

**LODDON SHIRE COUNCIL**

Notice of an Ordinary Meeting of the Loddon Shire Council to be held in the Council Chambers, Serpentine, on Monday 27 August 2012 at 3.30pm.

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**1. APOLOGIES**

Nil

**2. PREVIOUS MINUTES**

**2.1 CONFIRMATION OF MINUTES**

**SUMMARY**

Approval of the Forum Minutes of 23 July 2012.

Approval of Ordinary Minutes of 23 July 2012.

Approval of Special Meeting Minutes of 27 July 2012.

Author: John McLinden - Chief Executive Officer

File No: 02/01/001

Attachment: Nil

**RECOMMENDATION**

*That the:*

- 1. minutes of the Council Forum of 23 July 2012 be confirmed*
- 2. minutes of the Ordinary Council Meeting of 23 July 2012 be confirmed*
- 3. minutes of the Special Council Meeting of 27 July 2012 be confirmed*

**2.2 REVIEW OF ACTION SHEET**

**SUMMARY**

Approval of Action Sheet.

Author: John McLinden - Chief Executive Officer

File No: 02/01/001

Attachment: 2.2 Action Sheet

**RECOMMENDATION**

*That the Action Sheet be received and noted.*

**3. INWARDS CORRESPONDENCE**

Nil.

#### **4. COUNCILLORS' REPORTS**

##### **4.1 MAYORAL REPORT**

###### **SUMMARY**

Approval of the Mayoral Report.

Author: John McLinden – Chief Executive Officer  
File No: 02/01/001  
Attachment: Nil

###### **RECOMMENDATION**

*That the Mayoral Report be received and noted.*

##### **4.2 COUNCILLORS' REPORT**

###### **SUMMARY**

Approval of Councillors' Reports

Author: John McLinden – Chief Executive Officer  
File No: 02/01/001  
Attachment: Nil

###### **RECOMMENDATION**

*That the Councillors' Reports be received and noted.*

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## 5. CHIEF EXECUTIVE OFFICER'S REPORT

### 5.1 DOCUMENTS FOR SIGNING AND SEALING

#### SUMMARY

This report provides Council with a list of documents signed and sealed during the month.

Author: John McLinden - Chief Executive Officer  
File No: 02/01/001  
Attachment: Nil

#### RECOMMENDATION

*That:*

- 1. the 'Document for Signing and Sealing' report be received and noted*
- 2. Council endorse the use of the seal on the documents listed*

#### PREVIOUS COUNCIL DISCUSSION

Nil

#### BACKGROUND

N/A

#### ISSUES/DISCUSSION

Deed between Loddon Shire Council and RE Civil Pty Ltd for Contract No. 227 Pavement replacement on Dingee Rochester Road from Ch6600m to Ch8865m and associated drainage works

Instrument of delegation for Boort Aerodrome Committee of Management

Lease between Loddon Shire Council and Inglewood and Districts Community Enterprises Ltd (tenant) for 64 Brooke Street Inglewood, five years, commencing 1 June 2012

## 5.2 LOCAL GOVERNMENT INSPECTORATE AUDIT – PROGRESS REPORT

### **SUMMARY**

Author: John McLinden - Chief Executive Officer  
File No:  
Attachment: LGI Compliance Loddon Council Action Plan Progress Report

### **RECOMMENDATION**

*That Council receive and note the Local Government Inspectorate Audit – Progress Report.*

### **PREVIOUS COUNCIL DISCUSSION**

December 2011 – In-camera: Local Government Investigations and Compliance Inspectorate – Compliance Audit.

February, May 2012 – Local Government Inspectorate Audit progress report.

### **BACKGROUND**

The Local Government Investigations and Compliance Inspectorate undertook a compliance audit at the Loddon Shire from 5 to 9 September 2011. The final report was received by Loddon Shire on 28 November and contained a number of recommended actions.

### **ISSUES/DISCUSSION**

In order to ensure that Council meets its obligations to the Inspectorate, a quarterly reporting regime has been established so that Council may measure progress against the required actions to achieve full compliance with the audit. This report is the second of those progress reports.

The attached schedule provides progress to date.

**6. DIRECTOR CORPORATE SERVICES' REPORTS**

**6.1 FINANCE REPORT FOR THE PERIOD ENDING 31 JULY 2012**

**SUMMARY**

This report provides Council with financial information for the period ending 31 July 2012.

Author: James Rendell – Manager Financial Services  
File No: 08/06/001  
Attachment: 6.1

**RECOMMENDATION**

*That Council receives and notes the "Finance Report for the period ending 31 July 2012"*

**PREVIOUS COUNCIL DISCUSSION**

Council is provided with Finance Reports on a monthly basis.

**BACKGROUND**

The Finance Report for the period ended 31 July 2012 includes standard monthly information about cash, investments, interest, debtors, and creditors.

**ISSUES/DISCUSSION**

This month's report provides Balance Sheet information only; an analysis of budget versus actual results will not be provided until the Financial Statements for the year ended 30 June 2012 are settled.

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## 6.2 EAST LODDON COMMUNITY BUS COMMITTEE – APPLICATION TO DISBAND

### **SUMMARY**

This report seeks Council's approval to disband the East Loddon Community Bus Committee, a Section 86 Committee of Management.

Author: Jude Holt – Director Corporate Services  
File No: 02/01/044  
Attachment: Nil

### **RECOMMENDATION**

*That Council:*

- 1. Approves disbandment of East Loddon Community Bus Committee of Management, a Section 86 Committee of Management*
- 2. Includes East Loddon Community Bus Committee of Management on the Documents to be Made Available for Public Inspection as a committee abolished during the financial year", as per Section 11(h) of the Local Government (General) Regulations 2004.*

### **PREVIOUS COUNCIL DISCUSSION**

At a Council Forum held on 30 August 2010, in principle support was provided for the creation of a Section 86 Committee of Management for the purchase and management of a community bus for the East Loddon district.

### **BACKGROUND**

Since that time the bus has been purchased and is being managed without any support from Council.

### **ISSUES/DISCUSSION**

A letter was forwarded to the committee on 7 June 2012 advising that it was Council's intention to disband the committee.

A response from the committee was returned on 10 July 2012 confirming that the bus was purchased in November 2011 and a volunteer committee is managing the day to day operations of the service. The committee agreed that there was no requirement to maintain the Section 86 committee status.

### **6.3 2011/12 FINANCIAL, STANDARD, AND PERFORMANCE STATEMENTS – IN PRINCIPLE SUPPORT**

#### **SUMMARY**

This report seeks in principle support from Council for the Financial, Standard, and Performance Statements for the year ended 30 June 2012.

Author: James Rendell – Manager Financial Services  
File No: 06/01/001  
Attachment: 6.3(a) 2011/2012 Financial Statements (which include the Performance Statement)  
6.3(b) 2011/2012 Standard Statements

#### **RECOMMENDATION**

*That Council:*

- 1. Adopt the Financial, Standard and Performance Statements for the year ended 30 June 2012 as presented, in principle*
- 2. Authorise the Chief Executive Officer to make any amendments to the Financial, Standard and Performance Statements for the year ended 30 June 2012 that may be requested by the Victorian Auditor-General, and*
- 3. Authorise the Mayor, Cr Geoff Curnow, and one other Councillor to officially approve the audited Financial, Standard and Performance Statements for the year ended 30 June 2012.*

#### **PREVIOUS COUNCIL DISCUSSION**

Nil

#### **BACKGROUND**

Council's external auditors, Richmond, Sinnott & Delahunty acting on behalf of the Victorian Auditor General's Office, visited Council's Wedderburn office on 20 and 21 August 2012 to finalise the audit of Council's Financial, Standard and Performance Statements for the year ended 30 June 2012.

A requirement in the Local Government Act is that Council cannot formally submit the Financial or Standard Statements (S.131 (7)) or the Performance Statement (S.132 (6)) to the auditor or the Minister without having passed a motion giving in principle support to those statements.

It is also a condition of the Local Government Act that Council authorise two Councillors to certify the Financial and Standard Statements after any modifications required by the audit process (S.131(8)); and that Council authorise two Councillors to certify the Performance Statement after any modifications required by the audit process (S.132(7)).

#### **ISSUES/DISCUSSION**

The annual Financial Statements are presented in accordance with all relevant Australian Accounting Standards and consist of a Statement of Comprehensive Income, a Statement of Financial Position, a Statement of Changes in Equity and a Statement of Cash Flows, along with detailed notes expanding upon each of these.

The Standard Statements consist of a Standard Income Statement, a Standard Balance Sheet, a Standard Cash Flow Statement and a Standard Statement of Capital Works. The Standard Statements require a comparison of actual results to initial budget, and include a variance analysis of all material (greater than 10%) variances of actual to budget.

The Performance Statement compares Council's performance over the year regarding the Key Strategic Activities identified in the 2011/12 Annual Budget.

The Financial Statements, which include the Performance Statement, have been included as Attachment 6.3(a), while the Standard Statements have been included as Attachment 6.3(b).

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**6.4 SECTION 86 COMMITTEE OF MANAGEMENT AMENDED INSTRUMENT OF DELEGATION – KORONG VALE SPORTS CENTRE**

**SUMMARY**

This report seeks Council's approval of an amended Instrument of Delegation for the Korong Vale Sports Centre Committee of Management.

Author: Jude Holt – Director Corporate Services

File No: 02/01/027

Attachment: 6.4 Korong Vale Sports Centre Committee of Management Instrument of Delegation

**RECOMMENDATION**

*That Council approves the amended Instrument of Delegation for Korong Vale Sports Centre Committee of Management.*

**PREVIOUS COUNCIL DISCUSSION**

Council has been progressively approving amended Instruments of Delegation as they are returned by committees.

**BACKGROUND**

Nil

**ISSUES/DISCUSSION**

The Instrument of Delegation for the Korong Vale Sports Centre Committee of Management is presented to Council for approval.

The delegation has been amended to the format that Council approved at the Ordinary Meeting held on 23 April 2012, and the further amendment of Clause 3.3 (representatives shall be nominated, not appointed) at the Ordinary Meeting held on 23 July 2012.

The Instrument of Delegation is provided as Attachment 6.4.

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## 6.5 2012 GENERAL VALUATION RESULTS AND SUPPLEMENTARY VALUATIONS REPORT

### **SUMMARY**

This report provides Council with the declared valuation for the 2012 General Valuation. It also provides supplementary valuations that have been undertaken since July 2012.

The report seeks approval to have the valuations included in Council's ratebook for the 2012-2013 rating year.

Author: Julie Ritchie – Revenue Collector  
 File No: 09/01/003  
 Attachment: 6.5 Certificate of Valuation and Return 2012 General Revaluation

### **RECOMMENDATION**

*That Council approve:*

1. *The 2012 General Valuation*
2. *Supplementary Valuations of rateable and non-rateable properties in respect of the 2012/2013 financial year, as returned by the Shire Valuer, LG Valuations Pty. Ltd.*
3. *The valuations being incorporated into the Register of Rateable and Non Rateable Properties and the Rate Book for 2012/2013.*

### **PREVIOUS COUNCIL DISCUSSION**

Reports on progress of the 2012 General Valuation have been provided throughout the process.

Marcus Hann of LG Valuations Pty. Ltd., Council's contract valuer, attended the Council Forum held on 23 April 2012 to provide an overview of the results of the valuation.

Council is provided with a summary of supplementary valuations periodically.

### **BACKGROUND**

Nil

### **ISSUES/DISCUSSION**

#### **2012 Valuation**

LG Valuation Services Pty Ltd, contract valuers to Council, have declared that the valuation returned to Council on the 14 June 2012 as outlined below, comprising all properties under the contract, identified by Council Property Numbers 10600100 to 68001503 with a total number of assessments of 7,832, is the final and complete valuation for the Loddon Shire Council as at valuation date of 1 January 2012.

<b>2012 General Valuation</b>	
Site Value	\$965,874,200
Capital Improved Value	\$1,556,825,900
Net Annual Value	\$79,935,596

A copy of the Certificate of Valuation and Return for the 2012 General Valuation has been included as Attachment 6.5. It shows the change in valuation from the last valuation date of 1 January 2010, which has an overall increase of 2.74% for all properties in the Shire.

### Supplementary Valuations

Each year Council makes a number of changes to the valuations contained in the annual rate book. These arise from various sources including:

- Subdivision of land into new rateable assessments
- Development of vacant or unproductive land (urban and rural)
- Consolidation of separate rateable assessments into one assessment
- Reassessment of property valuations arising from objections to the initial valuation
- Additions and cancellations of Licences (Grazing and Water Frontages)
- Change of Use.

Since return of the 2012 Valuation the following supplementary valuations have been effected:

Details	No.	Site Value \$	CIV \$	NAV \$
Splits/ Consolidations	49	687,000	699,000	33,150
Rural Development	16	35,000	781,000	36,250
Urban Development	28	144,000	2,710,000	173,700
Licences	6	3,100	2,100	105
<b>Total</b>	<b>99</b>	<b>869,100</b>	<b>4,192,100</b>	<b>243,205</b>

The following table shows the changes to the total valuation to July 2012 as a result of supplementary valuations:

	2012 General Valuation \$	Supplementary Valuations \$	Current Valuation \$
Site Value	965,874,200	869,100	<b>966,743,300</b>
Capital Improved Value	1,556,825,900	4,192,100	<b>1,561,018,000</b>
Net Annual Value	79,735,596	243,205	<b>79,978,801</b>

Council's 2012/2013 rates and charges were raised on 6 August 2012 based on the Capital Improved Value of \$1,561,018,000, being the 2012 general valuation and supplementary valuations effected in July 2012.



**6.6 CORRECTIONS TO INSTRUMENTS OF DELEGATION FOR SECTION 86  
COMMITTEES OF MANAGEMENT:  
INGLEWOOD TOWN HALL  
WEDDERBURN LITERARY INSTITUTE  
YANDO PUBLIC HALL**

**SUMMARY**

This report seeks Council's approval of corrected Instruments of Delegation for the Inglewood Town Hall, Wedderburn Literary Institute, and Yando Public Hall Committees of Management.

Author: Jude Holt – Director Corporate Services

File No: 02/01/023

02/01/038

02/01/041

Attachment: 6.6(a) Inglewood Town Hall Committee of Management Instrument of Delegation  
6.6(b) Wedderburn Literary Institute Committee of Management Instrument of Delegation  
6.6(a) Yando Public Hall Committee of Management Instrument of Delegation

**RECOMMENDATION**

*That Council approves corrected Instruments of Delegation for:*

- 1. Inglewood Town Hall Committee of Management*
- 2. Wedderburn Literary Institute Committee of Management*
- 3. Yando Public Hall Committee of Management.*

**PREVIOUS COUNCIL DISCUSSION**

Council was provided with amended Instruments of Delegation for the Inglewood Town Hall, Wedderburn Literary Institute, and Yando Public Hall Committees of Management at the Ordinary Meeting held on 23 July 2012.

The documents were provided in the new Council approved format.

**BACKGROUND**

Following adoption of the amended Instruments of Delegation, it was discovered that clause 5.2 in each of the documents (Powers and duties specific to this committee) was the clause for recreation reserves, not public halls.

The committees have been advised of the error and that Council would need to reapprove their delegations.

**ISSUES/DISCUSSION**

The incorrect clause was worded as follows:

The Committee shall be responsible for:

- Managing Council's annual allocation of funds
- Ensuring that all decisions related to improving facilities at the reserve are resolved through the committee
- Levying each user body with an annual membership fee
- Ensuring that organisation member bodies when hiring out their facilities understand their responsibilities to ensure that hirers have the appropriate public liability insurance
- Advising Council of an estimate of the number of hiring's and types of each event by 1 May each year

- Submitting quarterly (3 monthly) usage statistics which is to be recorded on the "Usage of Public Halls/Facilities" form due in January, April, July and October. (Data to be provided includes: date of event, hirer, type of event and number of attendees).

The committee cannot delegate any of its powers or functions.

The correct clause is worded as follows:

The Committee shall be responsible for:

- Management of booking the facility to external parties
- Setting and collecting fees and charges for hire of the facility
- Payment of accounts relating to operating the facility
- Ensuring that hirers of the facility have the appropriate public liability insurance prior to use
- Advising Council of an estimate of the number of hiring's and types of each event by 1 May each year
- Submitting quarterly (3 monthly) usage statistics which is to be recorded on the "Usage of Public Halls/Facilities" form due in January, April, July and October. (Data to be provided includes: date of event, hirer, type of event and number of attendees).

The committee cannot delegate any of its powers or functions.

The correct clause has been embedded into the attachments to this report.

The delegations have also been amended to include Council's request that members be "nominated" at the Annual General Meeting, not "appointed" under Clause 3.3.

## 6.7 2012 REVALUATION REPORT

### **SUMMARY**

This report informs Council about milestones and progress of the 2012 Revaluation.

Author: Jude Holt – Director Corporate Services  
 File No: 09/01/001  
 Attachment: Nil

### **RECOMMENDATION**

*That Council:*

1. *Receives and notes the “2012 Revaluation Report”*
2. *Investigates taking up the option of the 2014 revaluation with LG Valuations Pty. Ltd., as per the current contract documentation.*

### **PREVIOUS COUNCIL DISCUSSION**

Council was provided with an update report at the Ordinary Meeting held on 23 April 2012.

### **BACKGROUND**

In accordance with Valuation Best Practice, Council undertakes a revaluation of all properties in the Shire every 2 years. The prescribed date for the revaluation was 1 January 2012, and that valuation data was used for the 2012/2013 budget and rates.

Council undertook its revaluation process via external contractor, LG Valuations Pty. Ltd. (LG).

### **ISSUES/DISCUSSION**

Valuation Best Practice outlines milestone dates for the return of information during the revaluation process. This is to ensure that Council’s Valuation Return is received by the final due date of 30 April, 2012. The milestone dates for the 2012 revaluation were:

Stage	Details	Due Date	Date Lodged with VGV	Date Certified by VGV
Stage 1	Statistical Analysis	28 February 2011	28 February 2011	30 March 2011
Stage 2	Residential & Rural Preliminary Valuations			
	- Rural	31 October 2011	11 October 2011	25 November 2011
	- Residential	31 October 2011	25 October 2011	30 November 2011
Stage 3A	Specialist Properties	31 August 2011	22 August 2011	19 December 2011
Stage 3B	Commercial & Industrial	31 January 2012	23 December 2011	30 January 2012
Stage 4	Residential & Rural Final Valuations			
	- Rural	31 March 2012	19 March 2012	21 May 2012
	- Residential	31 March 2012	16 March 2012	4 May 2012
Stage 5	Valuation Return	30 April 2012	14 June 2012	24 July 2012

#### **Stage 1:**

Stage 1 includes preparation, planning and statistical analysis of the previous valuation against recent sales.

Stage 1 was lodged with the Valuer-General Victoria (VGV) on 28 February 2011, and a 7A Certificate was received on 30 March 2011.

A 7A Certificate is authorisation of the revaluation stage by VGV and states that:

- The required documentation and evidence has been provided
- The work is in accordance with the standards required by VGV for the 2012 General Valuation
- The work is considered satisfactory by VGV.

**Stage 2:**

Stage 2 includes the largest body of work – Rural and Residential properties. This stage is the preliminary work required for those properties, where the majority of inspections and field data verification is completed. A final review of values for these properties occurs in Stage 4.

Due to the size of the data, Stage 2 is normally lodged in two parts – Rural and Residential. Stage 2 Rural was lodged with VGV on 11 October 2011 and was certified by the VGV on 25 November 2011. Stage 2 Residential was lodged with VGV on 25 October 2011 and was certified by the VGV on 30 November 2011.

**Stage 3A:**

Stage 3A includes 14 specialist properties that Council has nominated in the contract as being unusual, due to size or nature. It includes chicken farms, olive groves, piggeries, and other commercial properties.

Stage 3A was lodged with VGV on 22 August 2011, and Council received the 7A Certificate on 19 December 2011.

**Stage 3B:**

Stage 3B is Commercial and Industrial properties. This stage was lodged with VGV on 23 December 2011 and was certified by VGV on 30 January 2012.

**Stage 4:**

Stage 4 is a review of Stage 2 data based on an analysis of subsequent sales. This stage is due on 31 March 2012.

Stage 4 Residential was lodged with the VGV on 16 March 2012 and was certified by the VGV on 4 May 2012.

Stage 4 Rural was lodged with the VGV on 19 March 2012 and was certified by the VGV on 21 May 2012.

**Stage 5:**

Stage 5 is the return of the valuation to Council, and includes the valuer's final report. This stage is due on 30 April 2012.

Certification of this stage is critical for Council's budget process, as the new valuation is used as a basis for raising rates in the first year after return. Council does not resolve to advertise the budget until certification has been received, to ensure that the valuation base does not change.

**Revaluation Process:**

Overall LG's performance was very good. They reached milestones for Stage 1 to 4 by the due date, and in the case of Stage 3B, were well ahead of the due date.

Stage 5 was not submitted on time, as its submission was dependent on certification of Stage 4, which was not returned until late May 2012. During the process it became apparent that this would be the situation, which would ultimately delay Council proceeding with advertising the budget.

LG's staff made themselves available to answer queries from Council and property owners, and were proactive in contacting Council to provide updates of their progress.

The contract with LG was for the 2010 revaluation, with options by mutual agreement to continue the contract beyond 31 December 2010 to cover the 2012 and 2014 revaluations.

Council took up the option for the 2012 revaluation, and this report is recommending that discussions be held with LG to investigate taking up the option for the 2014 revaluation.

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## **7. DIRECTOR OPERATIONS' REPORTS**

### **7.1 PLANNING APPLICATIONS CURRENTLY BEING PROCESSED**

#### **SUMMARY**

Attachment 7.1 provides Council with a full list of planning applications currently under consideration and those planning permits issued between 1 and 31 March 2012.

Author: Tyson Sutton – Manager Planning and Local Laws  
File No: 02/01/001  
Attachment: 7.1 Planning Applications

#### **RECOMMENDATION**

*That 'Planning Applications Currently Being Processed' report be received and noted.*

#### **PREVIOUS COUNCIL DISCUSSION**

Nil

#### **BACKGROUND**

Nil

#### **ISSUES/DISCUSSION**

Nil

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## 7.2 ROAD NETWORK DEFECT RECTIFICATION COMPLIANCE SUMMARY REPORT

### SUMMARY

Report provides a summary of Council's compliance against its Road Management Plan for the period 1<sup>st</sup> April 2012 to 30<sup>th</sup> June 2012, being the fourth quarter of the 2011/2012 financial year.

Author: Steven Phillips - Manager Works  
 File No: 14/01/022  
 Attachment(s): Nil

### RECOMMENDATION

*That Council receive and note the road network defect rectification compliance summary report.*

### PREVIOUS COUNCIL DISCUSSION

At its ordinary meeting held on 28 May 2012, Council were presented with a report summarising road network defect rectification compliance against requirements specified within the Loddon Shire Road Management Plan (RMP).

### BACKGROUND

This report provides Council with evidence of the Loddon Shire's performance against requirements specified within the Loddon Shire Road Management Plan.

### ISSUES/DISCUSSION

The previous compliance report presented to Council identified a number of outstanding defects. Table 1 below shows progress in completion of these outstanding defects as at 1 August 2012:

**Table 1 – Quarter 1, 2 & 3 for 2011/2012**

Date Range: 1 July 2011 to 31 March 2012		
Report Date		Patrol Areas
9 May 2012	1 August 2012	
Number Not Completed	Number Not Completed	
0	0	Boort
22	0	Newbridge
20	0	Pyramid Hill
4	0	Wedderburn

There are now no outstanding date imposed defects that require completion.

Table 1 above indicates that there has been a concerted effort to resolve all outstanding date imposed defects.

The following Defect Compliance Summary Report outlines Councils compliance against requirements specified within the Road Management Plan for the most recent quarter. The report indicates compliance by percentage for each of Councils Road Patrol Areas.

**Table 2 – Quarter 4 for 2011/2012**

**Defect Compliance Summary Report**

**Report Date: 1 August 2012**

**Date Range: 1 April 2012 to 30 June 2012**

<b>Number of Works Actions</b>	<b>Number Completed By Due Date</b>	<b>Number Completed After Due Date</b>	<b>Number Not Completed</b>	<b>Compliance %</b>	<b>Patrol Areas</b>
10	10	0	0	100.0%	Boort
52	48	4	0	92.3%	Newbridge
42	29	13	0	69.0%	Pyramid Hill
52	50	2	0	96.2%	Wedderburn

**DEFINITIONS**

Number of Works Actions - Within the date range, count the defects that were due/identified for action

Number Completed by Due Date - From those defects in Column A to be rectified, how many were rectified by the due date

Number Completed After Due Date - From those defects in Column A to be rectified, how many were rectified outside the due date

Number Not Completed - Column A - Column B - Column C

Compliance % - Column B Divided by Column A

District - Grouped By The AssetAsyst District

During the 4<sup>th</sup> Quarter of 2011/2012, 88% of all date imposed defects were completed before their due date. This is below the target of 100% of date imposed defects repaired by due date. It is noted however that all defects have now been completed and there are no outstanding date imposed defects.

As previously reported to Council, compliance with the Loddon Shire Road Management Plan over the past 18 months has been made difficult due to an increased number of defects being observed, requirements for ongoing defect prioritisation, availability of resources and demand in the Flood Restoration Program.

However the backlog of defects has now been completed and a major focus of the Works department for the next quarter is to complete current or new defects before the specified due date.

### 7.3 MUNICIPAL FIRE MANAGEMENT PLAN 2012 - 2015

#### **SUMMARY**

Following completion of the public consultation period during July 2012, this report presents and seeks Council adoption of, the Municipal Fire Management Plan 2012 – 2015.

Author: Kim Isbister – Emergency Management Coordinator.

File No: 11/01/001

Attachment: Municipal Fire Management Plan 2012 -2015

#### **RECOMMENDATION**

*That Council:*

1. *Adopt the Municipal Fire Management Plan (MFMP) 2012-2015 as a sub plan of the Municipal Emergency Management Plan.*
2. *Rescind the current Municipal Fire Prevention Plan (MFPP).*

#### **PREVIOUS COUNCIL DISCUSSION**

At its ordinary meeting on 26 September 2011, Council resolved to disband the Fire Prevention Planning Committees and form a Municipal Fire Management Planning Committee (MFMPC). At the same time, Council endorsed the 2011-2012 MFPP to be the transitional plan until development of the MFMP was completed and adopted by Council.

At its ordinary meeting on the 24 June 2012, Council endorsed the Draft Municipal Fire Management Plan to be released for public consultation during the month of July 2012.

#### **BACKGROUND**

Under the Integrated Fire Management Planning (IFMP) Framework the MFMPC has developed the attached MFMP encompassing the Preparedness, Prevention, Response and Recovery (PPRR) provisions of fire management principals.

Council involvement and responsibilities in Integrated Fire Management Planning are outlined within the Emergency Management Manual part 6 as detailed below:

The Emergency Management Manual Victoria (EMMV) guidelines are issued to Municipal Emergency Management Planning Committees (MFMPC's), by the Co-ordinator in Chief of Emergency Management, who is the Minister for Police and Emergency Services. They are published to facilitate the introduction of integrated fire management planning at a municipal level, using the provisions of the *Emergency Management Act* 1986, which provides that a MEMPC must give effect to any direction or guideline issued by the Co-ordinator in Chief (S 21(5)).

The IFMPF is designed to support the integration, consistency and coordination of the fire management planning activities of government, the fire management sector and communities to achieve effective fire management for the State of Victoria. The State Fire Management Planning Committee has published a detailed Planning Guide about the planning process and products. In relation to municipal councils wholly or partly in the Country Area of Victoria, a MFMP prepared and endorsed in compliance with these guidelines will be deemed to fulfil section 55A of the *Country Fire Authority Act* 1958 which requires them to have a MFPP with certain defined contents.

In due course, the *Country Fire Authority Act 1958* and the *Metropolitan Fire Brigades Act 1958 and the Emergency Management Act 1986* may be amended to provide a specific statutory requirement for municipal fire management planning across the State.

### **Planning Process**

The State Fire Management Planning Committee is responsible for providing direction and support to implement integrated fire management planning at regional and municipal levels.

Over the past 8 months the MFMP has conducted a rigorous planning process to ensure integrated fire management planning is successfully implemented. This planning process has had a multi-agency approach to fire management coordinated by the MFMP and supported by the IFMP Coordination Team.

The integrated agency process utilised in the development of the MFMP has occurred through the implementation of common planning models and methodologies and the participation of common decision-making through the committee process which will over time result in a more integrated delivery of fire management activities across the full PPRR spectrum.

### **ISSUES/DISCUSSION**

The MFMP and the MEMPC endorsed the draft MFMP 2012-2015 at their meeting on 1 May 2012 as being suitable for public consultation and subsequently recommended that it be presented to Council for endorsement.

As part of the public consultation phase, the draft plan was sent to the Loddon Mallee Regional Strategic Fire Management Planning Committee (LMRSFMPC) for comment, prior to the final plan being presented to Council for adoption.

For councils wholly or partly within the Country Area of Victoria, the MFMP as adopted by Council will be deemed to meet the requirement for a MFPP under S 55A(1) of the Country Fire Authority Act, provided that it contains the provisions as set out in S 55A(2).6A.5 Audit. For councils wholly or partly within the Country Area of Victoria, the MFMP will also be audited under S 55B of the Country Fire Authority Act 1958

Following the public consultation phase of the MFMP development, the MFMP was reviewed and where required amended to incorporate feedback received. The final MFMP was presented to the MFMP and MEMPC members at their meetings on 7 August 2012 and both committees recommended that the plan be adopted by the Loddon Shire Council at the next ordinary meeting of Council.

The following amendments (as shown in red within the copy of the plan provided), have been made to the plan after reviewing feedback from the public, DSE and the regional Integrated Fire Management Planning team:

1. Reference to 'Draft' removed from plan where required.
2. Minor grammar, spelling and format changes throughout the Plan have been made to improve overall presentation
3. New paragraph included in Section 1 – Introduction in response to DSE feedback
4. Sub Section 2.3 – The engagement process dot point statements were reviewed and made into sentences to improve presentation.
5. Sub Section 2.6.2, 2.6.3 reviewed and the public survey graphs removed & Section 2.6.4 added to make reference of the public consultation process

6. Section 3.8 – 2 Paragraphs added to reflect environment, population and vulnerable people concerns
7. Sub Section 4.4.2 & 4.4.3 – Reviewed and merged to improve presentation resulting in 4.4.3 being removed
8. Treatment and Action Table – Statements within table re-aligned
9. Section 5.4 – Paragraph 2 – Reference to Reserves across municipal boundary included
10. Section 5.5.2 - Added new NSPs
11. Minor format, spelling and grammar changes to Risk Register and Works Program but content not changed
12. Appendix 7.6 Amended to include supporting statement from Coliban Water as sub section 7.6.9

The Risk Register, Works Program and Maps contents have not been adjusted however minor format and spelling changes have been made to improve presentation.

### **CONCLUSION**

Council has been a primary member of the Loddon Mallee Regional Strategic Fire Management Planning Committee and the adoption of the recommendations supports the Municipal Integrated Fire Management Planning process.

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## 7.4 NEIGHBOURHOOD SAFER PLACES (PLACES OF LAST RESORT)

### SUMMARY

Report recommends designation of three (3) new Neighbourhood Safer Places (Places of Last Resort) within the townships of Bridgewater, Inglewood and Wedderburn.

Author: Kim Isbister – Emergency Management Coordinator

File No: 11/04/001

Attachment: Municipal Neighbourhood Safer Places Plan – August 2012

### RECOMMENDATION

*That Council:*

1. *Designate the following sites as Neighbourhood Safer Places (Place of Last Resort) within the townships of Bridgewater, Inglewood and Wedderburn.*
  - *Bridgewater Memorial Hall (Grounds Only)*
  - *Inglewood Town Hall & Bowling Club (Grounds Only)*
  - *Donaldson Park (Oval Area Only), Wedderburn*
2. *Adopt the attached Loddon Shire Council Municipal Neighbourhood Safer Places Plan (MNSPP), August 2012 which lists all designated NSP's within the municipality.*

### PREVIOUS COUNCIL DISCUSSION

At its ordinary meeting held on 23 August 2010, Council adopted the Loddon Shire Council Neighbourhood Safer Places Plan (NSPP) 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 NSP's and once identified report these back to Council for consideration.

At its ordinary meeting held on 27 February 2012, Council adopted the Loddon Shire Council 2012 Municipal Neighbourhood Safer Places Plan including designated NSP's at Boort, Pyramid Hill and Serpentine.

### BACKGROUND

Both NSP's and the subsequent NSPP are direct consequences of the Black Saturday fires and the interim Recommendations' from the Bushfires Royal Commission. NSP's are legislated under the *Emergency Services Legislation Amendment Act 2009 (Vic) ('ESLA Act')* which amends the *Emergency Management Act 1986 (Vic) ('EM Act')* and the *Country Fire Authority Act 1958 (Vic) ('CFA Act')*

Councils in Victoria, under the '*ESLA Act 2009*' are required to identify, certify, designate, establish and maintain NSP's (Places of Last resort) within their Municipal district. Section one of the NSPP, the flow chart, sets out the process adopted in establishing a NSP.

In short this process includes:

1. Identification of potential sites by Council
2. Assessment of Site against Council's criteria (By Council)
3. Assessment of site against CFA criteria (By CFA)
4. Designation by Council of the approved sites
5. Establishment and signage of site by Council

6. Annual review of existing and potential new sites (Collaborative Council and CFA effort)

Within the Council assessment criteria there is a need to ascertain ownership of the land being considered as a Potential NSP. If the land is owned by Council no further action in this regard is required, however if the potential NSP is on private land, or public land under the control of a Crown Land Manager (other than Council), Council can enter into arrangements which allow it to use the land as a potential NSP.

The sites being considered as per this report are owned by the Department of Sustainability and Environment (DSE) and managed by a Committee of Management (CoM).

The following table gives an overview of the assessment results for three additional NSP sites being recommended for designation along with current ownership and consent status.

**Table 1: Nominated assessed NSP sites for designation**

Potential NSP Site	Bridgewater Memorial Hall (Grounds Only)	Inglewood Town Hall & Bowling Club (Grounds Only)	Wedderburn Donaldson Park (Oval area Only)
CFA Assessment	Yes - Compliant	Yes - Compliant	Yes - Compliant
Council Assessment	Yes - Compliant	Yes - Compliant	Yes - Compliant
Owner	Department of Sustainability & Environment	Department of Sustainability & Environment	Department of Sustainability & Environment
Managed By "CoM"	Bridgewater Memorial Hall Committee of Management	Inglewood Town Hall Committee of Management & Bowling Club Committee of Management	Donaldson Park Committee of Management
Consent to Designate Site as NSP by Owner of "CoM"	<b>Yes Consent Granted</b> <b>Conditions:</b> <b>Shire:</b> Install & Maintain NSP Signage. <b>"CoM":</b> maintain site as per CFA Dec 2010 Guidelines -Grasslands	<b>Yes Consent Granted</b> <b>Conditions:</b> <b>Shire:</b> Install & Maintain NSP Signage. <b>"CoM":</b> maintain site as per CFA Dec 2010 Guidelines – Grasslands	<b>Yes Consent Granted</b> <b>Conditions:</b> <b>Shire:</b> Install & Maintain NSP Signage. <b>"CoM":</b> maintain site as per CFA Dec 2010 Guidelines – Grasslands
Recommend that Council either Designate or Not Designate Site as NSP's	Designate	Designate	Designate

In addition to the nominated sites above, Council staff reviewed additional sites in Bridgewater, Inglewood, Newbridge (2), Wedderburn, and Tarnagulla which were also considered for establishment as a NSP site. These sites were however, for various reasons, not recommended for designation as a NSP.



**Table 2: Assessed NSP sites not recommended for designation**

<b>Potential NSP Site</b>	<b>Bridgewater Memorial Hall (Grounds Only) &amp; adjacent Erskine St Streetscape</b>	<b>Inglewood Town Hall (Grounds Only)</b>	<b>Wedderburn Market Square (Oval Area Only)</b>	<b>Tarnagulla Recreation Reserve (Oval Area Only)</b>
<b>CFA Assessment</b>	<b>Yes - Compliant</b>	<b>Yes - Compliant</b>	<b>Yes - Compliant</b>	<b>Non - Compliant</b>
<b>Council Assessment</b>	<b>Yes Compliant</b> however Council staff recommends Hall (Grounds only) be Designated	<b>Yes - Compliant</b> however Council staff recommends Town Hall & Bowling Club (Grounds only) be Designated	<b>Non- Compliant</b> due to concerns with traffic volume on Calder Highway during an incident and heavy smoke being present creating a hazardous situation for residences access/egress	<b>Not Assessed as Non-Compliant</b> to CFA assessment
<b>Owner</b>	<b>Department of Sustainability &amp; Environment</b>	<b>Department of Sustainability &amp; Environment</b>	<b>Department of Sustainability &amp; Environment</b>	<b>Department of Sustainability &amp; Environment</b>
<b>Managed By "CoM"</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>
<b>Consent to Designate Site as NSP by Owner of "CoM"</b>	Not requested as Council staff recommends Hall (Grounds only) be Designated	Not requested as Council staff recommends Town Hall & Bowling Club (Grounds only) be Designated	Not requested as Non-Compliant to Council assessment	Not requested as Non-Compliant to CFA assessment
<b>Recommend that Council either Designate or Not Designate Site as NSP's</b>	<b>Not Designate</b>	<b>Not Designate</b>	<b>Not Designate</b>	<b>Not Designate</b>

To assist with this process Council staff and CFA have been consulting with other agencies, community members, volunteers and other Council departments to identify suitable sites.

Prior to nominating the identified sites for the formal assessment by the CFA, Council staff (EMC & MFMP) and the CFA, Safety Officer have conducted a drive through inspection to narrow the number of sites down to the sites that had the best chance of meeting both the CFA and Councils guidelines.

Under Section 50J of the CFA Act 1958 Council must by 31 August each year conduct a review of each designated neighbourhood safer place in its municipal district to determine if it is still suitable to be designated as a neighbourhood safer place and ask the CFA to assess each Neighbourhood Safer Place (Place of Last Resort) in its municipal district in accordance with the [Country Fire Authority](#) Assessment Guidelines.

Once the Council assessment and CFA Assessment has been completed and the established NSP's have been assessed by each organisation as compliant the Municipal Fire Prevention Officer (MFPO) under section 50K of the CFA Act 1958 must provide to the Authority by 30 September in each year an up to date list of all designated neighbourhood safer places and community fire refuges in the municipal district.

In compliance to the Section 50J of the CFA Act 1958, Council staff requested that the CFA conduct the annual inspection of the current designated NSP's in Boort, Pyramid Hill and Serpentine in June 2012. In August 2012 Council Staff (EMC & MFPO) also conducted the Council assessment of these NSP's.

### **Conclusion**

Council staff have confirmed that three (3) new sites, being in the townships of Bridgewater, Inglewood and Wedderburn, have been assessed as compliant under CFA and Council Guidelines (as seen within the attached NSP plan assessment templates) as suitable to be designated as Neighbourhood Safer Places (Place of Last Resort).

Council staff also confirm that the current designated NSP's in Boort, Pyramid Hill and Serpentine were re-assessed under Section 50J of the CFA Act 1958 as compliant to CFA and Councils Guidelines. Therefore the designation of these sites will remain in place and the MFPO will provide to the Authority by 30 September (as per Section 50J of the CFA Act 1958) an up to date list of all designated neighbourhood safer places and community fire refuges in the municipal district which will included the new NSP's designated in this report at Bridgewater, Inglewood and Wedderburn.

## 7.5 PROPOSED MINISTERIAL ZONE AMENDMENTS

### **SUMMARY**

The Minister for Planning has released proposed revisions to a number of zones within the Planning Scheme for information and comment. Report provides Council with a high level summary of the changes and recommends that a submission be prepared and submitted to the Minister in response to the proposed changes.

Author: Tyson Sutton - Manager Planning & Local Laws  
File No: 13/01/004  
Attachment: Package of Proposed Revised Zones

### **RECOMMENDATION**

*That Council:*

- 1. Receives and notes the report presenting proposed changes to zones contained within the Loddon Planning Scheme.*
- 2. Prepares a submission to the Minister in response to the proposed zone amendments, expressing general support for the proposed revisions however expressing concern with regard to those changes which have the potential to detrimentally affect agriculture throughout the Shire*

### **PREVIOUS COUNCIL DISCUSSION**

Nil

### **BACKGROUND**

In June 2011 the Minister for Planning commissioned the Victorian Planning System Ministerial Advisory Committee to examine all aspects of the planning system, including possible zone reform.

The report of the Victorian Planning System Ministerial Advisory Committee identified reform of planning zones as a key issue raised by many industry bodies, local government and members of the community. In response to the recommendations of the report, the State Government has produced new and revised zones and released them for discussion.

The reformed zones can be grouped under four broad headings being residential, commercial, industrial and rural.

### **ISSUES/DISCUSSION**

Given the limited number of zones in use by the Loddon Planning Scheme the proposed zone revisions are expected to have limited impact across the Shire. The zones within the Loddon Planning Scheme affected by the proposed revisions are:

- Township Zone
- Low Density Residential Zone
- Farming Zone
- Rural Living Zone
- Industrial 1 Zone

The following table outlines the most significant changes to the zones proposed by the revisions.

Zone	Main Changes
Township Zone	<ul style="list-style-type: none"> <li>Includes Medical Centre in Section 1 of the table of uses</li> </ul>
Low Density Residential Zone	<ul style="list-style-type: none"> <li>Includes Medical Centre in Section 1 of the table of uses,</li> <li>Reduces minimum lot size for subdivision to 2000 square metres where sewer is connected.</li> </ul>
Farming Zone	<ul style="list-style-type: none"> <li>Revises the purpose of the zone</li> <li>Includes Primary produce sales and Rural store in Section 1 of the table of uses</li> <li>Includes Accommodation, Industry, Landscape gardening supplies, Market, Primary school, Sawmill, Secondary school, Trade supplies, Warehouse and any other use not in Section 1 or 3 in Section 2 of the table of uses</li> <li>Increases the area for additions to dwellings and for outbuildings that can be constructed without a permit from 50 square metres to 100 square metres</li> <li>Removes the restriction on further subdivisions where a subdivision creates a under sized allotment.</li> </ul>
Rural Living Zone	<ul style="list-style-type: none"> <li>Reduces the default minimum lot size for subdivision and for the as of right use and development of a dwelling to 2 hectares</li> </ul>
Industrial 1 Zone	<ul style="list-style-type: none"> <li>Allows for larger office developments than current provisions</li> </ul>

The proposed changes to the Farming Zone present a number of risks to the Loddon Shire particularly in relation to the allowance for non-agricultural uses to be located on farm land. The ability for industrial, commercial and accommodation uses to be located in the Farming Zone without any relationship to the productive use of the land may see increased pressure on farm land as a cheaper alternative to more appropriately zoned and serviced land. While this may also present opportunities for the economic growth of the Shire it would need to be carefully managed and controlled so as not to detrimentally affect the agricultural sector.

The mandatory requirement to enter into a Section 173 agreement for subdivisions that create lots of less than the minimum size is proposed to be removed. This currently applies to small lots created for the purpose of excising an existing dwelling or created by subdivision of existing allotments. The removal of this requirement reintroduces the potential for successive house lot excisions to create defacto rural residential areas in agricultural precincts.

The proposed revisions also affect zones identified for inclusion in the Loddon Planning Scheme through the Rural Zones Review and planning scheme amendments. These are the Rural Activity Zone, Rural Conservation Zone and the Industrial 3 Zone. The main changes are summarised in the following table.

Zone	Main Changes
Rural Activity Zone	<ul style="list-style-type: none"> <li>• Includes Primary produce sales, Rural industry (other than Abattoir and Sawmill) and Rural store in Section 1 of the table of uses</li> <li>• Includes Abattoir, Accommodation, Retail premises, Sawmill, Warehouse in Section 2 of the table of uses</li> </ul>
Rural Conservation Zone	<ul style="list-style-type: none"> <li>• Includes Accommodation, Animal boarding, Landscape gardening supplies, Leisure and recreation (other than Informal outdoor recreation and Motor racing track), Market, Primary school, Secondary school and any other use not in Section 1 or 3 in Section 2 of the table of uses.</li> <li>• Specifically lists Amusement parlour, Brothel, Child care centre, Cinema based entertainment facility, Education centre (other than Primary school and Secondary school), Motor racing track, Office, Rice growing, Transport terminal in Section 3 of the table of uses.</li> </ul>
Industrial 3 Zone	<ul style="list-style-type: none"> <li>• Includes Shop (other than Adult sex bookshop, Convenience shop, Restricted retail premises and Supermarket), Supermarket in Section 1 of the table of uses</li> <li>• Allows for larger office developments than current provisions</li> </ul>

The proposed revisions may result in increased flexibility for the areas identified for rezoning particularly in those areas identified for translation to the Rural Conservation Zone.

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## 7.6 PLANNING APPLICATION ASSESSMENT – APPLICATION No. 4747

### **SUMMARY**

Report provides Council with assessment and recommendations with respect to planning permit application No. 4747, which seeks to establish a dog breeding & training facility and ancillary domestic dwelling in the Campbells Forest area.

Author: Tyson Sutton – Manager Planning & Local Laws

File No:

Attachment: Proposed Permit Conditions – PP4747

### **RECOMMENDATION**

*That Council resolve to grant a planning permit subject to the attached conditions.*

### **PREVIOUS COUNCIL DISCUSSION**

Nil.

### **BACKGROUND**

This planning permit application is being presented to Council for determination as seven objections to the proposal have been received.

### **ISSUES/DISCUSSION**

#### **Proposal**

1. The applicant proposes the use and development of the allotment for a single dwelling, ancillary outbuildings and animal keeping. The proponent has advised that the dwelling is to be setback approximately 140 metres from Oswalds Road.
2. The proposed dwelling is to be a double storied structure containing five bedrooms, two bathrooms and an open plan kitchen living area. The proposed building has a footprint of approximately 286 square metres including the verandah. A shed of 140 square metres is proposed to be constructed to the south of the dwelling.
3. The application proposes to establish a greyhound breeding and training complex on the site. The complex is to house 25 greyhounds including 20 racing animals and five breeding bitches. The animals are to be housed in a purpose built facility to the south of the proposed dwelling.
4. The uses proposed are defined as “dwelling” and “animal keeping” by the Loddon Planning Scheme. The proponent also intends to use the land for “Racing dog training” however this is an as of right use in the zone and is not subject to this application.

#### **Subject site & locality**

5. The subject land is irregular in shape with an area of 26.7 hectares. It is located on the western side of Oswalds Road on the northern side of Leys Road in Campbells Forest. The land is contained within the Farming Zone of the Loddon Planning Scheme and is not affected by any overlays.



6. The site is cleared for pasture with isolated native trees along the boundaries. It is an extremely flat allotment. A dam is present on the eastern boundary and a windmill and tank are located centrally adjacent to an internal vehicle track.

Image 1: Subject Land



7. No utilities are connected to the site. Power is available is Oswalds Road. Reticulated water and sewerage are not available.

8. The dominant land use of the area is agriculture (grazing and cropping). Land opposite contains an animal keeping operation.

**Permit/Site History**

Planning permit application 4577 for the use and development of a dwelling was refused on 4 October 2010.

**Public Notification**

9. Notice of the application was undertaken and seven objections were received. The grounds of objection are summarised as follows:

- The proposed use and development will adversely affect opportunities for the expansion of adjoining and nearby agricultural enterprises.
- The proposed use and development will remove the site from agricultural production
- Noise
- Waste management including the potential for water and soil contamination and contamination of local waterways.
- Stress to livestock on adjoining properties
- Insufficient water supply to service the proposed development
- Odour
- Reduction in property values.

10. The grounds raised in the objections will be addressed later in this report.



## Assessment

### **The zoning of the land and any relevant overlay provisions**

11. The subject land is located within the Farming Zone of the Loddon Planning Scheme. The purpose of the Farming Zone is as follows:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To provide for the use of land for agriculture.*
- *To encourage the retention of productive agricultural land.*
- *To ensure that non-agricultural uses, particularly dwellings, do not adversely affect the use of land for agriculture.*
- *To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.*
- *To protect and enhance natural resources and the biodiversity of the area.*

12. The proposed development is consistent with the purpose of the zone. The use of the land for animal keeping is broadly defined as agriculture by the planning scheme but is subject to a higher level of scrutiny than other types of animal husbandry due the potential impacts that it may have on surrounding land. In accordance with the provisions of the Farming Zone land may be used for animal keeping without planning approval provided that no more than five animals are kept on the property. As the applicants propose to keep twenty five dogs planning approval is required in this instance.

13. The use and development of the land for a dwelling is a discretionary use as the parcel is less than 40 hectares in area. The proposed dwelling is considered to be consistent with the purpose of the zone as it is required to facilitate the use of the land for an agricultural activity (animal keeping and racing dog training).

14. In determining an application for a dwelling in the Farming Zone there are five main points that the Responsible Authority must consider. These are as follows:

- Whether the dwelling will result in the loss or fragmentation of productive agricultural land.
- Whether the dwelling is reasonably required for the operation of the agricultural activity conducted on the land.
- Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.
- Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.
- The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.

15. The application satisfies the decision guidelines of the Farming Zone insofar as they relate to a proposal to construct a dwelling.

16. The proposed use and development of a dwelling is required to facilitate the agricultural use of the land. The proposed agricultural use requires the operator to be present on the site to ensure the proper management of the enterprise. This necessitates a dwelling to house the manager.

17. At present there is no evidence of any meaningful agricultural activities being pursued on the land. However, the applicant has advised that they intend to undertake animal keeping on the land. Generally it is good planning practice to require the agricultural use to have commenced prior to the approval of a dwelling on the land. As the agricultural use of the land in this instance is subject to planning approval and requires the presence of the operator on the site it is not possible for it to commence prior to the assessment of the proposal as a

whole. If the application were to be approved this would create the risk of the land being used for lifestyle purposes without the agricultural use ever being undertaken. Therefore it is important to tie any approval of a dwelling on the site to the commencement of the agricultural use used to justify the proposal. It is possible to construct permit conditions that have the effect of requiring substantial investment in the infrastructure to support the agricultural use of the land prior to the commencement of the dwelling. This type of condition is considered warranted where an applicant relies on a proposed agricultural use to justify the need for a dwelling on land in the Farming Zone.

18. The siting of the proposed dwelling will minimise the impacts of agricultural activities on adjacent or nearby land. The buffer provided by the siting will reduce the impacts of nearby farm practices. However, the land will not offer levels of amenity that could reasonably be expected in an identified rural lifestyle area.

19. Approval of a dwelling on the subject land would reduce the opportunities for the expansion of adjoining and nearby agricultural enterprises but will not remove the land from productive use. The proposed agricultural use will increase the diversity of production in the area.

20. The proposed developments would contribute to a proliferation of dwellings in the area. There are currently five dwellings within a 2 kilometre radius of the subject land, all but one of which is associated with production. The single dwelling that is not associated with agriculture appears to be an excised allotment. The introduction of an additional dwelling to the area as proposed, contributes to the diversity of agricultural uses in the area.

21. The land use of "animal keeping" falls under the broader definition of "agriculture" in the Loddon Planning Scheme. Therefore, the use of the land for "animal keeping" is by definition an agricultural pursuit albeit one which requires planning approval. This requires consideration of agricultural, environmental and siting issues in determining if the proposed use is an appropriate one on the subject land.

22. The proposed use and development for animal keeping and a dwelling will support and enhance the agricultural use of the land. It will enhance and ensure the ongoing productive use of the land. While approval of the application will affect the ability of nearby landholders to acquire the land for expansion it does represent a more intensive use that could otherwise be expected. Properly managed the proposed facility will not affect the ability of neighbouring properties to continue existing farming practices. The ongoing management of the facility is something that can be managed through appropriate planning permit conditions.

23. Given the relatively small footprint of the development required to support the use for animal keeping the potential environmental impacts can be readily managed. It will be necessary to collect and appropriately treat all wastes and runoff from the animal pens. This can be done through a combination of mechanical/physical waste collection and on site waste treatment systems. The proposal will not affect remnant native vegetation and sufficient separation distances are available on the land to negate the impact of the proposed use and development on waterways.

24. The proposed dwelling and shed are considered to be appropriately sited on the land being approximately 150 metres from the closest boundary. The separation from adjoining properties aids to minimise the impact of the proposed dwelling and outbuilding on the agricultural use of adjoining land and of that use on the proposed dwelling. The siting of the animal facility is considered to be less than ideal being only 10 metres from the western property boundary; opportunity exists for a much greater separation from the boundary of the property. Given that the smallest dimension of the land is approximately 310 metres and the proposed animal compound is 50 metres square it would be possible to comfortably achieve a minimum boundary separation of 100 metres. This would minimise the potential impact on adjoining agricultural uses.

#### **Consideration of grounds of objection**

- The proposed use and development will adversely affect opportunities for the expansion of adjoining and nearby agricultural enterprises.

- The use and development of the land as proposed will restrict opportunities for the subject land to be acquired for the expansion of adjoining and nearby agricultural enterprises. It will not necessarily affect opportunities to expand existing enterprises within established holdings. Appropriate siting of development of the land as previously discussed will minimise the effect on existing or planned farming activities on adjoining or nearby land.
- The proposed use and development will remove the site from agricultural production
  - Animal keeping and animal training is defined by the planning scheme as agriculture. Therefore it is proposed to utilise the land for agriculture.
- Noise
  - The Environment Protection Authority Noise Control Guidelines identify that the problems caused by the perpetual barking of dogs has been known to exist at distances as far as 500 metres from the actual source. The Guidelines advise several techniques to limit noise impacts for kennels. These measures include the design and construction of kennels, reduction in stimuli, restrictions on feeding times, exercise times and access to compounds, and electronic masking of noise. These techniques can be included in permit conditions to ensure that the potential for noise impacts from the proposed use is minimised.
- Waste management including the potential for water and soil contamination and contamination of local waterways.
  - The management of waste from an animal keeping facility is an important consideration as sewerage is not generally available and many onsite disposal systems are incapable of adequately treating solid dog waste. Solid waste needs to be regularly collected and stored for disposal via a licensed trade waste disposal service. Alternatively, non-odour producing composting systems, including worm farms, may be utilised. However these types of systems may be rendered ineffective by common veterinary treatments such as worming compounds. On site disposal via burial is not considered a satisfactory disposal method. Liquid waste may be treated and disposed of via an onsite system such as a septic or packaged treatment plant. It would be appropriate for a condition requiring a waste management plan to address treatment and disposal of waste to be included in a permit.
- Odour
  - Odour arising from the proposed animal keeping is considered to be inextricably linked to waste management. As such the appropriate management of waste will negate odour issues.
- Stress to livestock on adjoining properties
  - Any stress to livestock created by the proposed use for animal keeping is expected to be minimal. At least three animal keeping enterprises are already established within the Shire and coexist with broad acre grazing without any observable impediments. Potential causes of stress may include noise and odour or harassment by dogs that have escaped from the facility. These issues can be largely addressed through appropriate design including noise and waste management.
- Insufficient water supply to service the proposed development
  - The subject land, like the surrounding area is not serviced by reticulated water. Therefore, the proposed use and development will be dependent upon on-site catchment. Onsite catchment from the dwelling, shed and kennels will be available to service the development.
- Reduction in property values.

- The impact on property values is not a valid planning consideration unless sound evidence is presented as to how the grant of a permit would result in changes to the value of land. No evidence to demonstrate this claim has been submitted.

## **8. DIRECTOR ECONOMY AND COMMUNITY REPORTS**

### **8.1 TRANSPORT CONNECTIONS PROGRAM UPDATE**

#### **SUMMARY**

This report provides Council with an update on phase 3 of the BLine Transport Connections Program.

Author: Sue Devereaux – Transport Connections Coordinator  
Tim Jenkyn – Manager Community Planning

File No:

Attachment:

#### **RECOMMENDATION**

*That Council receive and note the Transport Connections Program Update report.*

#### **PREVIOUS COUNCIL DISCUSSION**

The BLine Transport Connections Project (phase 2) final report was provided to council on the 25<sup>th</sup> October 2010.

A forum presentation and report on the BLine Transport Connections Program (phase 3) was provided to Council on the 24<sup>th</sup> October 2011.

#### **BACKGROUND**

The Transport Connections Program phase 3 (TCP3) is a State Government funded initiative administered by the Department of Planning and Community Development (DPCD.) Since the change of State Government last year the advocacy role to the Department of Transport (DoT) with the regard to the TCP program has shifted to Public Transport Victoria (PTV.)

The Bendigo-Loddon (BLine) TCP is a partnership between Loddon Shire Council and the City of Greater Bendigo (CoGB.) The CoGB is the lead agency in this partnership.

In the October Council TCP report 6 key areas were identified for coordination, support and development;

1. Travel Companion Projects
  2. TCP Trial Services
  3. Asset Mapping of public transport access in Loddon Shire and across the region
  4. Local solutions such as community buses and sharing a ride
  5. Development of innovative non transport solutions.
  6. Advocacy and community engagement.
- 25.

TCP3 commenced in 2011 and is funded until June 30th 2013. At this time Transport Connections Programs across the state will conclude as no funding has been allocated by the State Government for a phase 4 of the program.

#### **ISSUES/DISCUSSION**

The TCP Coordinator has been working across the 6 key areas identified as well as providing support for other local projects such as the L2P and Ignition programs. Additional funding support was provided by the State Government through the TCP Local and Regional Innovation Funds. Loddon received \$37,500 to support and pilot local programs and has partnered with other local government areas in the Southern Loddon Mallee Region on a regional project led by Macedon Ranges and Central Goldfields Shire Councils.

1. Travel Companion Projects

The Medical Companion Project has continued to assist travellers from regional areas navigate Melbourne's public transport system in order to access services. The provision of coordination for that service has struggled to secure long term funding and currently Travellers Aid, the volunteer agency that coordinate the program, are fund raising to extend the life of the service (to date for a further 12 months.) The BLine program continues to support and promote the initiative.

2. BLine Trial Services

In phase 2 of the Transport Connections Program three trial services commenced.

- The Boort to Bendigo Service via Wedderburn of a Saturday (V-Line)
- A Raywood to Eaglehawk return service Tuesdays and Fridays
- The Southern Loddon Region Service from Tarnagulla to Maryborough of a Thursday and to Inglewood on Friday, returning in the afternoon each day. The service also picks up at Loddon's southern villages on the Loddon River.

The trials commenced in August 2008 and since then the Boort to Bendigo service has had high levels of patronage and is now permanent. The Raywood and Southern Loddon Services have had consistently low numbers and will cease operating at the end of August 2012.

BLine has been advocating to PTV for a trial public bus service to run twice daily between Inglewood/Bridgewater and Bendigo. Currently the Inglewood Community Bus transports on average 8 people per day, including clients with disability. BLine is investigating initial support for such a trial through the TCP local innovation funding.

3. Asset Mapping of public transport access in Loddon Shire

- The *Getting Around Bendigo and Loddon – Transport Information and Assistance* brochure has been updated and will be posted to all ratepayers later this year.
- BLine has been working with neighbouring shires to investigate public transport pick up points across LGA borders for communities isolated from major routes.
- BLine is implementing training programs for regional travellers and an older persons mobility program

4. Local solutions such as community buses and sharing a ride

- BLine has assisted setting up the East Loddon Community Bus to service East Loddon communities between Serpentine and Pyramid Hill.
- BLine provides direct support to the L2P and Ignition Programs through a partnership with the Buloke Shire Council, Charlton Secondary College, North Central Local Learning and Employment Network and other relevant agencies.
- BLine has developed a training program and provides resources to assist travellers and community bus operators.
- BLine has supported and promoted event specific community bus projects to assist travel disadvantaged residents to access social and educational events where public transport is unavailable or unsuitable.

5. Development of innovative non transport solutions.

Loddon TCP is part of a Southern Loddon Mallee consortium to develop innovative non-transport solutions across central Victoria as part of the TCP Regional Innovation Fund. This initiative will deliver web based community transport resources, and has the support of several other TCP projects across the state. This is a 2 year project.

6. Advocacy and community engagement.

The BLine Executive Committee and TCP Coordinators engage with a range of organisations and interested parties across the region. The TCP advocates on Loddon community's behalf to DPCD and PTV seeking support for sustainable and innovative transport solutions.



## 8.2 LODDON CALENDAR OF EVENTS BROCHURE 2012 - 2013

### **SUMMARY**

A report on the second edition of the Loddon Calendar of Events brochure for 2012 – 2013. This brochure assists with the coordination and promotion of events throughout the Municipality. Distribution of the brochure is through Regional Visitor Information Centres, the Loddon Visitor Information Centre, local Loddon Tourist Stands and corporate website. This brochure is an action in the Loddon Shire Council Tourism Strategy 2011- 2016.

Author: Robyn Vella  
File No: 16/07/003  
Attachment: Loddon Calendar of Events brochure 2012 – 2013

### **RECOMMENDATION**

*That Council receive and note the Loddon Calendar of Events brochure.*

### **PREVIOUS COUNCIL DISCUSSION**

A report to Council in November 2011 on the first edition of the Loddon Calendar of Events brochure.

### **BACKGROUND**

The development of the Loddon Shire Tourism Strategy 2011-2016 identified a significant gap in the coordination of events during year.

The Loddon Calendar of Events is an action under section 5.3 Marketing and Promotions of the Loddon Shire Tourism Strategy 2011-2016

Action 11 is to develop an annual Calendar of Events and market through regional visitor information centres and via websites.

In the Nature Tourism Plan Objective 1 Promotion of Existing Nature Tourism Assets & Activities, action 1.4 Inclusion of Nature Based events in Annual tourism Calendar.

### **ISSUES/DISCUSSION**

The first edition was completed by September 2011 and the Loddon Shire Tourism department had 1500 copies printed. The 1500 copies lasted until March 2012.

In February 2012 staff at the Loddon Visitor Information Centre consulted with major event organisers and Development and Tourism committees across the Shire to establish the 2012 – 2013 Loddon Calendar of Events brochure.

Events listed in the brochure are inserted onto the Loddon Shire website, marketed through the Mayoral Column and Media Releases.

Major events that attracted visitors from Interstate and Regional Victoria are inserted onto visitvictoria.com Example “Naturally Loddon - a wonderland in spring” festival.

The brochure is currently promoted through Regional Visitor Information Centres in the Goldfields and Murray Regions.

In the Loddon Shire the brochure is promoted through the Loddon Visitor Information Centre, Loddon Tourist stands, accommodation venues and corporate website.

The Loddon Calendar of Events brochure will be organised annually to coincide with the start of a new financial year. Collecting of event information from major event organisers and

Development and Tourism committees across the Shire to commence in February each year this enables the annual publication to be ready for marketing at the start of the new financial year.



### 8.3 WEDDERBURN STREETSCAPE REDEVELOPMENT CONCEPT PLANS

#### **SUMMARY**

Concept plans for the Wedderburn Streetscape project have been on public display with two submissions received.

Author: Bryan McEwan  
File No: 13/09/005  
Attachments: Wedderburn Streetscape Plans, Submissions from community members, letter from the Wedderburn Development Association

#### **RECOMMENDATION**

That *Council*:

1. *Receive and note submissions from community members and WDA*
2. *Provide in-principle support for the project*
3. *Request council officers return to Council with a funding model to enable the project to proceed.*

#### **PREVIOUS COUNCIL DISCUSSION**

Council has previously heard discussion relating to the plans at the:

- March 2011 council meeting (report)
- April 2012 council forum (agenda item)

Council has previously advised that the development should extend to the intersections of the Calder Highway at Kerr Street and Reef Street, to align with the town centre improvements and to highlight more of the town to visitors.

Previous Council discussion has suggested that the plans be released for public display to seek community comment. Council also suggested that, following the consultation process, the concept plans be presented to Council as a final design.

#### **BACKGROUND**

The Wedderburn Streetscape project has been a Wedderburn Development Association project supported through council's Community Planning initiative.

The project was completed using an external consultancy specialising in urban design and landscape architecture.

Draft plans have been developed in consultation with the Wedderburn Development Association, local community, VicRoads and council staff.

#### **ISSUES/DISCUSSION**

Plans have been on public display from the 9<sup>th</sup> of June until the 2<sup>nd</sup> July 2012 and made available on the corporate website, in the foyer of council offices and the Wedderburn Community Centre.

Notification of the display period was via public notices in the Bendigo Advertiser (09.06.12 & 16.06.12 and the Loddon Times (13.06.12 & 20.06.12).

Two submissions have been received (by email) and are included as attachments to this report. Also included is a letter of support from the Wedderburn Development Association.

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9. **GENERAL BUSINESS**

10. **CONFIDENTIAL ITEMS**

Closing of Meeting to the Public

**RECOMMENDATION**

*That the meeting be closed to the public.*

11. **NEXT MEETING**

The next Ordinary Meeting of Council will be held on Monday 24 September 2012 at Boort commencing at 3.30pm.