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AGENDA

ORDINARY MEETING OF COUNCIL
FOR
WEDNESDAY 25 NOVEMBER 2020
TO BE HELD AT COBRAM CIVIC CENTRE, PUNT ROAD COBRAM
COMMENCING AT 6:00 PM

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.

LIVE STREAMING

Council meetings will now be lived streamed, allowing those interested to view proceedings without attending the meeting. This gives access to Council decisions and debate and enables residents to comply with COVID19 stay at home directions

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, 16 September 2020, the minutes of the Unscheduled of Council held on Wednesday, 23 September 2020 and the minutes of the Special Meeting of Council held on Wednesday, 18 November 2020, as prepared, be confirmed.”

8. COUNCILLOR REPORTS

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11. ACTION OFFICERS LIST

NIL

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NIL

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NIL

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NIL

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19. CLOSE OF MEETING

FILE NO: VARIOUS

ITEM NO: 9

QUESTIONS FROM THE PUBLIC GALLERY

Questions of Council are an opportunity for the general public to submit a question prior to the Ordinary Meeting and receive a response from Council in the Questions of Council time.

- (1) The Council will hold Questions of Council Time for up to 30 minutes duration at the beginning of each Ordinary Meeting to allow questions of Council. Extension of time may be granted at the discretion of the Mayor.
- (2) Questions of Council are an opportunity for the general public to submit a question prior to the Ordinary Meeting and receive a response from Council in the Questions of Council time.
- (3) Council meetings are recorded and broadcasted to the public, this includes community questions and responses.
- (4) Questions of Council time will not apply during any period when the Council has resolved to close the meeting in respect of a matter under section 66 (1) of the Act.
- (5) Questions of Council may be on any matter relevant to the jurisdiction of the Council except if it:
 - (a) is considered malicious, defamatory, indecent, abusive, offensive, irrelevant, trivial, or objectionable in language or substance;
 - (b) relates to confidential information as defined under the Act;
 - (c) relates to the personal hardship of any resident or ratepayer; or
 - (d) relates to any other matter which the Council considers would prejudice the Council or any person.
 - (e) Deals with a subject matter already answered
- (6) No more than two questions will be accepted from any person at any one meeting.
- (7) Where the Chief Executive Officer does not accept a question, the submitter is to be informed of the reason or reasons for which their question was not accepted.
- (8) A question submitted in writing by a member of the public, which has been disallowed by the Chief Executive Officer will be provided to any Councillor on request.
- (9) Questions may be read by the submitter where they are present at the meeting. Where the submitter is not present they shall be read by a delegate of the Chief Executive Officer and may be abridged to get to remove unnecessary commentary and only state the question.
- (10) Questions submitted to the Council must be:
 - (a) in written form;
 - (b) contain the name, address and email or contact telephone number of the person submitting the question;
 - (c) in a form approved or permitted by the Council (Template available on Council's website);
 - (d) addressed to the Chief Executive Officer; and
 - (e) submitted no later than the day prior to the meeting by email to info@moira.vic.gov.au clearly stating is a question for the meeting

FILE NO: F20/86
4. A WELL RUN COUNCIL

ITEM NO: 10.1.1

COUNCILLOR APPOINTMENTS

RECOMMENDATION

That Council appoint Councillor Representatives to Council's Audit and Risk Committee; Moira Advisory Committees; Other Moira Committees and Other Representative Bodies, in accordance with the attached lists.

1. Executive Summary

Each year, Councillors are presented with a report which details Councillor appointments to committees and other bodies.

2. Background and Options

In the past Councillors were representatives to Council's Section 86 Committees; Audit Committee; Moira Advisory Committees; other Moira Committees and other Representative bodies.

Changes to the Local Government Act occurred during 2020 that provided a new structure for Committees of Council. Community Asset Committees (former S86 Committees) are being progressively transitioned to incorporated associations and friends of groups and have not been listed at this stage to allow consideration of continued Councillor membership.

The below table lists all the Committees and other representative bodies that Council is required to have representation on. The actual number of Councillor representatives is discretionary with the exception of the Audit Committee.

ADVISORY COMMITTEES AND BOARDS

	Representative	Dates	Occurrence
Moira Shire Council Audit and Risk Committee	Mayor Crs: X 2	Thursdays	Minimum Quarterly
Moira Shire Disability Advisory Committee	Crs: X 3	Second Tuesday	Bi Monthly
Moira Shire Environment Sustainability Advisory Committee	Crs: X 2	Third Tuesday	Quarterly
Moira Shire Youth Council	Mayor Crs: X 3	Tuesday	Six meetings per year
Moira Shire Community Safety Committee	Crs: X 2	First Tuesday	Quarterly
Moira Shire Tourism Advisory Committee	Crs x 1		As required
Numurkah Flood Mitigation Implementation Committee	Crs: x 1		Quarterly

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4. A WELL RUN COUNCIL

ITEM NO: 10.1.1

COUNCILLOR APPOINTMENTS (cont'd)

Yarrawonga Library Project Steering Committee	Crs: X 3		As required
Yarrawonga Multipurpose Sports Stadium Steering Committee	Crs: X 2		Bi-monthly
Cobram East Flood Mitigation Design Steering Committee.	Crs: X 1		As required
Upper Broken & Boosey Creek Flood Study Project Steering Committee	Crs: X 1		As required

OTHER REPRESENTATIVE BODIES

	Representative	Dates	Occurrence
Goulburn Broken Greenhouse Alliance	Crs: X 1	Third Thursday	Varies
Goulburn Valley Community Road Safety	Crs: X 1	Varies	Quarterly
Goulburn Valley Regional Library Corporation Board	Crs: X 1	Thursday	Quarterly
Goulburn Valley Waste and Resource Recovery Group	Crs: X 1	Friday	Quarterly
Lake Mulwala Community Reference Group	Crs: X 1	Various	Varies
Municipal Association of Victoria	Mayor or delegate	Friday	Bi Annual
Murray River Group of Councils	Mayor		Quarterly
Murray Darling Association Inc	Crs: X 1	Various	Quarterly
Moira Shire Council Barmah Forest Heritage Education Centre	Crs: X 1	Wednesday	Varies

3. Financial Implications

Council's financial support for special committees is a budgeted item.

4. Risk Management

Risk is mitigated by Council meeting its statutory requirements and by having representation on external boards.

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4. A WELL RUN COUNCIL

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COUNCILLOR APPOINTMENTS (cont'd)

5. Internal and External Consultation

Once Councillors' have been appointed to the committees, each committee will be notified of their delegated Councillor. Councillors will then commence receiving correspondence regarding committee meetings

6. Regional Context

There are no regional issues to consider within this report.

7. Council Plan Strategy

A well run Council

8. Legislative / Policy Implications

The Victorian Local Government Act 2020 and the Terms of References for the individual committees.

9. Environmental Impact

There are no environmental impact considerations associated with this report.

10. Conflict of Interest Considerations

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

11. Conclusion

Each year, Councillors are presented with a report which details the current special committees for which Councillor Representation is required. In turn, Councillors are nominated to these special committees for the coming 12 months.

Attachments

- 1 Councillor appointments - *printed in separate document*

FILE NO: F16/701
4. A WELL RUN COUNCIL

ITEM NO: 10.2.1

QUARTERLY BUDGET REVIEW - SEPTEMBER 2020

RECOMMENDATION

1. That Council notes the projections for the 2020/21 financial year contained in the September 2020 Quarterly Budget Review.
2. That Council notes the Environment Upgrade Agreements quarterly performance report.

1. Executive Summary

Income Statement

There has been a decrease in the forecast budget deficit of \$2.40 million in the 2020/21 Adopted Budget to a surplus of \$1.01 million in the September 2020 forecast. The variance driven by timing differences in the recognition of operating grants for programs delivered in 2020/21 but with funding received in 2019/20 and capital grants for capital works commenced in 2019/20 and completed in 2020/21.

Balance Sheet

The Balance Sheet of Moira Shire continues to remain strong.

Cash Flow Statement

The cash position of Moira Shire continues to remain strong.

Capital Expenditure

There is no change to the 2020/21 Adopted Budget capital works program, the capital works forecast for the September 2020 remains at \$22.79 million. In addition a further \$22.49 million in other capital works remain, these include works commenced in 2019/20, and other capital works that have been scoped but construction has not yet commenced.

Financial Performance indicators

All Financial performance indicators remain within an acceptable range.

2. Background and Options

The quarterly budget review mandated under Section 97 of the *Local Government Act 2020*. The Act requires that at least every three months the Chief Executive Officer must ensure a statement comparing the budgeted revenue and expenditure for the financial year with actual revenue and expenditure to date presented to the Council.

FILE NO: F16/701
4. A WELL RUN COUNCIL

ITEM NO: 10.2.1

QUARTERLY BUDGET REVIEW - SEPTEMBER 2020 (cont'd)

3. Financial Implications

3.1 Summary of changes to projected operating result for the 2020/21 financial year

The surplus for the Proposed September 2020 Forecast expected to be \$1,012,160 – a decrease of \$3,417,056 compared to the 2020/21 Adopted Budget of \$2,404,896.

Budget 2020/21 vs Proposed Forecast Sep 2020	(Favourable) / Unfavourable \$
Deficit – Adopted Budget 2020/21	2,404,896
Rates and charges	(86,975)
Operating Grants	(1,279,798)
Capital Grants	(2,961,627)
Capital Contributions	(100,000)
Other Operating Income	(80,669)
Employee Costs	191,612
Materials & Consumables	650,151
Contract Services	231,750
Other Operating Expenditure	18,500
Proposed September 2020 Forecast Surplus	(1,012,160)

The major reasons for the decrease in the surplus are as follows:

- a) **Rates and charges** – Increased income following striking of 2020/21 rates and charges.
- b) **Operating Grants** – Increased grant income from Moira Shire's allocation of the 2020/21 Commonwealth Government Financial Assistance Grants (\$288k), new funding for the Regional Fruit Fly Program in 2020/21 which have a corresponding expense variance (\$681k), State Government grant for ICT Infrastructure support (\$100k) and State Government funding for community and maternal child health programs (\$211k).
- c) **Capital Grants** – Recognition of grant funding for capital works commenced in 2019/20 and completed in 2020/21; Stewarts Bridge Road and Campbell Road Cobram (Blackspot) (\$1.207 million); Gilmore Street Yarrowonga (\$992k); JC Lowe Oval Yarrowonga (Lighting and Courts) (\$100k); and Cobram Landfill Commercial Waste Facility (\$495k). Increased Commonwealth Govt. grant funding for the Yarrowonga to Burramine Cycle Trail (\$168k).
- d) **Capital Contributions** – Community contributions to Apex Reserve Cobram soccer facilities including \$50k deferred from 2019/20 and 2020/21 payment in line with original funding agreement \$50k.
- e) **Other Operating Income** – Income increase due to higher receipts for Building and Swimming Pool Registration fees (\$25k) and proceeds from sale of light fleet (\$56k) delayed from 2019/20 due to delaying the sale of vehicles to meet Covid-19 workplace isolation requirements.
- f) **Employee Costs** – Increase due to grant funded roles as part of the Regional Fruit Fly Program and Sleep and Settling Initiative. State funding offsets these variances.
- g) **Materials and Consumables** – Increase driven by materials and consumables costs associated with grant funded activities: Regional Fruit Fly Program; ICT Infrastructure

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4. A WELL RUN COUNCIL

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QUARTERLY BUDGET REVIEW - SEPTEMBER 2020 (cont'd)

support and community and maternal child health programs. State funding offsets these variances

- h) **Contract Services** — Increase driven by contractors for the Regional Fruit Fly Program. State funding offsets these variances

3.2 Income Statement

Income Statement	Adopted Budget 2020/21	YTD Actuals 2020/21	Proposed Forecast 2020/21	Budget 2020/21 vs Proposed Forecast Sep 2020
Income				
Rates and charges	(39,071,838)	(39,045,233)	(39,158,813)	86,975
Operating Grants	(5,818,270)	(1,817,137)	(7,098,068)	1,279,798
Capital Grants	(6,740,000)	(1,820,995)	(9,701,627)	2,961,627
Capital Contributions	(352,000)	(100,000)	(452,000)	100,000
Operating Contributions	(68,000)	(3,332)	(68,000)	-
Contributions - non-monetary	(200,000)	-	(200,000)	-
Reimbursements and Subsidies	(59,775)	(26,991)	(59,775)	-
User Charges	(1,935,525)	(407,482)	(1,935,525)	-
Statutory Fees and Fines	(1,357,150)	(411,169)	(1,382,150)	25,000
Interest Income	(350,000)	(11,562)	(350,000)	-
Other Revenues	(697,539)	(64,407)	(685,915)	(11,624)
Net Gain on Disposal of Property, Plant & Equipment	(36,800)	(184,693)	(104,093)	67,293
Income Total	(56,686,897)	(43,893,000)	(61,195,966)	4,509,069
Expenditure				
Employee Costs	22,591,457	5,330,866	22,783,069	(191,612)
Materials & Services	15,841,349	4,673,820	16,491,500	(650,151)
Contract Services	6,898,299	1,141,518	7,130,049	(231,750)
Utilities	1,086,930	284,250	1,089,430	(2,500)
Bad and Doubtful Debts	10,000	-	10,000	-
Depreciation	11,109,787	2,655,000	11,109,787	-
Other Expenses	871,439	100,335	887,439	(16,000)
Interest on Borrowings	92,614	25,949	92,614	-
Interest on Leases	79,918	26,749	79,918	-
Interest on Unwinding of Discount of Provisions	300,000	-	300,000	-
Written Down Value of Infrastructure Replaced	200,000	-	200,000	-
Share of Net Loss of Associated Entity	10,000	-	10,000	-
Expenditure Total	59,091,793	14,238,486	60,183,806	(1,092,013)
Operating Result	2,404,896	(29,654,514)	(1,012,160)	3,417,056

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4. A WELL RUN COUNCIL

ITEM NO: 10.2.1

QUARTERLY BUDGET REVIEW - SEPTEMBER 2020 (cont'd)

3.3 Balance Sheet

	Adopted Budget 2020/21	Proposed Forecast 2020/21	Budget 2020/21 vs Proposed Forecast Sep 2020
Balance Sheet			
Current Assets	33,402,000	37,822,765	4,420,765
Non-Current Assets	614,120,000	614,120,000	-
Total Assets	647,522,000	651,942,765	4,420,765
Current Liabilities	9,861,000	9,861,000	-
Non-current Liabilities	19,348,000	19,348,000	-
Total Liabilities	29,209,000	29,209,000	-
Net Assets	618,313,000	622,733,765	4,420,765
Equity	618,313,000	622,565,815	4,420,765

3.4 Statement of Cash Flow

	Adopted Budget 2020/21	Proposed Forecast 2020/21	Budget 2020/21 vs Proposed Forecast Sep 2020
Statement of Cash Flow			
Net cash flows provided by operating activities	18,418,000	15,156,472	(3,261,528)
Net cash flow used on investing activities	(24,843,000)	(21,911,707)	2,931,293
Net cash flows provided by financing activities	4,478,000	(722,000)	(5,200,000)
Net change in cash held	(1,947,000)	(7,477,235)	(5,530,235)
Cash at the beginning of the year	30,024,000	39,975,000	9,951,000
Cash at the end of the year	28,077,000	32,497,765	4,420,765

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4. A WELL RUN COUNCIL

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QUARTERLY BUDGET REVIEW - SEPTEMBER 2020 (cont'd)

**3.5 Statement of Capital Works
Proposed Forecast**

Capital Works	Total Capital Works Forecast as at Sep 2020 *	Adopted Budget 2020/21	Other Capital Works as at Sep 2020	YTD Actuals 2020/21
Property				
Land improvements (incl land development)	2,516,174	610,000	1,906,174	115,686
Buildings	18,962,364	9,118,500	9,843,864	494,293
Total property	21,478,538	9,728,500	11,750,038	609,979
Plant and equipment				
Plant, machinery and equipment	1,533,353	1,283,900	249,453	113,615
Fixtures, fittings and furniture	13,600	13,600	-	6,091
Computers and telecommunications	88,750	-	88,750	-
Total plant and equipment	1,635,703	1,297,500	338,203	119,706
Infrastructure				
Roads	9,365,930	4,655,000	4,710,930	1,946,374
Bridges	157,614	90,000	67,614	-
Footpaths and cycleways	1,427,539	1,200,000	227,539	161,876
Drainage	4,089,008	2,977,000	1,112,008	274,714
Kerb and channel	1,072,800	540,000	532,800	30,937
Recreational, leisure and community facilities	3,516,759	1,211,400	2,305,359	375,870
Waste management	1,931,983	900,000	1,031,983	875,269
Parks, open space and streetscapes	282,760	157,000	125,760	47,775
Aerodromes	286,400	-	286,400	-
Other infrastructure	61,513	30,000	31,513	6,613
Total infrastructure	22,192,306	11,760,400	10,431,906	3,719,428
Total capital works expenditure	45,306,547	22,786,400	22,520,147	4,449,113

*Total Capital Works is the sum of the Adopted Budget 2020/21 and all other approved capital works rolled over from previous years,.

There are Capital Expenditure commitments outstanding of \$5,474,765.

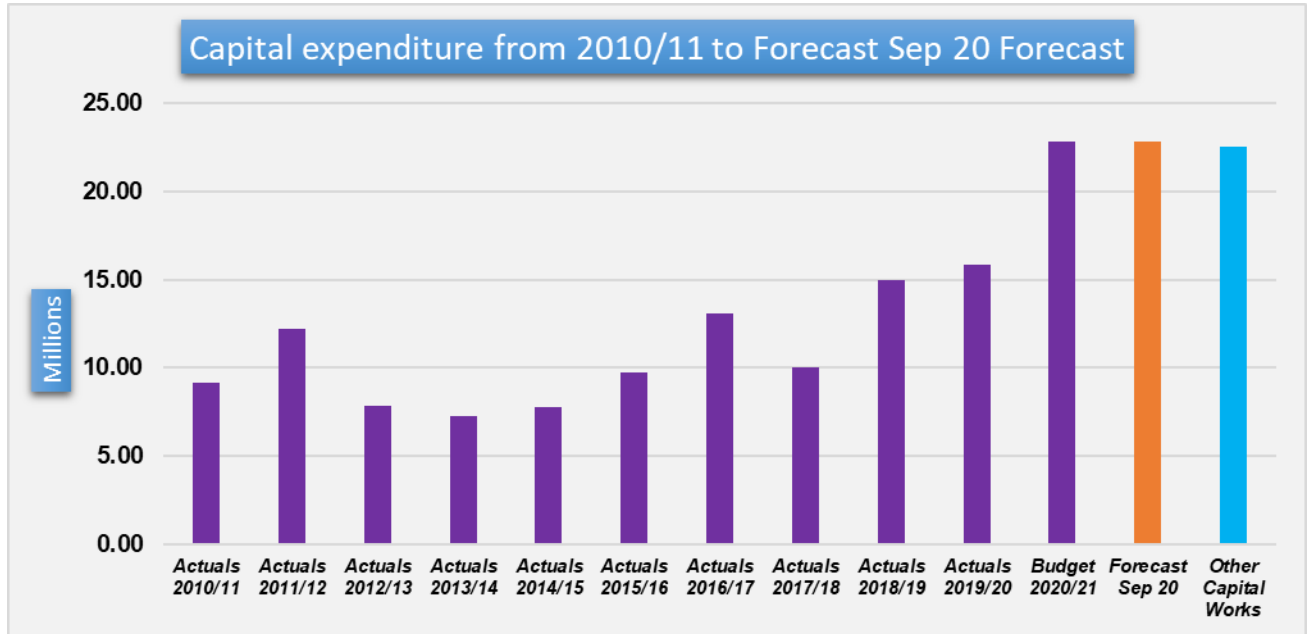
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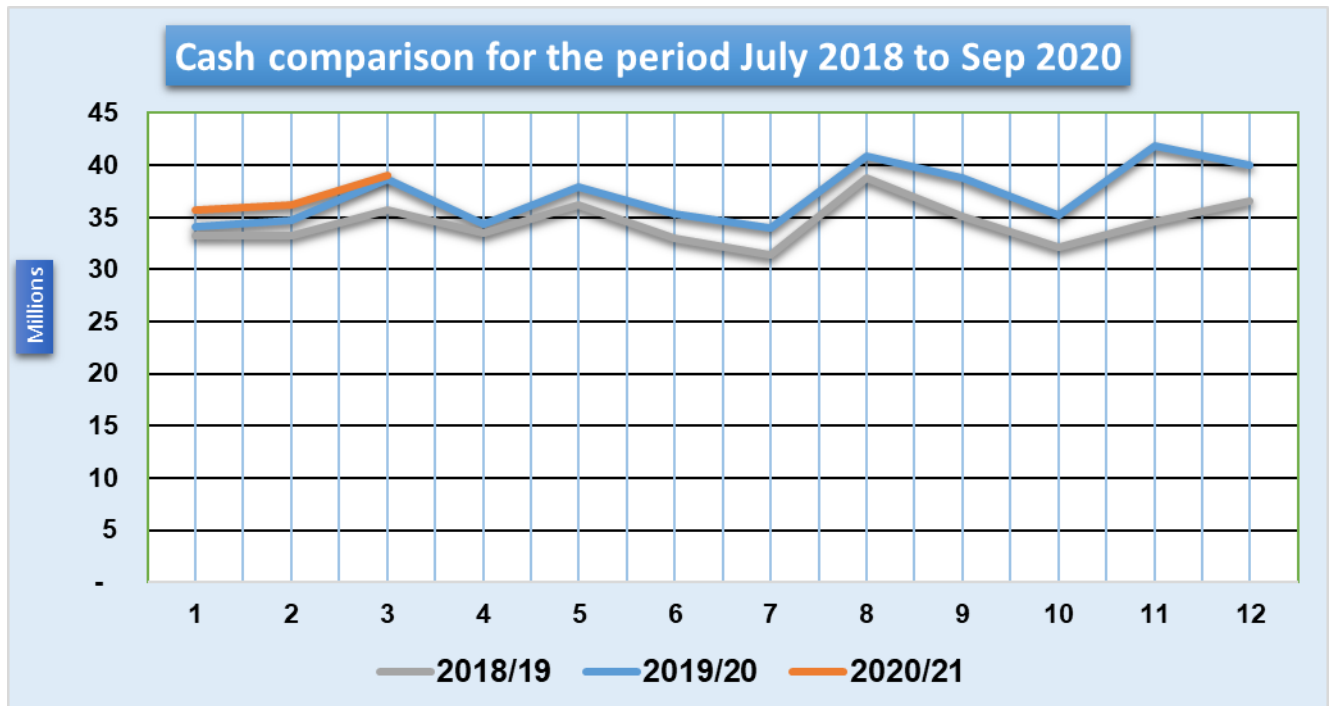
QUARTERLY BUDGET REVIEW - SEPTEMBER 2020 (cont'd)

3.6 Capital Expenditure

Historical expenditure on capital works:



3.7 Cash Balance



The balance of Cash and cash equivalents at 30 June 2021 proposed to be \$24.72 million.

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4. A WELL RUN COUNCIL

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QUARTERLY BUDGET REVIEW - SEPTEMBER 2020 (cont'd)

3.8 Financial Performance Measures

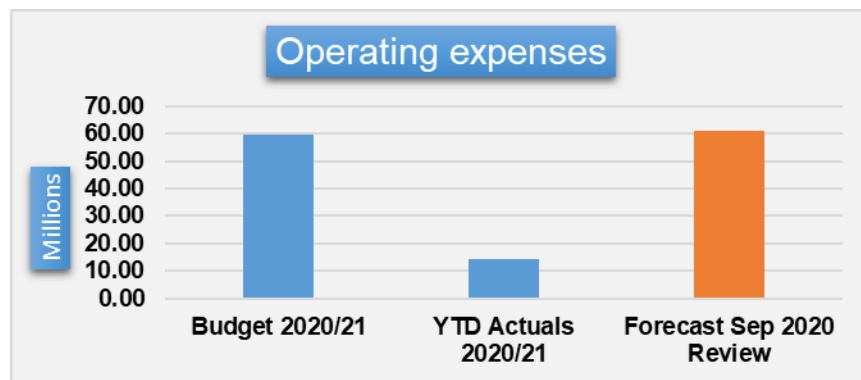
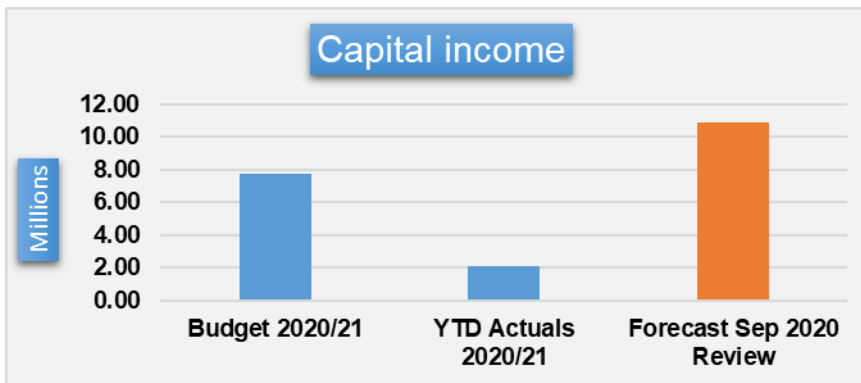
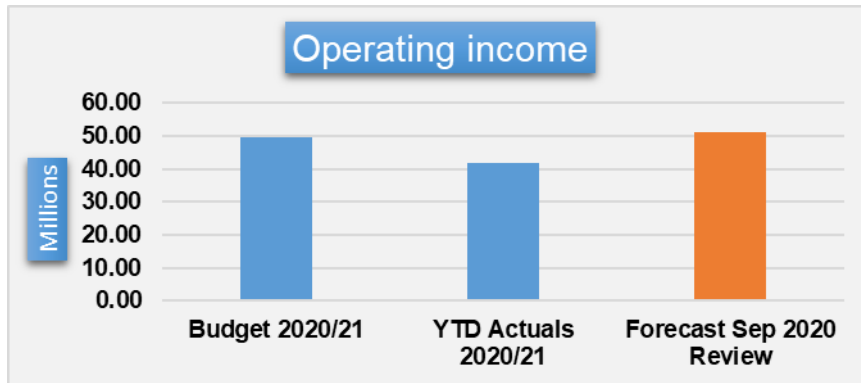
	Dimension/indicator /measure	Band / Range	Results 2018	Results 2019	Results 2020	Budget 2020/21	Sep 2020 Review
	Efficiency						
	Expenditure level						
E2	Expenses per property assessment [Total expenses / Number of property assessments]	\$2,000 to \$5,000	\$2,963	\$3,197	\$3,369	\$3,383	\$3,406
	Revenue level						
E4	Average rate per property assessment [General rates and Municipal charges / Number of property assessments]	\$700 to \$2,000	\$1,612	\$1,641	\$1,673	\$1,742	\$1,726
	Liquidity						
	Working capital						
L1	Current assets compared to current liabilities [Current assets / Current liabilities] x100	100% to 400%	444.74%	333.69%	337.56%	338.73%	383.56%
	Unrestricted cash						
L2	Unrestricted cash compared to current liabilities [Unrestricted cash / Current liabilities] x100	10% to 300%	360.82%	268.14%	259.24%	255.30%	300.13%
	Obligations						
	Loans and borrowings						
O2	Loans and borrowings compared to rates [Interest bearing loans and borrowings / Rate revenue] x100	0% to 70%	10.07%	6.73%	3.93%	15.57%	15.53%
O3	Loans and borrowings repayments compared to rates [Interest and principal repayments on interest bearing loans and borrowings / Rate revenue] x100	0% to 20%	3.82%	3.73%	2.88%	1.61%	1.61%
	Indebtedness						
O4	Non-current liabilities compared to own source revenue [Non-current liabilities / Own source revenue] x100	2% to 70%	33.41%	29.91%	31.23%	44.47%	44.30%
	Asset renewal and upgrade						
O5	Asset renewal and upgrade compared to depreciation [Asset renewal and upgrade expense / Asset depreciation] x100	40% to 130%	92.62%	130.17%	78.73%	96.27%	96.27%
	Operating position						
	Adjusted underlying result						
OP1	Adjusted underlying surplus (or deficit) [Adjusted underlying surplus (deficit) / Adjusted underlying revenue] x100	-20% to 20%	11.34%	7.22%	1.91%	-6.82%	-0.83%
	Stability						
	Rates concentration						
S1	Rates compared to adjusted underlying revenue [Rate revenue / Adjusted underlying revenue] x100	30% to 80%	60.70%	60.01%	62.39%	69.87%	64.91%
	Rates effort						
S2	Rates compared to property values [Rate revenue / Capital improved value of rateable properties in the municipality] x100	0.15% to 0.75%	0.64%	0.60%	0.59%	0.58%	0.57%

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QUARTERLY BUDGET REVIEW - SEPTEMBER 2020 (cont'd)

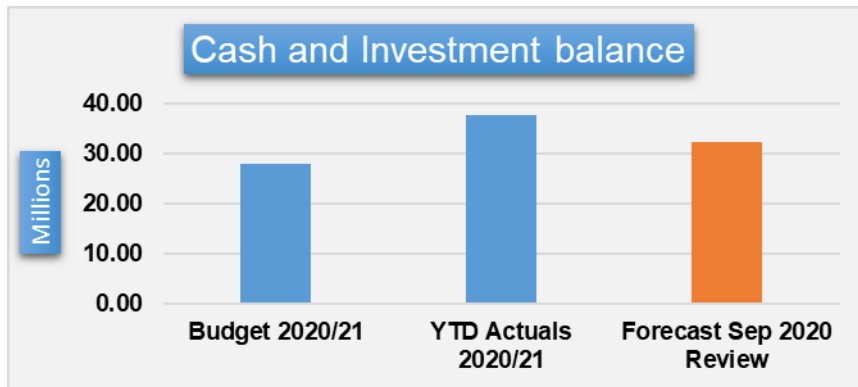
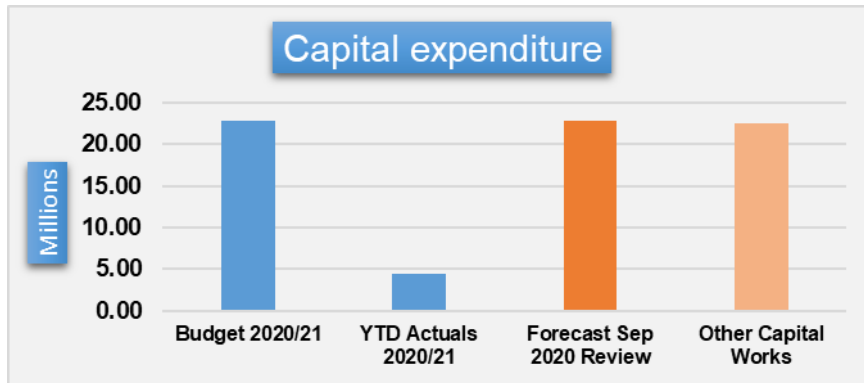
3.9 Financial Indicators



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4. A WELL RUN COUNCIL

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QUARTERLY BUDGET REVIEW - SEPTEMBER 2020 (cont'd)



4. Risk Management

It is appropriate to examine the risks as they may affect Council’s financial position. The areas identified below flagged to highlight potential impacts on Council.

Capital Works

Council’s capital works need to be managed prudently to strengthen Council’s financial position and ensure Council meets all the low risk financial sustainability indicators as specified by the Victorian Auditor-General’s Office.

Grant Income

Council has a significant level of government grants. These grants underpin several capital works projects and operating programs, all of which are of importance to the Moira community. Capital grants for 2020/21, total \$9.70 million and operating grants \$7.10 million (this excludes the \$5.83 million of 2020/21 Financial Assistance Grant received in 2019/20).

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4. A WELL RUN COUNCIL

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QUARTERLY BUDGET REVIEW - SEPTEMBER 2020 (cont'd)

5. Environmental Upgrade Agreement (EUAs) - Quarterly Performance Reporting

This report provides an update on the Environmental Upgrade Agreements involving Council, as required by Section 181G of the Local Government Act.

EUAs provide a mechanism to assist business located within Moira Shire to fund works that improve the energy, water or environmental efficiency or sustainability of a building on their rateable land.

Under a EUA, councils administer the recovery of the EUA charges and transfer the funds to the funding body. Council does not provide funding or assume financial risk.

Councils are required to report quarterly on the performance of EUAs involving council.

Reporting requirement	Status as at 30 September 2020
a) Each environmental upgrade agreement entered into in the last quarter, and the rateable land to which the agreement relates	No new agreements were entered into during the reporting period
b) Each environmental upgrade charge approved in respect of the agreements referred to in paragraph (a), and the value of the charges	No new agreements were entered into during the reporting period
c) The total number of environmental upgrade charges in operation in the last quarter;	4
d) The total value of all environmental upgrade charge payments that have fallen due and have not been paid;	Nil
e) The total value of all environmental upgrade charge payments that are yet to fall due.	\$4,719,635.38

6. Internal and External Consultation

The following members of staff consulted:

- Corporate Management Team
- All Managers
- Financial Controller

The Council's September 2020 budget review provided for public viewing in accordance with Council's open and transparent governance policy.

7. Regional Context

There are no regional issues to consider within this report.

8. Council Plan Strategy

A well run Council.

9. Legislative / Policy Implications

This report complies with Section 97 of the *Local Government Act 2020*, and Council's Budget and Financial Reporting policy.

FILE NO: F16/701
4. A WELL RUN COUNCIL

ITEM NO: 10.2.1

QUARTERLY BUDGET REVIEW - SEPTEMBER 2020 (cont'd)

10. Environmental Impact

Council's sound financial position continues to allow Council to implement and maintain its environmental projects.

11. Conflict of Interest Considerations

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

12. Conclusion

The projected cash position is \$32.50 million as at 30 June 2021.

An operating surplus of \$1.01 million forecast as at 30 June 2021.

A total 2020/21 capital works program of \$45.28 million.

Council continues to manage its position and continues to seek additional revenue and monitor expenditure.

Attachments

Nil

FILE NO: F13/2478
4. A WELL RUN COUNCIL

ITEM NO: 10.2.2

PROCUREMENT POLICY REVIEW

RECOMMENDATION

That Council adopt the Procurement Policy.

1. Executive Summary

Section 186A (7) of the Local Government Act (1989) requires Council to review its Procurement Policy at least once each financial year. This report provides the review of the current Procurement Policy for Council consideration.

The sections of the 1989 Local Government Act relating to procurement will be repealed on 1 July 2021. Under the Local Government Act 2020, Council is required to develop a new Procurement Policy for adoption between 1 July 2021 and 31 December 2021.

2. Background and Options

The purpose of the Procurement Policy is to provide guidance to Council and staff in regard to the principles, processes and procedures that apply to the purchase of goods, services and works by Council.

Council is required to prepare and approve a Procurement Policy under s186A (1) of the Local Government Act (1989) and must review the Policy at least once each financial year (s86A (7)).

This review has been conducted to comply with the LGA 1989 and does not recommend any change to the current policy.

Introduction

The Procurement Policy was last adopted by Council on 27 November 2019 and provides guidance over procurement activities to demonstrate good governance and to ensure that a range of procurement outcomes are achieved including:

- value for money
- openness and fairness in dealing with all suppliers
- accountability risk management, probity and transparency
- support for local business and other environmental and social procurement objectives.

The policy is integrated within the Council Plan objective to demonstrate good governance and is widely used by staff to guide procurement processes.

Issues

The sections of LGA 1989 relating to procurement will be repealed under stage 4 of the transitional arrangements which require Council to develop and adopt a new Procurement Policy between the 1 July and 31 December 2021. As a result, this review does not recommend any changes to the current policy.

3. Financial Implications

There are no direct financial implications associated with the review of the Procurement Policy or this report. The level of financial commitment made by Council to procurement is determined through the annual budget process.

4. Risk Management

The Procurement Policy provides the guidance to Council and staff to understand and manage the purchase of goods, services and works by Council.

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4. A WELL RUN COUNCIL

ITEM NO: 10.2.2

PROCUREMENT POLICY REVIEW (cont'd)

This Policy is a major component of Council's overall governance framework.

5. Internal and External Consultation

No external consultation occurred.

The amendments to the policy were presented to the Corporate Management Team on the 27 October 2020.

6. Regional Context

The Procurement Policy provides for a mandatory 10% weighting being applied to tenderers that benefit businesses located in the Moira Shire.

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 review the Procurement Policy meet the legislative and policy requirements relating to procurement and tendering.

8. Legislative / Policy Implications

Council is required under s186A (1) to prepare and approve a Procurement Policy and must review the policy at least once in each financial year.

9. Environmental Impact

There are no direct environmental sustainability considerations associated with this report, however, environmental sustainability aspects are considered in each tender process and other relevant procurement processes.

10. Conflict of Interest Considerations

There are no conflict of interest considerations relating to this policy.

11. Conclusion

The review of the Procurement Policy was conducted and included an internal consultation process. The policy is aligned with the Council Plan and remains an important component in Council's overall governance framework.

Attachments

- 1 Procurement Policy - October 2020 Review

FILE NO: F13/2478
4. A WELL RUN COUNCIL

ITEM NO: 10.2.2

PROCUREMENT POLICY REVIEW (cont'd)

ATTACHMENT No [1] - Procurement Policy - October 2020 Review



PROCUREMENT POLICY

Policy type	Council
Adopted by	Moirá Shire Council
Responsible General Manager	General Manager Corporate
Responsible officer	Bruce Berg von Lindhe
Date adopted	22 Nov 2017

Review Schedule			
Revision No.	Date	Review Details	Author
Council	22 Nov 2017	Procurement Policy – version 1 22/11/2017 adopted by Council.	Bruce Berg Von Lindhe
CMT	22 Jan 2019	Review conducted to version 1 no amendments.	Bruce Berg Von Lindhe
CMT	12 Nov 2019	Various amendments	Bruce Berg von Lindhe
Council	27 Nov 2019	Procurement Policy review adopted by Council.	Bobbie Bright
CMT	27 Oct 2020	Review conducted, no amendments made.	Bobbie Bright

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4. A WELL RUN COUNCIL

ITEM NO: 10.2.2

PROCUREMENT POLICY REVIEW (cont'd)

ATTACHMENT No [1] - Procurement Policy - October 2020 Review



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4. A WELL RUN COUNCIL

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PROCUREMENT POLICY REVIEW (cont'd)

ATTACHMENT No [1] - Procurement Policy - October 2020 Review



PURPOSE

Section 186A of the Local Government Act 1989 ("the Act") requires councils to prepare, approve and comply with a procurement policy encompassing the principles, processes, and procedures applied to all purchases of goods, services and works.

The purpose of this Policy is to provide framework and policy guidance to the procurement processes undertaken by, or on behalf of, Moira Shire Council.

SCOPE

This Policy applies to all purchases, tenders and contracts made by Moira Shire Council.

It is binding upon Council staff and all who may undertake procurement on behalf of Council, including Councillors, Committees of Management and volunteers.

OBJECTIVE

The objective of this Policy is to ensure that Council's procurement principles, policies, processes and procedures achieve the following outcomes:

- a) value for money, innovation and continuous improvement in the provision of services for the community;
- b) a strategic approach to procurement planning, implementation and evaluation;
- c) enabling sustainable outcomes including economic, environmental and social sustainability;
- d) efficient and effective use of Council resources;
- e) utilising collaboration and partnership opportunities;
- f) high standards of probity, transparency, accountability and risk management; and
- g) compliance with legislation, the Moira Shire Council Plan objectives, Council's policies and industry standards.

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4. A WELL RUN COUNCIL

ITEM NO: 10.2.2

PROCUREMENT POLICY REVIEW (cont'd)

ATTACHMENT No [1] - Procurement Policy - October 2020 Review



DEFINITIONS

“Accountability and Transparency” means being able to explain and evidence what decisions have been made and what has happened. The test of accountability is that an independent third party must be able to see clearly that a process has been followed and that the process is fair and reasonable.

“Best Value” means that decisions made in regard to the supply of goods, services and works will take into account both cost and non-cost factors including:

1. contribution to the advancement of the Council's priorities;
2. an evaluation of fitness for purpose, quality, service and support; and
3. whole-of-life costs and transaction costs.

“Commercial in confidence” means information that, if released, may prejudice the business dealings of a party e.g. prices, discounts, rebates, profits, methodologies and process information.

“Contract management” means the process that ensures both parties to a contract fully meet their respective obligations as efficiently and effectively as possible, in order to deliver the business and operational objectives required from the contract and in particular, to provide value for money.

“Council staff” means all Councillors, employees, volunteers, contractors and consultants acting for or on behalf of Council.

“Expression of Interest (EOI)” means an invitation for persons to submit an EOI for the provision of the goods and/or services.

“Panel Contract” means a standing offer agreement where multiple contractors are appointed to a panel of suppliers, rather than an agreement with just one supplier.

“Probity” means a procurement process that conforms to Council's policies and applicable legislation and all parties to a procurement process are treated fairly and equitably.

“Procurement” means the life cycle of the process used to purchase goods, services and works.

“e-Procurement” means the use of an electronic system/s which may be used to acquire and pay for goods, services and works.

“Standing offer agreement” means the agreement with a supplier or contractor to provide Council with specific goods or services as nominated in the contract and the contract is for a fixed period. There is no obligation on Council to purchase any goods or services, however if purchases are made under the contract, the terms and conditions of the contract applies.

“Sustainability” means the ability to meet the needs of the present without compromising the ability to meet the needs in the future.

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PROCUREMENT POLICY REVIEW (cont'd)

ATTACHMENT No [1] - Procurement Policy - October 2020 Review



“Tender process” means the process of inviting parties to submit a quotation by tender using public advertisement, followed by evaluation of submissions and selection of a successful bidder or tenderer.

“The Act” means the Victorian Local Government Act 1989.

POLICY PRINCIPLES AND APPLICATION

Council will apply the following fundamental best practice principles to all procurement, irrespective of the value and complexity of that procurement:

- a) value for money;
- b) open and fair competition;
- c) accountability;
- d) risk management;
- e) probity and transparency.

The application of this Policy to all procurement processes should take into consideration the overall context of achieving best value for money outcomes for Moira Shire Council, the community and the local region.

ETHICS AND PROBITY

Councillors, members of staff and all other persons engaged in procurement activities on Council's behalf must exercise the highest standards of integrity in a manner able to withstand close scrutiny.

No prospective tenderer should be given or perceived to have an advantage over another tenderer.

In accordance with section 95 of the Act, all members of staff have an overriding responsibility to act impartially and with integrity, avoiding conflicts of interest.

CONDUCT OF COUNCIL STAFF

In procurement matters Council staff must at all times conduct themselves in ways that are and are seen to be, ethical and of the highest integrity and must:

- a) act in accordance with the Employee Code of Conduct/Ethical Behaviour;
- b) treat potential and existing suppliers with equality and fairness;
- c) not seek or receive personal gain;
- d) maintain confidentiality of Commercial-in-Confidence matters and information such as tender and contract prices and other sensitive information;
- e) present the highest standards of professionalism and probity;
- f) deal with suppliers in an honest and impartial manner that does not allow conflicts of interest;

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PROCUREMENT POLICY REVIEW (cont'd)

ATTACHMENT No [1] - Procurement Policy - October 2020 Review



- g) be able to account for all decisions and provide feedback on them;
- h) deal with suppliers in an honest and impartial manner that does not allow conflicts of interest;
- i) remain neutral prior to all decisions, and
- j) avoid approaching and liaising with prospective tenderers and contractors.

CONDUCT OF COUNCILLORS

In procurement matters Councillors must at all times conduct themselves in ways that are and are seen to be, ethical and of the highest integrity and must:

- a) comply with the *Councillor Code of Conduct* and the Primary Principle of Councillor Conduct and avoid conflicts between their public duties as a Councillor and their personal interests and obligations (section 76BA of the Act).
- b) not improperly direct or improperly influence a member of Council staff in the exercise of any power in the performance of any duty or function (section 76E of the Act);

Council staff responsible for managing or supervising contracts are prohibited from either being engaged by a Council contractor or performing any works under the contract they are supervising.

VOLUNTEERS, MEMBERS OF COMMITTEES, CONSULTANTS AND AGENTS

In procurement matters, volunteers, members of Council committees, consultants and agents of Council must at all times conduct themselves in ways that are and are seen to be, ethical and of the highest integrity and must:

- a) disclose any conflict of interest, and
- b) complete a Conflict of Interest Declaration and a Confidentiality Agreement before assisting or evaluating quotations or tenders.

GIFTS AND BENEFITS

Councillors or staff may be offered a gift or benefit in the course of their work. This gift or benefit could be offered in good faith, or it could be an attempt to influence, bribe or compromise the Councillor's or Council staff member's ability to act in the public interest.

Councillors and staff must exercise the utmost discretion in accepting hospitality from contractors or their representatives or from organisations, firms or individuals with whom they have official dealings.

All gifts and benefits offered or received must be dealt with in accordance with the Employee Code of Conduct/Ethical Behaviour or Councillor Code of Conduct, whichever applies.

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PROCUREMENT POLICY REVIEW (cont'd)

ATTACHMENT No [1] - Procurement Policy - October 2020 Review



ENDORSEMENT

Councillors and staff must not endorse the products or services of any contractors or suppliers. Any requests for endorsement must be referred to the relevant General Manager or CEO.

DISCLOSURE OF INFORMATION

Information received by the Council that is Commercial in Confidence must not be disclosed and is to be stored in a secure location. Councillors and Council staff are to protect, by refusing to release or discuss information to the extent that it is Commercial-in-Confidence.

This may include:

- a) information disclosed by organisations in tenders, quotations or during tender negotiations; or
- b) pre - contract information including but not limited to information provided in tenders and quotes or subsequently provided in pre-contract negotiations.

Councillors and Council staff are to avoid references to current or proposed contracts in discussion with acquaintances or outside interests. Discussion with potential suppliers during tender evaluations must not go beyond the extent necessary to evaluate tender submissions.

Discussions must not be entered into with any tendering party or its representative or agent who could have potential contractual implications prior to the contract approval process being finalised, other than pre-contract negotiations.

RISK MANAGEMENT

Risk management is to be appropriately applied at all stages of procurement activities ensuring sufficient planning is carried out in a manner that will protect and enhance the Council's capability to prevent, withstand and recover from interruption to the supply of goods, services and works.

In addition to this Policy, all procurements are to be conducted with regard to Council's risk framework as detailed in the *Risk Management Policy*.

OCCUPATIONAL HEALTH AND SAFETY

Council is committed to procurement activities that provide a safe working environment for employees, volunteers and contractors.

Council requires all its contractors and suppliers share this commitment to providing a safe and healthy environment.

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PROCUREMENT POLICY REVIEW (cont'd)

ATTACHMENT No [1] - Procurement Policy - October 2020 Review



CONTRACTORS AND THEIR STAFF

All contractors and their employees working with Council must:

- a) comply with obligations under *Occupational Health and Safety Act 2004*, Regulations, Codes of Practice, Safety Standards and contract specific requirements;
- b) demonstrate effective safety management capabilities;
- c) identify and manage risks effectively;
- d) consult with the relevant Council representative in relation to work health and safety duties and obligations to determine how OHS responsibilities will be managed;
- e) comply with requirements for qualifications, licences and registration;
- f) comply with the Council safety procedures implemented to protect workers' health and safety;
- g) report all incidents that have or could have, affected a person's health and safety; and
- h) provide sufficient information to allow performance to be monitored.

SUSTAINABLE PROCUREMENT

Council's procurement decisions and initiatives will be based on clear and transparent evidence and informed economic, environmental and social considerations. Therefore, to achieve sustainable procurement, Council will adopt a triple-bottom-line approach by considering economic, environmental and social sustainability.

ECONOMIC SUSTAINABILITY

Council's procurement activities will be carried out on the basis of obtaining value for money. This means minimising the total cost of ownership over the lifetime of the requirement, including disposal and end of life costs, consistent with acceptable quality, reliability and delivery considerations. Lowest purchase price is not the sole determinate of value for money.

ENVIRONMENTAL SUSTAINABILITY

Council is committed to enhancing the environment by supporting the principles of environmentally sustainable procurement within the principles of best value. The Council aims to achieve this by:

- a) taking into account the need to minimise emissions and reducing the negative impacts of transportation when procuring goods, services and works;
- b) taking steps to minimise carbon dioxide and other greenhouse gas emissions through the detailed consideration of products, services and works procured;

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PROCUREMENT POLICY REVIEW (cont'd)

ATTACHMENT No [1] - Procurement Policy - October 2020 Review



- c) considering the environmental credibility of tenders and requiring contractors to conduct their operations in an environmentally sensitive manner;
- d) selecting products, services and works that have minimal effect on the depletion of natural resources and biodiversity;
- e) giving a preference to goods and services that have been ethically sourced and produced;
- f) ensuring all relevant tender and contract documents contain sustainability specifications as appropriate to the product or service being procured; and
- g) applying an Environment and Sustainability criteria and weighting to any tender that meets points (a) to (f) to encourage the purchase of environmentally sustainable products.

SUPPORT OF LOCAL BUSINESS

Council is committed to buying from local businesses where such purchases are justified on Best Value grounds, while remaining compliant with the Federal Government's Competition and Consumer Act 2010 and other fair trading legislation requirements.

Council may give preference to local economic benefit when sourcing products and services. When this criterion is nominated the benefit must be identifiable and reasonable and could include:

- increased or maintained local employment levels.
- increased or maintained local production levels or spend in the local economy
- increased amount of local content in the goods, services and works.

To encourage procurement from local businesses:

- a) council officers must seek at least one quotation from a local supplier, if available;
- b) for all publically advertised tenders over the tender threshold, a benefit to the local region will be considered and a weighting percentage of 10% will be assigned to the criteria element of 'Contribution to the Local Economy'. Council will examine where the business has its head office, the percentage of staff employed, percentage of materials, plant and equipment used and what impact the business offers the local economic community.

Local is defined as within the municipal district and for a joint tender, within the municipal districts of the participating Councils.

LOCAL GOVERNMENT ACT COMPLIANCE

Section 186 of the Act requires that a public tender process must be undertaken when purchases of goods or services may exceed \$150,000 including GST, or purchases for the works may exceed \$200,000 including GST.

The Act does not require Council to accept the lowest tender or to accept any tender or to conduct a public tender process if:

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PROCUREMENT POLICY REVIEW (cont'd)

ATTACHMENT No [1] - Procurement Policy - October 2020 Review



- a) the Council resolves that the contract must be entered into because of an emergency; or
- b) the contract is entered into with a council acting as the agent for a group of councils and the Council has otherwise complied with this Act; or
- c) the contract is entered into in accordance with arrangements approved by the Minister (for example purchases through MAV Procurement or Procurement Australia which have Ministerial approval);

Section 186(6) of the Act requires that whenever practicable, a Council must give effective and substantial preference to contracts for the purchase of goods, machinery or material manufactured or produced in Australia or New Zealand.

Council may, at its discretion and based on the complexity and cost of the project, conduct one stage or multi-stage tenders. A multi-stage tender process may commence with an Expression Of Interest (EOI) followed by a selective tender process which may involve some or all of the EOI respondents.

PURCHASE ORDERS

All purchases require the creation of a Purchase Order prior to receiving the goods or services, except purchases made with credit cards, petty cash or for those items exempt under Council's Procurement Procedures.

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ITEM NO: 10.2.2

PROCUREMENT POLICY REVIEW (cont'd)

ATTACHMENT No [1] - Procurement Policy - October 2020 Review



MARKET TESTING THRESHOLDS

Council's standard methods for purchasing are dependent on the value and risk of the goods, services and works according to the following table:

\$Value (Inc. GST)		Market Testing Requirements
From	To	
\$0	\$10,000	Seek value for money Use local supplier if available
\$10,001	\$20,000	1 written quote Provide a written invitation and specification of requirements. Seek quote from local supplier if available. Provide written confirmation back to supplier and prepare contract if high risk.
\$20,001	\$50,000	Minimum of 2 written quotes Provide a written invitation and specification of requirements. Seek at least 1 quote from a local supplier if available. Provide written confirmation back to supplier and prepare contract if high risk.
\$50,001	\$149,999 for the supply of Goods & Services and \$199,999 for Works	Minimum of 3 written quotes. Provide a written invitation and specification of requirements. Seek at least 1 quote from a local supplier if available. Provide written confirmation back to supplier and prepare contract if purchase is high risk.
Over \$150,000 for Goods & Services and \$200,000 for Works		Advertised Public Tender

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PROCUREMENT POLICY REVIEW (cont'd)

ATTACHMENT No [1] - Procurement Policy - October 2020 Review



RELATED PLANS, POLICIES, DIRECTIVES, GUIDELINES AND LEGISLATION

PLANS

Council Plan 2017-2021

POLICIES AND PROCEDURES

Councillor Code of Conduct
Conflict of Interest – A Guide for Councillors October 2012
Instrument of Delegation to the CEO
Instrument of Sub-Delegation from CEO to Council staff
Risk Management Policy
Fraud Prevention and Control Policy
CEO Credit Card Policy
Employee Code of Conduct/Ethical Behaviour

GUIDELINES

Moirā Shire Council Procurement & Contract Management Guidelines (Procedures)
VLG Best Practice Procurement Guidelines 2013

LEGISLATION

Local Government Act 1989 in particular:

- Section 3C (Objectives of a Council)
- Sections 77A&B, 78, 78A to 78E, 79, 79B to D, 80, 80A to C and 95 (Conflict of Interest)
- Section 98 (Delegations)
- Section 140 (Accounts and records)
- Section 186 (Power to enter into Contracts)
- Section 186A (Procurement Policy)
- Sections 208C (Best Value Principles)

The relevant provisions of the *Competition and Consumer Act 2010*
Charter of Human Rights & Responsibilities Act 2006

REVIEW

Section 186A (7) of the Act requires that at least once in each financial year, Council must review and may amend the current procurement policy.

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FILE NO: F13/203
4. A WELL RUN COUNCIL

ITEM NO: 10.2.3

**APPOINTMENT AND AUTHORISATION OF COUNCIL OFFICERS UNDER THE
PLANNING AND ENVIRONMENT ACT 1987**

RECOMMENDATION

That Council resolves:

1. To appoint and authorise the members of Council staff as contained in the Instrument of Appointment and Authorisation (Planning and Environment Act 1987) attached to this report.
2. To affix the Common Seal of Council to the attached Instrument.
3. That the Instrument shall come into force immediately the Common Seal of Council is affixed to the instrument and remains in force until varied or revoked;
4. That all previous appointments and authorisations to Council staff are revoked when the attached Instrument comes into force.

1. Executive Summary

This report seeks Council's approval of the attached Instrument of Appointment and Authorisation (Planning and Environment Act 1987) to reflect recent staff changes.

The appointments are necessary to ensure specific Council officers are appropriately authorised to undertake functions under the Planning and Environment Act 1987 including inspections and enforcement.

2. Background and Options

The Planning and Environment Act 1987 (the Act) requires Council officers to be appointed and authorised directly by Council as there are provision within the Act for this power to be sub-delegated to the Chief Executive Officer.

The Instrument of Appointment and Authorisation provides the legal basis for authorised officers to undertake inspections and carry out enforcement functions.

Appointments and authorisations differ from delegations in that a member of staff appointed as an 'Authorised Officer' has the powers of that position as prescribed by the relevant legislation.

Delegations, on the other hand, enable a member of staff to act on Council's behalf in exercising Council's powers. Appointments are made to individuals by name, whereas delegations are made to position titles.

The attached Instrument of Appointment and Authorisation has been updated to include the names of current Council officers. Changes reflect the recent replacement of a Town Planner.

The attached instrument and resolution are based upon the templates included in the Maddocks Lawyer's delegations advisory service.

3. Financial Implications

Financial decisions are made in accordance with Council's budget.

4. Risk Management

Without appropriate authorisations, the actions of Council officers are at risk of being invalid.

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4. A WELL RUN COUNCIL

ITEM NO: 10.2.3

**APPOINTMENT AND AUTHORISATION OF COUNCIL OFFICERS UNDER THE
PLANNING AND ENVIRONMENT ACT 1987 (cont'd)**

5. Internal and External Consultation

This report has been informed by the advice provided by Maddocks Lawyers and the Planning Coordinator.

6. Council Plan Strategy

The authorities contained in the attached Instrument are a critical component of the governance of the planning function performed by Council. The authority given by Council contributes to the Council Plan aim of a well-run Council.

7. Legislative / Policy Implications

This report is in accordance with sections 147 and 188 of the Planning and Environment Act 1987, and section 313 of the Local Government Act 2020.

8. Environmental Impact

There are no environmental impact considerations associated with this report.

9. Conflict of Interest Considerations

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

10. Conclusion

The updated Instrument of Appointment and Authorisation ensures that Council staff are appropriately authorised to carry out their duties under the Planning and Environment Act 1987.

Attachments

- 1 Instrument of Appointment and Authorisation (Planning & Environment Act 1987) - 25 November 2020

FILE NO: F13/203
4. A WELL RUN COUNCIL

ITEM NO: 9.2.3

**APPOINTMENT AND AUTHORISATION OF COUNCIL OFFICERS UNDER THE
PLANNING AND ENVIRONMENT ACT 1987 (cont'd)**

**ATTACHMENT No [2] - Instrument of Appointment and Authorisation (Planning &
Environment Act 1987) - 25 November 2020**



Moira Shire Council

Instrument of Appointment and Authorisation

(Planning and Environment Act 1987)

25 November 2020

FILE NO: F13/203
4. A WELL RUN COUNCIL

ITEM NO: 9.2.3

**APPOINTMENT AND AUTHORISATION OF COUNCIL OFFICERS UNDER THE
PLANNING AND ENVIRONMENT ACT 1987 (cont'd)**

**ATTACHMENT No [2] - Instrument of Appointment and Authorisation (Planning &
Environment Act 1987) - 25 November 2020**



**Instrument of Appointment and Authorisation
(*Planning and Environment Act 1987*)**

In this instrument "officer" means –

Mark Henderson, Chief Executive Officer
Andrew Close, General Manager Infrastructure
Sally Rice, General Manager Community
Simon Rennie, General Manager Corporate
Norman Kortum, Senior Town Planner
Christian Middlemiss, Town Planner
David Young, Town Planner
Melissa Verduci, Land Use Planner
Peter Stenhouse, Planning Co-ordinator
Jacqueline Miller, Development Compliance Officer
Scott Draper, Manager Sustainability
Jane White, Environmental Sustainability Officer
James Steinfort, Environmental Sustainability Officer
John Shaw, Co-ordinator Safety and Amenity
Christina Kalz, Safety and Amenity Officer
Andrew Christie, Safety and Amenity Officer
Robert l'Anson, Safety and Amenity Officer
Brent Waldron, Safety and Amenity Officer

By this instrument of appointment and authorisation Moira Shire Council –

1. under section 147(4) of the *Planning and Environment Act 1987* - appoints the officers to be authorised officers for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. under section 313 of the *Local Government Act 2020* authorises the officers generally to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument -

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

This instrument is authorised by a resolution of the Moira Shire Council made on the 25 November 2020.

"The COMMON SEAL of the
MOIRA SHIRE COUNCIL
was affixed hereto by authority
of the Council on the day of
November 2020 in presence of:

..... Chief Executive Officer

FILE NO: C034/20
4. A WELL RUN COUNCIL

ITEM NO: 10.2.4

C034/20 - PROVISION OF BANKING SERVICES

RECOMMENDATION

That Council:

1. Award contract C034/20 – Provision of Banking Services to National Australia Bank Limited.
2. Authorise the Chief Executive Officer to sign and seal the contract documents.

1. Executive Summary

Moira Shire Council invited submissions for the provision of integrated banking services relating to the day to day management of Council's financial activities.

After consideration of the submissions, the Panel recommends that contract C034/20 be awarded to National Australia Bank Limited.

2. Background and Options

The provision of services under contract include creation of accounts, over the counter transactions, electronic banking, investment services, account collection methods, overdraft facilities, purchase/corporate cards, bank guarantees and information technology.

The contract does not preclude Council from accepting alternative arrangements for loan funds.

The objectives of the contract are:

- Proficient management and operation of service delivery to minimise cost and supervision to Council.
- The Contractor shall ensure the confidentiality of Council's business and the personal details of its employees are maintained.
- The Contractor shall ensure adherence to all performance and service standards.
- The Contractor shall adhere to the requirements of all relevant acts and regulations both in its own operations and those it conducts on behalf of Council.

Contract C034/20 is a schedule of rates contract. The contract will be for an initial term of 3 years commencing on the 1st January 2021. The agreement may be extended by Council in single periods of twelve months to a maximum contract period of five years (3+1+1).

Date of Public Notice

Paper	Date
TenderSearch	10 October 2020
The Age	10 October 2020
Border Mail	10 October 2020
Shepparton News	13 October 2020
Cobram Courier	14 October 2020
Numurkah Leader	14 October 2020

FILE NO: C034/20
4. A WELL RUN COUNCIL

ITEM NO: 10.2.4

C034/20 - PROVISION OF BANKING SERVICES (cont'd)

Yarrowonga Chronicle	14 October 2020
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Submissions closed 4 November 2020.

Receipt of Tenders

3 submissions were received.

Supervision

Superintendent – General Manager Corporate
Superintendent Representative – Financial Controller

Panel Membership

Staff in the following positions independently evaluated the submissions:

- General Manager Corporate
- Financial Controller
- Financial Accountant
- Financial Analyst

The Procurement Coordinator moderated the tender evaluation.

Non-conforming tenders

No submission was considered to be non-conforming.

Tender Evaluation

The following evaluation criteria and weightings were used:

Evaluation Criteria	Evaluation Weighting
Price	40%
Compliance with Specification	25%
Skills and Resources	15%
Track Record	10%
Contribution to Local Economy	10%

A summary of the evaluation is provided in the confidential attachment.

3. Financial Implications

The recommendation is within budget.

4. Risk Management

To minimise the risks associated with the contract, the following conditions were stated in the specification:

- Council does not provide any guarantee in respect of the amount, mixture or types of banking services that may be required under the agreement, nor does Council commit to a single institution for their financial banking and investment requirements.
- Prior to the commencement of the contract, the contractor must establish a transition plan detailing the implementation of the services tendered

FILE NO: C034/20
4. A WELL RUN COUNCIL

ITEM NO: 10.2.4

C034/20 - PROVISION OF BANKING SERVICES (cont'd)

which will take into account existing arrangements.

- The contract does not preclude Council from accepting alternative arrangements for loan funds.
- The banking institution shall adhere to the requirements of all relevant acts and regulations both in its own operations and those it conducts on behalf of Council.
- The banking institution is responsible for ensuring that it and its employees are fully aware of, understand and can implement the provisions of the services in accordance with the agreement.

5. Internal and External Consultation

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

The Financial Controller and General Manager Corporate approved the tender documentation.

6. Regional Context

Businesses located within the Moira Shire have a 10% weighting applied to their tenders.

7. Council Plan Strategy

The Council Plan objective for a well-run Council is supported by the procurement processes undertaken to award the contract.

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

There are no environmental impacts associated with the evaluation process.

10. Conflict of Interest Considerations

There were no conflicts of interest declared during the tender process.

11. Conclusion

The recommendation is to award contract C034/20 – Provision of Banking Services to National Australia Bank Limited.

Attachments

- 1 C034 20 - Provision of Banking Services - APPENDIX A (Confidential) - *Confidential*

FILE NO: NA
1. A GREAT PLACE TO LIVE

ITEM NO: 10.3.1

CORONAVIRUS COMMUNITY RECOVERY GRANTS

RECOMMENDATION

That Council note the Coronavirus Community Recovery Grant funding stream as an addition to Council's Community Strengthening Grants Program.

1. Executive Summary

Council recognises the significant impact Coronavirus has had on individuals, families and the organisations and groups that provide services across the community.

Coronavirus Community Recovery Grant stream of the Community Strengthening Grants Program, aims to build the capacity and resilience of communities, groups and organisations through provision of funds for projects that improve the health and wellbeing of our communities.

Grants of up to \$2500.00 per eligible community organisation will be made available through Council's SmartyGrants platform. All applications will be evaluated in accordance with the Community Strengthening Grants Policy and Coronavirus Community Recovery Guidelines, and approved by Manager of Community Development in line with Council's Quick Response Grant process.

Applications can be made at any time over the duration of offer which will be determined by uptake of available budget through the current Community Strengthening grants program. This will be reviewed when the available budget of \$25,000 is reached.

2. Background and Options

Council's 2020/21 Community Strengthening Grants Program has a total budget of \$254,000, offered in two categories – Major up to \$10,000 (by round release) and Quick Response up to \$1,000 (always open).

The program aims to enhance the involvement of community organisations in the development of services, management of facilities, coordination of events and promotion of tourism, environmental sustainability and health in the community.

Community Strengthening Grants program seeks to:

- Support strategic goals identified in the Council Plan.
- Support community organisations that provide diverse and effective local services, facilities and activities.
- Support community action plans resulting from the community planning process.
- Support the goals and directions outlined in Council's strategic plans and strategies including but not limited to the Municipal Public Health and Wellbeing Plan Environmental Sustainability Strategy and Council's Business and Innovation Strategy.

FILE NO: NA
1. A GREAT PLACE TO LIVE

ITEM NO: 10.3.1

CORONAVIRUS COMMUNITY RECOVERY GRANTS (cont'd)

- Maximise the benefit of Council's investment by encouraging matching contributions and seeking of other external funding to support major projects and events.

In response to the impact of the COVID 19 Pandemic a new stream has been added to the Community Strengthening Grants program, the Coronavirus Community Recovery Grant. This funding stream aims to build the capacity and resilience of communities, groups and organisations through projects that improve health and wellbeing in direct response to the impact of COVID 19.

Grants of up to \$2500.00 per eligible community organisation will be made available through Council's SmartyGrants platform.

All applications will be evaluated in accordance with the Community Strengthening Grants Policy and Coronavirus Community Recovery Guidelines. An assessment panel of three Council Officers from relevant departments across Council will assess each application with the recommendation being referred for final approval to the Manager Community Development. This process aligns with the current process for the Quick Response Grants available through the Community Strengthening Grants Program and enables the grant stream to be quickly responsive to community need.

As usual, the Goulburn Valley Library service and Neighbourhood Houses will provide support to applicants with the on line application process; computer and internet access; and technical support with the SmartyGrants program. Council Officers will also provide support as requested.

The Coronavirus Community Recovery Grants funding stream will remain open until allocated funds are expended; at which point a review of community need will be conducted and further budget allocation from the Community Strengthening Grant budget considered.

3. Financial Implications

An amount of \$25,000 will be allocated to this grant stream from the existing Community Strengthening Grants budget.

4. Risk Management

The Coronavirus Community Recovery Grants Guidelines address risk by:

- Ensuring a financial agreement and process is in place before funding is provided;
- Ensuring Council's responsibilities are clearly identified in the signed funding agreement between Council and the funding recipient;
- Ensuring relevant documents (e.g. funding applications and funding agreements) outline the responsibilities of applicants in terms of occupational health and safety and risk management; and
- Having an evaluation process in place to ensure delivery of the funded community projects and events.

FILE NO: NA
1. A GREAT PLACE TO LIVE

ITEM NO: 10.3.1

CORONAVIRUS COMMUNITY RECOVERY GRANTS (cont'd)

5. Internal and External Consultation

The grant stream will be advertised through local media and social media platforms to ensure potential applicants are aware of the funding opportunity.

6. Regional Context

Promotion and delivery of new or re-envisaged programs, events and activities will support reactivation of our community life and economic wellbeing both within the Shire and regionally.

7. Council Plan Strategy

This program aligns with the Council Plan Strategy 1: *A great place to live*.

8. Legislative / Policy Implications

The applications will be assessed in accordance with the Community Strengthening Grants policy and Coronavirus Community Recovery Grant guidelines.

9. Environmental Impact

In line with the Community Strengthening Grants, the Coronavirus Community Recovery Grants funding stream aims to support a wide range of diverse projects and events. Where appropriate, the grant assessment panel ensures that environmentally sustainable options are considered when funding projects and events.

10. Conflict of Interest Considerations

There are no conflicts of interest associated with this report.

11. Conclusion

A new grant stream has been added to Council's Community Strengthening Grants Program in response to the impact of the COVID 19 Pandemic. This grant is intended to support communities to re-activate or re-envisage activities, events and programs to encourage community participation, promoting health and wellbeing in our communities.

Grants of up to \$2500.00 per eligible community organisation will be made available through Council's SmartyGrants platform. All applications will be evaluated in accordance with the Community Strengthening Grants Policy and Coronavirus Community Recovery Guidelines

Attachments

- 1 Coronavirus Community Recovery Grants Program - Guidelines - Draft -

FILE NO: NA
1. A GREAT PLACE TO LIVE

ITEM NO: 10.3.1

CORONAVIRUS COMMUNITY RECOVERY GRANTS (cont'd)

**ATTACHMENT No [1] - Coronavirus Community Recovery Grants Program -
Guidelines - Draft -**



Coronavirus Community Recovery Grants Guidelines

DRAFT

FILE NO: NA
1. A GREAT PLACE TO LIVE

ITEM NO: 10.3.1

CORONAVIRUS COMMUNITY RECOVERY GRANTS (cont'd)

ATTACHMENT No [1] - Coronavirus Community Recovery Grants Program - Guidelines - Draft -

Council recognises the significant impact COVID-19 has had on individuals, families and the organisations and groups that provide services across the community. As part of supporting the community to respond to this impact, Council is providing Coronavirus Community Recovery Grants of up to \$2,500.

About the Program

The Coronavirus Community Recovery Grants Program provides funding of up to \$2,500 (plus GST if applicable) to eligible not for profit community organisations, groups, social enterprises, creative organisations and groups for projects/programs to assist communities with recovery from the COVID-19 pandemic.

Priority will be given to projects/programs that respond to the impact of COVID-19, including changed ways of working to support the introduction and/or recommencement of activities, programs and events in a safe manner.

The Coronavirus Community Recovery Grants Program aims to build the capacity and resilience of communities, and groups/organisations.

For example:

Projects that improve health and wellbeing through community engagement, collaboration, innovation, and social connection, new ways to deliver services/ programs/ events including online, projects which optimise opportunities for communities to participate, celebrate, and promote local arts, culture and identity.

The following types of activities will be prioritised for funding:

1. The purchasing of products which ensure the delivery of community activities meet coronavirus restriction and guidelines.
2. The adaptation of existing services, programs or activities so they can continue, or be adapted due to COVID-19 requirements. This includes online service delivery and technology equipment.
3. New one-off services, programs or activities that strengthen the community in recovery from the impact of COVID-19.
4. Activities that will promote re-engagement in community based activities and volunteering.

How does an applicant apply?

Applicants can apply through the Council's online SmartyGrants portal (www.moiravic.gov.au/Community/Community-Strengthening-Grants).

Before applying, individual applicants/ representatives of the organisations must read and understand the program guidelines and are strongly encouraged to discuss their project idea with a Council officer before applying.

How often can an applicant apply?

An eligible applicant can submit one application only. An auspicing organisation is permitted to sponsor more than one application.

DRAFT

FILE NO: NA
1. A GREAT PLACE TO LIVE

ITEM NO: 10.3.1

CORONAVIRUS COMMUNITY RECOVERY GRANTS (cont'd)

ATTACHMENT No [1] - Coronavirus Community Recovery Grants Program - Guidelines - Draft -

Who is eligible?

For Community Organisations to be eligible for a Coronavirus Community Recovery Grant they must:

- Be committed to providing direct benefits to residents in Moira Shire. Please note, Council may consider funding events held outside of Moira Shire, particularly in the two cross-border communities of Cobram-Barooga and Yarrawonga-Mulwala, where economic benefit to Moira Shire can be demonstrated.
- Be an incorporated 'not for profit' community organisation with open membership to residents in Moira Shire.
- Have an Australian Business Number (ABN) or have a community organisation who is willing to auspice the application and accept responsibility for the administration of the grant.
- Hold adequate public liability insurance to cover the project or event as applicable.
- Not have their own grant giving program or fundraising program that provides money to finance other organisation's community initiatives.
- Have satisfactorily accounted to Council for the expenditure of any previous Council grants.
- Have not received funding under the same grant category in the same financial year.
- Comply with all relevant Local Laws, Australian and Victorian legislation, including but not limited to:
 - Accounting and auditing requirements;
 - Equal opportunity and anti-discrimination laws;
 - Human rights laws;
 - Disability;
 - Occupational Health and Safety;
 - Privacy, confidentiality and freedom of information laws;
 - Registration or accreditation of professional employees;
 - Preparation and dissemination of annual reports.
- Have relevant management plans in place, including:
 - Risk
 - Project
 - Event
 - Financial

What we can't fund:

Applications will be ineligible if funding is intended for:

- Individuals and private profit-making organisations.
- Requests that are considered by Council to be the funding responsibility of other levels of Government (State or Federal government agencies).
- Applications from Primary or Secondary Schools (Council encourages partnerships between Schools and community organisations, whereby the community organisation is the applicant).
- Committees of Council.
- Community Organisations that:
 - Are in debt to Council and are not meeting the agreed repayment arrangements.
 - Receive funding from other areas of council; except where funding is proposed for a different purpose.
 - Receive direct income from electronic gaming machines.
 - Have been non-compliant with Local Laws and or state or federal legislation over the preceding year.
- Projects or Events that:
 - Have demonstrated self-sufficiency by running at a profit that is not reinvested back into the community organisation or their next event.
 - Have been, or are being, funded by other parts of Council; except where funding is proposed for a different purpose.
 - Have already started or have been completed (no retrospective funding).
 - Are run by (or involved with) political or religious groups seeking to promote core beliefs.
 - Are a clear duplication of existing services.
 - Are not open to the general public.
 - Are for interstate or overseas travel.
 - Are for operational expenses.
 - Are for funding of prizes, sponsorships, donations or gifts.
 - Will have a negative impact on the environment.
 - Should be funded by other Council Grants (please note: the projects and events awarded funding through this program will clearly benefit communities with recovery).

DRAFT

FILE NO: NA
1. A GREAT PLACE TO LIVE

ITEM NO: 10.3.1

CORONAVIRUS COMMUNITY RECOVERY GRANTS (cont'd)

ATTACHMENT No [1] - Coronavirus Community Recovery Grants Program - Guidelines - Draft -

Assessment Criteria

All applications will be assessed based on the information provided in the application and need to demonstrate they address the aims of the program.

An Assessment Panel of Council Officers will conduct the initial assessment of the grant applications, which will be awarded by Manager Community Development. Allocation of grant funding is not guaranteed and will depend upon how well applications meet the assessment criteria, the number and quality of applications received, funds held by the community organisations, and the amount available in Council's budget.

Reporting and Monitoring

As part of the arrangements for this program, successful applicants will be required to complete a Completion Report as per the time frames identified in the Terms and Conditions (available after the grant is awarded). All reports will need to be signed off by Council as satisfactory.

Notification Process

Notification of successful and unsuccessful applications will take place immediately following a decision being made (within a 2 week period).

Successful applicants will be notified by:

Email notification via SmartyGrants. Successful applicants will be required to enter into a funding agreement with Council.

Unsuccessful applicants will be notified by:

Initial email via SmartyGrants including details of Contact Officer to discuss the application and provide feedback.

Feedback

All applicants are encouraged to call for feedback on their application prior to submitting or post-outcome if not successful.

In order to continually improve the manner of funding allocations, feedback from the community regarding the criteria, timing and targeting of this funding is encouraged. Any comments regarding these matters should be directed to:

Manager Community Development
Moirā Shire Council
PO Box 578, Cobram VIC 3644
Email: grants@moira.vic.gov.au

Application Support

If you are after some further guidance on how to complete an application form, Council offer one on one support to assist. Please contact the Community Development Department on 5871 9222 to book an appointment.

DRAFT

FILE NO: F13/2614
2. A THRIVING LOCAL ECONOMY

ITEM NO: 10.3.2

REVIEW OF RECREATIONAL VEHICLE (RV) FRIENDLY STRATEGY

RECOMMENDATION

That Council endorse:

1. the Review of the Recreational Vehicle Friendly Strategy
2. a conditional trial of two overnight parking locations in Numurkah, enabling Numurkah to become a Recreational Vehicle (RV) Friendly Town under the Campervan and Motorhome Club of Australia's scheme, in the following locations:
 - (a) Numurkah Showgrounds, Numurkah
 - (b) Lion's Park, Numurkah

1. Executive Summary

In 2016, Council adopted a Recreational Vehicle (RV) Friendly Strategy. In 2020, Council received a petition to make Numurkah RV Friendly. In response to this petition Council moved a motion to thank the petition organisers and to undertake a review of the RV Friendly Strategy.

A review of the RV Friendly Strategy has been completed, which included a desktop analysis and analysis of a survey with 481 responses. The report and final recommendation is provided within this paper.

2. Background and Options

Following significant community consultation, Council adopted the Recreational Vehicle (RV) Friendly Strategy in 2016. Historically all four major towns, Yarrawonga, Cobram, Numurkah and Nathalia were designated as RV friendly. The Strategy made the Shire RV friendly, however Numurkah's RV friendly status was removed because there was no provision for overnight camping in close proximity to the town.

In June 2020, Council received a petition to make Numurkah RV Friendly under the Campervan Motorhome Club of Australia (CMCA) accreditation scheme.

At its meeting on 22 July 2020, Council moved to:

- note the petition and thank the organisers of the petition;
- undertake a review of the RV Friendly Strategy, with a particular focus on how it relates to Numurkah; and
- report back to Council on any recommended changes to the Strategy.

A full review of the RV friendly Strategy has been completed with focus given to Numurkah as the petition relates to making Numurkah an RV Friendly Town. The review included the following:

- a desktop research and review of progress of RV Friendly Strategy implementation;
- stakeholder engagement through a survey to obtain Numurkah and Moira Shire residents' opinions regarding making Numurkah a RV friendly town – this was completed by 481 respondents; and
- final recommendations and report to Council.

This paper provides an overview of the review, its issues and key recommendations.

FILE NO: F13/2614
2. A THRIVING LOCAL ECONOMY

ITEM NO: 10.3.2

REVIEW OF RECREATIONAL VEHICLE (RV) FRIENDLY STRATEGY (cont'd)

The report reviews a number of issues related to legislation and concludes that provided certain conditions are met or made clear it is possible to trial Numurkah being RV Friendly through the provision of overnight parking.

As part of the review, a survey was developed to gather the community's views on making Numurkah RV Friendly. The survey was opened and advertised on 25 August and closed on 16 September. There were 481 respondents, with 256 Moira Shire residents comprising:

- 184 respondents from Numurkah;
- 36 from businesses in Numurkah; and
- 13 from retail businesses in Numurkah.

Analysis of the data showed that the vast majority of the survey respondents wanted Numurkah to become an RV Friendly Town.

Following the review, including analysis of the key issues and the survey data, the recommendation is to trial over a two-year period Numurkah as an RV Friendly Town. The trial will involve provision of free overnight camping at two locations. A number of conditions, clearly stated on signage and Councils website, will apply. The locations for the trial are:

- Numurkah Showgrounds, Numurkah; and
- Lion's Park, Numurkah

The conditions of the trials:

- a maximum of 15 RV vehicles parked on site at any time;
- overnight parking of up to 48 hours only allowed;
- only fully self-contained recreational vehicles are allowed;
- dogs on a leash within the designated overnight parking area;
- any fires to be within contained fire pits and within fire regulations;
- no laundry – clothes drying outside the RVs;
- no tent camping;
- no facilities or amenities are provided;
- no fee;
- any breaches of conditions for the use of the RV overnight parking site will incur an infringement notice (\$200); and
- the trial can be suspended or revised by the CEO at any time.

The proposed management and review of the trial include:

- monitoring of litter;
- ad-hoc compliance checks – where any breaches of conditions for the use of the RV overnight parking site will be given infringement notices of \$200 immediately;
- registrations on Council website; and
- economic Impact Survey.

Other measures of success could include:

- number of complaints received from the community;
- number of reports of disturbance;
- anecdotal feedback from officers in Operations, Safety and Amenity;
- occasional interviews/surveys of RVers;
- casual observation of patronage;
- feedback from the Numurkah showgrounds Community Asset Committee; and
- general feedback from local Visitor Information Point and local retailers.

FILE NO: F13/2614
2. A THRIVING LOCAL ECONOMY

ITEM NO: 10.3.2

REVIEW OF RECREATIONAL VEHICLE (RV) FRIENDLY STRATEGY (cont'd)

3. Financial Implications

At this stage, minimal resources are required to implement the RV Friendly Overnight Parking area at the Numurkah Showgrounds. There will be minimal costs associated with the installation of signage outlining the conditions of overnight parking and some minor beautification of the site; primarily through tree planning.

Minimal resources are also required at the Lion's Park again including installing signage and minor site enhancements.

4. Risk Management

No fees are collected for the overnight camping. The trial includes regular compliance checks and infringement notices can be given on the spot, if any of the conditions are breached. It is also suggested that RVers to register on Council's website as a safety precaution.

5. Internal and External Consultation

The survey was advertised via the Numurkah Leader, on Council's social media and through Council's website. An email was also sent to all Caravan Parks in the shire, the Tourism Advisory Committee, and past members of the Original RV Friendly Working Group Tourism Advisory Committee and petition organisers advising them of the survey and next steps of the review. The same stakeholders were asked to provide feedback on the proposed recommendations. All feedback received has been incorporated into the report.

Numurkah Showgrounds Community Asset Committee has endorsed the proposal to make Numurkah Showgrounds a trial location for overnight RV Parking.

The draft review report has been considered by all relevant departments within Council.

6. Regional Context

Some Councils in the Murray region embrace the CMCA RV Friendly Scheme; others do not; and some Council only embrace it in locations where there are no commercial caravan parks. There is 86 RV Friendly Towns and Destinations across the state of Victoria.

7. Council Plan Strategy

Strategy 2: A thriving local economy.

Action: Reviewing our tourism marketing, servicing and delivery to reach a greater audience and increase the number of visitors to the region.

8. Legislative / Policy Implications

The review considers various local laws, Acts and regulations. The proposed trial with conditions does not have any legislative implications.

9. Conflict of Interest Considerations

There are no officer conflicts of interest to consider.

10. Conclusion

A review of the RV Friendly Strategy and analysis of the survey data has concluded with a recommendation to trial Numurkah as an RV Friendly Town by providing overnight parking at the Numurkah Showgrounds and the Lion's Park in Numurkah. This trial is proposed for a two-year period, with conditions clearly signed at the site.

FILE NO: F13/2614
2. A THRIVING LOCAL ECONOMY

ITEM NO: 10.3.2

REVIEW OF RECREATIONAL VEHICLE (RV) FRIENDLY STRATEGY (cont'd)

The attached report will be put through a design process if endorsed by Council, following such endorsement.

Attachments

- 1 Review of Recreational Vehicle Friendly Strategy report

FILE NO: F13/2614
2. A THRIVING LOCAL ECONOMY

ITEM NO: 10.3.2

REVIEW OF RECREATIONAL VEHICLE (RV) FRIENDLY STRATEGY (cont'd)

ATTACHMENT No [1] - Review of Recreational Vehicle Friendly Strategy report



**Review of
Recreational Vehicle
Friendly Strategy**

Adopted <insert date>

FILE NO: F13/2614
2. A THRIVING LOCAL ECONOMY

ITEM NO: 10.3.2

REVIEW OF RECREATIONAL VEHICLE (RV) FRIENDLY STRATEGY (cont'd)

ATTACHMENT No [1] - Review of Recreational Vehicle Friendly Strategy report



Review of Recreational Vehicle Friendly Strategy 2020

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FILE NO: F13/2614
2. A THRIVING LOCAL ECONOMY

ITEM NO: 10.3.2

REVIEW OF RECREATIONAL VEHICLE (RV) FRIENDLY STRATEGY (cont'd)

ATTACHMENT No [1] - Review of Recreational Vehicle Friendly Strategy report



Review of Recreational Vehicle Friendly Strategy 2020

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FILE NO: F13/2614
2. A THRIVING LOCAL ECONOMY

ITEM NO: 10.3.2

REVIEW OF RECREATIONAL VEHICLE (RV) FRIENDLY STRATEGY (cont'd)

ATTACHMENT No [1] - Review of Recreational Vehicle Friendly Strategy report



Review of Recreational Vehicle Friendly Strategy 2020

INTRODUCTION

Following significant community consultation, Moira Shire Council (hereafter Council) adopted the Recreational Vehicle (RV) Friendly Strategy in 2016.

In 2020, Council received a petition to make Numurkah RV Friendly once again under the Caravan Motorhome Club of Australia (CMCA) accreditation scheme.

On 22 July 2020, Council carried the motion to thank the organisers of the petition and to undertake a review of the RV Friendly Strategy, with a particular focus on how it relates to Numurkah, with a report to go back to Council on any recommended changes to the Strategy.

PETITION TO MAKE NUMURKAH RV FRIENDLY AGAIN

In June 2020, Council received a petition to make Numurkah RV Friendly. The initial petition was tabled at Council's meeting on 24 June 2020 with a following two related petitions with additional signatures submitted early July.

The petition requested that the Moira Shire to do all things necessary to enable Numurkah to qualify for the CMCA RV Friendly Town status. By having RV Friendly status Numurkah could reap an economic benefit from the significant number of self-contained RV's currently travelling past.

The petition argued that:

- Numurkah business have been suffering since the Covid-19 lockdown started, many are struggling to survive;
- Reinstating Numurkah as an RV Friendly town would capitalise on the opportunity presented by very limited overseas travel, so travelling in their RV's will be the only holiday option for many grey nomads, retirees, holidaymakers and families. (The petition states that there over 700,000 (RV's) registered caravans, camper trailers and motor homes currently registered in Australia);
- RV travellers do more than just stay overnight, they enjoy time in Numurkah, stopping for a coffee, browsing in the shops or going for a walk along the creek; and
- Reinstating Numurkah's RV friendly status would not take business away from other accommodation venues. It would bring more tourists to the town, enabling businesses to work together to realise Numurkah's tourism potential.

The organiser of the petition stated that:

- the petition signatures were collected in just a few days
- 90% of CBD businesses have already signed the petition, but some business owners away and very few of the community have had the opportunity to sign
- more petition pages will be sent prior to the next council meeting in July.

FILE NO: F13/2614
2. A THRIVING LOCAL ECONOMY

ITEM NO: 10.3.2

REVIEW OF RECREATIONAL VEHICLE (RV) FRIENDLY STRATEGY (cont'd)

ATTACHMENT No [1] - Review of Recreational Vehicle Friendly Strategy report



Review of Recreational Vehicle Friendly Strategy 2020

The matter of making Numurkah RV Friendly was discussed at the Council meeting on 22 July 2020 with the following motion carried:

MOTION

CRS MARIE MARTIN / KEVIN BOURKE

That Council:

- notes the petition to reinstate Numurkah as an RV Friendly Town and thank the organiser of the petition for their efforts in this regard; and
- Staff and stakeholders review the RV strategy as it relates to Numurkah and report back to Council on any recommended changes to the strategy.

(CARRIED)

The following section will review the implementation progress for the 2016 RV Friendly Strategy.

PROGRESS UPDATE ON RV STRATEGY

This section will provide an overview of the RV Strategy that was adopted by Council on 26 April 2016.

THE RV STRATEGY 2016

In 2015/16 Council set up an RV Friendly Working Group and prepared a Draft Recreational Vehicle (RV) Friendly Strategy.

Broad community consultation informed the preparation of the draft RV strategy with the RV Friendly Working group meeting monthly for a full year and subsequent consultation with community on the draft RV Friendly Strategy.

The draft RV Friendly Strategy included provision for trialling for one year, the provision of low cost overnight parking in the showgrounds of each of the Shires major towns (i.e. Yarrawonga, Cobram, Numurkah and Nathalia).

The 2016 draft RV Friendly Strategy noted that the provision of low cost overnight parking is somewhat controversial and it would require Council to comply with a number of regulatory requirements and service standards. Other issues were also relevant in terms of managing a low cost overnight parking site for example Council would be required to find a respectful and legal solution for how to address the issue of non-RVers using the sites once they are established, such as itinerant workers and homeless people that are not travelling in self-contained vehicles.

At its meeting on 26 April 2016, Council considered the draft Recreational Vehicle (RV) Friendly Strategy. In response to advocacy from some S86 Committees and caravan parks Council resolved to adopt a revised version of the RV Friendly strategy. The revision was to exclude showgrounds and the major towns with caravan parks from the trial of overnight parking.

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REVIEW OF RECREATIONAL VEHICLE (RV) FRIENDLY STRATEGY (cont'd)

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Review of Recreational Vehicle Friendly Strategy 2020

PROGRESS ON THE RV FRIENDLY STRATEGY

Four years have elapsed since the strategy adoption and times have changed. Council also appreciates that in these unprecedented times of COVID 19 the economy is under unique and unforeseen duress.

Reviewing Council's strategic position on all manner of topics is a regular occurrence. In acknowledging the passage of time and the current global (and local) situation a review of the current RV position is timely.

There are a number of issues relating to the provision of free dump points and low cost or free camping that must be considered, including management and maintenance of dump points, enforcement and policing, cost of water/power, noise, risks and insurance, application and adherence to regulatory requirements.

Taking into the consideration the range of challenges and issues, Moira Shire Council's vision, as outlined in the RV Friendly Strategy 2016, is to become an RV Friendly Shire. To achieve this vision, Moira Shire Council set out to implement ten actions. This presents an overview of the progress of Council's current RV Friendly Strategy in relation to these ten action items:

DRAFT

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ACTION	PROGRESS Green – Completed Yellow – in progress Red – Not commenced	NOTES
Endorse and Promote Moira Shire as an Attractive RV Friendly Shire	Green	<ul style="list-style-type: none"> RV friendly brochure developed Freedom camping page on tourism website
Establish Economic Data and Visitor Profile of RV Market	Yellow	<ul style="list-style-type: none"> Economic Impact Study of CMCA Combined Victoria Chapter Rally, 'Wanderings of the Wizard of Oz', 2015 – D15/65607 Data gathered from Tungamah RV friendly destination Further data required for local RVers
Transition to Commercially Managed Dump Points	Yellow	<ul style="list-style-type: none"> Dump point installed at Numurkah Caravan Park Dump point installed in Tungamah near the silos. Further work required to transition to commercially managed dump points
Trial the continuation of Council managed dump points	Green	<ul style="list-style-type: none"> No further complaints received from the water authorities.
Develop RV Friendly Low Cost Overnight Sites in smaller towns and surrounds	Yellow	<ul style="list-style-type: none"> RV Friendly low cost overnight site established at Lions Park in Tungamah Council has explored the establishment of an RV Friendly low cost overnight site at Picola. This site requires occupation of VicTrack land – issues with VicTrack Leases are currently being negotiated with VicTrack. Council applied to make Wunghnu Rec Reserve an RV Friendly Destination with the CMCA – it was rejected and is only a recommended camp site until further works can

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Review of Recreational Vehicle Friendly Strategy 2020

		<p>be completed on the ground to make it a suitable site for more RVs in dry and wet weather.</p> <ul style="list-style-type: none"> • Council is yet to progress the proposed RV Friendly Camp sites on Parks Victoria managed land (i.e. Forges Beach, Barmah Lakes Camping Area, Killawarra Camp and Lower Ovens Wildlife Reserve), but these sites are promoted as suitable sites for RVers on the tourism website. • Council is yet to explore further Yarroweyah as a potential RV Friendly Destination. • No additional resources has been provided to enforcement at this stage.
<p>Commit resources to enforcement</p>		
<p>Encourage local businesses to become CMCA RV Friendly Destinations</p>		<ul style="list-style-type: none"> • Council has only been dealing with enquiries and have not yet been actively encouraging local businesses to become CMCA RV Friendly Destinations
<p>Provide long-vehicle parking close to shopping precincts</p>		<p>Council is providing long vehicle parking at the following locations:</p> <ul style="list-style-type: none"> • Punt Road, Cobram • Behind Federation Park, Cobram Railway Station, Cobram • Mivo Park, Cobram • Blake St, Nathalia • Weir Street, Nathalia

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Review of Recreational Vehicle Friendly Strategy 2020

- Irvine Parade, Yarrowonga
- Hunt Street, Yarrowonga
- Hume Street, Yarrowonga
- Hovell Street, Yarrowonga
- Gilmore Street, Yarrowonga
- Melville Street, Numurkah
- Knox Street, Numurkah
- Lions Park, Tungamah
- Barr Street, Tungamah
- Swamp Road, Lake Rowan
- Hotchin Street, Katamatite
- Off Murray Valley Highway near Goughs Lane, Bundalong
- Off Murray Valley Highway, Strathmerton
- Wunghnu, by the creek
- Moran Street, Picola

Council offers potable water from the following locations (as promoted on the tourism website):

- Cnr Barr Street and Tungamah Main Road, Tungamah
- Cnr Benalla - Tocumwal Road and Moore St, Katamatite

Offer access to potable water from designated locations

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Review of Recreational Vehicle Friendly Strategy 2020

	<ul style="list-style-type: none"> • Benalla-Tocumwal Road, Katamatite • Blake Street, Nathalia • Weir Street, Nathalia
Provide new signage	<ul style="list-style-type: none"> • Council has installed new signage at Tungamah • Council has installed dump point signage at Numurkah showgrounds

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ISSUES

A number of issues with offering RV Friendly facilities were discussed in the RV Friendly Strategy. In this section, these issues are reviewed.

MOIRA SHIRE COUNCIL'S RECREATION RESERVES LOCAL LAW 2009

Council's Recreation Reserves Local Law 2009, which was highlighted in the RV Friendly Strategy¹, sunset in 2019 and is no longer applicable.

MOIRA SHIRE COUNCIL'S COMMUNITY SAFETY AND ENVIRONMENT LAW

Council's Community Safety and Environment Law is effective until 30 November 2023.

Clause 2.16 of the Community Safety and Environment Law outlines that "A person must not, except with a permit, camp on any Council land, on any public land, or on any privately owned vacant land within the municipal district unless within a designated camping area."

In order for Council to provide camping facilities for RVers on Council managed land, Council would have to amend this local law or on a case by case basis resolve to approve the erection of signage stating "free camping allowed" at the designated location(s).

In other words, a motion could be put to Council as part of the recommendations of a review to Trial overnight camping at any location on Council land (e.g. Numurkah Showgrounds or Lion's Park on the Broken Creek), subject to the planning scheme allowing this use. If Council endorsed a motion to erect signage stating free camping is allowed at this location, this would address the issue of the local law for that specific location.

COMPETITIVE NEUTRALITY POLICY

As highlighted in the RV Friendly Strategy, Council needs to ensure that it does not breach the Competitive Neutrality Policy.

As per the policy, "The objective of competitive neutrality is set out in Clause 3(1) of the CPA [read Competition Principles Agreement] as 'the elimination of resource allocation distortions arising out of the public ownership of entities engaged in significant business activities: Government business should not enjoy any net competitive advantage simply as a result of their public sector ownership.

¹ The following is an extract from the RV Friendly Strategy: *Part 3, 12.1(d) of the Recreation Reserves Local Law outlines that no camping is allowed at a recreation reserve. Clause 9, however, states that the Section 86 Committee of Management may issue a permit for an event. There is a process for hiring of a recreation reserve that needs to be followed in order for any permit to be successfully granted. The end decision for the approval of any application for hire of the reserves lies with the relevant Section 86 Committee. In order for Council to provide camping facilities for RVers in Council's Recreation Reserves, Council would have to amend this local law in order to allow camping (outside of permitted event) to be allowed in recreation reserves.*

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These principles only apply to the business activities of publicly owned entities, not to the non-business, non-profit activities of these entities'."

This means that if Council was to supply overnight camping facilities to the RV market as a significant business activity, Council would have to comply with the same regulatory environment that commercial caravan parks must comply with. This includes fire, safety and environmental regulations. Council would also be required to charge the true market value for the provision of such service and facility. The Emergency Management requirements can be particularly arduous.

Council is not proposing to engage in significant business activity through the delivery of the RV Strategy and therefore the Competitive Neutrality Policy does not strictly apply.

RESIDENTIAL TENANCIES ACT 1997

The Residential Tenancies Act 1997 outlines the residency rights and duties of people staying in caravan parks (Parts 4 and 4A) and provides for the regulation of caravan parks and movable dwellings (Part 14).

Part 14 of the Act contains key definitions that are important in understanding the Regulations, prescribes obligations of owners in respect to fire safety and emergency management planning, and provides for caravan park inspections and proceedings for offences.

The Act defines a Caravan Park as an 'area of land on which [movable dwellings](#) are situated for occupation on payment of consideration, whether or not immovable [dwellings](#) are also situated there';

Part 14 of the Act does not apply to the following:

- a) a [caravan park](#) that operates for a limited period to house seasonal agricultural workers or workers engaged in short-term construction jobs; or
- b) a [caravan park](#) that operates for a limited period in conjunction with a festival or other similar event; or
- c) a [caravan park](#) exempted by the Minister.

Council will need to make it very clear that any proposed overnight parking sites for RVs only allow for overnight parking of up to 48 hours. There will be no provision of facilities or amenities at these sites; the recreational vehicles are to be fully self-contained and no tent camping allowed.

Council cannot require a direct payment for camping at this location, otherwise this Act will apply. In other words, if payment is expected for RV's to use a Council site even if it is for one night then that site should be registered and comply with all requirements under the Act and Regulations.

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATIONS AND STANDARDS) REGULATIONS 2020

A new set of regulations were developed in 2020.

The Residential Tenancies (Caravan Park and Movable Dwellings Registration and Standards) Regulation 2020 sets out the following requirements for operating a caravan park in Victoria:

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- registration with council and associated duties of owners;
- fees for registration;
- standards for fire safety and emergency management planning in caravan parks;
- construction standards and installation requirements for movable dwellings in caravan parks; and
- standards for services and amenities and the maintenance of sites and dwellings.

It is an offence under the regulation for anyone to operate a Caravan Park without holding a current registration with Council.

NUMURKAH

In the original agreement with the CMCA, the long term parking option was identified as Katamatite-Nathalia Rd., which is not suitable for overnight parking. The next section discusses three identified potential sites for a trial in Numurkah.

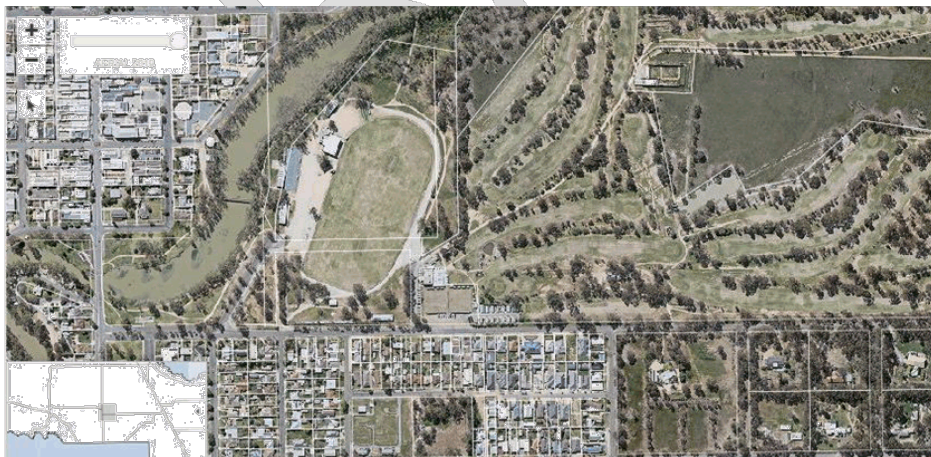
IDENTIFY AND ASSESS POTENTIAL SITES IN NUMURKAH

The following sites have been identified as potential sites for overnight parking for up to 48 hours by RVers in Numurkah:

- Numurkah Showgrounds; and
- Lion's Park
- Numurkah Youth Club Oval

An assessment of each of these sites is provided in this section.

Numurkah Showgrounds



The Numurkah Showgrounds is covered by the Public Park and Recreation Zone with the following key purposes under the planning scheme:

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- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To recognise areas for public recreation and open space.
- To protect and conserve areas of significance where appropriate.
- To provide for commercial uses where appropriate.

Permitted uses without a planning permit include informal outdoor recreation and open sports ground. As the proposal is not a listed use within the land use table, it would be considered "any other use", which does not require a planning permit provided the proposal is conducted by or on behalf of Council as detailed below.

36.02-1
08/08/2019
VC159

Table of uses

Section 1 - Permit not required

Use	Condition
Informal outdoor recreation	
Open sports ground	Must be conducted by or on behalf of the public land manager. Must not be on coastal Crown land under the <i>Coastal Management Act 1995</i> . Must not be costeaning or bulk sampling.
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.
Contractor's depot	Must be either of the following:
Heliport	A use conducted by or on behalf of a public land manager or Parks Victoria under the relevant provisions of the <i>Local Government Act 1989</i> , the <i>Reference Areas Act 1978</i> , the <i>National Parks Act 1975</i> , the <i>Fisheries Act 1995</i> , the <i>Wildlife Act 1975</i> , the <i>Forest Act 1958</i> , the <i>Water Industry Act 1994</i> , the <i>Water Act 1989</i> , the <i>Marine Act 1988</i> , the <i>Port of Melbourne Authority Act 1958</i> , or the <i>Crown Land (Reserves) Act 1978</i> .
Office	
Retail premises	
Store	
Any other use not in Section 3	
	A use specified in an Incorporated plan in a schedule to this zone.

If any buildings and works are proposed on behalf of Council a planning permit would not be triggered under the Public Park and Recreation Zone, Heritage Overlay, Floodway Overlay or Land Subject to Inundation Overlay provided the cost does not exceed \$1m.

The Numurkah Showgrounds are used for a variety of sporting uses including but not limited to cricket, football, netball, and soccer. It is also used by the Agricultural Society and a range of casual users.

The Numurkah Showground is currently managed by a Community Asset Committee (former section 86 Committee).

Since this site is management by the Section 86 Committee, any consideration and decision to trial overnight parking at the Numurkah Showgrounds would require the Committee's approval and support.

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Lion's Park



The Lion's Park is located next to the Netball Courts on the Broken Creek in Numurkah and is a picturesque location for an RV overnight parking area.

The Lion's Park is covered by the Public Park and Recreation Zone with the following key purposes under the planning scheme:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To recognise areas for public recreation and open space.
- To protect and conserve areas of significance where appropriate.
- To provide for commercial uses where appropriate.

Permitted use without a planning permit include informal outdoor recreation and open sports ground. As the proposal is not a listed use within the land use table, it would be considered 'any other use', which does not require a planning permit provided the proposal is conducted by or on behalf of Council as detailed below.

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Office	
Retail premises	
Store	
Any other use not in Section 3	
	A use specified in an Incorporated plan in a schedule to this zone.

The site is also subject to a Floodway Overlay but it doesn't impact on the use and provided it is by or on behalf of Council as required above, it will be exempt from Planning Permits for any buildings and works under \$1 million.

The Lion's Park also falls under Council's Community Safety & Environment Law. If Council endorsed a motion to erect signage at the Lion's Park stating free camping is allowed at this location, this would address the issue of this local law for that specific location.

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Numurkah Youth Club Oval



The Numurkah Youth Club Oval is situated on 32 Nelson Street, Numurkah.

The Numurkah Youth Club Oval is covered by the Public Park and Recreation Zone with the following key purposes under the planning scheme:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To recognise areas for public recreation and open space.
- To protect and conserve areas of significance where appropriate.
- To provide for commercial uses where appropriate.

This site is also covered by a Land Subject to Inundation Overlay.

Permitted use without a planning permit include informal outdoor recreation and open sports ground. As the proposal is not a listed use within the land use table, it would be considered "any other use", which does not require a planning permit provided the proposal is conducted by or on behalf of Council as detailed below.

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Table of uses

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Use	Condition
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Office	
Retail premises	
Store	
Any other use not in Section 3	
	A use specified in an Incorporated plan in a schedule to this zone.

CRITERIA AND METHODOLOGY FOR HOW A TRIAL WOULD BE MEASURED AND ASSESSED

Unless a type of payment or honesty or booking system is put in place, it will be tricky to measure the direct outcome of the trial.

One proposal could be that RVers are encouraged to purchase a Why Leave Town voucher (minimum of \$25) to support local businesses in town. Through the Why Leave Town data it may then be possible to identify if people knew about the scheme from the overnight RV Parking stop.

The Why Leave Town vouchers can either be purchased online before arriving to Numurkah (<https://www.whyleavetown.com/product-page/numurkah-gift-card>) or locally from one of the participating shops (<https://www.whyleavetown.com/numurkah>). This would encourage the RVers to spend money locally and act as a measure to the success of the trial.

Other measures of success could include:

- Number of complaints received from the community
- Number of reports of disturbance
- Anecdotal feedback from officers in Operations, Safety and Amenity
- Occasional interviews/surveys of RVers
- Casual observation of patronage

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- In the case of the Numurkah showgrounds, feedback from the Community Asset Committee
- General feedback from local Visitor Information Point and local retailers

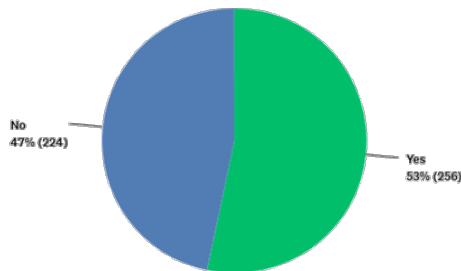
SURVEY – RECREATIONAL VEHICLE FRIENDLY NUMURKAH

A survey with 13 questions was developed and advertised on 26 August 2020. The survey was live for three weeks and closed on 16 September 2020, resulting in a total of 481 responses. The following provides an analysis of these responses.

Where do the respondents live?

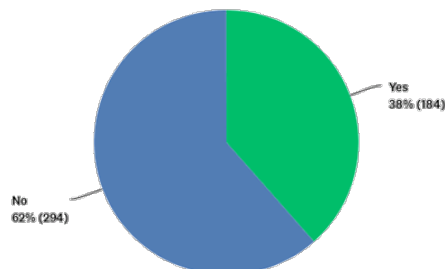
The first few questions of the survey were designed to identify where the respondents come from. The first question identified that only just over half (53%) of the respondents live in Moira Shire, with 47% of the respondents not living in Moira Shire.

Q1 Do you live in Moira Shire?



The second question was to identify if the respondents that live in Moira Shire lived in Numurkah. A total of 184 respondents live in Numurkah.

Q2 Do you live in Numurkah?



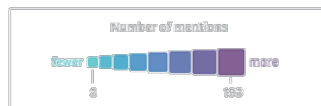
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Finally, the last question, asked respondents to put in their Postcode. All respondents completed this question, with the following word map highlighting the post codes with the most respondents.



The top five responses were:

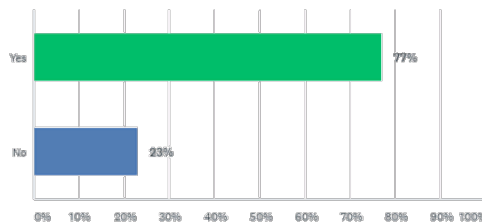
- 3636 – Numurkah, with 193 respondents;
- 3640 – Katunga, with 14 respondents;
- 3635 – This postcode covers Kaarimba, Mundoona, Wunghnu, with 12 respondents in total;
- 3638 – This postcode covers Kotupna, Nathalia, Yielima, with 9 respondents in total; and
- 3544 – This postcode covers Chinangin, Gowanford, Murnungin, Springfield, Ultima, Ultima East, Waitche with 8 respondents in total.

Responses were received from as far away as New South Wales, South Australia, Queensland, Tasmania and Western Australia.

Do the Respondents Own a Recreational Vehicle?

Not all respondents answered question four with only 473 responses to the question. However, the vast majority of the respondents (364) own a recreational vehicle, which is not surprising as owners of recreational vehicles will have a stronger interest in a town becoming RV Friendly than those without RVs.

Q4 Do you own a Recreational Vehicle?



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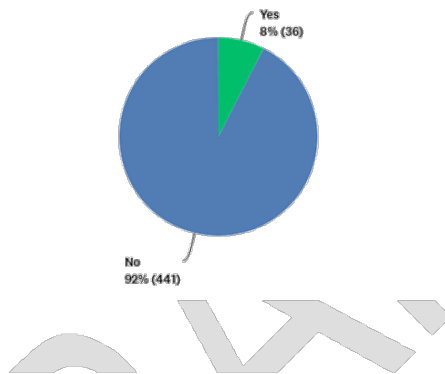
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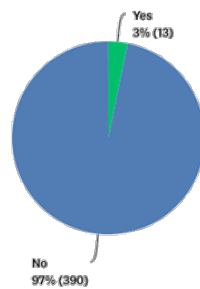
Have we heard from the business owners in Numurkah and in particular the retail sector?

A total of 36 business owners or operators completed the survey. Of these, 13 are from the retail sector. REMPLAN data shows that there is a total of 56 retail trade businesses in the postcode of 3636. Although these survey responses represents a small proportion of all of the responses received, it is still a good response from the business community.

Q5 Are you a business owner or operator in Numurkah?



Q6 If yes, are you a retailer in Numurkah?



Should Numurkah be an RV Friendly Town?

In question seven, the respondents were asked the question: Do you think Numurkah should be made RV Friendly (i.e. offer overnight parking of up to 48 hours, parking close to shopping precinct, potable water and RV dump point)?

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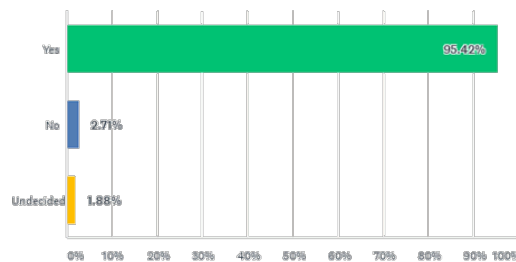
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The response was overwhelmingly yes, Numurkah should be made RV Friendly with 458 responses voting yes and only 13 responses voting no and 9 respondents being undecided.

Q7 Do you think Numurkah should be made RV Friendly (i.e. offer overnight parking of up to 48 hours, parking close to shopping precinct, potable water and RV dump point)?



Of the 256 Moira Shire residents, 237 respondents (93%) thought that Numurkah should be made RV Friendly. Of the 184 respondents living in Numurkah, 173 respondents (95%) thought Numurkah should be made RV Friendly, with 6 respondents (3%) thinking Numurkah should not be made RV Friendly and 4 respondents (2%) undecided.

So how does the business and/or retail respondents feel about Numurkah being RV Friendly?

Of the 36 business owners, 34 believe that Numurkah should be made an RV Friendly and two believe it should not be RV Friendly.

All 13 retailers believe that Numurkah should be made RV Friendly.

Which location is the preferred location for an RV Friendly Overnight Parking area?

As mentioned earlier in this report, the following locations have been identified as potential sites for a trial of overnight parking of up to 48 hours within Numurkah:

- Lion's Park, McNamara Drive;
- Numurkah Showgrounds, Boulevard Rd; and
- Numurkah Youth Club Oval, 32 Nelson Street.

Respondents were asked if they believed these sites were suitable. A total of 475 respondents answered this question with the majority thinking all sites were suitable. However, the Numurkah Showgrounds took the lead with 87%, followed by Lion's Park with 75%. The Numurkah Youth Club Oval was the least preferred site with 58% thinking it was a suitable site.

Similar results in terms of priority of sites is reflected in the responses from people living in Numurkah

- Numurkah showgrounds (89%);
- Lion's Park (77%); and

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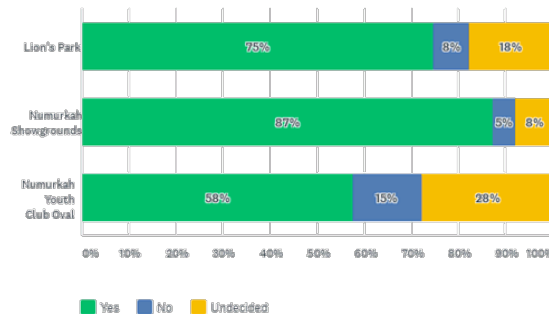
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- Numurkah Youth Club Oval (59%)

Q8 The following locations have been identified as potential sites for a trial of overnight parking of up to 48 hours within Numurkah. Lion's Park, McNamara Drive, Numurkah-Numurkah Showgrounds, Boulevard Rd, Numurkah- Numurkah Youth Club Oval, 32 Nelson Street, Numurkah Do you think these are suitable?



Other suggested sites for RV Friendly Overnight Parking included:

- Kinnairds Wetlands
- Wunghnu Recreation Reserve – The Wunghnu Recreation Reserve is already recognised as a potential overnight parking area for RVs in the original RV Strategy and it is currently recognised by the CMCA as a camping location. However, further work is required to the site before the CMCA will recognise it as a RV Friendly destination.
- Next to the local shire depot
- Carpark at the lake near Madigan St and Quinn St
- Nathalia

There was a total of 89 comments in relation to the RV Friendly Overnight Parking. Some recommended new sites, as listed above, others re-enforced the selection of existing sites such as Numurkah Showgrounds and Lions Park, and others yet reinforced that they did not think Council should offer free overnight parking for RVs.

A few other comments made are worth noting below broken into two themes:

- The caravan park should be the location for overnight parking of RVs:
 - "Stay at the registered caravan park who employs local staff & trades and re-invests in the local community."
 - "the Shire doesn't have to provide this, and key factor is free or LOW COST. negotiate with existing infrastructure ie caravan park to provide cheap in services sites to those that would otherwise meet proposed site requirements and would offer monitoring of site, safety and security, opportunity upgrade and benefit an existing ratepayers. remember, it doesn't have to be free to meet CMCA requirements"

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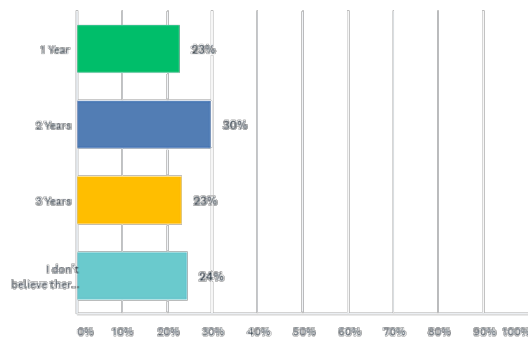
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- "No. Support the local places to stay. Don't use My rate money on freebies for out of towners."
- "Please do not create a de facto caravan park in our beautiful Showgrounds."
- "Caravaners and people with recreational vehicles should stay at the Numurkah Caravan Park. The idea of free stays are objectionable and cause loss of business to Numurkah. We don't want them here unless they stay at the Caravan Park."
- Proximity to town is important to ensure there are benefits to the retail and hospitality sectors:
 - "The closer the trial overnight area is to the town centre the more business it will generate."
 - "somewhere within walking distance of a hotel with meals"
 - "For a town to get full value from campers the site ideally needs to be close to shops and eateries."
 - "Needs to be walking distance to Main Street and cafe/restaurants"
 - "walking distance to town please"
 - "... The economic benefits to small and medium sized businesses should be significant."

A Trial of Provision of Overnight Parking of up to 48 Hours

480 respondents answered question nine around how long the respondents thought a trial of overnight parking of up to 48 hours should go for. The responses were mixed, with a two-year trial being the preferred option for 143 participants (30%). Second was the option of not having a trial at all (117 participants), followed by three years (111 participants) and one year (109 participants).

Q9 Should a trial go for:



The majority of respondents (46%) believe it would be of value to accompany a trial with other initiatives, such as Why Leave Town voucher cards, as a way of giving back to the community.

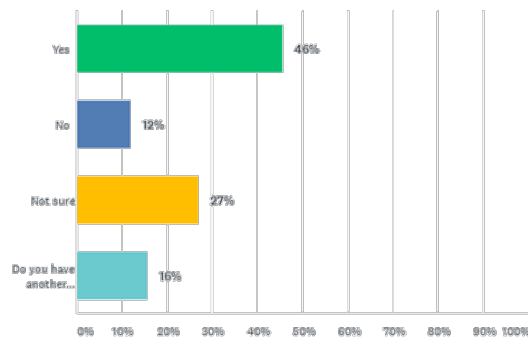
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Q10 As no direct payment can be associated with a trial overnight parking site, do you believe a trial should be accompanied by other initiatives (such as Why Leave Town voucher cards) as a way of giving back to the local community for staying for free overnight?



A total of 75 comments were made in relation to other suggestions for how RVers staying at a free overnight parking area could give back to the community. These comments have been broken into key themes below:

- Honesty box
 - "A community trust box, (can't remember the real name). To get emptied every morning and night by council. Where the visitors can leave a donation - towards the town - for their stay if they wish."
 - "Request donation so a show good faith by travellers"
 - An honesty box can cause issues in its own right – who collects the money and manages the honesty box and where does the money go. Honesty boxes also encourage vandalism. Finally, if any charge is suggested, Council runs the risk of the overnight parking area being considered a caravan park.
 - "Donation to caretaker for upkeep of toilets. Discounted waste vouchers for the tip"
 - "I am a firm believer that a form of permit for camping along with a envelope for a donation to be placed in a honour box on site also a box on site where RV folk can leave their expenditure whilst staying"
- Low cost fee should be charged
 - "It should be free OR LOW COST so how about a small fee, e.g. \$5 per rig, via an envelope placed into a secure box which contains personal details and a specific tag detachable from said envelope to be displayed in window of rig? Some showgrounds and parks are using these effectively.?"
 - "Should be a cost \$5 to \$10 a night"
 - "it doesn't have to be free just cheap. work something out with local van park"
- Collection of receipts to prove benefit to retail and hospitality sectors
 - "collect receipts of spending by travellers. This will prove having RV stay benefits small businesses in towns."
 - "We leave our shop documents at information centre to show what we spend in town"

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- "Receipts from local shops"
- "collect receipts in a box at the RV site"
- "Request the RVer to drop receipts or copies into tourist center to show council the value they bring"
- "A collection box for visitors to leave purchase receipts, this would allow the Shire to have some idea of money spent in local businesses and help evaluate the trial period."
- Benefits to town should be enough
 - "I would anticipate that the custom brought to the community with the additional tourism would be ample reward. Many tourists dislike van (holiday) parks for short durations due to crowding and messing about parking, unhitching and all the reverse when leaving. That's ok for a week's holiday with the kids, not basically en-route travellers that want dinner, a walk around town, fuel, groceries, etc."
 - "I do know that when we use town free camps we shop for groceries ,fuel, dinner at pub,lunch at cafes. We certainly give back to the town. As we own a big MH caravan parks are not our first choice as sites too small and we are totally sc."
 - "Don't really understand the vouchers. But do believe that if people are staying in town they tend to give back anyways. They wander down the street, spend money, fill up with fuel, get groceries."
 - "RV campers spend money in the town on food , fuel, laundry, and gifts/souviners. Encourage them to stay, play and spend. We have alot to offer with walking tracks, golf, bowls and town history."
 - "we have averaged \$120 spend when overnighing in a town. So being walking distance encourages an evening meal then morning tea before departing. Groceries and fuel may bolster that figure. Nowhere to stay then we drive through."
- Promotion of the area on site
 - "Donation tins do work, most RV ers (unless they are strickley driving through) will look at the area and spend money an area map and advertising billboard wold be wise, if it can be kept up to date. Lions clubs will do this if you get them on board."
 - "I have visited Numurkah often in my travels. Provide leaflets, promotions, discount offers, etc. to visitors that encourage spending. Nothing free. Prove you are a visitor, spend a minimum, get a discount"

Benefits and Costs of RV Friendly

The majority of respondents believed that making Numurkah RV friendly would provide benefits in terms increasing visitor numbers (97%) and visitor expenditure (94%), and believed there would be no costs in terms of complaints from local residents (56%), local businesses (75%), littering (69%) and to a lesser extent compliance costs (44%).

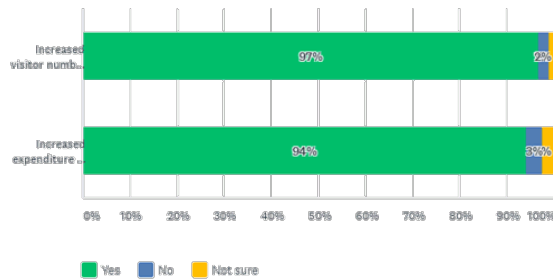
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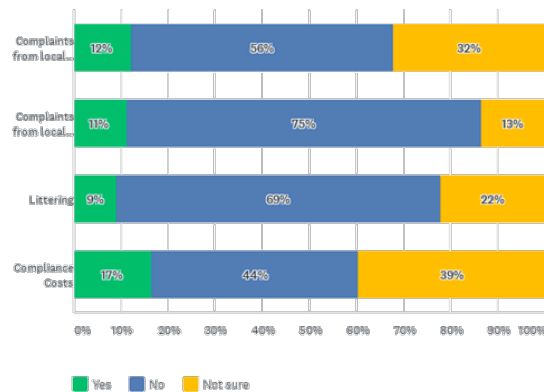
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Q11 Do you think making Numurkah an RV Friendly Town will provide the following benefits to town?



Q12 Do you think making Numurkah an RV Friendly Town may provide the following costs to town?



Respondents also provided written responses to these questions, which have been manually analysed and is presented below.

A total of 56 responses were received around the perceived benefits of making Numurkah RV Friendly with suggested benefits such as:

- Fundraising opportunities
 - "Opportunities for charity fund-raising...e.g. coffee cart, sausage sizzle for visitors."
 - "opportunity for other cottage industries to start up, sausage sizzles etc for local charity as happens in other towns"
- Increased employment
 - "Increase employment for young people"

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- "Helps the town by sight seeing buying food general shopping, fuel, in general keeping local business alive. Rat there do this then paying for piece of ground every nite spend that money shopping"
- "Would be a much needed boost to local businesses including the caravan park as not all travelers wish to free camp"
- "Encourage house sales and employment opportunities"
- "Tourism is big. More tourist made to feel welcomed will visit thus increasing more jobs!"
- Promotion of the area and potential future investment
 - "Give greater exposure to the general community and importantly create opportunities to promote Numurkah as a holiday destination. Being an RV Friendly Towns entices RVers to give a town a go, certainly in my case I aim for them, and use them as a reason and way of discovering the area. In many cases it leads to longggger stays in local caravan parks - much depends on friendly and welcoming a town is, and what it has to offer."
 - "Word of mouth to other visitors, a positive entry in Wikicamps to encourage more visitors, posts and photos shared on rv social media sites"
 - "Potential to attract new residents and businesses, especially those looking to get out of cities at the moment"
 - "Free advertising to others associated with those who stay"
 - "once a visitor finds a nice welcome town they may revisit, just as importantly they may share their experience of social media suggesting others visit too."
 - "Increasing visitation to the area may increase investment in our area, whether is be people purchasing properties or new businesses"
 - "Promote the surrounding areas"
 - "Visitors will experience the advantages Numurkah has to offer. eg sporting facilities, friendly and welcoming community etc. it is a chance to sell Numurkah to possible future residents and to spread the word to other travellers on how good Numurkah is."
 - "Potential for settling here when finished with traveling."
 - "In my home town an RV Park (5 night max stay has generated) \$2.27 million expenditure in town from surveys collected in just on two years and that doe snot include 5 houses that visitors have bought to eventually settle in the region."

A total of 84 responses were received around the perceived costs of making Numurkah RV Friendly. Many of these comments talked about the benefits of making Numurkah RV Friendly or discussed complaints from local residents or businesses, littering and compliance costs. Finally, the following themes were highlighted throughout the comments:

- Businesses in town would miss out if Numurkah is not RV Friendly

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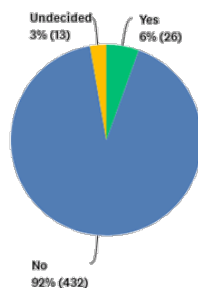
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- "Some caravan park owners complain; some rigs are too big to fit, especially in the older, cramped parks. If I stay in a caravan park I do NOT spend any other money in town."
- "complaints will only probably come from caravan park owner but it if wasn't for the rv park we wouldn't come to your town anyway. So the end result is that the other businesses are benefiting and the caravan park owner is no missing out on something he wouldn't have got anyway"
- Local caravan park could be detrimentally affected if Numurkah is made RV Friendly
 - "We may also lose our fantastic caravan park"
 - "Covid-19 will be with us for some time, and it has no boundaries. I would suggest that Caravan Parks that are registered and must comply with all regulations be paramount in economic stability and recovery"
 - "The council has to protect the the local caravan park(s). To avoid them losing business don't over provide services. Eg. Don't have toilets too close. However, fully self contained RVs, caravans, etc. will reduce the number of potential visitors."
 - "Please consider your existing long term accommodation businesses that have supported Numurkah for years"
- Reduction in vandalism
 - "reduction in hooning and grafitti."

Finally, respondents were asked if they saw any issues with Numurkah being an RV Friendly town (or trialing to become one). The vast majority (92%) saw no issue with either making or trialing Numurkah as an RV Friendly Town.

Q13 Do you see any issues with Numurkah being an RV Friendly town (or trialing to become one?)



A total of 120 comments were received as part of the last question of the survey, where respondents were asked if they have any further comments.

In the comments some respondents:

- thanked Council for considering making Numurkah RV friendly;

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- emphasised some of the benefits and/or costs of making Numurkah RV Friendly;
- highlighted the issue of the dump point at the showgrounds being locked (a stipulation in the agreement the water board has with Council) and the management of grey-water;
- feared what it would do the local caravan park;
- highlighted concerns in relation to COVID-19, whereas some highlighted the need to focus on tourism in the recovery from COVID-19;
- suggested the installation of CCTV cameras;
- suggested the disconnection of power at the showgrounds, so RVers cannot connect to power;
- highlighted the concerns about bigger RVs fitting easily within caravan parks;
- said it is long overdue and that Council should never have removed the RV Friendly Town accreditation; and
- Thought this will be at the cost of ratepayers.

FURTHER FEEDBACK FROM CONSULTATION

A number of emails were also received as a result of the consultation surrounding making Numurkah RV Friendly. As well as comments to the social media post promoting the survey. The feedback received in these emails and social media comments mirrors what was covered in the survey, but an overview is provided below:

- Suggestions to broaden the RV Friendly Town scheme to other towns in Moira Shire
 - "I would like to see the council consider Cobram Showgrounds also. The CMCA lists Cobram as a RV friendly town [overnight parking at Dead River Beach], but we do not offer anywhere in the Cobram CBD for RVers to stay overnight. Cobram Showgrounds is an ideal position, walking distance to shops and RVers do spend money in the towns in which they stay."
 - "Done and please extend to include Nathalia. Nathalia was an RV Friendly town but the sign was removed several years ago without community consultation, big mistake. The tourists and travellers now just drive through without stopping 😊"
- Positive that Council is continuing to support RV Friendly locations
 - "It is great that the Moira Shire is still working on more overnight parking areas, as I feel there will be more need for this kind of get away with our "New Normal"."
 - "I was very pleased to see that Moira Shire is still moving forward re being RV friendly perhaps not as what the original discussion was but I believe that Numurkah being a RV friendly town would be a positive move for the town and surrounding district. I again make the point that travellers should be given a method of jotting down their expenditure whilst staying for the 48 hours".
- Now is the time for local travel and supporting local businesses
 - "Now, more than ever it is so important to open up all country Victorian towns for the tourist dollar. I suppose the cost to keep the areas clean is a concern for local council. But with some smart thinking and a bit of outlay I'm sure a solution could be found to encourage us city slickers to come and spend a dollar. Come on and get us spending here in Victoria. I must say there are plenty of great places here in Victoria,

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and I'm a peeved at our boarder states that have locked us out. So why not holiday here....."

- "Done... Tourists bring \$\$\$\$. A small overnight charge helps to pay for maintenance."
- "Done! Bring them in and support our local towns & businesses"
- "Agriculture used to be this area's main income but now that water has left, farms gone, we need to find another industry and Tourism is the most logical."
- "Done. Travellers will support the town if they are welcome to stop for a night or two"
- "There are well over one million Grey Nomads travelling Australia, spending around \$10 Billion annually, also the Manufacturing industry alone is worth \$21 Billion employing 53,000 people if most Grey Nomads can't free or low cost camp then we will stop travelling."
- "Get on with it Numurkah, you have a lot to offer."
- Unlocking dump point
 - "Unlock the dump point would be a great start."
 - "The Dunny dump is locked and the procedure for use of it is convoluted to say the least. I'm also a member of several caravan groups that when Numurkah is discussed, the recommendation is to bypass the town because of a lack of interest in providing a camp ground and free dunny dump that is not locked."
- Value of the RV market
 - "...Port Hedland Council collected receipts from people staying in their free camping area. On average, people spent \$140 per caravan, per night stayed in the free camp. They bought fuel, groceries, meals etc. at the pub, and other items. If we could encourage just one caravan to stay per night, that would mean around \$50,000 into the local community. Caravanners who are looking for a free camp will not stay in a caravan park, they will take their van, and their money on to the next town..."
- Value of tourism to commercial caravan parks
 - "...Visitors to commercial caravan parks spent on average \$610.00 per trip compared to visitors to non-commercial sites who spent \$352.00. This is a 73% difference. From Tourism research Australia a Federal Government website <https://www.tra.gov.au/Economic-analysis...>"

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ATTACHMENT No [1] - Review of Recreational Vehicle Friendly Strategy report

RECOMMENDATION

Based on the review of the RV Strategy and the survey of the community, the following recommendation is proposed.

A TWO-YEAR TRIAL OF RV FRIENDLY OVERNIGHT PARKING AT TWO LOCATIONS

It is proposed to trial two locations of RV Friendly overnight parking to allow choice for the RVers coming to town and managed any difficulties around overnight parking when events are on at the Numurkah Showgrounds.

The locations are:

- The Numurkah Showgrounds; and
- Lion's Park.

Each location is discussed in more detail below, before the conditions of the trial are outlined.

The Numurkah Showgrounds

It was clear from the survey data that the vast majority of respondents would like to see Numurkah be made an RV Friendly Town.

It is therefore proposed that a two-year trial of free RV Friendly Overnight Parking of up to 48 hours is provided at the Numurkah Showgrounds, subject to the approval of the Numurkah Showgrounds Committee.

Three sites within the Numurkah Showgrounds were explored, as shown on the map below:

- Area 1 – South of the main entry, which in the past has been used by RVers – this is closed to residential area.
- Area 2 – North of the courts – this area floods and is too close to traffic and people crossing the car park.
- Area 3 – North East of the main entry – This is the preferred site.



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Proposed RV Trial Site (Area 3)

The below map shows the North Eastern section of the Numurkah Showgrounds with the proposed sites marked out. In red is the recommended site, the blue dots create a delineation between the road and proposed site, and the green dots are suggested tree plantings to create avenues for future shade.



This site is ideal for the following reasons:

- More aesthetic location.
- Located near the walking track and the Broken Creek with easy access by foot to town, Broken Creek walking circuit and exercise stations and Kinnaird's wetlands.
- Located away from residential area and away from highly used areas of the Numurkah Showgrounds.
- Green space with limited coverage of Eucalyptus trees that can present a tree hazard with limbs falling.
- Access via side entrance across from Newby St. rather than the main entrance.

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Below are some photos of the proposed site:



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The Lion's Park, McNamara Drive

The second most preferred site from the survey responses was the Lion's Park in McNamara Drive on the Broken Creek.

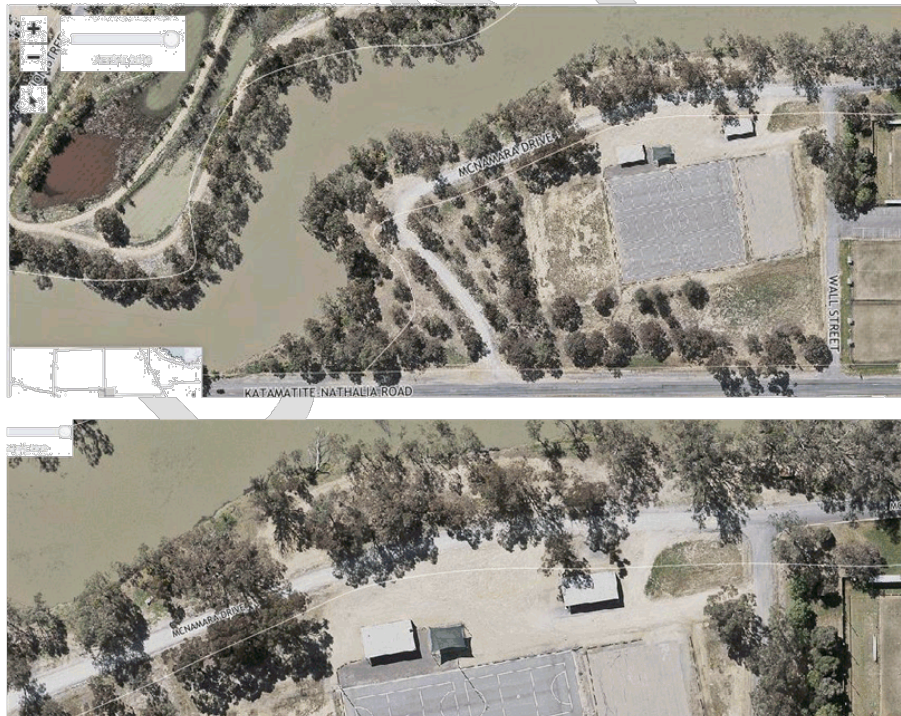
Given that overnight parking at the Numurkah Showgrounds may not be ideal when events are on; it is proposed that a two-year trial of free RV Friendly Overnight Parking of up to 48 hours is also provided at the Lion's Park, McNamara Drive, Numurkah.

This is a beautiful location on the Broken Creek. There are toilets close by, with picnic benches, walk into town, wetlands within walking distance, bowling club, tennis courts, indoor swimming pool all on the positive side of things.

The cons – there is no dump point (but two in town already), no power, which would not be provided anyway, bats in trees on the other side of the creek (could be good or bad) and the area can chop up a little if wet. Therefore, it is recommended to put some crushed rock/fill to elevate the problem if it was to become the location of choice for RVers.

Offering a second site will enable RVers to make a choice as to their preferred site for overnight parking.

Below is a map of the area and zoomed in map on the section near the toilet building.



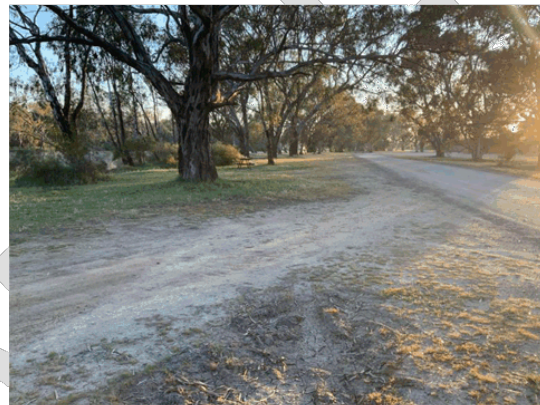
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Below are some photos of the site.



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Conditions of the Trial

The conditions of the trial are as follows:

- A maximum of 15 RV vehicles parked on site at any time - If site is fully occupied please move on to another approved location or stay at a Caravan Park;
- Overnight parking of up to 48 hours only allowed;
- Only fully self-contained recreational vehicles are allowed – i.e. The RV vehicle must carry its own on-board water supply, washing and toilet facilities, and waste water tank;
- Dogs on a leash within the designated overnight parking area;
- Any fires to be within contained fire pits and within fire regulations;
- No laundry – clothes drying outside the RVs;
- No tent camping;
- No facilities or amenities are provided;
- No disposal of solid waste or discharge of waste water must occur. A RV dump point is available at the Numurkah Showgrounds and at the Numurkah Caravan Park.
- No fee - Council cannot require a direct payment for camping at this location, otherwise the Residential Tenancies Act will apply. In other words, if payment is expected for RV's to use a Council site even if it is for one night then that site should be registered and comply with all requirements under the Act and Regulations;
- Any breaches of conditions for the use of the RV overnight parking site will incur an infringement notice (\$200); and
- The trial can be suspended or revised by the CEO at any time.

Signage

Signage should be erected clearly stipulating the conditions of the overnight parking.

Wayfinding signage is also required to be installed throughout the Numurkah Showgrounds leading RVers to the preferred site, as well as at the Lion's Park.

It is also suggested that information signage is installed that promotes the region and all its activities, such as the Sun Country on the Murray Nature Escape and the Murray Farm Gate Trail and other local RV Friendly stops, as well as the local gift voucher cards – Why Leave Town, encouraging any visitors that do stay to spend locally and do sightseeing and the local postcard initiative Moira vPostcard, encouraging visitors to share their experiences from the region with friends and family by sending them a postcard.

As part of the launch, Council may consider to partner with Numurkah Love our Lifestyle and donate Why Leave Town vouchers (e.g. \$20) for the first 50, 100 or 250 visitors that stay at the site. There may also be options to include a \$20 discount voucher for anyone staying another night at the Numurkah Caravan Park.

Management and review of trial

Council's Operations team will monitor litter, even though it is within the showgrounds, which is technically managed by the Showgrounds Committee. Council will consider placement of additional

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bins at the showgrounds near the dump point and regular emptying of these to prevent littering becoming an issue.

Council's Operations team will do ad-hoc compliance during office hours Monday to Friday when driving past or cleaning the toilets on site. If they see any issues in relation to compliance, the Operations team member will CRM the compliance issue to Local Laws, who will then attend on site and deal with the issue. Any breaches of conditions for the use of the RV overnight parking site will be given infringement notices of \$200 immediately. There will be no compliance checks on weekends or public holidays, neither during after-hours.

An economic impact survey should be developed that anyone staying at the Numurkah Showgrounds overnight parking site could complete, consequently helping to identify the economic impact. This could be set up electronically and linked via a QR code on the information signage.

It is recommended that any RVers are encouraged to register their attendance for safety purposes. A site has been set up on Council's website and a QR code can be included on the sign at the specific location:

www.moira.vic.gov.au/rvrego - this is for the registration

www.moira.vic.gov.au/rvregodone - this is the confirmation page, once the registration has been completed.

FEEDBACK ON RECOMMENDATIONS FROM KEY STAKEHOLDERS

The draft RV Friendly Strategy Review report together with a summary document was sent to:

- Moira Shire Tourism Advisory Committee, which includes representatives from each of the Local Tourism Associations;
- The former Moira Shire RV Friendly Working Group, which established the Moira Shire RV Strategy;
- Caravan Parks in Moira Shire; and
- Lead organisers of the community petition.

Overall feedback

A total of eight email responses were received, which was overwhelmingly positive. Only one response received was against the proposed recommendation to provide free overnight parking for RVs.

The following provides an overview of the key themes that came through feedback received.

- *A wonderful outcome for Moira Shire and the RV travellers* – "I would like to thank...the Moira Shire for looking at and taking action on the Numurkah RV friendly petition. I am extremely pleased with the result. ...As stated we are hoping this will bring more visitors to our town of Numurkah and surrounding district towns. With the RV friendly status I am also sure that once visitors discover Numurkah again and wish to stay longer they will also stay at

FILE NO: F13/2614
2. A THRIVING LOCAL ECONOMY

ITEM NO: 10.3.2

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our local caravan park and other accommodation venues creating more foot traffic throughout which is what the business houses are looking for, especially at the moment."

- *More opportunities to further expand RV overnight parking across the shire* – "I would like to see this same availability for overnight night stays, be made available in all town areas within the Shire... There are more opportunities in Whunghu [Wunghnu], Katamatite, Cobram (showgrounds), etc, if areas could be made available."
- *Proposed sites are the most appropriate* – "I don't know of any RVFT site between Melbourne and the NSW border that is as picturesque as ours and being a 2 to 3 hour drive from Melbourne it is the ideal distance for an overnight stopover."
 - There were however differing views as to whether the Showgrounds or the Lion's Park was the most suitable location of the two.
- *Making Numurkah RV Friendly is about benefiting the wider community* – "Reinstating Numurkah as RV Friendly will be a huge bonus for all businesses including the Numurkah Caravan Park, to promote Numurkah as a "home-base". RV'ers can set up camp in the caravan park and stay a few days or a week to check out the district, Numurkah is central with so much to see within an hours drive. I would hope that the Moira Shire, businesses and community can work together with the Caravan Park to make RV Friendly a mutual benefit to us all. "Why Leave Town" vouchers are a brilliant idea to encourage expenditure, RV'ers know it's a privilege to stay in a RVFT and are generally happy to show their support and appreciation. Not everyone chooses to stay in a caravan park but they all have to eat, buy groceries and fuel. The potential for Numurkah post Covid-19 is enormous, we need to embrace it, if not another town or shire will."
- *Access to dump points (DP) is important* – "The DP at the showground would be unavailable to travellers to use if the showground's were in use for an event by my understanding. I remember that during our study group we talked re the area around the DP for big rigs to get close to but it may have been the DP at the Yarrawonga. Other Show Ground where we thought that this could be a problem. The DP at the caravan park I seem to remember that there would be no charge for using the parks DP would this still be so and would the DP be in a position that would be available 24/7 and would there be room for large caravans and Motorhomes to turn around with out creating a disturbance to park users."
- *Is it safe?*– "Will it be safe in these times of COVID-19? As of today, the rate is still increasing worldwide."

Parks must comply with stringent laws in order to receive their approval to operate. These laws are designed to ensure the preservation of the environment and the safety of guests/customers. Cost of compliance is significant for business owners, and they have a right to expect that their competitors should also be required to be compliant with fire safety regulations, sanitation standards, lighting, road access and all the other requirements of a commercial caravan park

- *There is no such thing as free camping* – "There is a cost to free camping to Moira Shire, and rate payers, there is no quantifying in place to suggest that this will work. We are just hoping they might spend something in town before going on to their destination."

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Feedback from the CMCA

Specific feedback from the CMCA on the recommendations are as follows:

Some comments on the strategy moving forward are:

- Council should be applauded for offering a trial of freedom camping. The showground site would be considered more appropriate from a CMCA perspective because there is more land, the soil type is better for heavy vehicles, there will be fewer issues with wet weather impacting operation and it is easier to monitor access and operation of the camp ground. Possible conflict with other showground users can be managed through camping closure periods as long as these are communicated, and alternatives can be provided in town.
- Assessment of the trial's success seems to be more aligned to how many complaints are received rather than what positive impact the camping ground can have on the community and economy. The trial could be measured by the following:
 - g. Shopping receipts provided in a collection area within the campground.
 - b. Activity reported by retailers – can you offer a code for discounts in town or ask campers to let retailers know that they are staying at the camping ground at point of purchase?
 - c. Numbers staying at the camps
 - d. Success or failure should not be based on the number of complaints received during the trial period, those against the campgrounds will complain, others who support it will be silent, so you only get one side of the argument.
- Compliance issues – what standard will council set for self-containment? CMCA has a Self-Contained Vehicle Policy which can be shared with council if needed.
- Council should continue to seek RV Friendly camping options for Natalia, Cobram and Picola.

FILE NO: 5/2020/82
1. A GREAT PLACE TO LIVE

ITEM NO: 10.4.1

**PLANNING PERMIT APPLICATION 5/2020/82 - 100 BELMORE STREET,
YARRAWONGA, DEMOLITION, BUILDINGS AND WORKS, AND REDUCTION
IN CAR PARKING**

RECOMMENDATION

It is recommended that Council issue a Notice of Decision to Grant a Planning Permit for Permit Application 5/2018/39 to 'Demolish or remove a building, externally alter a building and buildings and works associated with a community building together with a reduction of car parking spaces' at 100 Belmore Street, Yarrowonga, subject to the following conditions

- (1) Prior to the commencement of the 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) Colour and material schedule;
 - (b) An updated area schedule detailing the net floor area of the proposal including comparison of the existing and proposed building; and
 - (c) A landscape plan in accordance with Condition 3.
- (2) The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
- (3) Prior to the commencement of works, a Landscape Plan for the subject land must be submitted to and approved by the Responsible Authority. An endorsed copy of the plan must form part of this permit. The submitted plan must:
 - (a) include a survey of all existing vegetation and natural features showing plants (over 2.0 metres in height) to be removed;
 - (b) the use of indigenous/local native species in new plantings (except for areas of lawn);
 - (c) where exotic species are proposed, provide justification for use instead of native species;
 - (d) include a schedule of all proposed trees, shrubs and ground cover, which will include the location, number and size at maturity of all plants, the botanical names of such plants and the location of all areas to be covered by grass, lawn or other surface materials as specified;
 - (e) the method of preparing, draining, watering and maintaining the landscaped area;
 - (f) the weed management program; and
 - (g) provision of canopy trees and ground covers within the 'village green; area within the Belmore Street setback, courtyard and adjacent the car parking area together with canopy tree or shrub planting along the Hume Street and Orr Street setbacks.
- (4) Prior to the occupation of the building, the proposed development must have a point of access known as a vehicle crossing that serves that lot. All new and existing vehicle crossings as shown on the endorsed plan must be constructed and sealed to the standards of Council's Infrastructure Design Manual, and to the satisfaction of the Responsible Authority. In particular:

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- works must be in accordance with Council's IDM Standard Drawing SD255 / SD260 as appropriate.
- (5) Prior to the commencement of the use, or by such later date as is approved by the Responsible Authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
- (6) The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.
- (7) Prior to the occupation of the building, the developer must either:
- (a) provide a payment-in-lieu of five car parking spaces to the Moira Shire Council in accordance with Clause 4.0 of Parking Overlay – Schedule 1 of the Moira Planning Scheme; or
 - (b) enter into a Section 173 Agreement outlining how the payment in-lieu of the provision of 5 spaces will be paid by annual instalment (commencing on the first anniversary of the completion of the development).
- (8) Prior to the occupation of the building, any internal customer parking, manoeuvring areas created by the proposed development and as shown on the endorsed plan are to be in accordance with Council's Infrastructure Design Manual, and any specifications approved by the Responsible Authority, and be:
- (a) properly formed to such levels that they can be used in accordance with the plans;
 - (b) drained;
 - (c) surfaced with an all-weather (sealed) surface;
 - (d) line marked to indicate each car space and all access lanes; and
 - (e) clearly marked to show the direction of traffic along access lanes and driveway.
- Car spaces, access lanes and driveways must be kept available for these purposes at all times.
- (9) Vehicle access and egress from the property must take place in a forward direction at all times.
- (10) Prior to the commencement of construction on the site, the developer must provide a drainage plan which accords with the provisions of Council's Infrastructure Design Manual, and has been prepared by a suitably qualified person to the satisfaction of the Responsible Authority. In particular, demonstrate that:
- (a) how the works on the land are to be drained and/or retarded;
 - (b) a maximum discharge rate from the site be determined by computations to the satisfaction of the Responsible Authority; and
 - (c) stormwater drainage plans for the development incorporate measures to

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enhance the quality of water discharged from the site and to protect downstream infrastructure and waterways.

- (11) Prior to the occupation of the building, all drainage infrastructure required by the approved drainage plan must be constructed in accordance with plans and specifications approved by the Responsible Authority.
- (12) Care must be taken to preserve the condition of existing infrastructure adjacent to the site. If any damage to existing infrastructure occurs as a result of this development, the affected infrastructure must be replaced, and the full cost met, by the developer, to the specification and satisfaction of the Responsible Authority.
- (13) No such contaminants will be permitted to enter the storm-water drainage system under any reasonably foreseeable circumstances.
- (14) This permit will expire if one of the following circumstances applies:
 - The development is not started within two years of the date of this permit.
 - The development is not completed within four years of the date of this permit.

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.

Planning Note(s)

- (1) Written approval from the Responsible Authority is required for any alterations to vehicle crossings and should be obtained from Council's Assets and Maintenance Department prior to commencing building
- (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 5/2020/824 was lodged with Council for the demolition of buildings, buildings and works comprising the construction of a new building, externally altering a building and a reduction of car parking spaces.

The application proposes to demolish the Yarrowonga Community Hall and a number of external storage sheds, construct a building to be primarily used as a library and community centre, externally alter the Yarrowonga Town hall, together with a reduction of 5 car parking spaces at 100 Belmore Street, Yarrowonga.

When determining the planning application, Council's considerations are confined to the elements that require planning approval i.e. the demolition, alteration and construction within a Heritage Overlay together with a reduction of car parking. Council is unable to consider the site selection process or alternative sites, potential upgrades to the existing building or the use of the proposed building.

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As part of the assessment the application was advertised with a total of thirteen (13) objections received. The application was also referred to Council's Infrastructure Planning Department and Heritage Victoria.

It is considered the proposal responds to the provisions and policies contained within the Moira Planning Scheme with the demolition of the Community hall and the new community building not having a detrimental impact upon the heritage precinct or diminish the significance of the Yarrowonga Town Hall. Furthermore, the reduction in 5 car parking spaces would not impact on the surrounding road network.

It is recommended that Council resolves to issue a **Notice of Decision to Grant a Permit** based on conditions detailed at the beginning of this report.

2. Background and Options

Application Details

Applicant: Moira Shire Council
Owners: Moira Shire Council
Property Address: 100 Belmore Street, Yarrowonga
Title: PtL: 1 TP: 221379, PCA: 10 Sec: 3 Par: YARRAWONGA
TP: 864909, PtL: 1 TP: 449251
Site Area: 0.36 hectares
File No.: 5/2020/82
Zone: Public Use Zone
Overlays: Heritage Overlay
Permit Triggers: Clause 43.01-1 – demolish or remove a building (Heritage Overlay)
Clause 43.01-1 – buildings and works (Heritage Overlay)
Clause 43.01-1 – to externally alter a building (Heritage Overlay)
Clause 52.06-3 – to reduce the number of car parking spaces (Car Parking)

Heritage Nomination

Several Yarrowonga community groups and individual citizens submitted an application and letters of support to Heritage Victoria in 2019, for both the Yarrowonga Shire Hall and the Yarrowonga Community Hall to be included in the Victorian Heritage Register. The application is currently being considered by Heritage Victoria but there is no date for a decision and there is no statutory timeframe for processing the nomination.

Proposal

The application proposes to demolish the existing Yarrowonga Community Hall building and a number of ancillary buildings used for storage together with the construction of a new multi-purpose community building that includes a library, meetings rooms, kitchen, Moira Shire customer service centre and multipurpose meeting and community spaces. A total of seven (7) car parking spaces is to be provided and a reduction of car parking is also required.

It is proposed to include new steps and opening to the southern façade of the Town Hall to facilitate a new access to the building.

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In support of the proposal, the applicant has submitted a Planning Report, Heritage Assessment and Parking Demand Assessment Report.

The demolition plans and replacement building are detailed in the attachment to this report.

Site Context

A review of the site and the surrounding area has been undertaken. The site has a total area of approximately 0.36ha and currently contains:

- The Yarrowonga Town Hall located in the southwest of the site with a frontage along both Belmore Street to the west and Orr Street to the south.

- The Yarrowonga Community Hall located immediately to the east of the Town Hall with access to Orr Street to the south.
- The eastern portion of the site is vacant with the former kindergarten building having been demolished in early 2020.
- The northern section of the site contains a grassed area together with buildings used in conjunction with the halls and community events.
- There is no car parking provided on site.
- There is various vegetation planted throughout the site.



The main site/locality characteristics are:

- The site is located within the commercial spine of Yarrowonga with Belmore Street located immediately to the west of the site.

- The existing Yarrowonga Library is located 300m to the north of the subject site.
- The Yarrowonga hospital is on the east side of Hume Street, approximately 25m from the subject site.
- The land to the north, west and southwest are within the Commercial 1 Zone and contain various commercial uses including Hotels, café's, retail and offices.
- The land to the east and south east is primarily residential comprised of unit developments and detached dwellings together with health services.

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Planning History

A review of Council's records revealed that there have not been any previous planning applications lodged for the subject site.

Options

Council has the following options:

- Issue a Notice of Decision to Grant a Planning Permit.
- Issue a Notice of Refusal.
- Defer a decision.

3. Financial Implications

As Council is the applicant and land owner, there are a number of potential financial implications associated with any decision.

Should Council issue a Notice of Decision to Grant a Permit the objectors have the opportunity to appeal this decision to the Victorian Civil and Administrative Tribunal (VCAT) and there will be associated costs to defend the decision.

As Council is the applicant and the decision maker, a resolution to Refuse the application cannot be appealed to VCAT however there will be costs associated with finding alternative locations for the library.

4. Risk Management

Council should consider the following:

- Non-budgeted costs to Council from any appeal.
- Non-budgeted costs to Council for any refusal and the process for another site.
- Community impacts (positive or negative)

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5. Internal and External Consultation

Internal Consultation

The application was internally referred to Council's Infrastructure Planning Department with whom did not oppose the application and recommended conditions on any permit issued.

External Consultation

The application was not required to be externally referred however, given the nomination for the State Heritage Register, the proposal was referred to Heritage Victoria. In their response, Heritage Victoria advised:

"The role of Heritage Victoria / Department of Environment, Land, Water and Planning

Heritage Victoria is an entity within the Department of Environment, Land, Water and Planning (DELWP) and is responsible for the administration of the Heritage Act 2017 and for the conservation of places that have been found to be of cultural heritage significance to the State of Victoria. These places are included in the Victorian Heritage Register which currently consists of over 2,600 places and objects. Heritage Victoria is not an activist organisation, unlike, for example, the National Trust or a community action group.

The system of statutory heritage protection in Victoria is essentially two-tiered. While Heritage Victoria has responsibility for places of State-level significance, Victoria's 79 councils are responsible for heritage protection at the local-level and for those places that have been assessed to be of local significance. Apart from applications to subdivide places which are included in the Victorian Heritage Register, Heritage Victoria does not routinely comment on planning proposals triggered by a Heritage Overlay since ultimately it is the local council which has this accountability as the 'Responsible Authority' under the planning scheme.

Finally, the Heritage Act 2017 operates independently and separately to the Planning and Environment Act 1987 and vice versa. There is no requirement in the two pieces of legislation:

- for decision making under one Act to have regard to the other; or*
- for a decision made under one Act to have to be made prior to a decision under the other.*

Nomination of the Yarrowonga Town Hall under the Heritage Act 2017

A nomination of the Yarrowonga Town Hall for inclusion in the Victorian Heritage Register was received by Heritage Victoria in mid-2019. Any person may nominate a place or object for consideration for inclusion in the Heritage Register.

While the place has been nominated, this does not necessarily mean that the place will be included in the Heritage Register. At this point, Heritage Victoria has not formed a view as to whether the place may be of State-level heritage significance. Only those places which are assessed and found to be of State-level heritage significance qualify for registration.

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What is the process under the Heritage Act 2017 from here?

The assessment process has not yet begun and there is no statutory timeframe for the commencement or completion of the assessment process. The timeframe of an assessment varies depending on the complexity of the place. The place will need to be visited and further researched before a recommendation can be made. Visits to nominated places are currently on hold until restrictions in relation to COVID-19 are eased. In addition, the research capacity of our office is affected by the inability to access library and other research material.

Once the assessment has been completed, the Executive Director, Heritage Victoria will make a recommendation to the Heritage Council of Victoria to either include, not include, or part include the place in the Heritage Register. This recommendation will be publicly advertised for 60-days and a hearing by the independent Heritage Council of Victoria may be requested. The final decision as to whether the place should or should not be included in the Heritage Register will be made by the Heritage Council, which is a separate entity to Heritage Victoria.

The Heritage Council must hold a hearing where requested by a party with a 'real or substantial interest' in the place. Hearings are usually scheduled between eight and ten weeks of the closing date for submissions and a decision of the Heritage Council might be expected about 90-days following any hearing. Thus, once an assessment has been completed and a recommendation is publicly advertised, it may be upwards of six-months before a decision is made if the Heritage Council conducts a hearing.

Conclusion

Given the above, Moira Shire Council is able determine the planning application as it considers appropriate."

Comment was also sought from Heritage Intelligence, the author of the Moira Shire Heritage Study which was the foundation for the Heritage Overlay and the Heritage Policy within Clause 22.01 of the Moira Planning Scheme. The advice to Council detailed:

"After checking the photo list in the database for the list of significant places in the precinct it is clear that there should only be one red dot on this site on this map designating the 1930 Shire Hall fronting Belmore St, as neither of the two buildings fronting Orr St are included in the database.

As the author of the 2007 Heritage Study an explanation is that the two red dot facing Orr St may have been part of the Stage One study and should have been removed for the final document in Stage Two after the analysis of the field work and historical research resulted in the conclusion that the significant eras of the heritage precinct were Victorian, Federation and Inter-War."

"The Community Hall has heritage interest particularly for its social use over sixty years however it does not meet the threshold for rarity, intactness of materials and design, or special architectural qualities of the post war era."

"Although the hall has been a significant venue for many local community events in Yarrowonga over the past 60 years it is not in the same category as the halls

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at Burramine, Bundalong, Savernake, Tungamah and Wilby which are all the main and often the only public halls in their town.”

“The hall is located on land which is included in the precinct HO264. The precinct is significant for its representation of the Victorian, Federation and Inter-War eras of Yarrowonga’s development in Belmore St town centre, however not all places within the heritage precinct are heritage places. The Community Hall was constructed in 1959 in Orr St which is outside the eras of significance of the precinct and therefore it does not contribute to the heritage values of the precinct HO264.”

“Overall, the hall has only heritage interest as it does not meet the criteria for significance or for protection as a heritage place within the Yarrowonga Town Centre Precinct HO264 nor does it meet the threshold for an individual heritage place at a Local Level.”

Public Consultation

The application was advised with letters to all adjoining owners and occupiers together with a notice published in the Yarrowonga Chronicle. To date, a total of 13 objections have been received.

It is noted that any objection received must relate to aspects of the proposal that require a planning permit and are not exempt from the notice and review provisions. For example, the current proposal only triggers a planning permit for demolition and buildings and works within the Heritage Overlay and a reduction in car parking – the proposed use is consistent with, and as-of-right within the Public Use Zone, and cannot be considered.

A summary of the grounds of objections are detailed below in **bold** together with a response.

Both the Town Hall and Community Hall has been nominated for inclusion on the State Heritage Register and the application should not be decided until this outcome of the nomination is known.

As detailed above, the application was referred to Heritage Victoria for comment given the nomination to the State Heritage Register. As detailed within their response, Council is able to determine the planning application noting the *Heritage Act 2017* and the *Planning and Environment Act 1989* operate independently.

Given a decision can be made and there are no statutory timeframes associated with assessing the nomination and there is uncertainty about when this is to occur, it is considered unreasonable to wait until the heritage nomination is determined.

The proposal results in the loss of heritage character of the Community Hall, including social, cultural and built form heritage whilst the proposed building is out of character and does not enhance the Town Hall.

Heritage character can be subjective but based on comments from the Heritage Advisor that prepared the Moira Shire Heritage Policy, the precinct based Heritage Overlay is significant for specific building and architecture styles being the Victorian, Federation and Inter-War periods.

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The built form of the Community Hall does not have any recognized heritage value whilst the social and cultural aspects are not extensive across the community to warrant a greater level of protection as detailed within the Heritage Advice and discussed within this report.

The proposed building is of modern design and clearly delineates and reinforces the different architectural style and construction period between the proposed building and the existing Town Hall.

It is common for new buildings adjacent to significant heritage buildings to be modern in style as opposed to a 'mock-heritage' style to ensure the heritage value is retained. In this case, the built form of the Town Hall is significant as an Inter-War free classical style building and if the proposed building replicated this architectural style it is more likely to detract from the heritage value as it is not an accurate reflection of the significance.

The Community Hall could be upgraded and demolition is not required.

When determining a planning application Council can only consider the proposal as submitted. As the application proposes the full demolition of the Community Hall the potential to upgrading cannot be considered.

The facilities of the community hall are not being replicated in the new building including space to accommodate the same events, kitchen facilities, storage etc. This also impacts on the usability of the Town Hall.

The floor plate of the Town Hall is to be modified that provides for a kitchen, events/supper room, meeting room and storage. None the less, the use of the site cannot be considered given a permit is not required under the Public Use Zone. When deciding on a planning application the scope of considerations is limited to the permit triggers which, in this application, are limited to heritage and car parking.

The proposal does not provide for an outdoor performance space or an administrative base for the Yarrowonga Arts Hub, co-location of the library and Visitor Information Centre or the provision of historical or public interest displays.

As detailed throughout this report, Council can only consider what is proposed. It is considered land uses or alternative facilities are irrelevant in determining this application.

The loss of a dedicated shire service centre.

As noted within this report, the application is only considering the proposed demolition and construction within the Heritage Overlay and a reduction in car parking. The use of the proposal is not being considered.

The subject site does not allow for any future extension or expansion of the library in the future, if/when required.

Council can only consider what is proposed as part of the application and it is therefore considered that any future buildings and works are unknown and are an irrelevant planning consideration.

The library should be located on the former Yarrowonga Primary School site and allow co-location of community services.

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As detailed above, the consideration and decision must be based on what is proposed and Council cannot consider alternative sites.

The proposal is an overdevelopment of the site.

The objection states the proposal is an overdevelopment and details aspects that have not been included in the proposal including an outdoor performance space, administrative base for the Yarrowonga Arts Hub, dedicated artist studio and exhibition Space etc. As detailed above, Council can only consider what is proposed within the planning application.

In terms of built form, the grounds of objection raises concern about the western al-fresco space as being busy due to Belmore Street traffic. This area is existing and can currently be utilized by the public and it is considered the level and volume of vehicle movements along Belmore Street would not have a detrimental impact on the usability of the space noting the various outdoor dining locations either adjacent to Belmore Street or within the Road Reserve.

Noting that the Council is only considering the built form together with a reduction in car parking as opposed to the use, future expansion etc., it is not considered the proposal is an overdevelopment of the site and appropriately responds to the site features and heritage character.

The Car Parking Demand Assessment was based on a 2015 study and there is insufficient parking for users and will impact on the surrounding street network.

In support of the application a Car Parking Demand Assessment was submitted and utilized data from 2015 to determine the on-street parking availability.

The report was prepared in early 2020 and coincided with the global pandemic and restrictions on movement, including forced closures of some businesses, modified trading and working from home mandates. Whilst surveys could have been conducted to determine on-street parking availability and occupancy rates, the results would not have depicted a correct or true representation of parking availability.

Given the pandemic and the uncertainty about movement restriction at the time of the application and into the future, it is considered reasonable to utilize previous Council parking studies.

Whilst the Parking Demand & Traffic Study of the Yarrowonga Central Business District is from 2015 it details a low-moderate level of parking demand with a maximum of 73% of parking spaces being occupied. The Yarrowonga township has experienced growth and there have been land uses changes within the vicinity over the past 5 years however it is considered unlikely that this growth has resulted in an increased demand of on-street parking spaces by 27% and resulted in no car parking spaces being available.

As detailed in the car parking assessment below, the proposal generates a reduction of 5 car parking spaces. It is considered that any if required, the 5 car parking spaces can be accommodated within the street network noting the 2015 survey demonstrates a minimum of 60 car parking spaces available throughout the surveyed area.

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Furthermore, it is acknowledged that the population and patronage to Yarrawonga does increase during the summer months and there are concerns relating to parking within the commercial areas of Yarrawonga during this time, it is considered unreasonable to provide car parking based on a seasonal basis. It would result in significant amount of car parking within the commercial area that would be underutilized or unoccupied for majority of the year whilst imposing a strain on the supply and demand for commercial property.

There is no dedicated parking for long vehicles (caravans, boats, trailers etc.).

The provision and design of car parking spaces are detailed within the Car Parking provisions within Clause 52.06 of the Moira Planning Scheme and it is noted that this provision doesn't detail any requirements for long vehicle parking.

The amenity of the proposed building is limited by adjoining brick walls and insufficient landscaping opportunities.

The location of adjoining brick walls does not have a detrimental impact on the amenity of the proposed building noting the buildings to the north do not excessively overshadow the windows and the open space between the proposal and Belmore Street is existing and available to the public to utilized and is not proposed to change.

Additionally, the application proposes a community building as opposed to a residential development that has requirements about open space, overshadowing, access to daylight etc.

Impacts on safety services for patrons including alterations to fire escapes.

It is noted that fire services and universal access design requirements are not detailed within the Moira Planning Scheme. If approved, a building permit is required the proposal would need to provide for fire services and accessibility etc.

There has been insufficient public consultation for the proposal.

A number of submissions raised concerns regarding consultation and it is understood these concerns relate to the site selection process – an area that cannot be considered within the gamut of planning considerations.

From a statutory planning process, the application was advertised to all owners and occupiers of the allotments in the immediate vicinity and a notice was published within the Yarrawonga Chronicle. This is considered sufficient with the public able to lodge submissions.

6. Regional Context

The site is located within Yarrawonga, a large centre in the context of the surrounding area for recreation, retail, commercial and educational facilities. It has been established that the Yarrawonga Library requires additional floor space to accommodate growth.

7. Council Plan Strategy

Moira Shire's current Council Plan (2017-2021) generally remains silent on matters of European history however it is considered the strategic objective to implement a transparent, engaging and accountable governance structure for current and future

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generations is relevant. One of the goals is to base decisions on evidence and for the longer term.

8. Legislative / Policy Implications

Planning Policy Framework

Settlement – Clause 11.01-1S

Policy Objective:

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

Strategies:

- *Develop sustainable communities through a settlement framework offering convenient access to jobs, services, infrastructure and community facilities.*
- *Provide for growth in population and development of facilities and services across a regional or sub-regional networks.*
- *Develop compact urban areas that are based around existing or planned activity centers to maximize accessibility to facilities and services.*
- *Ensure retail, office-based employment, community facilities and services are concentrated in central locations.*

The Yarrowonga library serves an extensive catchment with the existing facilities unable to service the current and future growth. The provision of a new library together with integrated meeting space is required to accommodate the growth and provide an essential service for the community whilst the site is within a central location ensuring the services conducted within the building are easily accessible to all member of the community.

Urban Design – Clause 15.01-1S

Policy Objective:

- *To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.*

Strategies:

- *Require development to respond to its context in terms of character, cultural identity, natural features, surrounding landscape and climate.*
- *Ensure development contributes to community and cultural life by improving the quality of living and working environments, facilitating accessibility and providing for inclusiveness.*

The provision of a new library with greater capacity will contribute to the community and cultural life of Yarrowonga and the broader area. The proposal provides for an integration of various community uses onto the site whilst the built form allows improved universal access and environmental performance.

It is considered that, overall, the buildings and works provides an improved urban environment that activities and utilizes the site with the design allowing various uses to occur on the site and facilitates a community hub whilst also respecting and enhancing the historically significant Town Hall.

Heritage Conservation – Clause 15.03-1S

Policy Objective:

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- *To ensure the conservation of places of heritage significance.*

Strategies:

- *Encourage appropriate development that respects places with identified heritage values.*
- *Retain those elements that contribute to the importance of the heritage place.*
- *Encourage the conservation and restoration of contributory elements of a heritage place.*

The Community Hall is proposed to be demolished but as detailed throughout the report, the building has no recognized heritage significance whilst the proposed building does not have a detrimental impact on the heritage elements of the Town Hall.

The alterations to the Town Hall are considered minor and facilitate greater access to the building and do not impact on its significance.

Cultural Facilities – Clause 19.02-3S

Policy Objective:

- *To develop a strong cultural environment and increase access to arts, recreation and other cultural facilities.*

Strategies:

- *Establish new facilities at locations well served by public transport.*

As detailed within the report, Council is only considering the built form of the building as opposed to the uses however the proposed community hub building facilitates community interaction by providing a versatile space that can be used by various sections of the community.

The subject site is a key location within Belmore Street with the Town Hall being a key anchor within the streetscape however it is currently underutilized with the eastern section of the land being vacant. The proposed building makes more efficient use of the land and will provide access to arts, educational, cultural and social space with excellent access to public transport.

Local Planning Policy

Heritage – Clause 21.04-4

Policy Objective:

- *To conserve and protect site and places of historic significance*

Strategies:

- *Identify sites and places of heritage significance.*
- *Ensure use and development of heritage sites and places is sympathetic to the heritage fabric.*

As detailed within this report, and particularly in response to the Heritage Overlay, the Community Hall is not recognized as being historically significant and its demolition would not impact on the heritage value on the site or within the broader Yarrowonga Town Centre Precinct.

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The Town Hall is significant at the local level and the proposed modern building contributes and protects its significance being the architectural style and civic pride by being of a different style whilst incorporating design elements of the Town Hall in a modern interpretation including the varied roof form and large windows.

Heritage Policy – Clause 22.01

Policy objectives:

- *To conserve and enhance a range of buildings, features and precincts that strengthen community identity by helping to convey how the municipality originated and developed over time.*
- *To encourage the retention and restoration of heritage places.*
- *To discourage the demolition of significant and contributory heritage places which are included in the Heritage Overlay.*
- *To ensure that new development and any publicly visible additions and/or alterations in or to a heritage place maintain the significance of the heritage place and employ a contextual design approach.*
- *To ensure that the conservation of heritage places and precincts is based upon a clear understanding of the reasons for their significance.*
- *To improve community understanding about the value of heritage places and raise community awareness about appropriate conservation techniques.*
- *To consider allowing alternative uses of heritage buildings or places to assist in the protection of significant buildings.*

The following policies apply when considering planning permit applications under the Heritage Overlay:

- *Take into account the statement of significance for the heritage place when making decisions about proposed buildings and works associated with that place.*
- *Require all applications for demolition to be accompanied by an application for a new development.*
- *All the demolition of part of a heritage place if it will not affect the significance of the place and the proposed addition is sympathetic to the scale and form of the place.*
- *Allow the demolition of a non-contributory heritage place if its replacement will make a positive contribution to the place and is sympathetic to the scale and form of the place.*
- *Incorporate setbacks that maintains and enhances an existing vista to the principal façade(s) of the heritage place, where new development is adjacent to a heritage place.*
- *Generally reflect the prevailing streetscape scale and does not dominate the streetscape or public realm.*
- *Respect the scale and setting of the heritage place while responding to the prevailing scale of the heritage overlay area, especially if it is a major development site containing a significant or contributory heritage place.*

Before deciding on an application for demolition, the responsible authority will consider:

- *The degree of heritage significance.*
- *Whether the demolition or removal of any part of the building contributed to the long term conservation of the significant fabric of that building.*
- *Whether the demolition or removal is justified for the development of the land.*

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- *The potential impact of the proposed on the heritage values of the site and/or its setting and area.*
- *Whether new buildings and works will be compatible with the characteristics of the heritage place and to be undertaken generally in accordance with any guideline prepare by the responsible authority.*
- *Whether the design, bulk and setback of any new buildings and works are responsive to existing heritage assets.*
- *The potential impact of the proposal on the heritage values of the site and/or setting and area.*
- *Whether the design, bulk and setback of any new buildings and works are response to existing heritage assts.*

It is considered the proposal complies with the decision guidelines as the application provides for both the demolition and a new replacement building with similar setbacks and scale whilst not impacting or taking away from import view lines of the Town Hall. It is also noted that the proposed building is well recessed from Belmore Street with a setback of 29.5m and therefore does not compete or detract from the front elevation of the Town Hall from the busy Belmore Street.

The proposal does not result in the removal of significant heritage elements on the site whilst complimenting a contributing building with design elements replicated in the new building, albeit a modern interpretation.

The demolition of the Community Hall and minor alterations to the Town Hall will allow the construction of the community hub and increase the number of patrons accessing and utilising the site. This increased patronage will provide greater access to the significant Town Hall and increase community understanding and awareness about the heritage value.

Yarrowonga Town Centre Precinct – Clause 22.16

Statement of Significance:

*“The **Yarrowonga Town Centre Precinct** is **aesthetically significant** at the **local** level. It demonstrates many original and early design qualities associated with the civic and commercial development of Belmore Street, between the 1880s and 1950s. It is a stylistic mix of predominantly Victorian, some Federation and several inter war architectural styles that have been built and maintained throughout most of the precinct. These qualities include predominantly brick wall construction, hipped or gabled galvanised corrugated iron roof forms, one storey and two storey heights, decorative parapets, some posted verandahs, cantilever verandahs from the interwar and post war period, picturesque skylines created by the pitched rooflines with chimneys and parapets, and accented by a backdrop of sky forming a consistent streetscape.*

The area is aesthetically enhanced by several architecturally fine buildings such as the magnificent Inter-War Free Classical Town Hall, the two storey Post Office, State Savings Bank, Victoria Hotel, Terminus Hotel and Burke’s Royal Mail Hotel and outstanding architectural examples of single storey places such as the Athenaeum building, The Big Store, the former Shire Hall, Federation shops at 116-120 Belmore Street and various other shops and views along Belmore Street to these buildings.

*The Belmore Street streetscape views: towards the war memorial monument, towards the customs house and various views of the Town Hall are **aesthetically***

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significant on a local level for their association with the civic spirit of Yarrawonga as locally recognised and appreciated features of the town.

The Yarrawonga Town Centre Precinct is scientifically significant on a local level. Building materials such wrought iron, cast iron, terracotta roof decoration, marble and granite, and stained glass are a testament to the high level of technical skill that artisans in Yarrawonga possessed. The use of these materials is becoming rare and their presence forms an integral part of the precinct's fabric.

*The Yarrawonga Town Centre Precinct encompasses buildings and places in Belmore Street which are of **historical** and frequently of **social** significance at the **local** level.*

Overall, the Yarrawonga Town Centre Precinct is culturally significant at the LOCAL level."

Policy objectives:

- *To support the retention, enhancement and conservation of the buildings and places identified and referred to in the statement of significance.*
- *To ensure new development is of a scale form and mass that is compatible with adjacent significant buildings and other significant buildings in the precinct.*
- *To conserve and enhance the important views within the precinct.*

Policy:

- *Retain the significant buildings in the precinct.*
- *Maintain the predominantly single and two storey character of the area by discouraging development that exceeds 8.5 metres except where a minor increase would allow the parapet to match an adjoining parapet on a significant place.*
- *Encourage the use of paint colours appropriate to the period of the building.*
- *Encourage contemporary interpretation of traditional building design for infill development.*
- *Discourage development that would obscure significant views in the precincts, particularly those listed below:*
 - *The Belmore Street streetscape views; views towards the war memorial monument and towards the customs house and various views of the Town Hall.*

The key components of this policy has been considered within the assessment against the Heritage Overlay and generally through this report however it is important to note the proposal is located behind the Town Hall and does not have a significant or detrimental impact on views on the Town Hall from Belmore Street.

Zone

Public Use Zone

The purpose of the Public Use Zone is as follows:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To recognise public land use for public utility and community services and facilities.*

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- *To provide for associated uses that are consistent with the intent of the public land reservation or purpose.*

The existing Town Hall and Community Hall have established the Place of Assembly use with a number of activities occurring on the site including religious and cultural activities, entertainment and meetings. The Place of Assembly use is not proposed to change and is conducted by or on behalf of Moira Shire

As the use of the land carried out by or on half of Council it is considered a Section 1 Use within the Public Use Zone at Clause 36.01-1 and therefore does not require a planning permit. Furthermore, a planning permit is also not required for buildings and works associated with a Section 1 Use as detailed within Clause 36.01-5 of the Public Use Zone.

A planning permit is not required for the demolition of the buildings or the construction of the multi-purpose community building under the Public Use Zone.

Furthermore, the crown grant for the subject site specifically states that the purpose of the land is for municipal buildings and library with exclusion to all other uses as detailed in the grant except below:

“the said land hereby granted and the buildings for the time thereon shall be at all times hereafter maintained and used as and for municipal buildings and a mechanics institute and free library and offices and conveniences connected therewith and for no other purpose whatsoever”.

A demonstrated above, the intent was always for the Yarrowonga Library to be located on the subject site and it is considered the proposal is consistent with the crown grant

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Overlays

Heritage Overlay

The purpose is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To conserve and enhance heritage places of natural or cultural significance.*
- *To conserve and enhance those elements which contribute to the significance of heritage places.*
- *To ensure that development does not adversely affect the significance of heritage places.*
- *To conserve specifically identified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.*

Within the Heritage Overlay at Clause 43.01-1 a permit is required to demolish or remove a building, construct a building or construct or carry out works together with externally altering a building.

Appropriate decision guidelines are:

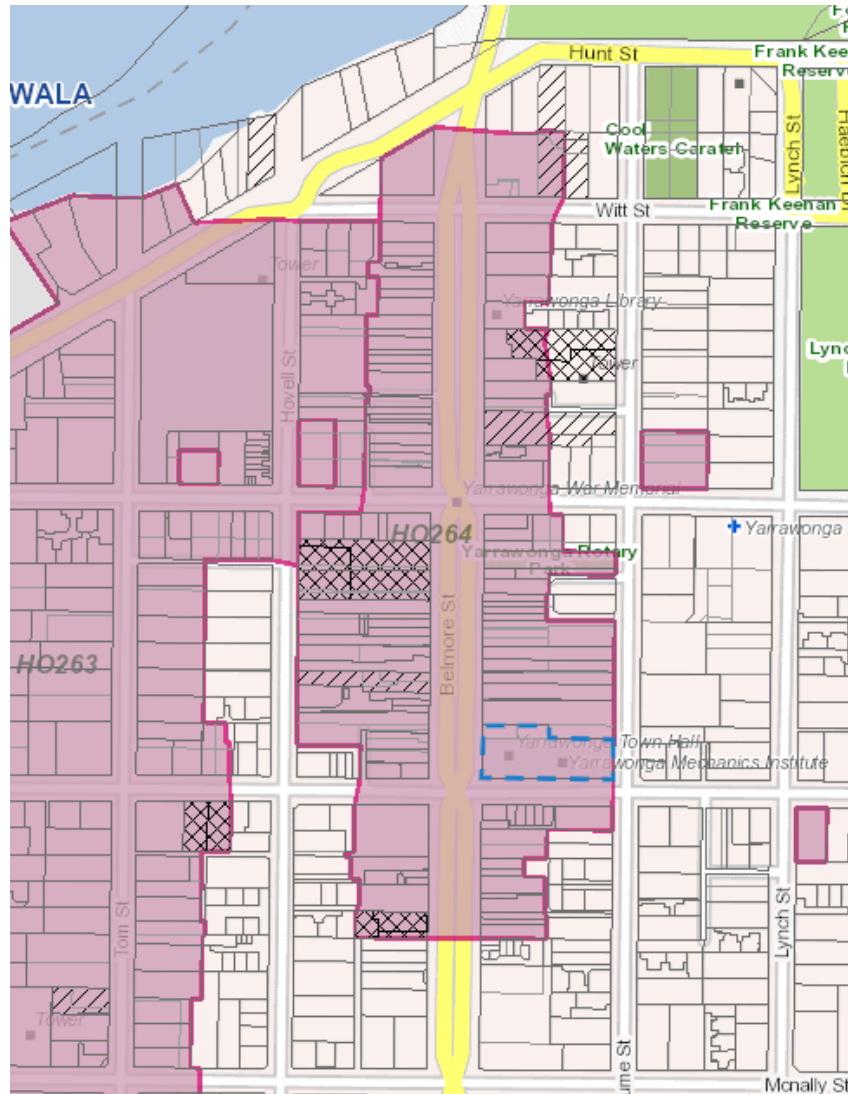
- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place.*
- *Any applicable statement of significance, heritage study and any applicable conservation policy.*
- *Whether the location, bulk, form or appearance of the proposed building will adversely affect the significance of the heritage place.*
- *Whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place.*
- *Whether the demolition, removal or external alteration will adversely affect the significance, character or appearance of the heritage place.*

The subject site is located within Heritage Overlay 264 (HO254) which applies to the Yarrowonga Town Centre Precinct as shown below. It is noted that the image below depicts the Yarrowonga Town Centre Precinct in HO264 together with the Tom Sharp Precinct in Heritage Overlay 263.

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As detailed within the Moira Shire Heritage Study and within the statement of significance of the Yarrowonga Town Centre Precinct in Clause 22.16 and outlined above, the precinct is aesthetically significant at a local level based on the predominately Victorian, Federation and Inter-War architectural styles and building materials.

The precinct boundaries and map provided within Figure 1 does identify the site with three places of significance, generally in the location of the Town Hall, Community Hall, and former kindergarten building however, the citation does not provide any detail on the Community Hall as having any cultural or historical significance.

It is considered the identification of the Community Hall (and Kindergarten) was an oversight and does not reflect the historic significance of the Yarrowonga Town Centre Precinct as detailed in the response to an objection and within response from the Heritage Advisor that prepared the Moira Shire Heritage Study.

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The decision guidelines within the Heritage Overlay that Council must consider for the demolition of the building generally relate to the significance of that building and whether the demolition would adversely affect the significance of the area. Given the heritage citation and Moira Shire Heritage Study remains silent on the Community Hall and is not listed as a contributory place within Clause 22.16-7 it is considered the Community Hall is not a level of significance that requires protection and therefore the refusal of this application.

The comments from the author the Moira Heritage Study and the heritage advice submitted as part of the application detail the built form significance of the Community Hall was as an adjunct to the Town Hall.

The Community Hall provided for 'back of house' facilities including kitchen and change room facilities however it did not contribute to the heritage value of the Town Hall being Inter-War building. Additionally, Council is considering the planning application for the demolition of the building and proposed buildings and works associated with a new building – not the future use of that building or ensuring existing facilities are replicated.

The Community Hall does have a level of social significance within parts of the community based on events that have occurred on the site e.g. weddings, dances, performances etc. however this based on the utility value of the venue and the ability to host these events as opposed to particular elements of the building.

The demolition of the Community Hall would not detract or adversely affect the heritage value or significance of the Town Centre Precinct noting the building was constructed in 1959 and does not contribute to the Victorian, Federation or Inter-War architectural style and is not associated with the civic spirit of Yarrowonga

The development is of modern design and it is considered this compliments the Inter-War heritage significance of the Town Hall as it is easily distinguishable as opposed to a 'mock heritage' approach.

Some members of the community place social importance on the Community Hall or have a close affiliation to the building based on events they have attended or held in the Community Hall however Council must consider the proposal and assess it against the provisions of the Moira Planning Scheme.

The Moira Shire Heritage Study and citation detailing the heritage significance of the Yarrowonga Town Centre Precinct does not detail the Community Hall and therefore it's demolition would not have a detrimental impact of the significance, character, appearance or value on the heritage value of the Yarrowonga Town Centre Precinct.

Parking Overlay – Schedule 1

The purpose is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To facilitate an appropriate provision of car parking spaces in an area.*
- *To identify areas and uses where local car parking rates apply.*
- *To identify areas where financial contributions are to be made for the provision of shared parking.*

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The Parking Overlay operates in conjunction with the Car Parking provisions of Clause 52.06 and varies the parking rate for specified uses and also with details the requirement of a financial contribution if a reduction of parking is proposed. The table within Clause 2.0 of Schedule 1 of the Parking Overlay specifies a parking rate for a Place of Assembly as being wither 0.3 car parking spaces per seat or 3 car parking spaces to each 100sqm of net floor area, whichever is the greater. As the proposed building is multipurpose and does not specify the number of seats it is considered appropriate to apply a car parking rate of 3 spaces per 100sqm of net floor area.

If a permit is granted to reduce the number of car parking spaces required under this Overlay, Council must include a condition requiring a payment-in-lieu for these spaces. The amount per car parking space is indexed and increased each year with the calculation being accordance with *the Construction Industries Producer Price Index – General Construction Industry*.

The Parking Overlay varies the car parking requirements for a Place of Assembly from 0.3 car parking spaces to each patron detailed within Clause 52.06 to 3 car parking spaces to each 100sqm of net floor area. An assessment on the provision of car parking spaces is detailed below using the varied rate specified within the Parking Overlay.

Particular Provisions

Car Parking – Clause 52.06

The purposes of this provision are:

- *To ensure that car parking is provided in accordance with the State Planning Policy Framework and Local Planning Policy Framework.*
- *To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.*
- *To support sustainable transport alternatives to the motor car.*
- *To promote the efficient use of car parking spaces through the consolidation of car parking facilities.*
- *To ensure that car parking does not adversely affect the amenity of the locality.*
- *To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.*

As detailed within the Parking Overlay – Schedule 1, a Place of Assembly building has a parking rate of 3 car parking spaces to each 100sqm of net floor area. This parking rate only applies to the increased floor area as detailed within Clause 52.06-1 as the use is existing.

It is important to note the difference between net floor area and gross floor area as the Parking Overlay calculates the parking rate based on net floor area whilst the architectural plans detail the floor area based on gross floor area. The definitions for the floor areas as detailed within Clause 73.01 of the Moira Planning Scheme are as follows:

Term	Definition
Net Floor Area	The total floor area of all floors of all buildings on a site. It includes half the width of any part park and full width of all other walls. It does not include the area of stairs, loading

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	bays, accessways, or car parking areas, or any area occupied by machinery required for air conditioning, heating, power supply, or lifts.
Gross Floor Area	The total floor area of a building, measured from the outside of external walls or the centre of party walls, and includes all roofed areas.

As detailed above, the car parking rate is based on the increased floor area and not on the total floor area.

The application proposes the demolition of 561sqm net floor area comprising the existing Community Hall (417sqm), storage shed (60sqm) and portable (84sqm) whilst providing a library and multi-purpose building of 987sqm of net floor area – an increase of 426sqm net floor area.

Based on the net floor area increase a total of 12 car parking spaces area required based on the 3 car parking spaces per 100sqm of net floor area specified within Schedule 1 of the Parking Overlay for a building associated with a Place of Assembly. As a total of 7 car parking spaces is provided, a reduction of 5 car parking spaces is required.

Pursuant to Clause 52.06-3 a planning permit is required to reduce the number of car parking spaces required under the Parking Overlay. Before granting a permit to reduces the number of spaces, Council must consider, as appropriate:

- *The Car Parking Demand Assessment.*
- *The availability of alternative car parking in the locality of the land, including:*
 - *Efficiencies gained from the consolidation of shared car parking spaces.*
 - *Public car parks intended to serve the land.*
 - *On street parking in non-residential zones.*
 - *Streets in residential zones specifically managed for non-residential parking.*
- *On street parking in residential zones in the locality of the land that is intended to be for residential use.*
- *The practicality of providing car parking on the site, particularly for lots of less than 300 square metres.*
- *Any car parking deficiency associated with the existing use of the land.*
- *Local traffic management in the locality of the land.*
- *The impact of fewer car parking spaces on local amenity, including pedestrian amenity and the amenity of nearby residents.*
- *The need to create safe, functional and attractive parking areas.*
- *Access to or provision of alternative transport modes to and from the land.*
- *The character of the surrounding area and whether reducing the car parking provision would result in a quality/positive urban design outcome.*

A Car Parking Demand Assessment was submitted as part of the application that details the on-street car parking demand within the vicinity and whilst this data is from 2015 Council considers it appropriate, as detailed within the response to objections, given the current global pandemic and the limitations and restrictions on businesses and movement of people.

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It is considered that a reduction of 5 car parking spaces is appropriate given these can be accommodated within the surrounding street network given the occupancy and availability of parking in the surrounding street network given the availability of car parking spaces as detailed within the 2015 parking survey.

The subject site is central to the Yarrowonga commercial spine and has accessibility to public transport, including a bus stop immediately adjacent the subject site, whilst also in close proximity to schools, the hospital and residential areas that lends itself to either pedestrians or multi-purpose trips.

Overall it is considered the reduction of 5 car parking spaces would not have a detrimental impact on the amenity of the surrounding area or the management of the local traffic management. Furthermore, a condition should be imposed on any permit issued that required a payment-in-lieu of the spaces as required under the Parking Overlay which will be utilized by Council to provide public car parking spaces within the vicinity of Belmore Street in the future.

Bicycle Parking – Clause 52.34

The purposes of this provision are:

- *To encourage cycling as a mode of transport.*
- *To provide secure, accessible and convenient bicycle parking spaces and associated shower and change facilities.*

Similar to the car parking spaces detailed above, where the floor area of an existing use is increased, the required for bicycle facilities only applies to the increased floor area of the use.

As detailed within Table 1 at Clause 52.34 a Place of Assembly building required 1 employee bicycle space to each 1,500sqm of net floor area plus 2 visitor spaces and an additional 1 visitor space to each 1,500sqm of net floor area. If the number of spaces is not a whole number, the required number of facilities is the nearest whole number.

As the net floor area is increased by 426sqm, no bicycle facilities is required for employees whilst only 2 are required for visitors. The plans show x4 Cora bicycle racks on the site including 2 adjacent the Belmore Street entry and 2 within the car parking area. The two racks shown within the Orr Street road reserve have not been taken into consideration as they are not provided on the site.

It is considered the proposal meets they bicycle parking requirements of Clause 52.34.

9. Environmental Impact

The application proposes the demolition of a building and a replacement building within the Heritage Overlay and it is considered unlikely the proposal would have a detrimental environmental impact noting there are no land management overlays applicable to the site (e.g. flooding, bushfire etc.).

10. Conflict of Interest Considerations

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

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IN CAR PARKING (cont'd)**

11. Conclusion

A permit is required for the demolition of the Community Hall and the construction of the multi-purpose library and community-hub, minor alterations to the Town Hall and a reduction of 5 car parking spaces.

When determining the planning application, Council's considerations are confined to the elements that require planning approval i.e. the demolition, alteration and construction within a Heritage Overlay together with a reduction of car parking. Council is unable to consider the site selection process or alternative sites, potential upgrades to the existing building or the use of the proposed building.

Whilst not a deciding consideration, it should be noted that the site has long been earmarked as the site for the Yarrowonga Library dating back to the crown grant for the site. It is considered the proposal will make good of this intent and vision with the existing and proposed municipal buildings creating a community hub consistent with the public uses.

The Community Hall not of historical significance with an individual Heritage Overlay and whilst located within a precinct based overlay it is not listed as contributory and does not have design or construction elements with identified in the Statement of Significance.

As detailed within this report, the Community Hall does have a level social importance or significance due to either personal events or milestones that occurred within the building or as a standalone venue to host community events or for back of house requirements with events within the Town Hall.

Whilst not dismissing or disregarding this level of social importance to people, it is not detailed within the Statement of Significance for the Yarrowonga Town Centre Precinct and it has not been demonstrated that the Community Hall warrants historical recognition for social significance.

When considering the Moira Planning Scheme, including the Local Planning Policy at Clause 22.17, the Heritage Overlay and the Moira Shire Heritage Policy, the Yarrowonga Community Hall is not recognized as being either historically significant or contributory to the Yarrowonga Town Centre Precinct.

The demolition of the Community Hall would not adversely affect the significance, character or appearance of the significant elements of the Yarrowonga Town Centre Precinct. It is recommended the demolition of the Community Hall be supported.

The contemporary design is well situated on the site retaining the same setback to Orr Street whilst also being well setback and recessed from Belmore Street and thereby not impacting on the views and sightlines of the historic Town Hall.

Importantly, the design of the proposed building is not a 'mock-heritage' form of architecture and whilst being semi-attached the two building are distinctly different. The proposal is cognisant of the architectural design elements of the Town Hall with a varied stepped roof form together with similar window form and size.

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The application also proposes minor alterations to the southern elevation of the Town Hall which includes an increase to the entrance to facilitate greater universal access and a new lift to the above levels together with alterations to the external accessway leading into the building.

These alterations are considered minor in that they will not impact on the heritage significance of the Town Hall whilst allowing easier access to those with limited mobility.

As detailed within the assessment regarding car parking, a total of 5 parking spaces are proposed to be reduced however it is considered that these spaces can be accommodated within the surrounding street network if required.

Furthermore, it is recommended a condition be imposed on any permit issued requiring a payment-in-lieu of the five spaces. This payment to Council will allow to provide additional public car parking within the vicinity – similar to the public car parking at 5 Witts Street, Yarrawonga.

The application to demolish the Community Hall and construction a new multi-purpose library and community building, minor alterations to the Town Hall and a reduction of 5 car parking spaces together with the objections has been considered against the provisions of the Moira Planning Scheme and it is considered the proposal complies with the Planning Scheme and particularly the relevant heritage and parking considerations.

It is recommended that Council resolves to issue a **Notice of Decision to Grant a Permit** based on conditions detailed at the beginning of this report.

Attachments

- 1 Attachment Planning Permit Application 5/2020/82

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Planning Report
Yarrowonga Library
Redevelopment



**100 Belmore Street &
24 Orr Street, Yarrowonga**

Ref: 20011 May 2020

Applicant: Moira Shire Council

Revision 1 | 26/08/2020

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Document Ref: 20011_R, Rev. 1_Yarra Library Redevelopment_200520



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Chris Smith
B ASSOCIATES

1 Introduction

1.1 Proposal

This report is provided in support of an application for redevelopment of the Yarrowonga Community Hall and (former) preschool centre into a new Library, Events and Performance Precinct. The development is to be located on land that is jointly addressed as 100 Belmore Street and 24 Orr Street, Yarrowonga (the "subject site" herein). This site contains the Yarrowonga Shire Hall, Community Hall, discontinued Kindergarten and public open spaces.

This planning permit application is submitted on behalf of Moira Shire Council, being the registered proprietor and operator of the subject site. This application seeks a planning permit for building and works that includes the demolition of the 1960's Community Hall and redevelopment of the site for a community library and entertainment precinct.

To avoid confusion, it is important to note that only the Community Hall will be demolished as part of this application. This application will retain the Shire Hall fronting Belmore Street in its entirety. This application is accompanied by heritage advice on the existing buildings that are to be demolished – of which none have been identified as either individually significant or contributory buildings under the applicable heritage controls.

For the sake of this application, the recently-demolished kindergarten is considered to be an existing building to provide consistency with the architectural plans prepared by Kennedy Nolan Architects – whose plans pre-date the demolition of the building.



Figure 1. Yarrowonga Community Hall to be demolished
Photo taken from Orr Street frontage

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The proposal seeks to provide the Yarrowonga community with a state-of-the-art library complex that provides a much-needed upgrade for key community facilities that are currently unable to keep up with the community demand. The redevelopment will serve to re-establish the Yarrowonga Shire Hall as the premier entertainment and events venue within Yarrowonga.

The proposed redevelopment will be a multi-purpose facility that will include the redeveloped and expanded library, community toilets, meeting rooms and community spaces. The proposed redevelopment will also include some green outdoor spaces for informal community use.

The subject site contains frontage to road reserves on three sides: along the east, south and west boundaries. Each of these road reserves are constructed urban roads, with kerb and channel and concrete footpaths.

This report should be read in its entirety when considering individual planning provisions, as individual matters are not necessarily repeated in response to every relevant provision.

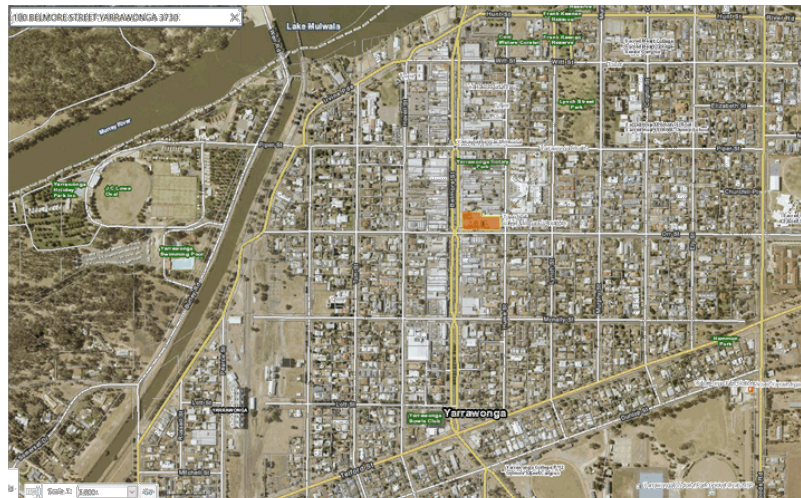


Figure 2. Locality Plan, Central Yarrowonga (Source: VicPlan)
Subject site highlighted in red

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1.2 Project

This planning application is the culmination of three-and-a-half years of community consultation, feasibility investigations and master planning since the steering committee was originally established in March 2017.

The above preliminary work has been since the need for new, modern Library facilities for the Yarrowonga community was identified – due to the current library being unable to service the growing demand – with the Yarrowonga library currently second only to Shepparton for patronage within the Goulburn Valley Libraries network.

The current Yarrowonga library serves a community catchment that extends beyond the Yarrowonga township and into much of the wider eastern Moira Shire.

As a result, in order to meet rising community demand, the existing Community Hall is to be demolished to enable the redevelopment of the site for a modern facility that will meet both the existing community demand and the forecast growth as the Yarrowonga community continues to grow.

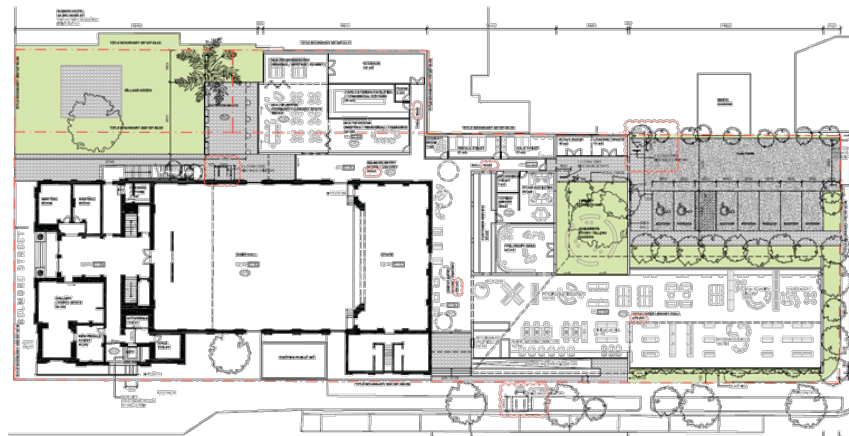


Figure 3. Floor Plan of Proposed Development
Including dimensions of overall footprint

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2 Applicant / Property Details

This application has been prepared by Chris Smith & Associates on behalf of Moira Shire Council, being the registered proprietor and operator of the subject land.

2.1 Subject Land

The subject land is located on public land – addressed jointly as **24 Orr Street and 100 Belmore Street, Yarrowonga**. The land is comprised of three (3) separately transferrable parcels – identified cadastrally as:

- Lot 1 on TP221379 (north-west parcel fronting Belmore Street),
- Lot 1 on TP449251 (north-east, land-locked parcel), and
- Crown Allotment 10, Section 3, Township of Yarrowonga (main parcel containing the Shire Hall, Community Hall and former kindergarten).

The subject land is slightly L-shaped with overall dimensions of approximately 100m along the southern boundary and 41m along the western boundary – with a total area of approximately of 3,580sqm

Physical features of the site include the Yarrowonga Shire Hall, Yarrowonga Community Hall and (until recently), a local Kindergarten – for which demolition approval was granted in February 2020. The site also contains two storage sheds to the north of the Shire Hall.

The site has road frontage on three sides, to the east, south and west – with existing line-marked on-street parking along Belmore and Orr Streets, while un-marked shoulder parking exists along Hume Street.

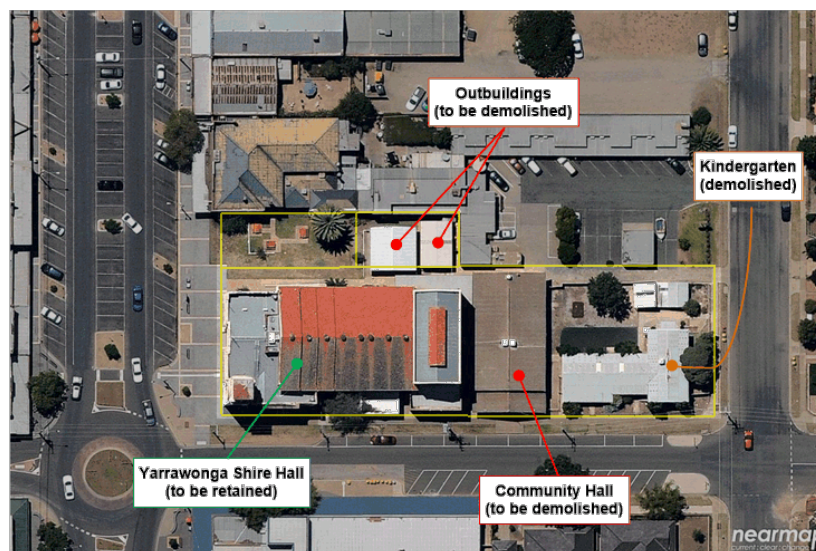


Figure 4. Subject Site, Including significant site buildings (source: Nearmap)
Showing the subject site in relation to its immediate surrounds

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2.2 Surrounding Context

The subject site is located within the established commercial centre of the Yarrowonga township – which is generally defined along the Belmore Street corridor – which runs north to south. There are several bus stops within the vicinity of the subject site – illustrating the locale’s prominence as an activity centre in the local area – with the most proximate being directly south of the site in Orr Street.

Directly to the north-east of the site – beyond Hume Street is the Yarrowonga Community District Hospital, which provides off-street car parking from Hume Street.

To the east and south of the site the area is largely typical residential uses – with single-storey detached dwellings predominating. There are some medium-density unit developments with the area, which are typically battle-axe allotments of two (2) or three (3) dwellings.

The Murray Valley Highway is located approximately 500 metres south of the subject site, where it intersects with Belmore Street via a roundabout, providing the major arterial road to the Yarrowonga township.

Belmore Street itself contains quite a diverse range of commercial strip shopping – with a mix of individually significant and contributory buildings that form part of an identified heritage precinct. However, the site’s interface with this precinct is largely through the Shire Hall (pictured below) which will remain largely untouched in the proposed redevelopment.



Figure 5. Orr and Belmore Street Intersection (Existing Community Hall marked by arrow)
Illustrating the functional separation between the Belmore Street corridor and the proposed redevelopment site
(source: Google Streetview)

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3 Proposal & Planning Permit Triggers

It is proposed to redevelop the Yarrowonga Community Hall and (former) kindergarten into a new Library, Events and Performance Precinct.

3.1 Existing Planning Controls

The following planning controls of the Moira Planning Scheme are applicable to the subject site, being located on land within:

- Public Use Zone 6 (PUZ6) – Local Government;
- Heritage Overlay 264 (HO264) – Yarrowonga Town Centre Precinct; and
- Parking Overlay 1 (PO1).

The land is also adjacent a Road Zone – Category 1 (Belmore Street) along the western boundary.

3.2 Planning Permit Triggers

A planning permit is triggered for the proposed development pursuant to following provisions of the Moira Planning Scheme:

Clause 43.01-1 (**Heritage Overlay**), to:

- Demolish or remove a building, and
- Construct a building or construct or carry out works within the Heritage Overlay

Clause 52.06 (**Car Parking**), to:

- Reduce the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay.

3.3 Proposal

The proposal consists of two distinct stages, with the initial component involving the **demolition of the existing Yarrowonga Community Hall and two (2) outbuildings** and the subsequent **development of a multi-purpose library and community centre**.

The proposal also seeks a **reduction of two (2) car parking spaces**, as per the requirements of Clause 52.06 and the Parking Overlay (PO1).

The proposal will result in an increase to site coverage of 266sqm; from the existing 1,883sqm to the 2,149sqm proposed by the redevelopment. This calculation includes the recently-demolished kindergarten at the Orr and Hume Street corner of the site.

Demolition

It is proposed to demolish and/or remove the following buildings on the site, totalling one (1) hall and two (2) outbuildings:

- Single-storey steel shed (approx. 61sqm);
- Single-storey weatherboard building (approx. 83sqm); and
- Community Hall (approx. 410sqm)

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The former 285sqm kindergarten and the associated outbuilding to the north of the former kindergarten have also been recently demolished, but do not form part of the current application.

New Multi-Purpose Community Centre

The proposed redevelopment will include a multi-purpose community facility which will comprise:

- Community and library space, including book/resources display, public access computers, reading areas, children, young adult and local history areas as well as customer service desk and staff facilities;
- Multipurpose meeting rooms, community spaces, change facilities and office spaces;
- Off-street carpark with seven (7) on-site car spaces, including three (3) accessible car spaces;
- Dedicated landscaping along the Orr Street and Hume Street frontages.

4 Moira Planning Scheme

An assessment of the proposed subdivision has been undertaken against the relevant sections of the Moira Planning Scheme and associated policies, listed accordingly:

11	Settlement
15	Built Environment and Heritage
18	Transport
19	Infrastructure
21.03	Settlement
21.04	Built Environment and Heritage
21.07	Local Areas
22.01	Heritage Policy
22.17	Grouped Places Heritage Policy
36.01	Public Use Zone 6 (Local Government)
43.01	Heritage Overlay
45.09	Parking Overlay 1
52.05	Signs
52.06	Car Parking
52.29	Land Adjacent to Road Zone
65	Decision Guidelines

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4.1 Planning Policy Framework

11 Settlement

New urban development "is to recognise the need for, and as far as practicable contribute towards":

- Health, wellbeing and safety;
- Economic viability;
- A high standard of urban design and amenity;
- Energy efficiency;
- Protection of environmentally sensitive areas and natural resources;
- Accessibility; and
- Land use and transport integration."

Further, "Planning is to facilitate sustainable development that takes full advantage of existing settlement patterns, and investment in transport and communication, water and sewerage and social facilities".

The proposed redevelopment will enable the optimisation of an underused site within the heart of the Yarrowonga town centre. The redevelopment will provide contemporary facilities to better serve the community, whilst being of a design that will remain sympathetic to the fabric of the heritage precinct that runs north-south along Belmore Street.

The proposal will provide for higher efficiency of land use and improved urban design by promoting development that will fully integrate with the surrounding commercial and civic land uses and streetscapes.

11.02-1S Supply of Urban Land

Is relevant to this application with the objective being to "ensure a sufficient supply of land is available for ...community uses".

Strategies listed to achieve this include:

- "Ensure the ongoing provision of land and supporting infrastructure to support sustainable urban development.
- Ensure that sufficient land is available to meet forecast demand, and
- Planning for urban growth should consider:
 - Opportunities for the consolidation, redevelopment and intensification of existing urban areas;
 - Neighbourhood character and landscape considerations; and
 - Service limitations and the costs of providing infrastructure."

The proposed subdivision is considered to be consistent with Clause 11 of the State Planning Policy Framework, as it is a redevelopment and intensification of an existing urban area that optimises key civic land within central Yarrowonga and its ancillary services.

The proposal is therefore supportive of a growing population.

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11.03-1S Activity centres

The stated Objective of Clause 11.03-1S is:

- *To encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres that are highly accessible to the community.*

In considering the merits of the proposal in response to the objective of planning for activity centres, there is explicit policy support for the redevelopment of the site in the heart of the Yarrowonga township – notably the following Strategies, which states planning is to promote development that will:

- *“Build up activity centres as a focus for high-quality development, activity and living by developing a network of activity centres that:
 - *Comprises a range of centres that differ in size and function.*
 - *Is a focus for business, shopping, working, leisure and community facilities.*
 - *Is connected by transport.*
 - *Maximises choices in services, employment and social interaction.*”*
- *Support the role and function of each centre in the context of its classification, the policies for housing intensification, and development of the public transport network.*
- *Reduce the number of private motorised trips by concentrating activities that generate high numbers of (non-freight) trips in highly accessible activity centres.*
- *Improve access by walking, cycling and public transport to services and facilities.*
- *Support the continued growth and diversification of activity centres to give communities access to a wide range of goods and services, provide local employment and support local economies.*
- *Encourage economic activity and business synergies.*
- *Improve the social, economic and environmental performance and amenity of activity centres.”*

11.03-5S Distinctive areas and landscapes

Objective:

- *“To protect and enhance the valued attributes of identified distinctive areas and landscapes.”*

The distinctive landscape in the surrounding area is centred around the streetscape of Belmore Street – with several sites of notable heritage value centred around the pre-war architectural style that is prominent along the street.

The proposed development will be largely fronting Orr Street – being a local urban road removed from the primary streetscape. In addition, the development has been designed to ensure recessive features are subordinate to the established features of the site – particularly the Shire Hall that stands as one of the defining features of the Yarrowonga township.

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B ASSOCIATES

11.03-6S Regional and local places

Objective

- *“To facilitate integrated place-based planning.”*

The proposed redevelopment will replace an outdated hall with a contemporary, state-of-the-art facility that will contribute to place-making and provide a functional community hub for the Yarrowonga township, effectively implementing the following strategies

- *“Integrate relevant planning considerations to provide specific direction for the planning of sites, places, neighbourhoods and towns.*
- *Consider the distinctive characteristics and needs of regional and local places in planning for future land use and development.”*

15.01-1S Urban design

Objective

- *“To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.”*

The proposal is supported by the following Strategies, that requires planning to:

- *“Require development to respond to its context in terms of character, cultural identity, natural features, surrounding landscape and climate.*
- *Ensure development contributes to community and cultural life by improving the quality of living and working environments, facilitating accessibility and providing for inclusiveness.*
- *Ensure the interface between the private and public realm protects and enhances personal safety.*
- *Ensure development supports public realm amenity and safe access to walking and cycling environments and public transport.*
- *Ensure that the design and location of publicly accessible private spaces, including car parking areas, forecourts and walkways, is of a high standard, creates a safe environment for users and enables easy and efficient use.*
- *Ensure that development provides landscaping that supports the amenity, attractiveness and safety of the public realm.*
- *Ensure that development, including signs, minimises detrimental impacts on amenity, on the natural and built environment and on the safety and efficiency of roads.*
- *Promote good urban design along and abutting transport corridors.”*

The architecturally designed multi-purpose centre has been carefully designed to ensure that the interface between the site and the public realm is closely managed.

The building has open spaces that are contributory to principles of urban design outlined with Clause 15.1-1S.

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B ASSOCIATES

15.01-2S Building design

Objective

- *"To achieve building design outcomes that contribute positively to the local context and enhance the public realm."*

Strategies

- *"Require a comprehensive site analysis as the starting point of the design process."*
- *Ensure the site analysis provides the basis for the consideration of height, scale and massing of new development."*
- *Ensure development responds and contributes to the strategic and cultural context of its location."*
- *Minimise the detrimental impact of development on neighbouring properties, the public realm and the natural environment."*
- *Ensure the form, scale, and appearance of development enhances the function and amenity of the public realm."*
- *Ensure buildings and their interface with the public realm support personal safety, perceptions of safety and property security."*
- *Ensure development is designed to protect and enhance valued landmarks, views and vistas."*
- *Ensure development provides safe access and egress for pedestrians, cyclists and vehicles."*
- *Ensure development provides landscaping that responds to its site context, enhances the built form and creates safe and attractive spaces."*

The proposed multi-purpose centre provides active interfaces with adjacent land on all frontages, including landscaping and good access for both vehicles and pedestrian traffic.

The development of the site will integrate with the established character of the Shire Hall and has been designed to complement the existing built form – without detracting from the significant of the hall.

Of particular note, the Belmore Street interface includes a redeveloped "Village Green" public open space incorporating retention of the established date palm tree. The building is set back 28 metres from the street, so that it is subordinate to the significant Shire Hall building and the established streetscape.

15.03-1S Heritage conservation

Objective:

- *"To ensure the conservation of places of heritage significance."*

Strategies

- *"Identify, assess and document places of natural and cultural heritage significance as a basis for their inclusion in the planning scheme."*
- *Provide for the protection of natural heritage sites and man-made resources."*
- *Provide for the conservation and enhancement of those places that are of aesthetic, archaeological, architectural, cultural, scientific or social significance."*
- *Encourage appropriate development that respects places with identified heritage values."*

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IN CAR PARKING (cont'd)**

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- *Retain those elements that contribute to the importance of the heritage place.*
- *Encourage the conservation and restoration of contributory elements of a heritage place.*
- *Ensure an appropriate setting and context for heritage places is maintained or enhanced.*
- *Support adaptive reuse of heritage buildings where their use has become redundant."*

The proposed development has been carefully designed to be sympathetic to the existing character of the surrounding locale. The development would use traditional materials and colours that would remain in-keeping with the character and values of the existing hall.

18.01-1S Land use and transport planning

Objective

- *"To create a safe and sustainable transport system by integrating land use and transport."*

Strategies

- *"Develop integrated and accessible transport networks to connect people to jobs and services and goods to market.*
- *Plan urban development to make jobs and services more accessible by:*
- *Ensuring equitable access is provided to developments in accordance with forecast demand, taking advantage of all available modes of transport and to minimise adverse impacts on existing transport networks and the amenity of surrounding areas.*
- *Coordinating improvements to public transport, walking and cycling networks with the ongoing development and redevelopment of urban areas.*
- *Requiring integrated transport plans to be prepared for all new major residential, commercial and industrial developments.*
- *Focussing major government and private sector investments in regional cities and centres on major transport corridors, particularly railway lines, in order to maximise the access and mobility of communities.*
- *Integrate public transport services and infrastructure into new development."*

In considering the nature of the visits to the library (typically multi-purpose trips) and the abundance of public transport options immediately proximate to the site as well as the established walking path network and cycling opportunity, the proposal is considered as being consistent with planning policy for transport planning.

18.02-4S Car parking

Objective

- *"To ensure an adequate supply of car parking that is appropriately designed and located."*

Strategies

- *"Allocate or require land to be set aside for car parking subject to the existing and potential modes of access including public transport, the demand for off-street car parking, road capacity and the potential for demand management of car parking.*

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- *Encourage the efficient provision of car parking by consolidating car parking facilities.*
- *Design and locate local car parking to:*
 - *Protect the role and function of nearby roads.*
 - *Enable easy and efficient use.*
 - *Enable the movement and delivery of goods.*
 - *Achieve a high standard of urban design and protect the amenity of the locality, including the amenity of pedestrians and other road users.*
 - *Create a safe environment, particularly at night.*
 - *Facilitate the use of public transport.*
- *Protect the amenity of residential precincts from the effects of road congestion created by on-street parking.*
- *Make adequate provision for taxi ranks as part of activity centres, transport interchanges and major commercial, retail and community facilities."*

A car parking demand analysis has been undertaken prior to the preparation of this application. The proposal provides seven (7) on-site car parks – including three (3) accessible car parks that will provide convenient access to the library once developed.

The site is immediately proximate to an existing bus stop within the Orr Street frontage, as well as over one hundred (100) car parks with walking distance of the site. Further, given the site's location within a commercial centre, the probability of multi-destination trips is likely, with much of the car parking demand being capable of supporting the collective car parking requirements of the Yarrowonga town centre.

19.02-2S Education facilities

Objective

- *"To assist the integration of education and early childhood facilities with local and regional communities."*

Strategy

- *"Develop libraries as community-based learning centres."*

The redevelopment will have a direct and tangible impact on the site's capacity to facilitate use for community-based learning. The site will include computer facilities and a dedicated children's area.

19.02-3S Cultural facilities

Objective

- *"To develop a strong cultural environment and increase access to arts, recreation and other cultural facilities."*

Strategies

- *"Reinforce the existing major precincts for arts, sports and major events of state-wide appeal.*
- *Establish new facilities at locations well served by public transport."*

The proposed Yarrowonga Library, Event and Performance Precinct will provide major utility improvements to the ageing facilities that current existing on the site. The existing Community Hall has limited amenities – other than its function as an indoor

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space adjacent to the Shire Hall. Purpose-built facilities will provide significant improvements and functionality to both the existing Shire Hall and the wider precinct.

19.02-4S Social and cultural infrastructure

Objective

- *"To provide fairer distribution of and access to, social and cultural infrastructure."*

Strategies

- *"Ensure social infrastructure is designed to be accessible.*
- *Plan and design community places and buildings so they can adapt as the population changes and different patterns of work and social life emerge."*

The relocation of the inadequate library facilities to a new multi-function facility will enable the Yarrowonga community to have a social and cultural hub, consistent with the aforementioned state policy.

4.2 Municipal Planning Strategies

21.03 Settlement

Clause 21.03-1 identifies the relevant Key issues for urban settlement within Moira Shire being:

- *Facilitating the orderly development of towns and settlements*
- *Facilitating the development of a diverse range of housing options for the existing and future population*
- *To promote the orderly development of urban areas.*
- *To provide a diverse range of housing options for the existing and future population.*

The proposed development is consistent with the orderly development of the Yarrowonga township. Specifically, the strategies listed below:

- *Ensuring development is consistent with adopted and incorporated strategy plans and town framework plans.*
- *Promote a wide range of housing opportunities in urban areas that respond to the housing needs of the population through all stages of the lifecycle.*

21.04 Environment and Heritage

The relevant key planning issues pertaining to this proposal are:

- (the) *"Protection of pre- and post-contact historic sites and places of local significance*

This is reflected in the stated objective of the Clause stipulating that planning is *"To conserve and protect sites and places of historic significance."*

The proposal includes the demolition of buildings that are identified as non-significant and non-contributory buildings within a wider heritage precinct. Of particular relevance, the Community Hall is a post-war building – having been constructed in the late 1950's and therefore being a post-war construction, where the precinct has been identified for its pre-war buildings.

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As a consequence, the hall is not subject to any specific controls at a local or state level, consistent with the relevant strategies for planning in Moira Shire.

21.07-2 Local Areas (Yarrowonga)

The relevant guidelines for development of the Yarrowonga township are outlined as the objectives for Local area implementation:

- *Ensure development is generally consistent with the Yarrowonga Framework Plans and contained within the settlement boundary.*
- *Encourage the more effective use of the rear of Belmore Street shops. Pedestrian access to the rear of these sites will enable more opportunity for use of car parking at the rear of sites.*
- *Promote an integration of tourism, retailing and residential uses at the interface of Lake Mulwala and the Town Centre through redevelopment of land adjacent to the northern end of Belmore Street.*
- *Accommodate complementary business uses at the southern end of Belmore Street.*
- *Promote mixed use development within the area bounded by Hunt Street, Lynch Street, Witt Street and Hume Street.*
- *Investigate urban renewal and redevelopment options for the land bounded by the rail line, Belmore Street and the Murray Valley Highway.*
- *Protect the Belmore Street retail activity centre by favouring new developments that provide retail space on the ground floor with offices above the ground floor or in the streets surrounding Belmore Street.*
- *Protect the amenity of Belmore Street by retaining the centre of the road car parking.*
- *Identify and develop off-street car parks to service the needs of traders, customers and visitors of Belmore Street.*

The proposed development provides for infill development that will enable a higher optimisation of land within the Yarrowonga town centre and is considered an opportunity for urban renewal consistent with local policy and the aforementioned Strategies.

The Yarrowonga Central Framework Plan shows the land as being within the Yarrowonga Activity Centre, where retail consolidation is encouraged. The proposed development implements strategies to improve pedestrian access and better utilisation to the rear of Belmore Street by providing an active interface and open car parking space to Orr and Hume Streets (respectively).

22.01 Heritage Policy

This policy applies to all land covered by the Heritage Overlay, and stipulates the objectives:

- *To conserve and enhance a range of buildings, features and precincts that strengthen community identity by helping to convey how the municipality originated and developed over time.*
- *To encourage the retention and restoration of heritage places.*
- *To discourage the demolition of significant and contributory heritage places which are included in the Heritage Overlay.*
- *To ensure that new development and any publicly visible additions and/or alterations in or to a heritage place maintain the significance of the heritage place and employ a contextual design approach.*

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- To ensure that the conservation of heritage places and precincts is based upon a clear understanding of the reasons for their significance.
- To improve community understanding about the value of heritage places and raise community awareness about appropriate conservation techniques.

Pursuant to Clause 22.01-3, the following policies are applicable to this application:

Statements of Significance

- Take into account the statement of significance for the heritage place when making decisions about proposed buildings and works associated with that place.

Clause 22.16-2 outlines the Statement of Significance of the wider Yarrowonga Town Centre Precinct – within which the Yarrowonga Community Hall is an unnamed and unidentified building.

Demolition and removal of Buildings

- Require all applications for demolition to be accompanied by an application for new development.
- Allow the demolition of part of a heritage place if it will not affect the significance of the place and the proposed addition is sympathetic to the scale and form of the place.
- Allow the demolition of a non-contributory heritage place if its replacement will make a positive contribution to the place and is sympathetic to the scale and form of the place.
- Not support the demolition of a significant building unless and only to the extent that:
 - The building is structurally unsound or cannot be feasibly reused
 - The replacement building and/or works displays design excellence which clearly and positively supports the ongoing heritage significance of the area.
- Not support the demolition of a contributory building unless and only to the extent that the building is structurally unsound or cannot be feasibly reused, and either:
 - The replacement building and/or works displays design excellence which clearly and positively supports the ongoing heritage significance of the areas, or
 - In exceptional circumstances the streetscape is not considered intact or consistent in heritage terms.
- Disregard the poor physical condition of a heritage place as being a reason for permitting demolition.
- Require the owner/developer to provide a visual record of any contributory or significant heritage fabric that is to be demolished or removed to the satisfaction of the responsible authority prior to the demolition being approved.

The proposal is for a demolition and redevelopment of the site in accordance with local planning policy. The proposed demolition is to be of three (3) non-contributory and non-significant buildings within the Yarrowonga town centre precinct.

A heritage impact assessment of the existing buildings – notably the community hall, has considered the proposed demolition and potential impacts on the heritage fabric of the surrounding heritage precinct. The significant heritage interface of the precinct is the Belmore Street corridor, which is removed from the proposed buildings that are to be demolished – thus the demolition would have limited impact on the integrity of the precinct's heritage fabric.

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Additions and/or Alterations to heritage places

- Do not change the original principal façade(s) or roof.
- Are distinguishable from the original parts of the heritage place to be conserved if a contemporary architectural approach is used.
- Are based on research that can identify the elements, detailing and finishes originally employed.
- Do not obscure or alter an element that contributes to the significance of the heritage place.
- Maintain an existing vista or view lines to the principal façade(s) of a heritage place.
- Ensure that an upper storey addition which is sited and massed behind the principal façade so that it preferably is not visible, particularly in intact or consistent streetscapes.
- If visible, the roof form or any addition is related to that of the heritage place.
- Where the property is located on a corner site the upper storey addition is sited and massed so it is visually recessive from the building's main frontage so that the scale of the heritage place is the dominant element in either streetscape. New openings in the principal façade(s) visible from the street are avoided, or if openings are visible, they are proportionally related to those of the heritage place, unless concealed from view from the principle street frontage.
- Walls, roof and fences are complementary to the heritage place in terms of materials, finishes and textures and paint colours and are appropriate to its architectural style

The proposal does not include any significant changes to the principal facades of the Shire Hall. The only alteration is a minor upgrade to the Orr Street entrance and external steps. The proposed new building does not obscure or alter the heritage fabric of the Shire Hall, including vista and view lines to the building and its setting within the streetscape.

The proposed development has been heavily informed by the existing built form. The building will be a single-storey construction and has a roof line that has taken cues from the existing hall – to ensure that the development will be clearly subordinate to the existing Shire Hall and feature of the site.

New Development in a Heritage Overlay

- Incorporate setbacks that maintains and enhances an existing vista to the principal façade(s) of the heritage place, where new development is adjacent to a heritage place.
- Have side setbacks which reflect those of the adjacent dwellings and the streetscape, where there is an important element in the streetscape.
- Generally reflect the prevailing streetscape scale and does not dominate the streetscape or public realm.
- Include roofs that respond to any predominant roof form characteristic of the streetscape.
- Ensure that door and window openings are complementary to the prevailing streetscape characteristics and large expanse of glass or horizontal windows are generally avoided in principal front facades except where this is considered an appropriate design response.
- Respect the scale and setting of the heritage place while responding to the prevailing scale of the heritage overlay area, especially if it is a major development site containing a significant or contributory heritage place.

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- Includes visible wall elevations of the new building that are articulated in a manner that is complementary to the streetscape through the use of different materials, massing and the inclusion of windows and doors where appropriate.
- Have materials, textures and finishes that complement materials evident in the streetscape.
- Have colour schemes that complement the appearance and character of the streetscape.

The proposed redevelopment design ensures the new contemporary design features remain responsive to the existing Shire Hall. As per the advice from John Briggs as an expert in both heritage and architecture - this is evidenced through...

... "siting, scale, character and expression, whilst evidently contemporary demonstrates sensitivity and responsiveness to the robust rear form of the Shire Hall. The new presence will be set away from the primary heritage vistas of both Belmore Street and of the Shire Hall. From the vantage points from which the Shire Hall is most appreciated, in both the Belmore Street streetscape and down Orr Street, the brick elements of the new library will be secondary and complementary to the presence of the Hall..."

22.16 Yarrowonga Town Centre Precinct

Objectives:

- "To support the retention, enhancement and conservation of the buildings and places identified and referred to in the above statements of significance.
- To ensure new development is of a scale form and mass that is compatible with adjacent significant buildings and other significant buildings in the precincts.
- To conserve and enhance the important views within the precincts"

This policy is applicable to land within the Yarrowonga Town Centre Heritage Overlay area (HO264) and is used in conjunction with State provisions at Clause 15.03 and local provisions of Clause 21.04.

The HO264 has been informed by and functionally implements the recommendations of the "Moira Shire Stage Two Heritage Study (2007)" which lists individual sites, precincts and groups with both Yarrowonga and the wider municipality.

A heritage report has been appended to this report as **Appendix A**, this heritage assessment addresses the heritage value of the site relative to the Yarrowonga Town Centre Precinct

The proposed demolition does not include any individual significant or contributory buildings that interface and form part of the fabric critical to the preservation of the Yarrowonga Town Centre.

Accordingly, the consideration of the application is consistent with local planning policy to:

- "Retain the significant buildings in the precinct.
- Maintain the predominantly single and two storey character of the area by discouraging development that exceeds 8.5 metres except where a minor increase would allow the parapet to match an adjoining parapet on a significant place.
- Discourage upper level additions to significant single storey shops unless setback to at least the depth of the front room.

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- Discourage the removal or alteration of historic shopfronts dating to 1950.
- Encourage reconstruction of shop fronts and verandahs, where sufficient information exists to enable this, or the construction of sympathetic typical shop fronts and verandahs (preferably with simplified detailing, so that they are not construed as original).
- Encourage the use of paint colours appropriate to the period of the building.
- Encourage signage that is compatible with the style, scale and location of signage appropriate to the periods of the building.
- Encourage contemporary interpretation of traditional building design for infill development.
- Maintain the picturesque skylines created by the pitched rooflines with chimneys and parapets, and accented by a backdrop of sky forming a consistent streetscape.
- Discourage development that would obscure significant views in the precincts, particularly those listed below:
 - The Belmore Street streetscape views; views towards the war memorial monument and towards the customs house and various views of the Town Hall."

22.17 Grouped Places Heritage Policy

As outlined within Clause 22.17-2, the subject land is identified within the *Moira Shire Stage Two Heritage Study 2007*, with the accompanying statement of significance as part of the "*Yarrawonga Town Centre Precinct*".

However, only the Shire Hall –on the corner of Belmore and Orr Streets – is explicitly identified as being of heritage value within the Heritage Study.

The other buildings on the subject site – including the Community Hall and former Kindergarten are not identified as contributory or significant heritage places. Any significant or contributory heritage building is required to be accompanied by a statement of significance outlining the features of the building that are of heritage value – the relevant statement of significance notes only the Shire Hall – which will be retained in its entirety.

In considering the application against the objectives of the Clause, the following objectives are relevant:

- To conserve and enhance a range of buildings, groups, features and precincts that strengthen community identity by helping to convey how the municipality originated and developed over time.
- To encourage the retention and restoration of heritage places within identified groups.
- To discourage the demolition of significant and contributory heritage places which are included in the Heritage Overlay.
- To ensure that new development and any publicly visible additions and/or alterations in or to a heritage place maintain the significance of the heritage place and employ a contextual design approach.
- To consider allowing alternative uses of heritage buildings or places to assist in the protection of significant buildings.

A detailed assessment of the proposed demolition and redevelopment and its potential impact on the site's heritage value is undertaken by John Briggs and provided as an appendix to this application.

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The Decision Guidelines of Clause 22.17-6, outline that before deciding on an application for demolition, the responsible authority will consider, as appropriate:

- *The degree of heritage significance.*
- *Whether the demolition or removal of any part of the building contributes to the long term conservation of the significant fabric of that building.*
- *Whether the demolition or removal is justified for the development of the land.*
- *The cost of demolition compared to the cost of restoration.*
- *Before deciding on an application to use or develop land, the responsible authority will consider, as appropriate:*
 - *The potential impact of the proposal on the heritage values of the site and/or its setting and area.*
 - *Whether new buildings and works will be compatible with the characteristics of the heritage place and be undertaken generally in accordance with any guidelines prepared by the responsible authority.*
 - *Whether the design, bulk and setback of any new buildings and works are responsive to existing heritage assets.*
 - *Whether the surface materials, or a new building, an addition or alteration to an existing building are respectful*

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4.3 Land Zoning

4.3.1 Public Use Zone 6 (PUZ6)

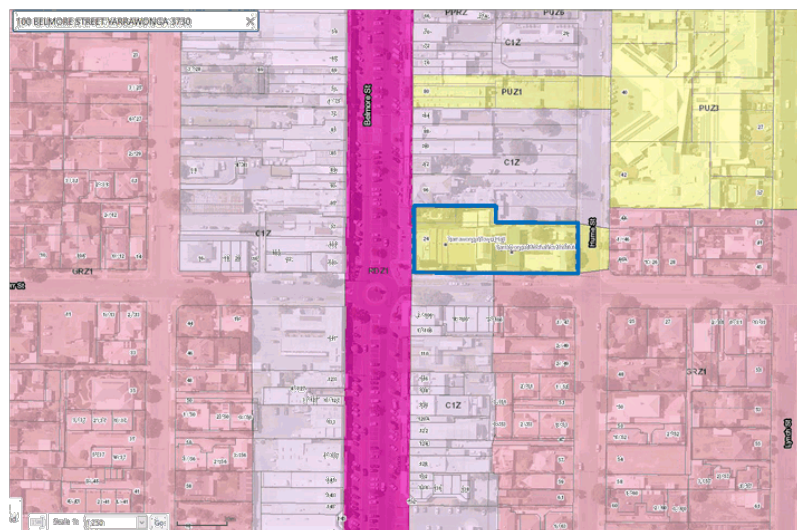


Figure 6. Land Zoning Map (source: VicPlan)
Site outlined in blue

The subject site is wholly within the Public Use Zone 6, which is set aside for local government. The proposal is for a redevelopment of the site for a public library and associated community facilities, which is consistent with the purpose of the zone.

Clause 36.01-5 states that “a permit is not required to use land, or to construct a building or construct or carry out works on land, listed in a schedule to this zone, provided any condition in the schedule is complied with”.

The Schedule to the Public Use Zone does not specify any conditions for use or development of land in the zone. The proposal is a development on behalf of the Moira Shire Council for a community facility – and is therefore an “as-of-right” use and development within the PUZ6, thus the requirements of the zone do not apply

The requirement for a planning permit is triggered by other provisions of the Moira Planning Scheme, which are set out and responded to within this report.

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4.4 Overlay/s

4.4.1 Heritage Overlay (HO264)

The subject site is within the Heritage Overlay (HO264), which corresponds to the Yarrowonga Town Centre Precinct, which is subject to extensive local policy in addition to the provisions of the HO264. The HO264 precinct extends along Belmore Street – between Witt Street at the north end and just beyond Orr Street at the south end.

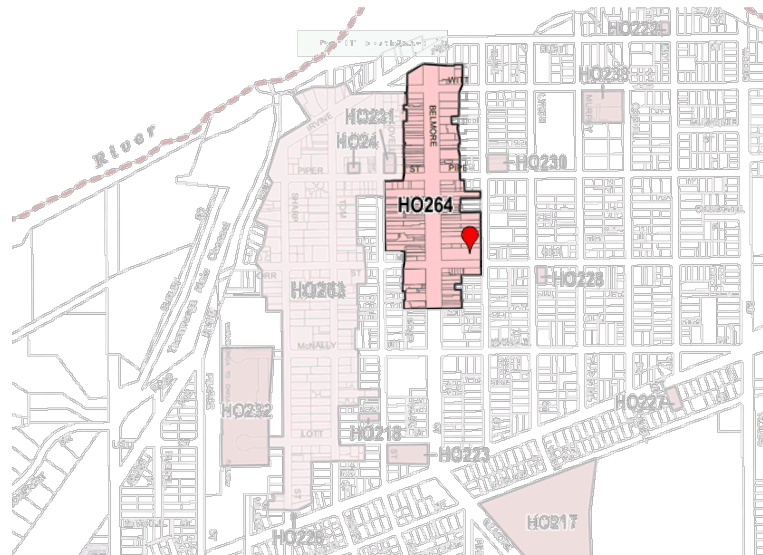


Figure 7. Extent of Heritage Overlay 264 (Source: Moira Planning Scheme)
Subject Site denoted by red pin – within the HO264 Precinct

Pursuant to Clause 43.01-1, a permit is required to demolish or remove a building and to construct a building or carry out works within the Heritage Overlay. The proposal has therefore been assessed against the relevant purposes of the Heritage Overlay:

- To conserve and enhance heritage places of natural or cultural significance.
- To conserve and enhance those elements which contribute to the significance of heritage places.
- To ensure that development does not adversely affect the significance of heritage places.

The subject land is not included in the Victorian Heritage Register, thus is not subject to the additional permit requirements at Clause 43.01-2 or the requirements of the Heritage Act, 2017.

The Schedule to the Heritage Overlay does not specify a statement of significance for the heritage place or specify heritage design guidelines for the heritage precinct. Nor does it specify any particular information that must accompany an application, as required under Clause 43.01-7.

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Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- *The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place.*
- *Any applicable statement of significance (whether or not specified in the schedule to this overlay), heritage study and any applicable conservation policy.*
- *Whether the proposed subdivision will adversely affect the significance of the heritage place.*
- *Whether the proposed subdivision may result in development which will adversely affect the significance, character or appearance of the heritage place.*

In light of the aforementioned information, this planning application is accompanied by specialist advice by an accredited heritage architect, who has affirmed that the proposed demolition and development and would not have a significant impact upon heritage preservation.

Of particular relevance: the proposal will retain the entirety of the Yarrowonga Shire Hall in its existing state – as the significant heritage item on the subject site. The proposed development has been designed to remain of a form that will be subordinate to the dominant form of the Hall – thus retaining its primacy as the preeminent architectural feature within the precinct.

4.4.2 Parking Overlay

The Subject land is within the Parking Overlay – PO1 Business zones and the mixed use zone in Yarrowonga.



Figure 8. Parking Overlay 1 Map
For commercial centre of Yarrowonga

Although the Parking Overlay does not trigger a permit, it operates in conjunction with Clause 52.06 as tool that provides local context for car parking requirements

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associated with a new or extended use. The Overlay and may vary the requirements of Clause 52.06.

The proposal is for a library and multi-purpose community centre, which falls under the land use umbrella as a "Place of Assembly". Table 1 in Schedule 1 to the Parking Overlay specifies a rate of 0.3 car parks to each seat or 3.0 car parks to each 100sqm of floor area, which ever is the greater.

Section 3.0 of the Schedule states:

"... a permit may be granted to reduce or waive the number of car spaces required by this Table, in accordance with the provisions of Clause 52.06-3 and Clause 52.06-5. Such a reduction will only be made after an assessment under Clause 52.06-6."

Accordingly, an assessment of the car parking requirements for the expansion of an existing use in accordance with Clause 52.06 is provided at Section 4.5.2 of this report.

4.5 Particular Provisions

4.5.1 Clause 52.05 Signs

Despite any provision in a Zone, Overlay, or other particular provision of this scheme, a permit is not required to construct or put up for display "...a sign identifying the functions or property of a government department, public authority or municipal council."

4.5.2 Clause 52.06 Car Parking

Pursuant 52.06-1, Clause 52.06 applies to applications that seek "an increase in the floor area or site area of an existing use". Despite the proposed increase in floor area is an 'as-of-right' use (being a Section 1 Use for local government), this application has made provision for the considerations of car parking within the Yarrowonga town centre against the considerations of 'net community benefit'.

- "To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.
- To support sustainable transport alternatives to the motor car.
- To promote the efficient use of car parking spaces through the consolidation of car parking facilities.
- To ensure that car parking does not adversely affect the amenity of the locality.
- To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use"

Clause 52.06-3 states that **a permit is required to:**

- "Reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay."

Pursuant to the provisions of the Parking Overlay, the proposed Place of Assembly would have a net increase to the floor area of the existing Place of Assembly of approximately 266sqm (rounded to 300sqm).

The increase in the floor area equates to a requirement of eight (8) additional car parking spaces – as Clause 45.09 requires the provision of 3 car spaces per each 100sqm of floor area associated with a Place of Assembly.

FILE NO: 5/2020/82
1. A GREAT PLACE TO LIVE

ITEM NO: 10.4.1

**PLANNING PERMIT APPLICATION 5/2020/82 - 100 BELMORE STREET,
YARRAWONGA, DEMOLITION, BUILDINGS AND WORKS, AND REDUCTION
IN CAR PARKING (cont'd)**

ATTACHMENT No [1] - Attachment Planning Permit Application 5/2020/82

Chris Smith
B ASSOCIATES

The proposed development includes seven (7) on-site car spaces compliant with the design standards of Clause 52.06-9 – therefore, the proposal seeks the reduction of the requirement for one (1) car space.

The appended Car Parking Demand Analysis by Traffic Works Pty. Ltd. outlines that the availability of street parking within the area, the prevalence of multi-purpose trips within the town centre and public transport options that the reduction of one (1) car parks is an acceptable outcome.

4.5.3 Clause 52.29 Land Adjacent to a Road Zone...

Whilst the western boundary of the subject land abuts Belmore Street – which is within a Road Zone – Category 1, the proposed use and development does not seek to create or alter access *directly* to the surrounding road arterial network, thus, the provisions of Clause 52.29 do not apply.

This is established via VCAT precedent, specifically Peninsula Blue Developments Pty Ltd v Frankston CC (Revised) (Red Dot) [2015] VCAT 571 (28 April 2015), which stipulated the following determination [paraphrased for clarity]:

- *“The proposal does not trigger a requirement for a permit pursuant to clause 52.29 because the proposal will not create or alter access to a road in a RDZ1 within the meaning of clause 52.29. It will not create or alter access directly the relevant road in a RDZ1 to which the land is adjacent. The land is not adjacent to the RDZ1 and indirect access via an intermediary does not trigger the need for a permit.*
- *Therefore, VicRoads is not a determining referral authority”*

This determination stands, even where implied access exists (i.e. where an intermediary road has no alternative other than to directly access a RDZ1). In this instance, the site is serviced by the existing local road network via Orr and Hume Streets.

In accordance with the above, the proposal does not trigger a planning permit, nor does it trigger referral to the Roads Corporation pursuant to Section 55 of the Act (although notice pursuant to Section 52 of the Act may be warranted as Regional Roads Victoria is an adjoining land manager).

4.5.4 Clause 52.34 Bicycle Facilities

The purpose of Clause 52.34 is:

- *“To encourage cycling as a mode of transport.*
- *To provide secure, accessible and convenient bicycle parking spaces and associated shower and change facilities.”*

Subject to 52.34-1, the *“floor area of an existing use must not be increased until the required bicycle facilities and associated signage has been provided on the land”*.

However, *“Where the floor area occupied by an existing use is increased, the requirement for bicycle facilities only applies to the increased floor area of the use”*.

The proposal is for a Library, which is a separately listed use in Table 1 to Clause 52.34-5. Accordingly, there is no existing use consideration and the requirement for bicycle facilities applies to the entirety of the new Library footprint.

A Library requires the following bicycle spaces:

FILE NO: 5/2020/82
1. A GREAT PLACE TO LIVE

ITEM NO: 10.4.1

**PLANNING PERMIT APPLICATION 5/2020/82 - 100 BELMORE STREET,
YARRAWONGA, DEMOLITION, BUILDINGS AND WORKS, AND REDUCTION
IN CAR PARKING (cont'd)**

ATTACHMENT No [1] - Attachment Planning Permit Application 5/2020/82

Chris Smith
B ASSOCIATES

- "Employee – 1 to each 500sqm of net floor area
- Visitor – 4 plus 2 to each 200sqm of net floor area"

For the proposed 589sqm Library, this equates to 1.18 employee spaces and 9.89 visitor spaces, making a total of 11.07, rounded to **11 bicycle spaces**.

A **Place of Assembly** requires bicycle spaces to be provided at a rate of 2 plus 1 to each 1500sqm of net floor area. Therefore, there is a requirement for 2.3 spaces, rounded to **2 bicycle spaces**.

Accordingly, the proposal includes fourteen (14) bicycle spaces and complies the requirements of Clause 52.34.

5 Conclusion

The proposed subdivision is accordance with all relevant strategies and the objectives and zone provisions of the Moira Planning Scheme. The proposal:

- Is consistent with the Yarrowonga Framework Plan; providing for urban infill in an established neighbourhood, promoting urban growth of Yarrowonga as an important regional centre of Victoria.
- Is consistent with the intention of heritage conservation, as it does not impact any identified items of heritage significance, either individually significant or contributory, and would ensure the continued protection of heritage items that exist on the site and the surrounding area.
- Strengthens public assets by provided enhanced community assets that will provide a greater level of utility and wider range of community services.
- Located within close proximity to key public transport facilities and community infrastructure.

It is therefore respectfully requested that a permit, as applied for, be granted.

FILE NO: F20/508
1. A GREAT PLACE TO LIVE

ITEM NO: 10.4.2

**INVERNESS ROAD - SEAL - SPECIAL CHARGE SCHEME - RESULT OF
SURVEY OF ABUTTING OWNERS**

RECOMMENDATION

That:

1. Council abandon the proposed Special Charge Scheme to seal Inverness Road between Katamatite Shepparton Road and Marungi Road, Invergordon; and
2. Advise surveyed property owners and author of the petition of Council's decision.

1. Executive Summary

In response to a petition to Council in June 2020, Council Officers were directed to survey benefitting property owners to gauge level of interest in a special charge scheme to recoup 50% of the cost of applying a dust suppression seal to Inverness Road between Katamatite Shepparton Road and Marungi Road, Invergordon. Council Officers were also directed to conduct traffic counts to determine the number of vehicles using this section of Inverness Road.

Upon survey, only two of the 22 benefitting property owners supported contributing to 50% of the cost of sealing the road through a special charge scheme. Traffic counts showed that an average of 38 vehicles travelled on this section of road daily.

For these reasons it is recommended that Council does not pursue a special charge scheme to complete these works.

2. Background and Options

A petition was received at the June 2020 Council meeting requesting an upgrade of Inverness Road between Katamatite Shepparton Road and Marungi Road, Invergordon, to a sealed standard.

Council directed Council Officers to conduct a survey of the owners of property abutting Inverness Road between Katamatite Shepparton Road and Marungi Road, Invergordon, to determine the owners' willingness to support 50% contributions towards cost for a dust suppressant seal treatment in accordance with Council's Special Rates and Charges Policy. Traffic counts were also conducted to determine the usage of this section of road. Average daily counts ranged between 34 to 40 vehicles per day.

A total of 22 properties were deemed to receive a special benefit if this section of Inverness Road was sealed. Each were sent a letter containing indicative costs and details regarding a potential special charge scheme and a survey requesting an indication of their support or not (sample letter attached – includes survey). Recipients were advised that a non-response would be taken as an indication that they did not support a contribution towards 50% of the cost of this project through a special charge scheme. The letters were posted on 11 September with a closing date for the survey being last post on 2 October 2020.

FILE NO: F20/508
1. A GREAT PLACE TO LIVE

ITEM NO: 10.4.2

INVERNESS ROAD - SEAL - SPECIAL CHARGE SCHEME - RESULT OF SURVEY OF ABUTTING OWNERS (cont'd)

At the close of the survey there were 11 responses (50% response rate). Two property owners supported the scheme and nine did not support the scheme. Full results below:

Total surveys sent to property owners	22
Total Responses	11
Total supporting special charge scheme	2
Total not supporting scheme	9
Total not responding – deemed not supporting	11
Total NOT supporting special charge scheme	20
% supporting scheme	9%
% NOT supporting scheme	91%

3. Financial Implications

If the scheme had received benefitting owner support Council would have needed to budget for Council's contribution which totaled \$261,500.

4. Risk Management

There are financial risks to Council with construction works and with undertaking the Special Charge Scheme process. These risks are mitigated by ensuring that Council's Special Charge Scheme Policy is followed along with the requirements set out in relevant legislation.

There are risks, with regard to the perceptions schemes may create within the community. Some property owners may believe that the Council's General Rate covers the cost of provision of new infrastructure, whereas this is not the case. The General Rate is to cover services that are available generally within the community. Services such as the provision of new roads that benefit some property owners, that is, those that receive special benefit are provided by Special Charge Schemes.

5. Internal and External Consultation

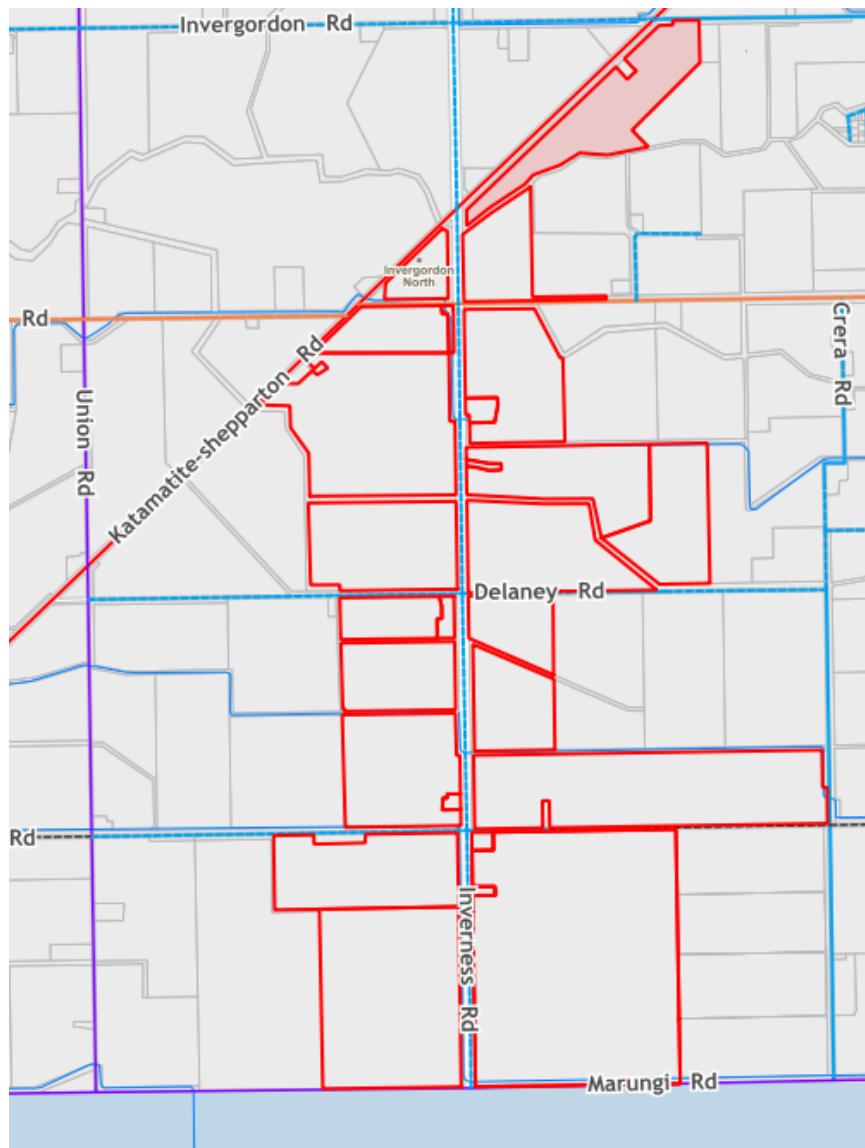
The project was costed after consultation with Operations and Infrastructure officers based on recent similar works.

Benefitting property owners shown outlined in red on the map below were surveyed:

FILE NO: F20/508
1. A GREAT PLACE TO LIVE

ITEM NO: 10.4.2

**INVERNESS ROAD - SEAL - SPECIAL CHARGE SCHEME - RESULT OF
SURVEY OF ABUTTING OWNERS (cont'd)**



6. Regional Context

Inverness Road serves as an access road for local residents, dairy & beef farmers and farmers supplying hay fodder. The road provides direct access to the Katamatite Shepparton Road and the Invergordon community. Union Road and Crera Road are parallel to Inverness Road and both are sealed, providing an alternate route for traffic going between Marungi Road and the Katamatite Shepparton Road.

7. Council Plan Strategy

The request for the sealing of Inverness Road is linked to the Council Plan's Strategy 1 – "A great place to live" under the strategic action "Continuing to maintain and provide facilities and services that our community values and need".

8. Legislative / Policy Implications

Council has a Policy with respect to the installation of new road infrastructure – the Special Rates and Charges Policy. However, it does not cover contribution amounts for dust suppressant seal treatments. Instead Council has relied on set precedence for past

FILE NO: F20/508
1. A GREAT PLACE TO LIVE

ITEM NO: 10.4.2

**INVERNESS ROAD - SEAL - SPECIAL CHARGE SCHEME - RESULT OF
SURVEY OF ABUTTING OWNERS (cont'd)**

similar requests for dust suppressant seal treatments for rural roads in asking abutting property owners to contribute up to 50% towards costs.

Any special charge scheme would be developed in accordance with the relevant provisions of the Local Government Act 1989, Ministerial Guidelines and Council' Special Rates and Charges Policy 2009. The procedure and limits to Council's power to impose a scheme are stipulated in the Local Government Act 1989.

9. Environmental Impact

Upgrading the road to a sealed surface will eliminate the dust problems that is being experienced by the abutting residents and improve road safety for travelling motorists.

10. Conflict of Interest Considerations

There are no Officer conflicts of interest with respect to this report.

11. Conclusion

Nine of the eleven responders to the survey did not support a contribution to the cost of sealing the road via a special charge scheme. With a non-response deemed a 'no' vote this reveals support for the scheme is 9% with an overwhelming majority of 91% not supporting a contribution to this project. It is therefore recommended that the special charge scheme for 50% of the cost of the dust suppression seal of Inverness Road between Marungi Road and the Katamatite-Shepparton Road be abandoned.

Attachments

- 1 Inverness Road Seal - SCS - sample letter

FILE NO: F20/508
1. A GREAT PLACE TO LIVE

ITEM NO: 10.4.2

**INVERNESS ROAD - SEAL - SPECIAL CHARGE SCHEME - RESULT OF
SURVEY OF ABUTTING OWNERS (cont'd)**

ATTACHMENT No [1] - Inverness Road Seal - SCS - sample letter

Ref: F13/860-3
D20/62063



11 September 2020

XXXXX
XXXXX
INVERGORDON VIC 3636

Dear Sir/Madam,

**Proposed Inverness Road Dust Suppression Seal Special Charge Scheme – for XXX
INVERGORDON VIC 3636**

As the result of a community petition tabled at Council's ordinary meeting in June, Council resolved to contribute 50% of the cost of completing a dust suppression seal on Inverness Road between Katamatite Shepparton Road and Marungi Road, Invergordon. The remaining cost would be recouped from abutting landowners through a Special Charge Scheme.

It is estimated that the cost to provide a dust suppressant seal treatment for the 5km of Inverness Rd between the Katamatite Shepparton Rd and Marungi Rd is \$523,000. Council would contribute \$261,500 toward the project and would expect the abutting landowners to contribute \$261,500.

When discussing properties, Council is referring to a single lot or crown allotment. It is generally accepted that those landowners with multiple properties bordering Inverness Rd would make multiple contributions, one per lot.

The landowner's contribution can be made through Council implementing a special charge scheme which provides an option for landowners to pay their contribution off over time, up to 10 years.

In implementing a special charge scheme, Council is required to apportion the costs fairly to the benefitting landowners contributing to the scheme. Apportionment could be based on a unit basis, where every property contributes the same amount, in this case around \$11,900, or based upon frontage to the road where a property with a 1km frontage would contribute approx. \$28,100 and a property with a 100m frontage would contribute approx. \$2,810. It is also possible to apportion the cost as a combination of unit and frontage which would reduce the contribution from properties with large frontages and increase the contribution from the properties with small frontages.

For properties with a street frontage of around 420m, the method of apportionment will make little difference in the contribution amount, being around the \$11,900. However, for properties with a street frontage smaller than 420m, this will be the maximum amount that could be charged and for those properties with street frontages greater than 420m this will be the minimum amount that could be charged depending upon the apportionment method chosen.

Moirá Shire Council
ABN: 52 525 141 700
Post: PO Box 6278, Cobram, VIC 3636
DX: 9901 Cobram

Cobram Administration Centre
44 Station Street, Cobram
Yarrawonga Service Centre
260 Church Street, Yarrawonga

Phone: 03 5471 4329
Fax: 03 5471 3567
NRS: 133 027

Email: info@moira.vic.gov.au
moira.vic.gov.au

FILE NO: F20/508
1. A GREAT PLACE TO LIVE

ITEM NO: 10.4.2

**INVERNESS ROAD - SEAL - SPECIAL CHARGE SCHEME - RESULT OF
SURVEY OF ABUTTING OWNERS (cont'd)**

ATTACHMENT No [1] - Inverness Road Seal - SCS - sample letter



For a special charge scheme to be implemented, Council would want to see a good majority of the benefiting landowners in favour of contributing to the scheme before moving to the next step in the implementation, hence the need to conduct this survey. And it is important to note that, even if the majority of landowners support the schemes implementation, an objecting landowner can still appeal any decision at VCAT.

The enclosed survey must be returned to Council in the reply paid envelope by:
Friday 2 October 2020.

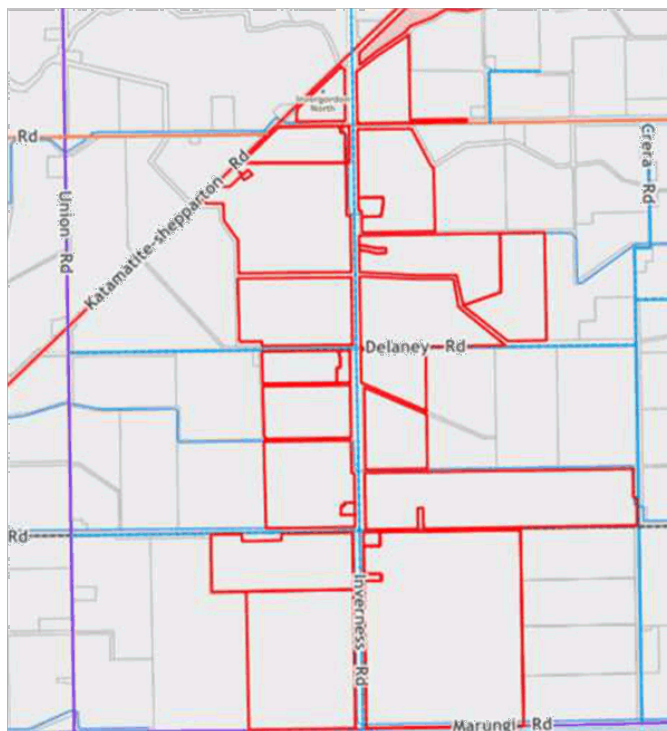
If you have any queries or wish to discuss this matter further, do not hesitate to contact Lyn Cooper, Infrastructure Liaison Officer on (03) 5871 9222.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Graham Henderson'.

Graham Henderson
Manager
Construction and Assets
Enc: Survey

22 Properties to be included in the scheme (shown within red lines):



FILE NO: F20/508
1. A GREAT PLACE TO LIVE

ITEM NO: 10.4.2

INVERNESS ROAD - SEAL - SPECIAL CHARGE SCHEME - RESULT OF SURVEY OF ABUTTING OWNERS (cont'd)

ATTACHMENT No [1] - Inverness Road Seal - SCS - sample letter

Inverness Road – Dust Suppression Seal – Special Charge Scheme
Initial Survey of Landowners



Proposed scheme:

Item	Details
Proposed Works	Dust suppressant seal treatment for the 5km of Inverness Rd between the Katamatite Shepparton Rd and Marungi Rd
Total estimated cost of Works	\$523,000
Expected Council contribution	50% - \$261,500
Expected landowner total contribution recouped through scheme	50% - \$261,500 – shared between 22 landowners – method of apportionment to be determined if enough interest in a scheme
Repayment terms	Quarterly payments over up to 10 years
Interest charges	Overdraft rate plus 1% - currently 3%

I/We **xxxx**

of _____

Being the owner(s) of **xxx INVERGORDON VIC 3636**

Advise that I/we;

- Are interested in exploring a scheme to complete a dust suppression seal on Inverness Rd between the Katamatite Shepparton Rd and Marungi Rd
- Are NOT interested in exploring a scheme to complete a dust suppression seal on Inverness Rd between the Katamatite Shepparton Rd and Marungi Rd

Comments _____

This survey is only to determine the level of interest in the concept of development of a scheme for dust suppression seal of the nominated road. No response will be deemed a 'not interested' vote. If we do not receive at least 12 landowners who are interested in exploring a scheme this project will be abandoned and not revisited for at least 2 years.

It does not in any way interfere with your rights of objection or comment under the formal scheme process should Council decide to proceed with the project.

The enclosed survey must be returned to Council in the reply paid envelope by:

Friday 2 October 2020.

Moirá Shire Council
ABN: 62 538 117 100
Post: PO Box 528, Cobram VIC 3602
DX: 98801, Cobram

Cobram Administration Centre:
29-31 Lincoln Street, Cobram
Yarrawonga Service Centre:
800 Selwyn Street, Yarrawonga

Phone: 03 5371 9222
Fax: 03 5371 3562
NRS: 155 027

Email: info@moira.vic.gov.au
moira.vic.gov.au

FILE NO: F18/76/001
1. A GREAT PLACE TO LIVE

ITEM NO: 10.4.3

CATONA CRESCENT COBRAM - DRAINAGE UPGRADE - SPECIAL CHARGE SCHEME - RESULT OF SURVEY OF ABUTTING OWNERS

RECOMMENDATION

That Council

1. Abandon the proposed Special Charge Scheme to upgrade the drainage at Catona Crescent Cobram; and
2. Advise surveyed property owners and author of the petition of Council's decision.

1. Executive Summary

At the Ordinary Council Meeting on 28 August 2019, in response to a petition, it was resolved that Council:

1. Develop a concept estimate of costs and an indication of apportionment for infrastructure works to address the concerns of the residents in Catona Crescent, Cobram.
2. Consult with the property owners who may have to contribute to a proposed Scheme to determine the level of support and report back to the Council.

The works proposed are to extend the underground drains in both directions, reshape the swale drains and reset any culverts as required. The proposed works do not include any kerb and channel works.

The estimates for the drainage upgrade is budgeted at \$402,000 with costs to be apportioned between the Council and abutting property owners in accordance with Council's Policy for Special Rates and Charges 2011. Council's apportionment share is based on contributing 20% of the estimated cost and property owners contributing 80% of the estimated cost

Council allocated \$80,000 (20%) to the works in the 2020/21 budget and leaving \$322,000 (80%) to be raised through a Special Charge Scheme with benefitting land owners.

There were 47 responses to the survey undertaken as part of the consultation process, which is 73% of the lots. In summary, 10 of the 64 benefitting lots supported contributing to the cost of the drainage upgrade through the proposed special charge scheme. 37 lots did not support the scheme and 17 lots were deemed as not supporting the scheme as no survey response was submitted by the closing date.

This equates to 16% of lots supporting the scheme and a majority of lots, 84% not supporting the proposed special charge scheme.

Due to the low level of support it is recommended that Council does not pursue the proposed special charge scheme to complete these works.

2. Background and Options

A petition containing 25 signatures concerning poor condition and safety of Catona Crescent in Cobram was tabled at the July 2019 Ordinary Council meeting. It read as follows:

We, the residents and landholders of Catona Crescent in Cobram, would like the Moira Shire to address our concerns over the poor condition of access to the crescent and improve the road to make it safer for all road users.

FILE NO: F18/76/001
1. A GREAT PLACE TO LIVE

ITEM NO: 10.4.3

CATONA CRESCENT COBRAM - DRAINAGE UPGRADE - SPECIAL CHARGE SCHEME - RESULT OF SURVEY OF ABUTTING OWNERS (cont'd)

A further page, simply titled 'Catona Cres Road Improvement' was provided with the petition containing the names and addresses of another 23 properties within Catona Crescent. Whilst not in the prescribed form of a petition, it has been assumed for the purpose of this report, that the listed parties also support the intent of the petition.

Overall there are 58 properties (64 lots) which access Catona Crescent and 33 of those properties are represented on either the petition or the accompanying page.

Amongst the concerns raised were that the drainage at Catona Crescent performs poorly. Water is very slow to get away resulting in water spilling out from the shallow table drains onto the road. The situation is exasperated with some of the driveway culverts being set at the wrong heights or wrongly sized.

Council does receive customer requests from residents in Catona Crescent to address the drainage particular after a rain event. These customer requests led to an allocation by Council of \$30,000 in its 2018-19 Council Budget for a feature survey and design. The unspent funds were rolled into the 2019-20 budget and were used to complete the feature survey and concept design to prepare the cost estimate.

The estimates for the drainage upgrade is budgeted at \$402,000 with costs to be apportioned between the Council and abutting property owners in accordance with Council's Policy for Special Rates and Charges 2011. Council's apportionment share is based on contributing 20% of the estimated cost and property owners contributing 80% of the estimated cost

Council allocated \$80,000 (20%) to the works in the 2020/21 budget and leaving \$322,000 (80%) to be raised through a Special Charge Scheme with benefitting land owners. Council officers were directed to survey benefitting land owners to determine their level of support for a special charge scheme.

Due to COVID-19 restrictions Council officers were unable to conduct face to face information sessions regarding the proposed works and special charge scheme. In lieu of that, Council officers engaged with affected property owners via the following:

1. Each owner was sent a brief information statement via post and was asked to submit all questions and concerns;
2. From this, Council officers prepared a fact sheet answering each question in turn and sent this with a rates information sheet, drainage design and survey (attached); and
3. Council officers answered a number of calls from property owners seeking clarification of information.

As a result of responses to the initial contact via letter, two properties were removed from the proposed scheme as they did not receive any benefit from the drainage upgrade (26A and 26B Catona Crescent) and five additional lots were added due to missed subdivisions. This resulted in a total of 64 lots included in the proposed scheme. Each lot was given 1 vote in the survey. Non- returned surveys were deemed to be a 'do not support' vote. The information pack and survey was posted on 23 September and returns closed with the last post on Friday 16 October 2020.

FILE NO: F18/76/001
1. A GREAT PLACE TO LIVE

ITEM NO: 10.4.3

CATONA CRESCENT COBRAM - DRAINAGE UPGRADE - SPECIAL CHARGE SCHEME - RESULT OF SURVEY OF ABUTTING OWNERS (cont'd)

At the close of the survey there were 47 responses (73% response rate). 10 property owners supported the scheme and 37 did not support the scheme. Full results below:

Total surveys sent to property owners	64
Total Responses	47
Total supporting special charge scheme	10
Total not supporting scheme	37
Total not responding – deemed not supporting	17
Total NOT supporting special charge scheme	54
% supporting scheme	16%
% NOT supporting scheme	84%

As a result of the survey Council has two options:

Option 1: Declare the proposed scheme with Council contributing the approved \$80,000. This is not recommended due to only 16% of affected residents supporting the scheme.

Option 2: Abandon the proposed special charge scheme.

If the scheme is abandoned the works will not be re-investigated for two years unless circumstances change significantly as per the Moira Shire Council Special Rates and Charges Policy.

Recommendation: Option 2 is recommended as 84% of property owners did NOT support the current scheme.

In response to comments made as a result of the initial contact the survey also included some additional questions to assist our understanding of the wishes of the benefitting land owners going forward. The three optional questions were:

1. *If you do not support the current scheme, would you support a scheme to complete a drainage upgrade of Catona Crescent if Council covered 50% of the cost of the upgrade (\$201,000)?*

An additional 21 property owners stated that they would support a scheme if Council covered 50% of the costs. 8 property owners who did not want the current scheme also did not want one even if Council paid 50%.

This indicates that even if Council proposed a revised scheme with Council contributing an additional \$121,000, a Special Charge Scheme would be likely to fail as 31 'yes' votes is below the minimum recommended support level of 50% + 1 – in this case 33 votes.

2. *Do you want kerb and channel included in the current scheme – this would roughly double your contribution?*

14 property owners wanted kerb and channel works included in the current scheme. 30 did not support it being included in the current scheme.

This supports Council's decision to exclude kerb and channel from the existing scope of works.

3. *Do you only want kerb and channel included if Council covers 50% of the cost?* 21 did not want it included even if Council paid 50%. 12 wanted it included whether under the current scheme or if Council paid 50%. 10 property owners would only want kerb and channel included if Council contributed 50%.

FILE NO: F18/76/001
1. A GREAT PLACE TO LIVE

ITEM NO: 10.4.3

CATONA CRESCENT COBRAM - DRAINAGE UPGRADE - SPECIAL CHARGE SCHEME - RESULT OF SURVEY OF ABUTTING OWNERS (cont'd)

This indicates that even if Council proposed a revised scheme with Council contributing 50% of the cost of the kerb and channel works, a Special Charge Scheme would be likely to fail as 22 'yes' votes is below the minimum recommended support level of 50% + 1 – in this case 33 votes.

Surveyed owners were also provided a space for any additional comments. It is worth noting that there were 6 comments related to Council needing to pay 50% of the cost of works and 6 comments stating that Council should pay the full costs of the works. Other comments related to general design issues related to individual properties.

These questions were posed to help inform a way forward if the proposed scheme was not successful. All options would require Council to make a significantly greater contribution which could be considered during the budget process for the 2021-22 financial year if Council is of a mind to.

3. Financial Implications

If the scheme had received benefitting owner support Council would have used the allocated budget for Council's contribution which totaled \$80,000. If the scheme is abandoned these funds will be returned to the budget pool. Any modified scheme will have implications for future budget allocations.

4. Risk Management

There are financial risks to Council with construction works and with undertaking the Special Charge Scheme process. These risks are mitigated by ensuring that Council's Special Charge Scheme Policy is followed along with the requirements set out in relevant legislation.

There are risks, with regard to the perceptions schemes may create within the community. Some property owners may believe that the Council's General Rate covers the cost of provision of new infrastructure, whereas this is not the case. The General Rate is to cover services that are available generally within the community. Services such as the provision of new roads that benefit some property owners, that is, those that receive special benefit are provided by Special Charge Schemes.

5. Internal and External Consultation

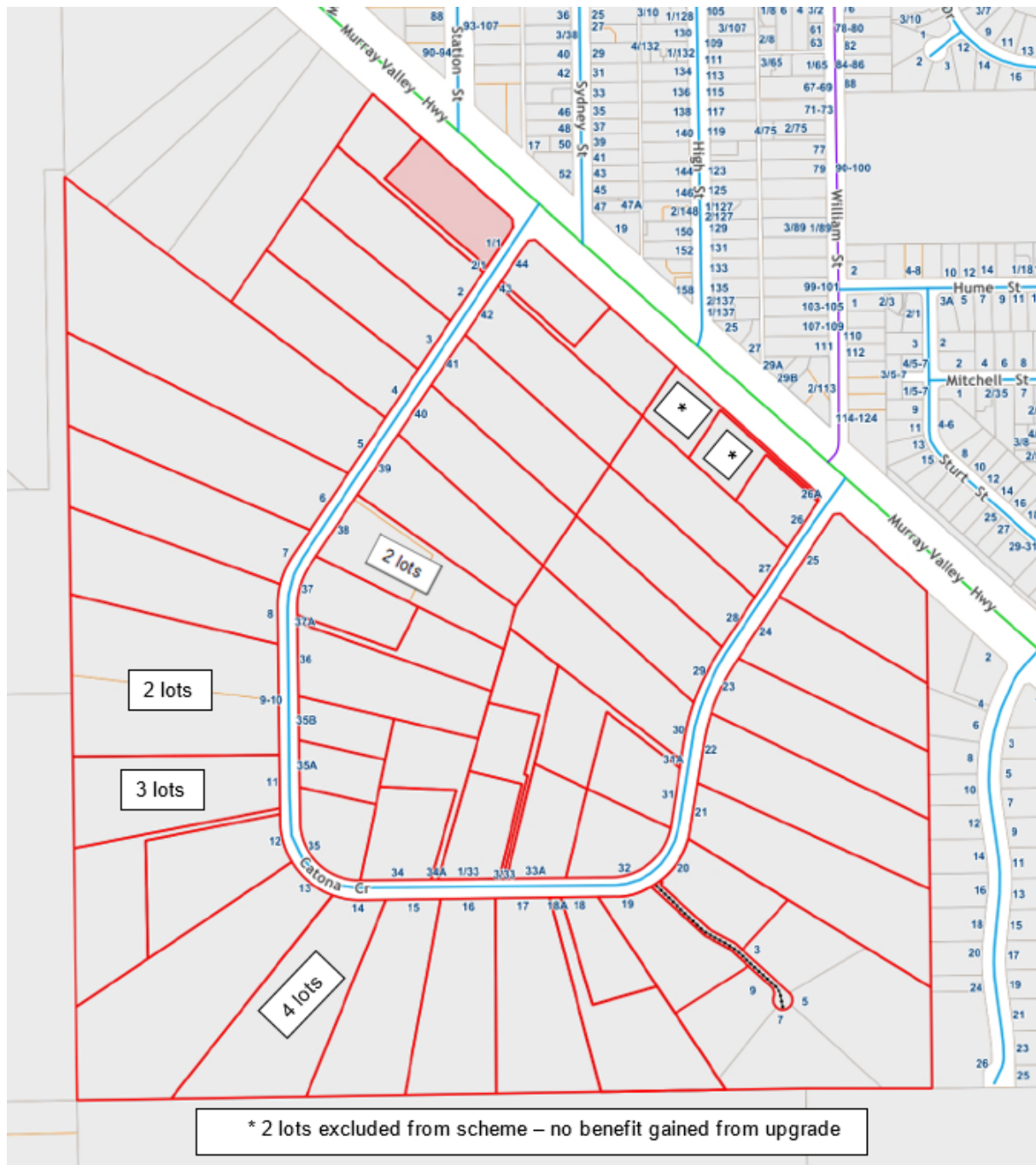
The project was costed by a licensed surveyor after completing a detailed feature survey and design. Estimated cost of works was confirmed by Infrastructure officers based on recent similar works.

Benefitting property owners (58 properties – 64 lots) shown outlined in red on the map below were surveyed. Each lot was given 1 vote in the survey. Non- returned surveys were deemed to be a 'do not support' vote.

FILE NO: F18/76/001
1. A GREAT PLACE TO LIVE

ITEM NO: 10.4.3

**CATONA CRESCENT COBRAM - DRAINAGE UPGRADE - SPECIAL CHARGE
SCHEME - RESULT OF SURVEY OF ABUTTING OWNERS (cont'd)**



6. Regional Context

There are few regional implications in relation to this report. It discusses the wishes and wants of residents of a residential street.

7. Council Plan Strategy

The request is linked to the Council Plan's Strategy 1 – "A great place to live" under the strategic action "Continuing to maintain and provide facilities and services that our community values and need".

FILE NO: F18/76/001
1. A GREAT PLACE TO LIVE

ITEM NO: 10.4.3

**CATONA CRESCENT COBRAM - DRAINAGE UPGRADE - SPECIAL CHARGE
SCHEME - RESULT OF SURVEY OF ABUTTING OWNERS (cont'd)**

8. Legislative / Policy Implications

Any special charge scheme would be developed in accordance with the relevant provisions of the Local Government Act 1989, Ministerial Guidelines and Council' Special Rates and Charges Policy 2011. The procedure and limits to Council's power to impose a scheme are stipulated in the Local Government Act 1989.

9. Environmental Impact

There are no environmental implications arising from this report.

10. Conflict of Interest Considerations

There are no Officer conflicts of interest with respect to this report.

11. Conclusion

Only 16% of benefitting property owners supported the proposed special charge scheme to share the cost of the drainage upgrade of Catona Crescent Cobram. It is therefore recommended that this special charge scheme be abandoned.

Attachments

- 1 Sample of letter and survey
- 2 Fact Sheet for Catona Cres Special Charge Scheme

FILE NO: F18/76/001
1. A GREAT PLACE TO LIVE

ITEM NO: 10.4.3

**CATONA CRESCENT COBRAM - DRAINAGE UPGRADE - SPECIAL CHARGE
SCHEME - RESULT OF SURVEY OF ABUTTING OWNERS (cont'd)**

ATTACHMENT No [1] - Sample of letter and survey

Ref: F18/76
D20/65058



23 September 2020

xxxxxxx
xxxx
xx Catona Crescent
COBRAM VIC 3644

Dear Sir/Madam,

**Proposed Catona Crescent Drainage Upgrade Special Charge Scheme – for xx
Catona Crescent Cobram**

Thank you to everyone who responded to our initial letter asking for any questions you may have had in relation to a proposed special charge scheme to upgrade the drainage of Catona Crescent Cobram. Enclosed you will find a fact sheet answering your questions as well as an information sheet showing how rates are calculated.

A number of submissions asked for Council to contribute 50% of the cost of the work, approximately \$200,000. This request will have to go before Council in future budget deliberations and it is unknown if a majority of Councillors would support this. On the survey you will be asked if you would agree to the scheme if Council's contribution was increased to 50%.

There were also requests to include kerb and channel works as part of this upgrade. Please indicate your preference via the questions on the back of the survey form.

I have enclosed a survey form that will determine if this scheme goes ahead or not. Even if you have told us that you support the scheme you need to complete this survey for your vote to be counted.

Each lot has one vote. For example, the owner of 11 Catona Crescent has 3 votes as it has been subdivided into 3 lots. If you do not respond your vote will be assumed to be 'no'. We will only proceed with the scheme and the upgrade if we receive 33 'yes' votes.

The closing date for completion and return of this form in the reply paid envelope is:
Friday 16 October.

If you have any queries or wish to discuss this matter further, do not hesitate to contact Lyn Cooper, Infrastructure Liaison Officer on (03) 5871 9222.

Yours sincerely

**Graham Henderson
Manager
Construction and Assets**

Enc: Proposed scheme fact sheet, rates information, drainage design and Survey

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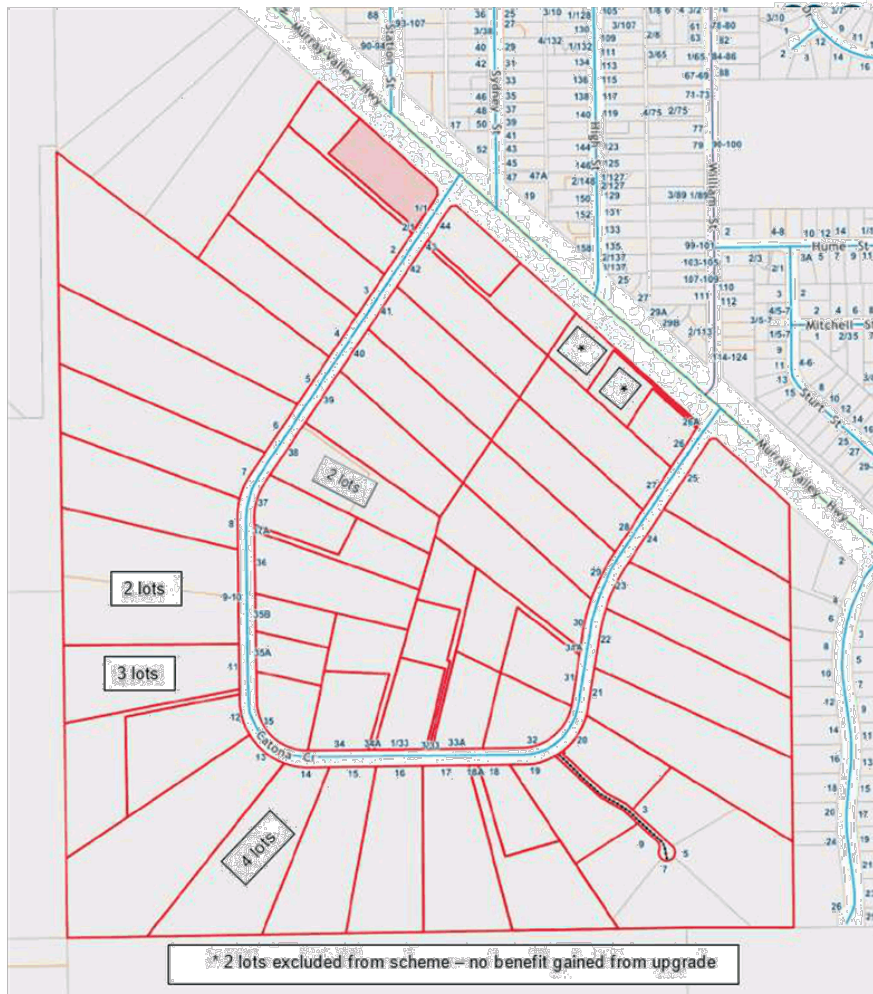
FILE NO: F18/76/001
1. A GREAT PLACE TO LIVE

ITEM NO: 10.4.3

**CATONA CRESCENT COBRAM - DRAINAGE UPGRADE - SPECIAL CHARGE
SCHEME - RESULT OF SURVEY OF ABUTTING OWNERS (cont'd)**

ATTACHMENT No [1] - Sample of letter and survey

64 lots to be included in the scheme (shown within red lines):



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1. A GREAT PLACE TO LIVE

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CATONA CRESCENT COBRAM - DRAINAGE UPGRADE - SPECIAL CHARGE SCHEME - RESULT OF SURVEY OF ABUTTING OWNERS (cont'd)

ATTACHMENT No [1] - Sample of letter and survey

THIS FORM MUST BE RETURNED TO COUNCIL BY 16 OCTOBER 2020

Catona Crescent Drainage Upgrade Special Charge Scheme
Proposed Scheme Details



Proposed scheme:	Details
Proposed Works	Drainage upgrade – Catona Crescent Cobram
Total estimated cost of Works	\$402,000
Expected Council contribution	up to \$80,000
Criteria to be used for allocation of remaining cost of works and cost to you	The remaining \$322,000 is to be shared between benefitting lots. The cost will be apportioned according to: 3/4 (75%) – allocated per unit share 1/4 (25%) – allocated per area of property
Benefitting Property Owner:	xxxxx
Benefitting Property	xx Catona Crescent
Estimated cost for your property:	\$4,657
Repayment terms	Quarterly payments over up to 10 years
Interest charges	Council will charge interest from the due date listed on the rate notice at the rate deemed the overdraft interest rate plus one percent. This is currently 3%.

I/We xxxxx

of _____

Being the owner(s) of
xx Catona Crescent

Advise that I/we;

- Support the scheme described above to complete a drainage upgrade of Catona Crescent Cobram with Council contributing \$80,000.
- Do NOT support the scheme described above to complete a drainage upgrade of Catona Crescent Cobram with Council contributing \$80,000.

This survey is to determine the level of interest in the development of a special charge scheme to upgrade the drainage in Catona Crescent, Cobram.

It does not in any way interfere with your rights of objection or comment under the formal scheme process should Council decide to proceed with the project.

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**CATONA CRESCENT COBRAM - DRAINAGE UPGRADE - SPECIAL CHARGE
SCHEME - RESULT OF SURVEY OF ABUTTING OWNERS (cont'd)**

ATTACHMENT No [1] - Sample of letter and survey



Additional questions:

We would appreciate it if you could answer the following questions by circling yes or no _____

1. If you do not support the current scheme, would you support a scheme to complete a drainage upgrade of Catona Crescent if Council covered 50% of the cost of the upgrade (\$201,000)?

Yes / No (please circle your answer)

2. Do you want kerb and channel included in the current scheme – this would roughly double your contribution?

Yes / No (please circle your answer)

3. Do you only want kerb and channel included if Council covers 50% of the cost?

Yes / No (please circle your answer)

Comments _____

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CATONA CRESCENT COBRAM - DRAINAGE UPGRADE - SPECIAL CHARGE SCHEME - RESULT OF SURVEY OF ABUTTING OWNERS (cont'd)

ATTACHMENT No [2] - Fact Sheet for Catona Cres Special Charge Scheme

FACT SHEET



Catona Crescent Special Charge Scheme

1. There was some confusion over the 75% and 25% split.

The 75-25 split is related to the apportionment, not Council's contribution. Council is contributing \$80,000 which is approximately 20% of the total bill. The remaining 80%, or \$322,000 is apportioned to each landowner in the following way:

Total cost of works (\$402,000) less Council Contribution (\$80,000)

This leaves a total amount to be raised by special charge = **\$322,000**

75% of that (\$322,000 x 75%) = \$241,500 – this is divided equally amongst all 66 lots (initially 61 lots but we missed subdivisions at 11 and 14 Catona Crescent) - so each lot is charged \$3659.

25% of that (\$322,000 x 25%) = \$80,500 – this is divided amongst all 66 lots according to size of the lot, that is, larger lots pay a greater portion of this amount. This added to \$3659 is your share of the scheme.

2. Why are small blocks paying similar to large blocks?

In an effort to make the apportionment of costs fair we have based it on 75% per unit and 25% per size. This is reflective that each lot has one house that will benefit from the drainage but some larger blocks may contribute a little more to the stormwater.

3. What will the interest rate be?

The interest rate will be the deemed overdraft rate plus 1%, so the current rate will be 3%. This can change each year. For example, the repayments of a \$5,000 special charge over 10 years are shown below. Please note that this example assumes a constant interest rate of 3% but this could go up or down depending on general overdraft rates.

Payment number	Instalment	Interest Component	Principal Component	SCS Contribution
				5,000.00
1	\$ 145.15	37.50	107.65	4,892.35
2	\$ 145.15	36.69	108.46	4,783.89
3	\$ 145.15	35.88	109.27	4,674.62
4	\$ 145.15	35.06	110.09	4,564.53
5	\$ 145.15	34.23	110.92	4,453.61
6	\$ 145.15	33.40	111.75	4,341.86
7	\$ 145.15	32.56	112.59	4,229.28
8	\$ 145.15	31.72	113.43	4,115.84
9	\$ 145.15	30.87	114.28	4,001.56
10	\$ 145.15	30.01	115.14	3,886.42
11	\$ 145.15	29.15	116.00	3,770.42
12	\$ 145.15	28.28	116.87	3,653.55

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**CATONA CRESCENT COBRAM - DRAINAGE UPGRADE - SPECIAL CHARGE
SCHEME - RESULT OF SURVEY OF ABUTTING OWNERS (cont'd)**

ATTACHMENT No [2] - Fact Sheet for Catona Cres Special Charge Scheme



Payment number	Instalment	Interest Component	Principal Component	SCS Contribution
13	\$ 145.15	27.40	117.75	3,535.80
14	\$ 145.15	26.52	118.63	3,417.17
15	\$ 145.15	25.63	119.52	3,297.65
16	\$ 145.15	24.73	120.42	3,177.23
17	\$ 145.15	23.83	121.32	3,055.91
18	\$ 145.15	22.92	122.23	2,933.67
19	\$ 145.15	22.00	123.15	2,810.53
20	\$ 145.15	21.08	124.07	2,686.45
21	\$ 145.15	20.15	125.00	2,561.45
22	\$ 145.15	19.21	125.94	2,435.51
23	\$ 145.15	18.27	126.88	2,308.63
24	\$ 145.15	17.31	127.84	2,180.79
25	\$ 145.15	16.36	128.79	2,052.00
26	\$ 145.15	15.39	129.76	1,922.24
27	\$ 145.15	14.42	130.73	1,791.50
28	\$ 145.15	13.44	131.71	1,659.79
29	\$ 145.15	12.45	132.70	1,527.08
30	\$ 145.15	11.45	133.70	1,393.39
31	\$ 145.15	10.45	134.70	1,258.69
32	\$ 145.15	9.44	135.71	1,122.98
33	\$ 145.15	8.42	136.73	986.25
34	\$ 145.15	7.40	137.75	848.49
35	\$ 145.15	6.36	138.79	709.71
36	\$ 145.15	5.32	139.83	569.88
37	\$ 145.15	4.27	140.88	429.00
38	\$ 145.15	3.22	141.93	287.07
39	\$ 145.15	2.15	143.00	144.07
40	\$ 145.15	1.08	144.07	0.00
	5,806.03	806.03	5,000.00	

4. Is there a pensioner discount or exemption due to hardship?

There is no pensioner discount for a special charge scheme. However, our Special Charge Scheme Policy states that applications for relief or assistance due to hardship will be considered in accordance with Council's Rates and Charges policy.

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ITEM NO: 10.4.3

CATONA CRESCENT COBRAM - DRAINAGE UPGRADE - SPECIAL CHARGE SCHEME - RESULT OF SURVEY OF ABUTTING OWNERS (cont'd)

ATTACHMENT No [2] - Fact Sheet for Catona Cres Special Charge Scheme



5. How do the repayments work and will there be any repayment restrictions placed on the properties if /when selling these properties?

The special charge sits against the title of the property and will be included on your quarterly rates notice. An example of the payments each quarter are above. If you sell your property, any remaining special charge will be paid by the new owner under the same arrangements.

6. Can I pay the full amount on completion of the work?

Yes.

7. Why isn't Council contributing 50% of this project like all other projects in Cobram?

Under Council's Special Rates and Charges Policy different infrastructure projects are assessed as having differing levels of community benefit. The higher the community benefit, the higher Council's contribution. Roads and footpaths attract 50% Council contribution. Drainage is usually seen as only benefitting landowners and so normally attracts 0% contribution. This project was allocated 20% as it will reduce damage to the road which will have some benefit to the broader community.

8. Why isn't Kerb and Channel included?

The initial petition was to fix the road – stopping water lying on the road will do this. For kerb and channel to also be included this will roughly double the cost of the scheme – examples shown below:

Size of block	Drainage only	Plus Kerb & Channel
Small – 5000 m ²	\$ 4247	\$ 10,815
Medium - 7400 m ²	\$ 4532	\$ 11,541
Large - 12200 m ²	\$ 5098	\$ 12,984
Extra large - 37000 m ²	\$ 8024	\$ 20,434

9. What will happen with trees growing on the nature strips?

Every effort will be made to avoid disturbing existing trees. Where a tree is disturbed by works a decision will be made about whether to replace it or not.

10. How will this impact on the existing storm water dam?

All water from Catona Crescent will be directed into the existing dam at the rear of 12 Catona Crescent. Flow in rain events will be monitored and we are investigating pumping water from the reserve into the old channel at the rear as a future option to get the water away.

11. Will the drainage at the entrance to Catona Crescent from the Highway be looked at?

This project does not look at the entrances to Catona Crescent as it will move all water away from the highway along Catona Crescent to the retardation basin.

12. If our house floods again as in 2010 who will compensate us as owners?

Flood insurance is the responsibility of the landowner.

13. Will the pipes from the dam be upgraded to cope with water extraction before any works are done on the street?

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**CATONA CRESCENT COBRAM - DRAINAGE UPGRADE - SPECIAL CHARGE
SCHEME - RESULT OF SURVEY OF ABUTTING OWNERS (cont'd)**

ATTACHMENT No [2] - Fact Sheet for Catona Cres Special Charge Scheme



No. The dam is currently functioning as it should. If there are any issues with the dam, they will be looked at as part of normal drainage maintenance and management.

14. Will this stop flooding for the properties that have drainage pipes also on the rear of their properties (1-11 Catona Crescent)?

Any issues with overflow at the rear of these properties needs to be looked at in relation to the broader Cobram drainage network. In the future this may also be alleviated by pumping water from the dam to the channel at the rear.

15. Once you fix the swales how will you stop cars driving on them and ruining them again?

We understand that people driving through the swale drains especially after rain causes a lot of damage and inconvenience to the residents who maintain them. Unfortunately, there is no way to stop people from being inconsiderate. Any damage caused by utility maintenance workers should be repaired by the company responsible.

16. Will these works mean that water will no longer pool on the Murray Valley Highway along the side of the end Catona Crescent properties?

This work does not include the drainage on the Murray Valley Highway, however there should be some improvement as the water from Catona Crescent will be directed away from the Highway.

17. Will driveway entry access need to be altered?

No. Driveways will be reinstated after the works.

18. If any culverts are reset, will the surface be finished to the standard that is already there, e.g. concrete, bitumen, hot mix or gravel?

There may be some changes depending on the drainage design. Please see plans for details about any changes to crossovers and culverts.

19. How can you guarantee that this will fix the problem?

A detailed feature survey and design have been completed. As the whole crescent is being done this time with underground drainage right around the crescent this will fix the problem. Please see attached plan for details.

20. How will properties in Rosily Court benefit from the works on Catona Crescent?

The water from properties on Rosily Court flows onto Catona Crescent. The drainage upgrade will mean the water in Rosily Court will not pool and backflow once it hits Catona Crescent. This will be particularly beneficial in a large rain event.

21. Are there any plans to upgrade properties on Catona Crescent to sewer?

Not at this time. If residents wish to look at connection to sewer they will need to discuss this with Goulburn Valley Water who manage the sewerage network in Cobram.

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**CATONA CRESCENT COBRAM - DRAINAGE UPGRADE - SPECIAL CHARGE
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ATTACHMENT No [2] - Fact Sheet for Catona Cres Special Charge Scheme



22. Number 5 Catona Crescent was gifted to Council for Parks and Gardens in the area. The Shire then sold the block without consulting residents. Will the Shire reimburse the residents for this?

As part of the original subdivision of Catona Crescent in 1988, Lot 5 LP121733 was transferred to Council in lieu of a cash contribution to Public Open Space. This lot was then sold and the money placed in the Public Open Space Fund. Use of this fund is governed by the Local Government Act and can only be used for public open space and recreation. It is not tied to the development in which it was levied. It can be used to fund public open space and recreation anywhere in the Shire. Funds are allocated by to projects via Council resolution.

23. Why should residents pay for this? Isn't this what our rates are for? Why are our rates dearer than middle of town rates when they have sewerage, street sweeping done frequently?

Please see the attached fact sheet regarding rates information. How rates are spent is determined each year through the proposed budget put before Council each year and your rates are based on the value of your property. The higher value the property the higher the rates levied. Please see the attached rates information sheet for more information:
<https://www.moiravic.gov.au/files/content/public/residents/rates-and-charges-information/charges-and-levies/2020-2021-rates-notice-fact-sheet.pdf>

24. Will my Council Rates increase during the next 10-year period?

Council rates and charges are determined through the Annual Budget. Councils have been operating under **rate caps** since 1 July 2016 which limits the amount they can increase by. In 2020/21 the maximum increase was 2%.

25. Do my annual Rates pay for any regular drainage maintenance in Catona Crescent?

Yes. Roads and drainage are regularly inspected and repaired across Moira Shire and Council responds to any reports of damage by customers. Catona Crescent has received a normal run of pothole and pavement repairs, swale repairs and also some additional works to repair damage to nature strips caused by unknown vehicles.

26. If regular drainage maintenance had been carried out by Moira Shire, could this circumstance have been avoided?

The issue is not the level of maintenance but the lack of infrastructure installed in the original subdivision creating Catona Crescent. Over the years Council has tried to make the most of the infrastructure that did exist. This upgrade will create a complete drainage system that will perform the function as it is supposed to.

27. Why isn't Council paying for the entire drainage upgrade?

Council needs to balance the needs of all ratepayers and residents in Moira Shire. As per our policy Council contributes to capital works projects according to the level of community benefit above that special benefit derived by the landowners. Drainage normally attracts 0% community benefit but in this case the reduced damage to the road and subsequent maintenance bill has meant that Council has deemed 20% community benefits and allocated \$80,000.

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ITEM NO: 10.4.3

**CATONA CRESCENT COBRAM - DRAINAGE UPGRADE - SPECIAL CHARGE
SCHEME - RESULT OF SURVEY OF ABUTTING OWNERS (cont'd)**

ATTACHMENT No [2] - Fact Sheet for Catona Cres Special Charge Scheme



28. Why is the Council only contributing "UP TO \$80,000". If the cost of this part of project costs less than \$402,000 shouldn't any reduction in price on that \$402,000 go directly to the ratepayers and not the Council? What if it only costs \$330,000. Council will have only contributed \$10,000 (e.g.) and the ratepayers pay full price?

This is the standard approach to budget allocations. Projects can run under or over estimates and Council typically bears the cost of overruns and returns any savings to the pool for other projects. For special charge schemes anything over/under 10% of the cost is born/returned by Council, anything within that margin is shared proportionately between contributors.

29. How is it that the shire can fund the football room "Scott Oval" \$236,000 and can only give \$80,000 for kerb and guttering for us who pay rates every year for trash collection?

During budget deliberations Councillors decide what projects get funded and for what amount in the upcoming year. In the 20/21 budget allocations, Councillors allocated \$200,000 to an upgrade of the amenities in the sports pavilion at Scott Reserve to bring this community facility up to current standards and \$80,000 to this project.

30. Your letter states that the "Total estimated cost of works is \$402,000.00". This is only a proposed estimated amount. Does this mean that it could cost more than your estimated amount?

This estimate is based on the schedule of quantities supplied by the surveyors based on the drainage design. We will know the actual cost once the job goes out to tender. If the tender amount exceeds the estimate by 10% or more the scheme will have to return to landowners for another vote. If it is less than the estimate, landowner contributions will be adjusted proportionately.

31. Your letter says that the proposed works doesn't include kerbs, are you planning on installing kerbs at a later date? If yes, who pays for this and when will you advise the residents of Catona Crescent and Rosily Court?

As part of this process a number of landowners have asked for kerb and channel to be included. This option will be included in the survey form attached. If it receives majority support it will be included. If it requires an additional contribution from Council, it will need to wait to be assessed by Councillors in the 21/22 budget deliberations.

32. Will Council be paying the usual 50%/50% of all costs associated in relation to the installation of kerbs & gutters in Catona Crescent and Rosily Court?

It is Council policy that kerb and guttering works are assessed as giving a 20% general community benefit and therefore attracts a 20% contribution for Council. This would be approximately \$100,000 from Council and \$400,000 from benefitting land owners and will need to be put before Council in future annual budget deliberations. Council Policy rates roads and footpaths as having a 50% general community benefit.

33. Nothing is mentioned about fixing the road. What is being done to fix it and when will this be done? Is it being widened, is it being re-surfaced? Are all costs associated with widening the road or resurfacing the road to be payable by Vic Roads or Moira Shire? Who pays for the road to be widened or resurfaced?

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ITEM NO: 10.4.3

**CATONA CRESCENT COBRAM - DRAINAGE UPGRADE - SPECIAL CHARGE
SCHEME - RESULT OF SURVEY OF ABUTTING OWNERS (cont'd)**

ATTACHMENT No [2] - Fact Sheet for Catona Cres Special Charge Scheme



This road will be re-sealed when it falls due as part of Council's cyclical sealing program. The cost will be borne by Council.

34. Where is the water draining to?

The water drains to the dam at the back of 12 Catona Crescent.

35. Will it benefit my property because mine drains to the MV Highway?

Two properties – 26A and 26B have been removed from the scheme as those properties drain directly onto the MV Highway and they do not use Catona Crescent to enter their properties.

36. Why are we being asked to pay for something that we pay for in our shire rates – this is not a new property development?

In a new property development this type of infrastructure is the responsibility of the developer. When an existing property owner requests capital works to install new, or upgrade old infrastructure to current standards, it is Council Policy that benefitting property owners contribute to these works.

37. Who is responsible for drainage? Is it 100% property owners?

Council is the drainage authority and property owners are responsible for drainage on and emanating from their land. That is, Council has overall drainage management responsibility in the urban environment and is accountable for the rain that falls on the road reserve and other Council land and property owners are accountable for the rain that falls on their land.

38. Has there been works plans drawn up and if so why haven't residents been shown these for comment and assessment?

The plans are included with this fact sheet.

39. How has the price of \$402,00 been arrived at and on what basis?

Council engaged a licence surveyor to complete a feature survey, drainage design and schedule of quantities. Price unit rates were further based on prices Council has received for similar works in the past 12 months through a tender process. This formed the basis of the estimate.

40. If the proposal fails through lack of support will it be offered to the residents in the worst sections (Lots 1-7 and 38-44)?

No - Unless we fix the drainage the whole length of the crescent we will not achieve the result required. It is Council policy that if a special charge scheme is rejected it will not be looked at again for at least 2 years unless there is a significant change to circumstances.

41. Our storm water drain is not currently connected to the underground drain – will this mean it will be connected?

It is the property owner's responsibility to get water from the block to the property boundary on Catona Crescent. The water will then flow along the swale drain until it reaches a culvert under the road where it will flow into the underground drain to the retention basin.

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**CATONA CRESCENT COBRAM - DRAINAGE UPGRADE - SPECIAL CHARGE
SCHEME - RESULT OF SURVEY OF ABUTTING OWNERS (cont'd)**

ATTACHMENT No [2] - Fact Sheet for Catona Cres Special Charge Scheme



42. Is the current drain pipe going to be replaced to make it larger in diameter?

No. The existing drain pipes are sufficient diameter. If there are any issues after this work it will be to do with the broader drainage network and will be looked at if required.

43. Does the Moira Shire intend to get quotes for the cost of the drainage upgrade – tenders should be called?

If a majority of landowners agree to the scheme Council will call for tenders to complete the work. If it is within 10% of the estimate the works will then go ahead.

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FILE NO: C013/20
4. A WELL RUN COUNCIL

ITEM NO: 10.4.4

C013/20 - KERB AND CHANNEL CONSTRUCTION AND ASSOCIATED ROAD WORKS, DUNLOP STREET, YARRAWONGA

RECOMMENDATION

That Council:

1. Award contract C013/20 – Kerb and Channel Construction and Associated Road Works, Dunlop Street, Yarrawonga to BR Excavations Pty Ltd.
2. Authorise the Chief Executive Officer to sign and seal the contract documents.

1. Executive Summary

The Moira Shire Council invited submissions for kerb and channel and associated road works in Dunlop Street, Yarrawonga.

After consideration of the submissions, the evaluation panel recommends that contract C013/20 be awarded to BR Excavations Pty Ltd.

2. Background and Options

The contract involves the construction of new kerb and channel and road widening along the southern side of Dunlop Street for a distance of approximately 632 lineal metres.

The works under contract include:

- Road widening
- Drainage
- Concrete kerb and channel
- Road pavement
- Asphalt surfacing
- Pedestrian crossings
- Linemarking and signage

Contract C013/20 is a lump sum contract. Works are to be completed within 18 weeks from the date of acceptance.

Date of Public Notice

Paper	Date
TenderSearch	26 September 2020
Border Mail	26 September 2020
Shepparton News	29 September 2020
Cobram Courier	30 September 2020
Numurkah Leader	30 September 2020
Yarrawonga Chronicle	30 September 2020

Submissions closed 21 October 2020.

FILE NO: C013/20
4. A WELL RUN COUNCIL

ITEM NO: 10.4.4

C013/20 - KERB AND CHANNEL CONSTRUCTION AND ASSOCIATED ROAD WORKS, DUNLOP STREET, YARRAWONGA (cont'd)

Receipt of Tenders

9 Submissions were received.

Supervision

Superintendent – Manager Construction and Assets

Superintendent Representative – Coordinator Design and Construction

Panel Membership

Staff in the following positions independently evaluated the submissions:

- Manager Construction and Assets
- Coordinator Design and Construction
- Project Manager

The Procurement Coordinator moderated the tender evaluation.

Non-conforming tenders

No submission was considered to be non-conforming.

Tender Evaluation

The following evaluation criteria and weightings were used:

Evaluation Criteria	Evaluation Weighting
Price	40%
Track Record	20%
Compliance with Specification	10%
Skills and Resources	10%
Management of Schedules	10%
Contribution to Local Economy	10%

A summary of the evaluation is provided in the confidential attachment.

3. Financial Implications

The recommendation is within budget.

4. Risk Management

To minimise the risks associated with the works under contract, the following conditions must be met:

- The successful contractor is to be the holder of public liability insurance with a minimum coverage of \$20 million.
- The successful contractor is required to submit a Covid-19 Management Plan including how they intend to implement the Government guidelines.
- The successful contractor will be appointed as the Principal Contractor and is authorised to have management or control of the workplace and discharge of duties in relation to the Occupational Health and Safety Act and Regulations.
- Prior to the commencement of works, the successful contractor must

FILE NO: C013/20
4. A WELL RUN COUNCIL

ITEM NO: 10.4.4

C013/20 - KERB AND CHANNEL CONSTRUCTION AND ASSOCIATED ROAD WORKS, DUNLOP STREET, YARRAWONGA (cont'd)

supply the Superintendent with a Construction Program and a Quality Plan inclusive of a Traffic Management Plan, Environmental Management Plan and a Health and Safety Co-Ordination Plan.

- Various hold points will be applicable where the work may not proceed without review and approval by the Superintendent.
- All on-site personnel are required to undertake a Moira Shire Council site induction.
- A plant risk assessment is required for each item of heavy plant to be supplied, hired or expected to enter the work site.

5. Internal and External Consultation

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

The Coordinator Design and Construction, Manager Construction and Assets and General Manager Infrastructure approved the tender documentation.

6. Regional Context

This project contributes to the strategic objective of continuing to maintain and provide facilities and services that our community value and need.

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 1.20 of the specification stipulates the contractor's environmental responsibilities and will form part of the contract.

In addition, the successful contractor is required to submit an Environment Management Plan prior to the commencement of works.

10. Conflict of Interest Considerations

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

11. Conclusion

The recommendation is to award contract C013/20 – Kerb and Channel Construction and Associated Road Works, Dunlop Street, Yarrawonga to BR Excavations Pty Ltd.

Attachments

- 1 C013/20 - Kerb and Channel Construction and Associated Road Works - Dunlop Street Yarrawonga - APPENDIX A (Confidential) - *Confidential*

FILE NO: C021/20
4. A WELL RUN COUNCIL

ITEM NO: 10.4.5

C021/20 - UPGRADE OF LIGHTING, YARRAWONGA AIRPORT

RECOMMENDATION

That Council:

1. Award contract C021/20 – Upgrade of Lighting, Yarrawonga Airport to R & H Purtle Family Trust t/a Purtle Electrical.
2. Authorise the Chief Executive Officer to sign and seal the contract documents.

1. Executive Summary

Moira Shire Council invited submissions for the supply and installation of lighting to comply with current legislation and standards at the Yarrawonga airport.

Following the initial evaluation, the two highest scoring tenderers were invited to make a presentation of their proposal to the Evaluation Panel.

After consideration of the submissions and subsequent presentations, the Panel recommends that contract C021/20 be awarded to Purtle Electrical.

2. Background and Options

The works under contract aim to increase the safety and reliability of the lighting systems at Yarrawonga Airport along with reducing the current maintenance costs.

It is expected that normal flying operations will continue during the period of works.

Contract C021/20 is a lump sum contract. Works are to be completed within 20 weeks from the date of acceptance.

Date of Public Notice

Paper	Date
TenderSearch	26 September 2020
Border Mail	26 September 2020
Shepparton News	29 September 2020
Cobram Courier	30 September 2020
Numurkah Leader	30 September 2020
Yarrawonga Chronicle	30 September 2020

Submissions closed 21 October 2020.

Receipt of Tenders

8 Submissions were received.

Supervision

Superintendent – Manager Construction and Assets
Superintendent Representative – Project Engineer

FILE NO: C021/20
4. A WELL RUN COUNCIL

ITEM NO: 10.4.5

C021/20 - UPGRADE OF LIGHTING, YARRAWONGA AIRPORT (cont'd)

Panel Membership

Staff in the following positions independently evaluated the submissions:

- Manager Construction and Assets
- Coordinator Design and Construction
- Project Engineer

The Procurement Coordinator moderated the tender evaluation.

Non-conforming tenders

No submission was considered to be non-conforming.

Tender Evaluation

The following evaluation criteria and weightings were used:

Evaluation Criteria	Evaluation Weighting
Price	40%
Track Record	15%
Skills and Resources	15%
Compliance with Specification	10%
Management of Schedules	10%
Contribution to Local Economy	10%

A summary of the evaluation and presentation is provided in the confidential attachment.

3. Financial Implications

The recommendation is within budget.

4. Risk Management

To minimise the risks associated with the works under contract, the following conditions must be met:

- The successful contractor is to be the holder of public liability insurance with a minimum coverage of \$20 million.
- The works under this Contract are to be in accordance with the General Conditions of Contract AS/NZS 3000:2007 Wiring Rules.
- The contractor and all staff working on the project must be the holder of a current electrician's license.
- The successful contractor must be competent with demonstrated experience in the installation of airfield lighting systems.
- The successful contractor is required to submit a Covid-19 Management Plan including how they intend to implement the Government guidelines.
- The successful contractor is expected to work with Councils Project Manager to develop a Method of Working Plan (MOWP) prior to the commencement of works. The MOWP will detail how normal flying conditions will continue during the period of works.
- All on-site personnel are required to undertake a Moira Shire Council site

FILE NO: C021/20
4. A WELL RUN COUNCIL

ITEM NO: 10.4.5

C021/20 - UPGRADE OF LIGHTING, YARRAWONGA AIRPORT (cont'd)

induction.

5. Internal and External Consultation

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

The Coordinator Design and Construction, Manager Construction and Assets and General Manager Infrastructure approved the tender documentation.

6. Regional Context

This project contributes to the strategic objective of continuing to maintain and provide facilities and services that our community value and need.

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 1.24 of the specification stipulates the contractor's environmental responsibilities and will form part of the contract.

10. Conflict of Interest Considerations

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

11. Conclusion

The recommendation is to award contract C021/20 – Upgrade of Lighting, Yarrowonga Airport to R & H Purtle Family Trust t/a Purtle Electrical.

Attachments

- 1 C021/20 - Upgrade of Lighting, Yarrowonga Airport - APPENDIX A (CONFIDENTIAL)
- Confidential

FILE NO: C017/20
4. A WELL RUN COUNCIL

ITEM NO: 10.4.6

**C017/20 - SUPPLY, DELIVERY AND FINANCE OF TWO HORIZONTAL
DISCHARGE UNITS**

RECOMMENDATION

That Council:

1. Award contract C017/20 – Supply, Delivery and Finance of Two Horizontal Discharge Units to SG Fleet Australia Pty Ltd.
2. Authorise the Chief Executive Officer to sign and seal the contract documents.

1. Executive Summary

Moira Shire Council invited submissions for the supply, delivery and finance of two Horizontal Discharge Units.

After consideration of the submissions, the tender evaluation panel recommends that Council lease the units from SG Fleet Australia Pty Ltd under contract C017/20.

2. Background and Options

The primary use of the Horizontal Discharge Units will be for the maintenance of Council's sealed and main road network.

These vehicles are expected to travel approximately 45,000 kms and to operate for approximately 1,500 engine hours per annum.

3. Contract Details

The recommendation is to lease the horizontal discharge units over a 5 year term inclusive of maintenance.

Date of Public Notice

Paper	Date
TenderSearch	5 September 2020
The Age	5 September 2020
Border Mail	5 September 2020
Shepparton News	8 September 2020
Cobram Courier	9 September 2020
Numurkah Leader	9 September 2020
Yarrawonga Chronicle	9 September 2020

Submissions closed 30 September 2020.

Receipt of Tenders

3 tender submissions were received.

Supervision

Superintendent – Manager Operations

Superintendent Representative – Fleet and Store Administrator

FILE NO: C017/20
4. A WELL RUN COUNCIL

ITEM NO: 10.4.6

C017/20 - SUPPLY, DELIVERY AND FINANCE OF TWO HORIZONTAL DISCHARGE UNITS (cont'd)

Panel Membership

Staff in the following positions independently evaluated the submissions:

- Superintendent Works and Services
- Leading Hand, Tungamah
- Leading Hand Roads

The Contract Administrator moderated the tender evaluation.

Non-conforming tenders

No submission was considered non-conforming.

Tender Evaluation

The following evaluation criteria and weightings were used:

Evaluation Criteria	Evaluation Weighting
Price	35%
Compliance with Specification	40%
Track Record	15%
Contribution to Local Economy	10%

4. Financial Implications

The 2020/21 budget contains sufficient funds to lease the two horizontal discharge units.

Risk Management

In order to minimise the risks associated with the purchase of plant, the specification contained the following conditions:

- The vehicle shall comply with all Federal and State Government Legislative requirements as well as all relevant Australian Standards and Australian Design Rules.
- Two copies each of the operator, parts and workshop manuals shall be supplied (one hard copy and one disk) for the vehicle.
- On delivery, an induction of the capabilities of the vehicle is to be done for nominated Council staff.

5. Internal and External Consultation

The Fleet and Store Administrator, Manager Operations and General Manager Infrastructure approved the specification.

6. Regional Context

Businesses located within the Moira Shire have a 10% weighting applied to their tenders.

7. Council Plan Strategy

The Council Plan objective for a well-run Council is supported by the procurement processes undertaken to award the contract.

FILE NO: C017/20
4. A WELL RUN COUNCIL

ITEM NO: 10.4.6

**C017/20 - SUPPLY, DELIVERY AND FINANCE OF TWO HORIZONTAL
DISCHARGE UNITS (cont'd)**

8. Legislative / Policy Implications

The tender process was undertaken in accordance with the requirements of the section 186 of the Local Government Act 1989 and Council's adopted Procurement Policy.

9. Environmental Impact

The proposed vehicles meet all the latest pollution and environmental requirements for vehicles of this type.

10. Conflict of Interest Considerations

There were no conflicts of interest declared during the tender process.

11. Conclusion

The recommendation is to award contract C017/20 – Supply, Delivery and Finance of Two Horizontal Discharge Units to SG Fleet Australia Pty Ltd.

Attachments

- 1 C017 20 - Finance of Two Horizontal Discharge Units - APPENDIX A
(CONFIDENTIAL) - *Confidential*

FILE NO: C016/20
4. A WELL RUN COUNCIL

ITEM NO: 10.4.7

C016/20 - FINANCE OF ONE 3M3 CREW CAB TIP TRUCK

RECOMMENDATION

That Council:

1. Award contract C016/20 – Finance of One 3m³ Crew Cab Tip Truck to SG Fleet Australia Pty Ltd.
2. Authorise the Chief Executive Officer to sign and seal the contract documents.

1. Executive Summary

Moira Shire Council invited submissions for the supply and delivery or finance of one 3m³ Crew Cab Tip Truck.

Council reserved the right to purchase the vehicle outright or to lease the vehicle over a 7-year term.

After consideration of the submissions, the tender evaluation panel recommends that Council lease the truck from SG Fleet Australia Pty Ltd under contract C016/20.

2. Background and Options

The primary use of the tip truck will be for the maintenance of Council's assets to carry materials and equipment. The vehicle will also be required to tow trailers which will carry materials, plant and equipment up to 5,000kgs.

The vehicle is expected to travel approximately 30,000 kms per annum.

3. Contract Details

The recommendation is to lease the tip truck over a 7 year term inclusive of maintenance.

Date of Public Notice

Paper	Date
TenderSearch	15 September 2020
The Age	19 September 2020
Border Mail	19 September 2020
Shepparton News	15 September 2020
Cobram Courier	16 September 2020
Numurkah Leader	16 September 2020
Yarrawonga Chronicle	16 September 2020

Submissions closed 14 October 2020.

Receipt of Tenders

4 tender submissions were received.

Supervision

Superintendent – Manager Operations

FILE NO: C016/20
4. A WELL RUN COUNCIL

ITEM NO: 10.4.7

C016/20 - FINANCE OF ONE 3M3 CREW CAB TIP TRUCK (cont'd)

Superintendent Representative – Fleet and Store Administrator

Panel Membership

Staff in the following positions independently evaluated the submissions:

- Superintendent Parks and Town Maintenance
- Leading Hand, Cobram
- Fleet and Stores Administrator

The Contract Administrator moderated the tender evaluation.

Non-conforming tenders

The current budget does not contain sufficient fund to purchase the tip truck through a lump sum purchase contract. As a result, one tenderers submission was deemed to be non-conforming due to their submission only including the option for the lump sum purchase.

Tender Evaluation

The following evaluation criteria and weightings were used:

Evaluation Criteria	Evaluation Weighting
Price	35%
Compliance with Specification	40%
Track Record	15%
Contribution to Local Economy	10%

4. Financial Implications

The 2020/21 budget contains sufficient funds to lease the tip truck.

Risk Management

In order to minimise the risks associated with the purchase of plant, the specification contained the following conditions:

- The vehicle shall comply with all Federal and State Government Legislative requirements as well as all relevant Australian Standards and Australian Design Rules.
- Two copies each of the operator, parts and workshop manuals shall be supplied (one hard copy and one disk) for the vehicle.
- On delivery, an induction of the capabilities of the vehicle is to be done for nominated Council staff.

5. Internal and External Consultation

The Fleet and Store Administrator, Manager Operations and General Manager Infrastructure approved the specification.

6. Regional Context

Businesses located within the Moira Shire have a 10% weighting applied to their tenders.

FILE NO: C016/20
4. A WELL RUN COUNCIL

ITEM NO: 10.4.7

C016/20 - FINANCE OF ONE 3M3 CREW CAB TIP TRUCK (cont'd)

7. Council Plan Strategy

The Council Plan objective for a well-run Council is supported by the procurement processes undertaken to award the contract.

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

The proposed vehicle meets all the latest pollution and environmental requirements for vehicles of this type.

10. Conflict of Interest Considerations

There were no conflicts of interest declared during the tender process.

11. Conclusion

The recommendation is to award contract C016/20 – Finance of One 3m³ Crew Cab Tip Truck to SG Fleet Australia Pty Ltd.

Attachments

- 1 C016 20 - Supply and Delivery or Finance of One 3m³ Crew Cab Tip Truck - APPENDIX A (Confidential) - *Confidential*

FILE NO: F20/411
2. A THRIVING LOCAL ECONOMY

ITEM NO: 10.4.8

**DEVELOPMENT PLAN AMENDMENT - GLANMIRE PARK - BOUND BY
MURRAY VALLEY HIGHWAY, WOODS ROAD, CAHILLS ROAD AND BOTTS
ROAD, YARRAWONGA**

RECOMMENDATION

That:

1. Council approve the amendment to Glanmire Park Development Plan, dated May 2020.

1. Executive Summary

A request has been received to amend the approved Development Plan for Glanmire Park (Residential Component) which is bound by Murray Valley Highway, Woods Road, Cahills Road and Botts Road, Yarrawonga.

The proposed amendments relate to a revised road layout, partial relocation of open spaces, replacement of a potential school site with a residential lifestyle village site and incorporating drainage design elements from the Yarrawonga Stormwater Drainage Strategy 2019 (Alluvium).

The proposed amended Development Plan was referred to internal and external authorities and advertised to adjoining land owners and no objections were received.

It is recommended that the amended Glanmire Development Plan be approved.

2. Background and Options

Glanmire Park Development Plan (Residential Component) was approved by Council at its meeting on 15 October 2007. The Development Plan included

- Areas for high density, conventional density and low density residential development;
- Areas of high density were to be contained around or in vicinity of a Village Green;
- Open spaces;
- Wetlands;
- Potential school site; and
- Function road layout.

A request has been received to amend the Development Plan, providing an overall different layout design.

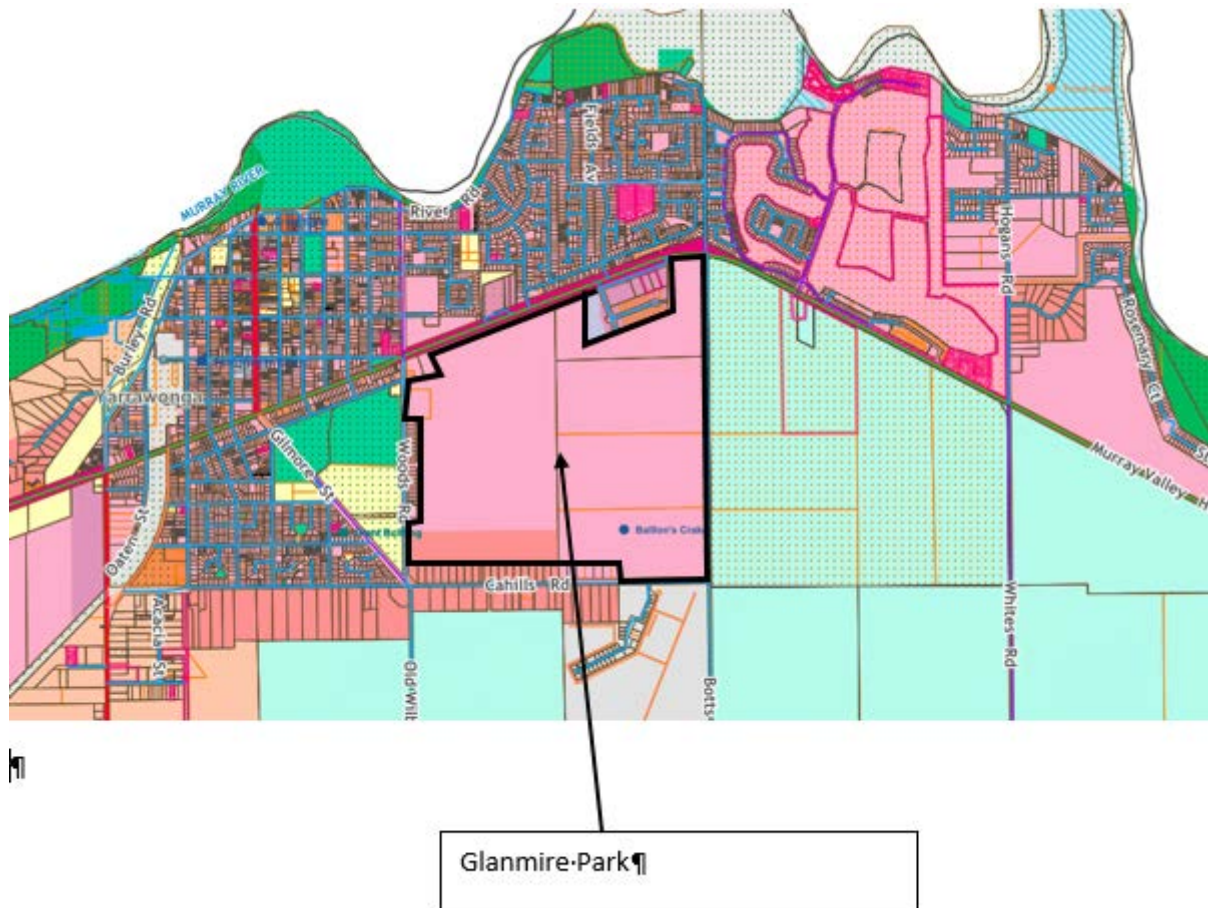
The options available to Council with respect to this amendment are:

- a) Approve the Development Plan Amendment
- b) Refuse the Development Plan Amendment
- c) Defer consideration

FILE NO: F20/411
2. A THRIVING LOCAL ECONOMY

ITEM NO: 10.4.8

DEVELOPMENT PLAN AMENDMENT - GLANMIRE PARK - BOUND BY MURRAY VALLEY HIGHWAY, WOODS ROAD, CAHILLS ROAD AND BOTTS ROAD, YARRAWONGA (cont'd)



3. Proposed Amendment

The proposed amendment provides for a similar range of residential densities, low, conventional and high (townhouses), together with a potential residential lifestyle village site in place of the school site. The high density residential is to be located along or adjacent to open space spines that will contain drainage infrastructure.

The drainage design is applying the concepts of the Yarrowonga Stormwater Management Strategy 2019 prepared by Alluvium as part of the Yarrowonga Framework Plan that was approved by Council at its meeting on 26 August 2020.

The road layout is a more general design only showing collector roads in a grid formation and not a local road design. This provides flexibility in the subdivisional layout at the planning permit stage.

4. Financial Implications

The approval of the Amended Development Plan(s) will allow the proponents to lodge planning permit applications for the subdivision of land. Statutory fees will apply to any planning permit application and the certification of plans of subdivision.

Any development costs associated with the subdivision of land i.e. construction of roads, drainage, provision of services (electricity, water, sewerage, telecommunications, gas) are borne by the developer.

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2. A THRIVING LOCAL ECONOMY

ITEM NO: 10.4.8

DEVELOPMENT PLAN AMENDMENT - GLANMIRE PARK - BOUND BY MURRAY VALLEY HIGHWAY, WOODS ROAD, CAHILLS ROAD AND BOTTS ROAD, YARRAWONGA (cont'd)

5. Risk Management

The Development Plan provides the opportunity for future development that must produce assessments or reports on various aspects mentioned elsewhere in this report. Any problem with the development in this area would be identified and therefore could be addressed through the planning permit process.

6. Internal and External Consultation

The proposed amendments to the Development Plan was referred to both internal departments and external authorities as detailed below.

Department/Authority	Comments
Infrastructure – Assets and Construction	<p>No objection to the approval of the Development Plan, provided the point below are addressed that the appropriate time:</p> <ul style="list-style-type: none"> (a) provision of land easements rights for the purpose of irrigation, in favour of Moira Shire Council for the “pumped stormwater harvesting network” in accordance with Figure 32 Proposed Drainage Asset Placement - Option Three, of the Stormwater Drainage Strategy, Yarrowonga by Alluvium (September 2019). (b) clarification sought from internal Management, confirming that the Botts Road abuttal is to remain open to general vehicle traffic into the future.
VicRoads/Regional Roads Victoria	No response received

7. Community Consultation

There are no statutory processes in exhibiting a Development Plan, an amendment to a Development Plan or for making submissions. Such plan(s) is prepared only to the ‘satisfaction of the Responsible Authority’ without the statutory requirement to give notice, ability to consider objections or provide a right of review.

Notwithstanding the above, the Development Plan Amendment was advertised to adjacent and nearby landowners. No submissions were received.

8. Regional Context

There is no regional context associated with this proposal, given its scale and location.

9. Council Plan Strategy

One of the strategic actions to the Strategy is to develop a thriving local economy:

FILE NO: F20/411
2. A THRIVING LOCAL ECONOMY

ITEM NO: 10.4.8

**DEVELOPMENT PLAN AMENDMENT - GLANMIRE PARK - BOUND BY
MURRAY VALLEY HIGHWAY, WOODS ROAD, CAHILLS ROAD AND BOTTS
ROAD, YARRAWONGA (cont'd)**

- Facilitating growth by working with developers to provide industrial, commercial and residential land to satisfy projected demand.

A Development Plan provides the means to create residential neighborhoods in areas that growing or expanding in a coordinated manner, hence the strategy is achieved.

10. Legislative / Policy Implications

The Moira Planning Scheme requires that prior to any approval of a planning permit, a Development Plan be approved under Clause 43.04 of the Scheme.

As previously states there is no statutory process in approving a Development Plan, exhibiting a Plan or making a submission to a Plan.

Once a Development Plan is approved a planning permit application is able to be lodged for consideration. Such application must generally accord with the approved Development Plan.

If the planning permit application accords with the approved Development Plan, it is exempt from the Public Notice requirements and appeal rights, pursuant to Clause 43.04-2 of the Planning Scheme.

11. Environmental Impact

The Yarrowonga Stormwater Drainage Strategy 2019 prepared by Alluvium provided a strategy for the developer to incorporate into their drainage design, providing potentially 5 wetlands connected by channels draining to the northeast corner of the estate.

There are a number of native trees grouped and scattered throughout the estate. These are to be retained where possible, either in public reserves or on private land.

Through an archaeological assessment carried out over 10 years ago, some 10 indigenous sites were found. Further assessments will be required when applications for planning permits are lodged.

12. Conflict of Interest Considerations

No officer conflict of interest applies to the matters in this report.

13. Conclusion

The amendment to the Glanmire Park Development Plan are considered to be significant in terms of road and open space design, however the use of the land remains relatively the same providing low, conventional and high density standard of development/subdivision. The provision of a residential village in place of a potential school site will provide diversity of housing choice into the future.

Overall, concepts used in developing this amendment to the Development Plan for Glanmire Park are sound and should be supported.

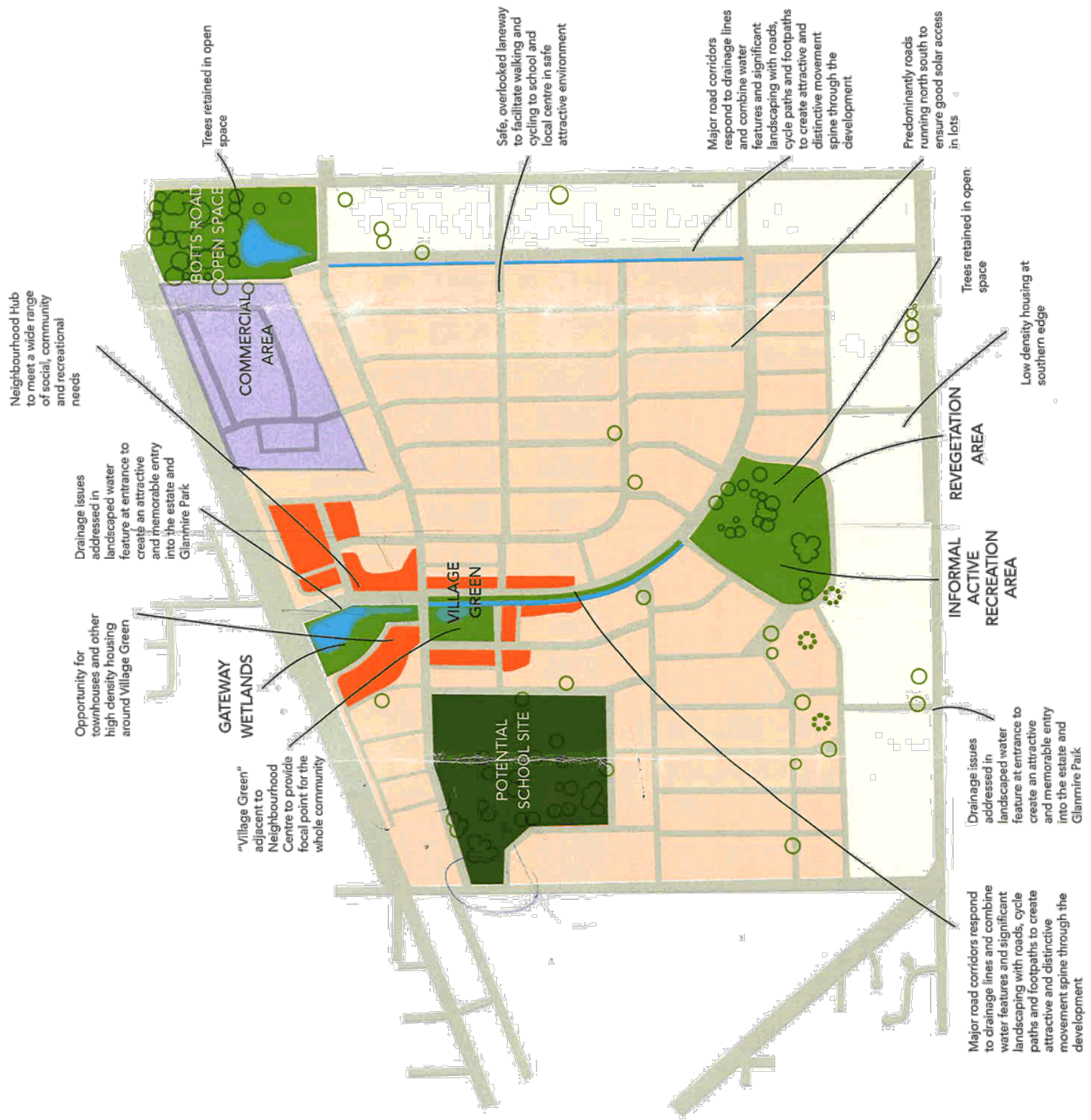
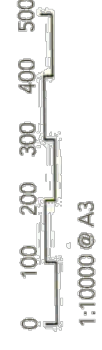
Attachments

- 1 Glanmire Park Development Plan - Approved
- 2 Glanmire Park Development Plan - Proposed Amendment

DEVELOPMENT PLAN AMENDMENT - GLAMMIRE PARK - BOUND BY MURRAY VALLEY HIGHWAY, WOODS ROAD, CHILLS ROAD AND BOTTS ROAD, YARRAWONGA (cont'd)
ATTACHMENT No [1] - Glammire Park Development Plan - Approved

Indicative Masterplan
DEVELOPMENT PLAN
Glammire Park Yarrawonga

- Townhouses/retirement villages and small lots (predominantly 300-500m²) (Approximate yield 146 lots)
- Conventional density housing (Approximate yield 900 lots)
- Lower density housing (Approximate yield 263 lots)
- Open space
- Blueway landscaped overland flow path to provide ecological and aesthetic
- Potential School Site



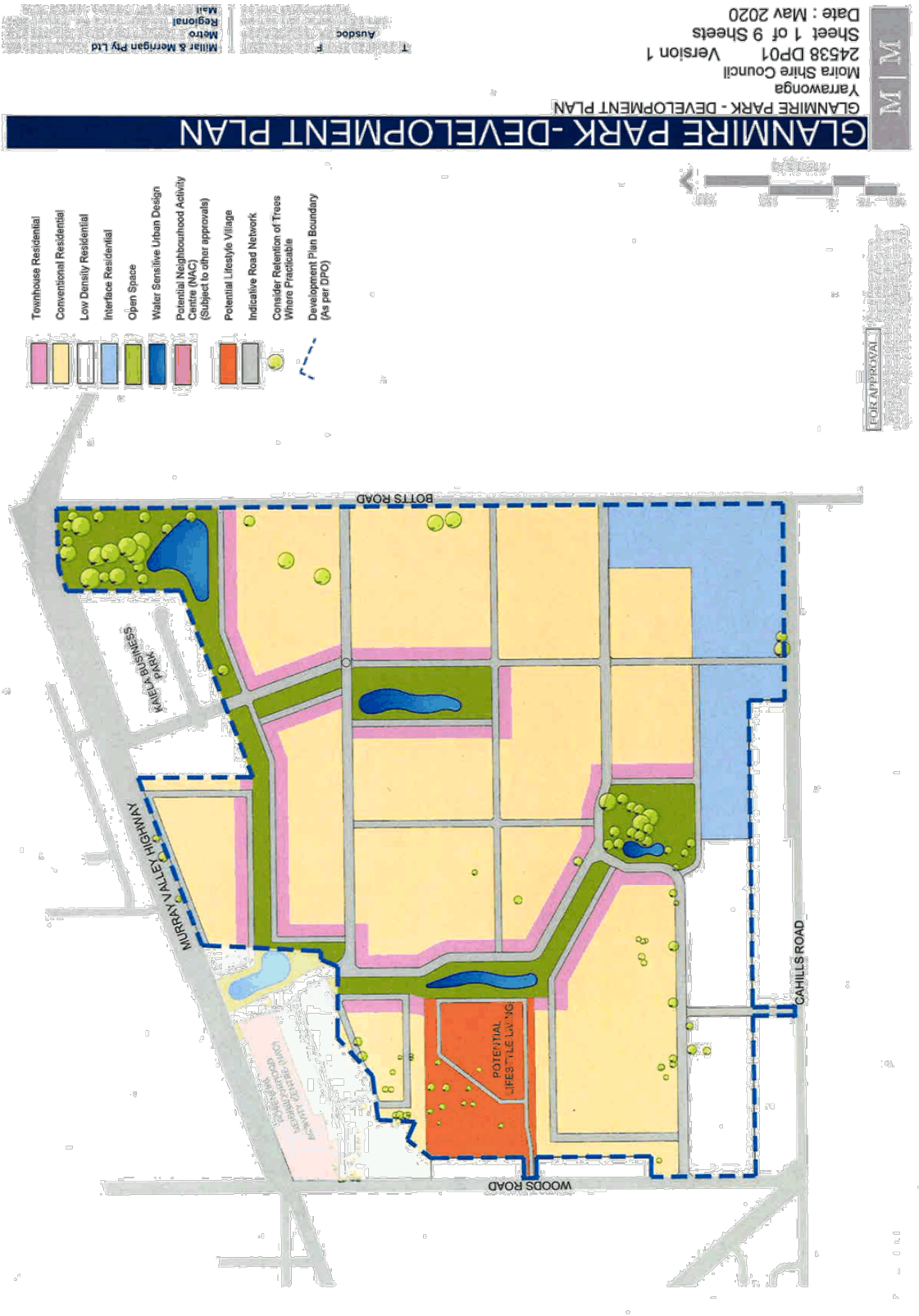
Glammire Park | Yarrawonga ODP

FILE NO: F20/411
2. A THRIVING LOCAL ECONOMY

ITEM NO: 10.4.8

DEVELOPMENT PLAN AMENDMENT - GLANMIRE PARK - BOUND BY MURRAY VALLEY HIGHWAY, WOODS ROAD, CAHILLS ROAD AND BOTTS ROAD, YARRAWONGA (cont'd)

ATTACHMENT No [2] - Glanmire Park Development Plan - Proposed Amendment



FILE NO: VARIOUS

ITEM NO: 15

URGENT GENERAL BUSINESS**Urgent general business**

(1) If the Agenda for a Meeting makes provision for urgent business, business cannot be admitted as Urgent Business other than by resolution of Council and only then if:

- (a) It relates to or arises out of a matter which has arisen since distribution of the Agenda; and
- (b) deferring the item until the next Meeting will mean a decision on the item will not have any effect on the matter; or
- (c) the item involves a matter of urgency as determined by the Chief Executive Officer; and
- (d) it cannot be addressed through an operational service request process.
- (e) the matter does not:
 - substantially affect the levels of Council service;
 - commit Council to significant expenditure not included in the adopted budget;
 - establish or amend Council Policy; or
 - commit Council to any contractual arrangement.

(2) A Councillor proposing a matter be admitted as urgent business must lodge it in writing to the Chief Executive Officer four (4) hours prior to the Meeting.

(3) The Chief Executive Officer will advise the Mayor of any matter he or she determines appropriate for Council to consider admitting as urgent business.

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 the provisions of the Local Government Act 2020 (the Act), the meeting will now be closed to members of the public to enable the meeting to discuss matters in items 17.1 which the Council may, pursuant to the provisions of Section 66 (2) of the Act resolve to be considered in closed session.