



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

MINUTES

Council Meeting

**MINUTES OF LODDON SHIRE COUNCIL
COUNCIL MEETING
HELD AT THE LODDON SHIRE COUNCIL CHAMBERS, WEDDERBURN
ON TUESDAY, 27 SEPTEMBER 2022 AT 3PM**

PRESENT: Cr Dan Straub (Mayor), Cr Neil Beattie, Cr Gavan Holt, Cr Linda Jungwirth and Cr Wendy Murphy.

IN ATTENDANCE: Lincoln Fitzgerald (Chief Executive Officer), Wendy Gladman (Director Community Wellbeing), Steven Phillips (Director Operations), Amanda Wilson (Director Corporate) and Lisa Clue (Manager Governance).

1 OPENING AFFIRMATION

The Mayor, Cr Straub read the Opening Affirmation.

2 ACKNOWLEDGEMENT OF COUNTRY

Lincoln Fitzgerald, Chief Executive Officer read the Acknowledgement of Country.

3 APOLOGIES

Nil

4 DECLARATIONS OF CONFLICT OF INTEREST

LINCOLN FITZGERALD, CHIEF EXECUTIVE OFFICER DECLARED A MATERIAL CONFLICT OF INTEREST IN RELATION TO CONFIDENTIAL AGENDA ITEM NO. 14.2 – CHIEF EXECUTIVE OFFICER'S KEY PERFORMANCE INDICATORS, AND ADVISED HE WOULD LEAVE THE MEETING FOR THAT ITEM.

5 PREVIOUS MINUTES**5.1 CONFIRMATION OF MINUTES****File Number:** 02/01/001**Author:** Lisa Clue, Manager Governance**Authoriser:** Lincoln Fitzgerald, Chief Executive Officer**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.

RESOLUTION 2022/90

Moved: Cr Neil Beattie

Seconded: Cr Wendy Murphy

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.

CARRIED

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**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

RESOLUTION 2022/91

Moved: Cr Wendy Murphy

Seconded: Cr Linda Jungwirth

That Council note the record of the following advisory meetings :

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

CARRIED

Unconfirmed

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**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.

RESOLUTION 2022/92

Moved: Cr Wendy Murphy

Seconded: Cr Gavan Holt

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

CARRIED

8 MAYORAL REPORT**8.1 MAYORAL REPORT**

File Number: 02/01/001

Author: Lisa Clue, Manager Governance

Authoriser: Lincoln Fitzgerald, Chief Executive Officer

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	
Nothing to report	
Murray River Group of Councils	
01.09.2022 – Mayors’ online meeting	
North Central Goldfields Regional Library	
Nothing to report	
North Central Local Learning and Employment Network	
31.08.2022 – Contract conversation	
06.09.2022 – Contract consideration – online meeting	
Section 65 Community Asset Committees:	
19.09.2022 - East Loddon Community Centre Community Asset Committee AGM	
20.09.2022 - Pyramid Hill Memorial Hall Community Asset Committee meeting	
Other Council activities	
Date	Activity
23.08.2022	Mayor and CEO catch up, Council Briefing and Council Meeting.
25.08.2022	Commonwealth Games Partnership meeting - MCG
02.09.2022	Rural Councils Victoria Forum – Daylesford Town Hall
05.09.2022	Boort Tourism and Development meeting – Boort

Other Council activities (continued)	
Date	Activity
06.09.2022	Meeting with Wedderburn Senior Citizens regarding future use of, and joint use of the facility in Wedderburn
07.09.2022	DET Briefing for LLEN chairs, proposed funding and KPIs
09.09.2022	GLC Ordinary Board Meeting
	Annual Report approval
11.09.2022	Tarnagulla Strictly Vintage Fair
12.09.2022	NCLLEN and DET draft proposal discussion
13.09.2022	Council Forum and Councillor Only meeting
16.09.2022	Dingee Hotel reopening
18.09.2022	Lions Club of East Loddon 40 Years Celebration and Garden Opening
	Boort Bowls Club opening of the season and new synthetic green
21.09.2022	Pyramid Hill Flood Levy meeting
	Pyramid Hill Progress Association meeting
25.09.2022	Social day out at the Mitiamo Golf Club for their last day of the season
26.09.2022	On-site meeting with local farmer with concerns regarding a planning permit to better understand those concerns
	Wedderburn Community House Opportunity Shop Official Opening
	Special ceremony at the Wedderburn Historical Records Museum Inc to honour Alan Mulraney with a very deserving life membership for all of his hard work for the Museum.

RESOLUTION 2022/93

Moved: Cr Dan Straub (Mayor)

Seconded: Cr Gavan Holt

That Council receive and note the Mayoral Report

CARRIED

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

That Council receive and note the Councillors' reports

REPORT

Each Councillor will present a report at the meeting.

Cr Beattie

Rail Freight Alliance	
Nothing to report	
Section 65 Community Asset Committees:	
Boort Aerodrome Community Asset Committee – nothing to report	
Boort Memorial Hall Community Asset Committee – nothing to report	
Boort Park Community Asset Committee – nothing to report	
Korong Vale Mechanics Hall Community Asset Committee – nothing to report	
Korong Vale Sports Centre Community Asset Committee – nothing to report	
Little Lake Boort Community Asset Committee – nothing to report	
Yando Public Hall Community Asset Committee – nothing to report	
Other Council activities	
Date	Activity
23.08.2022	Council meeting virtually from Queensland
05.09.2022	Boort Development and Tourism meeting
06.09.2022	Meeting with member of community re Park Run track
10.09.2022	First Park Run trial
13.09.2022	Council Forum – Wedderburn
18.09.2022	Boort Bowls Club opening of the season and new synthetic green

Cr Beattie (continued)

Other Council activities (continued)	
Date	Activity
21.09.2022	Chaired Boort Senior Cits AGM
27.09.2022	Council Briefing - Wedderburn

Cr Holt

Municipal Association of Victoria	
16.09.2022 – MAV State Council Meeting to adopt the new MAV Constitution. The main focus of the discussion and debate was the issue of plural voting.	
Audit and Risk Committee	
Nothing to report	
Section 65 Community Asset Committees:	
Donaldson Park Community Asset Committee – nothing to report	
Wedderburn Community Centre Community Asset Committee – nothing to report	
Wedderburn Engine Park and Market Square Reserve Community Asset Committee – nothing to report	
Wedderburn Mechanics and Literary Institute Hall Community Asset Committee – nothing to report	
Hard Hill Tourist Reserve Community Asset Committee – 26.09.2022 - AGM, Chaired the election of office bearers.	
Other Council activities	
Date	Activity
12.09.2022	Involved with opening of the Wedderburn Shearing School and Wool Handing training course, which runs throughout the week.
20.09.2022	Wedderburn Community House AGM – in a sign of the vibrancy of the organisation, there was a contested election for the committee.
26.09.2022	Wedderburn Community House Opportunity Shop Official Opening by the Mayor
	Gathering at the Wedderburn Historical Records Museum Inc to bestow life membership of the Museum to Mr Alan Mulraney for his outstanding and painstaking effort in digitising Museum records.

Cr Jungwirth

Central Victorian Greenhouse Alliance	
25.08.2022 – Board Meeting	
Municipal Emergency Management Planning Committee	
Nothing to report	
Other Council activities	
Date	Activity
23.08.2022	Council Briefing and Council Meeting
25.08.2022	Monthly mentoring session
02.09.2022	Regional Councils Victoria – Priorities for upcoming State election, issues relating to biosecurity and housing
06.09.2022	TCCCI meeting
07.09.2022 – 09.09.2022	Advancing Women’s Leadership Summit – Melbourne. Men attended the Summit in support, great to hear their insight.
11.09.2022	Tarnagulla Strictly Vintage Fair
13.09.2022	Council Forum – Wedderburn
14.09.2022	Kooyoora Women’s Network Dinner
15.09.2022	Online workshop through ALGWA

Cr Murphy

Calder Highway Improvement Committee
Nothing to report
Local Government Women’s Charter
Nothing to report
Australia Day Committee
Nothing to report
Healthy Minds Network
Nothing to report

Cr Murphy (continued)**Section 65 Community Asset Committees:**

Bridgewater on Loddon Memorial Hall Community Asset Committee – 16.09.2022 – Apology for meeting

Campbells Forest Hall Community Asset Committee - 14.09.2022 – Chaired AGM

Inglewood Community Sports Centre Community Asset Committee - 18.09.2022 – Chaired AGM

Inglewood Community Elderly Persons Units Community Asset Committee – nothing to report

Inglewood Town Hall Hub Community Asset Committee – 05.09.2022 - Apology for AGM

Other Council activities

Date	Activity
23.08.2022	Council Briefing and Meeting – Wedderburn Council Chambers
25.08.2022	Online meeting with Kate Pallister, Health Broker – Healthy Heart of Victoria/Community Wellbeing officer at Loddon Shire Council and Andrew Nevins, President of Inglewood Community Sports Centre Community Asset Committee to discuss the installation of the outdoor exercise equipment in Sloan's Park.
	Inglewood Development and Tourism Committee meeting
31.08.2022	Online Victorian Local Government Grants Commission information session on Financial Assistance Grants, General Purpose Grants and Local Roads Grants.
01.09.2022	Online introduction session for the Foundation of Directorship course I have been supported to participate in.
05.09.2022	Loddon Valley Football League presentation evening in place of Mayor Straub
08.09.2022	Online Advancing Women's Leadership Summit with a focus on strategies to achieve gender equality in Local Government.
	Day 1 of Foundation of Directorship online course – looking at the role of directors and boards and an introduction to board meetings and governance.
13.09.2022	Council Forum – Wedderburn Council Chambers
15.09.2022	Day 2 of Foundation of Directorship online course – looking at the risk issues for directors and the strategic role of the director.
	Online ALGWA session – Are you thinking about nominating for Mayor or Deputy Mayor.
17.09.2022	Attended the opening ceremony of Friends of Kooyoora Spring Festival.
22.09.2022	Due to the National Day of Mourning public holiday, Day 3 of the Foundation of Directorship course was rescheduled to 29 September.
26.09.2022	Met with Louise Staley, Member for Ripon at her pop-up stall at the Inglewood IGA.

RESOLUTION 2022/94

Moved: Cr Linda Jungwirth

Seconded: Cr Neil Beattie

That Council receive and note the Councillors' reports

CARRIED

Unconfirmed

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**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.

RESOLUTION 2022/95

Moved: Cr Linda Jungwirth

Seconded: Cr Wendy Murphy

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.

CARRIED

Unconfirmed

10.2 2022 OFFICE CLOSURE**File Number:** FOL/20/7226**Author:** Janine Jackson, Manager Organisation Development**Authoriser:** Amanda Wilson, Director Corporate**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.

RESOLUTION 2022/96

Moved: Cr Neil Beattie

Seconded: Cr Gavan Holt

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.

CARRIED

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**RECOMMENDATION**

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.

RESOLUTION 2022/97

Moved: Cr Linda Jungwirth

Seconded: Cr Neil Beattie

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.

CARRIED

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**RECOMMENDATION**

That 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.

RESOLUTION 2022/98

Moved: Cr Neil Beattie

Seconded: Cr Wendy Murphy

That 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.

CARRIED

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.

RESOLUTION 2022/99

Moved: Cr Neil Beattie

Seconded: Cr Gavan Holt

That the following item be treated as urgent business:

1. Slashing of VicRoads C Class roads.

CARRIED

RESOLUTION 2022/100

Moved: Cr Neil Beattie

Seconded: Cr Linda Jungwirth

That Council write to VicRoads regarding the state of C Class roads within the Loddon Shire, in particular, safety concerns with overgrown roadside vegetation.

CARRIED

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.

RESOLUTION 2022/101

Moved: Cr Wendy Murphy

Seconded: Cr Gavan Holt

That the meeting be closed to the public.

CARRIED

The meeting closed to the public at 4.03 pm

14.1 REVIEW OF CONFIDENTIAL ACTIONS**RESOLUTION 2022/102**

Moved: Cr Linda Jungwirth

Seconded: Cr Wendy Murphy

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

CARRIED

14.2 CHIEF EXECUTIVE OFFICER'S KEY PERFORMANCE INDICATORS

RESOLUTION 2022/103

Moved: Cr Neil Beattie

Seconded: Cr Wendy Murphy

That Council endorse the 2022/23 Chief Executive Officer key performance indicators as detailed in the attachment to this report.

CARRIED

NEXT MEETING

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

There being no further business the meeting was closed at 4.07 pm.

Confirmed this.....day of..... 2022

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CHAIRPERSON