



Notice is given that a Meeting of Council will be held on:

Date: Tuesday, 28 September 2021
Time: 3pm
Location: Loddon Shire Council Chambers (entry from Peters Street), behind Wedderburn office

AGENDA

Council Meeting

28 September 2021

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OPENING COMMENT

This meeting is being recorded and audio streamed via the Council website and Facebook.

1 OPENING AFFIRMATION

“We, the Councillors of the Loddon Shire, declare that we will carry out our duties in the best interests of the community, and through collective leadership will maintain the highest standards of good governance.”

2 ACKNOWLEDGEMENT OF COUNTRY

“The Loddon Shire Council acknowledges the Traditional Custodians of the land on which we are gathered and pays its respects to their Elders both past and present.”

3 APOLOGIES**4 DECLARATIONS OF CONFLICT OF INTEREST**

5 PREVIOUS MINUTES**5.1 CONFIRMATION OF MINUTES**

File Number: 02/01/001
Author: Lynne Habner, Manager Executive and Commercial Services
Authoriser: Jude Holt, Acting Chief Executive Officer
Attachments: Nil

RECOMMENDATION

That Council confirm:

1. The minutes of the Council Briefing of 24 August 2021.
2. The minutes of the Council Meeting of 24 August 2021.
3. The minutes of the Confidential Council Meeting of 24 August 2021.
4. The minutes of the Council Forum of 14 September 2021.
5. The minutes of the Special Council Meeting of 21 September 2021.
6. The minutes of the Confidential Special Council Meeting of 21 September 2021.

REPORT

Seeking approval of the unconfirmed minutes of the previous meetings.

6 ASSEMBLY OF COUNCILLORS**6.1 RECORD OF ASSEMBLY OF COUNCILLORS**

File Number: 02/01/001

Author: Christine Coombes, Executive and Commercial Services Officer

Authoriser: Jude Holt, Acting Chief Executive Officer

Attachments: Nil

RECOMMENDATION

That Council note the Assembly of Councillors records for the following meetings:

1. Council Briefing 24 August 2021.
2. Council Forum 14 September 2021.

In accordance with Clause 51 of Council's Governance Rules, records of Councillor Briefings and Forums must be reported to the next Council Meeting and confirmed in the minutes.

The record is therefore presented for Council's noting.

RECORD OF ASSEMBLIES OF COUNCIL

Assembly details	Briefing
Date	24 August 2021
Councillor Attendees	Cr Beattie Cr Holt Cr Jungwirth Cr Murphy Cr Straub
Staff/Stakeholder representatives	Jude Holt, Acting Chief Executive Officer Wendy Gladman, Director Community Wellbeing Sharon Morrison, Director Corporate Services Steven Phillips, Director Operations Lynne Habner, Manager Executive and Commercial Services Deanne Caserta, Manager Financial Services CT Management representatives
Items discussed.	<ol style="list-style-type: none"> 1. Presentation of Long Term Financial Plan by CT Management 2. Request of write off bad debt 3. Community Vision and Council Plan 4. General business: <ul style="list-style-type: none"> • COVID restrictions – advocacy for regional restrictions • Media and Social Media Policy • Community Asset Committee volunteers • Grants Commission • Health registration renewals • Pyramid Hill Caravan Park
Conflict of Interest Disclosures - Councillor/officer making disclosure	Nil
Councillor/officer left room	

Assembly details	Forum
Date	14 September 2021
Councillor Attendees	Cr Beattie Cr Holt Cr Jungwirth Cr Murphy Cr Straub
Staff/Stakeholder representatives	Jude Holt, Acting Chief Executive Officer Wendy Gladman, Director Community Wellbeing Sharon Morrison, Director Corporate Services Steven Phillips, Director Operations Lynne Habner, Manager Executive and Commercial Services Christine Coombes, Executive and Commercial Services Officer Deanne Caserta, Manager Financial Services Sarah Perry, Manager Community Support David Southcombe, Manager Assets and Infrastructure Coliban Water representatives Fire Rescue Victoria representatives
Items discussed.	<ol style="list-style-type: none"> 1. Economic Development and Tourism monthly progress report 2. Scheduling of Special Meeting for the Election of Mayor 3. Introduction of the Borrowing Policy V1 4. Review of the Revenue and Debt Collection Policy V4 5. Review of the Financial Management Policy V5 6. Review of the Rateable Properties with Environment Covenants Policy V3 7. Review of Draft Annual Report 2020/21 8. Draft Municipal Public Health and Wellbeing Plan 9. Loddon Aquatic Facilities – update on progress of operation and management contract 10. Community Vision and Council Plan 11. Coliban Water – Small Town Sewerage Schemes 12. Presentation from Fire Rescue Victoria 13. Financial Plan 2021-2031 14. General business: <ul style="list-style-type: none"> • Nil
Conflict of Interest Disclosures - Councillor/officer making disclosure	Nil
Councillor/officer left room	

7 REVIEW OF ACTION SHEET

7.1 REVIEW OF ACTIONS

File Number: 02/01/002
Author: Christine Coombes, Executive and Commercial Services Officer
Authoriser: Jude Holt, Acting Chief Executive Officer
Attachments: 1. Action sheet

RECOMMENDATION

That Council receive and note the action sheet.

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this report, or involved in the subject matter of the report.

REPORT

Refer attachment.

Action Sheets Report	Division:	Council	Date From:
	Committee:		Date To:
	Officer:		Printed: Tuesday, 21 September 2021 9:09:10 AM

Outstanding actions from previous meetings

Meeting	Officer/Director	Section	Subject
Council 23/02/2021	Morrison, Sharon Morrison, Sharon	Decision Reports	Version 2 of the Community Engagement Policy proposed for adoption

RESOLUTION 2021/38

Moved: Cr Wendy Murphy
Seconded: Cr Dan Straub

That Council:

1. adopt the Community Engagement Policy
2. approve the cost of the design and printing of a community version of the policy and
3. consider a business case for the resourcing of the implementation of the policy.

CARRIED

09 Mar 2021 11:55am Morrison, Sharon

Policy has been added to the internet. Community version is being finalised with the printer. Business case for community engagement officer is in draft.

29 Mar 2021 5:37pm Morrison, Sharon

Business case for community engagement officer to be finalised.

15 Apr 2021 11:06am Morrison, Sharon

Business case for community engagement officer to be finalised.

12 May 2021 9:59am Morrison, Sharon

Business case for community engagement officer to be finalised.

08 Jun 2021 12:49pm Morrison, Sharon

Business case for community engagement officer to be finalised.

13 Jul 2021 12:03pm Morrison, Sharon

Business case for community engagement officer to be finalised.

09 Aug 2021 10:49am Coombes, Christine

Business case for community engagement officer to be finalised.

16 Sep 2021 3:12pm Morrison, Sharon

Business case for community engagement officer to be finalised.

Meeting	Officer/Director	Section	Subject
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Action Sheets Report	Division:	Council	Date From:
	Committee:		Date To:
	Officer:		Printed: Tuesday, 21 September 2021 9:09:10 AM

Council 24/08/2021	Gladman, Wendy Gladman, Wendy	Decision Reports	Proposed use of 30 Kelly Street Pyramid Hill by The Mixed Bag @ Pyramid Hill Community Enterprise
RESOLUTION 2021/176			
Moved: Cr Dan Straub			
Seconded: Cr Linda Jungwirth			
That Council:			
1. make the building at 30 Kelly Street available for use by The Mixed Bag @ Pyramid Hill community enterprise subject to a satisfactory resolution of items 1-6 detailed in the Issues/Discussion section of this report			
2. revisit the future of the building if The Mixed Bag @ Pyramid Hill community enterprise is not operational within 12 months, or at such time as advised that the building is no longer required for use by the community enterprise.			
CARRIED			
20 Sep 2021 4:26pm Gladman, Wendy			
Council officers are working through the items 1-6 identified in the report - none are finalised as yet.			

Action Sheets Report	Division:	Council	Date From:	
	Committee:		Date To:	
	Officer:		Printed: Tuesday, 21 September 2021 9:09:10 AM	

Actions completed since last meeting

Meeting	Officer/Director	Section	Subject
Council 24/06/2021	Gladman, Wendy Gladman, Wendy	Compliance Reports	Community Grants - Bridgewater Recreation Reserve
RESOLUTION 2021/140			
Moved: Cr Wendy Murphy Seconded: Cr Linda Jungwirth			
That Council allocates \$1980 from Council's unallocated 2020/21 Community Grant monies to the Bridgewater Recreation Reserve Committee of Management in support of their project to paint the interior of their clubrooms.			
CARRIED			
14 Jul 2021 7:52am Gladman, Wendy			
The administrative processes to finalise this action have not commenced at the time of updating this action, the funds required from the 2020/21 financial year have been captured and carried forward into the 2021/22 financial year and the item will be actioned shortly.			
20 Sep 2021 4:25pm Gladman, Wendy			
The grant has been finalised and payment made to the Bridgewater Recreation Reserve Committee of Management			
20 Sep 2021 4:26pm Gladman, Wendy - Completion			
Action completed by Gladman, Wendy			

Meeting	Officer/Director	Section	Subject
Council 24/08/2021	Habner, Lynne Holt, Jude	Decision Reports	Media and Social Media Policy
RESOLUTION 2021/173			
Moved: Cr Gavan Holt Seconded: Cr Dan Straub			
That Council adopt the revised Media and Social Media Policy version 2, subject to an amendment to section 3.1.1 that where a matter is ward specific, the ward councillor is able to speak on the issue without being required to first clear it with the Mayor.			
CARRIED			
01 Sep 2021 11:18am Habner, Lynne			
Completed. Policy was updated and uploaded to the website following its adoption.			
01 Sep 2021 11:19am Habner, Lynne - Completion			

Action Sheets Report	Division:	Council	Date From:
	Committee:		Date To:
	Officer:		Printed: Tuesday, 21 September 2021 9:09:10 AM

Action completed by Habner, Lynne

Meeting	Officer/Director	Section	Subject
Council 24/08/2021	Caserta, Deanne Morrison, Sharon	Decision Reports	2020/21 Financial and Performance Statements in Principle Report
RESOLUTION 2021/174			
Moved: Cr Dan Straub Seconded: Cr Wendy Murphy			
That Council:			
<ol style="list-style-type: none"> Adopts the Financial Statements and Performance Statement for the year ended 30 June 2021 as presented "in principle". Authorises the Chief Executive Officer to make any amendments to the Financial Statements and Performance Statement for the year ended 30 June 2021 that may be requested by the Victorian Auditor-General. Authorises the Mayor Cr Neil Beattie, one other Councillor (Cr Holt), and the Chief Executive Officer to certify the audited Financial Statements and Performance Statement for the year ended 30 June 2021. 			
CARRIED			
01 Sep 2021 12:01pm Caserta, Deanne			
Statements forwarded to VAGO for final approval. Signatures to be applied once approved.			
01 Sep 2021 12:03pm Caserta, Deanne - Completion			
Action completed by Caserta, Deanne			

Meeting	Officer/Director	Section	Subject
Council 24/08/2021	Perry, Sarah Gladman, Wendy	Decision Reports	Loddon Shire Community Grants Program 2021/2022 - Group 2
RESOLUTION 2021/175			
Moved: Cr Gavan Holt Seconded: Cr Linda Jungwirth			
That Council endorse the allocation of \$61,251 in grants to Group 2 applications under the 2021/22 Loddon Shire Community Grants Scheme as outlined in the attachment provided with this report.			

Action Sheets Report	Division:	Council	Date From:	
	Committee:		Date To:	
	Officer:		Printed: Tuesday, 21 September 2021 9:09:10 AM	

CARRIED

01 Sep 2021 9:19am Perry, Sarah
 All terms and conditions forms have been sent to successful applications via SmartyGrants and some have been returned and payments made. Unsuccessful applicants have been notified.

01 Sep 2021 9:22am Perry, Sarah - Completion
 Action completed by Perry, Sarah

Meeting	Officer/Director	Section	Subject
Council 24/08/2021	Gladman, Wendy Gladman, Wendy	Decision Reports	Event sponsorship - COVID event plan support
RESOLUTION 2021/177			
Moved: Cr Gavan Holt			
Seconded: Cr Dan Straub			
That Council:			
<ol style="list-style-type: none"> 1. approve the establishment of a COVID event planning support expenditure budget of \$50K, funded from surplus 2. approve the establishment of an 'Event Sponsorship - COVID Event Planning Support Program' for events conducted up to 30 June 2022 that require a Tier 2 COVIDSafe Event Plan, to be administered through the Smarty Grants platform 3. provide sponsorship of \$5,000 per Tier 2 event where: <ol style="list-style-type: none"> a) the organisation can demonstrate the requirement to operate within as a Tier 2 event within the COVID-19 Public Events Framework b) the application is received in advance of the event c) the event is scheduled to be conducted prior to 30 June 2022 d) any unspent funds are returned if the event does not proceed. 			
CARRIED			
20 Sep 2021 5:11pm Gladman, Wendy			

Action Sheets Report	Division: Committee: Council Officer:	Date From: Date To: Printed: Tuesday, 21 September 2021 9:09:10 AM
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A request has been submitted to establish the COVID Event Planning Support budget. The Community Support team are setting up the sponsorship program in Smarty Grants to facilitate the application process.
20 Sep 2021 5:14pm Gladman, Wendy - Completion
Action completed by Gladman, Wendy

8 MAYORAL REPORT**8.1 MAYORAL REPORT**

File Number: 02/01/001
Author: Lynne Habner, Manager Executive and Commercial Services
Authoriser: Jude Holt, Acting Chief Executive Officer
Attachments: Nil

RECOMMENDATION

That Council receive and note the Mayoral Report

REPORT

The Mayor will present a report at the meeting.

Cr Beattie**Rail Freight Alliance****Loddon Campaspe Councils****Murray River Group of Councils****Special Committees Of Council (Section 65 Community Asset Committees):**

Boort Aerodrome Community Asset Committee
 Boort Memorial Hall Community Asset Committee
 Boort Park Community Asset Committee
 Korong Vale Mechanics Hall Community Asset Committee
 Korong Vale Sports Centre Community Asset Committee
 Little Lake Boort Community Asset Committee
 Yando Public Hall Community Asset Committee

DATE**Activity**

9 COUNCILLORS' REPORT**9.1 COUNCILLORS' REPORTS**

File Number: 02/01/001
Author: Lynne Habner, Manager Executive and Commercial Services
Authoriser: Jude Holt, Acting Chief Executive Officer
Attachments: Nil

RECOMMENDATION

That Council receive and note the Councillors' reports

REPORT

Each Councillor will present a report at the meeting.

Cr Holt

Municipal Association of Victoria	
Audit and Risk Committee	
Special Committees Of Council (Section 65 Community Asset Committees): Donaldson Park Community Asset Committee Wedderburn Community Centre Community Asset Committee Wedderburn Engine Park and Market Square Reserve Community Asset Committee Wedderburn Mechanics and Literary Institute Hall Community Asset Committee Hard Hill Tourist Reserve Community Asset Committee	
Other Council activities	
DATE	Activity

Cr Jungwirth

Loddon Mallee Local Government Waste Forum	
Central Victorian Greenhouse Alliance	
Municipal Emergency Management Plan Committee	
Other Council activities	
DATE	Activity

Cr Murphy

Calder Highway Improvement Committee	
Local Government Women's Charter	
Australia Day Committee	
Healthy Minds Network	
Special Committees Of Council (Section 65 Community Asset Committees):	
Campbells Forest Hall Community Asset Committee	
Inglewood Community Sports Centre Community Asset Committee	
Inglewood Community Elderly Persons Units Community Asset Committee	
Inglewood Town Hall Hub Community Asset Committee	
Jones Eucalyptus Distillery Site Community Asset Committee	
Other Council activities	

DATE	Activity

Cr Straub

North Central Goldfields Regional Library	
North Central Local Learning and Employment Network	
Special Committees Of Council (Section 65 Community Asset Committees):	
East Loddon Community Centre Community Asset Committee	
Pyramid Hill Memorial Hall Community Asset Committee	
Pyramid Hill Swimming Pool Kiosk Community Asset Committee	
Other Council activities	
DATE	Activity

10 DECISION REPORTS**10.1 PLANNING APPLICATION 5674 - 499 LAANECOORIE NEWBRIDGE ROAD
NEWBRIDGE**

File Number: FOL/21/2798
Author: Darcy Jackson, Statutory Planning Officer
Authoriser: Glenn Harvey, Manager Development and Compliance
Attachments: 1. Decision Report - 5674

RECOMMENDATION

That Council determines to issue a notice of decision to issue planning application 5674 for the use and development of the land for a poultry breeder farm, use and development of the land for a dwelling and telecommunications facility in the Farming Zone, buildings and works under the Land Subject to Inundation Overlay and removal of native vegetation.

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this paper, or involved in the subject matter of the paper.

PREVIOUS COUNCIL DISCUSSION

There have been no previous Council discussions on this matter.

BACKGROUND

Planning application 5674 is for the use and development of the land for a poultry breeder farm, utility installation and removal of native vegetation in the Farming Zone, and buildings and works under the Land Subject to Inundation Overlay.

The subject site is located at 499 Laanecoorie Newbridge Road, Newbridge, approximately four kilometres north of the Laanecoorie Township and five kilometres south of the Newbridge Township. The site currently contains four existing poultry breeder sheds each housing 10,000 birds. The sheds are located on abutting allotment with the surrounding land used for grazing and cropping.

ISSUES/DISCUSSION

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

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

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

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

COST/BENEFITS

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

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

RISK ANALYSIS

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

- inappropriate use and development which could endanger life and property
- Council's reputation as a Responsible Authority
- breaches of the Planning & Environment Act 1987 requiring compliance action.

CONSULTATION AND ENGAGEMENT

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

LODDON SHIRE COUNCIL

DECISION REPORT 5674: 499 Laanecoorie Newbridge Road Newbridge



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SUMMARY

Application Number:	5674
Applicant:	Kevin Jackson
Subject Land:	499 Laanecoorie Newbridge Road Newbridge VIC 3551
Owner:	Hazeldene's Chicken Farm Pty Ltd
Zone:	Farming Zone
Overlay(s):	Land Subject to Inundation Overlay
Existing use:	Animal Production
Proposal:	Use and development of the land for a poultry breeder farm, use and development of the land for a dwelling and telecommunications facility in the Farming Zone, removal of native vegetation, and buildings and works under the Land Subject to Inundation Overlay.

The following dot points provide a summary of the application:

- The application was lodged on the 25th June 2021 proposing to further develop the use of the land for a poultry breeder farm at 499 Laanecoorie Newbridge Road VIC 3551.
- The application was advertised to surrounding landowners; with two objections received.
- The application was also referred internally to the Council's Public Health Officer and Assets Manager, with external referrals to North Central Catchment Management Authority, Environmental Protection Agency, Goulburn Murray Water and the Department of Environment, Land, Water and Planning.

ORDINARY COUNCIL MEETING AGENDA**23 FEBRUARY 2021**

1 RECOMMENDATION

That the Responsible Authority having considered all matters which the Planning and Environment Act, 1987 requires it to consider, decides to issue a Notice of Decision to issue a permit for planning application 5674 for use and development of the land for a poultry breeder farm, use and development of the land for a dwelling and telecommunications facility in the Farming Zone, removal of native vegetation, and buildings and works under the Land Subject to Inundation Overlay with the following conditions:

Endorsed Plans

- 1) Before the use and development start(s), amended construction plans for the proposed communication mast must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit.
- 2) The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.

Consolidation

- 3) Prior to the commencement of the use, all 14 Crown allotments comprising the subject site must be consolidated to form a single lot.

Community Engagement

- 4) During construction and operation of the proposed poultry breeder farm, Hazeldene's must keep a complaints register, which can be made available to the Responsible Authority upon request. The register must include details of the complaint and Hazeldene's response.

Landscaping

- 5) The landscape area(s) shown on the endorsed plan(s) must be planted and maintained to the satisfaction of the Responsible Authority, and once landscaped must not be used for any other purpose except with the prior written consent of the Responsible Authority.

Drainage

- 6) The proposed building(s) and works must be drained to the on-site retention basin/dam or water storage tank to the satisfaction of the Responsible Authority as the responsible drainage authority.
- 7) No discharge is to occur from the retention basin.

Litter Spreading

- 8) Litter, which has been used within the poultry breeder sheds, is not to be spread on the property.

Roads and access

- 9) The access point from Laanecoorie-Newbridge Road to the subject property must be constructed by the developer in accordance with VicRoads Standard Truck Access to Rural Properties Type B.

ORDINARY COUNCIL MEETING AGENDA**23 FEBRUARY 2021**

- 10) In the event of mud, crushed rock or other debris being carried onto public roads or footpaths from the subject land, appropriate measures must be implemented to minimise the problem to the satisfaction of the Responsible Authority.

Car Parking

- 11) Areas set aside for the parking of vehicles together with the aisles and drives must be paved with crushed rock or gravel of 50mm thickness or as necessary to prevent the formation of potholes and depressions according to the nature of the subgrade and vehicles which will use the areas. The areas must be constructed, drained and maintained in a continuously useable condition to the satisfaction of the Responsible Authority.
- 12) The surface of the car parking area(s) together with access and egress lanes must be treated to the satisfaction of the Responsible Authority to prevent loss of amenity to the neighbourhood by the emission of dust or the discharge of drainage.

Deliveries

- 13) The loading and unloading of vehicles and the delivery of goods must at all times be undertaken within the boundaries of the subject land.

Amenity

- 14) The use permitted by this permit must not, in the opinion of the Responsible Authority, adversely affect the amenity of the locality by reason of the processes carried on; the transportation of materials, goods or commodities to or from the subject land; the appearance of any buildings, works or materials; the emission of noise, artificial light, vibration, smell, fumes, smoke vapour, steam soot, ash, dust, waste water, waste products, grit, or oil; the presence of vermin, or otherwise.
- 15) The subject land must be kept neat and tidy at all times and its appearance must not, in the opinion of the Responsible Authority, adversely affect the amenity of the locality.

Baffled Lighting

- 16) Outdoor lighting, where provided, must be designed, baffled and located to the satisfaction of the Responsible Authority such that no direct light is emitted outside the boundaries of the subject land.

No Receptacles

- 17) No receptacles for any form of rubbish or refuse (other than public waste bins) may be placed or allowed to remain in view from a public road or thoroughfare and odour must not be emitted from any such receptacle(s) so as to cause offence to any person(s) outside the subject land.

Cultural material

- 18) Works must cease immediately upon the discovery of any Aboriginal cultural material, and Aboriginal Affairs Victoria must be notified immediately of any such discovery at GPO Box 2392V, Melbourne 3001 or on (telephone) 1300 551 380.

ORDINARY COUNCIL MEETING AGENDA**23 FEBRUARY 2021**

Human Remains

- 19) If any suspected human remains are found, work in the area must cease and the Victoria Police and the State Coroner's Office must be informed of the discovery immediately. The State Coroner's Office can be contacted at any time on telephone (03) 9684 4444. If there are reasonable grounds to suspect that the remains are Aboriginal, the discovery should also be reported to Aboriginal Affairs Victoria on telephone 1300 888 544 or (03) 9208 3287 and the provisions of Division 2 of Part 2 of the Aboriginal Heritage Act 2006 will apply.

Expiry

- 20) This permit will expire if any of the following applies:
- The development is not started within two years of the date of issue of this permit
 - The development is not completed within five years of the date of issue of this permit
 - The use is not commenced within five years of the date of issue on this permit
 - The use is ceased for a continuous period of two years.

The time within which the development must be started or completed and the use must commence may, on written request, made before or within 6 months after the expiry of the permit, be extended by the Responsible Authority.

Goulburn Murray Water Conditions

- 21) The poultry sheds must be located at least 100m from all waterways and above the 1 in 100-year flood level of the Loddon River.
- 22) All construction and on-going activities on the site must follow sediment control principles as outlined in EPA Publication 275, Construction Techniques for Sediment Pollution Control (EPA, 1991). All soil removed during construction of the dams must be reused, stabilized or vegetated on-site to ensure that no sediment can be transported to waterways during rainfall events.
- 23) Stormwater run-off from shed rooves and hardstand areas around the sheds must be directed to retention dams, which must be designed with a capacity and freeboard to enable the run-off from a 1 in 10-year storm to be retained. The overflow from the dam must not cause erosion.
- 24) The retention dams must be lined with an impervious liner or compacted to a seepage rate of not greater than 1×10^{-9} m/sec. The dam must be operated to a minimum level to ensure the liner/base does not dry out and crack. There must be no overflow of water from the dams directed to the Loddon River or any other waterways.
- 25) No contaminated run-off from the sheds must be discharged to the Loddon River or any other waterways and "clean" stormwater from catchment unrelated to the development area must not be directed to the retention dams.
- 26) The floors of the poultry sheds must be constructed with an impervious surface such as concrete or of clay compacted to achieve a design permeability of 1×10^{-9} m/sec. The shed must be designed to ensure that all litter can be retained within the shed until removal is required.
- 27) At the end of each laying cycle, contaminated litter removed from the sheds must be transported off site by an approved contractor to an approved site. All wash down water from the sheds must be directed to the retention dam associated with the shed.

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- 28) There must be no litter from the sheds stockpiled on the site. Any temporary storage areas for wet litter must have an impermeable base and bunding to ensure contaminated run-off does not discharge from the temporary storage area.
- 29) No land application of contaminated litter is to occur.
- 30) All dead birds must be disposed of off-site or managed on-site to the satisfaction of the Environment Protection Authority.
- 31) All wastewater from the proposed amenities/administration building and all dwellings must be treated and disposed of using EPA approved systems, installed, operated and maintained in compliance with the relevant EPA Code of Practice and Certificate of Conformity. Existing wastewater systems must be upgraded or decommissioned as necessary to the satisfaction of Council's Environmental Health Department.
- 32) The wastewater disposal areas must be located above the 1 in 100-year flood level of the Loddon River as determined by the North Central Catchment Management Authority, at least 60m from the Loddon River and any waterways or dams and at least 20m from any bores.
- 33) The wastewater disposal areas must be kept free of all infrastructure including buildings, driveways, car parking, tanks and service trenching and must be planted with appropriate vegetation to maximise their performance. Stormwater must be diverted away.
- 34) Any other wastewater streams associated with the development must be managed to the satisfaction of Council's Environmental Health Department but no wastewater is to be discharged directly to the Loddon River or any other waterway or dam. All wastewater management systems must be above the 1 in 100-year flood level and at least 60m from the Loddon River and any other waterways.

Department of Environment, Land, Water and Planning Conditions

- 35) Access to the site must only be from the government road adjoining the subject land.
- 36) No polluted and/or sediment laden run-off is to be discharged directly or indirectly into drains or watercourses on the adjoining Crown land. Overland flows must be maintained at the same rate post-development as on the undeveloped land.
- 37) To prevent impacts on Crown land, all works (other than the here approved native vegetation removal) are to be contained within the freehold land.
- 38) No plant, machinery or associated equipment, is to be permitted on the adjoining Crown land.
- 39) Adjoining Crown land must not be used for truck turning areas, entry points, parking areas or temporary stack sites during the construction of buildings or works.
- 40) No works are to occur on the adjoining Crown land under licence (#2022107, #0604950), except in accordance with any requirements under the licence.
- 41) All earthworks are to be designed and constructed to avoid soil erosion. All fill is to be compacted, and batters are to be topsoiled and revegetated. All drainage is to be diverted around the disturbed areas. Drainage from benched areas, batters and access tracks is to be diverted on non-scouring grades to stable vegetated areas. Several drainage points are to be used to avoid concentration of drainage water.

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- 42) To prevent the spread of weeds and pathogens:
- a. All earth moving equipment and associated machinery must be made free of soil, seed and plant material before being taken to the works site and again before being taken from the works site on completion of the project.
 - b. All excavated material, including topsoil, taken from the works site to be returned later must be stored on a clean site free of weeds.
 - c. All areas where earth moving has occurred must be monitored for a period of three years to assess any weed infestations that may occur as a result of soil disturbance and/or the importation of sand gravel and other material used in the construction process.
 - d. Any weed infestations resulting from soil disturbance and/or the importation of sand gravel and other material used in the construction process must be controlled.
- 43) Native vegetation removal must be in accordance with the extent specified in the Native Vegetation Removal report 338-20210420-002 dated 20 April 2021. The total area of native vegetation permitted to be removed is 0.281 hectares, comprised of 4 large, scattered trees.
- 44) Before works start, the permit holder must advise all persons undertaking the vegetation removal works on site of all permit conditions pertaining to native vegetation protection.
- 45) Before works start, a native vegetation protection fence must be erected around all native vegetation to be retained within 15 metres of the works area. This fence must be erected at:
- a. a radius of 12 times the diameter of the tree trunk at a height of 1.4 metres to a maximum of 15 metres but no less than 2 metres from the base of the trunk of the tree; and
 - b. around the patch(es) of native vegetation at a minimum distance of 2 metres from retained native vegetation.
- 46) The fence must be constructed of star pickets and paraweb or similar, to the satisfaction of the responsible authority and the Department of Environment, Land, Water and Planning. The protection fence must remain in place until all works are completed to the satisfaction of the department.
- 47) Except with the written consent of the department, within the area of native vegetation to be retained and any tree protection zone associated with the permitted use and/or development, the following is prohibited:
- a) vehicular or pedestrian access;
 - b) trenching or soil excavation;
 - c) storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products;
 - d) construction of entry and exit pits for underground services; or
 - e) any other actions or activities that may result in adverse impacts to retained native vegetation.
- 48) To offset the removal of 0.281 hectares of native vegetation the permit holder must secure a native vegetation offset(s) that meets all the following:
- a general offset of 0.063 general habitat units located within the North Central Catchment Management Authority boundary or Loddon Shire Council municipal district;
 - have a Strategic Biodiversity Value score of at least 0.498.
 - provide protection for at least four large trees
 - must be in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation* (DELWP, 2017).

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- 49) Before any native vegetation is removed, evidence that the required offset for the project has been secured must be provided to the satisfaction of the responsible authority. This evidence must be an established first party offset site. This must:
- include a security agreement signed by both parties, and
 - include a management plan detailing the 10-year management actions and ongoing management of the site;
 - be to the satisfaction of the Department of Environment, Land, Water and Planning and approved by the Responsible Authority.
- 50) Every year, for ten years, after the responsible authority has approved the offset management plan, the applicant must provide notification of the management actions undertaken towards implementing the offset management plan, to the department. An offset site condition statement, including photographs must be included in this notification; and/or credit extract(s) allocated to meet the requirements of the permit from the Native Vegetation Credit Register. A copy of the offset evidence must be endorsed by the responsible authority and form part of this permit.
- 51) Within 30 days of endorsement of the offset evidence by the responsible authority, the permit holder must provide a copy of the endorsed offset evidence to the Department of Environment, Land, Water and Planning at loddonmallee.planning@delwp.vic.gov.au.

Permit Notes

- The department advises that works or other activities on public land, which may affect protected native plants, will require a Protected Flora Licence or Permit under the Flora and Fauna Guarantee (FFG) Act 1988. All native vegetation likely to be affected should be checked against the Protected Flora List (DELWP 2017) to determine whether FFG approvals are required. Protected Flora Permits can be obtained from the regional DELWP office (P&A.north@delwp.vic.gov.au).
- Offset requirements are determined in accordance with DELWP (2017) Guidelines for the removal, destruction or lopping of native vegetation. Proposed offset sites must meet eligibility requirements including land use, bushfire risk, and quality of vegetation and size of revegetation site. Please visit <https://www.environment.vic.gov.au/native-vegetation/native-vegetation> for further information.
- The subject property is located within an area of Cultural Heritage Sensitivity. Should the activity associated with proposed development require a Cultural Heritage Management Plan (CHMP), planning permits, licences and work authorities cannot be issued unless a CHMP has been approved for the activity.

2 DISCUSSION

2.1 The Site & Locality

The subject site is located approximately 4 kilometres north of the Laanecoorie Township and 5 kilometres south of the Newbridge Township. The land fronts Laanecoorie-Newbridge Road for 3 kilometres and is situated on the eastern side of the road. Access is provided via an existing crossover from Laanecoorie Newbridge Road.

The site at 499 Laanecoorie Newbridge Road as shown in Figure 1, comprises nine titles (14 Crown Allotments) with a total area of 317 hectares.

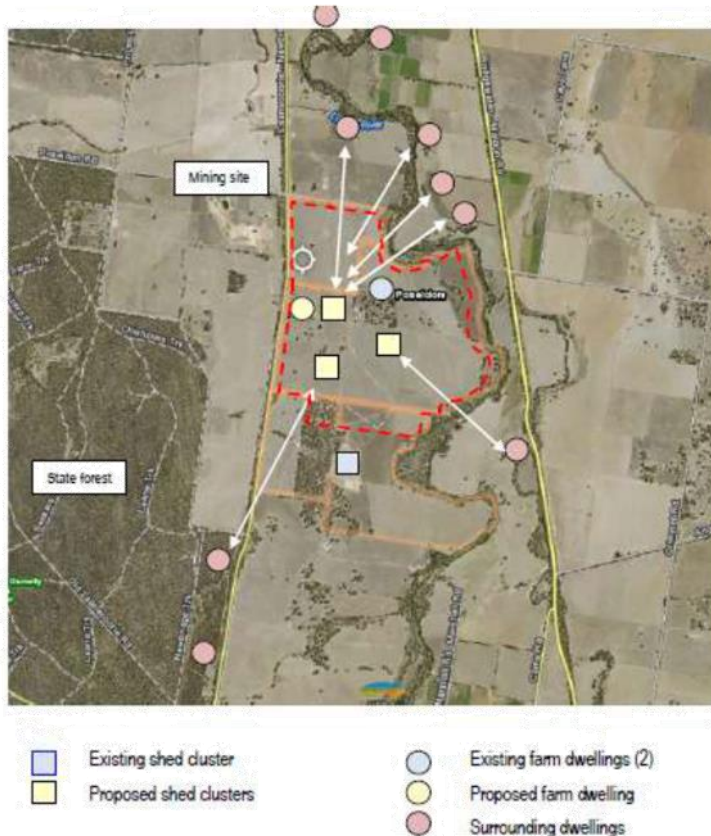


Figure 1- Site Photo (Source: Conceptz Planning Report)

Land at the southern end of the property was developed for the use of the land for a poultry breeder farm. The existing farm comprises four sheds each housing 10,000 birds, with the surrounding land used for grazing and cropping. The land is generally flat with two existing dwellings and farm buildings on the property. Although the main entrance is from the Laanecoorie Newbridge Road. There are several access points along both Laanecoorie Newbridge Road and Poseidon Road. The existing poultry breeder farm uses a dedicated and secure entrance with dwelling access is via a government road further to the north.

Vegetation has generally been cleared to a few patches and along the abutting Loddon River. However, there is a large patch of native vegetation, which totals approximately 45 hectares situated parallel with the western boundary of the existing poultry breeder farm.

ORDINARY COUNCIL MEETING AGENDA**23 FEBRUARY 2021****2.2 Site History**

Planning Permit No. 5125 was issued on the 3 February 2016 for the use and development of Crown Allotments, 13, 15, 16 and 17 Section 2 Parish of Tarnagulla for a broiler farm having a maximum of 400,000 birds. These titles have been consolidated to form PC 372819 E.

The permit was then amended on the 18 September 2018 for the use and development of the land as a fertile egg farm. The amendment reduces the number of birds on site from 400,000 to 40,000 and changes the use from a broiler farm to fertile egg farm. This permit was also extended 18 February 2018 and 21 August 2020. The development must now be completed by 18 February 2022.

Other amendments to permit 5125 include the addition of a water supply pump shed and rainwater tank.

2.3 Proposal**Overview**

The application is proposing to further develop and enhance the use of the land for a poultry breeder farm. The farm will produce eggs, which are transported from the site to be hatched at the Hazeldene's East Bendigo hatchery; the chicks are then sold on to the commercial broiler chicken industry. Although not required for Poultry Farm's, this application was prepared using the requirements and guidelines of the *Victorian Broiler Code of Practice*.

The proposed poultry farm is to be developed in stages:

- **Stage 1:** Site 1 - Production Sheds, administration building, organic waste management station, manager's residence, communications mast, site entrance, and access and infrastructure services.

Estimated completion date of stage 1 is December 2022.

- **Stage 2:** Site 2 - Production Sheds

Estimated completion date of stage 2 is December 2023.

- **Stage 3:** Site 3 - Production Sheds

Estimated completion date of stage 3 is July 2024.

Production Sheds Development

Three separate sites were selected for the development of the shed clusters with each covering an area of approximately 3.5 hectares. Site 3 is setback 400 metres from Laanecoorie-Newbridge Road being the closest site, with Site 1 closest to the Loddon River at a distance of 500 metres.

Developed in clusters of four, the sheds are situated 400-500 metres apart and each cluster covers an area of approximately 3.5 hectares. The infrastructure contained within the production area consists of, four production sheds, amenities building and tea room, staff car parking (3 spaces), egg packing and loading store, generator and store room, a feed soil and four feed weighers, LPG gas bottle, two firefighting storage tanks, a water supply tank, and concrete hardstand areas.

Each shed consists of the following characteristics:

- 139.5 metres long x 15.7 metres wide x 2.8 metres high (4.5 metre high to top of roof pitch)
- orientated east to west on the long axis of the shed to optimise capture of solar energy
- exhaust fans located so they extract away from the other sheds for biosecurity
- constructed on a compacted earthen pad
- environmentally controlled, low rise sheds with concrete internal flooring; and
- connected by an enclosed walkway connecting all sheds and the staff amenities area.

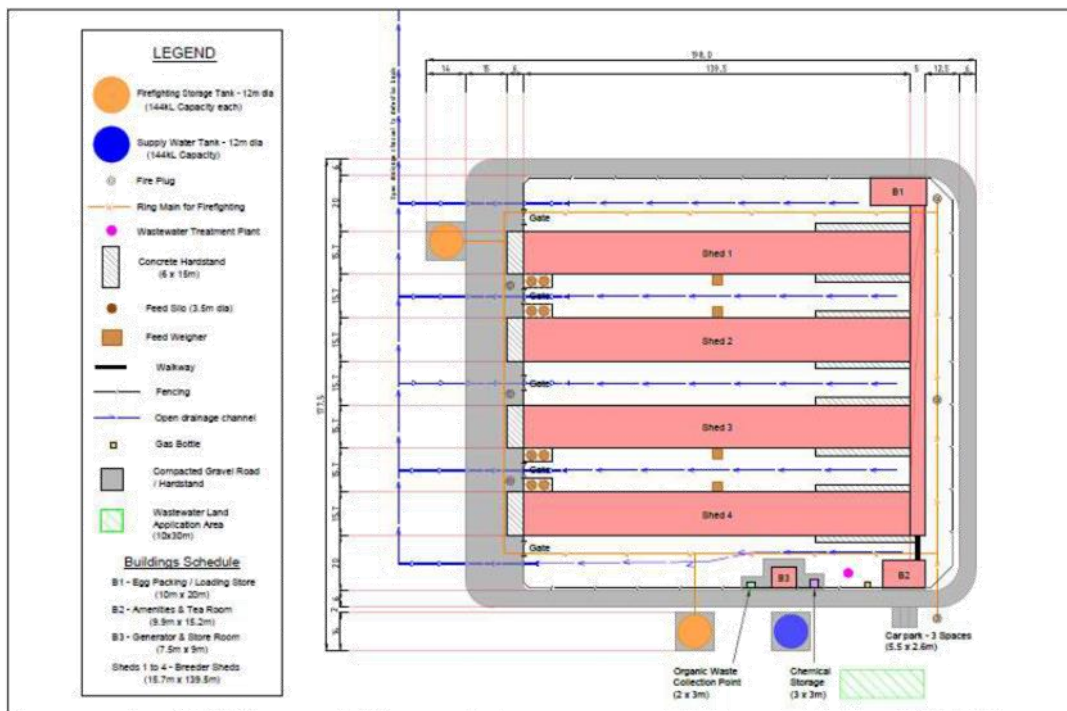


Figure 2- Breeder Shed Site Layout Plan (Source: Application Plans)

Each production shed will:

- be serviced by three phase power, water pressure pump and emergency diesel generator
- be serviced by two feed silos having a height of 8 metres and diameter of 3.5 metres
- have a concrete pad adjacent to the back doors to allow efficient manure removal during shed clean out
- direct roof stormwater away from sheds for retardation.

Other structures and works within the production areas include, potable water supply tank, firefighting water tanks, car parking, septic tank and pump well, chemical storage shed, organic waste collection point, and a one way all weather access road with a width of six metres.

There will be some earthworks with a shallow cut made between the sheds to provide for an earthen pad for each production shed with surplus used as fill for the construction of internal roads.

Administration Building

The administration building will be located on the northern side of the Government Road with a proposed building footprint of 19.5 metres x 10.4 metres. The building will contain the following rooms and facilities:

- reception area
- two offices
- meeting room and workspace area
- kitchen/meals area
- communications and storage room
- staff amenities - male and female toilets.

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Car parking for 33 vehicles is proposed; this is based on the projected demand for parking of employee vehicles and visitors to the site. The parking dimensions and access way are designed to satisfy clause 52.06 - (Car Parking) of the Loddon Planning Scheme.

Employees are able to access bio secure areas via a gate and path adjacent the eastern side of the building, before being transported to work areas. They can also access the areas by driving their vehicle through the sanitation spray facility, which is accessed, via a separate road on the north side of the administration building.

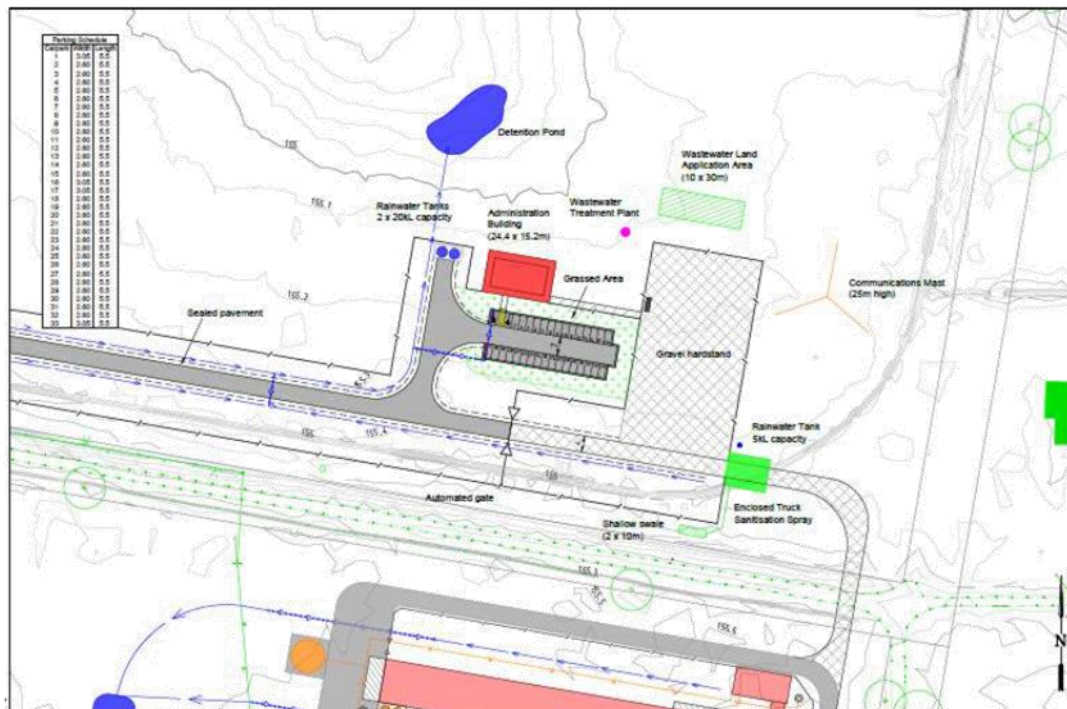


Figure 3- Administration Building Layout Plan (Source: Application Plans)

Proposed Dwelling

The proposed four bedroom brick dwelling with a garage will be constructed and utilised as a manager’s residence.

The dwelling will:

- be setback 50 metres from Laanecoorie-Newbridge Road, with direct access from the site access road.
- have landscaping to screen the proposed dwelling from the road frontage
- have face brickwork with corrugated colour bond sheet roofing and slotted gutter
- have a colourbond roller door for access to the garage.

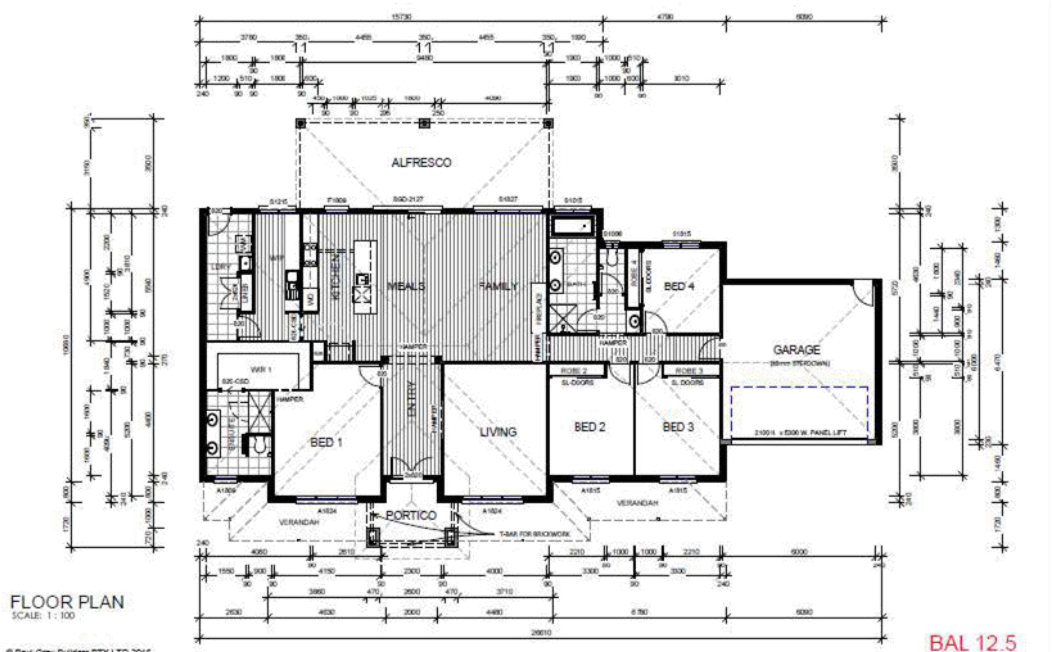


Figure 4- Floor Plan of Dwelling (Source: Application Plans)

Proposed Communications Mast

The construction of the telecommunications mast to maintain a clear signal between the existing Bald Hill’s poultry farm and the proposed farm. The mast will be constructed close to the proposed administration building, with testing indicating a height of 25 metres is required due to the heavily vegetated areas along the Loddon River.

The mast will have narrow, triangular form and is secured to the ground by guy-wires that extend 20 metres from the base. The mast is anchored on a concrete base of 1.4 metres x 1.4 metres.

Removal of native vegetation

The proposal also includes the removal of native vegetation, with one large tree to be lopped and removed from the site. Three other trees have been listed as the proposed road widening will affect more than 10% of their Tree Protection Zone. They will not be removed but have been counted as a loss under DELWP assessment guidelines. Any works will aim to minimise the impact on these existing trees with future health of the trees to be monitored.

Landscaping

Landscaping is proposed along the road frontage of Laanecoorie Newbridge Road with the purpose of providing screen for the proposed dwelling and other buildings. Planting will consist of three rows of trees with four metres between rows and three metres between plants. The area is to be deep ripped to a minimum of 0.6 metres and spayed prior to plantation with herbicide. Trees will consist of 200 of the following tall trees:

- Yellow Gum
- Yellow Box
- Grey Box
- Red Box

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Each tree will reach an average height of 25-30 metres at maturity.

Medium trees and shrubs will consist of 300 each of the following species:

- Gold Dust Wattle
- Golden Wattle
- Drooping Cassinia
- Hop Bush

Each tree will reach a height of 2-5 metres at maturity.

Traffic Generation

The Traffic Assessment Report prepared by Terraco addresses the origin of traffic, quantum of traffic generated, site entrance and intersection requirements as well as traffic access and movements within the site.

Traffic generation will consist of staff, deliveries, collections and visitors. Section 2.1 of the Traffic Assessment Report identifies traffic generated by the proposed use:

- The site could potentially generate 16,800 vehicles movements a year, comprising of 15,260 car and 1,540 truck movements.
- The farm will operate every day of the year averaging 45 vehicle movements a day consisting of 41 car and four truck movements.

All of the expected traffic is assessed as coming from Newbridge and returning the same way, with the majority of the employees and suppliers situated in the Bendigo area.

Stormwater management

The *Stormwater Management Plan* prepared by Terraco, identifies that the proposed production areas will cause variations to stormwater flows from the site. All runoff generated from production areas will flow to detention basins via shallow swales to protect the waterways from stormwater pollution and the impacts of increased peak stormwater flows. The basins will cater for a volume of approximately 252 cubic metres with a total area of 600 metres squared.

2.4 Loddon Planning Scheme

2.4.1 Zone

The subject site is within the Farming Zone. Clause 35.07 of the scheme states that the purpose of the Farming Zone is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *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.*
- *To provide for the use and development of land for the specific purposes identified in a schedule to this zone.*

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2.4.2 Overlay

The subject site is covered by a Land Subject to Inundation Overlay. Clause 44.04 of the scheme states that the purpose of the Land Subject to Inundation Overlay is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *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 and waterways as natural resources by managing urban stormwater, protecting water supply catchment areas, and managing saline discharges to minimise the risks to the environmental quality of water and groundwater.*
- *To ensure that development maintains or improves river and wetland health, waterway protection and flood plain health*

2.4.3 Relevant Particular Provisions52.06- Car Parking

The purpose of this clause:

- *To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.*
- *To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.*
- *To support sustainable transport alternatives to the motor car.*
- *To promote the efficient use of car parking spaces through the consolidation of car parking facilities.*
- *To ensure that car parking does not adversely affect the amenity of the locality.*
- *To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.*

Clause 52.06 applies to a new use. A Poultry Farm is not listed in the tables shown on clause 52.06 therefore the car parking requirements are at the discretion of the responsible authority.

There are 33 sealed car parks proposed parallel with the administration building, which are accessed by a sealed road. Landscaped, grassed area surrounding the sealed car park will be irrigated.

52.17- Native Vegetation

The purpose of this clause is:

- *To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation.*

This is achieved by applying the following three step approach in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017) (the Guidelines):

1. *Avoid the removal, destruction or lopping of native vegetation.*
2. *Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.*

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3. Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation. To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation.

52.19- Telecommunications Facility

The purpose of this clause is:

- To ensure that telecommunications infrastructure and services are provided in an efficient and cost effective manner to meet community needs.
- To facilitate an effective state-wide telecommunications network in a manner consistent with orderly and proper planning.
- To encourage the provision of telecommunications facilities with minimal impact on the amenity of the area.

2.4.4 Permit trigger

Under clause 35.07 of the scheme a planning permit is required for the use and development of the land for a poultry farm, dwelling and a communications mast as all development is associated with a section 2 use (permit required). Planning approval is also required under clause 44.04 for buildings and works. Permit is required for the removal of native vegetation under clause 52.17.

2.4.5 Restrictive Covenant

No restrictive covenants exist on this site.

2.4.6 Planning Policy Framework

The following section considers the relevant sections of the Planning Policy Framework for this application.

12.01-2S- Native vegetation management

Objective:

To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation.

13.03-1S- Floodplain management

Objective:

To assist the protection of:

- *Life, property and community infrastructure from flood hazard.*
- *The natural flood carrying capacity of rivers, streams and floodways.*
- *The flood storage function of floodplains and waterways.*
- *Floodplain areas of environmental significance or of importance to river health.*

13.05-1S- Noise abatement

Objective:

- *To assist the control of noise effects on sensitive land uses*

Strategy:

- *Ensure that development is not prejudiced and community amenity and human health is not adversely impacted by noise emissions, using a range of building design, urban design and*

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land use separation techniques as appropriate to the land use functions and character of the area.

13.06-1S- Air Quality

Objective:

- *To assist the protection and improvement of air quality.*

Strategies:

Ensure that land use planning and transport infrastructure provision contribute to improved air quality by:

- *Integrating transport and land use planning to improve transport accessibility and connections.*
- *Locating key developments that generate high volumes of trips in the Central City, Metropolitan Activity Centres and Major Activity Centres.*
- *Providing infrastructure for public transport, walking and cycling.*

Ensure, wherever possible, that there is suitable separation between land uses that reduce air amenity and sensitive land uses.

13.07-1S- Land use compatibility

Objective:

- *To protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts.*

Strategies:

- *Ensure that use or development of land is compatible with adjoining and nearby land uses.*
- *Avoid locating incompatible uses in areas that may be impacted by adverse off-site impacts from commercial, industrial and other uses.*
- *Avoid or otherwise minimise adverse off-site impacts from commercial, industrial and other uses through land use separation, siting, building design and operational measures.*
- *Protect existing commercial, industrial and other uses from encroachment by use or development that would compromise the ability of those uses to function safely and effectively.*

14.01-2S- Sustainable agricultural land use

Objective:

To encourage sustainable agricultural land use.

Strategies:

- *Ensure agricultural and productive rural land use activities are managed to maintain the long-term sustainable use and management of existing natural resources.*
- *Support the development of innovative and sustainable approaches to agricultural and associated rural land use practices.*
- *Support adaptation of the agricultural sector to respond to the potential risks arising from climate change.*
- *Encourage diversification and value-adding of agriculture through effective agricultural production and processing, rural industry and farm-related retailing.*
- *Assist genuine farming enterprises to embrace opportunities and adjust flexibly to market changes.*
- *Support agricultural investment through the protection and enhancement of appropriate infrastructure.*
- *Facilitate ongoing productivity and investment in high value agriculture.*

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- *Facilitate the establishment and expansion of cattle feedlots, pig farms, poultry farms and other intensive animal industries in a manner consistent with orderly and proper planning and protection of the environment.*
- *Ensure that the use and development of land for animal keeping or training is appropriately located and does not detrimentally impact the environment, the operation of surrounding land uses and the amenity of the surrounding area*

2.4.7 Local Planning Policy Framework

The following section gives consideration to be the relevant sections of the Local Planning Policy Framework for this application.

22.02- Drainage and Flooding

This policy applies to all land within the Loddon Shire.

Policy Basis:

There are extensive areas in the north of the Shire that are flood prone. These areas include farmland and homes and it is recognised that there are economic reasons to protect these. The fundamental role of the flood plain to convey and store water can be in conflict with the use and development of land in flood plains. Sound floodplain management is vital to the economic, social and environmental objectives of the Shire.

Objective:

- *To encourage use of drainage works and schemes that manage surface flows and minimise irrigation runoff to assist in the reduction of the salinization of land.*
- *To promote on-farm drainage re-use for effective nutrient management.*
- *To ensure that drainage works and schemes are consistent with management plans for wetlands, streams and forests.*
- *To ensure levee banks are constructed and maintained to a standard that provides for the appropriate and equitable flow and distribution of floodwaters.*
- *To ensure that downstream impacts of levee banks are appropriately considered and managed.*
- *To recognise the role of public and community-based organisations in the maintenance and development of existing flood protection levee banks.*
- *To encourage the use of rain where it falls, particularly in groundwater recharge areas.*
- *To ensure appropriate land use and development of flood plains.*

22.05- Development in Rural Areas

This policy applies to land within the Farming Zone and Rural Conservation Zone.

Policy Basis

Agricultural production is the major focus of the economy and community in Loddon Shire. The promotion of innovative, diverse and sustainable agriculture is a central aim of planning in the Shire. Council recognises that quality agricultural land is a valuable and non-renewable resource and its protection and sustainable use is fundamental to the future economic health of the Shire. The rural areas of the Shire also offer landscapes of unique quality. These landscapes are important for their contribution to the character of the Shire and their attraction to visitors. Development in rural areas must be managed to prevent detriment to the viability of rural industries and to protect the landscape quality of the rural areas.

Objectives

- *To protect the natural and physical resources upon which agricultural industries rely.*
- *To support the ongoing viability of existing farms.*
- *To maintain farmland in productive agricultural use.*
- *To promote the development of new and diverse agricultural industries, fulfilling the potential of existing infrastructure.*

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- *To prevent land use conflicts between sensitive uses and agricultural uses.*
- *To ensure that new use and development in the Shire is not prejudicial to agricultural industries or the productive capacity of the land.*
- *To encourage the most productive and sustainable uses of water and soil in the Shire.*
- *To ensure that development in rural areas does not compromise landscapes of significant value.*
- *To encourage safety from structure fires and bushfires.*

22.06- Intensive animal industries

This policy applies to applications for the use and development of land for intensive animal husbandry.

Policy Basis

Intensive animal husbandry uses represent an important local industry, which can be supported by the grain growing industry. The proper siting and design of this form of use and development is needed to ensure residential amenity and environmental quality is protected.

Objectives

- *To ensure intensive animal industrial uses are suitably located.*
- *To ensure the use and development of land for intensive animal husbandry does not impact on the environment.*
- *To protect and maintain residential amenity in urban areas.*
- *To encourage quality design and appropriate siting of intensive animal husbandry developments.*

2.5 Referrals

Table 1: Internal referral to Public Health Team

Response:	<p>Requested the Land Capability Assessment (LCA) and Wastewater Management Plan (WMP) be amended.</p> <p>An amended LCA and WMP was received. Public Health Officer reviewed the LCA and has no issues with the wastewater generation component of this planning application.</p>
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Table 2: Internal referral to Assets Team

Response:	<p>No objection.</p> <p>The driveway entry would need an upgraded design to accommodate for future use by larger vehicles. The standard rural entrance drawing will need to be used.</p>
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Table 3: External referral to North Central Catchment Management Authority

<p>Response:</p>	<p>North Central CMA, pursuant to <i>Section 56 of the Planning and Environment Act 1987</i>, does not object to the granting of a permit.</p> <p><u>Advice to Applicant / Council</u> Flood levels for the 1% AEP probability (100 year ARI) have not been determined for this area under the <i>Water Act 1989</i>. Information available at North Central CMA indicates that in the event of a 1% AEP flood event it is likely that the property will be subject to inundation from the Loddon River. However, it is unlikely that the location of the proposed buildings and poultry sheds will be subject to inundation.</p> <p>The applicant undertook significant consultation with the North Central CMA prior to applying for a planning permit and North Central CMA advises that the proposed design and proposed measures have addressed its requirements; therefore, it has no specific conditions to recommend.</p>
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Table 4: External referral to Goulburn Murray Water

<p>Response:</p>	<p>Based on the information provided and in accordance with Section 56 (b) of <i>the Planning and Environment Act 1987</i>, Goulburn-Murray Water has no objection to this planning permit being granted subject to conditions.</p>
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Table 5: External referral to Department of Environment, Land, Water and Planning

<p>Response:</p>	<p>The application was referred to the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987) as a referral authority pursuant to Section 55 of the Planning and Environment Act 1987. The Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987) is a 'recommending' referral authority under Clause 66.02-2</p> <p>- Native vegetation.</p> <p>I provide this response under delegation from the Secretary to the Department of Environment, Land, Water and Planning (as</p>
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ORDINARY COUNCIL MEETING AGENDA

23 FEBRUARY 2021

	<p>constituted under Part 2 of the Conservation, Forests and Lands Act 1987).</p> <p>Response</p> <p>As a recommending referral authority for a planning permit, the Department of Environment, Land, Water and Planning does not object to a planning permit being granted with recommended conditions to be placed on permit.</p>
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Table 6: External referral to Environmental Protection Agency

<p>Response:</p>	<p>EPA is not a statutory referral Authority under Section 55 of the <i>Planning and Environment Act 1987</i>, since this proposal:</p> <ul style="list-style-type: none"> a) does not require an operating licence or development licence or amendment to a licence; b) is not proposed to be used for an industry, utility installation or warehouse for a purpose listed in the table to Clause 53.10 with no threshold distance specified or for which the threshold distance cannot be met; and c) is not a proposed extractive industry intended to be used at a later date for landfill. <p>EPA provided advice for Council's assessment of the application.</p>
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2.6 Public Notification

The application is not exempt from the notice requirement. Pursuant to Section 52 of the Planning and Environment Act 1987, the following forms of advertising were undertaken:

- Notices were sent to owners and occupiers of adjoining land (including opposite and surrounding).

Two objections were received in response to the application. The matters raised in the objections are summarised below and have been responded to by the Applicant.

The following matters were raised in the first objection:

- The proposed expansion will greatly impact and encroach on our way of life by being environmentally, aesthetically, and socially damaging to the area.
- There are already smells from the existing shed cluster with the development of 12 new sheds the smell will only get worse.
- The proposed expansion will stifle any chance of the Newbridge, Laanecoorie and Tarnagulla townships from expanding in the future.
- Increased truck traffic on a single lane road is also not acceptable.

The following is the applicant's response to the matters raised in the objection:

ORDINARY COUNCIL MEETING AGENDA**23 FEBRUARY 2021**

- Hazeldene's Risk & Compliance Department have a system in place for recording and investigating all community and customer complaints and concerns. Actions from this process are escalated through the appropriate areas of the business and outcomes are reported on a regular basis to the Senior Leadership Team.
- During the development of the site, I will provide my contact details as the Project Manager to all nearby residents should they wish to raise any concerns.
- The contact details of the Farm Manager will also be provided to surrounding residents should they have any concerns during normal farm operations.
- Hazeldene's will also implement regular community engagement meetings with the local residents throughout the development period and continue once the farm is in full operation should there be interest from the residents to do so.

Hazeldene's also requested that the Planning Officer place conditions on the permit, which address the applicant's response to the matters, raised in the objection.

The following matters were raised in the second objection:

- The odour from the existing poultry sheds is not pleasant, as a local resident I would find intensifying the frequency and intensity of the odours unsettling and not compatible within a residential area.
- The Loddon River is the major long term asset of the Loddon Shire and as such must be nurtured for the future residents of not only Loddon Shire but all the people of Australia.
- The combined Victorian Catchment management Authorities prepared a climate change assessment for the State. This document concluded that the land within the confines of the Loddon River will be suitable for agricultural production, expanses beyond this area will become marginal for agriculture, with this in mind it would be wise to protect the river environs intensive developments, especially those that do not need a river proximity.
- This proposed offers no benefit for the local community and no consideration for the tourist population that frequents our region. Tourism is a potential environmental growth industry for the Loddon River.

The following is the applicant's response to the matters raised in the objection:

- The proposed development has applied the higher standard of the Victorian Broiler Code and situated outside of the recommending setbacks from sensitive uses. Use of the land for animal production and agriculture can be supported in the Farming Zone with the proposed use consistent with State and Local Planning Policy Framework.
- Prior to lodgement with the Loddon Shire, Hazeldene's undertook substantial consultation with North Central CMA who manage the floodplain. The outcome resulted in all shed clusters and associated developments being located above the actual 1 in 100-year flood level with no objection or conditions from North Central CMA. All buildings and works will also be setback at least 100 metres from the Loddon River and all waterways meeting the setback requirements the Farming Zone and is consistent with Council's Local Planning Policy Framework.
- Hazeldene's Risk & Compliance Department have a system in place for recording and investigating all community and customer complaints and concerns. Actions from this process are escalated through the appropriate areas of the business and outcomes are reported on a regular basis to the Senior Leadership Team.

ORDINARY COUNCIL MEETING AGENDA**23 FEBRUARY 2021**

- During the development of the site, I will provide my contact details as the Project Manager to all nearby residents should they wish to raise any concerns.
- The contact details of the Farm Manager will also be provided to surrounding residents should they have any concerns during normal farm operations.
- Hazeldene's will also implement regular community engagement meetings with the local residents throughout the development period and continue once the farm is in full operation should there be interest from the residents to do so.

3 ASSESSMENT

3.1.1 Planner assessment

The officer's recommendation is to grant a notice of decision to approve planning application 5674. The recommendation is based on the considerations detailed below.

Land Use Suitability

The site is considered suitable for the proposed use of the land for a poultry breeder farm. An existing poultry breeder farm was established for 40,000 birds and is operating successfully. The land size allows the buffers to sensitive uses to be easily accommodated. The surrounding properties are used for broad acre agricultural purposes and the nearest dwelling just under 1 kilometre from the nearest shed cluster.

The farm will significantly increase the agricultural production on the property with no loss of productive agricultural land as a result. Surrounding properties are dominated by agricultural uses with the proposed development not expected to limit the operation or expansion of these uses. The use and development are ideally suited for this land with the property having rural road access and water rights.

A new dwelling is proposed to be used as a manager's residence as the expansion of the farm will require close management and dedicated staff. The dwelling will not be adversely affected to the activities on nearby land nor will the agricultural uses adversely affect the use of the dwelling. Use and development of the land for a dwelling can be supported in the Farming Zone where it will enhance an agricultural use.

Environmental and Amenity Impacts

Environmental issues are addressed in the Environmental Management Plan (EMP), Land Capability Assessment (LCA) and Stormwater Management Plan (SMP). The EMP describes the controlled environment of the sheds with large extraction fans able to transition between minimum ventilation rates and high ventilation rates as required. During minimum ventilation conditions the fans turn on and off via a timer to draw cool, fresh air into the shed and remove warm, moist air. No adverse impacts are anticipated on the flora and fauna of the site and all wastewater disposal is in accordance with the LCA and Council's Public Health Officer's requirements.

Management of dust from the proposed development has also been addressed in the EMP. The primary sources of dust include, litter, feed, feather particles, skin cells, fungi, bacteria and other organic matter from decomposition of litter, feed and faeces. Some dust will also be generated from traffic entering the property and driving on unsealed roads mainly around the development sheds. Utilising best management practices and meeting the separation distances will result in limited effect on the amenity of the surrounding properties. Effect on the surrounding land from noise and lighting will be limited due to the large setbacks from the sensitive uses.

ORDINARY COUNCIL MEETING AGENDA**23 FEBRUARY 2021**Building Design and Siting

The buildings will be located within the consolidated allotments with the remaining cleared agricultural land to be farmed. All production sheds are low profile structures (4.5 metres) with the proposed feed silos (8 metres) the highest structure associated with the shed clusters. The communication mast will stand at 25 metres and will have a narrow profile, constructed of non-reflective materials with no lighting proposed. Existing infrastructure includes rainwater captured from the proposed buildings and water pumped from the Loddon River, reticulated electricity supply, and wastewater disposal in accordance with the requirements. Telecommunications will also be available with the construction of the proposed communication mast.

The recommended separation distances to sensitive uses as per the Victorian Broiler Code 2009 is 418 metres. All development sheds meet this recommended setback with the nearest dwelling more than 1100 metres away on the opposite side of the Loddon River.

Access and Traffic Management

Some increase traffic will be generated during the construction phase and once the works are completed, these are assessed in the Traffic Management Report. All access and traffic management will be in accordance with the Council's requirements.

Floodplain Management

A Land Subject to Inundation Overlay covers much of the site with planning approval triggered for numerous of the proposed works under clause 44.04. The applicant has undertaken discussions with North Central CMA focusing on the actual extent of the floodplain. Based on these discussions the proposed buildings designed to avoid the risk of flooding and located on areas of higher elevation.

After consultation with North Central CMA it was determined that, the current mapping is not accurate and the actual flood level from 2011 is significantly lower than what is shown. This influenced North Central CMA's response with no objection to the permit being issued and no proposed conditions. As result, the proposal is considered to meet the decision guidelines and is consistent with the purpose of clause 44.04.

Native Vegetation

Under clause 52.17, a permit is required for the removal of native vegetation with one tree proposed to be removed, three other trees are also affected and are listed as a loss under the clause. The proposed removal of native vegetation is for the upgrading of the existing access to meet the council requirements. The offset requirements are satisfied through the purchase of a third party offset from the credit register with an offset quote obtained.

All other trees within 15 metres of the proposed works will be protected and retained in accordance with the Department of Environment, Land, Water and Planning conditions.

Communication Mast

The proposed communication mast development is consistent with the decision guidelines of clause 52.19. It was determined that the communication mast will not negatively affect the adjacent land. This is mainly due to its non-reflective narrow profile with no lighting proposed, it will not result in the removal of productive agricultural land. It will support and enhance the continued use of the land for a poultry breeder farm by providing clear and sound communications between the proposed site and Hazeldene's Bald Hill Farm.

4 CONCLUSION

The proposal is consistent with the purpose of the Farming Zone, Land Subject to Inundation Overlay and relevant State and Local Planning Policy Framework. The Loddon Planning Scheme supports the expansion and development of agricultural uses within the Farming Zone and isolated rural areas. Consultation with the North Central CMA has revealed the proposed developments will be situated above the 1 in 100-year flood level and is considered to meet the decision guidelines of clause 44.04. The removal of native vegetation is consistent with purpose of clause 52.17.

For the reasons discussed above the planning officer recommends that planning application 5674 be approved, subject to the conditions listed in section 1 of this report.

APPENDIX 1: OBJECTION 1

To Whom It May Concern

In regards to planning permit application 5674 we would like to formally object to this application.

Our family home is located approximately 3.5 km North of the existing 4 sheds . We were told before these sheds were installed that there would be no discernable smell emitted from them. This has proven to be false. On certain days and nights we can smell them. We can not begin to imagine how bad this smell will become by adding another 12 sheds. Not only this but they will also be 1 km closer to us. This will only compound the issue. It leaves us wondering how many more sheds do hazeldenes plan to build ? This question was asked in our last letter of objection and this was never answered.

We have the right to enjoy outdoor entertaining without being forced inside because of unbearable chicken odour wafting over us.

The proposed expansion will greatly impact and encroach on our way of life by being environmentally ,aesthetically and socially damaging to the area. An area that has been home to our family for generations.

Given the close proximity of the following townships , Laanecoorie (2.8 km South) , Newbridge (5km North) and Tarnagulla 8 km to the West this is not the place to expand an intensive chicken farm operation.

The proposed expansion will stifle any chance of the above mentioned towns from expanding into the future . Council wants to promote rural living , by building an intensive chicken farm in this location is at odds with their mantra.

Increased Truck Traffic on single lane road is also not acceptable.

Common sense must prevail

Regards

21/07/2021

APPENDIX 2: OBJECTION 2

Loddon Shire

Planning Department

Wedderburn Vic. 3518

I am expressing my objection to the construction and expansion of the poultry farm proposed in the area of Laanecoorie and Newbridge fronting the Laanecoorie –Newbridge Road. The rear of the property fronts the Loddon River. This proposed poultry development is between the residential townships of Laanecoorie and Newbridge.

The council could take note of a recent VCAT decision to reject a similar proposal in close proximity to the Loddon River approximately 20 kilometres upstream from this current proposed development/expansion.

There are many reasons to reject this proposed expansion.

The odour from the existing poultry sheds is not pleasant, as a local resident I would find intensifying the frequency and intensity of the odours unsettling and not compatible within a residential area.

The Loddon River is the major long term asset of the Loddon Shire and as such must be nurtured for the future residents of not only Loddon Shire but all the people of Australia.

The combined Victorian Catchment management Authorities prepared a climate change assessment for the State. This document concluded that the land within the confines of the Loddon River will be suitable for agricultural production, expanses beyond this area will become marginal for agriculture, with this in mind it would be wise to protect the river environs intensive developments, especially those that do not need a river proximity.

As with most developments one would ask what the life expectancy and the environmental recovery for the sheds might be? In the proposal is there an allowance for these processes. Take the example from the Yarra River where it was left, by intensive industries, degraded and polluted

This proposed offers no benefit for the local community and no consideration for the tourist population that frequents our region. Tourism is a potential environmental growth industry for the Loddon River.

10.2 PLANNING PERMIT APPLICATION 5509: NIXON STREET, INGLEWOOD

File Number: 52807700
Author: Carolyn Stephenson, Statutory / Strategic Planner
Authoriser: Glenn Harvey, Manager Development and Compliance
Attachments: 1. Decision Report - 5509

RECOMMENDATION

That Council resolve to issue a Notice of Decision to grant a planning permit for the subdivision of the land into nine lots and the removal of native vegetation in accordance with the endorsed plans at CA 9 & 10, SEC 4A, Nixon Street, Township of Inglewood.

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this paper, or involved in the subject matter of the paper.

PREVIOUS COUNCIL DISCUSSION

This proposal has not been previously considered by Council.

BACKGROUND

The application seeks planning approval to subdivide the land into nine lots and remove native vegetation.

The subject site is located at Nixon Street, Inglewood and is zoned Township with most of the site also included in the Bushfire Management Overlay. The subject property is currently vacant land.

ISSUES/DISCUSSION

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

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

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

This application received one objection. A detailed decision report is included in Attachment 1 outlining the Planning Officer's assessment and considerations in determining the recommendation to Council. The objection along with a response from the applicant are included in that report.

COST/BENEFITS

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

The benefits associated with this cost are the ability for Council to fulfil its requirement under law and provide the community with a statutory service that delivers well managed and appropriate development.

The cost of inappropriate land use and development includes loss of amenity, inefficient use of infrastructure and environmental impacts. The benefit of appropriate land use and development is

aesthetically appropriate development, land use that is compatible with land capability, sustainable infrastructure provision and enhancement of environmental values.

RISK ANALYSIS

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

- Inappropriate development which could endanger life and property.
- Council's reputation as a responsible authority.
- Breaches of the *Planning and Environment Act, 1987* requiring compliance action.

CONSULTATION AND ENGAGEMENT

Please refer to the decision report for further detail on the application including copies of the objections lodged and the applicant's response to the objections.

LODDON SHIRE COUNCIL

DECISION REPORT 5509: Nixon Street, Inglewood



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SUMMARY

Application Number:	5509
Applicant:	P. Lewis and B. Koolstra
Subject Land:	Nixon Street CA 9 & 10, SEC 4A Township of Inglewood
Owner:	P. Lewis
Zone:	Township
Overlay(s):	Bushfire Management Overlay
Existing use:	Vacant
Proposal:	Subdivision of the land into nine lots and removal of native vegetation in accordance with endorsed plans at CA 9 & 10, SEC 4A, Nixon Street, Township of Inglewood.

1 RECOMMENDATION

That the responsible authority resolves to issue a Notice of Decision to grant a planning permit for the subdivision of the land into 9 lots and removal of native vegetation in accordance with the endorsed plans subject to the following conditions:

Permit Expiry

1. This permit will expire if one of the following circumstances applies:
 - a. The plan of subdivision is not certified under the Subdivision Act 1988 within two (2) years of the date of this permit; or
 - b. Registration of the plan of subdivision is not completed within five (5) years of the certification of the plan of subdivision under the Subdivision Act 1988.

No Alterations to Endorsed Plans

2. The development permitted by this permit as shown on the endorsed plan(s) and/or described in the endorsed documents must not be altered or modified (for any reason) except with the prior written consent of the responsible authority.

Certification of Plan

3. The formal plan of subdivision lodged for certification must be in accordance with the approved plan and must not be modified except to comply with statutory requirements or with the further written consent of the Responsible Authority.

Amended Plans

4. Prior to Certification of the Plan of Subdivision the applicant/owner must submit digital format (*.dwg) site plan(s) drawn to scale with dimensions and inclusive of a proposed timeline of works to the responsible authority. When approved, the plan(s) will be endorsed and will then form part of this permit. Such plan must be generally in accordance with the plan submitted but modified to show:
 - a. Detailed civil drawings of all proposed roads amended to accommodate the requirements of Loddon Shire Council and the CFA;
 - b. Construction access routes (subdivision & dwellings);
 - c. Vehicular crossovers;
 - d. Traffic control facilities;
 - e. Drainage (including computations) and legal point of stormwater discharge for each lot (house drains);
 - f. Stormwater retention and treatment basins, lagoons and or wetlands;
 - g. Street signage; and
 - h. Landscaping.

Easements

5. All existing and proposed easements and sites for existing and required utility services and roads must be set aside in favour of the relevant authority for which the easement or site is to be created on the plan of subdivision submitted for certification under the Subdivision Act 1988.

Internal road

6. The internal road must be constructed to the following design details or an alternative design approved by the Responsible Authority:
 - a. A default pavement depth of 300 millimetres and 6 metres wide of Class 2 mixed gravel to be applied.
 - b. The wearing course is to be a two coat primer seal minimum of 4 metres wide.
 - c. Shoulder of 1 metre.
 - d. Verge 0.6 of a metre.
 - e. Batter 1 in 6.

7. Intersection with Nixon St, pavement and seal footprint, and court bowl should provide the following design and checking vehicles;
 - a. Design Vehicle: 8.8 metres service vehicle
 - b. Checking Vehicle: 12.5 metres Single unit bus.
8. Plans detailing these works must be submitted and approved prior to certification of the subdivision. The works must be completed in accordance with these plans prior to the issue of the Statement of Compliance.
9. All roads shall be designed to accommodate and contain road surface stormwater drainage.

Access

10. Vehicular crossovers must be constructed between each of the lots and the road frontages prior to the issue of the Statement of Compliance. Such crossovers must be of concrete construction and be from kerb to property boundary in accordance with IDM Standard Drawing SD240. Once constructed the crossover(s) must be thereafter maintained by the landowner to the satisfaction of the Responsible Authority.

Drainage

11. All drainage works are to be constructed prior to the issue of a Statement of Compliance. Engineering plans for construction purposes must be submitted and approved by the Responsible Authority prior to the commencement of works. These plans must be generally in accordance with the plans submitted Allied Designs Job Number 26396 Plan dated 7.7.2020.
12. Stormwater shall be accommodated and treated within the subdivision in accordance with IDM Clause 19, including any overland stormwater flows which flow into the subdivision from external sources.
13. Stormwater and surface water drainage from lots, pathways, driveways, drainage reserves, park land and roadways shall be designed for stormwater quality and quantity to comply with the Best Practice Environmental Management Guidelines for Urban Stormwater (CSIRO) 1999 and to the satisfaction of the Responsible Authority.
14. A legal point of stormwater discharge shall be provided for each lot. The legal point of stormwater discharge for the subdivision shall be the existing waterway at the north-west corner of this subdivision.

Landscaping

15. Before the subdivision is certified under the Subdivision Act 1988, a landscape plan for the subdivision prepared by a person suitably qualified and experienced in landscape design, must be submitted to and approved by the responsible authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions. The plan must provide for the planting of the public areas (road reserves) and use native species that are suited to the climate of the area. The plan must show a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
16. The planting of the landscaping as shown on the landscape plan must be completed prior to the issue of the Statement of Compliance and maintained by the applicant/owner for a period comprising at least two summers.
17. Upon completion of all works all nature strips must be levelled, topsoiled and seeded.

Signage

18. Street name, regulatory and estate signage on road reserves shall be designed and installed to the satisfaction of the Responsible Authority.

Defects Liability

19. A defects liability period will apply to all civil construction works undertaken.
20. Handover of nature strips, road-related assets and stormwater drainage and treatment system assets will occur at the end of the defects liability period, where the condition and operation/function of each asset is to be to the satisfaction of the Responsible Authority.
21. Defects liability periods are:
 - a. Nature strips and landscaped areas - at least 2 summers from installation/planting
 - b. Road related assets - 12 months from completion
 - c. Stormwater drainage and treatment system – 12 months from completion
 - d. Constructed items - 12 months from completion.

Construction Phase

22. All works constructed or carried out must be in accordance with the approved plans and specifications.
23. The developer must restrict sediment discharges from any construction sites within the land in accordance with Construction Techniques for Sediment Pollution Control (EPA 1991) and Environmental Guidelines for Major Construction Sites (EPA 1995).
24. Only the approved subdivision construction access points shall be utilised, or developed, unless with the prior consent of the Responsible Authority.
25. At any time, the permit holder must ensure that the operation and condition of Council assets are not damaged by subdivision works or the construction of subsequent stages of the subdivision. If the Responsible Authority deems Council assets have been detrimentally affected or damaged by development construction access, then the assets will be required to be repaired and reinstated by the permit holder to the satisfaction of the Responsible Authority.
26. All activities associated with the construction of the subdivision permitted by this permit must be carried out to the satisfaction of the responsible authority and all care must be taken to minimise the effect of such activities on the amenity of the locality.
27. The permit holder must provide to the Responsible Authority "as constructed" plans/ civil drawings of all constructed road works, kerbs, footpaths, drainage, traffic control facilities, stormwater retention and detention basin(s), street lights, street trees and signage provided in digital format (*.dwg).

Department of Environment, Land, Water and Planning*Notification of works*

28. Before works start, the permit holder must advise all persons undertaking the vegetation removal or works on site of all relevant permit conditions.

Protection of retained native vegetation

29. Before works start, a native vegetation protection fence must be erected to protect all native vegetation to be retained within 15 metres of the works area.
This fence must be erected at:
 - a radius of 12 times the diameter of any tree trunk, measured at a height of 1.4 metres above ground level, to a maximum of 15 metres but no less than 2 metres from the base of the trunk of the tree; and
 - to protect patch(es) of native vegetation not containing trees at a minimum distance of 2 metres from any retained native vegetation.

The fence must be constructed of star pickets and paraweb or similar to the satisfaction of the Department of Environment, Land, Water and Planning. The protection fence must remain in place until all works are completed to the satisfaction of the department.

30. Except with the written consent of the department, within the area of native vegetation to be retained and any tree protection zone associated with the permitted use and/or development, the following is prohibited:
- a. vehicular or pedestrian access;
 - b. trenching or soil excavation;
 - c. storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products;
 - d. construction of entry and exit pits for underground services, and
 - e. any other actions or activities that may result in adverse impacts to retained native vegetation.

Native vegetation removal

31. Native vegetation removal must be in accordance with the extent specified in the Native Vegetation Removal report 338-20201014-027 dated 14 October 2020. The total area of native vegetation permitted to be removed is 0.107 hectares, comprised of: 4 Patch(es) of native vegetation with a total area of 0.107 hectares (containing 1 large canopy tree)

Native vegetation offsets

32. To offset the removal of 0.107 hectares of native vegetation, the permit holder must secure native vegetation offsets, in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation* (DELWP 2017) as specified below:

A general offset of 0.063 general habitat units:

- a. located within the North Central Catchment Management Authority boundary or Loddon Shire Council municipal district;
 - b. with a minimum Strategic Biodiversity Value score of at least 0.478;
 - c. Large Tree Offsets-
 - d. 1 Large Tree
33. Before any native vegetation is removed, evidence that the required offset for the project has been secured must be provided to the satisfaction of the responsible authority. This evidence is one or both of the following:
- a. credit extract(s) allocated to the permit from the Native Vegetation Credit Register, and/or
 - b. an established first party offset site including a security agreement to the required standard, signed by both parties, and a 10-year offset management plan to the satisfaction of the Department of Environment, Land, Water and Planning and approved by the Responsible Authority. The offset management plan must detail the 10-year management actions and ongoing management of the site. Every year, for ten years, after the responsible authority has approved the offset management plan, the applicant must provide notification of the management actions undertaken towards implementing the offset management plan to the responsible authority. An offset site condition statement, including photographs must be included in this notification.

A copy of the offset evidence will be endorsed by the responsible authority and form part of this permit. Within 30 days of endorsement of the offset evidence by the responsible authority, a copy of the endorsed offset evidence must be provided to the Department of Environment, Land, Water and Planning.

Permit Notes:

The department advises that works or other activities on public land, which may affect protected native plants, will require a Protected Flora Permit under the *Flora and Fauna*

Guarantee (FFG) Act 1988. All native vegetation likely to be affected should be checked against the *Protected Flora List* (DELWP 2019) to determine whether FFG approvals are required. Protected Flora Permits can be obtained from the regional DELWP office (loddonmallee.environment@delwp.vic.gov.au).

Offset requirements are determined in accordance with DELWP (2017) *Guidelines for the removal, destruction or lopping of native vegetation*. Please visit <https://www.environment.vic.gov.au/native-vegetation/native-vegetation> for further information.

Country Fire Authority

34. Before the statement of compliance is issued under the Subdivision Act 1988 the owner must enter into an agreement with the Responsible Authority under Section 173 of the Planning and Environment Act 1987. The agreement must:

State that it has been prepared for the purpose of an exemption from a planning permit under Clause 44.06-2 of the Loddon Planning Scheme.

Incorporate the plan prepared in accordance with Clause 53.02-4.4 of this planning scheme and approved under this permit.

State that if a dwelling is constructed on the land without a planning permit that the bushfire protection measures set out in the plan incorporated into the agreement must be implemented and maintained to the satisfaction of the Responsible Authority on a continuing basis.

The land owner must pay the reasonable costs of the preparation, execution and registration of the Section 173 Agreement.

35. Amended Bushfire Management Plan
Before certification under the *Subdivision Act 1988*, an amended Bushfire Management Plan (BMP) must be submitted to and endorsed by the Responsible Authority. When approved, the BMP will be endorsed by the Responsible Authority and be included as an annexure to the Section 173 Agreement.
The BMP must be substantially in accordance with the BMP Ref: 2824/C, dated 14 April 2020 and is to include the indicative location of the water supply tanks.

36. Hydrants
Above or below ground operable hydrants must be provided. The maximum distance between these hydrants and the rear of all building envelopes must be 120 metres and the hydrants must be no more than 200 metres apart. These distances must be measured around lot boundaries.
The hydrants must be identified with marker posts and road reflectors as applicable to the satisfaction of the Country Fire Authority.

Note – CFA's requirements for identification of hydrants are specified in "Identification of Street Hydrants for Fire fighting Purposes" available under publications on the CFA web site (www.cfa.vic.gov.au)

37. Roads
Roads must be constructed to a standard so that they are accessible in all weather conditions and capable of accommodating a vehicle of 15 tonnes for the trafficable road width.
Proposed roads must have a suitable trafficable width to allow the unimpeded access of emergency fire fighting vehicles (notwithstanding any parking restrictions that Council may apply) to the satisfaction of CFA.
Dead end roads and cul-de-sac's more than 60m in length from the nearest intersection must have a turning circle with a minimum radius of 8m (including

roll-over kerbs if they are provided); T or Y heads of dimensions specified by the CFA may be used as alternatives.

The average grade must be no more than 1 in 7 (14.4%) (8.1 degrees) with a maximum of no more than 1 in 5 (20%) (11.3 degrees) for no more than 50 meters. Dips must have no more than a 1 in 8 (12%) (7.1 degree) entry and exit angle.

Curves must have a minimum inner radius of 10 metres.

Vicroads

38. Prior to the issue of a statement of compliance, the following must be completed to the satisfaction of and at no cost to the Head, Transport for Victoria:

- a. A Section 173 Agreement under the Planning & Environment Act 1987 must be made between the Responsible Authority, Head, Transport for Victoria and the registered proprietor of the subject land to the effect that –
 - i. Upon any subdivision of lot 9, road works must be undertaken prior to the issue of a Statement of Compliance to the satisfaction of the Head, Transport for Victoria for the construction of the following basic turn treatments at the Calder Highway / Nixon Street intersection:
 - (1) Right (BAR) turn treatment in accordance with Austroads (2021) Guide to Road Design Part 4, Figure A6; and
 - (2) Left (BAL) turn treatment in accordance with Austroads (2021) Guide to Road Design Part 4A, Figure 8.2.
- b. Application must be made to the Registrar of Titles to register the Section 173 Agreement on the title to the land(s) under Section 181 of the Act. The landowner must pay the costs for the preparation, execution and registration of the Section 173 Agreement, including the costs incurred by VicRoads in reviewing the Agreement.

Coliban

39. The owner is required to provide reticulated water and sewerage services to each of the lots within the subdivision and comply with any requirements arising from any effect of the proposed development on Coliban Water assets.
40. Services are to be provided and where necessary existing services may require amending in accordance with our specifications.
41. Coliban Water will require the upsizing of the existing DN100 water main to a DN150 water main with a cross connection to minimise the shut off block. The developer will be required to satisfy this condition after 20 lots have been created and prior to further development.
42. All Coliban Water required assets (sewer mains) within the subdivision, both existing and proposed, are to be protected by an easement in favour of Coliban Region Water Corporation.
43. All registered easements are required to be a minimum of 2.5 metres and if a shared easement, the minimum width is 3.0 metres.
44. Gravity Sewer with full lot control is a requirement for all lots within the development site.
45. Applications through our 'Consent to Connect Process' are required prior to any water supply service and drain being amended or connected to a Coliban Water asset.
46. Where modifications to existing water service pipes or drains are required in order to satisfy the above-mentioned requirements, all work is to be carried out in accordance with AS3500 National Plumbing and Drainage Code of Australia and the relevant requirements of Coliban Water.

Victrack

47. The permit holder must, at all times, ensure that the common boundary with railway land is fenced at no cost and to the satisfaction of the rail operator (Vline) and VicTrack.

Fencing of railway land must be a minimum of 1.8 metres high black chain mesh or paling construction with the orientation of any supporting rails on the railway side to prohibit unauthorised access to the rail corridor.

48. Except with the written consent of VicTrack;
 - a. No effluent, waste, soil or other materials are to enter or be directed to the railway land,
 - b. No drainage, is to enter or be directed to the railway land unless by agreement of Victrack and
 - c. No storage or deposit of any waste, soil or other materials associated with the proposed development on the railway land.
49. The permit holder must not enter any railway land without the written consent of the Rail Operator.
50. The permit holder must not carry out, or allow to be carried out, any excavation, filling or construction on the common boundary between the subject land and the railway land unless it has obtained the prior written approval of VicTrack and the Rail Operator.

Powercor Australia

51. The plan of subdivision submitted for certification under the Subdivision Act 1988 shall be referred to the Distributor in accordance with Section 8 of that Act.
52. The applicant shall provide an electricity supply to all lots in the subdivision in accordance with the Distributor's requirements and standards. Notes: Extension, augmentation or rearrangement of the Distributor's electrical assets may be required to make such supplies available, with the cost of such works generally borne by the applicant.
53. The applicant shall ensure that existing and proposed buildings and electrical installations on the subject land are compliant with the Victorian Service and Installation Rules (VSIR). Notes: Where electrical works are required to achieve VSIR compliance, a registered electrical contractor must be engaged to undertake such works.
54. The applicant shall, when required by the Distributor, set aside areas with the subdivision for the purposes of establishing a substation or substations. Notes: Areas set aside for substations will be formalised to the Distributor's requirements under one of the following arrangements:
 - RESERVES established by the applicant in favour of the Distributor.
 - SUBSTATION LEASE at nominal rental for a period of 30 years with rights to extend the lease for a further 30 years. The Distributor will register such leases on title by way of a caveat prior to the registration of the plan of subdivision.
55. The applicant shall establish easements on the subdivision, for all existing Distributor electric lines where easements have not been otherwise provided on the land and for any new powerlines to service the lots or adjust the positioning existing easements.

Notes:

 - Existing easements may need to be amended to meet the Distributor's requirements
 - Easements required by the Distributor shall be specified on the subdivision and show the Purpose, Origin and the In Favour of party as follows:

Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited / In Favour Of
	Power Line		Section 88 - Electricity Industry Act 2000	Powercor Australia Ltd

Telecommunications Mandatory Conditions

56. The owner of the land must enter into an agreement with:

- a. a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider’s requirements and relevant legislation at the time; and
- b. a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

57. Before the issue of a Statement of Compliance for any stage of the subdivision under the *Subdivision Act 1988*, the owner of the land must provide written confirmation from:

- a. a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider’s requirements and relevant legislation at the time; and
- b. a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

2 DISCUSSION

2.1 Site & location

The subject property is located on the northern fringe of the Inglewood Township. The property has a total area of approximately 4 hectares. It is largely cleared of native vegetation, however a small patch of vegetation remains at the northern part of the property along with some scattered trees on the site.

The site has frontage to Nixon Street, a gravel township access road that connects to the Calder Highway. The railway line adjoins the rear of the site. The site adjoins the Inglewood State Forest to the northwest. Adjoining land to the east and west has been developed with dwellings, as has land to the south. The character of the area although in a Township Zone would be described as low density residential.



Subject site

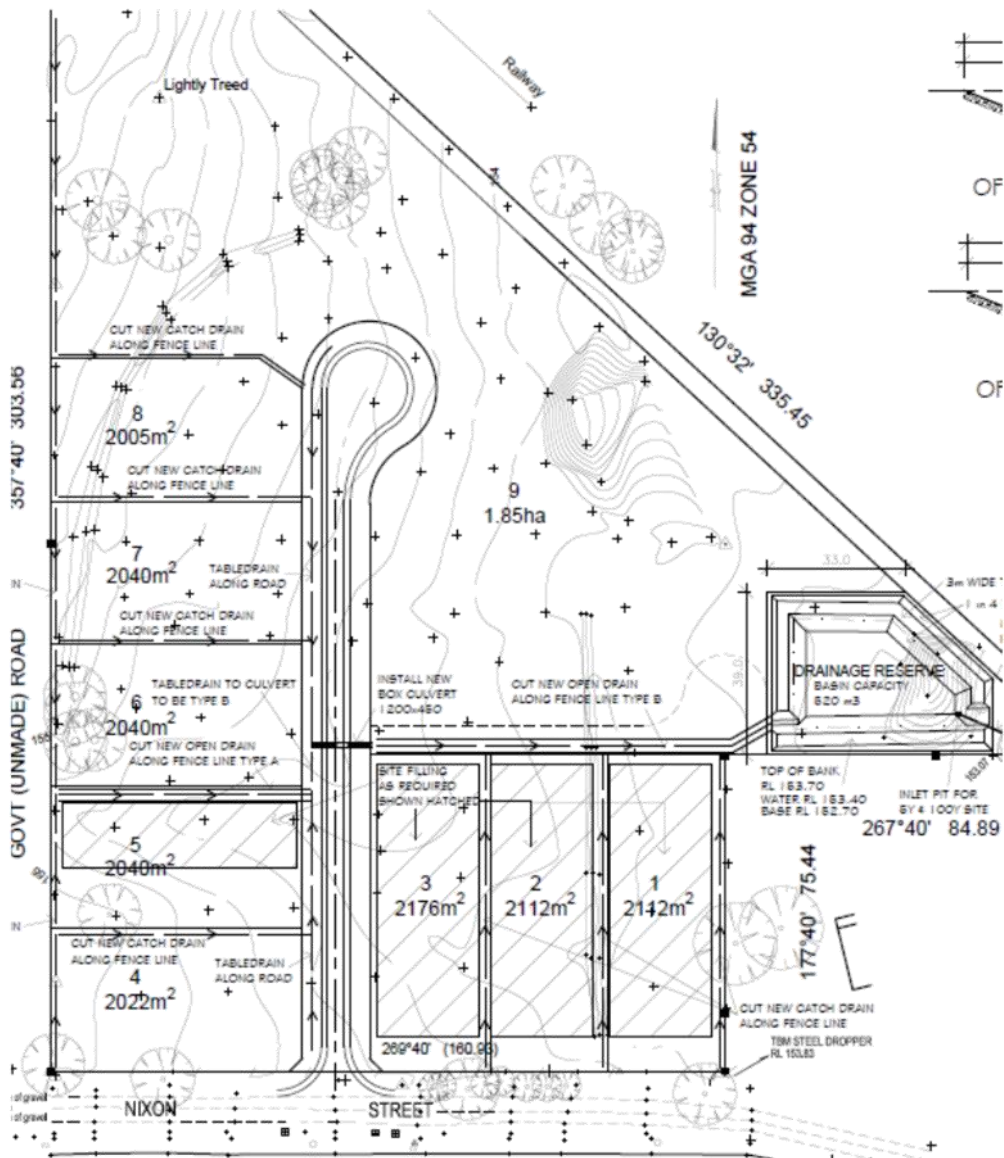
2.2 Site history

The proponent and landowner lodged a previous application with Council for a subdivision of 40 lots on this site. That application was withdrawn following a number of objections from surrounding landowners.

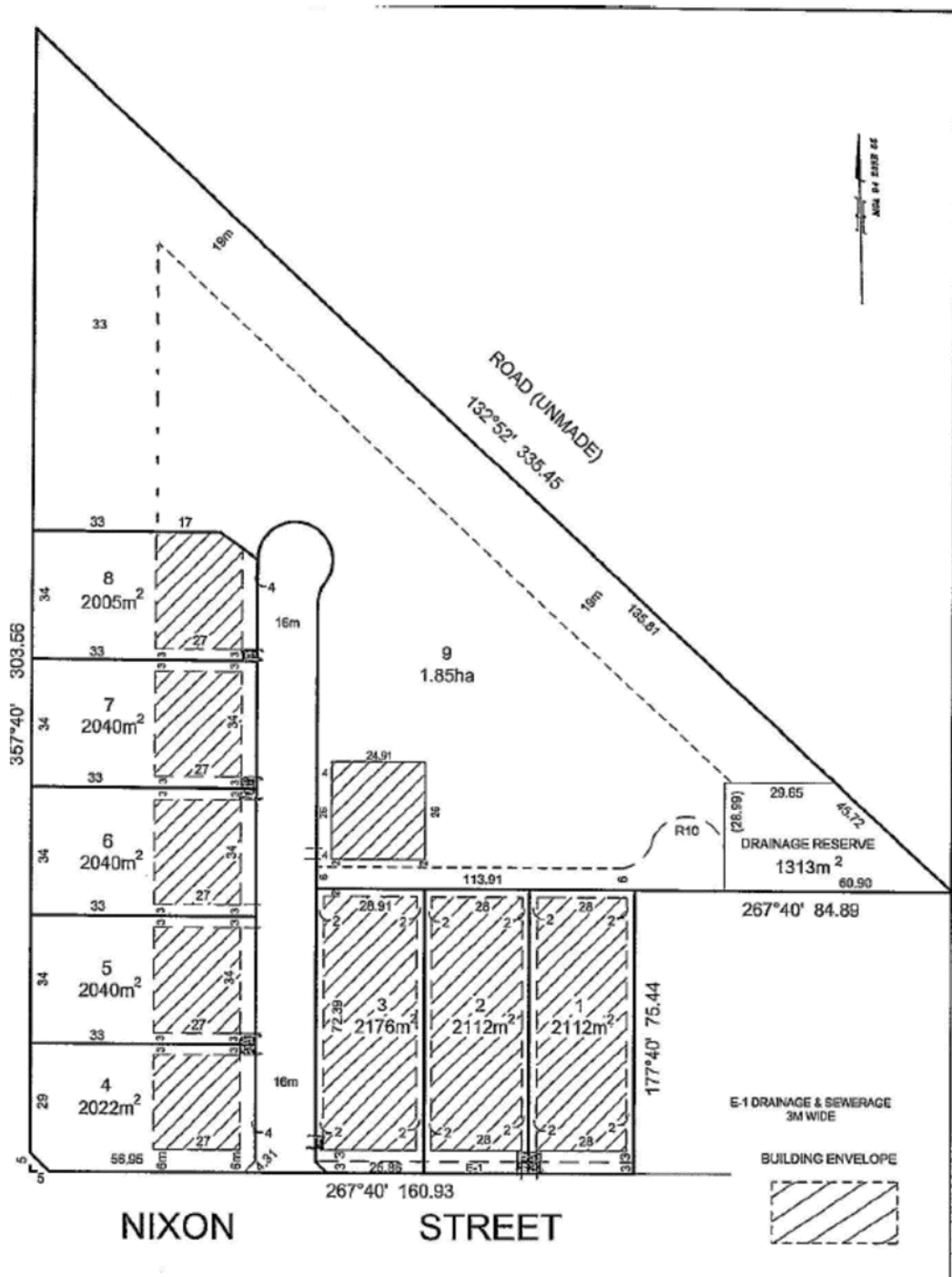
2.3 Proposal

The application seeks approval for the subdivision of the land into nine (9) lots and the associated removal of native vegetation that is likely to arise from the development of the land for residential purposes. The vegetation proposed to be removed comprises of four (4) patches of native vegetation with a total area of 0.107 hectares containing one (1) large canopy tree.

The figures below depict the proposed subdivision layout, surface drainage and building envelopes.

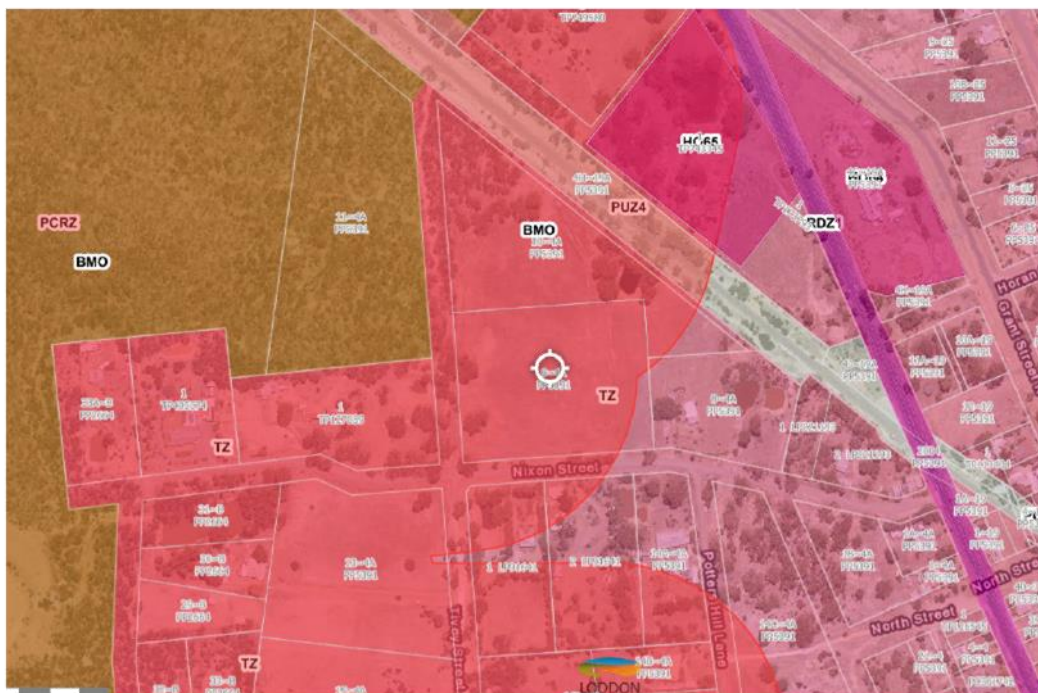


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Proposed subdivision

2.4 Loddon Planning Scheme



2.4.1 Zone

The property is zoned Township. The purpose of this zone is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- 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 allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*

Pursuant to Clause 32.05-5 A permit is required to subdivide land. An application to subdivide land must meet the requirements of Clause 56 Residential Subdivision.

2.4.2 Overlays

The site is included in the Bushfire Management Overlay. The purpose of this overlay is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.*
- To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.*
- To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.*

Pursuant to Clause 44.06-2 of the Bushfire Management Overlay a permit is required to subdivide land. An application must meet the requirements of Clause 53.02 Bushfire Planning.

2.4.3 Particular Provisions

The following section summarises the Particular Provisions of the Loddon Planning Scheme that are relevant to this application.

Clause 52.17 Native Vegetation

The purpose of this clause is:

To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation.

This is achieved by applying the following three step approach in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017) (the Guidelines):

- *Avoid the removal, destruction or lopping of native vegetation.*
- *Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.*
- *Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.*

To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation

Pursuant to Clause 52.17-1, a permit is required to remove, destroy, or lop native vegetation.

Clause 53.02 Bushfire Planning

The purpose of this clause is:

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.

To ensure that the location, design and construction of development appropriately responds to the bushfire hazard.

To ensure development is only permitted where the risk to life, property and community infrastructure from bushfire can be reduced to an acceptable level.

To specify location, design and construction measures for a single dwelling that reduces the bushfire risk to life and property to an acceptable level.

Clause 56 Residential Subdivision

The purpose of the clause is:

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To create liveable and sustainable neighbourhoods and urban places with character and identity.

To achieve residential subdivision outcomes that appropriately respond to the site and its context for:

- *Metropolitan Melbourne growth areas.*
- *Infill sites within established residential areas.*
- *Regional cities and towns.*

To ensure residential subdivision design appropriately provides for:

- *Policy implementation.*
- *Liveable and sustainable communities.*
- *Residential lot design.*
- *Urban landscape.*
- *Access and mobility management.*
- *Integrated water management.*
- *Site management.*

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- *Utilities.*

2.4.4 State Planning Policy Framework

The following section summarises the relevant clauses of the Planning Policy Framework relevant to this application.

Clause 11.01-1S Settlement

Objective:

To promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.

Clause 11.01-1R Settlement - Loddon Mallee South

Strategies:

Support sustainable growth and expansion in Inglewood, Bridgewater, Marong and Harcourt to capitalise on their proximity to Bendigo.

Clause 11.02-1S Supply of Urban Land

Objective:

To ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional, and other community uses.

Clause 13.02-1S Bushfire planning

Objective:

To strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.

Clause 15.01-3S Subdivision design

Objective:

To ensure the design of subdivisions achieves attractive, safe, accessible, diverse and sustainable neighbourhoods.

Clause 15.01-5S Neighbourhood Character

Objective:

To recognise, support and protect neighbourhood character, cultural identity, and sense of place.

2.4.5 Local planning Policy Framework

The following section gives consideration to be the relevant sections of the Local Planning Policy Framework for this application.

21.04-1 Community and Settlement

Objective:

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*To encourage population growth.
To encourage development of attractive and functional townships.*

The Inglewood structure plan identifies the objective to consolidate residential areas and identifies the character of the subject land as low density residential.

2.5 Referrals

Department	Section 55/52	Advice/ Comments/ Conditions
DELWP	52	No objection subject to conditions
Coliban Water	55	No objection subject to conditions
Powercor	55	No objection subject to conditions
Vicroads	55	No objection subject to conditions
Victrack	52	No objection subject to conditions
CFA	55	No objection subject to conditions
Council's Assets & Infrastructure Department	52	No objection subject to conditions

2.6 Public notification

Notice of the application was provided to surrounding residents and landowners. At the conclusion of the notice period, one objection was received from an adjoining landowner/occupier.

The grounds of objection are:

- Not in keeping with the current rural streetscape.
- The stormwater management plan is inadequate to prevent impact to the objectors property.
- Dust from increased traffic on Nixon Street.
- Impact on reticulated water supply.
- Ability to accommodate all residents on Nixon Street in an emergency.
- Impact on local environment and heritage values of increased residents in the area.
- Increase in noise complaints to Council from concerns about livestock
- Increased noise from additional residents in the area
- Impact on amenity from increased development and change in character of area
- Loss of property value.

A copy of the objection can be found in appendix 1 and a copy of the response from the applicant can be found in appendix 2.

3 ASSESSMENT

3.1 Loddon Planning Scheme

Population growth is a strategic objective of Council. Inglewood is identified as a key growth town due to its level of services and infrastructure. State and local policy supports infill development. This site is considered to be part of the existing urban area by virtue of its zoning.

The subject property is zoned Township. A residential subdivision is consistent with the purpose of this zone. Although the provisions of the Township Zone enable much smaller lots than proposed, the proponent has designed this development with lots of a size that seeks to balance local character, with objectives of efficient land use and service provision.

The design has addressed bushfire risk and impact on native vegetation to the satisfaction of the relevant authorities. The subdivision design has sought to minimise impact on vegetation by retaining most of the vegetation in a larger lot. Any vegetation removed will be offset.

The proposal is considered to meet the relevant requirements of Clause 56 Residential Subdivision of the Loddon Planning Scheme. The proposed design is consistent with neighbourhood character, lots of appropriate configuration and orientation have been proposed and services can be provided.

3.2 Referral authorities

No agencies have objected to the proposal.

3.3 Public Notice

One objection was received. Please see attached. Please see below a response to the concerns raised in the objection. The applicant has also provided a response that is attached.

Objection	Comment
Not in keeping with the current rural streetscape.	The proposal will change the streetscape, however it is considered that the proposed lot sizes provide a balance between providing for growth and protecting neighbourhood character.
The stormwater management plan is inadequate to prevent impact to the objectors property.	Council's Assets & Infrastructure Department have reviewed the stormwater plan and advised that it is appropriate, subject to successfully receiving consent from Victrack to discharge through the rail reserve. Victrack have advised they are open to the concept subject to detail design.
Dust from increased traffic on Nixon Street.	Council's Assets & Infrastructure Department have advised Nixon Street has been planned for upgrade to a sealed surface as part of Council's capital works program for this year.
Impact on reticulated water supply	Coliban Water have not objected to the proposal. The applicant will have to extend the water supply to service the development.
Ability to accommodate all residents on Nixon Street in an emergency.	Council's Assets & Infrastructure Department have advised that Nixon Street is adequate to accommodate the needs of this development.
Impact on local environment and heritage values of increased residents in the area.	It is not considered that nine new dwellings will result in a level of population growth that

	would risk the local environment and heritage.
Increase in noise complaints to Council from concerns about livestock	As this is within a Township Zone, there is minimal livestock in the area.
Increased noise from additional residents in the area	There will be additional noise, however this is not unreasonable within a Township Zone.
Impact on amenity from increased development and change in character of area	There will be a change in the amenity and character of the area, however this property is zoned Township. The development proposed is consistent with the purpose of the zone and is considered appropriate for this site.
Loss of property value.	Impact on property value is not a planning consideration.

APPENDIX 1 Copy of objection

OBJECTION TO PLANNING APPLICATION 5509,

30 NIXON STREET INGLEWOOD

STREETSCAPE

Nixon Street has a long established streetscape of semi rural housing lots on acreage (2.5 acres +). The proposed development is still a suburban subdivision, with smaller sized lots than are found elsewhere in the town. It is not in any way in keeping with the current rural streetscape. A far more appropriate subdivision that would be in keeping with the rest of Nixon Street would be 4 x 2.5 acre lots. This would allow some development, whilst keeping the semi rural feel of the area.

STORMWATER RUN OFF

The newly proposed retarding basin is to catch all run off from all 9 lots. This is a residential subdivision using a rural solution for stormwater run off for multiple properties. Residential development for multiple lots such as this should have all run off going into residential stormwater drains and flowing into the town's stormwater system. To propose one catchment dam for so many properties is ridiculous and will lead to flooding of my property.

The retarding basin is proposed to allow overflow to move via a pipe into the current tiny dam which is half in my property. **I have not at any stage been consulted about this, nor do I give permission to use a dam that is half on my property for this purpose.** As can be seen via the photos on the applicant's stormwater management drainage report, this tiny dam that is proposed to take the retarding basin overflow is already full, so its use as an overflow dam will be pointless. This tiny dam has no overflow provisions, so when it gets full, it floods my property. At the last heavy rainfalls, I had to dig ditches by hand to try and create drainage from this dam from my property, which was flooded. To add further overflow from this retarding basin will only serve to flood and damage my property more frequently.

ALL run off from the roadside drains on Nixon Street flow into the dams on my property. I also get all run off from the old reservoir at the end of Nixon Street and any overflow from dams at numbers 35 and 29. This means when there is any heavy rain, **it all ends up in my property!** I don't know who in council approved this ridiculous design but it is absolutely stupid to channel all the water to one area that has no overflow provisions.

When my dams overflow, they feed into the tiny dam at the rear that the applicant is proposing also be used for his development's overflow. It isn't difficult to see that putting all stormwater overflow from **every part** of Nixon Street into one area without sufficient overflow provisions is going to lead to frequent flooding of my property. Should this be allowed to proceed, I would look at taking legal action for compensation for flooding and damage caused to my property from this.

Please find below evidence of flooding to my property from a night's heavy rain on Friday 3rd April 2020. Videos of these screenshots can also be provided to further highlight the inadequacies of the applicant's proposal for stormwater management.



Above: Flooding to dam proposed for use for overflow from retarding basin after one night's heavy rainfall from current stormwater run off.



Above and below: Flooding to 4 Nixon Street due to run off from roadside drainage after one night's heavy rainfall and small dam proposed for use in this subdivision proposal unable to cope with overflow.



ROADS

The applicant's agent in his email to Carolyn Stephenson on 14th March 2020, claims that Nixon street "is one of the best gravel roads in the Shire". I'm not sure how he's come to this conclusion, given that I doubt he would have travelled on every road in the Shire, nor does he provide any documented evidence to substantiate such as outrageous generalisation. The reason Nixon Street is in good condition is that it has NO through traffic and minimal local traffic from a handful of residents. To increase the number of vehicles using it daily by over 100% will quickly degrade the road and it will be far from "one of the best gravel roads in the Shire". But by then the Melbourne based developer would have got his money and run, and won't have to worry about the dust and corrugation those of use that live here will have to deal with daily.

The applicant's agent also claims he "met with each of the neighbours before lodging the 30 lot proposal". **At no time did he meet with me regarding this**, so this is a false claim. I was not consulted.

There is already a significant dust issue from the dirt roads in Nixon Street and Potters Hill Lane (this is the road vehicles use to access Market Street shops) with the traffic from existing houses. The intersection of Nixon Street and Calder Highway doesn't cope with current vehicle traffic, having badly patched up pot holes. With most homes these days having 2 vehicles, this subdivision will add up to 18 cars daily to this issue, more than a 100% increase on current vehicular traffic. This will making living conditions for me unbearable, as every car will be driving past my home, causing unimaginable dust levels. Bitumen would need to be laid on both Nixon Street and Potters Hill Lane if this subdivision were to proceed.

WATER SERVICES

Whilst mains water service is available, the rate of pressure with the current number of houses is below average at best and poor at worst. It is not like normal mains water pressure found elsewhere. I currently cannot run more than 1 tap at a time. I have better water pressure on tank water with a small pump! To have an extra 9 houses added to this inadequate system will put a massive and unworkable strain on an already unsatisfactory system. Significant works would need to be conducted to the current water pressure and service to make it viable for so many extra houses.

EMERGENCY SITUATIONS

In the event of an evacuation, there would be an extra 18 vehicles (based on 2 vehicles per household, which is standard these days) attempting to leave Nixon Street via one direction into town. This will cause a significant and dangerous bottleneck, as the other end of Nixon Street is a dead end into thick bushland.

ENVIRONMENT AND HISTORICAL AREA

Nixon Street is bounded to the west and north west by undeveloped bushland. It has not been made into public parkland or walking trails for public use. The environmental impact of having residents of these extra houses walking or riding through this area would be detrimental to the natural environment. It would also pose a potential bushfire risk from trail bikes, cigarette butts and campfires. Council would need to develop designated walking areas/tracks to reduce environmental damage. The Potter Hill area at the corner of Nixon Street and Potters Hill Lane is a historically significant landmark to Inglewood's mining heritage and is part of the route 44 goldfields trail. The impact to this landmark of so many extra people using it as a short cut into town would irreparably damage this historically significant area.

NOISE COMPLAINTS

As the current residents live in semi rural acreage lots, several have livestock, as would be expected in such areas. Livestock make noises and odours, which people living in semi rural and rural areas accept as part of this lifestyle choice. People coming into suburban style lots in a semi rural area with livestock greatly increases the chance of issues and complaints to council about noise and neighbourhood disputes. The impact on me directly from the noise of having these households within such a close proximity will greatly impact my quality of life. In particular lot 1 which will look directly into my bedrooms as the building envelope allows them to build almost to the fence line and having the sites filled as per the developer's plans for lots 1-3 will elevate the houses built there over the current Colorbond fence.

AESTHETIC AND PROPERTY VALUES

The aesthetic appeal of my property has already been negatively impacted by having a 6' Colorbond fence erected on the Western boundary because of this proposal. This is completely inappropriate for the streetscape, blocks my views and looks ridiculous.

The value of my property will be detrimentally affected if this proposal is to proceed, as who would want to buy a 2.5 acre property 35 minutes from Bendigo that is stuck next to a Colorbond fence and multiple suburban blocks with all the additional cars zooming past them numerous times a day and night over a dirt road with useless water pressure, inadequate drainage and flooding issues? As the resident closest to the proposal, this will have a very detrimental effect on my lifestyle, home and value of my property.

4 Nixon Street

Inglewood

APPENDIX 2 Response to objection from applicant

Applicants response to objection received re: Planning Application 5509
30 Nixon Street, Inglewood

The current owner of 4 Nixon Street recently purchased the property with full knowledge that the owner of 30 Nixon Street was intending to develop it. The previous owners requested the 6ft Colorbond fence to provide screening – this was provided by the 30 Nixon Street owner prior to the lodging of the previous proposed plan of 40 residential lots (with 6 lots backing onto 4 Nixon Street).

No 4 Nixon Street was offered up for private sale in 2018. A copy of the proposed plan of subdivision (40 lots) was provided to the selling agent to pass onto any prospective purchasers. I met _____ later in 2018, after she had settled her purchase of 4 Nixon Street. She confirmed that she had been given the details of the proposed 40 lots prior to her purchasing 4 Nixon Street. She told me she was unhappy with a possible 6 new lots backing onto her property but had purchased the property despite the possible new lots (based on "someone" telling her the 40 lots was unlikely to go ahead).

I note the current proposed plan has only 9 lots with only one building envelope adjacent to 4 Nixon Street. The future owner of this Lot 1 is most likely to build a single storey home – the 6ft Colorbond fence will protect the visual privacy of 4 Nixon Street as well as providing protection from the wind.

The owner of 30 Nixon Street may consider a single storey covenant on Lot 1 if is particularly concerned on this point?

Streetscape

The current plan to create 9 large residential lots enables the retention of virtually all the native trees on the 30 Nixon Street frontage. The proposed planting of 40-60 native trees on the nature strips beside the internal roads as well as tree planting by future lot owners will enhance the streetscape.

The future new quality homes will also compliment the streetscape making Nixon Street an even more desirable place to live, within close proximity to the town centre.

The proposed half-acre lots will each be connected to sewerage as well as mains water. The connection to the sewerage system is expensive but environmentally desirable as septic tank systems do not function efficiently on flat land likely to be waterlogged.

Subdividing into just 4 lots would not provide the funds to provide sewerage or contribute to the sealing of the 160m Nixon Street frontage.

Stormwater Run Off

As _____ rightly points out – her property needs help to minimize future flooding caused by storm water flows down Nixon Street. She points out "when my dams overflow, they feed into the tiny dam at the rear". We can help by first cutting the

overflow from the small "joint" dam down much lower – so it is never more than half full. Then the overflow from other dams can also be cut down lower to minimize flooding to her yard. Or several overflows are cut into the bank of larger dam - to flow through the "tiny joint dam" to the culverts under the railway line.

The proposed retarding basin will have limited outflow. The outflow will not exceed the pre-development flows across the property.

One or more outflow pipe/s will be placed in the joint dam wall – opposite the existing culverts under the railway line. These outflow pipes will cater for (1) the outflow from our retarding basin plus (2) all outflow from the dams on 4 Nixon Street. All works will be supervised by the owner's engineer as well as the Shire engineers.

I am prepared to meet , on site, to further discuss options if she would like to do so?

In summary, I note that the flooding now occurring at 4 Nixon Street is not caused by storm water from 30 Nixon Street nor will the proposed drainage plans cause any additional flooding to 4 Nixon Street in the future. In fact, as outlined above, we can actually reduce flooding to 4 Nixon Street in the future.

Roads

: acknowledges that "Nixon Street is in good condition". The owner has offered to contribute to the sealing of the 160m fronting 30 Nixon Street. Perhaps the sealing could extend to include the Potters Hill / Nixon Street intersection?

The sealing of the road west of 4 Nixon Street will minimize future dust problems and help keep the road in good condition.

As noted earlier I had discussions with regarding the 40-lot proposal – I noted her concerns about the 6 lots abutting her property. I met with most of the neighbours before lodging the 30-lot proposal – if not at home I left a proposed plan in their letter box.

Again, I note the current plan, mindful of concerns, has only one neighbour likely to build close to 4 Nixon Street.

Nixon Street / Calder Highway intersection

VicRoads requires turning lanes at this intersection – this will include repairs to any potholes.

Water Services

Coliban Water will address the supply of an adequate water main – to service all future residents.

Emergency Situations

Nixon Street residents are well catered for if there is an emergency. For example, a bushfire from the west? Residents can exit Nixon Street either via Potters Lane or via the Calder Freeway intersection.

Walking Tracks

Residents have lots of safe walks available (a) along the railway line, (b) south into Tivey Street, (c) to the shops, etc.

Noise Complaints, etc.

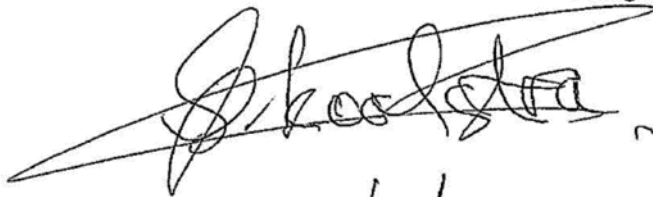
chose to purchase the property when there was a 40-lot plan of subdivision proposed for 30 Nixon Street. Now there is only 9 lots proposed, I doubt the future new owners will cause much negative impact on the quality of her life.

Property Values

As a licensed real estate agent, I note that bought the property two years ago – with the Colorbond fence and with the prospect of maybe 40 new neighbours. Now if the 9 lots goes ahead , providing sealed road frontage, provision of sewerage which would be available for connection to the current residents if they chose, a possible 100 more native trees to her west, 9 quality homes, etc, etc. Her property will sell readily for considerably more than she paid in 2018. Well done

Bernie Koolstra

Agent for the Owner of 30 Nixon Street Inglewood



25/8/2020

10.3 2021 CHRISTMAS NEW YEAR HOLIDAY PERIOD

File Number:

Author: Janine Jackson, Manager Organisation Development

Authoriser: Sharon Morrison, Director Corporate Services

Attachments: Nil

RECOMMENDATION

That subject to the resumption of operations at Council's administrative centres in compliance with COVID-19 restrictions:

1. Council approve the closure of the Wedderburn and Serpentine administrative centres from midday Friday 24 December 2021 with a proposed reopening at 8.15 am on Tuesday 4 January 2022.
2. Council give notice of the amended office hours by publishing the details in the public notices section of the Bendigo Advertiser, in the Loddon Herald, on Council's website and on social media.

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this paper, or involved in the subject matter of the paper.

PREVIOUS COUNCIL DISCUSSION

Nil

BACKGROUND

The Loddon Shire Council has historically closed the Wedderburn and Serpentine administrative centres to the public over the Christmas/New Year holiday period. At the time of preparing this report, both administrative centres are closed to staff who are not classified as authorised workers under the Chief Health Officer's Workplace Directions (currently no. 46), and closed to public access due to the COVID-19 pandemic. It is unknown when operational restrictions will ease sufficiently to allow the centres to re-open and staff to re-enter the office.

In 2020 the staff Christmas function was cancelled due to COVID-19 restrictions. Staff were provided with a gift card in recognition of their effort through a difficult 2020, and in lieu of the function.

ISSUES/DISCUSSION

In 2021, Christmas Day falls on a Saturday and it is proposed that Council shuts the Wedderburn and Serpentine administrative centres from midday Friday 24 December 2021 and reopens them at 8.15 am on Tuesday 4 January 2022. In the event that the impact of COVID-19 is still preventing the re-opening of the administrative centres on the 24 December, staff working from home and those who are working in the administrative centres, will cease work during the times nominated for the closure of the centres.

Council's traditional Staff Christmas Party is proposed to be held on the afternoon of Thursday 24 December 2021 at the Serpentine Recreation Reserve as this venue has a large outdoor area. Details of the function are to be confirmed.

An emergency response crew will be available on call for the afternoon of the staff function. A skeleton crew will be employed across the Christmas/New Year period to attend to any emergency callouts.

COST/BENEFITS

The shutdown provides the opportunity to allow staff to have a refreshing family break with minimum interruption to business activities at the end of the calendar year.

Many staff have deferred leave since the declaration of the pandemic in March 2020; the closure would provide an incentive to take a break.

There is a financial cost to holding the annual staff Christmas function, which is incorporated into the annual budget.

The office closure has no direct cost to Council, as staff are required to access leave accruals for their period of leave.

RISK ANALYSIS

This Christmas New Year period is generally a time of low customer enquiry and minimal deadlines in the organisation.

Staff will be on call as required, to attend to any incidents that may occur during the closure.

CONSULTATION AND ENGAGEMENT

The consultative Committee discussed this at the August 2021 meeting.

10.4 2022 COUNCIL MEETING SCHEDULE

File Number: 02/04/001
Author: Christine Coombes, Executive and Commercial Services Officer
Authoriser: Lynne Habner, Manager Executive and Commercial Services
Attachments: Nil

RECOMMENDATION

That Council:

1. approve the schedule of Council Meetings for 2022 as contained within this report
2. provide public notice of the Council Meetings schedule.

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this report, or involved in the subject matter of the report.

PREVIOUS COUNCIL DISCUSSION

Nil

BACKGROUND

The Loddon Shire Council has traditionally conducted Council meetings on a monthly cycle of the fourth Tuesday. It is proposed that this meeting schedule be continued through 2022.

ISSUES/DISCUSSION

The proposed 2022 schedule of Council Meetings is as follows:

Tuesday 25 January	Tuesday 24 May	Tuesday 27 September
Tuesday 22 February	Tuesday 28 June	Tuesday 25 October
Tuesday 22 March	Tuesday 26 July	Tuesday 22 November
Tuesday 26 April	Tuesday 23 August	Tuesday 13 December

It is also proposed that Council continue to have briefing meetings prior to each Council Meeting to primarily brief Council on Council Meeting agenda items for that day. It is suggested that Council Forums be held on the second Tuesday of the month to enable Councillors to consider any other current issues affecting the Loddon Shire, except December where forum items may be presented the morning of the December Council Meeting, dependent on the issues at hand.

It is proposed that Council Meetings will commence at 3.00pm, and the venue for Council Meetings will be the Council Chambers, off Peters Street, Wedderburn. Council Meetings will continue to be open to the public.

In the event that the impact of COVID-19 is preventing the ability to meet face to face, meetings will be held on a virtual basis with public access via virtual video stream only. This is subject to legislative provisions enabling this approach continuing.

Once approved, the schedule of Council meetings will be posted on Council's website, published in the Loddon Bulletin and advertised by way of public notice in newspapers and newsletters circulating generally within the municipality and on social media.

COST/BENEFITS

No financial impacts are expected from continuing this established practice.

RISK ANALYSIS

Nil.

CONSULTATION AND ENGAGEMENT

Nil.

10.5 FINANCIAL MANAGEMENT POLICY V5

File Number: FOL/19/432511
Author: Deanne Caserta, Manager Financial Services
Authoriser: Sharon Morrison, Director Corporate Services
Attachments: 1. Financial Management Policy v5

RECOMMENDATION

That Council adopts the Financial Management Policy v5.

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this report, or involved in the subject matter of the report.

PREVIOUS COUNCIL DISCUSSION

The last version of the Financial Management Policy (v4) was approved by the Management Executive Group in October 2019.

The draft of the Financial Management Policy version 5 was discussed at the Councillor Forum on 14 September 2021.

BACKGROUND

The purpose of the Policy is to provide principles to ensure strong financial management for Council.

ISSUES/DISCUSSION

This Policy has been updated include any changes as a result of the introduction of the Local Government Act 2020.

It outlines the overall principles of sound financial management and any processes in place to limit financial risk for Council.

Previously this was an internally approved and reviewed document, but with the additions and alterations made which impact on Councillors and the community, it is appropriate to request further approval layers of Audit and Risk Committee and then Council.

The Audit and Risk Committee discussed the proposed v5 at the June 2021 meeting. Some updates, additions and simplifications were recommended by the committee with an updated version to be presented to the next meeting. Updates were undertaken in line with the recommendations, along with a further review by the Acting Chief Executive Officer.

The Financial Management Policy (the Policy) was provided to the Audit and Risk Committee on 19 August 2021. The Committee resolved *“That the Audit and Risk Committee endorses the Financial Management Policy v5 and recommends that Council adopt the policy.”*

The Policy has a review timeline of four years.

COST/BENEFITS

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

RISK ANALYSIS

The Policy will assist in providing guidance to staff to ensure sound financial management practices for Council. The updates also ensure that it complies with any requirements outlined in the Local Government Act 2020.

CONSULTATION AND ENGAGEMENT

The document has been subject to the approval process of the Loddon Leaders, Policy Review Group, Management Executive Group and the Audit and Risk Committee prior to presentation to Council.



FINANCIAL MANAGEMENT POLICY

DOCUMENT TYPE: Council policy

DOCUMENT STATUS: Draft

POLICY OWNER POSITION: Manager Financial Services

INTERNAL COMMITTEE ENDORSEMENT: Audit and Risk Committee

APPROVED BY: Council

DATE ADOPTED:

VERSION NUMBER: 5

REVIEW DATE: 2/10/2023

DATE RESCINDED: [Click here to enter a date.](#)

RELATED STRATEGIC DOCUMENTS, POLICIES OR PROCEDURES: Staff and Contractors' Code of Conduct
Procurement Policy
Levels of Authority Delegations
Accounts Payable Policy
Corporate Credit Card Policy
Payroll Policy
Password and Authentication Policy

RELATED LEGISLATION: Local Government Act 2020

EVIDENCE OF APPROVAL:

Signed by Chief Executive Officer

FILE LOCATION: K:\FINANCE\Policies\Ready for approval\POL Financial Management Policy v5.docx

Policy documents are amended from time to time, therefore you should not rely on a printed copy being the current version. Please consult the policies on the Loddon Shire website (Council Policies) or Intranet (Organisational Policies) to ensure that the version you are using is up to date.

This document is available in alternative formats (e.g. larger font) if requested.



FINANCIAL MANAGEMENT POLICY

1 PURPOSE

This policy provides principles to ensure strong financial management for Council.

2 SCOPE

This policy applies to all staff with financial delegations or involved with Council's financial services.

3 POLICY

Council will implement internal controls that ensure the integrity of Council's financial information. Those controls include:

3.1 Adherence to policies and other documents

Council has a number of policies and other documents that must be read in conjunction with this policy. These documents, listed in the related strategic documents, policies or procedures section at the start of this policy, provide staff with appropriate parameters when undertaking their roles. Council staff must adhere to these policies and other documents in the course of their duties.

3.2 Adherence to the Local Government Act 2020

Section 101 of the Local Government Act 2020 (the Act) outlines the financial management principles the Council must comply with. These are:

- (a) revenue, expenses, assets, liabilities, investments and financial transactions must be managed in accordance with a Council's financial policies and strategic plans;
- (b) financial risks must be monitored and managed prudently having regard to economic circumstances;
- (c) financial policies and strategic plans, including the Revenue and Rating Plan, must seek to provide stability and predictability in the financial impact on the municipal community;
- (d) accounts and records that explain the financial operations and financial position of the Council must be kept.

For the purposes of the financial management principles, **financial risk** includes any risk relating to the following:

- (a) the financial viability of the Council;
- (b) the management of current and future liabilities of the Council;
- (c) the beneficial enterprises of the Council.

Section 105 outlines the principles for accounts and records. These are:

- (1) The Principal Accounting Officer of a Council must ensure that there are kept proper accounts and records of the transactions and financial affairs of the Council.
- (2) A failure by a Council to keep proper accounts and records and the reason for that failure must be reported in the annual report.

The Local Government Act 2020 requirements will be incorporated into Council documents and processes upon review.



FINANCIAL MANAGEMENT POLICY

3.3 Internal controls

There are a number of internal control mechanisms be adhered to by Council staff in undertaking their duties.

3.3.1 Regular bank reconciliations

Bank reconciliations for the main operating accounts will be reconciled three times per working week as a minimum. Other bank accounts will be reconciled at the end of each month as a minimum.

Bank reconciliations will be maintained using established industry techniques and all anomalies will be investigated and any corrections approved.

The reconciliations will be reviewed by the Financial Accountant at least once a week and enter the required information into the cash flow monitoring spreadsheet.

All deposits requiring receipt, and any deductions requiring ledger entries will be completed within one week of the entry, and prior to the end of the month.

Any cheque considered stale will be cleared from the reconciliation within three months of issue.

3.3.2 Limiting cash holdings

Banking of Council's receipts must be undertaken at least three times per week to ensure that excess cash is not held on site.

Petty cash holdings must be reconciled and replenished at least once per month, such that expenses are properly accounted for in the month in which they are expended.

Petty cash boxes will be examined on a random basis, without notice, at least once per month, to ensure proper care is applied in the control of these funds. Any anomaly will be escalated and appropriate action taken.

3.3.3 Authorisations

All electronic funds transfers and cheque payments require two signatures from officers delegated in the Levels of Authority Delegations. Electronic funds transfers will only be applied where the transaction is properly approved, and will only be authorised by those officers defined in the Levels of Authority Delegations.

The authentication devices issued by Council's bankers or the mobile phone application will be used to effect the transfer. Any computer file generated to assist with the electronic transfer will be monitored by the Financial Accountant, or another officer designated by the Manager Financial Services, to ensure there is no unauthorised alteration of the file.

3.3.4 Segregation of duties

Segregation of duties means that no one person is responsible for completing a full process. For example, the person who enters the invoice into the finance system, is different from the person who approves payment of the invoice.

This type of control serves two purposes. It ensures there is oversight and review to detect errors and it helps prevent fraud because it requires at least two people to collude in order to hide a transaction.



FINANCIAL MANAGEMENT POLICY

In the case of single operator departments where segregation of duties is not practicable, compensating safeguards will be established to manage potential risk.

3.4 Internal reporting of financial results

Financial transactions will be recorded accurately, completely, and in a timely manner to ensure that Council's financial system reflects current information.

Finance reports will be prepared and provided to responsible officers on a monthly basis for checking budgets against actual results and to follow up any anomalies in the results.

Finance meetings will be held with responsible officers monthly so that open discussion about the financial position of their line items can be held.

The Management Executive Group will be provided with full financial results on a quarterly basis for the purpose of reviewing progress comments and seeking clarification on any anomalies in the results.

An analysis of the financial results will be undertaken by the Management Executive Group at the end of the financial year to understand any variances to results.

3.5 External reporting of financial results

Reporting on financial position will be presented to Council on at least a quarterly basis. These reports will comply with any relevant Act, Regulations and Accounting Standards.

Reports will also be presented to the Audit and Risk Committee for review.

3.6 Climate change

Council recognises that climate change may affect its financial performance and will seek to identify the most suitable means for identifying and mitigating the effect of climate change on Council's financial management.

4 HUMAN RIGHTS STATEMENT

It is considered that this policy does not impact negatively on any rights identified in the Charter of Human Rights Act. Loddon Shire Council is committed to consultation and cooperation between management and employees. The Council will formally involve elected employee Health and Safety Representatives in any workplace change that may affect the health and safety of any of its employees.

5 REVIEW

The Manager Financial Services will review this policy for any necessary amendments no later than 4 years after adoption of this current version.

10.6 REVENUE AND DEBT COLLECTION POLICY V4

File Number: FOL/19/432511
Author: Deanne Caserta, Manager Financial Services
Authoriser: Sharon Morrison, Director Corporate Services
Attachments: 1. Revenue and Debt Collection Policy v4

RECOMMENDATION

That Council adopts the Revenue and Debt Collection Policy v4.

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this report, or involved in the subject matter of the report.

PREVIOUS COUNCIL DISCUSSION

The last version of the Revenue and Debt Collection Policy v3 and Rates Policy v3 was adopted by Council in July 2019.

The draft of the Revenue and Debt Collection Policy v4 (the Policy) was discussed at the forum on 14 September 2021.

BACKGROUND

The purpose of the Policy is to provide guidance to the revenue collection staff of Council to levy and collect rates due on properties in the Shire and to ensure sound credit management and recovery of debts in a timely manner.

ISSUES/DISCUSSION

This Policy has been updated to include any changes as a result of the introduction of the Local Government Act 2020.

Council has an approved Revenue and Rating Plan and guidance provided in this Policy is based on the principles outlined in the plan.

In order to align with the recently adopted Revenue and Rating Plan, the Revenue and Debt Collection Policy v3 and Rates Policy v3 policies have been combined into one policy (the Revenue and Debt Collection Policy v4) which covers all aspects of revenue.

Once the documents were combined, the Policy was reviewed and simplified into sections to assist in providing clarification for the debt follow up process.

The draft Revenue and Debt Collection Policy (the Policy) was provided to the Audit and Risk Committee on 19 August 2021.

The Committee resolved *“That the Audit and Risk Committee endorses the Revenue and Debt Collection Policy v4 and recommends that Council adopt the policy...”*

The Policy has a review timeline of three years.

COST/BENEFITS

There are no direct costs associated with the adoption of this Policy. Most of the costs faced in the debt collection process are charged back to the client’s account.

RISK ANALYSIS

The Policy will assist in providing guidance to staff to ensure consistent and sound financial and debt collection practices for Council. The updates also ensure that it complies with any requirements outlined in the Local Government Act 2020.

CONSULTATION AND ENGAGEMENT

The document has been subject to the approval process of the Loddon Leaders, Policy Review Group, Management Executive Group and the Audit and Risk Committee prior to presentation to Council.



REVENUE AND DEBT COLLECTION POLICY

DOCUMENT TYPE:	Council policy
DOCUMENT STATUS:	Draft
POLICY OWNER POSITION:	Manager Financial Services
INTERNAL COMMITTEE ENDORSEMENT:	Audit and Risk Committee
APPROVED BY:	Council
DATE ADOPTED:	23/07/2019
VERSION NUMBER:	4
REVIEW DATE:	23/07/2021
DATE RESCINDED:	Click here to enter a date.
RELATED STRATEGIC DOCUMENTS, POLICIES OR PROCEDURES:	Revenue and Rating Plan 2021-2025 Financial Hardship Policy Community Support Policy Rateable Properties with Environmental Covenants Policy Provision for Doubtful Debts Policy Financial Management Policy Various Rating and Debt Collection Procedures
RELATED LEGISLATION:	Local Government Act 1989 Local Government Act 2020 Australian Taxation Legislation
EVIDENCE OF APPROVAL:	

Signed by Chief Executive Officer

FILE LOCATION: K:\FINANCE\Policies\Ready for approval\POL Revenue Debt Collection Policy v4.docx

Policy documents are amended from time to time, therefore you should not rely on a printed copy being the current version. Please consult the policies on the Loddon Shire website (Council Policies) or Intranet (Organisational Policies) to ensure that the version you are using is up to date.

This document is available in alternative formats (e.g. larger font) if requested.



REVENUE AND DEBT COLLECTION POLICY

1 PURPOSE

The purpose of this policy is to provide guidance to the revenue collection staff of the Loddon Shire Council to levy and collect rates due on properties in the Shire and to ensure sound credit management and recovery of debts in a timely manner.

2 SCOPE

This policy applies to staff responsible for and activities relating to the creation of invoices (including determination and collection of rates) and recovery of outstanding debtors.

Council has a formal Revenue and Rating Plan (the Plan). Guidance provided in this policy is based on the principles outlined in the Plan.

3 RATE AND SERVICE CHARGES

Council will levy and collect rates due on properties in the municipality in a correct and appropriate manner and will take prompt action against ratepayers in arrears.

3.1 Rebates

Ratepayers who hold a full pension card are eligible to apply for a pension rebate concession on their rates and charges, up to a maximum of 50% of the balance of the current year's rates and charges or the predetermined capped amount, as advised by the Department of Human Services to Council.

If State or Federal Government instigates new legislation that will enable other rebates to be applied to Council rates (e.g. Exceptional Circumstances Rebate for Drought Relief), Council will administer rate rebates in accordance with guidelines provided by the relevant authority.

3.2 Interest

Council is required to administer interest charges on overdue rate payments. The rate of interest determined by the Governor in Council in accordance with Section 172(2A) and 227A(3) is the rate set by Council for the purpose of Section 172(2) and 227(A)(1) of the Local Government Act 1989. The Department of Justice will advise councils of the annual interest rate to be charged on overdue rates by the end of each financial year.

3.3 Payment of rates

Council rate notices will be distributed prior to the first week of September each financial year.

Council will provide ratepayers with the option of paying rates as a lump sum or quarterly instalment, in accordance with the Local Government Act 1989. Payment of rate notices will fall due on the following dates:



REVENUE AND DEBT COLLECTION POLICY

Paying as:	Payment is required the first business day on or after:			
Lump sum	15 February			
Quarterly instalments	First:	30 September	Third:	28 February
	Second:	30 November	Final:	31 May

3.3.1 Instalments

To automatically elect to pay by instalments, the exact amount of the first instalment must be paid by 30 September.

If a ratepayer determines after 30 September that they wish to pay by instalments, that ratepayer is required make full payment of any outstanding instalments and notify Council that they wish to pay by instalments. Council is able to then include the ratepayer in the instalment payment regime.

3.4 Reminder notices

In addition to the distribution of the original rates notice, Council will undertake the proactive measure of distributing a reminder notices to ratepayers. Ratepayers who have opted to pay via instalments will receive a reminder notice a month prior to the second, third and final instalment due dates.

Ratepayers who have opted to pay via a single lump sum will receive a reminder notice during the middle of January each year.

A reminder notice is not an enforceable invoice. It will be distributed with the purpose of providing ratepayers with a reminder of the payment due date.

3.5 Final notices

Ratepayers who have an outstanding amount on their property after the due date will receive two final notice letters.

The first letter will include a notice that interest has been raised on the property, and will continue to be raised until payment of rates in full.

It also notifies the ratepayer that in order to avoid further debt collection action they must either:

- make payment of rates in full; or
- enter into a formal payment arrangement with Council.

This letter has a time frame of 10 business days for action to be taken.

The second letter advises of further interest being raised on the account and Council reserving the right to commence legal proceedings to recover the debt. This letter also reaffirms that if there is an issue with payment it is strongly recommended to contact Council to discuss the matter.

This letter gives a further time frame of 10 business days when the account would be transferred to debt collection.

The Chief Executive Officer is directed and authorised to institute legal proceedings to recover rates on all properties including property sales and other legal remedies to ensure urgent reduction in rate arrears.



REVENUE AND DEBT COLLECTION POLICY

3.6 Exemption of rates

Council will not exempt any properties from payment of rates, other than those properties defined as "not-rateable", such as properties owned by public authorities, government organisations or Council.

This also applies to properties which have an environment covenant placed on the title. Please refer to the Rateable Properties with Environment Covenants Policy.

3.7 Incorrect rate/charge

If a ratepayer believes that a rate or charge has been incorrectly raised on a property, the ratepayer must provide documentation (if available) to Council in order to establish that this rate/charge is incorrect. If the charge has been raised continuously for a number of years and is proven to be incorrect, Council will refund up to three years retrospectively.

3.8 Classification

The classification of a property may be reassessed where the use of the land has changed.

4 DEBTOR CHARGES

Payment of certificates, permits and fees are payable at the time of service and/or delivery where possible.

Council will operate effective billing and debt collection processes including the efficient management of accounts receivable and related credit management, when a debtor charge is raised.

Council debtors will be managed in accordance with this policy and where applicable the Overdue Debtor Accounts Procedures.

Debts will be recognised at the time services are provided. The tax invoice will contain sufficient information so that the debtor can recognise the transactions included on the invoice and reconcile the debt if required.

The provision of credit is not automatic and credit can be suspended or withdrawn based on compliance with trading terms.

4.1 Responsibility for raising debtor invoices

All debtor invoices are processed by the relevant department staff.

4.2 Trading terms

Trading terms are strictly 30 days from date of invoice.



REVENUE AND DEBT COLLECTION POLICY

5 OTHER PRINCIPLES

5.1 Recovery of outstanding debts

In the event of default or failure of recovery procedures, processes will be implemented through Council's preferred supplier of debt collection services in accordance with the relevant service level agreement for that service provider.

No recovery actions will commence without satisfactory proof of debt.

5.2 Debt collection services

Council will engage a debt collector to assist with the collection of outstanding debtors and/or rates in situations where the payer is unable or unwilling to enter into a payment arrangement with Council and has fallen behind in the payment of rates or debtors.

The debt collector will:

- monitor payments that are made for arrears
- coordinate the distribution of final notices on behalf of Council
- provide Council with updates on referrals
- provide Council with a monthly report of referrals
- administer any legal action on behalf of Council.

5.3 Collection of debts

Procedures, appropriate to the type and age of the debt to be collected, will be established for the collection of amounts due to Council.

5.4 Payment arrangements

5.4.1 Debtors

Payment arrangements must be duly noted and authorised by a responsible officer. Defaulted arrangements will activate enforcement.

5.4.2 Rate and service charges

Council understands that situations will arise where a ratepayer is unable to adhere to the timely payment of their rates. Interest will continue to accrue on all amounts outstanding and the schedule will ensure that the amounts to be paid will be sufficient to clear the debt, including interest, before the following year rates are due.

The individual can instigate this process in writing, via phone or in person.

Conditions of payment arrangements will be negotiated on a case by case basis. Rates staff will be delegated authority to negotiate payment arrangements, however, complex situations will be referred and authorised by Council's Manager Financial Services.

5.5 Rate deferral

Refer to Council's Financial Hardship Policy for details on rate deferral application.



REVENUE AND DEBT COLLECTION POLICY

5.6 Rent orders

Council may implement a rent order to assist with the collection of rates where the owner of a property has failed to comply with the timeframes in a final notice. Rent orders are applicable to properties that receive rental income from a tenant, and enable the Council to collect the rental income paid by the tenant to assist with reducing the rate arrears balance owed by the property owner.

Any charges that are incurred as part of the implementation of a rent order will be added to the property's outstanding debt.

5.7 'Securing' unsecured debts

Depending on the circumstances, Council will attempt to 'secure' unsecured debt by either obtaining directors' guarantee (credit application), or other arrangement. If no security can be obtained, proactive management of credit limit will be undertaken.

5.8 Provision for doubtful debts – debt write off

Management of doubtful debts and the write off of debts is outlined in the Provision for Doubtful Debts and Writing off Bad Debts Policy.

5.9 Recovery of rates through sale of property

Council may sell a property for the recovery of rates in accordance with Section 181 of the Local Government Act 1989. The criteria used to qualify a property for sale via rate recovery are:

- any amount due in relation to the property (rates or charges, enforcement costs or interest) is more than three years overdue
- no current arrangement exists for the payment of the amount to Council or its debt collector
- Council has a Court Order requiring the payment of all or part of the amount
- Council has approved the sale of the property for rate recovery purposes.

5.10 Exceptional circumstances

Notwithstanding, cases involving exceptional circumstances shall be brought to the attention of Council. Refer to Council's Financial Hardship Policy for more information.

5.11 Reporting

Finance staff will prepare a report for the Manager Financial Services and Financial Accountant at the end of each month. The report will contain the reconciliation between both the debtor ledgers and trial balances and detail the amount outstanding into terms of current, 30 days, 60 days and 90+ days.

The reconciliation will be reviewed by the Revenue Coordinator and a schedule detailing the follow up action for those outstanding debtors exceeding trading terms and the status of any special arrangements currently in place.

Where appropriate, service managers will also be advised of these outstanding accounts.

5.12 Heritage interest free loan scheme

Refer to the Community Support Policy for details.



REVENUE AND DEBT COLLECTION POLICY

Loans will be managed on Council’s Debtor system.

5.13 Community interest free loan scheme

Refer to the Community Support Policy for details.

Loans will be managed on Council’s Debtor system.

5.14 Taxation

Council will comply with its taxation and legislative obligations.

GST applies to all invoices except in circumstances where the goods and/or services are not subject to GST.

5.15 Confidentiality

Confidentiality is paramount and staff members will abide by the Staff and Contractors Code of Conduct in their dealings with collection of outstanding debtors and rates.

6 DEFINITIONS OF TERMS OR ABBREVIATIONS USED

Term	Definition
GST	Goods and Services Tax

7 HUMAN RIGHTS STATEMENT

It is considered that this policy does not impact negatively on any rights identified in the Charter of Human Rights Act. Loddon Shire Council is committed to consultation and cooperation between management and employees. The Council will formally involve elected employee Health and Safety Representatives in any workplace change that may affect the health and safety of any of its employees.

8 REVIEW

The Manager Financial Services will review this policy for any necessary amendments no later than 3 years after adoption of this current version.

10.7 BORROWING POLICY V1

File Number: FOL/19/432511
Author: Deanne Caserta, Manager Financial Services
Authoriser: Sharon Morrison, Director Corporate Services
Attachments: 1. Borrowing Policy v1

RECOMMENDATION

That Council adopts the Borrowing Policy v1.

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this report, or involved in the subject matter of the report.

PREVIOUS COUNCIL DISCUSSION

Nil.

BACKGROUND

With the introduction of the Local Government Act 2020, a review of current policies was undertaken and a recommendation made to draft a borrowing policy to assist with and guide decisions on any future borrowings.

ISSUES/DISCUSSION

The Borrowing Policy (the Policy) outlines situations in which Council may use borrowings as a funding source. The Policy allows Council the flexibility to respond to funding requirements whilst minimising risk, taking into account Council's financial management principles and the requirements of the Local Government Act 1989 and Local Government Act 2020.

Best practice documents and policies developed by similar councils were used to draft this Policy to ensure a sound basis for when and how Council may borrow.

In accordance with the Local Government Act 2020 and the Audit and Risk Committee Charter, all policies that affect the financial position of Council are reviewed and endorsed by the Audit and Risk Committee prior to recommending to Council that they be adopted.

At the Audit and Risk Committee Meeting held on 19 August 2021 the Committee recommended:

That the Audit and Risk Committee endorses the Borrowing Policy v1 and recommends that Council adopt the policy.

The Policy has a review timeline of two years.

COST/BENEFITS

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

RISK ANALYSIS

The Policy will assist in providing guidance to staff on sound financial management and borrowing. It also provides borrowing ratios and limits to determine the acceptable amount of risk Council will enter into when making borrowing decisions.

CONSULTATION AND ENGAGEMENT

The document has been subject to the approval process of the Loddon Leaders, Policy Review Group, Management Executive Group and the Audit and Risk Committee prior to presentation to Council.



BORROWING POLICY

DOCUMENT TYPE:	Council policy
DOCUMENT STATUS:	Draft
POLICY OWNER POSITION:	Manager Financial Services
INTERNAL COMMITTEE ENDORSEMENT:	Audit and Risk Committee
APPROVED BY:	Council
DATE ADOPTED:	Click here to enter date of approval
VERSION NUMBER:	1
REVIEW DATE:	Click here to enter a date.
DATE RESCINDED:	Click here to enter a date.
RELATED STRATEGIC DOCUMENTS, POLICIES OR PROCEDURES:	Council Plan Financial Management Policy Investment Policy
RELATED LEGISLATION:	Local Government Act 2020
EVIDENCE OF APPROVAL:	

Signed by Chief Executive Officer

FILE LOCATION: K:\FINANCE\Policies\Ready for approval\POL Borrowing Policy v1.docx

Policy documents are amended from time to time, therefore you should not rely on a printed copy being the current version. Please consult the policies on the Loddon Shire website (Council Policies) or Intranet (Organisational Policies) to ensure that the version you are using is up to date.

This document is available in alternative formats (e.g. larger font) if requested.



BORROWING POLICY

1 PURPOSE

This Policy outlines the situations in which Council may use borrowings as a funding source. The Policy allows Council the flexibility to respond to funding requirements whilst minimising risk, taking into account Council's financial management principles and the requirements of both the Local Government Act 1989 and Local Government Act 2020.

This Policy applies to all new borrowings undertaken by Council, as well as existing borrowings. It does not apply to any short-term overdraft facilities linked to Council's transactional bank accounts.

The Policy outlines where borrowings may be suitable as a funding mechanism, how Council will source new borrowings, and how borrowings and repayments will be managed.

2 SCOPE

This Policy creates a framework that allows Council to use borrowings to achieve financial goals outlined in its strategic plans. Under this framework, borrowings may be used as an alternate funding source for opportunities or obligations that could not otherwise be funded from normal revenue streams.

It applies to all Councillors, Committee members, employees and contractors who have the necessary delegations of Council.

3 POLICY

Council is committed to prudent financial management and will apply a risk based approach to consideration of borrowings.

The Local Government Act 2020 states that money cannot be borrowed unless the proposed borrowings were included in the budget or a revised budget, and Council will adhere to this requirement.

The Local Government Act 1989 provides Council with the power to borrow and sets out the legal requirements to be followed when Council is seeking to borrow funds, and Council will also pursue the highest standards of financial probity.

3.1 Principles of management

1. New borrowings will only be used to:
 - fund new assets, or
 - meet lump sum funding calls by the Trustee of the Local Authorities Superannuation Fund (LASF) associated with the Defined Benefits scheme, or
 - provide bridging finance for Development Contribution Plans (DCPs) where interest costs can be recouped by Council through the DCP scheme.
2. Council will only consider any proposed new borrowings through the budget process or a formal revised budget process.
3. Details of any proposed new borrowings will be provided to the community through the community engagement process associated with the budget or revised budget.



BORROWING POLICY

3.2 Long term sustainability of Council

The level of borrowing will be within acceptable prudential limits to ensure long-term sustainability. Council needs to ensure that the amount of borrowing does not exceed these limits, so that debt servicing costs can be met on an ongoing basis without undue impact on future council operations.

3.3 Inter-generational equity funding

Council will consider equity between generations of ratepayers (inter-generational equity) whereby the mechanisms to fund specific capital expenditure take into account the ratepayers who benefit by the expenditure and therefore, on a user pay basis, who should pay for the costs associated with such expenditure.

3.4 Borrowing ratios and limits

3.4.1 Victorian Auditor General's Office

The Victorian Auditor General's Office (VAGO) reviews and reports on the financial sustainability of the Local Government sector. Two indicators best assess the financial sustainability risks associated with borrowing. Council will report on the following indicators:

Indicator	Formula	Description	Risk
Internal financing (%)	Net operating cash flow / net capital expenditure	This measures the ability of an entity to finance capital works from generated cash flow.	Less than 75% - High
		The higher the percentage, the greater the ability of the entity to finance capital works from their own funds.	75-100% - Medium
		Net operating cash flow and net capital expenditure are obtained from the cash flow statement.	More than 100% - Low
Indebtedness (%)	Non-current liabilities / own-sourced revenue	Comparison of non-current liabilities (mainly comprising borrowings) to own-sourced revenue.	More than 60% - High
		The higher the percentage, the less the entity is able to cover non-current liabilities from revenues the entity generates itself.	40-60% - Medium
		Own source revenue is used rather than total revenue because it does not include grants or contributions	40% or less - Low

Council will operate within the low risk target ratio of more than 100% for internal financing in order to provide flexibility to respond to funding requirements for new or unplanned capital expenditure.

Council will operate within the low risk target of 40% or less for indebtedness



BORROWING POLICY

Local Government Performance Reporting Framework (LGPRF)

The LGPRF includes two additional ratios:

1. **Debt Commitment Ratio** measured as interest and principal repayments on interest bearing loans/rate revenue (recommended target 0% to 10%); and
2. **Borrowing Rates Ratio** measured as interest bearing loans and borrowings/rate revenue (recommended target 0% to 10%).

Council will operate within the target ratio as set by the LGPRF and will report on debt commitment and borrowing rate ratios as part of the budget process, performance reporting framework and in the annual report.

In general, debt levels will be minimised to allow Council the opportunity to borrow in future years for capital works arising in those periods without being impeded by large borrowings from an earlier Council decision.

3.5 Accountability and responsibility

Accountability and responsibility for this policy is outlined below.

1. Council
 - Responsibility to ensure this Policy is consistent with the Council Plan and other related policies
 - Responsibility for the decision to approve this Policy by Council resolution
 - Responsibility for the decision to approve any loan request by Council resolution
2. Chief Executive Officer
 - Overall responsibility for compliance with this Policy
 - Overall responsibility for enforcing accountability
 - Overall responsibility for providing resources
 - Overall responsibility for performance monitoring
3. Director Corporate Services
 - Responsibility for compliance with this Policy
 - Responsibility for enforcing accountability
 - Responsibility for providing resources
 - Responsibility for performance monitoring
4. Manager Financial Services
 - Responsibility for developing frameworks and procedures in compliance with this Policy
 - Responsibility to ensure compliance with frameworks and procedures
 - Responsibility to provide appropriate resources for the execution of the frameworks and procedures

4 DEFINITIONS OF TERMS OR ABBREVIATIONS USED

Term	Definition
LGPRF	Local Government Performance Reporting Framework
VAGO	Victorian Auditor-General's Office



BORROWING POLICY

5 HUMAN RIGHTS STATEMENT

It is considered that this policy does not impact negatively on any rights identified in the Charter of Human Rights Act. Loddon Shire Council is committed to consultation and cooperation between management and employees. The Council will formally involve elected employee Health and Safety Representatives in any workplace change that may affect the health and safety of any of its employees.

6 REVIEW

The Manager Financial Services will review this policy for any necessary amendments no later than 2 years after adoption of this current version.

10.8 RATEABLE PROPERTIES WITH ENVIRONMENT COVENANTS V3

File Number: FOL/19/432511
Author: Deanne Caserta, Manager Financial Services
Authoriser: Sharon Morrison, Director Corporate Services
Attachments: 1. Rateable Properties with Environmental Covenants Policy v3

RECOMMENDATION

That Council adopts the Rateable Properties with Environment Covenants v3.

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this report, or involved in the subject matter of the report.

PREVIOUS COUNCIL DISCUSSION

The last version of the Rateable Properties with Environment Covenants Policy (Policy) (v2) was approved by the Council in May 2017.

The draft of version 3 of the Rateable Properties with Environment Covenants Policy was discussed at the Councillor Forum on 14 September 2021.

BACKGROUND

The purpose of the Rateable Properties with Environment Covenants Policy (the Policy) is to provide a documented position for Council in relation to rates rebates, waivers and reductions for properties that have conservation covenants over their title.

ISSUES/DISCUSSION

This Policy has been updated include any changes as a result of the introduction of the Local Government Act 2020.

It has also been simplified by removing any 'Trust for Nature' references allowing for a simplified treatment of all environmental covenants.

The Policy has a review timeline of four years.

COST/BENEFITS

The cost related to this Policy is the reduction in rates collected which is offset by the benefit of having properties within Loddon that are set aside for environmental purposes.

RISK ANALYSIS

The Policy will assist in providing guidance to staff with the treatment of any environmental covenant. The updates also ensure that it complies with any requirements outlined in the Local Government Act 2020.

CONSULTATION AND ENGAGEMENT

The document has been subject to the approval process of the Loddon Leaders, Policy Review Group and Management Executive Group presentation to Council.



RATEABLE PROPERTIES WITH ENVIRONMENT COVENANTS POLICY

DOCUMENT TYPE:	Council policy
DOCUMENT STATUS:	Draft
POLICY OWNER POSITION:	Manager Financial Services
INTERNAL COMMITTEE ENDORSEMENT:	Not applicable
APPROVED BY:	Council
DATE ADOPTED:	23/05/2017
VERSION NUMBER:	3
REVIEW DATE:	23/05/2021
DATE RESCINDED:	
RELATED STRATEGIC DOCUMENTS, POLICIES OR PROCEDURES:	
RELATED LEGISLATION:	Local Government Act 1989 Local Government Act 2020 Fire Services Property Act 2012 Victorian Conservation Trust Act 1972
EVIDENCE OF APPROVAL:	

Signed by Chief Executive Officer

FILE LOCATION: K:\FINANCE\Policies\Ready for approval\POL Rateable properties with environment covenants policy v3.docx

Policy documents are amended from time to time, therefore you should not rely on a printed copy being the current version. Please consult the policies on the Loddon Shire website (Council Policies) or Intranet (Organisational Policies) to ensure that the version you are using is up to date.

This document is available in alternative formats (e.g. larger font) if requested.



RATEABLE PROPERTIES WITH ENVIRONMENT COVENANTS POLICY

1 PURPOSE

This policy documents Council's position in relation to rates rebates, waivers and reductions for properties that have conservation covenants over their title.

2 SCOPE

The policy applies to all rateable land located in the municipality.

3 POLICY

Council does not apply rates rebates, waivers, or reductions to properties with environmental covenants placed over their title.

Council does support and will arrange, upon application, having a supplementary valuation undertaken to ascertain whether the covenant impacts the value of the property, and subsequently the rates leviable.

4 DEFINITIONS OF TERMS OR ABBREVIATIONS USED

Term	Definition
Conservation covenant	A conservation covenant that is a voluntary, permanent, legally-binding agreement placed on a property's title to ensure native vegetation on the property is protected in perpetuity.

5 HUMAN RIGHTS STATEMENT

It is considered that this policy does not impact negatively on any rights identified in the Charter of Human Rights Act. Loddon Shire Council is committed to consultation and cooperation between management and employees. The Council will formally involve elected employee Health and Safety Representatives in any workplace change that may affect the health and safety of any of its employees.

6 REVIEW

The Manager Financial Services will review this policy for any necessary amendments no later than 4 years after adoption of this current version.

10.9 AUGUST 2021 AUDIT AND RISK COMMITTEE MEETING OVERVIEW

File Number: FOL/20/612

Author: Sharon Morrison, Director Corporate Services

Authoriser: Jude Holt, Acting Chief Executive Officer

Attachments: 1. **Review of Management of Recreation Reserves - Confidential**

This attachment is designated as confidential in accordance with Section 3(1)(a) of the *Local Government Act 2020*. It contains Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

Council business information **(under separate cover)**

2. **Review of Asset Management and Maintenance - Confidential**

This attachment is designated as confidential in accordance with Section 3(1)(a) of the *Local Government Act 2020*. It contains Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

Council business information **(under separate cover)**

RECOMMENDATION

That Council:

1. receives and notes this report on the 19 August 2021 Audit and Risk Committee Meeting
2. receive and notes the unconfirmed minutes of the Audit and Risk Committee Meeting held on 19 August 2021
3. receives and notes the "Review of Asset Management and Maintenance"
4. receives and notes the "Review of Management of Recreation Reserves"

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this report, or involved in the subject matter of the report.

PREVIOUS COUNCIL DISCUSSION

Council was provided with a summary of the June 2021 Audit and Risk Committee Meeting at the Council Meeting held on 27 July 2021.

BACKGROUND

The Audit and Risk Committee was established under Section 53 of the Local Government Act 2020, which states that "A Council must establish an Audit and Risk Committee", by Council resolution on 23 June 2020.

The committee is made up of four independent community members, and Cr Gavan Holt, as Council's representative. At the Council Meeting on 19 November 2020, it was resolved that Councillor Beattie be the alternate Council representative in the event that Cr Holt is unable to attend the Audit and Risk Committee meeting. Council's Chief Executive Officer and Director Corporate Services attend the meetings in an advisory capacity.

The objectives of the Audit and Risk Committee are to:

- a) monitor the compliance of Council policies and procedures with
 - i. the overarching governance principles; and
 - ii. this Act and the regulations and any Ministerial directions

- b) monitor Council financial and performance reporting
- c) monitor and provide advice on risk management and fraud prevention systems and controls
- d) oversee internal and external audit functions.

In order to provide a structured approach and ensure that the Committee addresses each of its responsibilities, an annual work plan and an internal audit review program are established each year, and these guide the activities of the Committee.

ISSUES/DISCUSSION

The scheduled 12 August 2021 Audit and Risk Committee meeting was deferred to 19 August 2021 to enable the finalisation of the external audit. The agenda for the 19 August 2021 meeting included the following:

Decision Reports

- The Audit and Risk Committee Charter was reviewed and further changes requested.
- The Internal Audit Charter was reviewed with minor edits required.
- Draft Financial Statements and Performance Statement for the year ended 30 June 2021 were presented and endorsed.
- The internal audit report on “Review of Asset Management and Maintenance” was noted and six recommendations approved.
- The internal audit report on “Review of Management of Recreation Reserves” was noted and two recommendations approved.
- The revised Financial Management Policy was endorsed.
- The revised Revenue and Debt Collection Policy was endorsed.
- The proposed Borrowing Policy was endorsed.
- The internal audit scope on “Review of Governance” was confirmed.

Compliance Reports

- An outstanding actions report was noted.
- The quarterly report on items raised by Council that may impact on the Audit and Risk Committee was noted.
- Standing reports on any suspected and actual fraud, thefts, and corruption, and major lawsuits being faced by the Council was provided by the Chief Executive Officer.

Information Reports

- The quarterly report on regulatory and integrity agencies and VAGO was provided.
- Reports by regulatory and integrity agencies were noted.
- Progress with delivery of the strategic internal audit plan was noted.
- The Finance Report for the period ended 30 June 2021 was reviewed.

Two items were deferred due to time: update on risk management framework and quarterly report on compliance with systems and controls.

COST/BENEFITS

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

The benefits that the internal audit function provides Council are:

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

RISK ANALYSIS

The internal audit program has been created and is annually updated on a risk basis, ensuring that Council's program addresses the areas of highest risk or greatest concern to Audit and Risk Committee members and Council officers.

CONSULTATION AND ENGAGEMENT

Nil

11 INFORMATION REPORTS**11.1 2020/21 END OF FINANCIAL YEAR VARIATION ANALYSIS**

File Number: FOL/20/2498
Author: Deanne Caserta, Manager Financial Services
Authoriser: Sharon Morrison, Director Corporate Services
Attachments: 1. 2020/21 Variance Report - Snapshot

RECOMMENDATION

That Council receives and notes the '2020/21 End of Financial Year Variation Analysis' Report.

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this report, or involved in the subject matter of the report.

PREVIOUS COUNCIL DISCUSSION

As part of the 2021/22 budget process, budget projections for the end of 2020/21 financial year were presented to Council in the form of a Revised Budget.

At the September Council Briefing a snapshot at activity level of the major variations between the 2020/21 Revised Budget and the 2020/21 Actuals was presented. Explanations were given where variances existed outside Council's threshold of 10% or \$20,000.

BACKGROUND

The annual budget process requires that budget projections of the current financial year be undertaken to calculate the potential carried forward surplus that will form part of the next year's budget.

As this process is generally finalised in late March or early April, there are a further three months of activity to the end of June which may give rise to variations to the budget projections.

This report outlines the variations which have arisen between the budget projections made and the actual final results achieved at year end 30 June 2021.

ISSUES/DISCUSSION

The revised budget projections called for an end of financial year closing cash surplus position of \$2.99M. The actual cash surplus was \$6.42M, a positive variance of \$3.43M.

The monthly Finance Report tables are provided as an attachment to this report, and include the budget, actuals, variance in dollars and percentage terms.

Whilst there are a number of variances, this report focuses on those which fall outside a 10% or \$20,000 threshold, whichever is the greater.

SUMMARISED FINANCIAL RESULT

The table below discloses the actual result for the year in comparison to the budget:

Report item	2020/21 Revised Budget \$	2020/21 Actual \$	Variance of Actual to Budget \$	Variance of Actual to Budget %
Revenue	(41,711,402)	(35,847,815)	5,863,588	86%
Expenses	39,095,592	33,101,213	(5,994,378)	85%
Net operating result	(2,615,810)	(2,746,601)	(130,790)	105%
Funding decisions	(12,701,338)	1,680,087	14,381,426	-13%
Capital expenditure	26,842,195	9,455,472	(17,386,722)	35%
Non cash adjustments	(9,666,789)	(9,962,753)	(295,963)	103%
Accumulated deficit b/f	(4,845,880)	(4,845,880)	1	100%
Net cash (surplus) / deficit	(2,987,621)	(6,419,676)	(3,432,048)	215%

INCOME

Income for the year was \$35.85M representing a variance of 24% or \$5.86M lower than the budget of \$41.71M. Within the income items the following variances occurred:

Statutory fees

Statutory fees received were higher than the budget by \$89K.

Instances where Council received income that was greater than the budget were:

- local laws fees and fines of \$29K due to higher animal registrations
- public health fees of \$11K due to an increase in health licence requests
- strategic and statutory fees of \$51K with a large increase in planning permit applications.

Fees and charges

Fees and charges received were higher than the budget by \$235K.

Instances where Council received income that was greater than the budget were:

- caravan park site fee income of \$164K with higher than expected visitation rates
- gravel pit income of \$80K due to an expanded infrastructure capital program
- waste site fee income of \$79K with higher than expected usage.

Instances where Council received income that was less than the budget were:

- pre-school contribution fees of \$138K with more grants to offset cost of operation.

Contributions

Contributions received were less than the budget by \$0.4M.

Instances where Council received income that was less than the budget were:

- Donaldson Park Wedderburn contributions of \$300K which will not be required until the project commences.

Reimbursements

Reimbursements received were less than the budget by \$55K.

Instances where Council received income that was less than the budget were:

- WorkCover income lower than expected by \$65K due to a decrease in claims against what was expected.

Recurrent capital grants

Recurrent capital grants received were less than the budget by \$0.9M.

Instances where Council received income that was less than the budget were:

- Roads to Recovery funding of \$377K where claims are made as the projects are completed

- caravan park funding of \$521K where claims are made as the required project stages are met.

Non recurrent capital grants

No recurrent capital grants received were less than the budget by \$5.2M.

Instances where Council received income that was less than the budget were:

- Donaldson Park Wedderburn of \$2.5M with some funds received by 30 June but treated as unearned income due to the nature of the grant
- local roads community infrastructure program grants of \$2.0M where claims are made as the required project stages are met.

EXPENDITURE

Expenditure for the year was \$30.90M representing a variance of 11% or \$3.74M lower than budget. Within the line items the following variances occurred:

Materials and services

Materials and services were \$5.5M or 41% lower than budget; the main reasons are outlined below.

Items below budget:

- home and community care unspent funds of \$811K, with some carried forward into 2021/22 to be spent on required projects
- economic development strategy delivery items of \$313K with delays in permits and other items still to be delivered
- program delivery and strategy costs of \$337K across administration and management with project contract staff on hold due to COVID
- community planning projects and other community grants of \$359K due to completion delays as a result of COVID shutdowns.

Stores

Stores were \$59K or 98% lower than budget.

Limited stores are now kept at all depot sites due to the transitioning of purchasing direct from local suppliers as needed.

Fuel

Fuel was \$97K or 11% lower than budget. The main reason was a decrease in demand with many staff required to work from home due to the COVID lockdowns; therefore, there was a decrease in vehicle usage.

Profit / (Loss) on sale of assets

There is no budget allocation for the profit or loss on the sale of assets due to its unpredictable nature. There was an \$89K profit for the 2020/21 financial year. This relates to the sale of land along with plant and equipment. In 2019/20 this was a profit of \$30K.

CAPITAL EXPENDITURE

Capital expenditure was \$9.46M representing a variance of 65% or \$17.39M below the revised budget of \$26.84M. Significant variations are set out below.

Caravan parks

Caravan park improvement works were 46% or \$0.93M below the set budget of \$2.01M.

This project has been carried forward into 2021/22 and is expected to be commenced by 30 June 2022.

Community planning

Community planning project spend was \$1.27M below the set budget of \$1.29M. This is mainly due to a delay in commencement with COVID lockdowns and the budget allocation to new projects with the relevant committees.

These projects have been carried forward into 2021/22.

Community facilities

The Donaldson Park Wedderburn project is behind budget by \$3.3M where a delay in final grant allocations had put a pause on the commencement.

Lake Boort improvement works is behind by \$686K with planning now complete and works commenced.

These projects have been carried forward into 2021/22 and are expected to be commenced by 30 June 2022.

Plant and equipment

Plant and equipment was 17% or \$276K below the set budget of \$1.62M.

The main variance was the delay in delivery of new plant with shortages in some heavy equipment pieces in the marketplace.

Roads infrastructure

Roadworks were 64% or \$8.18M below the set budget of \$12.86M. All projects that were not completed have been carried over to 2021/22, however there is some project delivery savings that has been returned to surplus for Council to redistribute to other expenditure needs.

The main variances below budget which are offset by transfers to reserves were:

- bridge and culvert works of \$1.22M
- footpath works of \$180K
- road construction works of \$276K.

FUNDING DECISIONS

Funding decisions were \$14.38M or 113% different than expected within the budget.

Transfers to reserves

Transfers to reserves were \$12.54M higher than the set budget.

The main reasons were:

- Unspent Grants Reserve was \$6.24M above budget which represents funds received for a variety of projects that remained unspent at 30 June 2021
- Capital Expenditure Reserve was \$4.28M above budget which represents projects that will now be added to the 2021/22 program
- Community Planning Reserve was \$1.86M above budget which represents projects that are either incomplete or will not commence until 2021/22.

Proceeds from sale of assets

Proceeds from sale of assets were \$179K or 21% above budget.

SUMMARY

In summary, at the end of the financial year Council earned a surplus of \$3.43M in excess of expectation.

There are many variances throughout the different elements of the financial statements, however, it can be reported that:

- Council used Capital Expenditure, Community Planning and Unspent Grants Reserves to capture any financial items that were not concluded in 2020/21 and will be completed in 2021/22 or subsequent years
- savings in many areas of the accounts were realised due to strong financial management by the officers responsible for delivering projects and programs.

COST/BENEFITS

The benefit of Council receiving a variation report of actual to projected budget is that it gives Council an understanding of the difference in the cash surplus position and keeps Council fully informed.

RISK ANALYSIS

The provision of a variance to budget report to Council minimises the risk of Council not understanding the financial position at year end, and provides reasons for carry over projects.

CONSULTATION AND ENGAGEMENT

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

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

Element	2020/21 Original Budget	2020/21 Revised Budget	2020/21 YTD Revised Budget	2020/21 YTD Actuals	2020/21 YTD Percentage Variance
Income					
69 - Statutory Fees	277,532	334,432	334,432	423,057	127%
70 - Fees & Charges	1,464,986	1,510,543	1,510,543	1,745,588	116%
71 - Contribution	100,000	490,000	490,000	81,375	17%
73 - Interest	375,200	295,000	295,000	279,462	95%
77 - Reimbursements	277,411	297,411	297,411	242,192	81%
80 - Rates	11,461,007	11,520,410	11,520,410	11,521,258	100%
81 - Non Recurrent Grants (Operating)	152,766	2,733,224	2,733,224	2,714,292	99%
82 - Recurrent Grants (Operating)	6,299,505	10,941,672	10,941,672	11,297,564	103%
83 - Recurrent Grants (Capital)	2,387,726	3,426,111	3,426,111	2,528,435	74%
84 - Non Recurrent Grants (Capital)	0	9,650,566	9,650,566	4,451,075	46%
90 - VicRoads	510,474	512,033	512,033	563,517	110%
Total Income	23,306,607	41,711,402	41,711,402	35,847,815	86%
Expenses					
01 - Labour	11,492,803	12,287,261	12,287,261	12,029,861	98%
04 - Creditors	8,898,234	13,421,010	13,421,010	7,905,139	59%
05 - Stores	70,286	61,172	61,172	1,418	2%
06 - Fuel	1,051,376	905,045	905,045	807,944	89%
07 - Contractors	1,797,721	1,858,943	1,858,943	1,664,909	90%
08 - Depreciation	9,666,789	9,666,789	9,666,789	9,959,894	103%
09 - Utilities	533,565	523,418	523,418	491,984	94%
25 - Grants Expenditure	361,400	371,954	371,954	335,185	90%
45 - Bad Debts Expense	0	0	0	2,891	0%
48 - Library Equity	0	0	0	(9,347)	0%
63 - Reversal of Impairment Losses	0	0	0	(32)	0%
98 - Profit / Loss on Sale of Assets	0	0	0	(88,633)	0%
Total Expenses	33,872,174	39,095,592	39,095,592	33,101,213	85%
Net Result Surplus / (Deficit)	(10,565,567)	2,615,810	2,615,810	2,746,601	105%

Element	2020/21 Original Budget	2020/21 Revised Budget	2020/21 YTD Revised Budget	2020/21 YTD Actuals	2020/21 YTD Percentage Variance
Funding Decisions					
88 - Reserves Transfer From	6,466,816	18,921,207	18,921,207	16,895,733	0%
89 - Reserves Transfer To	(2,341,772)	(7,086,940)	(7,086,940)	(19,622,115)	0%
74 - Asset Sales (Capital)	471,181	867,071	867,071	1,046,295	121%
Total Funding Decisions	4,596,225	12,701,338	12,701,338	(1,680,087)	-13%
Capital Expenditure					
12 - Economic Development	0	0	0	0	0%
21 - Caravan Parks	7,500	2,010,437	2,010,437	1,084,523	54%
31 - Aged Care Services				3,000	0%
40 - Community Support	0	31,335	31,335	0	0%
41 - Community Planning - Boort	0	1,105	1,105	0	0%
42 - Community Planning - Inglewood	50,000	153,685	153,685	0	0%
43 - Community Planning - Tarnagulla	50,000	91,683	91,683	21,174	23%
44 - Community Planning - Terricks	50,000	20,848	20,848	2,273	11%
45 - Community Planning - Wedderburn	50,000	25,000	25,000	0	0%
47 - Grants & Community Planning	750,000	4,808,189	4,808,189	237,221	5%
49 - Swimming Pools	0	15,101	15,101	0	0%
65 - Information Technology	185,000	185,000	185,000	114,858	62%
71 - Council Engineering and Technical Services	0	50,000	50,000	0	0%
72 - Project & Contract Management	2,555,132	12,856,168	12,856,168	4,678,004	36%
73 - Roads to Recovery	2,387,726	3,708,309	3,708,309	1,777,415	48%
75 - Local Laws and Animal Management	0	102,121	102,121	0	0%
82 - Building & Property Maintenance	535,000	785,983	785,983	173,666	22%
84 - Fleet	522,000	1,618,140	1,618,140	1,341,845	83%
90 - Parks & Townships	100,000	90,310	90,310	17,480	19%
98 - Waterways Management	0	288,781	288,781	4,013	1%
Total Capital Expenditure	7,242,358	26,842,195	26,842,195	9,455,472	35%
Non Cash Adjustments					
08 - Depreciation	9,666,789	9,666,789	9,666,789	9,959,894	103%
45 - Bad Debts Expense	0	0	0	2,891	0%
63 - Reversal of Impairment Losses	0	0	0	(32)	0%
Total Non Cash Adjustments	9,666,789	9,666,789	9,666,789	9,962,753	103%
Accumulated surplus bought forward	3,640,629	4,845,880	4,845,880	4,845,880	100%
Net Cash Surplus / (Deficit)	95,718	2,987,622	2,987,622	6,419,676	215%

12 COMPLIANCE REPORTS**12.1 SECTION 65 COMMUNITY ASSET COMMITTEE MEMBERSHIP DETAILS - WEDDERBURN ENGINE PARK AND MARKET SQUARE RESERVE COMMUNITY ASSET COMMITTEE**

File Number: FOL/20/7146
Author: Michelle Hargreaves, Administration Officer
Authoriser: Sharon Morrison, Director Corporate Services
Attachments: Nil

RECOMMENDATION

That Council appoints the persons named in this report as members of the Wedderburn Engine Park and Market Square Reserve Section 65 Community Asset Committee, effective immediately.

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this report. Some staff members have an involvement in the subject matter of the report by virtue of their volunteer commitment to the Community Asset Committee or the volunteer commitment by their family members.

PREVIOUS COUNCIL DISCUSSION

Council approved the current list of committee members for Wedderburn Engine Park and Market Square Reserve Community Asset Committee on 25 August 2020.

BACKGROUND

Under Section 65 of the Local Government Act 2020 (Act) Councillors establish community asset committees and appoint their members. Under section 47 of the Act, the Chief Executive Officer issues their Instrument of Delegation.

Clause 7.1 of the Instrument of Delegation establishes the composition of the committee. Clause 7.2.1 provides for the appointment of the member by name by resolution of Council for a term of one year. For community-based committees, at least six community representatives are preferred. For organisation-based committees, each delegation has a list of organisations that are required to provide representatives for the committee.

Clause 7.6 states that:

At the annual meeting each year nominations shall be called for proposed members of the Committee. The Committee must then elect from its proposed members the following office bearers:

- chair
- deputy chair (not mandatory, but recommended)
- secretary
- treasurer*
- booking officer*
- general members

*The treasurer and booking officer must not be the same person.

Clause 7.2.4 states that Council shall appoint members to the Committee as soon as reasonably practicable after the date upon which their annual meeting occurs.

ISSUES/DISCUSSION

Wedderburn Engine Park and Market Square is a community-based committee with preferred representation requiring at least six community representatives. The following is a list of nominated representatives for the committee, which meets the minimum requirement:

Name	Position
Bruce Hargreaves	Chair / Secretary
Trevor Bailey	Treasurer
Barry Bolwell	Booking Officer
Neville White	Deputy Chair
Murray Smyth	Committee Member
Glenn Harrison	Committee Member
Ian Gould	Committee Member
Jordan Hargreaves	Committee Member

The Council representative for this committee is Cr Gavan Holt.

COST/BENEFITS

The benefit of this report is that Council has an up to date and accurate record of current committee members to ensure that contact can be made, particularly where Council is requesting committees to comply with reporting requirements under the legislation.

RISK ANALYSIS

Section 65 Community Asset Committees act for and on behalf of Council, which creates a risk for Council, should they ever act outside their delegated authority.

Clause 7.3 of the instrument of delegation provides for the removal of any committee member. This clause could be used to mitigate risk.

Council's appointment of committee members, not only satisfies the legislation, but also provides Council with the opportunity to sight the list of committee members before formally appointing them, as they are the people that will be operating the committee, and in effect, acting for and on behalf of Council over the course of the year.

CONSULTATION AND ENGAGEMENT

The community asset committee has provided Council with the list of proposed committee members and their positions.

12.2 SECTION 65 COMMUNITY ASSET COMMITTEE MEMBERSHIP DETAILS - DONALDSON PARK

File Number: FOL/20/7159
Author: Michelle Hargreaves, Administration Officer
Authoriser: Sharon Morrison, Director Corporate Services
Attachments: Nil

RECOMMENDATION

That Council appoints the persons named in this report as members of the Donaldson Park Section 65 Community Asset Committee, effective immediately.

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this report. Some staff members have an involvement in the subject matter of the report by virtue of their volunteer commitment to the Community Asset Committee or the volunteer commitment by their family members.

PREVIOUS COUNCIL DISCUSSION

Council approved the current list of committee members for Donaldson Park Community Asset Committee on 25 August 2020.

BACKGROUND

Under section 65 of the Local Government Act 2020 (Act) Councillors establish community asset committees and appoint their members. Under section 47 of the Act, the Chief Executive Officer issues the committee's Instrument of Delegation.

Clause 7.1 of the Instrument of Delegation establishes the composition of the committee. Clause 7.2.1 provides for the appointment of the member by name by resolution of Council for a term of one year. For community-based committees, at least six community representatives are preferred. For organisation-based committees, each delegation has a list of organisations that are required to provide representatives for the committee.

Clause 7.6 states that:

At the annual meeting each year nominations shall be called for proposed members of the Committee. The Committee must then elect from its proposed members the following office bearers:

- chair
- deputy chair (not mandatory, but recommended)
- secretary
- treasurer*
- booking officer*
- general members

*The treasurer and booking officer must not be the same person.

Clause 7.2.4 states that Council shall appoint members to the Committee as soon as reasonably practicable after the date upon which their annual meeting occurs.

ISSUES/DISCUSSION

Donaldson Park is an organisation-based committee with representatives from each of the stakeholder groups. The following is a list of nominated representatives for the committee, which meets the minimum requirement:

Name	Organisation
Gavan Holt (Chair)	
Jon Chandler (Secretary/ Treasurer)	Community Member
Alan Holt	Wedderburn Bowls Club
Lance Stanfield	Wedderburn Bowls Club
Danny Fowles	Wedderburn College
Vacant	Wedderburn College
Bruce Hargreaves (Deputy Chair)	Wedderburn Harness Racing Club
Tom Nisbet	Wedderburn Harness Racing Club
Peter McHugh	Wedderburn Lawn Tennis Club
Tim Lockhart	Wedderburn Lawn Tennis Club
Alex Holt	Wedderburn Redbacks Inc.
Andrew Caserta	Wedderburn Redbacks Inc.
Ian Gould	Wedderburn Redbacks Inc.
Julie Benaim	Wedderburn Redbacks Inc.
Sharyn Lockhart	Wedderburn Redbacks Inc.
Trudie Van de Wetering	Wedderburn Redbacks Inc.

Donaldson Park Community Asset Committee has not appointed a booking officer as all bookings for the various Donaldson Park facilities are completed by the user groups.

The Council representative for this committee is Cr Gavan Holt.

COST/BENEFITS

The benefit of this report is that Council has an up to date and accurate record of current committee members to ensure that contact can be made, particularly where Council is requesting committees to comply with reporting requirements under the legislation.

RISK ANALYSIS

Section 65 Community Asset Committees act for and on behalf of Council, which creates a risk for Council, should they ever act outside their delegated authority.

Clause 7.3 of the Instrument of Delegation provides for the removal of any committee member. This clause could be used to mitigate risk.

Council's appointment of committee members not only satisfies the legislation, but also provides Council with the opportunity to sight the list of committee members before formally appointing them as they are the people that will be operating the committees, and in effect, acting for and on behalf of Council over the course of the year.

CONSULTATION AND ENGAGEMENT

The community asset committee has provided Council with the list of proposed committee members and their positions.

**12.3 SECTION 65 COMMUNITY ASSET COMMITTEE MEMBERSHIP DETAILS -
WEDDERBURN MECHANICS AND LITERARY INSTITUTE HALL**

File Number: FOL/20/7146
Author: Michelle Hargreaves, Administration Officer
Authoriser: Sharon Morrison, Director Corporate Services
Attachments: Nil

RECOMMENDATION

That Council appoints the persons named in this report as members of the Wedderburn Mechanics and Literary Institute Hall Section 65 Community Asset Committee, effective immediately.

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this report. Some staff members do have an involvement in the subject matter of the report by virtue of their volunteer commitment to the Community Asset Committee or the volunteer commitment by their family members.

PREVIOUS COUNCIL DISCUSSION

Council approved the current list of committee members for Wedderburn Mechanics and Literary Institute Hall Community Asset Committee on 23 February 2021.

BACKGROUND

Under section 65 of the Local Government Act 2020 (Act) Councillors establish community asset committees and appoint their members. Under section 47 of the Act the CEO issues their instrument of delegation.

Clause 7.1 of the instrument of delegation establishes the composition of the committee. Clause 7.2.1 provides for the appointment of the member by name by resolution of Council for a term of one year. For community based committees, at least six community representatives are preferred. For organisation based committees, each delegation has a list of organisations that are required to provide representatives for the committee.

Clause 7.6 states that:

At the annual meeting each year nominations shall be called for proposed members of the Committee. The Committee must then elect from its proposed members the following office bearers:

- chair
- deputy chair (not mandatory, but recommended)
- secretary
- treasurer*
- booking officer*
- general members

*The treasurer and booking officer must not be the same person.

Clause 7.2.4 states that Council shall appoint members to the Committee as soon as reasonably practicable after the date upon which their annual meeting occurs.

ISSUES/DISCUSSION

Wedderburn Mechanics and Literary Institute Hall is a community based committee with preferred representation requiring at least six community representatives. The following is a list of nominated representatives for the committee which meets the minimum requirement:

Name	Position
Jon Chandler	Chair
Barry Bolwell	Deputy Chair
Dede Williams	Secretary
Julie Ritchie	Booking Officer
Peter Zubov	Treasurer
Barry Finch	Committee Member
Leo Matthews	Committee Member
Jeff Loone	Committee Member

The Council representative for this committee is Cr Gavan Holt.

COST/BENEFITS

The benefit of this report is that Council has an up to date and accurate record of current committee members to ensure that contact can be made, particularly where Council is requesting committees to comply with reporting requirements under the legislation.

RISK ANALYSIS

Section 65 Community Asset Committees act for and on behalf of Council which creates a risk for Council should they ever act outside their delegated authority.

Clause 7.3 of the instrument of delegation provides for the removal of any committee member. This clause could be used to mitigate risk.

Council's appointment of committee members, not only satisfies the legislation, but also provides Council with the opportunity to sight the list of committee members before formally appointing them as they are the people that will be operating the committees, and in effect, acting for and on behalf of Council over the course of the year.

CONSULTATION AND ENGAGEMENT

The community asset committee has provided Council with the list of proposed committee members and their positions.

12.4 SECTION 65 COMMUNITY ASSET COMMITTEE MEMBERSHIP DETAILS - BOORT MEMORIAL HALL

File Number: FOL/20/7163
Author: Michelle Hargreaves, Administration Officer
Authoriser: Sharon Morrison, Director Corporate Services
Attachments: Nil

RECOMMENDATION

That Council appoints the persons named in this report as members of the Boort Memorial Hall Section 65 Community Asset Committee, effective immediately.

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this report. Some staff members do have an involvement in the subject matter of the report by virtue of their volunteer commitment to the Community Asset Committee or the volunteer commitment by their family members.

PREVIOUS COUNCIL DISCUSSION

Council approved the current list of committee members for Boort Memorial Hall Community Asset Committee on 27 January 2021.

BACKGROUND

Under section 65 of the Local Government Act 2020 (Act) Councillors establish community asset committees and appoint their members. Under section 47 of the Act the CEO issues their instrument of delegation.

Clause 7.1 of the instrument of delegation establishes the composition of the committee. Clause 7.2.1 provides for the appointment of the member by name by resolution of Council for a term of one year. For community based committees, at least six community representatives are preferred. For organisation based committees, each delegation has a list of organisations that are required to provide representatives for the committee.

Clause 7.6 states that:

At the annual meeting each year nominations shall be called for proposed members of the Committee. The Committee must then elect from its proposed members the following office bearers:

- chair
- deputy chair (not mandatory, but recommended)
- secretary
- treasurer*
- booking officer*
- general members

*The treasurer and booking officer must not be the same person.

Clause 7.2.4 states that Council shall appoint members to the Committee as soon as reasonably practicable after the date upon which their annual meeting occurs.

ISSUES/DISCUSSION

Boort Memorial Hall is a community based committee with preferred representation requiring at least six community representatives. The following is a list of nominated representatives for the committee which meets the minimum requirement:

Name	Position
Ian Potter	Chair
Ken Loader	Deputy Chair
John Vernon	Secretary
Narelle Vernon	Treasurer
Cindy Brown	Booking officer
Karen Coutts	Committee Member
Deanne Smith	Committee Member
Isobel Loader	Committee Member
Jeanette Wagner	Committee Member
Judy Parker	Committee Member
Kevin Sutton	Committee Member
Marj Potter	Committee Member
Neil Gardner	Committee Member
Allen Stringer	Committee Member
Stephen Vanderkaay	Committee Member

The Council representative for this committee is Cr Neil Beattie.

COST/BENEFITS

The benefit of this report is that Council has an up to date and accurate record of current committee members to ensure that contact can be made, particularly where Council is requesting committees to comply with reporting requirements under the legislation.

RISK ANALYSIS

Section 65 Community Asset Committees act for and on behalf of Council which creates a risk for Council should they ever act outside their delegated authority.

Clause 7.3 of the instrument of delegation provides for the removal of any committee member. This clause could be used to mitigate risk.

Council's appointment of committee members, not only satisfies the legislation, but also provides Council with the opportunity to sight the list of committee members before formally appointing them as they are the people that will be operating the committees, and in effect, acting for and on behalf of Council over the course of the year.

CONSULTATION AND ENGAGEMENT

The community asset committee has provided Council with the list of proposed committee members and their positions.

12.5 SECTION 65 COMMUNITY ASSET COMMITTEE MEMBERSHIP DETAILS - PYRAMID HILL MEMORIAL HALL

File Number: FOL/20/7150
Author: Michelle Hargreaves, Administration Officer
Authoriser: Sharon Morrison, Director Corporate Services
Attachments: Nil

RECOMMENDATION

That Council appoints the persons named in this report as members of the Pyramid Hill Memorial Hall Section 65 Community Asset Committee, effective immediately.

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this report. Some staff members do have an involvement in the subject matter of the report by virtue of their volunteer commitment to the Community Asset Committee or the volunteer commitment by their family members.

PREVIOUS COUNCIL DISCUSSION

Council approved the current list of committee members for Pyramid Hill Memorial Hall Community Asset Committee on 23 February 2021.

BACKGROUND

Under section 65 of the Local Government Act 2020 (Act) Councillors establish community asset committees and appoint their members. Under section 47 of the Act the CEO issues their instrument of delegation.

Clause 7.1 of the instrument of delegation establishes the composition of the committee. Clause 7.2.1 provides for the appointment of the member by name by resolution of Council for a term of one year. For community based committees, at least 6 community representatives are preferred. For organisation based committees, each delegation has a list of organisations that are required to provide representatives for the committee.

Clause 7.6 states that:

At the annual meeting each year nominations shall be called for proposed members of the Committee. The Committee must then elect from its proposed members the following office bearers:

- chair
- deputy chair (not mandatory, but recommended)
- secretary
- treasurer*
- booking officer*
- general members

*The treasurer and booking officer must not be the same person.

Clause 7.2.4 states that Council shall appoint members to the Committee as soon as reasonably practicable after the date upon which their annual meeting occurs.

ISSUES/DISCUSSION

Pyramid Hill Memorial Hall is a community based committee with preferred representation requiring at least 6 community representatives. The following is a list of nominated representatives for the committee which meets the minimum requirement:

Pyramid Hill Memorial Hall	
Ron Peacock	Chair
Andrew Scott	Deputy Chair
Jean Mann	Secretary
Kate Wood	Treasurer
Raelene Fletcher	Booking officer
Allan Mann	Committee Member
Andrew Bewicke	Committee Member
Betty Mann	Committee Member
Bill Quinn	Committee Member
Cheryl Bartels	Committee Member
Cheryl McKinnon	Committee Member
Jan Vincent	Committee Member
Sherrie Gumley	Committee Member

The Council representative for this committee is Cr Dan Straub.

COST/BENEFITS

The benefit of this report is that Council has an up to date and accurate record of current committee members to ensure that contact can be made, particularly where Council is requesting committees to comply with reporting requirements under the legislation.

RISK ANALYSIS

Section 65 Community Asset Committees act for and on behalf of Council which creates a risk for Council should they ever act outside their delegated authority.

Clause 7.3 of the instrument of delegation provides for the removal of any committee member. This clause could be used to mitigate risk.

Council's appointment of committee members, not only satisfies the legislation, but also provides Council with the opportunity to sight the list of committee members before formally appointing them as they are the people that will be operating the committees, and in effect, acting for and on behalf of Council over the course of the year.

CONSULTATION AND ENGAGEMENT

The community asset committee has provided Council with the list of proposed committee members and their positions.

13 URGENT BUSINESS

In accordance with Council's Governance Rules, Clause 53 provides that at a scheduled or special meeting of Council, business that is not included in the agenda notice must only be considered if no more than one Councillor is absent and the Council resolves that the matter is urgent.

Despite this requirement, a matter that is not included in the agenda notice must not be considered at a Council meeting if it will:

- (a) directly and significantly affect the exercise of a person's rights;
- (b) alter the Council Plan or the budget; or
- (c) commit the Council to expenditure exceeding \$20,000.

14 CONFIDENTIAL ITEMS**RECOMMENDATION**

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 66(1) and 66(2)(a) of the Local Government Act 2020:

14.1 REVIEW OF CONFIDENTIAL ACTIONS

This matter is considered to be confidential under Section 3(1)(h) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with confidential meeting information, being the records of meetings closed to the public under section 66(2)(a).

Pursuant to section 66(5)(b) of the Local Government Act 2020, if released the information to be received, discussed or considered in relation to this agenda item, may disclose confidential meeting information, being the records of meetings closed to the public under section 66(2)(a)

14.2 C504 Loddon Shire Council Aquatic Facilities Management Contract

This matter is considered to be confidential under Section 3(1)(a) and (g(ii)) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released and private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

Pursuant to Section 66 (5)(b) of the Local Government Act 2020, If released the information to be received, discussed or considered in relation to this agenda item, may prejudice the commercial position of Council and/or disadvantage a private business, as various negotiations remain pending.

14.3 approval of water trade of 5.8ML of Zone 1B water for Zone 1A water

This matter is considered to be confidential under Section 3(1)(a) and (f) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released and personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs

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 26 October 2021 at Wedderburn commencing at at 3pm.

There being no further business the meeting was closed at [enter time](#).

Confirmed this.....day of..... 2021

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