

**LODDON SHIRE COUNCIL**

Notice of an Ordinary Meeting of the Loddon Shire Council to be held in the Council Chambers, Serpentine, on Monday 25 June 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 28 May 2012.

Approval of Ordinary Minutes of 28 May 2012.

Author: John McLinden - Chief Executive Officer

File No: 02/01/001

Attachment: Nil

**RECOMMENDATION**

*That the:*

- 1. minutes of the Council Forum of 28 May 2012 be confirmed*
- 2. minutes of the Ordinary Council Meeting of 28 May 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

Loddon Shire Council Instrument of Delegation for Boort Memorial Hall Committee of Management

Loddon Shire Council Instrument of Delegation for Korong Vale Mechanics Hall Committee of Management

Contract 166 Banking and Bill Payment Services agreement between Loddon Shire Council and National Australia Bank Limited

## 5.2 ABORIGINAL INTERPRETIVE CENTRE BOORT

### **SUMMARY**

Seeking Council approval to allocate \$10,000 in the 2012/13 budget for the Boort Development Committee to conduct a feasibility study to establish an Aboriginal Cultural and Interpretive Centre.

Author: John McLinden - Chief Executive Officer

File No:

Attachment: Nil

### **RECOMMENDATION**

*That Council include an amount of \$10,000 in the 2012/13 budget to help fund the preparation of an Aboriginal Cultural and Interpretive Centre Feasibility Study for the former Boort primary school, which will be granted subject to the funding application to Aboriginal Affairs Victoria being successful.*

### **PREVIOUS COUNCIL DISCUSSION**

Nil

### **BACKGROUND**

About four years ago, the Boort Development Committee investigated the feasibility of establishing an Aboriginal Cultural and Interpretive Centre in the Boort township. At the time, Council had allocated \$10,000 towards the cost of this study, however the study was completed without the need for Council to expend any of this amount. Those funds were returned to general revenue.

### **ISSUES/DISCUSSION**

The Boort Development Committee has applied to Aboriginal Affairs Victoria for a grant to undertake a feasibility study to establish an Aboriginal Cultural and Interpretive Centre at the former Boort primary school.

The Committee have not received a grant at this time, but are hopeful of being successful. In light of this expectation, the Boort Development Committee has written to ask Council to allocate \$10,000 to this project again.

In budget documents previously presented to Council, this project was not included.

This report seeks Council's approval to amend the budget to include this project prior to public exhibition of the 2012/13 Budget.

## **6. DIRECTOR CORPORATE SERVICES' REPORTS**

### **6.1 FINANCE REPORT FOR THE PERIOD ENDING 31 MAY 2012**

#### **SUMMARY**

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

Author: James Rendell - Manager Financial Services

File No: 08/06/001

Attachment: 6.1

#### **RECOMMENDATION**

*That Council:*

- 1. Receives and notes the "Finance Report for the period ending 31 May 2012"*
- 2. Approves budget revisions included in the report for internal reporting purposes only.*

#### **PREVIOUS COUNCIL DISCUSSION**

Council is provided with Finance Reports on a monthly basis.

#### **BACKGROUND**

The Finance Report for the period ended 31 May 2012 includes standard monthly information about budget variations, cash, investments, interest, debtors, and creditors, and provides a comparison of year-to-date budget to year-to-date actual results.

#### **ISSUES/DISCUSSION**

Nil



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## 6.2 RESERVES POLICY

### **SUMMARY**

This report seeks Council's endorsement for the updated Reserves Policy.

Author: Jude Holt – Director Corporate Services  
File No: 18/01/001  
Attachment: 6.2

### **RECOMMENDATION**

*That Council adopts the updated Reserves Policy.*

### **PREVIOUS COUNCIL DISCUSSION**

The Reserves Policy has been amended regularly over the years to cater for the most current and relevant use of Council's reserves.

The last amendment was undertaken at the Ordinary Meeting of Council held on 27 June 2011, where a War Memorial Restoration Reserve was added.

### **BACKGROUND**

The Reserves Policy has been reviewed in line with Council's review of all policies, and has been placed in the new policy framework template.

The policy's review has provided the opportunity to amend wording in the Movement of Reserves section of the policy where necessary to ensure that it reflects accurately Council's intent.

The amended Reserves Policy has been included as Attachment 6.2.

### **ISSUES/DISCUSSION**

Nil



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**6.3 SECTION 86 COMMITTEE OF MANAGEMENT AMENDED INSTRUMENT OF DELEGATION:  
CAMPBELLS FOREST HALL  
PYRAMID HILL MEMORIAL HALL**

**SUMMARY**

This report seeks Council's approval of amended Instruments of Delegation for the Campbells Forest Hall and Pyramid Hill Memorial Hall Committees of Management.

Author: Jude Holt, Director Corporate Services  
File No: 02/01/15  
Attachment: 6.3(a) and 6.3(b)

**RECOMMENDATION**

*That Council approves the amended Instruments of Delegation for:*

- 1. Campbells Forest Hall Committee of Management*
- 2. Pyramid Hill Memorial Hall Committee of Management.*

**PREVIOUS COUNCIL DISCUSSION**

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

**BACKGROUND**

The Instruments of Delegation for the Campbells Forest Hall Committee of Management and Pyramid Hill Memorial Hall Committee of Management are presented to Council for approval.

The delegations have been amended to the format that Council approved at the Ordinary Meeting held on 23 April 2012.

The Instruments of Delegation is provided as Attachment 6.3(a) and 6.3(b).

**ISSUES/DISCUSSION**

Nil



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## 6.4 MAY 2012 AUDIT COMMITTEE MEETING

### **SUMMARY**

This report provides Council with an overview of the Audit Committee meeting held on 17 May 2012.

Author:	Jude Holt – Director Corporate Services	
File No:	06/02/003	
Attachment:	6.3(a)	Audit Program
	6.3(b)	Rates Revenue Review Report
	6.3(c)	VAGO Better Practice Results
	6.3(d)	Interim Management Letter
	6.3(e)	Audit Committee Charter
	6.3(f)	Annual Performance Survey

### **RECOMMENDATION**

*That Council:*

1. *Receives and notes the:*
  - a. *May 2012 Audit Committee Meeting Report*
  - b. *Audit Program as amended*
  - c. *Victorian-Auditor General's Better Practice Results for 2010/2011*
  - d. *Interim Management Letter for the year ended 30 June 2012*
  - e. *Annual Performance Survey*
2. *Endorses the performance improvement recommendations documented in the Audit Report for Rates Revenue*
3. *Endorses the changes to the Audit Committee Charter*
4. *Extends the term of the Chair, Mr Ken Belfrage, to 31 May 2013.*

### **PREVIOUS COUNCIL DISCUSSION**

The February 2012 Audit Committee Meeting was reported at the Ordinary Meeting of Council on 26 March 2012.

### **BACKGROUND**

The Audit Committee held a meeting on Thursday 17 May 2012 at the Wedderburn Office. There was one apology for the meeting.

There were a number of items discussed at the Audit Committee meeting; a summary of the major items addressed are noted as follows:

- An election for Chair was held. Mr Ken Belfrage was the only nomination, and after accepting the nomination, he was elected as Chair. The Council endorsed that recommendation at the Ordinary Meeting held on 28 May 2012.

- Council's Internal Auditor, Mark Holloway from HLB Mann Judd, provided the committee with an overview of :
  1. The Audit Program, which has entered its second of four years. The committee recommended some changes to the program, which included the introduction of Business Continuity, and a change of timing to the reviews for IT Network Security, Policy Framework, and Financial Policies and Procedures.
  2. The Review of Rates Revenue Report. It was noted that the results of the audit were very good, and there were only 3 improvement recommendations in the report. They will be included on the Audit Committee's Outstanding Action List, and will be updated at each Audit Committee Meeting until they are complete.
- The committee was provided with a report on Better Practice Results from the 2011 end of financial year audit provided by the Victorian Auditor-General. Council was assessed as "Developed" in all but one category, being the Preparation of Shell Statements which was assessed as "No Existence", as they were not provided to the auditor. Developed is the category below "Better Practice".
- The committee was provided with an Interim Management Letter for the year ended 30 June 2012. This was an amended letter after errors were discovered on the original letter and discussions held with the external auditor. The external audit firm agreed to make amendments to more accurately reflect Council's performance.
- The committee undertook the annual review of the Audit Committee Charter and made amendments to Clause 2.2(g) to more clearly reflect the election of Chair process.
- The committee were provided with the summary of their responses to the Annual Performance Survey and attended to some of the recommendations that suggested further discussion by committee members. Their responses have been reflected in the report provided to Council.
- An overview of the 2012/2013 draft budget process was provided to the committee.
- Standing items were provided to the committee. They included:
  1. Fraud Report
  2. Major Lawsuits
  3. Monthly Finance Report
  4. MAV Step Records Management Report
  5. Procurement Excellence Project Report
  6. Risk Management Report
- The outstanding actions list was presented to the committee. At the end of the reporting period there were 20 actions outstanding; seven of these were not started, and 13 were works in progress.
- Council's Manager Tourism and Manager Recreation and Community Development addressed the committee to provide them with information about their respective departments and the programs that they manage.

There were 6 items referred to Council:

1. Audit Program
2. Rates Revenue Review Report
3. VAGO Better Practice Results
4. Interim Management Letter
5. Audit Committee Charter
6. Annual Performance Survey

These items are included as Attachments 6.3(a), 6.3(b), 6.3(c), 6.3(d), 6.3(e), and 6.3(f).

The next internal audit report will be presented to the Audit Committee in August 2012; that report will be in relation to advice provided by the Planning Department.

### **ISSUES/DISCUSSION**

There is an anomaly in relation to the election of Chair due to the wording of the amended Audit Committee Charter, which should be addressed.

The wording in Clause 2.2(g) now states:

“At the second Audit Committee meeting each year an election of Chair from the external members of the committee will be held.

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

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

Currently, Mr Belfrage’s term is scheduled to cease on 30 April 2013; 30 April being the end date of past Chairs.

With the rewording of the Charter, and the second Audit Committee meeting being in May each year, the committee would be without a Chair for a period of one month.

This report recommends that Mr Belfrage’s term be extended to 31 May 2013 to overcome the anomaly.



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## 6.5 LONG SERVICE LEAVE FINANCING POLICY

### **SUMMARY**

This report seeks Council's approval of the Long Service Leave Financing Policy.

Author: Duncan Campbell - Financial Accountant  
File No: 18/01/001  
Attachment: 6.5

### **RECOMMENDATION**

*That Council adopts the Long Service Leave Financing Policy.*

### **PREVIOUS COUNCIL DISCUSSION**

Nil

### **BACKGROUND**

Until 18 February 2012, Council was guided by the Local Government (Long Service Leave) Regulations 2002 in the provision of long service leave for Council employees.

On 18 February 2012 the 2002 regulations were revoked and replaced by the Local Government (Long Service Leave) Regulations 2012.

### **ISSUES/DISCUSSION**

There was a requirement under the 2002 regulations that Council maintain a specific bank account for the Long Service Leave Provision under a defined formula (as a minimum).

The new regulations have no such requirement, and in fact, are silent on the requirement. This means that long service leave entitlements of employees no longer need to be "cash backed" by Council.

Council's long service leave provision is a substantial liability in the Balance Sheet. At 30 June 2011 the provision was 23% of the total liabilities at \$1.4 million, and at 30 June 2010 it was 21% of the total liabilities at \$1.3 million.

Council's philosophy in using reserves to put money away for future commitments fitted well with the revoked regulations requirement to "cash back" the long service leave provision.

This report suggests that Council continue this practice and enforces its use by creation of a Long Service Leave Financing Policy.

This policy would require that long service leave funds are kept separate from other funds to ensure the integrity of the Provision, and to keep those funds out of informal working capital calculations.

Employees could be confident that Council has long service leave funds fully cash backed and available for their immediate use when applications are approved.

The draft Long Service Leave Financing Policy has been included as Attachment 6.5.



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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 May 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 DRAFT MUNICIPAL FIRE MANAGEMENT PLAN

### **SUMMARY**

Report seeks Council endorsement of the Draft Municipal Fire Management Plan 2012-2015 and approval to initiate the public consultation process for the plan during the month of July 2012.

Author: Kim Isbister – Emergency Management Coordinator.  
File No: 11/01/001  
Attachment(s): Draft Municipal Fire Management Plan 2012 -2015

### **RECOMMENDATION**

*That Council endorse the Draft Municipal Fire Management Plan and approve its release for public comment during the month of July 2012.*

### **PREVIOUS COUNCIL DISCUSSION**

During its ordinary meeting on 26 September 2011 Council resolved to disband the Fire Prevention Planning Committees and form a Municipal Fire Management Planning Committee.

Additionally, Council also endorsed the 2011-2012 Municipal Fire Prevention Plan to remain as the transitional plan until the Municipal Fire Management Plan development process was completed and the final plan is adopted by Council.

### **BACKGROUND**

Under the Integrated Fire Management Planning Framework, the Municipal Fire Management Planning Committee has developed the attached draft plan which embraces the Preparedness, Prevention, Response and Recovery provisions of Fire Management.

The Municipal Fire Management Plan also includes fire prevention provisions and requirements under Section 55 of the CFA Act 1958 therefore replacing the Municipal Fire Prevention Plan.

Under the transition requirements of the Integrated Fire Management Planning Framework, it is a requirement that Council continue to comply with the Audit requirements under Section 55 of the CFA Act in that it maintains a compliant Municipal Fire Prevention Plan until the draft Municipal Fire Management Plan is adopted by Council as a sub-plan under the Municipal Emergency Management Plan. The current Municipal Fire Prevention Plan meets these requirements.

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

The EMMV guidelines are issued to municipal emergency management planning committees 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 municipal emergency planning committee must give effect to any direction or guideline issued by the Co-ordinator in Chief (S 21(5)).

The integrated fire management planning framework 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 Municipal Fire Management Plan 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 Municipal Fire Prevention Plan 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 Municipal Fire Management Planning Committee 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 committee and supported by the Integrated Fire Management Planning Coordination Team.

The integrated agency process utilised in the development of the draft Municipal Fire Management Plan 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 Planning Preparedness Response Recovery spectrum.

### **ISSUES/DISCUSSION**

The Municipal Fire Management Planning Committee and the Municipal Emergency Management Planning Committee endorsed the draft Municipal Fire Management Plan 2012-2015 at their meeting on the 1<sup>st</sup> May 2012 as being suitable for public consultation and have recommended that the draft Municipal Fire Management Plan 2012-2015 be presented to Council for endorsement.

As part of the public consultation phase the plan will be sent to the Loddon Mallee Regional Strategic Fire Management Planning Committee for comment, prior to the recommendation to Council for adoption.

For councils wholly or partly within the Country Area of Victoria, the Municipal Fire Management Plan as adopted by Council will be deemed to meet the requirement for a Municipal Fire Prevention Plan 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 Municipal Fire Management Plan will also be audited under S 55B of the Country Fire Authority Act 1958

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

Following the public consultation phase it is expected that a final version of the Municipal Fire Management Plan will be presented at the Council ordinary meeting scheduled for 24 September 2012 seeking adoption as a sub plan of the Municipal Emergency Management Plan.



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### 7.3 PROPOSED LOCALITY BOUNDARY AMENDMENT BETWEEN SALISBURY WEST AND BRIDGEWATER NORTH

#### **SUMMARY**

Report recommends the realignment of the locality boundary between Salisbury West and Bridgewater North to coincide with the Loddon River between Loddon Plains Rd and McAllister Lane.

Author: Lauren Lloyd – Technical Officer – GIS Infrastructure  
File No: 14/01/001  
Attachment: Map 1 - General Location of Boundary issue  
Map 2 - Proposed Locality Boundary Amendment

#### **RECOMMENDATION**

*That Council:*

- 1. Lodge an application with the Registrar of Geographic Place Names to realign the locality boundary between Salisbury West and Bridgewater North to coincide with the Loddon River between Loddon Plains Rd and McAllister Lane*
- 2. Advise the submitters of Council's decision to seek realignment of the locality boundary between Salisbury West and Bridgewater North to coincide with the Loddon River between Loddon Plains Rd and McAllister Lane*

#### **PREVIOUS COUNCIL DISCUSSION**

Nil

#### **BACKGROUND**

Municipal councils are responsible for determining geographic locality boundaries, with Australia Post subsequently allocating postcodes to provide the most effective mail service to that geographic locality. The postcode boundary should however align as closely as possible with the geographic locality boundary. Each geographic locality should only have one postcode, but a postcode may encompass more than one geographic locality.

In March 2012 Council received a request from a local resident seeking realignment of the locality boundary separating Salisbury West and Bridgewater North so as to coincide with the Loddon River between Loddon Plains Road and McAllister Lane.

As seen within the attached maps, the existing boundary between the above localities travels north along the Loddon River until it meets the Loddon Plains Rd. The boundary then changes direction, traveling east from the Loddon River along Loddon Plains Rd for approximately 1.5km before traveling north-east along Old Bridgewater Serpentine Road for a further 1.8km, then west along McAllister Lane approximately 900m where it again meets and continues north along the Loddon River.

The request received by Council contends that the locality boundary that separates Bridgewater North and Salisbury West should remain contiguous with the Loddon River for the entire boundary. It has been argued that this will alleviate issues currently being experienced by the resident in question with respect to electoral, postal and other utility services.

### **ISSUES/DISCUSSION**

In considering the above request, officers have been unable to ascertain as to why the locality boundary was originally established in the manner described above. Looking at the geographic features of this area in isolation, it is considered logical that the boundary between the localities should remain contiguous with the Loddon River.

However, when considering the appropriate course of action in respect of the requested locality boundary change, due consideration must be given to the principles detailed below as contained within the Guidelines for Geographic Names 2010.

#### **Principle 1(B) Recognising the public interest**

- Regard needs to be given to the long term consequences and effects upon the wider community of naming, renaming or adjusting the boundary of a feature, locality or road.

Changes to existing names or boundaries will affect not only the current community but also future residents, businesses, property owners and visitors. Changes to existing names and boundaries of localities and roads can affect emergency response zones, land titles and addresses.

A proposal will be registered only when the long term benefits to the community can be shown to outweigh any private or corporate interests, or short term effects.

#### **Principle 1(C) Ensuring public safety**

- Geographic names and boundaries must not risk public and operational safety for emergency response, or cause confusion for transport, communication and mail services. Many emergency response and other public services (such as mail) are determined by locality boundaries or road extents, and proposals must ensure that operations will not be adversely affected.
- For example, the boundary of a locality must be applied in a way that makes sense not only for the local community, but also for visitors. Similarly, the extent of a road name should ensure easy navigation for pedestrians and vehicles along the entire route from one end to the other.

#### **Principle 3(A) Boundary Location**

- Locality boundaries should align with the cadastral fabric, road centre lines or easily distinguishable topographical features such as waterways or ridgelines. Essentially, the following conventions should be applied:

- If a natural feature such as a waterway or ridgeline is to be used as the boundary for the locality, the boundary should be applied to the centreline of the feature. Exemptions to this include the Murray River, lakes, major rivers and ocean or sea boundaries. In these instances contact the OGN for advice.

The proposed boundary realignment will affect 2 property owners, one of whom is the original applicant. The second property owner affected by this proposal was contacted and provided to opportunity to lodge a submission either in support or objecting to the proposed re-alignment. No submission from this landowner was received and officers have been unable to make direct phone contact.

The applicant currently resides east of the Loddon River and owns one parcel of land upon which a residence has been constructed. The applicant is currently enrolled with the Victorian Electoral Commission at the address of 387 Old Bridgewater Serpentine Road, Salisbury West 3517. At present however their postal address is registered as being the locality Bridgewater 3516 to assist with mail delivery.

After discussions with the Victorian Electoral Commission, no changes can be officially be made to the applicants present address details. Before they are able to update their records permanently from Salisbury West to Bridgewater North, the boundary realignment and locality name changes both need to be lodged and gazetted with the Registrar of Geographic Names.

After discussions with the Bridgewater Post Office it has been identified that residents living in this area on the east side of the Loddon River, generally have their mail distributed via the Bridgewater Post Office, as the majority of parcels are contained within the Bridgewater North locality. Conversely, residents in the area who reside on the west side of the river have their mail distributed from the Inglewood Post Office, as these parcels are generally contained within the Salisbury West locality.

Accordingly, the issue being faced by the applicant with respect to mail delivery services is understandable given that the existing residence is located on the east side of the Loddon River but given the inclusion within the Salisbury West locality mail is often sent via Inglewood rather than via Bridgewater.

The other landowner affected by the proposed realignment does not maintain a residence on any of the identified parcels with the affected area being used for farming purposes. Accordingly it is highly unlikely that the proposed boundary alignment will have any impact.

After considering the circumstances surrounding the applicants request and the fact that the proposal is considered to comply with all the principals outlined within the Guidelines for Geographic Names, it is recommended that Council initiate proceedings to correct this anomaly.



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#### 7.4 RECOMMENDATION IN RESPONSE TO REQUEST FOR EXTENSION – PERMIT APPLICATION 4264

##### SUMMARY

A request has been received to extend Planning Permit 4264. This report recommends that the request be refused.

Author: Tyson Sutton – Manager Planning and Local Laws  
File No: 13/02/004  
Attachment: Planning Permit 4264, Request for an extension of time

##### RECOMMENDATION

*That Council refuse to grant an extension to planning permit 4264.*

##### PREVIOUS COUNCIL DISCUSSION

Nil.

##### BACKGROUND

Planning permit 4264 was issued under delegation on 21 April 2008. It allows for the use and development of a dwelling on CA3 Section G Parish of Tarnagulla in association with hydroponic horticulture. The property is located within the Farming Zone of the Loddon Planning Scheme and a permit is required as the land is less than 40 hectares in area.

A request has been made to extend planning permit 4264 for an additional two years. This is the second such request with an extension having previously been granted on 19 May 2010.

##### ISSUES/DISCUSSION

Applications for the extension of time of a planning permit can be made to the Responsible Authority in writing. An application fee is not generally charged to consider a request. It is important to note that the Responsible Authority has the discretion to consider these applications, but they must be considered in accordance with the Planning Scheme.

The relevant test for assessing whether an extension to an existing permit should be approved is known as the 'Kantor Test', established by the case of *Kantor v Murrindindi Shire Council* (1997) [18 AATR 285]. The principles by which an application is assessed are as follows:

- **Whether there has been a change of planning policy.**

Changes in planning policy, such as rezoning, new overlays or variations to other provisions of the Loddon Planning Scheme would need to be considered to determine whether those changes mitigated against extending the expiry date for a permit.

- **Whether the land owner is seeking to 'warehouse' the permit.**

This refers to a permit holder who retains the permit to increase the value of the land without intention of undertaking the works directly. Some landowners seek to gain a permit with the sole intent of increasing the value of their property. This is known as warehousing of a permit.

If such is revealed to be the case, this is a circumstance that would be considered unfavourably in exercising the power to extend a permit. Planning permits are granted to facilitate use and development of land, amongst other things and a permit holder who is revealed to have no intention of developing is not afforded the same favourable view as a permit holder whose construction has been halted for legitimate intervening circumstances.

- **Any intervening circumstances which bear upon grant or refusal.**

This is a general provision that allows other matters to be considered. Staff at times utilise this provision where for instance the ill health of the permit holder has prevented completion of works.

- **The total elapsed of time between the permit issuing and the request.**

The actual number of years between the granting of a permit and the proposed extension of time is relevant to the consideration of an application to extend. If this is the only factor that is in dispute, then there is a time, somewhere between two and six years after which a permit is considered to be stale and an extension of time is not warranted.

- **Whether the time limit originally imposed was adequate.**

The standard permit timeframe allows two years to complete a development or commence a use (different timeframes may be provided at the discretion of the Responsible Authority). The Responsible Authority must consider whether the time allowed was sufficient to act on the permit. If an original expiry time was manifestly inadequate, this would be a compelling argument to allow an extension of time.

- **The economic burden imposed on the landowner by the permit.**

The Responsible Authority is required to consider whether an unreasonable economic burden would accrue to the permit holder if an extension of time was refused. At times Council is faced with a person who has almost completed their construction but such building works cannot be brought to a completion without the permit expiry being extended. In such cases, permits are routinely extended to allow for completion.

- **The probability of a permit being issued should a fresh application be made.**

If an application for the same use or development would result in a similar permit being granted, it is acknowledged by all that forcing the permit holder through the application process a second time is not warranted and such a permit would normally be extended if other Kantor tests were not relevant.

Planning officers undertake the assessment of each extension of time application against these criteria. An assessment of this particular application for extension against the Kantor criteria is provided as follows:

- **Whether there has been a change of planning policy.**

There have not been any significant changes in planning policy since the original application was granted. However, the Loddon Shire has undertaken a considerable body of work in the Rural Zones Review 2012 that recommends changes in planning policy, rezoning and variations to other provisions of the Loddon Planning Scheme to protect farmland and avoid proliferation of dwellings in the Farming Zone unless a strong tie to agriculture can be demonstrated.

The original application was made for a dwelling necessary to support the development of the land for a hydroponic horticultural operation. The conditions of the permit were constructed to bind the use and development of the dwelling to the horticultural pursuit.

- **Whether the land owner is seeking to 'warehouse' the permit.**

It is considered that the permit holder is seeking to warehouse the permit. The applicant for the extension of time is a real estate business who currently has the property listed for sale. This suggests that they have no intention of developing the land and are seeking the extension to increase the value of the property.

- **Any intervening circumstances which bear upon grant or refusal.**

The applicant has provided no information in regard to any intervening circumstances that bear upon grant or refusal. As such it is considered that on this occasion that there are no intervening circumstances which may support granting an extension of time.

- **The total elapsed of time between the permit issuing and the request.**

The planning permit was issued on 21 April 2008 and has already been granted an extension for an additional two years. The failure of the development to commence within the four year life of the permit is indicative that the current owner has no real intention to act upon it.

- **Whether the time limit originally imposed was adequate.**

The permit as originally issued allowed two years for the development to be completed. The permit was extended for an additional two years giving a total of four years to act. Four years is considered more than adequate for the development of a dwelling and associated hydroponic installation on the land.

- **The economic burden imposed on the landowner by the permit.**

Given that the approved development of the land has not commenced no economic burden can be assumed through a refusal to extend the permit. There has been no progress or obvious investment in the allowed development.

- **The probability of a permit issuing should a fresh application be made.**

The grant of the original permit was based on the proposed use of the land for horticulture (hydroponics). Following Council's adoption of the Rural Zones Review 2012 and the policy recommendations contained therein it is unlikely that an identical application would be supported without significant prior investment to establish the agricultural use of the land.



## 7.5 2012-2013 COMMUNITY GRANTS SCHEME

### **SUMMARY:**

Report provides Council with a summary of applications received and associated funding recommendations made under the 2012/2013 Loddon Shire Council Community Grants Scheme.

Author: Allan Stobaus Manager; Community and Recreation Development  
File No: 16/02/001  
Attachment: 2012 -2013 Community Grants Scheme

### **RECOMMENDATION**

*That Council:*

1. *Approve \$199,769 in grants under the 2012/13 Loddon Shire Council Community Grants Scheme for those projects as nominated within the attached schedule.*
2. *Request officers revise the Community Grant Scheme guidelines for the 2013-14 and beyond, to ensure consistency with recent changes to the scheme structure and annual budget allocation.*

### **PREVIOUS COUNCIL DISCUSSION**

During a special Council forum on 18 May 2012, Council agreed to implement a number of changes with respect to community planning allocations as well as the community grants program, as part of the proposed 2012-2013 budget.

Specific changes to the Community Grants Scheme were as follows:

1. Increase in the annual Community Grant allocation from \$100,000 to \$200,000.
2. Increase the ratio of Council's support available to applicants (Council:Applicant ratio) from \$1:\$1 to \$2:\$1
3. Increase the maximum individual grant amount available from \$5,000 to \$10,000.
4. Incorporate smaller Community Planning projects into the Community Grants Scheme.

### **BACKGROUND**

The Loddon Shire Council Community Grants program was initiated in 2000 with the aim of assisting recreation, sporting and service organisations to deliver projects that improve the quality of life for residents.

Since the scheme's inception, Council has contributed over \$1 million toward delivery of 526 community-based projects worth a total value of approximately \$4 million dollars.

Recent changes, as detailed above, have seen a significant increase in the funding available through the scheme and will facilitate more Community Grant projects being delivered each year. Accordingly, Council's draft 2012/13 budget includes an allocation of \$200,000 for the Community Grants Scheme.

A call for applications under the 2012-13 community grants program was issued via media release and mayoral column in February 2012, along with direct contact with various community groups via email.

Applications for the 2012-13 community grants program closed on the 25<sup>th</sup> May 2012.

### **ISSUES/DISCUSSION**

Recent changes to the funding arrangements under the Community Grants Scheme required that applications be reviewed in detail as they were prepared based upon the previous scheme guidelines.

As such, implementation of the \$2:\$1 ratio has resulted in a number of changes occurring between what may have been requested by the various community groups or committees and the final funding recommendation.

For some applications it became apparent that implementation of the 2:1 ratio would result in the allocation of more cash than was actually needed to complete the project. This is primarily due to the amount of voluntary labor claimed as part of the overall project cost. Accordingly, such applications have been allocated funding based only on the cash component of the project.

Similarly, those projects where the community cash contribution was in line with the 1:1 ratio have been adjusted so that less cash input from the applicant is required whilst maintaining the total project funding required.

As seen within the attached schedule of applications, 46 projects have been recommended for funding, equating to \$199,769 of grants and delivering a total value of projects in the order of \$417,803.

Those projects that have not been recommended for funding include:

1. Boort Football Club - Gymnasium construction: Council have recently supported the BRIC's plans to further develop the existing gymnasium facility. This support consists of a letter of support to the Department of Planning and Community Development for a funding application under the Putting locals First Fund as well as a Community Planning allocation in 2012/13. It is considered that the Football Clubs proposal would result in an un-necessary duplication of facilities.
2. Serpentine Recreation Reserve - Septic system upgrade: This project has not been recommended as a bigger redevelopment of the Football Club/Hall is planned. As part of these plans a new septic system will be required, the design, scope and location of this system has not been established as yet.

3. Inglewood and District Resource Centre - Purchase of battery jump starter: This project has not been recommended as the items required were purchased in 2011 making the application retrospective.
4. Inglewood District Health Service – Funding of a bus trip to Boort to visit tourist attractions and meet with locals to discuss flood recovery: This project is to be funded from the Community Recovery Fund.
5. Care and Share Inglewood – Funding of bus trips to yet to be identified points of interest: This project may also be funded from the Community Recovery Fund.
6. Campbell Forest Halls ‘Roof Restoration Project’ is being considered for funding in the 2012/13 Community Planning budget

Projects recommended for funding that have been transferred from Community Planning to Community Grants are:

1. Winzar Bowling Club: replacement of cladding on the south side of the clubhouse.
2. Boort Historical Society: Archiving of the “Boort Standard”
3. Eddington Hall Committee : Upgrade of park benches and seating
4. Tarnagulla Community Centre: Installation of shelving.
5. Tarnagulla Community Action Group: Installation of giant chess board and balance log at Soldiers Memorial Park.
6. Dingee Progress Association : Construction of Progress Park Fencing

With respect to community planning projects brought across into the Community Grants Scheme, funding allocations have been made based upon the total expected cost. This is primarily due to the transitional changes in these programs following Council discussion in May and the fact that these projects have not been identified to receive supporting in-kind or external funding contributions.



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## 7.6 LODDON SHIRE EVENTS SPONSORSHIP SCHEME

### **SUMMARY**

Report recommends allocation of funding under the Loddon Shire Events Sponsorship Scheme for two major event and ten minor event applications received for the period 1 July– 31 December 2012.

Author: Allan Stobaus - Manager Community and Recreation Development  
File No: 19/02/004  
Attachments: Loddon Shire Events Sponsorship Scheme - 1 July to 31 December 2012.

### **RECOMMENDATION**

*That Council allocate \$6,000 in grants under the 2012/13 Loddon Shire Council Events Sponsorship Scheme for two major and ten minor events as listed within the attached schedule.*

### **PREVIOUS COUNCIL DISCUSSION**

At its Ordinary meeting held during June 2011, Council resolved to allocate a total of \$6,400 under the 2011/12 Loddon Shire Council Events Sponsorship Scheme towards 4 major events and 6 minor events during the period 1<sup>st</sup> July to 31<sup>st</sup> December 2011.

At its ordinary meeting held during December 2011, Council resolved to allocate a total of \$5,000 under the 2011/12 Loddon Shire Council Events Sponsorship Scheme towards 3 major events and 5 minor events during the period 1<sup>st</sup> January to 30<sup>th</sup> June 2012. A further 3 minor events received supplementary funding in January 2012 following approval by Council for a further allocation of \$1200.

### **BACKGROUND**

Since the inception of the Loddon Shire Events Sponsorship Scheme in 1999, approximately \$156,000 has been allocated to support various community and public events throughout the Shire.

The guidelines of the scheme are as follows:

1. Recipients of allocations are required to enter into a formal accountability process including:
  - Acceptance of a formal agreement outlining conditions of the grant prior to receiving the allocation.
  - Provision of a completion statement confirming that the grant has been spent in accordance with the grant conditions.
2. Two funding categories are available, namely:

- Major Event Category: Grants available up to \$1,000 for events of regional or state significance i.e. state sporting events and/or major festivals, and that attract a significant number of visitors from outside the region.
  - Minor Event Category: Grants available up to \$400 for events of local and sub-regional significance i.e. annual sporting tournaments or local community festivals.
3. Allocations will be made bi-annually with funding recommendations reported to Council as follows:
- *For events planned during the period 1<sup>st</sup> January 2012 – 30<sup>th</sup> June 2012: Applications must be received no later than 5pm, 30<sup>th</sup> November 2011 with recommendations reported to Council at the December Council Meeting.*
  - *For events planned during the period 1<sup>st</sup> July 2012 – 31<sup>st</sup> December 2012: Applications must be received no later than 5pm, 30<sup>th</sup> May 2012 with recommendations reported to Council at the June Council Meeting.*

### **ISSUES/DISCUSSION**

A total of twelve applications have been received for events to be held between 1 July 2012 and 31 December 2012.

Six of these applications requested funding under the Major Events Category. Of these two were considered eligible with the remaining 4 applications, listed below, considered ineligible for major event classification but eligible for minor event classification.

- Inglewood Riding Club HRCAU: Navigational Ride Event.
- Loddon Mallee Southern Regional Tourism: Out and About In Tarnagulla
- Loddon Darts: Fossickers Cup
- Inglewood Lions Club: Christmas Festival

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

### **8.1 COMMUNITY PLANNING PROGRAM 2012-13**

#### **SUMMARY**

This report provides Council with recommendations from the Community Planning *Project Assessment Committee* for projects to be funded in the 2012-2013 financial year.

Author: Tim Jenkyn, Manager Community Planning  
File No:  
Attachment: Loddon Shire Community Planning Projects 2012-2013

#### **RECOMMENDATION**

*That Council approve the 2012-2013 projects in accordance with the attached list.*

#### **PREVIOUS COUNCIL DISCUSSION**

- Council Report December 2011 – Community Infrastructure Priorities
- Council Forum April 2012 – Wedderburn Ward Councillor Discussion Paper
- Council Forum April 2012 – Community Planning, Engagement and Ward Boundary Changes
- Council Budget Meeting May 2012

#### **BACKGROUND**

Through the budget process Council has endorsed changes to funding of the Community Planning Program and the Loddon Shire Community Grants Program commencing next financial year.

In the 2012-13 financial year Community Plan funding is based on a \$50,000 allocation per ward (5 wards totalling \$250,000), an increase from \$100,000 to \$200,000 for the Loddon Shire Community Grants Program and a \$500,000 Community Planning Strategic Fund Allocation.

This approach acknowledges changes to occur with the ward boundary structure at Council elections in late 2012, where Loddon becomes a five ward Council as opposed to four, and documented in the *Electoral Representation Review March 2011*. The attached assessment committee report acknowledges these changes.

Community Planning Committees have submitted projects based on an allocation of \$100,000 per ward. The assessment committee discussed each project in relation to the total funding available and community contribution to each project. As stated in the attached report consideration was given to Councils total allocation to community building projects:

Community Plan Funding 2012-13	\$250,000
Shire Community Grants 2012-13	\$200,000
CP Strategic Fund 2011-12	\$200,000 (Unallocated)
CP Strategic Fund 2012-13	\$500,000
<b>Total</b>	<b>\$1,150,000</b>

### **ISSUES/DISCUSSION**

Council received 54 projects for consideration in community planning for the next financial year. The assessment committee met once to assess the projects submitted from the 15 district community planning groups and recommend funding support for 28 of the projects.

The total cost of projects identified from documents submitted by community planning groups in March 2012 amounted to \$506,800.

The assessment committee recommends allocating \$556,100 as per the attached spreadsheet. This is based on \$250,000 community plan funds, \$21,100 shire community grants and a \$285,000 community plan strategic fund allocation.

This recommendation is taken in view of the strategic nature of certain projects, either from a planning perspective, seed funding allocation or local partnership point of view. It has also been assessed in relation to projects submitted through the Loddon Shire Community Grants Program where funding is identified as available. The recommendations also maximise investment in medium scale projects through the community plan fund - projects that don't quite fit the current criteria of either the grants program or are of a significant strategic nature.

Projects submitted by community planning groups for Council's consideration are consistent with the themes that community planning promotes. Together with management plans and policy, the evaluation committee assessed projects with regard to the Council Plan 8 key areas of focus. In particular the program corresponds with 5 of these areas namely Advocacy, Asset Management, Township Amenity and Beautification, Social Connections and Community Engagement.



## 8.2 LODDON SHIRE GALA EVENING 2012

### **SUMMARY**

Final report for the proceedings for the 2012 Loddon Shire Gala Evening.

Author: Christine Coombes

File No:

Attachment:

### **RECOMMENDATION**

*That Council receive and note the final report on the Loddon Shire Gala Evening 2012.*

### **PREVIOUS COUNCIL DISCUSSION**

Council reports have been presented previously on the format and details of the gala evening.

### **BACKGROUND**

Loddon Shire Gala Evening was held at the Serpentine Hall on Thursday May 31 at 6pm.

### **ISSUES/DISCUSSION**

The Serpentine Hall was the venue for the 2012 Gala Evening.

- Tickets sales were steady with a total of 125 guests in attendance
- Council invited a total of 58 guests with 29 in attendance
- Five tables of ten were booked, receiving the incentive of one red and one white bottle of wine gift wrapped
- The smaller attendance enabled guests to network between tables during the evening
- Pre-dinner drinks and canapés were served in an adjoining marquee

Mayor Geoff Curnow opened the evening with a welcome address and admirably performed the master of ceremonies duties. Ian Gillingham, Regional Asset Manager, Powercor Australia as sponsor of the event presented an opening address to the audience.

Entertainment for the evening was in two formats:

- Guest Speaker was Alana Johnson, 2010 Victorian Rural Women of the year
- Big Brother Little Brother enthralled the crowd with their entertainment

Catering was supplied by Two Sisters Pty Ltd. Once again the quality of the meals and service provided by the waiting staff was exceptional.

Bar service was provided by the Serpentine Football Club with refreshments purchased from local wineries, Serpentine Hotel and Randalls Foodworks Wedderburn.

2013 will see the Loddon Powercor Excellence Awards held in May with nominations open in February 2013.

A report regarding the options for the venue, proceedings and format for the 2013 Excellence Awards will be provided at a further council meeting.

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 23 July 2012 at Serpentine commencing at 3.30pm.