



Date: Tuesday, 26 July 2022
Time: 3pm
Location: Loddon Shire Council Chambers, Wedderburn

MINUTES

Council Meeting

26 July 2022

**MINUTES OF LODDON SHIRE COUNCIL
COUNCIL MEETING
HELD AT THE LODDON SHIRE COUNCIL CHAMBERS, WEDDERBURN
ON TUESDAY, 26 JULY 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), Paul Scullie (Acting Manager Community Support), Steven Phillips (Director Operations), Amanda Wilson (Director Corporate), Christine Coombes (Acting 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

Lincoln Fitzgerald noted a material conflict of interest in item 10.1 CEO Employment and Remuneration Policy.

Cr Holt noted a conflict of interest in item 14.1 C527 Donaldson Park Sporting Pavilion upgrade.

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

That Council confirm:

1. The minutes of the Council Briefing of 28 June 2022.
2. The minutes of the Council Meeting of 28 June 2022.
3. The minutes of the Confidential Council Meeting of 28 June 2022.
4. The minutes of the Council Forum 12 July 2022.

REPORT

Seeking approval of the unconfirmed minutes of the previous meetings.

RESOLUTION 2022/72

Moved: Cr Linda Jungwirth

Seconded: Cr Neil Beattie

That Council confirm:

1. The minutes of the Council Briefing of 28 June 2022.
2. The minutes of the Council Meeting of 28 June 2022.
3. The minutes of the Confidential Council Meeting of 28 June 2022.
4. The minutes of the Council Forum 12 July 2022.

CARRIED

6 ADVISORY MEETINGS**6.1 RECORD OF ADVISORY MEETINGS****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 record of the following advisory meetings :

1. Council Briefing 28 June 2022.
2. Council Forum 12 July 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.

Meeting details	Briefing
Date	28 June 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 David Southcombe, Acting Director Operations Amanda Wilson, Director Corporate Lynne Habner, Manager Executive and Commercial Services Catalyst Metals Ltd representatives
Items discussed.	1. Catalyst Metals Ltd 2. General business: <ul style="list-style-type: none"> • 2022 Local Sports Infrastructure Fund Application • Public Questions
Conflict of Interest Disclosures - Councillor/officer making disclosure	Nil
Councillor/officer left room	

Meeting details	Forum
Date	12 July 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 David Southcombe, Acting Director Operations Amanda Wilson, Director Corporate Christine Coombes, Acting Manager Executive and Commercial Services Glenn Harvey, Manager Development and Compliance David Price, Local Laws/Planning Compliance Officer Janine Jackson, Manager Organisation Development Paul Scullie, Acting Manager Community Support Representative from: JWS Research
Items discussed.	<ol style="list-style-type: none"> 1. Untidy and unsightly properties – program review 2. 2022-2023 Community Grants – Group 1 3. 2022-2023 Community Grants – Serpentine Bowls Club 4. CEO Employment and Remuneration Policy 5. Review of Governance Rules 6. Community Satisfaction Survey Results 7. General business: <ul style="list-style-type: none"> • Donaldson Park project tender • Recycling Victoria • Councillor training offered by RCV • Departmental forum presentations • Feedback appropriateness in open council meetings • Neighbourhood safer places • CEO update
Conflict of Interest Disclosures - Councillor/officer making disclosure	Item 3: Wendy Gladman Item 4: Lincoln Fitzgerald
Councillor/officer left room	Yes

RESOLUTION 2022/73

Moved: Cr Linda Jungwirth

Seconded: Cr Neil Beattie

That Council note the record of the following advisory meetings :

1. Council Briefing 28 June 2022.
2. Council Forum 12 July 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 2022/74**Moved:** Cr Gavan Holt**Seconded:** Cr Wendy Murphy

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

Loddon Campaspe Councils	
Murray River Group of Councils	
North Central Goldfields Regional Library	
North Central Local Learning and Employment Network	
Special Committees Of Council (Section 65 Community Asset Committees):	
East Loddon Community Centre Community Asset Committee	
Pyramid Hill Memorial Hall Community Asset Committee	
Other Council activities	
DATE	Activity
28.6.2022	CEO and Mayor catch up, Councillor discussion, Council Briefing and Council meeting.
28.6.2022	Boort Amity Handover Dinner
28.6.2022	Jarklin Hall AGM (chaired meeting)

2.7.2022	Filipino Independence Day, Pyramid Hill (guest speaker)
4.7.2022	Calivil Bowling Club meeting with club executive and Wendy Gladman and Paul Scullie re synthetic turf
7.7.2022	Dingee Progress meeting AGM (chaired meeting)
8.7.2022	2022 LEAD Loddon Murray Community Leadership Program (guest speaker)
12.7.2022	Council Forum and Mayor/CEO feedback meeting
13.7.2022	Catalyst Metals CCC update meeting online
14.7.2022	Online meeting with CE of MDBA, Andrew McConville. Part of Loddons partnership[with MRGC.
15.7.2022	Sheep and wool show Bendigo
15.7.2022	Wedderburn Lions Club change over dinner
19.7.2022	East Loddon Lions Club Junior Public Speaking (East Loddon P12 school)
20.7.2022	Bendigo Bank Inglewood 15 th Birthday Party
22.7.2022	MRGC meeting in Echuca with Senator Bridget McKenzie, Mr Sam Birrell MP, Gaelle Broad, Northern Vic candidate.

RESOLUTION 2022/75

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

1. Recommendation

That Council receive and note the Councillors' reports

REPORT

Each Councillor will present a report at the meeting.

Cr Beattie

Rail Freight Alliance	
Special Committees Of Council (Section 65 Community Asset Committees):	
Boort Aerodrome Community Asset Committee	
Boort Memorial Hall Community Asset Committee	
Boort Park Community Asset Committee	
Korong Vale Mechanics Hall Community Asset Committee	
Korong Vale Sports Centre Community Asset Committee	
Little Lake Boort Community Asset Committee	
Yando Public Hall Community Asset Committee	
DATE	Activity
29.6.22	Attended site meeting with Glenn Harvey and Trevor Broad
12.7.22	Attended Forum Wedderburn
26.7.22	Attended Council Wedderburn
Happy to report	Little Lake Boort Works and Boort Bowling club works, going well.

Cr Holt

Municipal Association of Victoria	
Audit and Risk Committee	
Special Committees Of Council (Section 65 Community Asset Committees):	
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	
Other Council activities	
DATE	Activity
29.6.22	Attended a meeting of the Wedderburn Development Association
30.6.22	Met with delegate from the Wedderburn Community House to discuss funding options for the development of their new Opportunity Shop site in High Street Wedderburn.
6.7.22	Attended a 'send off' or thank you gathering in the council chamber for Lynne Habner
12.7.22	Attended Council forum in the council chamber
19.7.22	Further consideration given on line to the contents of the tender application documents for the Bridgewater and Wedderburn Caravan parks.

Cr Jungwirth

Loddon Mallee Local Government Waste Forum
Central Victorian Greenhouse Alliance
Municipal Emergency Management Plan Committee

Other Council activities	
DATE	Activity
28.6.22	Briefing and meeting
29.6.22	Mentor group meeting
30.6.22	Monthly mentoring session
12.7.22	Council forum
13.7.22	Tarnagulla Community Centre meeting
13.7.22	Committees in Focus, Homelessness, part of VIC
14.7.22	Discussion with staff at City of Greater Shepparton re the ALGWA conference
21.7.22	Bumped into the CEO from EON Charge working on electric car charger

Cr Murphy

Calder Highway Improvement Committee
Local Government Women's Charter
Australia Day Committee
Healthy Minds Network
Special Committees Of Council (Section 65 Community Asset Committees): Bridgewater on Loddon Memorial Hall Community Asset Committee 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

Other Council activities	
DATE	Activity
30.6.22	Attended the Inglewood Development and Tourism Committee meeting
1.7.22	Phone meeting with Deborah Pach of Central Victorian Greenhouse Alliance to discuss tying in new electric vehicle charging stations in Inglewood to businesses who have installed solar as part of the Sustainability Victoria Small Business Energy Saver Program. Further discussions will occur through Loddon Shire CEO and appropriate staff.
6.7.22	Attended the online Volunteering in Loddon session, run by Lisa McCoy at Local Logic Place.
12.7.22	Attended the LSC Forum at Wedderburn Chambers
12.7.22	I was an apology for the Campbells Forest Hall CAC meeting
15.7.22	I was an apology for the Inglewood and Districts Community Enterprises Limited Community Bank 15 th birthday celebrations.
16.7.22	I was an apology for the Bridgewater on Loddon Development committee meeting
26.7.22	Attended the LSC briefing, Citizenship Ceremony and LSC meeting

RESOLUTION 2022/76

Moved: Cr Wendy Murphy

Seconded: Cr Neil Beattie

That Council receive and note the Councillors' reports

CARRIED

10 DECISION REPORTS**10.1 PLANNING APPLICATION 5711 - USE AND DEVELOPMENT OF A DWELLING AND CREATION OF A NEW ACCESS INTO TRANSPORT ZONE 2 AT LOT 1, NEWBRIDGE ROAD, NEWBRIDGE****File Number:** FOL/19/405156**Author:** Louise Johnston, Statutory Planning Coordinator**Authoriser:** Glenn Harvey, Manager Development and Compliance**Attachments:** 1. Planning application 5711**RECOMMENDATION**

That Council determines to issue a Notice of Decision to Grant a Planning Permit for planning application 5711 for use and development of a dwelling and creation of a new access within Transport Zone 2 subject to the following conditions:

Layout

1. The use and development as shown on the endorsed plans must not be altered or modified unless otherwise agreed in writing by the Responsible Authority.

Materials

2. All external materials must be non-reflective and finished in natural colours or shades to the satisfaction of the Responsible Authority.

Farm Management Plan

- 3.1 Before the use and/or development starts, a Farm Management Plan to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the Farm Management Plan will be endorsed and will then form part of the permit.
- 3.2 The Farm Management Plan must be generally in accordance with the plan that was submitted with the application. Once endorsed, the plan must not be modified or altered without the written consent of the responsible authority.
- 3.3 The endorsed Farm Management Plan must be implemented and maintained to the satisfaction of the responsible authority.

Land Management Plan

4. Prior to the commencement of buildings and works, a Land Management Plan that details any existing and proposed areas of revegetation/screening that will provide enhancement to the natural environment must be prepared. The plan should include:

- (a) A site plan showing areas of environmental enhancement, including identification of fencing for the establishment of revegetation along the perimeter boundaries and removal of rocks.
- (b) A planting schedule of all proposed trees, shrubs and ground covers of the appropriate Ecological Vegetation Class (EVC).
- (c) A timeline for completion of environmental works within 5 years of the development starting.

Engineering

5. All stormwater discharged from the subject land shall be connected to the legal point of discharge to the satisfaction of the Responsible Authority. No concentrated stormwater shall drain or discharge from the land to adjoining properties.

Services

- 6.1 The dwelling must be connected to reticulated sewerage, if available. If reticulated sewerage is not available, all wastewater from the dwelling must be treated and retained within the lot in accordance with the State Environment Protection Policy (Waters of Victoria) under the [Environment Protection Act 1970](#) to the satisfaction of the Responsible Authority.
- 6.2 The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply, with appropriate storage capacity, to the satisfaction of the Responsible Authority.
- 6.3 The dwelling must be connected to a reticulated electricity supply or have an alternative energy supply to the satisfaction of the Responsible Authority.

Title consolidation

7. Before the construction of a dwelling is completed, the land's titles comprising the titles lots 1 & 2 PS437050 & CA 2001 PO WOODSTOCK must be consolidated into one lot and a single title issued.

Erosion

- 8.1 Care must be taken to ensure that the construction of the buildings and works, and their ongoing use, does not cause erosion or degradation to the subject or surrounding land to the satisfaction of the Responsible Authority.
- 8.2 Building construction must be carried out in accordance with Construction Techniques for Sediment Pollution Control (EPA May 1991) and Control of Erosion on Construction Sites (Soil Conservation Authority) to the satisfaction of the Responsible Authority.
- 8.3 All works must be undertaken in a manner that minimises soil erosion, and any exposed areas of soil must be stabilised to prevent soil erosion, to the satisfaction of the Responsible Authority.

- **Department of Transport**

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- 9.1 Only one access to be shared by both Lot 1 and Lot 2 will be permitted from the subject land to Wimmera Highway as shown on the plan appended to the application.
- 9.2 Prior to the occupation of the dwelling, the crossover and driveway are to be constructed to the satisfaction of the Head, Transport for Victoria in accordance with VicRoads guideline drawing GD4010 Typical Access to Rural Properties to cater for a 19-m semi-trailer as detailed in Table 2 - Access Setout Details as shown on the guideline drawing.
- 9.3 The driveway must be maintained in a fit and proper state so as not to compromise the ability of vehicles to enter and exit the site in a safe manner or compromise operational efficiency of the road or public safety (eg. by spilling gravel onto the roadway).
- Planning Notes
- Separate consent for works within the road reserve and the specifications of these works may be required under the Road Management Act.

Section 173 Agreement

10. Before the use and/or development start(s), the owner must enter into an agreement with the responsible authority under section 173 of the Planning and Environment Act 1987 to provide for the following:
- a) That the owners and occupiers of the land are aware that extractive industry and agricultural

land uses exist in the immediate area and adjacent to the site that may adversely affect the amenity of the land through the emission of noise, dust, odour, blasting impacts, visual amenity and the movement of vehicles including trucks up to 24 hours per day, 7 days per week.

- b) That the owners and occupiers of the land are aware that the extractive industry and agriculture in the immediate area may expand their operations in the future.
- c) That the owners and occupiers of the land undertake not to object or complain about the operations or expansion of the extractive industry and agriculture in the immediate area.
- d) The land owner must pay the reasonable costs of the preparation, execution and registration of the Section 173 Agreement.

Expiry

11. This permit will expire if the permitted development is not started within two years of the date of this permit, or is not completed within four years of that date, or the permitted use is not started within two years of the completion of the development, or is discontinued for a period of two years.

The responsible authority may extend these periods if a request is made in writing before the permit expires, or:

- Within six months afterwards if the development has not been started, or the development is complete but the use has not started, or the use has been discontinued for a period of two years.
- Within twelve months afterwards if the development started lawfully before the permit expired.

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

There have been no previous Council discussions on this matter.

BACKGROUND

The application was lodged on the 19th August 2021 for the use and develop the land for a dwelling and to create a new access into a TZ2 at Lot 1 Newbridge Road, Newbridge.

The application was advertised to surrounding landowners; with two objections received.

The application was also referred internally to the Council's Public Health Officer and Asset Management Coordinator, with external referrals to Department of Transport (Sec 55 referral) and Department of Economic, Jobs, Transport & Resources (Sec 52 referral)

In response to objections, the application was amended on 11thMay, 2022 by changing the location of the proposed dwelling and updating the Farm Management Plan.

The amended application was re-advertised and the objections were not withdrawn.

The department of Transport provided conditional consent to the new road opening within Transport Zone 2.

Officer recommendation is to issue a notice of decision to grant a planning permit.

ISSUES/DISCUSSION

Under the Planning and Environment Act 1987 (the Act) the Minister of Planning delegates a municipal council power to become the planning authority for any planning scheme in force in its municipal district.

A municipal council is obligated to enforce and administer the relevant Planning Scheme and must use the scheme to determine applications. The Loddon Planning Scheme is the relevant Planning Scheme for Council. An application is referred to Council for determination, which:

- receive one or more objections, and/or
- are to be recommended for refusal by the Planning officer.

Pursuant to Section 52 of the Planning and Environment Act 1987, notices were sent to owners and occupiers of adjoining land as well as land opposite and surrounding the site. Council has received two objections as the result of the public notification and as such, the matter is being brought to Council for determination. A decision report detailing this application has been prepared and can be found in Attachment 1.

COST/BENEFITS

There are various costs associated with having a delegated Planning Officer consider an application and make a recommendation as well as with the time of the Councillors to consider this recommendation.

The benefits associated with this report is the ability of Council to fulfil its requirement under law and provide the community with a statutory service that delivers well-managed and appropriate development.

RISK ANALYSIS

The risks of Council not fulfilling its statutory obligation under the Act include:

- inappropriate use and development which could endanger life and property
- Council's reputation as a Responsible Authority

breaches of the Planning & Environment Act 1987 requiring compliance action.

CONSULTATION AND ENGAGEMENT

Refer to the decision report for further detail on the application.

RESOLUTION 2022/77

Moved: Cr Linda Jungwirth

Seconded: Cr Neil Beattie

That Council issue a Notice of Decision to refuse to grant a permit for use and development of a dwelling and new access into a TRZ at Lot 1 Newbridge Road, Newbridge on the following grounds:

1. The proposal is contrary to the State and Local Planning Policy Framework as it relates to the protection of agricultural land.
2. The use and development of a dwelling on a site less than 100 hectares is contrary to the purpose and decision guidelines of the Farming Zone.
3. The use and development of a dwelling on the land is not compatible with the adjoining uses in this area.

Cr Dan Straub called for a Division

In Favour: Crs Neil Beattie, Gavan Holt, Linda Jungwirth and Wendy Murphy

Against: Cr Dan Straub (Mayor)

CARRIED

10.2 ANNUAL INFRASTRUCTURE PROGRAM, AMENDMENT TO PROJECTS**File Number:** FOL/19/432620**Author:** David Southcombe, Acting Director Operations**Authoriser:** Lincoln Fitzgerald, Chief Executive Officer**Attachments:** 1. **Attachment 1 - Proposed additional funding - 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.

Would allow contractors to know estimates which may affect future tendered prices
(under separate cover)

2. **Attachment 2 - Proposed additional projects - 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.

Project estimates for projects may affected prices of future tenders/quotes **(under separate cover)**

3. **Attachment 3 - Proposed additional projects without estimates****RECOMMENDATION**

It is recommended that Council approve:

1. The proposed changes to the project allocation outlined in Attachment 1.
2. That the additional projects listed in Attachment 2 (and without estimates in Attachment 3) be added to the Annual Infrastructure Program conditional on a successful funding application to the Heavy Vehicle Safety and Productivity Program.

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. The total value of the adjustment being greater than 10% of a project allocation requires approval for the adjustment at Council level.

Additionally Council officers apply for grant funding streams if suitable projects have been identified for the grant funding stream, and if the projects are able to be delivered within existing Council resources. Council officers have identified a suitable funding stream and require approval for additional projects to form part of the Annual Infrastructure Program.

ISSUES/DISCUSSION

The following projects require a review of their budget allocation and/or scope.

Verdon St Drainage

Project TSD0171 Verdon Street Alleviation Project was adopted as part of the 2021-22 Annual Infrastructure Program with a project budget of \$165,000. Council officers undertook a public tender for this work with the preferred contractor submitting a tendered price of \$186,909.32. It is proposed the budget for this project is adjusted in accordance with Attachment 1 – Proposed additional funding - Confidential.

Echuca Serpentine Rd Reconstruction

Project LRC0518 Echuca Serpentine Rd was adopted as part of the 2022-23 Annual Infrastructure Program. This project involved the reconstruction and widening of 0.82km of Echuca Serpentine Rd with an adopted budget.

It is proposed to apply for additional funding through the Heavy Vehicle Productivity and Safety Program to allow for additional adjacent segments of Echuca Serpentine Rd to be reconstructed and widened. This funding stream allows a 4:1 funding contribution profile. An application for \$1,441,973 of funding (to be matched by Council funding from project LRC0518) will be submitted to allow for the completion of projects LRC0473, LRC0519, and LRC0518 (existing approved project) concurrently. See Attachment 2 for details of the additional projects. This will allow for the reconstruction and widening of an additional 4.46km of Echuca Serpentine Rd for a total length of 5.28km. Designs are available to allow these works to be undertaken and the Works Department have indicated they have capacity to undertake the proposed works.

If this funding application is not successful, only project LRC0518 will be undertaken.

COST/BENEFITS

There is no change to the overall allocation for the Annual Infrastructure Program. The proposed additional funding for the Verdon St Drainage project will be allocated from savings in other projects within the program.

RISK ANALYSIS

There are minimal risks associated with the proposed changes to the project allocation for the Verdon St Drainage project and for the proposed Echuca Serpentine Rd projects to be added to the Annual Infrastructure Program. There is sufficient funding within the Annual Infrastructure Program for the funding increase for the Verdon St Drainage project.

CONSULTATION AND ENGAGEMENT

The updated allocations and projects were developed after consultation with Council officers from the Assets & Infrastructure team and Works Department.

RESOLUTION 2022/78

Moved: Cr Wendy Murphy

Seconded: Cr Neil Beattie

It is recommended that Council approve:

1. The proposed changes to the project allocation outlined in Attachment 1.
2. That the additional projects listed in Attachment 2 (and without estimates in Attachment 3) be added to the Annual Infrastructure Program conditional on a successful funding

application to the Heavy Vehicle Safety and Productivity Program.

CARRIED

10.3 REVIEW OF GOVERNANCE RULES

File Number: FOL/19/126277

Author: Amanda Wilson, Director Corporate

Authoriser: Lincoln Fitzgerald, Chief Executive Officer

Attachments:

1. Governance Rules v2
2. Minister's Good Practice Guideline MGPG-3: Virtual Meetings
3. Model guidance for governance rule amendments virtual meetings

RECOMMENDATION

That Council adopt the Loddon Shire Governance Rules version 2.

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

Councillors were briefed about required changes to the Governance Rules (Rules) at the July 2022 Council Forum.

BACKGROUND

The Rules were adopted by Council in August 2020 in accordance with requirements under the Local Government Act 2020 (the Act).

ISSUES/DISCUSSION

An amendment to the Act will take effect on 2 September 2022 that will require a council's Governance Rules to make provision for holding meetings by electronic means, and requesting and approving attendance at Council meetings by electronic means.

The attached draft revised Rules contain amendments to address this requirement, which are:

- Change to definition of Council meeting to include a meeting held either in-part or fully by electronic means
- New clause 67 – addition of provisions for requesting and approving Councillors' attendance at meetings via electronic means.

These proposed amendments adopt the attached Minister's Good Practice Guideline issued under section 87 of the Act (see below).

Relevant extracts from the Act regarding developing or amending Governance Rules are as follows:

60 Governance Rules

- (3) *A Council may amend its Governance Rules.*
- (4) *Subject to subsection (5), a Council must ensure that a process of community engagement is followed in developing or amending its Governance Rules.*
- (5) *Subsection (4) does not apply if the Council is developing and adopting or amending a Governance Rule that only*

adopts a good practice guideline issued by the Minister under section 87.

87 Minister may issue good practice guidelines

- (1) *The Minister may issue good practice guidelines for or with respect to any matter under this Act or the regulations relating to compliance by Councils.*
- (2) *Good practice guidelines must be published on an Internet site maintained by the Department.*
- (3) *Compliance by a Council with a relevant good practice guideline can be used as evidence that the Council has complied with the corresponding requirement under this Act or the regulations.*

Since adoption of the Rules, it has also been identified that some clauses could be amended or added to assist with clarity in understanding and administering the processes of Council meetings. These include meetings being open to the public via livestreaming and acceptance of electronic petitions or joint letters.

Due to the requirements for community engagement (see 60(4) above), it is proposed that a more substantial review of the Rules be undertaken when there is time to follow a process of community engagement about changes.

The attached draft, which only adopts a Minister's good practice guideline (section 87) addresses changes regarding electronic attendance and participation in council meetings.

It is proposed that this draft be adopted without following a process for community engagement, in accordance with section 60(5) of the Act.

COST/BENEFITS

There are no costs associated with the proposed changes.

RISK ANALYSIS

There is a risk of non-compliance with the Act if the changes relating to holding meetings by electronic means are not adopted before 2 September 2022.

CONSULTATION AND ENGAGEMENT

In addition to the July Council Forum presentation to Councillors, the Management Executive Group has considered the proposed changes and process for a future review of the Rules.

RESOLUTION 2022/79

Moved: Cr Linda Jungwirth
Seconded: Cr Wendy Murphy

That Council adopt the Loddon Shire Governance Rules version 2.

CARRIED

10.4 CEO EMPLOYMENT AND REMUNERATION POLICY**File Number:** 19/432330**Author:** Janine Jackson, Manager Organisation Development**Authoriser:** Amanda Wilson, Director Corporate**Attachments:** 1. CEO Employment and Remuneration Policy v2

Lincoln Fitzgerald, CEO, left the meeting at 3:45 pm.

RECOMMENDATION

That Council approve the CEO Employment and Remuneration Policy v2.

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this paper. The Chief Executive Officer has a conflict of interest and as such has been excluded from the development and review of this policy and associated report.

PREVIOUS COUNCIL DISCUSSION

The CEO (Chief Executive Officer) Employment and Remuneration Policy was first adopted at the May 2021 Council Meeting. This policy has been reviewed in accordance with the one-year review timeline on the adopted policy.

Council considered the revised draft policy, CEO Employment and Remuneration Policy V2, at the July 2022 Council Forum.

BACKGROUND

The policy was developed to meet the requirements of Section 45 of the Local Government Act 2020 which states that a Council must develop, adopt and keep in force a Chief Executive Officer Employment and Remuneration Policy.

ISSUES/DISCUSSION

The employment cycle, determining applicable remuneration and reviewing the performance of a CEO is a core responsibility of the elected Council.

The policy includes all statutory requirements in that it provides for the Council to obtain independent professional advice in relation to the matters dealt with in the Chief Executive Officer Employment and Remuneration Policy; and provides for

- the recruitment and appointment process
- provisions to be included in the contract of employment
- performance monitoring;
- an annual review; and
- include any other matters prescribed by the regulations.

This revised version of the policy includes greater clarity around the role of the Independent Advisor, how often the CEO Employment Committee will meet to monitor the CEO performance, set annual key performance indicators and undertake the annual review. The inclusion of these details replaces the need for a committee term of reference to accompany the policy.

COST/BENEFITS

The costs associated with the implementation of this policy include the cost of the independent professional advisor and cost of the inclusions in the CEO contract of employment.

RISK ANALYSIS

The CEO Remuneration and Employment policy is a requirement of the Local Government Act 2020. Reviewing the policy ensures Council remain compliant and mitigates reputational risk.

CONSULTATION AND ENGAGEMENT

As part of the review consultation has been undertaken with Directors and the Policy Review Group. Councillors provided feedback at the July Council Forum.

Cr Holt requested an amendment to the policy to reflect that a request for extended leave be taken to Councillors.

RESOLUTION 2022/80

Moved: Cr Gavan Holt

Seconded: Cr Wendy Murphy

That Council approve the CEO Employment and Remuneration Policy v2.

CARRIED

Lincoln Fitzgerald, CEO, returned to the meeting at 3:52 pm.

10.5 2022-2023 COMMUNITY GRANTS PROGRAM - GROUP 1**File Number:** FOL/22/1385**Author:** Paul Scullie, Acting Manager Community Support**Authoriser:** Wendy Gladman, Director Community Wellbeing**Attachments:** 1. Community Grants - Group 1 summary**RECOMMENDATION**

That Council endorse the allocation of \$31,529 in grants to the Group 1 applicants as per the 2022-2023 Community Grants program as outlined in the attachment provided with 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

Information on the Community Grant applications received for the 2022-2023 allocation was provided to Council at the 12 July 2022 Council Forum.

BACKGROUND

The Loddon Shire Community Grants Program (program) commenced in 2000/2001. The council initiated the program to assist sporting, recreation and service organisations to deliver community-led projects that improve the quality of life for residents. Since the program was initiated, Council has invested approximately \$2,830,000, supporting over seven hundred community-based projects worth over \$5,610,000. Council's 2022/23 budget includes an allocation of \$180,000 for the Community Grants Program.

To support community newsletters, the Annual Newsletter Allocation grants have a budget of \$20,000 from the overall program budget of \$200,000. The newsletter allocation closes on 30 June 2022 for payment in early July. Any surplus funds not allocated to the newsletters will be returned to the program budget.

In addition to the 2022/23 budget allocation, \$68,436 of unallocated funding has been carried over from the 2021/2022 program. This means that an amount of \$248,436 is available in the 2022/23 financial year for allocation through the program.

Applications for the 2022/23 program opened on 1 March 2022 and closed on 1 May 2022.

To be eligible to apply, groups must:

- be a not-for-profit organisation/group and incorporated body (or be auspiced by one)
- have Public Liability insurance (to the minimum of \$20 million)
- have projects that take place within (or for the benefit of) the Loddon Shire Council municipality.

Applications have been assessed against the following criteria:

- demonstrated community need
- improved existing facilities
- increased participation
- multi-use and broad community benefit
- self-help i.e. in-kind and/or cash commitment

Where applicable, projects have also been assessed against:

- the efficient use of resources, for example energy efficiency components of the project or sharing of resources with the wider community
- the ability to provide access for all, for example does the project consider the needs of people with a disability or the elderly
- any inherent risk in terms of public safety have been assessed in terms of the severity of the risk prior to being considered for funding.

As per the guidelines, the following types of projects are ineligible for funding:

- applicants who have outstanding acquittals from previous funding rounds
- retrospective projects or projects which have already commenced
- projects which are not ready or cannot be completed within a 12-month period from the date of receiving the funding
- projects that are considered the sole responsibility of another authority (for example water authorities and health and welfare agencies)
- activities (programs, services, projects or initiatives) that are the responsibility of others:
 - activities that the Council considers the responsibility of other authorities, agencies or levels of government
 - activities that are the funding responsibility of other levels of government
 - proposals that address shortfalls in funding from other authorities or other levels of government
 - curriculum-based activities or where the activity is confined to the school or kindergarten, including groups and organisations proposing to work with schools and kindergartens (excluding shared facility use by community groups for their specific activity – for example, local cricket clubs using school ovals)
- activities that duplicate other local service responses (unless it can be demonstrated that it meets an unmet community need)
- open space projects on publicly owned or managed land
- activities such as administrative costs (for example wages, rent or insurance), utility charges (such as a power bill) or projects of an ongoing maintenance nature (such as mowing lawns)
- political, religious or spiritual activities:
 - projects designed to promote political or religious ideals
 - organisations whose sole or dominant purpose is of a political nature
 - proselytising, religious worship or sectarian activities
- individuals
- community groups with access to sufficient cash reserves to undertake the project independently
- projects, which do not meet the funding ratio.

Additionally:

- applications are unable to be submitted after the application closing date
- incomplete applications have not been considered in the first round of assessments
- incomplete applications have been provided with 14 days to supply required information/documentation to qualify for a second round assessment; those who do not supply the required information within the 14 days will not be eligible for assessment.

The 2022/23 Community Grants – Group 1 enables applicants who provided a fully completed application not to be delayed by applicants who still require further information (Group 2). Group 2 applicants have been granted limited opportunity to provide the required documentation before being presented to Council at the August Council meeting.

ISSUES/DISCUSSION

In total 24 applications requesting financial assistance to the approximate value of \$163,600 were received. Of these 24 applications:

- Four (4) applications have subsequently been withdrawn by applicants.
- Thirteen (13) applications require further information before Council officers can assess their applications.
- Seven (7) applications were complete and ready to be assessed for determination at the July Council meeting.

Of these seven (7) applications, five (5) in this report have been recommended for funding totalling \$31,529.

An additional report containing one (1) application (required due to a declared conflict of interest) is also recommended for funding totalling \$6,611. This brings the total funding amount for the July Council meeting to \$38,140.

One application does not align with the program guidelines and is not recommended for funding.

COST/BENEFITS

The Community Grants Program offers significant benefits to the local community through the provision of funding for specific projects, which may otherwise struggle to secure funding through other infrastructure programs or initiatives. As demonstrated in the value of projects delivered since the inception of the program, Council's investment towards these grants yields far greater community benefit in terms of both financial investment and social wellbeing.

Without the significant volunteer contribution and drive of Loddon Shire residents, projects such as those recommended for funding would not be possible within the limited financial resources of Council or the community alone. The benefits of this partnership with our small communities contributes significantly to the quality of life within Loddon Shire.

RISK ANALYSIS

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

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

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

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

CONSULTATION AND ENGAGEMENT

The Loddon Shire Community Grants program is advertised annually with applications for the 2022/23 round closing on 1 May 2022. During this period, community groups or individuals interested in applying for grants are able to contact relevant staff to discuss their proposals.

Funding guidelines are also made available to prospective applicants via Council's website.

All unsuccessful applicants will be provided with feedback about their applications after recommendations are finalised and endorsed by Council.

RESOLUTION 2022/81

Moved: Cr Neil Beattie

Seconded: Cr Wendy Murphy

That Council endorse the allocation of \$31,529 in grants to the Group 1 applicants as per the 2022-2023 Community Grants program as outlined in the attachment provided with this report.

CARRIED

10.6 2022-2023 COMMUNITY GRANTS PROGRAM (SERPENTINE BOWLING CLUB)**File Number:** FOL/22/1385**Author:** Paul Scullie, Acting Manager Community Support**Authoriser:** Lincoln Fitzgerald, Chief Executive Officer**Attachments:** 1. 2022-2023 Community Grants Program - Serpentine Bowling Club**RECOMMENDATION**

That That Council endorse the allocation of \$6,611 for the Serpentine Bowling Club as per the 2022-2023 Community Grants program as outlined in the attachment provided with this report.

CONFLICT OF INTEREST

Wendy Gladman, Director Community Wellbeing has declared a conflict of interest as a member of the Serpentine Bowling Club.

The following actions were undertaken to mitigate the conflict:

- exclusion of conflicted party during the initial assessment of the application
- exclusion of conflicted party during the discussion with Council involving funding recommendation relevant to this application

PREVIOUS COUNCIL DISCUSSION

Information on the Community Grant applications received for the 2022-2023 allocation was provided to Council at the 12 July 2022 Council Forum.

BACKGROUND

The background information has been provided in the 2022-2023 Community Grants Program – Group 1 Council report.

ISSUES/DISCUSSION

The Serpentine Bowling Club has made an application to cover the ditches located around the perimeter of the bowling green. The funding requested for this project is \$6,611 and brings the total funding amount for the July Council meeting to \$38,140.

COST/BENEFITS

The cost/benefits information has been provided in the 2022-2023 Community Grants Program – Group 1 Council report.

RISK ANALYSIS

The risk analysis information has been provided in the 2022-2023 Community Grants Program – Group 1 Council report.

CONSULTATION AND ENGAGEMENT

The consultation and engagement has been provided in the 2022-2023 Community Grants Program – Group 1 Council report.

Cr Holt noted that a correction of \$1420 community contribution.

RESOLUTION 2022/82

Moved: Cr Neil Beattie
Seconded: Cr Linda Jungwirth

That That Council endorse the allocation of \$6,611 for the Serpentine Bowling Club as per the 2022-2023 Community Grants program as outlined in the attachment provided with this report.

CARRIED

10.7 RECOGNITION OF COMMUNITY PLANNING COMMITTEES - BRIDGEWATER, EDDINGTON AND TARNAGULLA COMMUNITIES**File Number:** FOL/21/3165**Author:** Paul Scullie, Acting Manager Community Support**Authoriser:** Wendy Gladman, Director Community Wellbeing**Attachments:** Nil**RECOMMENDATION**

That Council formally recognises the following three organisations as the Community Planning Committee for their respective community:

1. Bridgewater on Loddon Development Inc.
2. Eddington Community Planning Group Inc.
3. Tarnagulla Community Planning Group 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 the April 2019 Council Forum, the criteria and framework for community groups to become the recognised *Community Planning Committee* was discussed. Following further consultation, the Community Planning Framework (the Framework), including criteria, was endorsed at the November 2019 Council Meeting.

BACKGROUND

The Framework was developed to assist communities as they formulate local community plans and to formalise the relationship between the community planning committees and Council.

As detailed in the Framework, community groups that meet the following criteria are eligible to request formal recognition from Council as a community planning committee.

- are incorporated bodies
- have community planning detailed in their constitution's purpose, and
- have a membership structure that allows wider community participation

Following this initial transition period, access to Council's annual community planning funding program will be prioritised for those groups who have received formal recognition and who have developed their community plan consistent with the principles of the Framework.

It was intended that groups would be in a position to meet the requirements of the Framework and request Council recognition by the end of 2020. Due to delays caused by COVID-19 restrictions, it is expected that requirements to be eligible for formal recognition will now be completed by the remaining groups during and up to the end of 2022.

ISSUES/DISCUSSION

The Bridgewater On Loddon Development Inc., Eddington Community Planning Group Inc., and Tarnagulla Community Planning Group Inc. (Committees) have requested Council recognition as a

community planning committee and have demonstrated that they meet the minimum requirements as detailed in the Framework:

Community	Community planning committee	Request for recognition received	Information request form received	Incorporated	Constitution purpose includes community planning	Open membership
Bridgewater	Bridgewater On Loddon Development Inc.	Yes	Yes	Yes	Yes	Yes
Eddington	Eddington Community Planning Group Inc.	Yes	Yes	Yes	Yes	Yes
Tarnagulla	Tarnagulla Community Planning Group Inc.	Yes	Yes	Yes	Yes	Yes

The Committees are finalising the development of their new Community Plan and representatives plan to attend a future Council Forum to present their plan and its priorities to Council.

COST/BENEFITS

Formal recognition signals to the community that the group has agreed to:

- develop a community plan in accordance with the principles outlined in the Framework
- have open membership for community members
- be representative of their community.

The community plan committees provide the conduit for their community to represent their collective views, ideas and strategic direction to Council and beyond.

Council provides financial assistance to community planning committees to offset administrative and insurance costs. The table below outlines the support to be provided to each Committee on an annual basis:

Community Planning Committee	Proposed allocation – Administration	Proposed allocation - Insurance	Total
Bridgewater On Loddon Development Inc.	\$500	\$1,050	\$1,550
Eddington Community Planning Group Inc.	\$200	\$1,050	\$1,250
Tarnagulla Community Planning Group Inc.	\$200	\$1,050	\$1,250

RISK ANALYSIS

The COVID-19 pandemic halted momentum in early 2020 for all groups as they transitioned to meet the recognition requirements of the Framework and commence the review and/or redevelopment of their community plan. This has delayed the initial transition timeframe with the

expected completion of formalising the Community Planning committees now being the end of 2022.

By transitioning to the parameters around Council's framework, the community planning committees will be operating in the spirit of the framework and providing assurance around open membership and representation of their respective community's views.

CONSULTATION AND ENGAGEMENT

The requirement of a letter and details for the request for formal recognition has been explained to the Committees and followed up with written information and a template to support the process.

RESOLUTION 2022/83

Moved: Cr Linda Jungwirth

Seconded: Cr Wendy Murphy

That Council formally recognises the following three organisations as the Community Planning Committee for their respective community:

1. Bridgewater on Loddon Development Inc.
2. Eddington Community Planning Group Inc.
3. Tarnagulla Community Planning Group Inc.

CARRIED

11 INFORMATION REPORTS

Nil

12 COMPLIANCE REPORTS

12.1 AUDIT AND RISK COMMITTEE MINUTES OF MEETING AND ANNUAL SELF ASSESSMENT RESULTS

File Number:

Author: Amanda Wilson, Director Corporate

Authoriser: Lincoln Fitzgerald, Chief Executive Officer

Attachments: 1. **Minutes Audit and Risk Committee 2 May 2022 (unconfirmed) - Confidential**

This attachment is designated as confidential in accordance with Section 3(1)(a) 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.

Audit and Risk Committee Meetings are held in camera **(under separate cover)**

2. **Audit and Risk Committee Annual Self Assessment Results - Confidential**

This attachment is designated as confidential in accordance with Section 3(1)(a) 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.

(under separate cover)

RECOMMENDATION

That Council:

- (i) receives and notes the unconfirmed minutes of the Audit and Risk Committee 2 May 2022
- (ii) receives and notes the Audit and Risk Committee annual self-assessment results

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 is provided with the minutes of each Audit and Risk Committee meeting. There are four Audit and Risk Committee meetings held each year – February, May, August and November.

BACKGROUND

This report is provided under the Local Government Act 2020 (the Act) and the Audit and Risk Committee Charter.

Section 9 of the Charter states:

- a) *Minutes of Committee meetings will be provided to Council at the first available opportunity after clearance by the Committee Chairperson following each Committee meeting.*
- b) *The Director Corporate will provide a copy of the Audit and Risk Committee annual self-assessment survey to the Chief Executive Officer for tabling at the next Council meeting, in accordance with section 54(4)(b).*

ISSUES/DISCUSSION

The Audit and Risk Committee agenda for the meeting held on 2 May 2022 included the following items:

Decision Reports

- Quarterly report on internal audit review – Fleet Management
- Endorsement of Risk Management Policy and Risk Management Framework
- Endorsement of Risk Management Implementation Plan
- Endorsement of Strategic Risk Report
- Endorsement of Risk Appetite Statement
- Endorsement of Audit and Risk Committee Charter
- Audit and Risk Biannual Report
- Endorsement of meeting schedule 2020-2023
- Endorsement of draft Strategic Internal Audit Plan

Compliance Reports

- Quarterly report on Councillor expenses
- Quarterly review to ensure that management responses to any external audit findings are appropriate and timely
- Quarterly review on finance reports and performance report
- Review of the effectiveness of the internal audit function
- Changes to Local Government Performance Reporting Framework
- Overview of the 2022/23 draft Budget and 2022/23 – 2031/32 draft Financial Plan

Information Reports

- Quarterly Review of Reports by Regulatory and Integrity Agencies on Investigations and Relevance for Council
- Business Impact Analysis
- Fraud and corruption
- Annual insurance report
- Quarterly review of VAGO reports
- Review of open audit actions
- Committee self-assessment survey results

There was full Committee attendance at the meeting.

The Audit and Risk Committee undertake an annual self-assessment survey in which Committee members rate their performance as a committee and identify opportunities for improvement.

Survey questions are based on compliance with the Audit Committee Charter, skills and experience, understanding of the business, meeting administration and conduct, communications with Council, management commitment and support, internal audit and external audit functions.

Responses were captured in four categories from agree, unsure, disagree and not applicable. The survey results were presented at the 2 May 2022 Audit and Risk Committee meeting and are now provided to Council in accordance with the Audit and Risk Committee Charter.

COST/BENEFITS

There are no financial resource requirements from this report.

There are costs associated with the Audit and Risk Committee and internal audit function. However, in most cases, actions resulting from audit reviews do not bear any new costs as they are undertaken by current staff.

The benefits that the internal audit function provides Council are:

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

RISK ANALYSIS

The Audit and Risk Committee oversees all risks related to the organisation. There is significant risk management value for Council by having independent people providing oversight and expertise for Loddon Shire Council's audit and risk functions.

CONSULTATION AND ENGAGEMENT

Nil

RESOLUTION 2022/84

Moved: Cr Neil Beattie

Seconded: Cr Gavan Holt

That Council:

- (i) receives and notes the unconfirmed minutes of the Audit and Risk Committee 2 May 2022
- (ii) receives and notes the Audit and Risk Committee annual self-assessment results

CARRIED

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.

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 C527 - Donaldson Park Sporting Pavilion Upgrade

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.

14.2 Rural Councils Corporate Collaborative (RCCC) Tender Outcome

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.

Confidential Council business information

Closing of Meeting to the Public

RESOLUTION 2022/85

Moved: Cr Gavan Holt

Seconded: Cr Wendy Murphy

That the meeting be closed to the public 4.08pm.

CARRIED

14.1 C527 - DONALDSON PARK SPORTING PAVILLION UPGRADE

Cr Gavan Holt left the meeting at 4:10pm

RESOLUTION 2022/86

Moved: Cr Neil Beattie

Seconded: Cr Linda Jungwirth

That Council;

1. Award Contract 527 – Construction of a Sporting Pavilion at Donaldson Park to Colbrico Pty Ltd t/a Searle Bros for \$4,925,677.86.
2. Authorise the Chief Executive Officer to undertake the necessary administrative actions to

complete the Contract documents.

3. Authorise the Chief Executive Officer to approve expenditure associated with variations within the total funding approved by Council as listed in Attachment 1.
4. Authorise the Chief Executive Officer to approve additional expenditure associated with the disposal of soil and associated material offsite at a licenced facility or other additional activities up to the value listed in Attachment 1.
5. Approve the release of up to \$200,000 from the Major Projects Reserve in to the funding allocation for this project.

CARRIED

Cr Gavan Holt returned to the meeting at 4:24pm.

14.2 RURAL COUNCILS CORPORATE COLLABORATIVE (RCCC) TENDER OUTCOME

RESOLUTION 2022/87

Moved: Cr Linda Jungwirth

Seconded: Cr Wendy Murphy

That Council

1. Accepts the tender submitted by [REDACTED] for the Annual software licence and hosting fee of \$123,191 fixed for the term of 5 years commencing September 2022, (Total Value \$615,955)
2. Accepts the tender submitted by [REDACTED] for the fixed fee implementation contract of \$956,280 for which Horsham Rural City Council is the lead council on behalf of Hindmarsh Shire and Loddon Shire Councils.
3. Note that approval for project progression with the preferred supplier is being sought from Local Government Victoria (RCTP Board) in accordance with the grant funding agreement.
4. Delegate the Chief Executive Officer authority to sign the contract with [REDACTED], following formal approval by the Local Government Victoria (RCTP Board).

Redaction in accordance with Section 3(1) *confidential information* of the *Local Government Act 2020*, which states:

- (a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.
- (g) private commercial information, being information provided by a business, commercial or financial undertaking that—
 - (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage;

CARRIED

NEXT MEETING

The next Ordinary Meeting of Council will be held on 23 August 2022 at Wedderburn commencing at 3pm.

There being no further business the meeting was closed at 4.30pm

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

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CHAIRPERSON