

LODDON SHIRE COUNCIL

Notice of an Ordinary Meeting of the Loddon Shire Council to be held in the Council Chambers, Serpentine on Tuesday 26 July 2016 at 3pm.

ORDER OF BUSINESS

1. APOLOGIES	2
2. PREVIOUS MINUTES	2
2.1 CONFIRMATION OF MINUTES.....	2
2.2 REVIEW OF ACTION SHEET	2
3. COUNCILLORS' REPORTS	3
3.1 MAYORAL REPORT	3
3.2 COUNCILLORS' REPORT.....	3
4. DECISION REPORTS	4
4.1 UPDATE TO APPOINTMENTS AND AUTHORISATIONS	4
4.2 2015/16 FINANCIAL AND PERFORMANCE STATEMENTS IN PRINCIPLE REPORT	6
4.3 CAPITAL EXPENDITURE PROGRAM (PARKS AND GARDENS)	8
4.4 PLANNING PERMIT APPLICATION NO. 5195 SADDLERY, 18 BROOKE ST. INGLEWOOD	10
4.5 PLANNING PERMIT APPLICATION NO. 5189 – TWO POULTRY LAYER SHEDS, FANTASY ROAD, BRIDGEWATER.....	14
4.6 REVIEW OF PROCUREMENT POLICY	18
4.7 REVIEW OF PROVISION FOR DOUBTFUL DEBTS AND WRITING OFF BAD DEBTS POLICY	20
5. INFORMATION REPORTS	22
5.1 INWARDS CORRESPONDENCE.....	22
5.2 ROAD NETWORK DEFECT RECTIFICATION COMPLIANCE SUMMARY REPORT	23
5.3 INTERIM FINANCE REPORT FOR THE PERIOD ENDING 30 JUNE 2016	25
6. COMPLIANCE REPORTS	27
6.1 DOCUMENTS FOR SIGNING AND SEALING	27
7. GENERAL BUSINESS.....	28
8. CONFIDENTIAL ITEMS	28

1. APOLOGIES

Nil

2. PREVIOUS MINUTES

2.1 CONFIRMATION OF MINUTES

SUMMARY

Seeking approval of the unconfirmed minutes of the previous Council Forum and Meetings.

Author: Phil Pinyon, Chief Executive Officer

Council Plan ref: Core business 8: Compliance

File No: 02/01/001

Attachment: Nil

RECOMMENDATION

That Council confirm:

1. *the minutes of the Council Briefing of 28 June 2016*
2. *the minutes of the Ordinary Council Meeting of 28 June 2016*
3. *The minutes of the Council Forum of 12 July 2016*

2.2 REVIEW OF ACTION SHEET

SUMMARY

Notation of Action Sheet.

Author: Phil Pinyon, Chief Executive Officer

Council Plan ref: Core business 8: Compliance

File No: 02/01/001

Attachment: 2.2 Action Sheet

RECOMMENDATION

That Council receive and note the Action Sheet.

3. COUNCILLORS' REPORTS

3.1 MAYORAL REPORT

SUMMARY

Approval of the Mayoral Report.

Author: Phil Pinyon, Chief Executive Officer

Council Plan ref: Core business 1: Leadership

File No: 02/01/001

Attachment: Nil

RECOMMENDATION

That Council receive and note the Mayoral Report.

3.2 COUNCILLORS' REPORT

SUMMARY

Approval of Councillors' Reports.

Author: Phil Pinyon, Chief Executive Officer

Council Plan ref: Core business 1: Leadership

File No: 02/01/001

Attachment: Nil

RECOMMENDATION

That Council receive and note the Councillors' Report.

4. DECISION REPORTS

4.1 UPDATE TO APPOINTMENTS AND AUTHORISATIONS

SUMMARY

Council approval is sought for a revised set of delegations and instruments of appointment and authorisation following their review.

Author: Lynne Habner, Executive Assistant
 Council Plan ref: Core business 8: Compliance
 File no: 18/01/003
 Attachment: Instrument of appointment and authorisation

RECOMMENDATION

That Council:

- A. *In the exercise of the powers conferred by section 224 of the Act and the other legislation referred to in the attached instrument of appointment and authorisation, resolves that*
1. *The member of Council staff referred to in the instrument be appointed and authorised as set out in the instrument.*
 2. *The instrument comes into force immediately the common seal of Council is affixed to the instrument, and remains in force until Council determines to vary or revoke it.*
 3. *The instrument be sealed.*
- B. *Revokes the following Instruments of Appointment and Authorisation, effective from the date that CEO signs the new instrument:*

Date of instrument	authorising	under the following Acts
22/3/2016	Margaret Joan Allan	Local Government Act 1989

CONFLICT OF INTEREST

Are there any conflicts of interest for any council staff involved in writing this report, or involved in the subject matter of the report?

No

If yes, the following details identify the conflict of interest.

Officer name	Nature of interest	Reason for conflict
Click here to enter text.	Choose an item. If indirect, the type of indirect interest is: Choose an item.	[Explain the specific circumstances of this person's conflict of interest.]

[Refer to the Staff and Contractors Code of Conduct for definitions of conflict of interest.]

PREVIOUS COUNCIL DISCUSSION

Nil.

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.

ISSUES/DISCUSSION

An instrument of Appointment and Authorisation is required for the Chief Executive Officer, and the previous CEO's Appointment and Authorisation is required to be revoked.

Advice from Maddocks lawyers confirmed that any previous delegations, authorisations and appointments made by the previous CEO will remain in place until they are changed or revoked, and they do not have to be re-appointed by the new CEO.

COSTS/BENEFITS

Adoption of the recommendation will not have any financial impacts.

RISK ANALYSIS

Adoption of the recommendation will ensure that the Chief Executive Officer is appointed and authorised under relevant legislation. If current appointments and authorisations are not in place, actions of a council officer exercising those powers could be legally challenged.

CONSULTATION AND ENGAGEMENT

Nil.

4.2 2015/16 FINANCIAL AND PERFORMANCE STATEMENTS IN PRINCIPLE REPORT

SUMMARY

This report seeks “in principle” support from Council for the Financial and Performance Statements for the year ended 30 June 2016.

Author: Deanne Caserta, Manager Financial Services
 Council Plan ref: Core business 6: Financial stability
 File no: 06/01/001
 Attachment: Draft Financial Statements and Performance Statement

RECOMMENDATION

That Council:

1. *Adopts the Financial Statements and Performance Statement for the year ended 30 June 2016 as presented “in principle”*
2. *Authorises the Chief Executive Officer to make any amendments to the Financial Statements and Performance Statement for the year ended 30 June 2016 that may be requested by the Victorian Auditor-General*
3. *Authorises the Mayor Cr Neil Beattie, one other Councillor and the Chief Executive Officer to certify the audited Financial Statements and Performance Statement for the year ended 30 June 2016.*

CONFLICT OF INTEREST

Are there any conflicts of interest for any council staff involved in writing this report, or involved in the subject matter of the report?

No

If yes, the following details identify the conflict of interest.

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PREVIOUS COUNCIL DISCUSSION

Nil

BACKGROUND

Council’s external auditors, Crowe Horwath, acting on behalf of the Victorian Auditor-General, visited Council’s Wedderburn office on 18 to 22 July 2016 to finalise the audit of Council’s Financial Statements and Performance Statement for the year ended 30 June 2016.

A condition of the Local Government Act (S.132 (2)) is that Council cannot formally submit the Financial Statements or Performance Statement to the Minister without having passed a motion giving in principle support to those statements.

It is also a condition of the Local Government Act (S.132(5)) that Council must ensure that the Financial Statements and Performance Statement, in their final form after any changes recommended or agreed by the auditor have been made, are certified in accordance with the

regulations by two Councillors and any other prescribed person authorised by Council for this purpose.

ISSUES/DISCUSSION

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

The Performance Statement is in line with the Regulations. It includes 12 service performance indicators, 12 financial sustainability indicators and six sustainability capacity indicators, which are financial and non-financial indicators of sustainability of Council.

Every council now reports the same information in the Performance Statement.

COSTS/BENEFITS

The benefit to Council and the community is accurate financial information which shows the financial results of Council for the financial year, and provides insight into Council's financial sustainability into the long term.

RISK ANALYSIS

Preparation and auditing of Financial Statements and the Performance Statement are legislated functions of Council. Council must provide these documents along with the Report of Operations to the Minister for Local Government by 30 September 2016.

By having a structured project plan for delivery of the statements to the Victorian Auditor-General's representative, the risk of not meeting the legislative timeline is diminished.

CONSULTATION AND ENGAGEMENT

The Audit Committee will be provided with an overview of the Financial Statements and Performance Statement at the Audit Committee to held on 18 August 2016.

4.3 CAPITAL EXPENDITURE PROGRAM (PARKS AND GARDENS)

SUMMARY

This report seeks Council approval of the proposed 2016/17 Capital Expenditure Program encompassing parks and gardens related assets.

Author Indivar Dhakal, Assets Engineer

Council Plan ref: Core business 5: Providing quality infrastructure

File no: 15/01/001

Attachment: Register of proposed parks and gardens capital works projects 2016/17

RECOMMENDATION

That Council approve the proposed Capital Expenditure Program (parks and gardens) for 2016/17 as attached.

CONFLICT OF INTEREST

Are there any conflicts of interest for any council staff involved in writing this report, or involved in the subject matter of the report?

No

If yes, the following details identify the conflict of interest.

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[Refer to the Staff and Contractors Code of Conduct for definitions of conflict of interest.]

PREVIOUS COUNCIL DISCUSSION

Capital expenditure for the parks and gardens program for 2015/16 was resolved by the council last year. This report is presented to the Council seeking approval and adoption of the capital expenditure program for parks and gardens for 2016/17. In future years Council officers involved in preparation of this report will incorporate this report within the annual infrastructure rolling program for 2017/18 and beyond.

BACKGROUND

Every year council allocates \$100,000 towards upgrading and renewal of parks and gardens and its amenities. Council carries out scoping of the projects that are required to be carried out and maintains a database in the form of rolling program. This expenditure program is particularly based on the rolling program. Whilst no formal priority matrix is used for parks and gardens expenditure program, the priority of the projects is mainly based on safety concerns and cost-benefit of the individual projects. Additionally the following strategic documents are considered whilst preparing this annual expenditure program:

- Council Plan
- Long term financial plan
- Parks Asset Management Plan
- Requests received from the local communities.

A summary of funds allocation for each projects are listed in the rolling program attached herewith (see attachment).

ISSUES/DISCUSSION

Adoption of the proposed expenditure program will allow the Council to improvise in the following categories:

- Park facilities

It is proposed to upgrade the second BBQ in Rotary Park, Boort and also perform improvement works around the facility. The estimated cost of this project is \$8,800. This will allow council to address the safety issue around the BBQ area and improve the aesthetics of the area.

- Irrigation upgrade

It is proposed to invest \$91,200 to upgrade irrigation facilities around the shire in different towns and different public facilities (see attachment). This will assist the Council to maintain its existing parks, gardens and public facilities in a cost effective and efficient manner. Installation of automatic sprinklers will allow the Council staff to do more irrigation in parks, gardens and public facilities within less time.

Council has received numerous requests from different community groups and management committees seeking funding for parks and garden upgrade works. The Council officers also received a report from Little Lake Boort Management Committee and endorsed by Boort Development Committee for the upgrade of park facilities around Little Lake Boort. The rolling program for parks and gardens 2016/17 was already in its final stage when the officers received this report and the magnitude of the proposed works was significant so it was not feasible to adopt the report completely. The major safety concerns around Little Lake Boort have been addressed within this year's capital expenditure program and the report received by the Council officers has been forwarded to Manager Community Support for possible future inclusion in the state and federal grants program and Council funding.

COSTS/BENEFITS

A total funding of \$100,000 has been proposed for capital expenditure on parks and garden assets. Adoption of this program will allow the Council to meet the objectives outlined in the parks asset management plan 2010. The proposed funding requirement complies with the Council's Long Term Financial Plan.

RISK ANALYSIS

The works proposed in the attachment to this report is prioritised based on safety issues, productivity of work and compliance with Council plan and other strategic documents. Non-adherence to the proposed funding will lead to:

- increased renewal gaps in the Council's parks and gardens related assets
- increased safety issues for public and hence increased risk of public liability claims against Council
- deviation from the Council's strategic asset management plans.

CONSULTATION AND ENGAGEMENT

The program has been developed after consultation with the Operations Department, especially Environmental and Public Spaces Coordinator and team leader of townscape services.

4.4 PLANNING PERMIT APPLICATION NO. 5195 SADDLERY, 18 BROOKE ST. INGLEWOOD

SUMMARY

Planning permit application No 5195 seeks approval to use an existing building on the land for a retail saddlery / equestrian supplies, install a business identification sign and waive the car parking requirements. The application attracted three objections relating to the car parking requirements. It is recommended that a permit be granted subject to conditions.

Author Carolyn Stephenson, Strategic/Statutory Planner
 Council Plan ref: Core business 9: Regulation
 File no: 13/02/004
 Attachment: Plans, letters of objection, proposed conditions

RECOMMENDATION

That Council grant planning permit no. 5195 for the use of the land for a retail saddlery, installation of a business sign and waive the car parking requirements subject to conditions, including a condition that the use be limited to one year, but an extension can be granted subject to the appropriate operation of the business.

CONFLICT OF INTEREST

Are there any conflicts of interest for any council staff involved in writing this report, or involved in the subject matter of the report?

No

If yes, the following details identify the conflict of interest.

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[Refer to the Staff and Contractors Code of Conduct for definitions of conflict of interest.]

PREVIOUS COUNCIL DISCUSSION

Nil.

BACKGROUND

ISSUES/DISCUSSION

Planning permit application no. 5195 seeks approval to use an existing outbuilding at 18 Brooke St. Inglewood for a retail saddlery, install a business identification sign (2.5m wide x 0.8m high) on the façade of the building and waive the car parking requirements from Clause 52.06 of the Loddon Planning Scheme.

Site and locality.

The subject site is located on the north west corner of Brooke and Houston Streets, in Inglewood. The property currently supports a dwelling, with a shed fronting Brooke Street.

The site is located north of the main retail area of Brooke Street. The adjoining land to the north is vacant. Land to the south, east and west supports dwellings. Land to the south west is Appleby's Funerals.



Proposal

The application proposes to use the shed to sell equestrian supplies, e.g. rugs, bridles, brushes, etc. but not feeds (e.g. Hay and grain). The application also proposes a business sign on the front of the building, and also seeks to have the standard parking requirements waived. It is estimated that the business will attract 1-2 cars per hour, with no large trucks required for delivery. Hours of operation are 9am – 6pm, 7 days per week.

Loddon Planning Scheme

The site is zoned Township, The purpose of the Township zone is:

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 residential development and a range of commercial, industrial and other uses in small towns.

To encourage development that respects the neighbourhood character of the area.

To implement neighbourhood character policy and adopted neighbourhood character guidelines.

To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations

Use of land for a retail premises is subject to a permit in the Township Zone.

Relevant decision guidelines of the zone are:

The protection and enhancement of the character of the town and surrounding area including the retention of vegetation.

The availability and provision of utility services, including sewerage, water, drainage, electricity, gas and telecommunications.

The effect that existing uses on adjoining or nearby land may have on the proposed use.

The scale and intensity of the use and development.

The safety, efficiency and amenity effects of traffic to be generated by the proposal.

Clause 52.05-9 requires planning approval for a Business Identification Sign in the Township Zone. Relevant considerations in the assessment of a sign include;

Impact on the character of the area, views and vistas and streetscape;

Compatibility with the building in terms of size and scale;

Impact on road safety.

Clause 52.06 requires a planning permit to waive the carparking required when establishing a new use. A shop requires 4 spaces per 100 sqm of floor area. This proposed use would require 4 spaces without a waiver.

The relevant decision guidelines when considering waiving carparking requirements are:

Projected demand from the proposed use;

The availability of parking in the surrounding area.

Clause 21.04-4 Economic Development supports the provision of a range of retail services in the Shire to prevent the need for the community to shop elsewhere;

Notice and referral

Notice of the application was sent to surrounding land owners. Three objections were received. The grounds of objection can be summarised as follows:

- Parking in front of the business could be dangerous due to the lack of shoulder seal, narrowness of shoulder and open drain in this area;
- Risk of people doing u-turns;
- Impact of cars parking in front of this building on heavy vehicles turning north from Houston St.
- The property is in a residential location;
- Horse feed will attract vermin;
- The use of the land as business will affect property values and amenity.

The application was not required to be referred.

Consideration and assessment

Loddon Planning Scheme

The Township Zone provides for a range of urban uses subject to the suitability of the location, and maintaining the amenity of the area. The proposed land use is considered to be consistent with the purpose of the zone. The business will operated during normal business hours (9-6, 7 days a week), consistent with a number of other retail premises in Brooke St. The business will not generate noise that will impact on the amenity of the surrounding properties.

The business identification sign will be mounted on the façade of the building and is appropriate size scale and colour for the building. It is to be located away from existing “heritage” signage on the building to preserve this aspect of the building. It will not be distracting to passing traffic.

It is considered appropriate to waive the parking requirement given the minimal traffic to be generated by the business (1-2 vehicles per hour) and because there is a significant amount of parking provided in Brooke St and in Storm Lane. All other shops on Brooke St rely on the on street parking and it is consistent that this business be permitted to do so as well. Although most of these shops have not had to seek a car parking waiver as they have existing use rights, some businesses (including the supermarket) have been granted waivers or reduced car parking requirements due to the adequacy of public parking in the area.

Objections

The objections primarily relate to the condition of the road verge along this section of Brooke St, and the suitability of this for parking. It is recognised that this section of Brooke St is quite poor. This is a VicRoads issue, and Council is limited in its ability to address it. Currently there are no restrictions on parking along this section of Brooke St, and given the small amount of traffic predicted to be generated by this business it is not considered appropriate to introduce restrictions. As long as cars are not parked within 10m of Houston St, it is legal to parallel park in front of this property. There is the capacity to park at least two cars in front of the building. Further, given the limited traffic to be generated by this business it is not considered appropriate (nor is the applicant agreeable to) requiring a financial contribution towards improving the road verge/shoulder. Other objections that relate to u-turns and trucks turning from Houston St. are issues of compliance with road rules and should not affect the ability to use this site.

The proposed shop will not sell feed and therefore will not attract vermin.

Conclusion

The proposal is a small scale retail use, which is not incompatible with the surrounding land use, and it is predicted to have minimal impact on the surrounding area. It is recommended that a permit be granted subject to standard conditions and a condition that the use be limited to a period of one year, after which Council can extend the time if it is satisfied the use has not cause any issues, in particular in relation to parking.

COSTS/BENEFITS

n/a

RISK ANALYSIS

Failure to undertake rigorous assessment of planning applications is considered to pose the following risks:

- Barrier to development and associated economic growth within the Shire
- Proliferation of incompatible land use development
- Council’s reputation as a regulatory authority
- Infrastructure, service provision or regulatory and enforcement pressures
- Loss of protection of zones to accommodate intended activities or reduction of surrounding property amenity

CONSULTATION AND ENGAGEMENT

Consultation and engagement with planning permit applicants is routinely conducted at the required periods throughout the assessment process.

4.5 PLANNING PERMIT APPLICATION NO. 5189 – TWO POULTRY LAYER SHEDS, FANTASY ROAD, BRIDGEWATER

SUMMARY

Planning Permit Application 5189 seeks approval for the construction of two poultry layer sheds and an additional 100,000 layer birds at 41 Fantasy Road, Bridgewater. Three objections were received. It is recommended that a permit be granted.

Author: Carolyn Stephenson, Strategic/Statutory Planner
 Council Plan ref: Core business 9: Regulation
 File no: 13/02/004
 Attachment: Application documents, objections, recommended conditions

RECOMMENDATION

That Council resolve to issue Planning Permit 5189 for the construction of two poultry layer sheds and use of the land for up to 400,000 birds at 41 Fantasy Road, Bridgewater subject to the recommended conditions

CONFLICT OF INTEREST

Are there any conflicts of interest for any council staff involved in writing this report, or involved in the subject matter of the report?

No

If yes, the following details identify the conflict of interest.

Officer name	Nature of interest	Reason for conflict
Click here to enter text.	Choose an item. If indirect, the type of indirect interest is: Choose an item.	[Explain the specific circumstances of this person's conflict of interest.]

[Refer to the Staff and Contractors Code of Conduct for definitions of conflict of interest.]

PREVIOUS COUNCIL DISCUSSION

This matter has not previously been discussed with Council, however Council has considered other planning permit applications for new development on this land, including applications 4809 and 4810 for new layer sheds in 2013. These permits were granted, and allowed for up to 403680 layers on site, but as they were not acted upon they have now expired.

BACKGROUND

This planning permit application is being presented to Council for consideration as objections have been received.

ISSUES/DISCUSSION

Proposal

Planning Permit Application 5189 seeks approval for the construction of two poultry layer sheds to accommodate approximately 50,000 hens in each shed (total of 100,000 hens). These sheds will be fitted out with modern laying equipment for the production of barn laid / cage free eggs. This development is part of the shift of this farm to a barn laid production system in response to market demand.

The proposed sheds will be located adjacent to the existing facility along the Fantasy Road frontage. The sheds will each measure 130 metres x 20 metres. Each shed will also have a 3 metre x 3 metre control room located on the edge of the shed.

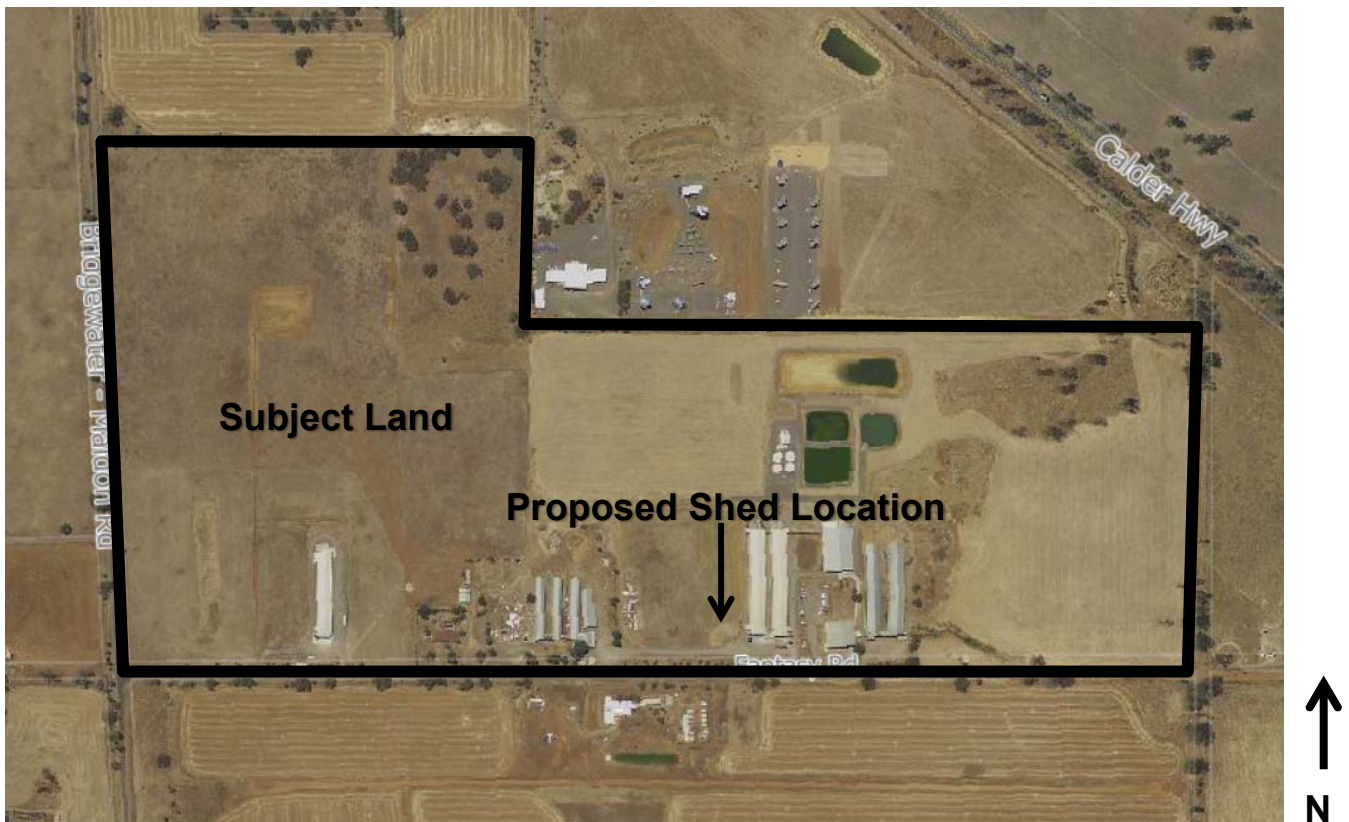
Eggs will be transferred from the shed to a grading a packing shed for processing. Manure will be collected by conveyor belts running under the egg production cages and moved to the end of the sheds for loading onto transports. Manure is proposed to be removed on a weekly basis.

Subject site & locality

The subject land is located to the south of the Bridgewater Township on the north-eastern corner of the Fantasy Road and the Bridgewater Maldon Road intersection. Land to the north is occupied by a solar energy research and development operation and land to the south is used for a sky diving school.

The subject land is occupied by Bridgewater Poultry Farm and used for cage based egg production and includes the rearing of laying stock, and the grading, packing and distribution of eggs. This site has a long history as an egg farm, and has expanded over many years. The site is currently used for 296,000 layer birds.

An aerial photograph of the subject site and surrounds is provided below.



Referrals

The application was referred to Goulburn Murray Water (GMW) and the Environmental Protection Authority (EPA) under Section 52 of the *Planning and Environment Act 1987*. The EPA offered no objection but recommended a number of conditions in relation to odour, dust and stormwater management. GMW offered no objection subject to conditions in relation to storm water management.

Public Notification

Notice of the application was given to surrounding landholders and received three objections (two land owners to the north (1km and 1.5km from the site) and one to the immediate south). The grounds of objection are summarised as follows:

- Odour
- Dust

The two objectors to the north live on their properties and have been affected by odour from this farm in the past and are concerned an increase in the capacity of the farm will increase this impact. The land owner to the south does not live on the site. The site is an airfield, which is used for sky diving. He claims that odour and dust from the farm affects the enjoyment of his land.

The land owner to the immediate north has provided a letter of support for the application.

Consideration of the grounds of objection is included in the assessment below.

Loddon Planning Scheme

The subject land is zoned Farming and is not affected by any overlays.

The purpose of the Farming Zone is:

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, including dwellings, do not adversely affect the use of land for agriculture.

To encourage the retention of employment and population to support rural communities.

To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

The proposed development requires planning approval under the provisions of the Farming Zone for buildings and works associated with the use of the land for "Intensive Animal Husbandry". The Loddon Planning Scheme defines "intensive animal husbandry" as:

Land used to keep or breed farm animals, including birds, by importing most food from outside the enclosures.

"Intensive animal husbandry" is a discretionary use (Section 2 use) in the Farming Zone. In accordance with the provisions of the zone planning approval is required for buildings and works associated with a discretionary use.

State and Local Planning Policies relevant to the consideration of this application are:

Clause 14.01-2 Sustainable agricultural land use -

Support effective agricultural production and processing infrastructure, rural industry and farm-related retailing and assist genuine farming enterprises to adjust flexibly to market changes.

Facilitate the establishment and expansion of cattle feedlots, piggeries, poultry farms and other intensive animal industries in a manner consistent with orderly and proper planning and protection of the environment.

Clause 22.06 Intensive animal industries seeks to ensure that intensive animal industry is supported in appropriate locations but does not have an unreasonable impact on the environment and amenity.

Consideration and assessment

This application seeks approval for new buildings and works for an existing intensive animal activity. These new buildings will ensure the improved operation and ongoing viability of a significant local business. The increased production will result in some additional employment on the farm.

Although the land is zoned Farming and the use and development is consistent with this zoning, the site poses challenges due to its location near the township of Bridgewater.

The objections have identified that at times odour is a significant issue from this site.

The site of the new sheds is located approximately 1.5km from the fringe of Bridgewater and 1km from the nearest dwelling. The Environmental Guidelines for the Australian Egg Industry recommends a minimum of 500m to a residential zone and 250 to a neighbouring house. The proposal meets these requirements.

The new sheds will include manure dryers, which will reduce odour. The applicant has also advised that the following practices have been recently adopted and are currently used to minimise odour from the farm:

- Weekly removal of manure;
- No wet manure is stored on surrounding paddocks;
- Changing feed rations to minimise moisture content of manure;
- Composting damaged eggs and spent hens; and
- Covering manure loads when they are removed from the property. Storm water and runoff is satisfactorily contained on site and does not pose any risk to surrounding waterways.

The applicant has proposed further revegetation along the property boundary to manage dust. Dust can also be managed through the containment of stockpiles and covering of loads.

The proposed sheds are to be located adjacent to existing buildings on the site and will integrate with the established development. The form of the buildings is consistent with present structures in terms of height, bulk and materials. They will not detrimentally affect the character or appearance of the area.

The proposal is considered to be consistent with the Loddon Planning Scheme as it supports the ongoing use of this land for agriculture, without any significant or unreasonable environmental impact. Although there are concerns about dust and odour, it is considered that these impacts can be managed to an acceptable level through the imposition and enforcement of planning permit conditions about the storage of manure.

COSTS/BENEFITS

n/a

RISK ANALYSIS

Failure to undertake rigorous assessment of planning applications is considered to pose the following risks:

- Barrier to development and associated economic growth within the Shire
- Proliferation of incompatible land use development
- Council's reputation as a regulatory authority
- Infrastructure, service provision or regulatory and enforcement pressures
- Loss of protection of zones to accommodate intended activities or reduction of surrounding property amenity

CONSULTATION AND ENGAGEMENT

Consultation and engagement with planning permit applicants is routinely conducted at the required periods throughout the assessment process.

4.6 REVIEW OF PROCUREMENT POLICY

SUMMARY

This report seeks Council's approval of Procurement Policy v6.

Author Sharon Morrison, A/Director Corporate Services

Council Plan ref: Core business 8: Compliance

File no: 18/01/0001

Attachment: Procurement Policy v6

RECOMMENDATION

That Council adopts Procurement Policy v6.

CONFLICT OF INTEREST

Are there any conflicts of interest for any council staff involved in writing this report, or involved in the subject matter of the report?

No

If yes, the following details identify the conflict of interest.

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[Refer to the Staff and Contractors Code of Conduct for definitions of conflict of interest.]

PREVIOUS COUNCIL DISCUSSION

Nil

BACKGROUND

It is a requirement of Action 186A (7) of the Local Government Act 1989 that "at least once in each financial year, a Council must review the current procurement policy and may, in accordance with this section, amend the procurement policy".

ISSUES/DISCUSSION

The current version of the policy was adopted on 27 October 2015, and is due for review by 27 October 2016.

The Procurement Policy addresses the important aspects of procurement including:

- consistency in procurement activities
- complying with legal obligations
- obtaining value for money
- supporting local and environmental sustainability
- managing procurement risks
- incorporating continuous improvement processes.

Council staff have reviewed the policy and believe that it requires a minor amendment under 3.4 Obtain value for money.

The proposed change is to add "and other councils in the region" to dot point "availability of joint tendering through purchasing groups such as MAV Procurement and Procurement Australia, and to add the dot point "availability of shared services with councils and other providers in the region".

COSTS/BENEFITS

There are no direct costs associated with adoption of the policy.

RISK ANALYSIS

As one of the policy statements is that Loddon Shire Council will manage procurement risks when purchasing goods, services and works, application of the policy, along with supporting procedures and other supporting documents, should help to minimise risks.

CONSULTATION AND ENGAGEMENT

The document has been subject to the normal approval process of Management Executive Group and Loddon Leaders. Normally Council would be provided with the policy at a Council Forum prior to presentation for adoption; however, as the changes are minor this step has been bypassed.

4.7 REVIEW OF PROVISION FOR DOUBTFUL DEBTS AND WRITING OFF BAD DEBTS POLICY

SUMMARY

This report seeks Council's approval of the Provision for Doubtful Debts and Writing Off Bad Debts Policy

Author: Deanne Caserta, Manager Financial Services

Council Plan ref: Core business 8: Compliance

File no: 18/01/001

Attachment: Provision for Doubtful Debts and Writing Off Bad Debts Policy

RECOMMENDATION

That Council adopts the Provision for Doubtful Debts and Writing Off Bad Debts Policy v2.

CONFLICT OF INTEREST

Are there any conflicts of interest for any council staff involved in writing this report, or involved in the subject matter of the report?

No

If yes, the following details identify the conflict of interest.

Officer name	Nature of interest	Reason for conflict
Click here to enter text.	Choose an item. If indirect, the type of indirect interest is: Choose an item.	[Explain the specific circumstances of this person's conflict of interest.]

[Refer to the Staff and Contractors Code of Conduct for definitions of conflict of interest.]

PREVIOUS COUNCIL DISCUSSION

Council approved the Provision for Doubtful Debts and Writing Off Bad Debts Policy v1 on 24 June 2014.

BACKGROUND

This policy sets the principles for variations of the provision for doubtful debts and writing off bad debts.

ISSUES/DISCUSSION

The current version of the policy was adopted on 24 June 2014, and was due for renewal by 24 June 2016.

Council staff have reviewed the policy and have made no amendments.

The Provision for Doubtful Debts and Writing Off Bad Debts Policy delegates authority to the Chief Executive Officer, on receipt of advice from the Director of Corporate Services, to:

- vary the Provision for Doubtful Debts to such an amount as is required in the opinion for the CEO, and
- write off bad debts against the Provision for Doubtful Debts up to a value of \$1,000 in an individual case, and \$5,000 in aggregate per financial year.

Any amounts above the threshold will be submitted to Council at an Ordinary Meeting for consideration.

COSTS/BENEFITS

There are no direct costs associated with the adoption of this policy.

RISK ANALYSIS

Various charges are raised by Council for services provided and when overdue a debt collection process is undertaken. After exhausting this avenue and taking into consideration the individual amounts overdue, there are times when payment will not be received and need to be cleared from Councils debtors system. This policy outlines the principles within this process and application of the policy along with supporting procedures and other supporting documents, should help minimise risks.

CONSULTATION AND ENGAGEMENT

The document has been subject to the normal approval process of Management Executive Group, Loddon Leaders prior to presentation in the Council Meeting Agenda.

5. INFORMATION REPORTS

5.1 INWARDS CORRESPONDENCE

SUMMARY

Relevant correspondence received by Council since previous meeting.

Author: Phil Pinyon, Chief Executive Officer

Council Plan ref: Strategic enabler: Transparent communication

File No: various

Attachment: Copies of inwards correspondence

RECOMMENDATION

That Council receives and notes the Inwards Correspondence.

Date	From	Subject
30/6/16	Rob Spence, Chief Executive Officer, Municipal Association of Victoria (MAV)	Summary of MAV achievements over the past 12 months and the exclusive benefits of MAV membership

5.2 ROAD NETWORK DEFECT RECTIFICATION COMPLIANCE SUMMARY REPORT

SUMMARY

This report provides a summary of Loddon Shires compliance against its Road Management Plan for the period 1 October 2015 to 30 June 2016, being the second, third and fourth quarters of the 2015 - 2016 financial year.

Author: Steven Phillips, Manager Works
 Council Plan ref: Core business 5: Providing quality infrastructure
 File no: 14/01/022
 Attachment: Nil

RECOMMENDATION

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

CONFLICT OF INTEREST

Are there any conflicts of interest for any council staff involved in writing this report, or involved in the subject matter of the report?

No

If yes, the following details identify the conflict of interest.

Officer name	Nature of interest	Reason for conflict
	Not applicable If indirect, the type of indirect interest is: Choose an item.	

PREVIOUS COUNCIL DISCUSSION

This is the second and final report for the 2015 - 2016 financial year, summarising road network defect rectification compliance against requirements specified within the Loddon Shire Road Management Plan (RMP).

BACKGROUND

This report is produced quarterly and provides statistical data with respect to the organisations performance in managing the road network. Performance is measured through a comparison of actual defect rectification timeframes against requirements specified the RMP.

ISSUES/DISCUSSION

Table 1 below provides a summary of both the number of road network defects identified, as well those which were addressed within the applicable intervention timeframe for the second, third and fourth quarters. Statistics have been provided for each of Council’s road patrol areas.

Table 1: Compliance Summary Report

Quarter 2 (01/10/2015 – 31/12/2016)					
Number of Works Actions Identified	Number Completed By Due Date	Number Completed After Due Date	Number Not Completed	Compliance %	District
405	393	12	0	97	Loddon Plains
412	407	5	0	99	Loddon Goldfields

Quarter 3 (01/01/2015 – 31/03/2016)					
Number of Works Actions Identified	Number Completed By Due Date	Number Completed After Due Date	Number Not Completed	Compliance %	District
267	265	2	0	99	Loddon Plains
361	361	0	0	100	Loddon Goldfields
Quarter 4 (01/04/2016 – 30/06/2016)					
Number of Works Actions Identified	Number Completed By Due Date	Number Completed After Due Date	Number Not Completed	Compliance %	District
234	230	0	4	98	Loddon Plains
302	300	1	1	99	Loddon Goldfields

During the second, third and fourth quarters of 2015 - 2016, 99% of all date imposed defects were completed before their due dates. This exceeds the target of 95% set in the Loddon Shire Road Asset Management Plan.

COSTS/BENEFITS

The benefits to the community in complying with the Road Management Plan are that it ensures a safe road network.

RISK ANALYSIS

Repairing 100% of all date imposed defects before their due date limits Council's liability for any claims for damage made against Council.

CONSULTATION AND ENGAGEMENT

No internal or external consultation is required in the formation of this report.

5.3 INTERIM FINANCE REPORT FOR THE PERIOD ENDING 30 JUNE 2016

SUMMARY

This report provides Council with financial information for the period ending 30 June 2016.

Author: Deanne Caserta, Manager Financial Services

Council Plan ref: Strategic enabler: Sound financial management protocols

File no: 08/06/001

Attachment: Interim Finance Report for Period Ending 30 June 2016

RECOMMENDATION

That Council receives and notes the 'Interim Finance report for the period ending 30 June 2016'.

CONFLICT OF INTEREST

Are there any conflicts of interest for any council staff involved in writing this report, or involved in the subject matter of the report?

No

If yes, the following details identify the conflict of interest.

Officer name	Nature of interest	Reason for conflict
Click here to enter text.	Choose an item. If indirect, the type of indirect interest is: Choose an item.	[Explain the specific circumstances of this person's conflict of interest.]

PREVIOUS COUNCIL DISCUSSION

Council is provided with Finance Reports on a monthly basis.

BACKGROUND

The Interim Finance Report for the period ended 30 June 2016 includes standard monthly information about cash, investments, interest, debtors and creditors

This month it does not provide a comparison of year-to-date actual results to year-to-date budget (by dollars and percentage) and total revised budget (by percentage). Further information regarding these results will be advised by a report to Council after the completion of the Financial Statements.

ISSUES/DISCUSSION

Nil

COSTS/BENEFITS

The benefit to Council and the community is that accurate and regular financial reporting is being disclosed.

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

RISK ANALYSIS

The provision of regular and accurate finance reports to Council minimises the risk of Council not delivering projects within the approved budget.

CONSULTATION AND ENGAGEMENT

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

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

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

6. COMPLIANCE REPORTS

6.1 DOCUMENTS FOR SIGNING AND SEALING

SUMMARY

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

Author: Phil Pinyon – Chief Executive Officer

Council Plan ref: Core business 8: Compliance

File No: 02/01/001

Attachment: Nil

RECOMMENDATION

That Council:

1. receive and note the 'Document for Signing and Sealing' report
2. endorse the use of the seal on the documents listed

CONFLICT OF INTEREST

Are there any conflicts of interest for any council staff involved in writing this report, or involved in the subject matter of the report?

No

If yes, the following details identify the conflict of interest.

Officer name	Nature of interest	Reason for conflict
Click here to enter text.	Choose an item. If indirect, the type of indirect interest is: Choose an item.	[Explain the specific circumstances of this person's conflict of interest.]

PREVIOUS COUNCIL DISCUSSION

Nil

BACKGROUND

N/A

ISSUES/DISCUSSION

Release and no claims deed between Loddon Shire Council and Bryan Streader.

7. GENERAL BUSINESS

8. CONFIDENTIAL ITEMS

Closing of Meeting to the Public

RECOMMENDATION

That the meeting be closed to the public.

NEXT MEETING

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