



Date: Tuesday, 26 November 2024
Time: 3.00pm
Location: Loddon Shire Council Chambers, Wedderburn

MINUTES

Council Meeting

**MINUTES OF LODDON SHIRE COUNCIL
COUNCIL MEETING
HELD AT THE LODDON SHIRE COUNCIL CHAMBERS, WEDDERBURN
ON TUESDAY, 26 NOVEMBER 2024 AT 3.00PM**

PRESENT: Cr Dan Straub (Mayor), Cr Nick Angelo, Cr Gavan Holt, Cr David Weaver and Cr Miki Wilson

IN ATTENDANCE: Lincoln Fitzgerald (Chief Executive Officer), Wendy Gladman (Director Community Wellbeing), Glenn Harvey (Manager Development and Compliance), Michelle Stedman (Director Corporate) and Lisa Clue (Manager Governance)

1 OPENING AFFIRMATION

The Mayor read the Opening Affirmation

2 ACKNOWLEDGEMENT OF COUNTRY

The Chief Executive Officer read the Acknowledgement of Country

3 APOLOGIES

Nil

4 DECLARATIONS OF CONFLICT OF INTEREST

Cr Weaver declared a General conflict of interest in relation to Agenda Item 10.3 as a member of the North Central Catchment Management Authority Board.

SUSPENSION OF STANDING ORDERS

RESOLUTION 2024/138

Moved: Cr Miki Wilson
Seconded: Cr David Weaver

That Council suspend standing orders in accordance with Governance Rule 65(5) while questions submitted by members of the public are put to Council.

CARRIED

RESUMPTION OF STANDING ORDERS

RESOLUTION 2024/139

Moved: Cr Nick Angelo
Seconded: Cr Miki Wilson

That Council resume standing orders.

CARRIED

5 PREVIOUS MINUTES**5.1 CONFIRMATION OF MINUTES**

File Number: FOL/19/45615
Author: Lisa Clue, Manager Governance
Authoriser: Lincoln Fitzgerald, Chief Executive Officer
Attachments: Nil

RECOMMENDATION

That Council confirm the Minutes of the following meetings as previously circulated to Councillors:

1. Council Briefing of 22 October 2024
2. Council Meeting of 22 October 2024
3. Special Meeting of Council 19 November 2024

REPORT

This report seeks Council confirmation of Minutes from the October 2024 Council Briefing and Council Meeting, as previously circulated to Councillors.

RESOLUTION 2024/140

Moved: Cr Gavan Holt
Seconded: Cr David Weaver

That Council confirm the Minutes of the following meetings as previously circulated to Councillors:

1. Council Briefing of 22 October 2024
2. Council Meeting of 22 October 2024
3. Special Meeting of Council 19 November 2024.

CARRIED

6 COUNCIL AUSPICED MEETINGS

6.1 RECORD OF COUNCIL AUSPICED MEETINGS

File Number: 02/01/001

Author: Lisa Clue, Manager Governance

Authoriser: Lincoln Fitzgerald, Chief Executive Officer

Attachments: Nil

RECOMMENDATION

That Council confirm the record of Council Briefing held 22 October 2024 as detailed within this report.

Rule 35 of Council's Governance Rules requires a record of meetings conducted under the auspices of Council to be presented to the next available scheduled Council meeting for confirmation that must include:

- a) a record of which Councillors and officers attended the meeting;
- b) a summary of the matters considered in the meeting; and
- c) a record of any conflicts of interest disclosed by Councillors and officers and any Councillors or officers that left the meeting whilst a matter that their conflict of interest related to was being discussed.

Section 3 of the Governance Rules defines meetings conducted under the auspices of Council to mean a meeting of the kind described in section 131(1) of the Local Government Act 2020 and includes a meeting which:

- a) is schedule or planned for the purpose of discussing the business of Council or briefing Councillors;
- b) is attended by a majority of Councillors;
- c) is attended by at least one member of Council staff; and
- d) is not a Council meeting or delegated committee meeting.

As no Forum was held in November, this report seeks confirmation of just the Council Briefing held on 22 October 2024.

Meeting details	Briefing
Date	22 October 2024
Councillor Attendees	Cr Holt (Mayor) Cr Beattie Cr Jungwirth Cr Murphy Cr Straub
Staff/ Stakeholder representatives	1. Lincoln Fitzgerald, Chief Executive Officer 2. Wendy Gladman, Director Community Wellbeing 3. Glenn Harvey, Acting Director Operations 4. Michelle Stedman, Director Corporate 5. Lisa Clue, Manager Governance 6. Deanne Caserta, Manager Financial Services – items 3 and 4 below
Item(s) discussed.	1. Review of Council Meeting Agenda 2. Councillor Transition Arrangements 3. 2023/24 End of Financial Year Variations – Detailed Analysis 4. Section 181 Sales Update – Sale of properties for unpaid rates and charges 5. Community Support Funding Programs Update 2023/24 6. General Business <ul style="list-style-type: none"> • Meeting technology • Voter entitlements • Disaster Recovery Funding • 30 Years of Loddon • Murray River Group of Councils • Poultry Farms
Conflict of Interest Disclosures – Councillor/ officer making disclosure	Nil
Councillor/officer left room	n/a

RESOLUTION 2024/141

Moved: Cr Gavan Holt
Seconded: Cr Nick Angelo

That Council confirm the record of Council Briefing held 22 October 2024 as detailed within this report.

CARRIED

7 REVIEW OF ACTIONS

7.1 REVIEW OF ACTIONS

File Number: 02/01/002

Author: Lisa Clue, Manager Governance

Authoriser: Lincoln Fitzgerald, Chief Executive Officer

Attachments: 1. Resolutions acted upon since the October 2024 Council meeting

RECOMMENDATION

That Council receive and note resolutions acted upon since the October 2024 Council meeting as attached to this report.

CONFLICT OF INTEREST

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

REPORT

A document containing the status of actions from the October Council meeting resolutions, and two actions from September Council meeting resolutions (reported on as progressing at the October Council meeting) is attached to this Agenda report.

All three actions generated from the October Council meeting resolutions have been acted upon.

Of the two actions reported on as progressing at the October Council meeting, one has been acted upon and one relates to a resolution for a report to be provided to Council at the December 2024 or January 2025 Council meeting.

RESOLUTION 2024/142

Moved: Cr Miki Wilson

Seconded: Cr Nick Angelo

That Council receive and note resolutions acted upon since the October 2024 Council meeting as attached to this report.

CARRIED

8 MAYORAL REPORT**8.1 MAYORAL REPORT****File Number: 02/01/001****Author: Lisa Clue, Manager Governance****Authoriser: Lincoln Fitzgerald, Chief Executive Officer****Attachments: Nil****RECOMMENDATION**

That Council receive and note the Mayoral Report.

REPORT

Mayor Straub presented a verbal report at the meeting, thanking his fellow Councillors for electing him as their Mayor, as he looks forward to working with Councillors and Council staff over the coming years.

Mayor Straub acknowledged all who nominated for a Council position across the state and congratulated those subsequently elected Councillors and Mayors. In closing Mayor Straub said he looks forward to working with neighbouring Councillors and Mayors as important regional partners.

RESOLUTION 2024/143**Moved: Cr David Weaver****Seconded: Cr Miki Wilson**

That Council receive and note the Mayoral Report.

CARRIED

9 COUNCILLORS' REPORT**9.1 COUNCILLORS' REPORTS****File Number:** 02/01/001**Author:** Lisa Clue, Manager Governance**Authoriser:** Lincoln Fitzgerald, Chief Executive Officer**Attachments:** Nil**RECOMMENDATION**

That Council receive and note the Councillors' reports.

REPORT

Each Councillor presented a verbal report at the meeting.

Cr Holt

Section 65 Community Asset Committees:	
25/11/2024 - Donaldson Park Meeting (Chair) - Wedderburn	
Other Council activities	
Date	Activity
23/10/2024	Wedderburn Development Association AGM
03/11/2024	Inglewood Alive Festival
08/11/2024	Declaration of the 2024 Loddon Shire Council Election Results and Welcome to Loddon introduction of Councillors - Wedderburn
11/11/2024	Pyramid Hill Armistice Day ceremony and unveiling Rats of Tobruk memorial plaques
19/11/2024	Councillor training – Being an effective and lawful representative - Wedderburn
	Special Council meeting - Wedderburn

Cr Angelo

Other Council activities	
Date	Activity
08/11/2024	Declaration of the 2024 Loddon Shire Council Election Results and Welcome to Loddon introduction of Councillors - Wedderburn
19/11/2024	Councillor training – Being an effective and lawful representative - Wedderburn
	Special Council meeting - Wedderburn
23/11/2024	Cork and Fork - Newbridge

Cr Wilson

Section 65 Community Asset Committees:	
22/11/2024 - Inglewood Community Elderly Persons Units – Project meeting	
Other Council activities	
Date	Activity
08/11/2024	Declaration of the 2024 Loddon Shire Council Election Results and Welcome to Loddon introduction of Councillors - Wedderburn
19/11/2024	Councillor training – Being an effective and lawful representative - Wedderburn
	Special Council meeting - Wedderburn
21/11/2024	Bridgewater on Loddon Development Committee (BOLD) meeting
22/11/2024	Loddon Housing and Living Showcase - Bridgewater

Cr Weaver

Council activities	
Date	Activity
08/11/2024	Declaration of the 2024 Loddon Shire Council Election Results and Welcome to Loddon introduction of Councillors - Wedderburn
19/11/2024	Councillor training – Being an effective and lawful representative - Wedderburn
	Special Council meeting - Wedderburn
20/11/2024	Meeting with Chief Executive Officer - Boort

RESOLUTION 2024/144

Moved: Cr Nick Angelo

Seconded: Cr Gavan Holt

That Council receive and note the Councillors' reports.

CARRIED

10 DECISION REPORTS**10.1 COUNCIL MEETING SCHEDULE****File Number:** 02/04/001**Author:** Lisa Clue, Manager Governance**Authoriser:** Lincoln Fitzgerald, Chief Executive Officer**Attachments:** Nil**RECOMMENDATION**

That Council:

1. approves the schedule of Council Meetings for 2025 contained within this report; and
2. approves amending the date of the December 2024 Council meeting from Tuesday, 10 December to Tuesday 17 December; and
3. notes that dates and times for Special Meetings and meetings conducted under the auspices of Council are to be determined as required and may commence earlier than 10am; and
4. provides public notice of the 2025 Schedule of Council Meetings and amended December 2024 Council meeting date in accordance with Council's Governance Rules.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

Council approved a 2024 Schedule of Council meetings at its meeting on 28 November 2023.

Councillors discussed scheduling of meetings at a Councillor induction session on Tuesday, 12 November 2024.

BACKGROUND

Council's Governance Rules require the dates, times and places of scheduled Council meetings to be fixed by the Council from time to time.

Loddon Shire Council has traditionally conducted Council Meetings on the fourth Tuesday of the month, with the exception of the December meeting, which is generally held on the second Tuesday.

This report seeks Council approval of a proposed Schedule of Council meetings for 2025 and amendment of the date of the December 2024 Council meeting, from Tuesday 10 December to Tuesday 17 December.

ISSUES/DISCUSSION*Schedule of Council meetings for 2025*

This report proposes 2025 Council meetings be held on the following dates, in the Council Chambers, Wedderburn, commencing at 3pm:

• Tuesday 28 January	• Tuesday 22 July
• Tuesday 25 February	• Tuesday 26 August
• Tuesday 25 March	• Tuesday 23 September
• Tuesday 22 April	• Tuesday 28 October
• Tuesday 27 May	• Tuesday 25 November
• Tuesday 24 June	• Tuesday 9 December

The November 2023 Council resolution approving the 2024 Council Meeting schedule included a requirement that Council schedule all meetings to begin no earlier than 10am. Recent consultation with Councillors identified it would be more beneficial to determine the dates and times for Special meetings and meetings conducted under the auspices of Council as required, relevant to Councillor and officer availability and the quantum and complexity of matters to be considered.

December 2024 Council Meeting

The November and December Council meetings are currently scheduled two weeks apart, and the December 2024 and January 2025 Council meetings, seven weeks apart.

To support compliance with a new legislative requirement for Councillors to complete mandatory induction training within four months of taking the oath or affirmation of office, Council's induction program includes an internally facilitated session on 17 December 2024.

It was recently noted that swapping the dates of the induction session and the December meeting would provide an additional week between the November and December Council meetings, and reduce the time between the December 2024 and January 2025 Council meetings, with minimal impact on Councillors and officers.

This report seeks Council approval to amend the date of the December Council meeting to 17 December 2024.

Publication of meeting dates

Once approved, the schedule of Council meetings for 2025, will be posted on Council's website, published in the Loddon Bulletin and advertised in local print media.

If approved by Council, the amended date for the December 2024 Council meeting will be communicated via print and social media.

COST/BENEFITS

Costs associated with the conduct of Council meetings are provided for in Council's adopted budget.

RISK ANALYSIS

Nil

CONSULTATION AND ENGAGEMENT

Councillors and Council officers discussed scheduling of meetings at a Councillor induction session on Tuesday, 12 November 2024.

RESOLUTION 2024/145

Moved: Cr Miki Wilson

Seconded: Cr Nick Angelo

That Council:

1. approves the schedule of Council Meetings for 2025 contained within this report; and
2. approves amending the date of the December 2024 Council meeting from Tuesday, 10 December to Tuesday 17 December; and
3. notes that dates and times for Special Meetings and meetings conducted under the auspices of Council are to be determined as required and may commence earlier than 10am; and
4. provides public notice of the 2025 Schedule of Council Meetings and amended December 2024 Council meeting date in accordance with Council's Governance Rules.

CARRIED

10.2 KINGOWER DEVELOPMENT AND TOURISM COMMITTEE - FEE WAIVER AND REDUCTION APPLICATION

File Number: -
Author: Steven Phillips, Director Operations
Authoriser: Lincoln Fitzgerald, Chief Executive Officer
Attachments: Nil

RECOMMENDATION

That Council waive the Planning Permit Application fee of \$473.60 and remove Council's fee of \$617.50 from the Building Permit Application for the Kingower Development and Tourism Committee's shed project.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

There has been no previous discussion with Council on this matter.

BACKGROUND

Council's Fees and Chargers – Waiver or Reduction Policy applies to any not for profit organisation, incorporated association or unincorporated community group which provides a community benefit to the Shire and wishes to apply to have a fee and or charge waived or reduced. Applications over \$1,000 are reviewed by the Chief Executive Officer and submitted to Council for approval via a formal resolution.

ISSUES/DISCUSSION

The Kingower Development and Tourism Committee have applied for a Planning Permit and Building Permit fee waiver. They require the permits to build a shed located on the site of the former St Mary's Anglican Church in Kingower. The property is in private ownership, it is however well understood by Council to be managed by and for the community of Kingower.

Council has not made any financial contributions to this project to date. The Committee has requested that Council waive the Planning Permit Application fee of \$473.60 and reduce the Building Permit fee from a total of \$636.06 to the State Government Building Permit Levy only, which is \$18.56. In total Council is being asked to waiver \$1,091.10 in fees. This assists the Committee financially as all the funds are being raised locally, the shed will be used for storage of the old church pews.

The granting of a fee waiver in no way affects or influences Council's obligations to assess the Applications on their merits.

COST/BENEFITS

The cost in loss of revenue to Council is \$1,091.10. The Kingower Development and Tourism Committee expects that the fee waiver will assist them financially to complete this project.

RISK ANALYSIS

The risks associated with this fee waiver is considered low.

CONSULTATION AND ENGAGEMENT

Council officers have had discussions with the Kingower Development and Tourism Committee on this matter.

RESOLUTION 2024/146

Moved: Cr Gavan Holt
Seconded: Cr Nick Angelo

That Council waive the Planning Permit Application fee of \$473.60 and remove Council's fee of \$617.50 from the Building Permit Application for the Kingower Development and Tourism Committee's shed project.

CARRIED

Unconfirmed

10.3 PLANNING APPLICATION 5969 - 4577 BRIDGEWATER MALDON ROAD BRIDGEWATER

File Number: FOL/19/392084

Author: Darcy Jackson, Statutory Planning Officer

Authoriser: Glenn Harvey, Manager Development and Compliance

- Attachments:**
1. **Decision Report 5969**
 2. **Proposed Plans**
 3. **Objection - Confidential**

This attachment is designated as confidential in accordance with Section 3(1)(f) of the *Local Government Act 2020*. It contains personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

contains personal information including addresses and contact information **(under separate cover)**

Cr David Weaver declared a General Conflict of Interest in relation to this matter as member of the North Central Catchment Management Authority Board and left the meeting at 3:28 pm.

RECOMMENDATION

That Council determines to issue a notice of decision to refuse planning permit application 5969 for the use and development of the land for accommodation (camping and caravan park), development of a machinery shed, relocation of an existing storage shed, creation of new access to Transport Zone 2, for the following reasons:

- 1) The proposal is inconsistent with Clause 14.01-1S Protection of agricultural land of the Planning Policy Framework.
- 2) The proposal is inconsistent with the purpose and decision guidelines of Clause 35.07 Farming Zone

NCCMA

- 3) The proposal is inconsistent with the purpose and decision guidelines of Clause 44.04 Land Subject to Inundation Overlay, in particular:
 - a. Ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, responds to the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.
 - b. To minimise the potential flood risk to life, health and safety associated with development.
- 4) The proposal is not consistent with the decision guidelines in the Victorian Planning Provisions Practice Note 11 'Applying for a Planning Permit Under the Flood Provisions', in that:
 - a) It is likely to result in danger to the life, health and safety of the occupants due to flooding on the site.
 - b) It relies on low-level access to and from the site.
 - c) It is likely to increase the burden on emergency services and the risk to emergency
 - d) personnel.
 - e) It is likely to increase the amount of flood damage to public or private assets.

- f) It is likely to raise flood levels or flow velocities to the detriment of other properties. Potentially adverse effects on upstream and downstream areas must be identified and addressed. Development should not transfer flooding problems from one location to another.
 - g) It is likely to obstruct flood flows or reduce natural flood storage. The capacity of land subject to inundation to convey and store floodwater must be maintained.
 - h) It is likely to increase the number of buildings located in a floodway area.
- 5) The proposal is not consistent with the objectives of the State Planning Policy Framework (SPPF) at Clause 13.03-1S Floodplain management, in particular to assist the protection of life, property and community infrastructure from flood hazard, including coastal inundation riverine and overland flows.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

There have been no previous Council discussions on this matter.

BACKGROUND

The application was lodged on the 12th April 2024 for the development of a machinery shed, relocation of an existing storage shed and creation of access to Transport Zone 2 at 4577 Bridgewater Maldon Road, Bridgewater.

When the application was lodged, Officers questioned the legalities of the existing cabins and caravan located on the land, as there were no records of any approvals for the existing use and development. As a result, the application has been amended to include the existing use and development of the land for camping and caravan park.

The application was advertised to the surrounding landowners; with one joint objection received.

The application was also referred to the Councils Environmental Health Officer with external referrals to Department of Transport (DTP), North Central Catchment Management Authority (NCCMA) and Department of Energy, Environment and Climate Action (DEECA).

North Central CMA objected to the proposed use and development of the land while DEECA and DTP provided conditional consent.

ISSUES/DISCUSSION

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

A municipal council is obligated to enforce and administer the relevant Planning Scheme, which must use the scheme to determine applications, which are put forth to the council.

For Council, the Loddon Planning Scheme is the relevant Planning Scheme, which must be used by Council when determining applications.

Council has delegated authority to its Planning officer to determine outcomes of applications, however it is the policy/practice for the Council to make the final determination for applications which:

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

Pursuant to Section 52 of the Planning and Environment Act 1987 notices were sent to owners and occupiers of adjoining land as well as land opposite and surrounding the site. Council has received one objections as the result of the public notification process. The Planning officer's recommendation is also for refusal and as such the matter is being brought to Council for determination.

A decision report detailing this application and assessment has been prepared and can be found in Attachment 1.

COST/BENEFITS

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

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

RISK ANALYSIS

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

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

CONSULTATION AND ENGAGEMENT

Refer to the decision report for further detail on the application

RESOLUTION 2024/147

Moved: Cr Miki Wilson
Seconded: Cr Nick Angelo

That Council determines to issue a notice of decision to refuse planning permit application 5969 for the use and development of the land for accommodation (camping and caravan park), development of a machinery shed, relocation of an existing storage shed, creation of new access to Transport Zone 2, for the following reasons:

- 1) The proposal is inconsistent with Clause 14.01-1S Protection of agricultural land of the Planning Policy Framework.
- 2) The proposal is inconsistent with the purpose and decision guidelines of Clause 35.07 Farming Zone

NCCMA

- 3) The proposal is inconsistent with the purpose and decision guidelines of Clause 44.04 Land Subject to Inundation Overlay, in particular:
 - a. Ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, responds to the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.
 - b. To minimise the potential flood risk to life, health and safety associated with development.

- 4) The proposal is not consistent with the decision guidelines in the Victorian Planning Provisions Practice Note 11 'Applying for a Planning Permit Under the Flood Provisions', in that:
 - a) It is likely to result in danger to the life, health and safety of the occupants due to flooding on the site.
 - b) It relies on low-level access to and from the site.
 - c) It is likely to increase the burden on emergency services and the risk to emergency
 - d) personnel.
 - e) It is likely to increase the amount of flood damage to public or private assets.
 - f) It is likely to raise flood levels or flow velocities to the detriment of other properties. Potentially adverse effects on upstream and downstream areas must be identified and addressed. Development should not transfer flooding problems from one location to another.
 - g) It is likely to obstruct flood flows or reduce natural flood storage. The capacity of land subject to inundation to convey and store floodwater must be maintained.
 - h) It is likely to increase the number of buildings located in a floodway area.
- 5) The proposal is not consistent with the objectives of the State Planning Policy Framework (SPPF) at Clause 13.03-1S Floodplain management, in particular to assist the protection of life, property and community infrastructure from flood hazard, including coastal inundation riverine and overland flows.

CARRIED

Cr David Weaver returned to the meeting at 3:36 pm.

10.4 NEWBRIDGE WATER AND SEWERAGE UPDATE**File Number:****Author:** Renae Colls, Executive Assistant**Authoriser:** Lincoln Fitzgerald, Chief Executive Officer**Attachments:** Nil**RECOMMENDATION**

That Council

1. acknowledge that following the 2024 Council elections there has been minimal time to brief the incoming Council on this item; and
2. defer consideration of this matter until March 2025.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

Since 2006, the efforts of the Councillors for a reticulated water and sewerage system in Newbridge has been a recurring topic in Council Forums, Briefings and Meetings.

The following timeline provides an overview of the history of these discussions and actions.

Date	Details
2006	Newbridge was included in the State Government announcement of 35 towns to be connected to new sewerage services (to the township west of the Loddon River) as part of the State Government's \$42 million Country Towns Water Supply and Sewerage Program. However, this funding was withdrawn and the project did not eventuate for Newbridge.
2007	Council engaged AECOM a construction engineering company to complete a Servicing Options Paper identifying a number of sewerage treatment, collection and reuse options. This paper then formed the basis for discussions between Loddon Shire and Coliban Water regarding identification of a suitable service area and initiation of the options evaluation and consultation phase of the project. Following preparation of the Options Servicing paper the Department of Sustainability and Environment (DSE), as the administrators of the "Our Water Our Future" initiative, allocated \$435,000 funding to Coliban Water to proceed with the consultation, design and construction phase of the Newbridge Sewerage Scheme with AECOM also engaged by Coliban Water to prepare the Scheme Options Assessment report.
2008 - October	Coliban Water sent a letter to the Newbridge Community Plan Committee, following a meeting discussing possible sewerage and water supply for Newbridge. The letter referred to the community's desire for a reticulated water scheme if it is to get a sewerage scheme.
2009	Coliban Water provided further details about proposed sewerage scheme under the Country Towns Water Supply and Sewerage Program.
2011 – January Council Meeting	Report to Council on Newbridge Sewerage Scheme Options Assessment

2011-2012	Letters from Council advocating for the sewerage scheme and expressing disappointment that Coliban Water's 2013-2018 Water Plan did not include provision for this scheme.
2016	Letter from Newbridge Recreation Reserve Committee (NRRC) seeking Council support for a reticulated water supply and sewerage and subsequent letters from Council to politicians and Coliban Water.
2017	Following discussions with Coliban Water, Council wrote a letter to Newbridge Recreation Reserve Committee explaining that costings for water to Newbridge must await the completion of the South West Loddon Pipeline design. Letter received from NRRC in response agreeing that it's best to wait until costs can be properly identified before consulting with the broader community.
2017	Council resolution 2017/47: That Council resolve that the issue of a reticulated potable water supply and sewerage for Newbridge be deferred until the design of the South West Loddon Pipeline Project is announced.
2017	Letter received from Committee seeking to use Strategic Fund to conduct a costing study for water to Newbridge.
2019	Council officers worked with Coliban Water to prepare an updated business case that considers the supply of reticulated water and sewerage separately, identified the costs associated with each option and recommended the combined option preferred by Coliban Water.
2019 – August	Council officers then obtained funding from the Department of Land, Water, Environment and Planning (now known as the Department of Energy, Environment and Climate Action) Integrated Water Management Stream 1 to provide an economic assessment for the supply of reticulated water and sewerage to the township of Newbridge, to expand on the work undertaken by Coliban Water.
2019 – September Council Meeting	That Council place the draft Loddon Shire Settlement Strategy 2019-2034 on public exhibition in accordance with section 223 of the <i>Local Government Act 1989</i> , to provide an opportunity for public submissions. The strategy recommends that growth should be promoted in the well serviced towns of Inglewood, Wedderburn, Boort, Pyramid Hill and Bridgewater. The strategy recognises the opportunity for growth at Newbridge should reticulated water and sewerage be provided. The draft strategy was released for public comment during October/November 2019, with one submission received from the Wedderburn Development Association.
2020 – February Council Meeting	Council adopted the Loddon Shire Settlement Strategy.
2021 - March Council Forum	Newbridge sewerage and water business case – Councillors noted the proposal in the lead up to the next State Government election. There was strong support from Councillors for such schemes in Newbridge and other small towns within Loddon Shire.
2021 - June Council Forum	Presentation from Newbridge Arnold Llanelly Community Planning Group gave a presentation of their 2020 Community Plan, which includes discussing funding for Newbridge reticulated water and sewerage.
2021 – September Council Forum	Coliban Water officers presented on small town sewerage schemes and the process for Coliban Water implementing new schemes. It was pointed out that the costs to the community would include initial capital costs for connection to the sewer (usually around \$20,000 per lot), as well as over \$1300 per annum for customer service charges, and that this would not result in cost recovery from new customers, as Bendigo revenue subsidises the rest of the Coliban network.

2021 - October Council Forum	<p>Council officer summarised the information provided as attachments to the report for background to enable a discussion by Councillors on a preferred advocacy position regarding Newbridge water and sewerage.</p> <p>Councillors discussed the information provided, including the low number of responses received from the community survey, and whether the community could undertake a new survey.</p>
2021 – November Council Forum	<p>Advocacy for Newbridge water and sewerage proposal - further communication with landowners.</p> <p>The community has requested that Council seek to get better responses from the owners of vacant properties. It is believed that absentee landowners were the majority of the non-responses to the survey, and it should have been worded more strongly, requesting a response rather than taking unreturned responses as a “no”.</p>
2024 – July Council Briefing	<p>Advocacy for Newbridge Water and Sewerage</p> <p>Council Officers sought guidance from Councillors on the future advocacy detail for public water and sewerage supply system for Newbridge.</p> <p>Councillors discussed possible funding and loan structures, contributions by residents and future growth potential for the township. In addition to the cost of a water and sewer system, the added costs of strategic planning and social infrastructure to support growing townships were highlighted.</p> <p>Councillors noted that funding of this particular project for the implementation of a new system is the responsibility of the water authority.</p> <p>A grant is being sourced by the Newbridge/Llanelly community planning group to explore and form a social license scoping direction for the area.</p>
2024 - September Council Meeting	<p>Council adopted the 2024 Council Priorities document, which outlines the development of precinct plans for Bridgewater and Inglewood to support growth and infrastructure investment.</p>
2024 - September Council Meeting	<p>Cr Jungwirth’s Notice of Motion – Newbridge Sewerage and Water</p> <p>That a report be provided to Council at a meeting in November 2024 on:</p> <ol style="list-style-type: none"> 1) the next steps required to expand the work undertaken by SGS regarding the feasibility of Newbridge Sewerage and Water to ensure a project concept is ready for funding; and 2) the opportunity to fund this further concept work from Council’s Strategic Fund

BACKGROUND

At the September 2024 Council Meeting, Councillors resolved the following:

That a report be provided to Council at a meeting in November 2024 on:

- 1) *the next steps required to expand the work undertaken by SGS regarding the feasibility of Newbridge Sewerage and Water to ensure a project concept is ready for funding; and*
- 2) *the opportunity to fund this further concept work from Council’s Strategic Fund*

ISSUES/DISCUSSION

Due to the recent swearing in of Councillors at the Special Council Meeting held on Tuesday 19 November 2024 and the significant mandatory training required within the first 3 months of a Councillor’s term of office, there has been limited time to brief incoming Councillors on this matter.

Given the complexity, extensive history of previous discussions, actions taken to date and Council's role as an advocate (not a decision maker) additional time is required to ensure that Councillors are provided fair opportunity to understand the information and make well informed decisions regarding the next steps for Newbridge Water and Sewerage.

RESOLUTION 2024/148

Moved: Cr Nick Angelo

Seconded: Cr Gavan Holt

That Council

1. acknowledge that following the 2024 Council elections there has been minimal time to brief the incoming Council on this item; and
2. defer consideration of this matter until March 2025.

CARRIED

Unconfirmed

11 INFORMATION REPORTS**11.1 ROAD MANAGEMENT PLAN DEFECT RECTIFICATION COMPLIANCE REPORT**

File Number: 14/01/022
Author: Daniel Lloyd, Manager Works
Authoriser: Steven Phillips, Director Operations
Attachments: Nil

RECOMMENDATION

That Council receive and note the road management plan defect rectification compliance report.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

This is the first report for the 2024 - 2025 financial year, summarising road network defect rectification compliance against requirements specified within the Loddon Shire Road Management Plan (RMP).

BACKGROUND

As a matter of good governance this report is produced quarterly and provides statistical data with respect to the Organisation's performance in managing the road network. Performance is measured through a comparison of actual defect rectification timeframes against requirements specified in the RMP. This is the first report of the financial year for the period 1 July to 30 September 2024.

ISSUES/DISCUSSION

Table 1 below provides a summary of the compliance against the schedule of road and street inspection regimes as set in the RMP.

Table 1: Inspection summary report

Quarter 1 (01/07/2024 – 30/09/2024)						
Work Group	Number of scheduled inspections	Number completed by due date	Number completed after due date	Number not completed	Compliance	Number of Defects Raised
Loddon Goldfields	137	134	3	0	97.8%	319
Loddon Plains	127	123	4	0	96.8%	580
Total	264	257	7	0	97.3%	899

During the first quarter of 2024 - 2025 financial year, 97.3% of the programmed inspections were completed according to the schedule. This is 2.7% below the target of 100% set in the RMP.

Table 2 below provides a summary of compliance of actual response times for rectification works of defects as detailed in the defect intervention levels and response timetables of the RMP. The defects have been identified through programmed inspections, customer requests and works crews identifying and rectifying defects as they find them, known as ad hoc work actions.

Table 2: Defect rectification summary report

Quarter 1 (01/07/2024 – 30/09/2024)								
Work Group	Number of Defects				Compliant with RMP			
	Ad hoc	Requests	Defects from inspections	Total	Yes	No	Not complete	%
Loddon Goldfields	0	11	487	498	463	35	4	92.9%
Loddon Plains	1	5	488	494	486	8	0	98.3%
Shire Wide	0	13	569	582	531	51	0	91.2%
Townscape Services	49	13	24	86	81	5	0	94.1%
Total	50	42	1568	1660	1561	99	4	94.0%

During the first quarter of 2024 - 2025 financial year, 94% of all date imposed defects were completed before their due date. This is 6.0% below the target of 100% set in the RMP. There are 4 outstanding work actions to be completed. A plan is in place to complete the outstanding work actions in the next four weeks.

Table 3 provides a summary of performance against the unsealed road maintenance grading program, defects as identified through programed inspections, customer requests and works crews identifying and rectifying defects as they find them, known as ad hoc work actions. The maintenance grading program identifies each road segment by its road hierarchy and grading frequency as detailed in the RMP.

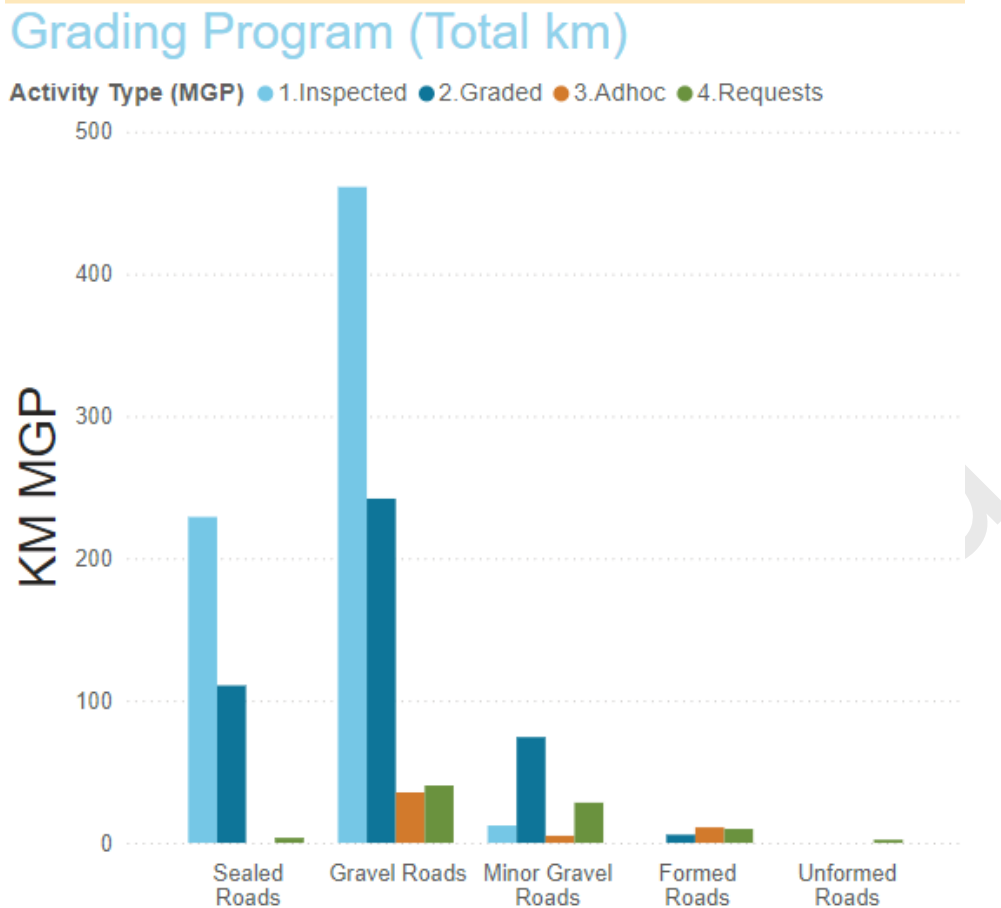
Table 3: Maintenance grading program

Quarter 1 (01/07/2024 – 30/09/2024)											
Work Group	Number of Grading Work Actions					Compliant within scheduled timeframes				KM Graded	KM Inspected
	Roads Graded	Defects	Requests	Ad hoc	Total	Yes	No	Not completed	%		
Loddon Goldfields	90	5	14	13	122	109	13	0	89.3%	195	230
Loddon Plains	82	2	23	18	125	123	2	0	98.4%	373	472
Shire Wide	0	0	1	0	1	1	0	0	100.0%	0.0	0.0
Total	172	7	38	31	248	233	15	0	93.9%	568	702

The data in Table 3 indicates that 248 grading work actions were completed for the first quarter of 2024 - 2025 financial year. There is no set level of compliance for the maintenance grading program in the RMP.

A graph has been provided in Chart 1 indicating a breakdown of the grading work actions, by road hierarchy and kilometres. The sealed roads section relates to shoulder grading work actions on the Sealed Road network. The gravel road section includes all grading work actions on Gravel Collector and Gravel Access roads. The Gravel Minor and the Formed Road sections relate directly to Council's road hierarchy and show all grading work action on roads within that hierarchy.

Chart 1: Maintenance Grading Program



COST/BENEFITS

The year to date actual expenditure to the end of first quarter of 2024 - 2025 financial year of the Local Road Maintenance Program is \$2,622,309.

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

RISK ANALYSIS

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

CONSULTATION AND ENGAGEMENT

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

RESOLUTION 2024/149

Moved: Cr David Weaver
 Seconded: Cr Gavan Holt

That Council receive and note the road management plan defect rectification compliance report.

CARRIED

11.2 LIBRARY SERVICES QUARTERLY ACTIVITY REPORT

File Number:**Author:** Renae Colls, Executive Assistant**Authoriser:** Lincoln Fitzgerald, Chief Executive Officer**Attachments:** 1. Loddon Shire Q1 Activity Report July - September 2024

RECOMMENDATION

That Council receive and note the Loddon Shire Council Library Services Quarterly Activity Report for July to September 2024.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

This is the first report for the 2024-25 financial year, which reviews the period 1 July 2024 to 30 September 2024.

BACKGROUND

The North Central Goldfields Regional Library Corporation (trading as Goldfields Library Corporation) consists of members from the City of Greater Bendigo, and the Shires of Loddon, Macedon Ranges and Mount Alexander.

In Loddon Shire, 15% of the population are library members and there are six library agencies located in Boort, Dingee, Inglewood, Pyramid Hill, Tarnagulla and Wedderburn.

ISSUES/DISCUSSION

This report seeks to inform Council of the activities undertaken by the Goldfields Library Corporation (GLC) for July to September 2024. The attached Loddon Q1 Activity Report July – September 2024 highlights key activities, programs, customer visits, library borrowings and more.

COST/BENEFITS

Loddon Shire Council's financial contribution for quarter one 2024/25 was \$54,113.50.

The annual contribution is based on a rate per head of population which is \$27.94 and is included in the adopted annual budget. The 2023/2024 service review and VAGO audits demonstrate that the NCGRLC is amongst the most efficient library services in Victoria according to metrics including visitation, membership, collection, staffing and cost.

For the past 3 years, the Victorian Government has not increased their Public Libraries funding in line with CPI which is placing financial strain on the service and transferring the cost to local government who have increased their contribution in line with the State Government rate cap.

CONSULTATION AND ENGAGEMENT

The Goldfields Library Board is responsible for providing the best library service outcomes for the communities of the four member Councils. The Board comprises two representatives from each of the four member Councils and meet at least once every three months. The Corporation is managed by a Chief Executive Officer appointed by the Board.

The GLC board members for the period July to September were:

- Vacant - City of Greater Bendigo
- Stacy Williams – City of Greater Bendigo
- Cr Linda Jungwirth – Loddon Shire Council
- Lincoln Fitzgerald – Loddon Shire Council
- Cr Bill West – Macedon Ranges Shire Council
- Maria Weiss - Macedon Ranges Shire Council
- Cr Rosie Annear – Mount Alexander Shire Council
- Lisa Knight – Mount Alexander Shire Council
- Mark Hands – North Central Goldfields Regional Library CEO

Following the October Local Government elections, each member Council will appoint one new Councillor representative to the Library Board. At the time of preparing this report, Loddon Shire Council's 2024/25 representative was not yet determined.

The Loddon Shire CEO, Lincoln Fitzgerald is also on the Board's Finance Committee.

RESOLUTION 2024/150

Moved: Cr Nick Angelo

Seconded: Cr Miki Wilson

That Council receive and note the Loddon Shire Council Library Services Quarterly Activity Report for July to September 2024.

CARRIED

11.3 LOCAL LAWS AND PLANNING COMPLIANCE QUARTERLY ACTIVITY REPORT**File Number:** FOL/19/115192**Author:** David Price, Manager Community Services**Authoriser:** Wendy Gladman, Director Community Wellbeing**Attachments:** Nil**RECOMMENDATION**

That Council receive and note the Local Laws and Planning Compliance Quarterly Activity Report.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

This is the first report for the 2024-2025 financial year, summarising the animal control, local laws, planning compliance and enforcement actions taken within the Community Services Department for the period 1 July to 30 September 2024. It provides Council with a high-level summary for the purpose of monitoring performance.

BACKGROUND

Council is responsible for a range of advisory, compliance and enforcement services to the community and maintains powers under various legislation and Council's local law to enable effective animal management, planning enforcement and local law compliance for community and township amenity.

Key areas of focus in respect to compliance action include:

- management of local law provisions, particularly with respect to unsightly properties
- effective animal management
- control of roadside activities, occupation and utilisation
- investigating planning scheme breaches and enforce planning permit conditions

ISSUES/DISCUSSIONAdministrative

Table 1 provides a summary of administrative functions undertaken.

(*) Council provides a 24 hour emergency call out service in respect to domestic animal management, local law compliance and enforcement, and livestock wandering on council roads.

Table 1: Administrative

Quarter 1 (1 July 2024 – 30 September 2024)			
Activity	After hours call outs (*)	Littering or illegal rubbish dumping	Local law permits issued
No. actions	3	0	17

Unightly properties

A summary of activity statistics and locations that are the subject of unsightly property compliance under Council's local law is provided in Table 2. Identified unsightly properties are assessed and prioritised for compliance action.

Table 2: Summary of unsightly properties activities

Quarter 1 (1 July 2024 – 30 September 2024)																
Town/Locality	Eddington	Rheola	Newbridge	Tarnagulla	Inglewood	Bridgewater	Wedderburn	Korong Vale	Borong	Boort	Pyramid Hill	Mitiamo	Dingee	Serpentine	Rural/Other	Total
No. identified from previous report period	2	0	2	3	7	0	11	4	1	3	3	0	1	1	0	38
No. resolved during quarter	1	0	1	1	4	0	4	2	0	1	2	0	0	0	0	16
New action commenced	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	1
No. currently pursuing	1	0	1	3	3	0	7	2	1	2	1	0	1	1	0	23
Progress Activities																
Site meeting / discussion held	0	0	1	2	5	0	2	2	1	2	1	0	0	2	0	18
Letter to comply issued	0	0	1	2	3	0	1	1	0	2	0	0	0	1	0	11
Occupier has commenced clean-up work	0	0	0	0	3	0	0	0	1	1	1	0	0	1	0	7
Notice to comply issued	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Contractor engaged for clean-up work	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Animal management

Table 3 provides a high level summary of animal management activities.

Table 3: Summary of animal management activities

Quarter 1 (1 July 2024 – 30 September 2024)						
Activity	Wandering livestock	Trespassing livestock	Dog attack	Domestic animal at large	Distribution of cat traps	General complaints / other
No. of actions	10	6	4	9	4	30

Table 4 summarises animal management activities that resulted in impoundments, encompassing both domestic animals and livestock.

Table 4: Impoundment activities

Quarter 1 (1 July 2024 – 30 September 2024)				
Animal type	Impoundments	Returned to owners	Animals rehoused	Animals disposed
Livestock	0	0	0	0
Dogs	24	2	22	0
Cats	2	0	2	0
Feral Animals	-	-	-	9
Total	26	2	24	9

Planning Compliance and Enforcement

Table 5 provides a summary of planning compliance and enforcement activities undertaken.

Table 5: Planning compliance and enforcement activities

Quarter 1 (1 July 2024 – 30 September 2024)						
Type	No. identified from previous report period	New action	PIN's	Warning Letter	No. resolved during quarter	No. currently pursuing
Land use in contravention of planning scheme without a permit	2	0	0	0	0	2
Native vegetation removal without a permit	2	2	0	0	1	3
Breach of planning permit	1	0	0	0	0	1
Dog breeding / animal keeping	1	0	0	0	0	1
Land used as a store without planning permit	2	0	0	0	0	2
Occupation of a site without a planning permit	2	0	0	0	0	2
Total	10	2	0	0	1	11

Throughout all of the above compliance activities tabled, the Community Services Department aims to work proactively with property and animal owners to achieve a positive outcome within the legislative framework set by the State Government and Council's Local Law.

COST/BENEFITS

The expenditure for the first quarter of 2024-2025 financial year for the local laws and compliance activities contained within this report is within the expected budget expenditure for this period.

As the identified properties are escalated through the compliance process, costs associated with legal proceedings may also be incurred by Council.

The resulting cost to Council can be significant in terms of officer(s) time; particularly undertaking various site inspections across Loddon Shire Council. Direct monetary costs can be significant should a matter progress to the Victorian Civil and Administrative Tribunal (VCAT) or the Magistrates' Court. Therefore, it is of benefit to Council and the community that the Community Services Department work through these matters in a timely and respectful manner to reach an appropriate outcome wherever possible.

Benefits derived from investing in local law and planning compliance activities include:

- improving and maintaining township amenity
- ensuring that appropriate development occurs
- maintaining and improving public safety
- encouraging good domestic animal and livestock management
- reduced risks.

RISK ANALYSIS

Failure of Council to adequately manage the provisions associated with the Loddon Planning Scheme, *Planning and Environment Act 1987* or other applicable legislation including the *Domestic Animals Act 1994*, *Impounding of Livestock Act 1994* or Council's Community Local Law is considered to pose the following risks:

- barrier to development and associated economic growth within Loddon Shire
- inappropriate development
- Council's reputation as a regulatory authority
- public safety that endangers life and property
- adverse amenity of our townships
- increased hazards.

CONSULTATION AND ENGAGEMENT

Land and animal owners subject to compliance and enforcement actions under the abovementioned legislation and local law are consulted with at each stage of the process.

RESOLUTION 2024/151

Moved: Cr David Weaver

Seconded: Cr Gavan Holt

That Council receive and note the Local Laws and Planning Compliance Quarterly Activity Report.

CARRIED

11.4 ANNUAL INFRASTRUCTURE PROGRAM 2024-2025 QUARTERLY UPDATE AND FLOOD PROGRAM UPDATE

File Number: FOL/19/4522

Author: David Southcombe, Manager Assets and Infrastructure

Authoriser: Steven Phillips, Director Operations

Attachments:

1. Attachment 1 - Annual Infrastructure Program 2024-2025
2. Attachment 2 - October 2022 Flood Program Update

RECOMMENDATION

That Council note the progress of the Annual Infrastructure Program 2024-2025 and Flood Restoration Program as at September 2024.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

The Annual Infrastructure Program was presented at the June 2024 Council Meeting.

The last quarterly report on progress of the Annual Infrastructure Program and Flood Restoration Program was provided at the August 2024 meeting.

BACKGROUND

This report is produced quarterly and is provided to Council for the purpose of reporting progress of the Annual Infrastructure Program and the Flood Restoration Program. The information in this report covers progress up until the end of September 2024.

ISSUES/DISCUSSION

Annual Infrastructure Program

There are currently 72 individual projects, including carryovers from previous financial years that form part of the Annual Infrastructure Program 2024-2025. 4 projects have been completed and 42 projects are in progress. This is the first quarter of a new program so the completion rate is currently low.

Table 1 provides a progress summary for the end of the first quarter of the 2024–2025 financial year of the Annual Infrastructure Program.

Table 1: Annual Infrastructure Program progress

Program Category	Total number of projects listed in Annual Infrastructure Program 2024 - 2025	Total number of projects carried over from previous year(s)	Total number of projects	Total number of projects completed to date	Total number of projects in progress	% Complete
Local Roads Gravel Resheet	6	0	6	0	0	0%
Local Roads Gravel Shoulder Resheet	3	0	3	0	3	0%
Local Road Construction - Asset Preservation	2	1	3	0	1	0%
Local Road Construction – Amenity	0	1	1	1	0	100%
Local Road Construction - Safety	0	1	1	0	1	0%
Township Street Improvement	5	4	9	0	4	0%
Urban Drainage	1	0	1	0	0	0%
Local Bridges and Culverts	4	0	4	0	1	0%
Reseals	28	0	28	0	28	0%
Parks and Gardens	3	0	3	0	0	0%
Buildings	2	6	8	2	4	25%
Major Projects	1	4	5	1	4	20%
TOTAL	55	17	72	4	42	6%

As at the end of quarter one, 4 projects or 6% of projects are completed with 42 out of the remaining 68 projects in progress. Attachment 1 contains a detailed list of projects that forms the Annual Infrastructure Program.

Flood Restoration Program – October 2022 event

All packages of work to rectify the damages as a result of this flood required submission to the Disaster Recovery Funding Arrangements (DRFA) for assessment by 31 March 2024. These submissions have all been completed. The Flood Restoration program works must be completed by June 2026.

Inspections following the October 2022 flood event initially identified approximately 1,200 items of damage. This data is continually being assessed as it is processed into DRFA claimable packages of work. Any double ups, errors, ineligible work and non-Council assets are being removed. This process will be ongoing until all items are submitted and reviewed for eligibility through the DRFA process. The remaining list totals 675 items of damage which Council officers will continue to work with the DRFA to progress their rectification.

Table 2 provides a summary of progress for the Flood Restoration Program.

Table 2: Flood Restoration Program summary

Treatment category	Total number of damages recorded	Total number of damages rectified	Number of damage rectifications currently seeking approval	Number of damage rectifications in progress	% Complete
Unsealed pavements	453	81	372	0	18%
Sealed pavements	174	23	130	21	13%
Clearing and earthworks	3	0	3	0	0%
Road furniture and delineation	1	0	0	1	0%
Drainage structures	44	13	31	0	30%
Others	0	0	0	0	0%
Total	675	117	56	16	17%

Attachment 2 summarises the reimbursement claims for works so far (October 2022 to 30 September 2024) in both, event response and restoration of essential public assets. To date Council has expended \$4,702,519 with \$4,589,987 reimbursed through the DRFA program and \$14,911 of the claim value rejected. No additional claims were made during the first quarter of 2024-2025. As works progress further claims for reimbursement will be added.

There are several non-essential public assets that were damaged during the October Flood event, these have been summarised in Table 3. The approximate value of the works listed in Table 3 is \$2.8 Million.

Table 3 Insurance items

Item	Asset Owner	Activity	Comments
Newbridge Recreation Reserve	DEECA	100%	Complete.
Bridgewater Caravan Park	Council	95%	Works complete, initial defects identified. Additional defects being addressed.
Durham Ox Hall	DEECA	100%	Complete.
Fentons Creek Hall	DEECA	100%	Complete.
Miscellaneous assets	Council	100%	Donaldson Park fencing has been replaced.

Council has also received \$1.5 million State Government funding to assist with flood restoration through the Council Flood Support Fund. Several projects have been funded by this program, Table 4 summarises their progress.

Table 4 Council Flood Support Fund projects

Item	Activity
Emergency repairs to Skinners Flat Reservoir	Completed – 100%
Lake Lyndger outflow doors	Completed – 100%
Various Flood Mitigation Works	Completed – 100%
Hydrographical survey of the Loddon River at Bridgewater	Completed – 100%
Bridgewater boat ramp repairs	Completed – 100%
Bridgewater Swimming Hole pontoon	Completed – 100%
Skinners Flat Reservoir Flood damage remediation detailed engineering design	In Progress – 25%
Repairs to Loddon River, river side walking tracks	In Progress – 10%
Additional Staff to support Flood Restoration Program:	In Progress
<ul style="list-style-type: none"> - Director Operations, part funded existing role for 21 months - Program Manager - Asset Accountant - Project Manager/Engineer (1) - Project Manager/Engineer (2) - Program Works Coordinator - Road Network Auditor - Design Engineer as required 	

Flood Restoration Program – December 2023 event

Inspections following the December 2023 flood event initially identified approximately 199 items of damage. This data is still being reviewed for accuracy and will be updated as Council officers review each damage as part of scoping process before submitting to the DRFA for funding. Table 5 provides a summary of progress for the December 2023 Flood Restoration Program.

Table 5: December 2023 Flood Restoration Program summary

Treatment category	Total number of damages recorded	Total number of damages rectified	Number of damage rectifications currently seeking approval	Number of damage rectifications in progress	% Complete
Unsealed pavements	67	0	67	0	0%
Sealed pavements	17	0	17	0	0%
Clearing and earthworks	0	0	0	0	0%
Concrete	1	0	1	0	0%
Road furniture and delineation	0	0	0	0	0%
Drainage structures	11	0	11	0	0%
Others	1	0	1	0	0%
Total	97	0	97	0	0%

COST/BENEFITS

The Annual Infrastructure Program expenditure in the first quarter of the 2024–2025 financial year was \$2,850,039. Attachment 1 lists all projects in the program which have an allocated budget of \$12,911,760 for the 2023-2024 financial year.

RISK ANALYSIS

There is still some uncertainty around the methodology adopted by the DRFA for the funding of gravel road resheets. Currently the DRFA is assessing each damage scope of works on a case by case basis to make an evaluation of the claimable amount of funding. Council will be required to fund the gap between the cost of undertaking a 100mm gravel resheet versus the amount funded by the DRFA. Given the significant financial risk of this funding gap, this risk is being managed and reported regularly to Council's independent Audit & Risk Committee.

Long term rectification of the Skinners Flat Reservoir wall and spillway is not eligible for funding under the DRFA. This work is also likely to be beyond the financial capacity of Council without significant financial assistance from State and/or Federal governments. Council has approval to utilise funding from the LGV Council Flood Support Fund for detailed design and costing. In the interim, a range of risk management and monitoring processes are in place to minimise risk.

CONSULTATION AND ENGAGEMENT

The report has been completed in consultation with officers from the Works Department, Community Support Department, Manager Governance, Finance Department and other external government agencies.

RESOLUTION 2024/152

Moved: Cr Gavan Holt
Seconded: Cr Nick Angelo

That Council note the progress of the Annual Infrastructure Program 2024-2025 and Flood Restoration Program as at September 2024.

CARRIED

11.5 PUBLIC HEALTH QUARTERLY ACTIVITY REPORT

File Number: FOL/19/115173
Author: David Price, Manager Community Services
Authoriser: Wendy Gladman, Director Community Wellbeing
Attachments: Nil

RECOMMENDATION

That Council receive and note the Public Health Quarterly Activity Report.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

This is the first report for the 2024-2025 financial year which reviews the period 1 July 2024 to 30 September 2024, summarising public health activities within the Community Services Department. It provides Council with a high level summary for the purpose of monitoring performance.

BACKGROUND

Loddon Shire Council is responsible for the administration and enforcement of several Acts including the:

- Food Act 1984
- Public Health and Wellbeing Act 2008
- Residential Tenancies Act 1997
- Environment Protection Act 2017
- Tobacco Act 1987.

ISSUES/DISCUSSION

Staff Resources

Council has interim arrangements in place for continued service delivery as the staff recruitment process continues for the appointment of an Environmental Health Officer. Throughout this period, Council has continued to provide a service level that is in response to community demand. Regular contact with business operators, community groups, home owners and developers has been maintained within the available resources. Activities undertaken include inspecting registered premises, issuing septic tank permits and complaint investigations.

Registered Premises

Council undertakes annual inspections of premises that are registered under the Food Act, Public Health and Wellbeing Act and Residential Tenancies Act. Inspections are also undertaken of public swimming pools and of properties that must satisfy Tobacco Act requirements. Table 1 provides a summary of the inspections undertaken during the reporting period.

Table 1: Registered premises inspections

1 July 2024 to 30 September 2024		
Governing Legislation	Inspection Outcome	Number of inspections
Food Premises	Compliant*	48
	Major Non Compliance	2
Temporary Food Stall	Compliant*	8
Health Premises	Compliant*	11
	Major Non Compliance	0
Caravan Parks	Compliant*	0
	Major Non Compliance	0
Total number of inspections for reporting period		69

* Compliant includes sites that were fully compliant and some sites that required minor actions to become compliant

Council officers liaise further with non-compliant premises to address identified issues.

Tobacco Act

Council is funded to undertake Tobacco Act inspections throughout the year. Most inspections are carried out in conjunction with food premises inspections, however other properties also include non-smoking public outdoor venues such as kindergartens, schools, playgrounds and sporting reserves. Table 2 summaries the Tobacco Act activities undertaken during the reporting period.

Table 2: Tobacco Act inspections

1 July 2024 to 30 September 2024	
Inspection Type	Number
Tobacco Retailer (including vending machine)	4
Tobacco – Indoor Dining and drinking area	2
Tobacco – Outdoor Dining and drinking area	1
Outdoors & Other locations	0
Total number of inspections	7

Septic Systems

Table 3 summarises septic system permit applications processed during the reporting period.

Table 3: Septic system permits

1 July 2024 to 30 September 2024	
Permit Type	Number
Installation or alteration	3
Certificate to use	2
Total number of permits for reporting period	5

Public Health Complaints

Council is responsible to investigate nuisance complaints under the Public Health and Wellbeing Act. Complaints of nuisance can be complex and time consuming. Table 6 summarises the complaints during the reporting period.

Table 6: Public health complaints

1 July 2024 to 30 September 2024				
Nature of complaint	Number carried over from previous reporting period	Number received	Number resolved	Number currently pursuing resolution
Food Premises	0	1	1	0
Wastewater	2	2	2	2
Other	0	2	1	1
Total	2	5	4	3

COST/BENEFITS

The expenditure for the first quarter of the 2024-2025 financial year for the activities contained within this report is within the expected budget expenditure for this period.

Administration of the Acts that Council has responsibility for includes significant fieldwork, with staff regularly in the field engaging with business operators, developers, residents and ratepayers. This investment increases significantly when compliance issues are identified within registered premises and when complaints are received.

The benefits that stem from this investment include:

- improved public health and safety within registered premises
- improved local amenity
- full implementation by Council of our responsibilities under the various Acts and regulations.

RISK ANALYSIS

Failure of Council to adequately administer and enforce the provisions of the applicable legislation would pose the following possible risks:

- the spread of infectious diseases through the community including food poisoning
- a barrier to the new developments and economic growth within Council
- Council's reputation as a regulatory authority
- contamination of the local environment
- failure to meet obligations set within the relevant legislation.

CONSULTATION AND ENGAGEMENT

The Environmental Health Officer regularly engages with business operators, developers, residents and ratepayers during the administration of the various Acts which can range from annual assessments/inspections to the provision of advice when processing septic tank permits.

Any business operator, developer, residents or ratepayer that is subject to enforcement action is regularly consulted with during the enforcement process.

RESOLUTION 2024/153

Moved: Cr Miki Wilson

Seconded: Cr David Weaver

That Council receive and note the Public Health Quarterly Activity Report.

CARRIED

11.6 QUARTERLY BUILDING SERVICES ACTIVITY REPORT

File Number: 13/06/001, 13/08/001, 13/08/003
Author: Glenn Harvey, Manager Development and Compliance
Authoriser: Steven Phillips, Director Operations
Attachments: Nil

RECOMMENDATION

That Council receive and note the Quarterly Building Services Activity Report.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

Council is provided with information quarterly summarising building services activities relating to permits, certificates and statutory enforcement activity undertaken within the Development & Compliance Department. This report covers the first quarter of this financial year.

BACKGROUND

Council provides a range of building services through the Municipal Building Surveyor including the following:

- issuing relevant permits and certificates
- issuing report and consent determinations on matters not complying with the Building regulations
- building advisory and information services including legal point of discharge requests
- consultancy and building control functions
- administrative functions prescribed by the Building Act and Regulations including keeping records relating to the activity of private building surveyors issuing permits within Loddon Shire
- regulatory enforcement of relevant Acts.

The number of building permits, occupancy permits and final inspections is a basic indicator of building development and investment within the Loddon Shire Council area.

ISSUES/DISCUSSION

Throughout the first quarter of the 2024-2025 financial year, items of significance relating to the activity of Council's building services include:

- swimming pool registration requirements and registration of the Complying Barrier Certificates.
- issuing of demolition consents and variations to sitting under Part 5 of the Building Regulations.
- follow up on enforcement activities including following up Court and Building Appeals items
- ongoing implementation and improvement of software system changes.

Building permits

Table 1 provides the number and total value of building permits issued for three quarters of 2023-2024 and the first quarter of 2024-2025. There is variation in the value of permits throughout any given financial year and this is attributable to the scale and cost of individual projects.

Table 1: Summary of new building permits issued

	Quarter 2 2023-24 (01/10/2023 – 31/12/2023)	Quarter 3 2023-24 (01/01/2024 – 31/03/2024)	Quarter 4 2023-24 (01/04/2024 – 30/06/2024)	Quarter 1 2023-24 (01/07/2024 – 30/09/2024)
No. of new Permits	42	30	31	43
Value of Works	\$14,523,408	\$14,035,638	\$5,859,102	\$7,252,713

Table 2 provides a summary of the number of final inspections and certificates of occupancy issued for building permits for each quarter.

Table 2: Summary of final inspections and occupancy permits

	Quarter 2 2023-24 (01/10/2023 – 31/12/2023)	Quarter 3 2023-24 (01/01/2024 – 31/03/2024)	Quarter 4 2023-24 (01/04/2024 – 30/06/2024)	Quarter 1 2023-24 (01/07/2024 – 30/09/2024)
Certificates of final inspection	33	23	37	34
Occupancy Permits	11	11	8	16

Council Building Services staff continue to work proactively with Council issued permit holders, sending follow up letters to notify building owners approximately two months before their building permits are due to lapse. This allows owners to arrange a final inspection/occupancy permit or apply for an extension of time for their building permit.

Statutory enforcement

Table 3 provides a high level summary of statutory enforcement activities undertaken by the Municipal Building Surveyor.

Table 3: Summary of statutory enforcement activities

Type	Actions incomplete from previous report period	New action started	Total actions	Building notice issued	Building order issued	Appeal to Building Appeals Board	Legal action / solicitors letter started this quarter	Legal action ongoing	No. resolved during this quarter
Building damaged by fire	2	2	4	4	0	0	0	0	0
Works required to make building safe (including pools)	22	2	24	3	4	0	0	0	0
Carrying out building works without a permit	16	7	23	18	2	0	0	0	4
Works not in accordance with building permit	2	0	2	1	0	0	0	0	0
Illegal occupation of non-habitable building	0	0	0	0	0	0	0	0	0
Building with non-complying essential safety measures	1	0	1	0	0	0	0	0	0

Whilst new issues requiring enforcement are identified regularly, it is also noted there are some longstanding enforcement activities that are ongoing. The time spent on individual items can be significant particularly when it requires escalation to Court. Council officers work to try to resolve matters without legal intervention.

COST/BENEFITS

The expenditure for the first quarter of the 2024-2025 financial year for building services activities was \$34,172.

The cost to Council of enforcement activity can be quite significant, particularly in terms of Council officers' time. This in turn impacts on other activities such as the timeframe for building permits. Direct monetary costs significantly escalate if matters progress to a Magistrate's hearing or the Municipal Building Surveyor needs to arrange for the work associated with any order to be completed by Council. As such, the Municipal Building Surveyor, together with other Development & Compliance Department staff endeavour to work through enforcement matters in a manner that engages with property owners/occupiers to have required works completed.

RISK ANALYSIS

There are risks associated with all building and development works. As such, it is vital that Building legislation, standards and controls are administered effectively. Failure of Council to adequately enforce the provisions of applicable legislation poses the following possible risks:

- unsafe development and building works which may affect the safety of property owners, occupiers and the general public within Loddon Shire
- Council's reputation as a regulatory authority
- Council being held liable for failure to act in a matter which results in damage to other property, or injury or death to a person
- failure to meet statutory obligations set within relevant legislation.

As part of the risk management process when undertaking enforcement work, the Municipal Building Surveyor makes reference to the building enforcement intervention filter criteria, developed by the Victorian Municipal Building Surveyors Group and which forms part of the procedures covered in Loddon Shire Council's Building Control Policy.

A significant risk within Loddon Shire is unregulated developments, in particular small allotments which are sold to purchasers that have expectations of using it for a cheap home or "weekender". Often the landholder is unable or unwilling to meet the regulatory requirements to safely utilise the site as they desire. This has led to a number of undesirable and potentially unsafe outcomes of unregulated developments. This remains a matter of concern for Council's Municipal Building Surveyor and Local Laws & Planning Compliance Officer.

CONSULTATION AND ENGAGEMENT

The Municipal Building Surveyor regularly engages with business operators, developers, residents and ratepayers during the administration of the various Acts, which can range from essential safety measures assessments/inspections to the provision of advice relating to the need for building permits and other functions administered by the Municipal Building Surveyor under the Building Act and Building Regulations. Any business operator, developer, resident or ratepayer that is subject to enforcement action is regularly consulted with during the enforcement process to give them the opportunity to avoid the escalation of enforcement action.

RESOLUTION 2024/154

Moved: Cr Gavan Holt
Seconded: Cr Nick Angelo

That Council receive and note the Quarterly Building Services Activity Report.

CARRIED

11.7 QUARTERLY ACTIVITY REPORT - STATUTORY PLANNING

File Number:

Author: Louise Johnston, Statutory Planning Coordinator

Authoriser: Glenn Harvey, Manager Development and Compliance

Attachments:

1. Applications processed in the Quarter
2. Applications completed in the Quarter

RECOMMENDATION

That Council receive and note the Quarterly Statutory Planning Permit Activity Report for July to September 2024

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

This is the first report for the 2024- 2025 financial year summarising planning application activities undertaken within the Development and Compliance Department.

BACKGROUND

This report covers the planning permit activity for the previous quarter and provides Council with a high level summary for the purpose of monitoring performance within this area.

Council maintains powers under the *Planning & Environment Act 1987*, which are delegated to Planning Officers. Applications made under these powers include but are not limited to the following:

- consideration of a planning application for a new use/development
- consideration of an amendment to an existing planning permit
- secondary consent applications (minor changes)
- extensions of time to existing planning permits.

ISSUES/DISCUSSION

Planning permit activities

A detailed summary of the status of planning permits can be found in Attachments 1 and 2.

Timeframes

The *Planning & Environment Act 1987* requires a 60 day timeframe for the processing of planning applications by councils. The Act details how the 60 days is to be measured following the acceptance of a planning permit application.

Table 1 provides a summary of the average timeframe in which the Development and Compliance Department assessed and issued Planning Permits during the first quarter of the 2024-2025 financial year and compares these against the small to medium regional council's average.

Table 1: Average timeframes for decisions

Month	Quarter 1 of the 2024-2025 financial year			
	Average gross days to determine	Median processing days to determine	Completed within 60 days	Rural average completed within 60 days
July	22	25	100%	71%
August	54	54	100%	66%
September	59	26	100%	64%
Total for the Quarter	45	26	100%	67%

During the first quarter of the 2024-2025 financial year 100% of all Planning Permit applications were assessed and issued within the timeframes as set in the *Planning & Environment Act 1987*. This was 33% above the rural average. In addition, the median processing days for Council to make a determination on applications is 26 days, well below the rural median of 55 days, a great result for Council and its planning team.

COST/BENEFITS

The expenditure for the first quarter of 2024-2025 financial year of the statutory planning activities contained within this report is \$51,012.

Benefits derived from investing in the planning process managed by the Development and Compliance Department include:

- well managed and appropriate development
- well informed community members who understand the value of planning within local government
- applications processed in a timely manner
- correct implementation of regulations and standards

RISK ANALYSIS

Failure of Council to adequately implement the planning scheme poses the following risks:

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

Insufficient investment in resources in the Development and Compliance Department may result in extended timeframes for the processing of applications.

CONSULTATION AND ENGAGEMENT

The Planning Staff consult with a number of stakeholders on a regular basis including:

- applicants
- surrounding land owners
- regulatory authorities
- other Loddon Shire Council departments
- other municipalities

RESOLUTION 2024/155

Moved: Cr David Weaver
Seconded: Cr Nick Angelo

That Council receive and note the Quarterly Statutory Planning Permit Activity Report for July to September 2024.

CARRIED

Unconfirmed

12 COMPLIANCE REPORTS

Nil

13 URGENT BUSINESS

Nil

14 CONFIDENTIAL ITEMS

Nil

NEXT MEETING

The next Meeting of Council will be held on 17 December 2024 at Wedderburn commencing at 3.00pm.

RESOLUTION 2024/156

Moved: Cr Miki Wilson

Seconded: Cr David Weaver

That the meeting close at 3.58 pm.

CARRIED

Confirmed this.....day of..... 2024

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CHAIRPERSON