
COUNCIL MEETING AGENDA - 25 JULY 2023

Vision:

Indigo Shire - leading sustainable growth, community and cultural diversity, and climate action.

TO BE HELD: Tuesday, 25 July 2023 at 6.30pm

LOCATION: Council Chambers, 2 Kurrajong Way, Beechworth, and livestreamed on Council's website

ATTENDEES:	NAME	TITLE
	Cr Sophie Price	Mayor
	Cr Bernard Gaffney	Deputy Mayor
	Cr Peter Croucher	Councillor
	Cr Roberta Horne	Councillor
	Cr Diane Shephard	Councillor
	Cr Emmerick Teissl	Councillor
	Trevor Ierino	Chief Executive Officer
	Ian Ellett	Director Infrastructure Services
	Greg Pinkerton	Director Planning & Corporate Services
	Sally Rice	Director Community & Economic Development
	Annabel Harding	Governance Coordinator

Council meetings are live streamed and recorded. The voices and images of those participating in the meeting, and in the gallery, may be captured as part of this recording.

Acknowledgement of Country

Indigo Shire Council acknowledges the original custodians of these lands. The people of the rivers and the hills have walked these lands for thousands of years as well as today, and we pay respect to the elders of the past and present.

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1. **WELCOME**
2. **ACKNOWLEDGEMENT OF THE TRADITIONAL OWNERS OF THE LAND**
3. **APOLOGIES AND LEAVE OF ABSENCE**
4. **DECLARATION OF CONFLICT OF INTEREST**
5. **OPEN FORUM**

Responses given by Councillors and Council Staff during Open Forum are the opinion of the individual responders, and accurate at the time of response, to the best of their knowledge.

6. **COMMUNITY AND COUNCIL ACHIEVEMENTS**

2023 King's Birthday Honours

John Dermer OAM from Yackandandah has been invited to the meeting to be congratulated on receiving a Medal of the Order of Australia, in recognition for service to the creative arts.

7. **CONDOLENCES**
8. **CONFIRMATION OF MINUTES FROM PREVIOUS MEETING(S)**

RECOMMENDATION

That the Minutes of the Council Meeting held on 27 June 2023, as published on Council's website, be confirmed.

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9. BUSINESS ARISING FROM PREVIOUS MINUTES

Nil reports

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10. PETITIONS

Nil reports

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11. PLANNING & CORPORATE SERVICES

11.1 PLANNING PERMIT APPLICATION PP22-0008 - LOWER NINE MILE ROAD STANLEY

File No: 2023/510

James Turner - Manager Planning & Statutory Services Planning & Corporate Services

For Decision

RECOMMENDATION

That Council resolve to issue a notice of decision to refuse a planning permit for the proposal to use and develop the land for a dwelling in on lot 1 on Title Plan 962100R, Lower Nine Mile Road, Stanley, on the following grounds:

1. The proposal is not consistent with the following clauses of the Planning Policy Framework:
 - a. 02.03-1 Settlement
 - b. 02.03-2 Environmental risks and amenity
 - c. 02.03-4 Natural resource management
 - d. 11.01-1S Settlement
 - e. 11.01-1L-08 Stanley
 - f. 13.02-1S Bushfire planning
 - g. 13.02-1L Bushfire planning
 - h. 14.01-1S Protection of agricultural land
 - i. 16.01-3S Rural residential land
2. The proposal is not consistent with the purpose and decision guidelines of the Farming Zone.
3. The proposal is not consistent with the purpose and decision guidelines of the Bushfire Management Overlay.
4. The proposal is inconsistent with the decision guidelines of clause 65.01.

SUMMARY

Application No:	PP22-0008
Subject Land:	Lot 1 on Title Plan 962100R, Lower Nine Mile Road, Stanley. The lot does not have a street address.
Proposal:	Use and development of a dwelling in the Farming Zone. Buildings and works within prescribed setbacks in the Farming Zone. Buildings and works in association with accommodation in the Bushfire Management Overlay. Buildings and works in the Environmental Significance Overlay – Schedule 4.
Recommendation:	Refusal.

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BACKGROUND

Date application lodged: 13th January 2022

Purpose: Seek approval to use and/or develop the subject site for the purposes of a dwelling.

Subject site land area: 2020 sqm

Current use of subject site: Vacant

Site constraints: The land slopes moderately towards the south-east. The proximity to a waterway limits effluent disposal options.

One lot comprising the site is not currently in the ownership of the applicant:



The lot highlighted in yellow is listed as being last transferred in 1876. The applicant is attempting to obtain this land through adverse possession, but this process is only in its early stages.

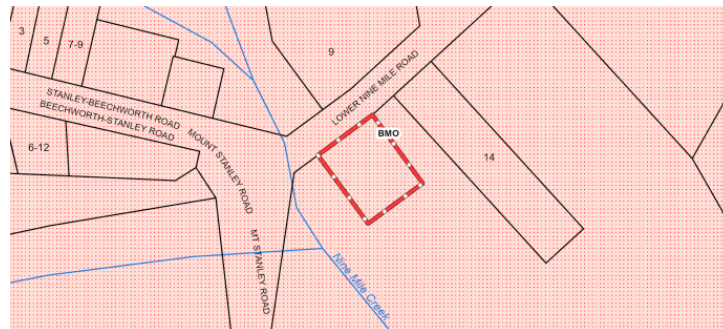
Surrounding land use: To the south and east, the land is public land maintained for conservation. To the west is the main part of the Stanley township. Land to the north is generally used for agriculture.

Zoning of surrounding land: Publicly owned land is zoned Public Resource and Conservation Zone. Private land is zoned Farming Zone.



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BUSHFIRE MANAGEMENT OVERLAY (BMO)



ENVIRONMENTAL SIGNIFICANCE OVERLAY (ESO)

ENVIRONMENTAL SIGNIFICANCE OVERLAY - SCHEDULE 4 (ESO4)



PROPOSAL

The proposal seeks planning permission to construct a single dwelling and associated works in the Farming Zone, Bushfire Management Overlay and Environmental Significance Overlay.

The proposed dwelling contains two bedrooms, one bathroom, and two living areas.

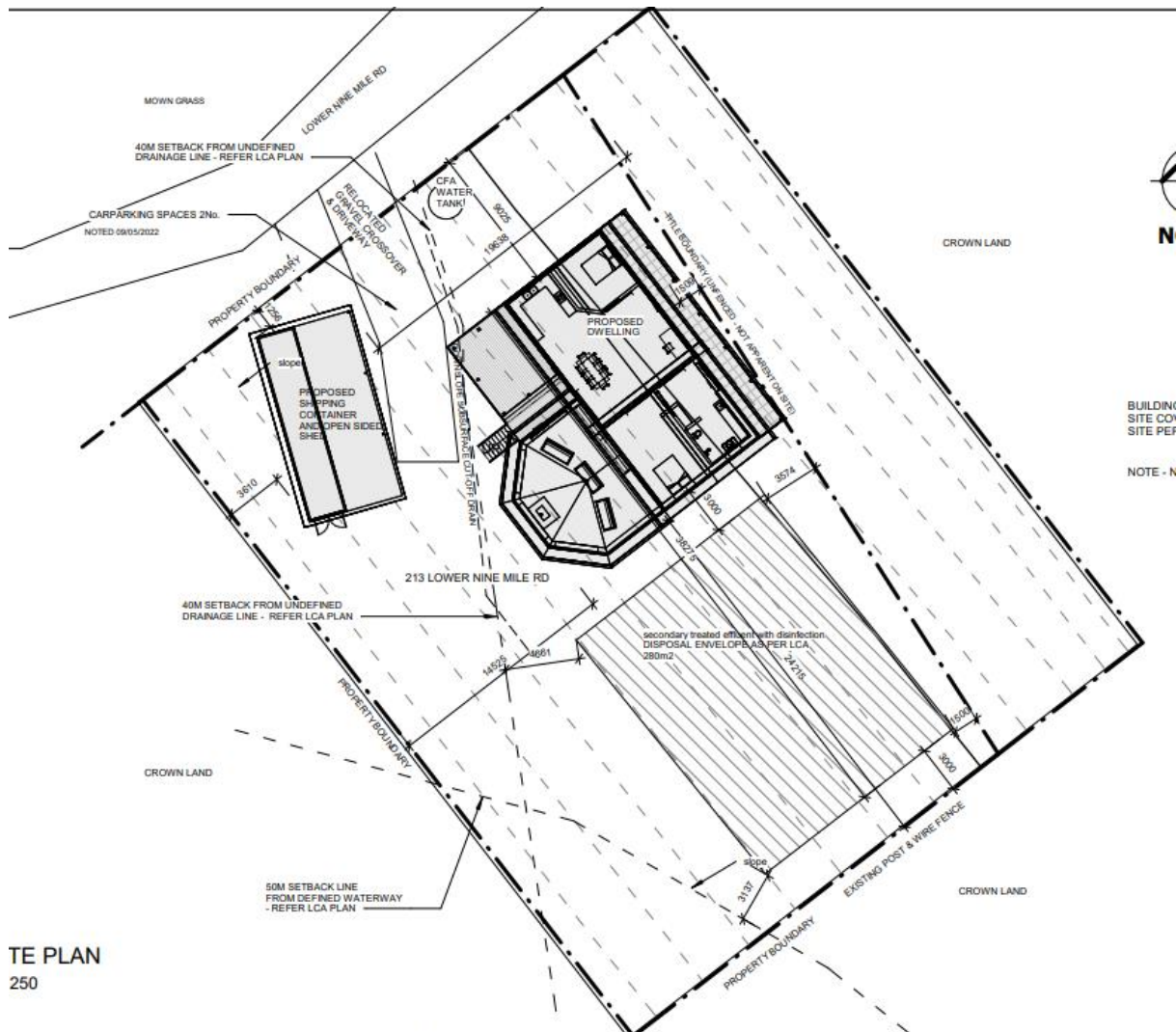


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The proposed dwelling is located near the road frontage of the lot, to allow for an appropriate effluent disposal field. An associated structure, a shed based around a shipping container, is also located near the front of the lot forward of the building line for the proposed dwelling.

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ZONING AND PLANNING CONTROLS

Zoning: Farming Zone
 Overlay/s: ESO4 (Stanley Township)
 Bushfire Management Overlay

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Permit Trigger:

Farming Zone

Pursuant to Clauses 35.07-1 Table of Uses and 35.07-4 Buildings and works, a planning permit is required for use of the land for a dwelling and buildings and works associated with a section 2 use.

The exact triggers are:

- Buildings and works associated with a section 2 use;
- Buildings and works within 20m of a road;
- Buildings and works within 5m of a boundary;
- Buildings and works within 100m of a dwelling not in the same ownership; and
- Buildings and works within 100m of a waterway.

Bushfire Management Overlay

Pursuant to clause 44.06-2, a planning permit is required for buildings and works associated with the use of the land for a dwelling.

Environmental Significance Overlay

Pursuant to clause 42.01-2, a planning permit is required to construct a building or construct and carry out works.

Planning and Environment Act 1987 - SECT 60

Section 60 of the Act provides that before deciding on an application, the responsible authority must consider:

- (a) the relevant planning scheme; and
- (b) the objectives of planning in Victoria (which include at Section 4(1)(b) to provide for the protection of natural and man-made resources...); and
- (c) all objections and other submissions which it has received and which have not been withdrawn; and
- (d) any decision and comments of a referral authority which it has received; and
- (e) any significant effects which the responsible authority considers the use or development may have on the environment or which the responsible authority considers the environment may have on the use or development.

Section (1A) of the Act provides that the responsible authority, if the circumstances appear to so require, may consider:

- (a) any significant social and economic effects of the use or development for which the application is made; and...
- (j) any other relevant matter.

PLANNING POLICY FRAMEWORK

The Planning Policy Framework seeks to ensure that the objectives of planning in Victoria are met and encouraged through land use and development. The following policies and clauses are deemed to be relevant to this proposal and have been taken into account in the assessment of this application:

02-03-1 Settlement

02-03-2 Environmental and landscape values

02-03-3 Environmental risks and amenity

02-03-4 Natural resource management

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02-03-5 Built environment and heritage

02-03-6 Housing

11.01-1S Settlement

11-01-1R Settlement – Hume

11.01-1L-08 Stanley

11.03-6S Regional and local places

12.03-1S River and riparian corridors, waterways, lakes, wetlands and billabongs

12.05-1S Environmentally sensitive areas

13.02-1S Bushfire planning

13.02-1L Bushfire Planning

14.01-1S Protection of agricultural land

14.02-1S Catchment planning and management

14.02-2S Water quality

14.02-2L-02 Effluent disposal and water quality

15.01-2S Building design

15.01-6S Design for rural areas

16.01-3S Rural residential development

16.01-3L-1 Rural building siting and design

19.03-3L Stormwater management

PARTICULAR PROVISIONS

53.02 – Bushfire Planning

GENERAL PROVISIONS

65 Decision Guidelines

Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause.

65.01 Approval of an application or plan

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

- The matters set out in section 60 of the Act
- Any significant effects the environment, including the contamination of land, may have on the use or development.
- The Municipal Planning Strategy and the Planning Policy Framework.
- The purpose of the zone, overlay or other provision.
- Any matter required to be considered in the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the environment, human health and amenity of the area.
- The proximity of the land to any public land.

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- Factors likely to cause or contribute to land degradation, salinity or reduce water quality.
- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.
- The extent and character of native vegetation and the likelihood of its destruction.
- Whether native vegetation is to be or can be protected, planted or allowed to regenerate.
- 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.
- The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.
- The impact the use or development will have on the current and future development and operation of the transport system.

REFERRAL AUTHORITIES

The application was referred to the following referral authorities in accordance with Section 55 of the Planning and Environment Act 1987 and/or advice was sought from the following:

- CFA;
- North East Water;
- North East Catchment Management Authority (NECMA); and
- Goulburn Murray Water

North East Water did not object, and proposed no conditions. NECMA and Goulburn Murray Water both did not object, subject to conditions.

The CFA initially indicated that they did not consent to the application in its current form. The applicant and the CFA engaged in negotiations, which resulted in an acceptable outcome to both parties. As a result, the CFA has consented, subject to conditions.

PUBLIC NOTICE

Notice of the application was given to adjoining owners and occupiers and other relevant persons in accordance with Section 52 (1) of the Planning and Environment Act 1987.

4 submissions were received in response.

Issues raised include:

- Compromise of downstream water quality, particularly for agriculture;
- Use of Farming Zone land for non-agricultural purpose;
- Sewerage, and in particular inaccuracies in the Land Capability Assessment;
- Bushfire risk; and
- Contrary to local planning policy.

These issues form part of the discussion below.

DISCUSSION

The proposal raises four primary topics of concern:

- Suitability of the proposed effluent disposal arrangements

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The subject site adjoins an unnamed creek to the west. A small buffer of native vegetation is on public land near the creek, however parts of the site are within 30m of the creek, and a large area is within 100m of the creek, both of which act as constraints to any effluent disposal arrangements.

A number of polices in the PPF address the protection of waterways, and the location of the site within the special water supply catchment of the water source for Yackandandah reinforces this importance.

The objections raise a number of concerns regarding the land capability assessment, and assert the assumptions used are inappropriate. The author of the assessment is suitably qualified, and Council is entitled to rely on the advice within. Council's environmental health team and Goulburn Murray Water are satisfied the proposal can deal with effluent, subject to conditions.

- Proposed bushfire arrangements

The applicant has submitted bushfire documents in line with the requirements of the BMO. These documents meet the technical requirements of the scheme and the CFA. The overall landscape risk from bushfire however remains unacceptable, and approval would be contrary to the requirement to prioritise human life above all other considerations.

This forms part of the recommended grounds of refusal.

- Appropriateness of development in the Farming Zone

The planning policy framework strongly discourages residential development in Farming Zones unless strictly necessary for agriculture. This particular site relies on an argument around size and unsuitability for agriculture to overcome these policy directions. The policies do not contain any exemptions regarding size, and it is an explicit aim to encourage the consolidation of small lots into larger agricultural enterprises.

While it is accepted the lot is too small to allow for an independent agricultural enterprise, there is no reason it could not be added to an existing enterprise. The land around Stanley has been identified as having high horticulture values, and adding more land to an existing orchard could increase the viability of an existing orchard.

The argument relating to the existing configuration of the area has been rejected by VCAT. VCAT has found that past mistakes in subdivisions are not a reason to permit a dwelling which should otherwise be refused.

The proposed dwelling is contrary to the relevant policy framework and the purpose of the zone, and this forms part of the grounds of refusal.

- Other issues

A number of minor issues also form part of the assessment, however these could be generally be dealt with by appropriate permit conditions. These include stormwater runoff, environmentally sustainable design issues, landscaping and revegetation of the land.

Various elements of the zone, overlay and planning policy framework highlight these issues, and some deficiencies in the proposal have been identified. These issues are not, on their own, sufficient to justify the refusal of a permit.

Council has investigated the status of the purported road crossing the subject site. In reviewing the parish plans, no government road was ever declared on the land. Old aerial imagery from the 1970s shows a driveway providing access to the church site, but does not show connections to any other land, or imply the existence of a road. The site does not appear on Council's road register, and does not appear to meet the common law test for dedication as a public highway. Council officers have concluded the road shown on various mapping systems is an error, and not reflective of the presence of a legal road.

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VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL

There are a number of cases in recent years that have some relevance to this particular application and in particular:

Mischkulnig v Moyne SC [2013] VCAT 2110

In this case the acceptability of a small lot development was considered. The member stated:

24. *The applicant submitted three propositions in support of the dwelling. Firstly, the area is one that contains many dwellings on lots smaller than 40 ha. In essence, the “horse has bolted” and the area’s proximity to Warrnambool makes it a rural lifestyle precinct that is a satellite “exurb” of that city. Secondly, notwithstanding the transition in the predominant land use in the area, a dwelling is required on this land to enable it to be farmed more intensively. Thirdly, Amendment VCA103 has loosened the nexus between a dwelling and agricultural activity and made the Rural Zone more flexible.*
25. *I am not persuaded by any of these propositions. I do not accept that the “horse has bolted” in this area and there has been a transformation of the predominant land use from agriculture to rural lifestyle. To do so would be tantamount to saying that agricultural activity has vacated this area and is unlikely to return, hence the best remaining land use is rural lifestyle. In fact, in my view, agricultural production remains the dominant land use in this area. Apart from the rural living precinct nearby, the number of dwellings are limited and they are generally subordinate to agriculture.*
26. *Secondly, policy confirms this to be an agricultural area. The planning authority has chosen to apply 40 hectares as the minimum lot size. This suggests that it views the preferred future of this area as comprising farming rather than smaller rural lifestyle lots. The area containing the review site is to continue to be a productive farming area. A dwelling on the land should be secondary to the agricultural activity, necessary only to support that activity rather than a reasonable development expectation. To accept the horse has bolted proposition and grant a permit is to ensure the transition of this area to rural lifestyle contrary to the policy framework.*

Estate of JE Walker v Wangaratta RCC [2021] VCAT 1257

This case highlights that all proposals in the Farming Zone need to have a direct link to agricultural uses. It also highlights that just because a permit can be granted in a zone, the proposal needs to show this link in order to be approved.

O’Brien v Wangaratta RC [2022] VCAT 1355

This case related to a development of a dwelling on a small lot in a Farming Zone, and in refusing the permit highlighted the following:

17. *I find that the general thrust of both state and local planning policy and the zone and overlays applying to this land require careful consideration of a dwelling in this area. The policy setting clearly does not support a dwelling on a small lot where unrelated to agriculture.*
18. *There was no farm management plan or land management plan proposed, although the applicant did indicate a willingness to make improvements to the land.*
19. *The proposed use would comprise a rural living lot that is at odds with outcomes sought for farming areas. While there are similar sized properties surrounding the review site that are used for rural lifestyle purposes, there are also some larger parcels such as the land to the immediate west of the review site. The location of dwellings in Greta West are somewhat scattered and I am not persuaded that there is a clear settlement character. The evidence of*

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Ms Bohn was that while this individual lot had limited agricultural capacity, it retains value for agriculture when combined with other land as at present.

20. *An additional dwelling on a small lot in this location will contribute to a concentration of dwellings on small lots that has negative implications for agriculture use of land due to potential amenity expectations and increased land values affecting ability to expand onto existing small lots.*

Bunyip Hollow v Wodonga CC [2018] VCAT 1715

In this case, Council determined to refuse a planning permit on grounds relating to flooding, despite the consent of the relevant referral authority.

53. *The applicant discounted the concern of Council relying on the lack of objection from the North East CMA. They also indicated that during flood events, access can be obtained via the Hume Freeway on-ramp which border the site on its southern boundary.*

...

56. *I agree with the above Tribunal commentary. Policy under Clause 13.03-1S – Floodplain Management and Clause 21.05-1 – Floodplains, both look to protect life and property from the impacts and effects of flooding. In this regard, I agree with Member Wilson’s comment in paragraph 40 that:*

It is my view that exposing additional persons to flood risk by allowing an additional dwelling where the only means of access to the property is subject to significant flood hazard is unacceptable and contrary to the Planning Scheme policies and provisions that seek to protect life and property from flood hazard.

57. *Flooding in this area is common and allowing additional persons to reside in a location which may become isolated during flood events represents a poor planning outcome.*

This case indicates that Council is required to make up its own mind on matters within the expertise of referral authorities, and this is relevant where the CFA has consented to the development despite Council remaining concerned by overall bushfire risk.

CONCLUSION

The proposal has not responded appropriately to the planning requirements of the site, and a notice of decision to refuse a planning permit should be issued on the following grounds:

1. The proposal is not consistent with the following clauses of the Planning Policy Framework:
 - a. 02.03-1 Settlement
 - b. 02.03-2 Environmental risks and amenity
 - c. 02.03-4 Natural resource management
 - d. 11.01-1S Settlement
 - e. 11.01-1L-08 Stanley
 - f. 13.02-1S Bushfire planning
 - g. 13.02-1L Bushfire planning
 - h. 14.01-1S Protection of agricultural land
 - i. 16.01-3S Rural residential land
2. The proposal is not consistent with the purpose and decision guidelines of the Farming Zone.
3. The proposal is not consistent with the purpose and decision guidelines of the Bushfire Management Overlay.

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4. The proposal is inconsistent with the decision guidelines of clause 65.01.

DECLARATION OF CONFLICT OF INTEREST

Under section 130(2) of the *Local Government Act 2020* and Governance Rule 24, the following officers declare that they have no interests to disclose in providing this report:

- Greg Pinkerton – Director Planning and Corporate Services
- James Turner - Manager Planning and Statutory Services
- Steven Hawkins - Coordinator Planning

CONFIDENTIAL ATTACHMENT

The following confidential attachment has been provided to Councillors under separate cover. Recent changes to Section 197A of the *Planning and Environment Act 1997* have clarified and tightened the way Councils are able to make certain planning documents available to the public. The Act provides that the confidential document listed below can only be made available for public inspection:

- at Council offices during business hours, or
- electronically via Council's website subject to strict public availability requirements, requiring significant editing of individual documents.

Council currently does not have the resources to provide the document online in line with the public availability requirements of the Act, and so is at this stage unable to publish it in the public agenda online.

Attachments

1. PP22-0008 - Application (Confidential)

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11.2 PLANNING PERMIT APPLICATION PP22-0311 - 354 MOODEMERE ROAD, NORONG

File No: 2023/511

James Turner - Manager Planning & Statutory Services Planning & Corporate Services

For Decision

RECOMMENDATION

That Council, having caused notice of Planning Application PP22-0311 to be given under Section 52 of the *Planning and Environment Act 1987*, and having considered all matters under Section 60 of the *Planning and Environment Act 1987*, determines to issue a Notice of Decision to Refuse to Grant a Planning Permit for Planning Permit Application PP22-0311, for the use of the land for a dwelling on Crown Allotment 7 Section D Parish of Norong, for the following reasons:

1. The proposal is inconsistent with the Planning Policy Framework in relation to agricultural land and rural development, specifically Clauses 11.01-1S, 14.01-1S, 14.01-1L-03, 14.01-2S and 16.01-3S, which aim to manage use and development in rural areas to protect and enhance agriculture and avoid inappropriate rural residential development. The application fails to demonstrate that the proposed dwelling is associated with and will support a viable agricultural activity. As a result, the proposal is an example of an inappropriate rural residential land use which does not lead to agricultural benefit.
2. The proposal is inconsistent with the Municipal Planning Strategy in relation to agricultural land, specifically Clause's 02.03-1, 02.03-4 and 02.03-6, which seeks to locate dwellings in appropriately zoned and serviced areas to avoid fragmentation of productive agricultural land and discourage rural dwellings for hobby farming and rural residential purposes in the Farming Zone. The proposal is for a dwelling that is more akin to a hobby farm rather than a viable agricultural undertaking.
3. The proposal is inconsistent with the purpose and decision guidelines of the Farming Zone, which seek to encourage the retention of productive agricultural land and to ensure that non-agricultural uses do not adversely affect the use of land for agriculture. Without sufficient evidence demonstrating the proposed dwelling is reasonably required to support a genuine and viable agricultural activity, the proposal will lead to a permanent loss of productive agricultural land, limit the operation and expansion of existing agricultural land uses within the surrounding area and lead to further concentration and proliferation of dwellings, contrary to the decision guidelines of the zone.

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SUMMARY

Application No:	PP22-0311
Applicant:	Leah Culhane
Subject Land:	354 Moodemere Road, Norong Crown Allotment 7, Section D Parish of Norong
Proposal:	Use of the land for a dwelling
Recommendation:	Refusal in accordance with the Recommendation above.

BACKGROUND

Date application lodged: 05 December 2022

Purpose: Use of land for a dwelling

Subject site land area: 8.089ha

Current use of subject site: Light grazing

Site constraints: The site is within close proximity of the Murray River and Lake Moodemere to the north east. Reticulated water and sewer services are not available. Native vegetation is located along the Moodemere road frontage. An aerial image of the site and surrounding area is provided below.



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Surrounding land use:	The surrounding area comprises a combination of agricultural activities and dwellings used both to support agricultural activities and for rural lifestyle purposes.
Zoning of surrounding land:	of Farming Zone, Public Conservation and Resource Zone applying to the Murray River and surrounds adjacent to the site to the north east.

PROPOSAL

ZONING AND PLANNING CONTROLS

This application seeks approval for the use of the subject land for the purpose of a dwelling. The application material states that the proposed dwelling is required for efficient site management and the establishment of a small scale cattle feedlot (no more than 100 head and six paddocks). No buildings and works are proposed as part of this application.

The application documents including the Farm Management Plan to support the proposed dwelling is contained within Attachment 1. An extract of site plan showing a building envelope is contained within Figure 1 below.

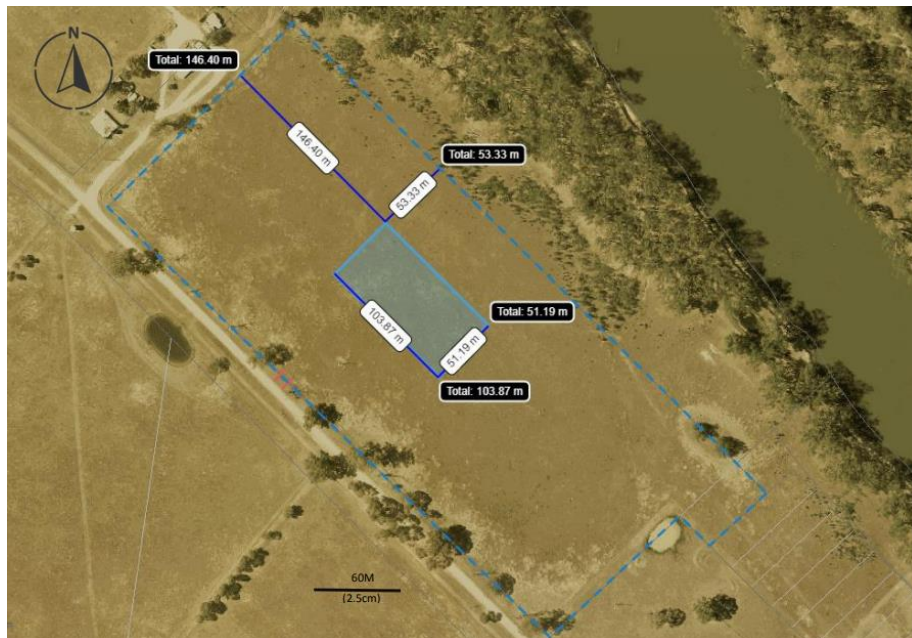


Figure 1: Proposed site plan. Source: Application documents

ZONING AND PLANNING CONTROLS

Zoning:	Clause 35.07 – Farming Zone
Overlay/s:	Clause 42.01 – Environmental Significance Overlay (Schedule 2)

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PERMIT TRIGGER:

- Clause 35.07-1 – A permit is required to use land for a dwelling, as the Section 1 condition is not met (land less than 40ha in area).

Planning and Environment Act 1987 - SECT 60

Section 60 of the Act provides that before deciding on an application, the responsible authority must consider:

- (a) the relevant planning scheme; and
- (b) the objectives of planning in Victoria (which include at Section 4(1)(b) to provide for the protection of natural and man-made resources...); and
- (c) all objections and other submissions which it has received and which have not been withdrawn; and
- (d) any decision and comments of a referral authority which it has received; and
- (e) any significant effects which the responsible authority considers the use or development may have on the environment or which the responsible authority considers the environment may have on the use or development.

Section (1A) of the Act provides that the responsible authority, if the circumstances appear to so require, may consider:

- (a) any significant social and economic effects of the use or development for which the application is made; and...
- (j) any other relevant matter.

MUNICIPAL PLANNING STRATEGY AND PLANNING POLICY FRAMEWORK

The Planning Policy Framework seeks to ensure that the objectives of planning in Victoria are met and encouraged through land use and development. As a result of Planning Scheme Amendment C78indi (gazetted 9 March 2023), the Planning Policy Framework captures all relevant policy at a Local (L) level, Regional (R) level and State (S) level.

The following policies and clauses are deemed to be relevant to this proposal and have been considered in the assessment of this application:

- Clause 02.03-1 – Settlement
- Clause 02.03-2 – Environmental and Landscape Values
- Clause 02.03-4 – Natural resource management
- Clause 02.03-6 – Housing
- Clause 11.01-1S – Settlement
- Clause 11.01-1R – Settlement – Hume
- Clause 12.03-1S - River and riparian corridors, waterways, lakes, wetlands and billabongs
- Clause 13.02-1S – Bushfire planning
- Clause 14.01-1S – Protection of agricultural land
- Clause 14.01-1L-03 – Land use in the Rural Zones
- Clause 14.01-2S – Sustainable agricultural land use

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- Clause 14.02-1S – Catchment Planning and Management
- Clause 14.02-2S – Water Quality
- Clause 14.02-2L-01 – Murray River, Lake Hume and Lake Moodemere
- Clause 14.02-2L-02 – Effluent Disposal and Water Quality
- Clause 16.01-3S – Rural residential development

PARTICULAR PROVISIONS

No relevant Particular Provisions are identified in relation to this application.

GENERAL PROVISIONS

65 Decision Guidelines

Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause.

65.01 Approval of an application or plan

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

- The matters set out in section 60 of the Act.
- Any significant effects the environment, including the contamination of land, may have on the use or development.
- The Municipal Planning Strategy and the Planning Policy Framework.
- The purpose of the zone, overlay or other provision.
- Any matter required to be considered in the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the environment, human health and amenity of the area.
- The proximity of the land to any public land.
- Factors likely to cause or contribute to land degradation, salinity or reduce water quality.
- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.
- The extent and character of native vegetation and the likelihood of its destruction.
- Whether native vegetation is to be or can be protected, planted or allowed to regenerate.
- 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.
- The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.
- The impact the use or development will have on the current and future development and operation of the transport system.

REFERRAL AUTHORITIES

Pursuant to Section 55 of the *Planning and Environment Act 1987* and Clause 66 of the Indigo Planning Scheme, no external referrals were required.

Advice was sought from the following agencies in accordance with Section 52 of the *Planning and Environment Act 1987*:

- Agriculture Victoria; and

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- North East Catchment Management Authority (NECMA).

Agriculture Victoria have assessed the Farm Management Plan provided to support the proposed dwelling and raise a number of concerns with the viability of the agricultural venture as well as the proposed dwelling as follows:

- *The application makes the statement that the; Operation of the feedlot will comply with the Victorian Code for Cattle Feedlots – August 1995, but does not address the code, the zone or the requirements of Clause 53.08 Cattle feedlot. Given the constraints of the site a cattle feedlot may not be an appropriate land use.*
- *Despite the statement above, the application states; Rotation of the paddocks will be dependent on pasture growth which suggests a Grazing animal production (GAP) system. Further statements include; An intensive small-scale feedlot operation, total number of cattle on the site at any time and will not exceed 100 head. This is intended to be split between a younger herd being raised to replace an older herd being grown out to approximately 300kg before being sold. This may suggest an Intensive animal production system but the application is lacking in any detail.*
- *If the application intends to operate as a Cattle feedlot, then it must comply with the Code, which involves submitting the relevant documentation to Council to prove compliance.*
- *The proposed stocking rate under GAP would be based on:*
 - *Given the local average annual rainfall of approx. 1025 mm, a carrying capacity of 31 DSE (Dry sheep equivalent) per ha could be expected as sustainable with good pasture and grazing management.*
 - *The area available for cattle grazing is estimated at 7.5 ha but would be further reduced allowing for:*
 - *Driveway access to the domestic building envelope and;*
 - *the land application area appearing outside the domestic building envelope.*
 - *The available area is estimated to be approximately 7.5 ha.*
 - *The total DSE for 7.5 ha equals 232.5 DSE.*
 - *An average mature cow would be estimated at 500 kg @ 50% total numbers = 50 cows @ 15.6 DSE = 780 DSE.*
 - *The grow out herd is noted at 300 kg @ 50% total numbers = 50 steers @ 8.8 DSE = 440 DSE*
 - *This would equate to a stocking rate 1,220 DSE, the capacity of the land is 232.5 DSE.*
 - *The proposed 100 head enterprise would not appear achievable or sustainable, and a more sustainable stocking rate based on a rotational grazing system would be considered 7 mature cows and 13 steers (as an example).*
- *The current agricultural use of grazing animal production will remain unchanged and could be carried out on the site without the need for a permanent onsite presence (dwelling).*
- *The use of the land for grazing animal production would not generally require a dwelling although regular supervision and management is required for animal health and welfare.*
- *Farm security can be maintained without the need for a dwelling on site. Locked gates and security camera systems are available to achieve security.*

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- *The proposal does not appear to effectively establish a domestic building envelope to minimise the domestic use impact on the land and, ensure maximising and maintaining the use of the land for agriculture.*
- *Without the establishment of a domestic building envelope there is a risk of further loss to available productive land over time.*
- *The approval of a dwelling would have the potential to set a precedent for further dwellings in the surrounding area given the pattern of small lots without dwellings which appear to be currently used for broad scale agriculture, and lead to a proliferation of dwellings in the Farming Zone.*
- *The approval of a dwelling on the currently vacant land would permanently remove the ability of the land to be incorporated into surrounding agricultural enterprises and has the potential to limit the operation and expansion of adjoining and nearby agricultural uses.*

The response also refers to a number of VCAT decisions, which are considered further in this report.

Agriculture Victoria concludes by stating:

Agriculture Victoria considers that the proposed use and development of a dwelling on the land does not meet the strategic objectives of the Indigo Planning Scheme, with particular reference to Clause 14.01-1S Protection of agricultural land and Clause 22.01-6 Rural Land Use Policy. The refusal of the application would appear supported by the VCAT cases cited above

Whilst NECMA have provided consent to the application, they have raised similar concerns with the viability of the supporting feedlot operation as follows:

While not objecting to the dwelling as proposed by the current application, the Authority notes that the application documents propose future establishment of a Cattle Feedlot on the property. Given the small size of the property and immediate proximity to the Murray River, the Authority considers it unlikely that feedlot development would be feasible or practical while demonstrating compliance with the Victorian Code for Cattle Feedlots and other planning requirements, including consideration of the Environmental Significant Overlay.

Internal referrals to the Infrastructure and Environmental Health Departments no concerns were raised from a wastewater, access and stormwater perspective in relation to a future dwelling.

See Attachment 2 for a full copy of referral responses.

PUBLIC NOTICE

Notice of the application was given to adjoining owners and occupiers and other relevant persons in accordance with Section 52 (1) of the Planning and Environment Act 1987.

No objections were received in relation to the application.

PLANNING ASSESSMENT

PLANNING POLICY

Clause 02.03-1 – Settlement

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Relevant Strategic Directions:

- *Direct the majority of population growth to townships serviced by reticulated infrastructure and good social infrastructure.*
- *Direct population growth to serviced and zoned land to make efficient use of infrastructure and land.*
- *Accommodate a diverse range of residential, lifestyle and tourism developments whilst protecting agriculture, rural landscapes, rural character, and environmental assets.*
- *Reduce the proportion of new housing development in rural areas.*

Clause 11.01-1S – Settlement

Objective:

- *To promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.*

Relevant Strategies:

- *Develop sustainable communities through a settlement framework offering convenient access to jobs, services, infrastructure and community facilities.*
- *Focus investment and growth in places of state significance in Metropolitan Melbourne and the major regional cities of Ballarat, Bendigo, Geelong, Horsham, Latrobe City, Mildura, Shepparton, Wangaratta, Warrnambool and Wodonga.*
- *Support sustainable development of the regional centres of Ararat, Bacchus Marsh, Bairnsdale, Benalla, Castlemaine, Colac, Echuca, Gisborne, Hamilton, Kyneton, Leongatha, Maryborough, Portland, Sale, Swan Hill, Warragul/Drouin and Wonthaggi.*
- *Create and reinforce settlement boundaries.*
- *Deliver networks of high-quality integrated settlements that have a strong identity and sense of place, are prosperous and are sustainable by:*
 - *Preserving and protecting features of rural land and natural resources and features to enhance their contribution to settlements and landscapes.*
- *Limit urban sprawl and direct growth into existing settlements.*

Comment:

Planning is to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure.

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The proposal is considered to be contrary to the provisions of Clause 11 in that:

- The land is not zoned or serviced for residential use.
- It will create an expectation that other lots below 40ha will be able to be developed with dwellings for rural-residential purposes.
- While an agricultural use is put forward within the Farm Management Plan submitted with the application, the document lacks detail. Particularly, an assessment against the *Victorian Code for Cattle Feedlots - August 1995* (herein referred to as the Code) was not provided to demonstrate that the site is capable of accommodating a small-scale feedlot. Concerns were raised by both Agriculture Victoria and NECMA in relation to the viability the feedlot based on the information within the Farm Management plan and whether it would comply with the Code given the proximity to the Murray River and surrounding environs. In the absence of a viable agricultural pursuit that requires a dwelling on this land, the proposal cannot be considered an appropriate use of Farming Zone land.

Clause 02.03-2 - Environmental and landscape values

The Murray River, Lake Hume, and Lake Moodemere are significant water, natural environment, and tourist resources. The development of land abutting these resources needs to be carefully managed. Key waterways include the Murray River, Kiewa River, Indigo Creek, Black Dog Creek and Yackandandah Creek.

Relevant Strategic Directions:

- *Protect and conserve environmentally sensitive areas.*
- *Protect the natural resources of soil, waterways and wetlands, remnant vegetation, threatened flora and fauna and landscapes.*
- *Protect and enhance the health of rivers and their catchments.*

Clause 12.03-1S - River and riparian corridors, waterways, lakes, wetlands and billabongs

Objective

- *To protect and enhance waterway systems including river and riparian corridors, waterways, lakes, wetlands and billabongs.*

Relevant Strategies:

- *Protect the environmental, cultural, landscape values of all waterway systems as significant economic, environmental and cultural assets.*

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- *Conserve waterway systems and the landscapes and environmental values surrounding them by protecting ecological values, indigenous vegetation, terrestrial and aquatic habitats and encouraging biodiversity.*
- *Sensitively design and site development to maintain and enhance the waterway system and the surrounding landscape setting, environmental assets, and ecological and hydrological systems.*

Comment:

The subject site abuts the Murray River and surrounding environs to the north east. As such, the impact of the proposal on river health and function is an important consideration. The application was referred to NECMA for comment in this regard. Whilst the authority raised no concerns with the proposed dwelling, it made mention that a cattle feed lot is unlikely to be feasible when demonstrating compliance with the Code given the relatively small size of the site and the proximity to the Murray River. Given that the cattle feed lot is required to justify the proposed dwelling, it cannot be said that the proposal will have an acceptable impact on the Murray River and surrounding environs.

Clause 02.03-4 – Natural Resource Management

Agricultural Land

Subdivision, new dwellings and other uses not associated with agriculture can undermine the viability of the rural sector through loss of productive agricultural land, use of infrastructure and water that could be used for agricultural production and inflate land values, create demand for community and physical infrastructure that more appropriately located in other suitably zoned areas.

Relevant Strategic Directions:

- *Protect agricultural land for primary production and discourage incompatible uses and development in rural areas.*
- *Encourage land use consistent with sustainable rural land management.*
- *Avoid the fragmentation of productive agricultural land to ensure the productive capacity of land is maintained and to prevent land use conflicts.*
- *Discourage rural subdivision and dwellings for hobby farming and rural residential purposes in the Farming Zone.*
- *Direct dwellings to the Rural Living Zone and the Rural Activity Zone in Rutherglen.*

Clause 14.01-1S – Protection of agricultural land

Objective:

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

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Relevant Strategies:

- *Identify areas of productive agricultural land, including land for primary production and intensive agriculture.*
- *Avoid permanent removal of productive agricultural land from the state's agricultural base without consideration of the economic importance of the land for the agricultural production and processing sectors.*
- *Protect productive farmland that is of strategic significance in the local or regional context.*
- *Protect productive agricultural land from unplanned loss due to permanent changes in land use.*
- *Prevent inappropriately dispersed urban activities in rural areas.*
- *Protect strategically important agricultural and primary production land from incompatible uses.*
- *Limit new housing development in rural areas by:*
 - *Directing housing growth into existing settlements.*
 - *Discouraging development of isolated small lots in the rural zones from use for dwellings or other incompatible uses.*
 - *Encouraging consolidation of existing isolated small lots in rural zones.*
- *In considering a proposal to use, subdivide or develop agricultural land, consider the:*
 - *Desirability and impacts of removing the land from primary production, given its agricultural productivity.*
 - *Impacts on the continuation of primary production on adjacent land, with particular regard to land values and the viability of infrastructure for such production.*
 - *Compatibility between the proposed or likely development and the existing use of the surrounding land.*
 - *The potential impacts of land use and development on the spread of plant and animal pests from areas of known infestation into agricultural areas.*
 - *Land capability.*

Comment:

Agricultural production is one of the most significant industries in the Indigo Shire (Clause 02.03-4), and as such productive agricultural land should be protected. It is recognised that productive agricultural land is under pressure from incompatible land uses such as dwellings used for hobby farming and rural residential purposes

In considering a proposal to use or develop agricultural land, the following factors listed above must be considered:

- *The desirability and impacts of removing the land from primary production, given its agricultural productivity:*

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While the proposal does not explicitly claim to remove the land from primary production, ultimately the use of this land for non-agricultural purposes will have this effect. As highlighted by Agriculture Victoria, *'The approval of a dwelling on the currently vacant land would permanently remove the ability of the land to be incorporated into surrounding agricultural enterprises and has the potential to limit the operation and expansion of adjoining and nearby agricultural uses'*. The proposal also has the potential to lead to the loss of the whole site from potential agricultural use and create an expectation that other similar lots in the area (of which there are multiple) could be similarly developed with dwellings.

- *The compatibility between the proposed or likely development and the existing uses of the surrounding land:*

A proliferation of non-agricultural land uses in this area would be incompatible with the existing agricultural land uses surrounding the subject land to the south west, and would limit the expansion of those same agricultural uses.

- *Assessment of the land capability:*

A land capability assessment has been provided in relation to the treatment and retention of wastewater, which has been assessed and supported by Councils Environmental Health Officer. As mentioned previously, the proponents have prepared a Farm Management Plan in support of a small-scale cattle feedlot to justify the proposed dwelling use. Concerns have been raised by Agriculture Victoria in relation to the viability of the cattle feedlot as outlined within the Farm Management Plan, as highlighted below:

- *The application makes the statement that the; Operation of the feedlot will comply with the Victorian Code for Cattle Feedlots – August 1995, but does not address the code, the zone or the requirements of Clause 53.08 Cattle feedlot. Given the constraints of the site a cattle feedlot may not be an appropriate land use.*
- *The proposed stocking rate under GAP would be based on:*
 - *Given the local average annual rainfall of approx. 1025 mm, a carrying capacity of 31 DSE (Dry sheep equivalent) per ha could be expected as sustainable with good pasture and grazing management.*
 - *The area available for cattle grazing is estimated at 7.5 ha but would be further reduced allowing for:*
 - *Driveway access to the domestic building envelope and;*
 - *the land application area appearing outside the domestic building envelope.*
 - *The available area is estimated to be approximately 7.5 ha.*
 - *The total DSE for 7.5 ha equals 232.5 DSE.*
 - *An average mature cow would be estimated at 500 kg @ 50% total numbers = 50 cows @ 15.6 DSE = 780 DSE.*
 - *The grow out herd is noted at 300 kg @ 50% total numbers = 50 steers @ 8.8 DSE = 440 DSE*
 - *This would equate to a stocking rate 1,220 DSE, the capacity of the land is 232.5 DSE.*

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- *The proposed 100 head enterprise would not appear achievable or sustainable, and a more sustainable stocking rate based on a rotational grazing system would be considered 7 mature cows and 13 steers (as an example).*

In the absence of documentation demonstrating that the proposed cattle feedlot meets the requirements of the Code and maintains being a viable agriculture venture, it cannot be argued that the site is capable of accommodating the proposed agricultural venture and as a result, there is no justification for the proposed dwelling use .

Based on the above, the application is at odds with the objective and strategies of this clause.

Clause 14.01-1L-03 – Land Use in the Rural Zones

Objective:

- *To ensure the use of land is in conjunction with agricultural production.*
- *To minimise conflict between land uses.*
- *To provide for the residential use of land only where associated with and required to support agriculture.*
- *To encourage consolidation of rural lots.*

Relevant Strategies:

- *Support the ongoing use of land for agriculture.*
- *Encourage sustainable agricultural industries which incorporate best management practice.*
- *Discourage the residential use of existing small lots.*

Comment:

As discussed above, while the proposal is put forward on the basis of an agricultural activity, it is considered that insufficient detail has been provided to demonstrate that the small-scale cattle feedlot would be a viable agricultural undertaking on this land. As such, it cannot be claimed that the proposed dwelling use is associated with and required to support agriculture which goes against the objectives and strategies of this Clause. Even if the agricultural venture was viable, questions as to the necessity of a dwelling to support the agricultural use were raised by Agriculture Victoria as follows:

- *The current agricultural use of grazing animal production will remain unchanged and could be carried out on the site without the need for a permanent onsite presence (dwelling).*
- *The use of the land for grazing animal production would not generally require a dwelling although regular supervision and management is required for animal health and welfare.*
- *Farm security can be maintained without the need for a dwelling on site. Locked gates and security camera systems are available to achieve security.*

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Policy seeks to discourage residential use of existing small lots and encourage consolidation of rural lots; of which this application does the opposite. Approval of a dwelling on this parcel will likely discourage rural consolidations and instead incentivise the disposal of small rural parcels from agricultural use into separate ownership and development.

Clause 14.01-2S – Sustainable Agricultural land use

Objective:

- *To encourage sustainable agricultural land use.*

Relevant Strategies:

- *Ensure agricultural and productive rural land use activities are managed to maintain the long-term sustainable use and management of existing natural resources.*
- *Support the development of innovative and sustainable approaches to agricultural and associated rural land use practices.*
- *Facilitate ongoing productivity and investment in high value agriculture.*
- *Facilitate the establishment and expansion of cattle feedlots, pig farms, poultry farms and other intensive animal industries in a manner consistent with orderly and proper planning and protection of the environment.*

Comment:

The proposal is considered contrary to the objective and strategies of this clause. The proposal will permit a non-agricultural use of the land at the expense of its agricultural and environmental values. As noted above, it is questionable whether the cattle feedlot put forward to justify the proposed dwelling is feasible given the requirements of the Code, the relatively small size of the subject site and the proximity to the Murray River and surrounding sensitive environs. Furthermore, the subject site is approximately 10km by road to Rutherglen, with insufficient justification provided as to why the agricultural activity could not be managed from residentially zoned land within the township.

The issue of achieving the outcomes demonstrated in the state agricultural policies has been discussed countless times at the Tribunal. A particular case to mention is *Bourke-Finn v Ballarat CC & Anor [2013] VCAT 908*, where Member Potts states:

“State planning policy supports these outcomes by seeking to:

- *Prevent inappropriate dispersal of urban activity by limiting new housing and encouraging consolidation of small lots in rural zones.*
- *Protect productive farmland of state or local strategic significance by preventing loss through permanent land use changes.*
- *Address the impact of a non-agricultural development in farming areas that conflict with the productive use of such land.*

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- *In short having regard to the first three of the above points, it can be seen that State policy seeks to avoid the use of agricultural/farming land from rural lifestyle living.”*

In the absence of information demonstrating that the proposed dwelling is genuinely required and will result in a long term agricultural benefit, Council cannot reasonably support the application of a dwelling in an agricultural area. It is of particular concern that the activities proposed on the site are all to come after a dwelling has been constructed, where the scale of activity and land remediation works could reasonably occur prior to the commencement of a dwelling use on the site.

Clause 14.02-1S – Catchment Planning and Management

Objective

- *To assist the protection and restoration of catchments, waterways, estuaries, bays, water bodies, groundwater, and the marine environment.*

Relevant Strategies:

- *Ensure that development at or near waterways provide for the protection and enhancement of the environmental qualities of waterways and their instream uses.*
- *Ensure land use and development minimises nutrient contributions to water bodies and the potential for the development of algal blooms.*

Clause 14.02-2S – Water Quality

Objective

- *To protect water quality.*

Relevant Strategies

- *Ensure that land use activities potentially discharging contaminated runoff or wastes to waterways are sited and managed to minimise such discharges and to protect the quality of surface water and groundwater resources, rivers, streams, wetlands, estuaries and marine environments.*

Clause 14.02-2L-01 – Murray River, Lake Hume and Lake Moodemere

Objectives

- *To prevent use and development from degrading water quality.*
- *To protect riparian vegetation.*
- *To protect the natural environment from obtrusive development that may spoil undeveloped landscape features.*

Relevant Strategies:

- *Encourage buildings and works to respond to topographic constraints, including access.*

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- *Minimise excavation and treat water runoff to prevent soil erosion and siltation.*

Comment:

As mentioned previously, the subject site has an interface with the Murray River and surrounding environs to the north east. Whilst the proposed dwelling may not have a detrimental impact on the waterway, insufficient information has been provided to demonstrate that the cattle feedlot is able to be accommodated on site without impacting the adjacent waterway and surrounding environs. Without this information, it cannot be said that the proposal will protect water quality and riparian vegetation.

Clause 14.02-2L-02 – Effluent Disposal and Water Quality

Objectives

- *To ensure that the density of effluent disposal systems is suitable to the soil type and topography of the locality.*
- *To provide for alternative effluent disposal systems where environmental conditions prevent the treatment of waste by septic tank.*

Relevant Strategies:

- *Support use and development that:*
 - *Demonstrates through topographic plans that areas can be irrigated without discharging wastewater from the site.*
 - *Demonstrates that septic tanks and other forms of wastewater treatment will not increase the peak discharge, volume of discharge or reduce the quality of discharge to a watercourse.*
 - *Demonstrates through a land capability assessment report that the design and location of the effluent disposal system is appropriate to the site and environmental characteristics of the land.*
 - *Outlines a management program that ensures ongoing environmental sustainability and protection of human health.*
 - *Demonstrates that the cumulative effect of the effluent disposal systems within the area will not overload the natural environment with effluent and lead to pollution of watercourses or other properties.*

Comment:

A Land Capability Assessment was provided with the application which demonstrates that wastewater from the proposed dwelling can be accommodated on site and is supported by Councils Environmental Health Officer.

Clause 02.03-6 – Housing

Rural residential and rural living development

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There is demand for various types of rural residential use and development within the Shire.

Farming Zone land is under pressure from development for rural living.

The potential adverse impacts of unplanned rural living on agriculture, tourism, landscapes, ecological values and the efficiency of infrastructure and service provision is a key issue within the Shire.

Relevant Strategic Directions:

- *Provide for a range of residential and lifestyle opportunities while protecting agriculture, heritage assets and the natural environment.*
- *Direct rural living, rural residential development, and hobby farm development into areas zoned for that purpose.*

Clause 16.01-3S – Rural residential development

Objective:

- *To identify land suitable for rural residential development*

Relevant Strategies:

- *Manage development in rural areas to protect agriculture and avoid inappropriate rural residential development.*
- *Encourage the consolidation of new housing in existing settlements where investment in physical and community infrastructure and services has already been made.*
- *Demonstrate need and identify locations for rural residential development through a housing and settlement strategy.*
- *Ensure planning for rural residential development avoids or significantly reduces adverse economic, social and environmental impacts by:*
 - *Maintaining the long-term sustainable use and management of existing natural resource attributes in activities including agricultural production, water, mineral and energy resources.*
 - *Protecting existing landscape values and environmental qualities such as water quality, native vegetation, biodiversity and habitat.*
 - *Minimising or avoiding property servicing costs carried by local and state governments.*
 - *Maintaining an adequate buffer distance between rural residential development and animal production.*
- *Ensure land is not zoned for rural residential development if it will encroach on high quality productive agricultural land or adversely impact on waterways or other natural resources.*
- *Discourage development of small lots in rural zones for residential use or other incompatible uses.*
- *Encourage consolidation of existing isolated small lots in rural zones.*

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Comment:

The proposal is considered contrary to the objective and strategies of this clause. The subject site and surrounding area are not zoned or serviced for rural residential use, being located outside of residential or rural living areas and in the heart of the Farming Zone. The proposal is for the development of a small lot in the Farming Zone for residential use, contrary to policy, and as discussed is not considered to provide a net agricultural benefit.

FARMING ZONE

The purpose of the Farming Zone, as stated at Clause 35.07 of the Scheme 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.*

A planning permit is required under Clause 35.07-1 to use the land for a dwelling as the subject land is less than 40ha in area. There are no buildings and works proposed.

In response to the requirements of Clause 35.07-2, the dwelling has access to an all-weather road with dimensions adequate to accommodate emergency vehicles (Moodemere Road) and reticulated electricity is available. The LCA provided with the application demonstrates that wastewater can be managed on site and water supply can be provided via rainwater tanks.

Clause 35.07-6 of the Scheme requires consideration of the following matters:

General issues

- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *Any Regional Catchment Strategy and associated plan applying to the land.*
- *The capability of the land to accommodate the proposed use or development, including the disposal of effluent.*
- *How the use or development relates to sustainable land management.*

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- *Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.*
- *How the use and development makes use of existing infrastructure and services.*

Agricultural issues and the impacts from non-agricultural uses

- *Whether the use or development will support and enhance agricultural production.*
- *Whether the use or development will adversely affect soil quality or permanently remove land from agricultural production.*
- *The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.*
- *The capacity of the site to sustain the agricultural use.*
- *The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.*
- *Any integrated land management plan prepared for the site.*

Accommodation issues

- *Whether the dwelling will result in the loss or fragmentation of productive agricultural land.*
- *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.*
- *Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.*
- *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.*

Environmental issues

- *The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality.*
- *The impact of the use or development on the flora and fauna on the site and its surrounds.*
- *The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.*
- *The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.*

Design and siting issues

- *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.*
- *Whether the use and development will require traffic management measures.*

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Comment:

State and Local Planning Policy emphasises the need to protect agricultural land from loss due to permanent changes in land use, in large part by limiting the use and development of dwellings and other non-agricultural uses in rural areas. This is encapsulated by the above decision guidelines of the Farming Zone and the elevated weight that agricultural factors carry in deciding on an application. The planning scheme is unequivocal in ensuring that productive agricultural land is protected from continued encroachment of non-agricultural uses. Ultimately, these practices around rural planning emphasise the fact that every new dwelling has the potential to undermine genuine agricultural activity.

It is noted that the applicant has made this application on the basis of a proposed agricultural activity (small scale cattle feedlot). However, there are a number of identified issues with this. Firstly, as identified by Agriculture Victoria and NECMA, a cattle feedlot that complies with the Code may not be viable or feasible due to the small size of the allotment and the proximity to the Murray River. Secondly, it is considered that a small scale feedlot could be reasonably managed off-site, with the Rutherglen township only a 10 minute drive. It is acknowledged that arguments were put forward in the Farm Management Plan that the proposed dwelling is required for security purposes and monitoring of breeding cattle. However, as pointed out by Agriculture Victoria, there are other options to address security such as upgraded fencing with lockable gates and camera surveillance. Whilst convenient for property managers to live on site, monitoring of breeding cattle could still be reasonably undertaken whilst living within the Rutherglen township. Thirdly, the proposed dwelling is to be constructed before any other improvements, which creates the potential for a rural-residential land use to occur without agricultural benefit.

Notwithstanding the above, it must be noted and emphasised that the conducting of any form of agricultural activity does not, in and of itself justify the use and development of a dwelling. Each application must be considered on its own merits and whether a dwelling is reasonably required in order to support and enhance agricultural production.

This view has been aptly summarised by the Victorian Civil and Administrative Tribunal (VCAT) in *Bailey v Moyne SC [2010] VCAT 771 (3 May 2010)*, where Member Bennett stated that:

*[5] Although it seems harsh to refuse a dwelling on this site, **it is unfortunately true that every new individual dwelling cumulative undermines the agricultural use of land. It may even seem unfair given the dwellings that already exist on lots less than the zone minimum. While some of these predate the current planning controls and policies**, in other cases it is also because Moyne Shire has taken a lenient approach to dwellings on small rural lots...*

*[7] ... **I accept that allowing a single dwelling on this 28ha lot will not, on its own, undermine the long term future of agricultural activities in this part of the Moyne Shire. However it is the cumulative impact of individual approvals that eventually undermines the very attributes that provide Moyne Shire with such a strong agricultural economy.***

[my emphasis]

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Whilst it is acknowledged that there are several existing dwellings on allotments fronting the Murray River, they are likely to pre-date current planning controls and are reason to depart from current planning policy. There are still a number of undeveloped smaller lots within the surrounding area and it is considered that this proposal has the potential to lead to further concentration and proliferation of dwellings in the surrounding area. The policy context of such applications requires close analysis to ensure that dwellings are genuinely related to agricultural production and are not proposed to achieve rural lifestyle or other non-agricultural outcomes.

It is a well-accepted fact in rural land use planning that the value of land per acre increases when a dwelling can be or has been built on the land. This inflates land prices beyond their agricultural worth and limits the opportunity for smaller agricultural holdings to be consolidated with other agricultural holdings to increase viability and agricultural growth. Approval of a dwelling in this location would increase the prospect of further rural-residential developments being sought and small lots being sold into separate ownership, undermining the primary agricultural use and development of the area. It is also of concern that the proposed dwelling would precede all activities proposed on the site, creating the prospect that the dwelling will be developed and that no agricultural benefit will result from the activity (which the Tribunal considered in the decision of *Strachan v Latrobe CC*, discussed further in this report).

In relation to environmental issues, it is noted that the proposed dwelling is appropriately setback from waterways and does not necessitate removal of native vegetation. As discussed previously, the proximity of the site to the Murray River is a significant constraint to the viability of a future cattle feedlot on the land. Whilst environmental factors may not necessitate refusal of the application, it does paint a picture that priority has been given to a future dwelling and the agricultural undertaking is just an afterthought.

As no buildings and works are proposed, the design and siting considerations are relatively limited. The site plan provided with the application shows a building envelope of approximately 5,253sqm located in the centre of the site. Again, it appears as though no careful thought has been put towards the size and siting of the building envelope to reduce the amount of productive agricultural land lost as a result of the dwelling construction and associated effluent fields and accessways. Not only is the size of the building envelope excessive, its location central to the site creates the need for excessively long internal accessways which will somewhat fragment the site and unnecessarily increase the amount of productive land lost. Should the recommendation of this report not be adopted, Conditions should be included to limit the size of the building envelope as well as relocating it closer to a road frontage.

For these reasons, the proposal is considered to be inconsistent with the purpose and decision guidelines of the Farming Zone.

RELEVANT VCAT DECISIONS

There are a number of cases in recent years that have some relevance to this particular application and in particular:

- the appropriateness of allowing the use and development of dwellings on small rural lots; and

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- the need to consider the strategic intent of the Planning Scheme as a whole rather than focussing on individual policies.

In *Moore v Greater Bendigo CC [2023] VCAT 418 (19 April 2023)*, Senior Member Bennett conveniently set out the major issues that arise with dwelling applications in the Farming Zone:

18. *I consider that just because other smaller lots have been used and developed for dwellings it does not justify further approvals which would undermine those policies seeking to avoid construction of dwellings on small rural lots.*
19. *I do not know the circumstances of those other approvals, whether some predate current planning provisions, and what agricultural activity related to the more recent dwelling approvals. It is not my task to critique or review those decisions. Instead, my task is to assess this particular application having regard to my understanding of the relevant zone and policy provisions.*
20. *The fact that agricultural land is fragmented into lots smaller than a zone minimum is common across much of the rural areas of Victoria. Such lots, particularly the multitude of crown allotments created in the 19th century, have often been owned and managed as part of a larger farming enterprise. They are in essence 'paper lots' and it is only when they are sought to be developed for dwellings that the number and size of such lots becomes obvious. Although the subject land is not an original crown allotment, the title submitted with application indicates that it was created in 1975 as part of the re-subdivision of crown allotment 12B, Section 3, Parish of Nerring.*
21. *The review site, despite its relatively small size, may also have been managed as part of a larger farming enterprise before it and surrounding lots were either subdivided or sold off into separate ownership.*
22. *For at least four decades the advice to purchasers wanting to live on vacant rural land is 'don't buy without a valid planning permit for a dwelling or a contract of sale that is conditional on obtaining a planning permit for a dwelling'.*
23. *It is my experience that without such guarantees there is a high probability that a planning permit for a dwelling will not be granted on small rural lots across Victoria. I can recall that in the 1970's the State Government published a booklet which strongly advised prospective landowners not to buy small rural lots unless and until a planning permit for a dwelling had been obtained. That advice is equally relevant today.*
24. *It appears to be the case here where Ms Moore (and Mr Coates) jointly purchased the land in 2017 without a permit to use the land for a dwelling.*

In *Strachan v Latrobe CC [2022] VCAT 35 (14 January 2022)*, Member Halliday found in relation to a dwelling proposed in conjunction with a Farm Management Plan (for small scale agriculture comprising fattening of cattle and vegetable farming) in the Farming Zone:

53. *The Council submits that the FMP concludes that the land is well suited to the breeding and fattening of small beef cattle and producing vegetables once it is rehabilitated in accordance with*

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the recommendations set out in the FMP. The timing of the agricultural undertakings referred to in the FMP is relevant to the question of whether the proposed dwelling is consistent with the purposes of the FZ2, which seek to ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture and which encourage the use and development of land based on comprehensive and sustainable land management practices.

54 In terms of the timing of the agricultural activities associated with the hobby farm, conditions 7 and 8 in the notice of decision require:

- a. the FMP to be endorsed and to form part of a permit, and to be implemented and maintained for five years after the initial occupation of the dwelling (condition 7); and*
- b. the owner/occupier to demonstrate commencement of the FMP before occupation of the dwelling (or such other time as approved in writing by the responsible authority) (condition 8).*

55 The FMP contains a 'loose timeframe' for each major agricultural undertaking, which includes stock being brought on to the property after the construction of the house is complete and 'someone is on the property 24/7' (which I understand to mean permanently living in the dwelling). In a practical sense, this means that it is possible that after the house is constructed, an occupant could live in the dwelling for a period of time that is less than '24/7' and reside somewhere else for some of the time and arguably there would then be no requirement to bring any stock onto the land at all. Alternatively, permission can be granted by the Council for the extension of the time to demonstrate 'commencement of' the FMP (condition 8).

56 At the hearing during a discussion regarding condition 7, the permit applicants representative indicated that condition 7 could be amended so that it could apply 'in perpetuity' (not just for five years). The Council submitted that condition 7 is not necessary but that it would accept its imposition. Council's position is that five years is acceptable and that the Council does not want to have to monitor compliance with the condition after 5 years.

57 I have not been persuaded by the submissions of the permit applicants or the Council that the requirements at conditions 7 and 8 regarding the FMP will be effective in ensuring the proposed hobby farm associated with the dwelling will be sustained in the long term for the following reasons:

- a. Condition 7 purports to limit the time within which the endorsed FMP is to be maintained and implemented to five years, because the Council does not want to bear the time and costs associated with monitoring and enforcing compliance with condition 7 after five years;*
- b. The FMP does not make it clear what will happen if the agricultural use ceases after the house is constructed. Is the use of the land for a dwelling to cease?;*
- c. I accept the Council's submission that it is not reasonable for the Council to incur the time and expense of monitoring and enforcing compliance with condition 7 if it is required to be implemented on an ongoing basis;*

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- d. *Even if the permit was granted with a requirement for the FMP to be implemented for five years, the likelihood that the agricultural activities will cease (if they ever commence) increases at the end of the five year period. Although there will be an endorsed FMP under the permit, in my view there is not a great deal of motivation for the agricultural activities to be sustained in the long term if the owner is aware that the Council does not wish to monitor or enforce compliance with condition 7 beyond five years. In that case, the agricultural use may cease.*

58 *On this basis, I have not been persuaded that if the hobby farm operation is started, it will sustainably persist in the long term. The FMP makes no provision for what is to occur if the hobby farm operation ceases, after the dwelling is constructed. In my view, once the dwelling is constructed, there is real risk that if the proposed hobby farming activity commences, it will not be sustained. After the five year period referred to in condition 7, there is not a great deal of motivation for the agricultural activities to be sustained in the long term, particularly if a subsequent owner has no interest in rearing cattle. I consider that this is inconsistent with:*

- a. *the purposes of the FZ2, which seek to ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture and which encourage the use and development of land based on comprehensive and sustainable land management practices;*
- b. *Clause 14.01-1S (Protection of agricultural land) which seeks to limit new housing development in rural areas by directing housing growth into existing settlements; discouraging development of isolated small lots in rural zones from use for dwellings;*
- c. *Clause 16.01-3S (Rural residential development) which discourages development of small lots in rural zones for residential use and encourages consolidation of existing isolated small lots in rural areas; and*
- d. *The efficient development of zoned Rural Living estates and established commercial agricultural enterprises, which are issues that are raised in the RLU Strategy.*

The referral response of Agriculture Victoria also highlights a number of Tribunal decisions¹ of relevance where dwellings have been refused due to the potential land use conflicts, loss of agricultural land, proliferation of dwellings and/or not being required to undertake the required agricultural activity. These decisions further reinforce the position that dwellings on agricultural land are only to be permitted in specific circumstances and where it is genuinely demonstrated that:

- The dwelling is required for the activity;
- There will be net agricultural benefit from the activity;
- There will be no impact on other agricultural activities; and
- There will be no proliferation of dwellings as a consequence.

¹ Kennedy v Baw Baw SC [2022] VCAT 787, Morabito v Macedon Ranges SC [2018] VCAT 1313, Estate of JE Walker v Wangaratta RCC [2021] VCAT 125

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CONCLUSION

This application proposes the use of the land for a dwelling at the site known as Crown Allotment 7 Section D, Parish of Norong (being 354 Moodemere Road, Norong). Having assessed the application against the relevant clauses of the Indigo Planning Scheme, it is considered that the proposal is not supported by relevant state and local agricultural policies; as well as the Farming Zone's purpose and relevant decision guidelines.

While it is accepted that there is an agricultural venture put forward to support the proposed dwelling, there is insufficient information provided to demonstrate that cattle feedlot is a legitimate and viable agricultural pursuit. In the absence of this, it cannot be said that a dwelling is genuinely required to support the agricultural use of the land, as required by applicable planning policy.

CONFIDENTIAL ATTACHMENT

The following confidential attachment has been provided to Councillors under separate cover. Recent changes to Section 197A of the *Planning and Environment Act 1997* have clarified and tightened the way Councils are able to make certain planning documents available to the public. The Act provides that the confidential document listed below can only be made available for public inspection:

- at Council offices during business hours, or
- electronically via Council's website subject to strict public availability requirements, requiring significant editing of individual documents.

Council currently does not have the resources to provide the document online in line with the public availability requirements of the Act, and so is at this stage unable to publish it in the public agenda online.

DECLARATION OF CONFLICT OF INTEREST

Under section 130(2) of the *Local Government Act 2020* and Governance Rule 24, the following officers declare that they have no interests to disclose in providing this report:

- Greg Pinkerton, Director Planning & Corporate Services
- James Turner, Manager Planning & Statutory Services

Attachments

1. Application Documents (Confidential)
2.   Referral Responses

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12. COMMUNITY & ECONOMIC DEVELOPMENT

12.1 COUNCIL GRANTS GUIDELINES AND ASSESSMENT CRITERIA - ANNUAL REVIEW

File No: 2023/520

Carlene Lamanna - Manager Community
Development

Community & Economic Development

For Decision

RECOMMENDATION

That Council:

1. Adopts the Guidelines and Assessment Criteria as attached to this report for the following grant streams for 2023/2024:
 - a) Community Grants;
 - b) Events Grants; and
 - c) Get Active Indigo Grants.
2. Appoints Councillor representatives and substitute representatives in a non-voting capacity to each of the following grant assessment panels:
 - a) Events Grants:
 - i) Councillor Representative Cr <XXXX>;
 - ii) Substitute Representatiave Cr <XXX>; and
 - b) Get Active Indigo Grants:
 - i) Councillor Representative Cr <XXXX>;
 - ii) Substitute Representatiave Cr <XXX>; and
3. Adopts the amended Grants Governance Policy as attached to this report.

PURPOSE OF REPORT

This report presents the Community Development Grants (Community Grants, Events Grants and Get Active Indigo Grants) Guidelines and Assessment Criteria for Council review and adoption in line with the Grants Governance Policy (adopted 14 December 2021).

This report proposes minor changes to the Community Grants and Active Indigo Grants. It also proposes the amalgamation of the Tourism and Community Events Grants into one Event Grant steam.

BACKGROUND

Indigo Shire recognises the value and importance of the role community groups and organisations play in building vibrant, inclusive and healthy communities. Grant programs help support local organisations to meet a demonstrated need in our community. Council is committed to providing a range of community grants efficiently, fairly and ethically. In the interest of fairness, transparency and maintaining community confidence in the integrity of the assessment process, formal assessment processes exist for all competitive grant categories.

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Council adopted a Grants Governance Policy on 14 December 2021. This policy committed Council to annually reviewing the guidelines associated with the following grant streams:

1. Indigo Shire Council Community Grants
2. Indigo Shire Council Community Event Grants
3. Indigo Shire Council Active Indigo Grants
4. Community Sustainability Grants
5. Tourism Events Grant

The Grants Governance Policy provides consistent governance arrangements for the application, acquittal and management of different grants issued by Council. It also ensures management accountabilities are understood and applied.

This report presents the guidelines and assessment criteria for each stream.

DISCUSSION

In line with the Policy commitment a review of grant guidelines has recently been completed by a panel of Council Officers.

The scope of the review, as detailed in the tables below focused on the objectives, assessment criteria, eligibility, funding available and panel composition as per the requirements of the Grants Policy.

The events guideline review results in some structural changes (principles and aims have been removed and captured in the revised objectives). This is to ensure consistency and alignment with the Grants policy.

This report describes the outcomes of that review and proposes some changes to the guidelines for the Streams identified as numbers 1, 2, 3 and 5 above. Grants identified as streams 1, 2, 3 and 5 are managed by the Community Development Department. The Community Sustainability Grants stream is managed by the Economic Sustainability team who have conducted a review of that grant's guidelines and assessment criteria.

The following tables outline each grant stream, its objective and any proposed changes. Where a change is proposed a comment from the review panel is provided.

Please note: The intention is, that all current conditions remain unless there is a specific comment to add, remove or amend.

1. Community Grants

Indigo Shire Council community grants are assessed by the Indigo Shire Community Grants and Awards Advisory Committee (ISCGAAC). There is an annual amount of \$50,000 allocated for this grant stream. The annual guidelines and assessment criteria have been assessed in collaboration with ISCGAAC.

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The following table captures any proposed amendments:

COMMUNITY GRANTS	Current	Proposed & Explanation
OBJECTIVES	<p>The objective of the Community Grants Program is to provide an opportunity for community groups and organisations to seek funds for projects and initiatives which align with Council Plan objectives and Municipal Public Health and Wellbeing objectives.</p> <p>These grants aim to support community connections, improve community health and wellbeing and social inclusion opportunities across the Shire.</p>	No change
ELIGIBILITY	<ul style="list-style-type: none"> • Applications will be considered only from locally based groups and organisations or those meeting a demonstrated need within the Shire; • One application per group; • Preference will be given to applications for projects where funding is not available from other sources (ie. State or Federal funding); • The group or organisation must be not for profit and membership must be open to or accessible by Indigo Shire residents; • All applicant organisations must either be incorporated, be auspiced by another group or become incorporated as a condition of funding; • Groups must demonstrate a significant contribution in the form of cash, voluntary service or in-kind support; • The applicant must have appropriate public liability insurance. • Applications will not be considered within the following categories: <ul style="list-style-type: none"> ○ Individuals; ○ Groups already in receipt of significant support from Council; ○ Programs considered the major responsibility of State or Federal Government; ○ Applications by commercial or private organisations; ○ Retrospective funding i.e. projects that have already been started or have been completed. • All funded projects must obtain relevant permits and approvals prior to project commencement; • Applications received from organisations with outstanding acquittals from previous grant rounds will not be considered. 	No change
ASSESSMENT	<ul style="list-style-type: none"> • The project / initiative aligns with Council Plan Priority (Score 0-3). • The project / initiative aligns with Municipal Public Health & Wellbeing Plan (Score 0-3). • The project / initiative benefits the local community (Score 0-3). 	No change
FUNDS	<p>\$50,000</p> <p>In 2023-2024 there was a specifics breakdown for this funding as follows:</p> <ul style="list-style-type: none"> ➤ \$47,500 - 'General' and 'Arts and Culture' projects and initiatives ➤ \$2,500 - 'Youth' projects and initiatives 	<p>\$50,000</p> <p>Panel comment: remove specific amounts designated for 'General', and 'Arts and Culture' and 'Youth' so as not to limit allocations to categories</p>
PANEL	Indigo Shire Community Grants and Awards Advisory Committee	No change

2. Get Active Indigo Grants

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The Get Active Indigo Grants are assessed by an external panel which includes one Councillor, one Council Manager, health promotion representatives from Indigo North Health and Beechworth Health Services and a representative from the Regional Sports Assembly Sport North East.

\$30,000 is allocated to this grant stream each year. The annual guidelines and assessment criteria have been assessment in collaboration with the assessment panel. The following table captures the proposed amendments:

GET ACTIVE INDIGO GRANTS	Current	Proposed & Explanation
OBJECTIVES	<ul style="list-style-type: none"> • Responds to action in the Indigo Council Plan, Municipal Health and Wellbeing Plan and Active Indigo Recreation Plan. • Provide access to funding for groups who may be unable to secure funding through other grants streams and sources; • Increase Indigo Shire residents' participation in physical activity; • Improve Indigo Shire residents' access to physical activity opportunities; • Support local clubs, groups, committees and service providers in their efforts to get the community more physically active; • Trial local physical activity project ideas by responding to place-based needs; • Fund a diverse range of physical activity project ideas across the Shire; • Increase awareness of opportunities to be physically active via targeted communication and promotion. 	<p>Rewording of first criteria to be: "Get More People active more often"</p> <p>Panel comment: this language improves the communities' understanding of the grant purpose</p> <p>All additional criteria remain.</p>
ELIGIBILITY	<p>Your project is eligible if:</p> <ul style="list-style-type: none"> • It can respond to one or more of the aforementioned program objectives, specifically to increase physical activity of the residents of Indigo Shire; • Your funding request supports the delivery of an activity. Minor equipment purchases that supports the activity are eligible. <p>To apply you need to:</p> <ul style="list-style-type: none"> • Be an Indigo Shire-based incorporated body or be auspiced by an Indigo Shire-based incorporated body. Organisations from outside Indigo Shire need to be auspiced by an Indigo Shire based body. • Have appropriate public liability insurance. • Demonstrate a contribution to the project in the form of cash, voluntary service or other in-kind support. <p>Projects that won't be funded:</p> <ul style="list-style-type: none"> • Infrastructure or capital works • Designs or master plans. • Projects that have already started or been completed. • Groups already in receipt of significant Council support. • Application from commercial or private organisations. 	<p>Your project is eligible if: No changes</p> <p>To apply you need to:</p> <p>Addition "For projects that include a coaching element you will need to include supporting documentation of the coaching credentials". Panel Comments: change following assessment panel concerns regarding quality of coaching funded through grant</p> <p>Projects that won't be funded:</p> <p>Remove:</p> <ul style="list-style-type: none"> • Infrastructure or capital works • designs or master plans

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GET ACTIVE INDIGO GRANTS	Current	Proposed & Explanation
		<p>Panel comment: minor infrastructure works should be considered along with designs</p> <p>Add:</p> <ul style="list-style-type: none"> • Projects that are only available to existing sporting club members. • Applications from educational institutions. • Projects that have received funding in previous Indigo Shire Active Indigo grant rounds. <p>Panel comment: Panel felt points 1 and 2 were exclusive and not equitable. Regarding point 3 the Panel felt the need to limit repeat applications</p>
ASSESSMENT	<ul style="list-style-type: none"> • Does your project get more people moving more often • The project promotion plan • Project impact and effectiveness review plan • Age demographics targeted for your project • Financial contribution to the project 	<p>Remove:</p> <ul style="list-style-type: none"> • The project promotion plan • Project impact and effectiveness review plan <p>Panel comments: The promotion plan has very little relationship to the merit of the project. The project impact and effectiveness review is more relevant during the acquittal process; it is difficult for community groups to respond to this during the application stage.</p> <p>Add:</p> <ul style="list-style-type: none"> • An assessment to encourage or ensure broad Community access and inclusion • Scoring added 0-3 for each criteria
FUNDS	\$30,000	No change
PANEL	one Councillor, one Council Manager, health promotion representatives from Indigo North Health and Beechworth Health Services and a representative from the Regional Sports Assembly Sport North East	No change

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3. Event Grants

Currently, there are two separate event grant streams (Community Events \$15,000 and Tourism \$30,000). Two separate panels have previously assessed these grants. The Community Event Grant panel included representatives from Murray Arts, Beechworth Health Service, Indigo North Health, Yackandandah Health, two Councillors and Sports North East. The Tourism Event Grant panel included representatives from Murray Arts, Tourism North East, as well as relevant Councillor officers.

On 1 July 2022, Council transferred the Tourism Events Grant management responsibilities from Tourism to Community Development; the Creative Communities Team now have responsibility for both Event Grant streams. A 12-month review process has resulted in the proposed changes summarised in this report. This review process has included an assessment of several other Council grant streams and has considered best practice Council event management knowledge, including risk and liability minimising approaches.

It is proposed that the Community Event Grants and Tourism Events Grant streams be combined to create one Events Grant stream. An additional \$15,000 will be added to the stream from the existing logistics budget bringing the total to \$60,000. These funds are already distributed to grant recipients after grant distribution and ensures a more thorough assessment of the logistic funds required by applicants for events. There will be no additional costs to council for this change as this support is provided to event coordinators currently, without appropriate transparency and equity.

The approach of combining these streams improves financial transparency, ensure appropriate adherence to procurement processes, reduces duplication of staff resources, removes confusion in the community and better supports event organisers to streamline the arrangement of logistics. This efficiency improvement will enable the staff time to be utilised to provide advice and advocacy to event organisers. This will improve and develop events to meet the evolving needs and expectations of community and visitor audiences.

The integrated event funding program maintains its emphasis on generating economic growth and attracting tourists by offering genuine and location-specific activities and festivities. It guarantees that local events contribute to the community's social unity, economic prospects, and overall enhancement of recreational and leisure experiences, along with other place-related advantages, both in the short and long term.

COMMUNITY EVENTS	Current	Proposed & Explanation
OBJECTIVES	<p>The objective of the Community Event Grants is to support community groups to ensure all residents are engaged in their community and have access to a range of recreational, social and cultural activities and events.</p> <p>A community event encourages local participation, celebrates the communities of Indigo and focuses on social inclusion and community wellbeing. It is usually small scale. Economic and tourism outcomes are not the main objectives of these events. They</p>	<p>To support event organisers to ensure Indigo Shire Council residents and visitors have access to a range of recreational, social and cultural activities and events.</p> <p>Indigo Shire Council is committed to working in partnership with event organiser to deliver place-based events which consider:</p>

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COMMUNITY EVENTS	Current	Proposed & Explanation
	<p>predominantly attract residents of Indigo Shire Council or specific interest groups.</p>	<ul style="list-style-type: none"> • Volunteerism and opportunities for participation • Economic yield • Township vibrancy • Resilience through connectivity • Building and celebrating place • Creativity and innovation • Inclusion and accessibility • Environmental sustainability <p>Panel comments: Events can now have a focus on both community connection and economic / tourism outcomes. Events will be assessed for their broader value for the Shire</p>
<p>ELIGIBILITY</p>	<ul style="list-style-type: none"> • Applications will be considered only from locally based groups and organisations or those meeting a demonstrated need within the Shire. • One application per group. • Preference will be given to applications for events where funding is not available from other sources (ie. State or Federal funding). • The group or organisation must be open to or accessible by Indigo Shire residents. • All applicant organisations must either be incorporated, be auspiced by another group or become incorporated as a condition of funding. • Groups must demonstrate a significant contribution in the form of cash, voluntary service or in-kind support. • The applicant must have appropriate public liability insurance. <p>Applications will not be considered within the following categories:</p> <ul style="list-style-type: none"> • Individuals. 	<p>Remove:</p> <ul style="list-style-type: none"> • Applications will be considered only from locally based groups and organisations or those meeting a demonstrated need within the Shire. <p>Panel comment: panel is supportive of removing this restriction to ensure a broader applicant base may apply.</p> <p>Add:</p> <ul style="list-style-type: none"> • The event is to take place within Indigo Shire. <p>Panel comment: this was an omission from previous grant</p> <p>Amendment:</p> <ul style="list-style-type: none"> • All applicant organisations must either be incorporated, a registered business, be auspiced by another group or become incorporated as a condition of funding. <p>Panel comment: businesses now eligible in line with the existing Tourism events</p> <p>Applications will not be considered within the following categories:</p> <p>Remove:</p>

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COMMUNITY EVENTS	Current	Proposed & Explanation
	<ul style="list-style-type: none"> Groups already in receipt of significant support from Council. Programs considered the major responsibility of State or Federal Government. Applications by commercial or private organisations. Retrospective event funding i.e. projects that have already been started or have been completed. Events supporting causes not aligning with Council values All funded projects must obtain relevant permits and approvals prior to project commencement. Applications received from organisations with outstanding acquittals from previous grant rounds will not be considered. Events delivered by for-profit entities for more than 3 consecutive years. 	<ul style="list-style-type: none"> Applications by commercial or private organisations. <p>Panel comments: as above these entities now eligible</p> <p>Applications from commercial businesses will be able to apply for financial investment for up to 3 years. Past this, an event will need to demonstrate significant innovation that satisfies the objectives of the grant program to be eligible. This is in lines with the existing Tourism events.</p> <p>All applicants are now eligible to apply for funds between \$1,000 and \$10,000. Previously the Community Events grants were capped at \$2,000 and the Tourism at \$6,000. This change reflects the combining of the two grant streams plus the potential for funding for logistics.</p>
ASSESSMENT	<ul style="list-style-type: none"> The benefit the event will have on the community (score 0-3) The capacity to deliver the event by the applicant (score 0-3) Environmental Sustainability (including the completion of the Waste Wise Event Toolkit) (score 0-3) 	<p>Delete: Existing three criteria.</p> <p>Add:</p> <ul style="list-style-type: none"> Alignment with Council Plan Themes of Community, Liveability, Prosperity and Environment (score 0-3 per theme) The capacity to deliver the event by the applicant (score 0-3). Evidence of a logical and well supported budget (score 0-5) <p>Panel comments: Applicants must provide a demonstrated need for Councils investment and support.</p> <p>These new criteria streamline applications for applicants and ensure a strong connection between events and Council Plan priorities including community and economic outcomes.</p>
FUNDS	\$15,000	\$60,000 (no increase in costs to council, includes a re-allocation of \$15,000 of the event logistics budget)
PANEL	Murray Arts, Beechworth Health Service, Indigo North Health, Yackandandah Health, two Councillors and Sports North East.	<p>Add: Tourism North East. (To reflect combined grant aims)</p>

COUNCIL MEETING AGENDA - 25 JULY 2023

TOURISM EVENTS	Current	Proposed & Explanation
OBJECTIVES	The objective of this allocated funding is to maximise economic outcomes for Indigo Shire through the attraction and support of new and innovative events.	(Replaced by above combined Event Grants)
ELIGIBILITY	<p>Eligible events:</p> <ul style="list-style-type: none"> • Events that are complementary to Council’s strategic direction. • Events that incorporate one (or more) of Indigo Shire’s identified product strengths. • Events that attract significant positive publicity and boost the profile of the region as a tourist destination. • Events that have regional tourism significance, increase visitation and provide strong economic benefit. • All or part of event to take place within Indigo Shire. • Event is not entirely financially dependent on only Indigo Shire Council support, other avenues for income and funds have been sourced. • Event takes place between 1 July and 31 October. • Be a registered business, including commercial operations, or an incorporated association. If the organisation is not incorporated, then it must be under the auspice of an incorporated association. • Practice equal opportunity and non-discrimination. • Deliver the event within the grant period. • Events that have allowed sufficient timeframes for permits and planning requirements. • Applications seeking retrospective funding but held within the specified dates. <p>Ineligible Events:</p> <ul style="list-style-type: none"> • Events that have a political purpose, or applications made by political organisations. • Events that denigrate, exclude or offend parts of the community. • Applications from organisations linked to contentious issues that may harm the reputation of the Indigo Shire community or Council by association. • Events with the sole purpose of advocating a religious faith or belief. • Events that directly promote anti-social activities such as gaming (excluding regulated gaming events such as horse racing). • Events that are associated with the tobacco or firearms/weapons industry. • Events that do not support responsible serving of alcohol. • Applications seeking retrospective funding outside the specified dates. • Applications not submitted on the correct form. • Applications which do not include all necessary documentation, including a budget and marketing plan. • Events that apply for a Community Grant or Community Events Grant are ineligible. • Applications received after the close date. 	
ASSESSMENT	The evaluation panel will assess how effectively each application addresses the following assessment criteria. All applications will be scored out of 100 points and feedback supplied. The potential for a higher	

COUNCIL MEETING AGENDA - 25 JULY 2023

TOURISM EVENTS	Current	Proposed & Explanation
	<p>demand for grants than Council can resource means that not all applications may be funded, or only partially funded.</p> <p>Applications will need to demonstrate:</p> <ul style="list-style-type: none"> • The event promotes one or more of Indigo Shire’s identified key tourism strengths as identified below. (15 points) <ul style="list-style-type: none"> ○ Arts and Cultural Heritage ○ Food, Wine & Craft Beer ○ Cycle ○ Nature based tourism (including outdoor activities such as walking) • The likely impact of the event on local economy and flow on benefits to local businesses that is directly attributed to the staging of the event. (10 points) • The level to which the event will attract outside visitation to Indigo Shire through either; (10 points) <ul style="list-style-type: none"> ○ Intrastate and/or interstate visitation ○ Increasing overnight stays, midweek visitation or off peak visitation ○ Encouraging repeat visitation ○ Increasing visitor yield • If a recurring event, what plan is in place for the event to; (10 points) <ul style="list-style-type: none"> ○ Grow ○ Become financially self-sustainable • The value added to the existing events calendar with consideration of; (5 points) <ul style="list-style-type: none"> ○ Avoiding scheduling conflicts with other events ○ Adding fresh and innovative events to the calendar, that appeal to growth audience segments • Waste reduction strategies being implemented by your event, through a detailed Event Waste Management Plan. (10 points) 	

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TOURISM EVENTS	Current	Proposed & Explanation
	<ul style="list-style-type: none"> • Attachment of a detailed budget showing that the event is financially viable. (20 points) • Attachment of an event marketing plan that identifies; (20 points) <ul style="list-style-type: none"> ○ Key objectives of the event. ○ Your target audience. ○ Strategies to reach the target audience. • Ability to obtain necessary permits and approvals from Council or other governing body. (yes or no) 	
FUNDS	\$30,000	
PANEL	Councillor, Council Officer, Murray Arts and Tourism North East.	

Combining the Community Events Grants and Tourism Event Grants streams would necessitate a minor amendment to the Grants Governance Policy to reflect this change. This report recommends adopting this amended policy, which is attached to this report.

Options

The following options are open for Council consideration:

Council could choose not to adopt the proposed updated guidelines and combined event grants stream and to maintain the current grant streams without changes. This is not the preferred option in light of the extensive justification provided for combining streams and implementing panel-supported amendments to the guidelines.

Council could choose to amend any of the guidelines presented here in an alternative way contrary to officer recommendations. This is not the preferred option.

STRATEGIC CONTEXT

COUNCIL PLAN 2021 – 2025	
Theme	1. Communities
Strategic Objective	1.2 Our community members have access to the services, activities and infrastructure that make it easy for them to stay connected and get involved in community life.
Strategic Action	1.2.4 Progress the key priorities of and review and update Council’s Ageing Well Strategy, Youth Strategy, Tourism Strategy, Economic Development Strategy, Library Strategy and Early Years Strategy

SOCIAL/COMMUNITY IMPLICATIONS

The various Council grant streams are highly valued by the community as they enable projects and events to be delivered. These projects and events are tailored to each community and meet local community needs.

COUNCIL MEETING AGENDA - 25 JULY 2023

Previous grant recipient outcomes highlight the benefit these small funding opportunities have for Indigo shire communities including increasing opportunities for social connection, celebrating place, skill development and capacity building.

ENVIRONMENTAL IMPLICATIONS

The Event Grants Stream now request applicants demonstrate alignment with the Council Plan theme of Environment. All projects and events must align with Council’s Waste Wise toolkit, Plastic Wise and Local Food Policy to minimise the environmental impact of these funded initiatives.

FINANCIAL IMPLICATIONS

	Approved Budget \$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue				
Expense	\$140,000	\$140,000	\$0	\$50,000 – Community Grants \$60,000 – Event Grants (Including reallocation of \$15,000 event logistic budget to grant stream to ensure increased transparency) \$30,000 – Get Active Indigo
Net Result	(\$140,000)	(\$140,000)	\$0	

The Creative Communities operational budget currently has an allocation of \$40,000 for logistics. This proposal involves reallocating \$15,000 of this logistics budget to the Events Grant scheme. The remaining \$25,000 in the logistics budget will continue to be used according to previous years practices.

The report recommends combining the Tourism Grants and Community Event Grant to create one Event Grant stream totalling \$60,000, including \$15,000 from the existing logistics budget. This has no additional financial implications for Council.

LEGISLATIVE IMPLICATIONS

Council has financial management, governance and transparency obligations set out in the Local Government Act to ensure best practice oversight of grant distribution to the community.

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RISK & OPPORTUNITY MANAGEMENT

Description	Likelihood	Consequence	Final Risk Rating	Controls, treatments
Community dissatisfaction with eligibility, scope of grants, application process, timelines, assessment etc.	Unlikely	Minor	Low	The guidelines presented are similar to previous grant rounds with the exception of the events grants. Community are familiar with the scope and objectives of the various grant streams. Guidelines will be published a broadly promoted to ensure strong community awareness prior to grant closures. Council staff will work closely with applicants to ensure any changes are understood.
Assessment panel members don't comply with the confidential nature of some of the discussions or understand the conflict or interest disclosure requirements.	Unlikely	Minor	Low	Appropriate training and induction for new selection panel members.

COMMUNITY ENGAGEMENT

Engagement undertaken

Previous grant rounds have included strong community engagement via online and face-to-face workshop delivery for prospective applicants. Promotion of the grants have included website and social media content. One-on-one conversations take place with the majority of applicants to support them with their application and to refine their project and event ideas.

Engagement outcomes

Over the years, the grant application process, procedure and guidelines have been refined in response to community feedback. This has resulted recently in an online Smarty Grants application process.

Engagement proposed

For the 2023/24 grant round, Council officers will work with community members to refine grant applications. A community engagement plan will be developed to ensure well planned communications to the community. Promotion of the grants will continue via local media channels, email distribution, word of mouth and social media.

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The timelines for the 2023/24 Community Grants and Event Grants are listed below:

Friday 18 August 2023	Applications open
Monday 14 August – 2pm to 3:30pm – Beechworth Library Thursday 17 August – 10am to 11:30am – Rutherglen Library Thursday 17 August – 2pm to 3:30pm – Chiltern Library Friday 18 August – 10am to 11:30am – Yackandandah Library Friday 18 August – 2pm to 3:30pm – Tangambalanga Thursday 17 August – 5:30pm to 7pm – Online Thursday 24 August – 5:30pm to 7pm - Online	Drop in sessions
Monday 25 September 2023 at 4pm	Applications close
Monday 2 October 2023	Applications Assessed by Panel / ISCAAG
Tuesday 31 October 2023	Recommendation considered by Council
Early November 2023	Applicants notified
Early November 2023	Payments made via direct debit or cheque
June 30 2024	Acquittal forms due to Council

The timelines for the 2023/24 Get Active Indigo Grants are listed below:

Monday 26 February 2024	Applications Open
Monday 25 March 2024	Applications Close
Monday 8 April 2024	Applications Assessed by Panel
Tuesday 25 June 2024	Recommendation considered by Council
Wednesday 26 June 2024	Applicants Notified
Wednesday 26 June 2024	Payments made via direct debit or cheque
June 2025	Acquittal forms due to Council

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CONCLUSION

This report recommends revised guidelines to ensure all grant programs offered by Indigo Shire Council aligns with the Grants Governance Policy and is tailored to meet the community's need. The proposed guidelines attached detail how the grant streams adhere to this policy to ensure appropriate transparency and oversight of all grants across Council.

The combined Event Grants represent an increased opportunity for community to apply for funding to support diverse events across the shire including logistical support. The combined Event Grant will also be more efficient to administer therefore enabling staff more time to provide advice and advocacy to event organisers.









Combining the Community Events Grants and Tourism Event Grants streams would necessitate a minor amendment to the Grants Governance Policy to reflect this change. This report recommends adopting this amended policy, which is attached to this report.

DECLARATION OF CONFLICT OF INTEREST

Under section 130(2) of the *Local Government Act 2020* and Governance Rule 24, the following officers declare that they have no interests to disclose in providing this report:

- Sally Rice – Director Community and Economic Development
- Carlene Lamanna – Manager Community Development
- Penelope McGufficke – Creative Communities Coordinator
- Mark De Campo – Coordinator Community Development
- Jarrod Craven – Active Indigo Officer
- Jessica Rule – Creative Communities Officer

Attachments

1.   Draft Community Grants Guidelines and Assessment Criteria 2023-24
2.   Draft Events Grants Guidelines and Assessment Criteria 2023-24
3.   Draft Get Active Indigo Grants Guidelines and Assessment Criteria 2023-24
4.   Grants Governance Policy (amended)

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13. INFRASTRUCTURE SERVICES

13.1 COMMUNITY SUSTAINABILITY GRANT PROGRAM - PROGRAM GUIDELINES ANNUAL REVIEW 2023/24

File No: 2023/512

Ian Ellett - Director Infrastructure Services

Infrastructure Services

For Decision

RECOMMENDATION

That Council:

1. Adopts the Guidelines for the Community Sustainability Grants Program for 2023/24; and
2. Delegates the Chief Executive Officer to appoint two representatives from the Indigo Environment Advisory Committee (IEAC) to be on the Community Sustainability Grants assessment panel.

PURPOSE OF REPORT

Council adopted its Grants Governance Policy on 14 December 2021. This policy commits Council to annually reviewing the guidelines associated with Council's grant programs, including the Community Sustainability Grants Program.

This report presents the draft guidelines for the 2023/24 Community Sustainability Grants stream and also proposes the representatives to make up the Community Sustainability Grants assessment panel alongside any officers to be appointed by the CEO.

BACKGROUND

Indigo Shire Council recognises the value and importance of the role community groups and organisations play in building vibrant, inclusive and healthy communities. To that end Council will seek to support projects that reflect demonstrated community need, address priority themes of the Council Plan and Community Vision; and fulfil identified service gaps. Council is committed to providing a range of community grants efficiently, fairly and ethically. In the interest of fairness, transparency and maintaining community confidence in the integrity of the assessment process, formal assessment processes exist for all competitive grant categories.

The Grants Governance Policy provides consistent governance arrangements for the application, acquittal and management of different grants issued by Council, and ensure management accountabilities are understood and applied.

This report presents the Community Sustainability Grants guidelines and assessment criteria for Council consideration.

The following is a summary of the Community Sustainability Grants Program:

- Council has included \$20,850 for the Community Sustainability Grants Program in the draft 2023/24 budget.
- The Program (previously named Community Facilities Energy Upgrade Grants) has been running since 2018/19, and over time has adapted delivery to community response and environmental priorities.

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- The Program has to date supported 23 projects across the shire, which include 7 installations of solar PV and/or battery systems (Yackandandah Sports Park, Yackandandah SES, Stanley Soldiers Memorial Hall, Rutherglen Gold Battery), 8 energy efficiency projects (Yackandandah Netball Courts, Yackandandah Tennis Club), and 6 sustainability events.
- To find out more about the program's impact to date, visit <https://climateaction.indigoshire.vic.gov.au/actions/37>.
- The Program provides financial assistance to community groups and organisations to implement and build capacity for renewable energy, energy efficiency, biodiversity and climate change related projects. The Program is eligible to projects within Indigo Shire and applicants must be incorporated community organisations, or auspiced.
- In 2023/24, the Program has been consolidated and consistency added across grant guidelines, application forms, and assessment procedures. The program has also transitioned to completely on-line via the 'Smarty-grants' platform. This has significantly increased efficiencies across the whole grant process, not only for the guideline documentation and application process, but also the evaluation and administration.
- The assessment panel for the 2022/23 round consisted of three Council staff (Coordinator Environment & Sustainability, Climate Change & Environment Officer, Sustainability Projects Officer) and two members of the Indigo Environment Advisory Committee (IEAC). In previous rounds there have been other IEAC members engaged in the evaluation panel.
- Note: In previous years, the Community Sustainability Grants Program has funded sustainability-themed events for up to \$1000. This is no longer the case. Applicants wanting funding to support a sustainability event will be encouraged to apply through Council's other grant programs that specifically support events.

DISCUSSION

Council sets the grant objectives, aims, assessment process and timelines for each grant stream annually. The detail set out in each stream's guidelines ensure a transparent and clear process for grant applications from the community. This aligns with the Indigo Shire Council Grants Governance policy.

The assessment criteria used to evaluate applications under the Community Sustainability Grants Program (included for Council's endorsement in the attached Program Guidelines) are technical and require objective evaluation. For this reason, the assessment panel has consisted of staff from the Environment & Sustainability unit as well as representatives from IEAC.

Options

As Council committed to updating all guidelines per the Grants Governance policy, there are limited alternatives available. Council could choose to discontinue grants or amend any of the guidelines presented here.

Council could choose to not approve the recommendation of the selection panel and conduct its own assessment and appointment of applicants. This is not recommended as the organisations selected represent a good cross section of community interest in the event grants.

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STRATEGIC CONTEXT

COUNCIL PLAN 2021 – 2025	
Theme	5. Accountability
Strategic Objective	5.5 Our Councillors and organisation are committed to the highest level of governance practices and conduct.

SOCIAL/COMMUNITY IMPLICATIONS

The various Council grant streams are highly valued by the community as they enable small projects and events to be delivered primarily by community run not-for-profit volunteer organisations. These projects and events are tailored to each community and meet local community needs.

ENVIRONMENTAL IMPLICATIONS

The Community Sustainability Grants Program supports the following strategies / policies / plans:

- Climate Change Policy 2019
- Environment Strategy 2019
- Climate Change Strategic Action Plan 2020
- Emissions Reduction Plan 2021

FINANCIAL IMPLICATIONS

There are no financial implications associated with the recommendations in this report.

Council has included an allocation of \$20,850 in the draft 2023/24 budget for the Community Sustainability Grants program. This program is administered by Council's Sustainability Projects Officer using the SmartyGrants platform.

LEGISLATIVE IMPLICATIONS

Council has financial management, governance and transparency obligations set out in the Local Government Act to ensure best practice oversight of grant distribution to the community.

RISK & OPPORTUNITY MANAGEMENT

Description	Likelihood	Consequence	Final Risk Rating	Controls, treatments
Community dissatisfaction with eligibility, scope of grants, application process, timelines, assessment etc.	Unlikely	Minor	Low	The guidelines presented are similar to previous grant rounds and community are familiar with the scope and objectives of the various grant streams. Guidelines will be published and broadly promoted to ensure strong community awareness prior to grant closures.

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Description	Likelihood	Consequence	Final Risk Rating	Controls, treatments
Selection panel members don't comply with the confidential nature of some of the discussions or understand the conflict or interest disclosure requirements.	Unlikely	Minor	Low	Appropriate training and induction for new selection panel members.

COMMUNITY ENGAGEMENT

Engagement undertaken

Previous grant rounds have been promoted via Council's website and social media content. Program information has been email directly to Council's database of community / environmental groups. One-on-one conversations take place with the majority of applicants to support them with their application and to refine their project and event ideas.

Engagement outcomes

The Community Sustainability Grants Program's application process, procedure and guidelines have been refined in response to community feedback. The grant process is undertaken on-line through SmartyGrants.

Engagement proposed

For the 2023/24 round of the Community Sustainability Grants Program, Council officers will continue to work with community members to refine their grant applications. Promotion of the grants will continue via local media channels, email distribution, social media and word of mouth.

CONCLUSION

This report recommends aligning all grant programs offered by Indigo Shire Council with the Grants Governance Policy. The guidelines attached detail how the Community Sustainability Grants Program adheres to this policy to ensure appropriate transparency and oversight of all grants across Council.

DECLARATION OF CONFLICT OF INTEREST

Under section 130(2) of the *Local Government Act 2020* and Governance Rule 24, the following officers declare that they have no interests to disclose in providing this report:

- Ian Ellett – Director Infrastructure Services
- Sam Niedra – Coordinator Environment & Sustainability
- Maureen Rogers – Sustainability Projects Officer

Attachments

1.   Draft Guidelines Community Sustainability Grants Program 2023/24

COUNCIL MEETING AGENDA - 25 JULY 2023

13.2 TENDER RECOMMENDATION - CONTRACT 23/6341 SUPPLY OF MOBILE MAINTENANCE SERVICES ON COUNCIL'S PLANT, EQUIPMENT AND FEET

File No: 2023/514

Adam Kimball - Manager Assets & Property

Infrastructure Services

For Decision

RECOMMENDATION

That Council:

1. Awards the Contract 23/6341 to Spanners & Sparks Supply of mobile maintenance services on Council's Plant, Equipment and Fleet for an initial one-year term and with two optional extensions, each of a further two years, each extension being at the option of Council;
2. Notes the total value of works delivered under the contract varies annually, typically between \$300,000 and \$450,000 p.a.; and
3. Authorises the Chief Executive Officer to sign and seal the contract documents.

PURPOSE OF REPORT

Council owns 35 motor vehicles and a range of heavy plant including graders, backhoes, excavators, trucks, trailers and mowers with a total replacement value of over \$4 million. This equipment is critical in conducting over \$3 million dollars of maintenance work annually and around \$2 million in capital works.

This report provides a recommendation for a mobile maintenance service contract to service and maintain Council's fleet and heavy plant.

BACKGROUND

Around \$500,000 is spent annually on regular servicing and periodic repair of Council's plant and equipment of which this contract delivers the major component. The annual expenditure on this contract is around \$370,000 (Including labour, travel, parts and materials).

For at least 15 years, Council's plant equipment and fleet maintenance has been delivered using a fully mobile maintenance contractor and has previously found the model a very effective delivery method. In the current model, the contractor is required to have the means and equipment to carry out maintenance works at all of Council's four depot sites in addition to breakdown responses on the roadside or within a construction site where it is deemed safe.

Council has satisfactory undercover facilities for carrying out maintenance activities at the Yackandandah, Rutherglen and Chiltern sites with limited cover at the current Beechworth facility. The existing service delivery model was considered to better suit Council's needs than the alternatives given the dispersed nature of Council's operations and the better cost and service efficiency outcomes.

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DISCUSSION

The tender was advertised through eProcure from 03.05.2023 to 03.06.2023. Contract No. 23/6341 – Supply of Mobile Maintenance Services on Indigo Shire Councils Plant & Equipment Fleet.

The evaluation panel consisted of the Plant and Fleet Coordinator, Manager of Assets and Property, and Manager of Municipal Operations. As the contract is a Schedule of Rates, a typical yearly work schedule was created to estimate the contract cost for purposes of comparison. The comparison included historically-based assumptions of standard time-frames for works carried out, rates for standard/overtime/emergency hours worked, travel costs, travel times, margins on tools/lubricants purchased on behalf of Council. Each contractor was asked to nominate a starting location and/or from where they would start charging travel rates.

To determine the best value for money tender submissions a panel of Indigo Shire Officers assessed the tenders in accordance with the Indigo Shire Procurement Policy. Tenders were assessed on:

- Comparative cost of service delivery: Costs calculated using the information submitted within Schedule 2 and an example works programme which assumes a certain number of hours work each year at Council's different depot sites. (50%)
- Fitness for Purpose - ability to efficiently and safely perform tasks set. (20%)
- Environmental Sustainability - contractors considerations for CO2 emissions, recycling and reusing where necessary, and adhering to green the supply chain. (10%)
- Local Benefit - ability to contribute to the benefit of the shire, including providing new jobs. (10%)
- Local and Social Responsibility - ability to strengthen and support the community wellbeing where able to. (10%)

Spanners & Sparks is the incumbent contractor and has demonstrated the experience of having been with the shire for several years provides evidence of being able to keep up with the maintenance demands. On this basis and based on the rates, overall costings, and evaluations indicated that they were the better choice for the position and the tender Panel recommends that Spanner and Sparks submission represents best outcome for Council for a period of 12 months until an alternate in-house model can be assessed.

A detailed tender report is provided as a confidential attachment.

Options

In 2017, alternative models were assessed but deemed unsuitable at the time. Those options are as follows:

- a. Original Equipment Manufacturer - More expensive and increased downtime to get repairs done.
- b. In-House Staff – Initially thought to be just as expensive with consideration to set up cost and paying staff overtime.

This has not been evaluated further in any detail since 2017.

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Instead of an initial three-year term as advertised, this report recommends an initial term of one year with the two further options, each of an additional two years. This arrangement will allow staff to evaluate the current model and determine if utilising in-house resources would be a more viable and sustainable alternative.

STRATEGIC CONTEXT

COUNCIL PLAN 2021 – 2025	
Theme	5. Accountability
Strategic Objective	2.3 Our built environment, streetscapes, facilities, amenities and open spaces are safe, inviting, attractive and well maintained, contributing to a sustainable sense of place and pride.

This contract plays a crucial role in ensuring that the Council fulfils its requirements to manage its assets sustainably and protect the safety of its staff operating plant, fleet, and equipment.

SOCIAL/COMMUNITY IMPLICATIONS

The contract will utilise local suppliers and contractors. This can have a positive impact on the community by providing employment and contributing to the local economy.

ENVIRONMENTAL IMPLICATIONS

The contact specification requires recycle used lubricants and ensures recycled products and used as much as possible. The kilometres travelled by this contractor in their vehicle will be captured with a view to be included in the Councils carbon accounting platform.

FINANCIAL IMPLICATIONS

	Approved Budget \$	This Proposal* \$	Variance to Approved Budget \$	Comments
Revenue	0	0	0	
Expense	\$370,000	\$370,000	0	Estimated amount per annum including parts and materials
Net Result	(\$370,000)	(\$370,000)	0	

All expenditure incurred in the Plant, Equipment and Fleet Maintenance budget is covered by the relevant maintenance and capital budgets associated with the plant & equipment utilisation.

Note that the estimated annual expenditure in the comparative cost analysis in the confidential attachment does not include cost of parts, subcontractors, and materials, only the margin applied to those purchases. So, the annual contract cost amounts above, which are based on invoices from the current contractor, includes approx. \$200k of parts and materials. It is not expected that this will change in future years.

The contract includes a CPI indexation annually based on the anniversary of the contract start date, which will be 1 August 2023.

The total costs for this contract are estimated at approximately \$449,000 over the initial one-year term and over \$2.245 million if extended to the full five years which includes parts and materials.

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LEGISLATIVE IMPLICATIONS

The tender has been conducted in accordance with requirements of Council's Procurement Policy.

The contract has been developed to cover the wide range of potential works and also allow the flexibility for quoting and adding additional works, or using alternative contractors or service providers as suits Council.

As the incumbent contractor is recommended to be awarded the new contract, the ongoing contract management would be almost seamless and existing system and process improvements, including the Plant Equipment and Fleet Management CEO Directive, will continue to operate.

RISK & OPPORTUNITY MANAGEMENT

Description	Likelihood	Consequence	Final Risk Rating	Controls, treatments
Servicing without a contract in place would likely be unreliable, expensive, (uncertain or ad-hoc)	Likely	Moderate	Medium	Mechanical services contract in place
Unmaintained or non-compliant plant and equipment can cause safety hazards for operational works crews and public.	Likely	Moderate	Medium	Mechanical services contract in place

The contractor is required to adhere to all OH&S conditions as stipulated and a Risk Assessment and maintenance of an OH&S system is required before undertaking the works. Failure of the successful contract to meet all these requirements can result in termination of the contract by Council.

CONCLUSION

The recommendation is to accept the tender submitted by Spanners n Sparks for the one-year contract. This will allow staff to conduct a thorough analysis of an alternative model, which includes evaluating the feasibility of utilising in-house resources. It should be noted that the value of the contract over its potential full term exceeds the approved financial delegation of the CEO.

DECLARATION OF CONFLICT OF INTEREST

Under section 130(2) of the *Local Government Act 2020* and Governance Rule 24, the following officers declare that they have no interests to disclose in providing this report:

- Ian Ellett – Director Infrastructure Services
- Adam Kimball – Manager Assets & Property
- Brett Direen – Manager Municipal Operations
- Jacqui Garvey – Acting Plant & Fleet Coordinator

COUNCIL MEETING AGENDA - 25 JULY 2023

CONFIDENTIAL ATTACHMENT

The attachment to this report are confidential under the following sections of the Act:

- *3(a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.*

This section applies because the matter concerns commercial contracts around which negotiations have not been finalised, and it would prejudice the Council's position in the negotiations.

- *3(g) private commercial information, being information provided by a business, commercial or financial undertaking that -*

(i) relates to trade secrets; or

(ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

This section applies because the information contains details of the rates charged across the business and it would unreasonably expose the business by providing an unfair advantage to their competitors.

Attachments

1. Tender Evaluation Report - Mechanical Services Contract 23/6341 (Confidential)
2. Tender Evaluation Assessment - Mechanical Services Contract (Confidential)

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13.3 TENDER RECOMMENDATION - CONTRACT NO 23/6473 KERBSIDE COLLECTION SERVICES

File No: 2023/562

Nathan Mullane - Manager Capital Works and Infrastructure Services
Waste

For Decision

RECOMMENDATION

That Council:

1. Notes the changes required to Victoria's waste and recycling system through the ***Circular Economy (Waste Reduction and Recycling) Act 2021*** which includes a new four-stream waste and recycling system (Glass, Food Organics and Garden Organics, Mixed Recyclables, and Household Rubbish) for all households;
2. Notes that the specification for this contract details kerbside collections services for residential properties shire-wide, consisting of the following;
 - Weekly Food Organics Garden Organics (FOGO) Collection (240L green lidded bin)
 - Fortnightly Residual Waste Collection (140L red lidded bin)
 - Fortnightly Recycling Collection (240L yellow lidded bin)
 - Four-weekly Glass Collection from July 2027 (80L purple lidded bin)
3. Notes that a further report will be presented to Council at a later date to consider specific service levels, particularly where the specified service differs from current levels;
4. Notes the recommendations of the Regional Tender Evaluation Team, as detailed in the ***19/04045 Tender Evaluation Summary Report (July 2023)***, provided as a confidential attachment to this report;
5. Notes that the estimated cost of services to be delivered under this contract is approximately \$29.2 million over ten years, but that the actual cost will depend on actual services delivered and that tendered rates are subject to adjustment for CPI;
6. Awards Contract No 23/6473 for Kerbside Collection Service to Cleanaway Pty Ltd for a 10 year period commencing 1 July 2024, inclusive of the following Alternate Options presented as part of the tender response:
 1. Utilisation of existing fleet with rolling replacement (noting that this option is contingent on the decisions of other Councils),
 2. Utilisation of existing Mobile Garbage Bins (MGB's),
 3. Council to be direct-billed for landfill disposal costs, and
 4. Council to pay Organics Processing Facility (OPF) fees based on actual Organics quantities collected and contamination rates;
7. Authorises the Chief Executive Officer to sign and seal the contract documents.

COUNCIL MEETING AGENDA - 25 JULY 2023

PURPOSE OF REPORT

The purpose of this report is to provide Council with information on the tender submissions received, and the background documentation to support the recommendation to secure a Contractor for the Regional Kerbside Collection Services Contract, due to commence July 1, 2024 for a period of ten years.

BACKGROUND

Victoria's plan for a Circular Economy

The State Government has recently released its plan for a Circular Economy, which sets out systemic change to cut waste and boost recycling and reuse of precious resources.

The ***Circular Economy (Waste Reduction and Recycling) Act 2021*** was enacted on 1 January 2021 and will shift how waste management and resource recovery and re-use are managed in Victoria. It places the responsibility on local councils and residents alike to collectively embrace the circular economy principles. The Act has significant implications, particularly in relation to changes in kerbside services:

- A new **“four-stream waste and recycling system”** for all households across the state for better and more recycling and less waste.
 - i. FOGO
 - ii. Mixed Recyclables
 - iii. Glass
 - iv. Household rubbish
- A **“cash for cans scheme”** that rewards return of used drink cans, cartons and bottles for recycling, and reduces litter
- **New recycling laws and governance** to support best practice waste management, resource use and recycling
- A **statewide ban of single-use plastics** and promotion of reusable items that reduce waste and pollution for a cleaner and healthier environment.

Benefits of these reforms will include increased in the quality and quantity of recycling and re-use of resources, reduction of waste to landfill, and reduced greenhouse gas emissions

Regional Collaborative Request for Tender

The Councils of Albury City, Wodonga, Federation, Indigo and Greater Hume participate in a collaborative agreement to provide Kerbside Municipal Solid Waste, Recycling and Food and Garden Organics (FOGO) Collection Services. The current contract commenced on July 1, 2012 and is due to expire on 30 June 2024.

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A regional kerbside collection working group was established in 2019, made up of representatives from the five participating Councils, along with the addition of Berrigan Shire, Edward River Council and Leeton Council who had elected to join the collaboration, with the aim to secure kerbside waste services. The joint tender project became known as “RKC8” with Albury City Council taking the lead on behalf of participating councils to project manage the procurement services. The key priorities identified by the working group include:

- a regional approach to procuring kerbside collection services;
- provisions for municipal solid waste, co-mingled recycling, and FOGO (a three-bin service);
- provisions for Kerbside Glass collection (Victorian Councils only);
- support the provision of a Recycling Material Recovery Facility (MRF) within the region;
- support the establishment of a composting plant or similar, within the region for the disposal of Food and Garden Organics material; and
- meet all statutory requirements with attention to probity issues.

Member Councils of the group agreed to adopt the NSW Model Contracts for Kerbside Collection Services, which is a template as provided by NSW EPA for the purpose of Kerbside Collection Service Contracts. All documents were reviewed by key stakeholders, with this including the working group, an internal steering group, legal advisors, probity advisor, and an external independent industry expert.

A Probity Action Plan was developed with the objective to maintain the utmost level of integrity and observe the highest degree of probity, ensuring confidence is preserved in processes and decisions. An independent Probity Advisor was engaged to oversee all stages of the process.

DISCUSSION

With extensive advertising and industry awareness of the tender, the competitive collaborative procurement process has been able to ensure that all responses have been extensive in their consideration and response to the specification requirements. The incumbent provider, recommended in this report, has provided a well-considered response and provided very competitive pricing, with the costs being slightly less than current expenditure for the comparable services, (if all alternative cost reducing options are taken up).

In line with the need to be as consistent within our region as possible, most Councils will be altering and/or adjusting their waste services as part of commencing operations under this contract. For Indigo, there are several significant matters to be considered and decided upon with the roll-out of;

- Implementation of the glass bin/service required within Victoria can be readily delayed until 2027, in alignment with Wodonga Council and following the embedding of the Container Deposit Scheme (CDS).
- Introduction of a FOGO bin to all households which would reduce waste landfill volumes – and associated waste disposal costs.
- Introduction of a uniform three (later four) bin service, with bin sizes, collection frequencies and household waste charges being made consistent across the shire.

COUNCIL MEETING AGENDA - 25 JULY 2023

The contract documentation was drafted on the basis of the above items, and tenderers needed to provide a response that could be readily costed and implemented when Council require it to be.

Decisions regarding the timing of the implementation of service changes will be made by Council, following further consideration of the issues, and a detailed assessment of the applicable costs and charges.

Education and communications are critical to successful waste outcomes. Halve Waste will continue to support all partner councils who participate in the Kerbside Collection Contract - which is funded through a levy at the Albury Waste Management Centre (AWMC). To maintain the low contamination rates in FOGO and also the good recycling rates throughout the shire (and the region more broadly) it is important that partner councils maintain uniformity in service levels and that those services be well communicated to their communities. Halve Waste has proven to be very successful with this educational and promotional aspect.

In considering the four alternative offers made through the preferred tender, projections have been estimated on the likely financial impacts of each;

- **Utilisation of existing fleet with rolling replacement (contingent on each of the 5 grouped Councils taking up this option)**

Whilst the use of new vehicles might provide some immediate reductions in fuel usage and greenhouse emissions, the existing fleet is not considered old, and is appropriate for continued efficient use. The benefits through reduced contract costs are attractive.

- **Utilisation of existing Mobile Garbage Bins (MGB's)**

Keeping the existing bin stock (of which at least 30% are less than 10 years old) may result in an increase of bin failure/damage and replacement. However, this risk and cost is the responsibility of the tenderer, whereas council is responsible for the cost of replacement of stolen bins. A bulk changeover of bins would require disposal of all existing stock, at a significant upfront cost that would be borne by ratepayers via higher costs in the contract. Retention of the existing bin stock is a good value for money approach.

- **Council to be direct-billed for landfill disposal costs**

Direct billing between the landfill operator (i.e. Albury City) and Council will result in a very minor administrative burden on Council, but is expected to result in considerable savings through billing of actual tonnages, rather than the contractor having to allow for averaged rates. This arrangement is in place in the current contract and historic landfill tonnages show that savings are to be expected in taking up this option.

- **Council to pay Organics Processing Facility (OPF) fees based on actual Organics quantities collected and contamination rates**

This option similarly offers for Council to be billed on actual tonnages collected rather than an assumed amount. This arrangement is in place in the current contract. This option also offers a scale of processing fees depending on the contamination rates of FOGO collected. Given an excellent track record in the region of historically low FOGO contamination rates, it is

COUNCIL MEETING AGENDA - 25 JULY 2023

reasonable to assess that this should continue, and to take the savings that comes with reduced fees.

A detailed Tender Evaluation Summary Report which sets out the tendering and evaluation process and which contains details of price modelling and assessment of options is provided as a confidential attachment.

Options

The final Tender Evaluation Summary Report presents the recommendations of the Regional Tender Evaluation Team and also the steering group.

The recommendations in this report support the award of this contract to Cleanaway Pty Ltd and the tender pricing is favourable in comparison to the current contract. The option of not supporting the recommendation would leave Council without a contractor from the expiry of the current contract (30 June 2024).

There are a number of options for consideration that were put forward in Cleanaway’s tender response and which are outlined above. Each of the four alternate options are recommended to be taken up and each are expected to generate cost savings to the ratepayers.

STRATEGIC CONTEXT

COUNCIL PLAN 2021 – 2025	
Theme	4. Environment
Strategic Objective	4.5 Waste to landfill is minimised through greater recycling and reuse, and the environment is protected from the effects of landfill.
Strategic Action	4.5.2 Prepare for changes in recycling arrangements associated with State Government directions and for the transition to new kerbside collection contracts

SOCIAL/COMMUNITY IMPLICATIONS

Effective and efficient waste services, helps support the liveability and our communities, whilst ensuring that we obtain value for money in daily waste operations.

ENVIRONMENTAL IMPLICATIONS

The contract specification has been prepared in accordance with Victoria’s waste and recycling reforms and as per the service standards required in the Circular Economy Act.

The rollout of FOGO to the remaining properties in the Shire (timing of rollout for Council decision at a later time) is critical in reducing waste to landfill, which is the primary objective in Council’s **Resource Recovery and Waste Management Strategy 2019-2024**.

Having declared a climate emergency, reducing waste to landfill is a key action to help reduce emissions.

FINANCIAL IMPLICATIONS

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The provision of waste services operates on a cost recovery basis, where collected revenue is based on the cost of services.

The tender proposal is for a schedule of rates contract, applicable to the number and frequency of services provided, and the volume of materials that are collected and managed by the contractor. The tender assessment has looked at the likely costs of the provision of waste services, over the 10-year life of the contract, given the best available current data.

The annual required budget for provision of kerbside collection services is currently a little under \$3,000,000 per annum (including GST), and this is expected to be very similar to costs under the new contract (in the initial years before glass is introduced). Tendered prices are effective at November 2022 and are subject to CPI increases in accordance with the contract.

LEGISLATIVE IMPLICATIONS

The provision of waste services is a heavily regulated matter. The new contract would ensure that Council is able to respond to recent changes in legislation with the *Circular Economy (Waste Reduction and Recycling) Act 2021*, and the procurement has been conducted in an ethical and appropriate manner under the supervision of a Probity Advisor who was appointed to oversee this complex tender process.

RISK & OPPORTUNITY MANAGEMENT

Description	Likelihood	Consequence	Final Risk Rating	Controls, treatments
Kerbside waste Services are disrupted due to no contractor in place	Unlikely	Moderate	Medium	Procure new contract in a timely manner
Waste Service costs increase significantly with new contractor	Possible	Moderate	Medium	Run competitive tender process to maintain and ensure lower prices

COMMUNITY ENGAGEMENT

The contract specification has been developed to meet industry and legislative standards going forward and is quite consistent with the current kerbside collection services contract. Hence, there has not been any specific community engagement in relation to the contract development or the procurement of a new contractor.

In the lead up to any changes to any service, there will be a requirement for suitable community engagement.

CONCLUSION

The final Tender Evaluation Summary Report is a comprehensive evaluation report, that has been drafted in line with the views of the working group and also the steering group. This report, along with the Tender Recommendation Report, is included as a confidential attachment, and has strongly informed the decision and recommendations being considered in this council report. The recommendation is that Council appoints Cleanaway, with the adoption of all alternative options, and the cost reduction measures being included.

COUNCIL MEETING AGENDA - 25 JULY 2023

Cost estimates for the 10-year life of the contract, based on tendered prices, are favourable to costs under the current contract for equivalent services, despite the cost of recycling being in excess of 20% higher than current costs.

A further report will be provided to Council at a future meeting to confirm service level decisions prior to the commencement of the contract in mid-2024.

DECLARATION OF CONFLICT OF INTEREST

Under section 130(2) of the *Local Government Act 2020* and Governance Rule 24, the following officers declare that they have no interests to disclose in providing this report:

- Ian Ellett, Director Infrastructure Service
- Nathan Mullane, Manger Capital Works & Waste

CONFIDENTIAL ATTACHMENTS

The attachments to this report are confidential under the following sections of the Act:

- *3(a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.*

This section applies because the matter concerns commercial contracts around which negotiations have not been finalised, and it would prejudice the Council's position in the negotiations.

- *3(g) private commercial information, being information provided by a business, commercial or financial undertaking that -*

(i) relates to trade secrets; or

(ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

This section applies because the information contains details of the rates charged across the business and it would unreasonably expose the business by providing an unfair advantage to their competitors.

Attachments

1. Kerbside Collection Services - Tender Recommendation - Contract 23/6473 (Confidential)
2. Tender Evaluation Summary Report - Kerbside Collection Services (Confidential)

COUNCIL MEETING AGENDA - 25 JULY 2023

14. EXECUTIVE MANAGEMENT

14.1 UPDATE - INSTRUMENT OF APPOINTMENT AND AUTHORISATION UNDER THE ENVIRONMENT PROTECTION ACT 2017

File No: 2023/524

Carla Hanlon - Executive Manager People & Governance Executive Management

For Decision

RECOMMENDATION

That Council:

1. Appoints and authorises the members of Council staff referred to in the instrument attached as set out in the instrument; and
2. Notes that the instrument comes into force immediately upon resolution of Council and remains in force until Council determines to vary or revoke it.

PURPOSE OF REPORT

To present the updated *Instrument of Appointment & Authorisation Under the Environment Protection Act 2017*.

The attached instrument has been updated to include a new Environmental Health Officer, who has been added to the two existing officers. The appointment will enable the officer to execute powers, duties and functions under the *Environment Protection Act 2017*.

BACKGROUND

The *Environment Protection Act 2017* is the key piece of environment protection legislation used by the Environment Protection Authority (EPA), Councils and other public authorities to prevent and reduce harm from pollution and waste. The Act is supported by the *Environment Protection Regulations 2021* – the subordinate legislation for regulating pollution and waste.

Role of councils

Under the environment protection legislation, councils can regulate and enforce:

- residential noise – allows authorised officers to investigate and apply penalties for non-compliance with legislation
- noise from the construction, demolition and removal of residential premises – regulated through the delegation of powers from the EPA
- litter and waste - unlawful deposit of litter and other waste under Part 6.3 of the Act and Part 4.1 of the Regulations
- on-site wastewater management systems (OWMS) - with an actual or design flow rate of less than 5,000 litres per day, including powers to issue permits for construction, installation and alteration of OWMS as well as enforcement and the ongoing operation and maintenance.

The *Instrument of Appointment & Authorisation Under the Planning & Environment Act 2017* (s11b) enables the appointment of officers who are authorised to regulate residential and commercial noise, litter and waste and on-site wastewater management systems. Appointments must be made by Council.

COUNCIL MEETING AGENDA - 25 JULY 2023

In addition, authorised officers appointed under section 242(2) of the Act have various powers under the Act relating to compliance and enforcement matters such as:

- issue /amend an improvement notice (section 271 of the Act) – requires a person to take action to remedy a situation that has or is likely to cause harm
- issue /amend a prohibition notice (section 272 of the Act) – prohibits a person from engaging in a particular activity that will or may cause harm
- powers of entry and inspection
- issue an infringement notice for breach of obligations under the Act.

DISCUSSION

This instrument was last reviewed and adopted by Council in May 2023.

In July 2023, a new Environmental Health Officer commenced with Council, and requires appointment to perform the duties of their role. Their name has been added to the attached Instrument to enable their appointment. The names of officers who have already been appointed remain on the Instrument.

An identity card for Authorised Officers must be issued and produced for inspection if asked when performing a function or exercising a power under the Act (s243). Identity cards will be arranged when the officer appointments are confirmed. When the officers cease in their role, any Council-appointments will be revoked by Council and the identity cards will be handed to Governance for destruction.

The attached instrument is based on the template provided by Maddocks Lawyers Delegations and Authorisations Service. This legal service provides templates that meet legislative requirements. The use of these model documents will ensure Council has in place compliant authorisations to relevant Council staff.

Options

Council may decide to refuse this appointment, however this is not recommended as the officer requires appointment under the Act in order to perform the powers, duties and functions expected of their role.

STRATEGIC CONTEXT

COUNCIL PLAN 2021 – 2025	
Theme	5. Accountability
Strategic Objective	5.5 Our Councillors and organisation are committed to the highest level of governance practices and conduct.

The appointment of this officer will assist with the achievement of the key strategic objective 5.5 “Our Councillors and organisation are committed to the highest level of governance practices and conduct.”, as set out in the Council Plan 2021-2025, by supporting Council decision-making and ensuring that decisions are well considered, transparent and in the best interests of the whole community.

COUNCIL MEETING AGENDA - 25 JULY 2023

SOCIAL/COMMUNITY IMPLICATIONS

The updating of the Instrument of appointment & Authorisation under the Environment Protection Act assures the community that Council executes its decision-making processes in line with legislative requirements and within the appropriate roles.

ENVIRONMENTAL IMPLICATIONS

The adoption of the instrument of Appointment and Authorisation to execute powers under the Act will support the protection of our local environment by ensuring that the intentions of the Act to prevent and reduce harm from pollution and waste are carried out.

FINANCIAL IMPLICATIONS

The management of Council's appointments and authorisations involves an annual subscription to the Maddocks Delegations Service which is funded within the budget.

LEGISLATIVE IMPLICATIONS

Certain powers under the Environment Protection Act 2017 are delegated to Council by the Environment Protection Authority under an Instrument of Direction. These in turn are sub-delegated to officers under section 437(2), and the same officers are appointed to carry out these powers under section 242(2).

RISK & OPPORTUNITY MANAGEMENT

Description	Likelihood	Consequence	Final Risk Rating	Controls, treatments
If authorisations are not updated the legality of a decision or an action purportedly made on behalf of the council could be questioned.	Possible	Minor	Low	Adopt the revised instrument.

COMMUNITY ENGAGEMENT

Engagement undertaken

No public consultation was undertaken. The instruments have been reviewed by the appropriate level of management.

Engagement outcomes

Nil

Engagement proposed

Nil.

CONCLUSION

In accordance with requirements under the *Environment Protection Act 2017* and Council's usual practice of updating appointments and authorisations, the attached instrument has been updated to include new a new officer and will enable the execution of powers, duties and functions under the Act.


DECLARATION OF CONFLICT OF INTEREST

COUNCIL MEETING AGENDA - 25 JULY 2023

Under section 130(2) of the *Local Government Act 2020* and Governance Rule 24, the following officers declare that they have no interests to disclose in providing this report:

- Carla Hanlon – Executive Manager People & Governance
- Annabel Harding - Governance Coordinator

Attachments

1.   Instrument of Appointment & Authorisation - Environment Protection Act 2017 only

COUNCIL MEETING AGENDA - 25 JULY 2023

14.2 CONTRACTS AWARDED UNDER CHIEF EXECUTIVE OFFICER DELEGATION - JUNE 2023

File No: 2023/533

Trevor Ierino - Chief Executive Officer

Executive Management

For Information

There were no contracts awarded by the CEO under delegation, between the values \$250,000 and \$500,000, for the month of June 2023.

STRATEGIC CONTEXT

COUNCIL PLAN 2021 – 2025	
Theme	5. Accountability
Strategic Objective	5.5 Our Councillors and organisation are committed to the highest level of governance practices and conduct.
Strategic Action	5.5.2 Develop and maintain a Governance Schedule to give Council and Community visibility of future legislative requirements

DECLARATION OF CONFLICT OF INTEREST

Under section 130(2) of the *Local Government Act 2020* and Governance Rule 24, the following officers declare that they have no interests to disclose in providing this report:

- Trevor Ierino – Chief Executive Officer
- Kathryn Baldock – Executive Assistant CEO & Councillors

Attachments
Nil

COUNCIL MEETING AGENDA - 25 JULY 2023

14.3 INFORMAL MEETINGS OF COUNCILLORS RECORDS

File No: 2023/516

Carla Hanlon - Executive Manager People & Governance **Executive Management**

For Decision

RECOMMENDATION

That Council accepts the attached Informal Meetings of Councillors records.

This report tables the Informal Meetings of Councillors as required under Council's governance rules. Informal Meetings of Councillors Records are only required for meetings closed to the public.

PURPOSE OF REPORT

The report presents Informal Meetings of Councillors records to Council for recording in the minutes in accordance with Governance Rule 72(b)(iii).

BACKGROUND

Governance Rule 70 defines an Informal Meeting of Councillors as:

1. a meeting of an advisory committee of Council, if at least one Councillor is present, or
2. a planned or scheduled meeting of at least half the Councillors and one member of Council staff which considers matters that are intended or likely to be:
 - a. the subject of a decision of the Council; or
 - b. subject to the exercise of a function, duty or power of the Council that has been delegated to a person or a committee.

The Governance Rules specifically excludes the following meetings:

- Council Meetings
- Delegated Committee Meetings
- Community Asset Committee Meetings

Informal meetings of Councillors do not include meetings which are open to the public.

DISCUSSION

Under Governance Rule 72(b)(iii), the CEO is required to provide a summary of matters discussed at Informal meetings of Councillors, which is to be tabled at the next Scheduled Council meeting and is to be recorded in the minutes.

The attached Informal Meetings of Councillors records are presented to Council for acceptance as summarised in the following table.

COUNCIL MEETING AGENDA - 25 JULY 2023

MEETING	DATE
Indigo Community Access Advisory Committee (closed session)	19 June 2023
Finance Committee	20 June 2023
Planning Site Visit – Sanatorium Road	20 June 2023
Councillor Briefing	20 June 2023
Councillor Briefing	27 June 2023
Councillor Briefing	4 July 2023

NOTE:

The timing of the agenda distribution will sometimes make it difficult to provide a complete month. Please note that any items not included will carry forward to the following month.

STRATEGIC CONTEXT

COUNCIL PLAN 2021 – 2025	
Theme	5. Accountability
Strategic Objective	5.5 Our Councillors and organisation are committed to the highest level of governance practices and conduct.

An Informal Meeting of Councillors record is a mechanism for Councillors and officers to openly declare and report any conflicts that may have arisen during a defined informal meeting of Councillors. This demonstrates to Council and the community that the meetings are conducted with transparency and good governance.

FINANCIAL IMPLICATIONS

There are no financial implications with this report.

LEGISLATIVE IMPLICATIONS

Informal Meetings of Councillors are dealt with under the Governance Rules.

RISK & OPPORTUNITY MANAGEMENT

Description	Likelihood	Consequence	Final Risk Rating	Controls, treatments
That a defined Informal Meeting of Councillors is not reported to Council, and public confidence in transparency is undermined.	Likely	Insignificant	Medium	Regular reminders to officers about the requirement to report defined meetings. Follow up of missing records for known meetings.

CONCLUSION

The Informal Meetings of Councillors records attached to this report are a true and accurate record of all defined meetings reported since the last report to Council.













COUNCIL MEETING AGENDA - 25 JULY 2023

DECLARATION OF CONFLICT OF INTEREST

In accordance with section 130(2) of the *Local Government Act 2020 and Governance Rule 24*, the following officers declare that they have no interests to disclose in providing this report:

- Carla Hanlon – Executive Manager People & Governance
- Annabel Harding - Governance Coordinator

Attachments

1.   Informal Meeting of Councillors Record - Indigo Community Access Advisory Committee - 19 June 2023
(closed session)
2.   Informal Meeting of Councillors Record - Finance Committee - 20 June 2023
3.   Informal Meeting of Councillors Record - Planning Site Visit - Sanatorium Road - 20 June 2023
4.   Informal Meeting of Councillors Record - Council Briefing - 20 June 2023
5.   Informal Meeting of Councillors Record - Council Briefing - 27 June 2023
6.   Informal Meeting of Councillors Record - Council Briefing - 4 July 2023

COUNCIL MEETING AGENDA - 25 JULY 2023

14.4 ADVISORY COMMITTEE MINUTES

File No: 2023/517

Carla Hanlon - Executive Manager People & Governance

Executive Management

For Decision

RECOMMENDATION

That Council receives the attached unconfirmed meeting minutes for the following Advisory Committees and endorses the officer recommendations:

- a) Indigo Environment Advisory Committee;
- b) Indigo Access Advisory Committee;
- c) Finance Committee; and
- d) Indigo Shire Cultural Heritage Advisory Committee.

PURPOSE OF REPORT

The report provides the minutes, recommendations and accompanying officer comments from Council's advisory committees for Council noting and endorsement of Management Recommended Actions.

BACKGROUND

Council currently has seven advisory committees. The role of an advisory committee is to provide information and advice on issues relating to the committee's specific area of expertise (i.e. the Environment Committee provides advice on environmental issues).

Each advisory committee meets regularly (the frequency of which depends on the committee) and records minutes and resolutions for Council decision. Each resolution reported to this month's meeting is highlighted in the table below, and has an accompanying officer comment.

DISCUSSION

COMMITTEE	DATE OF MEETING	RECOMMENDATION	MANAGEMENT RECOMMENDED ACTION
Indigo Environment Advisory Committee	7 June 2023	nil	
Indigo Community Access Advisory Committee	19 June 2023	nil	
Finance Committee	20 June 2023	nil	

COUNCIL MEETING AGENDA - 25 JULY 2023

COMMITTEE	DATE OF MEETING	RECOMMENDATION	MANAGEMENT RECOMMENDED ACTION
Indigo Cultural Heritage Advisory Committee	29 June 2023	The Cultural Heritage Advisory Committee recommends that a report about the current cross-shire program be shared at a Council meeting.	Management recommends that this is an appropriate item for a Council Briefing. To be scheduled in the next three months.
		The Cultural Heritage Advisory Committee recommends that the Burke Museum team meet with Arts, Culture and Events team at the Rural City of Wangaratta Council to start a conversation about reconnecting North-East Victoria local history groups.	Management supports the recommendation. Officers to arrange a meeting to commence these discussions in the next three months.

Note: Minutes of Advisory Committee meetings may not be available at the time the agenda is published. Any Minutes not included will be reported in the following month.

STRATEGIC CONTEXT

COUNCIL PLAN 2021 – 2025	
Theme	5. Accountability
Strategic Objective	5.5 Our Councillors and organisation are committed to the highest level of governance practices and conduct.

The provision of advisory committee minutes and resolutions to Council at the monthly meeting ensures that Council considers the advice of the committees. This allows transparent decision-making and highest level of governance practices and conduct.

FINANCIAL IMPLICATIONS

There are no financial implications with this report.

LEGISLATIVE IMPLICATIONS

Council's advisory committees are established by Council but do not have any delegated decision-making powers. Instead they work under terms of reference and provide advice to Council. The advice occurs in a variety of forms, including advice to relevant Council departments, as well as advice contained within resolutions that are reported to Council.

Some advisory committee meetings are open to the public and some are closed, however all minutes are reported to Council (with the exception of the Audit & Risk Committee - these meetings are held 'in camera' and the minutes are not available to the public – reporting to Council occurs as per the requirements under the *Local Government Act 2020*).

COUNCIL MEETING AGENDA - 25 JULY 2023

RISK & OPPORTUNITY MANAGEMENT

Description	Likelihood	Consequence	Final Risk Rating	Controls, treatments
That advisory committee minutes and recommendations are not duly reported to Council, and the utility and confidence of the committees are undermined.	Unlikely	Insignificant	Low	Governance team follow up with officer secretariats to ensure that all meetings are reported to Council as soon as practicable.

CONCLUSION









The advisory committee minutes included in this report are presented to Council for noting.

DECLARATION OF CONFLICT OF INTEREST

In accordance with section 130(2) of the *Local Government Act 2020* and *Governance Rule 24*, the following officers declare that they have no interests to disclose in providing this report:

- Carla Hanlon - Executive Manager People and Governance
- Annabel Harding - Governance Coordinator

Attachments

1.   Minutes - Indigo Environment Advisory Committee - 7 June 2023
2.   Minutes - Indigo Community Access Advisory Committee - 19 June 2023
3.   Minutes - Finance Committee - 20 June 2023
4.   Minutes - Indigo Cultural Heritage Advisory Committee - 29 June 2023

COUNCIL MEETING AGENDA - 25 JULY 2023

15. NOTICES OF MOTION

Nil reports

COUNCIL MEETING AGENDA - 25 JULY 2023

16. COUNCILLORS REPORT

16.1 MAYOR'S DIARY - JUNE 2023

For Information

Mayor Price attended the following functions/events/meetings in June 2023:

DATE	TIME	FUNCTION / EVENT / MEETING	LOCATION
2 June	11.00am	Kinder Kulture Storytime (National Reconciliation Week Activity)	Chiltern
5 June	10.00am	Meeting with CEO	Beechworth
6 June	12.00pm	Site Tour – Chiltern Destination Playspace	Chiltern
6 June	1.30pm	Meeting with CEO and Council Officers	Beechworth
6 June	2.30pm	Council Briefing	Beechworth
11 June	2.00pm	Celebrity Grape Stomp - Roam Rutherglen Winery Walkabout	Rutherglen
13-15 June		Australian Local Government Association (ALGA) Regional Form and 2023 National General Assembly (NGA)	Canberra
13 June		Meeting with CEO and Hon Kristy McBain, Minister for Regional Development, Local Government and Territories	Canberra
14 June		Meeting with CEO, Crs Gaffney and Croucher and Senator the Hon Bridget McKenzie	Canberra
15 June		Meeting with CEO and Dr Helen Haines MP	Canberra
15 June		Meeting with CEO and The Hon Catherine King MP Minister for Infrastructure, Regional Development and Local Government	Canberra
16 June		Australian Council of Local Government (ACLG) Forum	Canberra
19 June	2.30pm	Indigo Community Access Committee Meeting	Online
20 June	12.45pm	Site Visit – 303 Sanitorium Road, Allans Flat	Allans Flat
20 June	2.30pm	Council Briefing	Beechworth
20 June	6.00pm	Finance Committee Meeting	Beechworth
26 June	10.00am	Meeting with CEO	Beechworth
26 June	11.30am	Meeting with CEO and Council Officers	Beechworth
27 June	4.00pm	Council Briefing	Beechworth
27 June	6.30pm	Council Meeting	Beechworth

COUNCIL MEETING AGENDA - 25 JULY 2023

DATE	TIME	FUNCTION / EVENT / MEETING	LOCATION
29 June	4.30pm	Meeting with CEO, Cr Gaffney, Cr Teissl and Ty and Esther Bates from Lake Anderson Caravan Park	Chiltern

Attachments
Nil

COUNCIL MEETING AGENDA - 25 JULY 2023

17. DECISIONS REGISTER

17.1 DECISIONS REGISTER

File No: 2023/508

Carla Hanlon - Executive Manager People & Governance Executive Management

For Information

The report outlines actions from Council Resolutions as at 30 June 2023, including those not previously listed as completed, but not including resolutions to note a report.

Meeting date	Item	Name	Resolution	Status
28-Mar-23	14.2	Audit and Risk Committee - Performance Survey 2021/2022	That Council: <ol style="list-style-type: none"> 1. Receives the results of the 2021/2022 Audit and Risk Committee performance survey; and 2. Endorses the Mayor to thank the Audit & Risk Committee for their work, at the next scheduled meeting. 	Part 1 – Completed Part 2 – Incomplete (to be completed at the next Audit & Risk Committee meeting, scheduled for 17 July 2023)
27 June-23	7	Condolences	That a letter of condolence be sent to Pam Crosthwaite's family.	Completed
27 June-23	7	Condolences	That a letter of condolence be sent to Jeanette McIntosh's family.	Completed
27 June 2023	8	Confirmation of Minutes from Previous Meeting(s)	That the following minutes be confirmed: <ol style="list-style-type: none"> 1. Minutes of the Council Meeting held on 16 May 2023, as published on Council's website; and 2. Confidential Minutes of the Council Meeting held on 16 May 2023, as provided to Councillors under separate cover. 	Completed
27 June 2023	11.1	May Finance Report	That Council accepts the May Finance Report noting the progress against Council's quarter 2 forecast.	Completed

COUNCIL MEETING AGENDA - 25 JULY 2023

Meeting date	Item	Name	Resolution	Status
27 June 2023	11.2	Council Plan 2021-2025 (Year 3)	That Council adopts the Council Plan 2021-2025 (Year 3), noting adjustments to the phasing and rewording of some actions and the updated Municipal Public Health and Wellbeing Action Plan 2021-2025.	Completed
27 June 2023	11.3	Consideration of 2023/24 Budget Submissions	That Council; <ol style="list-style-type: none"> 1. Receives the attached draft budget responses, and thanks submitters for their assistance and feedback; 2. Endorses the management responses detailed in this report in relation to the budget submissions; 3. Endorses any recommended changes to the budget or actions as a result of the submissions (as detailed in the report), noting the addition of \$87k for footpaths and \$70k for drainage; and 4. Directs Council staff to respond to each submitter with a copy of this report and the Council resolution. 	Completed
27 June 2023	11.4	Approval to Borrow	That Council approves borrowings of \$1 million to be taken up using the following process: <ol style="list-style-type: none"> 1. Borrowings to be procured at a time that Council's cash at bank is projected to fall below \$6 million within the following 2 months; 2. Borrowing institution and interest rate to be decided by the CEO based on three quotes; and <p>This resolution is valid to the end of the 2026/27 financial year.</p>	Completed
27 June 2023	11.5	Adoption of Indigo Shire Council 2023/24 Budget	That: <ol style="list-style-type: none"> 1. Council, having given public notice and having received and considered submissions, adopts the attached 2023/24 Budget, including the Budgeted Financial 	Completed

COUNCIL MEETING AGENDA - 25 JULY 2023

Meeting date	Item	Name	Resolution	Status
			<p>Statements as defined by the Local Government (Finance and Reporting) Regulations (2014);</p> <ol style="list-style-type: none"> 2. the Fees and Charges for 2023/24, as listed in the attached 2023/24 Budget, be effective from 1 July 2023; 3. the Chief Executive Officer or delegate gives public notice of this decision to adopt the following: <ol style="list-style-type: none"> a) 2023/24 Budget in accordance with Section 94 of the Local Government Act 2020, and; b) 2023/24 Ten-year financial plan, and; c) 2023/24 Revenue and Rating Plan. 4. Council records the following reasons for the decision to adopt the 2023/24 Budget: <ol style="list-style-type: none"> a) It reflects the efficient and effective allocation of resources having regard to the objectives, roles and functions of Council; b) It is appropriate to the priorities of Council having regard to the Council Plan, and Council's Long-Term Financial Strategy; 5. Council notes the attached Income and Expense report that provides additional information regarding each service budget; 6. Declaration of rates and charges <ol style="list-style-type: none"> 6.1 Amount intended to be raised The amount of \$19,575,379 (or such greater amount as is 	

COUNCIL MEETING AGENDA - 25 JULY 2023

Meeting date	Item	Name	Resolution	Status
			<p>lawfully levied as a consequence of this resolution) be declared as the amount which Council intends to raise by general rates and the waste management charges (described later in this Resolution), which amount is calculated as follows:</p> <ul style="list-style-type: none"> ☐ General rates \$13,015,350 (including supplementary valuations) ☐ Municipal charge \$2,965,430 ☐ Waste management charges \$3,594,600; <p>6.2 General rates</p> <p>(a) A general rate be declared in respect of and for the entire duration of the 2023/24 financial year;</p> <p>(b) It be further declared that the general rate be raised by the application of differential rates;</p> <p>(c) The rate and amount of rates payable in relation to land in each category of differential are:</p> <ul style="list-style-type: none"> ☐ A rate of 0.1993% (0.1993 cents in the dollar of CIV) for all rateable general properties; ☐ A rate of 0.3987% (0.3987 cents in the 	

COUNCIL MEETING AGENDA - 25 JULY 2023

Meeting date	Item	Name	Resolution	Status
			<p>dollar of CIV) for all rateable residential vacant properties;</p> <ul style="list-style-type: none"> ☐ A rate of 0.1495% (0.1495 cents in the dollar of CIV) for all rateable rural 1 properties; ☐ A rate of 0.1794% (0.1794 cents in the dollar of CIV) for all rateable rural 2 properties; ☐ A rate of 0.2691% (0.2691 cents in the dollar of CIV) for all rateable commercial/industrial properties. <p>6.3 Municipal charge A municipal charge of \$339.10 be declared in respect of the 2023/24 financial year;</p> <p>6.4 Waste management charges An annual waste management charge be declared for the collection and disposal of refuse. The annual charge be in the sum of, and be based on the criteria specified below:</p> <ul style="list-style-type: none"> Waste management charge for the collection and disposal of refuse for residential land, non-residential land or non-rateable land: ☐ Urban domestic garbage collection 140 litre bin \$126.90 ☐ Urban domestic garbage collection 240 litre bin \$215.30 	

COUNCIL MEETING AGENDA - 25 JULY 2023

Meeting date	Item	Name	Resolution	Status
			<ul style="list-style-type: none"> ☐ Rural domestic garbage collection 240 litre bin \$215.30 ☐ Domestic recycling collection 240 litre bin \$98.20 ☐ Domestic recycling collection 360 litre bin \$118.80 ☐ Domestic organics collection 140 or 240 litre bin \$180.70 ☐ Environmental Management Contribution \$85.80 <p>7. Payment options</p> <p>Payment of rates and charges can be made by one annual payment - due on or before 30 September;</p> <p>Or Council issue rate notices and collect all rates via four instalment plan process, with instalments due on:</p> <ul style="list-style-type: none"> 1st Instalment - 30 September 2023 2nd Instalment - 30 November 2023 3rd Instalment - 28 February 2024 4th Instalment - 31 May 2024 <p>Where the payment due date falls on a weekend or public holiday, the payment date will be the next business day; No additional instalment options be declared.</p> <p>8. Consequential</p> <p>(a) The Chief Executive Officer or delegate be authorised to levy and recover the general rates, municipal charge and waste management charges in</p>	

COUNCIL MEETING AGENDA - 25 JULY 2023

Meeting date	Item	Name	Resolution	Status
			<p>accordance with the <i>Local Government Act (2020)</i>;</p> <p>Council in accordance with Section 120 of the <i>Local Government Act (2020)</i> requires any person to pay interest on any amounts of rates and charges which that person is liable to pay, and have not been paid by the date specified for their payment; and</p> <p>9. Borrowings</p> <p>Council proposes no new borrowings for 2023/24.</p>	
27 June 2023	11.6	Planning Permit Application PP22-0075 - 303 Sanatorium Road, Allans Flat	<p>That Council resolve to issue a notice of decision to refuse a planning permit for the proposal to use and develop the land for a dwelling in on CA 17 Sec L in TP351328, off Johnson Lane, Allans Flat, on the following grounds:</p> <ol style="list-style-type: none"> 1. The proposal is not consistent with the following clauses of the Planning Policy Framework: <ol style="list-style-type: none"> a. 02.03-1 Settlement b. 02.03-2 Environmental risks and amenity c. 02.03-4 Natural resource management d. 11.01-1S Settlement e. 14.01-1S Protection of agricultural land f. 16.01-3S Rural residential land 2. The proposal is not consistent with the purpose and decision guidelines of the Farming Zone. 3. The proposal is inconsistent with the decision guidelines of clause 65.01 including 	Completed

COUNCIL MEETING AGENDA - 25 JULY 2023

Meeting date	Item	Name	Resolution	Status
			<ul style="list-style-type: none"> a. The matters set out in section 60 of the Act b. The Municipal Planning Strategy and the Planning Policy Framework. c. The purpose of the zone, overlay or other provision. d. Any matter required to be considered in the zone, overlay or other provision. e. The orderly planning of the area. 	
27 June 2023	11.7	Planning Permit Application PP22-0008 - Lower Nine Mile Road Stanley	That Council considers item 11.7 at the next Council Meeting once the matter of an easement is clarified.	Incomplete – included in agenda for July Council meeting
27 June 2023	12.1	Chiltern Destination Playspace Concept Design Report - Final Draft	That Council adopts the Chiltern Destination Playspace Concept Design Report.	Completed
27 June 2023	12.2	Swimming Pools Report 2022/2023	<p>That Council:</p> <ul style="list-style-type: none"> 1. Receives the 2022/2023 swimming pool season report; 2. Rescinds the motion from the December 2022 meeting to remove the cold weather policy; and 3. Defers to the original contract clause enabling Council officers to develop an appropriate operational process with Belgravia Leisure to manage extreme weather events. 	Completed

COUNCIL MEETING AGENDA - 25 JULY 2023

Meeting date	Item	Name	Resolution	Status
27 June 2023	12.3	Revocation of Burke Museum Beechworth Collection Policy 2015	<p>That Council:</p> <ol style="list-style-type: none"> 1. Notes the revised Burke Museum Collection Policy 2022; 2. Accepts the Burke Museum Collection Policy 2022 will be approved as a CEO Directive; 3. Endorses the revocation of the Burke Museum Beechworth Collection Policy 2015; and 4. Notes that Council will receive an annual briefing detailing the outcome of the annual audit and/or four year revaluation reports associated with the AMaGA accreditation plus the Cultural Heritage Advisory Committees response to those audit/revaluation reports. 	Completed
27 June 2023	12.4	Reconciliation Action Plan Progress Report	<p>That Council:</p> <ol style="list-style-type: none"> 1. Receives this report noting Indigo Shire Council's Reconciliation Action Plan progress; 2. Endorses the attached updated RAP Action Plan with a 6-month extension to some actions; and 3. Adopts the attached Terms of Reference (ToR) for the RAP Working Group. 	Completed

COUNCIL MEETING AGENDA - 25 JULY 2023

Meeting date	Item	Name	Resolution	Status																																				
27 June 2023	12.5	Get Active Indigo Grants 2023	<p>That Council allocates \$30,000 under the 2022/2023 Indigo Shire Get Active Indigo Grants Program as follows:</p> <table border="1"> <thead> <tr> <th>Applicant</th> <th>Project</th> <th>Grant Amount</th> </tr> </thead> <tbody> <tr> <td>Beechworth Swimming Club</td> <td>Off season training program</td> <td>\$4,600</td> </tr> <tr> <td>Indigo North Health</td> <td>Guided nature walks</td> <td>\$2,650</td> </tr> <tr> <td>Chiltern Neighbourhood House</td> <td>Line dancing classes</td> <td>\$2,250</td> </tr> <tr> <td>Beechworth Netball Club</td> <td>Night netball competition</td> <td>\$1,000</td> </tr> <tr> <td>“Drop In and Take Off”</td> <td>Skate park workshops</td> <td>\$5,000</td> </tr> <tr> <td>Kiewa Tennis Club</td> <td>Coaching program</td> <td>\$4,000</td> </tr> <tr> <td>Beechworth Golf Club</td> <td>Female coaching program</td> <td>\$5,000</td> </tr> <tr> <td>Beechworth Chain Gang</td> <td>Granite girls program</td> <td>\$2,000</td> </tr> <tr> <td>Rutherglen Swimming Club</td> <td>Coaching program</td> <td>\$3,000</td> </tr> <tr> <td>Rutherglen Historical Society</td> <td>Guided historical walks</td> <td>\$500</td> </tr> <tr> <td></td> <td>Total</td> <td>30,000</td> </tr> </tbody> </table>	Applicant	Project	Grant Amount	Beechworth Swimming Club	Off season training program	\$4,600	Indigo North Health	Guided nature walks	\$2,650	Chiltern Neighbourhood House	Line dancing classes	\$2,250	Beechworth Netball Club	Night netball competition	\$1,000	“Drop In and Take Off”	Skate park workshops	\$5,000	Kiewa Tennis Club	Coaching program	\$4,000	Beechworth Golf Club	Female coaching program	\$5,000	Beechworth Chain Gang	Granite girls program	\$2,000	Rutherglen Swimming Club	Coaching program	\$3,000	Rutherglen Historical Society	Guided historical walks	\$500		Total	30,000	Completed
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COUNCIL MEETING AGENDA - 25 JULY 2023

Meeting date	Item	Name	Resolution	Status
27 June 2023	12.6	Federal Government Growing Regions Program Grant Fund Recommendations	<p>That Council:</p> <ol style="list-style-type: none"> 1. Supports a Tourism North East application for Indigo Shires <i>Rutherglen Silo Precinct and Community Arts Hub</i> project in the Federal Government Growing Regions Program funding round 2023/2024 (noting the required 90/10 cash co-contribution as per the eligibility criteria if successful) via submitting an Expression of Interest; and 2. Pending feedback on the Expression of Interest referred to in point 1 above, proceed with making a full application; and 3. Endorses a Council application for the <i>Chiltern Destination Playspace</i> project in the Federal Government Growing Regions Program funding round 2023/2024 (noting the required 90/10 cash co-contribution as per the eligibility criteria if successful) via submitting an Expression of Interest; and 4. Pending feedback on the Expression of Interest referred to in point 3 above, proceed with making a full application. 	<p>1 and 3 – Underway</p> <p>2 and 4 – On hold. To be progressed pending the outcome of the EOIs referred to in recommendations 1 and 3.</p>
27 June - 23	13.1	May Capital Works Report	That Council notes the May Capital Works Report and year to date progress in the delivery of the capital works program.	Completed
27 June - 23	14.1	Council Expense & Resources Policy	<p>That Council:</p> <ol style="list-style-type: none"> 1. Endorses the draft Council Expense & Resources Policy; and 2. Places it on public exhibition for a period of thirty days and invites submissions 	Completed
27 June- 23	14.2	Advisory Committee Minutes	<p>That Council:</p> <ol style="list-style-type: none"> 1. Receives the attached unconfirmed meeting minutes for the following Advisory 	Completed

COUNCIL MEETING AGENDA - 25 JULY 2023

Meeting date	Item	Name	Resolution	Status
			Committees and endorses the officer recommendations: <ol style="list-style-type: none"> a. Indigo Environment Advisory Committee; b. Indigo Community Access Committee; 2. Adopts the updated Terms of Reference for the Indigo Environment Advisory Committee.	
27 June-23	14.3	Informal Meetings of Councillors Records	That Council accepts the attached Informal Meetings of Councillors records.	Completed
27 June-23	15.1	Notice of Motion - Report on CCTV	That Council request the CEO to meet with Victoria Police - Local Area Command - and providers of high definition CCTV and provide a report to Council on the viability of Council purchasing CCTV'S for the safety of our communities across Indigo Shire.	In Progress

Attachments
Nil

COUNCIL MEETING AGENDA - 25 JULY 2023

18. GENERAL BUSINESS

COUNCIL MEETING AGENDA - 25 JULY 2023

19. CONFIDENTIAL

Section 66 of the Local Government Act 2020 (the LGA Act) states:

1. A Council or delegated committee must keep a meeting open to the public unless the Council or delegated committee considers it necessary to close the meeting to the public because a circumstances specified in subsection (2) applies.
2. The circumstances are:
 - a. the meeting is to consider confidential information [*as defined in section 3 of the LGA Act*]
 - b. for security reasons; or
 - c. it is necessary to do so to enable the meeting to proceed in an orderly manner.

RECOMMENDATION

That the Council Meeting be closed to the public in accordance with Section 66 of the *Local Government Act 2020*.

This meeting will now close to the public. Members of the gallery are asked to leave. Recording and live streaming will cease before proceeding.

COUNCIL MEETING AGENDA - 25 JULY 2023

19.1 INDIGO COMMUNITY ACCESS COMMITTEE APPLICATION

File No: 2023/519

**Carlene Lamanna - Manager Community
Development**

Community & Economic Development

This matter is considered to be confidential under Section 3(1)(f) of the Local Government Act 2020, as it deals with personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

This information is confidential under section 3(1)(f) of the Local Government Act 2020 because it contains personal information about an applicant for a committee position.

For Decision

Next Meeting: Tuesday, 29 August 2023 at 6.30pm

11.2

PLANNING PERMIT APPLICATION PP22-0311 - 354 MOODEMERE ROAD, NORONG

2	Referral Responses	106
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Agriculture Victoria

05 June 2023

Vickie McLellan
Planning Department
Indigo Shire Council
PO Box 28
BEECHWORTH VIC 3747

Email: info@indigoshire.vic.gov.au

Dear Vickie,

RE: Planning Permit Application PP22-0311 Use and Development of a Dwelling

**Land at: 354 Moodemere Road NORONG VIC 3682
Allot. 7 Sec. D PARISH OF NORONG**

Reference: PP22-0311

Thank you for the opportunity to provide comment pursuant to a notice of application under Section 52 of the *Planning and Environment Act, 1987*.

The advice provided in this letter relates to:

1. Planning context
2. Supporting documentation
3. Review of the application against Indigo Planning Scheme's strategic objectives

1. Planning Context

The subject land is approximately 8.03 hectares in area and is zoned Farming Zone (FZ), Clause 35.07 of the Indigo Planning Scheme, and is affected by;

- Environmental Significance Overlay - Schedule 2 (ESO2)
- Areas of Aboriginal Cultural Heritage Sensitivity (Partial)
- Adjacent to Public Conservation and Resource Zone (Murray River environs)

Agriculture Victoria notes that the application for a dwelling is to support the use of the land for Grazing animal production (GAP). GAP is a Section 1 use (no permit required) in the Farming Zone.

Under the Schedule to Clause 35.07 Farming Zone, a Dwelling on a lot less than 40 ha is a Section 2 use, permit required.

Council Property Number 9801, address; 354 Moodemere Road NORONG, is noted as having two (2) parcels:

- Allot. 7 Sec. D PARISH OF NORONG, (8.03 ha)
- Allot. 11 Sec. 9 TOWNSHIP OF NORONG, (0.16 ha)

2. Supporting Documentation

Agriculture Victoria has reviewed the application documents and provides a summary of the relevant points:

1

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Planning Report – 354 Moodemere Road, Norong

The *Planning Report, 354 Moodemere Road, Norong*, Leah Culhane and Luke Hawking, dated 30 October 2022 states:

- *The land is formally described as (A) Allot. 7 Sec D Parish of Norong and (B) Allot. 11 Sec 9 Township of Norong, commonly known as 354 Moodemere Road Norong Vic 3682. The site exists of two parcels and is currently vacant land used for light grazing.*
- *This planning permit report supports a planning application submitted to Indigo Shire for the use and development of land for the purposes of a residential dwelling within the farming zone.*
- *The surrounding area is dominated by small-scale rural properties and agricultural land. To the north north-east of the subject site is the Murray River separated to the property boundary by a 130m reserve area. To the west and the south-east, the property is bordered by similar sized rural allotments and existing houses.*
- *The natural surrounds and aesthetic of the Murray River corridor contribute significantly to the natural and rural amenity of the area and the site. It is in the owner's intention to preserve these areas and respect the significant environmental aesthetic the area provides whilst enhancing the environmental assets, significant views and landscapes along the river corridor.*
- *The future small-scale agricultural pursuits will be guided by the Land Management Plan provided below in response to Clause 35.07 Farming Zone Requirements.*
- *The proposed dwelling will be designed and positioned to respect the natural surrounds of the area and the adjoining properties and will not detract from the overall natural aesthetic of the area.*

Building Envelope Plan – 354 Moodemere Road, Norong

The *Building Envelope Plan, 354 Moodemere Road, Norong*, Version 1, dated 29 October 2022 shows:

- A building envelope of 103.87 m x 51.19 m (5,317 m²).

Land Capability Assessment – 354 Moodemere Road, Norong

The *Land Capability Assessment, 354 Moodemere Road, Norong*, prepared by Geoplan, dated September 2022 states:

- *There is one surface water feature that requires the application of CoP setbacks - the Murray River is located around 160m to the north of the proposed LAA. The CoP requires a 100m setback from this feature and therefore CoP setback requirements can be achieved.*
- *Effective rainfall/Year = 1025 mm.*
- *Activities within the land application areas such as recreation activities, or grazing animals shall be controlled or prohibited so that soil compaction or interference with the function of the land application system is minimised and people avoid potential contact with effluent residues.*

Farm Management Plan - 354 Moodemere Road, Norong

The *Farm Management Plan, 354 Moodemere Road, Norong*, Leah Culhane and Luke Hawking, dated 24 April 2023 states:

- *354 Moodemere Road, Norong is a small rural living sized allotment approximately 8ha in size. The site is located 8km from the Rutherglen town centre. The land is surrounded by similar smaller sized allotments with a number of smaller rural living properties immediately adjoining the land.*
- *The subject site is cleared and given to pasture, with no hydrophilic species identified.*
- *It is proposed the property will be split into 6 paddocks, with 2-3 paddocks rested at any one time. Rotation of the paddocks will be dependent on pasture growth.*

OFFICIAL

Infrastructure proposed to support the feedlot operations includes yards, crush/handling facilities, rural shedding, manure stockpiling and composting facility.

- *Water storage will be multiple rain water tanks harvesting water from both the shed and dwelling for domestic use. Application has been submitted for a stock and domestic water licence (take and use licence). Water will be transferred via irrigation pipes from source to stock troughs in each paddock*
- *An existing stand of redgum regrowth is located on the property. These trees will provide shelter for cattle and will receive periods of resting through paddock rotations.*
- *Specifically, the owners are proposing to utilise the site for an intensive small-scale feedlot operation, with total number of cattle on the site at any time will not exceed 100 head. This is intended to be split between a younger herd being raised to replace an older herd being grown out to approximately 300kg before being sold.*
- *Operation of the feedlot will comply with the Victorian Code for Cattle Feedlots – August 1995. A detailed environmental management plan (EMP) can be prepared and submitted to Council if required, upon permit approval for the dwelling. The EMP will detail the specific feedlot operations and compliance with the Victorian Code for Cattle Feedlots – August 1995.*
- *Management of all effluent and waste produced by the feedlot operations will be managed in accordance with the Victorian Code for Cattle Feedlots – August 1995 and applicable EPA legislation and policies.*
- *A colorbond shed with electricity and a rock base will be constructed to house feed, artificial insemination equipment and machinery. Fencing will be upgraded to allow for paddock regeneration, food production and to separate calves from cows.*
- *In the current economic climate, pure speckle park calves are selling at higher rate than more common breeds.*
- *The current owners have been involved in cattle production and farming for the past five years. This property has been used purely for fattening out and selling cattle.*

3. Review of the application against Indigo Planning Scheme's strategic objectives

Agriculture Victoria considers that the following clauses of the Indigo Planning Scheme are relevant to this application:

- Clause 14.01-1S Protection of agricultural land, Strategies;
 - *Avoid permanent removal of productive agricultural land from the state's agricultural base without consideration of the economic importance of the land for the agricultural production and processing sectors.*
 - *Protect productive agricultural land from unplanned loss due to permanent changes in land use.*
 - *Prevent inappropriately dispersed urban activities in rural areas.*
 - *Limit new housing development in rural areas by:*
 - *Directing housing growth into existing settlements.*
 - *Discouraging development of isolated small lots in the rural zones from use for dwellings or other incompatible uses.*
 - *Encouraging consolidation of existing isolated small lots in rural zones.*
 - *In considering a proposal to use, subdivide or develop agricultural land, consider the:*
 - *Desirability and impacts of removing the land from primary production, given its agricultural productivity.*
 - *Impacts on the continuation of primary production on adjacent land, with particular regard to land values and the viability of infrastructure for such production.*
 - *Compatibility between the proposed or likely development and the existing use of the surrounding land.*

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- *The potential impacts of land use and development on the spread of plant and animal pests from areas of known infestation into agricultural areas.*
 - *Land capability.*
- **Clause 14.01-2S Sustainable agricultural land use, Strategies;**
 - *Ensure agricultural and productive rural land use activities are managed to maintain the long-term sustainable use and management of existing natural resources.*
 - *Support the development of innovative and sustainable approaches to agricultural and associated rural land use practices.*
 - *Support adaptation of the agricultural sector to respond to the potential risks arising from climate change.*
 - *Encourage diversification and value-adding of agriculture through effective agricultural production and processing, rural industry and farm-related retailing.*
 - *Assist genuine farming enterprises to embrace opportunities and adjust flexibly to market changes.*
 - *Facilitate ongoing productivity and investment in high value agriculture.*
- **Clause 14.02-1S Catchment planning and management, Strategies;**
 - *Retain natural drainage corridors with vegetated buffer zones at least 30 metres wide along each side of a waterway to:*
 - *Maintain the natural drainage function, stream habitat and wildlife corridors and landscape values,*
 - *Minimise erosion of stream banks and verges, and*
 - *Reduce polluted surface runoff from adjacent land uses.*
- **Clause 16.01-3S Rural residential development, Strategies:**
 - *Manage development in rural areas to protect agriculture and avoid inappropriate rural residential development.*
 - *Discourage development of small lots in rural zones for residential use or other incompatible uses.*
- **Clause 21.05-9 Rural Areas:**
 - **Objectives:**
 - *Retain agricultural land for agricultural purposes.*
 - *Accommodate a diverse range of residential, lifestyle and tourism opportunities whilst protecting agriculture, rural landscapes, rural character and environmental assets.*
 - *Avoid conflict between agricultural uses and residential uses.*
 - *Limit rural residential use and development to strategically justified and appropriately zoned areas.*
 - **Strategies:**
 - *Direct rural residential development to areas strategically zoned for this type of development.*
 - *Reduce the proportion of new housing development provided in rural areas and encourage the consolidation in existing settlements where investment in physical and community infrastructure and services has already been made.*
 - *Ensure landscapes are protected and that new development does not detract from their natural quality.*
 - *The objectives and strategies will be implemented by:*
 - *Prevent inappropriately dispersed urban activities in rural areas.*
 - *Limit new housing development in Farming Zone areas, including:*
 - *Directing housing growth into existing settlements and appropriately zoned rural areas.*

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- *Discouraging development of isolated small lots in the Farming Zone from use for single dwellings, rural living or other incompatible uses.*
 - *Encouraging consolidation of existing isolated small lots in the Farming Zone.*
- Clause 22.01-2 Rural Development Siting and Design Policy, Objectives;
 - *To minimise the visual impact of development on or near prominent hilltops, steep slopes and ridgelines.*
 - *To protect significant views from the public domain of hilltops, creek valleys and other important features of landscape interest.*
- Clause 22.01-6 Rural Land Use Policy:
 - *Of particular importance is the pressure to use rural land for dwelling purposes where the dwelling is not directly linked to the use of the land for agricultural purposes. The potential adverse impacts of unplanned rural living on agriculture, tourism, landscapes, ecological values and the efficiency of infrastructure and service provision is a key issue for the Shire.*
 - *The number of dwellings that a farm requires and can sustain economically depends on the property's land capability, the labour needs of the enterprise, the intensity of farm activities and the volume of rural output.*
 - Objectives:
 - *To ensure the use of land is in conjunction with agricultural production.*
 - *To promote the long-term sustainable use of agricultural land regardless of quality.*
 - *To minimise conflict between land uses in the rural zones.*
 - *To support the growth and diversification of agriculture and rural industries.*
 - *To provide for the residential use of land where associated with and required to support a productive agricultural enterprise.*
 - *It is policy:*
 - *That a proposal to use land demonstrates that it is required to facilitate and enhance the ongoing primary use of the land for productive, sustainable agriculture.*
 - *That those sustainable agricultural industries which incorporate best management practice and facilitate and enhance the ongoing primary use of the land and/or land in the locality for agriculture will be strongly supported.*
 - *To ensure that any dwelling proposal, including second dwellings, demonstrates that the residential use of the land has a relationship with and is required to directly support the continuing operation of an existing rural use conducted on the land.*
 - *To discourage the residential use of existing small lots within the Farming Zone.*

Conclusion

Indigo Shire Council as the responsible authority will have to make a determination as to whether the application for the proposed dwelling meets the purpose of the zone and the strategic objectives of the Indigo Planning Scheme.

Agriculture Victoria notes that:

- The Application states that the; *Operation of the feedlot will comply with the Victorian Code for Cattle Feedlots – August 1995.*
- The application further states the cattle will be rotationally grazed in paddocks.

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Agriculture Victoria has considered the following Victorian Civil and Administrative Tribunal (VCAT) decisions relating to the use of the land for a dwelling, the proposed scale of agricultural production, along with the purpose of the Farming Zone.

VCAT case *Kennedy v Baw Baw SC* [2022] VCAT 787 considered the justification of a dwelling on a 3.9 hectare property in the Farming Zone. In this matter Member Wickramasinghe stated the following:

- *52. The scale of the agricultural is said to be more akin to a hobby farm and as such any dwelling would perform the function of supporting a rural lifestyle rather than being a necessity in the operation of a commercially viable business.*
- *53. I am not persuaded the use of the land for a dwelling on a 3.9 hectare site is consistent with the provisions of the FZ and is necessary having regard to the nature of the farming use. The decision guidelines of the FZ require consideration of whether the dwelling will result in loss or fragmentation of productive agricultural land and the potential for the proposal to lead to a concentration or proliferation of dwellings.*

In VCAT decision *Strachan v Latrobe CC* [2022] VCAT 35 the need for a dwelling in association with agriculture in the Farming Zone at a hobby scale was considered by the member. In this matter Member Halliday stated the following:

- *32. A proposal to develop and use the land for a dwelling was the subject of an application to the Tribunal for review of a grant of a permit in 2012. It was put to the Tribunal in that matter that the permit applicant intended to run a beef herd with 10 weaner cattle being fattened on the site at any one time. The Tribunal set aside the Council's decision and a permit was not granted.¹ The Tribunal found that the proposal was an attempt to have a rural living arrangement masked as an agricultural use within a Farming Zone.*
- *58. ... I have not been persuaded that if the hobby farm operation is started, it will sustainably persist in the long term. The FMP makes no provision for what is to occur if the hobby farm operation ceases, after the dwelling is constructed. In my view, once the dwelling is constructed, there is real risk that if the proposed hobby farming activity commences, it will not be sustained. After the five year period referred to in condition 7, there is not a great deal of motivation for the agricultural activities to be sustained in the long term, particularly if a subsequent owner has no interest in rearing cattle. I consider that this is inconsistent with:*
 - a. the purposes of the FZ2, which seek to ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture and which encourage the use and development of land based on comprehensive and sustainable land management practices;*
 - b. Clause 14.01-1S (Protection of agricultural land) which seeks to limit new housing development in rural areas by directing housing growth into existing settlements; discouraging development of isolated small lots in rural zones from use for dwellings.*
 - c. Clause 16.01-3S (Rural residential development) which discourages development of small lots in rural zones for residential use and encourages consolidation of existing isolated small lots in rural areas.*

In VCAT decision *Morabito v Macedon Ranges SC* [2018] VCAT 1313 the need for a dwelling in association with agriculture in the Farming Zone relating to the scale of production was considered by the member. In this matter Member Rundell stated the following:

- *21. The reasons behind the policies include not having agricultural land removed from production because it would be used as a dwelling. The policies also aim to prevent*

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smaller agricultural lots being used as rural lifestyle lots because such use fragments, or prevents the consolidation of smaller lots into larger agricultural holdings that can be used as viable agricultural businesses. Ad hoc incremental development of small lots for dwellings can encourage land values to rise, thereby making consolidation of agricultural lots more difficult. Dwellings may also be incompatible with agricultural activities on adjoining and nearby land. At the core of the above strategies is the proposition that agricultural land (particularly land with good quality soils) is a rare and valuable resource that needs to be preserved for agriculture in the long term.

- 32. *Finally I agree with the responsible authority that approval of this dwelling would be likely to contribute to increasing land values that would make it more difficult for farmers to consolidate properties into larger more viable holdings through leases or purchase*
- 57. *Farming is a robust activity. Families on small lots within a farming area may feel the amenity of their rural lifestyle property is prejudiced by nearby rural activities, including odours from fertilizers, dust, and noise from machinery and trucks operating at all hours. They may try to constrain the farming activities to preserve their amenity. The better approach is to minimise the prospect for conflict by giving priority to agriculture and minimising the intrusion of sensitive uses into an agricultural area.*
- 58. *Finally if clusters of households on small rural lots do emerge, they may request service levels from their local council that it would find difficult to provide*

The reasons within Estate of JE Walker v Wangaratta RCC [2021] VCAT 125, the Member Martin discusses the purposes of the Farming Zone in: *“The last three purposes are very on point here - a focus on protecting/retaining productive agricultural land and avoiding non-agricultural uses which would undermine such productive agricultural focus”.* [41]

Agriculture Victoria considers that:

- The application makes the statement that the; *Operation of the feedlot will comply with the Victorian Code for Cattle Feedlots – August 1995*, but does not address the code, the zone or the requirements of Clause 53.08 Cattle feedlot. Given the constraints of the site a cattle feedlot may not be an appropriate land use.
- Despite the statement above, the application states; *Rotation of the paddocks will be dependent on pasture growth* which suggests a Grazing animal production (GAP) system. Further statements include; *An intensive small-scale feedlot operation, total number of cattle on the site at any time and will not exceed 100 head. This is intended to be split between a younger herd being raised to replace an older herd being grown out to approximately 300kg before being sold.* This may suggest an Intensive animal production system but the application is lacking in any detail.
- If the application intends to operate as a Cattle feedlot then it must comply with the Code, which involves submitting the relevant documentation to Council to prove compliance.
- The proposed stocking rate under GAP would be based on:
 - Given the local average annual rainfall of approx. 1025 mm, a carrying capacity of 31 DSE (Dry sheep equivalent) per ha could be expected as sustainable with good pasture and grazing management.
 - The area available for cattle grazing is estimated at 7.5 ha but would be further reduced allowing for:
 - Driveway access to the domestic building envelope and;
 - the land application area appearing outside the domestic building envelope.
 - The available area is estimated to be approximately 7.5 ha.
 - The total DSE for 7.5 ha equals 232.5 DSE.
 - An average mature cow would be estimated at 500 kg @ 50% total numbers = 50 cows @ 15.6 DSE = 780 DSE.
 - The grow out herd is noted at 300 kg @ 50% total numbers = 50 steers @ 8.8 DSE = 440 DSE

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- This would equate to a stocking rate 1,220 DSE, the capacity of the land is 232.5 DSE.
- The proposed 100 head enterprise would not appear achievable or sustainable, and a more sustainable stocking rate based on a rotational grazing system would be considered 7 mature cows and 13 steers (as an example).
- The current agricultural use of grazing animal production will remain unchanged and could be carried out on the site without the need for a permanent onsite presence (dwelling).
- The use of the land for grazing animal production would not generally require a dwelling although regular supervision and management is required for animal health and welfare.
- Farm security can be maintained without the need for a dwelling on site. Locked gates and security camera systems are available to achieve security.
- The proposal does not appear to effectively establish a domestic building envelope to minimise the domestic use impact on the land and, ensure maximising and maintaining the use of the land for agriculture.
- Without the establishment of a domestic building envelope there is a risk of further loss to available productive land over time.
- The area set aside for the domestic envelope, including the dwelling, should include any domestic outbuildings, yards, pool, garden, accessway, primary and secondary wastewater envelopes etc.
- That the primary and secondary wastewater areas for the dwelling should be appropriately buffered and fenced to exclude stock, in accordance with any land capability report recommendations.

Agriculture Victoria general comments on dwelling approvals on small lots:

- The approval of a dwelling would have the potential to set a precedent for further dwellings in the surrounding area given the pattern of small lots without dwellings which appear to be currently used for broad scale agriculture, and lead to a proliferation of dwellings in the Farming Zone.
- The approval of a dwelling on the currently vacant land would permanently remove the ability of the land to be incorporated into surrounding agricultural enterprises and has the potential to limit the operation and expansion of adjoining and nearby agricultural uses.

Recommendations

Agriculture Victoria considers that the proposed use and development of a dwelling on the land does not meet the strategic objectives of the Indigo Planning Scheme, with particular reference to *Clause 14.01-1S Protection of agricultural land and Clause 22.01-6 Rural Land Use Policy*.

The refusal of the application would appear supported by the VCAT cases cited above.

If Council considers that the proposal meets the strategic objectives of the Indigo Planning Scheme, and Council determines a permit for a dwelling was to be approved, Agriculture Victoria makes the following recommendations:

- That any permit issued that allows the use and development of a dwelling in the Farming Zone is in association with agricultural production, protects against the potential for further subdivision of the land and ensures the use does not compromise farming activity in the area.
- If the intent is to operate a Cattle feedlot the Applicant must submit the relevant documentation in accordance with the Code to the satisfaction of Council to prove that the feedlot will comply with the *Victorian Code for Cattle Feedlots – August 1995*.

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- That the domestic development areas be contained within a domestic envelope designed to minimise domestic use and maximise and maintain the use of the land for agriculture, to be shown on any approved plan as part of any permit issued.
- That the primary and secondary wastewater disposal areas for the dwelling be appropriately buffered and fenced to exclude stock, in accordance with any land capability report recommendations.
- That prior to the commencement of use and development of any approved dwelling, the establishment of the cattle enterprise and development of any associated infrastructure for the agricultural use of the land, including any requirements as set out in any approved land management plan, must be completed to the satisfaction of the responsible authority.
- That prior to the use and development of any approved dwelling, proof be provided to the responsible authority that appropriate licencing is in place for the commercial use of water.
- That conditions be placed on the permit to protect agricultural land through a binding agreement on title which ensures:
 - The development and continued use of a dwelling in the Farming Zone has been permitted on the basis that the dwelling is reasonably required for the operation of the agricultural activity conducted on the land in accordance with an endorsed business plan or approved alternative, and the dwelling will only be used on that basis.
 - The dwelling must not be subdivided from the lot in the future, and the lot must not be subdivided to increase the number of lots, by excision or otherwise.
 - That the owner acknowledges and accepts the possibility of nuisance from agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.

This letter of advice is provided to Council to assist their assessment of the above planning permit application and any requirement in seeking further information from the applicant as part of its assessment process. The information provided should be considered as advisory in nature to inform Council's determination as the Responsible Authority.

Please provide a copy of Council's decision for our records.

Please contact me if you require any further clarification.

Regards

**Steve Hicks**

Agriculture Victoria Planning and Advisory Service
Agriculture Victoria | Department of Energy, Environment and Climate Action
255 Ferguson Road, Tatura, Victoria 3616
M: 0436 934 574 | E: agvic.planning@agriculture.vic.gov.au

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North East CMA Ref No. : NECMA-F-2023-00241
 Council Application No. : PP22-0311
 SPEAR Ref. : -
 Applicant Ref. : -

Date : 2 June 2023

Planning Department
 Indigo Shire Council
 PO Box 28
 Beechworth Vic 3747
 Via email: info@indigoshire.vic.gov.au



**NORTH EAST
 CATCHMENT
 MANAGEMENT
 AUTHORITY**

Level 1, 104 Hovell Street
 Wodonga VIC 3690
 P.O Box 616
 Wodonga VIC 3689
 Ph: 1300 216 513
 Fax: 02 6043 7601

Website: www.necma.vic.gov.au
 Email: necma@necma.vic.gov.au
 ABN 53 229 361 440

Dear Planning,

Council Application No. : PP22-0311
Section : 52 (Planning and Environment Act 1987)
Site Location Street : 354 Moodemere Road Norong Vic 3682
Cadastral : Allot 7 Section D, Parish of Norong

I refer to your correspondence of 22 May 2023, received at the North East Catchment Management Authority (the Authority) on 22 May 2023 in accordance with the provisions of Section 52 of the *Planning and Environment Act 1987*.

The North East CMA is an informal referral Authority under Section 52 of the *Planning and Environment Act 1987* and local planning policies for proposals that may impact upon stream health and a statutory recommending referral Authority for floodplain management under Section 55 of the *Planning and Environment Act 1987*.

Below is the Authority's understanding of the application:

The applicant(s), Leah Culhane

proposes the following;

Development Type: Dwelling(s) Only
Description: Single dwelling

on the abovementioned site location.

The Authority's assessment of the above information has determined that the proposed development location is covered by the following Zones and Overlays in the Indigo Planning Scheme:

Zone(s): Farming Zone
Overlay(s): Environmental Significance Overlay - Schedule 2

Under section 56(3) the North East CMA gives the following comments on the application:

In Victoria, proposals for development on floodplains are generally assessed against the flood magnitude that has a 1% chance of occurring in any given year, known as the 1% Annual Exceedance Probability (AEP) flood. The 1% AEP flood is the minimum standard for planning in Victoria but is not the largest flood that could occur. There is always a possibility that a flood larger in height and extent than the 1% AEP flood may occur in the future.

Flood levels for the 1% AEP flood event have been declared for this area under the *Water Act 1989*. The declared 1% AEP flood level for the location described above is RL 132.9 m AHD. Relevant flood

level information for the property is obtained from Murray River Flood Level Declaration Maps (2004).

Consequently the Authority advises that in the 1% AEP flood event it is likely that land to the east of the subject lot would be subject to inundation from the Murray River, with the extent of flooding generally consistent with the existing Floodway Overlay and Land Subject to Inundation Overlay.

The Authority's flood information is limited to that provided above. The Authority holds no information on the potential for flooding from local drainage paths and stormwater infrastructure. Such flooding may necessitate a higher level of protection (e.g. higher floor level) than required to address the impacts of riverine flooding. Indigo Shire Council may be able to provide more information in relation to flooding from local drainage paths and stormwater infrastructure.

In light of the information provided and pursuant to Section 56(1)(a) of the *Planning and Environment Act 1987*, the North East CMA **does not object** to the granting of a permit.

While not objecting to the dwelling as proposed by the current application, the Authority notes that the application documents propose future establishment of a Cattle Feedlot on the property. Given the small size of the property and immediate proximity to the Murray River, the Authority considers it unlikely that feedlot development would be feasible or practical while demonstrating compliance with the Victorian Code for Cattle Feedlots and other planning requirements, including consideration of the Environmental Significant Overlay.

Under Section 56(3A) the referral Authority must give to the applicant, without delay, a copy of any decision and comments it gives to the responsible authority in respect of the application. Accordingly, a copy of this correspondence is provided to the applicant, based on the details provided.

In accordance with Sections 64 to 66, please provide a copy of the outcome of this proposal to the Authority for our records.

It is requested that, in accordance with Section 75A of the *Planning and Environment Act 1987*, the Authority is provided with a copy if a decision is made to amend the planning permit in the future.

Should you have any queries, please do not hesitate to contact **Tim Loffler** on 1300 216 513 or via planning@necma.vic.gov.au. To assist the Authority in handling any enquiries please quote **NECMA-F-2023-00241** in your correspondence with us.

Yours sincerely,



Tim Loffler
Manager Waterways and Floodplain Planning

cc: Leah Culhane, leah_hawk@westnet.com.au

Definitions and Disclaimers

1. The area referred to in this letter as the 'proposed development location' is the land parcel(s) that, according to the Authority's assessment, most closely represent(s) the location identified by the applicant. The identification of the 'proposed development location' on the Authority's GIS has been done in good faith and in accordance with the information given to the Authority by the applicant(s) and/or the Local Government Authority.
2. While every endeavour has been made by the Authority to identify the proposed development location on its GIS using VicMap Parcel and Address data, the Authority accepts no responsibility for or makes no warranty with regard to the accuracy or naming of this proposed development location according to its official land title description.

3. **AEP** – Annual Exceedance Probability – is the likelihood of occurrence of a flood of given size or larger occurring in any one year, expressed as a percentage (%) risk.
Please note that the 1% probability flood is not the probable maximum flood (PMF). There is always a possibility that a flood larger in height and extent than the 1% probability flood may occur in the future.
4. **AHD** – Australian Height Datum – is the adopted national height datum that generally relates to height above mean sea level. Elevation is in metres. Site levels to m AHD can be established by a licenced surveyor.
5. **NFPL** – Nominal Flood Protection Level – is the minimum height required to protect a building or its contents, which includes a freeboard (a minimum of 0.3 m unless otherwise detailed) above the 1% AEP flood level. Freeboard refers to a height above the defined flood level and is typically used to provide a factor of safety in the setting of floor levels for developments, to compensate for effects such as wave action and to provide protection from flooding which is marginally above the defined flood level.
6. No warranty is made as to the accuracy or liability of any studies, estimates, calculations, opinions, conclusions, recommendations (which may change without notice) or other information contained in this letter and, to the maximum extent permitted by law, the Authority disclaims all liability and responsibility for any direct or indirect loss or damage which may be suffered by any recipient or other person through relying on anything contained in or omitted from this letter.
7. This letter has been prepared for the sole use by the party to whom it is addressed, and no responsibility is accepted by the Authority with regard to any third-party use of the whole or of any part of its contents. Neither the whole nor any part of this letter or any reference thereto may be included in any document, circular or statement without the Authority's written approval of the form and context in which it would appear.
8. The flood information provided represents the best estimates based on currently available information. This information is subject to change as new information becomes available and as further studies are carried out.



Department of Energy, Environment and Climate Action

89 Sydney Road, Benalla
Telephone: 03 5761 1611
p&a.north@delwp.vic.gov.au

Ref:SP484778
20230704 hf

Ms Margaret Fox
Manager Planning & Statutory Services
Indigo Shire Council
P O Box 28
BEECHWORTH VIC 3747

Dear Ms Fox,

**PLANNING PERMIT APPLICATION PP22-0311
CULHANE: DEVELOPMENT OF A DWELLING
354 MOODEMERE ROAD, NORONG**

Thank you for your letter dated and received on 22 June 2023 about the above planning permit application.

The application is for the development of a dwelling. The subject land is zoned Farming Zone and is affected by the Environmental Significance (ESO2) Overlay under the Indigo Planning Scheme.

Notice of the application was given to the Minister of Environment as the 'owner' of the adjoining land in accordance with Section 52 of the *Planning and Environment Act 1987*.

I provide this response under delegation from the Minister of Environment as the 'owner' of the adjoining land.

Response

As an adjoining owner, the Department of Energy, Environment and Climate Action does not object to the permit being granted, but requests that the following conditions be included on the permit:

Access and Encroachment

1. No access is permitted to the subject land via the Crown land.
2. Adjoining Crown land must not be used for truck turning areas, entry points, parking areas or temporary stack sites during the construction of buildings or works.
3. No polluted and/or sediment laden run-off is to be discharged directly or indirectly into drains or watercourses on Crown land. Overland flows must be maintained at the same rate post-development as on the undeveloped land.

Please forward a copy of Council's decision on this application.

If you have any questions regarding this matter, please contact Hayley Fell at p&a.north@delwp.vic.gov.au.

Yours sincerely,

Ben Yates
Program Officer
Planning and Approvals

5 July 2023

Any personal information about you or a third party in your correspondence will be protected under the provisions of the *Privacy and Data Protection Act 2014*. It will only be used or disclosed to appropriate Ministerial, Statutory Authority, or departmental staff in regard to the purpose for which it was provided, unless required or authorized by law. Enquiries about access to information about you held by the Department should be directed to foi.unit@delwp.vic.gov.au or FOI Unit, Department of Energy, Environment and Climate Change, PO Box 500, East Melbourne, Victoria 8002.



**INTERNAL PLANNING APPLICATION REFERRAL***Infrastructure Services Division***Planning Permit: PP22-0311****Date: 23 June 2023****Dwelling – 354 Moodemere Road - Norong***Engineering Conditions*

If it is determined to approve the application the following conditions are required:

- The internal access road to the development sites shall be constructed to a minimum all weather standard of;
 - 3m metre pavement width
 - 100 mm compacted depth of crushed rock or gravel suitable for road construction
 - Passing bays every 300m minimum, and as needed to meet emergency services vehicle requirements.
 - Longitudinal roadside drains and culverts as required
- Any new vehicle crossings required and any required existing vehicle crossings not complying with current standards must be constructed at full cost to the applicant/owner at a location, and to IDM standard drawing 255, to the satisfaction of the Responsible Authority.

A handwritten signature in black ink, appearing to read "B. Dinsdale".

Brad Dinsdale

Development Engineer

MEMO**TO: Planning Department****FROM: Anton Maas****DATE: 23 May 2023****SUBJECT: PP22-0311 – Dwelling – 354 Moodemere Road Norong – Culhane – PN 9801**

Environmental Health has no objections to this proposal provided that:

- A new septic system will be installed in accordance with the LCA conducted by Geoplan Consulting (September 2022).

Footnotes

- A permit to install a Septic System must be obtained from Council.



Anton Maas
Environmental Health Officer

12.1

COUNCIL GRANTS GUIDELINES AND ASSESSMENT CRITERIA - ANNUAL REVIEW

1	Draft Community Grants Guidelines and Assessment Criteria 2023-24	122
2	Draft Events Grants Guidelines and Assessment Criteria 2023-24.....	126
3	Draft Get Active Indigo Grants Guidelines and Assessment Criteria 2023-24...	131
4	Grants Governance Policy (amended)	136

INDIGO SHIRE - COMMUNITY GRANT



Guidelines and Assessment

1. GRANT OBJECTIVE

The objective of the Community Grants Program is to provide an opportunity for community groups and organisations to seek funds for projects and initiatives which align with Council Plan objectives and Municipal Public Health and Wellbeing objectives. These grants aim to support community connections, improve community health and wellbeing and social inclusion opportunities across the Shire.

2. GRANT AIMS

- To ensure fair and transparent access to Council funding for event organisers meeting the grant eligibility criteria.
- To ensure grant funding is used to support Council Plan objectives.
- To ensure all grant applications are considered in a consistent and objective manner.
- To provide access to funding for event organisers who may be unable to secure funding through alternative grants streams.

3. GRANT ELIGIBILITY

The eligibility criteria for Indigo Shire's Community Grants Program are:

- Discuss the proposed project with relevant council staff.
- Applications will be considered only from locally based groups and organisations or those meeting a demonstrated need within the Shire.
- One application per group.
- Preference will be given to applications for projects where funding is not available from other sources (ie. State or Federal funding).
- The group or organisation must be not for profit and membership must be open to or accessible by Indigo Shire residents.
- All applicant organisations must either be incorporated, be auspiced by another group or become incorporated as a condition of funding.
- Groups must demonstrate a significant contribution in the form of cash, voluntary service or in kind support.
- The applicant must have appropriate public liability insurance.
- Applications will not be considered within the following categories:
 - Individuals.
 - Groups already in receipt of significant support from Council.
 - Programs considered the major responsibility of State or Federal Government.
 - Applications by commercial or private organisations.
 - Retrospective funding i.e. projects that have already been started or have been completed.

INDIGO SHIRE COUNCIL COMMUNITY GRANTS – GUIDELINES AND ASSESSMENT

- All funded projects must obtain relevant permits and approvals prior to project commencement.
- Applications received from organisations with outstanding acquittals from previous grant rounds will not be considered.

4. GRANT ASSESSMENT

The assessment of all Grant Applications is the responsibility of the Indigo Shire Community Grants and Awards Advisory Committee (ISCGAAC).

ISCGAAC will use the following list of criteria to assess applications to Indigo Shire's 2023-2024 Community Grants Program.

- The project aligns with Council Plan Priority (Score 0-3).
- The project aligns with Municipal Public Health & Wellbeing Plan (Score 0-3).
- The project benefits the local community (Score 0-3).

The recommendations from this assessment are then submitted to Council for consideration. Council makes the ultimate determination via the report prepared by Council officers.

ISCGAAC adheres to the Guidelines Conflicts of Interest – Advisory Committees and follows the report requirements outlined.

5. GRANTS GOVERNANCE POLICY

These grant guidelines align with Indigo Shire Council's Grants Governance Policy <https://www.indigoshire.vic.gov.au/Council/Council-documents/Policies/Grants-Governance-Policy>

Alternatively the policy can be accessed in hard copy at our customer service centres

6. AVAILABLE FUNDING 2022/2023

A total of \$50,000 is available for community Grants in 2023-2024. This can include Arts and Culture projects and Youth Initiatives. It is recommended you discuss your project with Council staff prior to commencing your application.

Successful grants for all categories will range from **\$200 to \$4,000**.

Applications close **Monday 25 September 2023 at 4pm**

7. APPLICATION PROCESS 2022/2023

INDIGO SHIRE COUNCIL COMMUNITY GRANTS – GUIDELINES AND ASSESSMENT

Indigo Shire Council uses the online Portal called Smarty Grants for all grant application. This grants management platform is used by local councils, State and Federal Governments to streamline the grants process from Application through to Acquittal.

Online applications are made easy through this portal. We strongly encourage all Community Grants Program applicants to jump online and work through the form. You simply need to set up a login, choose the Grant round you are applying for and follow the instructions to answer the questions.

If you aren't comfortable with using an online format, we encourage you to find someone who may be able to assist you. Completed applications will be automatically submitted. A PDF copy of your application will be sent to the email address you used as your login. All supporting documentation can also be uploaded. Council Officers are also available to assist you if required.

Alternatively, if you need to collect a paper copy of the application form you can do this at any of the Indigo Shire Council Customer Services offices.

Login or Register with Smarty Grants

You can access the online portal here to submit your application, simply choose which round and fill in the form <https://indigoshire.smartygrants.com.au/>

You must register with Smarty Grants before you can make an online submission.

Registration gives you secure access to your forms allowing you to work on them over time rather than having to complete them all at once.

It only takes a moment to register and you can get started on your submission straight after registering.

Fields marked with * must be completed.

Applications close at 4.00pm on Monday 25 September 2023: Late applications will not be considered.

8. ACQUITTAL AND REPORTING REQUIREMENTS

Successful grant recipients will be required:

- to fill out and submit an acquittal form to Council by June 30 2024, failing to do this may impact your ability to obtain grants in the future.

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INDIGO SHIRE COUNCIL COMMUNITY GRANTS – GUIDELINES AND ASSESSMENT

- to submit appropriate invoice/proof of expenditure documentation and photos to demonstrate project delivery.

9. TIMELINES

Friday 18 August 2023	Applications open
During the Applications Open period	If you need assistance with your application you can contact Customer Service on 1300 365 003 and ask for Jess Rule.
Monday 25 September 2023 at 4pm	Applications close
Early November 2023	Successful applicants notified
Early November 2023	Payments made via direct debit or cheque
June 30 2024	Acquittal forms due to Council

INDIGO SHIRE - EVENTS GRANT



Guidelines and Assessment

1. GRANT OBJECTIVE

To support event organisations to ensure all residents and visitors have access to a range of recreational, social and cultural activities and events.

Events held in Indigo Shire will be a celebration of place and foster town vibrancy. Events will be inclusive, accessible and be open to local community members and visitors alike.

Indigo Shire Council is committed to working in partnership with local clubs, community groups, committees, service providers and businesses to deliver place-based projects that consider:

- Volunteerism and opportunities for participation
- Economic yield
- Township vibrancy – celebration of place
- Resilience through connectivity
- Building place profile
- Creativity and innovation
- Inclusion and accessibility
- Environmental sustainability

2. GRANT ELIGIBILITY

The eligibility criteria for Indigo Shire's Event Grants Program are:

- Discuss the proposed project with relevant council staff.
- The event is to take place within Indigo Shire.
- One application per organisation.
- Preference will be given to applications for events where funding is not available from other sources (ie. State or Federal funding).
- The group or organisation must be open to or accessible by Indigo Shire residents.
- All applicant organisations must either be incorporated, a registered business, be auspiced by another group or become incorporated as a condition of funding.
- Groups must demonstrate a significant contribution in the form of cash, voluntary service or in-kind support.
- The applicant must have appropriate public liability insurance.
- Applications will not be considered within the following categories:
 - Individuals.
 - Groups already in receipt of significant support from Council.
 - Programs considered the major responsibility of State or Federal Government.
 - Retrospective event funding i.e. projects that have already been started or have been completed.
 - Events supporting causes not aligning with Council values
 - Events from commercial entities in the 4th year of receiving event grant funding.

INDIGO SHIRE COUNCIL EVENT GRANTS – GUIDELINES AND ASSESSMENT

- All funded projects must obtain relevant permits and approvals prior to project commencement.
- Event must be held in the same financial year as the grant round.
- Applications received from organisations with outstanding acquittals from previous grant rounds will not be considered.

3. GENERAL CONDITIONS

Volunteers

volunteers may be required to obtain Police Checks and Working with Children Check for certain events. These checks are free and are mandatory if there are young people attending your event.

Funding acknowledgement requirements

Where appropriate, Indigo Shire Council must be acknowledged as a sponsor and the Indigo Shire Council logo must be included in marketing and event collateral including but not limited to printed promotional material (brochures, signage, flyers), newspaper and television advertising and digital media. Councillors may be invited to events where relevant. A funding acknowledgement plan will be agreed to by Council and noted on the funding agreement.

Funding agreement

All grant recipients will be required to sign and funding agreement with Council. Non-compliance with the funding agreement conditions, may result in Council requiring the return of Council funding.

Other costs

Unless agreed otherwise through the grant provision, all other costs associated with the event are the responsibility of the organising committee.

4. GRANT ASSESSMENT

The assessment of Indigo Event Grants applications is the responsibility of the Indigo Event Grants Assessment Panel who is made up of representatives from the following organisations:

- Indigo Shire - Councillor

INDIGO SHIRE COUNCIL EVENT GRANTS – GUIDELINES AND ASSESSMENT

- Indigo Shire Council – Community Development Manager
- Sports North East
- Local health services
- Tourism North East
- Murray Arts

Each question in the application will be scored against the following criteria:

- Alignment with Council Plan Themes of Community, Liveability, Prosperity and Environment. (score 0-3 per theme)
- The capacity to deliver the event by the applicant (score 0-3)
- Completion of a comprehensive and considered budget (score 0-3)

Applicants must provide a demonstrated need for Councils investment and support.

The Panel will make a recommendation to Council on the distribution of the grant fund.

5. GRANTS GOVERNANCE POLICY

These grant guidelines align with Indigo Shire Council's Grants Governance Policy <https://www.indigoshire.vic.gov.au/Council/Council-documents/Policies/Grants-Governance-Policy>

Alternatively, the policy can be accessed in hard copy at our customer service centres.

6. AVAILABLE FUNDING 2023/2024

A total of \$60,000 is available for events in 2023-2024.

Successful grants will range from **\$1000 to \$10,000**.

If your event requires a financial investment that is less than \$1000 please speak to a Council Officer.

Council is changing the way it provides logistics support for events. You will now need to apply for financial support for all aspects of your event. This includes the following:

- Road closures
- Hall hire
- Municipal reserve hire
- Permits from Council
- Toilet hire
- Bin hire
- Cleaning

INDIGO SHIRE COUNCIL EVENT GRANTS – GUIDELINES AND ASSESSMENT

- Town signage

Applications from commercial businesses will be able to apply for financial investment for up to 3 years. Past this, an event will need to demonstrate significant innovation that satisfies the objectives of the grant program to be eligible.

Expenses not authorised under this grant stream:

- Unreasonable event coordinator salary or project management fees beyond industry rates.
- Prize money and charitable donations.
- Assets and equipment

Applications open on Friday 18 August and close Monday 25 September, 2023 at 4pm. Late applications will not be considered.

7. APPLICATION PROCESS 2023/2024

Indigo Shire Council uses the online Portal Smarty Grants for all grant applications. This grants management platform is used by local councils, State and Federal Governments to streamline the grants process from Application through to Acquittal.

You simply need to set up a login, choose the Grant round you are applying for and follow the instructions to answer the questions.

Registration gives you secure access to your forms allowing you to work on them over time rather than having to complete them all at once.

If you aren't comfortable with using an online format, we encourage you to find someone who may be able to assist you. Council Officers are also available to assist you if required. Alternatively, if you need to collect a paper copy of the application form you can do this at any of the Indigo Shire Council Customer Service Centres.

Login or Register with Smarty Grants

You can access the online portal here to submit your application, simply choose which round and fill in the form <https://indigoshire.smartygrants.com.au/>

You must register with Smarty Grants before you can make an online submission.

Registration gives you secure access to your forms allowing you to work on them over time rather than having to complete them all at once.

INDIGO SHIRE COUNCIL EVENT GRANTS – GUIDELINES AND ASSESSMENT

It only takes a moment to register and you can get started on your submission straight after registering.

Fields marked with * must be completed.

8. ACQUITTAL AND REPORTING REQUIREMENTS

Successful grant recipients will be required:

- To fill out and submit an acquittal form to Council by June 30 2024, failing to do this may impact your ability to obtain grants in the future.
- To submit appropriate invoice/proof of expenditure documentation and photos to demonstrate project delivery.

9. TIMELINE

Applications Open	Friday 18 August 2023
Applications Close	Monday 25 September 2023 at 4pm
Recommendation considered by Council	October 2023
Successful applicants notified	Early November 2023
Payments	Early November 2023
Acquittals due	June 30 2024

GET ACTIVE INDIGO GRANTS



Guidelines and Assessment

1. GRANT OBJECTIVE

As part of the implementation of Indigo Shire Councils Active Indigo Recreation Plan 2018 – 2026 a community focused grants program was created to encourage and enable residents of Indigo Shire to be more active more often!

The Get Active Indigo Grants Program is back again in 2024 and aims to:

- Get more people moving more often;
- Provide access to funding for groups who may be unable to secure funding through other grants streams and sources;
- Increase Indigo Shire residents' participation in physical activity;
- Improve Indigo Shire residents access to physical activity opportunities;
- Support local clubs, groups, committees and service providers in their efforts to get the community more physically active;
- Trial local physical activity project ideas by responding to place-based needs;
- Fund a diverse range of physical activity project ideas across the Shire;
- Increase awareness of opportunities to be physically active via targeted communication and promotion.

2. FUNDING AVAILABLE

A total program funding pool of \$30,000 is available. Grants of up to \$5,000 will be awarded.

3. GUIDING PRINCIPLES

Indigo Shire Council is committed to working in partnership with local clubs, community groups, committees, service providers and individuals to deliver projects that consider:

- Broad community access and inclusion;
- Child safety;
- Gender equity;
- Cultural awareness

This practice ensures the broad engagement, participation, enjoyment and safety of community members in the program.

INDIGO SHIRE COUNCIL EVENT GRANTS – GUIDELINES AND ASSESSMENT

4. GRANT ELIGIBILITY

Your project is eligible if:

- It can respond to one or more of the aforementioned program objectives, specifically to increase physical activity of the residents of Indigo Shire;
- Your funding request supports the delivery of an activity. Minor equipment purchases that supports the activity are eligible.

To apply you need to:

- Discuss the proposed project with relevant council staff.
- Be an Indigo Shire-based incorporated body or be auspiced by an Indigo Shire-based incorporated body. Organisations from outside Indigo Shire need to be auspiced by an Indigo Shire based body.
- Have appropriate public liability insurance.
- Demonstrate a contribution to the project in the form of cash, voluntary service or other in-kind support.
- For projects that include a coaching element you will need to include supporting documentation of the coaching credentials.
- Projects that have received funding in previous Indigo Shire Active Indigo grant rounds.

Projects that won't be funded:

- Projects that have already started or been completed.
- Projects that are only available to existing sporting club members.
- Groups already in receipt of significant Council support.
- Applications from commercial or private organisations.
- Applications from educational institutions.
- Recurring funding for projects awarded in previous Indigo Shire grant rounds.

INDIGO SHIRE COUNCIL EVENT GRANTS – GUIDELINES AND ASSESSMENT

5. ASSESSMENT

The assessment of Get Active Indigo Grant applications is the responsibility of the Get Active Indigo Grants Assessment Panel who is made up of representatives from the following organisations:

- Indigo Shire Council – Councillor
- Indigo Shire Council – Community Development Manager
- Sport North East
- Beechworth Health Service
- Indigo North Health

The Panel will use the following criteria to assess applications:

- Does your project get more people moving more often (0-3)
- Age demographics targeted for your project (0-3)
- Financial contribution to the project (0-3)
- Community access and inclusion (0-3)

The Panel will make a recommendation to Council on the distribution of the grant fund.

6. HOW TO APPLY

Indigo Shire Council uses the online portal Smarty Grants for all grant applications. This grants management platform is used by local councils, State and Federal Governments to streamline the grants process from Application through to Acquittal.

You simply need to set up a login, choose the Grant round you are applying for and follow the instructions to answer the questions.

Registration gives you secure access to your forms allowing you to work on them over time rather than having to complete them all at once.

It only takes a moment to register and you can get started on your submission straight after registering.

Fields marked with * must be completed.

To register and begin your application please click on the link:

INDIGO SHIRE COUNCIL EVENT GRANTS – GUIDELINES AND ASSESSMENT

7. TIMELINES

Applications Open	Monday 26 February 2024
Applications Close	Monday 25 March 2024
Applications Assessed by Panel	Monday 8 April 2024
Recommendation considered by Council	Tuesday 25 June 2024
Applicants Notified	Wednesday 26 June 2024
Payments	Wednesday 26 June 2024
Acquittal	June 2025

8. SUCCESSFUL APPLICANTS

All applicants will be notified regarding the outcome of their application following the July 27 Council meeting.

Indigo Shire Council will not exceed the maximum funding amount. Any extra project costs incurred will be the responsibility of the applicant responsible for the project. Indigo Shire Council will transfer grant funding electronically into a nominated Australian Bank Account in accordance with agreed milestones.

Successful applicants will be required to produce a brief report that demonstrates project outcomes and grant expenditure. A template will be issued to applicants at the conclusion of their project. Please keep all receipts and document participation and engagement. Failure to complete the acquittal may impact ability to obtain future grants.

9. CONTACT US

For more information regarding the Get Active Indigo Grants Program, including discussing your project idea, requesting help with your online application or how to consider and incorporate the guiding principles please contact Indigo Shire Councils Recreation Officer Jarrod Craven via the details below:

Jarrod Craven
 Active Indigo Officer
 Email: jarrod.craven@indigoshire.vic.gov.au
 Phone: 03 5728 8000

INDIGO SHIRE COUNCIL EVENT GRANTS – GUIDELINES AND ASSESSMENT

POLICY



Grants Governance Policy

Version No:	1
Trim File No:	T2/16
Approval Date:	14 December 2021
Approved By:	Resolution of Council
Department:	Community & Economic Development
Responsible Officer:	Manager Community Development
Next Review Date:	September 2024
RelianSys No:	4287
Circulation	Website

DEFINITIONS

N/A

INTRODUCTION

This policy outlines Council's commitments and responsibilities in providing grants to the community and provides guidelines for consistent management of grant programs across Council.

REFERENCE TO CURRENT OR PREVIOUS LEGAL /COUNCIL PLAN / POLICY

This policy will assist in the delivery of Theme 5 of the Indigo Shire Council Plan:

- **Accountability:** We are committed to the highest level of governance, transparent decision making, sound financial management and keeping the community engaged and well informed. We have a high-performing workforce committed to customer service excellence and continuous improvement.

SCOPE

This Policy applies to grants to the community that are considered and approved by Council for specific agreed purposes.

It applies to all Council departments involved in the promotion, assessment and management of grant programs where Council is providing a funding contribution directly to an organisation, auspice organisation or individual.

The grant programs this policy applies includes:

- Community Sustainability Grants.
- Community Grants.
- Events Grants.
- Active Indigo Grants.
- Others as determined.

Grants Governance Policy

This policy does not apply to community facilities which is covered by the Asset Maintenance Grants, and outside of the scope of this policy.

PURPOSE

The purpose of this policy is to set out Council's framework for delivering grant funding.

This policy aligns grants with Council's strategic objectives; establishes clear expectations around Council and community roles; and sets out an accessible yet rigorous and robust approach to governance and accountability.

This ensures the process of allocating and monitoring grants will be fair, transparent and inclusive. This policy is supported by grant guidelines administered for each relevant grant fund.

POLICY DETAILS

Indigo Shire recognises the value and importance of the role community groups and organisations play in building vibrant, inclusive and healthy communities. To that end Council will seek to support projects that reflect demonstrated community need, address priority themes of the Council Plan and Community Vision; and fulfil identified service gaps.

The Shire is committed to providing a range of community grants efficiently, fairly and ethically. In the interest of fairness, transparency and maintaining community confidence in the integrity of the assessment process, formal assessment processes exist for all competitive grant categories.

This policy will provide consistent governance arrangements for the application, acquittal and management of different grants issued by Council, and ensure management accountabilities are understood and applied.

In providing funding, Council aims to:

- Support activities that align with the Indigo Shire Council vision: *We will work with our communities to secure a healthy, sustainable and progressive future for all.*
- Support activities that align with Council's Guiding Principles:
 - We champion sustainable action.
 - We are community-centred.
 - We are strategic and proactive.
 - We are responsible and accountable.
 - We are future-fit.
- Support activities that align with the Council Plan themes and objectives including:
 - Community: Our communities are strong, resilient, diverse, and inclusive and our people feel safe, valued and connected, both physically and socially.
 - Liveability: Our townships and places are connected, inviting and attractive and we adopt a balanced multi-generational approach to growth across the Shire, supported by infrastructure, planning and development that is sensitive to our unique character and changing climate.

Grants Governance Policy

- Prosperity: Our economy is strong and diverse, attracting new investment and job opportunities. Renowned as a must visit destination offering a range of experiences that showcase our rich history and culture and breathtaking natural landscapes, the Shire is also a much sought after location for new residents.
- Environment: Our climate emergency declaration reflects a strong commitment to protecting, maintaining and enhancing our natural and built environment and to promoting sustainable living. Our communities are well prepared to adapt to and mitigate against the impacts of climate change.
- Accountability: We are committed to the highest level of governance, transparent decision making, sound financial management and keeping the community engaged and well informed. We have a high-performing workforce committed to customer service excellence and continuous improvement.
- Build the capacity of local organisations and strengthen partnerships within the community.

Management of grants programs

In line with good governance and best practice in grant making, Council is committed to delivering grant programs that are:

- Ethical and accountable – grant processes are robust and stand up to scrutiny, governance is clear and strong and appropriate policies and procedures are followed.
- Strategic and needs based – a range of grants that align with Council’s strategic priorities, respond to community needs and provide outcomes that benefit the community.
- Customer focused and efficient – grant programs that are consistent across Council, grant information is accessible and processes for applicants are well organised and streamlined.

Application process

- Councillors will set the grant assessment criteria and make the final decision on all grant allocations at Council Meetings.
- Grant opportunities will be widely promoted across the municipality in line with Council’s Community Engagement Policy, to provide the access and opportunity to apply to any one eligible to do so.
- Grants will be advertised with adequate notice for applicants, and will be open for applications for a minimum period of one-month, preferably two.
- The amount of detail required from the applicant will be proportional to the maximum cash amount that can be applied for under each funding stream.
- Each grant program will have its own set of Guidelines and conditions, specific to the funding purpose. Guidelines specific to each program will include:
 - Objectives of the grant fund.
 - Application process.
 - Eligibility and assessment criteria.
 - Acquittal and reporting requirements.
 - Specific funding conditions including:
 - All funded projects attain relevant permits and approvals prior to project commencement.

Grants Governance Policy

- Indigo Shire grant program will generally not fund activities ordinarily funded by State or Federal governments.
- Timelines.
- Assessment panel composition.
- Conflict of Interest reporting and requirements.
- Reference to Council's Grants Governance Policy available on our website or via Customer Service Centres.
- The Guidelines for each program will be reviewed annually and considered at the June Council Meeting ahead of the forthcoming financial year.
- Council will use an online grants administration portal to ensure a consistent, efficient and user-friendly customer experience.
- Applicant complaints about the grant procedure will be managed according to Indigo Shire's Complaint Handling Policy.
- Personal information about individuals collected during the grant process will be treated in accordance with the *Privacy and Data Protection Act 2014* and Council's Privacy Policy.

Grant Assessment

- Applications will be assessed against the criteria predetermined by Council as stated in the program Guidelines.
- Applications will be assessed by an independent panel
- Applications will then be ranked accordingly, based on defined scoring protocols, before a report is forwarded to Council regarding the recommended distribution of grants funding. The report to Council will include a summary matrix of all applications received for the program, that includes: -
 - Applicant
 - Project description
 - Scoring/ranking applied to the project
 - Grant amount sought
 - Grant amount recommended
 - An assessment summary including rationale for scores given, conclusions drawn, and explanation of rationale for any difference between amount sought and amount recommended.
- All applicants can get feedback on their application.
- Minutes to be kept of all grant panel assessment meetings.

Grant Assessment Panels

- A panel will be established for each grant program. Panel members will remain independent from the grant approval process.
- The role of the panel is to assess each application to the program against the criteria established by Council and provide a report to Council with a summary of each applications' relevant scoring against that criteria.

Grants Governance Policy

- Each panel will include a mix of Council Staff, Councillor representation, community members, and/or external members. The external members would generally be sought to contribute a specialised skill. External members may be sourced through an invitation to a relevant organisation to nominate a suitable representative.
- Council may appoint a councillor representative (and substitute) to Chair a panel in a non-voting capacity.
- Council is responsible for appointing councillor (including the substitute), community representatives and external member representatives. The CEO will be responsible for appointing Council staff members.
- All panel members must have received basic training in Conflicts of Interest.

Conflict of Interest

A 'conflict of interest' is defined as a conflict between a person's private interests and their public obligations.

For the protection of grant applicants and those involved in the assessment process, including Council officers, community members and other external parties involved in the grant assessment process are required to declare their interest prior to assessing any grant applications or reviewing project evaluations and reports.

This process ensures that any potential, actual or perceived conflict of interest is promptly identified and addressed, as follows: -

- Conflicts of interest must be declared by all Committee members and recorded in the Minutes.
- The nature of conflicts of interest may be disclosed confidentially to the CEO.
- Any staff Conflicts of Interest will be managed according to the Conflict of Interest Procedure.
- Any Grants Committee or Panel member who has a conflict of interest in a matter being considered in a meeting in which he or she is present must:
 - Disclose that conflict of interest and its nature before the matter is considered.
 - Absent themselves from the any discussion of the matter.
 - Provide to the CEO via the Governance Team a written record of the disclosure.
 - The declaration is to be noted in the relevant report to Council.
 - To ensure impartiality, Council officers who have assisted with an application, will not be part of the assessment process.

COMMUNICATION

This policy will be made available on Council's website and via Customer Service Centres. It will be referenced in the individual grant program guidelines.

13.1

COMMUNITY SUSTAINABILITY GRANT PROGRAM - PROGRAM GUIDELINES ANNUAL REVIEW 2023/24

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GUIDELINES



COMMUNITY SUSTAINABILITY GRANTS PROGRAM (2023/24)

Thank you for expressing interest in Council's Community Sustainability Grants Program.

Indigo Shire Council is committed to protecting, maintaining and enhancing our natural and built environment and to promoting sustainable living. Our commitment is demonstrated through our Council Plan (2021-25), Environment Strategy (2019), Climate Emergency declaration (2019), Climate Emergency Strategic Action Plan (2020), and Net Zero by 2035 target for our greenhouse gas emissions.

The Community Sustainability Grants Program aims to support eligible not-for-profit community groups and organisations to:

- Reduce greenhouse gas emissions in our collective efforts to achieve a net zero emissions future;
- Build community capacity to adapt to changing climatic conditions;
- Strengthen the long-term financial sustainability of community organisations.

In 2023/24, the program has \$20,850 (excluding GST) available to eligible projects.

For examples of past funded projects, CHECK OUT council's *Our climate action* platform (<https://climateaction.indigoshire.vic.gov.au/actions/37>).

Important Dates

APPLICATIONS
Applications open: Anticipated for mid-August, 2023
Applications close: Anticipated for late-September, 2023
Funding announcements: Anticipated for early November, 2023
Funding acquittal: 30 June, 2024

Note: A number of 'Drop-in Information Sessions' will be conducted in August prior to the opening of Council's grant programs, which will be mainly face-to-face but also include on-line.

Community Sustainability Grants Program Guidelines 2023/24

On-line application process

Applications MUST be submitted via SmartyGrants, an on-line platform designed to manage and streamline the grant application and acquittal process. Applications not submitted via SmartyGrants will NOT be considered for funding.

<https://indigoshire.smartygrants.com.au/communitysustainabilitygrants23-24>

Tips on using SmartyGrants

- Set up a login
- Choose the grant round you are applying for
- Follow the instructions to answer set questions
- Registration is a secure access to your application allowing editing/additions over time
- Use navigation buttons within the SmartyGrants portal rather than those in your browser navigation bar
- Save often, especially before closing your browser or navigating away from SmartyGrants.

Need assistance with your online application? Contact Council's Sustainability and Environment team.

- **Council contact:**
Maureen Rogers (Sustainability Projects Officer)
Phone: 1300 365 003 or Email info@indigoshire.vic.gov.au

Before you begin your application

It is useful to:

- Ensure your organisation is eligible
- Ensure that the project and its components are eligible
- Consider how the project meets the assessment criteria
- Discuss the proposed project with relevant council staff (eg. Environment and Sustainability, Assets, Building and Planning)

Understand the documentary evidence you will need to provide:

- Details of incorporation or auspicing body
- Evidence of community/organisational support for the project
- Quotations for goods and services totalling \$2,500 or more, incl. GST (2 quotes)
- Evidence of economic benefit (Return on investment via billing and interval data – refer to Guidance Note on page 8)
- Relevant permits and/or approvals (e.g. Heritage approval, structural capability to support solar panels)
- Letters of support from the building owner, Committees of Management, user group(s)
- Co-contribution agreement for projects over \$5,000 and up to \$10,000

Note: Approval costs are the applicant's responsibility and should be included in the project cost assessment. A funding offer will be conditional upon all relevant regulatory and owner approvals having been obtained. All approvals/permits must be obtained within 6 weeks of a funding offer being made, or an extension approved.

Community Sustainability Grants Program Guidelines 2023/24

Program Funding

In 2023/24, \$20,850 (excluding GST) has been allocated to the program, for the following projects:

Up to \$10,000 per applicant

- Capital improvement projects such as Solar PV, Battery storage, Solar hot water installations etc.
- Typically, such projects require additional funding.
- Evidence of a Co-contribution Funding Agreement will need to be provided at the time of application.
- Such cases should be discussed with council officers early in the process to determine suitability and to enable further enhancement of the proposal.

Up to \$5,000 per applicant

- Less costly projects that improve energy efficiency or build community capacity to implement greenhouse gas emissions reductions technologies. For example, energy efficiency assessments/audits, LED upgrades, insulation, draught proofing, window treatments, shading (built and vegetative) and training for organisation members on energy efficiency measures.
- Co-contributions are not essential, but strongly encouraged.
- All applicants should discuss project proposals with council officers early in the process

Note: In previous years, the Community Sustainability Grants Program has funded sustainability-themed events for up to \$1000. This is no longer the case. If you are wanting funding to support a sustainability event consider applying through Council's other grant programs.

CHECK OUT council's **Climate Action** website for examples of eligible projects.

<https://climateaction.indigoshire.vic.gov.au/>

Note: Each grant application **must be complete** with all relevant documentation (e.g. quotes, permits and approvals, co-funding agreements etc) at the time of submission. **No additional information** will be accepted after the closing date.

Eligibility Criteria

Organisations or community groups must meet **ALL** of the following criteria.

The Applicant:

- is a registered not-for-profit organisation or community group;
- is located within Indigo Shire;
- is incorporated or auspiced by an incorporated organisation for the purpose of this application;
- can demonstrate project support by relevant Committees of Management, user groups and/or building owners;
- can demonstrate financial viability (return on investment) of the project;
- has NO outstanding payments or reports to the Indigo Shire Council.

Community Sustainability Grants Program Guidelines 2023/24

Regarding funding requested to support capital upgrades to facilities/buildings/assets, the applicant must additionally confirm that the organisation or community group:

- is a user group of the facility, building or asset;
- can demonstrate broad community use and benefit;
- owns or the leases community facilities (including Council or DEECA);
- pays the electricity or relevant utility account.

Eligible Facilities for Capital Improvements:

	Council owned building	DEECA owned building	Other community building on public land	Private building on private land
Council pays electricity account	Ineligible	Ineligible	Ineligible	Ineligible
Committee of management /community user group pays electricity account	ELIGIBLE	ELIGIBLE	ELIGIBLE	Ineligible

Ineligible Projects and/or Applicants:

- Commercial organisations, political parties, discriminatory group or organisation
- Schools, Universities or TAFE colleges
- Retrospective funding requests
- Private and/or commercial ventures
- General on-going operating expenses (e.g. electricity, lease/rent payments, telephone bills)
- Staff costs or salaries associated with project delivery (this is considered in-kind support)
- Projects requiring on-going funding (unless funding is secured externally to council)
- Installation of technologies that result in additional greenhouse gas emissions
- Involving fundraising activities, prize money or awards
- Applications received after the closing date.

Community Sustainability Grants Program Guidelines 2023/24

Assessment Criteria

Criteria Number	Assessment Criteria
1	<p>Does the Applicant meet ALL of the eligibility criteria?</p> <p>The Applicant:</p> <ul style="list-style-type: none"> <input type="checkbox"/> is a registered not-for-profit organisation or community group. <input type="checkbox"/> is located within Indigo Shire. <input type="checkbox"/> is incorporated or auspiced by an incorporated organisation for the purpose of this application. <input type="checkbox"/> has NO outstanding payments or reports to Indigo Shire Council.
2	<p>Does the Project meet <u>some or all</u> of the objectives of the grant program?</p> <ul style="list-style-type: none"> <input type="checkbox"/> reduce greenhouse gas emissions <input type="checkbox"/> build community capacity to adapt to changing climatic conditions <input type="checkbox"/> strengthen long-term financial sustainability of community organisations.
3	<p>Is the project supported by relevant Committees of Management, User Groups and/or building owners?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
4	<p>Are all relevant permits and approvals provided?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
5	<p>Is it clear how project outcomes will be measured, assessed and reported to Council?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
6	<p>Is the project budget realistic and evidence based?</p> <ul style="list-style-type: none"> <input type="checkbox"/> Does the project offer long term financial sustainability of the facility or organisation? <input type="checkbox"/> Are quotes from accredited contractors – e.g. possess relevant insurances, qualifications, licences and accreditations? <input type="checkbox"/> Do quotes include service/product warranty information? <input type="checkbox"/> Do quotes include accurate <i>return on investment</i> information based on data <p><i>Note: For energy efficiency/renewable energy projects, applications should attempt to quantify the usage/emissions reductions to be achieved by the project.</i></p>
7	<p>Is there a confirmed co-contribution?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><i>Note: Co-contributions are mandatory for applications over \$5000, and encouraged for all other applications.</i></p>
8	<p>Does the project raise awareness, educate, and/or enable action on greenhouse gas emissions reductions? (If applicable)</p> <ul style="list-style-type: none"> <input type="checkbox"/> Is it clear who in the community will be engaged? <input type="checkbox"/> Does the project identify clear objectives? <input type="checkbox"/> Does the application identify measurable outcomes?

Community Sustainability Grants Program Guidelines 2023/24

Assessment Process

All submitted applications are subject to a transparent evaluation process adhering to Council's Grants Policy.

Step 1 - The Environment and Sustainability team will:

- Confirm eligibility and completeness of each application
- Compile a summary of applications, including initial assessment of application alignment with the Grant Assessment Criteria. This summary is forwarded to the Assessment Panel. *The Grant Assessment Criteria as endorsed by Council.*

Step 2 - The Assessment Panel (comprising Council staff and representatives of the Indigo Environment Advisory Committee) will meet to evaluate applications against the Grant Assessment Criteria. Assessment Panel membership is endorsed by Council.

Step 3 - The Assessment Panel recommendations are submitted to Council at the next available meeting. Councilors vote on the recommendation.

Step 4 – All applicants are then notified of the outcome.

- **Successful applicants** will receive a *Funding Agreement* for completion and return to Council.
- **Unsuccessful applicants** are welcome to seek feedback from the Environment and Sustainability team and are encouraged to reapply in the future.

Payments

Successful applicants will receive a *Funding Agreement* to be completed and returned to Council before funding is provided. Any conditions outlined in the *Letter of Offer* must be fulfilled prior to release of funds.

Goods and Services Tax (GST)

Treatment of GST will be based on the advice provided by the Australian Taxation Office (ATO).

Acquittal

The grant Acquittal Form is accessed via SmartyGrants, and will include:

- A financial statement of total expenditures equaling the grant amount.
- All associated receipts.
- A project summary including feedback on what worked and any identified learnings
- An update on the monitoring process and the energy efficiency outcomes of the project.
- Good quality photographs (and/or video) and any supportive statements to be used in promoting the Community Sustainability Grants program via Council's **Climate Action** website.

All projects should be completed and acquitted by the 30th June 2024.

Failure to acquit grant funding will render an applicant ineligible for future funding from Council's grants programs.

Community Sustainability Grants Program Guidelines 2023/24

Note: It is recommended that facility owners of any upgrade works be notified at completion for inclusion in insurance policies for the site.

Co-contributions

Co-contributions are mandatory for applications over \$5,000 and strongly encouraged from all other applications.

If a co-contribution is not possible, a rationale must be provided in the application form. This is a competitive grant process, where co-funding will be given priority, unless there are extenuating circumstances clearly described in the application form.

Co-contributions may be sought from additional partners or sponsors, and in such cases the applicant must be able to demonstrate that such funds are assured.

Terms and Conditions

The awarding of a grant gives no warranties, express or implied, by the Council as to the suitability or calibre of the works quoted. The Council will not carry out any specific enquiries in relation to the quality or standard of any business, organisation or individual engaged or contracted by the Applicant other than those it deems necessary in its absolute discretion.

The Applicant must make all enquiries they think necessary to ensure that the intended contracted/engaged organisation or individual is suitably qualified and experienced to undertake the works, and the Council takes no responsibility whatsoever for any works or conduct by the contracted/engaged organisation or individual which may not meet the Applicant's expectations, including without limitation works that are of unacceptable standard, quality or workmanship. Further, the Council takes no responsibility for any damage or loss of any kind accruing to the Applicant in the event that the contracted/engaged organisation or individual fails to complete the work by the cut off dates (or at all), including loss of benefit and use of the grant.

By making an application for a grant, the Applicant declares and warrants to the Council that it has read, understood and fully accepts these Terms and Conditions and fully releases and indemnifies the Indigo Shire Council against any loss or damage he / she / they may suffer of any nature whatsoever (including without limitation personal injury or death) whether in relation to the goods and materials supplied and / or conduct of the works (or lack thereof).

Funding agreement

Successful applicants must enter into a funding agreement with Indigo Shire Council. Funding agreements establish the parties and outline their commitments and obligations to each other, as well as setting out the general funding terms and conditions. It is recommended that applicants review the terms and conditions in these guidelines before applying. No funding will be released until Council and the applicant have executed the funding agreement and the appropriate acquittal evidence identified in the funding agreement has been met.

Project monitoring and delivery

Funding recipients are required to comply with project reporting requirements outlined in the funding agreement. Proponents are responsible for project delivery, including any project cost overruns should they occur. In cases where a project is delayed for an unreasonable length of time, where substantive changes to

Community Sustainability Grants Program Guidelines 2023/24

scope are made after funding has been approved, or where a project fails to be delivered, Council reserves the right to cancel the grant and, if applicable, recoup any payment that has already been provided.

Acknowledgement

Successful applicants are expected to acknowledge the Council's support in any promotional activities. Successful applicants will be required to contribute monitoring and evaluation information on activity outcomes which may be used in program appraisal or in Council's communication materials.

Cost

Council is not liable for any costs, expenses, losses, claims or damages that may be incurred by Applicants in connection with the Application Process, including in preparing or submitting an Application, providing further information to the Department, or participating in negotiations with Council.

Probity for Application Procedures

The Applicant and any of its associates must not offer any incentive to, or otherwise attempt to influence any of the persons who are either directly or indirectly involved in the Application Process, or in awarding any subsequent contract. If Council determines that the Applicant or any of its associates have violated this condition, the Applicant may be disqualified from further consideration, in Council's absolute discretion.

By submitting an Application the Applicant consents to Council performing probity and financial investigations and procedures in relation to the Applicant or any of its associates. The Applicant agrees, if requested by Council, to seek consents from individuals to allow such probity checks.

Confidentiality

Council will, to the extent permitted by law, treat all information as strictly confidential and commercial-in-confidence where relevant. Any personal information will be managed in accordance with the published Privacy Policy.

Disputes and complaints

The Council is not responsible for resolving any disputes between Applicants and Contractors. The Applicant must conduct their own due diligence with regards to their contract to carry out Eligible Works on the Community Facility (see Approvals below).

If the Council at any time during the construction/building at the Community facility determine the work is not to an acceptable standard the Council, after a notification in writing to undertake corrective action, retain the option to exercise a right of refusal to allow work to continue, and all costs will rest with the Applicant for any corrective action the Council needs to take.

Community Sustainability Grants Program Guidelines 2023/24

Guidance Note - Obtaining interval data

If you are considering a solar PV system for your site, you may care to know a little more about how the potential investment will impact your electricity bills. Interval data can prove very helpful in understanding how much electricity you use and when. This type of data can filter consumption to better understand how use and potential generation align with those hours of the day that are relevant to solar energy. Also, for businesses or sites with intermittent patterns of use, it can exclude “off-day(s)” of the week when averaging out for the daily consumption to model and size your solar system.

Interval data provides energy consumption information in thirty-minute intervals. It is captured 24 hours a day, 7 days a week, 365 days a year. Energy is measured in kilowatt-hour, kWh, so interval data is a numerical value in kWh. Your smart power meter records this information and automatically transmits that to your energy provider (retailer who supplies your bills) where it is stored and made available to you at your request. You can also download this data yourself by logging into your distributor’s (e.g. AusNet Services) website.

Generally, interval data can be obtained for free from your electricity retailer, or the network distributor in this region, for example AusNet Services.

Instructions for how to access your electricity interval data are available on AusNet Services website.

<https://www.ausnetservices.com.au/Business/Electricity/Access-Your-Meter-Data>

<https://meterdata.ausnetservices.com.au/webui/#/welcome>

Note: If applying for funds to install solar panels please submit a copy of your interval data (if available) and a recent electricity bill as an attachment to your application. Council may assess data for proposed projects to verify best fit and return on investment assumptions.

14.1

UPDATE - INSTRUMENT OF APPOINTMENT AND AUTHORISATION UNDER THE ENVIRONMENT PROTECTION ACT 2017

1	Instrument of Appointment & Authorisation - Environment Protection Act 2017 only	152
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Indigo Shire Council

Instrument of Appointment and Authorisation
(Environment Protection Act 2017 only)

Instrument of Appointment and Authorisation (*Environment Protection Act 2017*)

In this instrument "officer" means -

**Nadia Corsini
Jenni Larkin
Anton Maas**

By this instrument of appointment and authorisation, Indigo Shire Council -

under s 242(2) of the *Environment Protection Act 2017* ('Act') and the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021 - appoints the officers to be authorised officers for the purposes of exercising the powers and functions set out in the Instrument of Direction of the Environment Protection Authority under the Act dated 6 December 2022.

It is declared that this instrument -

- comes into force immediately upon its execution;
- remains in force until varied or revoked.

This instrument is authorised by a resolution of the Indigo Shire Council on 25 July 2023.

14.3

INFORMAL MEETINGS OF COUNCILLORS RECORDS

1	Informal Meeting of Councillors Record - Indigo Community Access Advisory Committee - 19 June 2023 (closed session).....	155
2	Informal Meeting of Councillors Record - Finance Committee - 20 June 2023.....	157
3	Informal Meeting of Councillors Record - Planning Site Visit - Sanatorium Road - 20 June 2023.....	159
4	Informal Meeting of Councillors Record - Council Briefing - 20 June 2023	161
5	Informal Meeting of Councillors Record - Council Briefing - 27 June 2023	164
6	Informal Meeting of Councillors Record - Council Briefing - 4 July 2023	166



INFORMAL MEETING OF COUNCILLORS RECORD

At the commencement of an applicable meeting, Council staff are required to identify that this is an Informal Meeting of Councillors as defined in Council's Governance Rules, and call for any Conflicts of Interest (Sections 126 - 131 *Local Government Act 2020*).

For additional information please refer to TRIM reference: INTERNAL20/7700

NOTE:

This Form MUST :

- a) be completed by the attending Council Officer
 - b) TRIMmed to INFORMATION MANAGEMENT – Registers – Informal Meeting of Councillors (relevant year)
 - c) completed record forwarded to the Governance Officer for inclusion in the next Meeting of Council and incorporated in the minutes.
-

MEETING DETAILS:

Meeting Indigo Community Access Committee

Date: 19 June 2023

Time: 1:30-2:00pm

Meeting Location: Yackandandah Office

IN ATTENDANCE: (circle / delete as appropriate)

	Name	Title
Councillors:	P Croucher	
	S Price	



Officers: Carlene Lamanna Manager Community Development
Kate O’Toole Ageing Well Officer

MATTER/S DISCUSSED/CONSIDERED AT THE MEETING:

(Note: Conflicts of Interest must be disclosed and the person leave the assembly before discussion of the conflict matter (Sections 126 – 131 of the *Local Government Act 2020*))

Discussion of the new member application.

CONFLICT OF INTEREST DISCLOSURES:

ITEM:

Councillor	Time of departure	Time of re-entry
Officer	Time of departure	Time of re-entry

Record Author: Kate O’Toole



INFORMAL MEETING OF COUNCILLORS RECORD

At the commencement of an applicable meeting, Council staff are required to identify that this is an Informal Meeting of Councillors as defined in Council's Governance Rules, and call for any Conflicts of Interest (Sections 126 - 131 *Local Government Act 2020*).

For additional information please refer to TRIM reference: INTERNAL20/7700

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MEETING DETAILS:

Meeting	Finance Advisory Committee
Date:	20 th June 2023
Time:	5:15pm
Meeting Location:	Beechworth Council Chambers

IN ATTENDANCE: (circle / delete as appropriate)

	Name	Title
Councillors:	B Gaffney	Mayor
	P Croucher	Deputy Mayor
	L Goldsworthy	
	R Horne	
	S Price	
	D Shephard	
	E Teissl	
Officers:	Greg Pinkerton	Director Planning & Corporate Services
	Ian Ellet	Director Infrastructure Services

**MATTER/S DISCUSSED/CONSIDERED AT THE MEETING:**

(Note: Conflicts of Interest must be disclosed and the person leave the assembly before discussion of the conflict matter (Sections 126 – 131 of the *Local Government Act 2020*))

 Revaluation of assets

 Landfill Provision

 Approval to Borrow

 Consideration of 2023/24 budget submissions

 2023/24 budget adoption

CONFLICT OF INTEREST DISCLOSURES:**ITEM:**

Councillor	Time of departure	Time of re-entry
Officer	Time of departure	Time of re-entry

Record Author: Greg Pinkerton



INFORMAL MEETING OF COUNCILLORS RECORD

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For additional information please refer to TRIM reference: INTERNAL20/7700

NOTE:

This Form MUST :

- a) be completed by the attending Council Officer
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MEETING DETAILS:

Meeting Site visit – 303 Sanatorium Road, Allans Flat

Date: 20 June 2023

Time: 12:30pm

Meeting Location: As above

IN ATTENDANCE: (circle / delete as appropriate)

	Name	Title
Councillors:	P Croucher	
	S Price	
	D Shepherd	



Officers: Steven Hawkins Planning Coordinator

MATTER/S DISCUSSED/CONSIDERED AT THE MEETING:

(Note: Conflicts of Interest must be disclosed and the person leave the assembly before discussion of the conflict matter (Sections 126 – 131 of the *Local Government Act 2020*))

Planning application to be presented at the June 2023 Council Meeting.

CONFLICT OF INTEREST DISCLOSURES:

ITEM:

Councillor	Time of departure	Time of re-entry
Officer	Time of departure	Time of re-entry

Record Author: Steven Hawkins



INFORMAL MEETING OF COUNCILLORS RECORD

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For additional information please refer to TRIM reference: INTERNAL20/7700

NOTE:

This Form MUST :

- a) be completed by the attending Council Officer
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MEETING DETAILS:

Meeting	Council Briefing
Date:	Tuesday, 20 June 2023
Time:	2.30pm
Meeting Location:	Council Chambers, 2 Kurrajong Way, Beechworth (and Zoom)

IN ATTENDANCE: (circle/delete as appropriate)

Councillors:	Cr Sophie Price	Mayor
	Cr Bernard Gaffney	Deputy Mayor
	Cr Peter Croucher	Councillor
	Cr Larry Goldsworthy	Councillor (Zoom)
	Cr Roberta Horne	Councillor (Zoom)
	Cr Diane Shepheard	Councillor
	Cr Emmerick Teissl	Councillor
Officers:	Greg Pinkerton	Director Planning & Corporate Services



James Turner	Manager Planning & Statutory Services
Ian Ellett	Director Infrastructure Services (by Zoom)
Melinda Collis	Executive Manager Customer Experience & Engagement (by Zoom)
Carla Hanlon	Executive Manager People & Governance
Annabel Harding	Governance Coordinator

MATTER/S DISCUSSED/CONSIDERED AT THE MEETING:

(Note: Conflicts of Interest must be disclosed and the person leave the assembly before discussion of the conflict matter (Sections 126 – 131 of the *Local Government Act 2020*))

-
- 5.1 Monthly Planning Update
 - 5.2 May Capital Works Report
 - 5.3 June Council Meeting - Draft Agenda Review
 - 6. General Business
 - 6.1 Councillor Committee Reports
 - 6.2 Upcoming Schedules - Briefing and Council Meetings
 - 6.3 Actions From Previous Meetings
-

CONFLICT OF INTEREST DISCLOSURES:

ITEM:

nil

Councillor	Time of departure	Time of re-entry
Officer	Time of departure	Time of re-entry



Record Author: Annabel Harding



INFORMAL MEETING OF COUNCILLORS RECORD

At the commencement of an applicable meeting, Council staff are required to identify that this is an Informal Meeting of Councillors as defined in Council's Governance Rules, and call for any Conflicts of Interest (Sections 126 - 131 *Local Government Act 2020*).

For additional information please refer to TRIM reference: INTERNAL20/7700

NOTE:

This Form MUST :

- a) be completed by the attending Council Officer
- b) TRIMmed to INFORMATION MANAGEMENT – Registers – Informal Meeting of Councillors (relevant year)
- c) completed record forwarded to the Governance Officer for inclusion in the next Meeting of Council and incorporated in the minutes.

MEETING DETAILS:

Meeting	Council Briefing
Date:	Tuesday, 27 June 2023
Time:	4.00pm
Meeting Location:	Council Chambers, 2 Kurrajong Way, Beechworth (and Zoom)

IN ATTENDANCE: (circle/delete as appropriate)

Councillors:	Cr Sophie Price	Mayor
	Cr Bernard Gaffney	Deputy Mayor
	Cr Peter Croucher	Councillor
	Cr Larry Goldsworthy	Councillor (Zoom)
	Cr Diane Shepheard	Councillor
	Cr Emmerick Teissl	Councillor
Officers:	Ian Ellett	Director Infrastructure Services
	Greg Pinkerton	Director Planning & Corporate Services



Sally Rice	Director Community & Economic Development
Carla Hanlon	Executive Manager People & Governance
Annabel Harding	Governance Coordinator

MATTER/S DISCUSSED/CONSIDERED AT THE MEETING:

(Note: Conflicts of Interest must be disclosed and the person leave the assembly before discussion of the conflict matter (Sections 126 – 131 of the *Local Government Act 2020*))

-
- 5.1 June Council Meeting Agenda Review
 - 6. General Business
 - 6.1 Councillor Committee Reports
 - 6.2 Upcoming Schedules - Briefing and Council Meetings
 - 6.3 Actions From Previous Meetings
-

CONFLICT OF INTEREST DISCLOSURES:

ITEM:

nil

Councillor	Time of departure	Time of re-entry
Officer	Time of departure	Time of re-entry

Record Author: Annabel Harding



INFORMAL MEETING OF COUNCILLORS RECORD

At the commencement of an applicable meeting, Council staff are required to identify that this is an Informal Meeting of Councillors as defined in Council's Governance Rules, and call for any Conflicts of Interest (Sections 126 - 131 *Local Government Act 2020*).

For additional information please refer to TRIM reference: INTERNAL20/7700

NOTE:

This Form MUST :

- a) be completed by the attending Council Officer
- b) TRIMmed to INFORMATION MANAGEMENT – Registers – Informal Meeting of Councillors (relevant year)
- c) completed record forwarded to the Governance Officer for inclusion in the next Meeting of Council and incorporated in the minutes.

MEETING DETAILS:

Meeting	Council Briefing
Date:	Tuesday 4 July 2023
Time:	2.30pm
Meeting Location:	Council Chambers, 2 Kurrajong Way, Beechworth (and Zoom)

IN ATTENDANCE: (circle/delete as appropriate)

Councillors:	Cr Sophie Price	Mayor
	Cr Bernard Gaffney	Deputy Mayor
	Cr Peter Croucher	Councillor
	Cr Roberta Horne	Councillor (by Zoom)
	Cr Diane Shepheard	Councillor
	Cr Emmerick Teissl	Councillor
Officers:	Ian Ellett	Director Infrastructure Services
	Greg Pinkerton	Director Planning & Corporate Services



Melinda Collis	Executive Manager Customer Experience & Engagement
Carla Hanlon	Executive Manager People & Governance (by Zoom)
Annabel Harding	Governance Coordinator

MATTER/S DISCUSSED/CONSIDERED AT THE MEETING:

(Note: Conflicts of Interest must be disclosed and the person leave the assembly before discussion of the conflict matter (Sections 126 – 131 of the *Local Government Act 2020*))

Audit and Risk Committee Agenda - 17 July 2023

Presentation - Bid for World Heritage Listing for Victorian Goldfields

Council Grants Guidelines and Assessment Criteria - Annual Review

Community Sustainability Grant Program - Program Guidelines Annual Review 2023/24

General Business

Councillor Committee Reports

Upcoming Schedules – Briefing and Council Meetings

Governance Calendar Actions From Previous Meetings

CONFLICT OF INTEREST DISCLOSURES:

ITEM:

nil

Councillor	Time of departure	Time of re-entry
Officer	Time of departure	Time of re-entry

Record Author: Annabel Harding

14.4

ADVISORY COMMITTEE MINUTES

1	Minutes - Indigo Environment Advisory Committee - 7 June 2023	169
2	Minutes - Indigo Community Access Advisory Committee - 19 June 2023	183
3	Minutes - Finance Committee - 20 June 2023	187
4	Minutes - Indigo Cultural Heritage Advisory Committee - 29 June 2023.....	227



Indigo Environment Advisory Committee meeting

Our Vision:

We will work with our communities to secure a healthy, sustainable and progressive future for all.

HELD:	Wednesday 7th June 2023, 6-8pm (please arrive 5:45pm)
LOCATION:	Council Chambers – The Pines, Beechworth
CHAIR:	Jane Roots (elected to chair in absence of Chair & Deputy Chair)

**REQUIRED
TO ATTEND:**

Ian Ellett	Director Infrastructure Services
Sam Niedra	Coordinator Environment & Sustainability
Maureen Rogers	Sustainability Projects Officer
Flo Meredith	Climate Change & Environment Officer

ITEM

1. WELCOME / CONFIRM ATTENDEES & APOLOGIES / ACKNOWLEDGEMENT OF COUNTRY

PRESENT

In person: Rik Thwaites, Jan Milhinch, Helen Robinson, Nicki Munro, Jane Roots, Ian Ellett, Sam Niedra, Maureen Rogers, Flo Meredith, Tom Fahy (5:45 – 7:00).

Via zoom: Cr Roberta Horne, Tom Colcott

APOLOGIES

Cr Emmerick Teissl (Chair), Tim Smith (Deputy Chair), Peter Anfruns, Philippa Noble, Chelsea Cherry, Diane Shepheard (observer), James Bramwell (DEECA – observer).

Absent

Peter Kenyon, Sue Berwick.

In the absence of Cr Emmerick Teissl (Chair) and Tim Smith (Deputy Chair), the committee supported Jane Roots to chair this meeting.

2. DECLARATION OF CONFLICT OF INTEREST

None declared



3. CONFIRMATION OF MINUTES FROM LAST MEETING (Wednesday 26/04/2023)

RESOLUTION

That the Committee confirm the minutes of the previous meeting on 26 April 2023.
Striking out the Declaration of Conflict of Interest.

Moved: Nikki M

Seconded: Helen R

BUSINESS FROM LAST MEETING

An update on the Actions listed in Appendix 1 of the Agenda was as follows:

DATE RAISED	ACTION	RESPONSIBLE	DUE	STATUS	UPDATE
02/02/2022	1. Biodiversity Working Group to re-consider the conservation covenant proposal accounting for EMT's feedback, and present a recommendation to a future Council Briefing.	Biodiversity Working Group (Sam N/Rik T)	Feb 2023	Carried forward	Bio WG keen to progress prior to next meeting – work not taken yet.
02/02/2022	2. Peter K & Planning WG to develop a paper with recommendations regarding good Dark Skies policy, using other councils as examples.	Planning WG	April 2023	In progress	Planning is investigating how a Dark Skies Policy might best integrate into existing planning scheme requirements, including investigating lighting design requirements for subdivisions. Need to ensure that any policy can achieve the outcomes required to retain dark skies without causing detriment to the growth and orderly planning of the Shire.
02/02/2022	3. E&S team to consider how IEAC can best assist Council's	SN (& internal group)		In progress	Sam N to update Energy WG on progress of Council's informal Sustainable

2

Unofficial



	Sustainable Procurement Working Group.				Procurement Working Group.
05/10/2022	4. Inland Rail project update to be given at December IEAC meeting by DELWP and Council (Jane R to follow-up).	Jane R	Dec '22 meeting	Carried forward	
05/10/2022	5. Interested IEAC members to meet in early Nov to discuss Climate Change Policy review (Jane to discuss with Chelsea and organise a meeting).	Jane R Chelsea C	Dec '22 meeting	In progress	Meeting between Chelsea C & Jane R and Sam N completed. Sam N to progress Climate Change Policy review internally, with assistance from E&S team.
08/02/2023	6. Rik T and Chelsea C to meet and collate information about green energy funds of other Councils.	Rik T Chelsea C	April 2023	Carried forward	
08/02/2023	7. Sam N to invite Planning to next IEAC meeting.	Sam N	April 2023	Carried forward	
08/02/2023	8. Sam N to engage with IEAC (relevant working group) on Naturally Cooler Indigo Towns project.	Sam N	April 2023	In progress	
08/02/2023	9. Sam N to invite IEAC to a 'soft launch' of Kausal.	Sam N	June 2023	Completed	
08/02/2023	10. Jane R/Sam N to ask James Bramwell for promotion of Kausal via DEECA after launch.	Sam N	June 2023	In progress	
08/02/2023	11. Sam N to invite Tom Fahy (Coordinator Trees & Parks) to talk about Naturally Cooler Indigo project at the June IEAC meeting.	Sam N	June 2023	Completed	
	12. Sam N to invite Simon Blackwell to present on Sustainable	Sam N	June 2023	In progress	



	Subdivisions Framework (SSF) via zoom and out of session.				
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4. CORRESPONDENCE

IN: None
 OUT: None

5. Update on Naturally Cooler Indigo Project (Tom Fahy – Trees Coordinator)

Naturally Cooler Indigo project update:

- 3,100 tree gaps identified as part of project across Indigo’s main towns (Rutherglen has almost 700 gaps)
- 430 trees on order, more in nursery, 80 or so requests for trees
- Over 600 trees will be planted in 2023
- Challenge in keeping new plantings alive, especially if hot summer.
- Need comms with public to increase success.
- Diverse tree selection, both native and non-native trees, mixed genera.
- Tree selection informed by Council’s Tree Management Plan, GMCA’s Naturally Cooler Towns project’s recommended species, existing species on streets, site conditions and constraints (e.g. powerlines), local climate, stock availability at nurseries.
- The GMCA report and guidelines are informing decisions – tending more towards the tree recommendations for the west part of the shire. Approximately 75% of trees selected are of the genera recommended in the GMCA list.
- Project also involves Developing an Urban Tree Strategy - the purpose of the Strategy is to understand where we are and what we need to do to get to where we want to be. This piece of work will support further development and funding applications.

Discussion:

- Dollar values of street trees
- Fire reduction with deciduous trees
- Project budget breakdown
- GMCA report and performance of Indigo compared to neighbouring Councils in key areas (e.g. asset management system/strategic action/resource in street trees).
- Tree vandalism rates
- Parking cars under trees
- Project comms strategy (Committee interested in seeing this/being part of development?)

6 COUNCIL OFFICER UPDATE

A written report (refer to Attachment 1) was provided by Sam N prior to the meeting, and the following were highlighted at the meeting:

- Thanks to Emma O’Connor for the catering. Emma O is a massive supporter of Plasticwise and is actively involved in Bright’s sustainability community, e.g. Boomerang Bags.



- Welcome to Maureen Rogers, Council's new Sustainability Projects Officer.
- Flo M gave an update on the GMCA project 'Resilient Public Estates' that combines asset data with climate projections and fire/flood overlays to understand risks to Council.

KAUSAL/OUR CLIMATE ACTION:

- Launch of Council's new [Our Climate Action](#) platform, which is embedded in Council's website. The Officer Report contains hyperlinks to the platform, and they will be commonplace in future reporting to IEAC. Sam N acknowledged the support of Council and particularly Ian E, and the work on the platform by the E&S team (Flo M and Helen J). Ian E acknowledged Sam N for leading the adoption and development of the platform.

WASTE

- Ian E provided an update in the absence of a Waste Coordinator. Nearing the end of current 12-year contract for Council's kerbside collection. Collaborative tender process. Looking to give recommendation to Council in July meeting.

Discussion:

- Jane R was thanked for organising a farewell present from IEAC to Helen Jones.
- Sam will circulate a photo taken on Helen's last day, and share Helen's phone number to Rik T who couldn't attend the previous IEAC meeting.
- Rik T impressed by Our Climate Action and level of detail
- How we can get the community to explore this link? Sam N: Council is developing a comms strategy – E&S and Comms & Engagement.
- Is platform visitation being tracked? Sam N: Yes (Matamo Analytics)
- Are other Councils aware of this or doing this? Would Indigo like to present to other Councils? Sam N: Indigo is one of first Australian councils to join Kausal, and have the most advanced development of tool. There is a lot of interest from other Councils.
- Jane R: Consider QR codes on banners/posters for EV Chargers or public spaces.
- Sam N: IEAC members are encouraged to promote in their networks.
- Plans for training? Sam N: E&S are engaging with staff.
- Potential case study for Climate Ready Hume (DEECA)? Sam N: Victorian Climate Alliance Forum (4th August) – every LGA is represented. Potentially give a session in 2024 event (program finalised for 2023).
- scope to lower Scope 3 Emissions through waste contract, e.g. electric trucks? Ian E: these are considerations in the procurement process but it might not change outcome. Electric vehicles may be more viable in the future.
- Progress of Cities Power Partnership pledges? Sam N: Councillors have not given an update around where the discussion around which pledges Council will commit to.

ACTION/S:

- IEAC members to share Council's 'Our climate action' platform to their networks.
- Sam N to invite Nathan Mullane and/or Council's new Waste Coordinator to come and talk about waste and recycling contamination rates.
- Sam N and Ian E to discuss with Trevor Ierino /Councillors about the 5 CCP Pledges and report to IEAC on agreed plan of action.

7

WORKING GROUP UPDATES

The three IEAC working groups (Biodiversity, Energy, and Planning) were asked to update progress against the IEAC Work Plan. The Work Plan was updated accordingly and will be circulated with the meeting minutes.



- **Biodiversity Working Group**

Jane R requested update on the roadside firewood report.

Sam N: Firewood should come up in the July or August meeting. Biodiversity WG will be notified.

Jane R: Cat curfew update? Yes, survey results are being collated. Strong response to survey – largest response received by Council on any survey topic.

- **Energy Working Group**

Rik T: Summaries of places to go for information around key energy areas – Peter A had some drafted for the recent Home Energy event.

- **Planning Working Group**

No update provided.

Discussion:

None.

ACTION/S:

None.

6. OTHER BUSINESS

- Handout from Jan M around advocating for a Nature Strip Policy
 - Issue of soil compaction around street trees in nature strips
 - Tom Fahy was at Wangaratta Council when policy was adopted; the nature strip policy was not policed so desired outcome not achieved
 - Clarification around guidelines for parking vehicles/personal property as part of education program for Naturally Cooler Indigo project.
 - Seeking for policy review and drafting.

DISCUSSION

- Ian E: If IEAC wants to review and summarise what other Councils are doing, Indigo would be interested in having a look.
 - Jan M: The Macedon Ranges City and Rural City of Mildura policies are good. Some provide a great deal of detail.
 - Jane R: Timing is good for Urban Tree Strategy and NCT project.
 - Helen R: Could consider food production and other uses for nature strips.
 - Rik T: Comms around Natural Cooler Indigo project should go beyond tree planting and include the entire nature strip.
 - Cr Horne: Education is key to these discussions.
- Discuss future presentations and presenters at each meeting and develop a forward planning 'presentation' schedule.

Jane R: Would like presentations around Inland Rail Track, waste update from new Waste team, Council's planning department, Sally McDonald re: cat curfew survey.

**IEAC PRESENTATION SCHEDULE:**

August 2023	TBC
October 2023	TBC
December 2023	TBC

ACTION/S:

E&S team to consider IEAC's review and summary of other councils' nature strip policies.
E&S team to include nature strip considerations in comms for Naturally Cooler Indigo project.

7. MEETING REFLECTION / EVALUATION

Rik T to be apology for next 3 months.

8. NEXT MEETING 02/08/2023

Wednesday 2nd August 2023

Chiltern Hub if ready and facilities accommodate Zoom (EV carpool)

Meeting Concluded: 8:11pm

SUMMARY OF RESOLUTIONS

Resolution	Moved	Seconded
That the Committee confirm the minutes of the previous meeting on 26th April 2023.	Nikki M	Helen R

SUMMARY OF NEW AND OUTSTANDING ACTIONS

DATE RAISED	ACTION	RESPONSIBLE	DUE	STATUS
02/02/2022	1. Biodiversity Working Group to re-consider the conservation covenant proposal accounting for EMT's feedback, and present a recommendation to a future Council Briefing.	Biodiversity Working Group (Sam N/Rik T)	Feb 2023	Carried forward
02/02/2022	2. Peter K & Planning WG to develop a paper with recommendations regarding good Dark Skies policy, using other councils as examples. Need input from planning team.	Planning WG (Sam N).	April 2023	In progress



02/02/2022	3. E&S team to consider how IEAC can best assist Council's Sustainable Procurement Working Group.	SN (& internal group)		In progress
05/10/2022	4. Inland Rail project update to be given at December IEAC meeting by DELWP and Council (Jane R to follow-up).	Jane R	Dec '22 meeting	Carried forward
05/10/2022	5. Interested IEAC members to meet in early Nov to discuss Climate Change Policy review (Jane to discuss with Chelsea and organise a meeting).	Jane R Chelsea C Maureen R Sam N	Dec '22 meeting	In progress
08/02/2023	6. Rik T and Chelsea C to meet and collate information about green energy funds of other Councils.	Rik T Chelsea C	April 2023	Carried forward
08/02/2023	7. Sam N to invite Planning to next IEAC meeting.	Sam N	April 2023	Carried forward
08/02/2023	8. Sam N to engage with IEAC (relevant working group) on Naturally Cooler Indigo Towns project.	Sam N	April 2023	In progress
08/02/2023	9. Jane R/Sam N to ask James Bramwell for promotion of Kausal via DEECA after launch.	Sam N	June 2023	In progress
April 2023	10. Sam N to invite Simon Blackwell to present on Sustainable Subdivisions Framework (SSF) via zoom and out of session.	Sam N	June 2023	In progress
07/06/23	11. E&S team to consider IEAC's review and summary of other councils' nature strip policies.	Flo M Maureen R Sam N	December 2023	New Item
07/06/23	12. E&S team to include nature strip considerations in comms for Naturally Cooler Indigo project.	Flo M Maureen R Sam N	August 2023	New Item
07/06/23	13. IEAC members to share Council's 'Our climate action' platform to their networks.	All	July 2023	New Item
07/06/23	14. Sam N to invite Nathan Mullane and/or Council's new Waste Coordinator to come and talk about Waste and recycling contamination rates.	Sam N	October or December 2023	New Item
07/06/23	15. Sam N and Ian E to discuss with Trevor Ierino /Councillors about the 5 CCP Pledges and report to IEAC on agreed plan of action.	Sam N Ian E	August 2023	New Item

(Note: Confidential minutes are recorded in the same manner as above)

**ATTACHMENT 1:****COUNCIL OFFICER UPDATE**

Indigo Environment Advisory Committee (IEAC)

8 February 2023 Meeting – report by Sam Niedra

ORGANISATIONAL	Relation to Council Plan (2021-25) -refer to back page.
<p>Council</p> <ul style="list-style-type: none"> Council has completed its annual Budget Survey process. Each directorate and business unit is now reviewing the feedback for consideration in developing the 2023/24 budget. Flo M has compiled and summarised feedback related to the E&S, and this will inform the development of the 2023/24 budget. <p>Staffing</p> <ul style="list-style-type: none"> This reporting period was impacted by staff taking leave over the Christmas/new year period. Ewen Oldmeadow (Manager Capital Works and Waste) is leaving Council on 10th March 2023, after four years. 	<p>Strategic objective 4.1</p> <p>Strategic objective 4.2</p>
CLIMATE ACTIONS AT COUNCIL	
<p>Below are some of the climate actions that Council is taking within the organisation during the reporting period:</p> <p><u>TRACKING COUNCIL'S CORPORATE EMISSIONS:</u></p> <p>TRELLIS</p> <ul style="list-style-type: none"> Council is continuing to add Scope 3 emissions (75% of our total emissions) to Trellis with the aim of automating processing of Scope 3 emissions as much as possible. Council is working towards understanding the Scope 3 emissions generated from leased facilities and facilities run by Committees of Management (e.g. many sporting facilities and halls). This involves working with leaseholders and asset managers to gain access to utilities invoices and also presents an opportunity to discuss energy efficiency, energy generation and switching to renewable energy providers. Trellis and our assets management platform software are now able to 'talk to each other' via common facility IDs. This is the foundation for larger buy-in from facility managers, project managers, and fleet managers. <p><u>TRACKING AND COMMUNICATING COUNCIL'S CLIMATE ACTION:</u></p>	<p>Strategic objective 4.1</p> <p>Strategic objective 4.2</p>



<p>KAUSAL</p> <ul style="list-style-type: none"> • Council's Kausal platform is continuing to be refined, and key staff inducted. • E&S is aiming to 'launch' the platform in March – date TBC. • When launched, Indigo's Kausal platform will have visibility to external audiences. <p>EMISSIONS REDUCTION PROJECTS: Below are some of the climate actions being undertaken at Council:</p> <p>Sustainability Victoria (SV) funding for energy efficiency projects</p> <ul style="list-style-type: none"> • \$33k funding via SV's Community Climate Change & Energy Action Program. • Chiltern Athenaeum (solar and climate control system) and Tangambalanga (solar and battery). • In progress, to be completed in 2022/23. <p>30 kW solar PV installation at The Pines, Beechworth.</p> <ul style="list-style-type: none"> • Heritage Victoria approvals for a 30kW ground mounted solar PV system at The Pines (Council's Beechworth Offices) for procurement / installation in 2022/23. • A heritage permit application is being submitted. • Project to be completed in 2022/23. <p>Council fleet – EVs and EV chargers</p> <ul style="list-style-type: none"> • \$28,352 funding received via the Victorian Government's EV Charging for Council Fleets program. • Capital works has begun work on the (7) 22kW EV chargers at Council officers and depots (for Council fleet only). • The project is due for completion in 2022/23. 	
CLIMATE ACTIONS IN OUR COMMUNITY	
<p>Below are some of the climate actions that Council is taking in the community during the reporting period:</p> <p>Community Sustainability Grants Program</p> <ul style="list-style-type: none"> • 2022/23 Program was open to receive applications between 26th October and 14th December 2022. • 7 applications were received, from 7 different organisations. • 4 applications were from 'new applicants' • 2 applications were received from Rutherglen, 3 applications from Beechworth, 1 from Tangambalanga and 1 from Osbornes Flat. • The total funding amount requested of Council is \$28,092.80. • The applications reflected a reasonable geographic spread across the Shire. • The applications were assessed by Council officers (Helen Jones, Flo Meredith, Sam Niedra) and two members of IEAC (Rik Thwaites, Tim Smith). <p>Naturally Cooler Indigo Project - fast tracking urban tree canopies in Indigo Shire's towns.</p>	<p>Strategic objective 4.1</p> <p>Strategic objective 4.2</p>



<ul style="list-style-type: none"> • Council has secured a \$160,000 grant via Emergency Management Victoria's Risk and Resilience Grants Program. • This is a 2-year project involving an Urban Tree Canopy Strategy (a 2022/23 Council Plan action), tree canopy gap analysis of our towns, and upscaling of our street and park tree planting to plant 600+ 'climate-ready' tree species over the next 2 years. • This project follows the <i>Naturally Cooler Towns Project</i> facilitated by the Goulburn Murray Climate Alliance (GMCA) in 2021/22. • Funding agreement has been signed and returned. • A project inception meeting was held on 6/02/2023. <p>Public access EV chargers</p> <ul style="list-style-type: none"> • Council is continuing to support the installation of the 50kW public access charger at Beechworth (Burke Museum) by Evie Network – currently in planning. A planning permit application was lodged on 9th September 2022. <p>Funding application – Beechworth Football & Netball Club</p> <ul style="list-style-type: none"> • The Council-supported funding application by Beechworth Football & Netball Club to Bushfire Recovery Victoria (BRV) was unsuccessful. • The application was for a solar PV and battery project at Baarmutha Park Function Centre. <p>Home Energy Kits</p> <ul style="list-style-type: none"> • User guide being developed in partnership with Alpine Shire Council. <p><u>Council's Memberships / Partnerships</u></p> <p>Goulburn Murray Climate Alliance (GMCA)</p> <ul style="list-style-type: none"> • Simon Blackwell (Sustainable Subdivisions Planner) has commenced in the shared resource role to assist member Councils (including Indigo) with Sustainable Subdivisions Framework. This is a GMCA and DELWP funded position, auspiced by Murrindindi. • Council's Planning and Environment & Sustainability teams have been having virtual meetings with Simon, and he has met staff and Sandy and Anne Geddis in early January to learn more about and advise their Sustainable Subdivision project in Beechworth. <p>Cities Power Partnership (CPP)</p> <ul style="list-style-type: none"> • Council is yet to commit to 5 pledges https://citiespowerpartnership.org.au/action-pledges/. • IEAC's recommendation is going to Council briefing – date TBC. <p><u>Other</u></p> <p>Climate Change Policy (2019)</p> <ul style="list-style-type: none"> • Due for review and updating. This will include a process for public feedback. IEAC's feedback will be sought (refer to the attached Climate Change Policy 2019). 	
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MANAGING THE NATURAL ENVIRONMENT	
<p>Below are some of the actions that Council is taking to manage our natural environment during the reporting period:</p> <p><u>Roadside weed and pest animal program</u></p> <ul style="list-style-type: none"> The 2022/23 program received three submissions and has been awarded to: <ul style="list-style-type: none"> G&T Weed Management (West half of the shire) Gray's Farm Friends (East half of the shire) The Program has initially been targeting Serrated Tussock, St Chilean Needle Grass, St John's Wort, Ox Eye Daisy and other listed noxious weeds. For the list of noxious weeds targeted in the program visit https://www.indigoshire.vic.gov.au/Residents/Environment-and-Sustainability/Weeds-and-pest-animals. <p><u>Water Quality Lake Sambell (Beechworth)</u></p> <ul style="list-style-type: none"> Council has added the lake to DELWP's state-wide Water Quality Monitoring Program. This was done following the mass up-rooting of native Eel Grass in March and major flooding in November 2022. Council has been annually testing for Blue-green Algae in late summer, but this program will provide monthly data on a range of water quality parameters (BGA, phosphorous, nitrogen, TSS). <p><u>Revegetation Projects / National Tree Day 2023</u></p> <ul style="list-style-type: none"> Council is yet to reach out to community groups for 2023 NTD projects. Projects / Groups currently supported by Council include BULS at Lake Sambell, Beechworth – projects at the Clay Banks and Beechworth Bush Botanical Gardens. <p><u>Roadside Markers – Council Roadside Vegetation Management</u></p> <ul style="list-style-type: none"> Installation of the posts will occur over the first half of 2023. <p><u>Glovebox Guide – Council Roadside Vegetation Management</u></p> <ul style="list-style-type: none"> Council's 'Glovebox Guide' is still in draft nearing completion – project will be finalised in early 2023. <p><u>Conservation Covenants</u></p> <ul style="list-style-type: none"> No further progress to report. <p><u>Firewood</u></p> <ul style="list-style-type: none"> Council's roadside firewood collection period is currently CLOSED. IEAC's recommendation is going to Council briefing – date TBC 	<p>Strategic objective 4.3</p> <p>Strategic objective 4.4</p>
MANAGING WASTE	
<p><i>Update provided by Shawn Uppal (Waste Coordinator)</i></p> <p><u>Single use plastic ban</u></p>	<p>Strategic objective 4.5</p>



<ul style="list-style-type: none"> • The Victorian Government banned the sale and supply of single-use plastic. This ban came into effect from 1st Feb 2023. • The ban includes plastic items made from conventional, degradable and compostable materials, including bioplastics. • EPA is responsible for compliance and enforcement activities. They will support businesses and organisations to understand their obligations and comply with the ban. It is the responsibility of all businesses and organisations to understand and comply with the ban. EPA takes an escalating approach to non-compliance. Maximum penalties of up to \$11,095.20 for persons or up to \$55,476 for body corporates can be enforced for those who do not comply with the ban. <p><u>Fluorescent Bin</u></p> <p>A bin was introduced to separate Fluro, CFL bulbs, fluorescent tubes from our E-Waste just before Christmas for our Transfer stations. It's been really effective from a diversion point of view.</p> <p><u>Bin Audit</u></p> <ul style="list-style-type: none"> • Shawn U (Waste Coordinator) and David P (Waste Officer) conducted a Bin audit shire wide which included Bin enclosures data, quality of bins, location etc. • We are working with the heritage department regarding bin enclosure designs. Hopefully by next month we should have more information on the designs. <p><u>Waste Contract</u></p> <p>The evaluation team is evaluating the tenders received.</p> <p><u>MRF report</u></p> <p>Council hasn't received the Materials Recovery Facility (MRF) report for this quarter yet but will update you in the next meeting.</p>	
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Council Plan 2021-25

- View the document here: [Council Plan \(2021-25\)](#)
- Whilst not being all encompassing, the following '**Theme 4: Environment**' and related Strategic Objectives from the Council Plan align with the IEAC's interests. The Officer Update will respond to this Theme and Strategic Objectives.

Theme 4: Environment

Our climate emergency declaration reflects a strong commitment to protecting, maintaining and enhancing our natural and built environment and to promoting sustainable living. Our communities are well prepared to adapt to and mitigate against the impacts of climate change.

Strategic objective 4.1

Lead our community through advocacy, planning and action to address the Climate Emergency and mitigate its impact on the health of our community, environment and the planet.

**Strategic objective 4.2**

Council to have zero net greenhouse gas emissions by 2035 and to support reduction in community emissions

Strategic objective 4.3

Our streetscapes, parks and gardens are sustainably managed and planted with species of trees and vegetation that maintain the character of our towns, support biodiversity and are adaptable to a changing climate

Strategic objective 4.4

Our natural environment, including our biodiversity and waterway habitats, are protected and improved, and our water resource is valued and conserved.

Strategic objective 4.5

Waste to landfill is minimised through greater recycling and reuse, and the environment is protected from the effects of landfill.

MINUTES – ADVISORY COMMITTEE



Indigo Community Access Committee meeting

Our Vision:

We will work with our communities to secure a healthy, sustainable and progressive future for all.

HELD: Monday, 19 June 2023 at 1:00 pm

LOCATION: Yackandandah Council Office and Zoom

CHAIR: Cr Peter Croucher

REQUIRED TO ATTEND:	Cr Peter Croucher	ISC Councillor
	Cr Sophie Price	ISC Councillor
	Lindsay Jarvis	Committee Member
	Peter Royle	Committee Member
	Sue Royle	Committee Member
	Zoe Gephart	Committee Member
	Jennifer Birthisel	Committee Member
	Lannelle Bailey	Committee Member
	Jan Toner	Committee Member
	Carlene Lamanna	Indigo Shire Council
APOLOGIES:	Kate O'Toole	Indigo Shire Council
	Sue Royle, Cr Sophie Price, Jenny Birthisal *NOTE Cr Price and Jenny Birthisal joined via Zoom for the new member vote in the closed meeting.	
GUESTS:	Penelope McGufficke, Creative Communities Coordinator. Member of the public.	

ITEM	COMMITTEE MEMBER
1. Acknowledgment of Country We acknowledge the original custodians of these lands. The people of the rivers and the hills have walked these lands for thousands of years as well as today, and we pay respects to the elders of the past, present and emerging.	Chair

2. DECLARATION OF CONFLICT OF INTEREST

None.

**3. CONFIRMATION OF MINUTES FROM LAST MEETING
Monday 17, April 2023, 1:00 pm,**

**Moved Lindsay Jarvis,
Second Peter Royle,
Carried**

**4. Update on the motion in favour of a Liberty Swing in the
Chiltern Playspace Concept Design.**

The motion was conveyed to Susannah Doyle, Manager Tourism. Susannah was supportive of a Liberty Swing being considered in the detail stage of the playground design and has amended the concept brief to recognise this. The ICAC recognise that this is a positive step for the accessibility of the playground concept.

Cr Croucher requested that the Chiltern Playspace Concept Design stay on the agenda as an ongoing item.

ACTION: Secretary to ensure that the Chiltern Playground comes back to the ICAC when further designs are progressing.

5. Bi-monthly meetings

The Committee made the decision to trail holding ICAC meetings ever 6 weeks for the next 6 months.

31 July 1pm next meeting (Beechworth Library Supper Room).

ACTION: Carlene Lamanna to send a new calendar invitation.

6. Accessibility of library collections

Coordinator Creative Communities, Penelope McGufficke joined the meeting to discuss the library spaces and collections.

ICAC will review the physical and environmental spaces of the 4 ISC libraries over the coming year to ensure that there are enough accessible options in the collection and the physical spaces themselves. Where applicable, offer advice on how the Indigo Shire Council libraries can be more accessible.

Accessible collection – Raised by a community member with children with learning difficulties.

Steps currently being taken:

- Large print books and audio books.
- 6 iPads have been purchased and the librarians will give community members training in how to use the App that allows the content to be read to them through the iPad. 3 month loans to increase digital literacy.

- Vision Australia Libraries: ordered a few of these books where you could touch and feel. Re: dyslexia, Lauren could come to the next meeting, add a link to the library connection. More feedback on collections. Great connections with schools. Braille books? Pen can follow up.

Consideration has been given to desk height and distance between the shelves in order to allow the best possible accessibility.

Chiltern: best practice facilities, three accessible toilets, signage with braille, three different access points which are wide and accessible.

Beechworth is hard on wheelchairs and mobility aides due to the thick pile carpet. Pen will find out what the carpet tiles are at Chiltern.

Outreach program - the library service is unable to collect people and bring them to the library, however, there are services to bring books to people.

Book Valet – home delivery – Cr Croucher noted that we need to increase promotion to the Tangam community. Kiewa Gazette, promotion. Community notice board for promotion.

When the library is open, the ICAC will schedule a meeting in Chiltern.

7. Infrastructure Updates

- Nathan Mallane, manager, reports that this is a quiet time for new projects. The team are aware of the value that ICAC provide and will continue to bring projects to them.

9. BUSINESS ARISING FROM LAST MEETING

- **Follow-up planning:** Bluetree project – recommended that Cr Croucher contacts the community member who raised the idea. The ICAC are broadly supportive of the project, however, there is not capacity to deliver the project. The community member could contact the Community Development team, through Carlene Lamanna, to see what internal Council support is available. All of the resources on completing the project are on the website: <https://www.bluetreeproject.com.au/>
- Plan to have an education session for planning and building, Executive management, Councillors, etc., in Spring in Chiltern, if possible.

This will depend on officer and committee availability.

9. OPEN ALL:

- Open all: Zoe and Jenny have been doing training for Billson's in recognising and responding to accessibility needs in customers.
- Lannelle: Community TVs / notice boards at Council buildings (planned for Chiltern), Beechworth IGA, etc., to promote what is happening.
- Chiltern Changing Places discussion and Growing Regions Grant.

Recruitment – 1 new member - CONFIDENTIAL

The meeting was closed to the public to consider a matter which is confidential as defined under section 3 of the *Local Government Act 2020*:

f. personal information, being information which if released would result in the unreasonable disclosure of information

This section applies because the personal biographical details of a person not yet appointed to a Council committee were discussed, and were provided to the Council in confidence as part of a recruitment process. This is an unreasonable disclosure of personal information as they have not yet been appointed to a committee position.

Meeting Concluded: 2:56 pm

Next Meeting: Monday 31 July 1pm, Beechworth Library, followed by meeting at the supper room.

Informal meeting of Councillors (required for meetings that are closed to the public and have at least one Councillor in attendance) - TRIM Reference

SUMMARY OF RESOLUTIONS

Resolution	Moved	Seconded
That the Committee confirm the minutes of the previous meeting on 8 May 2023	Lindsay Jarvis	Peter Royle

(Note: Confidential minutes are recorded in the same manner as above)



FINANCE COMMITTEE MEETING MINUTES - 20 JUNE 2023

Vision:

Indigo Shire - leading sustainable growth, community and cultural diversity, and climate action.

HELD: Tuesday, 20 June 2023 at 5:15pm

LOCATION: Beechworth Council Chamber

IN ATTENDANCE: Councillors

Cr Sophie Price (Mayor)
Cr Bernard Gaffney (Deputy Mayor)
Cr Peter Croucher
Cr Larry Goldsworthy
Cr Roberta Horne
Cr Diane Shepheard
Cr Emmerick Teissl

Senior Management/Officers

Greg Pinkerton – Director Planning & Corporate Services
Ian Ellet – Director Infrastructure Services

APOLOGIES: Trever Ierino – Chief Executive Officer
Sharon Phillips – Acting Manager Finance
Carolyn Lingham – EA Planning & Corporate Services



FINANCE COMMITTEE MEETING MINUTES - 20 JUNE 2023

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FINANCE COMMITTEE MEETING MINUTES - 20 JUNE 2023

1. WELCOME

The Chair welcomed all those in attendance

2. APOLOGIES AND LEAVE OF ABSENCE

Trever Ierino, Sharon Phillips & Carolyn Lingham

3. DECLARATION OF CONFLICT OF INTEREST

Nil

4. CONFIRMATION OF MINUTES FROM PREVIOUS MEETING(S)

RECOMMENDATION

That the Minutes of the Finance Committee Meeting held on 11 April 2023, as circulated prior to this meeting, be confirmed.

Moved: Cr Peter Croucher

Seconded: Cr Emmerick Teissl

CARRIED



FINANCE COMMITTEE MEETING MINUTES - 20 JUNE 2023

5. REVIEW OF COMMITTEE ACTIONS LIST

No current actions



FINANCE COMMITTEE MEETING MINUTES - 20 JUNE 2023

5.1 UPDATE ON REVALUATION OF ASSETS AND LANDFILL PROVISION

File No: 2023/456

Greg Pinkerton - Director Planning & Corporate Services Planning & Corporate Services

Verbal update from Council's Infrastructure Director on the progress of EOFY valuations, and landfill remediation cost estimates.

REVALUATIONS DISCUSSION

1. Work continuing on recalculations
2. Working with VAGO auditors
3. All on track

LANDFILL DISCUSSIONS

1. Working with contractor to review the landfill provisions - first draft received and working through the information.
2. On track for end of the financial year
3. NPV calculation will be performed by an external auditor
4. Rehabilitation standards are similar to last valuation so the update is mainly about the unit rates
5. Rehabilitation priorities and timing discussed

Ian Ellet left the meeting at 5.35pm



FINANCE COMMITTEE MEETING MINUTES - 20 JUNE 2023

5.2 MAY FINANCE REPORT 2023

File No: 2023/452

Sharon Phillips - Acting Manager Finance

Planning & Corporate Services

For Information

Recommended resolution for Council meeting (27/6/23)

That Council accepts the year to date May Finance Report noting the progress against Council's quarter 2 forecast.

DISCUSSION

Nil discussion

PURPOSE OF REPORT

This finance report covers the year to date position for the first eleven months of the 2022/23 financial year.

The report shows Council's May position against the adopted Quarter 2 forecast, and provides an indication of Council's financial performance of the 2022/23 year.

BACKGROUND

Each month Council reports the year to date (YTD) financial result. The year to date figures contained within this report shows Council's May position against the second quarter forecast.

DISCUSSION

The income statement shows Council's net financial result was a deficit of \$3.769 million which is \$31k favourable to the forecast position of \$3.800 million deficit. Details of the main variances are reported below.



FINANCE COMMITTEE MEETING MINUTES - 20 JUNE 2023

May 2023 - income statement							
Account Group	Year to Date (YTD)				2022/23 Annual budget	2022/23 Quarter 2 Forecast	2021/22 April YTD Actuals
	YTD actuals	YTD forecast	YTD variance \$	YTD variance %			
Income							
Contributions - developer	87,500	0	87,500	(100%)	21,500	21,500	68,978
Contributions - operating	54,226	55,453	(1,227)	(2%)	51,148	61,818	49,216
Operating grants	4,452,497	4,251,782	200,715	5%	6,496,518	9,889,217	8,504,167
Interest income	417,474	301,541	115,934	38%	217,773	303,273	160,999
Other revenue	1,795,125	1,809,626	(14,501)	(1%)	2,669,414	2,609,516	2,164,613
Rates & charges	18,808,002	18,794,226	13,777	0%	18,777,585	18,794,226	18,259,971
Reimbursements	288,697	262,991	25,706	10%	71,420	291,237	186,954
Statutory fees & fines	987,272	977,571	9,701	1%	1,085,096	1,112,405	1,177,022
User Fees	3,242,759	3,190,783	51,976	2%	3,918,411	4,098,922	2,574,213
Total income	30,133,553	29,643,974	489,579	2%	33,308,865	37,182,115	33,146,132
Expense							
Borrowing costs	45,395	45,510	115	0%	50,926	48,883	49,063
Contract payments	6,611,119	6,401,051	(210,067)	(3%)	6,301,907	9,437,985	5,299,107
Depreciation	6,981,382	6,985,797	4,415	0%	6,497,105	6,636,048	5,676,428
Employee costs	11,832,702	12,089,117	256,415	2%	13,626,090	13,288,261	11,830,981
Materials & consumables	4,554,037	4,370,548	(183,489)	(4%)	4,659,027	4,978,054	3,539,088
Other expenses	3,380,693	3,068,016	(312,677)	(10%)	3,080,944	3,652,269	3,240,029
Utilities	497,657	484,199	(13,458)	(3%)	609,116	606,784	459,676
Total expense	33,902,985	33,444,239	(458,746)	(1%)	34,825,115	38,648,284	30,094,372
Surplus / (deficit)*	(3,769,432)	(3,800,265)	30,833	1%	(1,516,250)	(1,466,169)	3,051,760
* For both actual and budget a positive net result means a favourable contribution to Council, which is referred to as a surplus and a negative net result means a unfavourable contribution to Council, which is referred to as a deficit.							
(Red variance) is unfavourable							
Black variance is favourable							

Income

Developer Contributions

YTD favourable variance of \$87.5k is due to;

- Planning – Open space contributions for various planning works which are matched with “Other expenses” (below) as they are transferred to Council’s financial reserves to be used at a later date.

Operating Grants

YTD favourable variance of \$201k is due to unbudgeted grants received throughout the year;

- \$80k – Tree Management – Naturally Cooler Indigo Project
- \$60k – Planning – Heritage Assessment Study Grant
- \$30k – Early Years Immunisation Program
- \$25k - Young People – YacVic Future Proof “Umbrella project”
- \$7k – Economic Development – Flood Recovery Expo “ Are you bogged “



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Interest Income

YTD favourable variance of \$116k is due to;

- \$88k – Investment income – Interest rate increases on cash investments maintaining a higher than predicted forecast.
- \$27k – Interest on rates – Interest calculated on outstand rate debtors.

User Fees

YTD favourable variance of \$52k is due to transfer station fees, with higher usage than expected. (Beechworth \$23k and Rutherglen \$31k).

Expenditure

Contract Payments

YTD unfavourable variance of (\$210k) is due to;

- (\$144k) – Emergency Management, Natural Disaster costs to be recovered at a later date.
- (\$77k)– Temporary employment costs across multiple service areas, these costs are to be read in tandem with the \$256k of favourable employee costs.
- \$11k favourability in building maintenance compared to forecast.

Employee Costs

YTD favourable variance of \$256k is due to staff vacancies. This is offset by the additional temporary employment costs in contract payments.

Materials and consumables

YTD unfavourable variance of (\$184k) is due to;

- (\$61k) – Software maintenance costs within Information Technology.
- (\$36k) – Additional unbudgeted costs across Roads, Tree Management and Parks and Gardens.
- (\$25k) – Fuel costs increase which have been impacted by the current economic climate.
- (\$26k)– Natural disaster costs to be recovered.
- (\$26k) – Additional material costs in Urban roads.
- (\$10k) – Increase in merchandise purchases across the Rutherglen and Beechworth Visitor Information Centres.

Other expenses

YTD unfavourable variance of (\$313k) is due to;

- (\$186k) – Internal and external plant hire with either additional or unbudgeted expenditure including \$44k of Natural Disaster unbudgeted costs, \$108k in both Urban and Rural Roads and \$26k in Waste Management for the Beechworth Transfer Station and \$8k in Tree Management.
- (\$87.5k) – Internal accounting treatment of Developer Contributions transferred to reserve. The offset of this shows the \$87.5k of Developer Contribution income noted

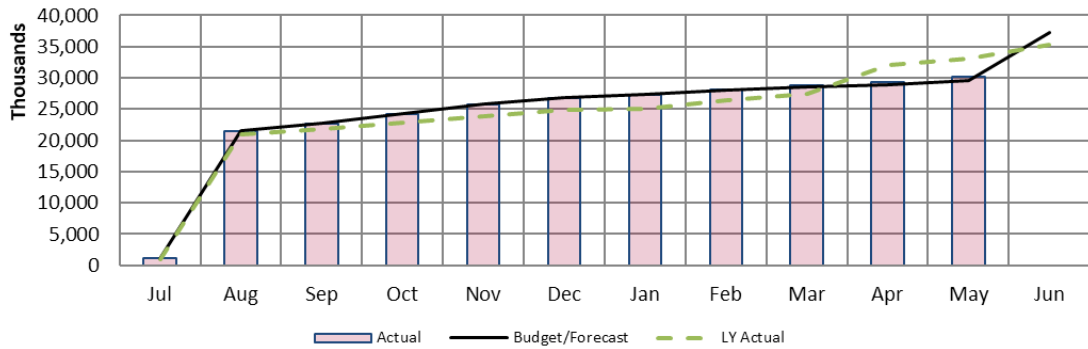


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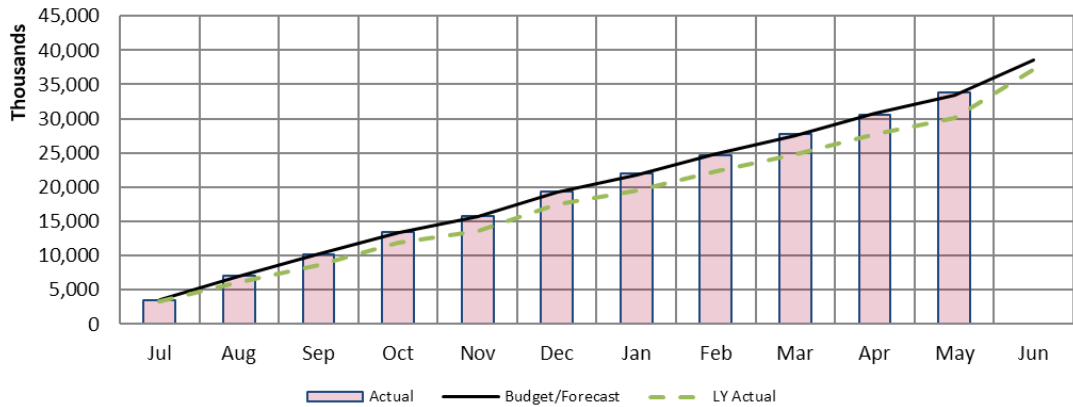
in Developer Contributions income above, this is a nil net effect on the operating budget.

- (\$27k) – Plant and fleet repairs and maintenance.
- (\$10k)– Increase in advertising recruitment costs.

Income (YTD)



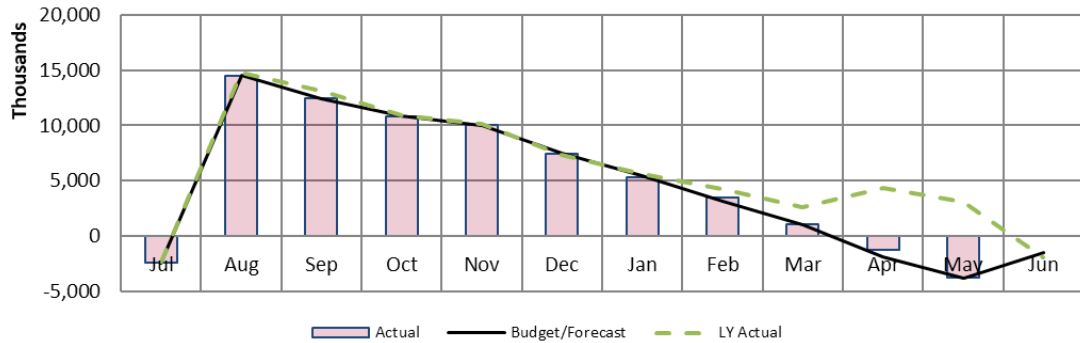
Expense (YTD)





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Net Position (YTD)



CASH

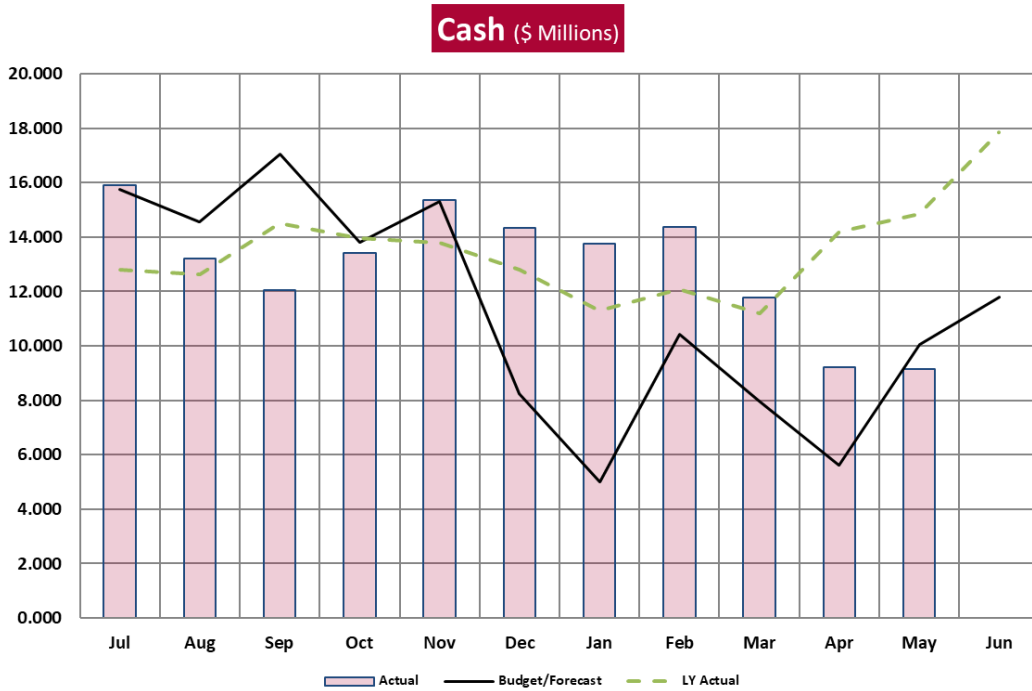
Council's Cash position at the end of May 2023 was \$9,161,652 million. This is lower than the same period last year (\$14,830,551 million) due to the progress of the capital works program and the advance receipt of 22/23 FAGs allocation received in the prior year to date.

Indigo Shire Council - Cash & Investment Report as at 31st May 2023

Bank	Term	Rate %	Due Rollover	Amount
WAW	153	3.75	7/09/2023	1,000,000
Hume Bank	184	3.30	5/11/2023	500,000
IMB Bank	123	3.95	6/06/2023	1,000,000
Defence Bank	90	3.50	26/08/2023	1,000,000
Rabobank Bank	153	3.90	4/09/2023	1,000,000
Bank Vic	180	4.45	9/10/2023	1,000,000
Bendigo Bank	152	4.15	10/07/2023	1,000,000
Total of All Investments				6,500,000
Indigo Shire Operating Account		3.25		2,661,539
WAW Credit Union S13		0.01		114
Total Operating Cash Position				2,661,652
Total Cash Position				9,161,652



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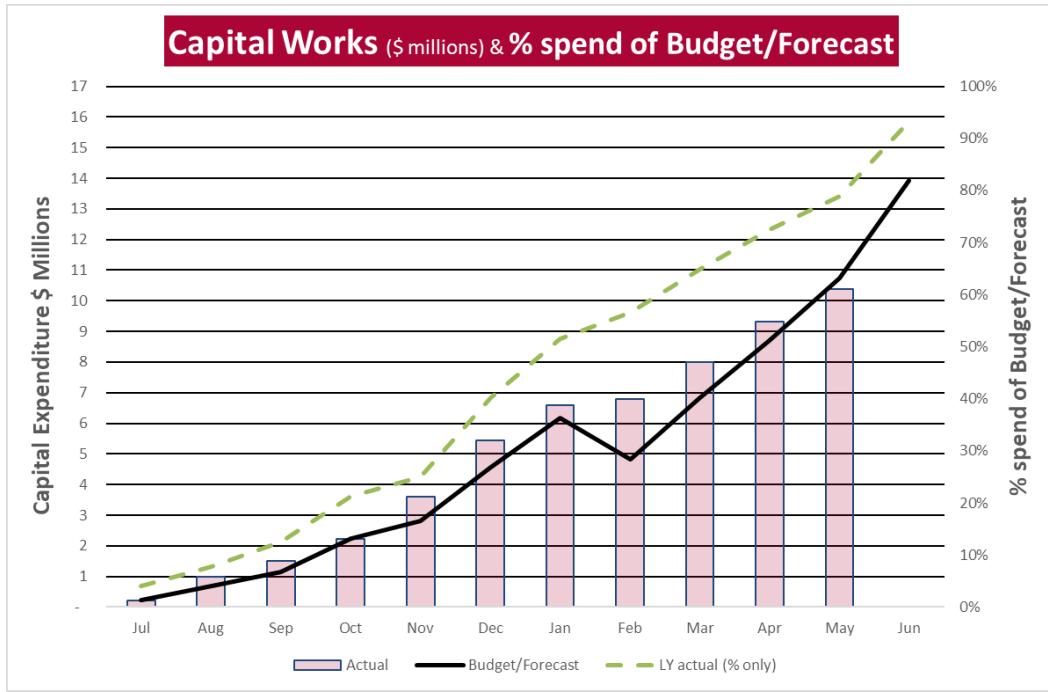
CAPITAL WORKS

The combined YTD project expenditure as at the end of May, across both the Capital Works and Non ISC asset project areas totals \$11,599,327. This total is comprised of \$10,377,066 in capital projects and \$1,222,260 against Non ISC assets.

Capital works expenditure	2021/22			2022/23		
	Qtr2 Forecast	YTD actuals	% Complete	Qtr2 Forecast	YTD actuals	% Complete
Capital works total	11,721,159	9,240,682	78.8%	13,764,605	10,377,067	75.4%



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A more detailed commentary on capital works and non-Council expenditure is provided in the monthly capital report later in the Council meeting agenda.

STRATEGIC CONTEXT

COUNCIL PLAN 2021 – 2025	
Theme	5. Accountability
Strategic Objective	5.1 Our financial management is sound, responsible and effective.

SOCIAL/COMMUNITY IMPLICATIONS

This report provides details of Council’s performance across a range of services, works and programs that support and enhance the wellbeing of residents and visitors to Indigo Shire.

ENVIRONMENTAL IMPLICATIONS

In May 2017 Council adopted the following resolution.

That Council:

1. *divests its investments (when they become due) to financial institutions that do not invest in the fossil fuel industry;*
2. *divests future long-term borrowings when they fall due, to financial institutions that do not invest in the fossil fuel industry;*
3. *notes that Council will retain the current (non-divested) transactional banking provider at this time, however Council will advise this bank the intention to move to a divested provider in the future if they continue to support the fossil fuel industry; and*
4. *writes to Council’s current banking providers to advise them of Council’s stance on fossil-free financial institutions*



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In accordance with this resolution:

- All investments are held with financial institutions that have divested their interests away from fossil fuel companies.

Transactional banking has not been reassessed since the resolution and remains with a non-divested bank.

FINANCIAL IMPLICATIONS

Addressed throughout the report.

LEGISLATIVE IMPLICATIONS

The Local Government Act requires Council to report financial information quarterly. Indigo Shire Council report financials on a monthly basis, as well as a more comprehensive Report at completion of each quarter.

All financial reporting is compliant with the Australian Accounting Standards and audited annually by the Victorian Auditor General Office.

RISK & OPPORTUNITY MANAGEMENT

Description	Likelihood	Consequence	Final Risk Rating	Controls, treatments
Poor performance against budget/forecast	Possible	Moderate	Medium	Regular monitoring and reporting of financial position
COVID-19 pandemic economic impact exceeds forecast	Possible	Major	High	Regular monitoring and reporting of financial position against budget

The current pandemic does provide uncertainty therefore regular reporting and monitoring is critical in identifying any impacts.

COMMUNITY ENGAGEMENT

Engagement undertaken

Nil

Engagement outcomes

Nil

Engagement proposed

Nil

CONCLUSION

In summary, at the end of May the bottom line financial position is a small favourability to the Quarter 2 forecast, with one month to go to 30 June Council is working towards the completion of projects and 2022/23 council action plans. It is expected that Council will achieve the EOFY targets set at the Q2 forecast.



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DECLARATION OF CONFLICT OF INTEREST

Under section 130(2) of the *Local Government Act 2020* and Governance Rule 24, the following officers declare that they have no interests to disclose in providing this report:

- Greg Pinkerton – Director Planning and Corporate Services
- Sharon Phillips – Acting Manager Finance

Attachments

1. May Service Plan Statement



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5.3 APPROVAL TO BORROW

File No: 2023/453

Greg Pinkerton - Director Planning & Corporate Services Planning & Corporate Services

For Decision

Recommended resolution for Council meeting (27/6/23)

That Council borrows \$1 million from WAW, at the interest rate of 6.5%, as approved in the 2022/23 budget.

DISCUSSION

1. Low Interest loan possibility
2. The need to borrow with the current cash balance
3. The need for the cash to support Councils minimum balance

PURPOSE OF REPORT

The purpose of this report is to seek Council approval to borrow the \$1 million that is identified in the 2022/23 budget, to cover the expenditure on the 2021 purchase of land in Chiltern, and master planning.

BACKGROUND

Council plans for capital expenditure across a 10-year horizon. This planning strikes a balance between different categories of capital expenditure, such as roads, footpaths, drainage, etc.

In December 2021 Council was presented with an opportunity to purchase a significant parcel of land in Chiltern. This created a rare opportunity for Council to facilitate a number of strategic goals for the town, and Council therefore decided to purchase the land. This expenditure was not foreseen in Council's long-term capital program and created a variance to the expected program. After considering a number of options (that included the reduction of planned capital works to fund the land purchase), Council decided to fund the land purchase and master planning by adding \$1 million of borrowing in 2022/23. This means that the purchase of the Chiltern land was additional to – and not at the expense of – planned capital projects across the shire, and other capital projects did not suffer from this additional expenditure.

DISCUSSION

The *Local Government Act (2020)* states that "A Council cannot borrow money unless the proposed borrowings were included in the budget or a revised budget" (s.104). Therefore, for clean governance, it is proposed that the \$1 million borrowings should be taken up in the 2022/23 financial year.

For a number of reasons (mainly related to the early payment of the Financial Assistance Grant and the rollout of the capital works program) Council has not needed to proceed with the planned \$1 million borrowing earlier in the financial year. Cash balances have been high for the first six months of the year and therefore the planned borrowings were deferred.



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As Council's capital projects are being completed the cash balance is slowly reducing and it is now appropriate for Council to complete the planned \$1 million borrowing prior to the end of the financial year. This will ensure that Council has the appropriate cash reserves that are identified in the Ten-Year Financial Plan.

It is notable that Council has been advised of the early payment again this year of the Financial Assistance Grants. This, combined with a large capital works carry-forward creates a buoyant cash balance. This, however, doesn't not reduce the need for the planned \$1 m borrowings because the additional cash at bank is allocated for projects. The borrowing is required so that, once the allocated cash has been spent on community services and projects, Council will still meet the cash reserve target that is shown in Council's Ten-Year Financial Plan.

Attached to this report is a confidential document that contains the quotes received in this process. This is designated as being confidential due to commercial sensitivities.

Options

Council has several options for borrowing.

- The Department of Treasury and Finance does have low interest loans that can be accessed by councils. However, these loans are for specific project types and not applicable to the funding that Council is currently seeking.
- Approve the borrowing. This is the recommended option.
- Choose a different provider. Not recommended.
- Determine to not borrow. Not recommended

STRATEGIC CONTEXT

COUNCIL PLAN 2021 – 2025	
Theme	5. Accountability
Strategic Objective	5.1 Our financial management is sound, responsible and effective.
Strategic Action	5.1.2 Maintain a long term financial planning framework and 10-Year Capital Program annually

The recommended borrowing is targeted to replace the cash that was spent on the Chiltern Land purchase and masterplan. This cash came from Council's reserves and needs to be replenished to ensure that sufficient unrestricted cash is available.

SOCIAL/COMMUNITY IMPLICATIONS

Nil

ENVIRONMENTAL IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The recommended \$1 million borrowing was approved in June 2022 as part of the 2022/23 Budget.

This borrowing is required to ensure that Council's base cash position is protected (as described in the adopted *10-year Financial Plan*). This base position assumes full completion of capital works and programmed (not early) payment of the Federal Assistance Grant. Whilst this has not been the case



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in the past few years it is not an appropriate risk strategy to assume continuation of these buffering cash balances.

LEGISLATIVE IMPLICATIONS

Council is required to budget for borrowings and to undertake them in accordance with Council's Borrowing and Investment Policy. The recommended borrowing achieves all legislative and policy requirements.

RISK & OPPORTUNITY MANAGEMENT

Description	Likelihood	Consequence	Final Risk Rating	Controls, treatments
Risk of inadequate cash balance	Rare	Major	Medium	The recommended borrowings will achieve the required base cash position as described in Council's 10-Year Financial Plan.

COMMUNITY ENGAGEMENT

Engagement undertaken

Extensive community engagement was undertaken as part of the 2022/23 budget preparation and adoption.

Engagement outcomes

The final 2022/23 budget approved \$1 million in borrowings to fund the unexpected purchase (and master planning) of the Chiltern land.

Engagement proposed

No further engagement is proposed in relation to this borrowing.

CONCLUSION

Council is committed to operating in a financially sustainable manner. The adopted 10-Year Financial Plan explains that a key part of Council's financial risk management is to maintain a cash balance that provides coverage for emergencies, operating capital, and contingencies for some risk events.

This cash balance was used to purchase the Chiltern land in December 2021 and it is necessary to replenish these funds. Council's Borrowing and Investment Policy supports the use of borrowing for intergenerational projects such as the purchase of the Chiltern land.

With the end of the financial year approaching it is now appropriate to undertake these borrowings and return Council to the correct cash balance.

DECLARATION OF CONFLICT OF INTEREST

Under section 130(2) of the *Local Government Act 2020* and Governance Rule 24, the following officers declare that they have no interests to disclose in providing this report:

- Sharon Phillips – Acting Finance Manager.
- Greg Pinkerton – Director, Planning and Corporate Services.

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CONFIDENTIAL ATTACHMENTS

Attachments 1, 2 and 3 are confidential under section 3(g) of the *Local Government Act 2020* because they contain the private commercial information provided by financial institutions that, if released, would unreasonably expose the financial institutions to disadvantage.

g. private commercial information, being information provided by a business, commercial or financial undertaking that—

(i) relates to trade secrets; or

(ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage

This section applies because the information contains details of the rates charged across the business and it would unreasonably expose the business through providing an unfair advantage to their competitors. The confidential attachments have been provided to Councillors under separate cover.

Attachments

1. Borrowing Rates Summary (Confidential)
2. Letter #1 (Confidential)
3. Letter #2 (Confidential)



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5.4 CONSIDERATION OF 2023/24 BUDGET SUBMISSIONS

File No: 2023/454

Greg Pinkerton - Director Planning & Corporate Services
Planning & Corporate Services

For Decision

Recommended resolution for Council meeting (27/6/23)

That Council;

1. Receives the attached draft budget responses, and thanks submitters for their assistance and feedback;
2. Endorses the management responses detailed in this report in relation to the budget submissions;
3. Endorses any recommended changes to the budget or actions as a result of the submissions (as detailed in the report), noting the addition of \$87k for footpaths and \$70k for drainage; and
4. Directs Council staff to respond to each submitter with a copy of this report and the Council resolution.

DISCUSSION

1. Question re superannuation being adequately provided for – Answer: the budgeted superannuation is correct
2. The course of the budget submissions feedback from here, and the passing on of the project suggestions and questions to the relevant service areas for consideration and action as appropriate

PURPOSE OF REPORT

The purpose of this report is to present the 2023/24 draft budget submissions, and to provide direction on any actions arising from the consideration of these submissions.

BACKGROUND

Council uses significant community input to build the annual budget. This input comes in several ways and is used throughout the budget build process;

- Throughout the year service managers note any community feedback that may inform the budget build process. This information is reviewed by all service managers as part of the annual budget planning process.
- Prior to the budget drafting process Council seeks community input into the budget build. This year 315 people provided input into the process. This pre-budget input is the primary consultation for the budget, and is timed to allow staff to consider the suggestions prior to the draft budget being prepared.
- Each service manager reviews the community input into the budget and this helps to inform their annual planning process. Budget managers and Council's executive team review the community feedback in relation to each service.



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- The feedback is provided to Councillors prior to the Councillor budget workshops. This is done in two formats;
 - Verbatim – as written by community members, and;
 - Summarised into key themes and feedback.

This early engagement is extremely valuable because it allows time for items to be considered fully and worked into the budget build.

In addition to this early consultation, the draft budget was recently exhibited for three weeks. This is a final chance for any feedback to be given prior to Council considering the adoption of the budget. Whilst this second opportunity is usually too late for Council to consider new additions and major changes, it does give an opportunity for the community to provide any feedback they feel is appropriate prior to Council considering the budget adoption at the June Council meeting.

This year 31 submissions were received. All submissions are attached, with personal details redacted. Each submission has been acknowledged in writing. Copies of the original submissions have already been provided to Councillors as well as the redacted versions being attached to this report.

Council appreciates the time that submitters have taken to provide feedback on the draft budget, and we thank all contributors throughout the full six-month budget build timeframe.

This report presents the attached submissions to Council, and provides commentary on a number of the common themes. This report is not intended to address every point that is raised in the submissions, or answer specific questions. Rather, these submissions summarised in this report and provided to Councillors for their consideration.

A note about redacted information: the information redacted from the budget submissions is the personal information of submitters such as names, addresses, email addresses and phone numbers, which, under section 3(f) of the *Local Government Act 2020*, would be unreasonable to disclose. This section applies because the information contains personal contact details of a person making a submission to Council. This is an unreasonable disclosure of personal information as their personal information is not relevant to the budget process. The details of businesses are not considered personal information and have not been redacted from the submissions.

DISCUSSION

Before addressing the key themes, there were a number of observations made regarding the submissions and the exhibition process. These observations will be used to refine Council's engagement processes for future budgets.

- Many submissions made requests or provided suggestions that are too late for appropriate consideration in the 2023/24 budget. Capital works projects and large changes to services require early consideration. This is the reason for the change to an early consultation process, however it seems that this change has not encouraged people to propose projects early enough for due consideration. Management will consider ways to encourage earlier engagement from community members wishing to propose new projects. As for this year's proposals, they will be provided to the appropriate service areas to consider.
- Several submissions proposed more spend in a particular area (footpaths, roads, etc.) but did not suggest any particular issue, road, footpath, or problem that needed to be looked at. This, again, has caused management to consider how best to understand the details of any submissions that community members make. It is expected that the engagement process will be altered to understand this earlier in the process.



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- Several submissions proposed opposite views and this demonstrates the balance that Council needs to strike between different perspectives and community needs. Expenditure on cycling infrastructure is an example, with some submissions supporting the addition of pump tracks (and requesting more) whilst others argue against their inclusion in the budget.
- Several points raised were based on a misunderstanding of the budget information and/or inadequate explanation within the documents to explain the financials. There appears to be an opportunity to better explain some parts of the budget and the documents. Again, this will be considered as the 2024/25 process commences later in the year.

Overall it is frustrating to both submitters and to Council that many of the submissions cannot be acted on because the suggestions are either too late in the process, not supported by Council strategy, or lack specific detail. This disconnect is despite the engagement process that Council has undertaken for a budget build. It is suggested that the community voice is strong and active, and Council is receptive, however both struggling to connect in a productive way. The community engagement process will be reviewed to try and improve the connection in future budget preparations, with the aim of bridging this gap.

The following discussion considers the key themes that have emerged from the draft budget exhibition. Where appropriate any recommended changes to the budget or process is included in the discussion.

The themes below (and management response that follows each item) constitutes the formal consideration of the budget submissions, and recommended response. Any of the proposed changes to the budget that are outlined below have already been included in the budget documents that are being presented later in this meeting agenda.

Themes identified from the budget submissions are as follows;

1. Consultation effectiveness.
2. Core asset maintenance and upgrade (roads, bridges, footpaths, etc).
3. Flood repair costs.
4. Recovery from Covid and fires.
5. Council expenditure on cycling.
6. Balance of expenditure between different groups, towns, services, or asset types
7. The rate increase.
8. Time taken to complete capital works projects.
9. Draft document errors.
10. Specific funding requests.

In addition, there were some suggestions for changes or increased spending in services that are not delivered by Council. Some of the suggestions made in relation to non-council facilities (such as the Yackandandah Cemetery, Winery Walkabout branding, health, provision of housing, etc.) will be considered for Council's advocacy program.

Below is a summary of the themes that emerged from the submissions as well as Council management response and recommended changes (where appropriate).



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Theme 1: Consultation effectiveness

What we heard

Several responses questioned whether Council had heard, understood, and adequately responded to the community feedback from the initial community engagement. In particular feedback suggested that the budget did not reflect the weight given to core infrastructure such as roads, footpaths and drainage. Funding for core assets is covered in more detail in the section below, whilst this section will discuss the consultation process.

Response and changes made

As detailed earlier in the report, the feedback provided by the community is taken very seriously, and reviewed by several groups (management, service managers, Councillors, etc) throughout the budget build process. This feedback is used to support project bids and budget allocations.

Council has worked within the constraints of the budget to respond to the community feedback. However, the ability to make large changes to Council's service allocations is limited

- Council works on a fixed income that means any increase in one area requires a decrease in another area. Therefore, Council's budget process is one of balance. The community feedback is used to adjust this balance.
- Many of the suggestions for ways to fund more work in core infrastructure (such as roads, footpaths, etc.) offer solutions that do not provide Council with any additional money to do so. One often suggested method is to stop spending money on cycle paths and put the money into roads. This is an example of misunderstanding of the funding for cycle paths (grant funded specifically for that project) and the fact that this funding is non-transferable.
- For the 2023/24 financial year Council had to work hard to bridge the gap between the rate cap (3.5%) and the inflation rate (7.8% at the December Quarter and 7% at the March quarter). This significantly reduced Council's ability to increase expenditure in the 2023/24 financial year.

Therefore, it is not realistic to make significant re-allocations and expenditure increases. Instead, Council uses the feedback to make adjustments and improvements where possible that better align with the community's feedback. This is done in small increments – such as holding some services to very low increases whilst giving others a higher than CPI increase. These changes are subtle, but over the course of time the balance shifts to align with the community feedback.

One example to demonstrate the way that community feedback has been used to change the budget is the increase in the tree maintenance (operating) budget. The budget documents show an increase in the allocation from \$502k in 2021/22 to \$546k in 2022/23 and then a proposed budget in 2023/24 of \$592k.

The feedback regarding how the consultation is used in the process will be considered in the preparation for next year's budget to try and improve the communication and information. Council will look at ways to improve the information to provide realistic expectations for the consultation feedback. Council will continue to transparently seek and consider all views as part of the process of setting the budget.

Theme 2: Core asset maintenance and upgrade (roads, bridges, footpaths, etc)

What we heard

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Several submissions request a greater focus on the maintenance and upgrade/extension of core assets such as roads, paths, drainage, bridges, parks, etc. Some of these are linked to recent flood damage (discussed below), and some submissions suggest other services that could be reduced in order to fund more roads, bridges, etc.

Response and changes made

Due to the pressures discussed in the previous section, the 2023/24 budget build process was one of austerity and balance, while also working toward the community desires. Unfortunately, when Council makes an increase in one service it must be matched with a decrease in another service and therefore the budget is a balance.

Some of the feedback relates to damage resulting from recent flood events. The rectification of flood damage is discussed in a later section of this report, and it is accepted that this natural disaster work is not easily visible in the draft budget document.

The draft budget contains the following allocations that align with the community feedback to maintain core assets;

- \$4 million for waste management.
- \$976k for parks and gardens.
- \$783k for tree plantings and maintenance.
- \$11.4 million for new capital works projects, including;
 - \$2.7 million to maintain roads, footpaths, bridges and drains.
 - \$700k to improve urban and rural drains
 - \$636k to re-sheet priority gravel roads
 - \$601k to re-seal priority sealed roads
 - \$529k for bridge renewal works
 - \$200k to seal urban roads
 - \$186k for kerb and channel replacement and new works
 - \$100k to upgrade public toilets

In addition to these allocations, funding to Infrastructure has been increased by \$107k since the draft budget was endorsed. This funding became available after the final rates calculation was performed.

This showed that the original rates calculation was \$107k short of the rate capped 3.5%. This additional funding has been allocated to the Infrastructure team and will be used for;

- Additional “Beechworth Primary School” footpath project. This is an \$87k project with \$37k from Council and \$50k of grant funding.
- Additional \$70k for “priority drainage works”.

This new allocation, combined with the draft budget projects, demonstrates support and expansion of core community assets; and further responds to the community feedback.

Council will continue to prioritise core asset maintenance and ensure that all renewals are fully funded every year. This long-standing practice is a fundamental budget ‘non-negotiable’. In addition, Council’s infrastructure team will continue to prioritise new and upgrade projects to best meet the needs of the community. It is recognised that this cannot meet every need in the desired timeframe, however staff continually strive to understand and meet needs where possible.

Theme 3: Flood repair costs



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What we heard

Some feedback expresses concern that Council has not allocated enough money to repair the flood damage that occurred in 2022. Some submissions identify specific allocations and/or projects and point out that Council needs to spend more to bring the assets back up to standard.

Response and changes made

Repairs to assets that are damaged in natural disasters are covered by an agreement with the state government. This is a complex system that funds repairs for most asset types in most natural disasters with very little contribution from Council.

The budget does not specifically highlight this because it is part of the operational budget and mostly funded (i.e. low or no Council contribution).

This limited visibility of this in the budget document should not be taken as being an under-allocation or a lack of effort by Council to repair the damage and return assets to their pre-flood condition. Significant work has already taken place, and continues on these important works.

The one notable exception to this is the remediation of the Indigo Creek bridge. This work is not yet funded and Council is seeking \$1.12M in grant funding for a new bridge on Indigo Creek Road. Council has committed \$280K in the draft budget for this project.

Theme 4: Recovery from Covid and fires.

What we heard

A few submissions mentioned the need for Council to do more to assist the community to recover from Covid and the fires of 2019/20.

Response and changes made

In recent times communities of the Indigo Shire have been impacted by flood, fire and COVID. Some areas have been impacted by all three.

Council is committed to supporting the residents and communities of the Shire to recover from any and all types of emergencies as well as working with communities to develop greater resilience for handling any future events. In addition to this, Council continues to invest in improving its emergency management preparedness. This ensures that Council is well placed to provide effective and appropriate support to emergency management agencies and the community.

Council's Community and Economic Development teams provide ongoing support in a range of ways to local residents. This includes a wide variety of community groups, individual businesses and entire sectors. Some examples of specific emergency response activities that will occur within the 2023/24 financial year are:

- With \$580,000 funding through the Commonwealth Government's Black Summer Bushfire Recovery Grants Program (Department of Industry, Science, Energy and Resources) Council has partnered with the CFA to **install solar power generation arrays and battery storage systems on twelve (12) fire stations** in the CFA District 24 Indigo/Alpine catchment region. The purpose of the "Solar Project" is to provide powered emergency service facilities during future natural disasters and technical outages where the aim is to ensure there are adequate facilities to enhance community resilience by providing confidence a nearby emergency service facility can provide support for first responders and a gathering place for community



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residents if local electricity grid and/or communications are not operating. This project commenced in the 2021/2022 financial year and will be finalised in the 2023/2024 financial year.

- **Community Recovery and Resilience Officer OPP-621. This is an ERV grant for 12 months totaling \$128K.** This grant will provide funding to recruit 1 x FTE for a Community Recovery and Resilience Officer (CRO) to support the community of Indigo Shire in recovery after the October 2022 flood events. The CRO will also help deliver the Flood Recovery Plan to residents impacted by the 2022 North East Flood event.
- **North East Collaboration Project – Bushfire Safer Together Grant of \$150k.** This is a joint collaboration grant with Alpine, Indigo and Towong Shire. Funding will be used to recruit a 12 month funded band 6 position that will review and formulate joint Emergency Management (EM) procedures and Standard Operating Procedures for Alpine/ Indigo and Towong Shires. This program will also help deliver training for Councils key EM personnel (including MEMO/ MRM and ERC roles).
- **HUB ERV Grant OPP-647 \$145K** – (Note: this Grant has had in-principle funding agreement only/ delivery plan as yet has not been approved by ERV). This grant will help fund a 12-month Hub position (band 5) that will help coordinate and establish Hub safe spaces (minor infrastructure works) within the shire. This grant is also proposed to purchase a recovery and outreach trailer (approx. \$45k) that can be deployed to EM incidents and events. (Note: this grant may be given an additional \$100k for Hub infrastructure works, further details to be advised by end of June 23.)
- **MERP funding** (Municipal Emergency Resourcing Program) \$60k has been forecasted FY 23-24 to be delivered to allow for part funding of the Indigo Shire EMC role.

Theme 5: Council expenditure on cycling infrastructure

What we heard

Council spends too much money on cycling infrastructure and should instead focus that time and money on other projects.

Response and changes made

This appears to be an area of great frustration to some in the community, and an often-misunderstood aspect of what Council does. The reason for Indigo Shire Council spending a significant amount of money on cycling (rail trails and mountain biking) are;

- There is unmet demand for these assets. Both residents and visitors are seeking increases in cycling infrastructure.
- The vast majority of the money spent on rail trails is not Council's/ratepayers money. These projects are funded by grants that recognise the significant return on investment for cycle projects, for example;
 - Beechworth to Yackandandah rail trail: \$7.10 million total project with Council contribution of \$1.90 million.
 - Epic bike trail: \$2.05 million total project with Council contribution of \$1.05 million.
 - Rutherglen Wine Walk Cycle Trail: \$5.1 million total project with Council contribution of \$0.
- The majority of the money spent on rail trails is not available to use in other areas or projects. Grants are for specific purposes and cannot be re-allocated.



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- The return on investment for the local business and community is significant. Early indications are that the Epic trail alone has returned Council's investment (to the community) in the first few months of its operation.
- When looking at Council's role in economic development the largest leverage is through tourism projects. Of these, cycle tourism has – to this point – provided an excellent return on investment and is a compelling grant attractor.
- Council does not reduce expenditure in other areas to fund cycle tourism. The long-term financial plan, borrowing strategy (for Epic) and investment in other projects (such as the Kelly Trials Courthouse project, Chiltern land purchase, etc.) are demonstrations that Council balances investment over several areas.

Theme 6: Balance of expenditure between different groups, towns, services, or asset types

What we heard

Several responses to the draft budget make suggestions that Council is ignoring one type of asset, town, service, etc in favour of another. Included in this section are a few that specifically argue that Council spends too much on the tourism service.

The suggestion from each of these submitters is that funding should be re-allocated in a different way to prioritise a different area, service, asset class, etc. that they see as being under-funded by Council.

Response and changes made

The balancing of budget priorities is a difficult task and one of optimisation rather than maximisation. Each submission [asking for a reallocation to a particular area] makes good argument for additional resourcing. And in most cases Council, Councillors, and staff would like to allocate more if it were available.

In reality the creation of a Council budget is a balance that would be struck differently by different people. The draft budget has been built using a sound process that includes strategic thinking from service managers, assessment of risks and opportunities, community feedback, executive review and adjustment, Councillor workshops and now a second round of consultation. This process is considered an appropriate mechanism for understanding the needs and wants of each service and the community, and allocating the capped budget across these service areas and projects.

Theme 7: The rate increase

What we heard

Some responses pointed out that current times are difficult for many ratepayers with increasing costs and often a fixed income. This can be difficult to balance for individuals, and any increase in rates is not assisting.

Response and changes made

Council is always concerned about rate affordability, and looks at this each budget cycle, along with measures to ensure that Council is operating as efficiently as possible.

Indigo Shire Council is proposing to comply with the rate cap of 3.5% (as set by the state government in December 2022) despite inflationary pressures of over 7%. As part of the efficiency measures, costs and wage increases have been limited to the rate cap (of 3.5%), or lower.

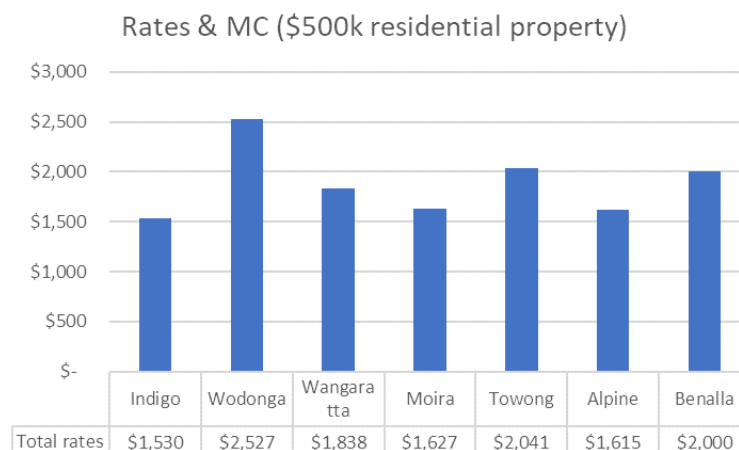


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It is notable that one submitter has suggested a set of calculations that compute Council's wage budget has increased by 17.7%, with individual pay increases of 19%. This is a misunderstanding of the financial statements and is incorrect. This error has been made by comparing the current year actual staff costs (with vacancy savings), with the proposed budget (calculated with full employment). In reality, staff wage increases are 3.5%, which is half the inflation rate.

Council pursues grant funding and other sources of income to reduce the reliance on rates. The result of this is that Indigo's rates are budgeted to be only 46% of total revenue for 2023/24. This is consistently lower than other Council's in NE Victoria, and significantly below the state average of 55%.

The result is a budget that is very tight, however Council has been able to build a budget that delivers all services as well as an ambitious capital works program, while achieving our long-term sustainability goals. Comparison to other Councils indicates that Indigo Shire retains its position of being one of the lowest rating shires in Victoria, and significantly lower than some of the neighbouring shires. The graph below shows comparison Council rates for a number of Councils in NE Victoria for a residential property valued at \$500k.



Finally, Council recognises that – despite being comfortable that the rate increase is appropriate, the rates bill is still a large cost each year. Pension discounts are available for eligible property owners, as are payment plans, and Council's hardship policy is important for those experiencing difficulty. Council continues to advocate strongly for increased funding and a greater share of national government funding.

Theme 8: Time taken to complete capital works projects

What we heard

Some responses mentioned the capital works program in relation to;

- The amount of time that capital projects take.
- The amount of work carried forward each year.
- The difficulty in understanding the capital works program – particularly from year to year.

Response and changes made



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This is a complex area that Council has worked on in the last few years to explain more fully. Unfortunately, there are a number of areas of complexity that are difficult to explain in a summary document – such as the draft budget.

Key messages are;

- Council undertakes a number of large and complex projects that take several years to complete. These projects are budgeted according to the expected program of works but are acquitted as they are completed. Often there is a difference in the timing due to supplier availability, weather delays, complexity, etc. These differences are normal and are dealt with as part of the usual project management/financial reporting protocols.
- Budget and accounting processes track the expenditure in accordance with Australian Accounting Standards and project management milestones.
- Natural disasters (fire, flood, storms, etc.) are not accommodated in the works program and therefore this work often delays progress on core work.

Council has made changes over the last few years and presented information in different ways to improve transparency. This has assisted some readers, but not others. A review of the budget process and the feedback will be undertaken in July to identify improvements that can be made to the 2024/25 budget build. This feedback will be an important part of that work and it is hoped that improvements can be made that will assist with understanding the complex inter-year capital works program.

Theme 9: Draft budget document errors

What we heard

Some errors pointed out in the document.

Response and changes made

Some of the errors are clearly errors (\$4 billion of income from Buller Gas / additional \$500k in the management budget) and have been rectified. Council and staff thank the reviewers for this feedback, and appreciate the time that people have taken to assist in this regard.

Other suggested errors are not in fact errors, but instead part of the way the state government's budget template works. It is difficult to assess some of this feedback because it is not specific, however it is assumed that it relates to the fact that many of the figures in the tables do not add up to the total that is shown. This is because many of the tables are shown in \$,000's and the last three numbers are truncated – but still included behind the scenes. These apparent errors are not in fact wrong, it is simply a result of the formatting and rounding.

In addition, some financials are presented in management view whilst others are presented in statutory view. This is standard practice and correct, but they do take some understanding to reconcile.

Council has fixed the items that are incorrect, but does not propose to change the rounding or accounting treatments.

Calls for improved information will be considered by management as part of the annual review of the budget process. This is important feedback and Council will endeavour to make changes that cover the requests – balanced, of course, with readability considerations.



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Theme 10: Specific funding requests

What we heard

A number of submissions related to specific projects and requests for additional funding in the budget, including Chiltern Athenaeum, delay in updating the rating strategy, Traton St. footpath, Foord Street, Kergunyah Hall, Beechworth Pool, etc.

Response and changes made

Council appreciates the information that has been provided by people in their feedback; some of this information is very detailed and clearly the result of significant work. This report does not attempt to answer each of these specific suggestions. Instead, each of these submissions have been passed on to the relevant service area for consideration and action as appropriate. Where further information is required, an update is available, or contact is appropriate, then relevant staff will be in touch with the submitter.

New project requests received in this exhibition stage are far too late in the process to adequately scope and commit to in the 2023/24 budget and therefore will be considered for future allocation.

Options

This report presents the community feedback to Council's 2023/24 Budget documents. Council has a number of options in relation to these submissions (mostly relating to possible changes to the budget, and/or requests for projects to be scoped or assessed). The recommendations shown above are presented for Council's consideration and decision.

STRATEGIC CONTEXT

COUNCIL PLAN 2021 – 2025	
Theme	5. Accountability
Strategic Objective	5.1 Our financial management is sound, responsible and effective.

SOCIAL/COMMUNITY IMPLICATIONS

The annual budget provides funding for several programs and services that provide significant social and community benefits throughout Indigo Shire.

ENVIRONMENTAL IMPLICATIONS

The annual budget provides funding for several of Council's environmental programs and services.

FINANCIAL IMPLICATIONS

Any changes that are recommended in the submission theme commentary have already been included in the budget document that are presented for adoption later in this meeting agenda.

LEGISLATIVE IMPLICATIONS

Council's budget preparation is governed by the *Local Government Act 2020*. The process being used for the budget build is compliant with the legislated requirements.

RISK & OPPORTUNITY MANAGEMENT

Description	Likelihood	Consequence	Final Risk Rating	Controls, treatments
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Description	Likelihood	Consequence	Final Risk Rating	Controls, treatments
Legislative non-compliance with the finance aspects of the <i>Local Government Act 2020</i>	Unlikely	Major	Medium	Budget planning and process documents the legislative requirements of Council.

The Council budget is a large and complex undertaking. Community feedback is an important part of this process and Council's consideration of the submissions adds value by understanding and considering community perspectives. This reduces the risk of an inappropriate budget being adopted whilst also reducing the risk of reputational damage that may occur if Council was not following a proactive consultative process.

COMMUNITY ENGAGEMENT

Engagement undertaken

An online survey seeking community input into the development of Council's 2023/24 resulted in over 300 survey results.

The survey also included a number of open-ended questions, providing respondents with the opportunity to provide more detail. The information gathered through this initial consultation has been used by service managers, executive managers and Councillors to inform the creation of the draft budget that was endorsed by Council at the May meeting.

Following this endorsement, the draft budget was exhibited and submissions invited. Thirty one submissions were received (redacted copies attached to this report).

To assist with the communication of the Draft Budget, Council publicised this process through the usual channels including newspaper advertisements, Council's website and Facebook.

Engagement outcomes

This report to Council summarises the outcomes of the latest round of exhibition and feedback. In addition, all submissions are attached (with personal details redacted). Finally, un-redacted versions have been provided to Councillors for their information.

Engagement proposed

Subject to the adoption of the budget, Council will issue a public notice that the budget has been adopted and details of rate instalment due dates.

The adopted budget will be made available on Council's website.

Following the June Ordinary Council meeting a letter will be sent to each submitter to thank them for their contribution to the budget preparation process. A copy of this report will be included.

CONCLUSION

To ensure that Council has appropriately considered the views of the community it is important to consider the submissions that have been received.

Council sincerely thanks the people who have taken time to contribute to the budget process. This includes the 315 people who responded to the first consultation earlier in the year, as well as the 31



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that have responded to this round of draft budget exhibition. This information has been reviewed by management and Councillors and has been valuable in shaping the 2023/2024 budget.

DECLARATION OF CONFLICT OF INTEREST

Under section 130(2) of the *Local Government Act 2020* and Governance Rule 24, the following officers declare that they have no interests to disclose in providing this report:

- Greg Pinkerton - Director Planning and Corporate Services
- Sharon Phillips – Acting Manager, Finance

Attachments

1. Budget Submission #1
2. Budget Submission #2
3. Budget Submission #3
4. Budget Submission #4
5. Budget Submission #5
6. Budget Submission #6
7. Budget Submission #7
8. Budget Submission #8
9. Budget Submission #9
10. Budget Submission #10
11. Budget Submission #11
12. Budget Submission #12
13. Budget Submission #13
14. Budget Submission #14
15. Budget Submission #15
16. Budget Submission #16
17. Budget Submission #17
18. Budget Submission #18
19. Budget Submission #19
20. Budget Submission #20
21. Budget Submission #21
22. Budget Submission #22
23. Budget Submission #23
24. Budget Submission #24
25. Budget Submission #25
26. Budget Submission #26
27. Budget Submission #27
28. Budget Submission #28
29. Budget Submission #29
30. Budget Submission #30
31. Budget Submission #31



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5.5 ADOPTION OF INDIGO SHIRE COUNCIL 2023/24 BUDGET

File No: 2023/455

Greg Pinkerton - Director Planning & Corporate Services
 Planning & Corporate Services

For Decision

Recommended resolution for Council meeting (27/6/23)

That:

1. Council, having given public notice and having received and considered submissions, adopts the attached 2023/24 Budget, including the Budgeted Financial Statements as defined by the Local Government (Finance and Reporting) Regulations (2014);
2. the Fees and Charges for 2023/24, as listed in the attached 2023/24 Budget, be effective from 1 July 2023;
3. the Chief Executive Officer or delegate gives public notice of this decision to adopt the following:
 - a) 2023/24 Budget in accordance with Section 94 of the Local Government Act 2020, and;
 - b) 2023/24 Ten-year financial plan, and;
 - c) 2023/24 Revenue and Rating Plan.
4. Council records the following reasons for the decision to adopt the 2023/24 Budget:
 - a) It reflects the efficient and effective allocation of resources having regard to the objectives, roles and functions of Council;
 - b) It is appropriate to the priorities of Council having regard to the Council Plan, and Council's Long-Term Financial Strategy;
5. Council notes the attached Income and Expense report that provides additional information regarding each service budget;
6. **Declaration of rates and charges**
 - 6.1 **Amount intended to be raised**
 The amount of \$19,575,379 (or such greater amount as is lawfully levied as a consequence of this resolution) be declared as the amount which Council intends to raise by general rates and the waste management charges (described later in this Resolution), which amount is calculated as follows:
 - General rates \$13,015,350 (including supplementary valuations)
 - Municipal charge \$2,965,430
 - Waste management charges \$3,594,600;
 - 6.2 **General rates**
 - (a) A general rate be declared in respect of and for the entire duration of the 2023/24 financial year;
 - (b) It be further declared that the general rate be raised by the application of differential rates;
 - (c) The rate and amount of rates payable in relation to land in each category of differential are:
 - A rate of 0.1993% (0.1993 cents in the dollar of CIV) for all rateable general properties;
 - A rate of 0.3987% (0.3987 cents in the dollar of CIV) for all rateable residential vacant properties;



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- A rate of 0.1495% (0.1495 cents in the dollar of CIV) for all rateable rural 1 properties;
- A rate of 0.1794% (0.1794 cents in the dollar of CIV) for all rateable rural 2 properties;
- A rate of 0.2691% (0.2691 cents in the dollar of CIV) for all rateable commercial/industrial properties.

6.3 **Municipal charge**

A municipal charge of \$339.10 be declared in respect of the 2023/24 financial year;

6.4 **Waste management charges**

An annual waste management charge be declared for the collection and disposal of refuse. The annual charge be in the sum of, and be based on the criteria specified below:

- Waste management charge for the collection and disposal of refuse for residential land, non-residential land or non-rateable land:
 - Urban domestic garbage collection 140 litre bin \$126.90
 - Urban domestic garbage collection 240 litre bin \$215.30
 - Rural domestic garbage collection 240 litre bin \$215.30
 - Domestic recycling collection 240 litre bin \$98.20
 - Domestic recycling collection 360 litre bin \$118.80
 - Domestic organics collection 140 or 240 litre bin \$180.70
 - Environmental Management Contribution \$85.80

7. **Payment options**

Payment of rates and charges can be made by one annual payment - due on or before 30 September;

Or Council issue rate notices and collect all rates via four instalment plan process, with instalments due on:

1st Instalment	-	30 September 2023
2nd Instalment	-	30 November 2023
3rd Instalment	-	28 February 2024
4th Instalment	-	31 May 2024

Where the payment due date falls on a weekend or public holiday, the payment date will be the next business day;

No additional instalment options be declared.

8. **Consequential**

- (a) The Chief Executive Officer or delegate be authorised to levy and recover the general rates, municipal charge and waste management charges in accordance with the *Local Government Act (2020)*;

Council in accordance with Section 120 of the *Local Government Act (2020)* requires any person to pay interest on any amounts of rates and charges which that person is liable to pay, and have not been paid by the date specified for their payment; and

9. **Borrowings**

Council proposes no new borrowings for 2023/24.



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DISCUSSION

No discussion or questions.

PURPOSE OF REPORT

This report presents the 2023/24 budget documents for consideration by Council. This is one of the final steps in the annual budget process and, subject to adoption, ensures that Council meets the budgeting requirements under the Local Government Act.

BACKGROUND

Council, at various meetings over the past six months, has workshopped the draft operating and capital works budgets for the upcoming financial year. The attached budget has been set in accordance with the parameters provided by Councillors and was informed by service managers and community consultation (with 315 submissions being received prior to the draft budget being set).

At a Council Meeting held on 16 May 2023, Council endorsed the draft budget documents in accordance with provisions of the Local Government Act 2020 (LGA), and resolved that the Draft Budget be exhibited for a period of 21 days for the purpose of gathering community comment.

Thirty-one submissions were received during this exhibition period. These submissions are considered in a separate report in this agenda.

DISCUSSION

The attached budget contains a great deal of information about Council's plans and programs for the upcoming financial year. In addition to the budget document, additional documents give further details and greater transparency to the budget. The budget incorporates the required resources to address activities identified in the third year of the current Council's 4-year Council Plan (also included in this Council agenda).

Some of the notable items from the budget are;

- Rate increase at 3.5% in accordance with the State Government's rate capping policy.
- Council has budgeted to deliver Capital works program of \$17.7 million for 2023/24. Being \$11.4 million in new projects and \$6.2 million in projects already funded which are being continued from 2022/23 into 2023/24.
- Capital works projects are detailed in section 4.5 of the attached budget document.

Waste management charges

Based on the legislation, and in the context of the 2018 Ombudsman's review, Indigo Shire Council raises waste management charges to deliver waste management services to the community.

Indigo Shire Council's financial result for the waste management service varies between surplus and deficit from year to year depending on the level of expenditure required in any one year. Over the past 14 years Council has a cumulative deficit in waste management of approximately \$1 million. The proposed 2023/24 budget predicts a deficit of at least \$55k (subject to landfill remediation requirements, the deficit is likely to be significantly higher).



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Changes made to Draft Budget

The attached budget document has been updated from the Draft Budget in the following ways:

Income

- \$107k additional rates income. This is due to the latest valuation figures, combined with an audit on the rates model that indicated that the draft budget had under-calculated the rates total by \$107k.

Expenditure

- The additional \$107 of income allowed Council to further support core infrastructure with;
 - \$37k allocated to the “Beechworth Primary School footpath” project. This is to support a grant of \$50k (total project being \$87k).
 - \$70k additional for “Drainage priorities”.
- These projects will be added to the capital works program in Q1 (once details are clarified) and balanced by this additional income (currently being shown in the Pathways budget).

Other Changes

Minor typographical changes, formatting and rounding corrections to the document. It is notable that some community feedback pointed out that the budget document contains numerous errors in some of the financial tables. This is due to the rounding of the figures (to \$,000's). The result is that these rounding amounts can skew the calculation to produce a result that seems incorrect. In reality, these tables are drawn from MS Excel tables that all add correctly.

Options

During the budget build process a number of different income and expenditure options were considered. As part of this process a number of Councillor Workshops were held and the community was consulted, resulting in thirty one submissions (considered separately in this meeting agenda). The attached budget documents represent the mix of income, expense, capital works projects and services that are considered optimal for the 2023/24 financial year and allows Council to continue to deliver on the adopted 4-year Council Plan.

STRATEGIC CONTEXT

COUNCIL PLAN 2021 – 2025	
Theme	5. Accountability
Strategic Objective	5.1 Our financial management is sound, responsible and effective.

SOCIAL/COMMUNITY IMPLICATIONS

The annual budget provides funding for a wide range of programs and services that provide significant social and community benefits throughout Indigo Shire.

ENVIRONMENTAL IMPLICATIONS

The annual budget provides funding for several of Council's environmental programs and services.

FINANCIAL IMPLICATIONS

The adoption of Council's Budget is the most fundamental financial decision that the Council must make on an annual basis. It sets in place the framework by which officers can implement Council's strategic direction contained within the Council Plan, with Council having allocated appropriate resources.

In summary, the attached budget document details;



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- Total income of \$42.595 million.
- Rates increasing by 3.5% to a total of \$19.710 million.
- Total expenses of \$38.301 million.
- \$17.7 million for 2023/24. Being \$11.4 million in new projects and \$6.2 million in projects already funded which are being continued from 2022/23 into 2023/24.
- Cash at the end of 2022/23 of \$5.430 million.
- No new borrowings.

LEGISLATIVE IMPLICATIONS

Council's budget preparation is governed by a prescriptive process set out in the Local Government Act. This act ensures that Council's budget is provided to the community for a period of time and allows members of the community to make representations to Council on any particular area.

RISK & OPPORTUNITY MANAGEMENT

Description	Likelihood	Consequence	Final Risk Rating	Controls, treatments
Failure to meet legislative requirements of budget preparation	Unlikely	Minor	Low	The budget is prepared using a set process that complies with the Local Government Act requirements. Council use the standard budget template.
The adopted budget does not anticipate and provide for future demands.	Unlikely	Minor	Low	An extensive process has been used to develop this budget. Council also maintains ample cash reserves for unanticipated expenditure.

Active management of Council's financial performance will include;

- Daily management of receivables and payables.
- Weekly oversight of cash and investments.
- Monthly management oversight at cost centre and account level.
- Reporting to Council's Finance Committee.
- Monthly reporting to Council's Ordinary Meeting.
- Quarterly reporting to Council's Audit Committee.
- Quarterly exception reporting to Council.
- Mid-year budget review and forecasting for 2nd half of the year.
- Annual close process and audit by VAGO.



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COMMUNITY ENGAGEMENT

Engagement undertaken

An online survey seeking community input into the development of Council's 2023-24 draft budget opened in December 2022 and closed in early 2023.

Respondents were asked a series of questions relating to what, where and how they would like Council to prioritise spending over the next 12 months. The survey also included a number of open-ended questions, providing respondents with the opportunity to provide more detail. 315 responses to this engagement were used to shape the draft budget prior to it being adopted at the May Council meeting.

Council's draft budget has been through a further exhibition period with a total of thirty one submissions received.

To assist with the communication of the draft budget, Council publicised this process through the usual channels including newspaper advertisements, Council's website and Facebook page.

Engagement outcomes

Feedback from the survey was collated into themes. Distributed to the Councillors and management teams for review and consideration. Thirty one submissions have been distributed to Councillors and management. Consideration of the submissions resolved as a separate agenda item within this meeting.

Engagement proposed

Following the adoption of the budget, Council will issue a public notice that the budget has been adopted and details of rate instalment due dates.

The adopted budget will be made available on Council's website.

CONCLUSION

This report details and finalises the process by which the 2023/24 Budget, Rating Plan, and 10-Year Financial Plan are prepared and advertised in accordance with the provision of the Local Government Act and recommends that the Budget be adopted.

All appropriate statutory and consultative procedures have been implemented in accordance with the requirement of the LGA, in particular, the advertising and consideration of submissions.

This budget document is the culmination of a great deal of work by Council and Councillors, and sets a clear path for the achievement of Council's objectives in the 2023/24 financial year.

DECLARATION OF CONFLICT OF INTEREST

Under section 130(2) of the *Local Government Act 2020* and Governance Rule 24, the following officers declare that they have no interests to disclose in providing this report:

- Greg Pinkerton - Director Planning and Corporate Services
- Sharon Phillips - Manager Finance
- Ian Ellett – Director Infrastructure Services

Attachments



FINANCE COMMITTEE MEETING MINUTES - 20 JUNE 2023

1. Indigo Shire Council Budget 2023-24
2. Indigo Shire Council Ten-Year Financial Plan 2023-24
3. Indigo Shire Council Revenue and Rating Plan 2023-24
4. Indigo Shire Council Income and Expense by Service 2023-24



FINANCE COMMITTEE MEETING MINUTES - 20 JUNE 2023

6. ITEMS OF BUSINESS

Nil reports



FINANCE COMMITTEE MEETING MINUTES - 20 JUNE 2023

7. GENERAL BUSINESS

Meeting closed at 5:56pm

Next meeting – 22 August 2023



Cultural Heritage Advisory Committee meeting

Our Vision:

We will work with our communities to secure a healthy, sustainable and progressive future for all.

HELD: Thursday 29 June 2023 at 10-11:30am

LOCATION: Online via Zoomn

CHAIR: Insert Chairperson

REQUIRED TO ATTEND:

Dr Robin Hirst PSM	Committee Member
Dr Jonathan Sweet	Committee Member
Elizabeth Marsden	Committee Member
Roger Beeston	Committee Member
Simone Nolan	Committee Member
Dr Ashley Robertson	Committee Member
Assoc. Prof. Bruce Pennay	Committee Member
Cr Diane Shephard	Council Representative
Cr Larry Goldsworthy	Council Representative
Deborah Kemp	Heritage Advisor
Ashleigh Giffney	Council Secretary / Officer

APOLOGIES

Dr Jonathan Sweet
Elizabeth Marsden
Dr Ashley Robertson
Cr Larry Goldsworthy

GUESTS Trevor Matthews



	ITEM	ACTION
1.	TEMPORARY CHAIR APPOINTED	
	<p>MOTION</p> <p>The Committee agreed to appoint Cr D Shephard as temporary Chair.</p> <p>Moved: Bruce Pennay Seconded: Dr Robin Hirst</p> <p>Carried</p>	
2.	ACKNOWLEDGEMENT OF COUNTRY & WELCOME FROM CHAIR	
	Cr D Shephard shared an acknowledgement of Country and welcomed the members to the Cultural Heritage Advisory Committee meeting.	
3.	DECLARATION OF CONFLICT OF INTEREST & APOLOGIES	
	<p>No conflicts of interests received or declared.</p> <p>Apologies:</p> <p>Dr Jonathan Sweet Elizabeth Marsden Dr Ashley Robertson Cr Larry Goldsworthy</p>	
4.	CONFIRMATION OF MINUTES FROM LAST MEETING	
	<p>That the minutes of the 16 March, 2023 meeting be accepted as presented.</p> <p>Moved: Dr Robin Hirst Seconded: Bruce Pennay</p> <p>Carried</p>	
5.	BUSINESS FROM LAST MEETING	
	<p>Yeddonba Aboriginal Site Update</p> <p>A Giffney updated the Committee about the reopening of the Yeddonba Aboriginal Site:</p> <p style="padding-left: 40px;">A Giffney identified the relevant Minister with Dan Cummins support and drafted and shared letter with Management.</p> <p style="padding-left: 40px;">Management requested a temporary pause in the letter submission process while they await a response from Parks Victoria. Management has been actively communicating with Parks Victoria regarding the reopening of the</p>	<p>A Giffney will provide an update on the Yeddonba site at the next Committee meeting.</p>



	<p>site. Parks Victoria has been organising meetings with the Traditional Owners and will deliver an update on the progress of the Yeddonba project in July.</p> <p>A Giffney will share response with from Parks Victoria with the Committee.</p> <p>Letter of appreciation to Dan Cummins</p> <p>A Giffney reported that the letter had been drafted an pending sign-off from management. [This letter has since been signed and shared with Dan Cummins.]</p> <p>Courthouse Project Interpretation Plan</p> <p>A Giffney shared current design plans with the committee while the interprtation plans were being fianlised. The committee requested a review of the interpretation plans upon their completion.</p> <p>Cr Shepherd affirmed the trust that Council has in this committee. Having the committee endorse these interpretation plans will instil confidence in Council.</p> <p>S Nolan shared her involvement in a similar project at Wangaratta Council. They have been collaborating with numerous stakeholders and closely managing interactions with the community and family.</p> <p>A Giffney will share Courthouse Project Interpretation Plans with the committee for their review.</p>	<p>A Giffney to share Courthouse Project interpretation plans with the Committee.</p>
6.	<p>FOUR YEAR PLAN ACTIONS - Cross Shire Support</p>	
	<ul style="list-style-type: none"> - <i>Assess current cross-shire support programs and provide advice</i> - <i>Benchmark and provide advice to Council on best-practice</i> <p>A Giffney shared the previous cross-shire program:</p> <p>The Cultural Heritage Collections Assistance Program was designed to allocate a single, five-day block of Burke Museum assistance to each participating Museum/Athenaeum in a two-month interval. With six projects from six different organisations set to be completed each year, our aim was to provide comprehensive support to a diversity of groups, enabling them to expand their collection and curatorial programs.</p> <p>An Expression of Interests was promoted and ten organisations responded. The program was implemented at Chiltern Athenaeum and Beechworth RSL until COVID-19 put a hold on to it. This provided the Burke museum team an opportunity to review the effectiveness of the program, and identify areas of improvement.</p> <p>One of the key findings was that the allocation of a five-day block of staffing assistance was not sufficient to cater to the diverse needs of the community groups. It was also noted that many organisations struggled to follow through with their projects, often due to technology, training and flexibility challenges.</p>	



	<p>A Giffney shared the current cross-shire program:</p> <p>In response to the findings of the previous program, the Burke Museum team began trialling a program that supports a Museum/Athenaeum on a bi-weekly basis, over ten weeks. This approach has allowed for a bespoke strategy to be developed, tailored to the specific needs of the Museum/Athenaeum. It has helped the Burke Museum team to understand that every organisation is at a different stage, and the program needs to be built around delivering tailored solutions that cater to towards long-term goals</p> <p>The program has successfully rolled out at Chiltern Athenaeum and Wooragee Landcare, with plans for Rutherglen Historic Society at year-end and Stanley Athenaeum in the early part of next year. This program has been received very positively by these groups.</p> <p>A Giffney shared the Burke museum team also supports the community Museums and Athenaeums outside of this program as well.</p> <p>Overall the committee were pleased with the current program and commended the Burke museum team.</p> <p>Cr Shepherd mentioned that the current program needs to be promoted more through Council's communication channels and perhaps a budget item needs to happen.</p> <p><u>Motion</u> The Cultural Heritage Advisory Committee recommends that a report about the current cross-shire program be shared at a Council meeting.</p> <p>Moved: Bruce Pennay Second: Robin Hirst</p> <p>Carried</p> <p>R Hirst asked where the community Museums and Athenaeums meet together.</p> <p>S Nolan mentioned that historically that did occur and perhaps it should be re-activated, proposing that with the support of Wangaratta Council; a North-East Victoria local history group be re-established.</p> <p>R Beeston mentioned that this would be a good opportunity to also address the building and land these groups meet on.</p> <p><u>Motion</u> The Cultural Heritage Advisory Committee recommends that the Burke Museum team meet with Arts, Culture and Events team at the Rural City of Wangaratta Council to start a conversation about reconnecting North-East Victoria local history groups.</p>	
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	<p>Moved: Simone Nolan Second: Bruce Pennay</p> <p>Carried</p>	
7.	FOUR-YEAR PLAN ACTIONS - Reconciliation	
	<ul style="list-style-type: none"> - <i>Advise on Reconciliation Action Plan issues</i> - <i>Identify key contacts or opportunities for advancing Reconciliation.</i> - <i>Advise Council on industry directions in Reconciliation</i> <p>The current Reconciliation Action Plan was shared with the Committee ahead of the meeting for review and discussion.</p> <p>L Marsden [in absence via email] shared: My main comment was around the RAP document- that seems a lot of work for 1-2 people when the principals really should be more deeply embedded across the Council. Perhaps that is the case, but I was interested in what happens on an individual level.</p> <p>Cr Shepherd asked to follow up with L Marsden at the next meeting to discuss further.</p> <p>A Giffney shared that there was a Reconciliation Action Plan working group who met every third month to discuss the actions.</p> <p>B Pennay shared that at Albury City Council, a working group of Aboriginal leaders has been established to support the implementation of the RAP. B Pennay emphasised the importance of this initiative in promoting meaningful actions towards reconciliation.</p> <p>B Pennay suggested that a close look at the 2021 census should inform Indigo Shire Council about how many Aboriginal people are currently living in the Shire. Which should guide service delivery and indicate sensitive locations for addressing heritage matters.</p> <p>B Pennay discussed the “new” heritage thinking needs to look for stories before cultural sites:</p> <p style="padding-left: 40px;">The under-representation of contact/post contact Aboriginal heritage on heritage lists has fired new approaches to identifying places and determining heritage value. Heritage scholars have questioned the insistence on material representation. Some scholars query ‘the site concept’ and what they call the ‘thingification’, that prizes material representation.^[i] They call for considerations of cultural landscapes and ask for more attention to be given to social value.^[ii] Some have called for ‘a narrative approach’ to heritage generally.^[iii] The Commonwealth has provided leadership along these lines with its listing of Coranderrk, the Myall Creek Massacre Site and the Waterloo</p>	<p>A Giffney to follow up on L Marsden’s comments at the next Committee meeting.</p>



	<p>Creek Massacre. An analysis of the new National Heritage listings calls for 'story before site'.^[iv]</p> <p>When listing the Appin Massacre Cultural Landscape Site in November 2022, New South Wales, too, was not impeded by the lack of material evidence related directly to the massacre. Indeed, none of these recent National or State heritage listings have either exact locations or strong layers of material evidence.</p> <p>Co-nomination underscores the importance of this place as a shared heritage item. Co-nominations are not simply prepared 'in consultation with' Aboriginal people' but involve Aboriginal and non-Aboriginal people working together to decide on shared heritage values, that is shared statements of significance and shared principal stories associated with the place. I draw attention to the way the Appin Cultural Landscape was co-nominated. "The Appin Massacre Cultural Landscape was co-nominated for inclusion on the State Heritage List by the Heritage Council of New South Wales and by the Aboriginal Cultural Heritage Advisory Committee for its shared Aboriginal and non-Aboriginal cultural heritage values The site is representative of the complex relationships between First Nations People and settlers on the colonial frontier'. What does the site mean to Aboriginal people and to non-Aboriginal people?</p> <p>R Beeston commended B Pennay and agreed that there is a need to look beyond buildings and explore how Aboriginal stories could be included in heritage registers; noting that it would need to be a 'co-nomination" process. R Beeston shared an example from the City of Melbourne where Aboriginal people were asked to nominate a building that might have had an impact on their lives and then map them as places of significance in the City of Melbourne program.</p>	
8.	FOUR-YEAR PLAN ACTIONS – Industry Networks and Funding Opportunities	
	<p><i>Industry Networks –</i></p> <ul style="list-style-type: none"> - <i>Provide regular connection between Council and cultural heritage industry as required</i> - <i>Keep Council advised of opportunities for networking</i> <p><i>Funding Opportunities –</i></p> <ul style="list-style-type: none"> - <i>Ensure that Council is kept informed about strategic funding opportunities</i> <p>The committee had no updates to share.</p>	
9.	OTHER BUISNESS	
	NEW MANAGEMENT APPOINTMENT	
	<p>A Giffney shared that Council had appointed David Rastas as the new Museum and Cultural Heritage Manager who will begin on the 17th of July.</p>	



	<p>PATRON</p> <p>A Giffney shared that the Friends of the Burke Museum were looking to appoint a new Patron for the Museum. Previously it was Tim Fisher who recently passed away.</p> <p>R Hirst shared that most museums have moved away from the patron model as they no longer serve a purpose. Suggested that a role statement be identified and recommended a time limit (2-3 years).</p> <p>S Nolan suggested identifying a project for a patron, ie; an award so they can provide funding. Alternatively, to identify a philanthropic individual to support a project or award.</p>	
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Meeting Concluded: 11:26

Next Meeting: 28 September 10-11:30am

**Informal meeting of Councillors
(required for meetings that are closed to
the public and have at least one
Councillor in attendance) - TRIM
Reference**

SUMMARY OF RESOLUTIONS

Resolution	Moved	Seconded
That the Committee confirm the minutes of the previous meeting on 15 March, 2023	Robin Hirst	Bruce Pennay
That the Committee recommends that a report about the current cross-shire program be share at a Council meeting.	Bruce Pennay	Robin Hirst
That the Committee recommends that the Burke Museum team meet with the Arts, Cultural and Events team at the Rural City of Wangaratta Council to start a conversation about reconnecting North-East Victoria local history groups.	Simone Nolan	Bruce Pennay

(Note: Confidential minutes are recorded in the same manner as above)



^[i] Denis Byrne, 'Deep nation: Australia's acquisition of an indigenous past', *Aboriginal History* 1996, p.102;

^[ii] Denis Byrne, 'Heritage as Social Action' in Graham Fairclough et al eds (2008) *The Heritage Reader*;
Tracy Ireland, Steve Brown and John Schofield, 'Situating (in)significance', *International Journal of Heritage Studies*, vol 25, No 9, 2020.

^[iii] Nigel Walter, 'From values to narrative: a new foundation for the conservation of historic buildings',
International Journal of Heritage Studies, vol 20, No 6, 2014.

^[iv] Celmara Pocock, David Collett and Linda Baulch, 'Assessing stories before site: Identifying the tangible from the intangible', *International Journal of Heritage Studies*, vol 21, No. 10, 2015.

		CONSEQUENCE				RISK RATING				
		INSIGNIFICANT (1)	MINOR (2)	MODERATE(3)	MAJOR (4)		CATASTROPHIC (5)			
Guidance <ul style="list-style-type: none"> Use this matrix for all risk management (this includes decision-making at all levels, projects and planning activities) For further guidance or assistance with your risk management activities, please contact Council's Risk & Governance Team <p>When considering risks, here are some ideas to get your started:</p> <ul style="list-style-type: none"> Financial losses Breaches of legislation/regulations Damage to the environment Reduction in service quality or loss of a service Damage to Council assets or private property Inefficiencies and/or wasted resources Litigation Loss of reputation / Community dissatisfaction Inability to attract/retain qualified staff/volunteer 	Strategy & Service Delivery	Negligible effect on business processes and service delivery.	Some less critical strategic objectives will not be achieved in the period outlined in the Organisation Plan.	Some key strategic objectives will not be achieved in the period outlined in the Organisation Plan.	The majority of strategic objectives will not be achieved in the period outlined in the Organisation Plan.	No Organisation Plan strategic objectives will be achieved. Very high risk of State Government intervention				
			Financial	Some minor interruptions (< 3 days) to the operations or service delivery	Between \$10K and \$150K Or 2.5% of service expense budget	Between \$150K up to \$500K Or 5% of service expense budget	Critical services and operations cannot be delivered for a period of greater than 1 week.	Greater than \$1M Or 25% of service expense budget	Widespread and long term degradation of critical operations and services	
				General staff/volunteer morale problems and increase in turnover.	Widespread staff/volunteer morale problems and high turnover including key organisation roles.	High turnover of experienced/key staff/volunteer; Organisation not perceived as employer of choice.	Single fatality or multiple significant irreversible disabilities	Key positions unable to be filled.		
				Reversible injury or disability which requires first aid intervention.	Serious reversible injury or disability requiring ongoing medical treatment, hospitalisation or lost time.	Serious injury or multiple irreversible disabilities.	Loss of State Government support with scathing criticism and removal of the Organisation.	National media exposure.		
			Reputation / Credibility	No impact to reputation or brand name, e.g. customer complaint, resolved in day-to-day management.	Moderate customer sensitivity and damage to brand impacting noticeably on business activities and profitability.	State media and public concern / exposure with adverse attention and long-term loss of support from Indigo Shire residents.	Severe, long term or widespread resulting in impairment of the ecosystem and requiring significant remedial action	Widespread and irreversible environmental damage		
				Negligible effect on biological or physical environment.	Minor short term environmental damage which does not result in long term impact to ecosystem.	Regulatory or contract breaches causing investigation / report to authority and prosecution and moderate fines.	Major regulatory or contract breaches and litigation.	Regulatory or contract breaches causing very serious litigation, including major class action.		
			Governance / Compliance	Negligible regulatory breaches that are detected early and rectified, does not require reporting. Insignificant legal issues or non-compliance.	Minor regulatory or contract breaches with potential minor fines which does not require reporting to regulators.	Regulatory or contract breaches causing prosecution and moderate fines.	Significant prosecution / fines for Organisation Board/ Managers			
				Timeframes & Corporate Memory	Time frame	Has it happened at your organisation in the last 5 years?	Has it happened at other organisations in the last 5 years?			
					The event has occurred or is expected to occur multiple times per year	Regularly	Regularly or MULTIPLE times at other organisations	HIGH	EXTREME	EXTREME
			The event may probably occur once every year.		Several times	Once at MULTIPLE organisations	MEDIUM	HIGH	EXTREME	
The event may occur once every 3 years.	A few times	MULTIPLE times at ONE other organisation	MEDIUM		MEDIUM	EXTREME				
The event may occur once in 10 years.	Once	ONCE at ONE other organisation	LOW		HIGH	HIGH				
RARE(1)	The event may only occur once in 10 years or greater	Never	Never	LOW	MEDIUM	HIGH				