



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

Date: Tuesday, 27 September 2022
Time: 3pm
**Location: Loddon Shire Council Chambers,
Wedderburn**

AGENDA

Council Meeting

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OPENING COMMENT

This meeting is being conducted in accordance with the Local Government Act 2020 as temporarily amended to enable meeting by electronic means of communication.

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: 02/01/001
Author: Lisa Clue, Manager Governance
Authoriser: Lincoln Fitzgerald, Chief Executive Officer
Attachments: Nil

RECOMMENDATION

That Council confirm:

1. The minutes of the Council Briefing of 23 August 2022.
2. The minutes of the Council Meeting of 23 August 2022.
3. The minutes of the Confidential Council Meeting of 23 August 2022.
4. The minutes of the Council Forum 13 September 2022.

REPORT

Seeking approval of the unconfirmed minutes of the previous meetings.

6 ADVISORY MEETINGS**6.1 RECORD OF ADVISORY MEETINGS**

File Number: 02/01/001
Author: Lisa Clue, Manager Governance
Authoriser: Amanda Wilson, Acting Chief Executive Officer
Attachments: Nil

RECOMMENDATION

That Council note the record of the following advisory meetings :

1. Council Briefing 23 August 2022.
2. Council Forum 13 September 2022.

In accordance with Clause 51 of Council's Governance Rules, records of Councillor Briefings and Forums must be reported to the next Council Meeting and confirmed in the minutes.

The record is therefore presented for Council's noting.

Meeting details	Briefing
Date	23 August 2022
Councillor Attendees	Cr Beattie (online) Cr Jungwirth Cr Murphy Cr Straub
Staff/Stakeholder representatives	Lincoln Fitzgerald, Chief Executive Officer Wendy Gladman, Director Community Wellbeing Steven Phillips, Director Operations Amanda Wilson, Director Corporate Lisa Clue, Manager Governance Christine Coombes, Acting Manager Executive and Commercial Services Deanne Caserta, Manager Financial Services
Items discussed.	<ol style="list-style-type: none"> 1. Provision for Doubtful Debts and Writing Off Bad Debts Policy 2. 2021/22 End of Financial Year Variation Analysis 3. Lease of Council Property – Inglewood 4. General business: <ul style="list-style-type: none"> • Tarnagulla Recreation Reserve • Loddon Valley Highway Service Road, Durham Ox – shelter for ambulance transfer • River frontage camping areas on leased ground
Conflict of Interest Disclosures - Councillor/officer making disclosure	Nil
Councillor/officer left room	N/A

Meeting details	Forum
Date	13 September 2022
Councillor Attendees	Cr Beattie Cr Holt Cr Jungwirth Cr Murphy Cr Straub
Staff/Stakeholder representatives	Amanda Wilson, Director Corporate Wendy Gladman, Director Community Wellbeing Steven Phillips, Director Operations Lisa Clue, Manager Governance Daniel Hirth, Manager Information Technology and IT team members Christine Coombes, Acting Manager Executive and Commercial Services Deanne Caserta, Manager Financial Services Glenn Harvey, Manager Development and Compliance David Price, Local Laws / Planning Compliance Officer
Items discussed.	<ol style="list-style-type: none"> 1. Introduction to Information Technology 2. Council Meetings 2023 3. S181 Sale update – Sale of properties for unpaid rates and charges 4. Draft Community Local Law – progress report 5. General business: <ul style="list-style-type: none"> • Aged Care • Supply of LGP • Tarnagulla Recreation Reserve • Local Government Inspectorate (LGI) review • Kow Swamp • Crown Land Water Frontage campsites
Conflict of Interest Disclosures - Councillor/officer making disclosure	Cr Murphy – General Business discussion item, Crown Land Water Frontage campsites.
Councillor/officer left room	Nil

7 REVIEW OF ACTION SHEET**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 August 2022 Council Meeting

RECOMMENDATION

That Council receive and note resolutions acted upon since the August 2022 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 listing Council resolutions acted upon since the August 2022 Council meeting is attached to this report.

Council resolutions acted upon since the August 2022 Council meeting

Meeting	Officer/Director	Section	Subject
Council 23/08/2022	Caserta, Deanne Wilson, Amanda	Decision Reports	2021/22 Financial and Performance Statements in Principle Report
<p>RESOLUTION 2022/93</p> <p>Moved: Cr Neil Beattie Seconded: Cr Linda Jungwirth</p> <p>That Council</p> <ol style="list-style-type: none"> Adopts the Financial Statements and Performance Statement for the year ended 30 June 2022 as presented "in principle". Authorises the Chief Executive Officer to make any amendments to the Financial Statements and Performance Statement for the year ended 30 June 2022 that may be requested by the Victorian Auditor-General. Authorises the Mayor Cr Dan Straub, one other Councillor, and the Chief Executive Officer to certify the audited Financial Statements and Performance Statement for the year ended 30 June 2022. <p style="text-align: right;">CARRIED</p> <p>31 Aug 2022 9:41pm Caserta, Deanne - Completion Action completed by Caserta, Deanne</p> <p>15 Sep 2022 11:07am Caserta, Deanne Signature pages prepared for signature to be included in the documents once clearance has been received from the Victorian Auditor General Office.</p>			

Meeting	Officer/Director	Section	Subject
Council 23/08/2022	Caserta, Deanne Wilson, Amanda	Decision Reports	Provision for Doubtful Debts and Writing Off Bad Debts Policy v4
<p>RESOLUTION 2022/94</p> <p>Moved: Cr Linda Jungwirth Seconded: Cr Wendy Murphy</p> <p>That Council rescinds the Provision for Doubtful Debts and Writing Off Bad Debts Policy v4.</p> <p style="text-align: right;">CARRIED</p> <p>31 Aug 2022 9:42pm Caserta, Deanne - Completion Action completed by Caserta, Deanne</p> <p>15 Sep 2022 11:08am Caserta, Deanne Document sent for rescinding and removal from the website.</p>			

Meeting	Officer/Director	Section	Subject
Council 23/08/2022	Wilson, Amanda Wilson, Amanda	Decision Reports	Audit and Risk Committee Charter
<p>RESOLUTION 2022/95</p> <p>Moved: Cr Wendy Murphy Seconded: Cr Neil Beattie</p> <p>That Council approve the Audit and Risk Committee Charter.</p> <p style="text-align: right;">CARRIED</p> <p>07 Sep 2022 11:34am Wilson, Amanda - Completion Action completed by Wilson, Amanda</p> <p>14 Sep 2022 4:56pm Wilson, Amanda The charter has been updated in the strategic register and updated on Councils website.</p>			

Meeting	Officer/Director	Section	Subject
Council 23/08/2022	Caserta, Deanne Wilson, Amanda	Decision Reports	2021/22 End of Financial Year Variation Analysis
<p>RESOLUTION 2022/96</p> <p>Moved: Cr Linda Jungwirth Seconded: Cr Neil Beattie</p> <p>That Council receives and notes the '2021/22 End of Financial Year Variation Analysis' Report.</p> <p style="text-align: right;">CARRIED</p> <p>31 Aug 2022 9:42pm Caserta, Deanne - Completion Action completed by Caserta, Deanne</p> <p>15 Sep 2022 11:08am Caserta, Deanne Report for information.</p>			

Meeting	Officer/Director	Section	Subject
Council 23/08/2022	Scullie, Paul Gladman, Wendy	Decision Reports	2022-2023 Community Grants Program - Group 2
<p>RESOLUTION 2022/97</p> <p>Moved: Cr Linda Jungwirth Seconded: Cr Wendy Murphy</p> <p>That Council endorse the allocation of \$69,851 in funding to the ten (10), Group 2 applicants as per the 2022-2023 Community Grants program, outlined in the attachment provided with this report.</p> <p style="text-align: right;">CARRIED</p> <p>30 Aug 2022 9:24am Scullie, Paul Community groups from Group 2 have been sent relevant terms and conditions for the dissemination of funds.</p> <p>30 Aug 2022 9:27am Scullie, Paul - Completion Action completed by Scullie, Paul</p>			

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

The Mayor will present a verbal report at the meeting.

Cr Straub

Loddon Campaspe Councils	
Murray River Group of Councils	
North Central Goldfields Regional Library	
North Central Local Learning and Employment Network	
Special Committees Of Council (Section 65 Community Asset Committees):	
East Loddon Community Centre Community Asset Committee	
Pyramid Hill Memorial Hall Community Asset Committee	
Other Council activities	
DATE	Activity

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

1. Recommendation
 That Council receive and note the Councillors' reports

REPORT

Each Councillor will present a report at the meeting.

Cr Beattie

Rail Freight Alliance	
Section 65 Community Asset Committees:	
Boort Aerodrome Community Asset Committee	
Boort Memorial Hall Community Asset Committee	
Boort Park Community Asset Committee	
Korong Vale Mechanics Hall Community Asset Committee	
Korong Vale Sports Centre Community Asset Committee	
Little Lake Boort Community Asset Committee	
Yando Public Hall Community Asset Committee	
DATE	Activity

Cr Holt

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

Cr Jungwirth

Loddon Mallee Local Government Waste Forum	
Central Victorian Greenhouse Alliance	
Municipal Emergency Management Plan Committee	
Other Council activities	
DATE	Activity

Cr Murphy

Calder Highway Improvement Committee	
Local Government Women’s Charter	
Australia Day Committee	
Healthy Minds Network	
Section 65 Community Asset Committees:	
Bridgewater on Loddon Memorial Hall Community Asset Committee	
Campbells Forest Hall Community Asset Committee	
Inglewood Community Sports Centre Community Asset Committee	
Inglewood Community Elderly Persons Units Community Asset Committee	
Inglewood Town Hall Hub Community Asset Committee	
Other Council activities	
DATE	Activity

10 DECISION REPORTS**10.1 COMMUNITY GRANTS PROGRAM GUIDELINES**

File Number: FOL/21/319

Author: Paul Scullie, Acting Manager Community Support

Authoriser: Wendy Gladman, Director Community Wellbeing

Attachments:

1. **Community Grant Guidelines - amended with notes showing changes**
2. **Community Grant Guidelines showing changes tracked on original document**

RECOMMENDATION

That Council endorse the modifications to the Community Grants program guidelines, as listed in the report, to provide a structure that will improve the grant experience for community groups.

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

Information on the Community Grant program guidelines was provided to Council at the 9 August 2022 Council Forum.

BACKGROUND

The Loddon Shire Community Grants program (the program) commenced in 2000/2001. Council initiated the program to assist sporting, recreation and service organisations to deliver projects that improve the quality of life for residents. Since it was initiated, Council has invested approximately \$2,790,000, supporting over seven hundred community-based projects worth over \$5,490,000.

The Community Grants guidelines are provided on Council's website to guide community groups wishing to make application and are formalised in the Community Support Policy. Currently, each year applications open on 1 March, close on 1 May, and provide eligible organisations with the opportunity to receive funding up to a maximum of \$10,000 on a 2:1 basis. Each year \$200,000 is budgeted for the program, with \$20,000 quarantined for local newsletter allocations. This culminates in the Community Grants program having \$180,000 available for competitive applications.

ISSUES/DISCUSSION

As part of the Community Support Policy review, Council officers are seeking to modify the guidelines of the Community Grants program to provide a structure that will improve the community grant experience for our community groups. The options discussed with Councillors at the Council Forum were in response to some of the recommendations provided through the Victorian Auditor General's Office (VAGO) Fraud Control Over Local Government Grants report (VAGO audit) and anecdotal feedback from the community.

Since 2019, the number of applications has gradually declined whereby each year the program is undersubscribed. A range of factors may have played a role in this decline, none more so than the COVID-19 pandemic. It should also be noted that newsletter applications were removed from the competitive Community Grants process in 2020 to now have their own allocation.

The following table represents the number of applications over the past four financial years:

Funding year	No. of approved applications
2019/20	35
2020/21	33
2021/22	20
2022/23	17

Following the VAGO audit of the Loddon Shire grants procedure, the recommendations included improved management of the conflict of interest process, review of the assessment and approvals process, review of the eligibility criteria to assess validity and rigour and streamlining of the acquittal process.

Crucially, anecdotal feedback has been provided by the community on the Community Grants program, specifically around the application process and the structure of the program guidelines. A common theme from community groups was that the timing of the program was limited and as such not always conducive to organisations. The current application period of March 1 to May 1 did not provide adequate opportunities for organisations to submit an application that best suited the needs and timing of their groups. The current timing of the program creates a significant lag time between application submission and the allocation of funds, which can be up to 6 months. This can create potential cost inflations on projects, which can be detrimental to community organisations.

Council has previously received a number of requests for access to Community Grants funding outside of the established application and assessment period, indicating that more access periods throughout the year would provide a better outcome for community groups.

The existing guidelines articulate who can apply, the projects that can be considered for funding, what will not be funded, how much the applicant can apply for and general conditions.

Modifications to the guidelines suggested by Council officers would be as follows:

- Council approves the community grant guidelines, with the assessment and approval of applications applied by officers administratively.
- Council officers (minimum three) undertake an internal review of assessments as per formal grant assessment criteria in SmartyGrants.
- Applications to the community grants program can be received at any time, with assessment and approval rounds conducted on a minimum quarterly basis with the key dates being proposed:

Assessment round to commence	Notification of successful/unsuccessful applications	Acquittals due
31 August	No later than 30 September	12 months from notification date
30 November	No later than 31 December	12 months from notification date
28/29 February	No later than 31 March	12 months from notification date
31 May	No later than 30 June	12 months from notification date

- All applications meeting the eligibility criteria are approved administratively and funds are released immediately following completion of each assessment period.

- Available funds are divided equally across the four program periods.
- Where the program is oversubscribed in the relevant quarter, applications will be prioritised against the eligibility criteria. Eligible, but lower-ranked prioritised, applications will be carried forward automatically into the next quarter.
- Unsuccessful applications will be carried forward three times, before being deemed ineligible and a new application required.
- Unspent funds are carried forward into the subsequent quarter. Council officers will have the ability to include additional assessment and approval rounds if funds allow. Any underspend from the program as of 30 June will be returned to surplus.
- Council will be provided with reports retrospectively detailing the grants provided to community organisations.

The two attached documents provide Council with the amended Community Grant Guidelines based on the proposed changes above. The first attachment provides the amended document with notes where material changes have been made. The second attachment provides the changes tracked on the original document (which is currently available on Council's website).

Upon approval, these changes will be reflected in the Community Support Policy which is currently under review.

COST/BENEFITS

The discussion points being presented to Council will provide a more flexible and timely application and assessment process for community groups. This will improve the experience for community groups and will see the funds being released in a timelier manner.

RISK ANALYSIS

Amending the current assessment and approval process will address some of the recommendations included in VAGO audit report.

The enhancements to the community grants program will remove some of the barriers being experienced by community groups when accessing community grants.

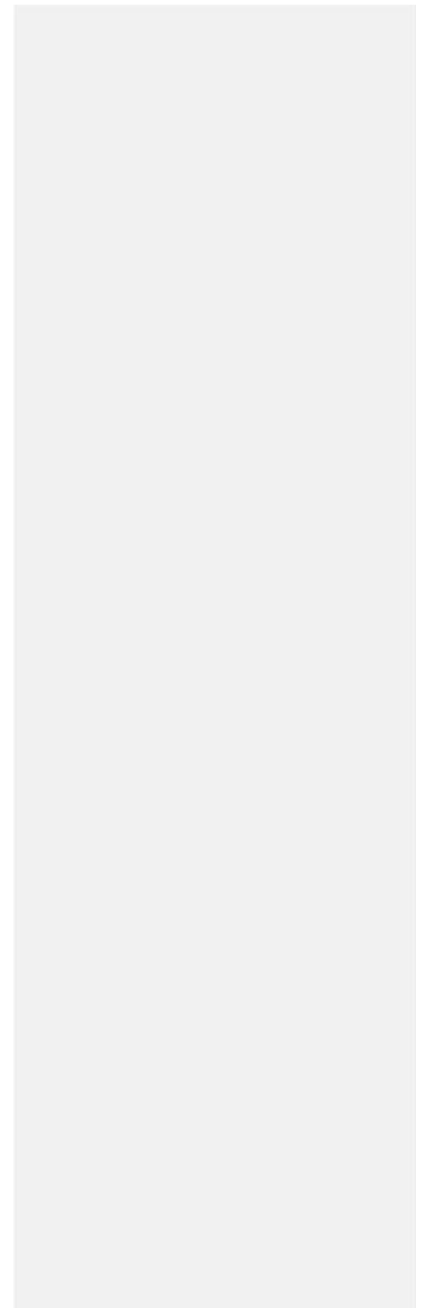
The Community Support Policy is currently under review and all recommended modifications will be reflected within this policy.

From time to time circumstances may change that require minor updates of the Community Grants guidelines. Where an update does not materially alter the guidelines, it is proposed that such changes be made administratively. An example of an administrative change may include the change of a position title. Changes that would materially alter the program guidelines would not be made without a supporting Council resolution.

CONSULTATION AND ENGAGEMENT

The program guidelines were a focus of a recent review by the Victorian Auditor General's Office with improvement recommendations provided. Council officers have also received anecdotal feedback from community groups relating to some barriers in accessing funding through the program.

LODDON SHIRE COUNCIL





Community Grant Guidelines

The Loddon Shire Community Grants Program is a competitive funding program aimed at helping clubs and organisations to enhance the provision of facilities, services or activities that improve the quality of life for people in their community.

Commented [WG1]: Added word

What you need to know

Who can apply?

This funding is open to not-for-profit organisations based in the Loddon Shire wanting to deliver projects that directly benefit Loddon Shire residents.

To be eligible to apply groups must:

- be a not-for-profit organisation/group and incorporated body (or be auspiced by one),
- have Public Liability insurance (to the minimum of \$20 million),
- projects must take place within, or for the benefit of, the Loddon Shire Council municipality

What sorts of projects will be considered for funding?

Community grants are available for projects that:

- fulfil a demonstrated community need
- develop or improve upon existing facilities
- fund programs or purchase equipment that will maintain and/or increase opportunities for participation
- funding can also be used as a co-contribution as part of an organisations financial contribution for an external funding application

Commented [WG2]: Added words

What will not be funded?

The Community Grants Program will not fund the following:

- applicants who have outstanding acquittals from previous funding rounds
- retrospective projects or projects which have already been commenced
- projects which are not ready to commence and which will not be completed within a 12-month period from the date of receiving the funding
- projects that are considered the sole responsibility of another authority (for example, water authorities and health and welfare agencies)
- activities, programs, services, projects or initiatives that are the responsibility of others:
 - o activities that Council considers the responsibility of other authorities, agencies or levels of government
 - o activities that are the funding responsibility of other levels of government
 - o proposals that address shortfalls in funding from other authorities and/or levels of government
 - o curriculum-based activities or where the activity is confined to the school or kindergarten, including groups and organisations proposing to work with schools and kindergartens (excluding shared facility use by community groups for their specific activity – for example, local cricket clubs using school ovals)
- activities that duplicate other local service responses (unless it can be demonstrated that it meets an unmet community need)
- open space projects on public owned or managed land
- activities such as administrative costs (wages, rent or insurance), utility charges (power/water bill) or projects of an ongoing maintenance nature (mowing lawns)
- political, religious or spiritual activities:
 - o projects designed to promote political or religious ideals
 - o organisations whose sole or dominant purpose is of a political nature

Commented [WG3]: Added word

Commented [WG4]: Added words

Commented [WG5]: Removed brackets

Commented [WG6]: Added words

Commented [WG7]: Removed 'such as' in each of the bracketed sections in this dot point

Commented [WG8]: Added word



Community Grant Guidelines

- o proselytising, religious worship or sectarian activities
- individuals
- community groups with access to sufficient cash reserves to undertake the project independently
- projects which do not meet the funding ratio

PLEASE NOTE: Council has the right to decline applications that are on land or facilities for which they are responsible.

Commented [WG9]: Amended wording

How much can I apply for?

Commented [WG10]: Added words

- Grants are available for a maximum of \$10,000 including GST
- The grant will fund projects on a 2:1 basis - meaning that for every \$2 provided by Council, successful applicants must contribute a minimum of \$1 towards the cost of a project
- Groups can claim up to 50% of their contribution as an in-kind contribution or voluntary support
- Volunteer labour contribution can be calculated at \$25 per hour per person, while specialist contributions can be valued at up to \$50 per hour.
- Donation of materials is based on the item's value, and use of equipment and contractors is based on standard hire rates.

Commented [WG11]: Increased from \$20 per hour

Commented [WG12]: Increased from \$45 per hour. Removed 'costings based on reasonable commercial rates'

The following examples have been developed to assist you to understand Funding Ratios

Council Grant	Your Contribution		Project Total	Eligible?	Details
	Cash	In-kind			
\$10,000	\$5,000	\$0	\$15,000	Yes	Funding ratio met. No in-kind contribution
\$10,000	\$2,500	\$2,500	\$15,000	Yes	Funding ratio met. In-kind contribution does not exceed 50%
\$10,000	\$1,000	\$4,000	\$15,000	No	Funding ratio not met. In-kind contribution exceeds 50%

Application Conditions

Your application must include the following:

- a copy of the organisations current Public Liability Insurance certificate (minimum \$20 million)
- quotes for all components of the project
- details of any in-kind works or donations that will be claimed as part of the organisations contribution
- a copy of the organisations most recent bank statement (no later than 3 months old)

Commented [WG13]: Amended wording

Commented [WG14]: Increased from \$10M

General Conditions

Please note the following conditions:

- applications to the community grants program can be received at any time, with assessment and approval rounds conducted on a minimum quarterly basis – key dates listed below
- incomplete applications will not be considered
- where the program is oversubscribed in the relevant quarter, applications will be prioritised against the eligibility criteria. Eligible, but lower priority ranked applications will be carried forward automatically into the next quarter
- unsuccessful applications will be carried forward three times, before being deemed ineligible and a new application required
- applicants must include written endorsement to undertake works from the land manager
- where applicable, applicants must demonstrate what planning, building or other permits are required to undertake the project and demonstrate steps already undertaken to obtain these approvals
- the cost of planning and building permits must be included in the project's budget
- successful applicants will be required to enter into a formal agreement prior to receiving any funds
- the grant must be fully expended as per the project scope and budget, including the organisations contribution. Any unspent grant funds are to be repaid to Council.

Commented [WG15]: New dot point and removal of what was the second dot point regarding late applications (as there are no longer opening and closing dates).

Commented [WG16]: Removed note advising that incomplete applications will not be considered in first round of assessments

Commented [WG17]: New dot point

Commented [WG18]: New dot point

Removal of dot points relating to incomplete applications being provided with 2 weeks and second round of assessments being undertaken as there is no longer opening and closing dates, and incomplete applications may be completed and resubmitted for consideration in the next available assessment and approvals round.

Commented [WG19]: Amended wording (was approval)

Commented [WG20]: New dot point



Community Grant Guidelines

- the grant must be acquitted as per the terms and conditions of this application form
- if a grant is not acquitted within the 12-month period Council will require in writing the reason as to why the project is not complete. Failure to notify or acquit the project will impact the consideration of future applications **or may involve repayment of grant to Council**

Commented [WG21]: Added wording

How projects are assessed and approved

Grant applications are assessed and approved by a minimum of three Council Officers with a focus on alignment to the following criteria:

Commented [WG22]: New wording – moving approvals of grant applications to and administrative function

- demonstrated community need
- potential to increase or support opportunities for participation
- demonstrated multi-use or broad community benefit
- alignment to an existing plan or strategy such as a community plan, facility master plan and/or Council Plan
- the applicant's ability to meet its financial commitment to the project

Commented [WG23]: Amended wording

Commented [WG24]: Added words

Where applicable, projects will also be assessed in consideration of:

- the efficient use of resources such as energy efficiency components of the project or sharing of resources with the wider community
- ability to provide access for all, for example, does the project consider the needs of people with a disability or the elderly
- projects that pose an inherent risk in terms of public safety will be assessed in terms of the severity of the risk prior to being considered for funding
- Where project assessment scores are equal, and additional prioritisation of projects is required, the applications demonstrating a higher cash/in-kind contribution will receive a higher priority.

Commented [WG25]: New dot point

Key dates

Commented [WG26]: Key dates amended to reflect applications received at any time, and highlighting dates the assessment and approval rounds will commence

Assessment round to commence	Notification of successful/unsuccessful applications	Acquittals due
31 August	No later than 30 September	12 months from notification date
30 November	No later than 31 December	12 months from notification date
28/29 February	No later than 31 March	12 months from notification date
31 May	No later than 30 June	12 months from notification date

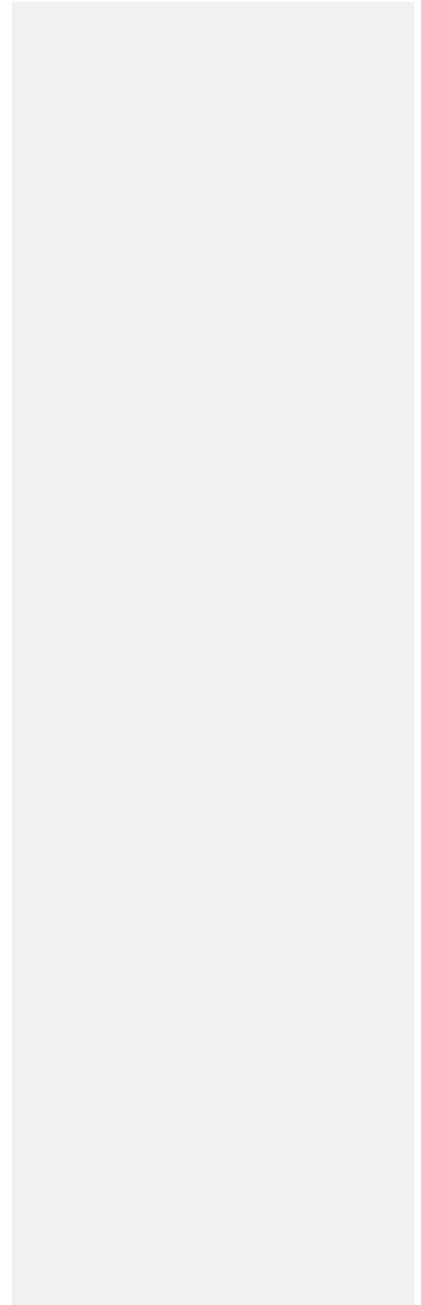
Please Note: Successful applicants will be required to submit a 'terms and conditions form' via SmartyGrants prior to receiving funds.

How to submit an application

All applications are submitted via Council's SmartyGrants website: <https://loddon.smartygrants.com.au/>

FOR MORE INFORMATION Contact Council's Community Support department at communitysupport@loddon.vic.gov.au or (03) 5494 1200.

LODDON
SHIRE COUNCIL





Community Grant Guidelines

The Loddon Shire Community Grants [Scheme Program](#) is a competitive funding program aimed at helping clubs and organisations to enhance the provision of facilities, services or activities that improve the quality of life for people in their community.

What you need to know

Who can apply?

This funding is open to not-for-profit organisations based in the Loddon Shire wanting to deliver projects that directly benefit Loddon Shire residents.

To be eligible to apply groups must:

- be a not-for-profit organisation/group and incorporated body (or be auspiced by one),
- have Public Liability insurance (to the minimum of \$20 million),
- projects must take place ~~within~~ [\(or within, or](#) for the benefit of,) the Loddon Shire Council municipality

What sorts of projects will be considered for funding?

Community grants are available for projects that:

- fulfil a demonstrated community need
- develop or improve upon existing facilities
- fund programs or purchase equipment that will [maintain and/or](#) increase opportunities for participation
- funding can also be used as a co-contribution as part of an organisation's financial contribution for an external funding application.

What will not be funded?

The Community Grants [program](#) will not fund the following:

- applicants who have outstanding acquittals from previous funding rounds
- retrospective projects or projects which have already been commenced
- projects which are not ready [to commence](#) and which will not be completed within a 12-month period from the date of receiving the funding
- projects that are considered the sole responsibility of another authority (for example, water authorities and health and welfare agencies)
- ~~activities (programs activities, programs,~~ services, projects or initiatives) that are the responsibility of others:
 - activities that Council considers the responsibility of other authorities, agencies or levels of government
 - activities that are the funding responsibility of other levels of government
 - proposals that address shortfalls in funding from other authorities [and/or](#) levels of government
 - curriculum-based activities or where the activity is confined to the school or kindergarten, including groups and organisations proposing to work with schools and kindergartens (excluding shared facility use by community groups for their specific activity – for example, local cricket clubs using school ovals)
- activities that duplicate other local service responses (unless it can be demonstrated that it meets an unmet community need)
- open space projects on public owned or managed land
- activities such as administrative costs (~~such as~~ wages, rent or insurance), utility charges (~~such as a power/water~~ bill) or projects of an ongoing maintenance nature (~~such as~~ mowing lawns)
- political, religious or spiritual activities:
 - projects designed to promote political or religious ideals
 - organisations whose sole or dominant purpose is of a political nature



Community Grant Guidelines

- o proselytising, religious worship or sectarian activities
- individuals
- community groups with access to sufficient cash reserves to undertake the project independently
- projects which do not meet the funding ratio.

PLEASE NOTE: Council has the right to ~~not approve projects~~ decline applications that are on land or facilities for which they are responsible.

How much can I apply for?

- Grants are available for a maximum of \$10,000 including GST
- The grant will fund projects on a 2:1 basis - meaning that for every \$2 provided by Council, successful applicants must contribute a minimum of \$1 towards the cost of a project
- Groups can claim up to 50% of their contribution as an in-kind contribution or voluntary support
- ~~Volunteer labour contribution can be calculated at \$2025 per hour per person, while specialist contributions can be valued at up to \$5045 per hour. **Costings need to be based on reasonable commercial rates.**~~
- Donation of materials is based on the ~~items item's~~ value, and use of equipment and contractors is based on standard hire rates.

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The following examples have been developed to assist you to understand Funding Ratios

Council Grant	Your Contribution		Project Total	Eligible?	Details
	Cash	In-kind			
\$10,000	\$5,000	\$0	\$15,000	Yes	Funding ratio met. No in-kind contribution
\$10,000	\$2,500	\$2,500	\$15,000	Yes	Funding ratio met. In-kind contribution does not exceed 50%
\$10,000	\$1,000	\$4,000	\$15,000	No	Funding ratio not met. In-kind contribution exceeds 50%

Application Conditions

Your application must include the following:

- a copy of ~~your the organisations~~ current Public Liability Insurance certificate (minimum ~~\$10-20~~ million)
- quotes for all components of ~~your the~~ project
- details of any in-kind works or donations ~~you that~~ will be ~~claiming-claimed~~ as part of ~~your the organisations~~ contribution
- a copy of ~~your the~~ organisation's most recent ~~b~~Bank ~~S~~statement (no ~~less-later~~ than 3 months old).

General Conditions

Please note the following conditions:

- ~~applications to the community grants program can be received at any time, with assessment and approval rounds conducted on a minimum quarterly basis – key dates listed below~~
- ~~late applications will not be accepted~~
- ~~incomplete applications will not be considered in the first round of assessments~~
- ~~where the program is oversubscribed in the relevant quarter, applications will be prioritised against the eligibility criteria. Eligible, but lower priority ranked applications will be carried forward automatically into the next quarter~~
- ~~unsuccessful applications will be carried forward three times, before being deemed ineligible and a new application required~~
- ~~where funds are not likely to be fully expended in the first round of assessments, a second round of assessments will be conducted. Applicants will be:~~
 - o ~~notified of the incomplete information/documentation within seven days of close of applications~~



Community Grant Guidelines

- ~~o provided with 14 days from the above notification to supply required information/documentation to qualify for a second round assessment~~
- ~~o advised that at the expiry of this time, any applications that remain incomplete following the 14 day notification will be deemed ineligible~~
- applicants must include written approval/endorsement to undertake works from the land manager
- where applicable, applicants must demonstrate what planning, building or other permits are required to undertake the project and demonstrate steps already undertaken to obtain these approvals
- the cost of planning and building permits must be included in the project's budget
- successful applicants will be required to enter into a formal agreement prior to receiving any funds
- the grant must be fully expended as per the project scope and budget, including the organisations contribution. Any unspent grant funds are to be repaid to Council.
- the grant must be acquitted as per the terms and conditions of this application form
- if a grant is not acquitted within the ~~12-month~~12-month period Council will require in writing the reason as to why the project is not complete. Failure to notify or acquit the project will impact the consideration of future applications or may involve repayment of grant to Council.
- ~~• No additional community grant funding rounds will be offered in the financial year~~
- Unspent community grant funds will be rolled over into the subsequent financial year funds available for allocation.

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How projects are assessed and approved

Grants applications will be assessed and approved by a minimum of three Council Officers on their ability to with a focus on alignment to meet the following criteria:

- demonstrated community need
- potential to increase or support opportunities for participation
- demonstrated multi-use or broad community benefit
- relevance of the project alignment to an existing plan or strategy such as a community plan, or facility master plan and/or Council Plan
- the applicant's ability to meet its financial commitment to the project.

Where applicable, projects will also be assessed in consideration of:

- the efficient use of resources such as energy efficiency components of the project or sharing of resources with the wider community
- ability to provide access for all, for example, does the project consider the needs of people with a disability or the elderly
- projects that pose an inherent risk in terms of public safety will be assessed in terms of the severity of the risk prior to being considered for funding.
- Where project assessment scores are equal, and additional prioritisation of projects is required, the applications demonstrating a higher cash/in-kind contribution will receive a higher priority.

Key dates

1-March Program opens
 1-May Applications close at 5pm
 Last Tuesday in July Council consideration of applications
 Late July/Early August (following July Council Meeting) Notification of successful and unsuccessful applications.
 30-May the following year Project must be completed and acquittal received

<u>Assessment round to commence</u>	<u>Notification of successful/unsuccessful applications</u>	<u>Acquittals due</u>
-------------------------------------	-------------------------------------------------------------	-----------------------



Community Grant Guidelines

31 August	No later than 30 September	12 months from notification date
30 November	No later than 31 December	12 months from notification date
28/29 February	No later than 31 March	12 months from notification date
31 May	No later than 30 June	12 months from notification date

Please Note: Successful applicants will be required to submit a 'terms and conditions form' via [SmartyGrants](#) prior to receiving funds.

How to submit an application

All applications are submitted via Council's SmartyGrants website: <https://loddon.smartygrants.com.au/>

FOR MORE INFORMATION Contact Council's Community Support department at communitysupport@loddon.vic.gov.au or (03) 5494 1200.

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10.2 2022 OFFICE CLOSURE

File Number: fol/20/7226
Author: Janine Jackson, Manager Organisation Development
Authoriser: Amanda Wilson, Director Corporate
Attachments: Nil

RECOMMENDATION

That:

1. Council approve the closure of the Wedderburn administrative centre from midday Friday 23 December 2022 with a proposed reopening at 8.15 am on Tuesday 3 January 2023.
2. Council 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.

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

Nil

BACKGROUND

The Loddon Shire Council has historically closed the Wedderburn administrative centre to the public over the Christmas/New Year holiday period.

In December 2020 the administrative centres at Wedderburn and Serpentine were closed to staff who are not classified as authorised workers under the Chief Health Officer's Workplace Directions and closed to public access due to the COVID-19 pandemic.

The Serpentine administrative centre is no longer open to the public.

ISSUES/DISCUSSION

In 2022, Christmas Day falls on a Sunday and it is proposed that Council closes the Wedderburn administrative centre from midday Friday 23 December 2022 and reopens at 8.15 am on Tuesday 3 January 2023.

Minimum staffing levels will be maintained across the Christmas/New Year period to attend to any emergency callouts.

COST/BENEFITS

The shutdown provides the opportunity to allow staff to have a refreshing family break with minimum interruption to business activities at the end of the calendar year.

The office closure has no direct cost to Council, as staff are required to access leave accruals for the period of leave.

RISK ANALYSIS

This Christmas New Year period is generally a time of low customer enquiry and minimal deadlines in the organisation.

Staff will be on call as required, to attend to any incidents that may occur during the closure.

CONSULTATION AND ENGAGEMENT

The proposed office closure over the holiday period was endorsed by the Consultative Committee at its August 2022 meeting.

10.3 2023 COUNCIL MEETING SCHEDULE

File Number: 02/04/001
Author: Christine Coombes, Executive and Commercial Services Officer
Authoriser: Lincoln Fitzgerald, Chief Executive Officer
Attachments: Nil

VRECOMMENDATION

That Council:

1. approve the schedule of Council Meetings for 2023 as contained within this report
2. provide public notice of the Council Meetings schedule.

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

Councillors were informed of the proposed dates at the September Council Forum held on Tuesday 13 September.

BACKGROUND

The Loddon Shire Council has traditionally conducted Council meetings on a monthly cycle of the fourth Tuesday. It is proposed that this meeting schedule be continued through 2023.

ISSUES/DISCUSSION

The proposed 2023 schedule of Council Meetings is as follows:

Tuesday 24 January	Tuesday 23 May	Tuesday 26 September
Tuesday 28 February	Tuesday 27 June	Tuesday 24 October
Tuesday 28 March	Tuesday 25 July	Tuesday 28 November
Wednesday 26 April	Tuesday 22 August	Tuesday 12 December

The fourth Tuesday of April is a public holiday, it is proposed to hold this meeting on Wednesday 26 April.

It is also proposed that Council continue to have briefing meetings prior to each Council Meeting to primarily brief Council on Council Meeting agenda items for that day. It is suggested that Council Forums be held on the second Tuesday of the month to enable Councillors to consider any other current issues affecting the Loddon Shire, except January and December where forum items may be presented the morning of the Council Meeting, dependent on the issues at hand.

It is proposed that Council Meetings will commence at 3.00pm, and the venue for Council Meetings will be the Council Chambers, off Peters Street, Wedderburn. Council Meetings will continue to be open to the public.

Once approved, the schedule of Council meetings will be posted on Council's website, published in the Loddon Bulletin and advertised by way of public notice in newspapers and newsletters circulating generally within the municipality and on social media.

Loddon Shire Council's Governance Rules allow for Councillors to attend Council Meetings virtually if they are unable to physically attend the Council Chamber. Councillors are also permitted

to submit an apology if they are unable to attend individual Council meetings. Council meetings, with the exception of Confidential Items, are open to the public and live streamed to provide community access and transparency.

COST/BENEFITS

No financial impacts are expected from continuing this established practice.

RISK ANALYSIS

Nil.

CONSULTATION AND ENGAGEMENT

Nil.

10.4 PLANNING APPLICATION 5769 - 317 CURNOWS ROAD, CALIVIL

File Number: PA 5769
Author: Louise Johnston, Statutory Planning Coordinator
Authoriser: Glenn Harvey, Manager Development and Compliance
Attachments: 1. Decision Report PA5769

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 grant a planning permit for a drainage flow control structure and associated works at 317 Curnows Road, Calivil subject to the following conditions:

LAYOUT

1. The development and works as shown on the endorsed plans must not be altered or modified unless otherwise agreed in writing by the Responsible Authority.

FARM MONITORING PROGRAM

2.1 Within two months of the development commencing, a Farm Monitoring Program to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the Farm Monitoring Program will be endorsed and will then form part of the permit.

2.2 The Farm Monitoring Program must be generally in accordance with the plan as outlined in 'Effluent System Design and Management Plan' monitoring program and time frame frequency submitted with application 5521. Once endorsed, the monitoring program must not be modified or altered without the written consent of the responsible authority.

2.3 The endorsed Farm Monitoring Program must be implemented and maintained to the satisfaction of the responsible authority.

GOULBURN MURRAY WATER

3. All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991).

DRAINAGE FLOW CONTROL STRUCTURE

4. The drainage flow control structure hereby permitted must only be used in significant rain events to the satisfaction of the Responsible Authority.

EXPIRY

5. This permit will expire if the permitted development is not started within two years of the date of this permit, or is not completed within four years of that date. The responsible authority may extend these periods if a request is made in writing before the permit expires, or:

- within six months afterwards if the development has not been started
- within twelve months afterwards if the development started lawfully before the permit expired.

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 have been no previous Council discussions on this matter.

BACKGROUND

The application was lodged on the 9th March, 2022 proposing to install a drainage flow control structure and associated works to allow water to discharge from the property.

The new discharge point is required to allow excess water to discharge from the property, particularly in a significant rain event.

The drainage structure is proposed to be located within the north eastern corner of the land abutting Curnows and Hercus Roads.

The application has been referred to EPA, GMW, NCCMA.

The application was advertised and one objection has been received from an adjoining owner.

Officer recommendation is to issue a Notice of Decision to Grant a Planning Permit.

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 and must use the scheme to determine applications. The Loddon Planning Scheme is the relevant Planning Scheme for Council. An application is referred to Council for determination, 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 objection as the result of the public notification and as such, the matter is being brought to Council for determination. A decision report detailing this application 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 report is the ability of 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 5769: Installation of a drainage flow control structure and associated works to allow outflow/stormwater discharge point from the land at 317 Curnows Road, Calivil.



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SUMMARY

Application Number:	5769
Applicant:	Jade Clymo
Subject Land:	CA 100, Parish of Calivil
Owner:	Jade & Belinda Clymo
Zone:	Farming Zone
Overlay(s):	Land Subject to Inundation Overlay
Existing use:	Existing Intensive Dairy Farm
Proposal:	Installation of a drainage flow control structure and associated works within the north-eastern corner of the land to allow outflow/stormwater discharge point.

The following dot points provide a summary of the application:

- The application was lodged on the 9th March, 2022 proposing to install a drainage flow control structure to allow water to discharge from the property.
- The new discharge point is required to allow excess water to discharge from the property, particularly in a significant rain event.
- The drainage structure is proposed to be located within the north eastern corner of the land abutting Curnows and Hercus Roads.
- The application has been referred to EPA, GMW, NCCMA.
- The application was advertised and one objection has been received from an adjoining owner.
- Officer recommendation is to issue a Notice of Decision to grant a planning permit.

ORDINARY COUNCIL MEETING AGENDA**23 FEBRUARY 2021**

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 grant a planning permit for a drainage flow control structure and associated works at 317 Curnows Road, Calivil subject to the following conditions:

LAYOUT

1. The development and works as shown on the endorsed plans must not be altered or modified unless otherwise agreed in writing by the Responsible Authority.

FARM MONITORING PROGRAM

- 2.1 Within two months of the development commencing, a Farm Monitoring Program to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the Farm Monitoring Program will be endorsed and will then form part of the permit.
- 2.2 The Farm Monitoring Program must be generally in accordance with the plan as outlined in 'Effluent System Design and Management Plan' monitoring program and time frame frequency submitted with application 5521. Once endorsed, the monitoring program must not be modified or altered without the written consent of the responsible authority.
- 2.3 The endorsed Farm Monitoring Program must be implemented and maintained to the satisfaction of the responsible authority.

GOULBURN MURRAY WATER

3. All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991).

DRAINAGE FLOW CONTROL STRUCTURE

4. The drainage flow control structure hereby permitted must only be used in significant rain events to the satisfaction of the Responsible Authority.

EXPIRY

5. This permit will expire if the permitted development is not started within two years of the date of this permit, or is not completed within four years of that date. The responsible authority may extend these periods if a request is made in writing before the permit expires, or:
 - within six months afterwards if the development has not been started
 - within twelve months afterwards if the development started lawfully before the permit expired.

2 DISCUSSION**2.1 The Site & Locality**

The subject site comprises a number of crown allotments that are currently used for an intensive Dairy Farm and feed production. The works for a drainage outflow structure are located on CA 100, Parish of Calivil, within the northeast corner of the land. The total area of the land is 426ha with Crown Allotment 100 being 105ha. The land is relatively flat and contains a number of existing paddocks utilised for agricultural purposes.

The Calmo Farms includes both sides of Calivil Mail Road having a combined area of 426 hectares comprising Crown Allotments 98B, 98C, 98D, 99, 100, 100A, 100B, 107A, 107A1, 107B and 107C. The 261 hectares on the eastern side of Calivil Mail Road are bounded by Curnows Road to the north, Leas Road to the south and Hercus Road to the east. The 165 hectares on the west side of Calivil Mail Road are bounded by Vinnicombes Road to the north, and Guthries Road to the south.



Figure 1-Farm site Map – (source: AgSystems Report) Location of the drainage flow structure and works

There is an Agreement registered on the title to the land, this is an agreement under Section 244 of the Water Act. The agreement relates to the approval of a community surface drainage scheme over the land. The drainage scheme allowed the construction of surface drains over the site to manage the flow of water over the land. The agreement was registered on title on 15/10/1992.

The location of the proposed drainage flow control system within the northeast corner of CA100, is outside of the area approved for surface drains as nominated in the Section 244 Agreement.

Adjoining land is used for agricultural use, including cropping and an existing piggery located southeast of the subject site at 696 Hercus Road, Calivil.

2.2 Site History

Planning permit 5521 was issued on the 20/05/2020 allowed the use and development of the land for an intensive dairy farm and associated buildings and work including two new free stall dairy sheds and associated structures.

The introduction of feed stall sheds has reduced the interaction between cattle and bare soil within the farm, reducing pugging and soil compaction, ensuring pasture land can remain fertile and cultivatable for future uses. Previously grazed pastures have been converted to a cropping rotation between maize, cereal, and Lucerne, maximising land use, and increasing water use efficiency. Compacting animals to a centralised area within the property also reduces the spread of air pollutants such as noise and odour, by reducing the spread and maximising distance between the livestock and surrounding sensitive land uses.

2.3 Proposal

The proposal seeks to install a drainage flow control structure within the northeastern corner of the land and associated earthworks. The works would include building up the levee along sections of the property either side of the structure to contain water within the site. The plan in figure 1 below indicates the ground levels for the extent of works varies between 8.29 AHD at its lowest point to 8.74 AHD. The proposed bank levee would be constructed to 8.75 AHD. The location of the proposed drainage flow structure aligns with an existing overflow drain under Hercus Road.

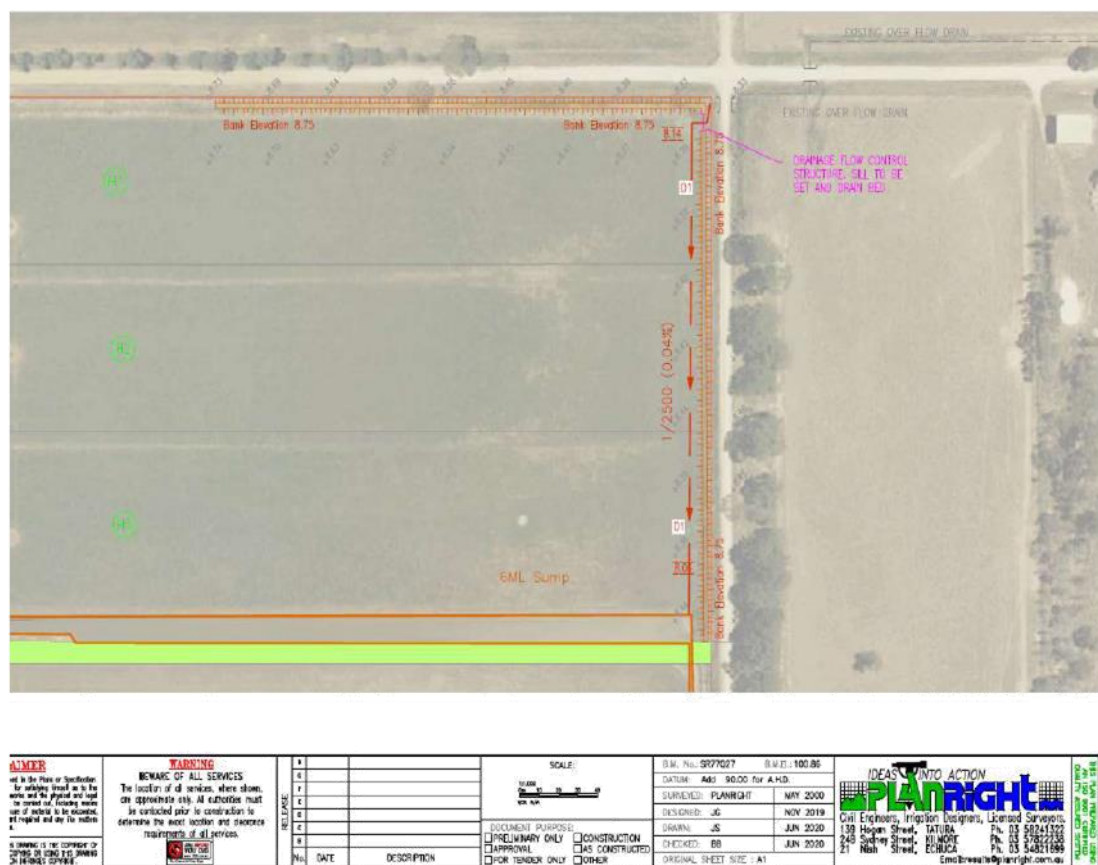


Figure 2 – Location and extent of works – source: application documents

Aboriginal Cultural Heritage

In relation to the requirement for a Aboriginal Cultural Heritage Management Plan, under the provisions of the Aboriginal Heritage Act 2006 and the Aboriginal Heritage Regulations 2018, a CHMP is required for an activity if:

- all or part of the activity area for the activity is an area of cultural heritage sensitivity; and
- all or part of the activity is a high impact activity.

The proposed works are located outside of a cultural heritage sensitive area, therefore a cultural heritage management plan is not required to be undertaken

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.

ORDINARY COUNCIL MEETING AGENDA**23 FEBRUARY 2021**

- *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 35.07-4 a permit is required for works that change the rate of flow across the property.

In addressing the decision guidelines at Clause 35.07-6, the proposed works are considered to accord with the relevant decision guidelines as:

- *The development and works will support and enhance agricultural production on the land.*
- *The works would not permanent remove land from agricultural production.*
- *Managing water flow across the farm is relative to sustainable land management.*
- *The works would value add to the existing intensive Dairy Farm design management and practices.*
- *The management and containment of farm water would minimise the impact of nutrient loads on waterways and assist in the protection of waterways.*

2.4.2 Overlay

The subject site is covered by a Land Subject to Inundation Overlay. Clause 44.04 of the scheme states that the purpose of the Land Subject to Inundation Overlay is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To identify land in a flood storage or flood fringe area affected by the 1 in 100 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, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.*
- *To reflect any declaration under Division 4 of Part 10 of the Water Act, 1989 where a declaration has been made.*
- *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 and wetland health, waterway protection and flood plain health*

A permit is required for buildings and works pursuant to Clause 44.04-2.

The application was referred to the North Central Catchment Management Authority pursuant to Clause 66.03 of the Planning Scheme. NCCMA have provided no objection to the works and no conditions.

SCO- Specific Controls Overlay

No permit is triggered under this overlay.

2.4.3 Relevant Particular Provisions

Nil

2.4.4 Permit trigger

ORDINARY COUNCIL MEETING AGENDA

23 FEBRUARY 2021

Clause 35.07 (Farming Zone) of the scheme states that a planning permit is required for earthworks which change the rate of flow or the discharge point of water across property boundary.

Clause 44.04-2 of the scheme states that buildings and works within a Land Subject to Inundation Overlay requires a planning permit.

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.

Clause 14.01-1S 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

14.01-2S 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.*

The site has an existing Planning permit number 5521 permitting the operation of an intensive dairy farm on the land, incorporating two new free stall dairy sheds to house a higher number of cattle. The proposed works, to install a drainage flow structure and levee banks would ensure better management of farm water over the land and assist in containing farm water on the land.

2.4.7 Local Planning Policy Framework

Item

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ORDINARY COUNCIL MEETING AGENDA**23 FEBRUARY 2021**

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

Clause 02-03-4 Natural resource management - 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

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.

Clause 14.01-2L

This policy refers to Sustainable Farming and encourages on farm drainage re-use for effective nutrient management.

The proposed works would seek to manage and contain farm water over the land and minimise runoff.

Clause 13.03-1L

This policy refers to flooding and its strategy includes:

- Discourage levee banks that constrict or redirect flood flows or remove land from the flood plain.

Policy guideline includes:

- The views of the North Central Catchment Management Authority or any other relevant body in relation to applications for drainage works or the construction and maintenance of levee banks.

NCCMA did not object to the proposed works on the subject site.

ORDINARY COUNCIL MEETING AGENDA

23 FEBRUARY 2021

2.5 Referrals

Internal referrals

Engineering	No requirements as the works are all contained within the land
-------------	----------------------------------------------------------------

External referrals

EPA	EPA is not a statutory referral Authority under Section 55 of the <i>Planning and Environment Act 1987</i> , since this proposal: a) does not require an operating licence or development licence or amendment to a licence; b) is not proposed to be used for an industry, utility installation or warehouse for a purpose listed in the table to Clause 53.10 with no threshold distance specified or for which the threshold distance cannot be met; and c) is not a proposed extractive industry intended to be used at a later date for landfill. EPA did not provide any comments or requirements for this application.
GMW	Conditional consent
NCCMA	No objection, no conditions.

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 has been received in response to the application. The matters raised in the objection are summarised below and with Officers response in italics:

- We wish to object to the intention of Calmo farms intending to open the second position after a significant rain event as our understanding the shire standard is one dump point per farm of 450mm in size. All rate payers have the right to have excess water drain away from there farm in a fair manner. In our conversations with the shire in the past the flood overlay shows the lowest point on that block to be south of the corner.

Could the shire please consider our requests favorably to be fair to all rate payers in the area when considering this planning application.

There is no limit on the number of discharge points from a property per say, however, any application for a new discharge point from a property must be assessed against the relevant provisions, balancing the needs and impacts of any new discharge points. The location of the proposed discharge point on the corner of Cumows & Hercus Roads has triggered the need for a planning permit given the location of the discharge point within a Land Subject to Inundation Overlay under the Loddon Planning Scheme. Outside of Overlay areas and works within a road reserve would require a works within a road reserve permit from Council.

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Goulburn Murray Water, North Central Catchment Management Authority & EPA have not objected to the proposed discharge point at this location. The Applicant has stated the proposed discharge point would only be used in significant rain events.

The Objectors were invited to a face to face meeting with the Officer to discuss their concerns as a means of better understanding the application. The Objectors declined this meeting.

3 ASSESSMENT**3.1.1 Planner assessment**

The officer's recommendation is to grant a notice of decision to approve planning application 5769. The recommendation is based on the considerations detailed below.

Water Management over the land

The change of use to an intensive dairy farm incorporating and the introduction of feed stall sheds on the land has significantly changed how the farm operates and manages its waste and its water use over the farm. Previously grazed pastures have been converted to a cropping rotation between maize, cereal, and Lucerne.

The management of effluent and recycling of wastewater generated within the farm is a key component of the change to the farming practices occurring on the farm. Any farming practices that involve the management of effluent and wastewater and drainage over the land must be undertaken to ensure compliance with current standards and publications for managing wastewater on Dairy farms and all works must seek to mitigate the risk of farm water impacting water ways.

It is the requirement of the land owner/farm operator to manage water flow over the farm and to mitigate the risk of farm waters impacting waterways, in this instance the seven months creek, located downstream of the farm. The Effluent System Design and Management report, undertaken by Ag Systems Design dated November, 2019, considered as part of the application for the change of use to Intensive Dairy, includes measures to ensure the management of effluent and wastewater are controlled over the land in a sustainable manner beneficial for the land and crops.

To ensure that the recommendations of this report, including the approved effluent management system are being undertaken in accordance with the plan, a rigorous monitoring plan is required to ensure:

- the storage of effluent is contained until conditions allow suitable distribution of it
- to manage nutrients as a resource for reuse on crops and pasture
- facilitate maintenance practices that keep the system functioning
- water/dam storage levels reflect seasonal requirements.

Dairy effluent management systems must be designed to avoid any discharge during a 90th percentile year (or the wettest year in 10). Effluent storage ponds should provide sufficient storage capacity to hold all wastewater produced over the storage period, as well as runoff from any areas that accumulate manure. The effluent storage pond on the land is designed to provide sufficient capacity to hold all of the wastewater produced, and precipitation received, while irrigation is not suitable up to the wettest year in ten. Based on 50 years of climatic data for the site (SILO Data Drill for -36.25o, 144.10o) this means providing storage for 6 months from April to September (inclusive).

Monitoring is an essential component of any ongoing farm management system. Measuring key parameters on a regular basis is necessary to confirm that the effluent and manure management systems are not impacting soil or water resources or community amenity. In addition, monitoring the storage levels of all farm water storages on a regular basis is necessary to ensure emergency storage capacity particularly in the wetter months of the year can be achieved.

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Any water leaving the farm must be controlled to ensure that it is farm water and not wastewater. Monitoring of effluent storages, water storages including re-use dams over the land is crucial to managing water/wastewater over the land. If a permit is to issue for a new discharge point and associated works, a monitoring plan will be required to ensure that the flow of stormwater is managed in a manner that does not allow wastewater into the mix, which includes regular monitoring of effluent, water/re-use dams storages over the farm.

EPA provides 'Guidelines for managing dairy effluent', which include in its purpose:

- Assist dairy farmers to make informed and practical decisions in relation to dairy effluent management while taking into consideration farm productivity and environmental requirements.
- Inform and raise awareness of industry expectations and obligations for dairy effluent management.
- Establish clear standards and protocols for industry operators and service providers.
- Demonstrate that the dairy industry has an ongoing commitment to the environment.

The guidelines provide recommendations in relation to monitoring of the effluent management activities and management practices (relevant to this application) which include:

- Apply effluent when pasture and crops are actively growing to avoid losses and maximise nutrient uptake and yields.
- Minimise over watering of irrigation bays and ensure reuse systems are in place to capture any runoff containing effluent.
- Avoid application of effluent in wet weather or on waterlogged pastures due to an increased likelihood of runoff.
- Avoid sensitive areas such as waterways, drainage lines and property boundaries when applying effluent.
- Schedule effluent application immediately after grazing when pastures are short and a pasture-withholding period can be incorporated into the farm paddock rotation
- Ensure levee banks and diversion drains are maintained to prevent the runoff from surrounding areas entering the ponds.
- Monitor and repair damaged pond walls and banks to prevent seepage and overflows.
- Reduce ponds prior to the wet period to ensure adequate capacity to cope with inflows.
- Periodically sample ponds to determine nutrient concentration and application rates.

The Effluent System Design and Management Report, dated November 2019 includes the above monitoring measures and additional key parameters of managing wastewater over the land to ensure that effluent and manure management are not affecting soil or water resources both on the land and beyond. If the monitoring measures are undertaken and implemented, there should not be a need to discharge water off site, it would only occur in a significant rain event. Any permit issued will be required to include a Farm Monitoring Program, to include the above measures. The monitoring program includes time frames for each of the key parameters in the program, to ensure ongoing surveillance of each of the parameters in the program.

Therefore, the need for an additional discharge point from the land should only be used in a significant rain event that seeks to manage water across the land.

4 CONCLUSION

The proposal is consistent with the purpose of the Farming Zone, Land Subject to Inundation Overlay and relevant State and Local Planning Policy Framework. The Loddon Planning Scheme supports the expansion and development of agricultural uses within the Farming Zone particularly where:

- The development and works support and enhance agricultural production on the land.
- The works would not permanent remove land from agricultural production.
- Managing water flow across the farm is relative to sustainable land management.

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- The works would value add to the existing intensive Dairy Farm design management and practices.
- The management and containment of farm water would minimise the impact of nutrient loads on waterways and assist in the protection of waterways.

For the reasons discussed above the planning officer recommends that planning application 5769 be approved, subject to conditions.

APPENDIX 1: OBJECTION 1

The following objection was received by email:

We wish to object to the intention of Calmo farms intending to open the second position after a significant rain event as our understanding the shire standard is one dump point per farm of 450mm in size. All ratepayers have the right to have excess water drain away from their farm in a fair manner.

In our conversations with the shire in the past the flood overlay shows the lowest point on that block to be south of the corner.

Could the shire please consider our requests favourably to be fair to all ratepayers in the area when considering this planning application.

11 INFORMATION REPORTS

Nil

12 COMPLIANCE REPORTS

Nil

13 URGENT BUSINESS

In accordance with Council's Governance Rules, Clause 53 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**RECOMMENDATION**

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 66(1) and 66(2)(a) of the Local Government Act 2020:

14.1 REVIEW OF CONFIDENTIAL ACTIONS

This matter is considered to be confidential under Section 3(1)(h) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with confidential meeting information, being the records of meetings closed to the public under section 66(2)(a).

Pursuant to section 66(5)(b) of the Local Government Act 2020, if released the information to be received, discussed or considered in relation to this agenda item, may disclose confidential meeting information, being the records of meetings closed to the public under section 66(2)(a)

14.2 CHIEF EXECUTIVE OFFICER'S KEY PERFORMANCE INDICATORS

This matter is considered to be confidential under Section 3(1)(f) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

Pursuant to section 66(5)(b) of the Local Government Act 2020, the information contained within this report is confidential due to personnel matters.

Closing of Meeting to the Public

RECOMMENDATION

That the meeting be closed to the public.

NEXT MEETING

The next Ordinary Meeting of Council will be held on 25 October 2022 at Wedderburn commencing at at 3pm.

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

Confirmed this.....day of..... 2021

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