Quarterly Activity report.

**CARRIED**

## 11.5 QUARTERLY REPORT: ANNUAL INFRASTRUCTURE PROGRAM 2021-2022 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 2021-2022 - Confidential - Confidential**

This attachment is designated as confidential in accordance with Section 3(1)(a) and (g(ii)) of the *Local Government Act 2020*. It contains Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released; AND private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

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

2. **Annual Infrastructure Program 2021-2022 - No Budget**

3. **Other Projects - Confidential - Confidential**

This attachment is designated as confidential in accordance with Section 3(1)(a) and (g(ii)) of the *Local Government Act 2020*. It contains Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released; AND private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

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

4. **Other Projects - No Budget**

### RECOMMENDATION

That Council note the update on progress of the Annual Infrastructure Program 2021-2022 and Other Projects as at the end of December 2022.

### CONFLICT OF INTEREST

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

### PREVIOUS COUNCIL DISCUSSION

This report is for the second quarter of 2021-2022 financial year, providing an update on the progress of the Annual Infrastructure Program. The status 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.

The Annual Infrastructure Program 2021-2022 was approved at the July 2021 Council meeting with a budget expenditure of \$3,985,985.

## 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.

## ISSUES/DISCUSSION

### Annual Infrastructure Program

Attachment 1 provides a progress summary of the Annual Infrastructure Program for the second quarter of the 2021-2022 financial year.

There are 73 individual projects listed including carryovers from the previous financial year. A total of 21 have been completed, of the remaining 50 projects 40 have commenced or a contract has been awarded.

### 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 2021-2022 financial year. All completed projects are removed from subsequent quarterly progress reports.

## COST/BENEFITS

Attachment 1 gives a summary of progress of individual projects within this program as at 30 December 2021. Please note that the attachment includes additional projects such as new grants and carry over projects in addition to the 2021-2022 Annual Infrastructure Program. This brings the total value of projects being delivered to \$9,386,323. The attachment is including recently completed projects with expenditure figures to be finalised. The expenditure at the end of the second quarter is \$3,638,845, this includes payments made against projects completed just after the end of the last financial year.

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 \$9,191,120. Expenditure to date on these active projects is \$1,408,057.

## 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 with the Manager Assets and Infrastructure and the Works Department.

### **RESOLUTION 2022/31**

Moved: Cr Gavan Holt  
Seconded: Cr Wendy Murphy

That Council note the update on progress of the Annual Infrastructure Program 2021-2022 and Other Projects as at the end of December 2022.

**CARRIED**

**11.6 QUARTERLY STATUTORY PLANNING PERMIT ACTIVITY REPORT****File Number:** 13/01/002**Author:** Louise Johnston, Statutory Planning Coordinator**Authoriser:** Glenn Harvey, Manager Development and Compliance**Attachments:**

1. Planning Applications being processed in the quarter
2. Planning Applications completed in the quarter

**RECOMMENDATION**

That Council receive and note the Quarterly Statutory Planning Permit Activity Report for October to December 2021.

**CONFLICT OF INTEREST**

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

**PREVIOUS COUNCIL DISCUSSION**

This is the second report for the 2021- 2022 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 is to be measured following the acceptance of a planning permit application.

Table 1 provides a summary of the average timeframe in which the Development and Compliance Department assessed and issued Planning Permits during the second quarter of the 2020-2021 financial year and compares these to the Victorian rural average.

*Table 1: Average timeframes for decisions*

Month	Quarter 2 of the 2021/2022 financial year			
	Average gross days to determine	Median processing days to determine	Completed within 60 days	Rural average completed within 60 days
October	61	56	100%	72.3%
November	101	43	81.8%	68.6%
December	68	43	94.7%	68.9%
<b>Total Quarterly average</b>	<b>76</b>	<b>47</b>	<b>92.0%</b>	<b>69.9%</b>

During the second quarter of the 2021-2022 financial year 92% of all Planning Permit applications were assessed and issued within the timeframes as set in the Planning & Environment Act 1987. This is 22.1% above the rural average, a great result for Council and its planning team.

### **COST/BENEFITS**

The expenditure for the first quarter of 2021-2022 financial year of the statutory planning activities contained within this report is \$48,953.

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 2022/32**

Moved: Cr Gavan Holt

Seconded: Cr Wendy Murphy

That Council receive and note the Quarterly Statutory Planning Permit Activity Report for October to December 2021.

**CARRIED**

**11.7 QUARTERLY BUILDING SERVICES ACTIVITY REPORT****File Number:** 13/06/001, 13/08/001, 13/08/003**Author:** Glenn Harvey, Manager Development and Compliance**Authoriser:** Steven Phillips, Director Operations**Attachments:** Nil**RECOMMENDATION**

That Council receive and note the Quarterly 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 2021-2022 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 and 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 and 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**

Throughout the second quarter of the 2021-2022 financial year, items of significance relating to the activity of Council's building services include:

- ongoing measures relating to COVID-19 (as with all staff and the community)
- implementation of swimming pool registration requirements
- follow up on enforcement activities including following up Court and Building Appeals items
- ongoing implementation and improvement of software changes.

**Building permits**

Table 1 provides the number and total value of building permits issued for the last two quarters of 2020-2021 and the first and second quarter of 2021-2022. There is variation in the value of permits

throughout any given financial year and this is attributable to the scale and cost of individual projects.

*Table 1: Summary of new building permits issued*

	Quarter 3 2020-21 (01/01/2021 – 31/03/2021)	Quarter 4 2020-21 (01/04/2021 – 30/06/2021)	Quarter 1 2021-22 (01/07/2021 – 30/09/2021)	Quarter 2 2021-22 (01/10/2021 – 31/12/2021)
<b>No. of new Permits</b>	44	41	39	45
<b>Value of Works</b>	\$2,467,359	\$4,527,209	\$3,144,433	\$5,782,648

Table 2 provides a summary of the number of final inspections and certificates of occupancy issued for building permits for each quarter.

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

	Quarter 3 2020-21 (01/01/2021 – 31/03/2021)	Quarter 4 2020-21 (01/04/2021 – 30/06/2021)	Quarter 1 2021-22 (01/07/2021 – 30/09/2021)	Quarter 2 2021-22 (01/10/2021 – 31/12/2021)
<b>Certificates of final inspection</b>	18	24	21	34
<b>Occupancy Permits</b>	17	10	9	9

Council Building Services staff continue to work proactively with Council issued permit holders, sending follow up letters to notify building owners approximately two months before their building permits are due to lapse. This allows owners to arrange a final inspection/occupancy permit or apply for an extension of time for their building permit.

#### 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	1	1	0	0	0	0	0	0

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
Works required to make building safe (including pools)	19	1	20	3	2	1	0	1	0
Carrying out building works without a permit	4	0	4	1	0	0	0	0	0
Works not in accordance with building permit	2	0	2	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	1	0	1	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.

The Manager Development and Compliance is currently also performing the role of Municipal Building Surveyor whilst recruitment for the vacancy is continuing. This is impacting on progressing compliance matters as well as permit applications. Community members that are making Building Permit applications are being advised that there may be some delays in processing their applications due to our current situation. They are also being informed of the alternative of engaging a Private Building Surveyor.

### **COST/BENEFITS**

The expenditure for the second quarter of the 2021-2022 financial year for building services activities was \$5,499. The functions associated with the delivery of the Municipal Building Surveyor service have been delivered by the Manager Development and Compliance.

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 endeavour to work through enforcement matters in a manner that engages with property owners/occupiers to have required works completed.

### **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.

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. This remains a matter of concern for Council's Municipal Building Surveyor and Local Laws & Planning Compliance Officer.

### **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 essential safety measures assessments/inspections to the provision of advice relating to the need for building permits and other functions administered by the Municipal Building Surveyor under the Building Act and Building Regulations. Any business operator, developer, resident or ratepayer that is subject to enforcement action is regularly consulted with during the enforcement process to give them the opportunity to avoid the escalation of enforcement action.

#### **RESOLUTION 2022/33**

Moved: Cr Gavan Holt  
Seconded: Cr Wendy Murphy

That Council receive and note the Quarterly Building Services Activity Report.

**CARRIED**

**12 COMPLIANCE REPORTS**

Nil

**13 URGENT BUSINESS**

In accordance with Council's Governance Rules, Clause 53 provides that at a scheduled or special meeting of Council, business that is not included in the agenda notice must only be considered if no more than one Councillor is absent and the Council resolves that the matter is urgent.

Despite this requirement, a matter that is not included in the agenda notice must not be considered at a Council meeting if it will:

- (a) directly and significantly affect the exercise of a person's rights;
- (b) alter the Council Plan or the budget; or
- (c) commit the Council to expenditure exceeding \$20,000.

**Jacka and Borella statues in Wedderburn**

Cr Holt referred to an article in the Loddon Herald regarding wording on an information board in Soldiers Memorial Park, Wedderburn. The query was about the reference to "signal acts of bravery".

Cr Holt explained that the committee consulted widely with the Jacka and Borella families and the community during the development of the plaques. He suggested that the wording may have been misinterpreted, as the old use of the word "signal" relates to "significant".

Mrs Gladman advised that Council staff have previously sought clarification of this matter, and have provided confirmation to the Loddon Herald that it is the exact wording that was taken directly from the London Gazette at the time of the awards.

**14 CONFIDENTIAL ITEMS****RESOLUTION 2022/34**

Moved: Cr Wendy Murphy

Seconded: Cr Gavan Holt

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

**14.1 REVIEW OF CONFIDENTIAL ACTIONS**

This matter is considered to be confidential under Section 3(1)(h) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with confidential meeting information, being the records of meetings closed to the public under section 66(2)(a).

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

**CARRIED**

Closing of Meeting to the Public

**RESOLUTION 2022/35**

Moved: Cr Wendy Murphy

Seconded: Cr Gavan Holt

That the meeting be closed to the public at 3.51pm.

**CARRIED****14.1 REVIEW OF CONFIDENTIAL ACTIONS****RESOLUTION 2022/36**

Moved: Cr Linda Jungwirth

Seconded: Cr Wendy Murphy

That Council receive and note the action sheet.

**CARRIED**

**NEXT MEETING**

The next Ordinary Meeting of Council will be held on 22 March 2022 at Wedderburn commencing at 3pm.

There being no further business the meeting was closed at 3.56pm.

Confirmed this.....day of..... 2022

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**CHAIRPERSON**