

LODDON SHIRE COUNCIL

Notice of an Ordinary Meeting of the Loddon Shire Council to be held in the Council Chambers, Serpentine on Tuesday 25 March 2014 at 3pm.

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1. APOLOGIES

Nil

2. PREVIOUS MINUTES

2.1 CONFIRMATION OF MINUTES

SUMMARY

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

Author: John McLinden - Chief Executive Officer

Council Plan ref: Core business 8: Compliance

File No: 02/01/001

Attachment: Nil

RECOMMENDATION

That Council confirm:

1. *the minutes of the Council Briefing of 25 February 2014*
2. *the minutes of the Ordinary Council Meeting of 25 February 2014*
3. *The minutes of the Council Forum of 11 March 2014*

2.2 REVIEW OF ACTION SHEET

SUMMARY

Approval of Action Sheet.

Author: John McLinden - Chief Executive Officer

Council Plan ref: Core business 8: Compliance

File No: 02/01/001

Attachment: 2.2 Action Sheet

RECOMMENDATION

That Council receive and note the Action Sheet.

3. COUNCILLORS' REPORTS

3.1 MAYORAL REPORT

SUMMARY

Approval of the Mayoral Report.

Author:	John McLinden, Chief Executive Officer
Council Plan ref:	Core business 1: Leadership
File No:	02/01/001
Attachment:	Nil

RECOMMENDATION

That Council receive and note the Mayoral Report.

3.2 COUNCILLORS' REPORT

SUMMARY

Approval of Councillors' Reports.

Author:	John McLinden, Chief Executive Officer
Council Plan ref:	Core business 1: Leadership
File No:	02/01/001
Attachment:	Nil

RECOMMENDATION

That Council receive and note the Councillors' Report.

4. **DECISION REPORTS**

4.1 **REVIEW OF DELEGATIONS**

SUMMARY

Council approval is sought for a revised set of delegations following their review.

Author	Lynne Habner, Executive Assistant
Council Plan ref:	Core business 8: Compliance
File no:	18/01/003
Attachment:	Updated Loddon Shire Council Instrument of Delegation to The Chief Executive Officer Updated Loddon Shire Council Instrument of Delegation to Members of Council Staff

RECOMMENDATION

That Council:

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

PREVIOUS COUNCIL DISCUSSION

In September 2012, Council reviewed all of its delegations, authorisations and appointments.

In March 2013, Council approved delegation of the powers, functions and duties under the Marine Safety Act 1988.

BACKGROUND

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

Council is required to review its delegations within 12 months after a general election in accordance with section 98 (6) of the Local Government Act.

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

ISSUES/DISCUSSION

The attached amended delegations have been updated in accordance with advice provided by Maddocks in 2013.

COSTS/BENEFITS

Adoption of the recommendation will not have any financial impacts.

RISK ANALYSIS

Adoption of the recommendation will ensure that council staff are able to act on behalf of Council under the various pieces of legislation. If current delegations are not in place, actions of a council officer exercising those powers could be legally challenged.

CONSULTATION AND ENGAGEMENT

Council's CEO and Directors were consulted during the review of delegations.

4.2 AUDIT COMMITTEE MEETING FEBRUARY 2014

SUMMARY

This report provides Council with an overview of the Audit Committee meeting held in February 2014.

Author	Jude Holt, Director Corporate Services
Council Plan ref:	Strategic enabler: Effective and efficient operating systems and procedures
File no:	06/02/003
Attachment:	<ul style="list-style-type: none"> (a) Audit Report – Review of business continuity planning (b) VAGO Report: Rating practices in local government (c) VAGO Report: Local government: results of the 2012-2013 audits (d) Report of Audit Committee’s activities for 2013 (e) Section 86 committees compliance report

RECOMMENDATION

That Council:

1. *receives and notes the:*
 - a) *Audit Committee Meeting February 2014 Report*
 - b) *Report of Audit Committee’s activities for 2013*
 - c) *Victorian Auditor-General’s Report: Rating practices in local government*
 - d) *Victorian Auditor-General’s Report: local government results of the 2012-2013 audits*
 - e) *Section 86 committees compliance report*
2. *endorses the performance improvement recommendations documented in the Audit Report – Review of Business Continuity Planning.*

PREVIOUS COUNCIL DISCUSSION

Council was provided with a summary of the November 2013 Audit Committee Meeting at the Ordinary Meeting held on 9 December 2013.

BACKGROUND

The Audit Committee was created under Section 139 of the Local Government Act 1989, which states that “Council must establish an audit committee”.

The committee is made up of four independent community members, and Cr Gavan Holt, as Council’s representative. Council’s Chief Executive Officer and Director Corporate Services attend the meetings in an advisory capacity.

The primary objective of the Audit Committee is to assist Council in the effective conduct of its responsibilities for:

- The enhancement of the credibility and objectivity of internal and external financial reporting
- Effective management of financial and other risks and the protection of Council assets
- Compliance with laws and regulations as well as use of best practice guidelines
- The effectiveness of the internal audit function
- The provision of an effective means of communication between the external auditor, internal audit, management and the Council
- Facilitating the organisation’s ethical development
- Maintaining a reliable system of internal controls.

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

ISSUES/DISCUSSION

Items included on the meeting agenda for February 2014 were:

- audit report for the review of business continuity planning
- assessment of the agenda format which remains unchanged
- annual report of committee's activities for 2013
- VAGO Report: Review of rating practices in local government
- VAGO Report: local government: results of the 2012-2013 audits
- Section 86 committees compliance report, which is a new standing item for the agenda
- overview of the Local Government Performance Reporting Framework
- staff presentation by Manager Works about his role and the current works program.

Other items on the agenda included the following standing items:

1. Fraud Report
2. Major Lawsuits
3. Monthly Finance Report
4. Risk Management Report.

The committee was also provided with an overview of the Outstanding Action List which showed that Council had 29 outstanding actions to be completed, with 4 added to the list from the Review of Financial Policies and Procedures, and 12 completed during the period.

The next audit review will be asset management registers (with financials), and the results will be provided to the committee at the 22 May 2014 meeting.

COSTS/BENEFITS

There are costs associated with the audit 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 committee members and Council officers.

CONSULTATION AND ENGAGEMENT

Nil

4.3 REVIEW OF STRATEGIC DOCUMENT, POLICY AND PROCEDURE FRAMEWORK

SUMMARY

Report seeks Council adoption of the revised Strategic Document, Policy and Procedure Framework

Author	Lynne Habner, Executive Assistant
Council Plan ref:	Strategic enabler: Effective and efficient operating systems and procedures
File no:	02/04/001
Attachment:	Revised Strategic Document, Policy and Procedure Framework

RECOMMENDATION

That Council adopt the revised Strategic Document, Policy and Procedure Framework.

PREVIOUS COUNCIL DISCUSSION

The Strategic Document, Policy and Procedure Framework (the Framework) was last revised and adopted by Council in March 2013.

BACKGROUND

The Internal Audit Committee received an audit review of Financial Policies and Procedures in October 2013. Its findings and recommendations included two actions relating to the Framework:

- The Framework to be amended to incorporate a process flow for procedures (finding that the flow chart for development, approval and review processes did not include procedures in the Framework).
- The Framework to be amended to guide staff in providing stronger links to other documents (finding 33% of the financial documents reviewed were not linked to relevant financial policies or procedures).

ISSUES/DISCUSSION

In response to these recommendations to the Internal Audit Committee, the flowchart at Appendix 1 has been amended to include procedures in the process, and notes relating to including links to relevant documents.

Amendments have also been made to the section on procedures to include the process for review.

COSTS/BENEFITS

Nil.

RISK ANALYSIS

Nil.

CONSULTATION AND ENGAGEMENT

During this review of the Framework, all staff who may use, develop or review policies, procedures or strategic documents were consulted on the proposed changes, and were asked to provide any other feedback on the document.

No other changes resulted from this consultation.

4.4 FINANCE REPORT FOR THE PERIOD ENDING 28 FEBRUARY 2014

SUMMARY

This report provides Council with financial information for the period ending 28 February 2014.

Author	Deanne Caserta, Manager Financial Services
Council Plan ref:	Strategic enabler: Sound financial management protocols
File no:	08/06/001
Attachment:	Finance Report for Period Ending 28 February 2014

RECOMMENDATION

That Council:

1. *receives and notes the 'Finance Report for the period ending 28 February 2014*
2. *approves budget revisions included in the report for internal reporting purposes only*
3. *approves the supplementary valuations of rateable and non-rateable properties in respect of the 2013/14 financial year, as returned by the Shire Valuer, LG Valuations Pty Ltd, and endorses them being incorporated into the Register of Rateable and Non Rateable Properties and Rate Book for 2013/14.*

PREVIOUS COUNCIL DISCUSSION

Council is provided with Finance Reports on a monthly basis.

BACKGROUND

The Finance Report for the period ended 28 February 2014 includes standard monthly information about budget variations, cash, investments, interest, debtors and creditors, and provides a comparison of year-to-date actual results to year-to-date budget (by dollars and percentage) and total revised budget (by percentage).

The information is in the format provided in the 2013/14 Budget, and includes operating results, capital expenditure and funding sources. It also provides a focus report.

This Finance Report also includes supplementary valuations. Each year Council makes a number of additions, subtractions and alterations to the valuations contained in the annual rate book. These changes arise from various sources including:

- splitting of parcels into new rateable assessments
- development of vacant or unproductive land (urban and rural)
- consolidation of separate rateable assessments into one assessment
- re-assessment of property valuations arising from objections to the initial valuation
- additions and cancellations of licences (grazing and water frontages)
- change of use
- covenant on Title
- area amendment
- change of Australian Valuation Property Classification Code (AVPCC)
- supplementary valuation correction.

ISSUES/DISCUSSION

Nil.

COSTS/BENEFITS

The benefit to Council and the community is that accurate and regular financial reporting is being disclosed along with an accurate representation of property valuations is reflected in Council's rating system and the distribution of rate notices for the year 2013/14.

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

RISK ANALYSIS

The provision of regular and accurate finance reports to Council minimises the risk of Council not delivering projects within the approved budget. Council's risk exposure is also increased if the rating system does not reflect the valuation changes associated with supplementary valuations as Council will not be aware of the changes, which can alter the rate revenue in the current year and in future rating years.

CONSULTATION AND ENGAGEMENT

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

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

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

4.5 HEAVY VEHICLE CHARGING AND INVESTMENT REFORM

SUMMARY

Introduces Council to the Heavy Vehicle Charging and Investment Reform program being investigated for implementation by the federal government.

Author	Ian McLauchlan, Director Operations
Council Plan ref:	Core business 5: Providing quality infrastructure
File no:	14/01/001
Attachment:	MAV HVCI Program Brief

RECOMMENDATION

That Council:

1. *Notify the MAV of its intention to participate in the HVCI reform project and pursue establishment of a regional road group.*
2. *Liaise with surrounding municipalities to identify similar interests in establishing a regional road group, considering participation within a defined group which would maximise Loddon's likely chance of success in attracting HVCI funds.*

PREVIOUS COUNCIL DISCUSSION

Council have not previously discussed this matter.

BACKGROUND

During the recent Council of Australian Governments (COAG) meeting in December 2013, the federal government's Heavy Vehicle Charging and Investment (HVCI) Reform project was singled out as a priority transport and productivity improvement initiative.

As stated within the MAV briefing paper attached, the HVCI project is planned to be introduced over the next few years (subject to federal government approval) as part of a major heavy vehicle reform program involving the establishment of national legislation for heavy vehicles and substantial changes to existing road funding arrangements.

In summary, the HVCI project is focussed towards the capture and distribution of heavy vehicle charges currently collected by the federal government and incorporated into consolidated revenue, redirecting these funds (some \$3 Billion annually) towards specific regional road projects aimed at improving access, safety and efficiency of road transport operations.

The HVCI reform project proposes that the charges imposed upon operators of heavy vehicles (i.e. vehicles over 4.5t) will be dedicated entirely to road improvements, including for the first time local roads, establishing a clear and transparent linkage between what is collected and what is spent.

If the reform program is approved by the federal government, it is expected that funds collected will be allocated according to road use and forecast need, rather than utilising a formula-based approach. For local roads, funding will be allocated to priorities as agreed by regional groups of Councils working in conjunction with other stakeholders. A HVCI Infrastructure Co-ordinator established in each state will oversee the process on a state-wide basis.

A final report to the federal government will be made in late 2014 by the HVCI Reform group. The federal government's Standing Council on Transport and Infrastructure (SCOTI), comprising all the nation's transport Ministers, has directed the HVCI group to develop a detailed implementation plan by May 2014, with a final decision to be made by late 2014.

ISSUES/DISCUSSION

Currently, Victoria is the only state without regional road groups in place. The HVCI Reform Group has clearly identified an expectation that for the proposed reform to work, establishment of regional road groups across Victoria will be required.

It is expected that these groups will commission regional road/transport strategies which contain prioritised listings of required road related infrastructure improvements so as to enable better access and service levels for heavy vehicles across the arterial and local road networks.

Given the focus on the transport industry on the delivery of first mile last mile projects, the MAV and local government have been identified as the primary stakeholders in this reform as opposed to the state road authority. It is however expected, and necessary, that VicRoads play a key role and provide substantial input into the development of regional transport strategies as the efficient and safe operation of the arterial network is a critical component of the overall efficiency of road transport operations.

The HVCI project board have flagged the intention that the HVCI funding for local roads will be distributed to regional groups of councils rather than individual councils. Whilst the reform offers the opportunity to secure and utilise significant additional funding for key local and arterial roads across the nation, it is important that existing funding streams such as grants commission allocations and programs such as roads to recovery are not compromised.

With the aim of progressing the initial feasibility assessment phase of the HVCI reform, each region has been asked to consider the establishment of a regional road group as soon as possible, and report their position to the MAV by March 31, 2014. It is not expected that council's will have formed their regional road groups by this date but rather provide a commitment to do so. Matters which need to be considered in formalising the regional group include:

- identification of the regional groups boundary's
- identification of member councils within each group
- participation of non-LG representatives

COSTS/BENEFITS

Participation in the HVCI reform project including associated regional road group has the potential to offer a number of benefits to Council. These benefits include:

- opportunity to access additional road funding for the upgrade, renewal or improvement of the local and arterial road network within loddon and the surrounding region
- ability to influence local and regional investment decisions based on transport network priorities.
- identification of priority local and regional transport improvement priorities.

At this point in time no requirement for a financial commitment from Council has been identified however it is envisaged that once the regional road group is established either a direct financial or resource contribution shall be required to complete the necessary strategic transport planning.

RISK ANALYSIS

Failure to participate in the HVCI reform project could result in Loddon Shire missing out on a valuable funding opportunity for the upgrade of important freight routes within the Shire. At this time however until the federal government formally approve this initiative; there is no commitment of any return on the investment of time or resources to progress the formation of the regional road group.

CONSULTATION AND ENGAGEMENT

Council officers are liaising with the MAV as the peak body for local government in Victoria. Consultation with surrounding municipalities shall also be required to establish a relevant regional road group. Engagement with the transport industry and the state road authority shall also be a key element in establishing an effective and productive group.

4.6 LONG TERM FINANCIAL PLAN JULY 2014 TO JUNE 2024

SUMMARY

This report seeks Council approval of the Long Term Financial Plan July 2014 to June 2024.

Author	Deanne Caserta, Manager Financial Services
Council Plan ref:	Core business 6: Financial stability
File no:	07/01/007
Attachment:	Draft Long Term Financial Plan July 2014 to June 2024

RECOMMENDATION

That Council adopts the Long Term Financial Plan July 2014 to June 2024.

PREVIOUS COUNCIL DISCUSSION

The Long Term Financial Plan (LTFP) was presented to Council in a detailed low level financial format for discussion at the Council Forum held on 11 February 2014.

BACKGROUND

The Local Government Act (1989) states that one of Council's roles is to maintain the viability of the Council by ensuring that resources are managed in a responsible and accountable manner (Sections 3C (2)(a) and 3D (2)(c)).

Although there is no legislative requirement to undertake and approve a LTFP, it is considered best practice to do so. It is also a requirement as part of the budget process for Council to provide reports for five years, including the budget year, for its Budgeted Income Statement, Budgeted Standard Balance Sheet, Budgeted Standard Cash Flow Statement and Budgeted Standard Capital Works Statement.

ISSUES/DISCUSSION

The 2013/14 Adopted Budget has been used as the base year for the LTFP calculations.

Each of Council's strategic documents and plans were assessed to identify actions contained in them, and their cost and timing throughout the plan. These have been built into the LTFP along with recurrent income and expenditure, which have been based on historical data and known factors affecting future cost changes.

There is an accumulated deficit of \$2.96 million over the life of the plan, which equates to an average annual deficit of \$296K.

Council acknowledges the deficit position and will consider strategies to manage the shortfall over the life of the plan which may include:

- recognising savings on an ongoing basis
- amending service levels if required
- reviewing reserve strategies
- reviewing borrowing strategy
- deferring major projects where funding is not successful.

COSTS/BENEFITS

By preparing a LTFP, Council has a valuable document that will enable financial planning into the long term and therefore determine whether service levels and community expectations are able to be fully funded.

A high deficit result may require a shift in expectation and/or service levels in some areas of Council business and although this is not the case in this LTFP, it may apply to future plans.

RISK ANALYSIS

To undertake this LTFP, a comprehensive approach was taken to consolidate and integrate the various financial strategies and plans of Council.

Council needs to be fully aware of the full cost involved in adopting new plans and strategies and how the costs impact long term finances.

The risk of not undertaking a LTFP is that Council's financial sustainability may be compromised.

CONSULTATION AND ENGAGEMENT

The process is co-ordinated by the Finance Department and involved intense scrutiny for all accounts at a low level by the Management Executive Group.

4.7 APPOINTMENT OF AUDIT COMMITTEE MEMBER

SUMMARY

This report seeks Council's approval to appoint [name to be inserted at Council Meeting] to the Audit Committee for the period 1 May 2014 to 30 April 2018.

Author	Jude Holt, Director Corporate Services
Council Plan ref:	Strategic enabler: Effective and efficient operating systems and procedures
File no:	06/02/003
Attachment:	Nil

RECOMMENDATION

That Council appoints [name to be inserted at Council Meeting] to the Audit Committee for the period 1 May 2014 to 30 April 2018.

PREVIOUS COUNCIL DISCUSSION

Nil

BACKGROUND

The terms of Audit Committee members are scheduled to expire on the basis of one member per annum.

Council's Audit Committee comprises four community members and one Councillor. Currently, Cr Gavan Holt is Councillor Representative of the Audit Committee.

The Audit Committee Charter outlines the terms of community members, and Mrs Jo Haw's term ends on 30 April 2014.

ISSUES/DISCUSSION

The recruitment process for the vacant position commenced with advertisements in the Bendigo Advertiser and Loddon Times. The term of the vacancy is 1 May 2014 to 30 April 2018.

At the time of preparing this report applications were still open.

In accordance with the Audit Committee Charter, "External independent persons will have senior business or financial management/reporting knowledge and experience, demonstrated commitment to local communities or be conversant with the financial and other reporting requirements.

The Mayor and Chief Executive Officer taking account of the experience of candidates and their likely ability to apply appropriate analytical and strategic management skills will undertake the evaluation of potential members, and a recommendation for appointment will be taken to Council."

Therefore, upon close of applications, each application will be assessed, and if necessary, interviews held by the Mayor and Chief Executive Officer who will provide a recommendation to Council of the most appropriate candidate at the Ordinary Meeting of Council to be held on Tuesday 25 March 2014.

COSTS/BENEFITS

There are no direct costs associated with this resolution.

RISK ANALYSIS

The annual expiry of terms of Audit Committee members reduces the risk of losing more than one community member at any given time, which assists in inducting new members onto the committee while maintaining experience in the committee's make up.

CONSULTATION AND ENGAGEMENT

Nil.

4.8 PLANNING SCHEME AMENDMENT C36 – RURAL ZONES REVIEW

SUMMARY

Recommends that Council consider submissions to Amendment C36 and request appointment of an independent panel.

Author	Tyson Sutton, Manager Planning and Local Laws
Council Plan ref:	Strategic Platform 2: Grow our population through appropriate development
File no:	13/01/003
Attachment:	Summary of Submissions Public Submissions

RECOMMENDATION

That Council:

1. *considers the submissions to Amendment C36*
2. *changes Amendment C36 as recommended in the attached summary*
3. *request the appointment of an independent panel to consider submissions that are not supported.*

PREVIOUS COUNCIL DISCUSSION

Council discussed this matter at its ordinary meeting of 23 April 2012 and resolved to adopt the Loddon Shire Rural Zones Review 2012 and prepare the associated amendment to the Loddon Planning Scheme.

BACKGROUND

Agriculture is the most significant economic activity within the Loddon Shire in terms of both value and employment. It is also the dominant land use across the municipality. The Farming Zone is designed to protect farmland for productive uses.

The Farming Zone is the most extensively applied zone in the Loddon Planning Scheme and has a strong influence on the economy and ongoing development of the Shire. The zone was introduced in June 2007 by a Ministerial Amendment without any strategic assessment of its application. As such it is considered to have been inappropriately applied in several locations. In response Council undertook a review of the application of the rural zones across the Shire.

At its ordinary meeting of April 2012 Council adopted the Loddon Shire Rural Zones Review 2012 which contained a number of recommendations for changes to the Loddon Planning Scheme. Amendment C36 seeks to introduce those changes.

ISSUES/DISCUSSION

The exhibition of Amendment C36 was conducted between 6 February 2014 and 6 March 2014. This is an essential step in the planning scheme amendment process as it ensures that any person who may be affected by a proposed amendment (either as the owner or occupier of land which is to be the subject of changed planning scheme provisions) or who may be affected by changes on other land, is aware of the proposal and has the opportunity to make submissions about the proposal. Following exhibition, the Planning and Environment Act 1987 requires the Planning Authority (Council) consider any submissions received.

Fourteen submissions to Amendment C36 have been received, two from statutory authorities (Goulburn-Murray Water and North Central Catchment Management Authority) and 12 from property owners. A summary of the submissions along with the each individual submission are provided as attachments to

this report. Of the 14 received, submissions from the North Central Catchment Management Authority and three land holders do not seek changes to the amendment.

Goulburn-Murray Water generally supports the amendment but has requested that land in their ownership be included in the Public Use Zone rather than the Rural Living Zone as exhibited. This land is associated with the Laanecoore reservoir. The request is considered reasonable for the most part given the existing use and ownership of the land and should be supported. However, parcels included in their request and located on the banks of the reservoir are considered better included in the Public Conservation and Resource Zone. Goulburn-Murray Water has advised that they are satisfied by this arrangement.

Seven submissions object to the proposed rezoning. These relate exclusively to land identified to be rezoned to the Rural Conservation Zone. The general grounds of these objections are that the land is, or is intended to be used for agricultural production.

Amendment C36 proposes to apply the Rural Conservation Zone to areas identified as having significant environmental or conservation values. This value is largely in the form of remnant vegetation that creates biolinks between areas of protected land. Most of these areas are not currently farmed, and should not be commercially farmed as this would compromise these values. Submission number 8 (as identified in the attached summary) seeks the removal of land from the amendment. The land identified is included in the Rural Conservation Zone and is located at the northern end of the Wedderburn Wychitella Road precinct. The request is considered reasonable as the Responsible Authority is currently considering a planning permit application to re-subdivide the land and the removal of the land from the amendment would align the zone boundary with that of the property.

There were two submissions seeking changes to the amendment that did not offer an objection. One seeks inclusion of additional land in the Rural Living Zone and planning protection for potential future wind energy facilities and the other seeks to be able to subdivide land identified for inclusion on the Rural Conservation Zone.

The inclusion of additional land in the Rural Living Zone is beyond the scope of the amendment which seeks to acknowledge existing land used for rural lifestyle purposes not to create a new supply. The land in question is currently farmed and has no rural living activities conducted upon it. A specific protection for a wind energy resource is available within the Victorian Planning Provisions, it is not however considered appropriate in this instance. The control is specifically for resources of State significance. The use of land for alternative energy production (including wind energy) was considered within the Loddon Shire Rural Zones Review 2012 which found there was limited potential for large scale wind energy production within the Shire.

A minimum lot size of forty hectares has been specified for the Rural Conservation Zone. Subdivision is unlikely to enhance conservation values of the identified land. Any reduction in the minimum lot size for the Rural Conservation Zone would be inconsistent with the strategic basis of the amendment as represented by the Loddon Shire Rural Zones Review 2012.

After considering a submission which requests a change to the amendment, the planning authority must do one of three things:

- (a) change the amendment in the manner requested; or
- (b) refer the submission to a panel appointed by the Minister to hear submissions; or
- (c) abandon the amendment or part of the amendment.

COSTS/BENEFITS

Council is responsible for all reasonable costs associated with the conduct of an independent panel. Allowance has been made in the 2013/2014 budget for panel hearing costs.

RISK ANALYSIS

Failure to provide appropriately zoned land throughout the Shire may result in lost development opportunities.

CONSULTATION AND ENGAGEMENT

Amendment C36 was exhibited between 6 February 2014 and 6 March 2014. Exhibition included:

- Publication in the Victorian Government Gazette
- Publication in the Bendigo Advertiser
- Publication in the Loddon Times
- Direct mail to prescribed ministers and surrounding landholders
- Copies of the Amendment and supporting documents being available at the Council Offices and on the Department of Planning and Community Development websites.

No submitters have asked to be heard by Council.

4.9 2011 FLOOD MARKER AND PICTORIAL SIGNAGE

SUMMARY

Council approval is sought for the final design of pictorial display and the location of each flood recovery marker installation.

Author	Robyn Vella, Manager Tourism
Council Plan ref:	Strategic Platform 4: Make our towns liveable and memorable
File no:	11/01/006
Attachment:	Signage design

RECOMMENDATION

That Council:

1. *Approve the proposed template for flood pictorial signage*
2. *Approve the proposed flood marker locations*

PREVIOUS COUNCIL DISCUSSION

At the Council meeting in October 2013 Council moved to have pictorial display boards constructed for each flooded community including artwork and flood markers.

Council was presented at the December forum with flood marker signage and draft pictorial signage. Councillors suggested that the display be large enough to be eye-catching, using several photos for each display.

BACKGROUND

As a result of significant flood damage sustained in January 2011, a flood recovery committee was formed to co-ordinate the community flood recovery effort within the Loddon Shire.

The Committee developed a list of recovery actions and assigned responsibilities for delivery to key agencies. Among other actions that Loddon Shire Council had been assigned was the development and delivery of flood marker signage.

Funding was secured for the project and to enable the design, manufacturing and installation of the explanatory markers and pictorial display.

ISSUES/DISCUSSION

Each flood marker will consist of two plates; the first as a narrative and regional map of the extent of the flood, with the other as a pictorial display based on the location in which it is installed (example attached).

Each plate is 450mmx450mmx3mm, with the total size of the marker being 900mm x 450mm as installed.

Twenty flood marker signs (narrative and map) have been completed but not installed. Twenty pictorial flood signs are required.

The Loddon Shire has a photo bank of images submitted from local residents of the 2011 Flood. The photographer's image selected will be recognised on the pictorial signage of that particular area.

Signs are to be installed at various locations whereby previously selected by Council staff and the Flood Recovery Committee. When installed the signs are to be either free standing or attached to an existing wall.

Attached are the Flood Marker signs and the Laanecoorie pictorial flood sign. The Laanecoorie pictorial flood sign is the template for a further 19 signs but with different images of specific flood locations.

Selected locations for the flood marker and pictorial signage are listed below.

Town	Proposed Signage sites	Alternative
Eddington	Community hall	
Laanecoorie	Viewing area near dam wall	Janevale Bridge
Tarnagulla	Community Centre	Soldiers park
Newbridge	Landscaped area opposite the pub (Progress Park)	Newbridge Hall where information boards are located
Bridgewater	Swimming Hole	
Inglewood	Garden behind Bendigo Bank	
Wedderburn	Wayside stop/rest area	
Serpentine	Rudkins Reserve Shelter	Pon Pon
Korong Vale	Borella Park	Mechanics Hall
Bears Lagoon	Wayside stop	
Jarklin	Near golf club	
Dingee	Progress Park	Memorial wall
Calivil	Hall	Indicated that in the hall or if the shire felt appropriate on the wall of the new toilet block as this is where it would be seen by all
Mitiamo	Phelan Park	
Boort	Wayside Stop	To be incorporated into the new area in Nolan park redevelopment
Durham Ox	Riverside fishing platform	
Pyramid Hill	Kelly Street Park (near hall)	Kelly Street Park opposite side of the street
Yarrowalla	Hall	

COSTS/BENEFITS

Costs are incurred through the Flood Recovery Funding. The flood markers and pictorial signage will provide information for the communities which relates to the 2011 floods for locals and visitors to view.

RISK ANALYSIS

The risk to council is the ongoing funding for maintenance of the signs. The signs may portray a negative image to potential newcomers and visitors to the region.

CONSULTATION AND ENGAGEMENT

The 2011 Flood Recovery Committee initiated and endorsed the production of flood markers. Consultation has occurred internally with the Loddon Shire Manager Community Planning and previous Flood Recovery Committee members to select possible sites to locate each marker.

The Committee will be provided with final copies of signage for information.

5. INFORMATION REPORTS

5.1 INWARDS CORRESPONDENCE

SUMMARY

Relevant correspondence received by Council since previous meeting.

Author: John McLinden - Chief Executive Officer

Council Plan ref: Strategic enabler: Transparent communication

File No: various

Attachment: Copies of inwards correspondence

RECOMMENDATION

That Council receives and notes the Inwards Correspondence.

Date	From	Subject
10/2/14	Department of Justice	Commencement of the Recognition and Settlement Agreement between the State and the Dja Dja Wurrung traditional owner group
4/3/14	Department of Environment and Primary Industries	Expression of interest for General Member – Dhelkunya Dja Land Management Board
3//3/14	Department of Environment and Primary Industries	Dja Dja Wurrung Camping Authorisation Order

5.2 MONTHLY PLANNING ACTIVITY REPORT

SUMMARY

Provides Council with an update on planning applications currently under consideration and a register of planning permits issued between 13-02-2014 and 07-03-2014.

Author	Amy Lanfranchi, Planning Officer
Council Plan ref:	Strategic Platform 2: Grow our population through appropriate development
File no:	02/01/001
Attachment:	List of Active Planning Applications List of Applications Approved under Delegation

RECOMMENDATION

That Council receive and note the monthly Planning Activity Report.

PREVIOUS COUNCIL DISCUSSION

Council is provided with a monthly report identifying the status of planning applications currently under consideration or those permits which have been issued within the preceding month.

BACKGROUND

The Loddon Shire's Planning Scheme sets out Council's objectives for the Shire with regard to land use and development via the Municipal Strategic Statement and Local Policies, and specifies which uses and developments require planning approval via zones and overlays.

As the responsible Authority it is Loddon Shire Council's duty to administer and enforce its planning scheme.

ISSUES/DISCUSSION

The associated attachments provide Council with a full list of planning applications currently under consideration and those planning permits issued between 13-02-2014 and 07-03-2014.

COSTS/BENEFITS

Encouragement of appropriate development within the Shire is considered to offer a variety of benefits including population growth, economic diversity and development, infrastructure improvement or increased community and private services.

RISK ANALYSIS

Failure to process planning applications in a timely manner or undertake rigorous assessment of development or works proposals is considered to pose the following risks:

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

CONSULTATION AND ENGAGEMENT

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

6. **COMPLIANCE REPORTS**

6.1 **DISBANDMENT OF BOORT RESOURCE AND INFORMATION CENTRE COMMITTEE OF MANAGEMENT**

SUMMARY

This report seeks Council's approval to disband the Boort Resource and Information Centre Section 86 Committee of Management.

Author	Jude Holt, Director Corporate Services
Council Plan ref:	Strategic Platform 1: Build a network of strong communities
File no:	02/01/011
Attachment:	Nil

RECOMMENDATION

That Council:

1. *disbands the Boort Resource and Information Centre Committee of Management*
2. *creates a formal management agreement with Boort Resource and information Centre Inc. for use of the BRIC building in Godfrey Street, Boort.*

PREVIOUS COUNCIL DISCUSSION

Council adopted a Section 86 Committee of Management Policy at the Ordinary Meeting held on 28 January 2014.

BACKGROUND

Council has a number of Section 86 committees of management that are also incorporated entities. The new Section 86 Committee of Management Policy includes clauses that states that Council will only create a new committee where there is no incorporated entity undertaking the same role, and Council will disband a committee where an incorporated entity approaches Council about undertaking the role of a committee.

Following adoption of Council's new policy, every Section 86 committee of management was corresponded with and asked to contact Council if they believed that they were both an incorporated entity and a Section 86 committee to discuss future action in relation to their status.

ISSUES/DISCUSSION

The Boort Resource and Information Centre (BRIC) is an incorporated entity, and is also a Section 86 committee of management. The incorporated entity undertakes a range of functions as a resource centre, while the Section 86 committee exists to manage the Council owned facility at Godfrey Street, Boort.

Discussions were held with a representative of BRIC about the anomaly created by the new policy. It was determined that this could be overcome by:

- disbanding the Section 86 committee for BRIC
- creating a formal management agreement with BRIC Inc. for use of the BRIC building in Godfrey Street, Boort.

As a single user of the building, there is no real requirement for a Section 86 committee (which works best where a facility is co-located by more than one committee) and a formal management agreement

could replace the current objectives and duties outlined in BRIC's Section 86 committee of management delegation, and a separate agreement that Council currently has in place for use of the facility.

The BRIC committee supports this approach and at a meeting held on 17 February 2014, resolved to disband the Section 86 committee.

COSTS/BENEFITS

There are no direct costs associated with this resolution.

The benefit is removal of the anomaly of an incorporated entity and a Section 86 committee of management existing for the same committee, and alignment with Council's newly created policy.

RISK ANALYSIS

Section 86 committees of management have strict governance actions that assist to ensure that Council oversees that they are operating within delegation and within the Local Government Act 1989 requirements.

By disbanding the Section 86 committee status and replacing it with a formal management agreement, the reporting requirements will be lessened; however, Council can document minimum reporting requirements within the formal management agreement.

CONSULTATION AND ENGAGEMENT

A representative from BRIC has been communicating with Council about this report, and a formal resolution of the committee was passed about disbanding the committee.

6.2 SECTION 86 COMMITTEE OF MANAGEMENT MEMBERSHIP DETAILS – AMENDMENT TO BOORT AERODROME COMMITTEE OF MANAGEMENT

SUMMARY

This report seeks Council's approval of amendment to membership of the Boort Aerodrome Committee of Management.

Author	Jude Holt, Director Corporate Services
Council Plan ref:	Strategic Platform 1: Build a network of strong communities
File no:	02/01/007
Attachment:	Nil

RECOMMENDATION

That Council appoints Adam Wright as an additional member of the Boort Aerodrome Section 86 committee of management, effective immediately, for the 2013/2014 reporting cycle.

PREVIOUS COUNCIL DISCUSSION

Council approved the Boort Aerodrome committee membership at the Ordinary Meeting held on 28 October 2013.

The full committee appointed at the time was:

Name	Position
Darren Allison	Joint President
Peter Eicher	Joint President
Harry Brindley	Secretary
Madeline Scott	Treasurer
Campbell Chalmers	Committee Member
Ken Loader	Committee Member
Ray Stomann	Committee Member
Jamie Whitmore	Committee Member

BACKGROUND

Since then the committee has contacted Council asking that Adam Wright be added to the committee list, as he was omitted from the list.

This report recommends that Adam Wright be added to the list above.

ISSUES/DISCUSSION

Nil

COSTS/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 86 Committees act for and on behalf of Council which creates a risk for Council should they ever act outside their delegated authority.

Under Section 86(2) of the Act, "Council may appoint members to a special committee and may at any time remove a member from a special committee".

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

Council has been advising committees in writing of the requirement to provide the list of committee members nominated at their Annual General Meeting, which requires Council approval.

6.3 SECTION 86 COMMITTEE OF MANAGEMENT MEMBERSHIP DETAILS – BOORT PARK

SUMMARY

This report seeks Council's approval of the membership of Boort Park Section 86 Committee of Management.

Author	Jude Holt, Director Corporate Services
Council Plan ref:	Strategic Platform 1: Build a network of strong communities
File no:	02/01/046
Attachment:	Nil

RECOMMENDATION

That Council:

1. *appoints the names provided in this report as members of the Boort Park Section 86 committee of management, effective immediately, for the 2013/2014 reporting cycle*
2. *writes to Boort Park Section 86 Committee of Management inviting nominations for Boort College and Boort Cricket Club.*

PREVIOUS COUNCIL DISCUSSION

Boort Park is a new Section 86 committee of management, with its first instrument of delegation signed and sealed by Council on 28 January 2014.

BACKGROUND

This is the first report for appointment of nominated committee members for the newly created committee.

ISSUES/DISCUSSION

Boort Park is an organisation based committee. The following table includes representatives from each of the nominated organisations, as well as two community representatives:

Organisation	Group represented
Ken Loader	Boort Agricultural and Pastoral Society
Marjorie Potter	Boort Agricultural and Pastoral Society
No nomination	Boort College
No nomination	Boort College
No nomination	Boort Cricket Club
No nomination	Boort Cricket Club
John Byrnes	Boort District Harness Racing Club
Ray Stonman	Boort District Harness Racing Club
Michael Fitzpatrick	Boort Football Club
Gordon Parker	Boort Football Club
Jacqui Verley	Boort Hockey Club
David Meadows	Boort Hockey Club
Stacey Rhook	Boort Netball Club
Judy Parker	Boort Netball Club
John Nelson	Community Representative
Barry Kennedy	Community Representative

Although the membership list is long, there are two member organisations that are currently not represented on the committee.

To ensure that those member bodies have the opportunity to provide nominations for the committee, a letter will be sent to Boort Park asking whether there are representatives for those committees to be appointed.

COSTS/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 86 Committees act for and on behalf of Council which creates a risk for Council should they ever act outside their delegated authority.

Under Section 86(2) of the Act, "Council may appoint members to a special committee and may at any time remove a member from a special committee".

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

Nil.

7. GENERAL BUSINESS

8. CONFIDENTIAL ITEMS

Closing of Meeting to the Public

RECOMMENDATION

That the meeting be closed to the public.

NEXT MEETING

The next Ordinary Meeting of Council will be held on 22 April at Serpentine commencing at 3pm.