



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

**Date: Tuesday, 26 November 2024**

**Time: 3.00pm**

**Location: Loddon Shire Council Chambers, Wedderburn**

# **AGENDA**

## **Council Meeting**

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**OPENING COMMENT**

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

**1 OPENING AFFIRMATION**

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

**2 ACKNOWLEDGEMENT OF COUNTRY**

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

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

**5 PREVIOUS MINUTES****5.1 CONFIRMATION OF MINUTES**

**File Number:** 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.

**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"> <li>• Meeting technology</li> <li>• Voter entitlements</li> <li>• Disaster Recovery Funding</li> <li>• 30 Years of Loddon</li> <li>• Murray River Group of Councils</li> <li>• Poultry Farms</li> </ul>
Conflict of Interest Disclosures – Councillor/ officer making disclosure	Nil
Councillor/officer left room	n/a

**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.

Council resolutions acted upon since the October 2024 Council meeting

Meeting	Officer/Director	Section	Subject
Council 16/09/2024	Fitzgerald, Lincoln Fitzgerald, Lincoln	Compliance Reports	NOTICE OF MOTION - Newbridge Sewerage and Water
<b>RESOLUTION 2024/123</b>			
Moved: Cr Linda Jungwirth Seconded: Cr Wendy Murphy			
That a report be provided to Council at a meeting in November 2024 on:			
<ol style="list-style-type: none"> <li>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</li> <li>2) the opportunity to fund this further concept work from Council's Strategic Fund.</li> </ol>			
<b>CARRIED</b>			
<b>15 Nov 2024 10:45am Fitzgerald, Lincoln - Completion</b>			
Completed by Fitzgerald, Lincoln (action officer) on 15 November 2024 at 10:45:20 AM – A report has been prepared for the November 2024 Council meeting.			

Meeting	Officer/Director	Section	Subject
Council 16/09/2024	Clue, Lisa Stedman, Michelle	Compliance Reports	Notice of Motion - Amendment to Governance Rule 65
<b>RESOLUTION 2024/124</b>			
Moved: Cr Linda Jungwirth Seconded: Cr Wendy Murphy			
That a report be provided to Council at a meeting in December 2024 or January 2025 on:			
an amendment of Loddon Shire Council's Governance Rules to -			
<ol style="list-style-type: none"> <li>a. removing 65, item (4)(b) - must relate to a matter of business on the meeting agenda</li> <li>b. amending Rule 65, item (4)(c) to add a time period. Ie. Must not relate to subject matter previously responded to by Council in the last six months</li> </ol>			
<b>CARRIED</b>			
<b>10 Oct 2024 2:57pm Clue, Lisa</b>			
In accordance with the resolution, a report will be provided to Council at a meeting in December 2024 or January 2025.			



Council resolutions acted upon since the October 2024 Council meeting

Meeting	Officer/Director	Section	Subject
Council 22/10/2024	Stedman, Michelle Stedman, Michelle	Decision Reports	Annual Report for Year Ending 30 June 2024
<b>RESOLUTION 2024/130</b>			
Moved: Cr Linda Jungwirth			
Seconded: Cr Wendy Murphy			
That Council adopts the Loddon Shire Council Annual Report for the Year Ending 30 June 2024.			
<b>CARRIED</b>			
<b>13 Nov 2024 9:56am Stedman, Michelle - Completion</b>			
Completed by Stedman, Michelle (action officer) on 13 November 2024 at 9:56:28 AM - Annual Report 2024/25 has been adopted, published on the Loddon Shire website, made available to Local Government Victoria, and distributed to relevant individuals and groups.			

Meeting	Officer/Director	Section	Subject
Council 22/10/2024	Jackson, Janine Stedman, Michelle	Decision Reports	2024 Office Closure
<b>RESOLUTION 2024/131</b>			
Moved: Cr Neil Beattie			
Seconded: Cr Wendy Murphy			
That Council:			
<ol style="list-style-type: none"> <li>1. approve the closure of the Wedderburn administrative centre from midday on Tuesday, 24 December 2024, reopening at 8:15 am on Thursday, 2 January 2025.</li> <li>2. give notice of the amended office hours by publishing the details in the public notices section of the Bendigo Advertiser, in the Loddon Herald, on Council's website and on social media.</li> </ol>			
<b>CARRIED</b>			
<b>13 Nov 2024 8:27am Jackson, Janine - Completion</b>			
Completed by Jackson, Janine (action officer) on 13 November 2024 at 8:27:22 AM - Advertisement prepared and Facebook notification to give notice of the amended office hours by publishing the details in the public notices section of the Bendigo Advertiser, in the Loddon Herald, on Council's website and on social media.			

Council resolutions acted upon since the October 2024 Council meeting

Meeting	Officer/Director	Section	Subject
Council 22/10/2024	Clue, Lisa Stedman, Michelle	Decision Reports	Appointment and Authorisation - Planning and Environment Act 1987
<b>RESOLUTION 2024/132</b>			
Moved: Cr Wendy Murphy			
Seconded: Cr Neil Beattie			
That Council, in the exercise of the powers conferred by s147(4) of the <i>Planning and Environment Act 1987</i> , resolves that:			
<ul style="list-style-type: none"> <li>(a) the members of Council staff referred to in the instrument attached to this Agenda report be appointed and authorised as set out in the instrument.</li> <li>(b) the instrument comes into force immediately after it is signed by Council's Chief Executive Officer, and remains in force until Council determines to vary or revoke it.</li> </ul>			
<b>CARRIED</b>			
<b>15 Nov 2024 10:45am Clue, Lisa - Completion</b>			
Completed by Clue, Lisa (action officer) on 15 November 2024 at 10:45:20 AM - The Appointment and Authorisation document has been signed and registered into Council's records management system, and the register updated.			

**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 will present a verbal report at the meeting.

<b>Loddon Campaspe Councils</b>	
<b>Loddon Healthy Minds Network</b>	
<b>Murray River Group of Councils</b>	
<b>North Central Local Learning and Employment Network</b>	
<b>Rural Councils Victoria</b>	
<b>Section 65 Community Asset Committees:</b>	
East Loddon Community Centre	
Pyramid Hill Memorial Hall	
<b>Other Council activities</b>	
<b>Date</b>	<b>Activity</b>

**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 will present a verbal report at the meeting.

**Cr Angelo**

<b>Australia Day Committee</b>	
<b>North Central Goldfields Regional Library</b>	
<b>Other Council activities</b>	
<b>Date</b>	<b>Activity</b>

Cr Holt

<b>Audit and Risk Committee</b>	
<b>Municipal Association of Victoria</b>	
<b>Section 65 Community Asset Committees:</b>	
Donaldson Park	
Hard Hill Tourist Reserve	
Wedderburn Community Centre	
Wedderburn Engine Park and Market Square Reserve	
Wedderburn Mechanics and Literary Institute Hall	
<b>Other Council activities</b>	
<b>Date</b>	<b>Activity</b>

**Cr Weaver**

<b>Municipal Emergency Management Planning Committee</b>	
<b>Rail Freight Alliance</b>	
<b>Section 65 Community Asset Committees:</b>	
Boort Aerodrome	
Boort Memorial Hall	
Boort Park	
Korong Vale Mechanics Hall	
Korong Vale Sports Centre	
Little Lake Boort	
Yando Public Hall	
<b>Other Council activities</b>	
<b>Date</b>	<b>Activity</b>

Cr Wilson

<b>Calder Highway Improvement Committee</b>	
<b>Section 65 Community Asset Committees:</b>	
Campbells Forest Hall	
Inglewood Community Sports Centre	
Inglewood Community Elderly Persons Units	
Inglewood Town Hall Hub	
<b>Other Council activities</b>	
<b>Date</b>	<b>Activity</b>

**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.

**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.

**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)**

**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 12<sup>th</sup> 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

# LODDON SHIRE COUNCIL

**DECISION REPORT 5969:  
Retrospective application for the use  
and development of the land for  
accommodation (camping and  
caravan park) and associated  
outbuildings. New application for  
development of a machinery shed,  
relocation of an existing storage  
shed in the Land Subject to  
Inundation Overlay and creation of  
new access to a Transport Zone 2.**



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## SUMMARY

<b>Application Number:</b>	5969
<b>Applicant:</b>	Grant Austin
<b>Subject Land:</b>	4577 Bridgewater Maldon Road Bridgewater VIC 3516
<b>Owner:</b>	GN Austin and DC Clapp
<b>Zone:</b>	Farming Zone
<b>Overlay(s):</b>	Land Subject to Inundation Overlay
<b>Existing use:</b>	Accommodation and Storage
<b>Proposal:</b>	Use and development of the land for accommodation (camping and caravan park) and associated outbuildings, development a machinery shed, relocation of an existing storage shed, and creation of new access to Transport Zone 2.

The following dot points provide a summary of the application:

- The application was lodged on the 12<sup>th</sup> 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 this development and use. 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 surrounding landowners; with one objection received.
- The application was also referred internally 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.
- Officer recommendation is to issue a notice of decision to refuse a planning permit.

## 1 RECOMMENDATION

That the Responsible Authority having considered all matters which the Planning and Environment Act, 1987, requires it to consider, decides to issue a Notice of Decision to refuse a planning permit 5969 for use and development of the land for accommodation (camping and caravan park) and associated outbuildings, development of a machinery shed, relocation of an existing storage shed and creation of new access to Transport Zone 2 subject to the following grounds:

- 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

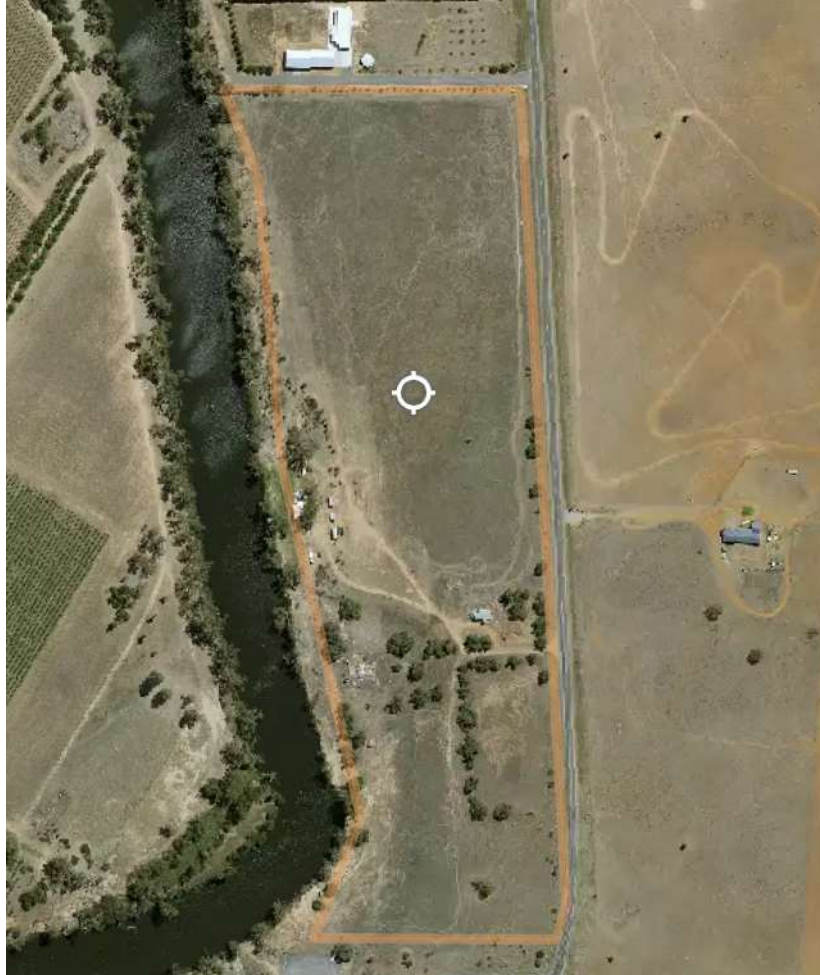
### NCCMA

- 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.

## 2 DISCUSSION

### 2.1 The Site & Locality

The subject site is a single parcel of Farming Zoned land that totals approximately 11.7 hectares and is partly covered by a Land Subject to Inundation Overlay. It is bordered by the Loddon River to the west and the Bridgewater Maldon Road to the east.



*Figure 1: Aerial photograph of subject site*

The topography of the site is generally flat with some higher land along the eastern boundary adjoining the road. Vegetation on the site is mainly along the Loddon River with the remainder of the site relatively clear, although there is several peppercorn trees along the eastern boundary. There are many existing structures on the property including ruins of an old dwelling, four cabins and ensuite building, canopy/shelter, caravan port, stock shelter, and a caravan.

The surrounding area consists of a mix of broad acre farming and smaller irrigated allotments along the banks of the Loddon River. Several of the allotments adjoining the Loddon River contain existing farm dwellings and associated outbuildings. To the north of the site approximately 1.5 kilometres is the Bridgewater Poultry and Egg Farms, beyond that is Bridgewater Township approximately 3.1 kilometres from the site.

Figure 2 below shows the zoning of the site and the surrounding area, predominately Farming Zone with Public Conservation and Resource Zone along the Loddon River.



*Figure 2: Zoning map*

The below figure shows the Land Subject to Inundation Overlay which clearly shows the property acts as a floodway when the water exceeds the banks of the Loddon River.



*Figure 3: Land Subject to Inundation Overlay*

## 2.2 Site History

There is no existing permits for the buildings on the site. It has been developed over the past few years including the addition of the four cabins which are used by the owners and family members as holiday accommodation.

There has been past conversations in 2015 between the owners and the Environmental Health Officer regarding the accommodation uses and the lack of septic system and wastewater treatment on site. According to the Environmental Health Officer the owner stated that there is no septic system on site and they use the caravans system to contain wastewater.

## 2.3 Proposal

The proposal is split into two parts. The first is a retrospective application to retain the existing cabins, portable ensuite, sheds and caravan shelters on the property.

### Four Cabins and Ensuite Building

Cabin 1 is 7.750 metres long x 3.1 metres wide, and contains a bed, two bunkbeds, shower, kitchen, wash basin, and WC that's not in use.

Cabin 2 is 8.350 metres long x 3.7 metres wide, with a deck along the front and part of the northern side. The deck has a total area of 28.8 square metres. The cabin also has a bed, two bunkbeds, cupboard, shower, wash basin, kitchen and WC that's not in use.

Cabin 3 is 6.750 metres long x 3 metres wide, with a deck and roof extending out from the front of the cabin. The deck is 8 metres long x 3 metres wide and also contains an outdoor kitchen, sink, and pantry. The roof is 8.9 metres long x 3.4 metres wide and covers the entire deck. The cabin contains a bed, bunkbed, shower, wash basin, and WC that's not in use.

Cabin 4 is 9.040 metres long x 3.24 metres wide. The cabin contains two bedrooms, shower, wash basin and a WC that's not in use.

Ensuite building is 2.5 metres x 2 metres and contains a shower, toilet and wash basin. It also has a 2000L holding tank for effluent which would be required to be pumped out.

Other existing buildings include a caravan port and canopy which have been constructed between the cabins and the river.

The application seeks to use the land for camping and caravan park as defined by the planning scheme.

The second part of the application consists of new buildings and works including a machinery shed, relocation of an existing shed and creation of new access to Transport Zone 2.

### Machinery Shed's

The new machinery shed will be 34 metres long x 11 metres wide and height of 5.2 metres. The shed will have four roller doors and will be colourbond finish.

The existing storage shed will be relocated closer to the river. The shed is 15 metres long x 6 metres wide. The shed is proposed to be used for storage including caravans, ski boats and other equipment.

### Creation of new access to Transport Zone 2

The proposal is to create a new access point from the Bridgewater Maldon Road which is safer for vehicles entering and exiting the site. The access will be constructed to the Typical Access for Rural Properties standard drawing with the design vehicle used being a 19m semi-trailer. Line of site is for 280 metres and 300+ metres.

## **2.4 Loddon Planning Scheme**

### 2.4.1 Zone

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

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To provide for the use of land for agriculture.*
- *To encourage the retention of productive agricultural land.*
- *To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.*
- *To encourage the retention of employment and population to support rural communities.*
- *To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.*
- *To provide for the use and development of land for the specific purposes identified in a schedule to this zone.*

Under Clause 35.07-1, a permit is required for use of the land for accommodation (camping and caravan)

- Buildings and works associated with a section 2 use.

### 2.4.2 Overlay

#### 44.04- Land Subject to Inundation Overlay

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To identify flood prone land in a riverine or coastal area affected by the 1 in 100 (1 per cent Annual Exceedance Probability) year flood or any other area determined by the floodplain management authority.*
- *To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, responds to the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.*
- *To minimise the potential flood risk to life, health and safety associated with development.*
- *To reflect a declaration under Division 4 of Part 10 of the Water Act, 1989.*
- *To protect water quality and waterways as natural resources by managing urban stormwater, protecting water supply catchment areas, and managing saline discharges to minimise the risks to the environmental quality of water and groundwater.*
- *To ensure that development maintains or improves river, marine, coastal and wetland health, waterway protection and floodplain health.*

Under clause 44.04, a permit is required to construct a building or carry out works.

### 2.4.3 Relevant Particular Provisions

52.29- Land Adjacent to the principle road network.

The purpose of this provision includes

- To ensure appropriate access to identified roads.

A permit is required under Clause 52.29-1 to:

Create or alter access to:

- A road in a Transport Zone 2.

The application was referred to Department of Transport who have provided conditional consent to the application.

#### 2.4.4 Permit trigger

Under clause 35.07-1 of the Farming Zone, a permit is required to use land for accommodation (camping and caravan park)

Under Clause 35.07-4 of the Farming Zone, a permit is required to construct buildings and works associated with a section 2 use (camping and caravan park).

Under clause 44.04-2 of the Land Subject to Inundation Overlay a permit is required to construct a building or carry out works.

Under Clause 52.29, a planning permit is required to create access to a road in a Transport Zone 2.

#### 2.4.5 Restrictive Covenant

No restrictive covenants exist on this site.

#### 2.4.6 Planning Policy Framework

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

##### 13.07-1S- Land use compatibility

Objective:

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

Strategies:

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

##### Clause 14.01-1 Protection of Agricultural Land

This clause aims to protect productive farmland which is of significance in the local or regional context and also protect unplanned loss of agricultural land due to permanent changes in land use. Strategies include: Limit new housing development in rural areas by:

- *Directing housing growth into existing settlements.*
- *Discouraging development of isolated small lots in the rural zones from use for dwellings or other incompatible uses.*
- *Encouraging consolidation of existing isolated small lots in rural zones.*

## 14.01-2- Sustainable agricultural land use

## Objective:

*To encourage sustainable agricultural land use.*

## Strategies:

- *Ensure agricultural and productive rural land use activities are managed to maintain the long-term sustainable use and management of existing natural resources.*
- *Support the development of innovative and sustainable approaches to agricultural and associated rural land use practices.*
- *Support adaptation of the agricultural sector to respond to the potential risks arising from climate change.*
- *Encourage diversification and value-adding of agriculture through effective agricultural production and processing, rural industry and farm-related retailing.*
- *Assist genuine farming enterprises to embrace opportunities and adjust flexibly to market changes.*
- *Support agricultural investment through the protection and enhancement of appropriate infrastructure.*
- *Facilitate ongoing productivity and investment in high value agriculture.*
- *Facilitate the establishment and expansion of cattle feedlots, pig farms, poultry farms and other intensive animal industries in a manner consistent with orderly and proper planning and protection of the environment.*
- *Ensure that the use and development of land for animal keeping or training is appropriately located and does not detrimentally impact the environment, the operation of surrounding land uses and the amenity of the surrounding area.*

## Clause 16.01-3 Rural Residential Development

Planning should manage development in rural areas to protect agriculture and avoid inappropriate rural residential development. Strategies include:

- *Discourage development of small lots in rural zones for residential use or other incompatible uses.*
- *Maintaining an adequate buffer distance between rural residential development and animal production.*

2.4.7 Local Planning Policy Framework

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

## Clause 02-.03-4 – Agriculture

Agricultural production is the major focus of the economy and community in the Shire. The facilitation of innovative, diverse and sustainable agriculture is a central aim of planning in the Shire. Quality agricultural land is a valuable and a non-renewable resource. Its protection and sustainable use is fundamental to the future economic health of the Shire.

Generally large lots are required for agricultural production, especially in the dryland areas. Farms are often made up of a collection of lots, which may be scattered across a district. The protection of quality agricultural land for agriculture rests both with maintenance of it in viable sized lots, deterring non-agricultural land use and the ability to restructure and develop it for agricultural purposes.

Council's strategic directions for agriculture are to:

- *Maintain agricultural land in large lots to support the agricultural industry.*
- *Ensure that land use is matched to soil capability.*



- *Minimise dwellings in agricultural areas.*
- *Support excision where it provides for farm consolidation and the excision will not compromise agricultural activities on surrounding land or remove an unreasonable amount of land from agriculture.*
- *Support the effective restructure and redevelopment of farm holdings to maximise opportunities for diversification and intensification of agricultural land use.*
- *Discourage non-agricultural land use and development in areas of high quality and productive agricultural potential.*

Clause 14.01-1L- Agriculture

This policy applies to applications for use and development in the farming zone. Strategies include:

- *Support dwellings that are ancillary to the agricultural use of the land.*
- *Direct non soil based agricultural activity away from quality agricultural land.*
- *Support development (including subdivision) in agricultural areas that is directly related to ongoing agricultural use of the land.*
- *Site buildings and works to avoid or minimise loss of quality agricultural land.*

**2.5 Referrals**

Table 1: External referrals

Department of Transport (Sec 55)	Conditional consent
Department of Energy, Environment and Climate Action (sec 52)	Conditional consent
North Central Catchment Management Authority (Sec 55)	Objected to the application

Table 2: Internal referrals

Environmental Health Officer (Sec 52)	Raised concerns over no permits for any septic system on the property. How they are managing wastewater from the showers and wash basins in the cabins, as well as how the ensuite cabin is emptied.
---------------------------------------	--

**2.6 Public Notification**

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

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

One objection was received in response to the application. The matters raised in the objection are summarised below.

The concerns outlined in the two objections can be summarised as:

- The close proximity of the cabins and caravans to the Loddon River
- The number of people camping for prolonged periods and use of cabins and caravans for permanent accommodation.
- Concerns about the management of wastewater
- Concerns about meeting requirements for fire management
- Lack of animal control

- Trespassing
- The property is zoned Farming
- Concerns about encouraging private camp grounds

Please refer to appendix 1 for a copy of the objection submitted.

### 3 ASSESSMENT

#### 3.1 Planner assessment

***Is the proposed camping and caravan use and development acceptable on the subject land taking into consideration planning policies for the protection of agricultural land and floodplain management in the Planning Scheme?***

***Does the proposed accommodation use meet the purpose and applicable decision guidelines of the FZ and the LSIO in the Loddon Planning Scheme?***

This application seeks retrospective approval for use and development of the land for accommodation (camping and Caravan Park) and associated buildings in the Farming Zone and Land Subject to Inundation Overlay.

The new buildings and works proposed include the development of a new machinery shed and relocation of an existing shed on site under the Land Subject to Inundation Overlay and construction of a new access to Transport Zone 2.

The existing accommodation that consists of four cabins and a caravan have been on-site since 2013 with no planning approvals given for this use or development. This was brought to the planning officers attention after they applicant submitted a new application for the development a machinery shed, relocation of an existing storage shed and creation of new access to Transport Zone 2. Officers requested the applicant address the existing buildings and use on the site and include these existing buildings in the new planning application.

After assessment against the purpose and decision guidelines of the zone and the relevant overlays, as well as the planning policy framework, the application is recommended for refusal based on the following policies:

#### 14.01-1S- Protection of agricultural land

The objective of clause 14.01-1S Protection of agricultural land is:

- *To protect the state's agricultural base by preserving productive farmland.*

The relevant strategies include:

- *Protect productive agricultural land from unplanned loss due to permanent changes in land use.*
- *Prevent inappropriately dispersed urban activities in rural areas.*
- *Protect strategically important agricultural and primary production land from incompatible uses.*
- *Limit new housing development in rural areas by:*
  - *Directing housing growth into existing settlements.*
  - *Discouraging development of isolated small lots in the rural zones from use for dwellings or other incompatible uses.*
  - *Encouraging consolidation of existing isolated small lots in rural zones.*

The proposal is considered inconsistent with Clause 14.01-1S for the following reasons:

- The application documents submitted show no agricultural activity to be undertaken on the site
- The accommodation does not support existing or proposed agricultural use of the land
- The accommodation use and development will result in the permanent changes in land use.

Therefore, the proposal is considered inconsistent with Clause 14.01-1S and should be refused.

#### Clause 14.01-1L- Agricultural

This local policy applies to applications for use and development of land within the Farming Zone.

The policy includes the following relevant strategies:

- *Support development (including subdivision) in agricultural areas that is directly related to ongoing agricultural use of the land.*
- *Site buildings and works to avoid or minimise loss of quality agricultural land.*

As discussed previously the accommodation development does not support the any ongoing use of the land for agriculture. The site does not support any existing agriculture and is essentially a camping and caravan park. It is considered that all existing and proposed buildings are being constructed to support the ongoing use of the land for camping and Caravan Park and not agriculture.

Whilst it is acknowledged, the subject land is small in nature it is considered that due to the higher quality of land an agricultural use could be undertaken on the site. In particular, the Municipal Planning Strategy (MPS) identifies that “around Bridgewater there are areas of high value horticulture, based on the fertile riverine soils and water from the Loddon River”. The MPS also includes strategic directions for the protection of agriculture as a natural resource, these include:

- *Discourage non-agricultural land use and development in areas of high quality and productive agricultural potential.*

For the reasons above the proposal does not align with local planning policy or the strategic directions in the Municipal Planning Strategy.

#### Clause 35.07- Farming Zone

The purposes of the Farming Zone includes the following:

- *To provide for the use of land for agriculture.*
- *To encourage the retention of productive agricultural land.*

The proposal is not considered to provide for nor encourage the retention of productive agricultural land.

The proposal is not considered to positively respond to the decision guidelines of the Farming Zone. The capability of the land to accommodate the proposed use and development is low with limited evidence provided showing how the applicant will treat and retain effluent, and proximity to the Loddon River raising concerns around effluent being dispersed into the waterway. It is also considered the accommodation use is not compatible with surrounding land uses. Although there is some dwellings in the vicinity these are generally associated with existing agricultural operations. Existing agriculture uses are evident on aerial imagery to the east and west of the

site it is therefore considered that the use is incompatible with the potential to be adversely affected by agricultural activities. This includes dust, noise, odour, use of chemicals and farm machinery, all of which can negatively impact the site due to their proximity.

#### Clause 44.04- Land Subject to Inundation Overlay

The proposal is considered inconsistent with the purpose of the Land Subject to Inundation Overlay including the following:

- To 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.
- To minimise the potential flood risk to life, health and safety associated with development.

The application was required to be referred to North Central CMA under section 55 of the Act. They have objected to the application with dot points 3, 4 and 5 under the recommendation coming straight from their referral response.

The proposal also does not satisfy the decision guidelines of clause 44.04-8 of the Loddon Planning Scheme including the following:

- The proposed development is susceptible to flooding and flood damage due its location
- It will increase the danger to the occupants of the development, other floodplain residents and emergency personnel.

#### Clause 13.03-1S- Floodplain management

The objective of this policy is to assist in the

- Protection of life, property and community infrastructure from flood hazard including coastal inundation, riverine and overland flows.
- 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, wetland or coastal health.

The proposal does not satisfy the above objective due to the increased risk to life and property and community infrastructure due to the inundation of the site from the Loddon River.

## **4 CONCLUSION**

The proposal is not consistent with the purpose of the Farming Zone and the Land Subject to Inundation and the relevant decision guidelines. The proposal is not considered to be in accordance with Planning Policy.

The application does not increase or support agricultural output of the site and the proposal is considered to result in a permanent land use change. The proposal will also increase the risk to life, health, and safety due to the significant flood risk to the site and the proximity of the development to the river. Further development of this site is likely to further obstruct flood flows and reduce natural flood storage, as well as increase the number of buildings within the floodplain.

For the reasons stated in section 1 of this report it is recommend the application be refused.

5 Appendix 1:

5.1 Objection 1

**OBJECTION TO PLANNING APPLICATION**

Objectors details:



The application being objected to: #5969

Proposal:

Retrospective application for the use and development of accommodation (camping and caravan – four existing cabins).

New application for the development of a storage shed.

Relocation of an existing shed.

Creation of new access to a Transport Zone 2.

Reasons for objecting to the application:

- **The close proximity of the cabins & caravans to the Loddon River.**  
These cabins, caravan, buildings and structures are located very close to the river. Although the cabins are removable, they have been permanently situated on the property for many years now, not removed after each stay as a tent or caravan would be.

- **The number of people camping for prolonged periods and use of cabins and caravans for permanent accommodation.**  
During peak holiday periods there could be in excess of 50 people camped on the small acreage. There have also been people using this property for permanent accommodation for years at a time.
- **Concerns about the management of wastewater.**  
The toilet and shower facilities are very close to the river, and we are concerned about potential seepage of grey water and sewerage into the river causing health and environmental risks. Does the property have an adequate system to manage wastewater for the large number of people who occupy the property at times throughout the year? Is wastewater adequately managed or removed before a flood event?
- **Concerns about meeting requirements for fire management.**  
We are concerned that buildings on the property don't meet site requirements for fire fighting and property protection.
- **Lack of animal control.**  
Unrestrained dogs are big concern. There have been many cases of dog attacks on sheep on neighbouring properties as a result of campers bringing dogs with them.
- **Trespassing.**  
There have been instances of campers trespassing on neighbouring properties. We are concerned that by encouraging camping of this magnitude in the area, the trespassing will continue.
- **The property is zoned farming.**  
Private camping on this small acreage does not support or enhance agriculture nor does it meet the needs of the local community.
- **Concerns about encouraging private camping grounds.**  
We are concerned that the retrospective permit will encourage others to set up unregulated camping grounds on the river's edge and magnify all the concerns and breaches outlined above.

## 5.2 Objection 2 – North Central Catchment Management Authority



NCCMA Ref: NCCMA-F-2024-00751  
 Council Ref: 5969  
 Date: 02 July 2024

Darcy Jackson  
 Statutory Planning Officer  
 Loddon Shire Council  
 Po Box 21,  
 Wedderburn Vic 3518

Dear Darcy

Planning Permit Application No: 5969  
 Development Description: relocate existing machinery shed  
 Street Address: 4577 Bridgewater-maldon Road Bridgewater Vic 3516  
 Cadastral Location: Allotment 2A, Section A, Parish Of Derby  
 Applicant: Grant Austin,

Thank you for your referral under Section 55 of the *Planning and Environment Act, 1987* dated 07 June 2024, and received by North Central Catchment Management Authority (CMA) on 07 June 2024, regarding the above matter.

North Central CMA, pursuant to Section 56 of the *Planning and Environment Act 1987*, objects to the granting of a permit on the following grounds:

1. *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.*
2. *The proposal is not consistent with the purpose of the LSIO, in particular to:*
  - 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. And*
  - b. *To minimise the potential flood risk to life, health and safety associated with development.*
3. *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 personnel.*
  - d. *It is likely to increase the amount of flood damage to public or private assets.*
  - e. *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.*

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[www.nccma.vic.gov.au](http://www.nccma.vic.gov.au)

[www.nccma.vic.gov.au](http://www.nccma.vic.gov.au)



- f. 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.*
- g. It is likely to increase the number of buildings located in a floodway area.*

The proposed cabins are located in areas subject to deep flooding in a 1% AEP flood event that poses an unacceptable risk to life and to property. In addition, deep flooding across the majority of the site ensures that safe access to these cabins is not maintained during a flood.

The proposed relocated shed is not supported in its current location, however may be considered acceptable should amended plans be received showing the shed in an area of lesser flood risk. North Central CMA are able to provide further advice on this point.

In addition, North Central CMA is supportive in principle of a machinery shed, however the proposed location of the shed extends into an area of deep flooding that is unacceptable as it poses a risk of damage to the shed and would obstruct flood flows. Should the proposed shed be relocated further east (so that the entire shed is within 50 metres of the eastern property boundary) or to another location with a lower flood risk – in consultation with North Central CMA – this aspect of the proposal could be considered acceptable by North Central CMA.

#### **Advice to Applicant / Council**

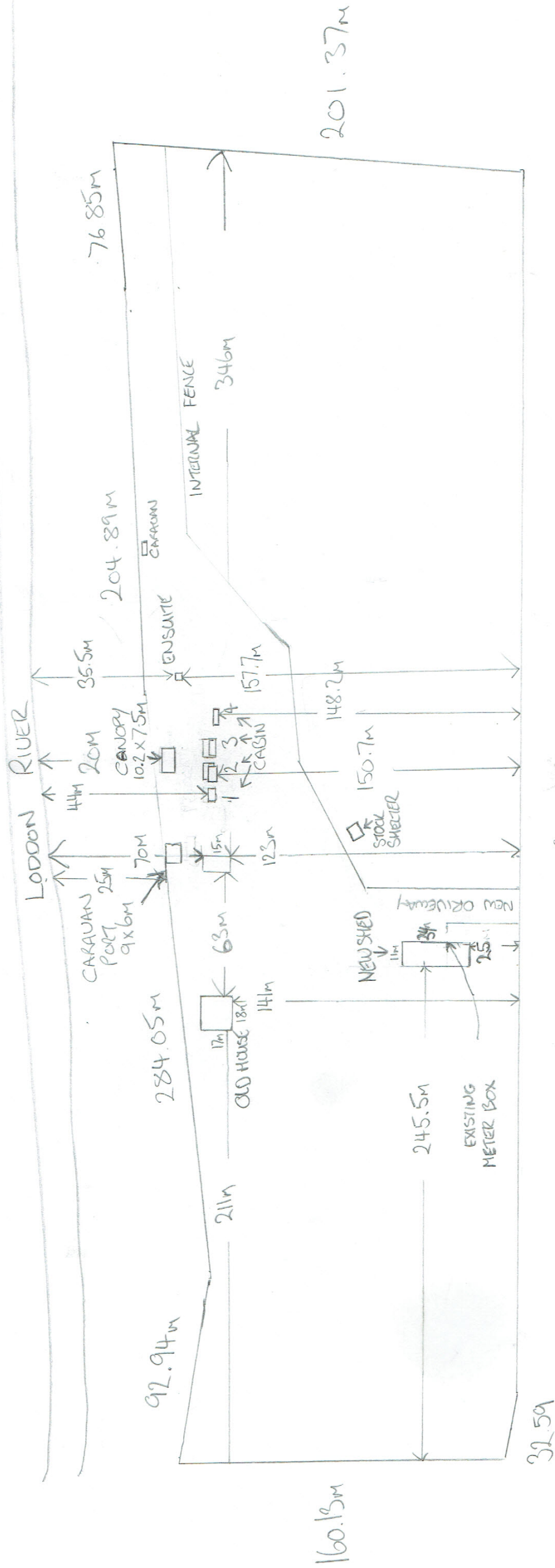
North Central CMA advises that in the event of a 1% AEP flood event the property may be subject to inundation from Loddon River. However, it is recommended that a licensed surveyor be engaged to determine the exact effect of the applicable flood level on the property.

Should you have any queries, please do not hesitate to contact me on (03) 5440 1896.

To assist the CMA in handling any enquiries and the supply of further information, please ensure you quote NCCMA-F-2024-00751 in your correspondence.

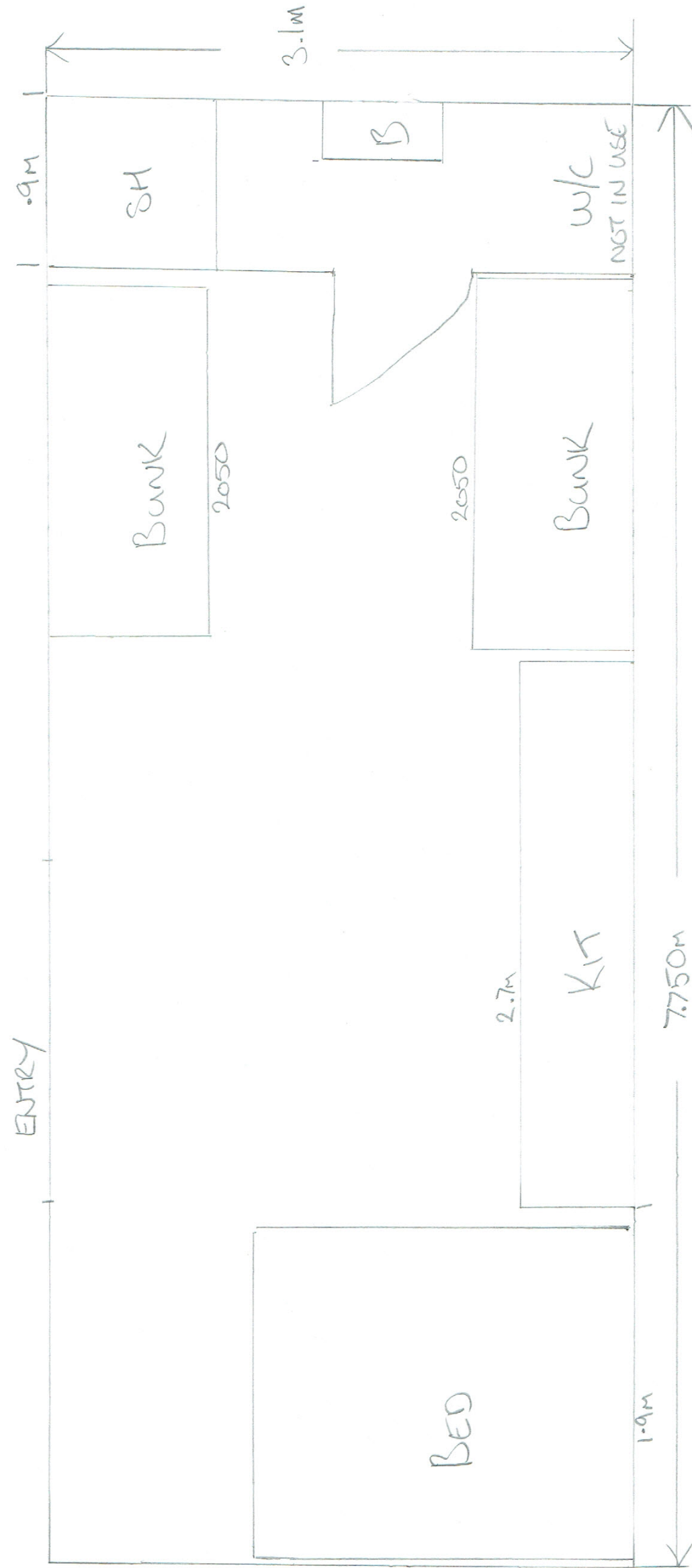


RELOCATION OF EXISTING MACHINERY SHED DUE TO  
 LOCATION OF EXISTING POWER SUPPLY METER BOX



SCALE 1:2000

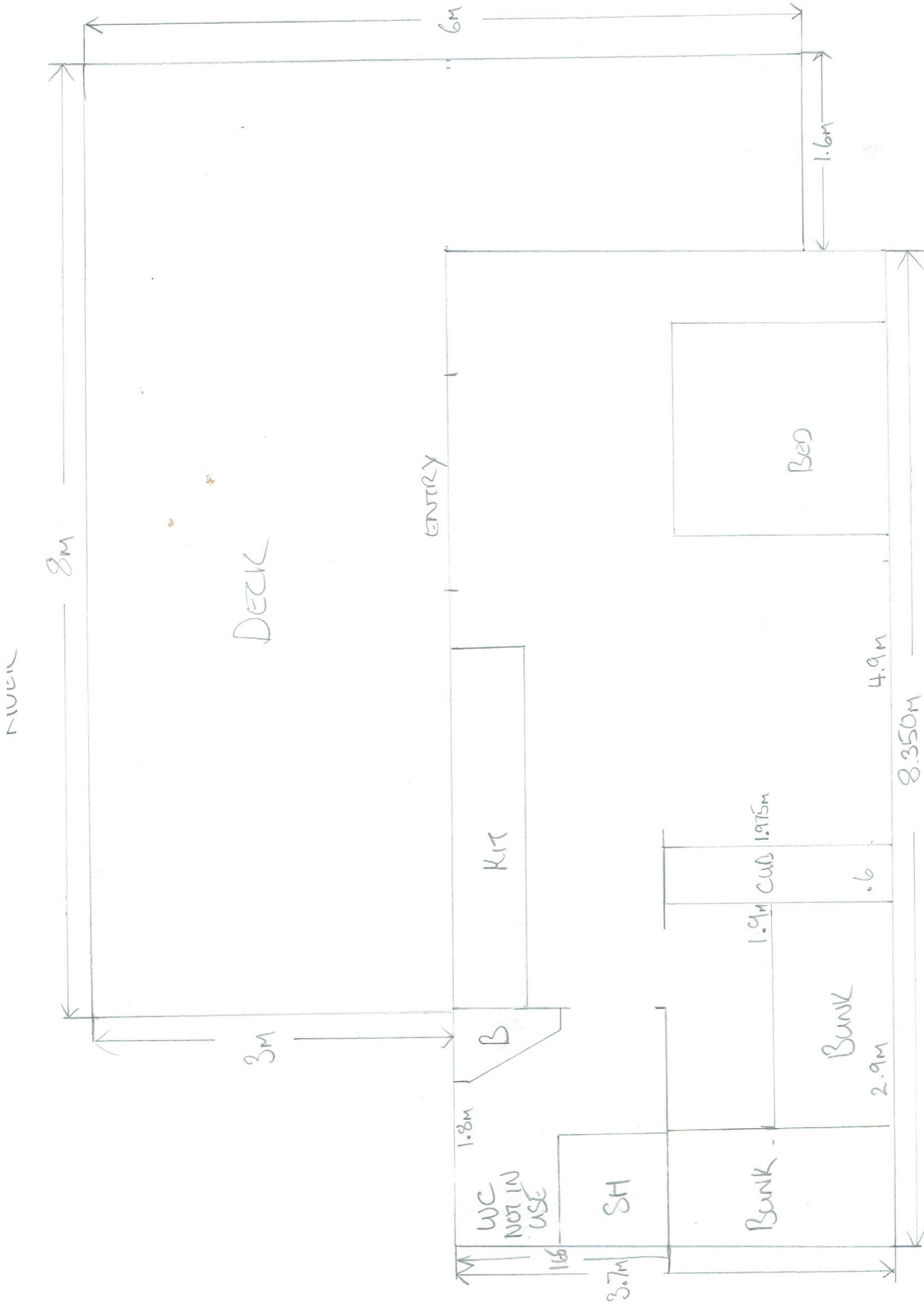
River



CABIN 1

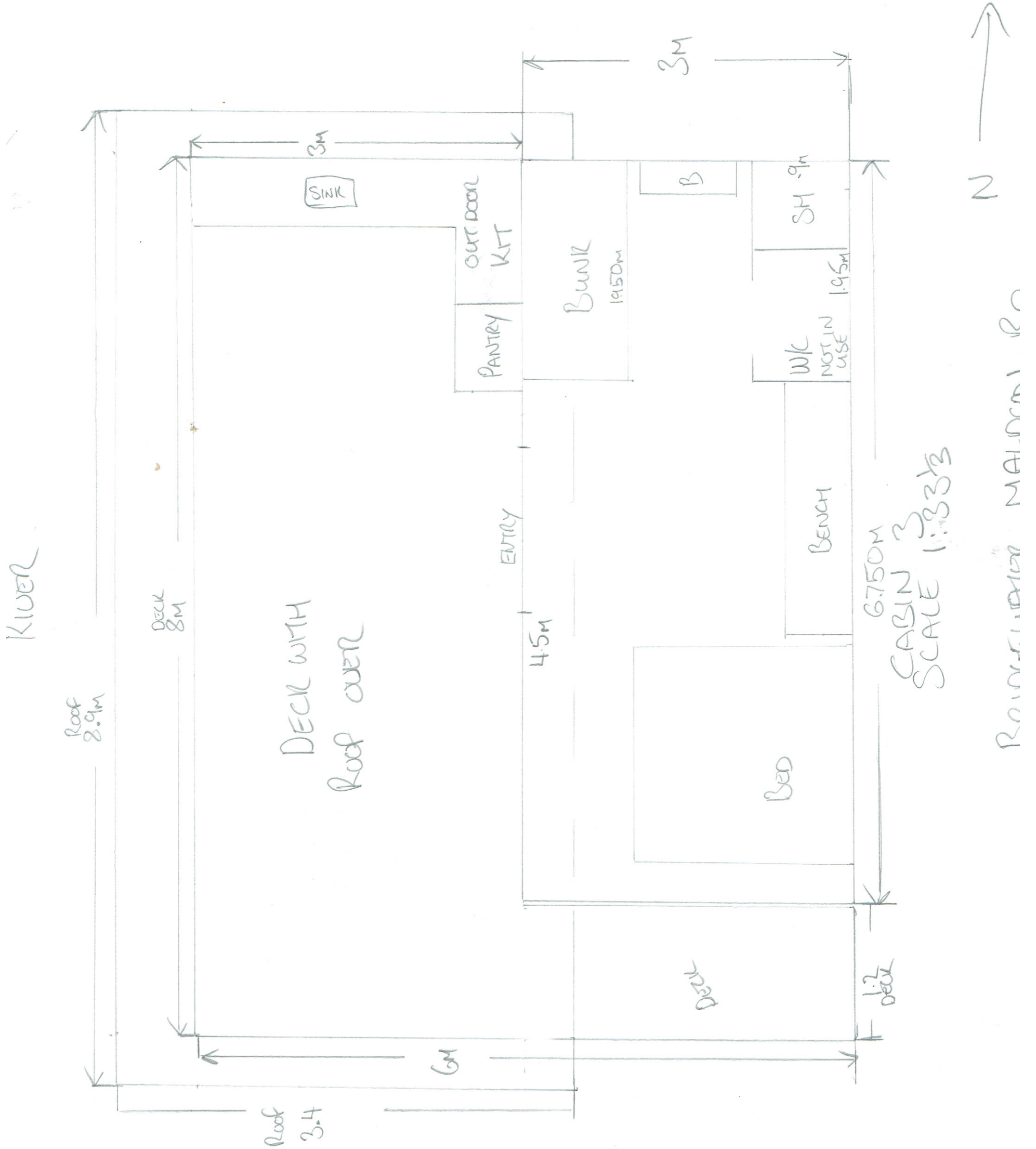
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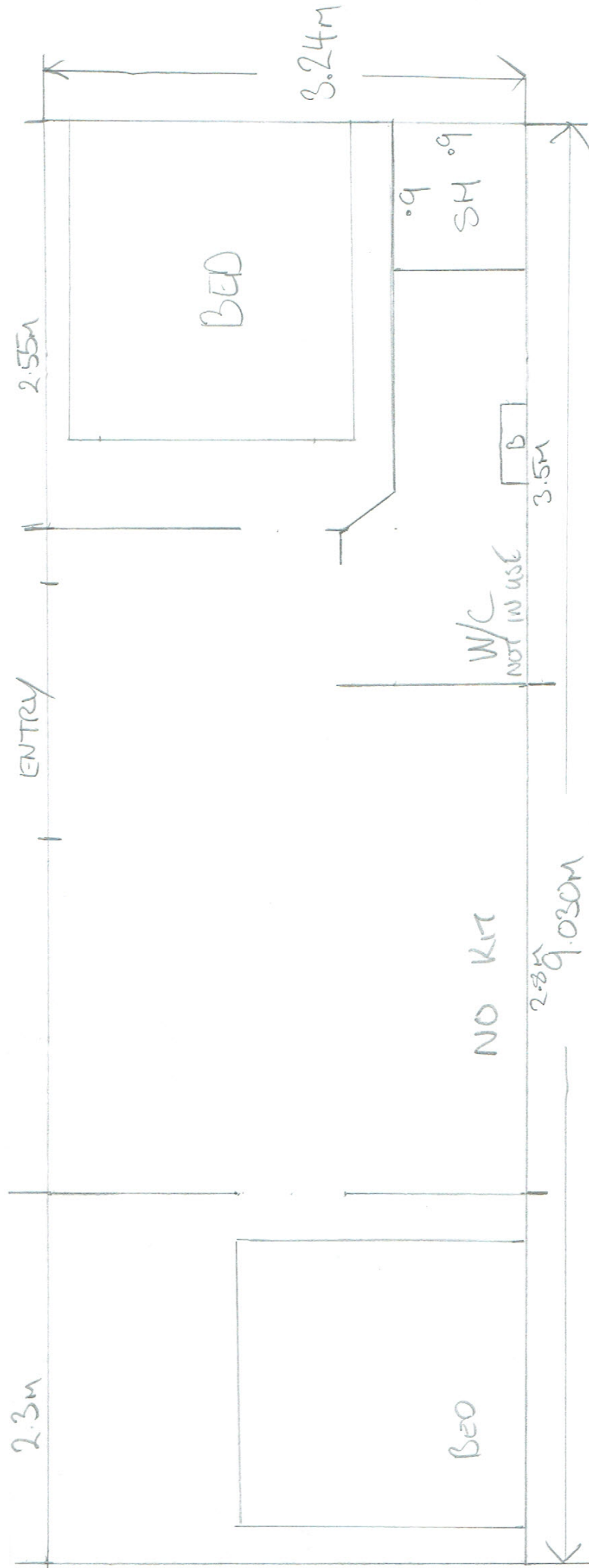


CABIN 2  
 SCALE 1:33 1/3

RENDERING MATERIAL

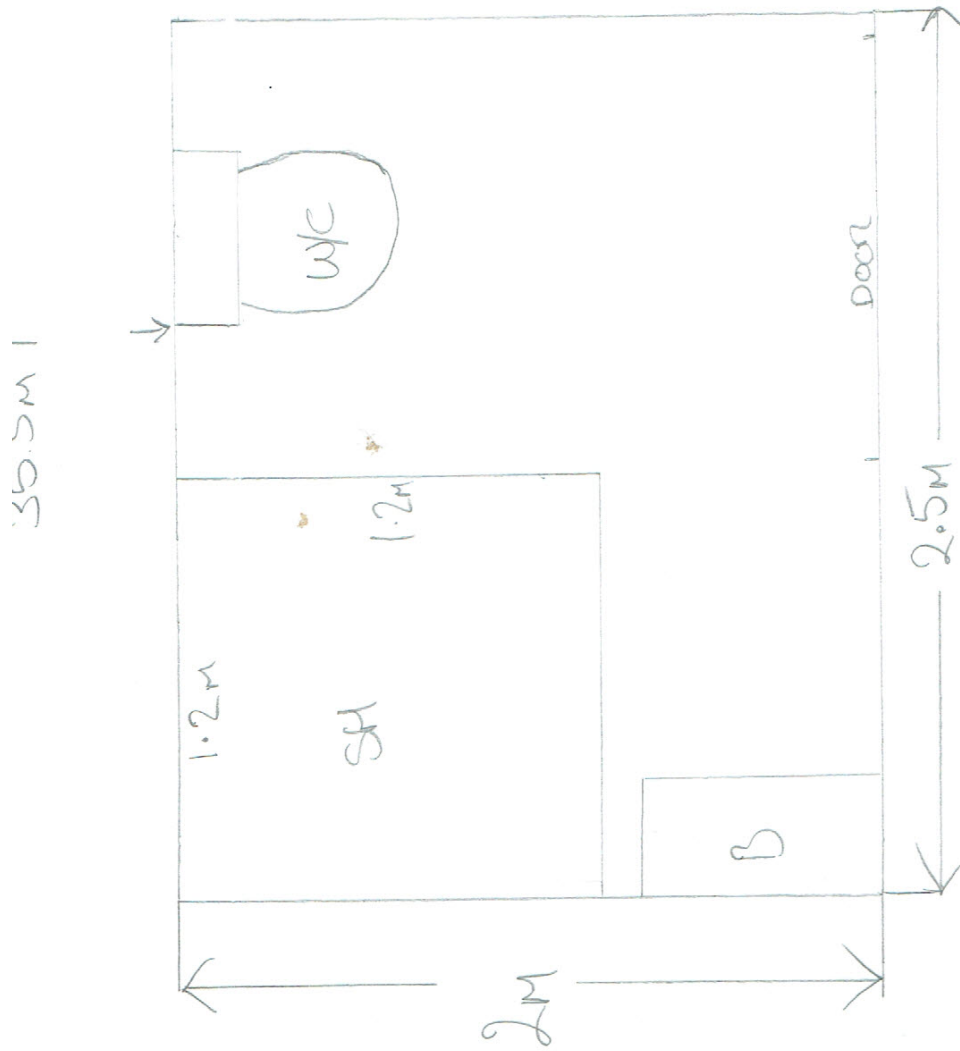


RIVER



CABIN 4  
SCALE 1:33 1/3

BRIDGEWATER MALDEN RD. N →

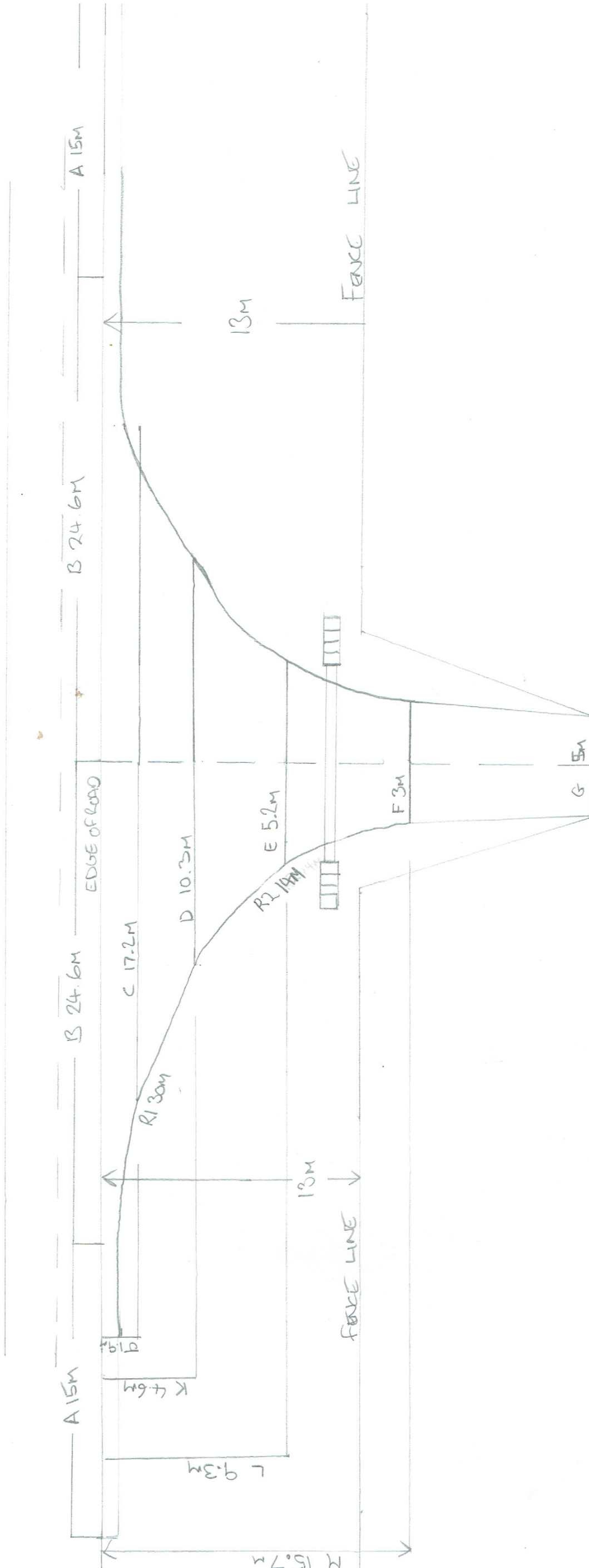


ENSUITE WITH 2000L HOLDING TANK

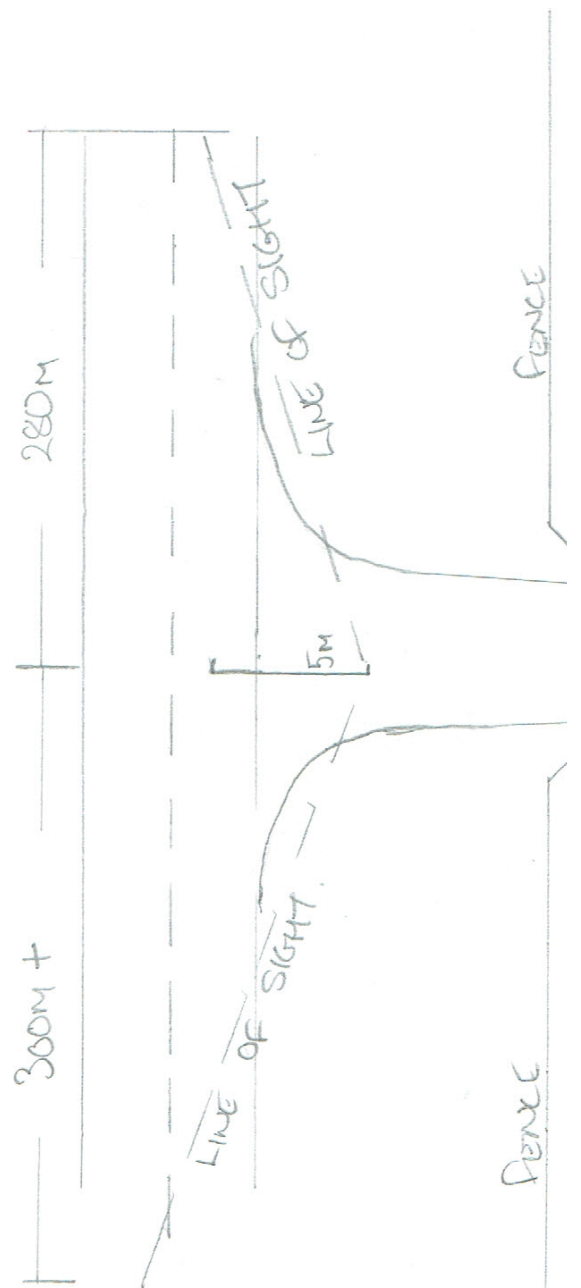
SCALE 1:20 N →

BRIDGEWATER MACDOON RD

BRIDGEWATER MALDON RD



DESIGN VEHICLE  
19M SEMI TRAILER



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**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	Report to Council on Newbridge Sewerage Scheme Options Assessment

Council Meeting	
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	Coliban Water officers presented on small town sewerage schemes and the process for Coliban Water implementing new schemes.

Forum	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	Council adopted the 2024 Council Priorities document, which outlines the development of precinct plans for Bridgewater and Inglewood to support growth and infrastructure investment.
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"> <li>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</li> <li>2) the opportunity to fund this further concept work from Council’s Strategic Fund</li> </ol>

**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.

**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
<b>Total</b>	<b>264</b>	<b>257</b>	<b>7</b>	<b>0</b>	<b>97.3%</b>	<b>899</b>

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)								
	Number of Defects				Compliant with RMP			
Work Group	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%
<b>Total</b>	<b>50</b>	<b>42</b>	<b>1568</b>	<b>1660</b>	<b>1561</b>	<b>99</b>	<b>4</b>	<b>94.0%</b>

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 programmed 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.

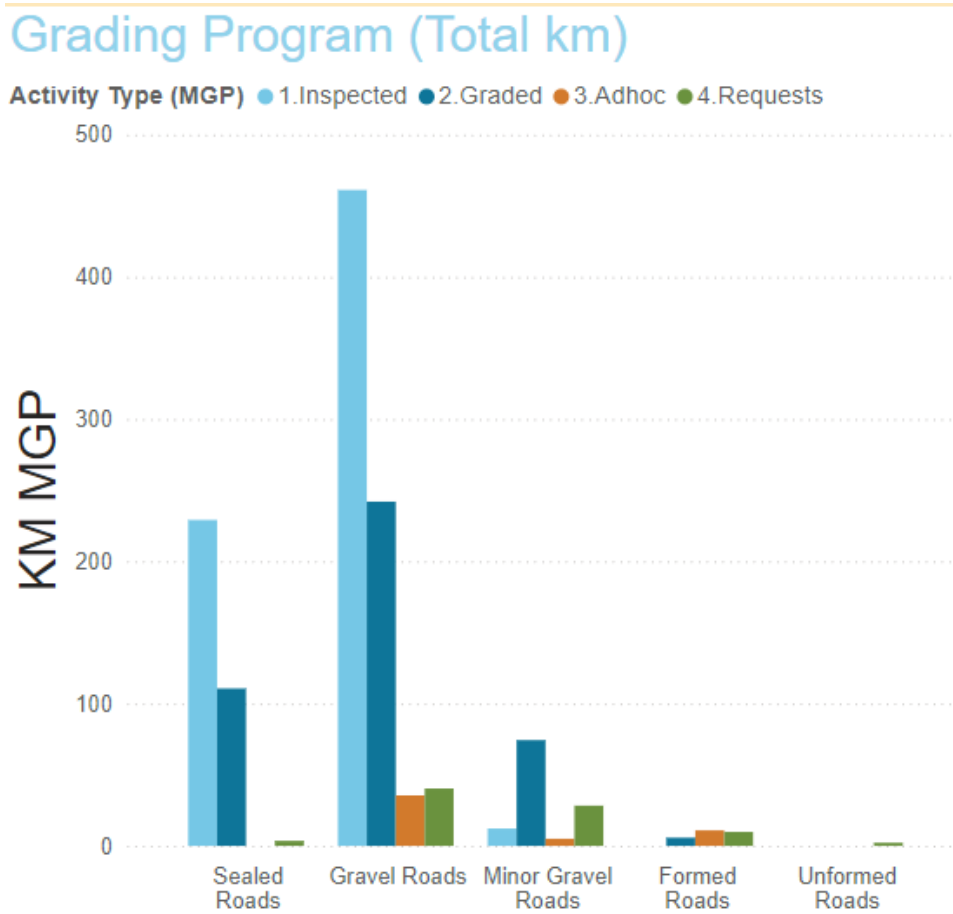
*Table 3: Maintenance grading program*

Quarter 1 (01/07/2024 – 30/09/2024)											
	Number of Grading Work Actions					Compliant within scheduled timeframes					
Work Group	Roads Graded	Defects	Requests	Ad hoc	Total	Yes	No	Not completed	%	KM Graded	KM Inspected
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
<b>Total</b>	<b>172</b>	<b>7</b>	<b>38</b>	<b>31</b>	<b>248</b>	<b>233</b>	<b>15</b>	<b>0</b>	<b>93.9%</b>	<b>568</b>	<b>702</b>

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.

**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.

# Loddon Shire Quarterly Report

July-September 2024



## Highlights:

- Boort Community Garden: Storytime & Workshop
- Digital Literacy: Facebook & Canva
- NAIDOC Week Celebrations

reduction could be linked to increased usage of the eLibrary. There was an increase in program attendance, this increase may be attributed to our increased community engagement efforts, reflecting successful promotion and alignment of programs with community needs and interests.

## Priority 1: Children and Young People

### Early Years Programs

- Agency Storytime session: 9 held – 241 attendees
- Outreach Storytime session: 6 held – 102 attendees
- School Holiday Activities: 8 held – 46 attendees

## Loddon Shire Agency Activities

Loddon Shire			
	Total this Quarter 2023-24	Total this Quarter 2024-25	Total YTD 2024-25
Loans: in person physical items	2110	1735	1735
Renewals of physical items (5%)	1656	1554	1554
eLibrary loans (5%)	3258	3740	3740
Total Loans	7024	7029	7029
Visits in person	3937	3748	3748
New members	30	19	19
Programs & events	27	29	29
Program attendance	311	406	406

### Narrative:

In-person physical loans have declined in the first quarter of 2024-25 compared to 2023-24. This suggests a shift away from borrowing physical items in person. eLibrary usage has increased, this growth reflects an ongoing trend toward digital content consumption. Overall loan activity (including physical and digital) remains stable, with a slight increase, demonstrating steady demand despite the decline in physical borrowing. The library recorded fewer visits, compared to the previous year's first quarter. This

## Priority 1: Children and Young People Priority 8: A Sustainable Future

### Boort Community Garden – Storytime & Workshop

The Boort Library Agency recently hosted a special Gardening Storytime and Workshop, featuring stories and songs about growing food. The event aimed to activate the Boort Community Garden and promote hands-on learning about sustainable food practices. Facilitated by Storytime presenter David and Ingrid from Cultivating Community, children enjoyed painting a pot and planting edible seedlings to take home.



Boort Community Garden – Storytime and Garden workshop.

During Children's Book Week from 19-23 August 2024, Storytime presenter Ange delighted young readers by presenting special Book Week Storytime sessions at Serpentine Playgroup & Wedderburn PreSchool, complete with costumes for each event, while

# Loddon Shire Quarterly Report

July-September 2024



celebrating the importance of encouraging children's literacy and fostering a lifelong love of reading.



Storytime presenter, Ange, dressed up & ready to go for Book Week.

connect with others. The library display also served as a source of inspiration and information, encouraging attendees to continue their learning journey beyond the workshop.

## Priority 6: Respecting First Nations Peoples and Cultures Priority 3: Safety & Inclusion

### NAIDOC WEEK 7-14 JULY

Our six Loddon Shire library agencies, in partnership Council and DUMAWAL, proudly hosted a NAIDOC Week programs where Djaara facilitators led storytelling sessions and shared traditional artifacts, celebrating First Nations culture and heritage. Each child who attended also received a colouring book of beautiful Dja Dja Wurrung designs.



NAIDOC Week – DUMAWUL Celebrations – Loddon Shire Library Agencies

## Priority 2: Lifelong Learning Priority 4: An Informed Community Priority 5: Connecting People

### Digital Literacy: Facebook & Canva

As part of our winter program, we offered two different digital literacy workshops: *Create a Facebook Page for Your Community Group* and *Next Level Designing with Canva*. The Canva workshop was designed for those who participated in our beginner sessions and are eager to explore more advanced features. These hands-on sessions included useful tips and tools for social media posts, presentations, or promotional materials. The Canva session was well attended, however there were no bookings for the Facebook sessions.

### Edible Plant Propagation and Seed Saving Workshop

The Boort Library Agency featured a display of books and resources on plant propagation to promote the Edible Plant Propagation and Seed Saving Workshop. Held at the Boort Community Garden, the workshop offered participants practical skills for growing herbs and vegetables from seeds, cuttings, divisions, and kitchen scraps, with demonstrations of key techniques. The event provided a valuable opportunity for community members to learn sustainable gardening practices and

### Feedback:

Feedback about the Boort Community Garden Storytime & Workshop from Boort Pre-School Teacher.

*"Thanks David, this was a fun event, the children and parents enjoyed it, thanks for including the Boort Pre-School."*

**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/DISCUSSION**Administrative

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
<b>Total</b>	<b>26</b>	<b>2</b>	<b>24</b>	<b>9</b>

#### 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
<b>Total</b>	<b>10</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>11</b>

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.

**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%
<b>TOTAL</b>	<b>55</b>	<b>17</b>	<b>72</b>	<b>4</b>	<b>42</b>	<b>6%</b>

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%
<b>Total</b>	<b>675</b>	<b>117</b>	<b>56</b>	<b>16</b>	<b>17%</b>

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"> <li>- Director Operations, part funded existing role for 21 months</li> <li>- Program Manager</li> <li>- Asset Accountant</li> <li>- Project Manager/Engineer (1)</li> <li>- Project Manager/Engineer (2)</li> <li>- Program Works Coordinator</li> <li>- Road Network Auditor</li> <li>- Design Engineer as required</li> </ul>	

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%
<b>Total</b>	<b>97</b>	<b>0</b>	<b>97</b>	<b>0</b>	<b>0%</b>

**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.

Attachment 1 - Annual Infrastructure Program 2023-2024

Category	Project No.	Project Name	Project Details	% Activity	Comments
Local Road Resheet	LRS1240	Bartletts Rd, Boort	100mm Sheet	0%	Not started
	LRS1338	Clay Gully La, MCINTYRE	Resheet 1.9km x 5.0m x 100mm	0%	Not started
	LRS1339	Ward St, INGLEWOOD	Resheet 0.55km x 4.5m x 100mm	0%	Not started
	LRS1344	Fentons Creek Wehla Rd, WEHLA	Resheet 3.0km x 5.0m x 100mm	0%	Not started
	LRS1351	Wychitella Quambatook Rd, TERRAPPEE	Resheet 5.52km x 4.5m x 100mm	0%	Not started
	LRS1360	Auchmore Rd, SERPENTINE	Resheet 2.1km x 4.6m x 100mm	0%	Not started
Local Road Shoulder Sheet	LRSS0379	Wedderburn Serpentine Rd, SALISBURY WEST	Shoulder resheet 6.5km x 2.0m x 100mm x 2 sides	0%	Not started
	LRSS0380	Charlton Borung Rd, BORUNG	Shoulder resheet 6.0km x 2.0m x 100mm x 2 sides	0%	Not started
	LRSS0378	Logan Kingower Rd, WEHLA	Shoulder resheet 1.3km x 2.5m x 100mm x 2 sides	0%	Not started
Local Road Construction Asset Preservation	LRC0518	Echuca Serpentine Rd, POMPAPIEL	Reconstruct and widen - 5.29km	0%	In Progress
	LRC0543	Ottrey St, Pyramid Hill	Reconstruct road and kerb	0%	Not started
	LRC0544	Newbridge Rd, WOODSTOCK	Reconstruction of road and seal	0%	Not started
Local Road Construction - Amenity	AMN323053	Tarnagulla Community Centre	Car Park sealing works	100%	Complete
Local Road Construction Safety	SAF022043	Safety signage restricted structures	Installation of signage on restricted structures	20%	In Progress
Township St Improvement	TSI0585	Barber St, PYRAMID HILL	Renewal of existing footpath	0%	Not started
	TSI0586	Boort footpath crossing (in front of Butcher)	Replace existing crossover to IDM standard	0%	Not started
	TSI0587	Pyramid Hill Bolwing Club Pedestrian Access Improvement	Replace layback at front of bowling club	0%	Not started
	TSI0588	Tantalla St	Renewal of existing footpath	0%	Not started
	TSI0599	Hospital St	Renewal of existing footpath	0%	Not started
	TSI0513	Commercial Rd, TARNAGULLA	Footpath construction between Wayman Road and Poverty Street	75%	In Progress
	TSI0516	Commercial Rd, TARNAGULLA	Footpath construction between King and Poverty Street.	75%	In Progress
	TSI0517	Commercial Rd, TARNAGULLA	Footpath construction between Old Tarnagulla Road and Poverty Street	75%	In Progress
	TSI0535	Commercial Rd, TARNAGULLA	Footpath construction between Poverty Street and Old Laanecoorie Road	75%	In Progress
Urban Drainage	TSD0152	North and Southey St Drainage	Install underground stormwater drainage	0%	Not started

Attachment 1 - Annual Infrastructure Program 2023-2024

Category	Project No.	Project Name	Project Details	% Activity	Comments
Local Bridges and Culverts	LBCC0400	Chamberlains Road Culvert Replacement	Culvert Replacement	10%	In Progress
	LBCC0414	Ottreys Bridge Road Bridge Replacement	Bridge Replacement	10%	In Progress
	LBCC0415	Sidney Watsons Road Bridge Replacement	Bridge Replacement	10%	In Progress
	LBCC0479	Small Culverts Allocation	Allocation to replace small culverts	10%	In Progress
Reseals	28 Projects	Multiple	Resealing of Council roads	10%	In Progress
Parks and Gardens	PGC059	Jacka Park Soldiers Memorial Playground replacement	Replace playground	0%	Not started
	PGC063	Dingee Progress Park Tables and chars replacment	Replace tables and chairs	0%	Not started
	PGC064	Boort Planter boxes x7	Replace planter boxes, removal of palm trees	0%	Not started
Buildings	BLD097	Wedderburn (Korong) Historial Society, WEDDERBURN	Additional allocation - New toilet	0%	Carryover (On hold)
	BLD101	Dingee EPU, DINGEE	Replace and Upgrade Waste water system	100%	Complete
	BLD112	Boort Memorial Hall Footpath, BOORT	Footpath	15%	In Progress
	BLD115	Boort Historical Society, BOORT	Replace Roof	100%	Complete
	BLD116	Inglewood Hall, INGLEWOOD	Replace Roof	50%	In Progress
	BLD125	Ag & Pastoral Building	Refurbish building	0%	Not started
	BLD126	Inglewood Hall refurbish walls	Repaint walls, repair damaged windows, repair damaged skirting	10%	In Progress
	BLD124	Dingee Memorial Hall, DINGEE	Install disabled toilet	25%	In Progress
Major Projects		Pyramid Hill Streetscape	Pyramid Hill Steetscape works	100%	Complete
		Caravan Park Improvement Project	Continue works at caravan Parks	90%	In Progress
		Pyramid Hill Community Centre Stage 1	Construction of Pyramid Hill Community Centre Stage 1	50%	In Progress
		Boort Flood Mitigation Project	Installation of flood mitigation levee	30%	In Progress
		Pyramid Hill Flood Mitigation Project	Installation of flood mitigation levee	70%	In Progress

Attachment 2 - October 2022 Flood Program 2022 - 2025

Flood Program 2022 - 2025								
Claim Number	Immediate Response Operations			Flood Restoration Program				Comments
	Relief & Recovery Claim	Counter Disaster Operations Claim	Emergency Works Claim	Immediate Restoration Works Claim	Restroation of Essential Public Assets Claim	Amount Reimbursed	Amount Rejected	
LODCC-1037-Claim-0008	\$42,949					\$37,213	\$5,736	Completed
LODCC-1037-Claim-0009		\$254,392				\$254,164	\$228	Completed
LODCC-1037-Claim-0010			\$113,021			\$113,021		Completed
LODCC-1037-Claim-0011			\$81,965			\$81,965		Completed
LODCC-1037-Claim-0012			\$80,084			\$80,084		Completed
LODCC-1037-Claim-0013			\$24,392			\$24,392		Completed
LODCC-1037-Claim-0014				\$1,456,168		\$1,456,168		Completed
LODCC-1037-Claim-0015		\$24,412				\$24,412		Completed
LODCC-1037-Claim-0016			\$82,430			\$76,631	\$5,799	Completed
LODCC-1037-Claim-0017		\$4,018				\$4,018		Completed
LODCC-1037-Claim-0018				\$1,198,877		\$1,195,728	\$3,149	Completed
LODCC-1037-Claim-0019				\$100,166		\$100,166		Completed
LODCC-1037-Claim-0020				\$1,090,586		\$1,090,586		Completed
LODCC-1037-Claim-0021				\$51,439		\$51,439		Completed
LODCC-1037-Claim-0022					\$97,620			Lodged, awaiting assessment
	<b>\$42,949</b>	<b>\$282,822</b>	<b>\$381,892</b>	<b>\$3,897,236</b>	<b>\$97,620</b>	<b>\$4,589,987</b>	<b>\$14,911</b>	

**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
<b>Total number of inspections for reporting period</b>		<b>69</b>

\* 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
<b>Total number of inspections</b>	<b>7</b>

### 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
<b>Total number of permits for reporting period</b>	<b>5</b>

### 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
<b>Food Premises</b>	0	1	1	0
<b>Wastewater</b>	2	2	2	2
<b>Other</b>	0	2	1	1
<b>Total</b>	<b>2</b>	<b>5</b>	<b>4</b>	<b>3</b>

## **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.

**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*

	<b>Quarter 2 2023-24 (01/10/2023 – 31/12/2023)</b>	<b>Quarter 3 2023-24 (01/01/2024 – 31/03/2024)</b>	<b>Quarter 4 2023-24 (01/04/2024 – 30/06/2024)</b>	<b>Quarter 1 2023-24 (01/07/2024 – 30/09/2024)</b>
<b>No. of new Permits</b>	42	30	31	43
<b>Value of Works</b>	\$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*

	<b>Quarter 2 2023-24 (01/10/2023 – 31/12/2023)</b>	<b>Quarter 3 2023-24 (01/01/2024 – 31/03/2024)</b>	<b>Quarter 4 2023-24 (01/04/2024 – 30/06/2024)</b>	<b>Quarter 1 2023-24 (01/07/2024 – 30/09/2024)</b>
<b>Certificates of final inspection</b>	33	23	37	34
<b>Occupancy Permits</b>	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	<b>Actions incomplete from previous report period</b>	<b>New action started</b>	<b>Total actions</b>	<b>Building notice issued</b>	<b>Building order issued</b>	<b>Appeal to Building Appeals Board</b>	<b>Legal action / solicitors letter started this quarter</b>	<b>Legal action ongoing</b>	<b>No. resolved during this quarter</b>
<b>Building damaged by fire</b>	2	2	4	4	0	0	0	0	0

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
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.

**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%
<b>Total for the Quarter</b>	<b>45</b>	<b>26</b>	<b>100%</b>	<b>67%</b>

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

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Applications being processed in the quarter

July to September 2

Number of Applications  
23

Number	Lodged	Site Address	Site Address Suburb	Status	Development Description	Applicant Name	Applicant Organisation
5407	10/12/2018	16 Park Street	Bridgewater on Loddon	Further Information	two lot subdivision and earthworks	Dave Edwards	
5521	22/10/2024	317 Curnows Road	Calivil	Advertising	Development of a milking parlor associated with the use of the land for an intensive dairy farm, and associated buildings and works	Calmo Farms	
5808		6 Main Street	Bridgewater on Loddon	New Application	Extension and alterations to shop front	Patrick O'Toole	Bridgewater Bakehouse
5842		52 Brooke Street	Inglewood	New Application	Liquor Licence	Smyth David	
5893	10/05/2023	Road Reserve, Newbridge Road	NEWBRIDGE	Advertising Complete	Native vegetation removal (for road safety upgrades)	Bridgewater Public Caravan Park	
5909		17 Days Road	Mysia	New Application	Use and development of a dwelling	Jack Russell	
5955		292 Thompsons Road	Dingee	New Application	subdivide the land into two lots.	Shaw Land Surveys	
5969	12/04/2024	4577 Bridgewater-Maldon Road	Bridgewater	Meeting	Retrospective application for the use and development of the land accommodation (camping and caravan - four existing cabins) and an application for the development of a storage shed, relocation of an existing shed, and creation of new access to a Transport Zone 2	Grant Austin	Austin Earthmoving
5970	26/08/2024	Harpers Lane	Wedderburn	Further Information	Use and development of the land for a dwelling	Jamie Constantine	
5973	16/05/2024	465 Osborne Road	Barraport	Advertising	Use and development of a poultry farm (free range broiler farm, up to 400,000 birds in eight free range broiler sheds) and associated buildings and works including a managers residence.	Mr Fernando Ferreira	Spirecom Pty Ltd
5991	21/08/2024	Lot 9A Swales Lane	Bridgewater	Further Information	Use and development of the land for a dwelling	Rod Hinton	
5993	30/07/2024	110 Bobs Lane	Dunolly	Referred	Development of a carport under the Environmental Significance Overlay	Grant Andrews	
5996	12/08/2024	308 Yando Swamp Road	Yando	Further Information	Earthworks (laser grading & removal of access track) associated with upgrading irrigation systems and native vegetation removal	Sawers Farms	
6000	14/08/2024	4073 Bendigo-Pyramid Road	Dingee	Further Information	Replacement Machinery Shed	Neil Lister	
6009	18/09/2024	565 Calivil Mail Road	Calivil	Advertising	Installation of private treated effluent pipeline	Planright Surveying Pty Ltd	
6010	19/09/2024	37 Eldon Street	Bridgewater on Loddon	Further Information	Demolition of existing dwelling and front fence	Jay Bowen	
6011	22/10/2024	Sullivan Street	Inglewood	Further Information	Construct a fence under the Heritage Overlay	Glen Ballinger	
6014		24 Barber Street	Pyramid Hill	New Application	Two lot subdivision	Goulburn Murray Rural Water	
6015		Lot 1 Old Tarnagulla Road	Newbridge	New Application	STORAGE SHED	David Treharne	
6016	4/10/2024	Pyramid Hill Caravan Park & Lions Park East, 114-124 Victoria Street	Pyramid Hill	Referred	Two lot subdivision	Mark Carter	Price Merrett Consulting Pty Ltd
6017	9/10/2024	Lot 9 Market Street	NEWBRIDGE	Further Information	Use and development of the land for a store (storage shed)	CV Sheds Pty Ltd	
6018	23/10/2024	1 Verdon Street	Inglewood	Ready For Decision	New side Fence	Mr Samuel Marston	
6019		1171 Inglewood-Rheola Road	Kingower	New Application	Storage Shed	Terry Coffey	

**Planning Application completed in the Quarter  
1<sup>st</sup> July – 30<sup>th</sup> September 2024**

Application Number	Lodged	Site Address	Locality	Status	Development Description	Applicant Name	Applicant Organisation
40	29/11/2023	111 Bridgewater-Raywood Road	Bridgewater	Application Complete	Buildings and works associated with Southern stockfeeds expansion	Southern Stockfeeds Pty Ltd	
45	3/01/2024	Laanecoorie Reservoir, Lot 1 Brownbill Reserve Road	Laanecoorie	Application Complete	Laanecoorie Boat Ramp Relocation & Associated Works including vegetation removal	Goulburn Murray Water	
75	11/06/2024	1162 Sylvaterre Timms Lake Road	Sylvaterre	Application Complete	Re-subdivision of two existing lots into two new lots (dwelling excision)	Andrew Merrett	Price Merrett Consulting Pty Ltd
79	13/06/2024	Wedderburn Community Centre, 24-32 Wilson Street	Wedderburn	Application Complete	Re-subdivision of four lots into two lots	Price Merrett Consulting Pty Ltd	
80	7/06/2024	732 Calder Highway	Wedderburn	Application Complete	Retrospective application to create access to a Transport Zone 2 (Calder Highway) for development of a residential driveway	Maree Cain	
81	6/06/2024	15 Chapel Street	Wedderburn	Application Complete	Development of a dwelling under the Heritage Overlay	Mrs Rhonda Armstrong	
82	12/06/2024	12 Heales Street	Inglewood	Application Complete	Demolition of an outbuilding (shed) and construction of a new outbuilding (shed) under the Heritage Overlay	Vic Permit Applications	
83	16/06/2024	22 Main Street	Bridgewater on Loddon	Application Complete	Construct and display business identification signage	Amanda Goodman	
85	4/07/2024	14 Eldon Street	Bridgewater on Loddon	Application Complete	Use and development of the land for a store (storage shed)	Rob Davis	Rob Davis Earthworks Pty Ltd
86	2/07/2024	Bridgewater Public Caravan Park, Park Street	BRIDGEWATER ON LODDON	Application Complete	Development of ten (10) two bedroom Cabins	Bridgewater Public Caravan Park	
87	5/07/2024	Vacant land, 3 Yelka Street	Wedderburn	Application Complete	Subdivision of the land into nine (9) lots and removal of native vegetation	Tomkinson Group	
88	8/08/2024	25 Leichardt Road	Leichardt	Application Complete	Use and development of the land for a replacement dwelling	Sheryl Lydia Poljak	
89	1/08/2024	28 Station Street	Inglewood	Application Complete	Development of two shipping containers for storage (Loddon Plains Landcare)	Andrew Perryman	Loddon Plains Landcare Network Inc.
90	9/07/2024	50 Chapel Street	Wedderburn	Application Complete	subdivision of two existing dwellings	Allan Noordennen	
92	5/07/2024	Lot 2 Newbridge Road	Newbridge	Application Complete	Use and development of the land for a store (storage shed)	David Wills	
94	25/07/2024	Lot 3 Billings Road	Barraport West	Application Complete	Remove restrictions from Crown Grant Vol.6374 Vol.612, being Lot 1 TP751712	Onley Consulting	
95	30/07/2024	2429 Mitiamo-Kerang Road	Loddon Vale	Application Complete	Development of a replacement dwelling	Ian & Linda Harrison	
97	31/07/2024	Lot 2 Bendigo-Pyramid Road	Pyramid Hill	Application Complete	Development of a dwelling in the Land Subject to Inundation Overlay	OT McLoughlan Constructions	
98	16/08/2024	Lot 1 Boort-Pyramid Road	Boort	Application Complete	Buildings and works (new bowser and storage tank for AdBlue) associated with a section 2 use (service station)	Leon Mulquiny	Mulquiny Pty Ltd
99	20/08/2024	23-27 Treloar Street	Serpentine	Application Complete	Use and development of the land for an Emergency Services Facility (Country Fire Authority)	James Bateman	Department of Justice and Community Safety
01	21/08/2024	50 Dalmation Road	Moliagul	Application Complete	Construction of shed	Goulburn Valley Buildings	

02	30/08/2024	Junor Road	Shelbourne	Application Complete	Installation of a Telecommunications Facility (Controlled Environment Vault and associated buildings and works).	AARNet - Australia's Academic & Research Network	
03	28/08/2024	3715 Boort-Wedderburn Road	Boort	Application Complete	Development of a 55m X 21m X 8.25 Hay Shed	Central Steel Build	
05	17/09/2024	23 Newbridge Road	Newbridge	Application Complete	Realignment of common boundary between two lots	Shaw Land Surveys	
06	12/09/2024	Lot 15 Hancocks Lane	Murphys Creek	Application Complete	Development of a shed within 100 metres of a dwelling not in same ownership	Central Steel Build	
07	17/09/2024	72-74 High Street	Wedderburn	Application Complete	extension to the licensed area	Craig Fuller	Wedderburn Hotel
08	13/09/2024	88 High Street	Wedderburn	Application Complete	Externally paint a building and replace a door under the Heritage Overlay	Renaë Colls	

**12 COMPLIANCE REPORTS**

Nil

**13 URGENT BUSINESS**

In accordance with Council's Governance Rules, Clause 56 provides that at a scheduled or special meeting of Council, business that is not included in the agenda notice must only be considered if no more than one Councillor is absent and the Council resolves that the matter is urgent.

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

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

**14 CONFIDENTIAL ITEMS**

Nil

**NEXT MEETING**

The next Meeting of Council will be held on 10 December 2024 at Wedderburn commencing at 3.00pm.

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

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