



COUNCIL MEETING

MINUTES

Wednesday 14 August 2024

Commencing at 7:00pm

Wycheproof Supper Room

367 Broadway, Wycheproof

**Jenna Allan
Acting Chief Executive Officer
Buloke Shire Council**

Minutes of the Meeting held on Wednesday, 14 August 2024 commencing at 7:00pm in the Wycheproof Supper Room, 367 Broadway, Wycheproof**PRESENT****CHAIRPERSON:**

Cr Alan Getley Mallee Ward

COUNCILLORS:

Cr Carolyn Stewart Lower Avoca Ward
Cr David Pollard Lower Avoca Ward
Cr Graeme Milne Mount Jeffcott Ward
Cr Bronwyn Simpson Mount Jeffcott Ward
Cr Daryl Warren Mount Jeffcott Ward

OFFICERS:

Jenna Allan Acting Chief Executive Officer
Daniel McLoughlan Director Infrastructure and Delivery
Jennifer Hewett Acting Director Corporate and Organisational Performance
Gaynor Atkin Director Community Development
Anthony Smith Executive Team Project Officer
Peter Harriott Municipal Monitor

AGENDA**1. COUNCIL WELCOME****WELCOME**

The Mayor Cr Alan Getley welcomed all in attendance.

STATEMENT OF ACKNOWLEDGEMENT

We acknowledge the traditional owners of the land on which we are meeting. We pay our respects to their Elders and to the Elders from other communities who maybe here today.

2. RECEIPT OF APOLOGIES

Cr Bernadette Hogan Mallee Ward

3. CONFIRMATION OF MINUTES OF PREVIOUS MEETING**MOTION:**

That Council adopt the Minutes of the Council Meeting held on Wednesday, 10 July 2024.

MOVED: CR GRAEME MILNE

SECONDED: CR DARYL WARREN

CARRIED.

(R074/24)

4. REQUESTS FOR LEAVE OF ABSENCE

Nil.

5. DECLARATION OF PECUNIARY AND CONFLICTS OF INTEREST

There were no declarations of interest.

6. QUESTIONS FROM THE PUBLIC

Nil

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	The Meeting may be closed to members of the public to consider confidential matters.	
9.5.1	C124 2023/24 WYCHEPROOF WETLANDS WATER INFRASTRUCTURE CONSTRUCTION	
9.5.2	C119 2023/24 BITUMINOUS SURFACING	
	If the meeting has been closed it will be brought back into open session by resolution	

10. MEETING CLOSE

NEXT MEETING

THE NEXT COUNCIL MEETING WILL BE HELD IN WYCHEPROOF SUPPER ROOM, 367 BROADWAY, WYCHEPROOF ON WEDNESDAY, 11 SEPTEMBER 2024 AT 7:00PM.

Jenna Allan
ACTING CHIEF EXECUTIVE OFFICER

6. QUESTIONS FROM THE PUBLIC

Nil

7. PROCEDURAL ITEMS

7.1 REPORT OF COUNCILLOR ASSEMBLIES

Author's Title: Executive Assistant

Department: Office of the CEO

File No: GO/05/04

MOTION:

That the Council note the report of Councillor Assembly Meetings held 3 and 17 July 2024.

Moved: CR BRONWYN SIMPSON

Seconded: CR GRAEME MILNE

CARRIED.

(R075/24)

Attachments:

- 1 Councillor Briefing Record - 3 July 2024
- 2 Councillor Briefing Record - 17 July 2024

KEY POINTS/ISSUES

Transparency is a fundamental principle of democratic governance.

The Local Government Act 2020 (The Act) Section 9 (2) (i) provides that the transparency of Council decisions, actions and information is to be ensured.

In accordance with Section 57 of The Act, Council at its September 2020 Ordinary Meeting, adopted a Public Transparency policy, designed to improve public transparency in Council's decision-making processes and to assist the community in understanding the information that is accessible to them.

As per the Council Meeting Schedules adopted 9 November 2022 and 8 November 2023, Councillor Briefings are held for Councillors to meet to consider matters that are likely to be the subject of a Council decision or for the exercise of delegation.

A record of the Councillor Briefings held on 3 and 17 July 2024 is attached for public information.

7.2 CORRESPONDENCE INITIATED BY COUNCIL

Author's Title: Executive Assistant

Department: Office of the CEO

File No: GO/06/06

PURPOSE

This report notes and records correspondence initiated by Council and informs the Council of the responses received from this correspondence.

NIL ITEMS – NO RESOLUTION REQUIRED

Attachments: Nil

TABLE OF CORRESPONDENCE

Council Initiative	Sent to	Sent	Response	Purpose of Letter

7.3 LETTERS OF CONGRATULATIONS AND RECOGNITION OF ACHIEVEMENT/AWARDS

Author's Title: Executive Assistant

Department: Office of the CEO

File No: CR/13/01

PURPOSE

This report acknowledges and congratulates community persons and/or groups for their success in being recognised for a significant achievement or for being a recipient of an honourable award.

The report also informs Council of any letters of congratulations or any recognition of achievement that Council has received or been awarded in the past month.

MOTION:

That the Council acknowledge and congratulate the persons and/or groups mentioned in the report for their achievements.

MOVED: CR GRAEME MILNE

SECONDED: CR DARYL WARREN

CARRIED.
(R076/24)

Attachments: Nil

RECOGNITION OF ACHIEVEMENT ITEMS

Provider	Recipient	Date	Purpose for Recognition
Buloke Shire Council	Carolyn Olive		For her dedication and commitment for 20 years of voluntary service for the Golden Grains Museum in Charlton.

7.4 STATUS OF ACTION OF PAST COUNCIL MEETING RESOLUTIONS

Author's Title: Executive Assistant

Department: Office of the CEO

File No: GO/05/04

PURPOSE

To provide Council with a list of the Status of Action (SOA) of Council Resolutions outstanding for completion of action, and the SOA for the 10 July 2024 Council Meeting Resolutions.

MOTION:

Council to note the Status of Action Report for Council resolutions documented on this list.

Moved: CR DAVID POLLARD

Seconded: CR BRONWYN SIMPSON

**CARRIED.
(R077/24)**

Attachments: 1 Status of Action on past Council Meeting Resolutions

KEY POINTS/ISSUES

The Local Government Act 2020 (The Act) Section 9 (2) (i) provides that the transparency of Council decisions, actions and information is to be ensured.

In accordance with the Council's Governance Rules adopted August 2022, Council decisions are to be made and actions taken in accordance with the relevant law.

The transparency of Council decisions, actions and information is to be ensured and is a fundamental principle of democratic governance.

Attached to this report for public information is a list of the SOA of Council Resolutions outstanding for completion of action and introducing the SOA for the 10 July 2024 Council Meeting Resolutions.

7.5 PLANNING APPLICATIONS RECEIVED - MONTHLY UPDATE

Author's Title: Planning Officer

Department: Community Development

File No: LP/09/01

PURPOSE

This report provides information on planning applications under consideration and the status of each of these applications.

MOTION:

That Council note the information contained in the report on planning applications under consideration and the status of each of these applications.

MOVED: CR GRAEME MILNE

SECONDED: CR DAVID POLLARD

CARRIED.

(R078/24)

Attachments: Nil

LIST OF PLANNING APPLICATIONS

Application No	Address	Date Rec	Summary of Proposal	Status
PA23026	Horace Street, Sea Lake	06/09/2023	Construct and display internally illuminated business identification sign (LED priceboard)	Review
PA24011	McLoughlans Road, Warmur	12/04/2024	Use and development of land for a dwelling in the Farming Zone within the setback to a proposed wind energy facility	Report to Council
PA24012	Aitken Avenue, Donald	19/04/2024	Building and works to construct and display a sign	Notice of Application
PA24016	Church Road, Jeffcott	20/05/2024	Use and development of land for a dwelling and associated outbuilding	Permit Issued
PA24017	Sunraysia Highway, Donald	28/05/2024	Works for the construction of a new site entrance, internal driveways and weigh bridge, and to create an access to a road in a Transport 2 Zone	Review

Application No	Address	Date Rec	Summary of Proposal	Status
PA24018	Charlton-St Arnaud Road, Charlton	25/05/2024	Building and works to demolish an existing building and construct a new warehouse and minor modifications to existing warehouse	Review
PA24019	Goddard Road, Teddywaddy West	11/05/2024	Two lot subdivision of land (rural dwelling excision)	Report to Council
PA24020	Sea Lake-Swan Hill Road, Sea Lake	14/06/2024	Building and works to construct and display a double-sided, non-illuminated, major promotion sign	Review
PA24021	Calder Highway, Sea Lake	25/06/2024	Building and works to construct and display a double-sided, non-illuminated, major promotion sign	Review
VS24006	Industry Drive, Donald	23/05/2024	Building and works for the construction of two buildings (two 10m wide x 13.5m L x 5.47m H sheds) and associated works	Request for further information
VS24009	Elston Road, Wycheproof	24/07/2024	Construction of a building (12m x 9m garage) within a setback to a waterway	New
VS24010	Peel Street, Charlton	24/07/2024	Construction of a building (3.5m x 8.3m shed) in a Heritage Overlay	New

The information published in the list provided, is in accordance with the *Privacy and Data Protection Act 2014* and the *Planning and Environment Act 1987*.

7.6 BUILDING PERMITS - MONTHLY UPDATE

Author's Title: Statutory Administration Support

Department: Community Development

File No: DB14/01

EXECUTIVE SUMMARY

This report provides information on Building Permits approved by staff from 1 July 2024 to 31 July 2024.

MOTION:

That the Council note information contained in the report on Building Permits approved by staff from 1 July 2024 to 31 July 2024.

MOVED: CR DARYL WARREN

SECONDED: CR GRAEME MILNE

CARRIED.
(R079/24)

Attachments: Nil

LIST OF BUILDING PERMITS APPROVED BY COUNCIL SURVEYOR

Council Ref No.	Address	Project Description	Date Approved
20240008	Gunyah Flat Charlton VIC 3525	Single car carport and a shed.	17/07/2024
20240009	Best STREET Sea Lake VIC 3533	Park Shelter	17/07/2024
20240015	Watchupga East ROAD Willangie VIC 3485	Construction of a swimming pool or spa	29/07/2024

LIST OF PRIVATE BUILDING PERMITS REVIEWED BY COUNCIL SURVEYOR

Council Ref No.	Address	Project Description	Date Approved
PBLD24053	Walsh ROAD Litchfield VIC 3480	Farm Shed	05/07/2024
PBLD24044	High Street Wycheproof VIC 3527	Alterations & Additions to Existing Dwelling & Construction of Garage, Shed, Swimming Pool & Associated Safety Barriers	10/07/2024
PBLD24040	Watchem-Corack Road CORACK VIC 3480	Hay Shed	11/07/2024
PBLD24048	Racecourse Road Donald VIC 3480	Farm Machinery Storage Shed	16/07/2024
PBLD23095	Curtis Road Springfield (Sea Lake) Victoria 3544	Extension to Existing Dwelling	17/07/2024
PBLD24054	Railway AVENUE Sea Lake VIC 3533	Construction of Multiple Dwellings Development (Cabins 1 & 2)	17/07/2024
PBLD24055	Morton Plains West ROAD Warmur VIC 3482	Farm Shed	17/07/2024
PBLD24052	Waitchie Road Tyrrell Downs Vic 3533	Construction of Shed	23/07/2024

8. GENERAL BUSINESS

8.1 POLICY REPORTS

Nil

The meeting was adjourned by the Mayor to enable Councillors attending by electronic means to resolve technical issues.

Council adjourned from the Council Chamber at 7.22pm.

Council resumed in the Council Chamber at 7.29pm.

8.2 MANAGEMENT REPORTS

8.2.1 PLANNING PERMIT APPLICATION PA24011 - USE AND DEVELOPMENT OF LAND FOR A DWELLING - MCLOUGHLANS ROAD, WARMUR

Author's Title: Senior Planning Officer

Department: Community Development

File No: LP/09/01

Relevance to Council Plan 2021 - 2025

Strategic Objective: Our Built and Natural Environment

PURPOSE

The purpose of this report is for Council to consider this planning permit application and as the Responsible Authority, resolve to issue a Notice of Decision to Grant a Permit or issue a Notice of Refusal.

SUMMARY

A planning permit has been received by Council on the 3rd April 2024 for the use and development of land for a dwelling in the Farming Zone within the setback to a proposed wind energy facility *for* which an action has been taken under section 8(1), 8(2), 8(3) or 8(4) of the *Environment Effects Act 1978*. The address for the application is McLoughlans Road, Warmur (Lot 1 TP674588). The proposal is to locate a two-bedroom, transportable unit in the south-west corner of Lot 1 TP674588, 100 metres from the southern boundary and 170 metres from the western boundary. Access to the dwelling is available from McLoughlans Road.

The application has come to Council as the Responsible Authority for a decision as there are unresolved objections to the application.

RECOMMENDATION:

That Council issue a Notice of Refusal to Grant a Permit in relation to Planning Application No. PA24011 in respect of the land known and described as McLoughlans Road, Warmur (Lot 1 TP674588), for the use and development of land for a dwelling in accordance with the plans, with the application dated 3 April 2024, on the following grounds:

1. The proposal does not provide for orderly planning.
2. The proposal does not meet the net community benefit consideration.

LAPSED

MOTION:

That Council, having caused notice of Planning Application No. 24011 to be given under Section 52 of the Planning and Environment Act 1987 and having considered all the matters required under Section 60 of the Planning and Environment Act 1987 decides to issue a Notice of Decision to Grant a Permit under the provisions of 35.07-1 and 35.07-4 of the Buloke Planning Scheme in respect of the land known and described as McLoughlans Road, Warmur (Lot 1 TP674588), for the use and development of land for a dwelling in accordance with the endorsed plans, with the application dated 3rd April 2024, subject to the following conditions:

Conditions:**Endorsed Plans**

1. The use and development as shown on the endorsed plans must not be altered without the written consent of the responsible authority.

Amenity

2. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:
 - a. Transport of materials, goods or commodities to or from the land
 - b. Appearance of any building, works or materials
 - c. Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil
 - d. Presence of verminto the satisfaction of the responsible authority.
3. The use and development of the land must not interfere with surrounding existing uses, including agriculture.
4. External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the responsible authority.

Services

1. Prior to occupation of the dwelling, access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
2. The dwelling must be connected to a reticulated electricity supply or have an alternative energy source to the satisfaction of the responsible authority.
3. The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for firefighting purposes to the satisfaction of the responsible authority.
4. The dwelling must be connected to reticulated sewerage, if available. If reticulated sewerage is not available, all wastewater from the dwelling must be treated and retained within the lot in accordance with the requirements of the Environment Protection Regulations under the Environment Protection Act 2017 for an on-site wastewater management system.
5. The septic and waste water system/s must be approved by the responsible authority prior to the commencement of building and works.

Drainage

1. All stormwater runoff from the proposed development hereby permitted must be disposed of to the satisfaction of the responsible authority.
2. No polluted and/or sediment laden run-off is to be discharged directly or indirectly into the responsible authority's drains or watercourses.

Commencement

1. This permit will operate from the issued date of this permit.

Permit Expiry

This permit as it relates to use and development will expire if one of the following circumstances applies:

- a. The development is not started within 2 years of the issued date of this permit.
- b. The development is not completed within 4 years of the issued date of this permit.
- c. The use does not start within 2 years of completion of the development.

In accordance with Section 69 of the Planning and Environment Act 1987, the responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or within six months afterward.

Permit Notes

It is your responsibility to ensure all other authorisations are obtained prior to any works commencing. This may include Building, Engineering and Local Laws Permits. You are also required to abide by any State and Federal Legislation in relation to your approved proposal.

MOVED: CR DAVID POLLARD

SECONDED: CR CAROLYN STEWART

**CARRIED.
(R080/24)**

Attachments:

- 1 Site Plan
- 2 Elevation Drawings
- 3 Proposed Wind Energy Facility Mapping

DISCUSSION

A planning permit has been received by Council on the 3rd April 2024 for the use and development of land for a dwelling in the Farming Zone within the setback to a proposed wind energy facility for which an action has been taken under section 8(1), 8(2), 8(3) or 8(4) of the Environment Effects Act 1978.

The address for the application is McLoughlans Road, Warmur (Lot 1 TP674588). The proposal is to locate a two-bedroom, transportable unit in the south-west corner of Lot 1 TP674588, 100 metres from the southern boundary and 170 metres from the western boundary. Access to the dwelling is available from McLoughlans Road.

The allotment has an area of 129 hectares and is currently utilised as dryland farming and grazing land. The site of the proposed dwelling has been used for a dwelling in the past. Scattered native vegetation is present at the site. The subject allotment adjoins an allotment in the same ownership to the east. The allotment is adjoined by dryland farming and grazing land on the north, west and east boundaries. The southern boundary adjoins the sealed Warracknabeal-Birchip Road, a road within the principal road network and is zoned TRZ2 – Principal Road network. The land further to the south over the Warracknabeal-Birchip Road is farming and grazing land.

The subject land is zoned Farming Zone (FZ), and a portion of land on the eastern boundary is subject to the Vegetation Protection Overlay (VPO). The site for the proposed dwelling is unaffected by the VPO.

Assessment**Farming Zone**

The purpose of the Farming Zone is:

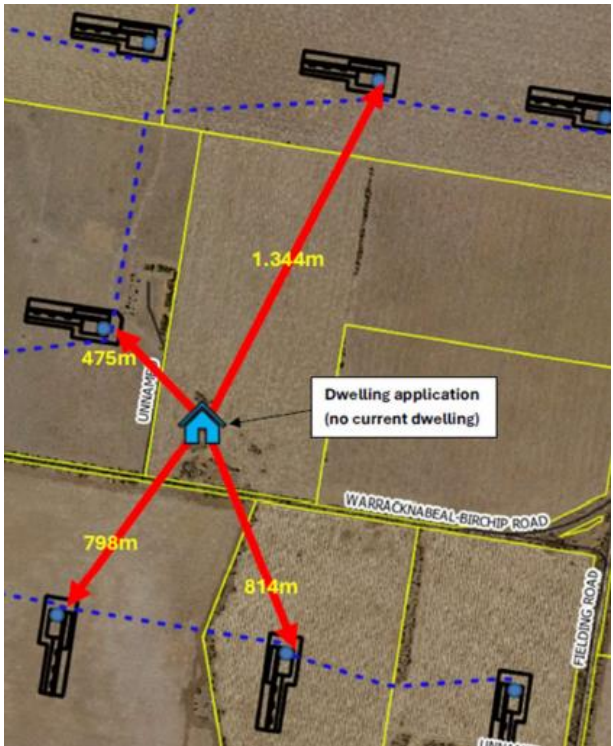
- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To provide for the use of land for agriculture.
- To encourage the retention of productive agricultural land.
- To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.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

In accordance with Clause 35.07-1 Table of Uses, a permit is required to use land for a dwelling within 1 kilometre from the nearest title boundary of land subject to a proposed wind energy facility for which an action has been taken under section 8(1), 8(2), 8(3) or 8(4) of the Environment Effects Act 1978.

“Dwelling” is a Section 1 use – Permit not required, providing the criteria in the table of uses are met. In this case, the criteria have not been met, therefore it becomes a Section 2 use – Permit required.

In accordance with Clause 35.07-4, a permit is required to construct a building or carry out works associated with a use in Section 2 of Clause 35.07-1.

Decision Guidelines – Farming Zone	Comments
The Municipal Planning Strategy and the Planning Policy Framework.	<i>These have been considered, please see discussion below.</i>
The capability of the land to accommodate the proposed use or development, including the disposal of effluent.	<i>The land has the capacity to accommodate a dwelling and the allotment is large enough to accommodate the disposal of effluent.</i>
How the use or development relates to sustainable land management.	<i>The proposed use and development will not have a significant impact on sustainable land management. The proposed site is within scattered trees, no native vegetation is proposed to be removed.</i>
Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.	<i>The proposed dwelling is compatible with adjoining agricultural uses, the site incorporates buffer zones sufficient to mitigate the impacts of agricultural operations. The dwelling has the potential to be incompatible with the proposed wind energy facility.</i>
How the use and development makes use of existing infrastructure and services.	<i>The proposed use and development has access to a sealed road.</i>
Whether the use or development will support and enhance agricultural production.	<i>The proposed dwelling will have no significant impact on agricultural production.</i>
Whether the use or development will adversely affect soil quality or permanently remove land from agricultural production.	<i>The proposed dwelling will not adversely affect the quality of agricultural land. The proposed dwelling is to be located within scattered trees and this land is not being used for crop production. A minor amount of grazing opportunity may be lost.</i>
The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.	<i>The proposed dwelling will not limit the operation and expansion of adjoining and nearby agricultural uses.</i>
Whether the dwelling will result in the loss or fragmentation of productive agricultural land.	<i>The proposed dwelling will not result in the loss or fragmentation of productive agricultural land.</i>
Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.	<i>The siting of the proposed dwelling incorporates buffer zones sufficient to mitigate the impact of agricultural operations</i>
Whether the dwelling will adversely affect the operation and expansion of adjoining	<i>The proposed dwelling will not adversely affect the operation and expansion of adjoining and nearby</i>

and nearby agricultural uses.	<i>agricultural uses.</i>
The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.	<i>The proposal has limited potential to lead to a concentration of dwellings in the immediate area.</i>
<p>The potential for accommodation to be adversely affected by noise and shadow flicker impacts if it is located within one kilometre from the nearest title boundary of land subject to:</p> <ul style="list-style-type: none"> • A permit for a wind energy facility; or • An application for a permit for a wind energy facility; or • An incorporated document approving a wind energy facility; or • A proposed wind energy facility for which an action has been taken under section 8(1), 8(2), 8(3) or 8(4) of the <i>Environment Effects Act 1978</i>. 	<p><i>The proposed dwelling is likely to be adversely affected by noise and shadow flicker impacts. The proposed location of the dwelling is within 1 kilometre of the boundary of the proposed wind farm (north, south and west). The nearest proposed turbine is potentially 475 metres to the northwest of the proposed site. Two turbines are proposed to be located approximately 800 metres to the southwest and southeast. Further turbines are proposed approximately 1300 metre to the north.</i></p>  <p><i>(Source: West Wind Energy)</i></p>
The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality.	<i>The proposed dwelling will not have a significant negative impact on soil and water quality.</i>
The impact of the use or development on the flora and fauna on the site and its surrounds.	<i>The proposed dwelling will not have a significant negative impact on the flora and fauna on the site.</i>
The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.	<i>The site is of sufficient area to be able to minimise the impact of nutrient loads on waterways and native vegetation. No waterways are in the immediate area.</i>
The need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses and to minimise the loss of	<i>The proposed dwelling is intended to be sited so as to avoid any adverse impacts on surrounding agricultural uses and to minimise the loss of</i>

productive agricultural land.	<i>productive agricultural land.</i>
<p>The need to locate and design buildings used for accommodation to avoid or reduce noise and shadow flicker impacts from the operation of a wind energy facility if it is located within one kilometre from the nearest title boundary of land subject to:</p> <ul style="list-style-type: none"> • A permit for a wind energy facility; or • An application for a permit for a wind energy facility; or • An incorporated document approving a wind energy facility; or • A proposed wind energy facility for which an action has been taken under section 8(1), 8(2), 8(3) or 8(4) of the Environment Effects Act 1978. 	<p><i>The proposed dwelling has been located with no regard to potential impacts from the operation of a wind energy facility. No measures have been proposed by the applicant to avoid or reduce noise and shadow flicker impacts from the operation of a wind energy facility.</i></p>

Particular Provisions

Clause 52.29 Land Adjacent to the Principal Road Network

The land adjoins a TRZ2 – a road in the principal road network. A planning permit is required to create or alter access to a Transport Zone 2. Planning permit PA23029 allows access to the TRZ2.

Policy

Municipal Planning Strategy

The following Municipal Planning Strategies have been considered as part of this application:

02 MUNICIPAL PLANNING STRATEGY
<p>02.03-1 Settlement and housing</p> <p>Council's strategic directions for settlement and housing include:</p> <ul style="list-style-type: none"> • Encouraging residential and economic development in the main townships that have reticulated infrastructure including Birchip, Charlton, Donald, Sea Lake and Wycheproof. • Responding and adapting to population decline. <p>02.03-3 Environmental risk and amenity</p> <p>Council's strategic directions for environmental risks and amenity include:</p> <ul style="list-style-type: none"> • Adapting to climate change and mitigating its risks. <p>02.03-4 Natural resource management</p> <p>Council's strategic directions for natural resource management include:</p> <ul style="list-style-type: none"> • Sustainably managing natural resources and agricultural land. • Protecting valuable agricultural land from inappropriate development. • Encouraging sustainable farming practices. • Supporting, promoting and facilitating sustainable, diverse and viable agriculture to provide for long-term economic, social and environmental health. <p>02.03-6 Economic development</p> <p>Council's strategic directions for economic development include:</p> <ul style="list-style-type: none"> • Encouraging and managing sustainable agriculture as the economic foundation of the

municipality.

- Encouraging economic development and activity that increases opportunities for the community.
- Encouraging renewable energy production to locate in the Shire.

Comments:

The proposed dwelling will not remove productive agricultural land, nor will it impact on nearby agricultural uses.

Council strategic policy supports the location of renewable energy facilities in the Shire. The proposed wind energy facility provides an alternate income stream to host landowners, however the extended community will also benefit.

Planning Policy Framework

11 SETTLEMENT

11.01 VICTORIA

11.01-1S Settlement

Strategy - Deliver prosperous and sustainable settlements by contributing to net zero greenhouse gas emissions through renewable energy infrastructure and energy.

Comments:

State policy supports the development of renewable energy generation and infrastructure, responding to the State's future energy needs.

13 ENVIRONMENTAL RISKS AND AMENITY

13.02 BUSHFIRE

13.02-1S Bushfire planning

Objective - To strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.

13.07 AMENITY, HUMAN HEALTH AND SAFETY

13.07-1S Land use compatibility

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

Strategies include: Ensuring that use or development of land is compatible with adjoining and nearby land uses

13.07-1L-01 Amenity protection – General

Objective - To encourage use and development without compromising residential amenity or agricultural land use.

Comments:

The use and development of land for a dwelling will not increase bushfire hazard. The site is not a particularly high-risk location. Bushland is relatively sparse, and the surrounding land has been cleared for agricultural use. The proposed dwelling is unlikely to impact surrounding agricultural land uses. However, the proposed dwelling is likely to be affected by amenity impacts resulting from the proposed wind energy facility.

14 NATURAL REOSURCE MANAGEMENT

14.01 AGRICULTURE**14.01-1S and 14.01-1L-01 Protection of agricultural land**

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

14.01-2S Sustainable agricultural land use

Objective - To encourage sustainable agricultural land use.

Strategies include: Supporting adaptation of the agricultural sector to respond to the potential risks arising from climate change and assisting genuine farming enterprises to embrace opportunities and adjust flexibly to market changes.

14.01-2L Sustainable agriculture and rural industry

Objective - To support the viability and diversification of agriculture and the processing of agricultural products grown within the municipality.

Strategies include: Encouraging and supporting innovative agriculture, agricultural diversification and sustainable farming practices, especially where they respond or adapt to the effects of climate change.

Comments:

The proposed dwelling will not permanently remove agricultural land from the state's agricultural base. However, it is state policy to limit new housing development in rural areas by directing housing growth into existing settlements. Furthermore, the dwelling is not required for the direct management of this allotment. It is local policy to discourage use and development in the Farming Zone that is sensitive to off-site effects such as sprays and odour.

The proposal is unlikely to affect the long-term sustainable use and management of the land. State policy encourages diversification and value-adding in the agricultural sector, supporting opportunities that promote flexibility to market changes, such as the proposed wind energy facility. Local policy encourages innovative agriculture, agricultural diversification and sustainable farming practices, especially where they respond or adapt to the effects of climate change.

15 BUILT ENVIRONMENT AND HERITAGE**15.01 BUILT ENVIRONMENT****15.01-6S Design for rural areas**

Objective - To ensure development respects valued areas of rural character.

Comments:

The siting, scale and appearance of the proposed dwelling is consistent with the rural character of the area. The proposal would not impede on any rural landscapes or significant natural scenery.

17 ECONOMIC DEVELOPMENT**17.01 EMPLOYMENT****17.01-1R Diversified economy – Loddon Mallee North**

Strategy - Support emerging and potential growth sectors such as nature-based tourism, mining and renewable energy generation and protect these activities from urban encroachment.

Comments:

The proposed wind energy facility will contribute to a diversified economy in Buloke.

19 INFRASTRUCTURE**19.01 ENERGY****19.01-1S Energy Supply**

Objective - To facilitate appropriate development of energy supply infrastructure.

Strategy - Facilitate energy infrastructure projects that help diversify local economies and improve sustainability and social outcomes and support the development of energy generation, storage,

transmission, and distribution infrastructure to transition to a low-carbon economy.

19.01-2S Renewable energy

Objective - To support the provision and use of renewable energy in a manner that ensures appropriate siting and design considerations are met.

Strategies:

- Consider the economic, social and environmental benefits to the broader community of renewable energy generation while also considering the need to minimise the effects of a proposal on the local community and environment.

19.01-2L Renewable energy in Buloke

Objective - To facilitate the development of a more sustainable, renewable energy industry.

Strategy - Encourage the upgrade of existing energy infrastructure to accommodate renewable energy projects.

Comments:

The proposed wind energy facility is consistent with policy in the Buloke Planning Scheme.

The decision guidelines of Clause 65

Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:

Decision Guidelines	Comments
Any significant effects the environment, including the contamination of land, may have on the use or development.	<i>The subject land is not likely to be contaminated and is not highlighted on the EPA Register. The environment will not have a significant effect on the proposed use and development.</i>
The Municipal Planning Strategy and the Planning Policy Framework.	<i>These have been considered, see previous.</i>
The purpose of the zone, overlay or other provision.	<i>The proposed dwelling is not inconsistent with the purpose of the zone.</i>
Any matter required to be considered in the zone, overlay or other provision.	<i>These have been addressed.</i>
The orderly planning of the area.	<i>The proposal is not considered orderly planning as no measures are proposed to mitigate the impact of the proposed wind energy facility on the proposed dwelling, and no measures are proposed to mitigate the effect of the proposed dwelling on the wind energy facility. A dwelling at that location is not essential for the successful operation of the existing farm enterprise.</i>
The effect on the environment, human health and amenity of the area.	<i>The proposed use and development is not likely to have a significant impact on the environment, human health or amenity of the area.</i>
The proximity of the land to any public land.	<i>There is no public land in close proximity.</i>
Factors likely to cause or contribute to land degradation, salinity or reduce water quality.	<i>The proposed use and development will not have a significant impact on land degradation or reduce water quality.</i>

Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.	<i>The use and development will not have an impact on stormwater exiting the site.</i>
The extent and character of native vegetation and the likelihood of its destruction.	<i>Not applicable – no vegetation is to be removed.</i>
Whether native vegetation is to be or can be protected, planted or allowed to regenerate.	<i>Not applicable – no vegetation is to be removed.</i>
The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.	<i>The proposed use and development will not significantly contribute to an increase in flood, erosion or fire hazard.</i>
The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.	<i>The allotment is of sufficient area to facilitate the loading and unloading of vehicles.</i>
The impact the use or development will have on the current and future development and operation of the transport system.	<i>The dwelling will not generate a large number of traffic movements. Most traffic movement will be passenger vehicles.</i>

Key Issues

- In accordance with Clause 1.0 of the Schedule to Clause 35.07 Farming Zone, the minimum area for which no permit is required to use land for a dwelling is 40 hectares. The land is 129 hectares in area and therefore the use of land for a dwelling is an 'as of right' use, provided all criteria in 35.07-1 Table of uses - Section 1 – permit not required are met.
- On 11 December 2023 West Wind Energy sought the advice of the Minister for Planning as to whether an Environmental Effects Statement (EES) should be prepared under section 8(3) of the Environmental Effects Act 1978 for the Wilkur Energy Park.
- The request to seek advice of the Minister was an action taken under section 8(3) of the Environment Effects Act 1978 and, as such, various accommodation uses, including dwelling, located within one kilometre from the nearest title boundary of land subject to a proposed wind energy facility for which an action has been taken under section 8(1), 8(2), 8(3) or 8(4) of the *Environment Effects Act 1978* do not meet the criteria for a Section 1 use and therefore require a Planning Permit under clause 35.07-1 of the Farming Zone of the Buloke Planning Scheme.
- The proposal has the potential to impact on the proposed wind energy project and the applicant has not sought to mitigate any impacts the proposed dwelling may have on the wind energy project. The applicant has not sought to provide any measures to mitigate the impact the wind energy facility may have on the proposed dwelling. A dwelling at the proposed location is not essential for the successful operation of the existing farm enterprise.
- At Clause 71.02-3 - Integrated decision making – the Buloke Planning Scheme provides: Responsible Authorities should endeavour to integrate the range of planning policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations.

RELEVANT LAW

The application is being assessed in accordance with the *Planning and Environment Act 1987*.

RELATED COUNCIL DECISIONS

Planning permit PA23029 was issued on the 20 November 2023. The permit allows the creation of a new access to the principal road network.

OPTIONS

Council, as the Responsible Authority, could resolve to issue a Notice of Decision to Grant a Permit.

SUSTAINABILITY IMPLICATIONS

There are no significant sustainability implications. The establishment of a dwelling at this location may cause disruption to the development of the proposed wind energy facility. The site may not be a sustainable site for a dwelling due to the effects of the proposed wind energy facility.

COMMUNITY ENGAGEMENT

The application has been advertised pursuant to Section 52 of the *Planning and Environment Act 1987*, by:

- Sending notices to the owners and occupiers of adjoining land.

Council has received 4 objections to date. The key issues that were raised in the objections are:

- Negative impacts of the dwelling on surrounding agricultural land uses.
- Questionable intent behind application, as the Applicant is publicly opposed to the Wind Energy Facility. (*not a planning consideration*)
- Negatively impact potential future development of Wind Energy Facility which would provide benefit to the community, including employment opportunities, benefits to community organisations, financial benefit to Council, and benefit to the environment.
- Financial impact to host sites. (*not a planning consideration*)
- Proposal has no regard to the proximity of the proposed dwelling to the Wilkur Energy Park Project.
- The proposed dwelling has an unreasonable opportunity to be impacted by the Wind Energy Facility.
- The application makes no attempt to respond to the accommodation issues of decision guidelines of Clause 35.07-6 of the Farming Zone, in particular:

The potential for accommodation to be adversely affected by noise and shadow flicker impacts if it is located within one kilometre from the nearest title boundary of land subject to:

- A permit for a wind energy facility; or
- An application for a permit for a wind energy facility; or
- An incorporated document approving a wind energy facility; or
- A proposed wind energy facility for which an action has been taken under section 8(1), 8(2), 8(3) or 8(4) of the Environment Effects Act 1978.

- The application has no regard to the design and siting issues of the decision guidelines of Clause 35.07-6 of the Farming Zone, in particular:

The need to locate and design buildings used for accommodation to avoid or reduce noise and shadow flicker impacts from the operation of a wind energy facility if it is located within one kilometre from the nearest title boundary of land subject to:

- A permit for a wind energy facility; or
- An application for a permit for a wind energy facility; or
- An incorporated document approving a wind energy facility; or
- A proposed wind energy facility for which an action has been taken under section 8(1), 8(2), 8(3) or 8(4) of the Environment Effects Act 1978.

Consultation

Consultation was undertaken and included:

- Objections supplied to applicant to provide right of reply to objections.
- Applicant right of reply supplied to objectors.
- Objectors and applicant individually consulted.
- West Wind Energy offered to meet and discuss impact mitigation with applicant (e.g. review turbine locations, planting vegetation buffer)
- The applicant declined any communication with West Wind Energy, therefore it was decided that a mediation meeting would not be beneficial.

INNOVATION AND CONTINUOUS IMPROVEMENT

Not applicable.

COLLABORATION

External Referrals/Notices Required by the Planning Scheme:

Referrals/Notice	Advice/Response/Conditions
Section 55 Referrals	n/a
Section 52 notices	Notice sent to West Wind Energy

Internal Council Referrals	Advice/Response/Conditions
n/a	
n/a	

FINANCIAL VIABILITY

The subject matter of this report does not have significant budgetary implications or considerations.

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Policy has been discussed in the discussion section of this report.

COUNCIL PLANS AND POLICIES

Not applicable.

TRANSPARENCY OF COUNCIL DECISIONS

In order to promote transparency, Council will consider this resolution in on open meeting.

CONFLICTS OF INTEREST

No officer involved in the preparation of this report has a conflict of interest in the subject matter of this report.

8.2.2 PLANNING PERMIT APPLICATION PA24019 - TWO LOT SUBDIVISION (RURAL DWELLING EXCISION) AND THE CREATION OF AN EASEMENT - 332 GODDARD ROAD, TEDDYWADDY WEST

Author's Title: Senior Planning Officer

Department: Community Development

File No: LP/09/01

Relevance to Council Plan 2021 - 2025

Strategic Objective: Our Built and Natural Environment

PURPOSE

The purpose of this report is for Council to consider this planning permit application and as the Responsible Authority, resolve to Grant a Permit or issue a Notice of Refusal.

SUMMARY

A planning permit application has been received by Council on the 21st March 2024 for a two-lot subdivision of land (rural dwelling excision), and the creation of an easement. The address for the application is 332 Goddard Road, Teddywaddy West (CA 70 Parish of Teddywaddy).

The applicant proposes to carry out a two-lot subdivision to subdivide the existing dwelling from the farming and grazing land. Lot 1 will consist of 4.86 hectares in area and contain the dwelling and farm sheds, and native and exotic vegetation. Lot 2 will consist of 124.5 hectares and contain the farming and grazing land.

Lot 1 will retain the existing access from Goddard Road via the existing driveway.

Access to Lot 2 is via an existing gateway onto Goddard Road.

The applicant proposes to create an easement to protect the water supply piping from the GWM Water stock and domestic water supply to the proposed allotment.

The proposed lots will make use of existing infrastructure and utilities including electricity, roads and access. The application does not propose any new use or development.

The application has come to Council as the Responsible Authority for a decision as the proposed rural dwelling excision lot is in excess of two hectares to be considered as relevant in policy at Clause 14.01-1L-03 – Small lot subdivision.

MOTION:

That Council issue a Notice of Decision to Grant Planning Permit in relation to Planning Application No. PA24019 in respect of the land known and described as 332 Goddard Road, Teddywaddy West (CA 70 Parish of Teddywaddy), for the two lot subdivision (rural dwelling excision), and the creation of an easement in accordance with the endorsed plans, with the application dated 21 March 2024, subject to the following conditions:

Endorsed Plans

1. Prior to certification, an amended plan must be submitted to and approved by the responsible authority. When approved the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions. The plans must generally be

in accordance with the plans submitted with the application but amended to show:
a 4 metre distance between any new allotment boundary and any existing native vegetation. (A planning permit and native vegetation offsets must be obtained for any consequential loss of native vegetation that is within the 4 metre setback to the new allotment boundary.)

2. The subdivision as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.

Subdivision

3. All existing and proposed easements and sites for existing and required utility services and roads must be set aside in favour of the relevant authority for which the easement or site is to be created on the plan of subdivision submitted for certification under the Subdivision Act 1988.
4. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities and electricity services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.
5. The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.

Access

6. Access to and exit from the land must only be via existing crossings.

Referral Authority Conditions - GWMWater

7. The owner/applicant must enter into a Supply by Agreement with GWMWater for the supply of water to Lot 1.

Referral Authority Conditions - Powercor

8. The applicant shall ensure that existing and proposed buildings and electrical installations on the subject land are compliant with the Victorian Service and Installation Rules (VSIR).

Notes: Where electrical works are required to achieve VSIR compliance, a registered electrical contractor must be engaged to undertake such works

9. The applicant shall establish easements on the subdivision, for all existing Distributor electric lines where easements have not been otherwise provided on the land and for any new powerlines to service the lots or adjust the positioning existing easements.

Notes:

- Existing easements may need to be amended to meet the Distributor's requirements
- Easements required by the Distributor shall be specified on the subdivision and show the Purpose, Origin and the In Favour of party as follows:

Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited / In Favour Of
	Power Line		Section 88 - Electricity Industry Act 2000	Powercor Australia Ltd

Commencement

10. This permit will operate from the issued date of this permit.

Permit Expiry

This permit as it relates to development (subdivision) will expire if one of the following circumstances applies:

- a. The plan of subdivision has not been certified under the *Subdivision Act 1988* within 2

years of the issued date of this permit.

b. A statement of compliance is not issued within 5 years of the date of certification.

In accordance with Section 69 of the Planning and Environment Act 1987, an application may be submitted to the responsible authority for an extension of the periods referred to in this condition, if the request is made in writing before the permit expires, or within six months afterwards.\

MOVED: CR GRAEME MILNE

SECONDED: CR DAVID POLLARD

CARRIED.

(R081/24)

Attachments: 1 PA24019 Plan for proposed subdivision

DISCUSSION

Proposal

The applicant proposes to carry out a two-lot subdivision of land to subdivide the existing dwelling from the farming and grazing land. Lot 1 will consist of 4.86 hectares in area and contain the dwelling and farm sheds, and native and exotic vegetation. Lot 2 will consist of 124.5 hectares and contain the farming and grazing land.

Lot 1 will retain the existing access from Goddard Road via the existing driveway.

Access to Lot 2 is via an existing gateway onto Goddard Road.

The applicant proposes to create an easement to protect the water supply piping from the GWM Water stock and domestic water supply to the proposed allotment.

The proposed lots will make use of existing infrastructure and utilities including electricity, roads and access. The application does not propose any new use or development.

Subject Site and Locality

An inspection of the site and the surrounding area has been undertaken.

The site has a total area of 129.76 hectares and currently contains:

- Dwelling and farm sheds
- Scattered native trees
- Farming and grazing land

The main site/locality characteristics are:

- The surrounding area consists of farming and grazing land.
- There is a dwelling in separate ownership approximately 160 metres to the south and over Goddard Road (distance measured from nearest points of each of the proposed allotment and the existing dwelling allotment. The dwellings are approximately 580 metres apart).
- The subject land is 11 kilometres south of the township of Wycheproof and 18 kilometres northwest of Charlton.

Assessment

The land is zoned Farming Zone. The purpose of the farming zone is:

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

At Clause 35.07-3 a planning permit is required to subdivide land in the Farming Zone. Each lot must be at least 100 ha. A permit may be granted to create smaller lots if the subdivision is to create a lot for an existing dwelling. The subdivision must be a two-lot subdivision.

No planning overlays affect the land.

The land is not within an area of Aboriginal Cultural Heritage Sensitivity

Decision Guidelines - Farming Zone	Comments
The Municipal Planning Strategy and the Planning Policy Framework.	<i>These have been considered, please refer to details below.</i>
The capability of the land to accommodate the proposed use or development, including the disposal of effluent.	<i>No change of land use is proposed. The allotments are capable of accommodating the existing land uses. The subdivision will reflect the existing land uses.</i>
How the use or development relates to sustainable land management.	<i>The proposed subdivision will have no negative impact on sustainable land management as the subdivision reflects existing land management. The existing land management practices have been in place for an extended period and are considered sustainable.</i>
Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.	<i>The subdivision will not change any existing land use. There is potential for the allotment containing the dwelling and the allotment containing the farmland to change into separate ownership at some future point in time. It is considered that the proposed subdivision provides appropriate buffer distance so that the dwelling is not adversely affected by agricultural operations and that agricultural operations are not affected by the dwelling.</i>
How the use and development makes use of existing infrastructure and services.	<i>The existing dwelling utilises existing infrastructure and has access to a sealed road for access.</i>
Whether the use or development will support and enhance agricultural production.	<i>There will be no change to agricultural production.</i>

Whether the use or development will adversely affect soil quality or permanently remove land from agricultural production.	<i>No land use change is proposed that will adversely affect soil quality or permanently remove land from agricultural production.</i>
The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.	<i>No land use change is proposed that will limit the operation and expansion of adjoining and nearby agricultural uses.</i>
The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.	<i>The proposed two lot subdivision will not lead to further concentration or proliferation of dwellings.</i>
The impact of the use or development on the flora and fauna on the site and its surrounds.	<i>The subdivision will not negatively affect the flora and fauna, no physical changes to the environment are proposed</i>
The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.	<i>The dwelling has an existing septic system.</i>
The need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses and to minimise the loss of productive agricultural land.	<i>The proposed allotment containing the dwelling is adjacent to Goddard Road, minimising interference with agricultural land.</i>

Municipal Planning Strategy (MPS)

The following Municipal Planning Strategies have been considered as part of this application:

02 MUNICIPAL PLANNING STRATEGY
<p>02.03 STRATEGIC DIRECTIONS</p> <p>02.03-1 Settlement and housing</p> <p>Council's strategic directions for settlement and housing include:</p> <ul style="list-style-type: none"> • Responding and adapting to population decline. • Directing subdivision development to locations on the established road network. <p>02.03-2 Environmental and landscape values</p> <p>Council's strategic directions for environmental and landscape values include:</p> <ul style="list-style-type: none"> • Protecting biodiversity, native vegetation, habitat and natural landscape values. <p>02.03-3 Environmental Risks and amenity</p> <p>Council's strategic directions for environmental risks and amenity include:</p> <ul style="list-style-type: none"> • Minimising environmental risk including erosion, salinity, bushfire and floodplain management. <p>02.03-4 Natural resource management</p> <p>Council's strategic directions for natural resource management include:</p> <ul style="list-style-type: none"> • Sustainably managing natural resources and agricultural land. • Protecting valuable agricultural land from inappropriate development.
Comment:
<i>The proposed subdivision is consistent with Municipal Planning strategy. The proposed subdivision reflects existing land uses. The dwelling is removed from the farmland allowing an</i>

agricultural operator to farm the land without maintaining a separate land use. The subdivision provides the opportunity to utilise the existing dwelling separate from managing agricultural land. The farming land will not be fragmented and is maintained in a large agricultural allotment.

Planning Policy Framework (PPF)

The following Planning Policy Framework have been considered as part of this application:

13 ENVIRONMENTAL RISKS AND AMENITY

13.02 BUSHFIRE

13.02-1S Bushfire Planning

Objective

To strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.

Comments

No new land uses are being introduced that will alter or increase the bushfire risk.

13.07 AMENITY, HUMAN HEALTH AND SAFETY

13.07-1L-01 Amenity Protection – General

Objective

To encourage use and development without compromising residential amenity or agricultural land use.

Strategies include: Discouraging land use conflicts between agricultural uses and sensitive uses.

Comments:

There is no proposed change to existing land uses. The dwelling and farm land could potentially transfer to separate ownership; it is considered there are appropriate buffer distances to avoid compromising the dwelling's residential amenity or agricultural land use.

14 NATURAL RESOURCE MANAGEMENT

14.01 AGRICULTURE

14.01-1S, 14.01-1L-01 Protection of agricultural land

Objective

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

Strategies include:

When considering a proposal to subdivide agricultural land, consider the compatibility between the proposed or likely development and the existing use of the surrounding land.

14.01-1L-03 Small lot subdivision

This policy applies to applications for subdivision in the Farming Zone of less than 100 hectares where: Lots are created under the excisions provisions of the Farming Zone.

Strategies include:

- Discourage the excision of dwellings that have the potential to restrict agricultural production on adjacent land.
- Maintain an adequate distance within the excised lot around the dwelling to reasonably limit any likely impacts of adjacent agricultural activity.

- Discourage the excision of more than one house lot from a rural property.

Policy guidelines

Consider as relevant:

- Rural dwelling excisions to have a maximum size of 2 hectares.
- If dwelling is in a habitable condition and able to comply with the Building Code of Australia.
- The planting of vegetation within the excised lot to reduce any potential impacts.

Comments:

No productive agricultural land will be lost as a result of the proposed subdivision. The subdivision incorporates a buffer distance to the agricultural land so as to maintain compatibility with the agricultural use of the surrounding land. The proposed subdivision is consistent with Buloke Planning scheme policy – Small lot subdivision.

Relevant Particular Provisions

Clause 52.02 Easements, restrictions and reserves

A planning permit is required before a person proceeds to create, vary or remove an easement.

An easement is proposed to protect the water supply pipe that has been installed from Pinks Road at the north of proposed lot 2 running south- southwest to connect to the proposed Lot 1, containing the dwelling.

It is considered the easement will not significantly adversely affect agricultural operations. Agricultural operations have been successfully conducted over this water supply pipe for a number of years. The material used in water supply pipes has an extended useful life and access to the easement to carry out repairs and/or replacement would be infrequent.

The decision guidelines of Clause 65

Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:

Decision Guidelines	Comments
Any significant effects the environment, including the contamination of land, may have on the use or development.	<i>The subject land is not likely to be contaminated and is not highlighted on the EPA Register.</i>
The Municipal Planning Strategy and the Planning Policy Framework.	<i>These have been considered in more detail above.</i>
The purpose of the zone, overlay or other provision.	<i>The proposed subdivision is not inconsistent with the purpose of the zone. The proposal is consistent with small lot subdivision policy and complies with the requirements of Clause 52.02</i>
Any matter required to be considered in the zone, overlay or other provision.	<i>These have been addressed earlier in the Report.</i>

The orderly planning of the area.	<i>The proposal is considered to represent orderly planning as the subdivision reflects the existing land uses.</i>
The effect on the environment, human health and amenity of the area.	<i>The proposed subdivision is not likely to have an impact on the environment, human health or amenity of the area.</i>
The proximity of the land to any public land.	<i>There is no public land in the immediate locality. There is an uncategorised public land reserve 3km to the east. The proposal will have no impact on public land</i>
Factors likely to cause or contribute to land degradation, salinity or reduce water quality.	<i>The proposed subdivision will not have an impact on land degradation or reduce water quality. No changes to land use are proposed.</i>
Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.	<i>The proposed subdivision will not have an impact to existing stormwater discharge.</i>
The extent and character of native vegetation and the likelihood of its destruction.	<i>A new subdivision must take into account existing native vegetation that occurs within 4 metres of a shared property boundary to allow for any future construction of boundary fences. A planning permit condition will be included on the permit to locate the proposed allotment greater than 4 metres from existing native vegetation or offsets must be provided.</i>
Whether native vegetation is to be or can be protected, planted or allowed to regenerate.	<i>No native vegetation is proposed to be removed.</i>
The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.	<i>The proposed subdivision will not increase any hazard. No new land uses are proposed.</i>
The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.	<i>Both proposed allotments have adequate area for loading, unloading and the parking of vehicles.</i>
The impact the use or development will have on the current and future development and operation of the transport system.	<i>The proposed subdivision will have no impact on the operation of the transport system. No land use changes are proposed.</i>

Before deciding on an application to subdivide land, the responsible authority must consider, as appropriate:

Decision Guidelines	Comments
The suitability of the land for subdivision.	<i>The subject land is suitable for this subdivision.</i>
The existing use and possible future development of the land and nearby land.	<i>The proposed subdivision of land will not have an impact on existing land uses. The proposal allows for the continued agricultural production of the balance of land.</i>
The availability of subdivided land in the locality, and the need for the creation of further lots.	<i>The land is zoned FZ and there is no requirement for availability of land, and no need to create new lots. The subdivision reflects</i>

	<i>current land use.</i>
The effect of development on the use or development of other land which has a common means of drainage.	<i>Not applicable – there is no development as part of this proposal.</i>
The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.	<i>The proposed subdivision of land takes into consideration the existing physical characteristics of the land. A vegetation buffer is included in the house lot.</i>
The density of the proposed development.	<i>Not applicable to this application.</i>
The area and dimensions of each lot in the subdivision.	<i>The area and dimensions of the proposed lots are suitable for the purposes of the land uses.</i>
The layout of roads having regard to their function and relationship to existing roads.	<i>The proposed subdivision will not have an impact on existing road conditions.</i>
The movement of pedestrians and vehicles throughout the subdivision and the ease of access to all lots.	<i>Not applicable to this application.</i>
The provision and location of reserves for public open space and other community facilities.	<i>Not applicable to this application.</i>
The staging of the subdivision.	<i>Not applicable to this application.</i>
The design and siting of buildings having regard to safety and the risk of spread of fire.	<i>Not applicable to this application.</i>
The provision of off-street parking.	<i>Not applicable to this application.</i>
The provision and location of common property.	<i>Not applicable to this application.</i>
The functions of any body corporate.	<i>Not applicable to this application.</i>
The availability and provision of utility services, including water, sewerage, drainage, electricity and gas.	<i>The land is connected to existing power and water services. The area is not sewered.</i>
If the land is not sewered and no provision has been made for the land to be sewered, the capacity of the land to treat and retain all sewage and sullage within the boundaries of each lot.	<i>The residential lot has an existing on-site wastewater system for management of effluent.</i>
Whether, in relation to subdivision plans, native vegetation can be protected through subdivision and siting of open space areas.	<i>The proposed allotment boundary will be located in excess of 4 metres from any native vegetation.</i>
The impact the development will have on the current and future development and operation of the transport system.	<i>Not applicable to this application.</i>

RELEVANT LAW

The application is being assessed in accordance with the *Planning and Environment Act 1987*.

RELATED COUNCIL DECISIONS

There is no previous planning permit history at the subject land.

OPTIONS

Council, as the Responsible Authority, could resolve to issue a Notice of Refusal to Grant a Permit

SUSTAINABILITY IMPLICATIONS

There are no significant sustainability implications.

COMMUNITY ENGAGEMENT

The application has been advertised pursuant to Section 52 of the *Planning and Environment Act 1987*, by:

- Sending two notices to the owners and occupiers of adjoining land.
- Placing a Notice in the locally circulating Newspapers

The notification has been carried out correctly.

Council has received no objections to date.

INNOVATION AND CONTINUOUS IMPROVEMENT

Not applicable.

COLLABORATION

External Referrals/Notices Required by the Planning Scheme:

Referrals/Notice	Advice/Response/Conditions
Section 55 Referrals	n/a
Section 52 notices	GWMWater – no objection subject to conditions Powercor Ltd – no objection subject to conditions

Internal Council Referrals	Advice/Response/Conditions
Assets and Infrastructure	No objection
n/a	n/a

FINANCIAL VIABILITY

The subject matter of this report does not have significant budgetary implications or considerations.

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Policy has been discussed in the discussion section of this report.

COUNCIL PLANS AND POLICIES

Not applicable.

TRANSPARENCY OF COUNCIL DECISIONS

In order to promote transparency, Council will consider this resolution in on open meeting.

CONFLICTS OF INTEREST

No officer involved in preparing this report has a conflict of interest in its subject matter.

8.2.3 LOCAL ROADS & COMMUNITY INFRASTRUCTURE PROGRAM PHASE 4

Author's Title: Acting Manager Assets

Department: Infrastructure and Delivery

File No: GS/03/02

Relevance to Council Plan 2021 - 2025

Strategic Objective: Our Built and Natural Environment

PURPOSE

This report is presented to Council to note the approval of the project list to be funded under the Federal Governments Local Roads and Community Infrastructure Phase 4.

SUMMARY

Officers are recommending that Council note the project list to be funded under the Federal Governments Local Roads and Community Infrastructure Phase 4.

MOTION:

That Council:

1. Note the Local Road and Community Infrastructure Program Phase 4 projects as attachment 1 to this report.
2. Delegate authority to the Chief Executive Officer to approve all variations to the Local Road and Community Infrastructure Program Phase 4 funding agreement.

MOVED: CR DARYL WARREN

SECONDED: CR BRONWYN SIMPSON

CARRIED.

(R082/24)

Attachments: 1 VIC - Buloke - P4 - Approved Work Schedule - 23 07 24

DISCUSSION

The Local Roads and Community Infrastructure (LRCI) Program supports all Australian councils to deliver priority local road and community infrastructure projects in their region, creating jobs and long-lasting benefits for communities.

The Australian Government is committed to working in partnership with local, state and territory governments to deliver services and build infrastructure that delivers benefits and supports jobs in local communities.

The Government has committed \$3.25 billion the LRCI Program over four phases. Every local government, in all 150 electorates across Australia, is allocated and able to nominate projects for LRCI Program funding.

From July 2023, LRCI Program funding recipients were allocated \$750 million in Phase 4 funding. Phase 4 funding allocations include an additional \$250 million targeted to improve rural, regional and outer urban roads. Projects funded under Phase 4 are expected to be completed by 30 June 2025.

Buloke Shire Council was allocated \$1,599,763 under Part A (local roads and community infrastructure projects) and \$922,779 under Part B (roads projects only) for eligible projects. Eligible Community Infrastructure Projects are projects that involve the construction, maintenance and/or improvements to council-owned assets (including natural assets) that are primarily for the direct use and benefit of the local community.

The objective of the LRCI Program is to maintain and create jobs through road infrastructure and construction activities in communities across Australia. The intended outcomes of the LRCI Program are to:

- deliver benefits to communities, such as improved road safety, accessibility and visual amenity; and
- create local short-term employment opportunities through funding construction projects.

Phase 4 guidelines included a 'use it or lose it' principle, if:

- an Eligible Funding Recipient has not applied for the full amount of their Phase 4 Nominal Funding Allocation in a draft Work Schedule by 30 June 2024; or
- savings related to Eligible Projects have not been reallocated under an Eligible Funding Recipient's Phase 4 Nominal Funding Allocation before 1 January 2025, then the Australian Government has the right to not pay the amount of the Phase 4 Nominal Funding Allocation not applied for or reallocated by the Eligible Funding Recipient.

Project construction can only begin once Project Nominations are approved by the Department. Projects are required to be physically completed by 30 June 2025.

Officers submitted the attached draft Work Schedule in line with projects included in the Annual Budget 2024/25 prior to 30 June 2024, the draft schedule was approved on 25 July 2024.

RELEVANT LAW

Not applicable.

RELATED COUNCIL DECISIONS

The Annual Budget 2024/25 includes a capital allocation for the following projects which included funding sources attributes to the LRCI grant; Rehabilitation and flood works, Watchem septic replacement and Playspace (Berri, Birchip, Charlton, Donald & Wycheproof). The amount nominated for the Playspace project has been adjusted to include the amount indicated as council cash in the budget, and increased by \$30,000 to allow for contingency. The Wooroonook septic replacement project has been included as there is yet to be a resolution to the insurance claim resulting from the October 2022 Floods, it has been included in LRCI as a contingency should the insurance claim be unsuccessful. The value of the individual septic replacements has been adjusted in the nomination based of the latest cost estimates however the combined amount is consistent with the approved budget.

The sections of road listed for rehabilitation will complement the works included in the recovery of the October 2022 flood event by completing sections between flood works that would otherwise not be funded.

The septic system works will allow for the installation of additional cabins to be installed at the lakes should council be successful in its application to the State Governments Regional Worker Accommodation Fund.

The funds for the Buloke Play Space Upgrades will allow for the full scope of improvements including lighting and shade to be delivered at 4 locations in the project funded through the State Governments Regional Infrastructure Fund, funding agreement signed on 22 June 2021. Gordon Park at Charlton will have some elements removed from scope and overall completion delayed due to reliance on the upcoming Flood Studies.

OPTIONS

Not Applicable.

SUSTAINABILITY IMPLICATIONS

The replacement of the existing septic systems at Watchem and Wooroonook lakes will increase the capacity of the system, reducing the risk of overflows and allow for additional cabins to be installed.

COMMUNITY ENGAGEMENT

The community was invited to provide feedback to the Annual Budget 2024/25. PAG groups have been established for all of the community infrastructure projects and they will be updated throughout planning and construction.

INNOVATION AND CONTINUOUS IMPROVEMENT

The sections of road nominated for rehabilitation will be constructed to current engineering standards.

COLLABORATION

Planning for the septic system replacement projects has included a CHMP process which has required collaboration with Traditional Owners, Dja Dja Wurrung Clans Aboriginal Corporation and Barengi Gadjin Land Council.

FINANCIAL VIABILITY

The LRCI Program Round 4 provides \$2,522,542 which will significantly benefit the local economy and assist Council in delivering key community and road infrastructure projects in the Buloke Shire.

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Not Applicable

COUNCIL PLANS AND POLICIES**1. Our Built and Natural Environment**

Long term aspiration:

- A collaborative approach to safe, well designed and well maintained local and arterial road network.
- Active outdoor spaces

Long term strategies:

- Enhance parks and public spaces so they are welcoming, safe and accessible to encourage active recreation and participation.
- Work with key stakeholders to provide a safe road network and keep the community well informed.

2. Our Community Wellbeing

Long term aspiration:

- A collaborative approach to safe, well designed and well maintained local and arterial road network.
- A wide range of activities and connection opportunities for children and young people.

Long term strategies:

- Create and support opportunities that encourage community wellbeing, social connections and inclusion and active and healthy lifestyles.

- Offer/actively support a range of non-sport activities, events and leisure opportunities for residents of all ages including children and young people.

TRANSPARENCY OF COUNCIL DECISIONS

This report should be considered in an open Council meeting.

CONFLICTS OF INTEREST

No officers involved in the preparation of this report have a Conflict of Interest to declare.

8.2.4 TOURISM BUSINESS INNOVATION GRANTS

Author's Title: Director Community Development

Department: Community Development

File No: ED/10/13

Relevance to Council Plan 2021 - 2025

Strategic Objective: Our Community Wellbeing

PURPOSE

To present to Council the recommended allocation of the Tourism Business Innovation Grant Program funding.

SUMMARY

The Tourism Business Innovation Grant Program was developed as a pilot project to maximise benefits from increased tourism, through the provision of seed funding to new and innovative tourism business ideas in Buloke.

Three applications were received for the Tourism Business Innovation Grant Program.

MOTION:

That Council allocates \$20,000 from the Tourism Business Innovation Grant Program to the Ray Neville Silo Art (Birchip Community Forum Inc) project.

MOVED: CR GRAEME MILNE

SECONDED: CR BRONWYN SIMPSON

CARRIED.

(R083/24)

Attachments: Nil

DISCUSSION

The Tourism Business Innovation Grant Program was developed as a pilot project to maximise benefits from increased tourism, through the provision of seed funding to new and innovative tourism business ideas in Buloke.

Businesses, individuals, and organisations were invited to apply for funding up to \$20,000 to establish a new business, idea or venture which:

- Aligned to key tourism strategies for Buloke Shire.
- Would increase visitation to the region.
- Value add to existing tourism products and experiences within Buloke Shire.
- Bring new target markets to our community.

Program Guidelines were developed to support projects and initiatives, prioritising applications which could demonstrate:

- Alignment with key strategies in the Interim Economic Development and Tourism Strategy 2023-2024:
 - Theme 1: COVID Recovery – “Positioning Buloke for Domestic Visitor Experiences”
 - Theme 4: Targeted industries investment – “Tourism Attractions and Responsive Town Businesses”, and “Enhance agribusiness diversification and value-adding”
- Alignment with priorities identified in the Silo Art Gap Analysis for Buloke:
 - Improved visitor servicing (improved and consistent offering, or innovative offerings)
 - Adding value to existing Silo Art Trail through innovative activation of current tourism product or development of new tourism product
- Increase visitor expenditure in Buloke by 2023-2024 through:
 - Attracting new target markets to the region, in line with Council’s tourism markets or
 - Extending overnight stay within the region

As per the Guidelines, each application was assessed by an Assessment Panel. The Panel of three assessors consisted of a Buloke Tourism Board member, a specialist Council officer and an independent tourism professional.

Applications were assessed against the following criteria:

1. Application meets all eligibility requirements outlined in under 'Eligibility'.
2. Demonstrable alignment with key strategies identified in the Buloke Shire Council Interim Economic Development and Tourism Strategy 2022-2023.
3. Demonstrable alignment with priorities identified in Silo Art Gap Analysis for Buloke.
4. Demonstrates ability to achieve increased visitor expenditure by 2023-24 through: attracting new target markets to the region, in line with Council's tourism target markets OR extending the overnight stay in region.
5. Sustainability: ability to demonstrate a sustainable business model which will be successful beyond the funding period of 12 months.
6. Originality and uniqueness of the idea in Buloke.
7. Ability to impact/benefit multiple towns in Buloke.

Three applications were received for the Tourism Business Innovation Grant Program:

Applicant	Project Overview	Average Score
Donald District Pastoral and Agricultural Society Inc	Total projected expenditure: \$20,000 Other grant income/contributions: \$Nil Grant amount requested: \$20,000 To offer free family entertainment at this year’s Donald Show.	15
Birchip Community Forum Inc	Total projected expenditure: \$200,000 Other grant income/contributions: \$32,000 Grant amount requested: \$30,000 To paint a mural on a cement silo in Birchip to honour the win of 15-year-old boy Ray Neville in the 1948 Melbourne Cup.	23
Gunyah Blooms	Total projected expenditure: \$20,000 Other grant income/contributions: \$Nil Grant amount requested: \$20,000 Establishing a flower farm to host ticketed you-pick	19

	events for the public to experience the farm and pick their own flowers to take home.	
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Based on the assessment scores, the Assessment Panel has recommended that the Council provide funding of \$20,000 for the Birchip Community Forum Inc silo art project.

Whilst acknowledging that silo art is not a new concept within Buloke Shire, the Panel felt that the location of the silo along the Sunraysia Highway will extend the current silo art trail to a different part of the shire. The ongoing sustainability of the project beyond the funding period of 12 months also strengthened the application.

The Panel has also requested that prior to awarding the funds, a more detail project plan is provided.

Council will continue to work with the Donald District Pastoral and Agricultural Society Inc and Gunyah Blooms to identify other internal and external funding options to support their projects.

RELEVANT LAW

Not applicable to this report.

RELATED COUNCIL DECISIONS

Not applicable to this report.

OPTIONS

Council has the option to not to allocate the funds as recommended by the Assessment Panel however, such amendments to the proposed funding recommendations may undermine the integrity and fairness of the assessment process.

SUSTAINABILITY IMPLICATIONS

Not applicable to this report.

COMMUNITY ENGAGEMENT

The program was advertised and promoted widely across the Buloke Shire community. Applicants were contacted by either a Council officer and/or an external consultant if their application required additional information or clarification.

INNOVATION AND CONTINUOUS IMPROVEMENT

Not applicable to this report.

COLLABORATION

Not applicable to this report.

FINANCIAL VIABILITY

The Business Innovation Pilot program has been funded externally by Department of Jobs, Precincts and Regions (DJPR) Tourism Infrastructure Program (Flagship Projects).

In 2021, Council received \$790,000 in funding under the Department of Jobs, Precincts and Regions (DJPR) Tourism Infrastructure Program (Flagship Projects) to deliver a four-part project including:

- Buloke accommodation for lakes inviting niche tourism,
- Night activation for Silo Art,
- A Street Art Festival, and a
- Business Innovation Pilot program.

As a result of receiving the funding from the Department of Jobs, Precincts and Regions (DJPR) Tourism Infrastructure Program (Flagship Projects), Council had the opportunity to administer a once-off grant program worth a total of \$60,000 to fund tourism business pilots in the Buloke Shire over two rounds.

As part of the Business Innovation Pilot program, Council has previously awarded funding as follows:

- Birchip Cropping Group \$30,000 June 2022, and
- Blue Duck Donald Distillery & Smokehouse \$15,000 October 2022.

At the Council Meeting held Wednesday, 12 October 2022, Council resolved as follows:

That Council

1. *Award \$15,000 to the Blue Duck Distillery in Donald, and*
2. *Retain the remaining \$15,000 in the fund to run a third round in 2023.*

Originally the pilot program was to be run over two rounds. However, with the under spend in round two, a third round was approved.

This report is presented to the Council in relation to funding under round three of the Business Innovation Pilot Program and recommends the Council authorise the payment of \$20,000 to the Ray Neville Silo Art (Birchip Community Forum Incorporated) project.

Initially intended to be funded externally, Council and Regional Development Victoria agreed that the external funds be used on another project, thus leaving the project underfunded. Any shortfall in funding will be covered by the Economic Development budget as this initiative aims to foster innovation and growth in the local tourism sector and is a commitment in the Economic Development Strategy. The project not completed within the Economic Development budget was the supply chain analysis.

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Not applicable to this report.

COUNCIL PLANS AND POLICIES

Buloke Shire Council Plan 2021-2025 and Long-Term Community Vision.
Community Grant Guidelines.
Community Engagement Policy.

TRANSPARENCY OF COUNCIL DECISIONS

Not applicable to this report.

CONFLICTS OF INTEREST

No staff member involved in the compilation of the report has a conflict of interest to declare.

All members of the Assessment Panel have no conflict of interest to disclose in relation to their recommendations or this report.

8.2.5 COMMUNITY GRANTS

Author's Title: Director Community Development

Department: Community Development

File No: GS/09/42

Relevance to Council Plan 2021 - 2025

Strategic Objective: Our Community Wellbeing

PURPOSE

The purpose of this report is to present the updated Community Support Policy to Council for adoption.

SUMMARY

Buloke Shire community groups and organisations benefit from Council support to develop and deliver a range of local events, activities, initiatives, programs and services.

The Community Support Policy provides transparency in what and who Council can support to enable community groups and organisations to achieve greater success.

The review of this policy was initiated by the appointed Municipal Monitor to address the recommendations of the Victorian Auditor-General's Office (VAGO) Fraud Control Over Local Government Grants report.

MOTION:

That Council adopts the updated Community Support Policy.

Moved: CR DAVID POLLARD

MOTION LAPSED.

Attachments: 1 Community Support Policy

DISCUSSION

Council provides support to the community in various ways and its Community Support Policy presents an overarching framework to determine the nature and level of support available.

A review was recently undertaken to ensure the policy addressed Recommendation 3 of the VAGO Fraud Controls Over Local Government Grants report (May 2022) – '*exclude Councillors from assessing and making recommendations on grant applications*' (Pg.7).

Amendments made to the policy (highlighted in the attached) include reference to the assessment of community support applications and requests being administered by Council officers using the Councillor approved criteria.

The recommended changes to the Community Support Policy, will also be applied to relevant Council documents (i.e. Community Grants Guidelines), to ensure consistency in program delivery, processes and messaging.

RELEVANT LAW

Not applicable to this report.

RELATED COUNCIL DECISIONS

Council adopted the previous Community Support Policy on 12 April 2023.

OPTIONS

Council has the option to not adopt the updated Community Support Policy.

SUSTAINABILITY IMPLICATIONS

Sustainability implications will be considered by Council officers when assessing fee waiver requests for planning permit applications as well as when assessing Sponsorship requests and Community and Sustainability Grant applications.

COMMUNITY ENGAGEMENT

A communication plan will be developed to inform the community of the updated Community Support Policy and to promote the 2024-25 Community Grants and Sustainability Grants Program, including Sponsorship.

Community information workshops will also be held to inform prospective applicants about the revised assessment processes.

INNOVATION AND CONTINUOUS IMPROVEMENT

The updated policy reflects Council's commitment to continuously review and improve its policies and processes to better support the events, activities, initiatives, programs and services developed and delivered by the community groups and organisations within Buloke Shire.

COLLABORATION

The review of this policy was initiated by the appointed Municipal Monitor and developed in consultation with the Community Development Directorate and Council's Executive Management Team.

FINANCIAL VIABILITY

In its Annual Budget 2024-25, Council allocated \$20,000 for the Community Grants Program and \$50,000 for the Sustainability Grants Program.

The financial impact of waving fees is also considered in the Annual Budget.

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Local Government Act 2020

COUNCIL PLANS AND POLICIES

Buloke Shire Council Annual Budget

Buloke Shire Council Community Grants Guidelines

Buloke Shire Long Term Community Vision and Council Plan 2021-2025

Buloke Shire Council Financial Plan

TRANSPARENCY OF COUNCIL DECISIONS

The updated Community Support Policy provides transparency in the types of support Council can provide.

CONFLICTS OF INTEREST

No officer involved in the preparation of this report has a conflict of interest.

8.3 FINANCIAL REPORTS

Nil

8.4 ORGANISATIONAL REPORTS

8.4.1 COUNCIL PLAN 2021-2025 - YEAR 3 ANNUAL PLAN REVIEW

Author's Title: Director Community Development

Department: Community Development

File No: CM/13/06

Relevance to Council Plan 2021 - 2025

Strategic Objective: Our Council and Community Leadership

PURPOSE

The purpose of this report is to provide Council a final update on the actions taken against the Council Plan 2021-2025 - Year 3 Annual Plan.

SUMMARY

Council at its 16 June 2021 Meeting adopted its Long-Term Community Vision and Council Plan 2021-2025 and subsequently developed an Annual Plan for the implementation of the strategic objectives in each subsequent financial year.

MOTION:

That Council note the progress made to deliver the strategic objectives noted in the Year 3 Annual Plan for the Buloke Council Plan 2021-2025 at Attachment 1 to this report.

MOVED: CR GRAEME MILNE

SECONDED: CR BRONWYN SIMPSON

**CARRIED.
(R084/24)**

Attachments: 1 Year 3 Annual Plan Quarterly Report June 2024

DISCUSSION

Council is required by the *Local Government Act 2020* to prepare a Council Plan containing the strategic objectives of Council, strategies for achieving those objectives, and indicators to monitor the achievement of those objectives.

The Council Plan 2021-2025 – Year 3 Annual Plan report provides an overview of Council's performance in delivering the year three actions that will contribute to the completion of the four-year strategic actions in the Council Plan 2021-25.

Overall, the Quarter 4 results indicate that delivery of the Council Plan 2021-2025 – Year 3 Annual Plan progressed well, with 29% (8 actions) Completed, and 50% (14 actions) Commenced and 21% (6 action) Delayed. Of the 21 actions commenced or delayed, these actions will be carried forward to be completed in the 2024/25 financial year and 3 actions were identified as multiyear actions.

Council receives progress reports against the Year 3 Annual Plan throughout the financial year.

The final report outlines delivery against the Annual Plan, and the overarching Council Plan 2021-2025.

The key actions completed include:

- VicHealth Local Government Partnership Project Year 3 delivered.
- Support community groups to purchase and implement solar initiatives through the Community Sustainability Grants Program and other external funding sources and programs.
- Road Services Internal Service Review
- Submit Gender Equality Action Plan Progress Report to the Commissioner for Gender Equality.
- Finalise and adopt the Buloke Shire Children, Youth & Families Strategy.
- Help facilitate transition of community members receiving Home and Independence Support Services to new providers under the Federal Government's Support at Home Program.
- Continue to advocate for the provision of viable childcare services for Buloke Shire and rural communities.
- Silo Art Night Activation installed.

The key actions carried forward to the 2024/25 financial year or are multiyear key actions include:

- Implement New Housing Rates Incentive Program.
- Revisit preparation of Buloke Drainage Plans and associated flood modelling in partnership with Catchment Management Authorities.
- Complete Streetscape upgrades in Donald and Sea Lake.
- Complete Construction of Playspaces for Berriwillock, Donald, and Wycheproof.
- Complete Key Heavy Road upgrade projects including Marlbed-Curyo Road and Jeffcott Road.
- Develop and adopt Buloke Shire Council Aquatic Strategy.
- Complete Birchip Recreation Reserve Masterplan.
- Complete Project Plan for Donald Recreation Reserve Masterplan ahead of Plan development in 2024/25.
- Complete Project Plan for Sea Lake Recreation Reserve Masterplan ahead of Plan development in 2024/25.
- Achievement of Land Use Activity Agreements for the Donald Playspace Project and Flood Initiatives.
- Undertake Library Service Review and develop subsequent Library Service Plan.
- Work with communities to prepare Community Plans for localities to drive community connectedness and outcomes.
- Implement identified initiatives from the Interim Economic and Tourism Development Strategy.
- Review, update and adopt Council's Advocacy Strategy in line with Council's Long-Term Community Vision and Council Plan 2021-2025.

RELEVANT LAW

The Annual Plan forms part of the review of the Council Plan, required under the *Local Government Act 2020*.

RELATED COUNCIL DECISIONS

This item responds directly to the adoption of the Year 3 Annual Plan on 9 August 2023 and noting of progress against the plan on 8 November 2023, 14 February 2024, and 8 May 2024.

OPTIONS

Not applicable.

SUSTAINABILITY IMPLICATIONS

There are no sustainability implications.

COMMUNITY ENGAGEMENT

There was significant consultation undertaken in the development of the Council Plan 2021-2025, which is the basis of this document. Further actions have been developed through consultation with the community over the past two years. Many of the actions have a high level of community engagement.

INNOVATION AND CONTINUOUS IMPROVEMENT

Reporting on the delivery of strategic objectives ensures continuous improvement and accountability to the community.

COLLABORATION

Many actions achieved in the Annual Plan rely upon the collaboration of other Councils and key peak bodies, local stakeholder groups and the community.

FINANCIAL VIABILITY

The items listed in the Annual Plan have been factored into the Annual Budget, which is reported on regularly.

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Not applicable.

COUNCIL PLANS AND POLICIES

This report responds directly to the implementation of the Council Plan 2021-2025 and the adopted Annual Plan.

TRANSPARENCY OF COUNCIL DECISIONS

The adoption of regular reporting on the Annual Plan provides strong transparency to the community regarding the key focus areas of Council over the 2023/24 year and how Council is tracking against those actions.

CONFLICTS OF INTEREST

No staff member involved in the compilation of this report has a conflict of interest to declare.

8.4.2 COUNCIL PLAN 2021-2025 - YEAR 4 ANNUAL PLAN

Author's Title: Director Community Development

Department: Community Development

File No: GS/02/02

Relevance to Council Plan 2021 - 2025

Strategic Objective: Our Council and Community Leadership

PURPOSE

The purpose of this report is to adopt the Council Plan 2021-2025 - Year 4 Annual Plan, which outlines the delivery of the final year of the Buloke Shire Council Plan 2021-2025.

SUMMARY

Following the adoption of the Council Plan 2021-2015, each year Council develops an Annual Plan to report progress against the Council Plan.

MOTION:

That Council adopts the Council Plan 2021-2025 – Year 4 Annual Plan at Attachment 1 to this report.

MOVED: CR GRAEME MILNE

SECONDED: CR DAVID POLLARD

**CARRIED.
(R085/24)**

Attachments: 1 Year 4 Annual Plan

DISCUSSION

The Council Plan 2021-2025 – Year 4 Annual Plan is an important component of Council's strategic planning. It has been developed to note the strategic objectives of the Council Plan and demonstrates as well as documents the tasks, measures, and completion dates in order to deliver Council's strategic objectives.

Council is required by the *Local Government Act 2020* (the Act) to prepare a Council Plan containing the strategic objectives of Council, strategies for achieving those objectives, and indicators to monitor the achievement of those objectives.

The 2024-25 Council Plan Action Plan report provides an overview of Council's performance in delivering the year four actions that will contribute to the completion of the four-year strategic actions in the Council Plan 2021-25.

The Council Plan 2021-2025 – Year 4 Annual Plan highlights a range of key actions against the strategic objectives set out in the Council Plan 2021-2015.

The Council Plan 2021-2025 – Year 4 Annual Plan proposes 17 actions. Some of the key actions/projects included in the attached Council Plan 2021-2025 – Year 4 Annual Plan include:

- Develop and Adopt a Reconciliation Action Plan in collaboration with Registered Aboriginal Parties and Traditional Owners.
- Develop a Buloke events framework to enable local events to take place in a Covid normal environment.
- Work with the Victorian Electoral Commission, Victorian Local Governance Association, and the Municipal Association of Victoria to promote the 2024 Council election to raise awareness for potential Councillor candidates.
- Review the Revenue and Rating Plan in accordance with the *Local Government Act 2020* and present to Council for adoption by 30 June 2025.

RELEVANT LAW

Not applicable.

RELATED COUNCIL DECISIONS

This document relates directly to the adoption of the Buloke Shire Council Long-Term Community Vision and Council Plan 2021-2025 document adopted on 16 June 2021.

Subsequently, Council has adopted and reported against Annual Plan Year 1, Annual Plan Year 2, and Annual Plan Year 3.

OPTIONS

Not applicable.

SUSTAINABILITY IMPLICATIONS

Sustainability implications are addressed as part of the Council Plan 2021-2025 under the key strategic objective Our Built and Natural Environment.

There are items included in the Annual Plan relating directly and indirectly to Council's Climate Change Mitigation and Adaptation Strategy.

COMMUNITY ENGAGEMENT

Council undertook a significant community engagement program to devise the Long-Term Community Vision and Council Plan 2021-2025. The Annual Plan – Year 4 continues on from this document, outlining what is to be achieved in the final year of the Council Plan 2021-2025. Projects and programs delivered as part of the Annual Plan – Year 4 would be subject to Council's Community Engagement Policy.

INNOVATION AND CONTINUOUS IMPROVEMENT

The document outlines a range of initiatives and programs that build on the feedback from the community with indicators and completion dates to promote continuous improvement and will be reported on quarterly.

COLLABORATION

This document reflects the collaboration undertaken as part of the Long-Term Community Vision and Council Plan 2021-2025, in which Council collaborated with a range of stakeholders and regional and state bodies.

There are also projects outlined that will be collaborations with other organisations, Local Government Entities and State and Federal Government.

FINANCIAL VIABILITY

The costing of projects identified within the Annual Plan have budget allocations made in the Annual

Budget 2024/25 or will rely on grant funding as outlined.

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

There are a range of Regional, State and National Plans referenced throughout the Long-Term Community Vision and Council Plan 2021-2025 which informs this document. They are specifically named under the heading of "Current Strategies and Plans" following each key focus area.

The Provision of an Annual Plan is consistent with requirements under the *Local Government Act 2020*.

COUNCIL PLANS AND POLICIES

- Buloke Shire Council Long-Term Community Vision and Council Plan 2021-2025
- Climate Change Mitigation and Adaptation Strategy
- Gender Equality Action Plan
- Annual Budget 2024/25
- Financial Plan

TRANSPARENCY OF COUNCIL DECISIONS

This report comes on the back of the adoption of the Council Plan 2021-2025 to demonstrate the delivery of this plan over the fourth year and will be reported on quarterly.

CONFLICTS OF INTEREST

No staff member involved in the compilation of the report has a conflict of interest to declare.

8.4.3 2024 LOCAL GOVERNMENT COMMUNITY SATISFACTION SURVEY RESULTS

Author's Title: Director Community Development

Department: Community Development

File No: GS/02/01

Relevance to Council Plan 2021 - 2025

Strategic Objective: Our Council and Community Leadership

PURPOSE

To note the results of the 2024 Local Government Community Satisfaction Survey.

SUMMARY

The 2024 Local Government Community Satisfaction Survey Report is attached for Council to note.

The report is coordinated on behalf of all VictDCDorian councils by the Department Jobs Precincts and Regions.

MOTION:

That Council:

1. Notes the results of the 2024 Local Government Community Satisfaction Survey; and
2. Publishes the results of the survey to the community.
3. Write to the volunteer Committees to thank them for the efforts on Council's behalf.

MOVED: CR DAVID POLLARD

SECONDED: CR CAROLYN STEWART

CARRIED.

(R086/24)

Attachments: 1 2024 Community Satisfaction Survey

DISCUSSION

The 2024 Local Government Community Satisfaction Survey is held annually and coordinated by the Department of Government Services on behalf of Victorian councils.

The survey provides an insight into the community's views on:

- councils' overall performance, with benchmarking against State-wide and council group results
- value for money in services and infrastructure
- community consultation and engagement
- decisions made in the interest of the community
- customer service, local infrastructure, facilities, services and
- overall council direction.

Buloke Shire Council's overall performance rating, as well as ratings on most individual service areas, stabilised over the past 12 months after having experienced significant declines in the previous two

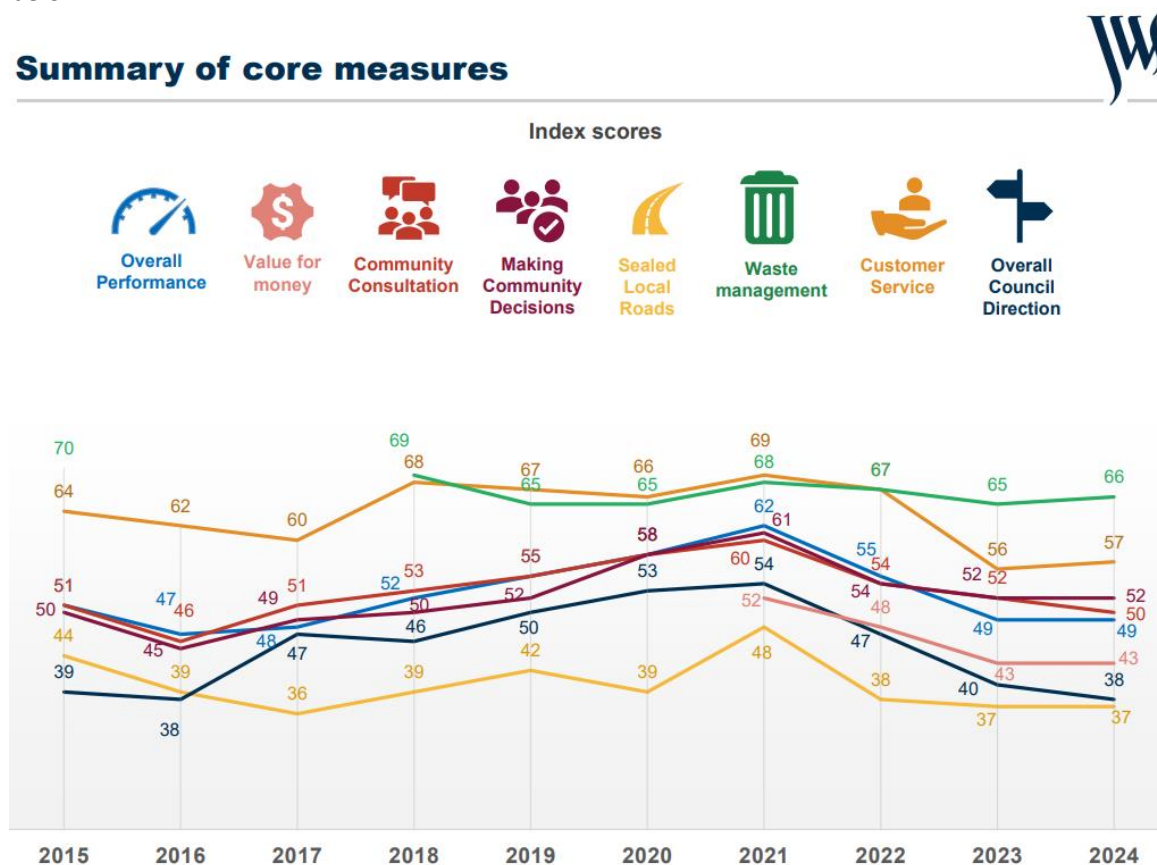
years. Recreational facilities is a notable exception; ratings increased significantly in this area from 2023, whereas ratings declined in the area of business and community development and tourism. Despite the stabilisation in ratings, one-third of residents feel overall the council direction deteriorated over the last 12 months.

The overall performance index score of 49 for Buloke is unchanged from the 2023 result, stemming significant declines experienced in each of the two years prior. This is in contrast to the Small Rural group and State-wide trend, where perceptions continue to decline. Council's overall performance remains lower than in 2021 when it peaked at 62 index points.

Council's overall performance is rated statistically significantly lower (at the 95% confidence interval) than the average ratings for councils in the Small Rural group and State-wide (index scores of 53 and 54 respectively).

Council's best performing areas were recreational facilities, waste management, appearance of public areas and emergency and disaster management. On the other hand, perceptions declined significantly in just one service area in 2024, business and community development and tourism. Council continues to rate lowest in the areas of the maintenance of unsealed roads (index score of 27) and sealed local roads (index score of 37).

A graphic representation of the summary of core measures, included in the survey report, is included below.



RELEVANT LAW

Not applicable.

RELATED COUNCIL DECISIONS

Not applicable.

OPTIONS

Not applicable.

SUSTAINABILITY IMPLICATIONS

Results of the survey may be used to inform decisions around sustainability.

COMMUNITY ENGAGEMENT

A telephone survey was conducted by JWS Research, who contacted random residents on behalf of Council, that were 18 years or above, residing in Buloke Shire. Council advertised the approaching survey in local newspaper advertisements, on radio spots and on social media in the weeks leading up to the survey which was conducted in February of this year.

The results of the survey will be communicated with the public.

INNOVATION AND CONTINUOUS IMPROVEMENT

In noting this report, Council may consider future actions against results of the survey.

Council also received a briefing from JWS Research to review and understand the data that the survey results revealed.

COLLABORATION

The Executive Management Team collaborated with the Department Jobs Precincts and Regions and JWS research in preparation of the survey.

FINANCIAL VIABILITY

The cost of conducting the survey was as per the budget allocation made in Council's Annual Budget 2023/24.

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Local Government Act 2020

COUNCIL PLANS AND POLICIES

Not applicable.

TRANSPARENCY OF COUNCIL DECISIONS

Participation in the State-wide Local Government Community Satisfaction Survey is optional.

Participating Councils have various choices as to the content of the questionnaire and the sample size to be surveyed, depending on their individual strategic, financial, and other considerations.

CONFLICTS OF INTEREST

No staff member involved in the compilation of the report has a conflict of interest to declare.

8.5 REPORTS FROM COUNCILLORS

CR BERNADETTE HOGAN – Mallee Ward

19 June 2024	Budget submissions – Birchip
	Councillor Briefing – Birchip
26 June	Additional Budget Meeting – Wycheproof (zoom)
3 July	Meeting with Minister D'Ambrosio (zoom)
	Municipal Monitor Briefing – Charlton
	Councillor Briefing – Charlton
9 July	Wyche Alive Meeting – Wycheproof
10 July	Council Meeting – Wycheproof
17 July	Councillor Briefing – Donald
5 August	Advance Sea Lake Meeting – Sea Lake
7 August	Councillor Briefing – Nullawil
9 August	Birchip Historical Society – meet with Secretary
14 August	Council Meeting – Apology

CR DARYL WARREN – Mount Jeffcott Ward

11 July 2024	Vic Track meeting Re Donald getting a W Class Tram
17 July	Councillor Briefing - Donald
7 August	Councillor Briefing - Nullawil
8 August	Workspace meeting Bendigo
14 August	Council meeting Wycheproof

CR ALAN GETLEY – Mallee Ward

Mayor's Month – August 2024

Weekly meetings with CEO Wayne O'Toole & Acting CEO Jenna Allen
 Monthly Briefings
 Council meeting
 Councillor Monitor meetings
 Transmission lines Executive Directors meeting
 Flow FM Interview General Shire issues
 Culgoa Morning Tea and Town walk around
 Culgoa Development Group AGM & Council Meeting
 WSMD Board Meeting
 WMD Special Board Meeting (Housing Project)
 RCV Annual Conference
 RCV Dinner
 Wimmera Mallee Mayors & CEO Meeting Horsham
 Charlton Lions Changeover Dinner
 Charlton College VCAL group presentation
 Wycheproof Library Inspection with LGV Capital Projects team
 Sea Lake Airstrip meeting
 Advance Sea Lake Meeting with Cr Hogan
 Basin Councils meeting Re Water buy backs
 Mineral Sands Meeting DECCA road map
 VNI West Procurement policy meeting

9. OTHER BUSINESS**9.1 NOTICES OF MOTION**

Nil

9.2 QUESTIONS FROM COUNCILLORS**9.2.1 YARRIAMBIACK COUNCIL LAND – GIFT TO MURTOA COMMUNITY – CR MILNE**

Cr Milne advised that Yarriambiack gifted to the Murtoa Community Council owned land for a Community Housing Project.

9.2.1 CORRESPONDENCE FROM LOCAL GOVERNMENT INSPECTORATE – CR WARREN

Cr Warren asked at what point of time the Council is going to be given a copy of that letter so that Council is totally aware of what the role of the Monitor includes or is this something that Council will have to seek under Freedom of Information? He informed Council that a number of weeks ago at a Briefing held in Donald the Mayor and the CEO indicated that there had been correspondence from the Local Government Inspectorate in regard to the appointment of a Monitor for the Buloke Shire and the letter was to clarify the other roles rather the ones that have been published in regard to the Monitor's appointment.

The question was taken on notice by the Acting Chief Executive Officer.

9.3 URGENT BUSINESS

Nil

9.4 ANY OTHER BUSINESS

9.5 MATTERS WHICH MAY EXCLUDE THE PUBLIC

MOTION:

That pursuant to section 66(1) and (2)(a) of the *Local Government Act 2020* the meeting be closed to the public to consider the following reports that are considered to contain confidential information on the grounds provided in section 3(1) of the *Local Government Act 2020* as indicated:

- | | | |
|-------|---|---|
| 9.5.1 | C124 2023/24 WYCHEPROOF WETLANDS
WATER INFRASTRUCTURE CONSTRUCTION | (g(ii)) private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage |
| 9.5.2 | C119 2023/24 BITUMINOUS SURFACING | (g(ii)) private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage |

MOVED: CR DARYL WARREN

SECONDED: CR DAVID POLLARD

CARRIED.

(R087/24)

MOTION:

That Council reopens the meeting to the public pursuant to section 66(1) and (2)(a) of the *Local Government Act 2020*.

MOVED: CR GRAEME MILNE

SECONDED: CR BRONWYN SIMPSON

CARRIED.

(R090/24)

10. MEETING CLOSE

Meeting closed at 8.44pm.