

**LODDON SHIRE COUNCIL - MINUTES OF THE ORDINARY MEETING HELD IN THE COUNCIL CHAMBERS AT BOORT – MONDAY 24 SEPTEMBER 2012**

The meeting commenced at 3.30pm with the Prayer.

**Present**

Cr Geoff Curnow (Mayor)  
Cr Neil Beattie  
Cr Christine Brooke  
Cr Allen Brownbill  
Cr Gavan Holt

**In Attendance**

Mr John McLinden, Chief Executive Officer  
Mr Ian McLauchlan, Director of Operations  
Mrs Jude Holt, Director Corporate Services  
Mrs Wendy Gladman, Acting Director Community Wellbeing

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UNCONFIRMED

**1. APOLOGIES**

Nil

**2. PREVIOUS MINUTES**

**2.1 CONFIRMATION OF MINUTES**

**SUMMARY**

Approval of the Forum Minutes of 27 August 2012.

Approval of Ordinary Minutes of 27 August 2012.

Author: John McLinden - Chief Executive Officer

File No: 02/01/001

Attachment: Nil

**RECOMMENDATION**

*That the:*

- 1. minutes of the Council Forum of 27 August 2012 be confirmed*
- 2. minutes of the Ordinary Council Meeting of 27 August 2012 be confirmed*

**MOTION**

**Moved: Cr Brooke**

**Seconded: Cr Holt**

That the:

1. minutes of the Council Forum of 27 August 2012 be confirmed
2. minutes of the Ordinary Council Meeting of 27 August 2012 be confirmed

**Carried**

**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.*

**MOTION**

**Moved: Cr Brooke**

**Seconded: Cr Brownbill**

That the Action Sheet be received and noted.

**Carried**

3. **INWARDS CORRESPONDENCE**

Nil.

UNCONFIRMED

#### 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.*

<b>Calder Highway Improvement Committee</b>	
Nil	
<b>Municipal Fire Management Plan</b>	
<b>Central Murray Region Waste Management Group</b>	
<b>Other Council Activities</b>	
29/8/12	Community Planning Meeting for the Shire held at Serpentine Bowling Club
2/9/12	Opening of fishing platform on Serpentine Creek at Durham Ox, by Hon. Peter Walsh
3/9/12	Bridgewater Progress Association AGM
4/9/12	Newbridge Reserve Pavilion Planning Committee meeting
5/9/12	Inglewood Neighbourhood Watch meeting held at Bridgewater
6/9/12	Legislative Council sitting at Bendigo Town Hall
9/9/12	Vintage machinery rally at Wedderburn
9/9/12	10 year celebration concert of Goldfields Choir at Inglewood Town Hall
10/9/12	Grains Industry Training Network meeting re “make it work” project – a training program to upskill young people to make them more employable
11/9/12	Meeting with local people at Campbells Forest to discuss the planning permit of proposed greyhound breeding farm
12/9/12	Met at Capital Theatre Bendigo with Dja Dja Wurrung Clans to hear about the current Native Title Claim
14/9/12	Attended the Farm Diversification Expo held at Campbells Forest Hall

15/9/12	Rheola Hall to open the annual Friends of Kooyoora Wildflower Show and Photography competition
15/9/12	Loddon Valley Football, Netball Grand Final
18/9/12	VECCI Luncheon at Windsor Hotel, Melbourne
18/9/12	VEC Information Meeting at Serpentine office
19/9/12	Attended Rural Councils Victoria meeting at Windsor Hotel with CEO
20/9/12	Attended the AGM of Campbells Forest hall
21/9/12	Bendigo Town Hall for the signing of the MOU for Tourism in Greater City of Bendigo, Central Goldfields, Mt Alexander and Loddon Shires
22/9/12	Attended North Central football, netball and hockey grand final at Boort
24/9/12	Loddon Shire Council meeting at Boort

**MOTION**

**Moved: Cr Brooke**

**Seconded: Cr Beattie**

That the Mayoral Report be received and noted.

**Carried**

## 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.*

#### Cr Brooke

<b>North Central Goldfields Regional Library</b>	
31/8/12	Board meeting – Kyneton Various meetings with CEO on planning and building issues
17/9/21	Review of newly opened temporary library premises
<b>Loddon Youth Committee</b>	
Nil Report	
<b>Recreation Strategy Implementation Steering Committee</b>	
Nil	
<b>Nature Tourism Steering Committee</b>	
<b>Other Council Activities</b>	
29/8/12	Community planning information evening at Serpentine
2/9/12	Launch of fishing platform at Serpentine Creek, Durham Ox
4/9/12	NCCMA Board meeting
14/9/12	Opened conference and co-MC for Farm Diversification Expo run by Loddon Bendigo Rural Womens Network at Campbells Forest Hall
15/9/12	Judge for Loddon Shire Encouragement Award at Dingee Youth Talent Quest
18/9/12	Pyramid Hill Progress Association Chair – AGM
19/9/12	Launch of East Loddon Community Bus at East Loddon School Fete
24/9/12	Council meeting, Boort

**Cr Brownbill**

<b>Municipal Association of Victoria</b>	
Nil Report	
<b>Municipal Association of Victoria Strategic Environment Advisory Group</b>	
Nil Report	
<b>Municipal Emergency Management Plan Committee</b>	
Nil report	
<b>Healthy Minds Network</b>	
Nil Report	
<b>Other Council Activities</b>	
27/8/12	Council meeting
11/9/12	Public meeting at Campbell's Forest over planning permit
4 and 18/9/12	Newbridge Recreation reserve meeting (New building)
17/9/12	Tarnagulla action group annual meeting
20/9/12	MAV State Council

**Cr Beattie**

<b>Murray Darling Association</b>	
Nil Report	
<b>Boort Aerodrome Committee</b>	
Nil Report	
<b>Little Lake Boort Management</b>	
<b>Other Council Activities</b>	
28/8/12	Chaired senior citizens AGM
28/8/12	Chaired Boort Memorial Hall AGM
29/8/12	Attended NCFL Feeny Medal at Charlton
3/9/12	Attended Boort Development Committee meeting
17/9/12	Chaired BRIC AGM
22/9/12	Attended NCFL Grand Final
24/9/12	Council meeting, Serpentine



**Cr Holt**

<b>Municipal Association of Victoria (substitute)</b>	
Nil	
<b>Calder Highway Improvement Committee</b>	
<b>Australia Day Committee</b>	
<b>Audit Committee</b>	
<b>Other Council Activities</b>	
<b>DATE</b>	<b>Activity</b>
28/8/12	Attended in Korong Vale a meeting of Wedderburn Community Bank Steering Committee
29/8/12	Attended in Charlton North Central Football League Awards Night where Brett Strange of Wedderburn was joint winner of league best player medal
1/9/12	September is of course winter sport finals month and I have attended many of them. Attended NCFL 1 <sup>st</sup> semi final at Birchip
2/9/12	Attended Loddon Valley Football and Netball league elimination finals at Pyramid Hill
8/9/12	Attended NCFL 2 <sup>nd</sup> semi final at Wycheproof
8/9/12	Attended Wedderburn Engine Club annual engine rally. Again an excellent event
9/9/12	Attended Loddon Valley football netball finals at Bridgewater
11/9/12	Attended Wedderburn Community Bank Steering Committee meeting at Wedderburn
11/9/12	Attended a site meeting at Campbell's Forest regarding a planning permit application for a dog breeding establishment
12/9/12	Attended Wedderburn Shearing School Committee meeting
13/9/12	Attended Wedderburn College general assembly in my role as Chair of Council's Australia Day Committee to present prizes from the 2012 awards and to promote next year's competition
15/9/12	Attended NCFL preliminary finals at Donald
19/9/12	Met with Korong Vale Hall Committee/Community Planning Committee to discuss the Wedderburn and District Community Bank and other issues.
23/9/12	Attended NCFL grand finals at Boort where Wedderburn won the senior

	football premiership and in fact 5 premierships on the day.
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**MOTION**

**Moved: Cr Beattie**

**Seconded: Cr Brooke**

That the Councillors' Reports be received and noted.

**Carried**

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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

Creation of easement agreement between grantor W Lane and G Brereton, Wedderburn and grantee Loddon Shire Council of part of land described in Certificate of Title Volume 10284 Folio 443

Contract 238 Rehabilitation and Resealing of Boort Quambatook Road from Ch1920m to Ch2891m and associated drainage works between Loddon Shire Council and Bitu-mill (Vic) Pty Ltd

Lease agreement between Loddon Shire Council (landlord) and Graincorp Operations Ltd (tenant) for silo – Woolshed Rd, Boort, and Part of Lot 1 on Plan of Subdivision No. 414125 Parish of Boort

Instrument of Delegation for Inglewood Town Hall Committee of Management

Instrument of Delegation for Yando Public Hall Committee of Management

#### MOTION

**Moved: Cr Holt**

**Seconded: Cr Brownbill**

*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

**Carried**

## 5.2 REVIEW OF DELEGATIONS, AUTHORISATIONS AND APPOINTMENTS

### SUMMARY

Updated Instruments of Delegation and Appointments and Authorisations for Council approval.

Author: John McLinden, CEO  
 File No:  
 Attachment: Instrument of Delegation to the CEO  
 Instrument of Delegation to council staff  
 Instrument of Appointment and Authorisation

### RECOMMENDATION

*That Council:*

- A. *In the exercise of the powers conferred by section 98(1) of the Local Government Act 1989 (the Act) and the other legislation referred to in the attached instrument of delegation, resolves that -*
1. *There be delegated to the person holding the position, acting in or performing the duties of Chief Executive Officer the powers, duties and functions set out in the attached Instrument of Delegation to the Chief Executive Officer, subject to the conditions and limitations specified in that Instrument.*
  2. *The instrument comes into force immediately the common seal of Council is affixed to the instrument.*
  3. *On the coming into force of the instrument all previous delegations to the Chief Executive Officer are revoked.*
  4. *The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.*
  5. *It is noted that the instrument includes a power of delegation to members of Council staff, in accordance with section 98(3) of the Act.*
- B. *In the exercise of the powers conferred by section 98(1) of the Act and the other legislation referred to in the attached instrument of delegation, resolves that -*
1. *There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached Instrument of Delegation to members of Council staff, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.*
  2. *The instrument comes into force immediately the common seal of Council is affixed to the instrument.*
  3. *On the coming into force of the instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked.*
  4. *The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.*

- C. In the exercise of the powers conferred by section 224 of the Act and the other legislation referred to in the attached instruments of appointment and authorisation, resolves that
1. The members of Council staff referred to in the instruments be appointed and authorised as set out in the instruments.
  2. The instruments come into force immediately the common seal of Council is affixed to the instruments, and remain in force until Council determines to vary or revoke them.
  3. The instruments be sealed.
- D. Revokes all existing Instruments of Appointment and Authorisation as listed in the following table, effective from the date that CEO approves new instruments:

<b>Officer</b>	<b>Date authorised</b>
<i>Matthew John Hudson – Municipal Building Surveyor</i>	<i>27/7/2011</i>
<i>Elizabeth Garlick – Manager Environmental Health</i>	<i>30/8/11</i>
<i>Steven Murray Phillips – Assistant Manager Works</i>	<i>27/6/2011</i>
<i>Steven Murray Phillips – Acting Manager Works</i>	<i>25/5/2011</i>
<i>Daniel Hayden Lloyd – Acting Assistant Manager of Works</i>	<i>27/6/2011</i>
<i>Daniel Hayden Lloyd – Technical Officer – GIS</i>	<i>25/5/2011</i>
<i>Teresa Marie Arnup – Manager Environmental Health</i>	<i>25/5/2011</i>
<i>John Anthony Kelly – Relieving Manager Environmental Health</i>	<i>25/5/2011</i>
<i>Travis Andrew Jackson – Local Laws and Fire Prevention Officer</i>	<i>25/5/2011</i>
<i>David Alan Turner – Municipal Building Surveyor</i>	<i>25/5/2011</i>
<i>Ian Ashley McLauchlan – Director of Operations</i>	<i>25/5/2011</i>
<i>Sharlene Rae Stringer – Aged and Disability Service Provision Team Leader</i>	<i>25/5/2011</i>
<i>Julie Ann Nickson – Community Care Coordinator</i>	<i>25/5/2011</i>
<i>Rosemary Joyce Isaac - Cashier</i>	<i>25/5/2011</i>
<i>Heather Helen Christie – Customer Service Officer</i>	<i>25/5/2011</i>
<i>Sandra Jean Steel – Customer Service Officer</i>	<i>25/5/2011</i>
<i>Helen Mary Tonkin – Customer Service Officer</i>	<i>25/5/2011</i>
<i>David Peter John Fry – Acting Manager Infrastructure</i>	<i>25/5/2011</i>
<i>David Peter John Fry – Manager Works</i>	<i>25/5/2011</i>
<i>Tyson Andrew Sutton – Manager Planning and Local Laws</i>	<i>25/5/2011</i>
<i>Anthony John Gibbins – Planning and Local Laws Compliance Officer</i>	<i>25/5/2011</i>
<i>Geoffrey Lewis Pollock – Ranger</i>	<i>25/5/2011</i>
<i>Graeme Ivan Smith – Team Leader Engineering</i>	<i>25/5/2011</i>
<i>Mark Andrew Arnup – Technical Officer – Roads and Drainage</i>	<i>25/5/2011</i>
<i>Dale Thomas Jackson – Technical Officer - Design</i>	<i>25/5/2011</i>

<b>Officer</b>	<b>Date authorised</b>
<i>Susan Margaret Smith – Technical Service Officer</i>	<i>25/5/2011</i>
<i>Lisa Jacqueline Poulter – Manager Local Laws And Records</i>	<i>25/6/2007</i>
<i>Tony Bellenger– Local Laws/Ranger</i>	<i>26/9/2005</i>
<i>John Forster– Local Laws/Ranger</i>	<i>26/9/2005</i>
<i>Alan Jackson– Local Laws/Ranger</i>	<i>26/9/2005</i>
<i>Leigh Poyner– Local Laws/Ranger</i>	<i>26/9/2005</i>
<i>Brian McDonald– Local Laws/Ranger</i>	<i>26/9/2005</i>
<i>Peter Magnone – Local Laws/Ranger</i>	<i>26/9/2005</i>
<i>John Brian McLinden</i>	<i>20/12/2004</i>
<i>Jodie Stewart</i>	<i>26/2/2001</i>

### **PREVIOUS COUNCIL DISCUSSION**

Council previously considered updates to delegations and authorisations and appointments in May 2011.

### **BACKGROUND**

In order for Council officers to effectively and efficiently discharge their duties, specific delegations, authorisations and appointments are required under a variety of Acts.

Due to the ever changing nature of legislation, Council has subscribed to a service by Maddocks legal firm that regularly reviews all applicable delegations, authorisations and appointments. As a result, presentation of new delegations, authorisations and appointments has become a regular process for Council.

The 2011 Local Government Inspectorate Compliance Audit found that Council had not reviewed its delegations within 12 months after a general election in accordance with section 98 (6) of the Local Government Act. Council undertook to conduct a full review of delegations before the next election (by 30 June 2012) and then completed a further review within 12 months after this election (by 30 June 2013).

### **ISSUES/DISCUSSION**

#### **Future approach**

A thorough review of all of Council's delegations, appointments and authorisations has been undertaken, with reference to the support material provided by Maddocks. Some adjustments to the process have been made to streamline the task in future:

1. An Instrument of Delegation to the CEO is proposed, whereby all of Council's powers, functions and duties (with noted exceptions) are delegated to the CEO, under section 98(3) of the Local Government Act 1989.
2. In future, a significant amount of the delegations, appointments and authorisations of council staff will be approved by the CEO applying the instrument of delegation to the Chief Executive Officer.

The advantage of this approach is that most delegations, appointments and authorisations can be issued or revoked immediately when staff changes occur, or new powers are introduced through changes to legislation, without the need to resubmit the issue to Council.

This is important because an action by a council staff member can be legally challenged if they do not have the appropriate delegated powers, or are not properly appointed or authorised, at the time of taking the action.

3. There are exceptions where the CEO does not have the legal authority to delegate Council's powers, functions and duties, due to the way some laws are structured. Therefore Council will continue to be requested to consider a (reduced) package of delegations on a regular basis, and any appointments and authorisations under the Planning and Environment Act only.

This proposed process is applied by several councils and is endorsed by Maddocks, who provide the necessary templates to legally implement it.

### **Revocation of lapsed appointments and authorisations**

A review of the existing appointments and authorisations made by Council found that several were no longer required due to staff changes. Council is requested to approve revocation of all current instruments of appointment and authorisation. This revocation will be effective from the date that the CEO approves the new instruments of appointment.

#### **MOTION**

**Moved: Cr Brooke**

**Seconded: Cr Beattie**

That Council:

- A. In the exercise of the powers conferred by section 98(1) of the Local Government Act 1989 (**the Act**) and the other legislation referred to in the attached instrument of delegation, resolves that -
  1. There be delegated to the person holding the position, acting in or performing the duties of Chief Executive Officer the powers, duties and functions set out in the attached Instrument of Delegation to the Chief Executive Officer, subject to the conditions and limitations specified in that Instrument.
  2. The instrument comes into force immediately the common seal of Council is affixed to the instrument.
  3. On the coming into force of the instrument all previous delegations to the Chief Executive Officer are revoked.
  4. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.
  5. It is noted that the instrument includes a power of delegation to members of Council staff, in accordance with section 98(3) of the Act.
- B. In the exercise of the powers conferred by section 98(1) of the Act and the other legislation referred to in the attached instrument of delegation, resolves that -
  1. There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached Instrument of Delegation to members of Council staff, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.



2. The instrument comes into force immediately the common seal of Council is affixed to the instrument.
  3. On the coming into force of the instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked.
  4. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.
- C. In the exercise of the powers conferred by section 224 of the Act and the other legislation referred to in the attached instruments of appointment and authorisation, resolves that
1. The members of Council staff referred to in the instruments be appointed and authorised as set out in the instruments.
  2. The instruments come into force immediately the common seal of Council is affixed to the instruments, and remain in force until Council determines to vary or revoke them.
  3. The instruments be sealed.
- D. Revokes all existing Instruments of Appointment and Authorisation as listed in the following table, effective from the date that CEO approves new instruments:

<b>Officer</b>	<b>Date authorised</b>
Matthew John Hudson – Municipal Building Surveyor	27/7/2011
Elizabeth Garlick – Manager Environmental Health	30/8/11
Steven Murray Phillips – Assistant Manager Works	27/6/2011
Steven Murray Phillips – Acting Manager Works	25/5/2011
Daniel Hayden Lloyd – Acting Assistant Manager of Works	27/6/2011
Daniel Hayden Lloyd – Technical Officer – GIS	25/5/2011
Teresa Marie Arnup – Manager Environmental Health	25/5/2011
John Anthony Kelly – Relieving Manager Environmental Health	25/5/2011
Travis Andrew Jackson – Local Laws and Fire Prevention Officer	25/5/2011
David Alan Turner – Municipal Building Surveyor	25/5/2011
Ian Ashley McLauchlan – Director of Operations	25/5/2011
Sharlene Rae Stringer – Aged and Disability Service Provision Team Leader	25/5/2011
Julie Ann Nickson – Community Care Coordinator	25/5/2011
Rosemary Joyce Isaac - Cashier	25/5/2011
Heather Helen Christie – Customer Service Officer	25/5/2011
Sandra Jean Steel – Customer Service Officer	25/5/2011
Helen Mary Tonkin – Customer Service Officer	25/5/2011
David Peter John Fry – Acting Manager Infrastructure	25/5/2011



David Peter John Fry –Manager Works	25/5/2011
Tyson Andrew Sutton – Manager Planning and Local Laws	25/5/2011
Anthony John Gibbins – Planning and Local Laws Compliance Officer	25/5/2011
Geoffrey Lewis Pollock – Ranger	25/5/2011
Graeme Ivan Smith – Team Leader Engineering	25/5/2011
Mark Andrew Arnup – Technical Officer – Roads and Drainage	25/5/2011
Dale Thomas Jackson – Technical Officer - Design	25/5/2011
Susan Margaret Smith – Technical Service Officer	25/5/2011
Lisa Jacqueline Poulter – Manager Local Laws And Records	25/6/2007
Tony Bellenger– Local Laws/Ranger	26/9/2005
John Forster– Local Laws/Ranger	26/9/2005
Alan Jackson– Local Laws/Ranger	26/9/2005
Leigh Poyner– Local Laws/Ranger	26/9/2005
Brian McDonald– Local Laws/Ranger	26/9/2005
Peter Magnone – Local Laws/Ranger	26/9/2005
John Brian McLinden	20/12/2004
Jodie Stewart	26/2/2001

**Carried**

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

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

#### **SUMMARY**

This report provides Council with financial information for the period ending 31 August 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 August 2012"*
- 2. approves budget revisions for internal reporting purposes only.*

#### **PREVIOUS COUNCIL DISCUSSION**

Council is provided with Finance Reports on a monthly basis.

#### **BACKGROUND**

Nil

#### **ISSUES/DISCUSSION**

The Finance Report for the period ended 31 August 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.

#### **MOTION**

**Moved: Cr Beattie**

**Seconded: Cr Brownbill**

That Council

1. receives and notes the "Finance Report for the period ending 31 August 2012"
2. approves budget revisions for internal reporting purposes only

**Carried**

**6.2 SECTION 86 COMMITTEE OF MANAGEMENT AMENDED INSTRUMENT OF DELEGATION – CAMPBELL’S FOREST HALL COMMITTEE OF MANAGEMENT**

**SUMMARY**

This report seeks Council’s approval of an amended Instrument of Delegation for the Campbell’s Forest Hall Committee of Management.

Author: Jude Holt – Director Corporate Services

File No: 02/01/015

Attachment: 6.2 Campbell’s Forest Hall Committee of Management Instrument of Delegation

**RECOMMENDATION**

*That Council approves the amended Instrument of Delegation for the Campbell’s Forest Hall 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 Campbell’s Forest Hall 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 6.2.

**MOTION**

**Moved: Cr Holt**

**Seconded: Cr Brooke**

That Council approves the amended Instrument of Delegation for the Campbell’s Forest Hall Committee of Management.

**Carried**

### 6.3 UNFUNDED SUPERANNUATION LIABILITY FUNDING RECOMMENDATION

#### **SUMMARY**

This report provides Council with a recommended funding strategy for payment of the 2012 unfunded superannuation liability.

Author: James Rendell – Manager Financial Services

File No: 08/06/001

Attachments: Nil

#### **RECOMMENDATION**

*That Council:*

- 1) *Approves the funding strategy for payment of the 2012 unfunded superannuation liability which includes:*
  - a) *Use of funds from Council's discretionary reserves as follows:*

1) Land and Buildings Reserve	\$175,000
2) Information Technology Reserve	\$100,000
3) Economic Development Reserve	\$125,000
4) GSP Restoration Reserve	\$500,000
5) Landfill Rehabilitation Reserve	\$150,000
6) Unfunded Superannuation Liability Reserve	\$300,000
  - b) *Reallocating roadworks currently funded in the 2012/2013 budget from Council's sources to Roads to Recovery sources by making application to the Commonwealth Government to increase projects included in the Roads to Recovery program for the year*
  - c) *Effecting budget revisions for savings immediately as they occur throughout the year*
- 2) *Undertakes analysis of all discretionary reserves at the end of the flood recovery period to ascertain the requirements of the reserves and use surplus funds to offset the cost of the unfunded superannuation liability payment*
- 3) *Considers including borrowings in the 2013/2014 budget if required, and prepares for this by advising Local Government Victoria via the borrowings survey that borrowings may be needed during that financial year.*

#### **PREVIOUS COUNCIL DISCUSSION**

Council was provided with a briefing at the August 2012 Council Forum outlining the unfunded superannuation liability and details of the call from Vision Super.

The briefing identified savings if the amount was paid prior to 1 July 2013.

At the August 2012 Ordinary Meeting of Council, the Council resolved:

*That Council:*

1. *being satisfied that it has sufficient funds, directs the CEO to pay the Vision Super amount for the unfunded superannuation liability as a matter of urgency to limit Council's exposure to ongoing interest accrual.*
2. *receive a further report providing a detailed strategy outlining how this cost will be funded.*

## **BACKGROUND**

Council was advised in July 2012 that its share of the 2012 unfunded superannuation liability (USL) would be \$2.220 million. Further investigation identified that if the liability was paid earlier than the due date of 1 July 2013 then savings of interest and contributions tax would be realised, as the liability has been accruing interest of 7.5% per annum from 1 January 2012.

## **ISSUES/DISCUSSION**

At the August 2012 Council Forum a funding strategy for the liability was provided.

Council agreed in principle to payment of the liability, and that Council reserves should be used wherever possible; however, not at the cost of service delivery to the community.

Council settled the USL on 28 August 2012 with a payment of \$2,089,665, represented by the liability of \$1693,391, interest charges of \$82,824, and contributions tax of \$313,450.

Council requested that a further report be provided with a detailed strategy outlining how the cost would be funded. This report includes that funding strategy.

### **Option 1: Use of Council's discretionary reserves**

Council has a number of discretionary reserves established for specific purposes. Council uses the reserves to internally fund capital and other large expenditures which is achieved by placing money in reserve today for use in future financial years.

At the end of the 2011/2012 financial year, Council had \$17.3 million in discretionary reserves, with not all of this money committed in the short term.

Included in this amount was \$300,000 for the Unfunded Superannuation Liability Reserve which was created for funding future calls of USL.

An analysis of the reserves has been undertaken, and the following amounts have been deemed as not being required in the short term, and therefore, available to assist in funding the USL.

<b>Reserve</b>	<b>Amount</b>	<b>Year to be Returned</b>
Land & Buildings Reserve	\$175,000	2014/2015
Information Technology Reserve	\$100,000	2013/2014
Economic Development Reserve	\$125,000	2014/2015
GSP Restoration Reserve	\$500,000	2015/2016
Landfill Rehabilitation Reserve	\$150,000	2013/2014
Unfunded Superannuation Liability Reserve	\$300,000	Not Required
<b>TOTAL</b>	<b>\$1,350,000</b>	

The table provides an indication of when the funds are expected to be required, by identifying which financial year the money should be returned to the reserve.

In summary, \$250,000 would be returned in 2013/2014, \$300,000 in 2014/2015, and \$500,000 in 2015/2016. The USL Reserve amount would not be returned.

To assist in funding the repayment of these amounts to their respective reserves in future years, there have been two potential sources identified:

#### 1. GSP Restoration Reserve:

The profit on operations of gravel pits is transferred to this reserve annually. The reserve has a modest amount budgeted to be transferred to it in 2012/2013. At present, Council is still operating its own gravel pits for roadworks, and it is expected that gravel

pits will return a reasonable profit again this year, resulting in the transfer to the reserve being much higher than first anticipated.

Should this be the case, there is opportunity to:

- a. Analyse the required levels of funding for the reserve over the next few years
  - b. Use any excess reserve amounts for repayment to the other reserves.
2. The Plant Replacement Reserve:

This reserve is budgeted to hold approximately \$1 million at the end of 2013/2014. As the flood recovery process will be complete, and Council excess plant disposed of, an analysis of the fleet will be undertaken to ascertain plant requirements post flood recovery. Should it be deemed that the normal allocation to the reserve (normally between \$700,000 and \$1 million) is not required, that allocation could be reduced, and the funds used for repayment to other reserves.

Should Council accept Option 1, \$1,350,000 of the total liability of \$2,089,665 would be funded from reserve transfers, leaving \$739,665 to be funded.

### **Option 2: Roadworks undertaken with Roads to Recovery (RTR) funding**

After analysis of the roads program by the Infrastructure Department, it has been identified that there is scope in the 2012/2013 budget to change the funding of some roadworks from Council's sources to RTR funding.

Council is currently in the fourth of the five year RTR program, with the current program ceasing on 30 June 2014. Under RTR guidelines Council must spend RTR funding on eligible roadworks, while maintaining its own effort, which is a pre-established amount at the start of the program.

Council's own source investment in the current program is considerably higher than required, which provides scope to lessen that effort this year.

Council also has the ability to apply to the Commonwealth Government to make use of funds in advance of next year's allocation. This would not only assist in reducing the deficit created by the USL, but would also escalate the program, giving greater certainty of completing it by the close date of 30 June 2014 (by lessening the expenditure profile in the final year).

The Infrastructure Department has assessed projects in the current year budget and has identified approximately \$650,000 in projects that could be reallocated, upon application to the Commonwealth Government. Although this is not guaranteed, it has been allowed in the past.

Should Council accept this option, and the Commonwealth Government approve Council's application, up to \$650,000 would be allocated to the USL payment, and approximately 100,000 would remain unfunded.

### **Option 3: Recognise savings throughout the year**

Council officers have always been encouraged to remain within their budget allocations, and where savings are able to be made during delivery of projects, recognise those savings by undertaking budget revisions.

This report is recommending that savings over the course of the financial year be the final short term source of funding for the USL.

### **Option 4: Borrowings included in the 2013/2014 budget**

Should options 1 to 3 be accepted by Council (and the Commonwealth Government), it is anticipated that Council's budget will be returned to surplus in the current year. However, should this not occur, Council may consider external borrowings for specific projects in the 2013/2014 financial year.

Council's 2012/2013 budget predicts that Council will have approximately \$443,000 in borrowings at the end of the financial year, which places Council in a secure position to enter into new borrowings if it is deemed necessary and prudent to do so.

Council is asked annually by Local Government Victoria (LGV) to indicate borrowings so that an estimate can be undertaken for the industry. It has been some time since Council has indicated that borrowings will be required, however, this year consideration should be given to this. The request is normally issued by LGV early in the calendar year.

### Future calls

As outlined in the August 2012 Council Forum briefing, this strategy deals with the 2012 call only, and does not predict any future impact that unfunded superannuation liability could have on Council.

The Municipal Association of Victoria is undertaking a superannuation inquiry. The results of this may provide information about future impacts.

### MOTION

**Moved: Cr Brooke**

**Seconded: Cr Holt**

That Council:

- 1) Approves the funding strategy for payment of the 2012 unfunded superannuation liability which includes:
  - a) Use of funds from Council's discretionary reserves as follows:
 

7)	Land and Buildings Reserve	\$175,000
8)	Information Technology Reserve	\$100,000
9)	Economic Development Reserve	\$125,000
10)	GSP Restoration Reserve	\$500,000
11)	Landfill Rehabilitation Reserve	\$150,000
12)	Unfunded Superannuation Liability Reserve	\$300,000
  - b) Reallocating roadworks currently funded in the 2012/2013 budget from Council's sources to Roads to Recovery sources by making application to the Commonwealth Government to increase projects included in the Roads to Recovery program for the year
  - c) Effecting budget revisions for savings immediately as they occur throughout the year
- 2) Undertakes analysis of all discretionary reserves at the end of the flood recovery period to ascertain the requirements of the reserves and use surplus funds to offset the cost of the unfunded superannuation liability payment
- 3) Considers including borrowings in the 2013/2014 budget if required, and prepares for this by advising Local Government Victoria via the borrowings survey that borrowings may be needed during that financial year.

**Carried**



## 6.4 AUGUST 2012 AUDIT COMMITTEE MEETING

### **SUMMARY**

This report provides Council with an overview of the Audit Committee meeting held on 21 August 2012.

Author:	Jude Holt – Director Corporate Services	
File No:	06/02/003	
Attachment:	6.4(a)	Review of Planning Report
	6.4(b)	Draft Anti-Fraud & Corruption Policy
	6.4(c)	Topics for Council Officers to Address Committee

### **RECOMMENDATION**

*That Council:*

1. *Receives and notes the:*
  - a. *August 2012 Audit Committee Meeting Report*
  - b. *Topics for Council Officers to Address Committee*
2. *Endorses the performance improvement recommendations documented in the Audit Report for Planning*
3. *Approves the draft Anti-Fraud & Corruption Policy.*

### **PREVIOUS COUNCIL DISCUSSION**

The May 2012 Audit Committee Meeting was reported at the Ordinary Meeting of Council on 25 June 2012.

### **BACKGROUND**

The Audit Committee held a meeting on Tuesday 21 August 2012 at the Wedderburn Office. There was one apology for the meeting. The meeting was scheduled to coincide with the external auditors being in the Wedderburn Office to undertake the end of financial year audit.

Prior to the Audit Committee meeting, the external and internal auditors joined Cr. Holt and community members of the committee for a meeting held under Clause 2.3(e) of the Audit Committee Charter. This meeting is held without officers for the purpose of open discussion with the internal and external auditors.

The main items at the August Audit Committee meeting were:

- Presentation of the Financial, Standard, and Performance Statements for the year ended 30 June 2012 by the external auditor, Kathie Teasdale of RSD Chartered Accountants.
- Presentation of the Review of Planning Report by Mark Holloway of HLB Mann Judd, Council's internal audit firm. There were five improvement recommendations which contained nine actions. 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.
- Support for the draft Anti-Fraud and Corruption Policy.
- Support for the list of future topics for Council officers to address the committee, with the addition of customer service to be added to the list for August 2013.



- The outstanding actions list was presented to the committee. At the end of the reporting period there were 16 actions outstanding; eight of these were not started, and eight were works in progress.
- Progress on the Key Strategic Activities, which are non-financial performance measurements included in the annual budget and reported in the financial statements each year.
- An overview of the unfunded superannuation liability issue facing local government at present.
- 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

There were 4 items referred to Council:

1. Financial, Standard, and Performance Statements for the year ended 30 June 2012
2. Review of Planning Report
3. Topics for Council Officers to Address the Committee
4. Draft Anti-Fraud & Corruption Policy

The Financial, Standard, and Performance Statements were presented to Council at the August 2012 Council Meeting. The other items are included as Attachments 6.3(a), 6.3(b), and 6.3(c).

### **ISSUES/DISCUSSION**

The next audit report entitled "Reliance on Grants" will be undertaken in October and reported to the committee at the November meeting.

### **MOTION**

**Moved: Cr Holt**

**Seconded: Cr Brooke**

That Council:

1. Receives and notes the:
  - a. August 2012 Audit Committee Meeting Report
  - b. Topics for Council Officers to Address Committee
2. Endorses the performance improvement recommendations documented in the Audit Report for Planning
3. Approves the draft Anti-Fraud & Corruption Policy.

**Carried**

## 7. DIRECTOR OPERATIONS' REPORTS

### 7.1 PLANNING APPLICATIONS CURRENTLY BEING PROCESSED

#### SUMMARY

Planning applications currently under consideration and planning permits issued.

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

Attachment 7.1 provides Council with a full list of planning applications currently under consideration and those planning permits issued between 15 August and 10 September 2012.

#### MOTION

**Moved: Cr Beattie**

**Seconded: Cr Brownbill**

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

**Carried**

## 7.2 PUBLIC HALL CLASSIFICATIONS – BUILDING ASSET MANAGEMENT PLAN

### **SUMMARY**

Report provides Council with a summary of recent data obtained regarding public hall usage statistics throughout the Shire as well as subsequent recommendations for classification of various public halls pursuant to clause 2.9.3 of Council Building Asset Management Plan.

Author: Ian McLauchlan – Director Operations  
 File No: 08/01/004  
 Attachment: Nil

### **RECOMMENDATION**

*That Council:*

- 1) *Receive and note the statistics obtained with respect to observed usage for various public halls throughout the Shire.*
- 2) *Adopt the hierarchy classifications for various public halls throughout the Shire pursuant to clause 2.9.3 of Council's Building Asset Management Plan as listed within Table 4 of this report.*
- 3) *Authorise the amendment of Appendix 1 – Schedule of Buildings, in the Building Asset Management Plan, to include the adopted hierarchies and actions listed in Table 4 of this report.*

### **PREVIOUS COUNCIL DISCUSSION**

In November 2009 Council considered and adopted its Building Asset Management Plan (BAMP).

At its ordinary forum in April 2012, an initial report was presented summarising usage statistics and subsequent BAMP hierarchy recommendations for various public halls throughout the Shire. Following consideration of this report Councillors agreed that the relevant committees of management be provided an opportunity to respond to the proposed classification for their halls as well as be requested to provide further financial statements detailing income from hall hire so as to assist Council in reaching its final decision.

### **BACKGROUND**

Council's Building Asset Management Plan (BAMP), along with companion asset management plans, is a key element of Council's strategic financial planning. The specific purpose of the BAMP is to:

- Demonstrate responsible stewardship by the Council
- Define how the infrastructure is and will be managed to achieve the organisation's objectives.
- Provide the basis for customer consultation to determine the appropriate levels of service.
- Manage risk of asset failure
- Achieve savings by optimising whole of life costs
- Support long term planning.

The plan therefore attempts to ensure that the funds available for building works are used to gain the most community benefit while ensuring that all community buildings with a demonstrated use retain the opportunity to seek some form of Council support.

The Council either owns freehold or controls crown land on which a total of 10 public halls are erected with a total replacement value of \$9,134,000. They range in size from the Boort Memorial Hall through to the Yando Public Hall.

In addition there are another 17 Public Halls with a total replacement value of \$5,810,000 controlled by either committees of management or trustees. This number does not include church halls, scout and guide halls, RSL halls, sporting group halls or senior citizens halls.

Given a declining population and financial constraints, the BAMP identified that there are an unsustainable number of halls for the community to maintain and eventually renew. Further, many halls now stand where no significant community exists, are observed to be in poor condition or often within 15 to 20 minutes travel time to another hall.

To address these issues specific strategies and actions contained within Council's BAMP includes the introduction of a hierarchy for the renewal/upgrade investment in public halls as follows:

*Level 1 Major Town Halls:*

Funding for major new and upgrade works is largely dependent on external funding through partnerships with government and philanthropic sources. Council will partly fund through contribution to external grants, where available.

Where external grants are unavailable Council may consider the possibility of fully funding the works provided the overall budget permits and the proposed works are consistent with the standards nominated for Major Town Halls.

*Level 2 Community Halls:*

Funding for major new and upgrade works is totally dependent on external funding through partnerships with government and philanthropic sources. Council will only partly fund works through contribution to external grants.

Support for projects is subject to the following conditions:

- presentation of a good business case
- external grant to be 1(grant):1(local contribution) or greater
- proposed works must be consistent with the nominated standard for Community Halls
- demonstrated need by demand analysis
- remoteness from alternative venues

*Level 3 Minor District Halls:*

Council will not contribute funds to new or upgrade works on halls in this classification.

Council will provide in principle support to grant applications if:

- projects are fully externally funded
- no higher priority works require support

External funding may include funding from approved community planning allocations, community grants scheme allocations or interest free loans from Council, with a combined maximum total contribution equalling 50% of the project value.

At the time of adoption Council's BAMP identified 5 public halls as being Level 1 halls, namely:

- Boort Memorial Hall
- Wedderburn Mechanics Institute
- Inglewood Town Hall
- Pyramid Hill Town Hall
- Newbridge Town Hall

Further to the above renewal strategies, the BAMP also suspended all renewal works on public halls other than those listed above pending the collation and analysis of usage statistics to determine the appropriate classification of all public halls within the Shire.

Upon obtaining these usage statistics it was intended that Council review the usage data and determine where remaining halls fit within the specified hall hierarchy.

Accordingly, over the past 15 months Committees of Management have been requested to compile and submit to Council regular usage statistics for their respective halls. This data has now been collated, where submitted, and is now being submitted for Council consideration along with recommended hall classifications for the remaining unclassified facilities.

### **ISSUES/DISCUSSION**

Hall Committees of Management were asked to provide usage information for each quarter of the survey period.

Table 1 below summarises the information compiled as at 9 March 2012. All hall committees were provided with ample time and opportunity to submit usage data with many requiring multiple requests before sufficient data was obtained to facilitate the required usage analysis.

Level 1 Halls have been grouped in the top of the table. Remaining halls have been listed in alphabetical order.

The number of events and the number of users are shown for each quarter for each hall.

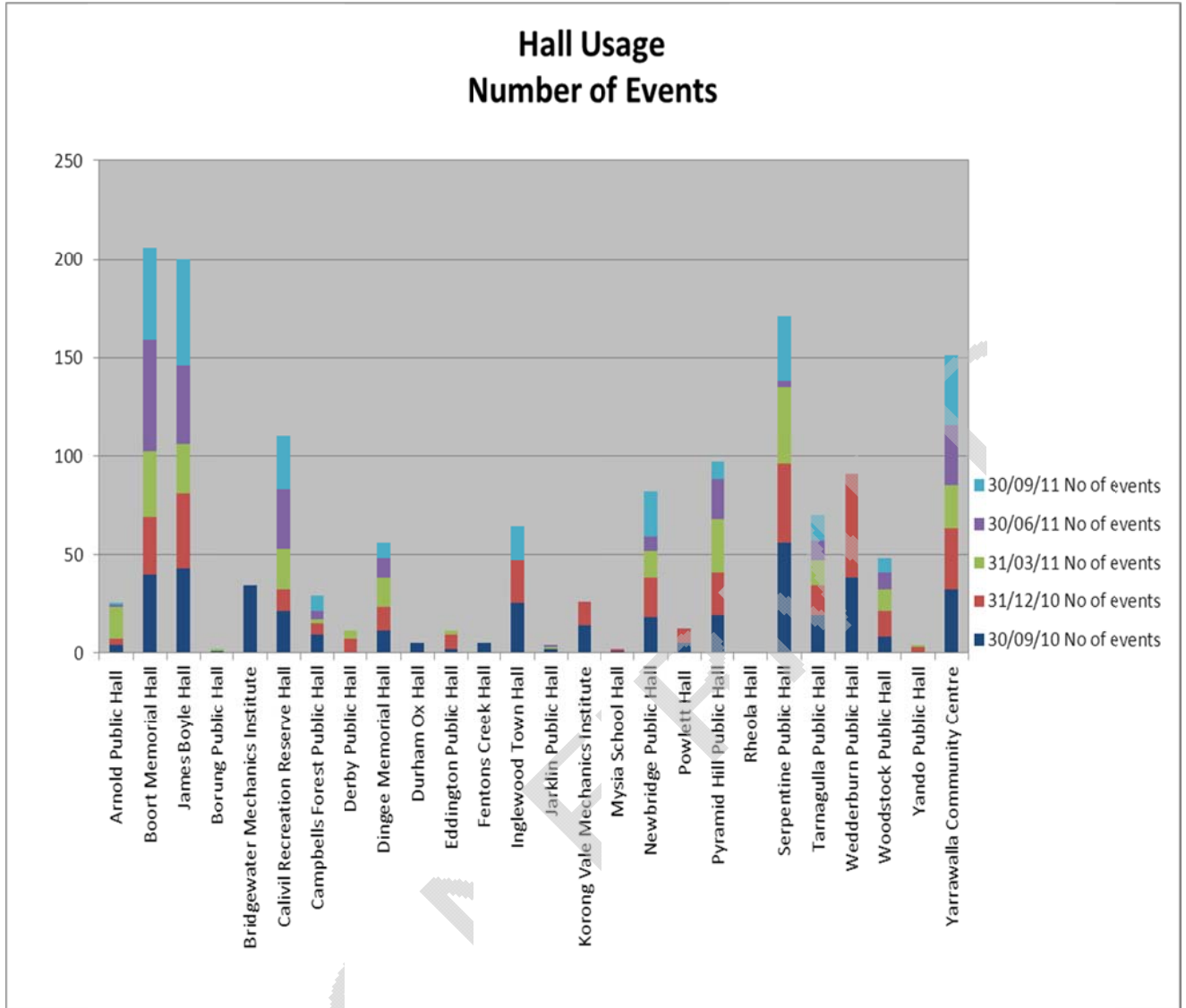
Note:

- Blank cells indicate that no usage data was received for that particular quarter
- During compilation of the data, events and numbers of users were deducted where an event was:
  - A Committee of Management meeting
  - An activity which did not use the hall or facilities e.g. football training where attached change rooms only would have been used
  - A working bee to undertake cleaning or maintenance on the facility
- In compiling the data, best estimates were used where no detailed information was given for specific events.

**Table 1: Hall usage by quarter from 1 July 2010 to 30 September 2011:**

Hierarchy	Hall Name	Q1		Q2		Q3		Q4		Q5		Total	
		Number Of		Number Of		Number Of		Number Of		Number Of		Number Of	
		Events	Users	Events	Users	Events	Users	Events	Users	Events	Users	Events	Users
L1	Boort Memorial Hall	40	1025	29	1840	33	1203	57	2364	47	2410	206	8842
L1	Inglewood Town Hall	25	845	22	1577					17	628	64	3050
L1	Newbridge Public Hall	18	538	20	675	14	376	7	100	23	354	82	2043
L1	Pyramid Hill Public Hall	19	1316	22	1255	27	1173	20	834	9	518	97	5096
L1	Wedderburn Public Hall	38	1376	53	2870							91	4246
*TBD	Arnold Public Hall	4	85	3	129	16	239	1	50	1	15	25	518
*TBD	Borong Public Hall	1	100	0	0	1	40	0	0	0	0	2	140
*TBD	Bridgewater Mech. Institute	34	1183									34	1183
*TBD	Calivil Rec Reserve Hall	21	3369	11	600	21	790	30	2672	27	2448	110	9879
*TBD	Campbells Forest Public Hall	9	296	6	140	2	255	4	46	8	330	29	1067
*TBD	Derby Public Hall	0	0	7	215	4	170					11	385
*TBD	Dingee Memorial Hall	11	454	12	719	15	595	10	176	8	159	56	2103
*TBD	Durham Ox Hall	5	176									5	176
*TBD	Eddington Public Hall	2	110	7	121	2	110					11	341
*TBD	Fentons Creek Hall	5	101									5	101
*TBD	James Boyle Hall	43	777	38	654	25	535	40	752	54	976	200	3694
*TBD	Jarklin Public Hall	2	51	0	0	1	7	1	5	0	0	4	63
*TBD	Korong Vale Mech. Institute	14	285	12	270							26	555
*TBD	Mysia School Hall	1	5	1	65	0	0	0	0			2	70
*TBD	Powlett Hall	5	56	7	185							12	241
*TBD	Rheola Hall											0	0
*TBD	Serpentine Public Hall	56	1442	40	827	39	780	3	76	33	1873	171	4998
*TBD	Tarnagulla Public Hall	19	1195	15	898	13	514	10	489	13	380	70	3476
*TBD	Woodstock Public Hall	8	317	13	637	11	673	9	472	7	316	48	2415
*TBD	Yando Public Hall	0	0	3	37	1	15	0	0	0	0	4	52
*TBD	Yarrowalla Centre Com.	32	700	31	733	22	304	31	294	35	510	151	2541

The following chart represents the number of events held per quarter at individual halls.



In order to compare usage between halls where there has been variation in the completeness of data, the average number of events per quarter for the quarters where data was submitted is provided in the table 2 below.

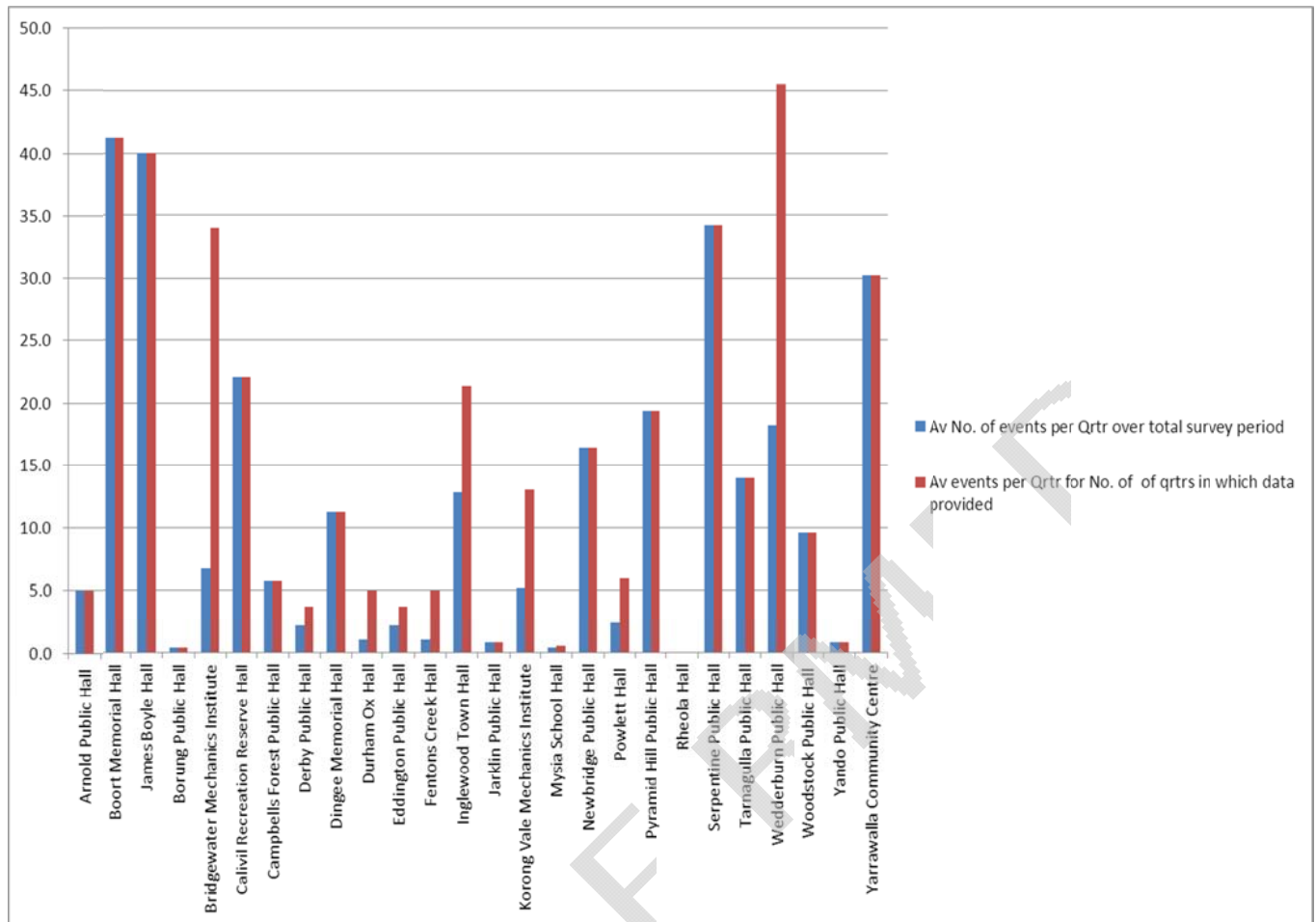


Table 2: Average Public Hall Usage Comparison

Hierarchy	Hall Name	Average No. of events per Quarter over total survey period	Average events per Quarter for number of quarters in which data was provided
L1	Boort Memorial Hall	41.2	41.2
L1	Inglewood Town Hall	12.8	21.3
L1	Newbridge Public Hall	16.4	16.4
L1	Pyramid Hill Public Hall	19.4	19.4
L1	Wedderburn Public Hall	18.2	45.5
*TBD	Arnold Public Hall	5.0	5.0
*TBD	Borong Public Hall	0.4	0.4
*TBD	Bridgewater Mech. Institute	6.8	34.0
*TBD	Calivil Rec Reserve Hall	22.0	22.0
*TBD	Campbells Forest Public Hall	5.8	5.8
*TBD	Derby Public Hall	2.2	3.7
*TBD	Dingee Memorial Hall	11.2	11.2
*TBD	Durham Ox Hall	1.0	5.0
*TBD	Eddington Public Hall	2.2	3.7
*TBD	Fentons Creek Hall	1.0	5.0
*TBD	James Boyle Hall	40.0	40.0
*TBD	Jarklin Public Hall	0.8	0.8
*TBD	Korong Vale Mech. Institute	5.2	13.0
*TBD	Mysia School Hall	0.4	0.5
*TBD	Powlett Hall	2.4	6.0
*TBD	Rheola Hall	0.0	0.0
*TBD	Serpentine Public Hall	34.2	34.2
*TBD	Tarnagulla Public Hall	14.0	14.0
*TBD	Woodstock Public Hall	9.6	9.6
*TBD	Yando Public Hall	0.8	0.8
*TBD	Yarrowalla Com. Centre	30.2	30.2



A comparison of the number of events per quarter for halls is shown in chart below.



**Boort Memorial Hall:** The Boort Memorial Hall is one of five Level 1 Halls originally identified upon adoption of Councils BAMP in 2009. The hall is located within one of the larger townships within the Shire and serves an important function for the local and surrounding communities. Data obtained supports this with a demonstrated high usage and patronage rate compared to other public halls. As such no proposal to change the classification is being made.

**Inglewood Town Hall:** The Inglewood Town Hall is the second of five Level 1 Halls originally identified upon adoption of Councils BAMP in 2009. The hall is located within one of the larger townships within the Shire and serves an important function for the local and surrounding communities. Data obtained supports this with a relatively high usage and patronage rate compared to other public halls. As such no proposal to change the classification is being made.

**Newbridge Public Hall:** The Newbridge Public Hall is the third of five Level 1 Halls originally identified upon adoption of Councils BAMP in 2009. Whilst the hall is located within a relatively small township as compared to Wedderburn or Inglewood, its central location is considered to serve an important function for the local and surrounding communities.

Data obtained during the survey period indicates a moderate usage and patronage of this facility however it is expected that this use will increase alongside growth in the local area. As such no proposal to change the classification is being made.

**Pyramid Hill Hall:** Pyramid Hill Hall is the fourth of five Level 1 Halls originally identified upon adoption of Councils BAMP in 2009. The hall is located within one of the larger townships within the Shire and serves an important function for the local and surrounding communities. Data obtained a supports this with a demonstrated high usage and patronage rate compared to other public halls. As such no proposal to change the classification is being made.

*Wedderburn Public Hall:* The Wedderburn Public Hall is last of five Level 1 Halls originally identified upon adoption of Councils BAMP in 2009. The hall is again located within one of the larger townships within the Shire and serves an important function for the local and surrounding communities. Data obtained, although limited, supports this with a demonstrated high usage and patronage rate compared to other public halls. As such no proposal to change the classification is being made.

*Arnold Public Hall:* This hall does not service a major township population. Limited usage and patronage of this hall was observed during the survey period with the exception of one quarter which contained a substantially higher number of events than the average for this facility. Despite this, given the low usage observed and proximity to Newbridge (Level 1 hall) it is recommended that this facility be classified as a level 3 hall.

*Borong Public Hall:* Of the facilities which returned survey data the Borong hall was observed to have been the facility with the least amount of recorded use. Those events which did occur at the hall were well attended however overall the use of this hall is extremely limited. The Borong Hall is approximately 19km from the nearest level 1 hall. Given these points, it is recommended that the Borong Hall be classified as a level 3 hall. Since the letter sent out 29/6/12, DSE has advised that the committee of management for this hall has formally dissolved and that they are assessing the future management or disposal of the building.

*Bridgewater Mechanics Hall:* Despite numerous requests only one quarter of data was returned by the Bridgewater Hall Committee. Data which was returned indicated a relatively high usage and patronage.

During development of the BAMP, a submission was received from the Bridgewater Hall Committee asserting that the facility should receive recognition as a level 1 hall given a high level of usage, the fact that the town was identified as having potential for growth and that the residents of Bridgewater would not travel to Inglewood to use the level 1 facility there.

In determining an appropriate classification for this facility consideration was given to the fact that the hall services a relatively small township population as compared to other towns containing a level 1 hall.

Accordingly taking into consideration the proximity to Inglewood (nearest level 1 hall), relatively high usage (albeit based upon incomplete data) and potential for growth in the area, it is recommended that the Bridgewater Mechanics Hall be classified as a level 2 hall.

*Calivil Recreation Reserve Hall:* The Calivil Hall committee of management also provided a submission during development of the BAMP. The committee called upon recognition of this facility as a level 1 hall given the range of uses the hall performs as well as the size of the surrounding population.

If not recognised as a level 1 hall the committee also suggested alternative funding arrangements including a 75% contribution from Council if the balance could be sourced from external grants.

Data returned during the survey period supports the contention that the facility receives moderate to high usage in terms of the number of events held as well as associated high patronage figures.

Despite this the facility does not service a highly populated community as compared to other level 1 facilities and therefore recognition as a level 1 hall is not considered appropriate. Further, whilst the proximity to the nearest level 1 hall being Pyramid Hill is slightly higher than desirable being 27km, this distance is not considered excessive.

Accordingly, given the high usage and patronage at this facility it is recommended that the Calivil hall be classified as a level 2 hall.

*Campbells Forest Public Hall:* The Campbells Forest Hall Committee also provided a submission in response to the BAMP. The submission asserted that the facility should be recognised as a level 2 hall given the fact that it was the only community asset in the district.

Data obtained during the survey period has identified that the facility on average has relatively low use with moderate patronage. Given the lack of local population base and proximity to other level 2 facilities in Bridgewater and Serpentine, it is recommended that the Campbells Forest Hall be classified as a level 3 hall.

*Derby Public Hall:* Usage statistics for the Derby hall were provided for 3 out of the 5 quarters requested. Based upon the returned data it was observed that usage of this facility was relatively low despite moderate patronage. The proximity to Level 1 and 2 facilities at Inglewood and Bridgewater respectively has resulted in a recommendation that this facility be classed as a level 3 hall.

*Dingee Memorial Hall:* Data obtained for the Dingee Memorial hall has identified moderate usage and patronage. It is also noted that the facility is used by the local historical society in addition to public events. Accordingly it is being recommended that the Dingee Memorial Hall be classified as a level 2 hall.

*Durham Ox Hall:* Only one quarter of data was returned for the Durham Ox Hall. This data indicated that the facility receives relatively low usage with moderate patronage for each event held. This combined with its proximity to other facilities has resulted in a recommendation that the Durham Ox Hall receive classification as a level 3 hall.

*Eddington Public Hall:* Data returned for the Eddington public hall also indicates relatively low usage and moderate patronage for events held. Given the proximity to other level 1 and 2 halls it is recommended that the Eddington hall be classified as a level 3 hall.

*Fentons Creek Hall:* Only one quarter of data was returned for the Fentons Creek Hall. Data which was obtained showed a low usage and patronage rate. Accordingly it is recommended that the Fentons Creek Hall be classified as a level 3 hall.

*James Boyle Hall:* The James Boyle Hall at Boort primarily performs the function of clubrooms for scouts, cubs and guides. It is considered that this building be treated as a clubroom under the "other" category under the Building Asset Management Plan, rather than as a public hall.

*Jarklin Public Hall:* Usage data for the Jarklin hall indicates very low usage and patronage for the facility. Accordingly it is recommended that this facility be classified as a level 3 hall.

*Korong Vale Mechanics Hall:* The limited data obtained for the Korong Vale Mechanics Hall indicates relatively low patronage and moderate usage in terms of the average number of events. Given that there appears to be demand for this facility it is being recommended that it be classified as a level 2 hall.

*Mysia School Hall:* The Mysia School hall is also a facility which has been observed to have very low usage with moderate patronage. Similarly given its proximity to other halls and the limited number of events occurring at this facility it is recommended that the School hall be classified as a level 3 hall.

*Powlett Hall:* Data obtained for the Powlett hall shows moderate to low usage with very low patronage. Given this it is being recommended that the facility be classified as a level 3 hall.

*Rheola Hall:* The Rheola Hall Committee failed to provide any data as to usage of the facility. Consequently it is recommended that the Rheola Hall be classified as a level 3 hall.

*Serpentine Hall:* During development of the BAMP the Serpentine Hall Committee put forward a relatively detailed submission contending that hall is one of the highest use facilities within the shire. Further the submission expressed concern as to the lack of a nominated level 1 hall in

the east of the shire and requested recognition as a level 1 hall given the proximity to Inglewood as the nearest level 1 hall, being 28km.

Data obtained during the survey period substantiates the position that the hall receives high usage rates in terms of events, however the associate patronage of these events is considered low relative to other facilities.

Given that Serpentine does not maintain a large population in terms of the local township and at this time substantial growth is considered unlikely, classification of this facility as a level 1 hall is not considered appropriate.

Taking the above into consideration it is recommended that the Serpentine Hall be classified as a level 2 hall.

*Tarnagulla Public Hall:* The Tarnagulla Hall Committee also provided a submission during development of the BAMP however only provided an estimate of the number of events held. During the survey period this estimate was tested and found to be slightly high than actual figures.

Despite this the hall does receive moderate use with relatively high patronage. Accordingly, given the size of the local community and observed usage statistics it is recommended that the Tarnagulla hall be classified as a level 2 hall.

*Woodstock Public Hall:* Despite its isolation data obtained for the Woodstock public hall indicates moderate usage with relatively high patronage. This may be due to the fact that the facility is used for a variety of purposes including sporting clubs and associations. As such it is proposed that the hall be classified as a level 2 hall.

*Yando Public Hall:* Data obtained for the Yando public hall shows very low usage and patronage rates. Given the proximity to Boort and a level 1 hall it is recommended that this facility be classified as a level 3 hall.

*Yarrowalla Community Centre:* A submission was also received from the Yarrowalla Community Centre committee of management during development of the BAMP. This submission put forward a number of arguments as to why the facility should not be classified as a level 3 hall.

Data obtained from the survey period indicates a high usage in terms of the number of events held at this facility. Conversely the patronage at these events is considered to be relatively low on average.

Taking the previous submission and above usage statistics into consideration it is believed that the facility does play a relatively important role for communities and sporting groups in the area. As such it is proposed that the Yarrowalla Community Centre be classified as a level 2 hall.

*Llanelly (Former Public Hall):* This facility was previously closed as a public hall, but now operates as club rooms for the Veteran Motor Cycle Riders group who are the Committee of Management to DSE. As the facility performs the function of clubrooms it is considered that this building be added to the Schedule of Buildings and classified as a clubroom under the "Other" category under the Building Asset Management Plan.

#### *Responses to proposed Hall Hierarchy*

Following the April 2012 Council Forum, letters were sent to committees of management on 29/6/12 informing them of their proposed hall hierarchy, inviting written submissions and requesting financial statement of income from hall hire, to be received by 6/8/12.

The five responses received are summarised in Table 3 below.

**Table 3: Responses from hall committees**

Hall	Communication type	Contact	Content Summary
Borong	Phone call	Sharon Coghill	Hall committee has been dissolved and control and responsibility of this building now vests with DSE.
Jarklin	Phone call	Debbie Bish	Very little hall hire income
Dingee	Letter	Sandra Hocking	\$ 800 hall hire received over 12 months
Fentons Creek	Letter	Irene Finch	<ul style="list-style-type: none"> <li>• Committee believes L3 is appropriate</li> <li>• Fentons Creek Progress organises community events</li> <li>• Ladies Committee raises funds for distribution to hall, church, CFA</li> <li>• Hall Rec Committee does not charge hire for community members and organisations</li> <li>• No hall hire income last 12 months</li> </ul>
Pyramid Hill	Letter	Kathleen Woods	Income for hall hire \$4160 for 12 months ending 31/7/12

While there was minimal response to the request for hall hire income it is proposed that Council proceed with the adoption of the recommended hierarchies and actions as discussed above and outlined in Table 4 below.

**Table 4: Recommended hierarchy for public halls**

Hierarchy	Hall Name	Recommended Hierarchy	Actions
L1	Boort Memorial Hall	L1	Retain L1
L1	Inglewood Town Hall	L1	Retain L1
L1	Newbridge Public Hall	L1	Retain L1
L1	Pyramid Hill Public Hall	L1	Retain L1
L1	Wedderburn Public Hall	L1	Retain L1
*TBD	Arnold Public Hall	L3	
*TBD	Borong Public Hall	Nil	Remove from the Schedule of Buildings in Building Asset Management Plan
*TBD	Bridgewater Mech. Institute	L2	
*TBD	Calivil Rec Reserve Hall	L2	
*TBD	Campbells Forest Public Hall	L3	
*TBD	Derby Public Hall	L3	
*TBD	Dingee Memorial Hall	L2	
*TBD	Durham Ox Hall	L3	
*TBD	Eddington Public Hall	L3	
*TBD	Fentons Creek Hall	L3	



Hierarchy	Hall Name	Recommended Hierarchy	Actions
*TBD	James Boyle Hall	Other	Classify as "Other – Clubrooms" under Building Asset Management Plan
*TBD	Jarklin Public Hall	L3	
*TBD	Korong Vale Mech. Institute	L2	
*TBD	Mysia School Hall	L3	
*TBD	Powlett Hall	L3	
*TBD	Rheola Hall	L3	
*TBD	Serpentine Public Hall	L2	
*TBD	Tarnagulla Public Hall	L2	
*TBD	Woodstock Public Hall	L2	
*TBD	Yando Public Hall	L3	
*TBD	Yarrowalla Com. Centre	L2	
	Llanelly (Former Hall)	Other	Add to Schedule of Buildings and Classify as "Other – Clubrooms" under Building Asset Management Plan

### **MOTION**

**Moved: Cr Brooke**

**Seconded: Cr Brownbill**

That Council:

- 1) Receive and note the statistics obtained with respect to observed usage for various public halls throughout the Shire.
- 2) Adopt the hierarchy classifications for various public halls throughout the Shire pursuant to clause 2.9.3 of Council's Building Asset Management Plan as listed within Table 4 of this report.
- 3) Authorise the amendment of Appendix 1 – Schedule of Buildings, in the Building Asset Management Plan, to include the adopted hierarchies and actions listed in Table 4 of this report.

**Carried**

### 7.3 LAANECOORIE PUBLIC HALL CLASSIFICATION – BUILDING ASSET MANAGEMENT PLAN

#### **SUMMARY**

Report provides Council with a summary of recent data obtained regarding the Laanecoorie Public Hall usage statistics as well as subsequent recommendation for classification of this hall pursuant to clause 2.9.3 of Council Building Asset Management Plan.

Author: Ian McLauchlan – Director Operations  
File No: 08/01/004  
Attachment: Nil

Cr Curnow declared a conflict of interest. The nature of the interest is an indirect interest as he is the Secretary/Treasurer of the Laanecoorie Public Hall.

Cr Curnow left the meeting at 4.48pm.

Cr Brownbill assumed the Chair in the Mayor's absence.

#### **RECOMMENDATION**

*That Council:*

- 1) *Receive and note the statistics obtained with respect to observed usage for the Laanecoorie Public Hall.*
- 2) *Approve classification of the Laanecoorie Public Hall pursuant to clause 2.9.3 of Council's Building Asset Management Plan as a level 3 hall.*
- 3) *Authorise the amendment of Appendix 1 – Schedule of Buildings, in the Building Asset Management Plan, to include the adopted hierarchy for the Laanecoorie Public Hall.*

#### **PREVIOUS COUNCIL DISCUSSION**

In November 2009 Council considered and adopted its Building Asset Management Plan (BAMP).

At its ordinary forum in April 2012, an initial report was presented summarising usage statistics and subsequent BAMP hierarchy recommendations for various public halls throughout the Shire. Following consideration of this report Councillors agreed that the relevant committees of management be provided an opportunity to respond to the proposed classification for their halls as well as be requested to provide further financial statements detailing income from hall hire so as to assist Council in reaching its final decision.

#### **BACKGROUND**

Council's Building Asset Management Plan (BAMP), along with companion asset management plans, is a key element of Council's strategic financial planning. The specific purpose of the BAMP is to:

- Demonstrate responsible stewardship by the Council
- Define how the infrastructure is and will be managed to achieve the organisation's objectives.
- Provide the basis for customer consultation to determine the appropriate levels of service.
- Manage risk of asset failure
- Achieve savings by optimising whole of life costs

- Support long term planning.

The plan therefore attempts to ensure that the funds available for building works are used to gain the most community benefit while ensuring that all community buildings with a demonstrated use retain the opportunity to seek some form of Council support.

The Council either owns freehold or controls crown land on which a total of 10 public halls are erected with a total replacement value of \$9,134,000. They range in size from the Boort Memorial Hall through to the Yando Public Hall.

In addition there are another 17 Public Halls with a total replacement value of \$5,810,000 controlled by either committees of management or trustees. This number does not include church halls, scout and guide halls, RSL halls, sporting group halls or senior citizens halls.

Given a declining population and financial constraints, the BAMP identified that there are an unsustainable number of halls for the community to maintain and eventually renew. Further, many halls now stand where no significant community exists, are observed to be in poor condition or often within 15 to 20 minutes travel time to another hall.

To address these issues specific strategies and actions contained within Council's BAMP includes the introduction of a hierarchy for the renewal/upgrade investment in public halls as follows:

*Level 1 Major Town Halls:*

Funding for major new and upgrade works is largely dependent on external funding through partnerships with government and philanthropic sources. Council will partly fund through contribution to external grants, where available.

Where external grants are unavailable Council may consider the possibility of fully funding the works provided the overall budget permits and the proposed works are consistent with the standards nominated for Major Town Halls.

*Level 2 Community Halls:*

Funding for major new and upgrade works is totally dependent on external funding through partnerships with government and philanthropic sources. Council will only partly fund works through contribution to external grants.

Support for projects is subject to the following conditions:

- presentation of a good business case
- external grant to be 1(grant):1(local contribution) or greater
- proposed works must be consistent with the nominated standard for Community Halls
- demonstrated need by demand analysis
- remoteness from alternative venues

*Level 3 Minor District Halls:*

Council will not contribute funds to new or upgrade works on halls in this classification.

Council will provide in principle support to grant applications if:

- projects are fully externally funded
- no higher priority works require support



External funding may include funding from approved community planning allocations, community grants scheme allocations or interest free loans from Council, with a combined maximum total contribution equalling 50% of the project value.

At the time of adoption Council’s BAMP identified 5 public halls as being Level 1 halls, namely:

- Boort Memorial Hall
- Wedderburn Mechanics Institute
- Inglewood Town Hall
- Pyramid Hill Town Hall
- Newbridge Town Hall

Further to the above renewal strategies, the BAMP also suspended all renewal works on public halls other than those listed above pending the collation and analysis of usage statistics to determine the appropriate classification of all public halls within the Shire.

Upon obtaining these usage statistics it was intended that Council review the usage data and determine where remaining halls fit within the specified hall hierarchy.

Accordingly, over the past 15 months Committees of Management have been requested to compile and submit to Council regular usage statistics for their respective halls. This data has now been collated, where submitted, and is now being submitted for Council consideration along with recommended hall classifications for the remaining unclassified facilities.

**ISSUES/DISCUSSION**

Hall Committees of Management were asked to provide usage information for each quarter of the survey period.

Table 1 below summarises the information compiled as at 9 March 2012 for the Laanecoorie Public Hall. All hall committees were provided with ample time and opportunity to submit usage data with many requiring multiple requests before sufficient data was obtained to facilitate the required usage analysis.

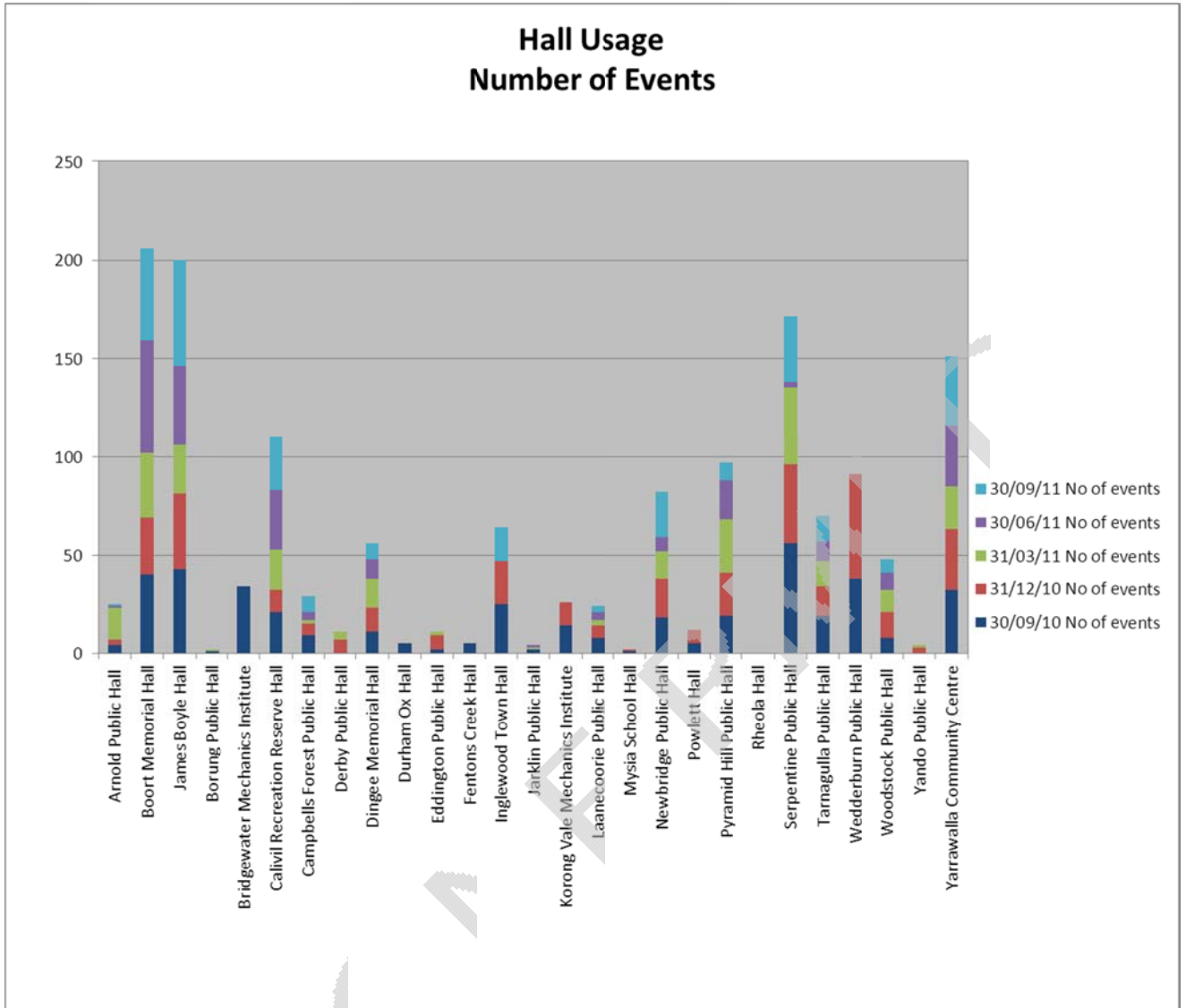
Note:

- Blank cells indicate that no usage data was received for that particular quarter
- During compilation of the data, events and numbers of users were deducted where an event was:
  - A Committee of Management meeting
  - An activity which did not use the hall or facilities e.g. football training where attached change rooms only would have been used
  - A working bee to undertake cleaning or maintenance on the facility
- In compiling the data, best estimates were used where no detailed information was given for specific events.

*Table 1: Laanecoorie Public Hall usage by quarter from 1 July 2010 to 30 September 2011:*

Hierarchy	Hall Name	Q1		Q2		Q3		Q4		Q5		Total	
		Number Of		Number Of		Number Of		Number Of		Number Of		Number Of	
		Events	Users	Events	Users	Events	Users	Events	Users	Events	Users	Events	Users
*TBD	Laanecoorie Public Hall	8	815	6	219	3	220	4	460	3	76	24	1790

The following chart represents the number of events held per quarter at individual halls.

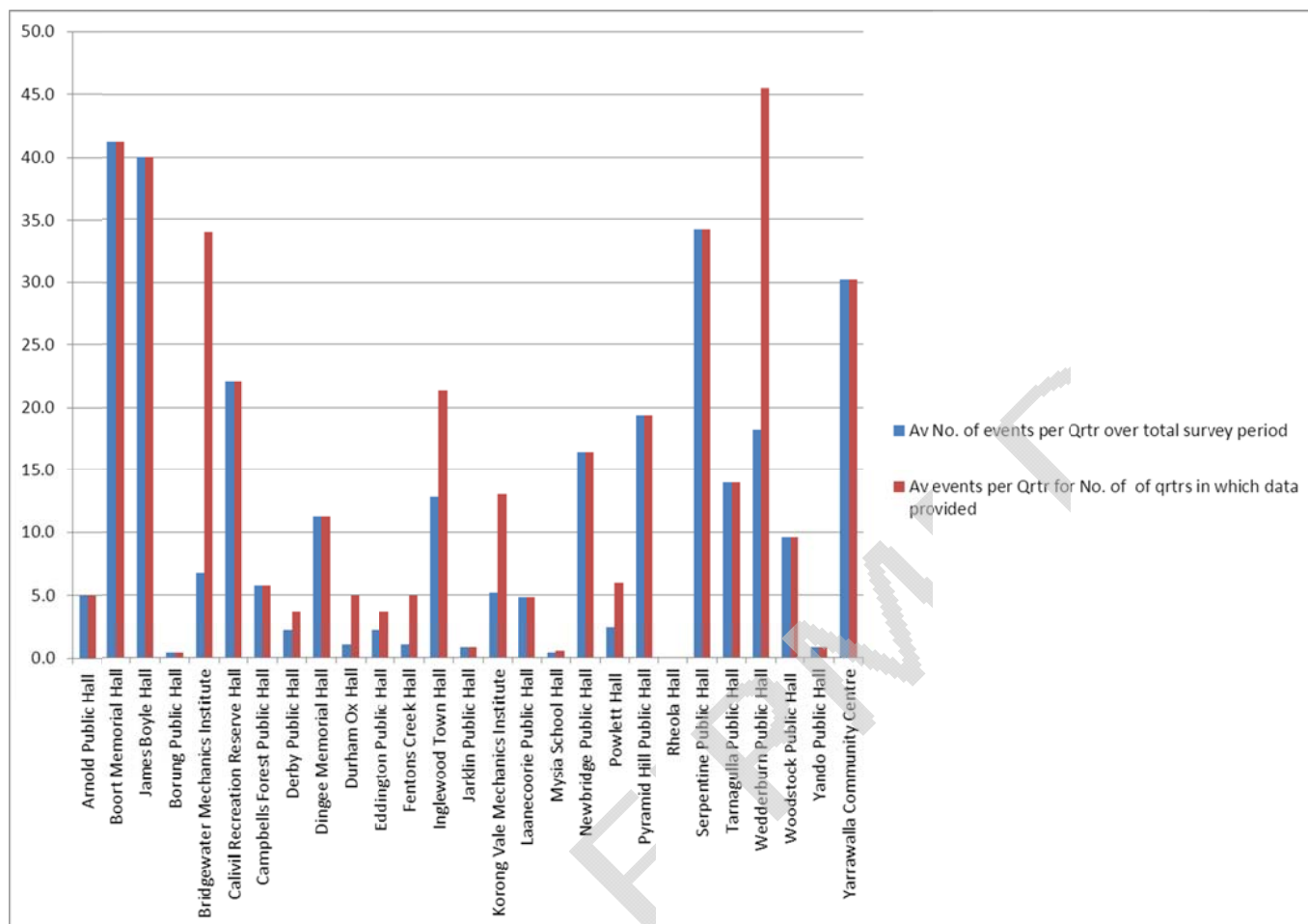


In order to compare usage between halls where there has been variation in the completeness of data, the average number of events per quarter for the quarters where data was submitted is provided in the table 2 below.

*Table 2: Average Public Hall Usage Comparison*

Hierarchy	Hall Name	Average No. of events per Quarter over total survey period	Average events per Quarter for number of quarters in which data was provided
L1	Boort Memorial Hall	41.2	41.2
L1	Inglewood Town Hall	12.8	21.3
L1	Newbridge Public Hall	16.4	16.4
L1	Pyramid Hill Public Hall	19.4	19.4
L1	Wedderburn Public Hall	18.2	45.5
*TBD	Arnold Public Hall	5.0	5.0
*TBD	Borong Public Hall	0.4	0.4
*TBD	Bridgewater Mech. Institute	6.8	34.0
*TBD	Calivil Rec Reserve Hall	22.0	22.0
*TBD	Campbells Forest Public Hall	5.8	5.8
*TBD	Derby Public Hall	2.2	3.7
*TBD	Dingee Memorial Hall	11.2	11.2
*TBD	Durham Ox Hall	1.0	5.0
*TBD	Eddington Public Hall	2.2	3.7
*TBD	Fentons Creek Hall	1.0	5.0
*TBD	James Boyle Hall	40.0	40.0
*TBD	Jarklin Public Hall	0.8	0.8
*TBD	Korong Vale Mech. Institute	5.2	13.0
*TBD	Laanecoorie Public Hall	4.8	4.8
*TBD	Mysia School Hall	0.4	0.5
*TBD	Powlett Hall	2.4	6.0
*TBD	Rheola Hall	0.0	0.0
*TBD	Serpentine Public Hall	34.2	34.2
*TBD	Tarnagulla Public Hall	14.0	14.0
*TBD	Woodstock Public Hall	9.6	9.6
*TBD	Yando Public Hall	0.8	0.8
*TBD	Yarrowalla Com. Centre	30.2	30.2

A comparison of the number of events per quarter for halls is shown in chart below.



The Laanecoorie Public Hall was observed to have had low usage in terms of the average number of events per quarter. Despite this the patronage of these events was observed to be quite high.

Given the proximity to Newbridge (level 1 Hall) and Tarnagulla (Level 2 Hall) it is recommended that despite a high patronage the number of events held at this facility only warrants classification as a level 3 hall.

Following the April 2012 Council Forum, a letter was sent to the Laanecoorie Public Hall committee of management on 29/6/12 informing them of the proposed hall hierarchy. This letter also invited written submissions in response and requested further financial statement of income from hall hire. A reply was required by 6/8/12 however to date no response to this request has been received.

Despite this it is proposed that Council proceed with the adoption of the recommended hierarchy for the Laanecoorie Public hall.

Table 4: Recommended hierarchy for public halls

Hierarchy	Hall Name	Recommended Hierarchy	Actions
*TBD	Laanecoorie Public Hall	L3	

**MOTION**

**Moved: Cr Holt**

**Seconded: Cr Brooke**

That Council:

- 1) Receive and note the statistics obtained with respect to observed usage for the Laanecoorie Public Hall.
- 2) Approve classification of the Laanecoorie Public Hall pursuant to clause 2.9.3 of Council's Building Asset Management Plan as a level 3 hall.
- 3) Authorise the amendment of Appendix 1 – Schedule of Buildings, in the Building Asset Management Plan, to include the adopted hierarchy for the Laanecoorie Public Hall.

**Carried**

Cr Curnow returned to the meeting at 4.50pm.

UNCONFIRMED

## 7.4 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**

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.

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.

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.

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**

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.

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*





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

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**

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.

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

#### **Site Meeting**

An onsite meeting was conducted on 11 September 2012. In attendance were the applicant's, all objectors, Councillors Curnow, Brownbill and Holt, Chief Executive Officer, Director



Operations and Manager Planning & Local Laws. The concerns of the objectors were discussed with the applicants and Council representatives.

The inclusion of conditions requiring the connection of the development to a reticulated electricity supply and a prohibition on earthworks that alter the hydrology of the land were discussed. It is recommended that permit conditions addressing these issues should be included in the event that Council resolve to support the application.

### **Assessment**

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

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.*

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.

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).

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.

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

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.

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.

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.

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.

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.

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.

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.

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.

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.

**MOTION**

**Moved: Cr Brownbill**

**Seconded: Cr Brooke**

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

**Carried**

UNCONFIRMED

## 7.5 PLANNING APPLICATION ASSESSMENT – APPLICATION NO. 4741

### **SUMMARY**

Report provides Council with assessment and recommendations with respect to planning permit application No. 4747, which seeks to establish a dog breeding facility in the Lake Marmal area.

Author: Tyson Sutton – Manager Planning & Local Laws  
 File No: 13/02/004  
 Attachment: List of proposed conditions  
 Copy of received objections

### **RECOMMENDATION**

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

### **PREVIOUS COUNCIL DISCUSSION**

Council has not previously discussed this matter.

### **BACKGROUND**

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

### **ISSUES/DISCUSSION**

#### ***Proposal***

The applicant proposes the use and development of the allotment for animal keeping. The application seeks to use and develop land known as 1040 Buckrabanyule North Road, Lake Marmal as a dog breeding facility. The applicant proposed to keep 50 animals for breeding purposes including Border Collies, Golden Retrievers and Pembroke Corgis.

Three sheds are proposed to be constructed as part of the proposal. Two sheds will be 52.50 m long, 6 m wide and contain a maximum height of 4.24m. Each shed will contain 25 pens with open frontages. Each pen will be 2.1 m wide by 6 m long. A third shed will be 14.40 m long, 7.6 m wide and contain a maximum height of 4.41 m and will be used for whelping. The whelping shed will contain 8 pens (3.6 m wide by 3.75 m long). All proposed sheds will be constructed from Colorbond, with concrete floors and galvanised chain wire.

A run area 30 m by 60 m is also to be constructed on the site.

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

The site is an irregular shaped allotment located on the eastern side of Buckrabanyule North Road. The site runs north to south along its longest axis and has a frontage to the road of ~ 280 m and a total area of 3.753 ha.

A single dwelling and associated outbuildings are currently constructed on the site. A gravel driveway currently provides access to the site.

Scattered vegetation is present on the site, most notable along the southern boundary and on the eastern side of the dwelling.

A small dam is located in the north eastern quadrant of the property.

The site is located in a broadly zoned Farming area to the south of Boort – Charlton Road.

The adjoining property to the east of the site has a number of sheds, including shearing shed.





Image 1. Subject Land

Power is connected to the property. Reticulated water and sewerage are not available.

The dominant land use of the area is agriculture (grazing and cropping). Buckrabanyule North Road forms the municipal boundary.

**Public Notification**

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

- The applicant is not a fit and proper person to manage the proposed use
- Risk to livestock on adjoining properties
- Litter
- Waste management

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

**Referrals**

The application was referred to the North Central Catchment Management Authority in accordance with the requirements of the Loddon Planning Scheme. The Authority advised that flood level for the 1% Annual Exceedence Probability (100 year Average Recurrence Interval) have not been designated or declared for the area under the provisions of the Water Act 1989. However, they have advised that anecdotal evidence indicates that in the event of a 100 year ARI flood it is possible that a large proportion of the property may be subject to inundation from a tributary to Lake Marmal.

The North Central Catchment Management Authority does not object to the proposed development. They do not require any conditions to be included on a permit should Council resolve to support the application.

**Assessment**

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

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.*

The proposed development is consistent with the purpose of the zone. 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. It 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 fifty dogs planning approval is required in this instance.

The proposed use and development for animal keeping will introduce an agricultural use to the land. The property is currently used for residential lifestyle purposes. It will provide for 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 its relatively small size in conjunction with the presence of a dwelling means it would be an unattractive proposal to acquire the site for agriculture expansion. The proposed use represents more intensive agriculture than 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 addressed through appropriate permit conditions.

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.

The siting of the animal facility is considered to be appropriate being setback 27 metres from property frontage.

The whole of the property is affected by the Land Subject to Inundation Overlay. The purpose of the overlay 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 identify land in a flood storage or flood fringe area affected by the 1 in 100 year flood or any other area determined by the floodplain management authority.
- To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.
- To reflect any declaration under Division 4 of Part 10 of the Water Act, 1989 where a declaration has been made.
- To protect water quality in accordance with the provisions of relevant State Environment Protection Policies, particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).
- To ensure that development maintains or improves river and wetland health, waterway protection and flood plain health.



The proposed development is consistent with the purpose of the Land Subject to Inundation Overlay. It will not significantly affect the free passage or temporary storage of floodwaters or contribute to any significant rise in flood levels.

Appropriate site management will preserve water quality in nearby streams and wetlands.

**Consideration of grounds of objection**

- The applicant has a history of failing to adequately control livestock and domestic animals
  - The objectors indicate that there have been ongoing issues with the applicant containing livestock and dogs on their property. They allege that they have observed livestock belonging to the applicant wandering on local roads and trespassing on their properties on numerous occasions. Two of the objectors also allege that dogs belonging to the applicant have been responsible for worrying their livestock.
  - A review of Council's Local Laws Incident Register and Pound Register identified that Local laws staff had attended the subject land or spoken to the applicant on three occasions since 2009 regarding livestock at large. There is no record of Council staff attending to address issues relating to dogs.
- Risk to livestock on adjoining properties
  - Any risk to livestock created by the proposed use for animal keeping is expected to be minimal if appropriate conditions are placed on the permit and complied with. At least three animal keeping enterprises are already established within the Shire and coexist with broad acre grazing without any observable impediments. There is a potential risk to livestock of harassment from dogs that have escaped from the facility. This issue can be addressed through appropriate fencing.
- Litter
  - Litter has been raised as an existing issue that the objectors anticipate will become worse in the proposal goes ahead. This is an issue that can be addressed by the litter provisions of the Environment Protection Act. Permit conditions specifying garbage management requirements will allow greater levels of authority to address any litter issues.
- Waste management
  - 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.

**MOTION**

**Moved: Cr Beattie**

**Seconded: Cr Brooke**

That Council resolve not to grant a planning permit, as the facility would be disruptive to operations adjacent to the property.

**Carried**

## 8. DIRECTOR ECONOMY AND COMMUNITY REPORTS

### 8.1 UPDATE ON THE INGLEWOOD TOWN HALL HUB PROJECT

#### SUMMARY

This report provides Council with an update to the Inglewood Town Hall Hub Project and request for support to seek funding in order to bring the project to fruition.

Author: Tim Jenkyn, Manager Community Planning  
 File No: 13/09/005  
 Attachment: nil

Cr Curnow declared a conflict of interest. The nature of the interest was an indirect interest as he is a member of the Inglewood Town Hall Hub Project Working Group.

Cr Curnow left the meeting at 4.55pm.

Cr Beattie assumed the Chair in the Mayor's absence.

#### RECOMMENDATION

*That Council:*

1. *Receive and note the Inglewood Town Hall Hub Update report*
2. *Instruct Council Officers to provide a funding model for the project*

#### PREVIOUS COUNCIL DISCUSSION

- Council Report April 2011 – Inglewood Focus on Feasibility Study
- Council Forum August 2012 – Inglewood Town Hall Hub Discussion
- Council Forum September 2012 – Stakeholder Presentation

#### BACKGROUND

At the April 2011 meeting Council was presented with outcomes of the *Inglewood Focus on Feasibility Study* and the *Inglewood Town Hall Hub Strategic Plan*. Council accepted the recommendation;

1. *That Council give in principle support for a community hub located at the Town Hall that includes the operation of the Inglewood Community Resource Centre and delivers improved facilities to the Town Hall.*
2. *That Council receives the Draft Inglewood Town Hall Hub Strategic Plan and notes the opportunities identified in the plan.*
3. *That Council explore alternative building forms to deliver a state of the art service to the Inglewood community.*
4. *That Council continue to work with key stakeholders in order to seek funding to bring the Town Hall Hub project to fruition.*

In June 2011 the Feasibility Study Group wound up their role and in October 2011 a Project Working Group (PWG) representing key stakeholders was established to implement the next stages of the project.

Members of the Project Working Group are:

- Inglewood Town Hall CoM – Dona Martin
- Inglewood Community Resource Centre CoM – Jill Burdett
- Community Member/IDTC – Murray Baud
- Inglewood & Districts Community Bank Board Member – Dale Jackson
- Department of Planning & Community Development – Jenny Dyer
- Loddon Shire Council – Tim Jenkyn
- Loddon Shire Councillor – Mayor Geoff Curnow

The role of the Project Working Group, as drafted in their terms of reference, has been;

1. To *identify the stages and build the plan* for improvements at the Town Hall and accommodate community-business tenancy opportunities at the site.
  - To deliver a detailed concept plan to key stakeholders and the community for consideration and approval. The plans will provide the basis for stakeholder agreement, detailed building plans, applications for funding and project management recommendations.
  - That the PWG has a facilitative role to play and is an important source for local engagement and support, enthusiasm and knowledge (or access to it.)

### **ISSUES/DISCUSSION**

Over the past 9 months the Project Working Group has produced *Concept Plans, Floor Plans and Estimate of Cost, Kitchen Plan and Fit Out, Functional Design Brief, Useability Framework, Stakeholder Presentations, Funding Strategy*, and drafted an outline for a *Business Plan and Operational Charter*.

Based on this work estimates for cost of the project are around \$1.8 million for a first stage development, the elements of which presented in the Council forum. Detailed plans and an opinion of probable costs will be required for any funding application to the State or Federal Governments. The PWG has submitted an expression of interest to the State Government *Putting Locals First Program* for a planning grant in order to produce a business plan, operational charter, governance process and architectural plans for a community-business hub located at the Inglewood Town Hall.

The PWG has a draft strategy for how external funding might be attracted to the project. This includes applications to the Regional Development Australia Fund, the federal *Community Energy Efficiency Program* (energy audit of existing building) and the State Government's *Putting Locals First* scheme. Other potential sources of funds were identified as community contributions and partnership with the Inglewood & Districts Community Bank, which has expressed interest in the project.

To date Council has allocated \$153,500 to the project through Inglewood Community Planning funds. It has been identified that the project may attract the community plan strategic fund. It is acknowledged that a funding breakdown may be similar to that recently awarded for further development of the Wedderburn Community Centre.

The project has been designed to provide a functional community-business hub for the Inglewood community into the future. A lot of hard work has been put in by members of the Inglewood Town Hall Committee of Management, the Inglewood Community Resource Centre, Inglewood & Districts Community Bank and members of the community. Particular credit must go to Dona Martin, Jillian Burdett, Murray Baud, Dale Jackson and Jenny Dyer for their work in bringing the project to this point.

Progress of the project has been communicated to the Inglewood community through *The Korong* newsletter, local radio and print media, word of mouth and via the Inglewood community website at [inglewood.vic.au](http://inglewood.vic.au).

The PWG will be holding an open day at the Town Hall on Sunday the 30<sup>th</sup> of September to present the concept plans to the wider community.

**MOTION**

**Moved: Cr Holt**

**Seconded: Cr Brooke**

That Council:

1. Receive and note the Inglewood Town Hall Hub Update report
2. Instruct Council Officers to provide a funding model for the project

**Carried**

Cr Curnow returned to the meeting at 5.08pm.

UNCONFIRMED

## 8.2 LODDON NATURE TOURISM PLAN PROGRESS REPORT

### **SUMMARY**

A progress report on the Nature Tourism Plan, prepared by the Nature Tourism Advisory Team. The report highlights completed actions and identifies completed actions from objective 1, 2, 3 and 4 of the plan.

Author: Robyn Vella  
File No: 16/07/002  
Attachment: Updated Loddon Nature Tourism Plan

### **RECOMMENDATION**

*That the Nature Tourism Plan progress report be received and noted.*

### **PREVIOUS COUNCIL DISCUSSION**

In May 2010 a progress report was submitted to Council with a summary of each action and the advancement of the development for Nature Tourism since the plan was endorsed in 2009.

### **BACKGROUND**

The Nature Tourism Plan was developed to provide direction for the Nature Tourism Advisory Team.

#### **The Nature Tourism Plan consists of 4 objectives**

1. To promote existing nature tourism venues in the Shire
2. To identify areas in Loddon Shire that demonstrates potential for nature tourism.
3. To assist in the improvement, where practical, of existing facilities
4. To identify potential new/expanded business opportunities in nature tourism.

Each objective has a list of actions, timelines and responsibilities

The Nature Tourism Advisory Team comprises representatives from Parks Victoria Inglewood, Loddon Shire Councillor and Tourism Manager, Friends of Kooyoora and 3 community representatives.

Parks Victoria Kerang has declined due to boundary re structure and Department of Sustainability and Environment Maryborough limited resources.

### **ISSUES/DISCUSSION**

The Nature Tourism Advisory Team has reviewed and updated the Nature Tourism Plan to include completed actions.

Completed action highlights for the Nature Tourism Advisory Team include:

- Nature Tourism map,
- Marketing of nature tourism based events through the Loddon Shire calendar of events brochure,
- Website and the
- "Naturally Loddon" a wonderland in spring festival.

The Nature Tourism Advisory Team, with assistance from the Loddon Visitor Information Centre have also collated allied nature tourism material (produced by other key stakeholders) such as

Kooyoora State Park Notes (Parks Victoria) and Department of Primary Industry Upper and Lower Loddon Fishing maps.

This allied promotional material is available from Loddon Visitor Information Centre and Loddon Tourist Stands to assist in the promotion of nature based experience with in the Shire.

The main focus for the Nature Tourism Advisory Team is to complete existing actions from the four core objectives of the Plan

Actions in objective 1 and 2 also involve the work of volunteers in support of the Nature Tourism Advisory Team. This dedicated group of volunteers collect background material and do research (which may be on an activity or iconic attraction) on behalf of the Nature Tourism Advisory Team.

While the action lists within the plan are task oriented, a large proportion of our natural assets are the responsibility of key partners (such as Parks Victoria). Nature tourism infrastructure improvement outcomes require the formation of partnerships and ongoing negotiation with these project partner representatives and their respective organisations. Advocacy is particularly important in Objective 3 'Improving Nature Tourism Infrastructure'.

The Loddon Shire Tourism Department is working with key stakeholders to achieve actions under Objective 4 'Identify Opportunities for New/Expanded Nature Tourism Small Business'.

To encourage the development of tourism businesses, specialist forums planned for 2012/2013 include:

- Developing a business on public land and
- Farm based accommodation

Objectives yet to be completed are listed within the attachment to this report

Cr Brooke acknowledged the work of Robyn Vella in achieving the results of the Nature Tourism Plan.

#### **MOTION**

**Moved: Cr Brooke**

**Seconded: Cr Beattie**

That the Nature Tourism Plan progress report be received and noted.

**Carried**



## **9. ACTING DIRECTOR COMMUNITY WELLBEING REPORTS**

### **9.1 CHANGES IN FEDERAL AGED CARE POLICY**

#### **SUMMARY**

This report is to provide Council with some preliminary information on the recent release of the Living Longer Living Better aged care reform package.

Author: Wendy Gladman, Acting Director Community Wellbeing

File No:

Attachment: nil

#### **RECOMMENDATION**

*That Council receive and note the report on Changes in federal aged care policy.*

#### **PREVIOUS COUNCIL DISCUSSION**

Nil.

#### **BACKGROUND**

The federal government, working through the Council of Australian Governments, attempted to negotiate a health services funding agreement to be applied consistently across Australia. This agreement was intended to cover a broad spectrum of health service provision, including the funding of public hospitals, local GP services, allied health services, and included home and community care (HACC) and personal care services.

The negotiations were complicated by the fact that, in Victoria and Western Australia, local governments co-funded HACC services. Consequently, HACC services were excluded from the comprehensive health services funding agreement signed between the federal government and Victoria.

#### **ISSUES/DISCUSSION**

On 20 April 2012 a comprehensive package of reforms to the Aged Care system was released by the federal government. The 'Living Longer Living Better' aged care reform package is a 10 year reform program developed in response to the Productivity Commissions 'Caring for Older Australians' report, providing service users with more choice and control over the range of services they receive, and positions the government to meet the social and economic challenges of the nation's ageing population.

The information available to date indicates that the Living Longer Living Better reform will realign funding streams within the Home Care, Packaged Care and Residential Care programs, and may present some future business risk to the organisation. The changes are being progressively implemented from 1 July 2012 and whilst it is too early to provide Council with any definitive advice on the long term impacts of this reform, this report is provided so that Council may keep a watching brief as this unfolds.



**MOTION**

**Moved: Cr Brooke**

**Seconded: Cr Brownbill**

That Council receive and note the report on Changes in federal aged care policy.

**Carried**

UNCONFIRMED

## 10. GENERAL BUSINESS

### MOTION

Moved: Cr Holt

Seconded: Cr Brooke

That the following items be treated as urgent business.

Carried

### 10.1 **BOORT PARK – TRANSFER OF PROPERTY TO COUNCIL AND APPLICATION TO BECOME A SECTION 86 COMMITTEE**

#### SUMMARY

This report seeks Council's approval to transfer the Boort Park property to Council, and to create a Section 86 Committee of Management for the Boort Park facility.

Author: Jude Holt – Director Corporate Services  
File No: 02/01/046  
Attachment: Nil

#### RECOMMENDATION

*That Council approves:*

- 1. Transfer of the Boort Park property to Council*
- 2. Payment of a peppercorn to the Boort Park Committee of Management Inc. for transfer of the facility*
- 3. Creation of a Section 86 Committee of Management for the Boort Park facility.*

#### PREVIOUS COUNCIL DISCUSSION

Nil

#### BACKGROUND

Council's Chief Executive Officer (CEO) and Director Corporate Services were invited to an informal meeting with members of the Boort Park Committee of Management Inc. on 23 May 2012 to discuss options for the future of the facility in relation to ownership and management. Cr Beattie was in attendance at the meeting.

Boort Park is currently owned by the Boort Park Committee of Management Inc., with three local community members on the committee.

#### ISSUES/DISCUSSION

The meeting indicated a desire to pass ownership of the facility to Council.

The CEO outlined the importance of Boort Park to Council as a premium sporting facility, and that transfer of ownership to Council could be an option. If that occurred, a Section 86 committee of management would be required for ongoing management of the facility.

The meeting was advised that any decision about this would be required at a formal meeting of the Council.

Boort Park Committee of Management Inc. has now formally approached Council, advising that a motion has been passed at a meeting of Boort Park Committee of Management Inc. for the

facility to be taken over by the Loddon Shire Council, and asking Council to inform the committee about the next steps towards creation of a Section 86 Committee.

A response has been sent to the committee advising that their request would be forwarded to Council for decision.

**MOTION**

**Moved: Cr Beattie**

**Seconded: Cr Brownbill**

That Council approves:

1. Transfer of the Boort Park property to Council
2. Payment of a peppercorn to the Boort Park Committee of Management Inc. for transfer of the facility
3. Creation of a Section 86 Committee of Management for the Boort Park facility.

**Carried**

**10.2 FIRE SERVICES LEVY**

**MOTION**

**Moved: Cr Holt**

**Seconded: Cr Brooke**

That the following items be treated as urgent business.

**Carried**

**MOTION**

**Moved: Cr Holt**

**Seconded: Cr Brooke**

That Council correspond with the local member, Minister Peter Walsh, the Minister for Local Government, Jeanette Powell, and the Premier expressing Council's concerns with some provisions of the Fire Services Property Levy and seeking meetings to discuss these issues.

**Carried**

**10.3 FLOOD LEVEES**

Council was provided with a briefing on a report on flood mitigation structures presented to government in August. Council staff participated in a workshop with other councils to consider the findings of the report and identify issues to collate a response to the report. Themes of the report included waterway ownership and maintenance, legal issues, water storage operations, flood monitoring infrastructure and local knowledge and community education.

In relation to flood levees, the report recommends that costs of construction or maintenance of most flood levees may be apportioned to the beneficiaries of the levee. Other recommendations included annual maintenance and inspection of levees by Council, inclusion of responsibilities in

the emergency management framework, and responsibilities for clearance of debris from waterways.

It will be important to identify the Serpentine to Boort Floodplain Management Plan as a levee of state significance.

Councillors will be provided with the report for further consideration.

UNCONFIRMED

## 11. CONFIDENTIAL ITEMS

### Closing of Meeting to the Public

#### RECOMMENDATION

*That the meeting be closed to the public.*

### 11.1 REVIEW OF ACTION SHEET

#### MOTION

Moved: Cr Brooke

Seconded: Cr Holt

That the Action Sheet be received and noted.

Carried

### 11.2 PLANNING AND LOCAL LAWS COMPLIANCE REPORT

#### MOTION

Moved: Cr Holt

Seconded: Cr Beattie

That Council receives and notes the Planning and Local Laws Compliance Report.

Carried

### 11.3 CONTRACT NO 236 – CONSTRUCTION AND REPAIR OF DROP STRUCTURES & OTHER CIVIL WORKS AT EIGHT SITES AS SPECIFIED

#### MOTION

Moved: Cr Brooke

Seconded: Cr Brownbill

That Council award Contract No 236 – Construction and Repair of Drop Structures & other Civil Works at Eight Sites as Specified be awarded to KY Civil Pty Ltd for the sum of \$301,050.00.

Carried

### 11.4 TAFE FUNDING CUTS

No motion was made.

### 11.5 BOORT CULTURAL ARTS AND EDUCATION CENTRE

No motion was made.

### 11.6 INGLEWOOD LIONS CLUB PROPOSED UNIT DEVELOPMENT – BROOKE ST INGLEWOOD

No motion was made.

**MOTION**

**Moved: Cr Brooke**

**Seconded: Cr Beattie**

That the meeting be re-opened to the public at 6.25pm.

**Carried**

**12. FURTHER GENERAL BUSINESS**

**12.1 WINTER SPORTS PREMIERSHIP WINNERS**

**MOTION**

**Moved: Cr Beattie**

**Seconded: Cr Brownbill**

That Council write a letter of congratulation to all winners of the football, netball and hockey premiership teams within Loddon Shire.

**Carried**

**13. NEXT MEETING**

The next Ordinary Meeting of Council will be held on Monday 22 October 2012 at Tarnagulla Community Centre commencing at 3.30pm.

There being no further business the meeting was closed at 6.30pm.

Confirmed this.....day of....., 2012

.....  
Cr Geoff Curnow, Mayor