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## **AGENDA**

### **ORDINARY MEETING OF COUNCIL FOR WEDNESDAY 26 SEPTEMBER 2018 TO BE HELD AT NATHALIA DANCOCKS ROOM COMMENCING AT 5PM**

#### **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

#### **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.

#### **4. APOLOGIES & REQUESTS FOR LEAVE OF ABSENCE**

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

#### **6. DECLARATION OF ANY INTEREST OR CONFLICT OF INTEREST**

#### **7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

**Recommendation:** “That the minutes of the Ordinary Council Meeting held on Wednesday, 22 August 2018, as prepared, be confirmed.”

#### **8. COUNCILLOR REPORTS**

COUNCILLORS TO PROVIDE VERBAL REPORTS

**9. OFFICER REPORTS FOR DETERMINATION**

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NIL

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NIL

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NIL

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FILE NO: F13/2657  
4. A WELL RUN COUNCIL

ITEM NO: 9.1.1

## TERMS OF REFERENCE YARRAWONGA MULTIPURPOSE SPORT STADIUM STEERING COMMITTEE

### RECOMMENDATION

That Council:

1. Endorse the Terms of Reference for the Yarrawonga Multisport Stadium Steering Committee;
2. Appoint Councillor \_\_\_\_\_ as Council's representative on the Yarrawonga Multisport Stadium Steering Committee.

### 1. Executive Summary

The purpose of this report is to put the draft Terms of Reference (TOR) for the Yarrawonga Multisport Stadium Steering Committee before the Council for adoption.

An informal committee has been appointed and the adoption of the TOR will formalize these appointments.

Council has progressively been working towards building a new Multisport Stadium in Yarrawonga and is beginning a comprehensive feasibility study for the project.

The purpose of the steering committee is to inform the development of the Yarrawonga Multisport Stadium Feasibility Study and Business Case through consultation and engagement with stakeholders.

Under the draft Terms of Reference the proposed Steering Committee comprises representatives from:

#### **Moirā Shire Council**

- Councillor: 1
- General Manager Infrastructure or delegate: 1
- Team Leader Community & Recreation Development (Project Manager): 1

#### **Outside Council**

- Yarrawonga Mulwala Basketball Association: 1
- Yarrawonga P-12: 1
- Sacred Heart College, Yarrawonga: 1
- Federation Council: 1
- Sports Recreation Victoria: 1
- Community members: 2

### 2. Background and Options

Council allocated \$120,000 in this year's Capital Works Budget for planning and design, with the proposed multisport stadium to provide facilities for a number of school, community and sporting groups in Yarrawonga.

The local stadiums were constructed primarily for education purposes. The current facilities are ageing and do not comply with sporting competition requirements.

Council aims to work closely with stakeholder groups throughout the planning and design process and the proposed steering committee will assist with this.

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4. A WELL RUN COUNCIL

ITEM NO: 9.1.1

## **TERMS OF REFERENCE YARRAWONGA MULTIPURPOSE SPORT STADIUM STEERING COMMITTEE (cont'd)**

### **3. Financial Implications**

Funding is budgeted for the feasibility study for a new Multisport Stadium. The study will assess the financial viability of the project.

### **4. Risk Management**

The community consultation was designed to engage with the community and provide an opportunity for input and feedback. Future community engagement regarding the feasibility study will occur and in turn support the community in participating in this project.

### **5. Internal and External Consultation**

The informal committee has discussed the draft TOR and have agreed in principle for the committee to be governed by this document.

### **6. Regional Context**

The isolated nature of the current facilities across Yarrawonga limits the ability for community and sporting groups to conduct local and regional competitions.

### **7. Council Plan Strategy**

This report and its recommendations is consistent the goals within Moira Shire's Council Plan 2017-2021. In particular through the completion of the community consultation Council will meet "our communities will be resilient and actively involved in shaping their future" and "our plans, strategies and services will match and evolve with the needs of our communities."

### **8. Legislative / Policy Implications**

This report and the Terms of Reference meet requirements of the Local Government Act 1989.

### **9. Environmental Impact**

Environmental sustainability has been identified as non-negotiable and will form part of the feasibility study.

### **10. Conflict of Interest Considerations**

There is no officer conflict of interest associated with this report

### **11. Conclusion**

To continue making progress for a proposed Multisport Sport Stadium in Yarrawonga this report recommends endorsing the attached Terms of Reference for the Yarrawonga Multisport Stadium Steering Committee to formalise the existing committee.

## **Attachments**

- 1 Draft Terms of Reference for Yarrawonga Multisport Stadium Steering Committee

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ITEM NO: 9.1.1

**TERMS OF REFERENCE YARRAWONGA MULTIPURPOSE SPORT STADIUM  
STEERING COMMITTEE (cont'd)**

**ATTACHMENT No [1] - Draft Terms of Reference for Yarrawonga Multisport  
Stadium Steering Committee**



**Template**

**Terms of Reference**

**for the Yarrawonga Multisport  
Stadium Steering Committee**

Approved by Council xx xx 2018

FILE NO: F13/2657  
4. A WELL RUN COUNCIL

ITEM NO: 9.1.1

**TERMS OF REFERENCE YARRAWONGA MULTIPURPOSE SPORT STADIUM  
STEERING COMMITTEE (cont'd)**

**ATTACHMENT No [1] - Draft Terms of Reference for Yarrawonga Multisport  
Stadium Steering Committee**

**Terms of Reference for Yarrawonga Multisport Stadium  
Steering Committee**



**APPOINTMENT**

Pursuant to its powers under the Local Government Act 1989 the Moira Shire Council has established an advisory committee to be known as the Yarrawonga Multisport Stadium Steering Committee (the committee) These terms of reference for the committee provide guidance on its role and purpose and may be varied at the discretion of the Council.

**1. PURPOSE**

The Committee aims to inform the delivery of a new multisport stadium in Yarrawonga. The Steering Committee will be consulted with and provide feedback on the stadium site masterplan, business case and project delivery.

**2. DEFINITIONS**

In this schedule:

**Council means** Moira Shire Council

**Committee means** the Yarrawonga Multisport Stadium Steering Committee

**3. OBJECTIVES**

The objectives of the committee shall be to:

3.1 Work with the Consultants towards developing a feasibility study and business case for a new multisport stadium that suits both current and future needs.

3.2 Consult, inform and educate key stakeholders including Council, the business industry and the community about the benefits of a new multiport stadium for the Yarrawonga Community.

3.3 Finalise a detailed working plan for the appointed consultants to develop a feasibility study and business plan will include:

- A needs analysis to determine current and future demand for such a facility
- The scale of any stadium development and key features of its design
- Stakeholder engagement
- A preferred location
- Conceptual plan and cost estimate
- Funding options
- Suggested management and operational models for the stadium and
- A business case to support future funding applications.

FILE NO: F13/2657  
4. A WELL RUN COUNCIL

ITEM NO: 9.1.1

## TERMS OF REFERENCE YARRAWONGA MULTIPURPOSE SPORT STADIUM STEERING COMMITTEE (cont'd)

### ATTACHMENT No [1] - Draft Terms of Reference for Yarrawonga Multisport Stadium Steering Committee

#### Terms of Reference for Yarrawonga Multisport Stadium Steering Committee



#### 4. COMPOSITION AND PROCEEDINGS

4.1 The Committee membership will be by invitation and nomination. The committee composition will be:

##### Moira Shire Council

- Councillor: 1
- General Manager Infrastructure or delegate: 1
- Team Leader Community & Recreational Development (Project Manager): 1

##### Outside Council

- Yarrawonga Mulwala Basketball Association: 1
- Yarrawonga P-12: 1
- Sacred Heart College, Yarrawonga: 1
- Federation Council: 1
- Sports Recreation Victoria: 1
- Community members: 2

4.2 The Council has the power to add further members although membership of the committee will be limited to the two community members and representatives from likely user groups of the proposed facility for the sake of manageability. Should one or both of the Community members choose to resign the committee, Council will offer the opportunity for new members to join through publicly calling for nominees. Any nominees will be considered and appointed by Council based upon the skills and value that they would provide to the committee

4.3 The Chair of the committee will be the Moira Shire Councillor representative on the committee as determined by Council from time to time. If the Councillor is absent from a meeting, the committee can elect an acting chair from amongst the attending committee members.

4.4 On the resignation of a member from the committee, the Council may appoint a replacement person through publically calling for nominees or at the discretion of the CEO may wait until the annual call for nominees.

4.5 A Moira Shire staff representative/s (the coordinator) will coordinate the committee including the provision of secretarial services



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4. A WELL RUN COUNCIL

ITEM NO: 9.1.1

**TERMS OF REFERENCE YARRAWONGA MULTIPURPOSE SPORT STADIUM  
STEERING COMMITTEE (cont'd)**

**ATTACHMENT No [1] - Draft Terms of Reference for Yarrawonga Multisport  
Stadium Steering Committee**

**Terms of Reference for Yarrawonga Multisport Stadium  
Steering Committee**



**5. OPERATIONAL GUIDELINES**

- 5.1 Council will coordinate communications and activities of the Committee.
- 5.2 The frequency of meetings shall be at least bi-monthly.
- 5.3 The Chair will provide quarterly updates by email to the Committee.
- 5.4 A meeting of the committee will otherwise be called when there is the need for input into considerations.
- 5.5 The Coordinator will be the key point of contact at Council for the committee
- 5.6 Council will support and encourage members to:
  - Act as a conduit for the community to provide feedback on the project

**6. MEETINGS**

- 6.1. Meetings of the Committee shall be held as required to progress the objectives outlined in Section three (3).
- 6.2. The location of the meetings will be held at Moira Shire Service Centre, Yarrawonga or another suitable location as required.
- 6.3. Moira Shire Councils Councillor Representative shall be the designated chairperson. Should the chairperson not be in attendance another member of the committee may be nominated either prior to the meeting or at the start of the meeting, depending when notification of the absence of the chairperson is given.
- 6.4. Moira Shire Council's Team Leader Community and Recreational Development shall act as the committee secretary. Should the secretary not be in attendance another member of the committee may be nominated either prior to the meeting or at the start of the meeting, depending when notification of the absence of the secretary is given.
- 6.5. The Committee will seek to operate on a consensus basis on any matters it considers. Should a vote be necessary:
  - a) Each member of the Committee is entitled to one vote;
  - b) Unless the procedures of the Committee otherwise provide, voting must be by show of hands;
  - c) If there is an equality of votes the motion is lost. The chair does not have a casting vote.
- 6.6 The Committee shall keep a record of each of its meetings and the Secretary shall ensure that the minutes of the meeting are submitted to the next meeting for confirmation.

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4. A WELL RUN COUNCIL

ITEM NO: 9.1.1

**TERMS OF REFERENCE YARRAWONGA MULTIPURPOSE SPORT STADIUM  
STEERING COMMITTEE (cont'd)**

**ATTACHMENT No [1] - Draft Terms of Reference for Yarrawonga Multisport  
Stadium Steering Committee**

**Terms of Reference for Yarrawonga Multisport Stadium  
Steering Committee**



- 6.7. Half of the members of the Committee shall constitute a quorum at any meeting of the Committee and no business shall be transacted at any such meeting unless a quorum is present.
- 6.8. Where ever possible, all relevant issues and requests should be raised prior to the meeting through contacting the Secretary and included in the agenda. This includes the invitation and scheduling of guests.
- 6.9. All members will receive a copy of the Terms of Reference.
- 6.10 The Secretary will disseminate information at meetings and through minutes via email.
- 6.11. It is the responsibility of each committee member that they provide the correct contact details to the Secretary.

**7. CONFLICT OF INTEREST / CONFLICTING DUTY**

- 7.1. The Local Government Act 1989 is the primary source of guidance to any Councillor or Council officer on conflict of interest.
- 7.2. If a member of the Committee has a conflict of interest or conflicting duty in any matter in which the Committee is concerned, the member must disclose the nature of that conflict at the meeting at which the matter is discussed. The member must leave the room and remain outside until conclusion of discussion or any vote on the

**8. CONFIDENTIALITY**

On occasions the Committee may be required to deal with a matter that has been identified as confidential in nature. Committee members are required to deal with such matters in confidence and with discretion.

**9. INDEMNITY**

The Council will indemnify members of the Committee against any action liability claim or demand on account of any matter or thing done by them on behalf of the Committee when they are acting in accordance with this Terms of Reference in the honest and reasonable belief or under a mistake of law that the member was properly exercising their function as a member of the Committee.

**10. TERM OF APPOINTMENT**

The term of Committee members will commence on 26 September 2018 and will be for the duration of the project ongoing until a resignation is submitted unless otherwise terminated by the Council.

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4. A WELL RUN COUNCIL

ITEM NO: 9.1.1

**TERMS OF REFERENCE YARRAWONGA MULTIPURPOSE SPORT STADIUM  
STEERING COMMITTEE (cont'd)**

**ATTACHMENT No [1] - Draft Terms of Reference for Yarrawonga Multisport  
Stadium Steering Committee**

**Terms of Reference for Yarrawonga Multisport Stadium  
Steering Committee**



**11. REVOCATION**

11.1 Council may at its absolute discretion revoke the membership of any member of the Committee.

11.2 The Council may terminate the appointment of the Committee at any time.

**12. COMMITTEE REPRESENTATION**

A failure by a member of the committee to attend three meetings in succession without submitting an apology will be taken as the resignation by that member from the Committee.

**13. INTELLECTUAL PROPERTY**

All intellectual property remains the property of the Council unless otherwise contracted to a third party.

FILE NO: 000.000.000  
1. A GREAT PLACE TO LIVE

ITEM NO: 9.1.2

## TERMS OF REFERENCE FOR NUMURKAH FLOOD MITIGATION PROJECT STEERING COMMITTEE

### RECOMMENDATION

That Council adopt the Terms of Reference for the Numurkah Flood Mitigation Project Steering Committee.

### 1. Executive Summary

The Council adopted the Numurkah Floodplain Management Study and Plan – Study Report, November 2017 at its Ordinary Council meeting of 25 May 2018 and appointed initial members to a project committee with Terms of Reference (TOR) to be determined.

The purpose of this report is to put the draft TOR for the Numurkah Flood Mitigation Project Steering Committee before the Council for adoption. The TOR have been drafted to achieve consistency with similar Council project committees with some variations to take account of project objectives and local circumstances.

Adoption of the TOR will enable the full complement of community representatives, specifically those living outside the proposed levee to be appointed following a public process.

### 2. Background and Options

The Numurkah Floodplain Management Study commenced in October 2012 and culminated in May 2018 when the Council adopted the Study Report.

There was considerable support at the community information session held on 1 March 2018, for continued community involvement in the continuing process to secure flood mitigation for Numurkah.

In adopting the study report at the May 2018 Ordinary Council meeting, the Council dissolved the Numurkah Flood Study Community Reference Group and appointed a Committee, with terms of reference to be determined, consisting of the following community members:

- Mr Peter Sprunt, former Community Reference Group member
- Mr Colin Pendlebury, former Community Reference Group member
- Mr Ray Thornton, former Community Reference Group member
- Mr Joe Frew, former Numurkah Flood Action Group member
- Ms Kerry Curzons, former Community Reference Group member
- Mr Neil Hutchins former Nathalia Flood Study member, former Nathalia and Moira Shire employee, Numurkah Resident
- Mr Terry Brennan, former Community Reference Group member
- Cr Kevin Bourke former Chair of Community Reference Group

The Council has the power to add further members to the committee and this report presents the draft TOR for the committee to Council for adoption.

As stated in the draft TOR, the objectives of Numurkah Flood Mitigation Project Steering Committee shall be to facilitate community and stakeholder interest and support for implementation of Numurkah Flood Mitigation measures identified within the Numurkah Floodplain Management Study and Plan – Study Report, November 2017.

FILE NO: 000.000.000  
1. A GREAT PLACE TO LIVE

ITEM NO: 9.1.2

## **TERMS OF REFERENCE FOR NUMURKAH FLOOD MITIGATION PROJECT STEERING COMMITTEE (cont'd)**

Including providing input and support on the following as the need arises:

- a. impact of the project on landholders;
- b. integration of the project with existing infrastructure; and,
- c. encouraging broad community perspectives and collaboration on the projects implementation

The draft TOR provide for a committee membership of up to 12 members with the Moira Shire Councillor representative to fill the role of chair.

The motion passed at the Ordinary Council meeting in May 2018 has appointed the 8 members listed previously with four positions remaining to be filled. Officers are aware of at least one person from the Numurkah community, living outside the proposed levee, who has registered an interest in becoming a member of the committee.

Following adoption of the TOR Council can run an expression of interest process to fill the remaining four positions on the committee.

### **3. Financial Implications**

The costs to run meetings of the committee will be met from operational budgets.

### **4. Risk Management**

The draft TOR once adopted will provide a clear understanding of the role and function of Numurkah Flood Mitigation Project Steering Committee in the development of a functional design of proposed mitigation works and the installation of works when funding becomes available.

### **5. Internal and External Consultation**

There was strong support at the community meeting to continue community involvement with the flood mitigation project for Numurkah. The Numurkah Flood Mitigation Project Steering Committee will provide an opportunity for community to inform and be informed of the mitigation measures that are proposed for installation to better protect the Numurkah community from riverine flooding.

### **6. Council Plan Strategy**

The project to provide flood mitigation to Numurkah is aligned with Strategy 1 of the Council Plan, A great place to live.

### **7. Conflict of Interest Considerations**

The author of this report has no conflict of interest.

Members of the committee will be required declare any conflict of interest they may have with any of the topics that may be raised within any meeting of the committee in accordance with the provisions within the draft TOR.

### **8. Conclusion**

At the adoption of the Numurkah Floodplain Management Study and Plan – Study Report at the Ordinary Council meeting in May 2018, 8 members were appointed to the Committee with terms of reference to be determined.

This report presents the draft Terms of Reference for the Numurkah Flood Mitigation Project Steering Committee to the Council for adoption . **Attachments**

- 1 Draft TOR - Numurkah Flood Mitigation Project Steering Committee

FILE NO: 000.000.000  
1. A GREAT PLACE TO LIVE

ITEM NO: 9.1.2

**TERMS OF REFERENCE FOR NUMURKAH FLOOD MITIGATION PROJECT  
STEERING COMMITTEE (cont'd)**

ATTACHMENT No [1] - Draft TOR - Numurkah Flood Mitigation Project Steering Committee



**Terms of Reference**  
**for the**  
**Numurkah Flood Mitigation**  
**Project Steering Committee**

Approved by Council xx xx 2018

FILE NO: 000.000.000  
1. A GREAT PLACE TO LIVE

ITEM NO: 9.1.2

## TERMS OF REFERENCE FOR NUMURKAH FLOOD MITIGATION PROJECT STEERING COMMITTEE (cont'd)

### ATTACHMENT No [1] - Draft TOR - Numurkah Flood Mitigation Project Steering Committee

#### Terms of Reference for Numurkah Flood Mitigation Project Steering Committee



#### 1 APPOINTMENT

Pursuant to its powers under the Local Government Act 1989 the Moira Shire Council (the Council) hereby establishes an advisory committee to be known as the Numurkah Flood Mitigation Steering Committee (the committee). These terms of reference for the committee provide guidance on its role and purpose and may be varied at the discretion of the Council.

#### 2 OBJECTIVES

The objectives of the committee shall be to:

- Facilitate community and stakeholder interest and support for implementation of the Numurkah the Flood Mitigation project identified within the Numurkah Floodplain Management Study and Plan – Study Report, November 2017 (the study) adopted by the Council at the Ordinary Council Meeting of 25 May 2018.
- provide input and advice on the following as the need arises:
  - impact of the project on landholders;
  - integration of the project with existing infrastructure; and,
  - encouraging broad community perspectives and collaboration on the projects implementation.

#### 3 DEFINITIONS

In this schedule:

**Council means** Moira Shire Council

**Committee means** the Numurkah Flood Mitigation Implementation Committee

#### 4 COMPOSITION AND PROCEEDINGS

4.1 Committee membership will be by Council nomination and individual application. The committee composition will be:

- Councillors:1
- Community representatives:11

4.2 The Council has the power to add further members although membership of the committee will be limited to twelve for the sake of manageability. In determining the mix of members Council will seek to ensure that the interests of residents both within and outside the proposed levee are represented. In assessing applications from residents outside the levee council will seek to have representation from residents immediately outside the proposed levee and residents in the broader study area. Persons interested in becoming members of the committee can make application in writing outlining the skills and value that they would provide to the Committee for Councils consideration

FILE NO: 000.000.000  
1. A GREAT PLACE TO LIVE

ITEM NO: 9.1.2

## TERMS OF REFERENCE FOR NUMURKAH FLOOD MITIGATION PROJECT STEERING COMMITTEE (cont'd)

### ATTACHMENT No [1] - Draft TOR - Numurkah Flood Mitigation Project Steering Committee

#### Terms of Reference for Numurkah Flood Mitigation Project Steering Committee



- 4.3 On an annual basis where the membership of the Committee is less than nine members, Council will offer the opportunity for new members to join through publically calling for nominees. Any nominees will be considered and appointed by Council based upon the skills and value that they would provide to the Committee
- 4.4 The Chair of the committee will be the Moira Shire Councillor representative on the committee as determined by Council from time to time. If the Councillor is absent from a meeting, the committee can elect an acting chair from amongst the attending committee members.
- 4.5 On the resignation of a member from the committee, the Council may appoint a replacement person through publically calling for nominees or at the discretion of the CEO may wait until the annual call for nominees.
- 4.6 A Moira Shire staff representative/s (the coordinator) will coordinate the committee including the provision of secretarial services.
- 4.7 Half of the members of the Committee shall constitute a quorum at any meeting of the Committee and no business shall be transacted at any such meeting unless a quorum is present.
- 4.8 The committee shall keep a record of each of its meetings and the coordinator shall ensure that the minutes of the meeting are submitted to the next meeting for confirmation.
- 4.9 The Committee will seek to operate on a consensus basis on any matters it considers. Should a vote be necessary:
  - Each member of the Committee is entitled to one vote;
  - Unless the procedures of the Committee otherwise provide, voting must be by show of hands,
  - If there is an equality of votes the motion is lost.
  - The chair does not have a casting vote

#### 5 OPERATIONAL GUIDELINES

- 5.1 Council will coordinate communications and activities of the Committee.
- 5.2 The frequency of meetings will depend upon the progress on the implementation and the need for input to Council management and/or the Council from the committee.
- 5.3 Council will facilitate at least four meetings per year of the committee to provide an update on progress of the project.
- 5.4 The Chair will provide updates by email to the Committee of any significant progress between meetings
- 5.5 A meeting of the committee will otherwise be called when there is the need for input into the project.
- 5.6 The Coordinator will be the key point of contact at Council for the committee
- 5.7 Council will support and encourage members to:
  - Liaise with the Coordinator on matters related to the project
  - Assist with providing information to the public;
  - Act as a conduit for the community to provide feedback on the project
  - Help promote the implementation of the project
  - Advocate for State and Federal government funding of the project.



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1. A GREAT PLACE TO LIVE

ITEM NO: 9.1.2

## TERMS OF REFERENCE FOR NUMURKAH FLOOD MITIGATION PROJECT STEERING COMMITTEE (cont'd)

### ATTACHMENT No [1] - Draft TOR - Numurkah Flood Mitigation Project Steering Committee

#### Terms of Reference for Numurkah Flood Mitigation Project Steering Committee



#### 6 CONFLICT OF INTEREST

- 6.1 The Local Government Act 1989 is the primary source of guidance to any Councillor or Council officer on conflict of interest.
- 6.2 If a member of the Committee has a conflict of interest or conflicting duty in any matter in which the Committee is concerned, the member must disclose the nature of that conflict at the meeting at which the matter is discussed. The member must leave the room and remain outside until conclusion of discussion or any vote on the

#### 7 CONFIDENTIALITY

On occasions the Committee may be required to deal with a matter that has been identified as confidential in nature. Committee members are required to deal with such matters in confidence and with discretion.

#### 8 INDEMNITY

The Council will indemnify members of the Committee against any action, liability, claim or demand on account of any matter or thing done by them on behalf of the Committee when they are acting in accordance with this Terms of Reference in the honest and reasonable belief or under a mistake of law that the member was properly exercising their function as a member of the Committee.

#### 9 REVOCATION

- 9.1 Council may at its absolute discretion revoke the membership of any member of the Committee.
- 9.2 The Council may terminate the appointment of the Committee at any time.

#### 10 COMMITTEE REPRESENTATION

A failure by a member of the committee to attend three meetings in succession without submitting an apology will be taken as the resignation by that member from the Committee.

#### 11 INTELLECTUAL PROPERTY

All intellectual property remains the property of the Council unless otherwise contracted to a third party.

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

**ITEM NO: 9.2.1**

## **ASSEMBLIES OF COUNCIL**

### **RECOMMENDATION**

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

#### **1. Executive Summary**

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

#### **2. Background and Options**

This report fulfills Council's legislative obligation to report the matters considered and whether a conflict of interest disclosure was made by a Councillor at

- A meeting of an advisory committee where at least one Councilor is present; or
- A meeting, briefing or other activity where at least half of the Council and a member of Council staff are present; and
- Where the matters considered may be subject to a decision of Council or exercise of a function, duty or power of the Council that has been delegated to a person or committee.

The 11 July 2018 Council briefing was reported as part of the June Record of Assemblies report to council.

<b>Meeting</b>	<b>Present at meeting</b>	<b>Matters discussed</b>	<b>Declaration of Interest(s)</b>
Council Briefing 8 August 2018	Councillor: Libro Mustica John Beitzel Kevin Bourke Wendy Buck Ed Cox Gary Cleveland  Staff: Chief Executive Officer, Mark Henderson General Manager Community, Sally Rice General Manager Corporate, Simon Rennie Manager Governance and Communication, Linda Nieuwenhuizen	<ul style="list-style-type: none"><li>• Draft Council Agenda review</li><li>• Terms of reference – Cobram East Flood Study and Numurkah Flood Implementation Committee</li><li>• Yarrawonga Library next steps</li></ul>	Nil

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

**ITEM NO: 9.2.1**

**ASSEMBLIES OF COUNCIL (cont'd)**

<b>Meeting</b>	<b>Present at meeting</b>	<b>Matters discussed</b>	<b>Declaration of Interest(s)</b>
Environment Sustainability Advisory Committee 21 August 2018	Councillor: Marie Martin	<ul style="list-style-type: none"> <li>• Environmental Sustainability Strategy implementation – Draft 2017/18 report</li> <li>• New funding 2018/19</li> <li>• Friends of Kinnairds</li> <li>• Corellas, Cockatoos and Indian Mynas</li> <li>• Aussie Backyard Bird count</li> </ul>	Nil
Council Briefing 22 August 2018	Councillor: Libro Mustica John Beitzel Kevin Bourke Wendy Buck Ed Cox Gary Cleveland  Staff: Chief Executive Officer, Mark Henderson General Manager Infrastructure, Andrew Close General Manager Community, Sally Rice General Manager Corporate, Simon Rennie	<ul style="list-style-type: none"> <li>• Council Agenda review</li> </ul>	Yes Item no 12.1

**3. Legislative / Policy Implications**

Inclusion of the records of Assembly of Councillors in the Council agenda, and incorporation into the Minutes ensures Council meets its statutory obligations under section 80A of the Local Government act 1989 (the Act).

**4. Environmental Implications**

There are no environmental implications with this report.

**5. Conflict of Interest Considerations**

There are no council officer conflict of interest issues to consider within this report.

**6. Conclusion**

The Assembly of Councillors records incorporated into this report are a true and accurate record of all assemblies of Councillors reported during August 2018.

**Attachments**

Nil

FILE NO: F14/254  
4. A WELL RUN COUNCIL

ITEM NO: 9.2.2

## MOIRA SHIRE COUNCIL ANNUAL REPORT 2017/18 - FOR NOTING

### RECOMMENDATION

That Council receives and notes the 2017/18 Annual Report including the audited Financial Statements and Performance Statement.

### 1. Executive Summary

Moira Shire Council's 2017/18 Annual Report including the audited Financial Statements and Performance Statement is provided for noting by Council.

Council is required to prepare its 2017/18 Annual Report in line with the requirements set out in the Local Government Act 1989 (The Act) and submit the report to the Minister by 30 September each year.

Following Council's noting of the Annual Report, the report will be made available to the community and stakeholders via Council's website and copies will be printed and made available from Council's service centres.

### 2. Background and Options

#### 2017/18 Annual Report Highlights

##### *Improved future planning and planning approvals*

- Council determined 316 planning applications – a 6% increase on last year – and reduced the average processing time by almost a week and increased the number of applications processed within the 60-day target by 10%.
- Following community feedback, Council adopted the Major Towns Strategy. The strategy provides a blueprint for land zoning, use and development to cater for future population and business growth in and around the towns of Cobram, Nathalia, Numurkah and Yarrawonga. The strategy complements council's existing Small Towns Strategy.

##### *Engaging our community to determine Yarrawonga Bridge route*

- Council engaged the Victorian Electoral Commission to complete the Yarrawonga-Mulwala Bridge Plebiscite. More than 56% of eligible voters participated in the plebiscite that returned overwhelming support for the 'green' bridge route.

##### *Better than best practice waste management*

- After more than 2 years, Council's organic waste kerbside collection service continues to exceed best practice standards with contamination rates averaging less than 0.5% in every month and 54.8% of all of Moira's kerbside waste diverted out of landfill and into recycled or organic processing.
- Council's Waste Management and Services Strategy was adopted and maps how council will continue to deliver financially and environmentally sustainable waste services.

##### *Community supporting improved animal management*

- During the year council promoted pet registration as the best way to ensure lost animals can be reunited with their owners and we were rewarded with a 25%

FILE NO: F14/254  
4. A WELL RUN COUNCIL

ITEM NO: 9.2.2

**MOIRA SHIRE COUNCIL ANNUAL REPORT 2017/18 - FOR NOTING (cont'd)**

increase in the number of pets reunited and 18% fewer pets impounded.

***Valued community services for all ages***

- Libraries remain a core but evolving service within our local communities with a growing role in providing safe learning and study environment and access to electronic and online resources.
- Participation in council's Maternal and Child Health services increased by 7% in response to council's outreach campaigns.

***Strong Financial Position***

- Council's financial position remains strong as Council cost-effectively delivered programs and services and paid down existing debt.
- Our existing debt levels are on track to decline from 6.7% to 1.6% of rate revenue, with existing borrowings reducing to zero by 2023.
- Council's financial performance indicators are within the required parameters for all Victorian Auditor General (VAGO) indicators.
- Council achieved a surplus of \$7.76 million in 2017/18 and an underlying financial surplus of 11.34% which sits within the target range of -20% to 20%.

***Safe and efficient delivery of our capital works program***

- Council invested more than \$4.1 million to upgrade local roads through its road resealing and asphaltting, gravel road and shoulder resheeting, kerb and channel replacement and major patching (road stabilizing) programs.
- Reconstruction of road sections including Naring Road, Tungamah Road, Devenish Road and the Labuan Marungi Road intersection.
- More than \$380,000 was invested in repair and upgrade of footpaths and walking tracks in Cobram, Numurkah, Nathalia and Yarrawonga
- Council invested \$250,000 to repair existing drainage and completed further studies to confirm the scale of future drainage investment needs to service our growing communities.

**Process**

This report concludes the final steps for preparing Council's Annual Report in accordance with the Act. Under the Act Council is required to:

- prepare an Annual Report including audited Performance Statement and Financial Statements, and submit the Report to the Minister within 3 months of the conclusion of the reporting period;
- consider the Annual Report at a Council meeting within 30 days of submitting the report to the Minister
- make copies available via Council's website and from Council service centres.

Following Council's consideration and receipt of the Annual Report, officers will coordinate printing and provision of copies of the report online and from Council's service centres.

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4. A WELL RUN COUNCIL

ITEM NO: 9.2.2

**MOIRA SHIRE COUNCIL ANNUAL REPORT 2017/18 - FOR NOTING (cont'd)**

All the Local Government Performance Reporting Framework (LGPRF) indicators will be published later this year on the Victorian Government's Know Your Council website and this will allow members of the community to review and compare Council's performance with other councils and prior years.

**3. Financial Implications**

There are no further financial implications.

**4. Risk Management**

There are no further risks associated with the annual report.

**5. Internal and External Consultation**

The Annual Report will be made available online and for inspection at Council Service Centres after the September Council Meeting. Advertisements confirming the availability of the report will appear in local media.

**6. Legislative / Policy Implications**

The Annual Report meets Council's obligations under the Local Government Act 1989 and is prepared in accordance with the model reports provided by the Department.

**7. Environmental Impact**

Hard copies of the report must be produced for display at Council's service centre, agencies and the State Library. Council endeavours to keep printed copies to a minimum by encouraging online and electronic access to the report.

**8. Conflict of Interest Considerations**

There are no officer conflict of interest issues to consider within this report.

**9. Conclusion**

Council's Annual Report meets statutory obligations and presents key highlights and challenges for the organisation and the community for 2017/18. It is recommended that Council, in accordance with section 134 of the Act, receives and notes the 2017/18 Annual Report, inclusive of audited financial and performance statements as at 30 June 2018.

**Attachments**

- 1 Moira Shire Council Annual Report 2017/18 - *printed in separate document*

FILE NO: .  
1. A GREAT PLACE TO LIVE

ITEM NO: 9.3.1

## YARRAWONGA LIBRARY PROJECT STEERING COMMITTEE - COMMUNITY REPRESENTATIVE APPOINTMENT

### RECOMMENDATION

That Council appoint as Community Representatives to the Yarrawonga Library Project Steering Committee:

- the Yarrawonga Neighbourhood House as the Community Organisation; and
- Dr Clyde Ronan and Dr Treahna Hamm as individuals.

### 1. Executive Summary

Council has progressively been working towards building a new library in Yarrawonga. The Future Needs Analysis and Site Identification report was endorsed by Council on the 21 November 2016. This report identified the Yarrawonga Town Hall site (including the community hall and former kindergarten) as the preferred site for a new library.

Recently a number of options for a new library on this 'Town Hall Precinct' site were presented to the public. Following a period of consultation Council resolved to proceed with the development of a new library as described in Option A (27 June 2018).

At the Council meeting held on the 22 August 2018 the Terms of Reference (ToR) for the Yarrawonga Library Project Steering Committee (Steering Committee) were adopted. The ToR requires community representation from two individuals and one organization.

Following the August meeting Councils called for nominations to the Steering Committee from the public. Nominations closed on 14 September.

Three nominations were received. There was one from a community organization and two from individuals. All nominations received are of a high quality and this report recommends that Council appoint the following to the Steering Committee:

- Yarrawonga Neighbourhood House as the Community Organisation;
- Dr Clyde Ronan and Dr Treahna Hamm as individuals.

### 2. Background and Options

At the Council meeting held on the 22 August 2018 the ToR for the Yarrawonga Library Project Steering Committee were adopted. These ToR outline all aspects of the Steering Committees including appointment, purpose, objectives and composition and proceedings.

The Steering Committees purpose is to inform the delivery of a new library in Yarrawonga. The steering committee compositions will be:

- **Moirā Shire Council** - Councillors (including Chair) 3, Management, 1
- **Goulburn Valley Regional Libraries** - Chief Executive Officer 1, Library Staff 1, Board Member, 1
- **Community Representation** - Community Organisation 1, Individual 2, Yarrawonga Town Hall Precinct & Library Project Community Reference Group (2)

Following the August meeting of Council a public call for nominations took place. Through this process one community organization and two individuals nominated to be on the steering committee. The nominations are:

- Community Organisation: Yarrawonga Neighborhood House;
- Individual: Dr Clyde Ronan and Dr Treahna Hamm.

FILE NO: .  
1. A GREAT PLACE TO LIVE

ITEM NO: 9.3.1

## **YARRAWONGA LIBRARY PROJECT STEERING COMMITTEE - COMMUNITY REPRESENTATIVE APPOINTMENT (cont'd)**

After assessment of the nominations Council Officers recommend these nominees be appointed to the Steering Committee. It was considered that they are quality nominations. They bring with them a variety of experiences and have extensive and diverse existing relationships and networks within the community. The assessment of the three applications is that they will contribute to the Steering Committee meeting its objectives.

Community consultation, through the Steering Committee and with the broader community will occur at key times and throughout the entire progress of the new Yarrawonga Library Project.

### **3. Financial Implications**

There are no financial implications to consider within this report.

### **4. Risk Management**

There are no risk management considerations associated with this report.

### **5. Internal and External Consultation**

In August 2018 public notices were placed in the Yarrawonga Chronicle seeking nominations for individuals and organisations to the Steering Committee. A media release was also circulated to and run in local and regional media outlets. This opportunity was also promoted on Councils website. The closing date for nominations was 14 September 2018.

### **6. Regional Context**

Community representation on the Steering Committee provides a link between the community, GV Libraries and Moira Shire in the delivery of this important project for the community.

### **7. Council Plan Strategy**

The appointment of community representatives to this steering committee continues Council process in 'Maintaining and enhancing library and community hub facilities'.

### **8. Legislative / Policy Implications**

There are no legislative or policy considerations associated with this report.

### **9. Environmental Impact**

There is no environmental impact considerations associated with this report.

### **10. Conflict of Interest Considerations**

There is no conflict of interest considerations associated with this report.

### **11. Conclusion**

Council has sought nominations to fill positions on the Steering Committee. This report recommends appointing the Yarrawonga Neighborhood House as the Community Organisation and Dr Clyde Ronan and Dr Treahna Hamm as individuals. The committee will then commence in its role of informing the delivery of a new library in Yarrawonga.

### **Attachments**

Nil



FILE NO: 1  
2. A THRIVING LOCAL ECONOMY

ITEM NO: 9.3.2

## NATHALIA JOINT VENTURE RESIDENTIAL SUBDIVISION

### RECOMMENDATION

That Council note this report.

#### 1. Executive Summary

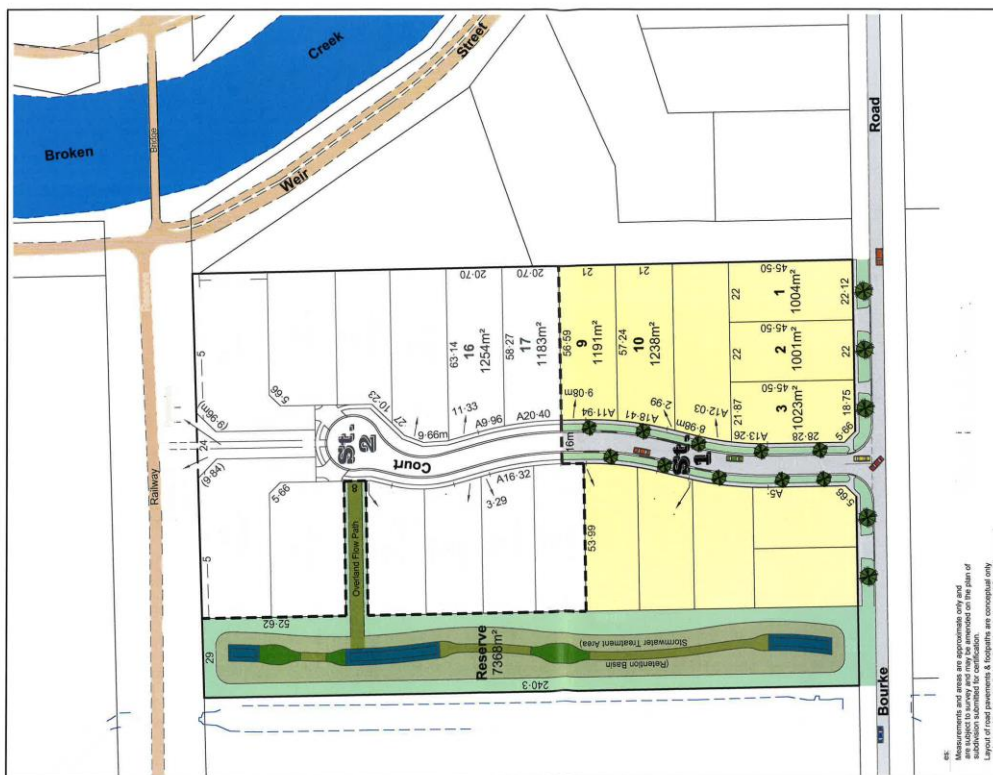
At the 30 May 2016 Ordinary Council Meeting a Joint Venture with Norther Victoria Finances Ltd (NVF) and Council to develop a 23 lot residential estate at 60 Bourke Rd Nathalia was approved.

This is a two stage, 23 lot development on Bourke Road Nathalia. It is the first residential subdivision undertaken by Moira Shire Council. The joint venture is between Council and NVF who are the owner of the Nathalia and Numurkah branches of the Bendigo Community Bank.

This report provides an update of this project as the first stage of works near completion.

#### 2. Background and Options

On the 30 May 2016 Council resolved to enter into a joint venture agreement with NVF Ltd to undertake a staged development of a residential subdivision in Bourke Road Nathalia. The joint venture agreement was signed by Council in January 2017.



The 23 lot subdivision indicating the two stages (yellow being stage 1, white being stage 2).

Construction work commenced in April 2018 and are scheduled to be completed by October 2018. The certificate of compliance is anticipated to be issued by November 2018. The following summary outlines current progress on the first stage 11 lot development:

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2. A THRIVING LOCAL ECONOMY

ITEM NO: 9.3.2

### **NATHALIA JOINT VENTURE RESIDENTIAL SUBDIVISION (cont'd)**

- drainage works in Weir Street have been completed;
- road sealing and hot mix are scheduled to commence this week;
- a contractor has been engaged to construct the retardation basin fence;
- landscaping, including street tree planting, will be undertaken once the power audit has been completed and signed off; and
- audits, inspections and approvals by all servicing authorities will commence once all other works are practically complete.

A local real estate agent has been appointed to the project and five blocks are under offer. These sales will be finalized once the titles are released later this year. The success of stage 1 sales will determine the timing of the commencement of the 12 lot development which is stage 2.



Venture Court – construction nearing completion



FILE NO: 1  
2. A THRIVING LOCAL ECONOMY

ITEM NO: 9.3.2

## **NATHALIA JOINT VENTURE RESIDENTIAL SUBDIVISION (cont'd)**

Bourke Rd Nathalia – construction nearing completion

### **3. Financial Implications**

As this report is a progress update there are no specific financial impacts associated with it other than to note that it is progressing according to budget.

### **4. Risk Management**

This joint venture is managed through the Joint Venture Agreement. This agreement between Moira Shire Council and NVF Ltd details all aspects of the projects arrangements. This includes project supervision and management.

### **5. Internal and External Consultation**

The joint venture has been assessed and approved by the Minister for Local Government.

The joint venture is overseen, in accordance with the Joint Venture Agreement by a Subdivision Project Working Group which involves representatives from NVF and Moira Shire Council and the Project Control Group.

### **6. Regional Context**

Nathalia is Moira Shires fourth largest town however its scale and location makes it difficult to attract private sector land developers. It has a very strong education and health base, two large agricultural manufacturers and a rapidly expanding export abattoir. Many professionals and skilled workers commute to town for work as the residential market is small due to the lack of larger scale green field residential housing opportunities.

### **7. Legislative / Policy Implications**

This project has Ministerial approval and complies with the Local Government Act.

### **8. Conflict of Interest Considerations**

There are no conflicts of interest to consider in relation to this report.

### **9. Conclusion**

This report provides an update on the significant progress that has been made on the first stage of the Bourke Road Nathalia residential development. This is the first residential subdivision undertaken by Moira Shire Council and is a joint venture between Council and NVF .

### **Attachments**

Nil

FILE NO: 52018133  
1. A GREAT PLACE TO LIVE

ITEM NO: 9.4.1

**PLANNING PERMIT APPLICATION NO 52018133 FOR INTENSIVE ANIMAL  
HUSBANDRY - EGG PRODUCTION AT 197 LEAFS ROAD NATHALIA**

**RECOMMENDATION**

It is recommended that Council approve Planning Permit Application 52018133 for 'Use and Development - Intensive Animal Husbandry - Egg Production' at 197 Leafs Road NATHALIA and issue a Notice of Decision to Grant a Permit subject to the following conditions:

1. Prior to the commencement of the use or development, plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must show:
  - (a) Property and locality plan prepared in accordance with the *Victorian Low Density Mobile Outdoor Poultry Farm Planning Permit Guidelines June 2018* and conditions contained within this permit; and
  - (b) Nutrient Management Plan (NMP) that demonstrates how nutrients will be managed and ground cover maintained.
2. The use and development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
3. No more than 5000 poultry may be kept on the site at any one time unless with the written consent of the responsible authority. All poultry must be kept within the defined areas as shown on the endorsed plan.
4. Poultry housing and poultry foraging areas must be kept a minimum 300 metres from existing neighbouring Dwellings that are not owned by the permit holder.
5. The use and development must be managed in accordance with the approved plans so that the amenity of the area is not detrimentally affected, through the:
  - (a) processes carried out on the land;
  - (b) transportation of livestock, materials, goods or commodities to or from the land;
  - (c) the emission of odour, dust, noise, artificial light, waste water or waste products; and
  - (d) the presence of vermin;
6. If the responsible authority determines that the amenity of the nearby residents is adversely affected by the emission of an unreasonable level of odour, dust, or noise from the site, the operator must immediately and to the satisfaction of the responsible authority take action to prevent those emissions, which may include adjusting stocking density, greater separation distances between the poultry and residents, or any other actions reasonably required to rectify the unreasonable emissions.
7. The waste produced from the use must:
  - (a) not discharge beyond the boundaries of the land or directly into waterways to the satisfaction of the responsible authority.
8. Prior to the commencement of the use, the proposed development must have a

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(cont'd)**

point of access known as a vehicle crossing that serves that lot. The vehicle crossing must be able to accommodate the largest design vehicle anticipated to access the site. All new and existing vehicle crossings as shown on the endorsed plan must be constructed to the standards specified by the Responsible Authority.

9. Vehicle access and egress from the property must take place in a forward direction at all times.
10. 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.
11. All internal access ways, vehicle manoeuvring areas, car parking areas and vehicle loading and unloading areas must be constructed to the standards specified by the Responsible Authority and must be able to accommodate the largest design vehicle anticipated to access the site.
12. All storm water generated by the development must be managed in accordance with the requirements of the Responsible Authority.
13. No native vegetation (including trees, shrubs, herbs and grasses) must be removed, lopped or destroyed unless with the consent of the Responsible Authority.
14. The exterior colour and cladding of the caravans and any proposed buildings must be of a non-reflective nature to the satisfaction of the Responsible Authority.
15. Any damage to Council assets (ie roads, table drains etc) must be repaired at the cost of the applicant to the satisfaction of the Responsible Authority.
16. This permit will expire if one of the following circumstances applies:
  - The development and use are not started within two years of the date of this permit.
  - The development is not completed within four 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 Murray Water Conditions**

17. The mobile hen shed must not be stationed within 30 metres of GMW channel 1/3/20/6 or drain no. 4/13 and no. 13.
18. Hens must be restricted from having access within 30 metres of GMW channel 1/3/20/6 or drain no. 4/13 and no. 13.
19. Any wastewater produced and manure stockpiled must be managed to the satisfaction of council's Environmental Health Department.

**EPA Victoria Conditions**

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(cont'd)**

20. Offensive odours must not be discharged beyond the boundaries of the premises.

**Planning Notes**

- (1) 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.
- (2) This permit does not authorise the commencement of any building construction works. Before any such development may commence, the applicant must apply for and obtain appropriate building approval.

**1. Executive Summary**

Planning Permit Application 52018133 was lodged with Council on 29 June 2018 for Use and Development - Intensive Animal Husbandry - Egg Production at 197 Leafs Road NATHALIA.

The proposal is for pastured egg production beginning with 1000 chickens approximately. The applicant proposes to increase the number of chickens up to 4000 approximately if targets are achieved.

The proposal is for a stocking density beginning at 23 chickens per hectare approximately. The guidelines the applicant intends to operate within allow for a stocking density of up to 1,500 birds per hectare.

The proposal was referred to Environmental Protection Authority who did not object and required conditions on any permit issued.

The proposal was referred to Goulburn Murray Water who had no objection to the proposal subject to the imposition of conditions on any permit.

The proposal was advertised to adjoining and nearby owners and occupiers in accordance with the *Planning and Environment Act 1987*.

Three (3) objections have been received plus one petition. The main signatory of the petition was an objector. The petition contained a total of 9 signatories.

One objector who was also a signatory on the petition withdrew their objection and signature from the petition following a mediation meeting on 29 August 2018.

The mediation meeting informed attendees of the statutory process. The objectors discussed their concerns with the application including biosecurity and potential impacts on existing poultry farms, dust, management of ground cover, odour, pests, amenity, health and property devaluation. These are addressed later in the report.

The proposed development accords with the Moira Planning Scheme and it is recommended that a planning permit be issued subject to conditions.

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1. A GREAT PLACE TO LIVE

ITEM NO: 9.4.1

**PLANNING PERMIT APPLICATION NO 52018133 FOR INTENSIVE ANIMAL  
HUSBANDRY - EGG PRODUCTION AT 197 LEAFS ROAD NATHALIA  
(cont'd)**

**2. Background and Options**

**Application Details**

Applicant:	Kim Allen and Mark Whatman
Owners:	Michael John Deacon and Robyne Blee
Property Address:	197 Leafs Road NATHALIA
Title:	CA: 29 Sec: A Par: WAAIA TP: 791001
Site Area:	43.57ha
File No:	52018133
Zone:	Farming Zone
Overlays:	No planning overlays affecting the land
Permit Triggers:	35.07-1 Table of uses Section 2 use - Intensive Animal
Husbandry	35.07-4 Buildings and works associated with a Section 2 use

**Proposal**

The application seeks approval for the Use and Development - Intensive Animal Husbandry - Egg Production.

Pasture / foraging is proposed to make up 20% of the bird feed, 80% would be bought in to ensure correct balance of nutrients for the birds. Flock would be housed in what is commonly known as a chicken caravan. Chicken caravans vary in size but can be built to accommodate up to 1000 birds. An image of a typical chicken caravan is provided below:



Caravans have perches which have to set a particular distance apart to comply with all animal welfare codes of practice. Nesting boxes are also built into the caravans to accommodate the birds and include a rollaway system to ensure eggs can be kept clean and collected efficiently.

No new permanent buildings or structures are proposed as part of the current application.



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(cont'd)

Distribution of the eggs is proposed primarily through wholesalers in Melbourne or on a lesser scale through independent supermarkets such as IGA, Farmers Markets and Providedore's for example.

Chickens will be managed in accordance with relevant legislation and licences issued by the Environmental Protection Authority and Agriculture Victoria for example for egg producers. The requirements include managing litter, monitoring disease (biosecurity), regular rotation / relocation or caravans and foraging areas and maintenance of ground cover / pasture.

Current regulations for Free Range Eggs allows approximately 10,000 birds per hectare. Pastured egg farming is in the vicinity of 1,500 birds per hectare. Aerial image of subject site below:



The applicant has not yet nominated a specific area for the proposed chicken caravans and fenced areas for the chickens to forage. Suggested permit conditions require the applicant to nominate these areas prior to the use commencing.

Any permit issued for the current application will include the conditions suggested in this report above. The conditions include required separation distances of 300m between chickens and sensitive receptors (Dwellings). The guidelines the applicant proposes to operate in accordance with suggest a minimum separation distance of 100m between chickens and sensitive receptors.

### Site Context

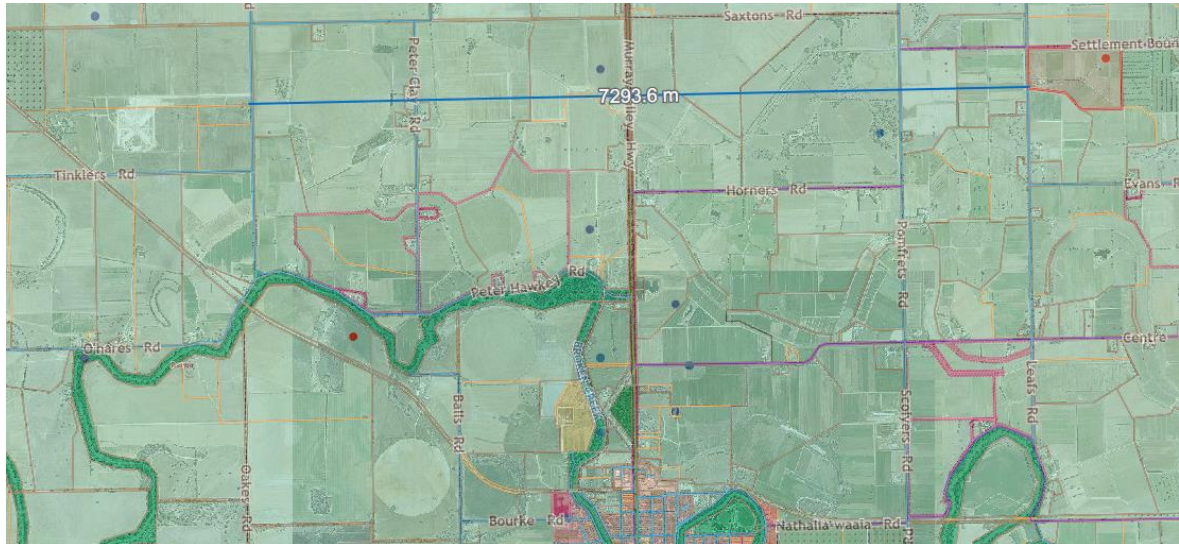
The subject site is approximately 7.2 kilometres from the existing egg production facility at 146 Tinklers Road, Nathalia as indicated in the aerial image below:



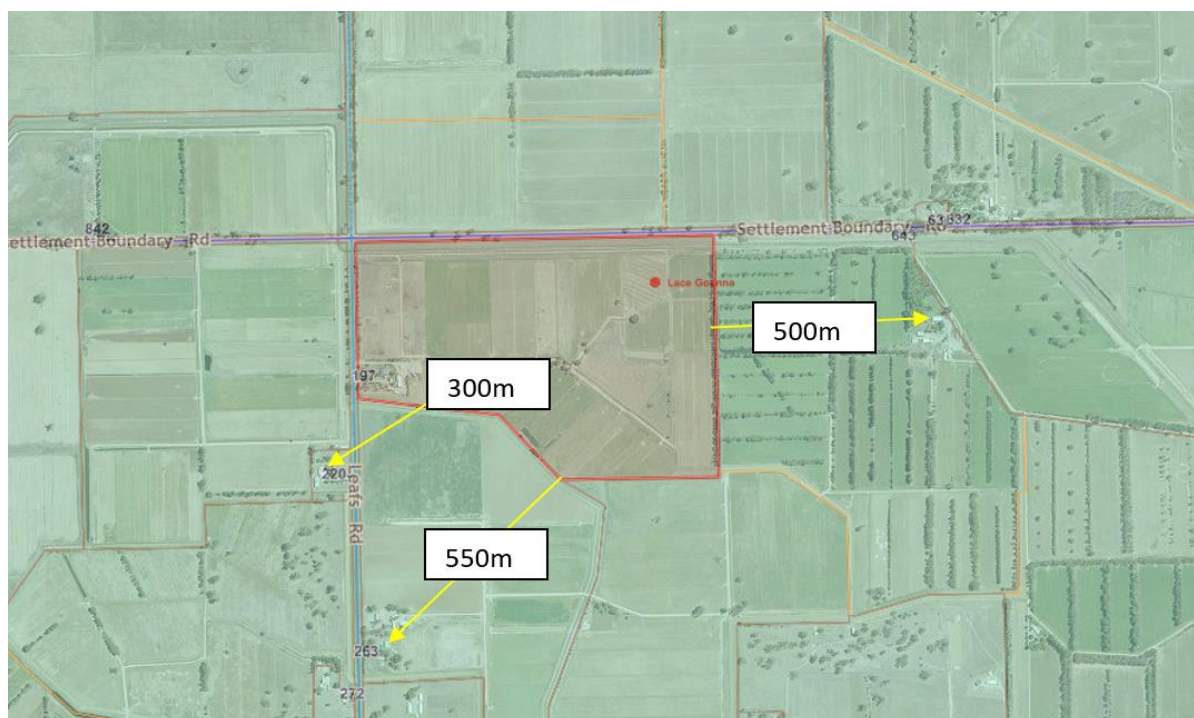
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(cont'd)



The aerial image below indicates the setbacks to the nearest sensitive receptors (Dwellings) to the subject site where chicken caravans and foraging areas will be restricted to:



### Planning History

Council records show the subject site has no previous town planning applications.

### Options

Council has the following options:

- Issue a Notice of Decision to Grant a Permit.
- Issue a Notice of Refusal.

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**PLANNING PERMIT APPLICATION NO 52018133 FOR INTENSIVE ANIMAL  
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(cont'd)**

- Defer a decision.

**3. Financial Implications**

In the event that Council's decision is appealed at VCAT, there will be associated costs.

**4. Risk Management**

Council should consider the following:

- Non-budgeted costs to Council from any appeal.
- Compliance issues should proposal go ahead.
- Net community benefit (positive or negative).

**5. Internal and External Consultation**

**Internal Consultation**

The proposal was referred internally to:

- Environment Resources who did not object and suggested conditions.
- Standard engineering conditions have been suggested.

**External Consultation**

The proposal was referred externally to:

- The Environmental Protection Agency as a Section 52 notice referral who did not object and issued conditions.
- Goulburn Murray Water as a Section 52 notice referral who did not object and issued conditions.

**Public Consultation**

The proposal was notified to adjacent and nearby owners and occupiers.

Three (3) objections have been received plus one petition. Copies of the objections were sent to the applicant for their consideration. The main signatory of the petition was one of the objectors. The petition contained a total of 9 signatories.

One objector who was also a signatory on the petition withdrew their objection and signature from the petition following the mediation meeting.

These objections cite concerns regarding property devaluation, amenity, health, biosecurity, impact on flora and fauna and community impact. These are addressed below.

Mediation was undertaken at Council offices on 29 August 2018, attended by:

- Four objectors;
- Mayor;
- Two Councillors;
- The applicants;
- A planning consultant hired by the applicants;
- General Manager – Infrastructure; and
- A Council town planner.

This mediation meeting informed attendees of the statutory process. The objectors discussed their concerns with the application including biosecurity and potential impacts

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on existing poultry farms, dust, management of ground cover, odour, pests, amenity, health and property devaluation.

The objectors' concerns are summarised below with an officer response:

Objection	Officer Response
Property Devaluation	<p>In assessment of any proposal private economic impacts such as property valuations are not part of planning consideration.</p> <p>As an overall economic consideration of the proposal, it is considered that the proposed pastured egg production operation creates employment in the region that is of economic benefit to the local community, surrounding region, state and Australia as a whole.</p>
Health Concerns	<p>Subjective fears that cannot be substantiated are not regarded as legitimate social effects and are not considered as part of the planning assessment. However, development impacts on communities regarding their health and wellbeing including their perceptions about safety, are considerations.</p> <p>The proposal will need to be managed in accordance with relevant legislation and any licences issued by the Environmental Protection Authority and Agriculture Victoria for example for egg producers. The requirements include managing litter, monitoring disease, regular rotation / relocation of caravans and foraging areas and maintenance of ground cover / pasture.</p> <p>Submitter concerns of airborne disease and dust entering rainwater collection systems and causing illness are not substantiated.</p>
Amenity	<p>Detriment to the amenity of a neighbourhood is an important planning consideration and includes any features, benefits or advantages of the local environment that people currently enjoy. Any effect on views, noise, odour, dust, traffic or the general atmosphere of the area is relevant.</p> <p>With regards to the proposed egg production use and the concerns of objectors, it is considered that:</p>

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(cont'd)

	<p>1. The egg production use is proposed within farming zone land where similar uses are anticipated where in compliance with the planning scheme, policies and licences;</p> <p>2. The egg production use is proposed (and controlled through conditions) to be at least 300m from the nearest dwelling. This buffer exceeds the recommend buffer of 100m which is discussed in the report below.</p> <p>3. Traffic generated by the proposal will be in accordance with traffic anticipated to be generated by farming zone activities. Further, conditions will be included in any permit which require access to the site to meet design standards and for any damage caused to council infrastructure to be repaired at no cost to Council.</p> <p>It is considered that the overall net community benefit from having an egg production operation to provide employment in the locality outweighs any perceived detrimental impact on noise, odour, dust and traffic.</p>
Biosecurity	<p>Farmers are required to meet their obligations under the Biosecurity Act 2015 (managing diseases and pests that may cause harm to human, animal or plant health or the environment). However, the best way to manage biosecurity is to have good on-farm management practices. The proposal will need to comply with the National Farm Biosecurity Manual for poultry production and any relevant license issued by the EPA and or Agriculture Victoria.</p> <p>The applicant must comply with the Victorian Food Act 1984 and the national Primary Production and Processing Standard for Eggs and Egg Product. Requirements for egg producers include Egg stamping which is a requirement to stamp individual eggs. Victoria has a Property Identification Code (PIC) scheme for livestock traceability and biosecurity purposes to trace eggs to farms.</p>

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**6. Regional Context**

The proposed egg production use provides for local and regional employment opportunities and adds to the diversity of poultry eggs available to consumers.

**7. Council Plan Strategy**

Moira Shire's current Council Plan (2017-2021) includes the strategic goal of making Moira Shire '*A thriving local economy*' which endeavours to '*support local businesses and attract new investment to generate employment opportunities.*' The goals include '*Existing and new businesses are supported to prosper.*' This will be achieved by *Connecting with local business to understand and work with their needs.*

This proposal provides the opportunity to support local businesses and attract new investment to generate employment opportunities.

**8. Legislative / Policy Implications**

The subject site is within the Farming Zone. No specific Particular Provisions are contained in the planning scheme for free range low density egg production farms. The most applicable particular provisions are at Clause 53.09 Broiler Farm which requires specific proposals to comply with the *Victorian Code for Broiler Farms 2009*.

The permit triggers are under the Farming Zone.

**Victorian Low Density Mobile Outdoor Poultry Farm Planning Permit Guidelines  
June 2018**

There are few specific requirements in the Planning Scheme for the current proposal. Therefore, a search of applicable state and federal government requirements and policies was undertaken. The document *Victorian Low Density Mobile Outdoor Poultry Farm Planning Permit Guidelines June 2018* was consulted.

These Guidelines apply to a planning permit application for poultry farms for chicken egg production (farm capacity of no more than 5,000 birds) and are applicable to the current application.

The guidelines recommend a minimum separation distance of 100m between nearest poultry paddock and sensitive use (ie habitable dwelling) for 1000 to 5000 birds.

The nearest neighbouring dwelling is 220 Leafs Road which is approximately 300m from the nearest proposed poultry paddock.

The Guidelines recommend that applications which meet specified criteria (or through permit conditions) are considered to pose very low environmental and amenity risks.

Through the imposition of the suggested conditions in this report (see recommendation section above) the current application could meet the criteria. The main points to consider are:

- the number of chickens does not exceed 5,000 for egg production
- the outdoor stocking density does not exceed 1,500 birds per hectare
- the mature chickens are kept outdoors on paddocks with:

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- >mobile housing and feeding infrastructure that is relocated at least every two weeks, and*
- >the poultry range area maintains a minimum of 50% ground cover.*
- the setback requirements are met.*

**Zones and Overlays**

**Farming Zone**

Pursuant to Clause 35.07-1 and Clause 35.07-4 of the Farming Zone a planning permit is required to Use and Development the land for Intensive Animal Husbandry.

Appropriate decision guidelines are considered to be:

- 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;*
- The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.*
- The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality.*

**The Objectives of Planning in Victoria**

The objectives of planning as set out in Section 4 of the *Planning and Environment Act 1987* include:

- to provide for the fair, orderly, economic and sustainable use, and development of land;*
- to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;*
- To balance the present and future interests of all Victorians.*

**Planning Policy Framework**

**Clause 11 Settlement**

This policy directs planning 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. Planning is to recognise the need for, and as far as practicable contribute towards:

- Health, wellbeing and safety.*
- Diversity of choice.*
- Adaptation in response to changing technology.*
- Economic viability.*
- A high standard of urban design and amenity.*
- Energy efficiency.*
- Prevention of pollution to land, water and air.*
- Protection of environmentally sensitive areas and natural resources.*
- Accessibility.*
- Land use and transport integration.*

Planning is to prevent environmental and amenity problems created by siting incompatible land uses close together.

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Planning is to facilitate sustainable development that takes full advantage of existing settlement patterns and investment in transport, utility, social, community and commercial infrastructure and services.

**Clause 14.01 Agriculture**

The objective of Clause 14.01 is to protect the state's agricultural base by preserving productive farmland.

Applicable strategies to achieve this objective include:

- Identify areas of productive agricultural land, including land for primary production and intensive agriculture.
- Consider state, regional and local, issues and characteristics when assessing agricultural quality and productivity.

**Clause 14.01-2S Sustainable agricultural land use**

The objective of Clause 14.01-2S is to encourage sustainable agricultural land use.

Applicable strategies to achieve this objective include:

- Ensure agricultural and productive rural land use activities are managed to maintain the long-term sustainable use and management of existing natural resources.
- Support the development of innovative and sustainable approaches to agricultural and associated rural land use practices.
- Support adaptation of the agricultural sector to respond to the potential risks arising from climate change.
- Encourage diversification and value-adding of agriculture through effective agricultural production and processing, rural industry and farm-related retailing.
- Assist genuine farming enterprises to embrace opportunities and adjust flexibly to market changes.
- Support agricultural investment through the protection and enhancement of appropriate infrastructure.
- Facilitate ongoing productivity and investment in high value agriculture.
- Facilitate the establishment and expansion of cattle feedlots, piggeries, poultry farms and other intensive animal industries in a manner consistent with orderly and proper planning and protection of the environment.
- Ensure that the use and development of land for animal keeping or training is appropriately located and does not detrimentally impact the environment, the operation of surrounding land uses and the amenity of the surrounding area.

**Local Planning Policy Framework including the Municipal Strategic Framework Plan**

**21.02-3 Municipal Strategic Framework Plan**

The Municipal Strategic Framework Plan provides a broad overview of the key characteristics and issues across the Shire.

**Clause 21.06** of the Municipal Strategic Statement talks about Economic Development.

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The key planning issues and challenges relating to economic development include:

- Encouraging the ongoing development of the Shire's primary production output
- Facilitating the expansion of the Shire's value adding processing industries

**Clause 21.06-2 Agriculture**

The Moira Economic Profile 2013 confirms the Agriculture sector generated \$386.9M in 2011 – or 14.6% of the municipal economy.

The region's workforce is heavily dependent on the agricultural sector (19.2% in 2011) with many people directly involved in agricultural production on farms, and an estimated similar number involved directly and indirectly in the processing and transport of that product. In both irrigation and dryland production the drivers of future successful agribusinesses, regardless of the scale of enterprise, are likely to be:

- Continuing current trends for significantly increased scale of production which is achieved by expanding the land area of production and/or by increasing the intensity of the production system.
- A shift to individual management of their own business risks such as consolidation into contiguous properties to manage all their own water supply.
- Agribusinesses that seek to minimise the number of neighbours.
- Agribusinesses that expand into land that is priced competitively because it is used for agriculture rather than having inflated land values because it has been subdivided for hobby farms.

An objective for agriculture is to ensure that agriculture is and remains the major economic driver in the region. Strategies include:

- Provide for small scale, specialized agriculture.
- Encourage opportunities for smaller scale, specialised agriculture in 'niche' areas.

**Particular Provisions**

No particular provisions for the proposed Low Density Mobile Outdoor Poultry Farm contained within the planning scheme.

**9. Environmental Impact**

The application proposes a Low Density Mobile Outdoor Poultry Farm and has been referred to the EPA, GMW and Council's Environmental Health team.

These referral entities have provided no objection to the proposal and imposed conditions. The conditions relate to the management of odour, water quality and contamination of channel water.

Additional suggested conditions from the *Victorian Low Density Mobile Outdoor Poultry Farm Planning Permit Guidelines June 2018* also assist in managing the environmental impacts of the proposal with regard to dust and odour.

No vegetation is proposed to be removed.



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(cont'd)**

**10. Conflict of Interest Considerations**

There is no officer conflict of interest associated with this proposal and report.

**11. Assessment and Conclusion**

The proposal is for the 'Use and Development - Intensive Animal Husbandry - Egg Production' at 197 Leafs Road NATHALIA. The proposal involves pastured egg production and plans to start with 1000 chickens. The applicant proposes to increase the number of chickens up to 4000 approximately if targets are achieved.

The proposal is for a stocking density to begin at 23 chickens per hectare. The *Victorian Low Density Mobile Outdoor Poultry Farm Planning Permit Guidelines June 2018* suggests that stocking density be limited to 1,500 birds per hectare for such proposals.

Chickens are proposed to be housed in chicken caravans and fenced areas. The caravans and fenced areas are required to be moved / relocated every 2 weeks as per permit conditions. Permit conditions include requirements for monitoring and management of flock and pasture. Ground cover needs to be maintained to be at least 50%.

Farmers are required to meet their obligations under the Biosecurity Act 2015 (managing diseases and pests that may cause harm to human, animal or plant health or the environment). The proposal will need to comply with the National Farm Biosecurity Manual for poultry production and any relevant license issued by the EPA and or Agriculture Victoria.

The applicant must comply with the Victorian Food Act 1984 and the national Primary Production and Processing Standard for Eggs and Egg Product. Requirements for egg producers include Egg stamping which is a requirement to stamp individual eggs. Victoria has a Property Identification Code (PIC) scheme for livestock traceability and biosecurity purposes to trace eggs to farms.

The proposed egg production use through the imposition of appropriate conditions can comply with the requirements of the planning scheme, relevant State Government requirements and applicable policies and guidelines. The proposal complies with relevant Local and State Government planning scheme policies including agricultural, environmental and economic.

Objector concerns including biosecurity risk have been considered and addressed through the imposition of suggested conditions. The applicant is required to comply with relevant farm management and Federal and State Government biosecurity requirements.

It is concluded that, after consideration of the objections and after assessment against the relevant state and local policy within the Moira Planning Scheme that the proposal should be supported. Conditions are provided for any permit issued.

**Attachments**

Nil

FILE NO: C020/18  
4. A WELL RUN COUNCIL

ITEM NO: 9.4.2

## C020/18 - BITUMINOUS RESEALING

### RECOMMENDATION

That Council:

1. Award contract C020/18 – Bituminous Resealing as per the Schedule of Rates to Primal Surfacing Pty Ltd.
2. Authorise the Chief Executive Officer to sign and seal the contract documents and approve contract extensions within the provisions of the contract.

### 1. Executive Summary

Moirā Shire Council invited submissions from suitably qualified organisations or individuals for the bituminous resealing of designated local roads throughout the municipality.

After consideration of the submissions, the evaluation panel recommends that contract C020/18 – Bituminous Resealing be awarded to Primal Surfacing Pty Ltd as per the Schedule of Rates.

### 2. Background and Options

The works under the Contract provides for the following:

- Design of bitumen/binder application rate;
- Design of aggregate spreading rate;
- Supply, delivery and mixing of binder and additives;
- Supply and delivery of sealing aggregate including preparation of stock sites;
- Advising residents in urban areas of the works prior to commencement;
- Installation of temporary signing and control of traffic during and after sealing works;
- Sweeping and cleaning of surface prior to spraying;
- Placing temporary raised pavement markers to locate existing line markings;
- Remove and dispose of raised reflective pavement markers and repair pavement;
- Surface pre-treatment of hungry areas;
- Supply, placing, removal and disposal of paper for protection;
- Loading, heating and application of binder;
- Loading, pre-coating, carting, spreading of aggregate;
- Rolling of aggregate;
- Removal of excess aggregate from sealed pavement surface;
- Reinstatement of line marking;
- Provision of sealing records;
- Maintenance of works.

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4. A WELL RUN COUNCIL

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## C020/18 - BITUMINOUS RESEALING (cont'd)

### Contract Details

The contract is for an initial term of 1 year and shall commence on the date noted on the letter of acceptance or date agreed between Council and the Contractor.

Upon mutual agreement the Contract can be extended in single periods of twelve months to a maximum contract period of three years (1+1+1).

### Date of Public Notice

Paper	Date
Border Mail	28 July 2018
The Age	28 July 2018
Shepparton News	31 July 2018
Cobram Courier	1 August 2018
Numurkah Leader	1 August 2018
Yarrawonga Chronicle	1 August 2018

### Receipt of Tenders

A total of six submissions were received from the following organisations:

1. GW & BR Crameri Pty Ltd
2. Roads Corporation t/a SprayLine
3. Boral Resources Pty Ltd
4. Primal Surfacing Pty Ltd
5. Rich River Asphalt Pty Ltd
6. Downer EDI Work Pty Ltd

### Supervision

Superintendent – Manager Operations

Superintendent Representative – Superintendent Works and Services

### Panel Membership

The submissions were independently evaluated in TenderSearch by the following positions:

- Manager Operations
- Superintendent Works and Services
- Coordinator Works

The evaluation was moderated by the Procurement Coordinator.

### Non-conforming tenders

No submissions were considered to be non-conforming.

### Tender Evaluation

Each tender was evaluated separately utilising our electronic tendering system, TenderSearch.

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## C020/18 - BITUMINOUS RESEALING (cont'd)

The criteria and weightings from the original evaluation were utilised and are detailed in the following table:

Evaluation Criteria	Evaluation Weighting
Price	30%
Track Record	30%
Management of Schedules	15%
Skills and Resources	10%
Contribution to Local Economy	10%
Compliance with Specification	5%

For more information, please refer to Appendix A – Evaluation Summary (Confidential).

### 3. Financial Implications

This is a Schedule of Rates contract for Bituminous Resealing works of roads within the Moira Shire Council. The tenderers schedule of rates was applied to the Bitumen Resealing Works Program for 2018/19 to determine the total cost of the works in the first year of the contract. Submissions varied between \$1,212,292.40 and \$1,643,867.72.

The costs for subsequent years will be determined by the Bitumen Resealing Works Program for each financial year and confirmed by the Contract Superintendent and the Contractor.

The budget for this contract is drawn from the funds allocated to reseals and final seals. Some reactive and miscellaneous works may be drawn from other road project funds. The cost of the services provided under this contract is within the current financial year's approved budget.

Future budgets will be set in accordance with the annual budget process.

### 4. Risk Management

To minimise the risks associated with the works under the contract, the following conditions are required to be delivered by the successful contractor and/or Council:

- Works are to be conducted in an area nominated by the Superintendent Representative.
- Works require a permit from the Country Fire Authority to operate during the declared fire danger period.
- Works are to be conducted in accordance with various VicRoads Standard Sections relevant to bituminous resealing.
- The Superintendent Representative will conduct random tests for compliance of the work required under contract and regular site visits.
- All personnel are required to undertake a Moira Shire Council site induction.
- The Contractor is to undertake a risk/hazard assessment of each work site / activity to determine the risks and treatments required to treat those risks.

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## **C020/18 - BITUMINOUS RESEALING (cont'd)**

- The Contractor is to take measures to keep airborne dust to a minimum.
- A plant risk assessment is required for each item of heavy plant to be supplied, hired or expected to enter Councils worksite.

### **5. Internal and External Consultation**

The public tender was advertised on Council's TenderSearch website, The Age, Shepparton News, Border Mail and the local papers.

The specification was approved by the responsible officer, Procurement Coordinator, Manager Operations and General Manager Infrastructure.

### **6. Regional Context**

The works under C020/18 – Bituminous Resealing contributes to the repair, upgrades and replacement of Council's road network.

### **7. Council Plan Strategy**

The Council Plan addresses the need for a well-run Council by implementing a transparent, engaging and accountable governance structure for current and future generations. The processes undertaken to award the contract meet the legislative and policy requirements relating to procurement and tendering.

### **8. Legislative / Policy Implications**

The tender process was undertaken in accordance with the requirements of the section 186 of the Local Government Act and Council's adopted Procurement Policy.

### **9. Environmental Impact**

Section 3.18 of the specification stipulates the contractor's environmental responsibilities and will form part of the contract. In addition, the contract requires the Contractor to minimise dust as per Worksafe requirements.

### **10. Conflict of Interest Considerations**

There was no conflict of interest declared for this tender evaluation process.

### **11. Conclusion**

After consideration of the submissions, the evaluation panel recommends that contract C020/18 – Bituminous Resealing be awarded to Primal Surfacing Pty Ltd as per the Schedule of Rates.

## **Attachments**

- 1 Appendix A - Evaluation Summary (Confidential) - *printed in separate document*

FILE NO: F13/563  
1. A GREAT PLACE TO LIVE

ITEM NO: 9.4.3

## MURRAY RIVER CROSSINGS INVESTMENT PRIORITY ASSESSMENT REPORT - YARRAWONGA MULWALA BRIDGE CROSSING

### RECOMMENDATION

That Council:

1. Continue to support the upgrade of the Yarrawonga-Mulwala Bridge along the green route as a high priority, and,
2. Seek a joint meeting with Federation Council, Regional Roads Victoria and Roads and Maritime Services to discuss the Murray River Crossings Investment Priorities Assessment Report.

### 1. Executive Summary

The Murray River Crossings Investment Priority Assessment Report prepared jointly by Vicroads and NSW's Roads and Maritime Services (RMS) has assessed the upgrade of the Yarrawonga-Mulwala Bridge Crossing as a medium term priority investment (5-10 years).

Council Officers have reviewed the Report and have provided a response back to Vicroads North Eastern Regional Manager stating that the Report's recommended assessment score as a medium term investment priority is not supported. The response also states that the bridge should have received a higher priority score on the basis that the bridge crossing has been scored inconsistently against the objectives criteria compared to those bridge crossings that have been scored as a short term priority.

The concern is that with the impending closure of the Weir Bridge in 2020 (and the imminent imposition of a load limit on the Burley Road Bridge over the irrigation channel), all heavy and other vehicles currently using the Weir Bridge will have to travel through the Belmore Street shopping strip. The consequence being increased risk for road users, increased traffic congestion in Belmore Street, and potential impact upon the viability of the businesses within Belmore Street as customers look for places to shop where access and parking is easier.

For this reason, it is believed that the upgrade of the Yarrawonga-Mulwala Bridge Crossing deserves to be rated higher than a 'medium term priority investment'.

### 2. Background and Options

Vicroads and NSW's Roads and Maritime Services (RMS) have undertaken a joint project to assess investment priorities for the 32 bridges and ferry assets that provide essential crossings of the Murray River between the two states. The objective of this Assessment is to inform and prioritise the future investment decisions for the Murray River Crossings according to each asset's relative ranking.

Crossings Investments are categorised as:

- Short Term (5 years)
- Medium Term (5-10 years)
- Long Term (Plus 10 years)

The Assessment adopted the following Primary and Secondary Objectives Criteria:

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**MURRAY RIVER CROSSINGS INVESTMENT PRIORITY ASSESSMENT  
REPORT - YARRAWONGA MULWALA BRIDGE CROSSING (cont'd)**

**Primary Objectives**

- 1) Improved freight productivity by improving bridges on strategic freight routes between NSW and Victoria. Cater for oversize and over mass freight vehicles crossing the Murray River. Strategic freight routes are:
  - Cobb Highway
  - Newell Highway
  - Hume Highway
  - Sturt Highway
  - Silver City/Calder Highway
  - Mallee Highway
- 2) Provide a reliable bridge connection for all users crossing the Murray River.
- 3) Provide a minimum standard replacement, balanced against whole of life cycle cost.
- 4) Improve twin town connectivity for all bridge users in order to support connections for hospital, schools and regional industries. Provide acceptable alternate routes in the event of planned or unplanned bridge closures.

**Secondary Objectives**

- 1) Enabled continued water activities and operations on the Murray river by preserving bridge height clearance.
- 2) Ensure a safe crossing of the Murray river for all users by addressing bridge safety concerns.

**Assessment scores used for the Objectives**

Assessment rating	Description	Raw Score
Strongly Negative	Does not meet objective measure	-3
Slightly negative	Partially meets objective measure	-1
Neutral	Meets objective measure	0
Slightly positive	Partially exceed objective measure	1
Strongly positive	Substantially exceeds objective measure	3

Vicroads has released this Assessment and invited Council to provide comment on the Assessment Report.

**3. Internal and External Consultation**

**Stakeholder Engagement by Vicroads and RMS (NSW)**

Vicroads and RMS engaged key stakeholders from local government, industry groups and community representatives to develop the Assessment scope and objectives. A government Steering Committee was formed to oversee the project and included representatives from Transport for NSW, Department of Economic Development, Jobs, Transport and Resources (Victoria), RMS (NSW) and Vicroads.

To date the only engagement that Council Officers have received is the invitation from Vicroads North Eastern Regional Manager to provide comments on the completed Assessment Report.

**Council officer's Feedback to Vicroads**

Below is a summary of Council's response to the Vicroads North Eastern Regional Manager for provided by the General Manager-Infrastructure:

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**MURRAY RIVER CROSSINGS INVESTMENT PRIORITY ASSESSMENT  
REPORT - YARRAWONGA MULWALA BRIDGE CROSSING (cont'd)**

- Do not support overall priority score given in the assessment. We believe that the bridge should have been scored as a short term priority.
- Two of the short term priority bridges have the same carriage width as Yarrawonga-Mulwala Bridge but were assessed as single lane bridge thus receiving a higher priority score. The bridge is assessed as a two lane bridge with a lower priority score.
- Traffic lanes on the bridge bend is less than the recommended 3.5m width to suit B-Doubles tracking path.
- Lack of weighting given to higher traffic volumes as Yarrawonga-Mulwala Bridge has much higher volume compared to the bridges listed as short term investment priority.
- Likely impacts on traffic congestions in Belmore Street in the event that one lane is temporally closed.
- The assessment report has adopted a population annual growth rate of 0.9% for Yarrawonga.
- Yarrawonga Growth Management Strategy forecast an annual growth rate of 2.4% for Yarrawonga and this figure should be used in the Assessment Report.
- The Assessment should consider future increase of heavy vehicle traffic as a result of industry investment such as Grain Corp's facilities upgrade in Yarrawonga.

**4. Regional Context**

The Yarrawonga Mulwala Bridge Crossing has been assessed as a Medium Term Priority Investment (5 – 10 years) and is ranked equal 6<sup>th</sup> out of the top 9 ranked crossings with a combined Objective Raw Score of -1.

Below is a summary of Objective Raw Score for each Objective for the assessment of the Yarrawonga Mulwala Bridge.

Primary Objective No.	Raw Score	Comments
1	1	Bridge not on strategic freight route but doesn't cater for oversized and over mass vehicles
2	-1	lane widths is less than minimum standard for 2-way traffic
3	0	Bridge condition considered to be fair
4	-1	Bridge not on strategic freight route but local and freight traffic can re-route in less than 1hr via Federation Bridge (55km)
Secondary Objective No.	Raw Score	Comments
1	0	based on if paddlesteamers are affected
2	0	based on safety performance history
<b>Total Raw Score</b>	<b>-1</b>	

The Top 9 ranked crossings based on their raw score for meeting Primary and Secondary Objectives are:



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**MURRAY RIVER CROSSINGS INVESTMENT PRIORITY ASSESSMENT  
REPORT - YARRAWONGA MULWALA BRIDGE CROSSING (cont'd)**

Crossing	Rank	Total Raw	Recommended Timing
Tooleybuc Bridge	1	-5	Short term Priority
Swanhill Bridge	2	-4	Short term Priority
John Foord Bridge	3	-3	Short term Priority
Towong Bridge	3	-3	Short term Priority
Abbotsford Bridge	4	-2	Short term Priority
Gonn Crossing / Murrabit Bridge	5	-2	Short term Priority
George Chaffey Crossing	6	-1	Medium Term Priority
Yarrawonga-Mulwala Bridge	6	-1	Medium Term Priority
Bethanga Bridge	7	0	Medium Term Priority

Final ranked short term priorities after considering criteria score weightings and traffic volumes in descending order are:

- 1) Swan Hill Bridge
- 2) Tooleybuc Bridge
- 3) Abbotsford Bridge
- 4) John Foord Bridge
- 5) Gonn Crossing/ Murrabit Bridge
- 6) Towong Bridge

Neighboring Federation Council has also expressed its disappointment at the ranking and is working collaboratively with Moira Shire to secure a higher priority.

## **5. Council Plan Strategy**

The upgrade of the Bridge crossing is aligned with Strategy 1 of the Council Plan, "A great place to live"

## **6. Legislative / Policy Implications**

The Assessment's ranking of the bridge upgrade as a medium term investment priority (5 – 10 years) does not support Council's preference to have the bridge upgraded within the next 5 years when taking into consideration that the Weir Bridge will be closed off to all traffic in 2020.

## **7. Conflict of Interest Considerations**

The author of this report has no conflict of interest

## **8. Conclusion**

The Murray River Crossings Investment Priority Assessment Report has assessed the upgrade of the Yarrawonga-Mulwala Bridge Crossing as a medium term priority investment.

Council Officers have reviewed the Report and have provided a response back to Vicroads North Eastern Regional Manager stating that the Report's recommended assessment score as a medium term investment priority is not supported. The response also states that the bridge should have received a higher priority score on the basis that the bridge crossing has been scored inconsistently against the objectives criteria compared to those bridge crossings that have been scored as a short term priority.

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**MURRAY RIVER CROSSINGS INVESTMENT PRIORITY ASSESSMENT  
REPORT - YARRAWONGA MULWALA BRIDGE CROSSING (cont'd)**

The concern is that with the impending closure of the Weir Bridge in 2020 (and the imminent imposition of a load limit on the Burley Road Bridge over the irrigation channel), all heavy and other vehicles currently using the Weir Bridge will have to travel through the Belmore Street shopping strip. The consequence being increased risk for road users, increased traffic congestion in Belmore Street, and potential impact upon the viability of the businesses within Belmore Street as customers look for places to shop where access and parking is easier.

For this reason it is believed that the upgrade of the Yarrawonga-Mulwala Bridge Crossing deserves to be rated higher than a 'medium term priority investment'.

**Attachments**

Nil

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

ITEM NO: 10.1

## ACTION OFFICERS' LIST

### RECOMMENDATION

That Council receive and note the Action Officers' List.

**Meeting:** 13 December 2017

**Subject – Urgent General Business**

### MOTION

That Moira Shire work with the National Heavy Vehicle Regulator (NHVR) and Vic Roads to open up more of our local road network to B Double trucks for local low volume traffic particularly in the dry land cropping areas.

(CARRIED)

### Activity

Further discussions have been held with NHVR officers on 17 July for planning of a briefing session with the local transport industry for the proposed pre-approval scheme to operate between 1 October to 30 April each year. Subject to confirmation by the NHVR, the briefing session is scheduled for Monday 13 August 2018. NHVR will invite a maximum of 20 people representing the local transport industry. Councillors have also been invited to attend. This meeting was postponed at the request of NHVR. A new meeting has not been set at this time.

**Meeting:** 22 August 2018

**Subject – Urgent General Business**

### MOTION

That Council:

1. Request the CEO develop an action plan that ensures we are ready to deliver meaningful community and industry support, services and assistance if we move into drought conditions.
2. Continue our efforts to inform policy makers and political leaders on the social and economic impact of the unfolding seasonal conditions.
3. Call on the Victorian and Commonwealth Environmental Water Ministers to fast track the release significant environmental water onto the market so that farmers can make preparations before it's too late.

(CARRIED)

### Activity

- A draft drought action plan and contact list of service providers have been compiled.
- Letter sent to the Minister. Requesting consideration of Council's resolution.

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**ACTION OFFICERS' LIST (cont'd)****Meeting:** 22 August 2018**Subject – Urgent General Business****MOTION**

That Council seek an update from Vicroads in relation to upgrading the Murray Valley Highway and Woods Road intersection.

(CARRIED)

**Activity**

This issue was raised at a meeting with VicRoads held on 5 September.  
Concept design layout was tabled at the meeting

- Design is for a roundabout treatment
- Council has raised its concerns that the design needs to consider pedestrian movements at the intersection
- Vicroads will provide Council more detailed design plans for comment as the design progresses.
- Earliest possible starting time is likely to be February / March next year
- Construction period is approx. 6 months

**Attachments**

Nil

FILE NO: VARIOUS

ITEM NO: 14

**URGENT GENERAL BUSINESS****Clause 60 of Council's "Meeting Procedures Local Law 2017 states:****60. Urgent general business**

- 1) Councillors must provide an outline of the matters to be considered before Council can accept the motion to consider urgent business. The outline must demonstrate how the matter meets the criteria for urgent business.
- 2) Urgent business can only be admitted by resolution of Council
- 3) Urgent business must not be admitted as urgent business unless
  - a) It relates to or arises out of a matter which has arisen since distribution of the agenda
  - b) Is manifestly urgent
  - c) Is material to the function of Council
  - d) Requires an urgent council resolution
  - e) Is otherwise determined by the CEO.
- 4) Only the mover of an urgency motion may speak to the motion before it is put.

FILE NO: VARIOUS

ITEM NO: 15

## QUESTIONS FROM THE PUBLIC GALLERY

### Clause 61 of Council's "Meeting Procedures Local Law 2017 states:

#### 61. Question Time

The Council will hold a Public Question Time of up to 30 minutes duration at each Ordinary Meeting, to enable members of the public to receive answers to questions previously submitted for consideration, and if the submitted questions are dealt with in less than the 30 minute period, the Chair can invite questions from the floor.

- 1) At every ordinary meeting of the Council a maximum of 30 minutes may be allocated to enable members of the public to submit questions to Council.
- 2) The time allocated may be extended by unanimous resolution of Council.
- 3) Sub-clause (1) does not apply during any period when the Council has resolved to close a meeting in respect of a matter under section 89(2) of the Act.
- 4) To assist the accurate recording of minutes and addressing any questions that may require written response or follow up, the Chief Executive Officer may require questions to be submitted in writing.
- 5) No person may submit more than two (2) questions at any one (1) meeting.
- 6) The Chairperson or member of Council staff nominated by the Chairperson may read a question to those present.
- 7) No question must be so read unless:
  - a) the person asking the same is in the gallery at the time it is due to be read; and
  - b) the person asking the question reads the same when called upon by the Chairperson to do so.
  - c) A question may be disallowed by the Chairperson if it:
    - d) relates to a matter outside the duties, functions and powers of Council;
    - e) is defamatory, indecent, abusive, offensive, irrelevant, trivial or objectionable in language or substance;
    - f) deals with a subject matter already answered;
    - g) is aimed at embarrassing a Councillor or a member of Council staff;
    - h) relates to personnel matters;
    - i) relates to the personal hardship of any resident or ratepayer;
    - j) relates to industrial matters;
    - k) relates to contractual matters;
    - l) relates to proposed developments;
    - m) relates to legal advice;
    - n) relates to matters affecting the security of Council property; or
    - o) relates to any other matter which Council considers would prejudice Council or any person.
- 8) The Chairperson may request a Councillor or member of Council staff to respond, if possible, to the question.
- 9) Councillor or member of Council staff may require a question to be put on notice until the next Ordinary meeting, at which time the question must be answered, or elect to submit a written answer to the person asking the question.
- 10) A Councillor or member of Council staff may advise Council that it is his or her opinion that the reply to a question should be given in a meeting closed to members of the public. The Councillor or member of Council staff must state briefly the reason why the reply should be so given and, unless Council resolves to the contrary, the reply to such question must be so given.

FILE NO: VARIOUS

ITEM NO: 16

**MEETING ADJOURNMENT****RECOMMENDATION**

That the meeting be adjourned for 10 minutes.

**RECOMMENDATION**

That the meeting be resumed.

**RECOMMENDATION**

That pursuant to Sections 89(2) (h) of the Local Government Act, 1989, this meeting of Council be closed to members of the public in order for Council to discuss personnel and contractual matters which the Council considers would prejudice the Council or any person.

**RECOMMENDATION**

That pursuant to Section 89(2) of the Local Government Act 1989, Council resolve to continue in open session.

**RECOMMENDATION**

That the recommendations of the "Closed" Meeting of Council be adopted.