



MINUTES

ORDINARY MEETING OF COUNCIL HELD AT COBRAM
CIVIC CENTRE,
WEDNESDAY 18 APRIL 2018

The meeting commenced at 5:00 pm.

PRESENT Councillor Libro Mustica (Mayor)
Councillor Ed Cox (Deputy Mayor)
Councillor John Beitzel
Councillor Kevin Bourke
Councillor Wendy Buck
Councillor Gary Cleveland
Councillor Peter Lawless
Councillor Peter Mansfield
Councillor Marie Martin

IN ATTENDANCE: Mark Henderson Chief Executive Officer
Andrew Close General Manager Infrastructure
Simon Rennie General Manager Corporate
Sally Rice General Manager Community
Linda Nieuwenhuizen Manager Governance and Communication

RECORDING

Consistent with section 72 of our Meeting Procedures Local Law, Council officers have been authorised to record the public session of this meeting using an audio recording device.

1. CALLING TO ORDER – CEO

2. PRAYER

Almighty God we humbly ask you to guide our deliberations for the welfare and benefit of the Moira Shire and its people whom we serve.

Amen

Read by the Mayor

3. ACKNOWLEDGEMENT OF COUNTRY

We, the Moira Shire Council, would like to acknowledge the traditional owners of the land upon which we meet and pay our respects to their Elders both past and present.

Read by the Mayor

4. APOLOGIES & REQUESTS FOR LEAVE OF ABSENCE

Nil

5. DECLARATION UNDER ACTS, REGULATIONS, CODES OR LOCAL LAWS

Nil

6. DECLARATION OF ANY INTEREST OR CONFLICT OF INTEREST

- Mayor, Cr Libro Mustica declared a conflict of interest in item 9.4.3 Future Directions Paper: Major Town's Strategy Plan Review (Yarrowonga, Cobram, Numurkah and Nathalia): Being a direct interest due to being an owner of property in Cobram.
- Cr Kevin Bourke declared a conflict of interest in item 9.4.3 Future Directions Paper: Major Town's Strategy Plan Review (Yarrowonga, Cobram, Numurkah and Nathalia). Being a direct interest due to being an owner of property in Nathalia.

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

MOTION:

CRS GARY CLEVELAND / ED COX

"That the minutes of the Ordinary Council Meeting held on Wednesday, 28 March 2018, as prepared, be confirmed."

(CARRIED)

8. COUNCILLOR REPORTS

- Cr Peter Mansfield reported on his and Councillor Wendy Buck's attendance at a Murray Darling Basin Authority meeting on the use of wakeboards in the Murray River.
- Cr Wendy Buck also reported on her attendance at the Murray Darling Basin Authority meeting along with being a guest speaker at a Yarrowonga Urban Landcare meeting.
- Cr Kevin Bourke reported on:
 - His attendance at Murray Darling Basin Plan forum
 - The Today Show filming in Nathalia
 - The 'save our lights' group of Nathalia
- Cr Marie Martin reported on the International Women's Day events held across the shire.
- Cr Peter Lawless reported on his attendance at a Disability Advisory Committee meeting where the lack of transport options and foreshore access was raised.

9. OFFICER REPORTS FOR DETERMINATION

9.1 OFFICE OF CEO

NIL

9.2 CORPORATE

FILE NO: F13/503
4. A WELL RUN COUNCIL

ITEM NO: 9.2.1

ASSEMBLIES OF COUNCIL

Executive Summary

This report details the Assembly of Councillors for March 2018 is prepared in accordance with the requirements of the Local Government Act (the Act) 1989 section 80A.

MOTION

CRS KEVIN BOURKE / ED COX

That Council receive and note the Records of Assembly of Councillors.

(CARRIED)

FILE NO: 100.01.3
4. SMARTER DELIVERY OF SERVICES AND
PROGRAMS

ITEM NO: 9.1.1

MOIRA SHIRE COUNCIL DRAFT BUDGET 2018/19

Executive Summary

This report requests council's approval to seek community feedback on the draft 2018/19 Budget and the draft Strategic Resource plan 2018-2022 through the community consultation process required under the Local Government Act 1989 (Section 223).

MOTION

CRS ED COX / MARIE MARTIN

That Council:

1. Accept the draft 2018/19 Budget
2. Accept the draft Strategic Resource Plan
3. Authorise commencement of the statutory (S223) community consultation process for the draft budget and strategic resource plan as described in the Local Government Act 1989 and in doing so
 - o Receive written submissions until 5pm Thursday 24 May 2018
 - o Convene a Special Council Meeting at 5pm Wednesday 30 May 2018 to hear any person wishing to be heard in support of their submission
 - o Schedule a Special Council Meeting at 5pm Wednesday 13 June 2018 to consider adoption of the 2018/19 Budget with or without amendment.

(CARRIED)

FILE NO: F17/857
2. A THRIVING LOCAL ECONOMY

ITEM NO: 9.3.1

2017/18 COMMUNITY STRENGTHENING GRANTS PROGRAM - ROUND 2 (MINOR)

Executive Summary

The 2017/18 Community Strengthening Grants program has a budget of \$224,000. These grants have been offered in three categories:

- Major up to \$10,000 (one round);
- Minor up to \$5,000 (two rounds); and
- Quick Response up to \$1,000 (always open).

Round One was undertaken in October 2017. A total of \$28,216 for Minor and \$69,490 for Major grants were approved totaling \$97,706.

Round Two comprises of the Minor Grants only. Applications opened in February 2018 via Smarty Grants. Council received 27 applications for projects totaling \$97,214.61. Following assessment, 17 projects totaling \$56,577 are recommended for funding.

The ten projects not recommended for funding are either ineligible, require further planning, provided limited community benefit and/or the applications were of poor quality.

MOTION

CRS PETER LAWLESS / ED COX

That Council approve the projects detailed below, totalling \$56,577, be funded as part of the 2017/18 Community Strengthening Program – Round 2 (Minor).

(CARRIED)

Organisation Project	Project Description	Project Cost	Amount
Numurkah Town Hall Section 86 Committee of Management Replacement of Sound System	Replace the public address system in the Town Hall.	\$12,430	\$5,000
Yarrowonga Neighbourhood House Inc. Website and Logo	Redefining trading name to Yarrowonga Education and Training to better reflect training arm of business. Funding to support redevelopment of website and a new logo.	\$5,900	\$4,700
Strathmerton Recreation Reserve Concreting portion of Storage Shed	Concreting 1/3 of lockable storage shed to store equipment used by the Football, Netball, Tennis and Cricket clubs.	\$4,752	\$2,500
Scott Reserve Seating around Scott Reserve	Remove and replace seating which will continue to support the Landscape Design Plan.	\$10,158	\$5,000
Wilby Campdraft Club Inc. 10 th Women in Campdraft Weekend at Wilby	Women coming together to learn the equine of campdrafting. Profits to go to McGrath Foundation.	\$39,150	\$5,000

FILE NO: F17/857
2. A THRIVING LOCAL ECONOMY

ITEM NO: 9.3.1

**2017/18 COMMUNITY STRENGTHENING GRANTS PROGRAM - ROUND 2 (MINOR)
(cont'd)**

Soroptimist International of Cobram Barooga Inc. Women's Business Breakfast	Bring together like minded business and professional women to network, share ideas and benefit from inspiring and informative guest speakers.	\$5,500	\$3,000
Yarrowonga Mulwala Adult Riding Club Inc Shade Seating	Fixed shaded seating on the boundary of the sand arena.	\$3,640	\$2,000
Koonoomoo Recreation Reserve Bench Seating	Purchase and install fixed bench seating under the various spectator areas.	\$817	\$400
Cobram Showgrounds Apex Reserve Building Energy Efficiency	Replacement of existing lights with highly efficient LED's at the Cobram Cricket Club Rooms and Cattle Pavilion.	\$6,044	\$5,000
Yarrowonga Lioness Club Craft Expo	Showcase of arts and crafts made by local and regional artists.	\$840	\$690
Yarroweyah Recreation Reserve Security and Flood Lighting	Installation of flood lighting to building exteriors to allow people to work safely between buildings and the car park.	\$4,750	\$4,000
Katamatite Community Plan Inc. 2018 Community Arts Program	Tiny Tots Circus Performance and 'The Chronicles of the Sleepless Moon' performance for young children and parents.	\$5,500	\$4,900
Yarrowonga Mulwala Swimming Club Marquees	Marquee purchase for both ends of the pool to provide protection to spectators.	\$4,774	\$2,387
U3A Nathalia Nathalia Regional Gathering and Membership Drive	A regional gathering, inviting residents from a large regional area to become members of the U3A. Entertainment, lunch and refreshments.	\$3,500	\$2,500
Cobram Roar Football Club Inc Air-conditioning (for heating purposes)	Installation of reverse cycle air-conditioning in Cricket Club Rooms.	\$5,900	\$3,000
Rotary Club of Numurkah Inc 'Its time for your next pitstop' Men's Health Week	A social gathering for men to learn about health and services available in the community. Health checks provided at gathering.	\$6,500	\$4,000
Katamatite Recreation Reserve Section 86 Committee of Management Car Parking Lighting	Provide solar powered lights and fixed wire external lights.	\$3,065	\$2,500

FILE NO: C015/18
4. A WELL RUN COUNCIL

ITEM NO: 9.4.1

**C015/18 - RECONSTRUCTION OF SHACKELLS FOLLY BRIDGE - STEWARTS
BRIDGE ROAD, LOWER MOIRA**

Executive Summary

Moira Shire Council invited submissions from suitably qualified organisations or individuals to reconstruct Shackells Folly Bridge on Stewarts Bridge Road, Lower Moira.

After consideration of the tender submissions, the evaluation panel recommends that the Council delegate to the Chief Executive Officer the authority to enter into negotiations with the preferred tenderer, Murray Constructions Pty Ltd to achieve a best value outcome for the Council.

MOTION

CRS KEVIN BOURKE / MARIE MARTIN

That Council:

1. Authorise the Chief Executive Officer to undertake negotiations with the preferred tenderer, Murray Constructions Pty Ltd in order to achieve a best value outcome and award the contract C015/18 – Reconstruction of Shackells Folly Bridge.
2. Authorise the Chief Executive Officer to sign and seal the contract.

(CARRIED)

FILE NO: C018/18
4. A WELL RUN COUNCIL

ITEM NO: 9.4.2

C018/18 - AFTER HOURS RANGER SERVICES

Executive Summary

Moira Shire Council invited submissions from suitably qualified organisations or individuals to provide an after hour ranger call centre and response service.

The service is to provide call centre response to after hour calls, response to stock on road callouts and attendance to reports of serious dog attacks.

After consideration of the submissions, the evaluation panel recommends that contract C018/18 - After Hours Ranger Services be awarded to 4Site Australia Pty Ltd as per the schedule of rates.

MOTION

CRS ED COX / WENDY BUCK

That Council:

1. Award contract C018/18 – After Hours Ranger Services as per the schedule of rates to 4Site Australia Pty Ltd.
2. Authorise the Chief Executive Officer to sign and seal the contract documents.

(CARRIED)

FILE NO: F17/806
1. A GREAT PLACE TO LIVE

ITEM NO: 9.4.3

FUTURE DIRECTIONS PAPER: MAJOR TOWN'S STRATEGY PLAN REVIEW (YARRAWONGA, COBRAM, NUMURKAH AND NATHALIA)

Executive Summary

This review provides an up-to-date framework to base land use and development decisions. This ensures policy and strategic documents respond to current opportunities and limitations and remain relevant.

Majority of Moira's economic and population growth is occurring within the four major towns of Yarrawonga, Cobram, Numurkah, and Nathalia with each of these towns having a strategy plan guiding land use and development decisions - it is therefore imperative to ensure these guiding documents are current.

These strategic documents were adopted by Council between 8-14 years old and the *Future Directions Paper: Major Town's Strategy Plan Review* (Four Towns Strategy Plan) has reviewed these documents to determine whether they are still relevant and if there are any remaining actions that should be pursued.

To understand and evaluate the strategic documents success, the *Four Towns Strategy Plan* investigated trends and events that have influenced the various strategies including the millennium drought, population and demographic changes, and technological disrupters including online retailing and short-stay accommodation (Airbnb etc.).

The report makes a number of conclusions and recommendations with the main outcome being the Cobram, Numurkah and Nathalia Strategy Plans remaining relevant and largely unchanged whilst Yarrawonga would be better served through the 2017 Growth Management Strategy.

This report seeks authorisation from Council to place the *Future Directions Paper: Major Town's Strategy Plan Review* on public exhibition and allow the public to comment on the report.

MOTION

CRS WENDY BUCK / ED COX

That Council authorises the Future Directions Paper: Major Town's Strategy Plan Review excluding those parts relating to Cobram and Nathalia, to be released for public comment and feedback.

(CARRIED)

FILE NO: F17/806
1. A GREAT PLACE TO LIVE

ITEM NO: 9.4.3

**FUTURE DIRECTIONS PAPER: MAJOR TOWN'S STRATEGY PLAN REVIEW
(YARRAWONGA, COBRAM, NUMURKAH AND NATHALIA) (cont'd)**

- Mayor, Cr Libro Mustica left the meeting at 5:43 PM due to his previous disclosed conflict of interest.
- Cr Ed Cox took the chair.

MOTION

CRS WENDY BUCK / MARIE MARTIN

That Council authorises the Future Directions Paper: Major Town's Strategy Plan Review (Cobram) to be released for public comment and feedback.

(CARRIED)

- Mayor, Cr Libro Mustica returned to the chair at 5:46 PM.
- Cr Kevin Bourke left the meeting at 5:47 PM due to his previous disclosed conflict of interest.

MOTION

CRS WENDY BUCK / ED COX

That Council authorises the Future Directions Paper: Major Town's Strategy Plan Review (Nathalia) to be released for public comment and feedback.

(CARRIED)

- Cr Kevin Bourke returned to the meeting at 5:49 PM.

FILE NO: 5201818
1. A GREAT PLACE TO LIVE

ITEM NO: 9.4.4

**PLANNING PERMIT APPLICATION NO 5201818 - USE AND DEVELOPMENT -
RENEWABLE ENERGY FACILITY (SOLAR FARM) , SIGNAGE AND REMOVAL OF
NATIVE VEGETATION**

Executive Summary

Planning permit application 5/2018/18 was lodged with Council on 31/1/2018 for the use and development of the land for a solar farm at 3405 Katamatite-Nathalia Road, Naring located adjacent to the Broken Creek, midway between Katamatite to the east and Numurkah to the west.

The site is currently being used for dryland cropping over an area of 124 hectares. The site is within the Farming Zone and is affected by the Land Subject to Inundation Overlay, Rural Floodway Overlay and Bushfire Management Overlay.

The proposal will see the installation of 204,012 solar photovoltaic resulting in a 60MW solar farm that will connect to the main grid on Lukies Road. There is associated signage required (OHS signage on the perimeter fencing at regular intervals and an identification sign at the access point), buildings and works (invertors x 42, transformers x 42, substations x 19, communications building and security cameras, toilet block, fencing and gates) and removal of two native trees. The proposal includes extensive landscaping around the perimeter for screening. The proposal does not encroach into the Broken Creek Crown Land and is sited outside the area of Cultural Sensitivity.

MOTION

CRS PETER LAWLESS / ED COX

It is recommended that Council approve Planning Permit Application 5201818 for the Use and Development - Renewable Energy Facility (Solar Farm); Signage; and Removal of Native Vegetation at 3405 Katamatite-Nathalia Road, Naring and issue a Notice of Decision to Grant a Permit subject to the following conditions:

- (1) Before the use and development commences the owner must provide the following to the satisfaction of the Responsible Authority, which will be endorsed and form part of the permit:
 - (a) A Traffic Management Plan indicating traffic management during the construction phase.
- (2) The use and development as specified and shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
- (3) Upon cessation of the approved use the site must be reinstated as farming land to the satisfaction of the Responsible Authority.
- (4) The subject land must be kept neat and tidy at all times and its appearance must not, in the opinion of the Responsible Authority, adversely affect the amenity of the locality.
- (5) The use and development must be managed so that the amenity of the area or locality, in the opinion of the Responsible Authority, is not detrimentally affected, through the:
 - (a) transport of materials, goods or commodities to or from the land;

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1. A GREAT PLACE TO LIVE

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**PLANNING PERMIT APPLICATION NO 5201818 - USE AND DEVELOPMENT -
RENEWABLE ENERGY FACILITY (SOLAR FARM) , SIGNAGE AND REMOVAL OF
NATIVE VEGETATION (cont'd)**

- (b) appearance of any building, works or materials; and
- (c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.
- (6) Prior to the commencement of the use, or by such later date as is approved by the Responsible Authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
- (7) The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.
- (8) No construction works must cause damage to native vegetation retained (including trees, shrubs, herbs and grasses) and to natural drainage lines and watercourses to the satisfaction of the Responsible Authority.
- (9) The removal of native vegetation must only occur to the extent permitted as shown on the endorsed plan/s (whether or not to comply with any statute, statutory rule or regulations or for any other reason), except with the formal written consent of the Responsible Authority.

The removal must not cause damage to other native vegetation to be retained and to drainage lines, waterways and/or watercourses.

- (10) Native vegetation offsets are required to offset the removal of two scattered trees which is the extent of a large tree x 2 = 0.141 hectares of native vegetation approved as part of this permit.

The offset requirement that will apply if the native vegetation is removed is removed is:

- (a) The offset amount of 0.074 general habitat units; and
- (b) Be located within the Goulburn Broken Catchment Management Authority or Moira Shire Council vicinity; and
- (c) Have a minimum strategic biodiversity value score of 0.350
- (11) Before any native vegetation is removed, evidence that an offset has been secured must be provided to the satisfaction of and approved by the Responsible Authority. The offset must meet the offset requirements set out above and be in accordance with the 'Guidelines for the removal, destruction or lopping of native vegetation' Victoria State Government DELWP December 2017.

Offset requirements are secured in one of the following ways:

- An allocated native vegetation credit register extract from the Native Vegetation Credit Register; or
- A security agreement to the required standard for the offset site or sites, including a 10-year Offset Management Plan to the satisfaction and approval of the Responsible Authority. The requirements noted in an approved and endorsed Offset Management Plan must not be altered except with the written consent of the Responsible Authority.

FILE NO: 5201818
1. A GREAT PLACE TO LIVE

ITEM NO: 9.4.4

**PLANNING PERMIT APPLICATION NO 5201818 - USE AND DEVELOPMENT -
RENEWABLE ENERGY FACILITY (SOLAR FARM) , SIGNAGE AND REMOVAL OF
NATIVE VEGETATION (cont'd)**

- (12) Prior to construction commencing on the site, the applicant/developer must enter into an agreement with the Council ensuring the relevant section of Kokoda Road servicing the subject site is maintained to an acceptable road safety and maintenance standard throughout the construction phase of the development. The agreement must be agreeable to all parties, detail any mitigating works that maybe required and/or bonds to ensure the ongoing integrity and safety of the road carriage surface is maintained including the road shoulders.
- (13) Prior to construction commencing on the site, the proposed vehicle crossing point from Kokoda Road, as shown on the endorsed plan, must be constructed to an all weather standard in accordance with Council's Infrastructure Design Manual and to the satisfaction of the Responsible Authority.
- The final location of the crossing is to be approved by the Responsible Authority via a "Consent to Work within the Road Reserve", prior to the undertaking of works.
- (14) Any damage to Council or Roads Corporation assets (ie roads, table drains etc) must be repaired at the cost of the applicant/owner to the satisfaction of the Responsible Authority.
- (15) Vehicle access and egress from the property must take place in a forward direction at all times.
- (16) All loading and unloading of vehicles must at all times be undertaken within the curtilage of the subject land, unless agreed otherwise by the Responsible Authority.
- (17) Internal access ways and manoeuvring areas created by the proposed development and as shown on the endorsed plan(s) must be constructed and drained to the satisfaction of the Responsible Authority.
- (18) No contaminants must be permitted to enter the stormwater drainage system under any reasonably foreseeable circumstances.
- (19) There must not be any discharge of concentrated drainage into the adjoining road drains or culverts without the approval of the Responsible Authority.
- (20) The approved works must not cut off natural drainage from adjacent properties.
- (21) This permit will expire if one of the following circumstances applies:
- The development and use is/are not started within two years of the date of this permit.
 - The development is not completed within two years of the date of commencement.
- The Responsible Authority may extend the periods referred to if a request is made in writing before or within 6 months after the expiry of the permit where the development has not yet started, or within 12 months where the development has commenced.

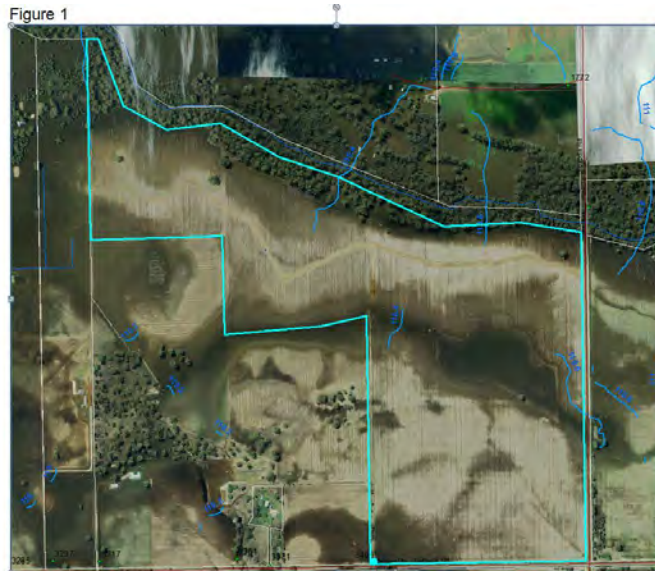
Goulburn Broken Catchment Management Authority Conditions

- (22) The floor level of each combination of inverter, transformer and switchgear substation must be constructed at least 300 millimetres above the applicable 100-year ARI flood level based on 100-year ARI flood level contours of Figure 1.

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**PLANNING PERMIT APPLICATION NO 5201818 - USE AND DEVELOPMENT -
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NATIVE VEGETATION (cont'd)**



- (23) The combinations of inverter, transformer and switchgear substation, which are sited within areas liable to flooding, must have their longitudinal axes in the direction of flood flow – generally east-west.
- (24) The floor levels of auxiliary transformer, customer substation, monitoring house, storage building and toilet (all located in south-east corner of the site) must be constructed at least 300 millimetres above the 100-year ARI flood level of 110.6 metres AHD, i.e. 110.9 metres AHD, or higher level deemed necessary by the responsible authority.
- (25) Fencing in areas where flood depth is greater than 300 millimetres must be farm type post and rail or post and wire fencing only. Alternatively, pool type fencing with vertical bars with a minimum clear distance of 150 millimetres between bars is acceptable.

Goulburn Murray Water Conditions

- (26) All solar panels must be located out of the Floodway Overlay and at least 30 metres from the Broken Creek.
- (27) The renewable energy facility must not impact the existing water supply easement on title.
- (28) Trees plantations within the confines of the active flow path must be kept at a stem density of less than 40 trees/ha.
- (29) Excavated material must not be stockpiled within the active flow path.
- (30) All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991).

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**PLANNING PERMIT APPLICATION NO 5201818 - USE AND DEVELOPMENT -
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NATIVE VEGETATION (cont'd)**

(31) All toilets must be EPA approved dry composting toilets installed, operated and maintained in compliance with the relevant EPA Code of Practice and Certificate of Approval, and to the satisfaction of Council's Environmental Health Unit. No wastewater from toilet treatment systems, including excess liquid effluent, is to be disposed directly to land or surface waters, within the flood overlay or land subject to inundation overlay. The humus material from all dry composting toilets must be:

- a) Disposed of soil a minimum of 60 metres from Broken Creek and outside of the greywater disposal area. The humus material disposal area must be managed in accordance with the relevant EPA Code of Practice and Certificate of Approval and to the satisfaction of Council's Environmental Health Unit, or, alternatively;
- b) Removed from the site by a qualified professional.

EPA Conditions

- (32) Noise emitted from the premises must not exceed the recommended levels as set out in Noise from Industry in Regional Victoria (NIRV; EPA Publication 1411, 2011) or as amended.
- (33) Construction and post-construction activities must be in accordance with EPA Publication 275 Construction Techniques for Sediment Pollution Control 1991 or as amended.

DELWP Conditions

- (34) The adjoining Crown land must not be used for turning areas, entry points, parking areas or any other unauthorised uses during construction or at any other time.
- (35) No occupations including materials, machinery, equipment or rubbish are permitted on the adjoining Crown Land.
- (36) No polluted and/or sediment laden run-off is to be discharged directly or indirectly into the adjoining Crown land. Overland rainfall runoff and flooding flows must be maintained at the same rate post-development as on the undeveloped land.
- (37) No stormwater from buildings and hardstand areas is to be discharged into the adjoining Crown land without the consent of the Parks Victoria and/or DELWP.

Powercor Conditions

- (38) The applicant shall:-
 - Negotiate with Powercor for the connection of the development, to the existing power distribution network.
 - Any buildings must comply with the clearances required by the Electricity Safety (Installations) Regulations.
 - Any construction work must comply with Energy Safe Victoria's "No Go Zone" rules.
 - Set aside for the use of Powercor Australia Ltd reserves and/or easements satisfactory to Powercor Australia Ltd where any electric substation (other than a pole mounted type) is required.
 - Alternatively, at the discretion of Powercor Australia Ltd a lease(s) of the site(s) and for easements for associated powerlines, cables and access ways shall be provided. Such a lease shall be for a period of 30 years at a nominal rental with a right to extend the

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NATIVE VEGETATION (cont'd)**

lease for a further 30 years. Powercor Australia Ltd will register such leases on the title by way of a caveat prior to the registration of the plan of subdivision.

- Provide easements satisfactory to Powercor Australia Ltd, where easements have not been otherwise provided, for all existing Powercor Australia Ltd electric lines on the land and for any new powerlines required to service the lots and adjoining land, save for lines located, or to be located, on public roads set out on the plan. These easements shall show on the plan an easement(s) in favour of "Powercor Australia Ltd" for "Power Line" pursuant to Section 88 of the Electricity Industry Act 2000.
- Obtain for the use of Powercor Australia Ltd any other easement external to the development.

CFA Conditions

(39) Vegetation Management

a) Vegetation on that part of the site used for the solar arrays, transformers and associated uses shall be managed as follows:

- Grass must be short cropped (no more than 100mm in height) and maintained during the declared fire danger period.
- All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.
- Individual and clumps of shrubs must not exceed 5 sq. metres in area and must be separated by at least 5 metres.
- The canopy of trees must be separated by at least 5 metres.
- There must be a clearance of at least 2 metres between the lowest tree branches and ground level.
- Screen planting shall be approved low flammability plants only.

b) Perimeter Fire Break

- A fire break at least 15m wide shall be constructed and maintained around the perimeter of the site. During the declared fire danger period, all vegetation within this fire break shall be short cropped (maximum height of 100mm). The perimeter road may be located within this fire break.

(40) Endorsement of Plan

The plan prepared by Biosis and dated 28th February 2018 shall be endorsed and form part of the permit.

(41) Access

The access roads shown on the endorsed plan shall be constructed and maintained with a load capacity of 15 tonnes.

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**PLANNING PERMIT APPLICATION NO 5201818 - USE AND DEVELOPMENT -
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NATIVE VEGETATION (cont'd)**

(42) Water Supply for Fire Fighting

A total of 45,000 Litres of effective water supply for fire fighting purposes shall be provided to the satisfaction of the CFA which meets the following requirements:

- Is stored in an above ground water tank(s) constructed of concrete or metal.
- All fixed above-ground water pipes and fittings required for fire fighting purposes must be made of corrosive resistant metal.
- The outlet/s of the water tank must be within 4m of an accessway and be unobstructed.
- Be readily identifiable from the main entrance or appropriate identification signage to the satisfaction of CFA must be provided.
- Any pipework and fittings must be a minimum of 65 mm (excluding the CFA coupling).
- Incorporate a ball or gate valve (British Standard Pipe (BSP) 65mm) and coupling (64 mm CFA 3 thread per inch male fitting).
- Each tank shall be clearly signed FIRE WATER and shall have a water level indicator.
- Refill of tanks if manually filled must be included on the essential safety measures list.

(43) On Site and Remote Isolation

The project shall have on-site and remote capability to shut off the solar farm if a fire or fault occurs.

(44) Signage at the Site Entry

Suitable warning signage and site contact details are to be provided at the main entry for emergency services personnel.

Planning Note(s)

- (1) Those properties being used for occupancy and/or a place of business, and are located outside of the reticulated sewerage district, must have installed a septic disposal system approved by Council's Environmental Health Officer.
- (2) Prior to works commencing on public land or roads, the applicant must obtain a permit from the relevant authority giving Consent to Work Within a Road Reserve.
- (3) **Goulburn Murray Water Planning Note**
Any enquiries or applications regarding access to water for the proposal should be made to Goulburn-Murray Water Retail Operations Area by calling 1800 013 357. The procurement of water for the proposal is the responsibility of the applicant and not addressed through the planning permit referrals process.
- (4) **DELWP Planning Notes**
Shared boundary:
The shared boundary should be surveyed and if necessary fenced on the correct alignment, to avoid future encroachments into the Crown land.
Setbacks

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**PLANNING PERMIT APPLICATION NO 5201818 - USE AND DEVELOPMENT -
RENEWABLE ENERGY FACILITY (SOLAR FARM) , SIGNAGE AND REMOVAL OF
NATIVE VEGETATION (cont'd)**

A minimum setback of 30m from the Crown land boundary is recommended for all infrastructure, to provide protection from the threat of tree or limb fall.

Tree Lopping or Removal

Parks Victoria will not be responsible for any future tree lopping, destruction or removal required on the adjoining Crown land. Such works will be at the landholder's expense and subject to prior written approval from Parks Victoria and/or DELWP.

Fire Protection Works

The proposed development is not likely to change existing fire protection practices in the adjoining Crown land. Consideration should be given to undertaking annual fire protection works within the freehold, to mitigate the threat of bushfire.

Aboriginal Cultural Heritage

An Aboriginal Heritage Sensitivity Layer applies 200m either side of the Broken Creek, which includes part of the adjoining freehold for the proposed solar farm site. Any proposed works within this area, should be referred to Aboriginal Victoria, to determine the requirement for a Cultural Heritage Management Plan

(5) **CFA Planning Note**

Prior to commissioning the solar farm it is recommended that contact be made with the Operations Officer at the Shepparton Office of the CFA so that the local CFA operations personnel can familiarise themselves with the site.

End of Conditions and Notes

AMENDMENT

CRS PETER MANSFIELD / MARIE MARTIN

That Council defer a decision on Planning Permit Application No 5201818 use and development – renewable energy facility (solar farm) signage and removal of Native vegetation for 5 weeks to the May Ordinary Council Meeting in order to allow Councillors adequate time to investigate with this development.

(LOST)

Cr Bourke called for a division.

FOR

Cr Bourke
Cr Mansfield
Cr Martin

AGAINST

Cr Beitzel
Cr Buck
Cr Cleveland
Cr Cox
Cr Lawless
Cr Mustica

FILE NO: 5201818
1. A GREAT PLACE TO LIVE

ITEM NO: 9.4.4

**PLANNING PERMIT APPLICATION NO 5201818 - USE AND DEVELOPMENT -
RENEWABLE ENERGY FACILITY (SOLAR FARM) , SIGNAGE AND REMOVAL OF
NATIVE VEGETATION (cont'd)**

The motion was put and carried.

Cr Gary Cleveland called for a division.

FOR

Cr Beitzel
Cr Buck
Cr Cleveland
Cr Cox
Cr Lawless
Cr Mansfield
Cr Mustica

AGAINST

Cr Bourke
Cr Martin

**FILE NO: F17/235
4. A WELL RUN COUNCIL**

ITEM NO: 10.1

ACTION OFFICERS' LIST

MOTION

CRS KEVIN BOURKE / GARY CLEVELAND

That Council receive and note the Action Officers' List.

(CARRIED)

12. PETITIONS AND JOINT LETTERS

NIL

FILE NO: 1 3. A CLEAN GREEN ENVIRONMENT
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ITEM NO: 13.1

YABBA TRANSFER STATION - NATIVE VEGETATION OFFSET**Executive Summary**

At the Council meeting held on the 26 April 2017 Council resolved to "Develop and maintain the Council owned 25 hectare parcel of land adjacent to the Yabba Transfer Station for use as a registered Native Vegetation offset site.

Council engaged consultants Biosis to assist in preparing for the registration of the site. The formal Department of Environment, Land, Water and Planning (DWELP) Landowner Agreement has been drafted and now requires the CEO to sign and seal the documents.

This agreement formally commits this parcel of land be set aside for revegetation and the protection of remnant and revegetated native vegetation. This land development will be used primarily for Councils Native Vegetation offset requirements and as required for approved local developers.

It is recommended that Council authorise the CEO to sign and seal the Landowner Agreement.

MOTION

CRS ED COX / PETER LAWLESS

That Council authorise the Chief Executive Officer to sign and seal the Department of Environment, Land, Water and Planning Landowner Agreement for the 25 hectare parcel of land adjacent to the Yabba Transfer Station.

(CARRIED)

FILE NO: VARIOUS

ITEM NO: 14

URGENT GENERAL BUSINESS

MOTION

CRS PETER MANSFIELD / GARY CLEVELAND

That urgent general business in relation to Strathmerton speed limits be considered.
(CARRIED)

MOTION

CRS JOHN BEITZEL / GARY CLEVELAND

That council write to the Minister for Roads expressing its disappointment in the lack of action by Vicroads to introduce reduced variable speed limits on the Murray Valley highway at Strathmerton given the increasing road safety concerns of the community and council.

(CARRIED)

FILE NO: VARIOUS

ITEM NO: 15

QUESTIONS FROM THE PUBLIC GALLERY

Questions were raised in relation to:

- Community consultation for the Nathalia Street Lights.
- The proposed solar farm at Naring.

Meeting closed at: 6:51PM