

**LODDON SHIRE COUNCIL**

Notice of an Ordinary Meeting of the Loddon Shire Council to be held in the Council Chambers,  
Serpentine on Tuesday 23 June 2015 at 3pm.

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**1. APOLOGIES**

Nil

**2. PREVIOUS MINUTES**

**2.1 CONFIRMATION OF MINUTES**

**SUMMARY**

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

Author: John McLinden - Chief Executive Officer

Council Plan ref: Core business 8: Compliance

File No: 02/01/001

Attachment: Nil

**RECOMMENDATION**

*That Council confirm:*

1. *the minutes of the Council Briefing of 26 May 2015*
2. *the minutes of the Ordinary Council Meeting of 26 May 2015*
3. *The minutes of the Council Forum of 9 June 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 **AMENDMENT TO RESERVES POLICY**

#### **SUMMARY**

This report seeks Council's approval to amend the Reserves Policy.

Author	Duncan Campbell, Acting Manager Financial Services
Council Plan ref:	Core business 6: Financial stability
File no:	06/01/002
Attachment:	Reserves Policy

#### **RECOMMENDATION**

*That Council approves Reserves Policy v3.*

#### **CONFLICT OF INTEREST**

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

No

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

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

#### **PREVIOUS COUNCIL DISCUSSION**

Council approved Reserves Policy v2 at the Ordinary Meeting held on 24 June 2014.

#### **BACKGROUND**

The Reserve Policy was developed to manage the creation and purpose of Council reserves. Periodically Council identifies the need to create a new reserve, change a current reserve, or to eliminate a reserve that is no longer required.

The update to this policy provides for the creation of the Heritage Loan Scheme Reserve, removal of the Councillor Initiative Fund, and a change to the Economic Development Reserve.

##### Heritage Loan Scheme Reserve

Council's 2014/2015 budget has a line item "Heritage Loan Scheme" to create a pool of funds to be made available to owners of properties located in significant heritage precincts, heritage registered buildings or structures of local heritage significance, to enable repair and maintenance of those buildings with the aims of quality appearance and public safety.

The creation of the Heritage Loan Scheme Reserve will ensure that funds are available for use in future financial years (as well as the budgeted year), with any amounts provided to property owners managed as long term debtors.

It is the intent to allocate the full \$100,000 budget to the reserve.

### Councillor Initiative Fund Reserve

The balance of the Councillor Initiative Fund was transferred to a newly created Major Projects Reserve in 2013/2014. Therefore, this reserve is no longer required.

### Economic Development Reserve

The change to the Economic Development Reserve allows for the reserve to receive proceeds from the sale of industrial land, which has been previously funded from the reserve.

The wording of the movements to and from the reserve is currently:

To: annually an amount determined during the budget process as sufficient to fund economic development initiatives

From: the cost of economic development initiatives during the financial year

It is recommended that the wording of the movements to and from the reserve be changed to:

To: annually an amount determined during the budget process as sufficient to fund economic development initiatives, **and proceeds from the sale of industrial land**

From: the cost of economic development initiatives during the financial year.

### ISSUES/DISCUSSION

Although it is still active in 2014/2015, the Water Unbundling Reserve will be fully expended at 30 June 2015 and will no longer be required. This reserve should be deleted at the next policy review.

### COSTS/BENEFITS

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

### RISK ANALYSIS

The Reserves Policy is the primary policy for management of Council reserves. Council sets aside funds to prepare for expenditure in future years while reducing the impact of large expenditures on one financial year.

This also minimises the volatility of programmed expenditure and the need for borrowings.

### CONSULTATION AND ENGAGEMENT

The amended policy was provided to the Council at the Council Forum held on 9 June 2015.

## 4.2 ADOPTION OF 2015/16 BUDGET

### **SUMMARY**

This report seeks Council's approval to adopt the 2015/16 Budget.

Author	Duncan Campbell, Acting Manager Financial Services
Council Plan ref:	Core business 6: Financial stability
File no:	07/01/001
Attachment:	Nil

### **RECOMMENDATION**

*That Council, having advertised the Draft Budget and having received no submissions, adopt the 2015/16 Budget without amendment.*

### **CONFLICT OF INTEREST**

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

No

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

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

### **PREVIOUS COUNCIL DISCUSSION**

Council was presented with the 2015/16 Draft Budget at a Council Forum on 30 April 2015.

At a Special Meeting of Council held on 12 May 2015 Council resolved to advertise the draft budget.

### **BACKGROUND**

Council is required to make the budget available for public comment for a period of 28 days, pursuant to section 223 of the Local Government Act. Notice of the draft budget first appeared in the Loddon Times on Tuesday 19 May. Submissions closed on 17 June.

### **ISSUES/DISCUSSION**

At the time of preparing this report, Council had not received any submissions to the budget.

Should any submission be received, they will be compiled, summarised and provided to Council for consideration during deliberations for this report.

### **COSTS/BENEFITS**

The benefits to Council and the community is that a consultative budget process complies with the Local Government Act 1989, the budget provides a measure for accurate planning, and ensures that Council can deliver services and projects included in the document.

**RISK ANALYSIS**

The risk to Council of not discussing and then advertising the annual budget is that it will not comply with requirements under the Local Government Act 1989.

**CONSULTATION AND ENGAGEMENT**

The Local Government Act 1989 requires that the Draft Budget be available for public comment from a period of 28 days after Council advertisement. After the lapsing of 28 days all submissions received must be provided to Council when deliberating on the 2015/16 Budget.

**4.3 COMMUNITY PLANNING PROGRAM 2015-16**

**SUMMARY**

This report provides Council with recommendations from the Community Planning Assessment Committee for initiatives to be funded in the 2015-16 financial year.

Author	Tim Jenkyn, Manager Community Planning
Council Plan ref:	Strategic Platform 6: Support our transitioning townships
File no:	13/09/005
Attachment:	Community planning priorities for the 2015-16 financial year - Assessment Committee Report

**RECOMMENDATION**

*That Council approve the 2015-16 projects in accordance with the attached report.*

**CONFLICT OF INTEREST**

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

No
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If yes, the following details identify the conflict of interest.

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

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

**PREVIOUS COUNCIL DISCUSSION**

- Council Report June 2014 – Community Planning Program 2014-15
- Council Forum Presentation November 2014 – Community Planning Program Status

**BACKGROUND**

Through the 2012-13 budget process and subsequent meetings held with all community plan groups Council ratified the funding structure and nature of the Community Planning Program, and the Loddon Shire Community Grants Program, going forward.

Annual Community Plan funding is based on a \$50,000 allocation per ward (5 Wards totalling \$250,000) and a \$500,000 Community Planning Strategic Fund Allocation. Councils community grants program provides funding support for projects up to \$15,000 at a ratio of 2:1, with Council contributing \$2 for every \$1 contributed by the applicant.

Community planning is a direct allocation to projects identified in the local community plan, facility master plans or partnerships across communities within the ward. Community plan funds often contribute to projects that go toward fulfilling the community's vision and assist in planning of a strategic or structural nature.

**ISSUES/DISCUSSION**

Community Planning Committees have submitted community planning initiatives and directed specific projects in their community to the Shire Community Grants Program. The Assessment Committee

discussed each project in relation to all projects submitted through community planning and the shire community grants program, total funding available, project readiness, alignment with Council's strategic direction and community involvement and support for each project.

With regard to community planning projects Council received a request to consider 17 projects from 9 communities totalling \$328,250. The assessment committee recommends allocating funding to the projects detailed in the attached report.

### **COSTS/BENEFITS**

The Loddon Shire Community Planning Program has been a success story since its inception over a decade ago. Communities and Council have (and continue to) attract significant external funding through the community planning process, and have delivered numerous projects in Loddon's small towns and rural districts under this banner.

Community Planning has been a catalyst for attracting significant funding to projects such as the Boort Eastern Entry, Serpentine Janiember Park Upgrade, Pyramid Hill Tennis-Pool Upgrade, Wedderburn Community Centre and Inglewood Town Hall Hub Development.

### **RISK ANALYSIS**

When considering initiatives and allocating 'seed-funding' the initial risk is ascertaining whether the project is likely to achieve external funding. Loddon Shire Council has a strong record of success in this area.

### **CONSULTATION AND ENGAGEMENT**

Community meetings and correspondence with community planning groups to determine a priority list of initiatives and activity for the 2015-16 financial year, and working with specific groups to develop master plans and determine project scope and cost.

#### 4.4 LODDON SHIRE COMMUNITY GRANTS SCHEME 2015-2016

##### **SUMMARY**

Provides a summary of applications received and associated funding recommendations under the 2015/2016 Loddon Shire Community Grants Scheme.

Author	Allan Stobaus, Manager Community and Recreation
Council Plan ref:	Strategic Platform 4: Make our towns liveable and memorable
File no:	16/02/001
Attachment:	Summary of applications and Recommendations 2015 -2016 Community Grants

##### **RECOMMENDATION**

*That Council allocate \$194,324.33 in grants under the 2015/16 Loddon Shire Council Community Grants Scheme as nominated in the attached spread sheet*

##### **CONFLICT OF INTEREST**

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

Yes

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

<b>Officer name</b>	<b>Nature of interest</b>	<b>Reason for conflict</b>
Wendy Gladman	Direct interest  If indirect, the type of indirect interest is:  A conflicting duty with another entity or person with a direct interest in a matter.	Serpentine Bowling Club – Treasurer  Excluded from discussion and decision on Item # 24 – Serpentine Bowling Club: New Dethatching Reel

##### **PREVIOUS COUNCIL DISCUSSION**

##### **BACKGROUND**

The Loddon Shire Community Grants program commenced in 2000/2001. Council initiated the scheme to assist recreation, sporting and service organisations to deliver projects that improve the quality of life for residents. Since the scheme was initiated, Council has invested approximately \$1.7 million toward 609 community-based projects worth a total of approximately \$5.2 million.

Council's draft 2015/16 budget includes an allocation of \$200,000 for the Community Grants scheme.

Applications for the 2015/16 Community Grants program opened in February and closed on 2 May. Applications have been assessed against the following criteria:

- demonstrated community need
- improved existing facilities and/or increased participation
- multi-use and broad community benefit
- self-help i.e. in-kind and/or cash commitment
- effective and efficient use of resources

- considerate of access issues.

Where applicable, projects have also been assessed in consideration of:

- the efficient use of resources, for example energy efficiency components of the project or sharing of resources with the wider community
- ability to provide access for all, for example does the project consider the needs of people with a disability or the elderly
- projects that pose inherent risk in terms of public safety have been assessed in terms of the severity of the risk prior to being considered for funding.

### **ISSUES/DISCUSSION**

In total 50 applications requesting financial assistance to the value of \$247,036 were received. Of these 34 have been recommended for full funding, seven have been recommended to receive a slightly lower allocation than requested and nine applications have been recommended to receive no allocation.

The nine applications for which no allocation is recommended include:

- Pyramid Hill Progress Association:

This application has requested funding to install pyramid shaped gabions along the walking tracks around the hill, in anticipation that gabions will be placed at further points of interest throughout the Township as part of a future streetscape improvement project.

Although this project has been assessed as having merit, an allocation from the 2015/2016 Community Grants scheme has not been recommended. Following consideration by Council officers, notwithstanding that the project is identified in the draft Pyramid Hill Community Plan, it has been recommended that any decision in regard to a financial contribution towards the gabions be deferred until the Pyramid Hill streetscape plan is completed.

- Boort Development Committee Inc.:

Application requests funding assistance towards the purchase and installation of outdoor gymnasium equipment around Little Lake Boort. The application identifies an overall project cost of \$60,000.

The requested allocation of \$10,000 from Council, even combined with the \$5,000 committed by the Boort Development Committee, would not adequately fund the project. With this in mind and in consideration that projects funded from the Community Grants scheme are to be completed within the same financial year as that which the allocations are made, this application has not been recommended for funding.

Council officers believe that a master plan needs to be developed for the Little Lake Boort precinct to identify the need for, and the potential location of, this equipment as well as other features including the proposed installation of further sculptures.

The completion of this plan will provide a clear scope and location for any proposed equipment of this nature. At this stage of the project Council officers can assist the community with the development of an achievable funding strategy.

- Boort Pre-School:

This application requests financial assistance to upgrade the kitchen at the pre-school. It is being recommended that this project receive no further funding following Council's previous allocation via the Community Grants program in 2014/2015 to undertake these works.

The previous allocation was made with the understanding of, and in accordance with, the program guidelines requiring that all funded works be completed by the end of financial year and that no further community grants may be considered for groups which have outstanding grant payments yet to be acquitted.

It was also previously conveyed that the previous allocation would be sufficient to complete all required works for this project. Further, this application is considered to be incomplete as no formal application form was submitted and the application consisted of an out dated quote as supplied with 2014/2015 submission.

- Derby Tennis Club:

This application has requested funding to upgrade the second tennis court at the Derby Tennis Club. Due to the minimal use of this court, this application has been assessed as a low priority and has not been recommended for funding. Council allocated funding from the 2014/2015 Community Grants Scheme to upgrade the clubs main court.

- Wedderburn Fire Brigade:

This application requested assistance towards the installation of an electrical tower hose winch to replace the existing manually operated version. The rationale for replacing the winch is to reduce the labour intensity associated with the present methodology of drying the hoses using the manual winch. This application has not been recommended for funding as this type of equipment is deemed to be the responsibility of the CFA.

- East Loddon P-12 School:

The East Loddon P-12 School has requested funding to purchase a defibrillator. The applicant identifies that there is a specific need for this equipment due to the schools isolated location and distance from ambulance services. This application has not been recommended for funding as it is deemed to be the responsibility of the education department to supply first aid equipment to schools.

- Loddon Vale Fire Brigade:

This application requested assistance towards the purchase and installation of a display cabinet for memorabilia and trophies. This application has not been recommended for funding as it is considered to be the responsibility of the CFA.

- Bridgewater On Loddon Development Committee (BOLD):

This application has requested funding to assist with the preparation and publication of the Bridgewater Bulletin Newsletter. Although this is a project that would normally be supported, the submission was received after the closing date for applications and was therefore unable to be considered for funding.

- Inglewood Resource and information Centre:

This application has requested funding to assist with the preparation and publication of the Korong Newsletter. Although this is a project that would normally be supported, the submission was received after the closing date for applications and was therefore unable to be considered for funding.

In order to comply with budgetary requirements and to ensure as many eligible projects as possible are supported, it is sometimes necessary to identify applications that may be able to be achieved with a lesser allocation than requested. This process is achieved by reviewing project budgets in consultation with the applicants.

Applications which have been recommended to receive a reduced allocation to that which was originally requested are listed below.

- Newbridge Football and Netball Club: Construction of a toilet and storage facility located adjacent the existing netball courts.
- Wedderburn Golf Club: Purchase new chairs and upgrade the air-conditioning system at their clubrooms.
- Wedderburn Community Centre: To construct stage 2 of their gardening and landscaping project at the community house.
- Lions Club of East Loddon: To upgrade buildings kitchen and air-conditioning.
- Boort Business and Tourism Council: Purchase of tables, chairs, umbrellas and glassware to be used for outdoor events held in Boort.
- Boort A&P Society: Upgrading of the sheep pavilion and surrounds at Boort Park.
- Warts N All-Theatre Group: Financial assistance to run a training program for youth and other interested residents in Wedderburn.

### **COSTS/BENEFITS**

The Community Grants program offers significant benefit to the local community through provision of funding for specific projects which may otherwise struggle to secure funding through Council's other infrastructure programs or initiatives.

As demonstrated in the value of projects delivered since the inception of the program, Councils investment towards these grants yields far greater community benefit both in terms of financial investment and social wellbeing.

As per Councils previous commitment, administration of the scheme has continued on the basis of \$200,000 being available annually to contribute towards proposed community projects and programs.

### **RISK ANALYSIS**

Primary risks associated with the Community Grants scheme are believed to be as follows:

Adherence to Program Guidelines: Detailed program guidelines identify which projects and programs are considered eligible for community grants. All applications are assessed against these guidelines for eligibility so as to ensure that funding made available through this program is distributed equitably and provides greatest benefit to the overall Loddon community.

Failure to adhere to these guidelines could comprise the integrity of the grant program and the ability for Council to adequately fund appropriate community projects.

Failure to deliver projects: All successful applicants are required to adhere to a formal funding agreement which clearly identifies the purpose of the grant, delivery timeframes and reporting requirements. This is to ensure that expenditure of public money is conducted in a transparent and efficient manner.

### **CONSULTATION AND ENGAGEMENT**

The Loddon Shire Community Grants program is advertised annually during February with applications closing in May. During this period, community groups or individuals interested in applying for grants are encouraged to contact the relevant staff to discuss their proposals.

Funding guidelines are also made available to prospective applicants via Councils web site as well as via direct emails issued to community groups upon opening of the scheme.

Applicants that have been recommended a lesser allocation than that requested have been consulted with to ensure that their projects can still be achieved.

All unsuccessful applicants will be provided feedback in regard to their applications after recommendations are finalised and endorsed by Council.

**4.5 PLANNING PERMIT APPLICATION 5067**

**SUMMARY**

Planning permit application 5067 seeks approval for an irrigation project. Two objections have been received. It is being recommended that Council approve the application

Author	Tyson Sutton, Manager Planning and Local Laws
Council Plan ref:	Core business 9: Regulation
File no:	13/02/004
Attachment:	Objections Development plans Recommended conditions

**RECOMMENDATION**

*That Council resolve to approve planning permit application 5067 subject to the conditions attached to this report.*

**CONFLICT OF INTEREST**

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

No
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If yes, the following details identify the conflict of interest.

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

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

**PREVIOUS COUNCIL DISCUSSION**

Council has not previously discussed this matter.

**BACKGROUND**

Planning permit application 5067 was received on 13 March 2015 and seeks approval for works to facilitate the use of a linear move irrigation system on the subject land.

The subject land comprises of CA 6, 7, 8, 18, 32, 33, 34, 35, 36, 37 and B Section 1 Parish of Marmal. It is bound to the north by and unmade government road, Mackwood Road to the east, Tatchell Road to the south and Gardners Road to the west and has an area of approximately 1534 hectares. It is located approximately 21 kilometres to the northwest of the Boort Township, adjacent to the municipal boundary with the Buloke Shire.

The land is generally flat and has previously been developed for flood irrigation. Five notable stands of native vegetation are present on the property in addition to numerous scattered native trees. There is an established dwelling at the western end of the site with access from Gardners Road and another centrally located with Access from Hills Road.

Surrounding land is used exclusively for agricultural production with a mixture of irrigation and dryland practices. The subject land and the surround area are shown in figure 1.

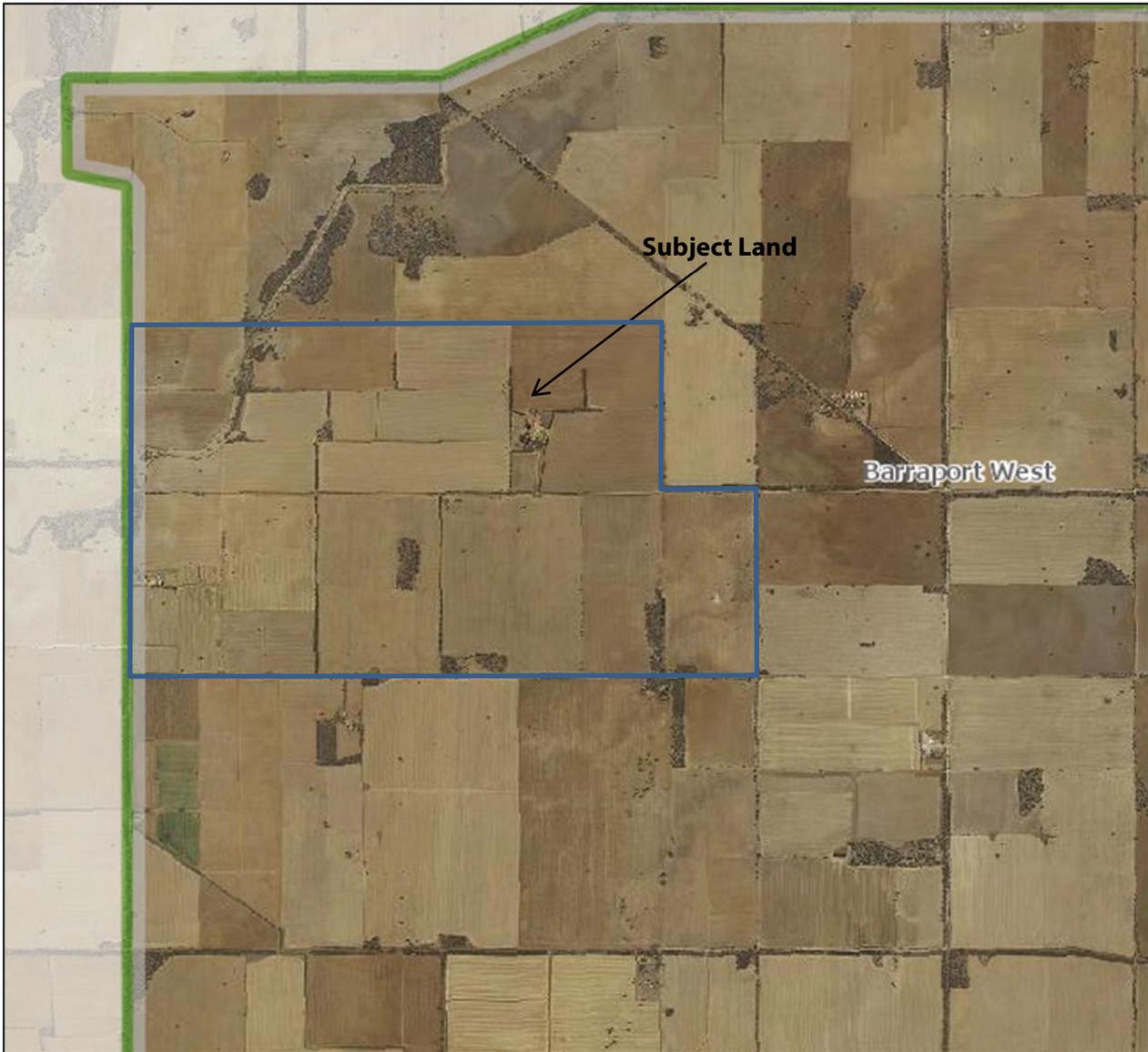


Figure 1. Subject Land

The application proposes to conduct works and remove native vegetation to facilitate a change of practice to linear move irrigators. Four irrigators are to move east to west parallel to Hills Roads.

Two irrigators are to span 780 metres and run approximately 5 kilometres resulting in an irrigated area of 775 hectares. These are to be located to the south of Hills Road.

Two irrigators to the north of Hills Road are to have spans of approximately 720 metres and runs of 1.5 kilometres and 2.2 kilometres respectively, resulting in an irrigated area of 272 hectares.

Across the 4 proposed areas a total of 1047 hectares will be irrigated. To facilitate the operation of the irrigators it is proposed to construct 4 west to east channels with associated feeders and dams. The channels will be perched above the surrounding landscape.

Planning approval for the proposed development is required under the provisions of the Farming Zone, Floodway Overlay and the native vegetation provisions contained at Clause 52.17 of the Loddon Planning Scheme. The proposed earthworks require planning approval as they are "earthworks which will change the rate of flow or the point of discharge of water across a property boundary". The land is also affected by the Land Subject to Inundation Overlay, however, this does not trigger a need for planning approval.

The application was referred to the North Central Catchment Management Authority and the Department of Environment, Land, Water and Planning and was advertised to surrounding landholders. Neither of the referral authorities has raised any objection to the proposed works. Two objections have been received from neighbouring landholders. The objections raise issues relating to flooding and the loss of native vegetation.

As objections have been received the application is being presented to Council for determination in accordance with established protocol.

### **ISSUES/DISCUSSION**

In determining an application the responsible authority must decide whether the proposal will result in acceptable outcomes in terms of the decision guidelines of the Loddon Planning Scheme. In doing so it must have regard to the policies and strategies identified in the State Planning Policy Framework and the Local Planning Policy Framework.

The application requires planning approval for works under the provisions of the Farming Zone and the Floodway Overlay. It also requires approval for the removal of native vegetation.

#### State Planning Policy Framework

The purpose of State policy in planning schemes is to inform planning authorities and responsible authorities of those aspects of State planning policy which they are to take into account and give effect to in planning and administering their respective areas. The State Planning Policy Framework provides a context for spatial planning and decision making by planning and responsible authorities. The relevant clauses of the State Planning Policy Framework as it relates to this application are:

- Clause 12.01 seeks to ensure that permitted clearing of native vegetation results in no net loss in the contribution made by native vegetation to Victoria's biodiversity
- Clause 13.02 seeks to assist the protection of:
  - Life, property and community infrastructure from flood hazard.
  - The natural flood carrying capacity of rivers, streams and floodway's.
  - The flood storage function of floodplains and waterways.
  - Floodplain areas of environmental significance or of importance to river health.
- Clause 14.01 Agriculture seeks to protect agricultural land and ensure sustainable agricultural land use.
- Clause 14.02 seeks to ensure that water resources and managed in a sustainable way.

The proposed development is consistent with the relevant policies of the State Planning Policy Framework. It will not result in net loss of Victoria's biodiversity, it will not detrimentally affect flood behaviour or increase risk from flooding and it will ensure that agricultural land and water resources are managed in a sustainable manner.

#### 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. Clause 21.04 of the Municipal Strategic Statement is relevant to this application. Clause 21.04 seeks 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.
- Protect significant native vegetation and habitat.
- Prevent development within the floodplain that would compromise its flood carrying capacity, threaten water quality and would be compromised by flood activity.
- Encourage and support a diverse and environmentally sustainable economy in the Shire.

The proposed development successfully reflects the relevant objectives of the Municipal Strategic Statement.

Local Planning Policies are tools used to implement the objectives and strategies of the Municipal Strategic Statement. The policies relevant to this application are:

- Clause 22.02 – drainage and flooding
- Clause 22.03 – dams
- Clause 22.05 – development in rural areas

The proposed development will achieve the objectives of these clauses.

#### Farming Zone

The schedule to the farming zone specifies that earthworks which will change the rate of flow or the point of discharge of water across a property boundary require planning approval. Given the fall of the land is generally from southwest to northeast the construction of east-west embankments for the channels will change the existing flow patterns across the site and result in discharge of water to the east and west instead of the existing discharge across the northern boundary.

The purpose of the Farming Zone is as follows:

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

The proposed development is consistent with the purpose of the zone as it is to be undertaken to improve agricultural production from the land and will therefore provide for the retention of productive agricultural land.

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 but dwelling issues are relevant to this application. On balance the decision guidelines of the Farming Zone support the application.

#### Floodway Overlay

The floodway overlay affects the north-western corner of the subject land. Development within the Floodway Overlay consists of a 200 megalitre turkey nest dam, sump and some small channels. The provisions of the Floodway Overlay require planning approval for buildings and works.

The purpose of the Floodway Overlay is as follows:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To identify waterways, major floodpaths, drainage depressions and high hazard areas which have the greatest risk and frequency of being affected by flooding.
- To ensure that any development maintains the free passage and temporary storage of floodwater, minimises flood damage and is compatible with flood hazard, local drainage conditions and the minimisation of soil erosion, sedimentation and silting.
- To reflect any declarations under Division 4 of Part 10 of the Water Act, 1989 if a declaration has been made.
- To protect water quality and waterways as natural resources in accordance with the provisions of relevant State Environment Protection Policies, and particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).

- To ensure that development maintains or improves river and wetland health, waterway protection and flood plain health.

The proposed development is consistent with the purpose of the Floodway Overlay. It will maintain the free passage of floodwater and will not significantly alter the storage capacity of the floodplain. The works proposed to be located within the Floodway Overlay are compatible with the flood hazard and are not at risk from, nor create any risk as a result of, flooding.

Native vegetation removal

The application proposes the removal of a patch of native vegetation and the removal of a number of scattered remnant trees from across the subject land. The vegetation is to be removed to provide clear passage for the linear irrigators. The patch has an area of approximately 7.9 hectares and is shown in figure 2.

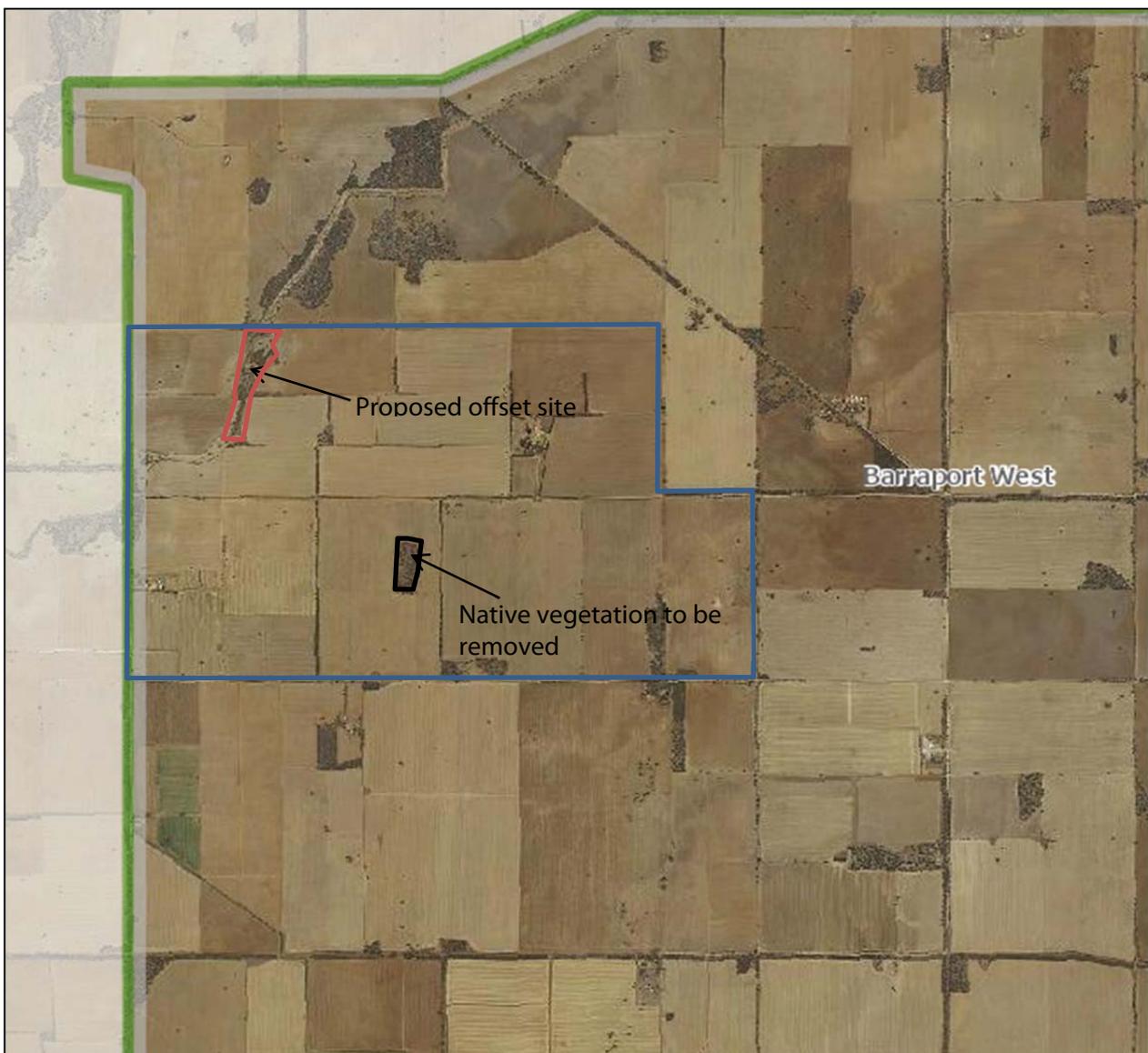


Figure 2. Native vegetation affected by application

The native vegetation controls of the Loddon Planning Scheme are contained at Clause 52.17 and have the following purpose:

- To ensure permitted clearing of native vegetation results in no net loss in the contribution made by native vegetation to Victoria’s biodiversity. This is achieved through the following approach:

- Avoid the removal of native vegetation that makes a significant contribution to Victoria's biodiversity.
- Minimise impacts on Victoria's biodiversity from the removal of native vegetation.
- Where native vegetation is permitted to be removed, ensure that an offset is provided in a manner that makes a contribution to Victoria's biodiversity that is equivalent to the contribution made by the native vegetation to be removed.
- To manage native vegetation to minimise land and water degradation.
- To manage native vegetation near buildings to reduce the threat to life and property from bushfire.

The proposed native vegetation removal is consistent with the purposes of this clause. The native vegetation identified for removal does not make a significant contribution to Victoria's biodiversity and it will not result in a net loss to Victoria's biodiversity. The proposed offsets (shown in figure 2) are in excess of what is required to meet requirements.

### Objections

The application has received two objections from neighbouring landholders. The grounds raised in the objections relate to flood risk and the loss of native vegetation.

The concerns relating to flood risk refer to the potential consequences of constructing a raised embankment to form channels. The objectors believe that this may act as a levy, blocking the flow of floodwater and increasing the likelihood or severity of inundation of land to the south.

Figure 3 shows the extent of flooding during the January 2011 event. The image is dated 16 January 2011 and shows the major area of flooding to the northwest of the subject land. This represents the major flow path in the immediate area of the proposed works. It is worth noting that floodwater is in part diverted around the subject land by an existing channel shown in the southwest corner of figure 3.

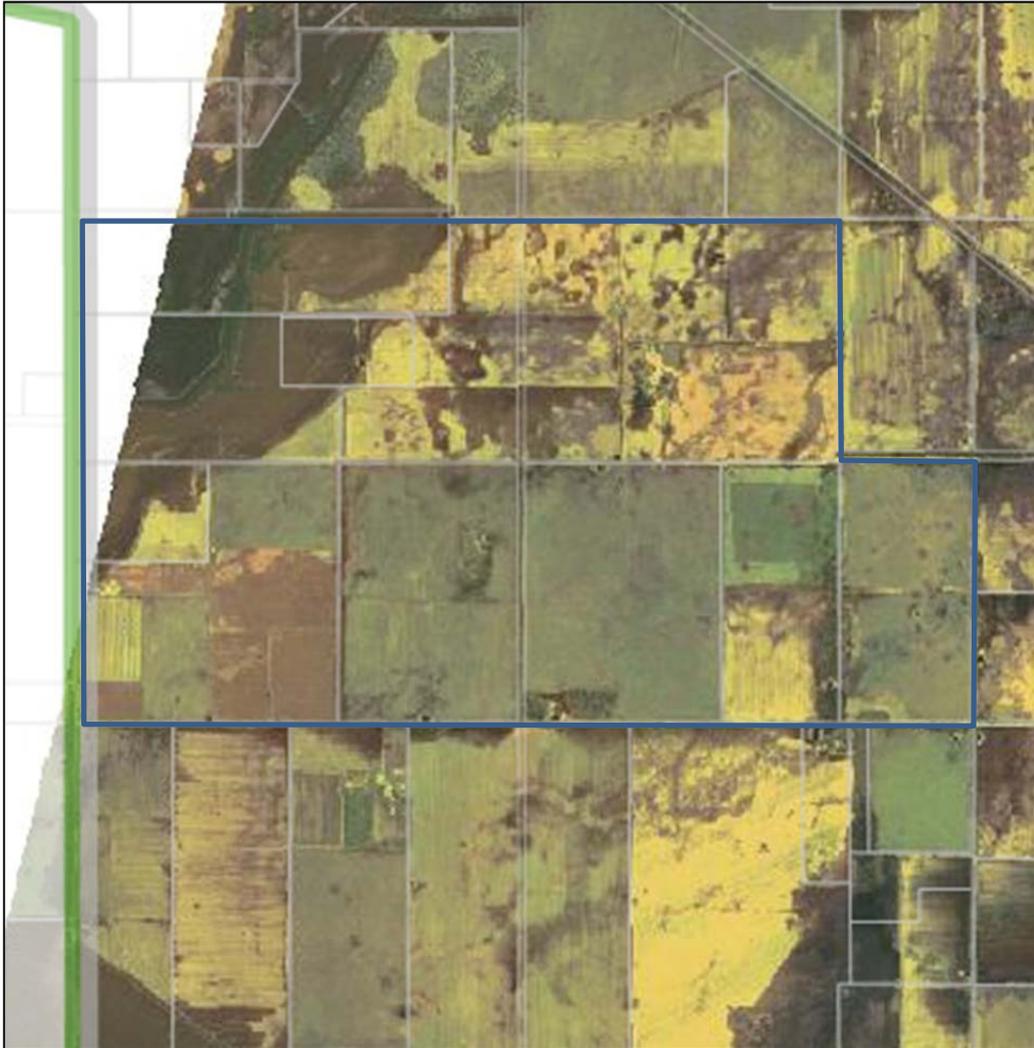


Figure 3. 2011 flood extent

Based on the information provided by the North Central Catchment Management Authority and the flood patterns demonstrated in figure 3 it can be concluded that the proposed development will result in little impact of the flow of floodwaters through the site.

The removal of native vegetation has been assessed against the requirements of the Loddon Planning Scheme. It is consistent with the relevant native vegetation controls and offsets will be provided.

#### **COSTS/BENEFITS**

Nil.

#### **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.

**4.6 APPROVAL OF PLANNING PERMIT APPLICATION 5013**

**SUMMARY**

Recommends approval of planning permit application 5013, which seeks the extension of a factory and development of an office and amenities facilities.

Author	Amy Lanfranchi – Planning Officer
Council Plan ref:	Strategic Platform 5: Grow and diversify our economy
File no:	13/02/004
Attachment:	Application documents, objection and proposed permit conditions

**RECOMMENDATION**

*That Council approve the planning permit application 5013 subject to conditions.*

**CONFLICT OF INTEREST**

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

No
----

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

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

**PREVIOUS COUNCIL DISCUSSION**

Council has not previously discussed this application.

**BACKGROUND**

The subject site is made up of two allotments being CA 10 Section 2 Parish of Eddington and Lot 1 TP201627. These allotments are more commonly known as 150 Playfair Street and 4028 Bendigo-Maryborough Road Eddington, respectively.

The site is located on Bendigo-Maryborough Road, and gains access from both this road and Playfair Street. The site is within the Township of Eddington, or more specifically what would be considered the south-eastern edge of the Township area.

The site has a number of structures on it, related to the existing business which operates in general light steel manufacturing. There are also a number of established trees located on the site.

The broader area is typically utilised for township and residential purposes to the north-west, and agricultural pursuits in the surrounding locality

The proposal reflects an extension of the existing factory along with subsequent expansion in the use of the facility, along with updated amenity facilities and construction of an associated office.

Access to the site will be gained from the existing driveways. Trucks and larger vehicles will access from Playfair Street, whilst cars may access from Bendigo-Maryborough Road.

The property is within the Township Zone, subject to the Environmental Significance Overlay Schedule 2 and is adjacent to a Road Zone Category 1 (VicRoads road).



Figure 2: Subject site

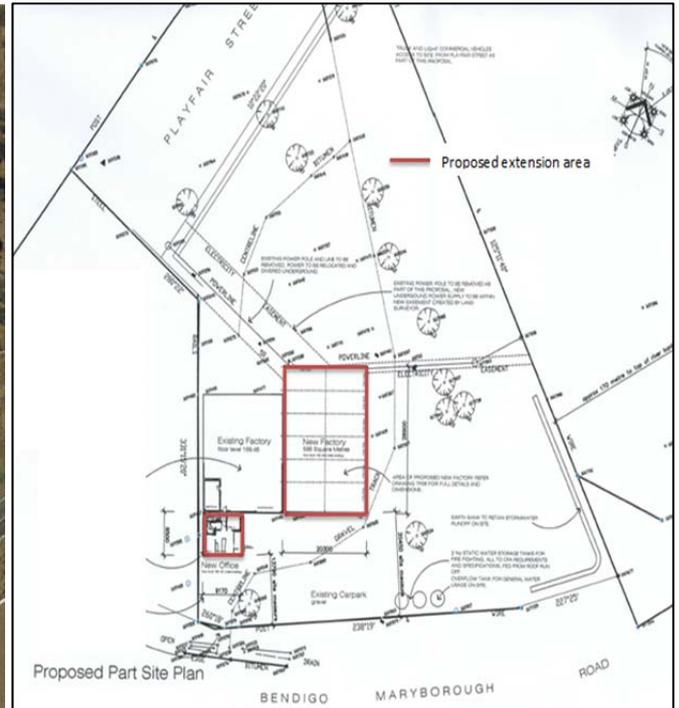


Figure 1: Proposed site plan

**ISSUES/DISCUSSION**

Planning permission is required for this development under the following provisions of the Loddon Shire Planning Scheme:

- Clause 32.05-8 Buildings and works associated with a Section 2 use
- Clause 42.01-2 Construct a building and carry out works
- Clause 52.29: Create or alter access to a road in a Road Zone Category 1
- Clause 52.06: Car parking requirements for the increase of a use

The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the State Planning Policy Framework, the Local Planning Policy Framework, the purpose and decision guidelines of the zone 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.

- Clause 17.02-1 Industrial land development

The objective is to ensure availability of land for industrial uses and where possible facilitate further development.

The proposal offers an extension of an existing industrial use, reflecting an intensification of the site. This is considered appropriate to support business in the Shire.

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 22.04 Industrial development

This clause outlines policies for the development of industry in the Shire.

The proposal is considered consistent with this clause as the business supports the economic viability of the Shire. Additionally, the issuing of a permit in this instance would allow for conditions (see attachment) to be put in place to improve the visual amenity of the site, which has received criticism by way of objection to this application (discussed in the body of this report).

### Zone

#### Clause 32.05 Township Zone

The subject land is contained within the Township 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 residential development and a range of commercial, industrial and other uses in small towns.
- To encourage development that respects the neighbourhood character of the area.
- To implement neighbourhood character policy and adopted neighbourhood character guidelines.
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

The proposal is considered to meet the purpose of this zone, as it supports the expansion of commercial/industrial use in the Township of Eddington. The location is appropriate for intensification on this site, due to the proximity to a good road network, and the size of the allotment.

### Overlay

- Environmental Significance Overlay Schedule 2

This overlay identifies land which may be affected by environmental constraints, and ensures that development is compatible with these values.

This area is identified due to the Laanecoorie Water Catchment Area, with the objective to protect and maintain water quality and yield in this special catchment.

Referral is made to Goulburn Murray Water (GMW), the North Central Catchment Management Authority (NCCMA) and the Department of Environment Land Water and Planning (DELWP).

GMW gave conditions to be placed on the permit, particularly that the two allotments be consolidated to enable wastewater to be retained on site. This is the intention of the applicant, and a relevant condition is proposed.

### Particular provisions

- Clause 52.29 Land adjacent to a Road Zone Category 1

The purpose of this provision is to ensure appropriate access to identified roads.

The site currently has access from Bendigo-Maryborough Road, however as this proposal presents an intensification of the use, a referral was required to VicRoads.

They have designated conditions reflecting an upgrade to the existing access way on Bendigo-Maryborough Road.

- Clause 52.06 Car parking

This clause ensures that adequate car parking is provided on site and that it does not adversely affect the amenity of the locality.

Requirements on the number of spaces are designated in this clause, and the development contained within this application would require an additional 21 car spaces on site. Due to the size of the allotment, it is believed that there is adequate space on the site to accommodate for vehicles associated with the business. A condition is proposed regarding the expectations surrounding car parking.

Other considerations

There is an easement on CA 10 Section 2 Parish of Eddington. This easement directs rights of access to electricity corporations or distribution companies.

The applicant has had conversations with Powercor, with the resolution to move the existing power lines underground. An appropriate permit condition is proposed to reinforce this arrangement. The rights of easement will stand as current.

Submissions

An objection was received by an owner of an opposite property. The concerns raised, and how they have been addressed, are as follows:

- Playfair Street has become an industrial area which will impact on the sale prices of property.

Officers response: As discussed in the body of this report, the Township Zone is an appropriate area for permissible industrial uses. An extension of the existing use is deemed appropriate due to the location to the edge of the Township Zone.

No resolved evidence or discussion was offered regarding the impact of property prices; and it is considered that without such evidence, it is not within the scope of this report to consider this claim further.

- Large trucks should not be accessing the site from Playfair Street.

Officers response: Playfair Street is a Town Sealed Access road, and is maintained to a standard that can accommodate trucks and large vehicles. Discussion with the Loddon Shire Council Infrastructure Department confirms that the road network can support these traffic movements.

Additionally, it is not considered appropriate for large vehicles to gain access to the site from Bendigo-Maryborough road in its current form.

- The site is not contained within boundary fences and overspill of 'old machines and scrap' is an issue.

Officers response: Proposed permit conditions relate to the fencing of the property boundary, and the need to maintain the site in a tidy manner. Such conditions, including where required subsequent enforcement, are considered adequate to address this concern.

**COSTS/BENEFITS**

There is potential economic benefit to the Shire, by way of supporting the expansion of an existing business within the Shire. However no study has been undertaken to unequivocally state such benefit.

There is no anticipated cost to Council in relation to this proposal.

**RISK ANALYSIS**

It is considered that risks associated with the issuing of a permit can be adequately mitigated by appropriate permit conditions.

**CONSULTATION AND ENGAGEMENT**

Notice was given, by way of letter, to surrounding neighbours. One objection was received.

**5. INFORMATION REPORTS**

**5.1 FINANCE REPORT FOR THR PERIOD ENDING 31 MAY 2015**

**SUMMARY**

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

Author	Duncan Campbell, Acting Manager Financial Services
Council Plan ref:	Strategic enabler: Sound financial management protocols
File no:	08/06/01
Attachment:	Finance Report for the Period Ending 31 May 2015

**RECOMMENDATION**

*That Council receives and notes the Finance Report for the period ending 31 May 2015.*

**CONFLICT OF INTEREST**

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

No
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Officer name	Nature of interest	Reason for conflict
Click here to enter text.	Choose an item.  If indirect, the type of indirect interest is:  Choose an item.	[Explain the specific circumstances of this person's conflict of interest.]

**PREVIOUS COUNCIL DISCUSSION**

Council is provided with Finance Reports on a monthly basis.

**BACKGROUND**

The Finance Report for the period ending 31 May 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.

There are no variations to report for supplementary valuations during the month of May 2015, however a number of batches have been forwarded for processing by the valuer.

**ISSUES/DISCUSSION**

This month a capital and major projects variance report has been included as per the new reporting regime. This gives explanation notes for capital expenditure and some major projects included as operating expenditure and is designed to provide Council with progress information on these works.

### **COSTS/BENEFITS**

The benefit to Council and the community is:

- that accurate and regular financial reporting is being disclosed
- an accurate representation of property valuations is reflected in Council's rating system.

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.

## 5.2 KINDERGARTEN EDUCATOR TO CHILD RATIOS 2016

### **SUMMARY**

This report is to provide Council with information on changes to the required educator to child ratio for Loddon cluster kindergartens in 2016.

Author	Wendy Gladman, Director Community Wellbeing
Council Plan ref:	Core business 2: Provision of wellbeing services
File no:	12/09/003
Attachment:	Nil

### **RECOMMENDATION**

*That Council receive and note this report detailing changes to the required educator to child ratio for Loddon cluster kindergartens in 2016.*

### **CONFLICT OF INTEREST**

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

No

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

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

### **PREVIOUS COUNCIL DISCUSSION**

There has been no previous discussion on this issue.

### **BACKGROUND**

Victorian kindergarten services legislative requirements transferred to the Education and Care Services National Law Act 2010 (The Act). The National Law was developed by all jurisdictions and enacted by Victoria on 12 October 2010. The Education and Care Services National Regulations (regulations) commenced on 1 January 2012.

The Act and regulations contain a number of provisions that were not previously contained in Victorian legislation. The new regulations contain a provision for a change in the educator to child ratio.

The Act requires an approved provider of a kindergarten service to ensure that, whenever children are being educated and cared for by the service, the relevant number of educators is no less than the number prescribed in the regulations for this purpose.

For Loddon kindergartens the regulations prescribe that the minimum number of educators required to educate and care for children at a service is to be calculated in accordance with the following ratio:

- for children aged 36 months of age or over (not including children over preschool age)  
– 1 educator to 11 children.

Whilst the regulations commenced in 2012, Victorian services operated under a specific provision which provided the following in relation to educator/child ratios to be in place until 31 December 2015:

- The educator to child ratio at a centre-based service for children preschool age or under who are aged 36 months or over is 1 educator to 15 children.

With regard to the above legislation, Loddon cluster kindergartens are currently operating with a minimum of an educator/child ratio of one to fifteen. From 1 January 2016 the required educator/child ratio will be one to eleven.

The kindergartens in the Loddon cluster operate at all times with a minimum of two educators.

This regulatory change will require services with enrolments of 23 children and above to operate with a minimum of three educators, and of those educators, 50% must have a diploma level or above qualification.

### **ISSUES/DISCUSSION**

A number of factors have been taken into consideration when preparing this report, including:

- kindergarten capacity – the number of children the service is licenced to have on the premises
- projected fluctuations in enrolment trends – based on birth rate data
- previous enrolment data – four and three year old programs.

#### Kindergarten Capacity

Unrelated to educator/child ratio requirements, each kindergarten has a maximum capacity, specifying the number of children the service is licensed to have on the premises.

<b>Kindergarten</b>	<b>Licensed Capacity</b>
Boort	26
Dingee	21
Inglewood	26
Pyramid Hill	24
Wedderburn	30

Dingee Preschool will not be impacted by the educator/child ratio change as the licenced capacity is currently less than the requirement for an additional educator at 23 plus children.

All other kindergartens have a licence capacity that could accommodate enrolments requiring the employment of an additional educator.

#### Enrolment Trends

While birth rates are not a prescriptive method to determine kindergarten enrolment numbers, they have previously provided an indicative representation of the enrolment trend at individual kindergartens.

The only exemption from this is Inglewood Preschool, where enrolments often trend below birth rates.

<b>Birth date range</b> <b>1 May – 30 April</b>	<b>Kindergarten year</b>	<b>Boort</b>	<b>Dingee</b> (not impacted)	<b>Inglewood</b>	<b>Pyramid Hill</b>	<b>Wedderburn</b>
2011/12	<b>2016</b>	15	9	17	10	14
2012/13	<b>2017</b>	12	13	19	11	7
2013/14	<b>2018</b>	14	18	19	11	16

2014/15	<b>2019</b>	13	15	23	10	13
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This table indicates that other than Inglewood in 2019, none of the kindergartens are trending towards numbers of twenty three plus, although for some programs this may occur where a three and four year old program is offered as a combined session.

This may result in services being over the limit for an additional educator, but within the centre capacity on the day/s that a combined session is operating.

The tables below show the potential impact on services providing a combined session: Boort (for the first time in 2015), Pyramid Hill and Wedderburn. Dingee operates a stand alone three year program and Inglewood did not have sufficient enrolments to offer a three year program for the last three years.

Previous enrolment data

Previous kindergarten enrolments demonstrate the fluctuations experienced by services in the last four year period and provides an indication of child numbers where a three and four year program are combined.

Kindergarten Year	Boort		Dingee (not impacted)		Inglewood		Pyramid Hill		Wedderburn	
	4Yr	3Yr	4Yr	3Yr	4Yr	3Yr	4Yr	3Yr	4Yr	3Yr
2012	19	12	20	11	20	9	20	6	16	4
2013	12	19	16	17	15	0	10	11	13	3
2014	20	11	21	8	11	0	12	9	7	10
2015	12	10	19	10	13	0	15	8	18	TBA

Future options

Because of the varying nature of enrolments, it is impossible to have a one option suits all. A number of alternatives are available to the kindergartens, and these will be applied in consultation with educators and the committees following the finalising of enrolments for the ensuing year.

1. Where enrolments of a stand alone four year old program exceed the educator/child limit of twenty two (based on current staffing) – with insufficient funds to employ an additional educator
  - Limit enrolments to twenty two
  - Request a departmental exemption to operate a rotating roster
  - Employ an additional educator and increase fundraising target
2. Where enrolments of a combined four and three year old program exceed the educator/child limit of twenty two
  - Limit enrolments to twenty two – priority provided to four year old children
  - Operate a rotating roster for the three year old children
  - Extend three year old attendance to multiple days, with children attending one day only – sharing the number of three year olds attending over multiple days.
  - Employ additional educator for day/s that a combined program operates and increase fundraising target

**COSTS/BENEFITS**

Services operating with enrolments over twenty two will be required to employ an additional educator. At the time of preparing this report, it was unsure if there would be any change to the current funding model to support this requirement. Funds supporting the operational requirements of Loddon

kindergartens consist of Federal and State Government funding, Loddon Shire cluster contribution and parent fees.

A larger financial impact will be experienced when the enrolments at a service exceed the limit for an additional educator by a smaller number.

### **RISK ANALYSIS**

The risks associated with the implementation of the options detailed in this report include:

- children unable to access a kindergarten program if enrolment capacity is based on educator/child ratio
- additional fundraising required to support employment of additional educator where enrolments exceed twenty two.

Based on the data provided in this report, it appears unlikely that stand alone four year old programs will be significantly impacted in the near future by the change in the educator/child ratio.

Kindergartens have a number of options available if a combined three and four year program exceeds the educator/child ratio. These options will have a much reduced impact than a stand alone four year old program.

### **CONSULTATION AND ENGAGEMENT**

The Director Community Wellbeing has discussed the regulatory change and possible implications with the executive committee members and core educators of each of the Loddon cluster kindergartens (excluding Dingee).

Further community engagement will be required to ensure that enrolments are submitted by the closing date to provide sufficient time to determine the best course of action should enrolments exceed the current staffing levels in meeting the new educator/child ratio.

### 5.3 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.*

#### **CONFLICT OF INTEREST**

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

No

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

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

Date	From	Subject
28/5/15	Inglewood Development and Tourism Committee Inc.	Restoration works on premises at corner of Brooke and Verdon streets, Inglewood
3/6/15	Hon Jacinta Allan MP, Minister for Public Transport	Regional Network Development Plan

#### 5.4 PLANNING APPLICATION 4988 VCAT APPEAL

##### **SUMMARY**

Planning permit 4988 has been determined by VCAT who have directed that no permit is to be issued.

Author	Tyson Sutton, Manager Planning and Local Laws
Council Plan ref:	Core business 9: Regulation
File no:	13/02/004
Attachment:	VCAT decision

##### **RECOMMENDATION**

*That Council receive and note this report.*

##### **CONFLICT OF INTEREST**

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

No
----

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

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

##### **PREVIOUS COUNCIL DISCUSSION**

At its ordinary meeting of 27 January 2015 Council resolved to advise VCAT that it supports planning permit application 4988.

##### **BACKGROUND**

Planning application 4988 sought approval under the provisions of the Land Subject to Inundation Overlay and the Heritage Overlay, for the construction of a dwelling at 29 Park Street, Bridgewater.

At its ordinary meeting of 25 November 2014 Council resolved to defer consideration of planning permit application 4988 pending further consultation with the applicant with regard to the style and size of the proposed dwelling.

The applicant subsequently lodged an appeal with VCAT against Council's failure to determine their application. Subsequently, Council resolved to support the proposal at its ordinary meeting of 27 January 2015.

##### **ISSUES/DISCUSSION**

A merits hearing was conducted by VCAT on 13 May 2015 to consider planning permit application 4988. Present at the hearing were the applicant, North Central Catchment Management Authority and Council representative.

Following from the Hearing, VCAT have issued an order that set aside Council's decision and directed that no planning permit was to be issued.

##### **COSTS/BENEFITS**

Nil

### **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 **2014/15 RESERVE MOVEMENTS AND IMPACT ON CASH AT BANK**

#### **SUMMARY**

This report seeks Council's approval of the transfers to and from reserves for the 2014/15 financial year and the allocation of cash to fund the reserve balances at 30 June 2015.

Author	Duncan Campbell, Acting Manager Financial Services
Council Plan ref:	Core business 6: Financial stability
File no:	06/01/002
Attachment:	Nil

#### **RECOMMENDATION**

*That Council:*

1. *reconfirms its approval of the 2014/15 budgeted amounts to be transferred to and from the reserves, as per Council's Reserves Policy*
2. *reconfirms its approval in principle of the 2014/2015 actual amounts to be transferred to and from the reserves, as per Council's Reserves Policy, which are dependent on financial results for the year ended 30 June 2015*
3. *approves an extra transfer to the Plant Replacement Reserve of \$400,000 to fund the purchase of plant required for the newly restructured outdoor workforce*
4. *approves a transfer to the Heritage Loan Scheme of \$100,000 to create the pool*
5. *approves that transfers to/from Cash at bank (general account) and Cash at bank (general reserves) be undertaken so that Cash at bank (general reserves) reflects the total balance of General Reserves in the Balance Sheet at 30 June 2015.*

#### **CONFLICT OF INTEREST**

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

No

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

#### **PREVIOUS COUNCIL DISCUSSION**

Until the adoption of Council's Reserves Policy which determined the transfers to and from reserves, Council would annually in June resolve to transfer specific amounts to and from reserves. The creation of the policy eliminated this need.

**BACKGROUND**

However, the Local Government Better Practice Guide 2014/2015: Model Financial Report has now changed the requirements around intended use of cash with the following:

*Intended allocation:* In addition to restricted cash, Council may have internally determined intended allocations of its cash and cash equivalents. . . Items can only be recognised as subject to an intended allocation when a council resolution has resolved that funding be used in a particular manner.

Therefore, Council will now need to formally resolve its intention in relation to transfers to and from reserves and the impact that this will have on cash in the Balance Sheet.

**ISSUES/DISCUSSION**

The Reserves Policy , which was approved by Council on 24 June 2014 and has been included in the June 2015 Council Agenda for amendment, requires that items specifically identified in the budget be transferred to and from reserves, while others depend on results for the year in relevant areas of cost.

The following table represents the anticipated General Reserves movements and balances as presented in the 2015/16 draft Budget.

Name of reserve	2014/15 reserves			
	Balance at 1 July 2014	Transfers to reserves	Transfers from reserves	Balance at 30 June 2015
Land & buildings reserve	\$ 3,000	\$215,000	\$150,000	\$ 68,000
Professional development reserve	\$ 39,946	\$12,000	\$0	\$ 51,946
Unspent grants reserve	\$ 3,440,369	\$0	\$3,440,369	\$ -
Capital expenditure reserve	\$ 960,518	\$0	\$960,518	\$ -
Rates reserve	\$ 473,678	\$14,210	\$136,419	\$ 351,469
Information technology reserve	\$ 477,016	\$285,000	\$259,500	\$ 502,516
Valuation reserve	\$ 58,573	\$160,508	\$14,361	\$ 204,720
Units reserve	\$ 20,377	\$32,582	\$0	\$ 52,959
Economic development reserve	\$ 488,197	\$395,000	\$305,119	\$ 578,078
Skinner's Flat reserve	\$ 18,503	\$0	\$0	\$ 18,503
Community planning reserve	\$ 558,174	\$0	\$558,174	\$ -
Plant replacement reserve	\$ 1,197,821	\$1,164,000	\$1,881,583	\$ 480,238
Fleet replacement reserve	\$ 102,449	\$236,000	\$226,860	\$ 111,589
GSP restoration reserve	\$ 523,380	\$135,183	\$45,000	\$ 613,563
Urban drainage reserve	\$ 311,987	\$350,000	\$165,000	\$ 496,987
Landfill rehabilitation reserve	\$ 198,947	\$31,390	\$0	\$ 230,337
Councillors' initiative reserve	\$ -	\$ -	\$ -	\$ -
Lake Boort water reserve	\$ 23,857	\$0	\$0	\$ 23,857
Reserves improvement reserve	\$ 100,000	\$ -	\$ -	\$ 100,000
Water unbundling reserve	\$ 27,519	\$0	\$27,519	\$ -
Caravan park development reserve	\$ 30,332	\$94,679	\$86,650	\$ 38,361
Superannuation liability reserve	\$ -	\$ 1,000,000	\$0	\$ 1,000,000
Unspent contributions reserve	\$ 1,511	\$0	\$1,511	\$ -
War memorial reserve	\$ 3,000	\$0	\$0	\$ 3,000
Major projects reserve	\$ 520,152	\$0	\$0	\$ 520,152
<b>TOTAL</b>	<b>\$ 9,579,306</b>	<b>\$ 4,125,552</b>	<b>\$ 8,258,583</b>	<b>\$ 5,446,275</b>

The transfers to and from reserves have been projected based on current information, although it is accepted that there will be changes to the figures during the finalisation of the financial statements for the year ended 30 June 2015.

The original intent of the policy and the 2014/15 budget has been captured in the table, with the exception of the:

1. Plant Replacement Reserve: where an extra allocation of \$400,000 has been included in the transfers to reserves. This amount represents extra resources needed to fund the plant required under the newly restructured outdoor workforce

2. Heritage Loan Scheme: which will be created with the adoption of Reserves Policy v3. As stated in the Reserves Policy report, it is intended to transfer \$100,000 to this reserve.

In addition to this, Council resolved at the Ordinary meeting held on 26 May 2015 to transfer from the Lake Boort Water Reserve, the amount above \$500,000 spent on purchase of water for Lake Boort in 2014/15. This figure is yet to be finalised but will be up to \$5,000.

Until now Council has not been required to identify specifically in the Balance Sheet cash isolated for General Reserves. This will be undertaken this year, and this report seeks Council's approval of this.

#### **COSTS/BENEFITS**

The benefit of the Reserves Policy is to identify funds which are put aside to even the effects of anticipated significant expenditures in the future, or to put aside funds which have been allocated or granted to fund specific projects. This technique is a sound cash control strategy for Council.

#### **RISK ANALYSIS**

There is no inherent risk in this report.

#### **CONSULTATION AND ENGAGEMENT**

The consultation process is part of the budget process. There will be further consultation as part of the end of year process during June and July 2015.

**6.2 SECTION 86 COMMITTEE OF MANAGEMENT MEMBERSHIP DETAILS- WEDDERBURN MECHANICS AND LITERARY INSTITUTE HALL**

**SUMMARY**

This report seeks Council's approval of the membership of Wedderburn Mechanics and Literary Institute 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:	02/01/038
Attachment:	Nil

**RECOMMENDATION**

*That Council appoints the names provided in this report as members of the Wedderburn Mechanics and Literary Institute Hall Section 86 committee of management, effective immediately.*

**CONFLICT OF INTEREST**

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

No

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

**PREVIOUS COUNCIL DISCUSSION**

Council approved the current list of committee members for Wedderburn Mechanics and Literary Institute Hall Committee of Management on 23 September 2014.

**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**

Wedderburn Mechanics and Literary Institute 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:

<b>Name</b>	<b>Position</b>
Barry Finch	President
Daryl Arnott	Vice President
Alan Mulraney	Secretary
Robert Nichols	Treasurer
Alex Holt	Committee Member
Geoff Maxwell	Committee Member
Thomas Jackson	Committee Member
Faye Lockhart	Committee Member
Brian Boyton	Committee Member
Dede Williams	Committee Member
Dean Launder	Committee Member

The Council representative for this committee is Cr Gavan Holt.

### **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 28 July at Serpentine commencing at 3pm.