



Date: Tuesday, 25 October 2022
Time: 3pm
Location: Loddon Shire Council Chambers, Wedderburn

MINUTES

Council Meeting

**MINUTES OF LODDON SHIRE COUNCIL
COUNCIL MEETING
HELD AT THE LODDON SHIRE COUNCIL CHAMBERS, WEDDERBURN
ON TUESDAY, 25 OCTOBER 2022 AT 3PM**

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

IN ATTENDANCE: Lincoln Fitzgerald (Chief Executive Officer), Wendy Gladman (Director Community Wellbeing), Steven Phillips (Director Operations), Amanda Wilson (Director Corporate) and Lisa Clue (Manager Governance)

1 OPENING AFFIRMATION

The Opening Affirmation was read by the Mayor

2 ACKNOWLEDGEMENT OF COUNTRY

The Acknowledgement of Country was read by the CEO

3 APOLOGIES

Nil

4 DECLARATIONS OF CONFLICT OF INTEREST

Cr Murphy declared a Material Conflict of Interest in relation to Agenda Item 10.4 – Annual Infrastructure Program, Amendment to Project Allocations and advised she would leave the meeting while Council considered that item.

5 PREVIOUS MINUTES**5.1 CONFIRMATION OF MINUTES****File Number:** 02/01/001**Author:** Lisa Clue, Manager Governance**Authoriser:** Lincoln Fitzgerald, Chief Executive Officer**Attachments:** Nil**RECOMMENDATION**

That Council confirm the minutes of the:

1. Council Briefing of 27 September 2022
2. Council Meeting of 27 September 2022
3. Confidential Council Meeting of 27 September 2022
4. Council Forum 11 October 2022.

REPORT

This report seeks Council confirmation of Minutes from the September 2022 Council Meeting and Briefing and the October 2022 Council forum, as circulated to Councillors.

RESOLUTION 2022/104**Moved:** Cr Wendy Murphy**Seconded:** Cr Neil Beattie

That Council confirm the minutes of the:

1. Council Briefing of 27 September 2022
2. Council Meeting of 27 September 2022
3. Confidential Council Meeting of 27 September 2022
4. Council Forum 11 October 2022.

CARRIED

6 ADVISORY MEETINGS**6.1 RECORD OF ADVISORY MEETINGS****File Number:** 02/01/001**Author:** Lisa Clue, Manager Governance**Authoriser:** Lincoln Fitzgerald, Chief Executive Officer**Attachments:** Nil**RECOMMENDATION**

That Council confirm records of the following as detailed within this report :

1. Council Briefing 27 September 2022.
2. Council Forum 11 October 2022.

Rule 51 of Council's Governance Rules requires a record of Councillor briefings, Councillor forums and advisory committees to be confirmed at scheduled Council meetings, and that the record include:

- a) a record of which Councillors attended the meeting;
- b) a summary of the matters considered in the meeting; and
- c) a record of any conflicts of interest disclosed by Councillors.

This report seeks confirmation of the following meetings and forums, conducted since the last scheduled meeting of Council and detailed within this report:

1. Council Briefing 27 September 2022.
2. Council Forum 11 October 2022.

Meeting details	Briefing
Date	27 September 2022
Councillor Attendees	Cr Beattie Cr Holt Cr Jungwirth Cr Murphy Cr Straub
Staff/Stakeholder representatives	Lincoln Fitzgerald, Chief Executive Officer Wendy Gladman, Director Community Wellbeing Steven Phillips, Director Operations Amanda Wilson, Director Corporate Lisa Clue, Manager Governance Janine Jackson, Manager Organisation Development Louise Johnston, Statutory Planning Coordinator Glenn Harvey, Manager Development and Compliance Objector - Planning Application 5769
Items discussed.	<ol style="list-style-type: none"> 1. Chief Executive Officer's Key Performance Indicators 2. Planning Application 5769 – 317 Curnows Road, Calivil 3. General Business: <ul style="list-style-type: none"> • MAV State Council • Roadside slashing • Kow Swamp
Conflict of Interest Disclosures - Councillor/officer making disclosure	Nil
Councillor/officer left room	N/A

Meeting details	Forum
Date	11 October 2022
Councillor Attendees	Cr Beattie Cr Holt Cr Jungwirth (online) Cr Murphy Cr Straub
Staff/Stakeholder representatives	Amanda Wilson, Director Corporate Wendy Gladman, Director Community Wellbeing Steven Phillips, Director Operations Lisa Clue, Manager Governance Paul Scullie, Acting Manager Community Support and Community Support team members Peter Walsh MP Leigh Barry and Sage Hahn, Bio Gro Trevor Budge, City of Greater Bendigo Susa Fayad, City of Ballarat Belinda McKnight, Emergency Management Coordinator Julian Perez, Villawood Properties Carolyn Stephenson, Statutory/Strategic Planner Deanne Caserta, Manager Financial Services (online)
Items discussed.	<ol style="list-style-type: none"> 1. Introduction to Community Support 2. Peter Walsh MP 3. Bio Gro 4. Victorian Central Goldfields World Heritage Bid 5. Annual Report for the period ending 30 June 2022 6. Aged care Reform – Staff consultation feedback and community survey results 7. Emergency Management Update 8. Wedderburn Housing Development Stage 2 – Yelka Street Residential Development Feasibility Assessment 9. Review of the Financial Hardship Policy V3 10. Scheduling of Special Meeting for the election of Mayor 11. General Business: <ul style="list-style-type: none"> • Foundation of Directorship Course • Wedderburn Senior Citizens Club/Clubrooms
Conflict of Interest Disclosures - Councillor/officer making disclosure	Nil
Councillor/officer left room	N/A

RESOLUTION 2022/105

Moved: Cr Wendy Murphy

Seconded: Cr Neil Beattie

That Council confirm records of the following as detailed within this report :

1. Council Briefing 27 September 2022.
2. Council Forum 11 October 2022.

CARRIED

Unconfirmed

7 REVIEW OF ACTION SHEET**7.1 REVIEW OF ACTIONS****File Number:** 02/01/002**Author:** Lisa Clue, Manager Governance**Authoriser:** Lincoln Fitzgerald, Chief Executive Officer**Attachments:** 1. Council resolutions acted upon since the September 2022 Council meeting**RECOMMENDATION**

That Council receive and note resolutions acted upon since the September 2022 Council meeting as attached to this report.

CONFLICT OF INTEREST

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

REPORT

A document listing Council resolutions acted upon since the September 2022 Council meeting (including one resolution made while the meeting was closed to the public) is attached to this report.

RESOLUTION 2022/106**Moved:** Cr Linda Jungwirth**Seconded:** Cr Wendy Murphy

That Council receive and note resolutions acted upon since the September 2022 Council meeting as attached to this report.

CARRIED

8 MAYORAL REPORT**8.1 MAYORAL REPORT****File Number:** 02/01/001**Author:** Lisa Clue, Manager Governance**Authoriser:** Lincoln Fitzgerald, Chief Executive Officer**Attachments:** Nil**RECOMMENDATION**

That Council receive and note the Mayoral Report.

REPORT

The Mayor presented a verbal report at the meeting including:

- update on the flood situation throughout the Terrick Ward
- acknowledgement of contact, and offers of assistance from Mayors and Councillors from other Councils and the MAV
- acknowledgement of community, staff and volunteers assisting with flood response and relief
- congratulating Cr Beattie on recently receiving a MAV Emeritus Award for service as Loddon Shire Council Mayor over past years.

RESOLUTION 2022/107**Moved:** Cr Dan Straub (Mayor)**Seconded:** Cr Wendy Murphy

That Council receive and note the Mayoral Report.

CARRIED

9 COUNCILLORS' REPORT

9.1 COUNCILLORS' REPORTS

File Number: 02/01/001

Author: Lisa Clue, Manager Governance

Authoriser: Lincoln Fitzgerald, Chief Executive Officer

Attachments: Nil

RECOMMENDATION

That Council receive and note the Councillors' reports

REPORT

Each Councillor presented a report at the meeting focussing of the current flood event.

Cr Murphy

Cr Murphy presented a verbal report on the flood situation within the Inglewood Ward including:

- Emergency Relief Centre setup and operation at Bridgewater
- direct and indirect impacts on community, including those with homes inundated; crops and farm infrastructure damaged; and reliant on visitor and tourist trade
- work undertaken by BlazeAid and volunteers
- ongoing recovery efforts
- positive feedback from an Incident Controller regarding the flexibility and response to requests from the Incident Control Centre from flood affected councils.

Cr Jungwirth

Cr Jungwirth presented a verbal report on the flood situation within the Tarnagulla Ward including:

- Tarnagulla ward community now in recovery phase from flood impact on 13 and 14 October while also preparing for any future impacts resulting from further rain
- acknowledging those that have assisted with clean-up efforts, including the Newbridge Recreation Reserve; Council staff for undertaking a range of functions both within and outside normal working hours; and agencies involved in managing the event.

Cr Holt

Cr Holt presented a verbal report on the flood situation within the Wedderburn Ward including:

- unprecedented concern with the Skinners Flat Reservoir wall, well managed by Council officers and contractors
- the importance of information provided to the community, including new residents who may not have previously experienced a flood event in the Loddon Shire; accurate and considered messaging to residents who may be impacted; and garbage disposal.
- community spirit is alive and well.

Cr Beattie

Cr Beattie presented a verbal report on the flood situation within the Boort Ward including:

- the community was well prepared as a result of work undertaken since 2011
- the importance of implementing the Boort Flood Plan
- impact on primary production, including crop losses and relocating stock
- outstanding work of volunteers, the CFA and Council staff.

The Mayor further acknowledged the efforts of the community; ongoing impacts on our agricultural sector; and the heightened risk of mosquito infestations. The next Mayoral Column will provide details on a Relief Centre operating at the Pyramid Hill Senior Citizens Centre; emergency relief available by contacting Council on 5494 1200; the Flood Recovery Hotline, 1800 560 760; and a number of grants available to assist those affected.

RESOLUTION 2022/108

Moved: Cr Neil Beattie

Seconded: Cr Gavan Holt

That Council receive and note the Councillors' reports

CARRIED

Unconfirmed

10 DECISION REPORTS

10.1 REVIEW OF THE FINANCIAL HARDSHIP POLICY V3

File Number: FOL/19/432511
Author: Deanne Caserta, Manager Financial Services
Authoriser: Amanda Wilson, Director Corporate
Attachments: 1. Financial Hardship Policy v3

RECOMMENDATION

That Council adopts the Financial Hardship 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

The current version of the Financial Hardship Policy (the Policy), version two, was adopted on 23 July 2019 with a review date of 23 July 2022.

BACKGROUND

The purpose of the Policy is to set principles for Loddon Shire Council to assist ratepayers who are experiencing general and financial hardship to make payments of rates and waste charges raised by Council.

ISSUES/DISCUSSION

The Policy outlines the circumstances where Council will give consideration to assisting a ratepayer experiencing genuine financial hardship with the following options:

- deferred payment
- waiver of all or part of a rate or charge.

The updates in this review of the Policy relate to the action taken with any request made to Loddon Shire Council. Within the authorised delegations provided by Council, the Chief Executive Officer (CEO) can determine the outcome of the application. A further section has been added to the policy allowing the CEO to refer the application to a Council Meeting for determination in some circumstances.

An additional section has also been added that allows the CEO to extend an application for waiver where the hardship status still exists and the ratepayer has complied with all conditions of the agreement including debt repayment schedules.

Minor administrative alterations have been made to wording throughout the document to assist ratepayers understand the intended purpose of the document and ensure language is aligned with legislation.

COST/BENEFITS

There are no direct costs associated with the adoption of this policy. Where a hardship claim has been approved, there could be paused future or reduction in past interest charges. It is expected that when approving hardship claims, this will assist with rates and charges to be paid, therefore avoiding the need to proceed with legal action.

RISK ANALYSIS

It is a Council function to levy and collect rates from property owners within the municipality. This policy assists in mitigating financial and reputational risk through providing an avenue to support those who are experiencing financial hardship.

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 has a review timeline of four years.

RESOLUTION 2022/109

Moved: Cr Linda Jungwirth

Seconded: Cr Wendy Murphy

That Council adopts the Financial Hardship Policy v3.

CARRIED

Unconfirmed

10.2 NEIGHBOURHOOD SAFER PLACES (PLACES OF LAST RESORT)**File Number:** fol/19/432270**Author:** Janine Jackson, Manager Organisation Development**Authoriser:** Amanda Wilson, Director Corporate**Attachments:** 1. Neighbourhood Safe Places Plan September 2022**RECOMMENDATION**

That Council adopt the Loddon Shire Council Neighbourhood Safer Places Plan - September 2022, which includes and confirms designated Neighbourhood Safer Places within the municipality in the townships of Boort, Bridgewater, Inglewood, Pyramid Hill, Serpentine and Wedderburn.

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 Ordinary Meeting on 23 August 2010, Council adopted the initial Neighbourhood Safer Places (NSP) Plan which contains the Council NSP Assessment Criteria.

At its Ordinary Meeting on 11 September 2011, Council endorsed the NSP assessment process and resolved to continue identification and assessment of potential sites for NSPs, and once identified report these back to Council for consideration.

At its Ordinary Meeting on 27 August 2012, Council adopted the Loddon Shire Council Neighbourhood Safer Places Plan August 2012, which included designated NSPs at Boort, Bridgewater, Inglewood, Pyramid Hill, Serpentine and Wedderburn.

At Ordinary Meetings held in September in the years 2013 to 2019, Council has adopted the Loddon Shire Council Neighbourhood Safer Places Plan, which includes and confirms designated NSPs at Boort, Bridgewater, Inglewood, Pyramid Hill, Serpentine and Wedderburn.

BACKGROUND

NSPs and the NSP Plan are direct consequences of the Black Saturday fires and the interim recommendations from the Bushfires Royal Commission. NSPs are legislated under the Emergency Services Legislation Amendment Act 2018 (ESLA Act) which amends the Emergency Management Act 2013, and the Country Fire Authority Act 1958 (CFA Act). Councils in Victoria, under the ESLA Act are required to identify, certify, designate, establish and maintain NSPs within their municipal district.

The flow chart in section one of the NSP Plan sets out the process followed when establishing a NSP. In short this process includes:

- identification of potential sites by Council
- assessment by Council against Council's criteria
- assessment by CFA against CFA criteria
- designation by Council of the approved sites
- establishment and signage of site by Council
- annual review of existing and potential new sites by Council and CFA.

Under Section 50J of the CFA Act, Council must, by 31 August each year, conduct a review of each designated NSP in its municipal district to determine if it is still suitable to be designated as a NSP, and ask the Country Fire Authority (CFA) to assess each NSP in its municipal district in accordance with the Country Fire Authority assessment guidelines.

Once the Council and CFA assessments have been completed and the established NSPs have been determined by each organisation as being compliant, the Municipal Fire Prevention Officer (MFPO), under section 50K of the CFA Act, must provide an updated list of all designated neighbourhood safer places and community fire refuges in the municipal district to the CFA, by 30 September of each year.

ISSUES/DISCUSSION

In compliance with Section 50J of the CFA Act, in June 2022, the CFA was requested to conduct the annual inspection of the current designated NSPs in Boort, Pyramid Hill, Bridgewater, Inglewood, Wedderburn and Serpentine. In August 2022, the CFA identified all current NSPs as compliant under the CFA Act. In August 2022 Council's OHS, Risk Management and Fire Prevention Officer conducted Council's reassessment and confirmed that the six current designated NSP sites are compliant with Council guidelines.

No new or additional NSP sites have been nominated by Council staff, the local community, or the Municipal Emergency Management Planning Committee. A list of all designated Loddon Shire NSPs was provided to the CFA by 30 September 2022.

COST/BENEFITS

Administration of the NSP process requires the allocation of Council and CFA resources to undertake the necessary site assessment, and prepare the associated reports and supporting documentation. The cost of maintaining the NSPs contained within recreation reserves and at a local hall is borne by the associated committees of management for these facilities.

The remaining NSP is located in an area which Council maintains through routine operations. Provision and maintenance of designated NSPs within the municipality contributes to the overall safety and wellbeing of the local community in the event of a bushfire and forms part of the response provisions within the Municipal Fire Management Plan.

RISK ANALYSIS

Failure to adequately and regularly assess the designated NSP sites for compliance against specified criteria has the potential to place members of the community utilising these sites at risk should site conditions change over time. Failure to meet the inspection and reporting timelines may result in Loddon Shire failing to meet its legislated obligations under the CFA Act and ESLA Act.

CONSULTATION AND ENGAGEMENT

Determination of the suitability to retain the designated NSP sites has been made in consultation with the CFA.

RESOLUTION 2022/110

Moved: Cr Gavan Holt
Seconded: Cr Wendy Murphy

That Council adopt the Loddon Shire Council Neighbourhood Safer Places Plan - September 2022, which includes and confirms designated Neighbourhood Safer Places within the municipality in the townships of Boort, Bridgewater, Inglewood, Pyramid Hill, Serpentine and Wedderburn.

CARRIED

10.3 BRIDGEWATER ON LODDON DEVELOPMENT INC. - 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 \$1,185.00 for Bridgewater on Loddon Development 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 Bridgewater on Loddon Development Inc. have applied for a Planning Permit for the replacement of the existing solar system on the Bridgewater on Loddon Memorial Hall which has reached the end of its useful asset life and is no longer functioning. They have requested that Council waive the Planning Permit Application fee of \$1,185.00.

Council has not been asked to contribute any other funding for this project.

The project is consistent with the Council Plan objective *A sustainable built and natural environment* and Strategic Objective 1.2 – *We will work with our partners to preserve and protect our local environment...*

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 \$1,185.00. The Bridgewater on Loddon Development Inc. expects that the new solar system will reduce their electricity bills and benefit the environment as it produces no direct greenhouse gas emissions.

RISK ANALYSIS

The risks associated with this fee waiver is considered low.

CONSULTATION AND ENGAGEMENT

Council officers have had discussions with the Bridgewater on Loddon Development Inc. on this matter.

RESOLUTION 2022/111

Moved: Cr Wendy Murphy

Seconded: Cr Neil Beattie

That Council resolve to waive the Planning Permit Application fee of \$1,185.00 for Bridgewater on Loddon Development Inc.

CARRIED

Unconfirmed

Cr Wendy Murphy declared a Material Conflict of Interest in relation to the next item on the Agenda and left the meeting at 3:49 pm.

10.4 ANNUAL INFRASTRUCTURE PROGRAM, AMENDMENT TO PROJECT ALLOCATIONS AND A SCOPE CHANGE

File Number: FOL/19/432620

Author: David Southcombe, Manager Assets and Infrastructure

Authoriser: Steven Phillips, Director Operations

Attachments: 1. **Proposed funding allocation updates - Confidential**

This attachment is designated as confidential in accordance with Section 3(1)(g(ii)) of the *Local Government Act 2020*. It contains 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.

May affect contractor prices **(under separate cover)**

RECOMMENDATION

That Council approve the proposed changes to the project allocations outlined in the attachment of this report and the Community Project scope change detailed in this report.

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 Annual Infrastructure Program was adopted at the June 2022 Council Meeting.

BACKGROUND

Every year Council allocates and spends significant funds on capital infrastructure projects. Council continually carries out scoping of new infrastructure projects and maintains a rolling program of these projects. The rolling program is a database that forms the basis of the elements of the Annual Infrastructure Program.

An estimate of the project cost is undertaken as part of scoping up projects. Project estimates are based on construction unit rates or estimates developed by consultants and/or Council engineers. Occasionally project estimates need to be reviewed after tendering for projects or due to increased costs due to specific project requirements that were not accounted for as part of estimates.

A number of existing projects require a review of their allocations to allow them to be delivered. The total value as well as many of the adjustments being greater than 10% of each project allocation require approval at Council level.

ISSUES/DISCUSSION

The following projects require a review of their budget allocation to allow their delivery.

Potters Hill La, Market St and Nixon St, Inglewood – Local Road Construction – Amenity Project

This project is associated with sealing Potters Hill La, Market St, and Nixon St in Inglewood to improve the amenity of nearby residents. The Potters Hill La and Market St sections of sealing have been completed but the costs to undertake these sections of the project were above the original estimate. This project requires additional funds to complete the sealing of Nixon St.

Grant St Kerb & Channel Renewal – Township Street Improvement Project

The contract for this project was awarded as a Council resolution at the January 2022 Council meeting. The contract was later cancelled by mutual agreement between Loddon Shire and the contractor and the tender was readvertised. A suitable contractor has been identified but additional funding is required for the project to be delivered.

Appin South Road Box Culvert Replacement - Local Bridges & Culverts Project

This project involves the replacement of a box culvert on Appin South Road. The delivery of the project is to be undertaken by two contractors, one for the supply of the culverts and one for the installation of the culverts. A contractor for the supply of the culverts has been engaged, the remaining budget is now insufficient to complete the install for the project. It is proposed to increase the budget allocation for this project to allow its completion.

Tarnagulla Community Facilities Sewage Project - Buildings Project

Tenders for this project have been received but additional funding is required to engage the preferred contractor for the works. The additional funds for this project will be sourced from Phase 3 of the Local Roads and Community Infrastructure Program by reallocating funds originally intended for soil disposal associated with the Donaldson Park project, which is now not required.

Major Recreation Reserve Floodlighting Upgrade – Community Project Scope Change

It is proposed to update the scope of this project to change the location for the installation of football oval lights from the Mitiamo Recreation Reserve to the Calivil Recreation Reserve. As the Mitiamo Football and Netball Club have indicated they are not ready to progress with the project in the next 12 months, the Calivil Recreation Reserve will be reprioritised.

Funding

The attachment details the current and proposed allocations. The additional project allocations will be funded through the Roads to Recovery Program and Local Roads and Community Infrastructure Program Phase 3. No overall increase to the total allocation for the Annual Infrastructure Program is proposed. The increase in each project allocation will be funded from cost savings and reallocation of funding from other projects.

COST/BENEFITS

There is no change to the overall allocation for the Annual Infrastructure Program. The proposed additional funding will be allocated from savings in other projects within the Program which will enable the projects to be delivered.

RISK ANALYSIS

There are minimal risks associated with the proposed changes to the project allocations and scope. There is sufficient funding within the Roads to Recovery Program and Local Roads and Community Infrastructure Program Phase 3 to accommodate the updated allocations. Further changes to project allocations within the Annual Infrastructure Program are possible due to price escalations that have occurred over the past two financial years and continue to impact infrastructure costs. It is expected these increases can be offset by cost savings in completed projects and by reallocation of funding not required for the soil disposal for the Donaldson Park project.

CONSULTATION AND ENGAGEMENT

The updated allocations for each project were developed after consultation with Council officers from the Assets and Infrastructure team and Works Department.

RESOLUTION 2022/112

Moved: Cr Gavan Holt

Seconded: Cr Neil Beattie

That Council approve the proposed changes to the project allocations outlined in the attachment of this report and the Community Project scope change detailed in this report.

CARRIED

Cr Wendy Murphy returned to the meeting at 3:51 pm.

Unconfirmed

10.5 FINANCE REPORT FOR THE QUARTER 30 SEPTEMBER 2022**File Number:** FOL/22/4399**Author:** Deanne Caserta, Manager Financial Services**Authoriser:** Amanda Wilson, Director Corporate**Attachments:** 1. Finance Report for the quarter ending 30 September 2022**RECOMMENDATION**

That Council

1. receives and notes 'Finance Report for the quarter ending 30 September 2022
2. approves budget revisions included in the report for internal reporting purposes only
3. approves the supplementary valuations of rateable and non-rateable properties in respect of the 2022/23 financial year, as returned by the Shire Valuer, LG Valuations Pty Ltd, and endorses them being incorporated into the Register of Rateable and Non Rateable Properties and Rate Book for 2022/23.

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

A report was presented and adopted in April 2021 that recommended that Council now be provided with finance reports on a quarterly basis. The only exception is when changes to the Council Meeting timetable result in the Council Meeting occurring before the completion of the end of month finance procedures.

The last quarterly report presented was for the March 2022 quarter at the April 2022 Council Meeting. The 2021/22 full financials were presented to Council at the August 2022 Council Meeting.

BACKGROUND

The Finance Report for the period ended 30 September 2022 includes standard quarterly information about budget variations, cash, investments, interest, debtors and creditors, and provides a comparison of year-to-date actual results to year-to-date budget (by dollars and percentage) and total revised budget (by percentage).

The information is in the format provided in the adopted 2022/23 Budget, and includes operating results, capital expenditure and funding sources. The report also includes a cash flow statement and the community planning program financials.

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

- splitting of parcels into new rateable assessments
- development of vacant or unproductive land (urban and rural)
- consolidation of separate rateable assessments into one assessment
- re-assessment of property valuations arising from objections to the initial valuation
- additions and cancellations of licences (grazing and water frontages)
- change of use

- covenant on Title
- area amendment
- change of Australian Valuation Property Classification Code (AVPCC)
- supplementary valuation corrections.

ISSUES/DISCUSSION

Budgeted Surplus - Council's budgeted cash surplus has increased from an adopted budget surplus position of \$0.6M, to an actual carried forward surplus position of \$4.37M, then through revision adjustments to \$5.50M.

Income Statement (revenue) - Council's year to date (YTD) operating revenue is at 59% of total budget. Revenue brought to account for the quarter was \$20.14M.

Income Statement (expenditure) - Council's operating expenditure is at 20% of total budget. Payments for this quarter totalled \$8.37M.

Capital Works - The revised budget for capital works is \$24.0M and is 6% complete in financial terms for the current financial year.

Service Areas – Appendix 3 provides Council with net results for each service area. As further work is undertaken on service planning and reviews throughout the year, the cost of each service will be refined.

Balance Sheet - Council has a cash total of \$39.8M with \$6.6M in general accounts. Total debtors at the end of September are \$12.44M, this includes \$11.78M in rates (\$1.06M at the end of June). Sundry debtors total \$0.72M with invoices outstanding for 90 or more days relating to community wellbeing debtors and local community groups totalling approximately \$87K.

COST/BENEFITS

The benefit to Council and the community is that accurate and regular financial reporting is disclosed, along with an accurate representation of property valuations being reflected in Council's rating system and the distribution of rate notices for the year 2022/23.

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

RISK ANALYSIS

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

CONSULTATION AND ENGAGEMENT

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

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

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

RESOLUTION 2022/113

Moved: Cr Gavan Holt

Seconded: Cr Wendy Murphy

That Council

1. receives and notes 'Finance Report for the quarter ending 30 September 2022
2. approves budget revisions included in the report for internal reporting purposes only
3. approves the supplementary valuations of rateable and non-rateable properties in respect of the 2022/23 financial year, as returned by the Shire Valuer, LG Valuations Pty Ltd, and endorses them being incorporated into the Register of Rateable and Non Rateable Properties and Rate Book for 2022/23.

CARRIED

Unconfirmed

10.6 ANNUAL REPORT FOR YEAR ENDING 30 JUNE 2022**File Number:****Author:** Amanda Wilson, Director Corporate**Authoriser:** Lincoln Fitzgerald, Chief Executive Officer**Attachments:** 1. Loddon Shire Council Annual Report for Year Ending 30 June 2022**RECOMMENDATION**

That Council adopt the Loddon Shire Council Annual Report for the Year Ending 30 June 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

Council discussed the Annual Report at the Councillor Forum on 11 October 2022. The financial and performance statements included within the Annual Report were adopted by Council at the 23 August 2022 Council meeting.

BACKGROUND

In accordance sections 98, 99 and 100 of the Local Government Act 2020 (the Act) Council must prepare an Annual Report in respect of each financial year.

The Act no longer requires Council to submit the budget or annual report to the Minister for Local Government. The Annual Report must however be presented to Council, at a meeting open to the public, within four months of the end of the financial year.

ISSUES/DISCUSSION

The Annual Report for the 2021-2022 period has been prepared in accordance with the requirements of the Act.

The attached Annual Report includes:

- a report of operations of the Council
- an audited performance statement
- audited financial statements
- a copy of the auditor's report on the performance statement and
- a copy of the auditor's report on the financial statements

The report of operations contains a statement of progress on implementation of the Council Plan, which includes the results of the strategic indicators; a statement of progress in relation to the major initiatives identified in the budget and the measures and performance of the prescribed indicators of service performance.

The financial statements included in the attachment have been prepared in accordance with the regulations and have been audited by the Victorian Auditor General's Office.

COST/BENEFITS

As well as being a legislative requirement, preparation of the Annual Report provides Council with an opportunity to formally record the achievements of the financial year at an organisation level and by individual staff.

RISK ANALYSIS

Timely preparation and approval of the Annual Report ensures that Council complies with legislative requirements outlined in the Act.

CONSULTATION AND ENGAGEMENT

There is no longer a requirement to submit the Annual Report to the Minister of Local Government however Council must comply with its public transparency policy and the public transparency principles in section 58 of the Act.

A public notice was placed in the Bendigo Advertiser and Loddon Herald to advise the public the Annual Report has been prepared and is available for inspection at Council's office in Wedderburn, and on Council's website, and will be presented at the 25 October 2022 Council meeting.

RESOLUTION 2022/114

Moved: Cr Linda Jungwirth

Seconded: Cr Gavan Holt

That Council adopt the Loddon Shire Council Annual Report for the Year Ending 30 June 2022

CARRIED

11 INFORMATION REPORTS

Nil

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.

RESOLUTION 2022/115

Moved: Cr Gavan Holt

Seconded: Cr Wendy Murphy

That the following item be treated as urgent business:

1. Request for support from Council for the Victorian Greenhouse Alliance joint submission in response to the Federal government's National Electric Vehicle Strategy.

CARRIED

RESOLUTION 2022/116

Moved: Cr Linda Jungwirth

Seconded: Cr Wendy Murphy

That Council provide support of the Victorian Greenhouse's Alliance submission in response to the Federal government's proposed National Electric Vehicle Strategy Consultation Paper.

CARRIED

PETITION TO LODDON SHIRE COUNCIL – FLYING THE RAINBOW FLAG

The following petition was received by the CEO and a number of councillors from the Rainbow Local Government campaign on 25 October 2022:

'We, the residents and ratepayers of Loddon Shire, call on Council to join with sixty-nine other Victorian councils in flying the rainbow flag on 17 May to mark the International Day Against Homophobia, Biphobia, Intersex discrimination and Transphobia.'

RESOLUTION 2022/117

Moved: Cr Gavan Holt

Seconded: Cr Neil Beattie

That the following item be treated as urgent business:

1. Petition to Loddon Shire Council – Flying the rainbow flag.

CARRIED**RESOLUTION 2022/118**

Moved: Cr Gavan Holt

Seconded: Cr Linda Jungwirth

That Council:

1. Deals with this petition in accordance with clause 63 of the Loddon Shire Council Governance Rules.
2. Receives and notes the petition from Rainbow Local Government campaign tabled in relation to flying the rainbow flag on 17 May to mark the Day Against Homophobia, Biphobia, Intersex discrimination and Transphobia.
3. Fly the rainbow flag on 17 May 2023
4. Responds to the person who emailed the petition that Council's Access and Inclusion Plan is due for renewal next year and this idea can be considered as part of renewing that plan.

CARRIED

14 CONFIDENTIAL ITEMS**RECOMMENDATION**

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 Finalisation of Sale of Properties for Rate Recovery Under Section 181 of the Local Government Act 1989

This matter is considered to be confidential under Section 3(1)(f) 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 personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

This report contains personal information relating to unpaid rates and charges on a property.

14.2 Contract 545 - Annual Reseal Program 2022-2023

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

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

14.3 Contract 511 - Quarrying & Production of 20mm Crushed Rock

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

Pursuant to section 65(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.

14.4 SCHEDULING OF SPECIAL MEETING FOR THE ELECTION OF MAYOR

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

The discussion will determine matters of Council that will remain confidential until announcement of the formal election of the Mayor.

Closing of Meeting to the Public – 4.16 pm

RESOLUTION 2022/119

Moved: Cr Neil Beattie
Seconded: Cr Linda Jungwirth

That the meeting be closed to the public for Council to consider confidential agenda items..

CARRIED

14.1 FINALISATION OF SALE OF PROPERTIES FOR RATE RECOVERY UNDER SECTION 181 OF THE LOCAL GOVERNMENT ACT 1989**RESOLUTION 2022/120**

Moved: Cr Linda Jungwirth
Seconded: Cr Wendy Murphy

That Council write off bad debts, in line with the requirements outlined in the Levels of Authority Delegations, relating to one property sold within the Section 181 process as detailed in the report where there is a shortfall of funds available to service the outstanding rates and charges owing totalling \$2,690.96.

CARRIED

14.2 CONTRACT 545 - ANNUAL RESEAL PROGRAM 2022-2023**RESOLUTION 2022/121**

Moved: Cr Wendy Murphy
Seconded: Cr Neil Beattie

That Council:

1. Award Contract 545 – Annual Reseal Program 2022-2023 to Inroads Pty Ltd
2. Authorise the Chief Executive Officer to undertake the necessary administrative actions to complete the Contract documents
3. Approve a variation to the approved budget of an additional \$50,000 reallocated from underspend from previously completed projects within the Council's Roads to Recovery budget.

CARRIED

14.3 CONTRACT 511 - QUARRYING & PRODUCTION OF 20MM CRUSHED ROCK**RESOLUTION 2022/122**

Moved: Cr Gavan Holt
Seconded: Cr Linda Jungwirth

That Council:

1. award Contract No. 511 – Quarrying and production of 20mm crushed rock to All Stone Quarries Pty Ltd; and
2. authorise the Chief Executive Officer to undertake the necessary administrative actions to complete the Contract documents.

CARRIED

14.4 SCHEDULING OF SPECIAL MEETING FOR THE ELECTION OF MAYOR**RESOLUTION 2022/123**

Moved: Cr Linda Jungwirth
Seconded: Cr Wendy Murphy

That Council consider this Report in the following parts:

1. call of Special Council Meeting and review of representation on Council Committees
2. nominate a Councillor to be Mayor Elect.

CARRIED

RESOLUTION 2022/124

Moved: Cr Gavan Holt
Seconded: Cr Wendy Murphy

That Council:

1. call a Special Meeting to be held on Tuesday 8 November 2022 at 3pm for the purpose of electing the Mayor of the Loddon Shire for 2022/23
2. review its representation on Council Committees and advise of any changes.

CARRIED

The Chief Executive Officer took the Chair and invited nominations for Loddon Shire 2022/23 Mayor Elect.

Cr Beattie nominated Cr Straub

Cr Straub accepted the nomination

As there were no further nominations, Cr Straub was declared Mayor Elect of the Loddon Shire 2022/23 and returned to the Chair.

Cr Straub thanked councillors for their continued support.

NEXT MEETING

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

There being no further business the meeting closed at 4.36 pm.

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

.....

.....
CHAIRPERSON