

LODDON SHIRE COUNCIL

Notice of an Ordinary Meeting of the Loddon Shire Council to be held in the Council Chambers,
Serpentine on Tuesday 28 April 2015 at 3pm.

ORDER OF BUSINESS

1.	APOLOGIES	2
2.	PREVIOUS MINUTES	2
2.1	CONFIRMATION OF MINUTES	2
2.2	REVIEW OF ACTION SHEET	2
3.	COUNCILLORS' REPORTS	3
3.1	MAYORAL REPORT	3
3.2	COUNCILLORS' REPORT	3
4.	DECISION REPORTS	4
4.1	AUDIT COMMITTEE REMUNERATION 2015-2016 REPORT	4
4.2	FINANCE REPORT FOR THE PERIOD ENDING 31 MARCH 2015	6
4.3	FEES AND CHARGES FOR THE YEAR 1 JULY 2015 TO 30 JUNE 2016	8
4.4	SURPLUS FLOOD RECOVERY PROJECT FUNDS	9
4.5	2015-2016 ANNUAL INFRASTRUCTURE PROGRAM.....	12
4.6	APPROVAL OF PLANNING PERMIT APPLICATION 5053	16
4.7	PLANNING APPLICATION 5040.....	22
4.8	PROPOSED CULVERT STRUCTURE REPLACEMENT ON NEIVANDTS ROAD	37
5.	INFORMATION REPORTS	39
5.1	INWARDS CORRESPONDENCE	39
5.2	PURCHASE OF WATER ENTITLEMENTS FOR LITTLE LAKE BOORT.....	40
5.3	OUTCOME OF ANNUAL COMMUNITY CARE USER SURVEY - 2014	41
5.4	BUILDING DEPARTMENT ACTIVITY STATISTICS – PERIOD JANUARY TO MARCH 2015	43
5.5	PLANNING ACTIVITY REPORT	44
6.	COMPLIANCE REPORTS.....	46
6.1	DOCUMENTS FOR SIGNING AND SEALING.....	46
6.2	SECTION 86 COMMITTEE OF MANAGEMENT MEMBERSHIP DETAILS- KORONG VALE MECHANICS HALL	47
7.	GENERAL BUSINESS	49
8.	CONFIDENTIAL ITEMS	49

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 24 March 2015*
2. *the minutes of the Ordinary Council Meeting of 24 March 2015*
3. *The minutes of the Council Forum of 14 April 2015*

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 **AUDIT COMMITTEE REMUNERATION 2015-2016 REPORT**

SUMMARY

This report seeks Council's approval to increase the remuneration paid to independent members of Council's Audit Committee.

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:

1. *increases the quarterly remuneration paid to independent members of the Audit Committee to \$435, effective the quarter commencing 1 May 2015*
2. *retains payment of an extra quarter remuneration to the Chair during a one year term*
3. *retains a travel reimbursement for independent members of the Audit Committee, paid at the rate that Councillors are reimbursed for travel.*

PREVIOUS COUNCIL DISCUSSION

Council was provided with an Audit Committee Remuneration Report at the Ordinary Meeting held on 22 April 2014, where Council resolved to:

- increase the quarterly remuneration paid to independent members of the Audit Committee to \$425, effective the quarter commencing 1 May 2014
- retain payment of an extra quarter remuneration to the Chair during a one year term
- retain a travel reimbursement for independent members of the Audit Committee, paid at the rate that Councillors are reimbursed for travel.

BACKGROUND

The Consumer Price Index for All Groups – Melbourne for December has been sourced from the Australian Bureau of Statistics. The indexation factor is 1.43%.

Application of 1.43% to the Audit Committee's current remuneration of \$425 per quarter calculates to \$431.08 per quarter. This report recommends that this amount be rounded to \$435 per quarter.

ISSUES/DISCUSSION

Last year's report confirmed Council's commitment of an extra quarterly payment to the Chair during a one-year term. This payment recognises the additional responsibility held by the Chair.

It also confirmed a travel reimbursement to be paid to independent members at the same rate as the Councillors' travel reimbursement.

This report recommends that the travel reimbursement and extra payment for the Chair be retained.

COSTS/BENEFITS

There is a small financial cost to Council resulting from this report.

RISK ANALYSIS

Council increases the likelihood of recruiting and retaining quality Audit Committee members by ensuring that remuneration is increased in line with CPI.

CONSULTATION AND ENGAGEMENT

Nil

4.2 FINANCE REPORT FOR THE PERIOD ENDING 31 MARCH 2015

SUMMARY

This report provides Council with financial information for the period ending 31 March 2015.

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 31 March 2015

RECOMMENDATION

That Council:

1. *receives and notes the 'Finance Report for the period ending 31 March 2015'*
2. *approves budget revisions included in the report for internal reporting purposes only*
3. *approves the supplementary valuations of rateable and non-rateable properties, 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.*

PREVIOUS COUNCIL DISCUSSION

Council is provided with Finance Reports on a monthly basis.

BACKGROUND

The Finance Report for the period ended 31 March 2015 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 2014/15 Budget, and includes operating results, capital expenditure and funding sources.

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.

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.

4.3 FEES AND CHARGES FOR THE YEAR 1 JULY 2015 TO 30 JUNE 2016

SUMMARY

This report seeks Council's approval of the Fees and Charges for the year 1 July 2015 to 30 June 2016

Author	Duncan Campbell, Acting Manager Financial Services
Council Plan ref:	Core business 6: Financial stability
File no:	07/01/006
Attachment:	Fees and Charges for the year 1 July 2015 to 30 June 2016

RECOMMENDATION

That Council:

1. *approve the Fees and Charges for the year 1 July 2015 to 30 June 2016*
2. *implement the Fees and Charges from 1 July for items not subject to a notice period, and at the end of the notice period for those items subject to the same*
3. *make effective immediately any changes where the fees and charges are altered by legislation, subject to the approval of the Director Corporate Services or Chief Executive Officer, and make amendment to the relevant Fees and Charges for the year 1 July 2015 to 30 June 2016.*

PREVIOUS COUNCIL DISCUSSION

A draft schedule was submitted for discussion by Councillors at the Council Forums held on 10 March 2015 and 14 April 2015.

BACKGROUND

Each year, as part of the budget process, a Fees and Charges Schedule is prepared and submitted for approval by Council.

Generally the new schedule takes effect from the start of the financial year; however included in the schedule are residential accommodation charges which require a minimum notice period of 60 days. Notification will be forwarded to tenants as soon as practicable after approval by Council

ISSUES/DISCUSSION

The approach to the 2015/2016 schedule was to review fees and charges after examining costs to deliver the service, but without creating an undue burden on Council's customers.

COSTS/BENEFITS

The schedule will raise an equitable contribution of revenue towards the cost of service.

RISK ANALYSIS

There is a minor risk of avoidance of payment by customers.

CONSULTATION AND ENGAGEMENT

The recommendations in the report have been considered in detail by the Management Executive Group and the Council.

4.4 SURPLUS FLOOD RECOVERY PROJECT FUNDS

SUMMARY

Flood recovery projects are nearing an end, with a small amount of funds remaining unspent. It is recommended that these funds be redistributed to suitable community projects or donated to an approved charity.

Author	Bryan McEwan, Director Economy and Community
Council Plan ref:	Strategic Platform 1: Build a network of strong communities
File no:	11/01/006
Attachment:	Nil

RECOMMENDATION

That Council:

1. *Approve the donation of flood appeal monies to the Australian Red Cross (Serpentine Branch)*
2. *Assign surplus flood recovery funds to community projects in Pyramid Hill.*

PREVIOUS COUNCIL DISCUSSION

Nil

BACKGROUND

The Loddon Shire Council was lead agency responsible for co-coordinating the community recovery for the residents affected by the January 2011 floods. The Loddon Flood Recovery Committee was established in accordance with the Loddon Shire Municipal Emergency Management Plan.

Membership of the committee comprised a broad representation of government and non-government agencies, and community and industry associations, all of whom brought skills and expertise relevant to the Committee to assist the Shire and its residents in the task of recovering. The committee comprised:

- Loddon Shire Councillors
- Loddon Shire Staff
- Department of Human Services (also representing Department of Health)
- Department of Planning and Community Development
- Department of Primary Industries
- Centrelink
- Salvation Army
- Red Cross
- Regional Development Victoria
- Rural Finance Corporation
- Victoria Police
- VicRoads
- Victorian Farmers Federation

The Terms of Reference for the Loddon Flood Recovery Committee comprised:

- Responsibility for decision making and putting forward recommendations on behalf of the community following consultation with the community through their networks;
- Responsibility for ensuring good communication processes are in place to collect and disseminate information for the ongoing support to the community;
- Provision of clear directions and sound information, providing the community perspective relating to rebuilding and provision of services in the future reconstruction of the community;

- Provision of advice as to the timing, location, frequency and agenda relating to community engagement activities associated with the recovery process;
- Nomination of a member to represent the Loddon Flood Recovery Committee on relevant flood recovery working groups or networks as appropriate;
- Ensuring the appropriate identification, and delivery of services to affected persons, coordinating the material needs from the identified Lead Agency; and
- Conduct regular meetings to report outcomes and activities of the Committee.

The Loddon Flood Recovery Committee held regular meetings from February 2011 to December 2011 and provided endorsement of the Loddon Flood Recovery Action Plan.

The Loddon Flood Recovery Plan comprised 40 project areas and 102 actions.

ISSUES/DISCUSSION

Of the action areas completed within the Loddon Flood Recovery Action Plan, 9 remain of which 5 projects have not proceeded or have not been assigned a specific action.

At the end of March, projects remaining within the Flood Recovery Action Plan:

Element	Revised Budget	YTD Actuals
283. LODDON FLOOD RECOVERY COMMITTEE	41,650	11,236
10200. FR Bridgewater Garden	1,169	1,160
04. Creditors	1,169	1,160
10203. FR Inglewood Hist Trail	6,171	3,073
04. Creditors	6,171	3,073
10205. FR Photographic Exhibit	10,000	0
04. Creditors	10,000	0
10207. FR Flood Height Markers	10,908	4,608
04. Creditors	10,908	4,608
10212. VBFA Serpentine Memorial Hall	6,730	2,396
04. Creditors	6,730	2,396
17590. VFF Rural Grant	659	0
04. Creditors	659	0
17591. MAV Flood Recovery Fund	1,670	0
04. Creditors	1,670	0
17602. Donations Flood Appeal	1,512	0
04. Creditors	1,512	0
17627. Flood Community Recovery Activities	2,831	0
04. Creditors	2,831	0
Grand Total	41,650	11,236

Three projects (Bridgewater Garden, Inglewood Historical Trail and Flood Height Markers) are due for completion in the coming months. The Serpentine Memorial Hall project, will be completed in conjunction with the hall reconstruction project.

Five remaining items have either not yet commenced or have not yet been allocated a project:

- Photographic exhibition
- VFF Rural Grant
- MAV Flood Recovery Fund

- Flood Appeal Donations
- Community recovery activities

The proposed photographic exhibition did not appear to have a great deal of community support and was not commenced prior to the wind up of the Flood Recovery Officer position.

The remaining, unallocated funds total \$16,672. Given that these funds include donations and were intended to benefit flood affected communities, it would be inappropriate that they be absorbed as general revenue to council.

It is proposed that the funds be redistributed to other projects within the Shire, focussing on those communities most affected by the 2011 floods, and that community donations held by Council be donated to a charity that actively supports Loddon residents enduring hardship.

It is suggested that:

- the Flood Appeal donations (\$1,512) are on-donated to the Australian Red Cross
- the remaining funds are allocated to works at the Pyramid Hill Senior Citizen's Centre, in the provision of a decorative fence at the North side of the site (approximately \$10,000) and as a contribution toward the preparation of a preliminary site redevelopment plan.

Where appropriate, a simple plaque will be included which recognises the source and intent of flood recovery funds.

COSTS/BENEFITS

Nil

RISK ANALYSIS

Donated and other funds intended for community flood recovery should be assigned to projects with a similar intent within affected communities.

CONSULTATION AND ENGAGEMENT

Council officers have been consulted in relation to the use of unexpended funds and the progress of current projects. The Pyramid Hill senior citizens committee have been consulted in relation to the construction of a fence and the future use of the senior citizens centre.

4.5 2015-2016 ANNUAL INFRASTRUCTURE PROGRAM

SUMMARY

Seeks Council endorsement of the proposed 2015-2016 Annual Infrastructure Program. The 2015-16 iteration of the program proposes approximately \$4.5 Million of expenditure towards the renewal or upgrade of road or drainage related infrastructure across nine individual sub-programs,

Author	David Fry, Manager Infrastructure (Program Development)
Council Plan ref:	Core business 5: Providing quality infrastructure
File no:	15/01/001
Attachment:	Proposed 2015-16 Annual Infrastructure Program

RECOMMENDATION

That Council adopt the proposed 2015/2016 Annual Infrastructure Program.

PREVIOUS COUNCIL DISCUSSION

Each year Council is presented with and asked to endorse the Annual Infrastructure Program which spells out the capital works to be completed during the course of the financial year. In accordance with standard practice the draft program is presented to Council during a scheduled forum for discussion, prior to formal presentation for adoption the month following. This program was presented to the March Council Forum.

BACKGROUND

The projects identified within the program are developed using a combination of information contained within the Moloney Asset Management System, the infrastructure rolling works program, Councils asset management plans and visual inspection.

The completion of this program along with the completion of Councils Local Road Maintenance Program (approximately \$4.8 Million) will ensure the following financial requirements are met:

- Expenditure of a double allocation under the federal governments "Roads to Recovery" (R2R) program totalling \$3.35m for 2015/2016, by 30 June 2016.
- Expenditure of Council funds totalling \$2.7m on road related infrastructure, thus fulfilling Councils own source expenditure requirements.
- Expenditure of Grants Commission funds tied to local roads totalling \$3.18m

As Councillors would be aware the budget for the 2015-16 does not include the allocation of \$1m from the State Government under the Country Roads and Bridges program, due to the expiration of this funding commitment.

ISSUES/DISCUSSION

The Annual Infrastructure Program is divided into nine (9) separate program areas. Within each of these programs the individual projects are assessed and given a priority score based upon individual project scoping documents. These scoping documents also include a budget figure. The one exception to this is in the resealing program where Moloney Seal and Pavement data is used to identify the individual projects.

The following sections outline the main aims of the proposed program

1. Local Road Gravel Resheets

The 2015-2016 program allows for the gravel resheeting of approximately 19km of gravel access and collector roads at a cost of around \$562,000.

All the projects in this program have been identified and placed on the rolling program by either Team Leaders, Road Inspectors or generated from requests from the general public. All identified projects are then inspected to identify the appropriate treatment and prioritised against set evaluation criteria.

Included in the program this year is a discretionary unspecified allocation to help respond to projects identified throughout the course of the year, requiring urgent attention.

2. Local Road Shoulder Resheets

The 2015-2016 program allows for 25 lane km of shoulder resheeting at an estimated cost of \$250,000.

Similar to gravel resheets, all projects in this program have been identified and placed on the rolling program by either Team Leaders, Road Inspectors or generated from requests from the general public and subsequently inspected to identify the appropriate treatment.

3. Local Road Construction – Asset Preservation

The 2015-16 program includes 6 projects totalling 5 km with an estimated value of just over \$1.2 Million. Specific projects listed include:

Echuca Serpentine Road: Involves the rehabilitation of a failed section of the Echuca Serpentine Road approximately 200 meters south of the Bendigo Pyramid Road. This section of pavement has significantly deteriorated in the last 12 months.

Rothackers Road: This is a section east from Lintons Road, 1.8km in length. This section of road has significant failures and has a very high maintenance input.

Dingee Road: This section of pavement is immediately west of Dingee between the railway line and the GMW channel bridge. This section is rough and failing and requires a high maintenance input.

Inglewood Serpentine Road: This section of pavement is experiencing a number of failures and an increase in maintenance activities.

Mincha West Road: This section of road currently has a gravel pavement. In recent times it has experienced a significant increase in traffic volumes, in excess of 100 vehicles per day with up to 50% commercial traffic. It is also a school bus route. Indications from the Works department are that the maintenance required on this section of gravel road is between two and three times higher than for similar category roads. This the only remaining gravel section on this road.

4. Local Road Construction – Amenity

The 2015-16 program includes 3 projects based in Boort, Wedderburn and Inglewood.

Barclay Street Boort: This is a gravel pavement on the southern boundary of Boort running from the railway line to Ring Road. During the summer months this road generates a significant amount of dust which impacts a number of houses on the southern side of the

lake. It is proposed to carry out gravel Resheeting as required and then place a 4 meter seal over the entire length.

Ridge Street Wedderburn: This project involves the placement of Kerb and Channel, Footpath and pavement works in Ridge Street Wedderburn outside the Wedderburn housing estate. It will require the lowering of a water main and the works will be carried out in conjunction with a safety project at the intersection of Ridge Street and Yelka Street. This is because both projects require the lowering of the water main.

Brooke Lane Inglewood: This project involves the reshaping and placement of some pavement material and then sealing the entire length and width of Brooke Lane. This lane provides the only vehicular access to the majority of properties that front Brooke Street Inglewood between Houston and Verdon Streets. Design work will be required to ensure that the water runoff is appropriately dealt with.

5. Local Road Construction – Safety

The 2015-16 program includes 1 project based in Wedderburn.

Yelka Street Wedderburn: This project is on the corner of Yelka and Ridge Streets Wedderburn. It involves the realignment and narrowing of Yelka Street where it intersects with Ridge Street.

With the Housing development at this intersection the sight distance for cars entering Ridge Street from Yelka Street has been significantly reduced. A section of Yelka Street immediately south-west off Ridge Street will be sealed with Kerb and Channel placed on both sides. At this intersection the water main will need to be lowered. This project will be completed at the same time as the Ridge Street Amenity project.

6. Township Street Improvements

The 2015-16 program includes 4 projects based in Pyramid Hill, Newbridge, Bridgewater and Boort.

Albert Street Pyramid Hill: This project was removed from the 2014-15 program because of the need for further drainage works being identified at the time of design. The project requires the replacement of 300meters of failed Kerb and Channel as well as the installation of underground pipe behind the Kerb and Channel and connected into the existing drainage network.

7. Urban and Township Drainage

The 2015-16 program includes 3 projects based in Inglewood, Bridgewater and Serpentine.

Houston and Southey Street Inglewood: This project requires the placement of both underground and above ground drainage to ensure that road drainage water does not impact the new houses being developed at this location. The project will involve containing the drainage water on the road reserves in Houston and Southey Streets and directing it into the main Inglewood drain.

Sugar Gum Drive Bridgewater: This is stage two of a drainage project to capture and remove stormwater from the land bordered by Park Street Camp Street and Sugar Gum Drive. This work is required as there is now housing development happening in this area.

Chapel Street Serpentine: This project is the installation of underground drainage in Chapel Street Serpentine west from Parkview Drive past the hall and football ground. It will also pick up water from the south side of Park Street from in front of the netball courts.

8. Local Bridges and Culverts

The 2015-16 program includes 9 projects. There are four separate repair types to be undertaken.

Timber structures on Connors Road (SN 134), Woodstock Road (SN153), Baileys Road (SN146) and Ottreys Bridge Road (SN75) require major timber repair works and in some cases abutment repair works. These works will be undertaken by specialist contractors.

Major concrete structures on Bealiba Whela Road and Korong Vale Kinypanial require significant repair works to prevent potential failure of the structure. These works will be completed by specialist contractors.

Culverts on the Yarrowalla South Road and Barclay Road require replacement. An assessment will identify if the current size is suitable. These works will be carried out by the Works department.

Janevale Bridge Laanecoorie (SN141): Recent Level 2 inspections identified a number of urgent repairs to the concrete components on this bridge there were also some issues with the abutments. All these repairs will need to be carried out by specialist bridge contractors.

9. Road Reseals

The 2015-16 program allows for the expenditure of \$970,000 on the resealing program. The attached program has indicative works to the value of more than \$1,000,000.

Once the design work for these projects has been completed early in the new financial year the list will be trimmed to suit the allocated budget. The projects with the lowest priority will be removed first.

Once the resealing contract has been awarded and a square meter rate is known then some of these culled projects may be completed as variations to the contract. Those not completed will be considered in the 2016-17 program.

COSTS/BENEFITS

The development and completion of the Annual Infrastructure Program ensures that Council is doing all it can to maintain its Capital Assets to the highest possible standard, within current financial constraints. The long term financial plan as it relates to the Annual Infrastructure Program highlights the ongoing financial cost of the infrastructure gap.

RISK ANALYSIS

Not completing an Annual Infrastructure Program would put Council at a heightened risk of litigation in the event of a road accident and increase the risk to Councils reputation. If Council fails to fully expend grant monies appropriately the risk is a potential reduction in grant funding.

CONSULTATION AND ENGAGEMENT

The processes undertaken to develop the program include consultation with a number of professionals and stakeholders both in and outside the Loddon Community. They include consultants other authorities' internal professional staff and the community through Councils works request system and the rolling program.

4.6 APPROVAL OF PLANNING PERMIT APPLICATION 5053

SUMMARY

Recommends approval of planning application 5053, seeking the use and development of a dwelling at Waanyarra Road, Waanyarra.

Author:	Amy Lanfranchi – Planning Officer
Council Plan ref:	Strategic platform 2 - Grow our population through appropriate development
File no:	13/02/004
Attachment:	Application documents, objections

RECOMMENDATION

That Council approve planning permit application 5053 on the following grounds:

1. *The proposed use is consistent with the purpose of Clause 35.07 - Farming Zone.*
2. *The area is fragmented and the site has minimal ability to be utilised for agricultural practices.*
3. *It is not anticipated that the proposed dwelling will adversely impact surrounding agricultural uses.*
4. *It is not anticipated that the surrounding agricultural uses will impact on the proposed dwelling.*
5. *The proposed development can be constructed and managed to reduce bushfire risk to an acceptable level.*
6. *Wastewater can be appropriately managed on the site.*

PREVIOUS COUNCIL DISCUSSION

Council has not previously discussed this matter.

BACKGROUND

A planning permit application for the use of a dwelling was lodged on 15 January 2015. The application relates to land identified as Lot 1 LP 220041Y. This property is located on the corner of Waanyarra Road and Alendi Road in Waanyarra.

The site is currently vacant, featuring two dams and several scattered trees.



The proposed use is defined as a dwelling (a type of 'accommodation') under the provisions of the Loddon Planning Scheme('the scheme').

A planning permit is required under the following provisions of the scheme:

- Farming Zone: A dwelling is a Section 2 use (discretionary use) for lots that are less than 40 hectares. The use and development require permission. The dwelling is also within 100m from another dwelling which requires further consideration.
- Bushfire Management Overlay: For the development of accommodation.
- Environmental Significance Overlay Schedule 2: To construct a building and carry out works.

The applicant seeks approval for the use and development of a dwelling and an associated shed.

The dwelling is a three bedroom house of 24.37sq, clad and roofed in Colorbond. The proposed dwelling is intended to be serviced by an on-site septic system and water tank. An ancillary structure to the residence is also proposed being a 5m x12m shed.

The site features an existing vehicle crossover, and the applicant intends to upgrade the driveway to an all-weather standard of appropriate dimensions to accommodate an emergency vehicle.

There is no proposed removal of native vegetation.

The surrounding area is something of a cleared corridor surrounded by extensive bushland. There is evidence of some rural living properties, and some agricultural pursuits (typically grazing).

One objection to the proposal has been received. The objection has been made on the following grounds:

- That the owner of the neighbouring property believed no such development could occur on the site due to the '40 hectare limitation'.
- That the location of the proposed dwelling is too close to the existing dwelling and would encroach on privacy.
- The proposed development will contribute to an increased density which is not desirable and impacts property sales.
- The notice which was sent to surrounding owners did not contain appropriate information and the process should have been conducted a second time with a revised notice.

ISSUES/DISCUSSION

The proposal requires planning approval in accordance with the provisions of the Farming Zone, the Bushfire Management Overlay and Environmental Significance Overlay, for the use and development of a dwelling and outbuilding.

The responsible authority must decide whether the proposal will produce acceptable outcome in terms of the State Planning Policy Framework, the Local Planning Policy Framework, the purpose and decision guidelines of the zone, overlays and any of the other relevant decision guidelines in the Loddon Planning Scheme.

State Planning Policy Framework

The State Planning Policy Framework exists in planning schemes to inform responsible authorities of those aspects of State planning policy which they are to take into account and give effect to in administering the Scheme. The State Planning Policy Framework provides a context for spatial planning and decision making for responsible authorities. The State Planning Policy Framework remains relatively silent on policy relating to the use of a dwelling in rural areas; however the following clause is considered appropriate:

- Clause 16.02-1 Rural residential development

The objective of this policy is to identify land suitable for rural living and rural residential development. It outlines strategies that detail the importance of managing development in rural areas to protect agriculture and avoid inappropriate rural residential development, that new dwellings utilise existing

settlements and infrastructure and that rural living avoids adverse economic, social and environmental impacts.

The proposal does not contradict the objectives of this clause due to the fragmented nature of the properties in this area, and the site's acceptable distance to townships such as Dunolly and Tarnagulla to acquire appropriate services.

Local Planning Policy Framework including the Municipal Strategic Statement

The Municipal Strategic Statement (MSS) is a concise statement of the key strategic planning, land use and development objectives for the municipality and the strategies and actions for achieving the objectives. It furthers the objectives of planning in Victoria to the extent that the State Planning Policy Framework is applicable to the municipality and local issues. It provides the strategic basis for the application of the zones, overlays and particular provisions in the planning scheme and decision making by the responsible authority. The following clauses are considered relevant to the consideration of this application:

- Clause 21.04-1 Community and settlement

One of the objectives for this Clause is to provide for sustainable rural living. The appeal of rural residential living for many people is the amenity afforded by residing in a rural type environment; however this lifestyle should not limit agricultural uses, and should make access of existing infrastructure and town services.

This proposal makes use of an existing all weather access road, and should not impact agricultural pursuits due to the fragmented nature of surrounding properties, the minimal agricultural activity in the area and the screening provided by trees in the road reserve.

- Clause 21.04-4 Economic development

This Clause states that the Shire's economy is centred on agriculture and the objective is to encourage and support a diverse and environmentally sustainable economy in the Shire. Relevant strategies of this policy include the need to discourage non-agricultural land use (and development) in areas of high quality and productive agricultural potential, and to discourage ad hoc rural living development throughout rural areas. Within key agricultural areas it must be ensured that any new dwellings are clearly ancillary to the agricultural use of the land and are necessary.

The proposed use is not required for an agricultural use, nor would such practices be particularly viable (or are they intended) due to the size of the lot. However this is not considered a key agricultural area.

- Clause 22.05 Development in rural areas

This policy applies to the Farming Zone. It recognises 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. Relevant objectives are that of ensuring the prevention of land use conflicts between sensitive uses and agricultural uses; and to ensure that new use and development is not prejudicial to agricultural industries or the productive capacity of the land.

The land in the area is constrained by previous fragmentation and sale of land into various ownerships. Additionally, the area is surrounded by state forest which further limits its ability to contribute to highly productive agricultural pursuits.

Zone

The subject land is contained within the Farming Zone of the Loddon Planning Scheme. Planning approval is required for the proposed use under the provisions of the zone. The purpose of the zone is as follows:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To provide for the use of land for agriculture.
- To encourage the retention of productive agricultural land.
- To ensure that non-agricultural uses, 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.

This land has already been irrevocably removed from agricultural use, due to it being bound by a road, a residential property and vegetation.

Whilst the application does not support the strongest intention of the zone, being agriculture, it does not contradict the purpose of the zone or decision guidelines, due to the lack of impact on surrounding farming pursuits, the fragmented nature of the area, the proximity of land to townships and access to a good road network.

It is believed that whilst the dwelling is 80m from a neighbouring dwelling, existing screening (by vegetation, existing outbuildings and the proposed outbuilding) prevents particular impacts on privacy. Should a permit be granted, the planting of vegetation will be required to offer further screening of this property.

Overlays

The subject land is covered by the Bushfire Management Overlay and the Environmental Significance Overlay (Schedule 2) of the Loddon Planning Scheme. Planning approval is required for the proposed development under the provisions of the overlays.

Bushfire Management Overlay

The purpose of this overlay is to protect human life, strengthen community resilience to bushfire, to identify where bushfire protection measure can be implemented and are warranted, and to ensure that risk surrounding bushfire is reduced to an acceptable level prior to approving development.

The application was referred to the Country Fire Authority who responded with conditions which enable development to proceed whilst mitigating the risk of bushfire. The site itself is cleared, and has good access to all weather roads. By ensuring there is a maintained defendable space, allocated water supply for fire fighting purposes, construction standards of the dwelling and well structured access, such efforts will reduce risk to an acceptable level.

Environmental Significance Overlay

The purpose of this overlay is to identify areas which are affected by environmental constraints and ensure that development is compatible. This particular area identifies the Laanecoorie Water Catchment Area.

Referrals were made to the North Central Catchment Management Authority (NCCMA), the Department of Environment Land Water and Planning (DELWP), Goulburn Murray Water (GMW) and Coliban Water. These referrals ensure that appropriate bodies with expertise in the area review the application and provide any appropriate conditions. There were no objections from the referrals authorities and it is deemed that the proposal can manage wastewater appropriately, meet setbacks from water catchments, does not remove any native vegetation and does not impose risk to the Laanecoorie Water Catchment Area.

Clause 65 Decision Guidelines

Clause 65 of the Loddon Planning Scheme identifies the following:

Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause.

The decision guidelines of Clause 65 apply to all planning permit applications and provide a generic set of considerations. Included in these considerations are the purpose of the zone and the orderly planning of the area.

The proposal does not contradict these provisions.

Objections

One objection to the proposal has been received. The objection has been made on the following grounds and consideration has been made on each as follows:

- *That the owner of the neighbouring property believed no such development could occur on the site due to the '40 hectare limitation'.*

This understanding is an incorrect interpretation of the Farming Zone. Parcels of land in the Farming Zone which are over 40ha do not require planning permission for the use and development of a dwelling (provided no other controls apply). Should a parcel be less than 40ha means that a dwelling is a Section 2 'discretionary' Use, for which a planning permit must be gained.

- *That the location of the proposed dwelling is too close to the existing dwelling and would encroach on privacy.*

The proposed dwelling is 80m from the existing dwelling owned by the objector. There are a number of boundary trees and outbuildings which screen the site somewhat. It is anticipated that a condition to plant further vegetation as a screening mechanism would alleviate this issue. There was an attempt to negotiate and shift the proposed dwelling further away from the existing dwelling, but the objector did not wish to partake in that process.

- *The proposed development will contribute to an increased density which is not desirable and impacts property sales.*

The impacts on property sales is outside of the scope of the planning scheme, and this report. Further wishes to build dwellings will be subject to planning approval, and each application must be assessed on its merits. As such, the density in this area is managed.

- *The notice which was sent to surrounding owners did not contain appropriate information and the process should have been conducted a second time with a revised notice.*

This view has been acknowledged with departmental consideration being given to ensure future notices contain additional information. It was not considered appropriate to re-advertise the application, as notice was conducted as per the Planning and Environment Regulations 2005, and to issue another notice may appear to be soliciting objections.

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.

Conversely, approval of inappropriate development has the potential to detract from residential amenity and precinct attractiveness.

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. Surrounding landholders were notified of the application which resulted in the receipt of one objection.

4.7 PLANNING APPLICATION 5040

SUMMARY

Planning application 5040 seeks approval for the use and development of approximately 49.7 ha in the farming zone for the establishment of a trade supply depot, rural industry (grain storage and handling) and road freight terminal (including associated buildings and works), native vegetation removal and access to the Road Zone Category 1. Five objections to the proposed development have been received.

Author	Tyson Sutton, Manager Planning and Local Laws
Council Plan ref:	Core business 9: Regulation
File no:	13/02/004
Attachment:	Application, objections, Farming Zone decision guidelines, referral responses

RECOMMENDATION

That Council refuse planning permit application 5040 on the following grounds:

1. *The proposed use and development is inconsistent with the State Planning Policy Framework namely clauses 11.05-3, 11.12, 12.04-2, 14.01 and 17.01.*
2. *The proposed use and development does not satisfactorily respond to the objective and strategies for Community and Settlement, land management and environment, economic development and infrastructure contained at Clause 21.04 of the Loddon Planning Scheme.*
3. *The proposal is inconsistent with the purpose of the Farming Zone.*
4. *The proposal is inconsistent with the decision guidelines of the Farming Zone.*
5. *The proposal does not represent the proper and orderly planning of the area.*
6. *That VicRoads as a determining referral authority have objected to the proposed development on the grounds:*

A 'Road Freight Terminal' on this land is not considered complimentary to the adjoining area and is not considered appropriate and it is not in accordance with the decision guidelines of Clause 35.07-6 of the Loddon Planning Scheme.

Direct access onto the Calder Highway will have considerable impact on the operational efficiency and road user safety and it is not in accordance with the decision guidelines of Clause 52.29 of the Loddon Planning Scheme.

PREVIOUS COUNCIL DISCUSSION

Council held preliminary discussions regarding this application during its scheduled Forum on 10 March 2015, including a presentation from a number of the objectors.

BACKGROUND

Planning permit application 5040 relates to land described as Lot 1 LP210100. The subject site is located midway between Bridgewater and Marong and it is located on the Calder Highway at Leichardt. It is located between the intersections with Connors Road and Robbins Road. It has an overall area of approximately 49.75 ha and maintains a 1.4 kilometres (approx.) frontage with the Calder Highway. Access to the site is currently provided via Robbins Road, which is a Rural Gravel Access Road. It is located within the Farming Zone and is partially affected by the Vegetation Protection Overlay Schedule 2.

The subject land is generally flat and there are no buildings on the site. The site is currently used for mixed farming and contains a small number of scattered trees; as such the site's character is generally an

open rural landscape, noting that there is significant native vegetation within the Road reserve along the Calder Highway frontage as identified by the Vegetation Protection Overlay Schedule 2.

The subject site has a gentle fall from the sites eastern boundary (Robbins Road) and the sites north-western corner to an unnamed dry creek (creek) located within the site approximately 400 metres from the sites north western corner. The creek runs in a south to north direction from the Calder Highway to Connors Road.

Application 5040 was received on 25 November 2014 seeking approval for the use and development of the land for trade supplies, rural industry (grain storage and handling) and road freight terminal and associated buildings and works. The application also seeks approval for the removal of native vegetation and the creation of access to a Road Zone, Category 1. The proposal contains three defined uses in accordance with the provisions of the planning scheme. These uses are as follows:

- Rural industry
 - Land used to:
 - (a) handle, treat, process, or pack agricultural produce;
 - (b) service or repair plant, or equipment, used in agriculture; or
 - (c) manufacture mud bricks.
- Road freight terminal
 - Road freight terminal is not defined in the Loddon Planning Scheme; however it is nested under "Transport terminal"
 - Land used to assemble and distribute goods or passengers. It includes facilities to park and manoeuvre vehicles. It does not include a Tramway.
- Trade supplies
 - Land used to sell by both retail and wholesale, or to hire, materials, tools, equipment, machinery or other goods for use in:
 - (a) automotive repairs and servicing;
 - (b) building;
 - (c) commerce;
 - (d) industry;
 - (e) landscape gardening;
 - (f) the medical profession; primary production; or local government, government departments or public institutions.

The rural industry and road freight terminal components of the proposal are intended to store and handle cereal grain, dry fruit, flour, rice and other agricultural produce on site and then package these products for distribution in a bulk format for export to the Asia Pacific region via the Port of Melbourne. The raw material is to be sourced from local farmers and producers in central and northern Victoria and Southern NSW. The applicant advises that there will be approximately 500 tonnes of bulk agricultural produce stored on the site at any time. It is also intended to store and distribute limited quantities of bottled wine on site for export. There will be comparatively minor export volumes stored and distributed from the site.

The trade supplies component (semi-trailer sales, repair and hire) of the proposal is for the import, repair, sales and hire of semi-trailer trays for use in the construction, farming, earthmoving and transport industries. The applicant has advised that most of the sales are conducted online or via the phone and as such few customers will visit the site. It is proposed to construct an office and workshop, with a showroom for displaying a semi-trailer tray.

The application proposes the construction of two buildings in association with the uses of the land. The trade supplies includes a large shed approximately 3540m² in area (115m(l) x 30m(w) x 11m(h)) with an additional 505m² office showroom. The rural industry/road freight terminal is to be housed in a 1500m² shed (50m(l) x 30m(w) x 11.3m(h)) with an additional 156m² office area.

It is proposed that all of the proposed operations will share a common access from the Calder Highway. The proposed access is located approximately 550m to the northwest of the Robbins Road/Calder Highway intersection. The access is intended to be constructed in a similar fashion to an intersection.

The gates into the property are to be set back 60 metres from the road to allow safe off highway parking of vehicles waiting to gain access to the site.

The application has been referred to the Department of Environment Land Water and Planning (DELWP) and VicRoads. DELWP have not objected to the application subject to conditions. VicRoads have objected to the application on the following grounds:

Roads Corporation objects to the issue of a Planning Permit because the proposed development:

- *For a 'Road Freight Terminal' on this land is not considered complimentary to the adjoining area and is not considered appropriate and it is not in accordance with the decision guidelines of Clause 35.07-6 of the Loddon Planning Scheme.*
- *With direct access onto the Calder Highway will have considerable impact on the operational efficiency and road user safety and it is not in accordance with the decision guidelines of Clause 52.29 of the Loddon Planning Scheme.*

As a result of VicRoads objection Council must refuse the application. However, as the refusal may be appealed, it is important for Council to consider the proposal and reach a position to present to VCAT should it be required.

Notice of the application was given to adjoining and nearby landholders. A total of five objections have been received. The grounds of objection are summarised as follows:

- The proposed use is not suitable in an agricultural area
- Other suitable grain handling sites are available
- Impact on visual amenity
- Inconsistent with the Local Planning Policy Framework including the Municipal Strategic Statement
- Inconsistent with the purpose of the Farming Zone
- Out of scale and character with the area
- Trade supplies prohibited in the Farming Zone
- Inconsistent with the decision guidelines of the Farming Zone
- Restricted site lines for access and egress
- Potential contamination of groundwater
- Retention of stormwater
- Will undermine the Marong Business Park
- Traffic Risk
- Applicant has a history of non-compliance
- The use not related to farming
- Noise
- Proposed building inconsistent with the proposed use.
- Creation of a precedent for non-agricultural uses in farming areas.
- Dust
- Rural amenity

ISSUES/DISCUSSION

State Planning Policy Framework and Local Planning Policy Framework

Decision making should ensure that applications achieve the goals set out in the planning scheme. The State Planning Policy Framework and Local Planning Policy Framework (including the Municipal Strategic Statement) provide strategic direction and policy position to guide the exercise of discretion in assessing applications for planning approval. A significant number of policies and strategies are relevant to the proposed use and development. These are addressed in the body of this report.

Clause 11.05 –sets out strategies for Regional Development across the state. It includes the following:

- Ensure regions and their settlements are planned in accordance with any relevant regional growth plan.
- Deliver networks of high-quality settlements by:

- Balancing strategic objectives to achieve improved land-use and development outcomes at a regional, catchment and local level.
- Preserving and protecting features of rural land and natural resources and features to enhance their contribution to settlements and landscapes.

The proposed use and development is considered to be inconsistent with this policy in the context of the Loddon Mallee South Regional Growth Plan (discussed in further detail later in this report); as well as failing to contribute to the preservation and protection of rural land.

Clause 11.05-3 seeks to support rural productivity through managing land use change and development in rural areas to promote agriculture and rural production. It seeks to do this by preventing inappropriately dispersed urban activities in rural areas. The proposed use and development will not achieve the objectives of this policy as the dominant use of the site will not promote agriculture or rural production.

Loddon Mallee South regional growth at Clause 11.12 of the Loddon Planning Scheme contains the following objectives and strategies:

Objective - To strengthen communities especially in small towns.

Related Strategies

- Support Bendigo as the regional city and the major population and economic growth hub for the region, offering a range of employment and services.
- Manage and support growth in Castlemaine, Gisborne, Kyneton and Maryborough as employment and service hubs that reinforce the network of communities within the region.
- Support sustainable growth and expansion in Inglewood, Bridgewater, Marong and Harcourt to capitalise on their proximity to Bendigo.
- Facilitate increased commercial and residential densities, mixed use development and revitalisation projects for underutilised sites and land in Bendigo.

The proposed use and development will do little to strengthen small towns being located approximately midway between Bridgewater and Marong. It is anticipated that the majority of the workforce will be derived from Bendigo and will generate little economic activity for the townships of the municipality.

Objective - To strengthen communities especially in small towns.

Related Strategies

- Support the ongoing role and contribution of the region's small towns, settlements and non-urban areas through investment and diversification of their economies.
- Plan for facilities and infrastructure needed to deliver education and training that supports growth.

The location of the proposed development will act to draw investment away from existing settlements and may discourage future investment in townships. Support of the application may create expectations of future commercial development in rural areas and will fail to encourage expansion and diversification within townships.

Objective - To strengthen and diversify the economy.

Related Strategies

- Support expansion of the region's diverse economy to enable residents to work and participate in the region.
- Facilitate greater employment and investment outcomes from growth sectors such as health, education and professional services.
- Support and develop emerging and potential growth sectors such as tourism, renewable energy, resource recovery and other green industries.
- Facilitate new manufacturing and food processing industries that build on supply chains and take advantage of well located and affordable land.
- Maintain and develop buffers around mining and quarrying activities.
- Facilitate access to natural resources where appropriate, including sand and stone, minerals, timber and renewable energy potential.
- Support the development and expansion of tourism infrastructure in Bendigo.

The proposed use and development will help to strengthen and diversify the economy.

Objective - To improve infrastructure

Related Strategies

- Provide adequate waste and resource recovery infrastructure and services to support new development and population growth.
- Minimise the impact of urban development on the current and future operation of major infrastructure of national, state and regional significance, including highways, railways, airports, communication networks and energy generation and distribution systems.
- Support upgrades at Bendigo Airport that improve access and infrastructure to support emergency services.
- Maintain and strengthen passenger and freight transport networks and explore opportunities to develop freight-related activities in Marong and Maryborough.

The application fails to achieve this objective. The proposed development will make use of existing infrastructure. Required upgrades to the Calder Highway will have a small impact on the functionality of the roadway.

Objective - To protect and enhance the natural and built environment

Related Strategies

- Protect and improve the condition of the region's important environmental assets such as forests, wetlands and rivers.
- Maintain non-urban breaks between settlements.
- Support the designation of Castlemaine Diggings National Heritage Park as a World Heritage place to underpin tourism.
- Facilitate tourism opportunities in appropriate locations near heritage places and natural environments.

The application fails to achieve this objective. It will not maintain non-urban breaks between settlements as it will create a typically urban type development in a rural area separating the settlements of Bridgewater and Marong.

Objective - To ensure food, water and energy security.

Related Strategies

- Facilitate ongoing productivity and investment in high value agriculture.
- Facilitate new opportunities in agriculture that respond to the potential impacts of climate change.
- Support and facilitate development in renewable energy, waste to energy, carbon sequestration and other new energy opportunities.
- Support ongoing investment in water infrastructure and management of water resources to enhance security and efficiency of water supply to irrigators, farms and urban areas.

The application fails to achieve this objective. It does not facilitate ongoing productivity and investment in high value agriculture or new opportunities in agriculture that respond to the potential impacts of climate change. The proposed development will limit the opportunity to facilitate these matters by reducing the agricultural potential of the land.

Clause 12.01-2 of the Loddon Planning Scheme contains the following objective for Native vegetation management:

To ensure that permitted clearing of native vegetation results in no net loss in the contribution made by native vegetation to Victoria's biodiversity.

The limited scope of vegetation removal proposed by the application in conjunction with required offsets will not result in a net loss in the contribution made by native vegetation to Victoria's biodiversity.

Clause 12.04-2 of the Loddon Planning Scheme contains the following objective for Landscapes:

To protect landscapes and significant open spaces that contribute to character, identity and sustainable environments.

The application fails to achieve this objective. The scale of the proposed development will result in significant changes to the landscape and detrimentally affect the identity and character of the area. It will result in the open rural atmosphere of the land becoming dominated by an industrial scale development.

Clause 14.01 of the Loddon Planning Scheme contains the following objective for Agriculture:

To protect productive farmland which is of strategic significance in the local or regional context.

The application fails to achieve this objective. The development will occupy quality agricultural land and permanently remove it from production.

Clause 17.01 of the Loddon Planning Scheme contains the following objective for Commercial activity:

To encourage development which meet the communities' needs for retail, entertainment, office and other commercial services and provides net community benefit in relation to accessibility, efficient infrastructure use and the aggregation and sustainability of commercial facilities.

The application fails to achieve this objective. The proposed development does not provide net community benefit in relation to accessibility, efficient infrastructure use and the aggregation and sustainability of commercial facilities.

Clause 18.02-4 of the Loddon Planning Scheme contains the following objective for management of the road system:

To manage the road system to achieve integration, choice and balance by developing an efficient and safe network and making the most of existing infrastructure.

The application will achieve this objective. The proposed development will make the most of existing infrastructure by utilising the Calder Highway for transport of goods to and from the site.

Clause 18.02-5 of the Loddon Planning Scheme contains the following objective for car parking:

To ensure an adequate supply of car parking that is appropriately designed and located.

The application will achieve this objective. The proposed development will provide an appropriate number of car parking spaces to service its demand. The car parking is appropriately located and designed to function efficiently within the proposed operation.

Clause 21.04 forms part of the Municipal Strategic Statement and provides a number of objectives and strategies for specific planning matters within the municipality. The strategies provide the methodology by which the Responsible Authority will achieve its identified objectives.

Clause 21.04 contains the following objectives and strategies:

Objectives for Community and Settlement

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

Related strategies

- Direct urban development to key townships;
- Encourage new commercial development and services to locate within the existing commercial/retail areas;
- Support location of new industry in appropriate areas of the town with access to appropriate infrastructure and without compromising residential amenity and the appearance of the town;
- Encourage development that utilises and augments existing infrastructure, rather creating the need for additional services and capital works.

The application does not support the identified strategies for community and settlement. It does not direct urban development to townships, locate new commercial development within the existing commercial/retail areas or utilise and augment existing infrastructure but rather creates the need for additional services and capital works.

Objective for land management and environment

- To protect and enhance the condition of the natural resource base of the Shire to provide for the environmental and economic health of the Shire.

Related strategies

- Promote the dependence of the Shire's economy on the condition of the natural resource base;
- Identify and protect significant remnant vegetation parcels, especially in salinity recharge and discharge areas, along waterways and in erosion prone areas;
- Ensure all new land use and development aims for net improvement in the condition of the natural resource base. This may involve the use of permit conditions to offset, avoid,

mitigate or repair degradation of land, water and air in the Loddon Shire that may arise from the proposed use and/or development. Such conditions may include fencing of waters, strategic replanting of indigenous vegetation and control of pest plants and animals;

- Ensure new use and/or development does not produce polluted run-off that leaves the property untreated;
- Encourage sustainable reuse of effluent (intensive animal industry and urban), storm water and irrigation runoff;

The application does not support the identified strategies for land management and environment. It does not ensure new use and/or development does not produce polluted run-off that leaves the property untreated. However, this issue may be addressed via suitable permit conditions.

Objective for economic development

- To encourage and support a diverse and environmentally sustainable economy in the Shire.

Related strategies – Agriculture

- Encourage and support the protection and improvement of the condition of the natural resource base;
- Support development that will provide for more sustainable, more intensive agriculture;
- Encourage high value, sustainable, intensive agriculture on high quality agricultural land;
- Ensure development (including subdivision) in farming areas is clearly related to ongoing farming prospects;
- Support initiatives for value adding and processing of local produce;
- Discourage non-agricultural land use and development in areas of high quality and productive agricultural potential;

The application does not support the identified strategies for agriculture. The proposed development does not encourage and support the protection and improvement of the condition of the natural resource base, result in development that will provide for more sustainable more intensive agriculture or encourage high value sustainable intensive agriculture on high quality agricultural land. The development is not clearly related to ongoing farming prospects. A component of the proposal will support value adding and processing of local produce. The identified strategies clearly discourage non-agricultural land use and development in areas of high quality and productive agricultural potential such as that on which the proposed development is located.

Related strategies – Retail

- Support the provision of a range of retail services to prevent the need for the community to shop elsewhere;
- Encourage new businesses to locate within the existing retail centres.

The proposed development provides diversity to the range of retail services for the community but does not locate the new business within an existing retail centre. Given the scope of the proposed development it would not be able to located within any of the Shire's existing commercial areas. However, such a development would be more appropriately located on the fringe of a township to provide linkage with existing retail operations.

Related strategies – Tourism

- Protect the natural and physical features that contribute to the 'tourism experience' including the natural environment, heritage elements, landscape features and cultural activities;

The application does not support the identified strategies for tourism. It fails to protect the landscape features that are a significant element of the Shire's environment.

Strategies for Infrastructure

- Direct development to areas with existing high quality transport infrastructure, reducing the overall current and future road maintenance pressure on the Shire;

The application does not support the identified strategies for infrastructure. As a result of VicRoads objection to access directly from the Calder Highway the proposed development would have to be serviced via Robbins Road. This is currently constructed to as a rural gravel access and is not of a sufficient standard to service the site. Upgrades to Robbins Road would increase road maintenance liabilities for the Shire.

The Local Planning Policy Framework contains two policies that are relevant to this application. These are Clause 22.04 Industrial Development and Clause 22.05 Development in Rural Areas. They are addressed as follows:

Clause 22.04 identifies that proposals for industrial development in rural areas may be supported where they can:

- demonstrate it is appropriate as the industry relates to value adding of local produce;
- minimise impact on agriculture land and land management practices;
- have access to and from sealed roads;
- dispose of effluent satisfactorily;
- avoid or minimise impacts on native vegetation;
- maintain the visual qualities of the rural landscape; and
- minimise impact on residential amenity.

The rural industry is a relatively small component of the overall proposal and is generally compliant with the identified policies however it cannot be assessed in isolation from the rest of the application.

The basis for the Development in Rural Areas policy (Clause 22.05) is as follows:

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.

The objectives of this policy are:

- To protect the natural and physical resources upon which agricultural industries rely.
- To maintain farmland in productive agricultural use.
- To promote the development of new and diverse industries, fulfilling the potential of existing infrastructure.
- 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 limit the subdivision, use or development of land that will be incompatible with the utilisation of the land for sustainable resource use.
- To encourage safety from structure fires and wildfires.

The application does not support the objectives of this Clause. It will not protect the natural and physical resources upon which agricultural industries rely, maintain farmland in productive agricultural use, ensure that new use and development in the Shire is not prejudicial to agricultural industries or the productive capacity of the land or ensure that development in rural areas does not compromise landscapes of significant value.

The Clause provides the following policy statement in relation to landscape:

Development in rural areas should be sited so as not to compromise the quality of significant landscapes, especially landscapes visible from significant tourist routes. Consideration should be given to using topographic features or existing vegetation to assist to screen new development. Permit conditions requiring muted colours of buildings, landscaping or setbacks may be included on permits for development in significant landscapes.

The proposed development does not achieve the goals of this policy. It will compromise a significant landscape on a major tourist route into the municipality. The subject land is located in an area that provides visitors with a first impression of the Shire being at the southern boundary adjacent to the Calder Highway. It will alter the first impression from an idyllic rural landscape to one with a more industrial flavour.

Amendment C36

Amendment C36 to the Loddon Planning Scheme implements the recommendations of the Loddon Shire Rural Zones Review 2012. The review found that agriculture is the foundation of the Loddon Shire's economy and productive agricultural land is a key asset of the municipality and that the planning scheme must support the unhindered operation and growth of farm businesses.

The proposed use and development will remove productive land from agriculture use and will restrict opportunities for nearby farm businesses to increase their productive capacity. The scale of the proposed development and its lack of connectivity to any of the municipality's settlements run contrary to the principles of protecting farmland for agriculture.

The amendment proposes to introduce new policy into Clause 22.05 of the Loddon Planning Scheme as follows:

Rural Industry

It is preferable that rural industry be located within existing urban areas to capitalise on infrastructure and contribute to the employment options, viability and vibrancy of the town and minimise loss of farmland.

- *Rural industry should only be located in rural areas where;*
 - *Amenity impacts of the industry make it unsuitable for an urban area;*
 - *Existing road infrastructure is suitable for the traffic to be generated by the industry;*
 - *The industry will not compromise agricultural use of surrounding land;*
 - *There are clear advantages of locating the industry in the rural area that outweigh the advantages of locating it in an urban area*

As council has adopted the amendment it can be considered in the assessment of a planning permit application. The proposed use and development is considered to be inconsistent with the grounds set out in the adopted policy. The amenity impacts of the proposal do not make it unsuitable for an urban area. All facets of the proposal are typically located within or on the fringe urban environments. The existing road infrastructure is unsuitable for the traffic to be generated by the proposed development.

Given VicRoads opposition to access from the Calder Highway the only alternative options are via Robbins Road to the east or Connors Road to the north. Neither of these roads are constructed to a standard suitable to service the proposal. There are no clear advantages of locating the industry in the rural area that outweigh the advantages of locating it in an urban area. The siting of the proposal in or at least on the fringe of an urban area would provide access to reticulated water and sewerage while also providing an incentive for workers to relocate to the township.

The proposed site is located approximately equidistant between the townships of Bridgewater and Marong; it does not have access to reticulated water or sewerage and would not provide any incentive to workers from outside of the Shire to relocate.

Council Plan

The Council Plan 2013-2017 identifies one of the strengths of the Shire as a diverse agricultural sector that holds much agricultural know-how within its agrifood workforce. Large areas of flat, fertile and affordable land make it attractive for a range of farming enterprises. Access to irrigation water in areas to the north-east of the Shire supports highly productive, diverse agricultural and horticultural enterprises. This diversity is important as it enables the local economy to ride downturns in any particular commodity. Amongst its priorities for 2013-2017 the plan identifies:

3.2 Maintain planning protocols that protect prime agricultural land

5.1 Exploit our existing strengths and areas of competitive advantage to grow and diversify the economy

The proposal is considered to be contrary to the above identified priorities from the Council Plan. The approval of non-agricultural developments in the Farming Zone fails to protect agricultural land and can lead to increased land prices through changes to expectations of development potential. This in turn can contribute to a decline in the ability of farm enterprises to expand their operations reducing the ability of the Loddon Shire to exploit its identified strength.

Farming Zone

The subject land is located in the Farming Zone of the Loddon Planning Scheme. The purpose of the zone is:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To provide for the use of land for agriculture.
- To encourage the retention of productive agricultural land.
- To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.
- To encourage the retention of employment and population to support rural communities.
- To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

The proposed use and development is considered to be contrary to the purpose of the zone. The proposal does not implement the State Planning Policy Framework or Local Planning Policy Framework. It removes productive agricultural land and does not facilitate the use of the land for agriculture. It will not ensure that non-agricultural uses do not adversely affect the use of surrounding land for agriculture.

Whilst the applicant has indicated that the balance of the land not being developed in accordance with the proposal will be used for agriculture it will be restricted in its ability to be utilised to its highest potential. The insertion of a large commercial site within farmland will have an ongoing and lasting impact on the productivity of the land. Given the expanse of hardstand proposed for the site it is likely that dust and stormwater will be transported outside of the development site into the area proposed to be retained for agriculture.

The applicant has advised the proposal will employ up to 35 people on the site which is consistent with the purpose of encouraging the retention of employment and population. However the resultant

support of this for local communities is debatable given that the site is closer to Marong than any settlement in the Loddon Shire.

Decision guidelines

In assessing any application the Responsible Authority must consider the decision guidelines of the applicable planning controls in addition to the general decision guidelines of the planning scheme. For this proposal this means the decision guidelines of the Farming Zone, Vegetation Protection Overlay Schedule 2, Clause 52.05 Advertising Signs, Clause 52.17 Native Vegetation, Clause 52.29 Land Adjacent to a Road Zone Category 1 and Clause 52.34 Bicycle Facilities as well as those at Clause 65 that apply to all applications.

The decision guidelines of the Farming Zone, Vegetation Protection Overlay Schedule 2 and Clause 65 include consideration of the State Planning Policy Framework and Local Planning Policy Framework (including the Municipal Strategic Statement and local planning policies). The relevant Clauses of these sections have already been addressed in this report. On balance they do not support the application.

The decision guidelines of the Farming Zone are divided into five broad categories being general issues, agricultural issues and the impacts from non-agricultural uses, dwelling issues, environmental issues and design and siting issues. All bar dwelling issues are relevant to this application. The decision guidelines of the Farming Zone can be seen in the attachments to this report.

As a result of the multi-faceted nature of the application there are elements of the proposal that are consistent with the decision guidelines of the Farming Zone and aspects that are inconsistent. For example, the rural industry component of the application would support agricultural production by providing additional options for distribution of produce and access to markets. However the trade supplies (semi trailer sales) which is the larger component of the proposal offers little to support or enhance agricultural production. On balance the decision guidelines of the Farming Zone do not support the application.

The decision guidelines of the Vegetation Protection Overlay Schedule 2, Clause 52.05 Advertising Signs, Clause 52.17 Native Vegetation, Clause 52.29 Land Adjacent to a Road Zone Category 1 and Clause 52.34 Bicycle Facilities have been considered in the preparation of this report. The proposed development is considered to be generally consistent with these provisions with the exception of Clause 52.29.

Clause 52.29 requires the Responsible Authority to consider the views of the relevant road authority. VicRoads has objected to the application due to the proposal to achieve access and egress directly via the Calder Highway. They consider that direct access onto the Calder Highway will have considerable impact on the operational efficiency and road user safety.

Objections

The application has received five objections, the grounds of which have previously been summarised. The issues raised by objectors are addressed as follows:

- The proposed use is not suitable in an agricultural area

The proposed use is discretionary in the Farming Zone. Therefore the zone identifies it as appropriate in suitable locations. However, for the reasons outlined throughout this report the subject land is not considered a suitable site.

- Other suitable grain handling sites are available

Without doubt there are other sites within the Loddon Shire that could accommodate a grain handling facility such as that proposed. However, the suitability of alternative sites for grain handling is largely irrelevant to the consideration of this application. The Responsible Authority must consider whether the proposed use and development is consistent with the Loddon Planning Scheme if located on the subject land.

- Impact on visual amenity

The proposed use and development would result in changes from an open rural vista to one dominated by an industrial type architecture. The design of the proposed development is intended to stand out and

attract attention rather than blend with the local environment. It would be the dominant visual element in the landscape.

- Inconsistent with the Local Planning Policy Framework including the Municipal Strategic Statement.

The relevant clauses of the Local Planning Policy Framework in addition to the State Planning Policy Framework have been addressed elsewhere in this report. On balance it is considered that the proposal is inconsistent with the Local Planning Policy Framework including the Municipal Strategic Statement.

- Inconsistent with the purpose of the Farming Zone

The purpose of the Farming Zone has been addressed elsewhere in this report and as previously discussed the proposal is considered to be inconsistent with the purpose of the Farming Zone.

- Out of scale and character with the area

The proposed use and development is intensive and on a large scale in comparison to the established character of the area. The area is characterised by open rural vistas with sporadic development punctuating the landscape. Existing buildings generally appear in small clusters delineating the location of farm homesteads. The scale of the proposed development means that it will dominate and redefine the character of the area.

- Trade supplies prohibited in the Farming Zone

Trade supplies are a discretionary use in the Farming Zone. It is specifically listed in Section 2 of the table of uses and as such an application for this use can be considered on its merits.

- Inconsistent with the decision guidelines of the Farming Zone

The relevant decision guidelines of the Farming Zone have been addressed in the body of this report. On balance the decision guidelines of the Farming Zone do not support the application.

- Restricted sightlines for access and egress /traffic risk

The access/egress as proposed in the application maximises available site lines for traffic entering and exiting the site as well as passing vehicles. However VicRoads have objected to access directly from the Calder Highway and have expressed a preference for the use of Robbins Road to service the site. Robbins Road would require significant upgrades to both the road and the highway intersection in order to service the development. It also has significantly reduced sightlines compared to the proponents preferred option due in large to Dunns Hill to the southeast.

- Potential contamination of groundwater

While there is potential for the proposed use and development to contribute to contamination of both ground and surface water it is considered a manageable impact. Appropriate stormwater and waste management practices would minimise this potential.

- Retention of stormwater

Stormwater from buildings is proposed to be harvested for use on site and is to be retained in storage tanks. Increased runoff from the areas of hardstand would need to be managed so that sediment or contaminants from the ground were not transported off site. Appropriate design and construction of site drainage including onsite retention could address this issue.

- Will undermine the Marong Business Park

The Marong Business Park is an initiative of the City of Greater Bendigo located approximately seven kilometres to the southeast of the subject site. The Park is predominantly for industrial purposes.

- Applicant has a history of non-compliance

A history of non-compliance by the proponent is a matter for the public record and has been discussed in some detail in the minutes of the City of Greater Bendigo Council. However it does not bear on the merits of the proposal being considered. The application must be assessed against the provisions of the Loddon Planning Scheme.

- The use not related to farming

The majority of the proposed use and development is for commercial activities that do not relate to agriculture. This matter is discussed earlier in this report in consideration of the purpose and decision guidelines of the Farming Zone.

- Noise

It is anticipated that the proposed use of the site will result in the generation of additional noise in the area. This will result from both vehicle movements and the onsite activities. Given the separation of the site from sensitive uses and the type of noise generated it is not expected that this would create a detrimental impact on the amenity of the area.

- Proposed building inconsistent with the proposed use.

This issue relates to the rural industry component of the proposal. The lack of traditional grain handling facilities (silos etc.) in the proposal and the size of the building proposed to house this aspect of the operation suggests that the use will not process significant volumes of grain. It is not what is typically envisaged when thinking of a grain handling facility.

- Creation of a precedent for non-agricultural uses in farming areas.

Planning decisions are not guided by precedent. Each application must be assessed on its merits against the requirements of the planning scheme. However, approval of the application may create expectations that similar proposals in the Farming Zone will be supported and encourage the view of farmland as a cheaper alternative to appropriately zoned commercial or industrial land.

- Dust

The proposed use and development can be reasonably expected to generate dust. However dust from the site would generally not be to the same level as existing cropping activities in area although it is likely to be more frequent across the year. Existing agricultural activities generate dust on a seasonal basis while that from the proposed use would be a year round occurrence. Given the relatively low levels of dust expected to be generated, prevailing winds and location of sensitive uses it is not expected that dust from the site will have a significant impact on surrounding landholders.

- Rural amenity

Amenity is an elusive concept. It has its usual meaning of pleasantness, but also has a wider ambit. It has a physical component, which can include character and appearance of building and works, quality of infrastructure and absence of noise, unsightliness or offensive odours. It embraces all the features, benefits and advantages inherent in the environment in question. It also has a psychological or social component. It is more succinctly defined as features, benefits or advantages of the local environment that people currently enjoy.

The amenity of the area is defined by the existing environment and activities that make up the area. In this instance these are characterised by the rural landscape and by cropping and grazing. The proposed development will result in significant changes to the existing amenity of the area.

COSTS/BENEFITS

Benefits of the proposal include the establishment of a new business within Loddon Shire, including associated potential employment and economic development 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.

Conversely, approval of inappropriate development has the potential to detract from residential amenity and precinct attractiveness.

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.

Objectors to the proposal were also provided the opportunity to speak to their submissions before Council at a scheduled forum on 10 March 2015.

4.8 PROPOSED CULVERT STRUCTURE REPLACEMENT ON NEIVANDTS ROAD

SUMMARY

Requests have been received from local farmers to provide a wider traffic lane at a structure on Neivandts Road where guardrail has been installed to protect traffic from a deep drop off.

Author	David Fry, Manager Infrastructure (Program Development)
Council Plan ref:	Core business 5: Providing quality infrastructure
File no:	15/01/001
Attachment:	Nil

RECOMMENDATION

That Council allocate a further budget amount of \$109,000 to renew and widen an existing structure on Neivandts Road as outlined in this report.

PREVIOUS COUNCIL DISCUSSION

Council at its June 2014 meeting approved the Capital Works Program for the 2014/2015 financial year. One of the approved projects in the Local Road Safety Program was Neivandts Road (SAF0021). This project involved the placement of approved guard rail to protect vehicles travelling over a narrow deep culvert crossing, on Neivandts Road. As well as the guardrail a short section of seal pavement to improve site distance over this structure during periods of raised dust was also going to be installed.

BACKGROUND

Requests for quotation for the guardrail component of this project were sought and a contractor appointed to place the guardrail. It was planned that the sealing works would be completed at a later date. Guardrail was installed at this location conforming to Australian Standards, providing the widest trafficable lane possible at this location (5 meters). The project was completed in early March.

The project as completed, (guardrail component) meets current standards and is appropriate for all traffic except over dimensional vehicles requiring more than a 5 meter traffic lane.

Subsequent to the installation there were two complaints from local farmers relating to the lane width, which they believed would now prevent them from moving some of their over dimensional equipment during cropping and harvest. This in some cases would require a detour of approximately twelve kilometres.

ISSUES/DISCUSSION

A meeting was organised on site with the affected farmers to discuss the issues that were concerning them. Councillor Curnow presided over the meeting and led the discussion. A delegation of 7 local farmers was in attendance at this meeting.

It was clear from the input provided by the farmers that in their view the installation of the guardrail was going to have a detrimental effect on their ability to farm during certain times of the year. They pointed out that this route was the only viable north south route that allowed them to stay off the higher trafficked major roads.

After further discussion relating to treatments that would suit the required farm traffic movements, an undertaking to explore the design options for a suitable upgrade to the existing crossing was made, and that this design would be costed and presented to Council for consideration.

As mentioned above, the treatment that has currently been applied to this crossing meets all Australian standards and is suitable for all non over dimensional traffic.

It was not possible to ascertain an exact number of over dimensional movements required in a year, however the anecdotal estimates provided by local farmers varies between twenty and seventy movements per year.

The following table shows the budgeted amount and current costs for the approved project, and the estimated cost of a replacement structure and additional budget required.

Current Approved Budget	Current Expenditure	Available Budget
\$66,000	\$49,125	\$16,875
	Proposed New Structure Cost	\$125,000
	New Budget Required	\$108,125

The proposed new structure would be a crown unit 7.4 meters wide 3meters across and 2.4 meters high. The recently installed guardrail would be removed and reused on this new structure. The new structure would provide a greater waterway capacity and continue to provide gully head protection on this watercourse.

COSTS/BENEFITS

The building of the new structure would be an additional cost to the Loddon Shire but would provide benefit to the local farmers and a higher level of service for over dimensional vehicles.

Whilst the widening of the structure shall require a further budget allocation towards the project, it is expected that the additional funding may be obtained via savings projected across the balance of the current year's annual infrastructure program.

RISK ANALYSIS

The major risk for this project would be to remove the guardrail and not replace it. This project as originally proposed provided a good outcome for the majority of road movements. The risk associated with the recommendation is that it may set a precedent for future of projects being expected to be constructed to a standard that is above the requirement for normal use and therefore completed at greater cost to Council than is sustainable.

CONSULTATION AND ENGAGEMENT

As the original project was effectively a road safety project and the general capacity of the road was not being changed, only internal consultation was conducted. Given the local reaction to the project, and in hindsight consultation with interested locals would have been appropriate for this project. Subsequent to receiving verbal complaints, a meeting with aggrieved farmers was conducted. Further advice to those farmers in attendance shall be provided pending Councils decision.

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
18/3/15	The Hon Dr Sharman Stone	Piped domestic and stock water to Loddon Shire and control of fruit fly in Victoria
1/4/15	Cr Reid Mather, Mayor Buloke Shire Council	Rural Living – rural people, equal services
1/4/15	The Hon Natalie Hutchins MP, Minister for Local Government	2015 Local Government Mayoral Advisory Panel Appointments
26/3/15	The Hon Lisa Neville MP, Minister for Environment, Climate Change and Water	Water supply investigations for Wedderburn and surrounding areas
14/4/15	The Hon Barnaby Joyce MP, Minister for Agriculture	Control of fruit fly in Victoria

5.2 PURCHASE OF WATER ENTITLEMENTS FOR LITTLE LAKE BOORT

SUMMARY

The report advises the expenditure and anticipated expenditure on water entitlements for Little Lake Boort.

Author	Duncan Campbell, Acting Manager Financial Services
Council Plan ref:	Strategic Platform 4: Make our towns liveable and memorable
File no:	15/08/005
Attachment:	Nil

RECOMMENDATION

That Council receives and note the 'Purchase of Water Entitlements for Little Lake Boort' Report.

PREVIOUS COUNCIL DISCUSSION

On 25 February 2014 Council approved the purchase of water entitlements of up to 300 megalitres for Little Lake Boort, with expenditure of up to \$500,000 for the purpose.

BACKGROUND

The purpose of the purchase was to ensure that the economic benefits of maintaining the tourism industry in Boort was not endangered by lack of water in the lake.

ISSUES/DISCUSSION

This report advises Council of the current situation regarding the decision of 25 February 2014.

It is anticipated all purchases will be completed before the end of financial year, and there will be no effect on the Budget for 2015/2016.

COSTS/BENEFITS

The following purchases have been recorded:

Purchase date	Quantity of water (mL)	Cost of Purchase
28 April 2014	90.0	\$130,500
30 May 2014	135.5	\$199,862
30 December 2014	50.0	\$90,000
4 February 2015	20.0	\$36,000
Total to date	295.5	\$456,362
Unspent	4.5	\$43,638
Total approval	300.0	\$500,000

RISK ANALYSIS

There are no intrinsic risks in this report.

CONSULTATION AND ENGAGEMENT

The purchases have been coordinated with Cr. Beattie.

5.3 OUTCOME OF ANNUAL COMMUNITY CARE USER SURVEY - 2014

SUMMARY

This report provides Council with the results of the 2014 community care user survey.

Author	Wendy Gladman, Director Community Wellbeing
Council Plan ref:	Core business 2: Provision of wellbeing services
File no:	12/12/01
Attachment:	2014 Community Care survey results

RECOMMENDATION

That Council receive and note this report detailing the results of the 2014 Community Care service user survey.

PREVIOUS COUNCIL DISCUSSION

A report detailing the results of the 2013 Community Care service user survey was presented at the April 2014 Council meeting. The report provided the 2013 survey results and included a comparison against the 2012 survey results.

BACKGROUND

Council's Community Care Department conducts an annual survey of service users to determine levels of satisfaction with the overall program, and to assist with identification of areas for improvement.

As recommended in the 2013 Quality Review, to ensure all levels of Council are aware of service user satisfaction, the results of the annual survey are reported to Council. This report contains feedback from clients who used the community care service during 2014 and the results are compared with the 2013 survey.

ISSUES/DISCUSSION

One hundred and fifty surveys were distributed randomly to Loddon residents who used the community care service in 2014. Eighty three surveys (55%) were returned, an increase of 20% on the 2013 return rate. This is also higher than previous years which recorded return rates in the mid-seventies.

As in 2013, 100% of respondents indicated that the service improved daily living. 98% of respondents determined that the services helped to remain living independently at home. This is a reduction of 2% from the 2013 100% result.

In comparing the sum of responses for 'Always' and 'Usually' the following areas indicated that 100% of respondents were satisfied with:

- Community care workers arrive and leave on time
- Community care workers are approachable
- Queries with the office are resolved satisfactorily and timely
- Office staff are approachable and courteous
- Family/representative is happy with the service provided.

This is an increase in satisfaction in each of these areas from the 2013 survey results.

It is also noteworthy that:

- 99% of respondents:
 - felt that assessment officers were courteous and listened
 - considered that they received enough information about their privacy.
- 96% of respondents were satisfied:

- with the quality of work carried out by the community care service
- that the staff members use their personal protective equipment
- that they were involved in the planning of the services they received
- that they received enough information about their ability to access personal information and their rights and responsibilities.

Of these positive responses though, in comparison with 2013 results, there was a 4% decrease of respondents who were satisfied with the quality of work carried out by the community care service. There was also a decrease of 2% who felt that the assessment officers involved them in the planning of the services they received (although the 4% who did not answer positively to this question responded neutrally as unsure).

In addressing this, the Community Care team will continue to focus on staff development that includes minimum service provision standards.

Two areas scoring under 90% satisfaction were found in the section regarding information provided to service users.

- Having someone advocate or speak on your behalf if you have any concerns.
A positive response of 86% shows a 3% decrease from the 2013 survey results.
- What to do if you have a complaint/concern about your service.
A positive response of 89%, although below 90%, shows a 1% increase from the 2013 survey results.

Material on both of these areas is currently available in the information pack provided to service users. Further work on how this information can be better provided will now be undertaken by the Community Care team with the aim to increase to over a 90% positive response for these questions in future surveys.

COSTS/BENEFITS

The annual Community Care service user survey enables the Community Care Department to determine areas of focus and link them to the current quality improvement plan.

There are no costs associated with this report.

RISK ANALYSIS

There are no risks associated with this report.

CONSULTATION AND ENGAGEMENT

One hundred and fifty surveys were sent out randomly to current service users.

The opportunity to provide additional comments is included in the survey, and these comments provide the Community Care department with valuable insight.

5.4 BUILDING DEPARTMENT ACTIVITY STATISTICS – PERIOD JANUARY TO MARCH 2015

SUMMARY

Provides information on the level of building activity within the municipality

Author: David Turner, Municipal Building Surveyor

Council Plan ref: Core business 8: Compliance

File no: 13/06/001

Attachment: Building Permit Approvals
Occupancy Permits Issued
Certificates of Final Inspection Issued
Graph Sheets of Comparisons- 2011 to 2015 including inspection summary

RECOMMENDATION

That Council receive and note the 'Building Department Activity Statistics Report'.

PREVIOUS COUNCIL DISCUSSION

Council is provided with a quarterly report regarding building activity statistics within the Shire.

BACKGROUND

The building department of Loddon Shire provides a range of building advisory and control functions. The role of the Municipal Building Surveyor encompasses the provision of building advice, administration, issuing or review of relevant permits and approvals, advisory and consultancy services as well as performing regulatory administration and enforcement activities.

Capturing and reporting statistics relating to building activity within the shire also forms part of the Municipal Building Surveyors role. Accordingly this information is provided to Council as an indicator of the local development and investment.

ISSUES/DISCUSSION

For the period 1 January to 31 March 2015 the available statistics indicates that there has been a substantial decrease in the number of building permits issued and approximately 74% decrease in the total value of building works as compared with the previous three (3) months. This decrease in value is generally attributed to the absence of any large developments (such as recent activity with Hazeldenes at Prairie and the Wedderburn Community Centre).

A comparison with the same period in 2014 indicates a slight increase in the number of building permits issued along with a corresponding 32% higher value of works.

COSTS/BENEFITS

By providing the activity statistics, Councillors are better informed about the level of building activity in the municipality.

RISK ANALYSIS

Because this report is only providing statistics to Council it is considered that there is no risk involved.

CONSULTATION AND ENGAGEMENT

No internal or external consultation has to occur for this information to be prepared.

5.5 PLANNING ACTIVITY REPORT

SUMMARY

Provides Council with an update on planning applications currently under consideration and a register of planning permits issued between 13-01-2015 and 15-04-2015.

Author	Tyson Sutton, Manager Planning and Local Laws
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 quarterly Planning Activity Report.

PREVIOUS COUNCIL DISCUSSION

Council is provided with a quarterly report identifying the status of planning applications currently under consideration or those permits which have been issued during the specified period.

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 13-01-2015 and 15-04-2015.

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 DOCUMENTS FOR SIGNING AND SEALING

SUMMARY

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

Author:	John McLinden - Chief Executive Officer
Council Plan ref:	Core business 8: Compliance
File No:	02/01/001
Attachment:	Nil

RECOMMENDATION

That Council:

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

PREVIOUS COUNCIL DISCUSSION

Nil

BACKGROUND

N/A

ISSUES/DISCUSSION

Transfer of Land from Everdale Holdings Pty Ltd to Loddon Shire Council for Road R1 on Plan of Subdivision PS736258E

Contract 344 for IT Support Services, agreement between Loddon Shire Council and DWM Solutions Pty Ltd

Contract 333 for Provision of Banking and Bill Payment Services, agreement between Loddon Shire Council and National Australia Bank Limited

Contract 345 – Municipal Valuation Services between Loddon Shire Council and LG Valuation Services Pty Ltd

6.2 SECTION 86 COMMITTEE OF MANAGEMENT MEMBERSHIP DETAILS- KORONG VALE MECHANICS HALL

SUMMARY

This report seeks Council's approval of the membership of Korong Vale Mechanics Hall 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:	02/01/026
Attachment:	Nil

RECOMMENDATION

That Council appoints the names provided in this report as members of the Korong Vale Mechanics Hall Section 86 committee of management, effective immediately.

PREVIOUS COUNCIL DISCUSSION

Council approved the current list of committee members for Korong Vale Mechanics Hall Committee of Management on 23 September 2013.

BACKGROUND

Current Section 86 committee instruments of delegations include Clause 3.6 which outlines the requirement for nomination and appointment of committee members, which is as follows:

Members and Office Bearers of the Committee

At the Annual General 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:

- *President, who shall be Chairperson of the Committee*
- *Secretary*
- *Treasurer.*

The full list of proposed members must be forwarded to Council for formal appointment at an Ordinary Meeting of Council, in accordance with section 86(2). Until this formal appointment by Council occurs, the previous committee members will continue to hold office.

Clause 3.3 Membership of the committee outlines Council's preferred composition of the committee specific to each delegation, and states that Council seeks to provide broad representation to the committees.

For community based committees, that is at least 6 community representatives.

For organisation based committees, each delegation has a list of organisations that are required to provide representatives for the committee.

ISSUES/DISCUSSION

Korong Vale Mechanics Hall is a community based committee with representation of at least 6 community representatives . The following is a list of nominated representatives for the committee which meets the minimum requirement:

Name	Position
John Charry	President
Glenda Booker	Vice President

Lyn Chapman	Secretary/Treasurer
Debra Rowen	Committee Member
Rob Chapman	Committee Member
Bev Dow	Committee Member
Lydia Wild-Brook	Committee Member
Jenny Bligh	Committee Member
Bev Dierick	Committee Member

The Council representative for this committee is Cr Neil Beattie.

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 26 May at Serpentine commencing at 3pm.