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## **AGENDA**

### **ORDINARY MEETING OF COUNCIL** **FOR** **WEDNESDAY 16 DECEMBER 2020** **TO BE HELD AT COBRAM CIVIC CENTRE, PUNT ROAD COBRAM** **COMMENCING AT 6:00 PM**

#### **RECORDING**

Consistent with section 12.3 of our Governance Rules, 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, 25 November 2020, as prepared, be confirmed.”

**8. COUNCILLOR REPORTS**

COUNCILLORS TO PROVIDE VERBAL REPORTS

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NIL

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NIL

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NIL

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**18. GENERAL CONFIDENTIAL BUSINESS**

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FILE NO: VARIOUS

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## 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](mailto:info@moira.vic.gov.au) clearly stating is a question for the meeting

FILE NO: F21/12  
4. A WELL RUN COUNCIL

ITEM NO: 10.1.1

## COUNCIL MEETING SCHEDULE 2021

### RECOMMENDATION

That Council:

1. Set the date, time and place of Council meetings as:
  - Ordinary Council Meetings to be held on the fourth Wednesday of the month (unless it conflicts with a public holiday) commencing at 5pm during eastern standard times and 6pm during daylight savings.
  - That all Ordinary Council Meetings to be held at the Cobram Civic Centre, Council Chambers.
2. Briefing sessions to be held on the second Wednesday of the month and held on the third Wednesday of the month if required.

### 1. Executive Summary

Under Section 3.1 of Moira Shire Council's Governance Rules: At or before the last Meeting each calendar year, Council must fix the date, time and place of all Council Meetings and any Delegated Committee Meetings for the following calendar year. Council by resolution, or the Chief Executive Officer, may change the date, time and place of, or cancel, any Meeting which has been fixed and must provide notice of the change to the public.

This report details the meeting schedule for 2021.

### 2. Background and Options

#### Meeting locations

In 2018 and 2019 Council meetings took place in Cobram, Numurkah, Nathalia, and Yarrawonga with the majority of meetings held in Cobram. On average, depending on what was be considered at the Council meeting, approximately 20 people would be in the gallery.

In 2020 a global pandemic was declared, necessitating the need to have the meetings closed to the public and for the meetings to be live streamed.

The Victorian Government's *COVID-19 Omnibus (Emergency Measures) Act 2020* introduced into the *Local Government Act 2020* (the Act) mechanisms that allows for virtual council meetings – to ensure local government decision-making can continue during the coronavirus pandemic. These measures were in force from 1 May 2020 until 1 November 2020 and as a consequence of the recent passage under *COVID-19 Omnibus (Emergency Measures) And Other Acts Amendment Act 2020* the arrangements for virtual meetings have been extended until 26 April 2021.

Having meetings live streamed gave more residents access to Council decisions and debate at a time and place that suited them.

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4. A WELL RUN COUNCIL

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## COUNCIL MEETING SCHEDULE 2021 (cont'd)

The analytical data of the amount of people viewing the recordings of the Council Meetings has provided the below stats:

- April meeting: 8.5 K
- May 4.4k
- June: 7.1k
- July: 2.2 k
- August: 2.2 k
- September Meeting: 1.5 k
- Election announcement: 1.7k
- Mayoral election: 3.7 k

Resulting in 31.2k people viewing the Council meeting in the last six months.

The Cobram Civic Centre has been set up with the technology and the internet connection to allow this to occur seamlessly.

**Proposal** – All of Council Meetings to be held at the Cobram Civic centre to allow for seamless technology set up and adequate internet connection

### Meeting times

There is no time of day that suits every segment of the community and this is reflected in the wide range of meeting times adopted by Councils across Victoria. Prior to 2017 Council scheduled meetings for 6pm which was 'unfriendly' to a range of demographics, requires considerable officer involvement outside of standard business hours and involves travel at higher risk periods of the day including dusk and night time.

In 2017 Council held meetings commencing at 5pm during the winter months and 6pm during daylight savings.

**Proposal** – Council schedule meetings to commence at 5pm during eastern standard times and 6pm during daylight savings.

### Week of the month

In 2017 Council Meetings were scheduled in the fourth week of each month. This enabled month end data to be included at the next meeting and hence improved the timeliness of officer reports.

The Council agenda will be available to Councillors and community a week before the meeting. Having the meetings during the fourth week of the month will allow additional time for agenda review by Councillors and the community.

**Proposal** – Continue with fourth week of the month.

## 3. Financial Implications

Council meeting expenses are included in the adopted budget.

## 4. Risk Management

Risk is mitigated by having sound technology and internet connection in place to seamlessly live streamed Council Meetings.

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ITEM NO: 10.1.1

## COUNCIL MEETING SCHEDULE 2021 (cont'd)

### 5. Internal and External Consultation

An Ordinary meeting of Council forms part of Council's commitment to community engagement.

All Council Meetings and Special Council Meetings are advertised in the Moira Shire Full Page advertisement, which is advertised in the: Yarrowonga Chronicle, Numurkah Leader, Cobram Courier and the Nathalia Red Gum Courier. Council Meeting dates and times are available from the Moira Shire website ([www.moiravic.gov.au](http://www.moiravic.gov.au)).

Copies of the agenda are available from the Moira Shire website.

Minutes of the previous meeting are uploaded onto the website once Council has approved them at the following meeting.

### 6. Regional Context

All Victorian Local Governments are currently live streaming their Council meetings.

### 7. Council Plan Strategy

A well run Council.

### 8. Legislative / Policy Implications

Under Section 3.1 of Moira Shire Council's Governance Rules the date time and place of all Council meetings are to be fixed by the Council and reasonable notice of the meetings must be provided to the public.

### 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

That Council set the date, time and place for Council Meetings for 2021 as per the attached schedule.

## Attachments

- 1 Draft Council Meeting Dates 2021

FILE NO: F21/12  
4. A WELL RUN COUNCIL

ITEM NO: 10.1.1

**COUNCIL MEETING SCHEDULE 2021 (cont'd)**

**ATTACHMENT No [1] - Draft Council Meeting Dates 2021**

Date	Venue	Meeting
Wed 24 Feb 2021	Cobram Civic Centre	Ordinary Council Meeting
Wed 24 Mar 2021	Cobram Civic Centre	Ordinary Council Meeting
Wed 28 April 2021	Cobram Civic Centre	Ordinary Council Meeting
Wed 26 May 2021	Cobram Civic Centre	Ordinary Council Meeting
Wed 23 Jun 2021	Cobram Civic Centre	Ordinary Council Meeting
Wed 28 July 2021	Cobram Civic Centre	Ordinary Council Meeting
Wed 25 Aug 2021	Cobram Civic Centre	Ordinary Council Meeting
Wed 22 Sep 2021	Cobram Civic Centre	Ordinary Council Meeting
Wed 27 Oct 2021	Cobram Civic Centre	Ordinary Council Meeting
Wed 10 Nov 2021	Cobram Civic Centre	Mayoral Election
Wed 24 Nov 2021	Cobram Civic Centre	Ordinary Council Meeting
Wed 15 Dec 2021 *	Cobram Civic Centre	Ordinary Council Meeting

\* Indicates meeting brought forward due to a public holiday.



FILE NO: F13/877  
4. A WELL RUN COUNCIL

ITEM NO: 10.2.1

## NAMING OF NEW ROAD AT FEDERATION PARK, COBRAM (OLD COBRAM RAILWAY STATION)

### RECOMMENDATION

That Council:

1. Adopt 'Federation Way' as the interim name for the new road created within Federation Park Cobram.
2. Place advertisements in the local papers seeking comments on the proposed name (within 30 days of the advertisement).
3. Write to owners of the properties adjoining this road seeking comments (within 30 days of advertisement), and
4. If no objections are received, adopt the interim name 'Federation Way' as the formal name and then submit the name to Geographic Names Victoria.

### 1. Executive Summary

Council has the authority and responsibility to name roads and geographic features within the municipality using the principles and procedures of the 'Naming Rules for places in Victoria - Statutory requirements for naming roads, features and localities 2016' (the Naming Rules).

A new road has been constructed within Federation Park Cobram, extending from the Murray Valley Highway to Dillon Street with a split/loop section to access car parking from the western side of the road. This road was designed and constructed in line with the Federation Park Master Plan which was endorsed by Council in September 2010, following extensive community consultation.

This Master Plan reflected the design of the new road extending from Murray Valley Highway to Dillon Street, Cobram. A section of the existing 'Cobram Railway Station Access Road' has also been incorporated in the design of this new road. The land in which the road has been constructed is owned by Council.

This report is to seek Council adoption of the interim name of 'Federation Way' for this road. Council has already sought feedback on the proposed road name from Geographic Names Victoria for compliance with the Naming Rules so can now proceed with consultation with the adjoining property owners and wider community.

There are 10 properties adjoining this new road with none being directly impacted by the name proposal.

### 2. Background and Options

This road was designed and constructed in line with the Federation Park Master Plan which was endorsed by Council in September 2010.

A section of the existing 'Cobram Railway Station Access Road, Cobram' has been incorporated in the design of this new road. 'Cobram Railway Station Access Road' currently appears in Councils Register for Public Roads, extending from Murray Valley Highway to Punt Road, Cobram. This road is not formally named through The Register of Geographic Names.

FILE NO: F13/877  
4. A WELL RUN COUNCIL

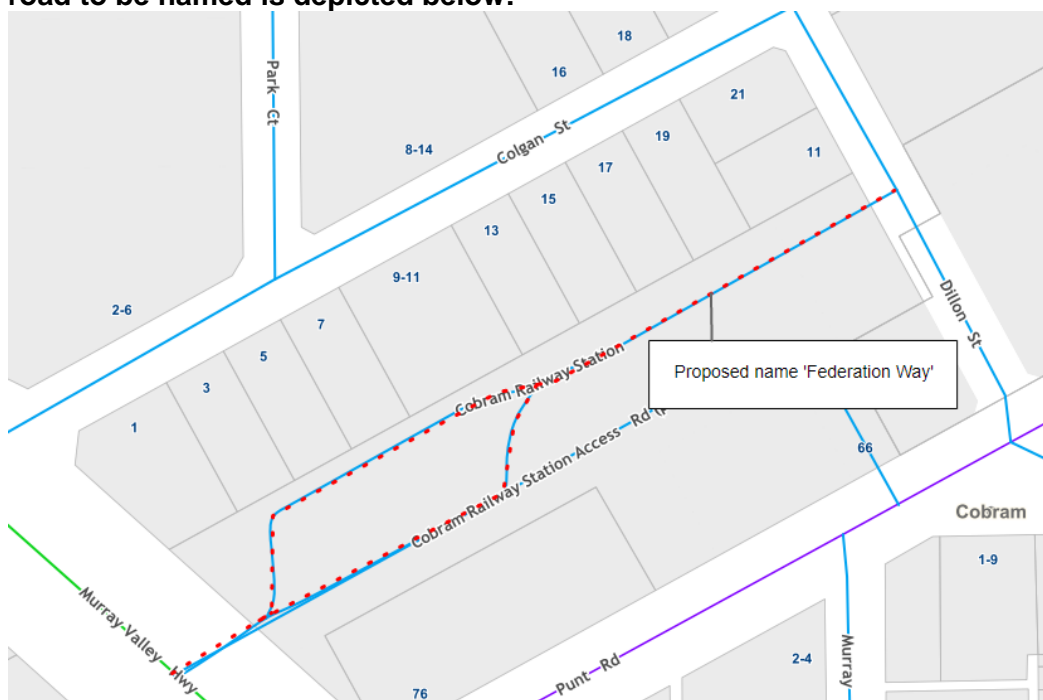
ITEM NO: 10.2.1

**NAMING OF NEW ROAD AT FEDERATION PARK, COBRAM (OLD COBRAM RAILWAY STATION) (cont'd)**

Separate to this report is a proposal for council to remove a section of the 'Cobram Railway Station Access Road' the extends to Punt Road as this section of road will no longer be required for public use.

The design of this road incorporates a split/loop section to access car parking from the western side of the road. This section does not need a separate name and will also be referred to 'Federation Way'.

The road to be named is depicted below:



The split/loop section of road is depicted below:



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4. A WELL RUN COUNCIL

ITEM NO: 10.2.1

**NAMING OF NEW ROAD AT FEDERATION PARK, COBRAM (OLD COBRAM RAILWAY STATION) (cont'd)**

**3. Financial Implications**

Naming or re-naming roads does not have a significant financial impact on Council. Costs relating to consultation, signage and system changes are met from operational budgets.

**4. Risk Management**

The precise naming of roads and geographical features is important for emergency services response.

**5. Internal and External Consultation**

This naming matter has been considered and is supported by the internal Road Naming Group which consists of staff representing the Governance and Risk, Assets, Planning, Revenue, Community Services and Information Technology departments of Council.

Council has sought feedback on the proposed road name from Geographic Names Victoria who have confirmed the interim name complies with the Naming Rules.

**6. Regional Context**

The naming of this road does not have any significant regional impact.

**7. Council Plan Strategy**

The road naming function contributes to the Council Plan's Strategy 4 "A well run Council" by improving emergency services response for the local community.

**8. Legislative / Policy Implications**

In considering this matter, Council is acting with the authority as a Naming Authority provided by Section 1.5 of the Naming Rules for places in Victoria - Statutory requirements for naming roads, features and localities 2016.

If Council adopts the proposed interim name, public advertising will occur in accordance with the Naming Rules.

**9. Environmental Impact**

There are no environmental implications resulting from the naming of this road.

**10. Conflict of Interest Considerations**

There are no known conflicts of interest relating to this report.

**11. Conclusion**

It is recommended that Council adopts the interim name of 'Federation Way' as the name for the new road and if no objections are received during community consultation, formally adopt this name.

**Attachments**

Nil

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

ITEM NO: 10.2.2

**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 after 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 two recent staff appointments.

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* requires that Council officers must be appointed and authorised directly by Council rather than by the Chief Executive Officer as there are no powers provided for this to be sub-delegated.

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

Authorisations are made to individuals by name – not by position - and must therefore be updated whenever there are changes to staff carrying out these functions.

The attached Instrument of Appointment and Authorisation has been updated to include the names of current Council officers. Changes include the appointment of two Town Planners to fill vacant positions.

**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.

**5. Internal and External Consultation**

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

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

ITEM NO: 10.2.2

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

**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) - 16 December 2020

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

ITEM NO: 10.2.2

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

**ATTACHMENT No [1] - Instrument of Appointment and Authorisation (Planning &  
Environment Act 1987) - 16 December 2020**



## Moira Shire Council

# Instrument of Appointment and Authorisation

*(Planning and Environment Act 1987)*

**16 December 2020**

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

ITEM NO: 10.2.2

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

**ATTACHMENT No [1] - Instrument of Appointment and Authorisation (Planning &  
Environment Act 1987) - 16 December 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  
Keith Longridge, Town Planner  
James Andrew, 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 16 December 2020.

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

..... Chief Executive Officer

FILE NO: F13/497  
4. A WELL RUN COUNCIL

ITEM NO: 10.2.3

## POLICY REVIEW - LOAN BORROWINGS POLICY

### RECOMMENDATION

That Council adopt the revised Loan Borrowings Policy.

#### 1. Executive Summary

The purpose of the Loan Borrowings policy is to provide guidance on how Council will consider and manage all existing and future loan borrowings to ensure that borrowing decisions are within a sound financial management framework and meet prudential requirements.

#### 2. Background and Options

The Loan Borrowings Policy last reviewed in 2017 and revised to:

- Provide access to borrowing opportunities in the current financial market;
- Update the reporting requirements contained in the Local Government (Planning and Reporting) Regulations 2020; and
- Ensure Council meets its prudential obligations.

#### 3. Financial Implications

The Loan Borrowings Policy will assist Council maintain financial sustainability and ensure its loan portfolio is maintained in terms of its ability to meet future repayments, budgetary constraints and prudential ratios.

#### 4. Risk Management

The Loan Borrowings Policy provides guidance to Council to manage financial stability and liquidity and is a significant component of Council's overall risk management framework. Council's ability to meet its loan commitments is the subject of scrutiny by the Victorian Auditor-General's Office.

#### 5. Internal and External Consultation

Consultation conducted with the following staff and their views considered in the preparation of this report and the amended policy:

- General Manager Corporate
- Financial Controller
- Senior Financial Accountant

#### 6. Regional Context

There is no regional context relating to this policy.

#### 7. Council Plan Strategy

The policy and its update will demonstrate a well-run Council and good governance.

#### 8. Legislative / Policy Implications

The policy developed with reference to Local Government Act 2020 and Local Government (Planning and Reporting) Regulations 2020.

#### 9. Environmental Impact

There is no environmental impact relating to this policy.



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4. A WELL RUN COUNCIL

ITEM NO: 10.2.3

**POLICY REVIEW - LOAN BORROWINGS POLICY (cont'd)**

**10. Conflict of Interest Considerations**

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

**11. Conclusion**

Recommended the proposed Loan Borrowings Policy be adopted.

**Attachments**

- 1 Draft Loan Borrowings Policy

FILE NO: F13/497  
4. A WELL RUN COUNCIL

ITEM NO: 10.2.3

## POLICY REVIEW - LOAN BORROWINGS POLICY (cont'd)

### ATTACHMENT No [1] - Draft Loan Borrowings Policy

## Loan Borrowings Policy



<b>Policy type</b>	Council
<b>Adopted by</b>	Council
<b>Responsible General Manager</b>	General Manager Corporate
<b>Responsible officer</b>	Financial Controller
<b>Date adopted</b>	
<b>Scheduled for review</b>	This policy will be reviewed four years from the date of adoption, or sooner if required.

### PURPOSE

The purpose of the Loan Borrowings Policy is to:

- Establish objectives and principles that outline when it is appropriate for Council to undertake borrowings within a sound financial management framework; and
- Ensure Council operates within the relevant prudential requirements of the Victorian Government as monitored by the Victorian Auditor-General's Office.

### SCOPE

The Loan Borrowings Policy applies to the consideration and management of all existing and future loan borrowings undertaken by Council.

### POLICY

#### Policy Objectives & Principles

Loan borrowings considered as part of Council's long term financial planning using sound financial management principles.

Council will only borrow funds for capital projects that are of strategic importance and that provide intergenerational equity. The term of a loan will not exceed the lesser of the expected life of the relevant asset or 15 years.

Council will ensure the total amount of loan borrowings is sustainable in terms of its ability to meet future repayments, budgetary constraints and prudential ratios.

The nature of any loan borrowings (short or long term) and the interest rate (fixed or variable) will take into account the purpose of the loan and seek to balance interest rate exposure with refinancing flexibility.

During annual budget preparations, Council will review its loan borrowing needs and manage existing and new borrowings in the context of optimising cash flow. All loan borrowings are to be included in the budget or a revised budget and authorised by Council resolution.

All loans and borrowings recorded in Council's Loan Register.

#### Determining Appropriate Lending Institution

Once approved by Council a borrowing, requests to appropriate lending institutions, in accordance with Council's Procurement Policy, inviting written quotations on Council's borrowing requirements.

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4. A WELL RUN COUNCIL

ITEM NO: 10.2.3

## POLICY REVIEW - LOAN BORROWINGS POLICY (cont'd)

### ATTACHMENT No [1] - Draft Loan Borrowings Policy

## Loan Borrowings Policy



Written quotations must include the:

- Interest rate;
- Term of loan;
- Repayment intervals (monthly, quarterly, etc.);
- Repayment instalment amount;
- Any applicable fees;
- Loan break costs.

This requirement exempted if the loan borrowing sought from a State or Commonwealth Government loans scheme designed to allow Council to invest in community infrastructure or services. Generally, these will be at a discounted rate to funds sought from commercial lending institutions.

#### Borrowing Arrangements

When entering into borrowing arrangements, Council will seek to minimise interest costs over the over the long term without introducing undue volatility in annual interest costs.

Council's borrowings will be appropriately structured to constrain risk and will be consistent with the following parameters:

- Council will consider the appropriateness of the various types of debt products available;
- Council to maintain a repayment schedule consistent with "principal and interest" repayment calculations; and
- Loan repayments made on a regular schedule: e.g. monthly, quarterly or otherwise determined at the time of entering the loan agreement. Consideration given to the efficiency of payment schedule while minimising interest costs.

#### Prudential Control

The Local Government Performance Reporting Framework (LGPRF) outlines the measures Council must report in Council's Annual Report. This framework includes financial performance measures of Council, and specific to this policy, includes measures in relation to Council's obligations.

For sound financial management recommended that Council maintain a level of loan borrowings that ensures it stays within the LGPRF expected range as per the table below.

Obligations Indicator	Financial Performance Measure	LGPRF Expected Range
Loans and Borrowings	<b>Loans and borrowings compared to rates</b> (Interest bearing loans and borrowings / rate revenue)	0% to 70%
Loans and Borrowings	<b>Loans and borrowings repayments compared to rates</b> (Interest and principal repayments on interest bearing loans and borrowings / rate revenue )	0% to 20%
Indebtedness	<b>Non-current liabilities compared to own source revenue</b> (Non-current liabilities / own source revenue)	2% to 70%

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4. A WELL RUN COUNCIL

ITEM NO: 10.2.3

**POLICY REVIEW - LOAN BORROWINGS POLICY (cont'd)**

**ATTACHMENT No [1] - Draft Loan Borrowings Policy**

## Loan Borrowings Policy



### RELATED POLICIES

Risk Management Policy

### RELATED LEGISLATION

*Local Government Act 2020 (Vic) s.101, s.104*

*Local Government (Planning and Reporting) Regulations 2020*

*Charter of Human Rights & Responsibilities Act 2006*

### REFERENCES

Moira Shire Council, Council Plan

FILE NO: 1  
1. A GREAT PLACE TO LIVE

ITEM NO: 10.2.4

## LOCAL ROADS AND COMMUNITY INFRASTRUCTURE PROGRAM

### RECOMMENDATION

That:

1. Council agrees to allocate the Australian Government's Local Roads and Community Infrastructure funding of \$2,483,229 to the following shovel ready projects.
  - (a) \$733,229 towards Botts road Drainage, Yarrawonga
  - (b) \$750,00 to construct the Yarrawonga Boat Ramp
  - (c) \$300,00 towards River Road Kerb and Channel, Yarrawonga
  - (d) \$200,000 towards the Barmah Boat Ramp Masterplan
  - (e) \$500,000 towards the Federation Park Masterplan, Cobram
2. That Council provide funds of \$658,753 from council reserves to match the grant received for the bridges renewal program of \$658,753 to re-construct Wright's Bridge on the Wrights Bridge Road.

### 1. Executive Summary

Council have received an allocation of funding from the Federal Government of \$2,483,229 for priority, shovel ready, road and community infrastructure programs. The projects must be completed and acquitted by December 2021, and so this gives Council an opportunity to provide much needed funds to complete projects that were not funded during the 20/21 Budget. Further funds were received through the Bridges renewal program of \$658,753 which will be matched with Council funds of \$658,753 to re-construct Wrights Bridge, Barmah

### 2. Background and Options

In response to the Covid pandemic, the Australian Government announced a new \$500 million Local Roads and Community Infrastructure Program (LRCIP). This program supports local councils to deliver priority road and community infrastructure projects, supporting jobs and the resilience of economies to help communities bounce back from the Covid-19 Pandemic. It provides employment stimulus opportunities following the impact of Covid 19. Grants cannot be used for multiyear projects or projects that cannot be completed before December 2021.

### 3. Financial Implications

The projects and federal funds are additional to the capital works program.

### 4. Risk Management

Risk management of projects will be in accordance with currently set out risk management practices.

### 5. Internal and External Consultation

These projects have been through a number of stages of both public and internal consultation and now only require funding to complete.

### 6. Regional Context

It contributes to the strategic objective of maintaining and providing facilities and services that the community need.

FILE NO: 1  
1. A GREAT PLACE TO LIVE

ITEM NO: 10.2.4

**LOCAL ROADS AND COMMUNITY INFRASTRUCTURE PROGRAM (cont'd)**

**7. Council Plan Strategy**

A great place to live

**8. Legislative / Policy Implications**

N/A

**9. Environmental Impact**

N/A

**10. Conflict of Interest Considerations**

No conflict of interest

**11. Conclusion**

Council has the opportunity to provide stimulus employment opportunities in Moira Shire and complete shovel ready projects benefiting the community which were in need of external funding to complete. It is recommended to fund the 5 projects and also provide matching funds for reconstruction of Wrights Bridge.

**Attachments**

Nil

FILE NO:  
2. A THRIVING LOCAL ECONOMY

ITEM NO: 10.3.1

## COVID ASSISTANCE TO ACTIVATE OUTDOOR PUBLIC SPACES

### RECOMMENDATION

That:

1. Council agrees to allocate the State Government's \$250,000 Outdoor Eating and Entertainment Package as follows:
  - (a) \$130,000 for Council to activate the public space outside hospitality businesses
  - (b) \$120,000 to activate towns by further supporting Local Tourism Associations' and one of events and entertainment.
2. Where possible, local businesses are engaged to provide the above.

### 1. Executive Summary

Council has received \$250,000 of Victorian Government funding to support outdoor dining and entertainment. Individual businesses may also apply for a grant of \$5,000 from the State Government's \$58 million Outdoor Eating and Entertainment Package to adapt their trading operations to focus on outdoor eating.

This report recommends how the \$250,000 grant to Moira Shire to activate public space dining and entertainment should be distributed equitably and in accordance with the State Government guidelines.

### 2. Background and Options

In order to stimulate the Victoria's economy, the State Government has provided rural Councils with \$250,000 grants to assist in activating the public space especially outside food and drink premises. These funds must be used within the public space outside premises, in accordance with the Local Councils Outdoor Eating and Entertainment Package (LGA Stream) guidelines.

There are two components to the allocation of these funds:

#### 2.1 Support for Individual Businesses

The funds can enable Council to assist individual businesses by activating the space outside their premises.

The Economic Development Team has been working with other Council departments to provide a streamlined process whereby Council provides outdoor furniture and a design solution that meets appropriate health and safety standards. The aim is to find a local manufacturer/supplier. Council will maintain the furniture and the business will be responsible for cleaning.

Council will allocate funding based on availability of public space outside food and drink premises and on a fair and equitable basis. This allocation complements the State Government's separate provision of \$5,000 grants for individual businesses to activate outdoor dining at their premises. A business must apply directly to the State Government for these funds. Should a business choose to use these separate funds to purchase furniture, it will need to apply for a permit to do so and comply with appropriate health and safety standards.

Economic Development has contacted over 60 food premises and promoted an Expression of Interest (EIO) seeking submissions from business and the community to

FILE NO:  
2. A THRIVING LOCAL ECONOMY

ITEM NO: 10.3.1

## COVID ASSISTANCE TO ACTIVATE OUTDOOR PUBLIC SPACES (cont'd)

activate eating spaces outside venues and in appropriate public spaces, to ensure the grant funds are distributed equitably.

To date, 22 businesses have expressed interest in taking up Council's offer for individual business assistance.

Hence, it is recommended that of the \$250,000 State grant \$130,000 should be allocated to providing Council owned street dining furniture outside individual food and drink businesses.

This leaves \$120,000 for the second component of the State Government funds, namely, to activate outdoor spaces with promotional events and entertainment.

### 2.2 Support for Activating Outdoor Spaces

The funds can also be used to activate open spaces for dining and entertainment as per the guidelines in set out in attachment 1.

The outdoor spaces identified for activation include the following:

<b>Idea</b>	<b>\$ Potential/ estimate</b>	<b>Location</b>	<b>Pros</b>	<b>Cons</b>
<i>Performers, artists, buskers, poets, jugglers and musicians at local community run markets, fairs and festivals</i>	\$50,000	<i>Various dependent on the event – see Location suggestions below</i>	<i>Relatively easy to organise. Could add-value and attraction to local events and festivals.</i>	<i>There needs to be Covid safe plans in place and these may be difficult to enforce if the numbers attending are significant</i>
<i>Cobram Hotel Cobram Piazza Activation for Christmas and New Year's Eve</i>	<i>2 weeks \$15,000</i>	<i>Piazza Cobram</i>	<i>Enables the Piazza to be activated over the key Christmas new year period. The two other pubs have closed</i>	<i>There needs to be Covid safe plans in place and these may be difficult to enforce if the numbers attending are significant</i>
<i>LTA's to fund local events</i>	<i>\$40,000 (4x\$10,000)</i>	<i>Various dependent on the event</i>	<i>Provides LTAs the ability and flexibility supplement and add value to their events or organize new events.</i>	<i>Puts the onus on the LTA's to administer the funds and the events.</i>
<i>Australian Volleyball Championships</i>	<i>\$15,000</i>	<i>Thompsons Beach, Cobram</i>	<i>A successfully run event over last 2 years No other key events planned at this stage</i>	<i>One-off event</i>

### 3. Financial Implications

Council has received a \$250,000 grant for the purposes described above. At the time of writing this report, it is only possible to estimate the distribution of these funds.



FILE NO:  
2. A THRIVING LOCAL ECONOMY

ITEM NO: 10.3.1

## COVID ASSISTANCE TO ACTIVATE OUTDOOR PUBLIC SPACES (cont'd)

### 4. Risk Management

There will be increased public liability risk due to an increase in Street furniture but if the appropriate standards are complied with risk should be minimal. The program funds can be used to cover any increases to public liability insurance.

### 5. Internal and External Consultation

#### *Internal Consultation*

All departments have been asked to comment and feedback has been received from Planning, Building, Operations and Infrastructure.

#### *External Consultation*

An Expression of Interest was advertised in November 2020 seeking submissions from business and the community to activate eating spaces outside venues and in appropriate public spaces, using the estimated \$250k available.

In addition, Economic Development has consulted over sixty food and drink business owners across the shire to determine their interest in activating the areas outside their businesses.

### 6. Regional Context

In order to stimulate the Victoria's economy, the State Government has provided rural Councils with \$250,000 grants to assist the food and drink sector.

### 7. Council Plan Strategy

This program will assist Council to implement the following Economic Development Strategy actions 37, 38 and 39 respectively:

- Develop, expand and enhance open spaces in urban areas (e.g. development of Cobram Piazza).
- Work with hospitality and retailers to expand areas of footpath trading where feasible
- Develop open-aired public spaces that can be adapted for events such as temporary markets, public talks, concerts, festivals and film screenings.

### 8. Legislative / Policy / Guideline Implications

The State Government guidelines in set out in attachment 1 are summarised below:

#### ***Councils are permitted to fund the following:***

- Fast-tracking the approval process for permits associated with outdoor activation
- Traffic management costs associated with road closures and compliance
- Hire and management of infrastructure and shared public entertainment requirements
- signage, parklet enclosures, seating bubbles, temporary street furniture and marquees
- Minor civil works to ensure accessibility and public safety requirements are met
- Additional waste management and sanitation
- Increases to public liability insurance
- Additional enforcement and monitoring activities flowing from this activity
- Local marketing and communications to promote outdoor dining and entertainment activities.

FILE NO:  
2. A THRIVING LOCAL ECONOMY

ITEM NO: 10.3.1

**COVID ASSISTANCE TO ACTIVATE OUTDOOR PUBLIC SPACES (cont'd)**

***Councils are not permitted to fund the following:***

- Projects or initiatives that require ongoing funding from the Victorian Government
- Ongoing operating costs or salary subsidies, except for project management
- The purchase of land
- Provision of public Wifi services
- Technology, infrastructure and equipment inside venues
- Costs associated with locating and operating food trucks
- Provision of direct grant funding to businesses or sole traders
- Commissioning and implementing public art.

**9. Environmental Impact**

Where possible, street furniture made from recycled materials will be used. Venues will be encouraged to use appropriate environmentally friendly supplies.

**10. Conflict of Interest Considerations**

No conflict of interests have been identified.

**11. Conclusion;**

Council agrees to allocate the State Government's \$250,000 Outdoor Eating and Entertainment Package as follows:

- \$130,000 for Council to activate the space outside hospitality businesses,
- \$120,000 to activate towns by further supporting Local Tourism Associations' and one of events and entertainment.

Where possible, local businesses are engaged to provide the above.

**Attachments**

Nil

FILE NO: F13/433  
4. A WELL RUN COUNCIL

ITEM NO: 10.3.2

**ESTABLISHMENT OF THE MUNICIPAL EMERGENCY MANAGEMENT  
PLANNING COMMITTEE (MEMPC) IN ACCORDANCE WITH THE  
PROVISIONS OF S68 OF THE EMERGENCY MANAGEMENT LEGISLATION  
AMENDMENT**

**RECOMMENDATION**

That Council:

- Dissolve the current Municipal Emergency Management Planning Committee; and
- establish a Municipal Emergency Management Planning Committee in accordance with the State Government Emergency Management Planning Reform 2020-20201.

**1. Executive Summary**

The purpose of this report is for Council to resolve to establish a Municipal Emergency Management Planning Committee (MEMPC) in accordance with the State Government Emergency Management Planning reform 2020.

Council has had an operational MEMPC for many years. However, under the current planning reform this committee will change in a number of ways including it becoming a committee that is accountable to the Regional Emergency Management Committee and not to Council. Council will continue to Chair the Committee (an officer of Council, delegated by the CEO) and administer the plan upgrades and meetings.

The Emergency Management Legislation Amendment Bill of 2018 was passed in the upper house in September 9, 2018. Implementation of the new legislation has been occurring through a three phase approach: state, regional and municipal. The municipal phase take effect on 1 December 2020.

To meet the obligations of the new EMLA Act this report recommends that Council dissolve the existing MEMPC and establish a new MEMPC under a revised Terms of Reference that comply with the new legislation.

**2. Background and Options**

The Emergency Management Legislation Bill of 2018 was passed in the upper house in September 9, 2018. The changes to the Emergency Management Legislation Bill 2018 and Ministerial Guidelines impact on Council's emergency management roles and responsibilities.

Some of the changes from the Bill which impact Councils include:

At a State Level:

- Parts of the Emergency Management Act 1986 and the Country Fire Authority (CFA) Act 1958 will be repealed and new governance and planning arrangements will be contained in the Emergency Management Act 2013;
- The CFA Act currently provides for fire prevention planning at the regional and Municipal levels which the CFA leads. The statutory framework in the CFA Act is subsumed by the new arrangements in the Bill. The regional and municipal planning provisions of the CFA Act will be repealed when the regional and municipal amendments in the Bill commence operation.
- The implementation of the new arrangements will be phased in starting with the State and then Regional and finally Municipal levels. If a provision in the act 2013

FILE NO: F13/433  
4. A WELL RUN COUNCIL

ITEM NO: 10.3.2

**ESTABLISHMENT OF THE MUNICIPAL EMERGENCY MANAGEMENT PLANNING COMMITTEE (MEMPC) IN ACCORDANCE WITH THE PROVISIONS OF S68 OF THE EMERGENCY MANAGEMENT LEGISLATION AMENDMENT (cont'd)**

does not come into operation before 1 December 2020 then it comes into operation on that day. It is expected that most plans and guidelines will be available as of October 2020.

- There will be a new State Emergency Management Plan (SEMP) replacing the current State Emergency Response Plan (SERP) and the State Emergency Relief Recovery Plan (Part 4 of the EMMV)

At Regional Level

- Regional Emergency Management Planning Committees (REMPC's) have been established.
- Each of the REMPC's consist of representatives from Municipal Council's in the region, Councils nominate their own representative or may nominate a joint representative
- REMPC are responsible for approving Municipal plans.

At a Municipal Level.

- The new MEMPC will be appointed by council.
- This Bill allows the Minister to issue guidelines in relation to the MEMPC business and meetings.
- The bill includes mechanisms to involve communities directly in municipal level emergency management planning processes.
- Industry and infrastructure representatives will participate as members of MEMPC.
- A greater emphasis on the functions of Councils in relation to emergency management planning. These will include the role of preparing an emergency management plan for the Municipal Area. All members of the Committee contribute to the plan.
- Council retain the lead role in facilitating the planning process by establishing a MEMPC and providing information and recommendations to the relevant REMPC on behalf of the MEMPC. The Council CEO or a staff member nominated by the CEO will be the Chair of the MEMPC.
- The REMPC approves the Municipal Emergency Management Plan.

There are 28 tasks in the Emergency Management Planning reform that will require the following approval of Council;

- That Council passes a resolution to dissolve the Municipal Emergency Management Planning Committee (MEMPC) established under s21(3)-(5) of the *Emergency Management Act 1986*, in recognition that on 1 December these provisions are repealed by s82(2) of the *Emergency Management Legislation Amendment Act 2018* and replaced by the provisions of s68 of the *Emergency Management Legislation Amendment Act 2018*.
- That Council authorises the CEO or delegate to facilitate the establishment of the MEMPC in accordance with the provisions of s68 of the *Emergency Management Legislation Amendment Act 2018* (which inserts a new 'Part 6-Municipal Emergency Management Planning Committees' into the *Emergency Management Act 2013* on 1 December 2020). The membership will include;
  - Municipal Council
  - Victoria Police\*
  - Country Fire Authority (if in your municipal district)\*
  - Fire Rescue Victoria (if in your municipal district)
  - Ambulance Victoria\*

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4. A WELL RUN COUNCIL

ITEM NO: 10.3.2

**ESTABLISHMENT OF THE MUNICIPAL EMERGENCY MANAGEMENT  
PLANNING COMMITTEE (MEMPC) IN ACCORDANCE WITH THE  
PROVISIONS OF S68 OF THE EMERGENCY MANAGEMENT LEGISLATION  
AMENDMENT (cont'd)**

- Victoria State Emergency Service
- Australian Red Cross
- Department of Health and Human Services\*
- Three Community Members
- That Council notes that, under the MEMPC Terms of Reference provided and the *Emergency Management Legislation Amendment Act 2018* (which inserts s59 and 59F into the *Emergency Management Act 2013* on 1 December 2020), Council's role is to establish the committee. Once established, the committee exists separately to Council and is not a committee of Council

### **3. Financial Implications**

Over the last several years changes to the state Emergency Management arrangements have increased the role and/ or expectations of Councils in Emergency Management. This results in increased costs to Council for example Moira Shire council has implemented a 24/7 roster arrangement to accommodate the provision of required EM functions.

Furthermore, the Victorian disaster recovery arrangements are managed by the Department of Treasury and Finance. There have been a number of changes including reducing types of expenditure that can be claimed by councils, increasing the standard of documentation to support claim and more stringent compliance of timeframes for claiming.

Council currently receives funding from the state which is used to support the role of the council's Emergency Management Coordinator.

### **4. Internal and External Consultation**

The changes that are included in the Emergency Management Planning Reform have been discussed with the internal Emergency Management Coordination Group, and at the Corporate Management Team Meetings. It was also tabled at the Municipal Emergency Management Planning Committee Meeting on October 2020.

### **5. Regional Context**

Regional Emergency Management Planning Committees (REMPC's) have been established.

Each of the REMPC's consist of representatives from Municipal Council's in the region, Councils nominate their own representatives and they also include other Emergency Service Organisations. The REMPC are responsible for approving Municipal plans.

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

The bill includes specific statutory obligations for agencies to comply with their roles and responsibilities under the EMLA Act. It also includes provision to authorise Emergency Management Victoria (EMV) to issue a transition guide to all agencies to ensure that they fulfil their roles and responsibilities (including councils).

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

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

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4. A WELL RUN COUNCIL

ITEM NO: 10.3.2

**ESTABLISHMENT OF THE MUNICIPAL EMERGENCY MANAGEMENT  
PLANNING COMMITTEE (MEMPC) IN ACCORDANCE WITH THE  
PROVISIONS OF S68 OF THE EMERGENCY MANAGEMENT LEGISLATION  
AMENDMENT (cont'd)**

**8. Conclusion**

Councils are required to action a number of tasks as outlined in the EMV Transition guide. The the following changes will require approval of Council;

- That Council resolves to dissolve the Municipal Emergency Management Planning Committee (MEMPC) established under s21(3)-(5) of the *Emergency Management Act 1986*, in recognition that on 1 December these provisions are repealed by s82(2) of the *Emergency Management Legislation Amendment Act 2018* and replaced by the provisions of s68 of the *Emergency Management Legislation Amendment Act 2018*.
- That Council authorises the CEO or delegate to facilitate the establishment of the MEMPC in accordance with the provisions of s68 of the *Emergency Management Legislation Amendment Act 2018* (which inserts a new 'Part 6-Municipal Emergency Management Planning Committees' into the *Emergency Management Act 2013* on 1 December 2020).
- That Council notes that, under the MEMPC Terms of Reference provided and the *Emergency Management Legislation Amendment Act 2018* (which inserts s59 and 59F into the *Emergency Management Act 2013* on 1 December 2020), council's role is to establish the committee. Once established, the committee exists separately to Council and is not a committee of Council.

**Attachments**

Nil

FILE NO:  
4. A WELL RUN COUNCIL

ITEM NO: 10.4.1

**REMOVAL OF SECTION OF COBRAM RAILWAY STATION ACCESS ROAD  
FROM COUNCILS REGISTER OF PUBLIC ROADS**

**RECOMMENDATION**

That Council approve the removal of the section of the 'Cobram Railway Station Access Road' from its Register of Public Roads as it is no longer reasonably required for general public use in accordance with Section 17(4) of the Road Management Act 2004.

**1. Executive Summary**

This report seeks Council's approval to remove from its Register of Public Roads a section of road known as, the Cobram Railway Station Access Road as it is no longer reasonably required for general public use.

The Cobram Railway Station Access Road listed in Council's Register of Public Roads runs from Punt Road to Murray Valley Highway, Cobram. The road is located within Council owned land known as Federation Park and is zoned as Public Park & Recreation.

The removal of a section of the road is in line with the Federation Park Master Plan which was initially endorsed by Council in September 2010 following extensive community consultation. The section of road to be removed was previously used to access the Cobram Railway Station and is no longer required for public use as a road.

The remaining existing section of road has been incorporated into the new road design. The new road extends from the Murray Valley Highway to Dillon Street, Cobram. Separate to this report is a proposal to name this new road.

The power to remove a road from its Register of Public Roads rests with Council. This report recommends Council approve the removal of the section of the 'Cobram Railway Station Access Road' from its Register of Public Roads in accordance with Section 17(4) of the Road Management Act 2004.

**2. Background and Options**

Federation Park and the old railway land has been progressively developed since the endorsement of the masterplan. The latest concept plans include further development of the park to include a playground and four disabled car parks immediately off Punt Road. In September 2020, Council undertook a community feedback process in respect to the concept plans. The feedback requested was in relation to the playground but the plans showed the removal of the road also. None of the feedback received by Council during this consultation raised concerns about the removal of the road. This concept plan is attached to this report.

The section of road to be removed is used to access the Cobram Railway Station and is planned to be removed as part of the landscaping project for Federation Park. The road no longer connects Punt Rd to the Murray Valley Highway following works last year to complete the car park and reroute the access to run between Dillon Street and the Murray Valley Highway. Separate to this report is a proposal to name this new road.

The fact that the alternate road from Dillon Street to the Murray Valley Highway has been constructed and the landscaping plan show the subject section of road being discontinued and shortened to form all-abilities parking bays demonstrates that the section of road is no longer required for general public use and can therefore be removed from Council's Register of Public Roads.

FILE NO:  
4. A WELL RUN COUNCIL

ITEM NO: 10.4.1

**REMOVAL OF SECTION OF COBRAM RAILWAY STATION ACCESS ROAD  
FROM COUNCILS REGISTER OF PUBLIC ROADS (cont'd)**

Section highlighted in yellow to be removed from Council's Register of Public Roads



**3. Risk Management**

The removal of this section of road will eliminate any confusion to motorists where to access the Railway Station / public transport bus stop.

**4. Internal and External Consultation**

Community consultation has previously taken place in respect to the Federation Park Masterplan.

**5. Council Plan Strategy**

This proposed road removal from the Register of Public Roads supports the Council Plan Strategy No. 1 – A great place to live.

**6. Legislative / Policy Implications**

Clause 17(4) of the *Road Management Act 2004* says Council must remove a road from its register of public roads if the road authority has made a decision that the road is no longer reasonably required for general public use.

**7. Conflict of Interest Considerations**

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

**8. Conclusion**

The section of road (Cobram Railway Station Access Road) is planned to be removed as part of the Federation Park redevelopment and with the completion of the road between Dillion St and the Murray Valley Highway is no longer required for general public use. It is recommended that Council approve the section of road being removed from Council's Register of Public Roads in accordance with Section 17(4) of the Road Management Act 2004.

**Attachments**

- 1 Federation Park Concept Plan





FILE NO: C014/20  
4. A WELL RUN COUNCIL

ITEM NO: 10.4.2

**C014/20 - ROAD AND DRAINAGE UPGRADE WORKS - RIVER ROAD,  
YARRAWONGA**

**RECOMMENDATION**

That Council:

1. Appoint Tactile Australia Pty Ltd as the preferred tenderer for contract C014/20 – Road and Drainage Upgrade Works – River Road, Yarrowonga and authorise the Chief Executive Officer to undertake negotiations to achieve a best value outcome.
2. Authorise the Chief Executive Officer to sign and seal the contract documents.

**1. Executive Summary**

Moira Shire Council invited submissions for road and drainage upgrade works at River Road, Yarrowonga.

The project is comprised of three separate parts which were priced separately and Council reserved the right to elect to proceed with one or multiple parts under the contract.

After consideration of the submissions, the evaluation panel recommends that Tactile Australia Pty Ltd as the preferred tenderer for all parts of contract C014/20.

**2. Background and Options**

The project comprises three separate parts:

Part 1 – Frank Keenan Reserve frontage (Approximately 132 lineal metres)

Part 2 – River Road North, Hawkins Street to Yacht Club (Approximately 380 lineal metres)

Part 3 – River Road South, Woods Road to Cade Street (Approximately 490 lineal metres)

The scope of work includes:

- Road widening
- Pavement construction
- Concrete kerb and channel
- Asphalt overlay to new works
- Associated underground drainage works
- Granitic sand footpath
- Supply and installation of bollards
- Linemarking and signage

Works under this contract will be paid as a lump sum. Each part is expected to be completed within 10 weeks from the negotiated start date.

FILE NO: C014/20  
4. A WELL RUN COUNCIL

ITEM NO: 10.4.2

**C014/20 - ROAD AND DRAINAGE UPGRADE WORKS - RIVER ROAD,  
YARRAWONGA (cont'd)**

**Date of Public Notice**

Paper	Date
TenderSearch	3 October 2020
Border Mail	3 October 2020
Shepparton News	6 October 2020
Cobram Courier	7 October 2020
Numurkah Leader	3 October 2020
Yarrawonga Chronicle	3 October 2020

Submissions closed 28 October 2020.

**Receipt of Tenders**

11 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.



FILE NO: C014/20  
4. A WELL RUN COUNCIL

ITEM NO: 10.4.2

**C014/20 - ROAD AND DRAINAGE UPGRADE WORKS - RIVER ROAD,  
YARRAWONGA (cont'd)**

### 3. Financial Implications

The recommendation to appoint a preferred tenderer will allow Council to source further funding under the Federal Government's Local Roads and Community Infrastructure Program in order to award all three stages of the project.

For more information, please refer to the confidential attachment.

### 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 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.

FILE NO: C014/20  
4. A WELL RUN COUNCIL

ITEM NO: 10.4.2

**C014/20 - ROAD AND DRAINAGE UPGRADE WORKS - RIVER ROAD,  
YARRAWONGA (cont'd)**

**9. Environmental Impact**

Section 1.19 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 Environmental 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 appoint Tactile Australia Pty Ltd as the preferred tenderer for contract C014/20.

**Attachments**

- 1 C014/20 - Road and Drainage Upgrade Works, River Road Yarrawonga - ATTACHMENT A (Confidential) - *Confidential*

FILE NO: C030/20  
4. A WELL RUN COUNCIL

ITEM NO: 10.4.3

**C030/20 SUPPLY AND INSTALLATION OF PLAYGROUND EQUIPMENT -  
COBRAM AND NUMURKAH**

**RECOMMENDATION**

That Council:

1. Appoint Proludic Pty Ltd and Moduplay Group Pty Ltd as the preferred tenderers for contract C030/20 Supply and Install of Playground Equipment – Cobram and Numurkah and authorise the Chief Executive Officer to undertake negotiations to achieve a best value outcome.
2. Authorise the Chief Executive Officer to sign and seal the contract documents.

**1. Executive Summary**

Moira Shire Council are developing two popular town parks in Cobram and Numurkah and invited submissions to supply and install playground equipment for either Federation Park Cobram, Apex Park Numurkah or both.

The project is comprised of two separate parts which were priced separately and Council reserved the right to elect to proceed with one or multiple parts under the contract.

After consideration of the submissions, the evaluation panel recommends that Proludic Pty Ltd and Moduplay Group Pty Ltd be appointed as the preferred tenderers for contract C030/20.

**2. Background and Options**

The project comprises of two separate parts:

PART A - Federation Park, Cobram will be developed from an open greenspace into a family park and playground with inclusive and natural play elements. The theme of the playground is agriculture, farming and fruit to represent the local region.

PART B - Apex Park, Numurkah is a developed park with an existing playground, which will be updated with new play equipment and some equipment refurbished and relocated. The theme of the playground is fish and natural play to represent the nearby creek and town lake.

The scope of work for both parts is for the supply and installation of playground equipment.

Playground plans with further details have been prepared for both sites. The playground designer prepared the designs recommending specific manufacturer's products that will achieve the design objectives for the respective playgrounds and submissions were to be in accordance with these plans.

Works under this contract will be paid as a lump sum. Each part is expected to be completed by 30 June 2021.

FILE NO: C030/20  
4. A WELL RUN COUNCIL

ITEM NO: 10.4.3

**C030/20 SUPPLY AND INSTALLATION OF PLAYGROUND EQUIPMENT -  
COBRAM AND NUMURKAH (cont'd)**

**Date of Public Notice**

Paper	Date
TenderSearch	7 November 2020
The Age	7 November 2020
Border Mail	7 November 2020
Shepparton News	10 November 2020
Cobram Courier	11 November 2020
Numurkah Leader	11 November 2020
Yarrawonga Chronicle	11 November 2020

Submissions closed on 2 December 2020.

**Receipt of Tenders**

5 Submissions were received.

**Supervision**

Superintendent: Manager Operations

Superintendent Representative: Project Coordinator

**Panel Membership**

Staff in the following positions independently evaluated the submissions:

- Superintendent Parks and Town Maintenance
- Project Coordinator
- Infrastructure Liaison Officer

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	30%
Track Record	20%
Skills and Resources	20%
Compliance with Specification	10%
Management of Schedules	10%
Contribution to Local Economy	10%

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

FILE NO: C030/20  
4. A WELL RUN COUNCIL

ITEM NO: 10.4.3

## **C030/20 SUPPLY AND INSTALLATION OF PLAYGROUND EQUIPMENT - COBRAM AND NUMURKAH (cont'd)**

### **3. Financial Implications**

The recommendation to appoint preferred tenderers will allow Council to best match the playground theme requirements and ensure works are completed within the project timeframes and budget.

For more information, please refer to the confidential attachment.

### **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 adhere to the Government guidelines.
- Prior to the commencement of works, the successful contractor must supply the Superintendent with a:
  - scaled plan of the equipment and layout; and
  - final programme of works.
- The Contractor is required to comply with all applicable legislation.
- 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, the Age, Border Mail, Shepparton News and the local newspapers.

The Project Coordinator, Manager Operations 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 met 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 section 186 of the *Local Government Act* and Council's adopted Procurement Policy.

### **9. Environmental Impact**

Clauses 1.24 and 3.11 of the specification stipulates the contractor's environmental responsibilities and will form part of the contract.



FILE NO: C030/20  
4. A WELL RUN COUNCIL

ITEM NO: 10.4.3

**C030/20 SUPPLY AND INSTALLATION OF PLAYGROUND EQUIPMENT -  
COBRAM AND NUMURKAH (cont'd)**

**10. Conflict of Interest Considerations**

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

**11. Conclusion**

The tender submissions were received and evaluated in accordance with Councils tendering and procurement guidelines. The recommendation is to appoint Proludic Pty Ltd and Moduplay Group Pty Ltd as the preferred tenderers for contract C030/20.

**Attachments**

- 1 C030/20 - Supply and Installation of Playground Equipment - Cobram and Numurkah - APPENDIX A (CONFIDENTIAL) - *Confidential* -

FILE NO: F20/539  
2. A THRIVING LOCAL ECONOMY

ITEM NO: 10.4.4

**PLANNING SCHEME AMENDMENT TO INCORPORATE STRATEGIC  
PLANNING WORK - RETAIL POLICY FRAMEWORK FOR COBRAM AND  
YARRAWONGA, MAJOR TOWNS STRATEGY REVIEW AND YARRAWONGA  
FRAMEWORK PLAN**

**RECOMMENDATION**

That Council:

- Notes the variance in the proposed approach to include the Retail Policy Framework Background Analysis and Options Report (2017), as well as no longer seeking exemption under 20(4) of the Act, for the process of implementation. This will mean a varied approach to that adopted by the resolution of Council on 24 June 2020 which stated that *'Request the Minister for Planning under Section 20(4) of the Act to exempt himself from the requirements of Section 17, 18 and 19 of the Act in relation to the exhibition and notice of a planning scheme amendment'*
- Seeks Authorisation from the Minister for Planning to prepare Planning Scheme Amendment C93 in accordance with Section 8A of the *Planning and Environment Act 1987*. The amendment will be generally in accordance with the attachments of this report, and will seek to:
  - introduce the recommendations of the Major Town's Strategy Plan Review into planning policy;
  - update the Strategy Plans for Nathalia, Cobram and Numurkah;
  - introduce the Yarrowonga Framework Plan and Yarrowonga Stormwater Drainage Plan into planning policy;
  - rezone land in Numurkah from Farming Zone to Industrial 1 Zone;
  - apply the Development Plan Overlay Schedule 12 to land in Numurkah;
  - rezone land in Numurkah from Industrial 1 Zone to Farming Zone;
  - introduce new background documents to Clause 72.08.
- Subject to Ministerial authorisation, prepares and exhibits C93 to the Moira Planning Scheme in accordance with Section 19 of the *Planning and Environment Act 1987*, generally in accordance with the attachments to this report.
- Delegates the Planning Coordinator to carry out advertising of Amendment C93, in accordance with Council's resolution and to make any administrative changes required, including any corrections to the documentation.

**1. Executive Summary**

The purpose of this report is for Council to consider the proposed form and content of Amendment C93. This amendment seeks to make changes to the planning scheme in accordance with the some of the recommendations of the adopted 'Major Town's Strategy Plan Review, 2018' and the 'Yarrowonga Framework Plan, 2020'.

It is also a recommendation of this report that Council, resolve to a request that the Minister for Planning authorise the preparation and exhibition of proposed Amendment C93 to the Moira Planning Scheme.

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2. A THRIVING LOCAL ECONOMY

ITEM NO: 10.4.4

**PLANNING SCHEME AMENDMENT TO INCORPORATE STRATEGIC  
PLANNING WORK - RETAIL POLICY FRAMEWORK FOR COBRAM AND  
YARRAWONGA, MAJOR TOWNS STRATEGY REVIEW AND YARRAWONGA  
FRAMEWORK PLAN (cont'd)**

## 2. Background and Options

### Major Town's Review 2018:

During 2018 Council undertook a review of the Cobram Strategy Plan, Numurkah Strategy Plan, Nathalia Strategy Plans as well as the Yarrowonga Strategy Plan. The four major towns of Moira had strategy plans that were between 7 and 13 years old, as a process of monitor and review Council determined it appropriate to reflect and review on the strategy plans as well as to update as necessary. The Review sought to consider relevant state, regional and local policy changes, as well as trends in population and economies that may alter or affect the land use with Moira's main towns. As an overall approach the review included;

- Consulting with stakeholders
- Monitoring progress of past strategy plans
- Evaluating the outcomes of the past strategy outcomes and
- Seeking to update any policy changes based on adopted work or any significant change for the townships.

The project culminated with the adoption of the report and decision to commence preparation of a Planning Scheme Amendment. At its Ordinary Council Meeting on 27 June 2018, Council resolved to;

1. *Note the independent consultant review of the Major Town's Strategy Plan Review.*
2. *Adopt the Major Town's Strategy Plan Review.*
3. *Authorise offices to prepare Planning Scheme Amendment documentations to implement the amended maps detailed within the Major Town's Strategy Plan Review for consideration at a future Council Meeting.*

Amendment C93 has been developed to introduce new policies consistent with the Major Town's Review and revised the Strategy Plans for Nathalia, Cobram and Numurkah. It also proposes to rezone two sites within Numurkah which was recommended through the Major Town's Review.

### Yarrowonga Framework Plan 2020:

During 2019 and 2020, the Victorian Planning Authority (VPA), in partnership with Moira Shire Council, prepared the Yarrowonga Framework Plan. The Framework Plan is a

high-level plan that sets the direction and necessary steps to achieve the vision for Yarrowonga over the next 30 years.

During the process of undertaking the Framework Plan it included;

- Analysis and identification of key issues and opportunities affecting Yarrowonga
- Agency engagement
- Development of a supporting Stormwater Drainage Strategy
- Community engagement
- Drafting and finalisation of the Framework Plan.

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2. A THRIVING LOCAL ECONOMY

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**PLANNING SCHEME AMENDMENT TO INCORPORATE STRATEGIC  
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FRAMEWORK PLAN (cont'd)**

The project was adopted on 26 August 2020. At its Ordinary Council Meeting on 26 August 2020, Council resolved to;

1. *Adopt the Yarrowonga Framework Plan (inclusive of the Stormwater Drainage Strategy by Alluvium) undertaken by the Victoria Planning Authority subject to changes, amending Action 18.2 and include a new Action 18.3, and amending Plan 1 to recognise Benalla Road as a gateway to the town;*
2. *Authorise officers to prepare Planning Scheme Amendment documents, as appropriate, to be presented at a future Council meeting that will support a request for Authorisation to the Minister, to prepare an Amendment to the Moira Planning Scheme.*

Amendment C93 has been developed to introduce new policies consistent with the Yarrowonga Framework Plan and proposes to replace the existing Framework Plan outlined in the Planning Scheme. It also proposes to introduce the Yarrowonga Framework Plan and Yarrowonga Stormwater Drainage Plans document into Clause 78.02 as a background document.

**Retail Policy Framework for Cobram and Yarrowonga 2017:**

Council at its meeting held on 26 July 2017 adopted the Cobram and Yarrowonga Retail

Policy Framework Background Analysis and Options Reports. The Retail Policy Framework for Cobram and Yarrowonga considered the retail environment of the two towns. The report projected likely demand and made recommendations about future floor areas and location of future retail expansion to grow the employment base of the two town centres.

More recently these reports formed part of the combined planning scheme amendment C88 and planning permit 52017204 (Cobram Village) process in Council's consideration and the Planning Panel's examination of the planning elements surrounding the proposal.

At its Ordinary Council Meeting on 24 June 2020, Council resolved to;

1. *Seek to incorporate the Retail Policy Framework Background Analysis and Options Reports (2017) into the Moira Planning Scheme at Clause 72.08 – Background Documents.*
2. *Seek authorisation from the Minister for Planning to prepare a Planning Scheme Amendment pursuant to Section 8A of the Planning and Environment Act 1987.*
3. *Request the Minister for Planning under Section 20(4) of the Act to exempt himself from the requirements of Section 17, 18 & 19 of the Act in relation to the exhibition and notice of a planning scheme amendment.*

Through C93 it is proposed to undertake resolution 1 and 2, that being to introduce the Retail Policy Framework Background Analysis and Options Report (2017) into Clause 78.02 – Background Documents.

Since the time of the Council resolution, DELWP has advised that it would be beneficial to include the work into C93 rather than request a separate amendment. As a result, it is proposed that the work be included within C93. This does however mean that the changes to include document at 78.02 will be the subject of exhibition

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FRAMEWORK PLAN (cont'd)**

which is not consistent with the third part of the Council resolution. As a result, the first part of the recommendation to Council as part of this report is to note the varied approach.

**Proposed Amendment C93:**

Given the finalisation of the Retail Policy Framework Background Analysis and Options Report (2017), Major Towns Review (2018) and the Yarrowonga Framework Plan (2020), it is considered timely that the Planning Scheme be updated to include the broad recommendations and associated plans outlined in the reports.

Proposed Amendment C93 will update the Moira Planning Scheme and its policies to ensure that any new work is considered as relevant within the Planning Framework. Updating planning schemes to include adopted and relevant strategic work is considered to be best practice and ensures that the planning scheme is up-to-date to assist decision makers.

The resultant Amendment C93 has been drafted and the documents developed to support the amendment have been included as attachments to this report. Those documents include

- Attachment 1 – Explanatory Report
- Attachment 2 – Policy updates and changes to Clauses 21.03, Clause 21.07 and Clause 72.08
- Attachment 3 – Copy of the Framework Plans/Strategy Plans that will be updated.
- Attachment 4 - Rezoning Maps for Numurkah.

The proposed changes to the Planning Scheme can be summarized as follows (grouped by Town);

- Yarrowonga
  - At Clause 21.07 replace the existing 2004 Framework Plan to the most recently 2020 Framework Plan, that was completed in partnership with the VPA.
  - Policy changes to clause 21.03 and 21.07
  - Introduce the following documents into the planning scheme as background documents, the Yarrowonga Framework Plan (2020) and Retail Policy Framework for Cobram and Yarrowonga: Background Analysis, SED Consulting (2017).
- Cobram
  - At Clause 21.07 replace the existing 2007 Framework Plan to the revised Cobram Strategy Plan adopted in 2018.
  - Changes to clause 21.03 and 21.07
  - Introduce the following documents into the planning scheme as a background document - Retail Policy Framework for Cobram and Yarrowonga: Background Analysis, SED Consulting
- Nathalia

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2. A THRIVING LOCAL ECONOMY

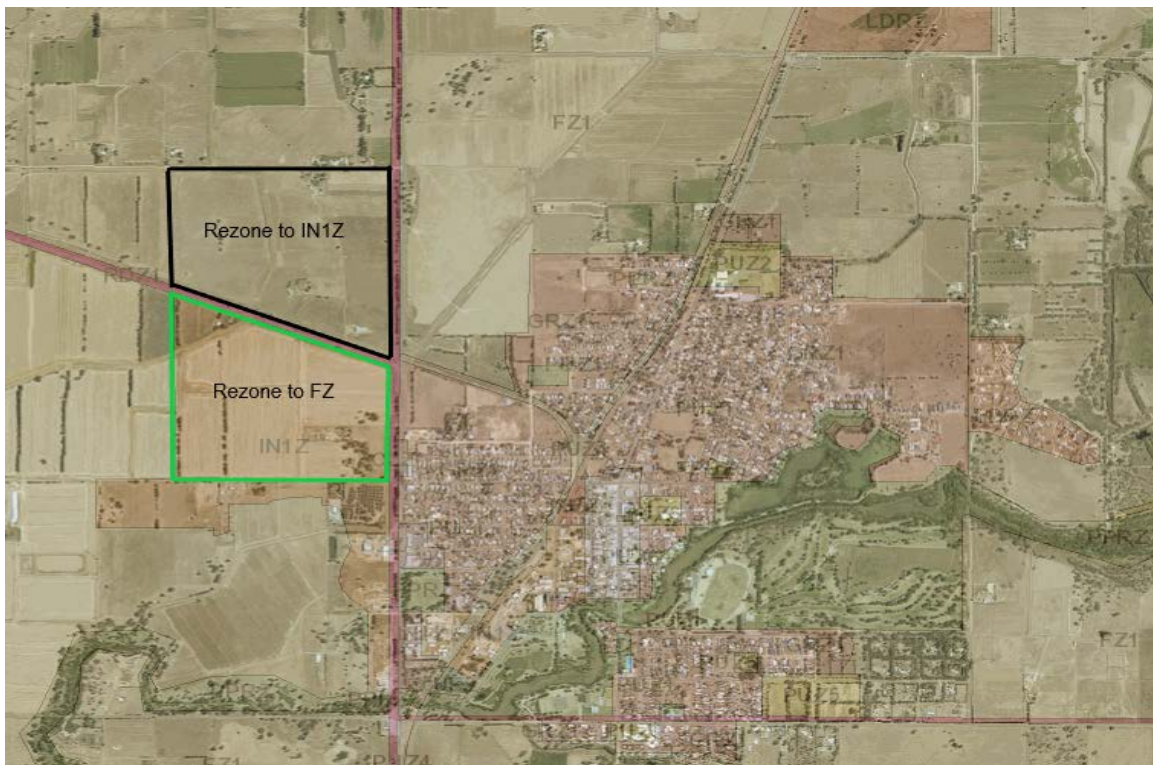
ITEM NO: 10.4.4

**PLANNING SCHEME AMENDMENT TO INCORPORATE STRATEGIC  
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FRAMEWORK PLAN (cont'd)**

- At Clause 21.07 replace the existing 2010 Framework Plan to the revised Nathalia Strategy Plan adopted in 2018.
- Changes to clause 21.03 and 21.07
- Numurkah
  - At Clause 21.07 replace the existing 2010 Framework Plan to the revised Numurkah Strategy Plan adopted in 2018.
  - Changes to clause 21.03 and 21.07
  - Rezone property at 42 Saxton Street from Industrial 1 Zone to Farming Zone
  - Rezone properties at 2123 Katamatite Nathalia Road, 39 & 59 Allens Road and TP786691 Allens Road, Numurkah from Farming Zone to Industrial 1 Zone.

**Rezoning:**

As part of Amendment C93 there is a proposal to rezone 68 hectares of Industrial Land to Farming Zone and rezoning 67 hectares from Farming Zone to Industrial Zone on parcels adjacent to the site. The image below broadly outlines these changes;



Through the process of the Major Town's Review it was identified that existing industrial areas have been land banked and otherwise sterilised from development by a landowner who has invested heavily in cropping and is committed to utilizing the site for farming purposes into the future. This has meant that most of Numurkah's industrial land is unable to be realised for any industrial development

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2. A THRIVING LOCAL ECONOMY

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**PLANNING SCHEME AMENDMENT TO INCOPORATE STRATEGIC PLANNING WORK - RETAIL POLICY FRAMEWORK FOR COBRAM AND YARRAWONGA, MAJOR TOWNS STRATEGY REVIEW AND YARRAWONGA FRAMEWORK PLAN (cont'd)**

or employment opportunities. In 2018 a letter was supplied by the landowner to the Economic Development Team indicating that they would be comfortable to have their property revert to Farming Zone for the immediate term.

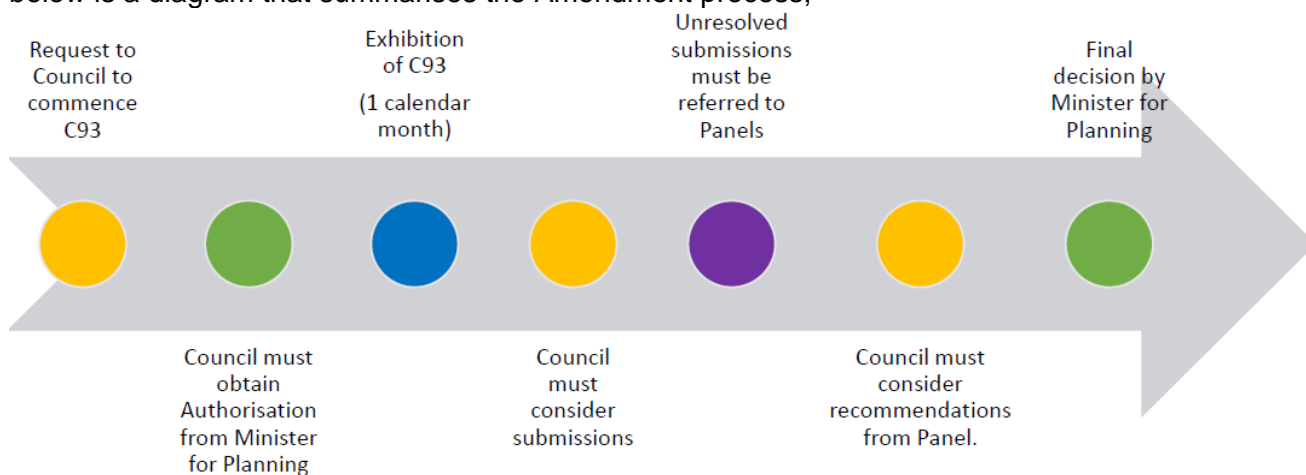
As a result, consideration has been given to backzoning of the existing industrial land to farming zone and identification of another site for industrial land. This would bring forward the sequencing of zoning of the land that had previously been identified for industrial into the short term. This is consistent with the recommendations within the Major Town's Review 2018. The parcels identified are of a similar size and in a similar location and so in terms of strategic merit it is considered that the parcels are a direct swap. It is also proposed to extend Development Plan Overlay 12 to include the new industrial sites.

It is considered prudent to commence early conversations with landowners affected by the industrial and farm zone 'swaps' to ensure they are aware of the proposed rezoning and provide an early opportunity for them to engage with the process. It is noted that no formal submissions were received by any of the landowners to the Major Town's Review.

The proposed rezoning maps form Attachment 4 to this report.

**Process for the Planning Scheme Amendment**

There are a number of stages associated with running an Amendment. Included below is a diagram that summarises the Amendment process;



Currently proposed Amendment C93 is at the beginning of the process. Following receipt of Authorisation from the Minister for Planning, the Amendment will be placed on Exhibition for one calendar month.

It is noted that under the processes set out in Practice Note 77 a pre-set planning panel date must be advertised during exhibition. These dates do not mean that there will definitely be a Planning Panel but does provide a guidance for any submitters about when a possible hearing may occur.

The next decision point for Council will be when considering any submissions that are made to the Amendment process. At that time, it may be necessary to refer unresolved submission to Planning Panels Victoria for consideration and public hearing.

**Options**

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FRAMEWORK PLAN (cont'd)**

As previously outlined the Amendment has been developed in accordance with a number of Council's Resolutions. As such, the two options available to Council are as follows:

1. That Council pursues the proposed amendment and supports the request to be made to the Minister for Planning to authorise the preparation and exhibition of the Amendment 93 to the Moira Planning Scheme.  
or
2. That Council does not support the request to be made to the Minister for Planning, to authorise the preparation and exhibition of Amendment 93 to the Moira Planning Scheme and therefore abandons the amendment.

**3. Financial Implications**

The prescribed fees for planning scheme amendments are detailed in the *Planning and Environment (Fees) Regulations 2012*. The costs associated with a planning scheme amendment include: considering a request to amend a planning scheme, consideration of submissions, providing assistance to a panel and adoption and approval of an amendment.

Funds have been allocated in the current 2020/2021 budget year to enable the planning scheme amendment to proceed

**4. Risk Management**

Risk has been considered as part of this report and it is considered to be consistent with the Risk Management framework.

There is not considered to be any risks associated with this report.

**5. Internal and External Consultation**

The amendment is subject to the prescribed process in accordance with the public notice and consultation requirements of Section 19 of the Act.

This will include advertising in the government gazette and local newspapers as well as written notification to landowners and occupiers that may be materially affected by the amendment following authorisation of the amendment.

All statutory and servicing authorities likely to be materially affected will also be notified of the proposed amendment.

**6. Regional Context**

Each of the major towns in Moira have opportunities for growth and to attract patronage and investment, being supportive towns to the 5 major towns within the Hume Region.

**7. Council Plan Strategy**

This report is consistent with Moira Shire Council Plan 2017 – 2021. In particular, the following strategies and goals;

*Strategy 1 – A great place to live*

*Strategic Objectives – We will have a connected and welcoming Shire for all by providing well planned places and quality services*



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2. A THRIVING LOCAL ECONOMY

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**PLANNING SCHEME AMENDMENT TO INCORPORATE STRATEGIC  
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FRAMEWORK PLAN (cont'd)**

*Goal – Our plans, strategies and services will match and evolve with the needs of our communities*

We will achieve this by

- Developing masterplans for the four larger towns (main towns)

*Strategy 2 – A thriving local economy*

*Strategic Objectives – We will support local businesses and attract new investment to generate employment opportunities*

*Goal – The supply of commercial and industrial land will support business growth*

We will achieve this by

- Facilitating growth by working with developers to provide industrial, commercial and residential land to satisfy projected demand.

Amendment C93 will ensure that adopted planning strategies are incorporated into the planning scheme in a transparent and timely manner. The amendment will also respond to providing for industrial expansion in Numurkah.

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

In accordance with Section 9 of the *Planning and Environment Act, 1987*, the Minister for Planning may authorise a municipal council to prepare an amendment to State and local standard provisions of a planning scheme in force in its municipal district.

Municipal councils, as the planning authority, have a number of duties and powers. These duties and powers are listed at Section 12 of the Act. Under Section 12 a planning authority must have regard to (inter alia):

- The objectives of planning in Victoria;
- The Minister's directions;
- The Victoria Planning Provisions;
- The Moira Planning Scheme;

Any significant effects which it considers a planning scheme amendment might have on the environment or which it considers the environment might have on any use or development envisaged by the amendment.

This Amendment proposal has had regard to Section 12 of the Act and is consistent with the requirements of Section 12.

In addition, each amendment must address the Department of Environment, Land, Water and Planning (DELWP) publication Strategic Assessment Guidelines for Planning Scheme Amendments. A response to these guidelines is outlined in the attached Explanatory Report.

The proposal is consistent with the State Planning Policy Framework and the Municipal Strategic Statement (MSS) This is explained in the attached Explanatory Report.

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2. A THRIVING LOCAL ECONOMY

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**PLANNING SCHEME AMENDMENT TO INCOPORATE STRATEGIC  
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FRAMEWORK PLAN (cont'd)**

**9. Environmental Impact**

The broad directions for land use and development in each of the towns and settlements have been derived through investigation of the existing strategic frameworks and have taken into consideration environmental matters including flooding.

It is not considered that there will be any detrimental environmental impacts posed by the amendment.

**10. Conflict of Interest Considerations**

No officer declared a conflict of interest under the *Local Government Act 1989* in the preparation of this report.

**11. Conclusion**

It is considered that proposed Amendment C93 is appropriate because it will update the Moira Planning Scheme and its policies to ensure that any new work is considered as relevant within the Planning Framework. Updating planning schemes to include adopted and relevant strategic work is considered to be best practice and ensures that the planning scheme is up-to-date to assist decision makers.

The proposed Amendment C93 provides the opportunity to:

- Implement the findings of the Major Town's Review (2018)
- Implement the findings of the Yarrowonga Framework Plan (2020) and Yarrowonga Stormwater Drainage Strategy (2019)
- Updates the Planning Scheme by including new background documents which inform the planning scheme and future decision makers.
- Rezones land in Numurkah to a zone which more accurately reflects the current use of the land and provides for short term industrial development

**Attachments**

- 1 Explanatory Report and other documents
- 2 Changes to Local Planning Policies
- 3 Framework Plans
- 4 Rezoning maps

FILE NO: F20/539  
2. A THRIVING LOCAL ECONOMY

ITEM NO: 10.4.4

**PLANNING SCHEME AMENDMENT TO INCOPORATE STRATEGIC  
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FRAMEWORK PLAN (cont'd)**

**ATTACHMENT No [1] - Explanatory Report and other documents**

*Planning and Environment Act 1987*

**MOIRA PLANNING SCHEME  
AMENDMENT C93  
EXPLANATORY REPORT**

**Who is the planning authority?**

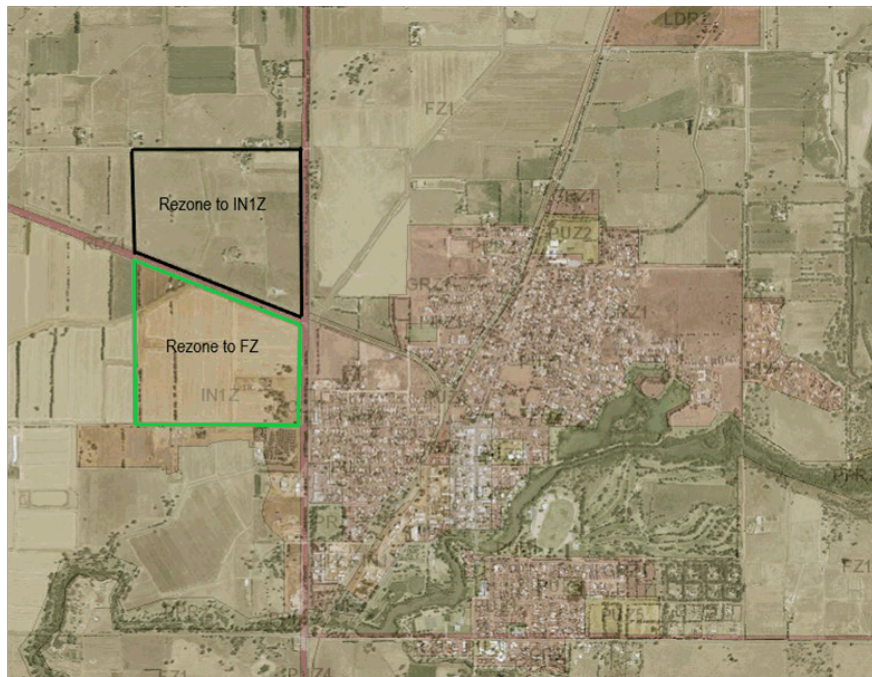
This amendment has been prepared by the Moira Shire Council who is the planning authority for this amendment.

The amendment has been made at the request of Moira Shire Council.

**Land affected by the amendment**

The amendment applies to all land within the Moira Planning Scheme through policy changes in Clause 21.03 and Clause 21.07.

As part of Amendment C93 there is a proposal to rezone 68 hectares of Industrial Land to Farming Zone and rezoning 67 hectares from Farming Zone to Industrial Zone on parcels adjacent to the site. The image below broadly outlines these changes;



A mapping reference table is attached at Attachment 1 to this Explanatory Report.

**What the amendment does**

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2. A THRIVING LOCAL ECONOMY

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**PLANNING SCHEME AMENDMENT TO INCORPORATE STRATEGIC  
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FRAMEWORK PLAN (cont'd)**

**ATTACHMENT No [1] - Explanatory Report and other documents**

The amendment proposes changes to the Moira Planning Scheme can be summarised as follows (grouped by Town);

- Yarrowonga
  - At Clause 21.07 replace the existing 2004 Framework Plan to the most recently 2020 Framework Plan, that was completed in partnership with the VPA.
  - Policy changes to clause 21.07
  - Introduce the following documents into the planning scheme as background documents, the Yarrowonga Framework Plan (2020), Yarrowonga Stormwater Drainage Strategy (2019) and Retail Policy Framework for Cobram and Yarrowonga: Background Analysis, SED Consulting (2017).
- Cobram
  - At Clause 21.07 replace the existing 2007 Framework Plan to the revised Cobram Strategy Plan adopted in 2018.
  - Changes to clause 21.03 and 21.07
  - Introduce the following documents into the planning scheme as a background document - Retail Policy Framework for Cobram and Yarrowonga: Background Analysis, SED Consulting
- Nathalia
  - At Clause 21.07 replace the existing 2010 Framework Plan to the revised Nathalia Strategy Plan adopted in 2018.
  - Changes to clause 21.03 and 21.07
- Numurkah
  - At Clause 21.07 replace the existing 2010 Framework Plan to the revised Numurkah Strategy Plan adopted in 2018.
  - Changes to clause 21.03 and 21.07
  - Rezone property at 42 Saxton Street from Industrial 1 Zone to Farming Zone
  - Rezone properties at 2123 Katamatite-Nathalia Road, 39 & 59 Allens Road and TP786691 Allens Road, Numurkah from Farming Zone to Industrial 1 Zone and extend the Development Plan Overlay 12 to these site.

**Strategic assessment of the amendment**

**Why is the amendment required?**

The amendment is required to update the Moira Planning Scheme and its policies to ensure that any new work is considered as relevant within the Planning Framework.

The proposed amendment proposes to:

- Implement the findings of the Major Town's Review (2018) through policy improvements as well as replacing outdated Framework Plans with new Strategy Plans for Numurkah, Cobram and Nathalia.
- Implement the findings of the Yarrowonga Framework Plan (2020) and Yarrowonga Stormwater Management Strategy (2019) and replace the 2007 Yarrowonga Framework Plan.
- Updates the Planning Scheme by including new background documents which inform the planning scheme and future decision makers.
- Rezones land in Numurkah to a zone which more accurately reflects the current use of the land and provides for short term industrial development

FILE NO: F20/539  
2. A THRIVING LOCAL ECONOMY

ITEM NO: 10.4.4

**PLANNING SCHEME AMENDMENT TO INCORPORATE STRATEGIC  
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FRAMEWORK PLAN (cont'd)**

**ATTACHMENT No [1] - Explanatory Report and other documents**

Updating planning schemes to include adopted and relevant strategic work is considered to be best practice and ensures that the planning scheme is up-to-date to assist decision makers.

**How does the amendment implement the objectives of planning in Victoria?**

The amendment implements the following objectives of planning in Victoria, set out in section 4(1) of the *Planning and Environment Act 1987*:

- a) *To provide for the fair, orderly, economic and suitable use, and development of the land.*
- c) *To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.*
- f) *To facilitate development in accordance with the objectives of planning in Victoria.*
- g) *To balance the present and future interests of all Victorians.*

The amendment proposes to update the Moira Planning Scheme with revised policy content which reflects the key strategic directions for the municipality. This will provide for the orderly use and development of the municipality, consistent with the objectives of planning in Victoria.

**How does the amendment address any environmental, social and economic effects?**

The amendment is expected to have positive environmental, social and economic effects for businesses, industry and the community by:

- Introducing policies that have been informed through the Major Town's Review and Yarrowonga Framework Plan.
- Introduce into the Moira Planning Scheme background documents that have been through public exhibition and adopted by Council.
- Improving the clarity of local policy content in the local schedules which will result in greater certainty for users of the system.
- Strengthening Moira's township plans by inclusion of up-to-date Strategy Plans which will guide development and planning decisions into the future.

**Does the amendment address relevant bushfire risk?**

The amendment is not expected to result in any increase to the risk to life as a priority, property, community infrastructure and the natural environment from bushfire.

The area proposed for rezoning is not located within the Bushfire Management Overlay but is located within the Bushfire Designated Area. The rezoning area will be located in a highly modified and low risk setting, dominated by agricultural and cropping land, in which all future industrial buildings will be able to achieve a BAL-12.5 construction standard. The wider landscape contains largely agricultural land that contains grassed areas i.e. grazed paddocks, slashed grass and rural residential properties. Given that the area proposed for rezoning covers 67 hectares, when construction and development of the site is undertaken there will be on balance a reduction of any bushfire risk. Furthermore, the township of Numurkah is within 1km and most of the locality already developed with residential and for commercial.

Clause 13.02-1S is a strategic state-wide planning policy that provides the first opportunity to consider the bushfire risk in this process. The future development of the rezoned area will address this specifically through construction of the buildings. It is anticipated that all buildings will be able to be constructed to a BAL-12.5 and future internal road network will comply with Clause 56.06.

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FRAMEWORK PLAN (cont'd)**

**ATTACHMENT No [1] - Explanatory Report and other documents**

The CFA provide four principles to respond to Clause 13.02-1S, including that settlement planning decisions should:

- *Direct development to locations of lower bushfire risk;*
- *Carefully consider development in locations where there is significant bushfire risk that cannot be avoided;*
- *Avoid development in locations of extreme bushfire risk; and*
- *Avoid development in areas where planned bushfire protection measures may be incompatible with other environmental objectives.*

The proposed rezoning area is considered to apply all four principles by building in largely cleared paddocks surrounded by other paddocks and grassland, that do not pose an extreme bushfire risk. There are also no incompatible environmental implications.

**Does the amendment comply with the requirements of any Minister's Direction applicable to the amendment?**

The amendment is consistent with the *Ministerial Direction on the Form and Content of Planning Schemes* under Section 7(5) of the *Planning and Environment Act 1987*.

The amendment has been prepared in accordance with the strategic considerations set out in *Ministerial Direction No. 11 Strategic Assessment of Amendment* made under section 12 of the *Planning and Environment Act 1987*.

**How does the amendment support or implement the Planning Policy Framework and any adopted State policy?**

The amendment supports and implements various objectives and strategies of the Planning Policy Framework.

The amendment supports Clause 11 (Settlement), and Clause 17 (Economic Development) of the Planning Policy Framework. Specifically, the Amendment supports:

- **Clause 11 – Settlement**

Clause 11 states that planning is to contribute to economic viability. Clause 11.01-1S generally encourages managing of growth, appropriate sequencing of development and providing future plans for development. The amendment supports these high-level outcomes by adjusting the planning controls relevant to include up to date strategy plans for townships that will guide growth of Numurkah, Yarrawonga, Nathalia and Cobram into the future.

- **Clause 17 – Economic Development.**

The amendment will continue to support the policies at Clause 17 by improving the planning policy and controls introduced in the past as a result of various Structure Plans and Framework Plans being completed.

The amendment will also introduce a background document into the planning scheme and policies that support retail expansion in Yarrawonga and Cobram consistent with Council's adopted policies.

The amendment will also rezone a site to industrial in an effort to realise and support industrial development in Numurkah to assist with employment and the economy. The amendment is supported by Clause 17.01-1S as it will assist to support a diverse regional economy. Improving the policy and land use controls for the Precinct will support continued investment in the local areas.

**How does the amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?**

The amendment supports and implements the objectives of strategies of the Moira MSS, in particular the amendment is supported by;

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• Clause 21.03 – Settlement

The amendment will update this policy to include reference to the relevant Strategy Plans and Framework Plans that have been undertaken in recent years. The amendment is supported by Clause 21.03-2 because it will ensure that future developments will promote the orderly development of urban areas.

The Major Towns Review undertook a review of the existing strategy plans for the four major towns – Cobram, Yarrawonga, Nathalia and Numurkah which is set out in the Further strategic work section of Clause 21.03-9

• Clause 21.07 – Local Areas

The amendment seeks to update Clause 21.07-1 - Cobram, Clause 21.07-2 - Yarrawonga, Clause 21.07-3 – Numurkah and Clause 21.07-4 Nathalia with new Framework Plans and Strategy Plans to guide development of the townships into the future. ,

In addition, the amendment seeks to update these clauses to ensure that the planning policies are aligned with adopted Council policies and land use planning directions.

**Does the amendment make proper use of the Victoria Planning Provisions?**

The amendment introduces local policy and associated local policy content consistent with Amendment VC148 and the Ministerial Direction 15 - The Form and Content of Planning Schemes.

Where local schedules have been amended, the form of the schedule has been modified to accord with the current Ministerial Direction 15 - The Form and Content of Planning Schemes.

**How does the amendment address the views of any relevant agency?**

Mostly the amendment introduces administrative changes to the Moira Planning Scheme. It is anticipated that the views of all relevant agencies will be sought through exhibition of the Amendment.

**Does the amendment address relevant requirements of the Transport Integration Act 2010?**

The amendment will not have a significant impact on the transport system as defined by the *Transport Integration Act 2010*.

**Resource and administrative costs**

The amendment is not expected to impose additional resource or administrative costs on the responsible authority. Introducing revised local policy content is expected to create a clearer and more navigable policy framework. Updated Strategy Plans will ensure that development is appropriately guided into the future by agreed policy directions of Moira Shire Council.

**Where you may inspect this amendment**

The amendment can be inspected free of charge at the Moira Shire Council's website at [www.moira.vic.gov.au](http://www.moira.vic.gov.au)

And

The amendment is available for public inspection, free of charge, during office hours at the following places:

- 44 Station Street, Cobram as well as
- Council's website at [www.moira.vic.gov.au](http://www.moira.vic.gov.au)

The amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at [www.planning.vic.gov.au/public-inspection](http://www.planning.vic.gov.au/public-inspection).

**Submissions**

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**ATTACHMENT No [1] - Explanatory Report and other documents**

Any person who may be affected by the amendment *may* make a submission to the planning authority. Submissions about the amendment must be received by [insert submissions due date].

A submission must be sent to:

- 44 Station Street, Cobram or submitted via Council's website at [www.moira.vic.gov.au](http://www.moira.vic.gov.au)

**Panel hearing dates**

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- directions hearing: [insert directions hearing date]
- panel hearing: [insert panel hearing date]

DRAFT



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**ATTACHMENT No [1] - Explanatory Report and other documents**

[Delete this section if not applicable]

**ATTACHMENT X - Mapping reference table**

Location	Land /Area Affected	Mapping Reference
Numurkah	Rezone property from Industrial 1 Zone to Farming Zone at 42 Saxton Street.	Map 14 and 18
	Rezone propertie from Farming Zone to Industrial 1 Zone at 2123 Katamatite-Nathalia Road, 39 &59 Allens Road and TP786691.	Map 14 and 18
	Apply the DCPO1 to 2123 Katamatite-Nathalia Road, 39 &59 Allens Road and TP786691 Allens Road,	Map 14 and 18

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FRAMEWORK PLAN (cont'd)**

**ATTACHMENT No [1] - Explanatory Report and other documents**

*Planning and Environment Act 1987*

**MOIRA PLANNING SCHEME**

**AMENDMENT C93**

**INSTRUCTION SHEET**

The planning authority for this amendment is the Moira Shire Council

The Moira Planning Scheme is amended as follows:

**Planning Scheme Maps**

The Planning Scheme Maps are amended by a total of two attached map sheets.

**Zoning Maps**

1. Amend Planning Scheme Map No. 14 and 18 in the manner shown on the one attached map marked "Moira Planning Scheme, Amendment C93".

**Overlay Maps**

2. Amend Planning Scheme Map Nos.14 and 18 DPO12 in the manner shown on the one attached map marked "Moira Planning Scheme, Amendment C93".

**Planning Scheme Ordinance**

The Planning Scheme Ordinance is amended as follows:

3. In **Local Planning Policy Framework** – replace Clause 21.03 with a new Clause 21.03 in the form of the attached document.
4. In **Local Planning Policy Framework** – replace Clause 21.07 with a new Clause 21.07 in the form of the attached document.
5. In **Operational Provisions** – Clause 72.04, replace the Schedule with a new Schedule in the form of the attached of document

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**ATTACHMENT No [1] - Explanatory Report and other documents**

MOIRA PLANNING SCHEME

31/07/2018  
VC148

**SCHEDULE TO CLAUSE 72.08 BACKGROUND DOCUMENTS**

**1.0**  
31/07/2018  
VC148

**Background documents**

Name of background document	Amendment number - clause reference
Yarrawonga Framework Plan 2020	C93 – Clause 21.07-2
Yarrawonga Stormwater Management Strategy 2019	C93- Clause 21.07-2
Retail Policy Framework for Cobram and Yarrawonga 2017	C93 – Clause 21.07-1, Clause 21.07-2 and Clause 21.03

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**ATTACHMENT No [1] - Explanatory Report and other documents**

**Planning and Environment Act 1987**

**MOIRA PLANNING SCHEME**

**Notice of the preparation of an amendment**

**Amendment C93**

The Moira Shire Council has prepared Amendment C93 to the Moira Planning Scheme.

The land affected by the amendment is all land in Moira Shire Council.

The amendment proposes to update the Strategy Plans for Cobram, Numurkah and Nathalia, as well as Framework Plan for Yarrowonga. The amendment also seeks to rezone 42 Saxton Street from Industrial 1 Zone to Farming Zone, as well as at 2123 Katamatite-Nathalia Road, 39 & 59 Allens Road and TP786691 Allens Road, Numurkah from Farming Zone to Industrial 1 Zone with Development Plan Overlay 12 applied.

You may inspect the amendment, any documents that support the amendment and the explanatory report about the amendment, free of charge, at :

- the Moira Shire Council website at [www.moira.vic.gov.au](http://www.moira.vic.gov.au); and
- during office hours, at the office of the planning authority, Moira Shire Council at 44 Station Street, Cobram
- at the Department of Environment, Land, Water and Planning website [www.delwp.vic.gov.au/public-inspection](http://www.delwp.vic.gov.au/public-inspection).

Any person who may be affected by the amendment may make a submission to the planning authority about the amendment. Submissions must be made in writing giving the submitter's name and contact address, clearly stating the grounds on which the amendment is supported or opposed and indicating what changes (if any) the submitter wishes to make.

Name and contact details of submitters are required for council to consider submissions and to notify such persons of the opportunity to attend council meetings and any public hearing held to consider submissions. The closing date for submissions is **[insert closing date for submissions]**. A submission must be sent to the **[insert name and address of planning authority]**.

The planning authority must make a copy of every submission available at its office and/or on its website for any person to inspect free of charge for two months after the amendment comes into operation or lapses.

**[Insert signature for the planning authority]**

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**ATTACHMENT No [2] - Changes to Local Planning Policies**

MOIRA PLANNING SCHEME

21.03  
18/12/2017  
C77

**SETTLEMENT**

This clause provides local content to support clause 11 (Settlement) and clause 16 (Housing).

21.03-1  
18/12/2017  
C77

**Key issues**

The key planning issues and challenges relating to settlement include:

- Facilitating the orderly development of towns and settlements
- Facilitating the development of a diverse range of housing options for the existing and future population
- Facilitating the sustainable development of small town and settlements
- Controlling future development of housing in rural areas to ensure that it is responsive to a demonstrated need and will not prejudice the long-term sustainability of farming

An overview of these issues and challenges are described below.

21.03-2  
18/12/2017  
C77

**Orderly development of towns and settlements**

**Overview**

Moira Shire is a predominantly rural municipality. Moira has four principal towns (Cobram, Yarrawonga, Numurkah and Nathalia) and a number of smaller towns and settlements that support the rural and lifestyle activities of residents. New residential development is particularly encouraged in these towns so as to attract and support expanding populations that will, in turn, stimulate the economic and social development of these centres.

To guide this development Council has completed the following strategic projects to guide the orderly development of its urban areas:

- Yarrawonga ~~Strategy Plan 2004 Framework Plan 2020~~
- ~~Cobram 2025 Strategy Plan 2007 Numurkah Strategy Plan 2010 Nathalia Strategy Plan 2010 Main Town's Review 2018 which included Strategy Plan maps for Nathalia, Numurkah and Cobram~~
- Moira Small Towns and Settlements Strategy Plan 2013

The *Bathumi, Youanmite and Marungi Restructure Plan Report 2008* has restructured areas to provide for the sustainable development of these areas.

Council seeks to consolidate residential uses in towns and in surrounding identified rural lifestyle areas, where there is no adverse impact on rural activities.

The *Yarrawonga to Bathumi Future Land Use Strategy 2002* guides development at the western end of the Yarrawonga-Bundalong corridor to ensure future development does not impact adversely on Lake Mulwala and the Lower Ovens River.

**Objective 1**

To promote the orderly development of urban areas.

**Strategies**

- Strategy 1.1 Ensuring development is consistent with adopted ~~and incorporated~~ strategy plans and town framework plans outlined in Clause 21.07.
- Strategy 1.2 Encourage the consolidation of residential development in existing urban centres.
- Strategy 1.3 Avoid inappropriate encroachment of residential and rural residential development adjacent to rural areas not identified for urban expansion, and industrial areas.

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**ATTACHMENT No [2] - Changes to Local Planning Policies**

MOIRA PLANNING SCHEME

21.03-3  
16/12/2017  
C77

**Housing diversity**

**Overview**

The population of the Moira is aging. Increased options for housing this population will be required, particularly in the four large urban centres of Cobram, Yarrawonga, Numurkah and Nathalia where there is greater access to both physical and social services. Affordable housing needs to be provided within walking distance to facilities or transport to such facilities. Alternative forms of housing, such as medium density housing, will be required if objectives for affordability and accessibility are to be met. Diversity in housing options is important to maintain a diverse population mix. In particular, the provision of accommodation to suit the housing needs of young people will be vital to retaining a balanced population mix.

**Objective 1**

To provide a diverse range of housing options for the existing and future population.

**Strategies**

- Strategy 1.1 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.
- Strategy 1.2 Promote alternative forms of supported housing such, as retirement and nursing homes, in existing urban centres with a high degree of accessibility to community and social infrastructure.
- Strategy 1.3 Support low density residential housing on land not required for conventional urban development.
- Strategy 1.4 Provide for lifestyle living opportunities on rural living land.

21.03-4  
16/12/2017  
C77

**Small towns and settlements**

**Overview**

The *Moira Small Towns and Settlements Strategy Plan 2013* reviewed the capacity of all towns and settlements (excluding Cobram, Yarrawonga, Numurkah and Nathalia as key towns) to accommodate sustainable growth. These areas are important as a source of affordable housing providing over half of all dwellings, rural lifestyle opportunities and a sense of identity and individual character. The Strategy establishes a hierarchy classification as a town, village or hamlet based on growth capacity and infrastructure provision. Significant growth will be focused where infrastructure can support it.

Town	Village	Hamlet	Locality
Kalamatite, Strathmerton, Tungamah, Wunghnu	Barmah, Bundalong, Katunga, Waalia, Yarroveyah	Bearii, Invergordon, Koonoomoo, Picola, St James	Burramine, Kaarimba, Kotupna, Lake Rowan, Lower Moira, Naring, Muckatah, Wilby, Yalca North

**Objective 1**

To facilitate the sustainable development of small towns and settlements.

**Strategies**

- Strategy 1.1 Consider the role and function of the settlement when considering future development and planning.
- Strategy 1.2 Guide growth to those settlements where the capacity to accommodate growth can be met and community services and facilities already exist.
- Strategy 1.3 Define a settlement by its settlement boundary.
- Strategy 1.4 Protect declared water supply catchments by guiding development to settlements where reticulated sewerage systems are available.

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**ATTACHMENT No [2] - Changes to Local Planning Policies**

MOIRA PLANNING SCHEME

21.03-5  
18/12/2017  
C77

**Rural Activity Zone**

**Overview**

The Rural Activity Zone applies to land east of Cobram and to areas east and west of Yarrawonga. The zone will build on existing tourism activities and take advantage of the natural attributes of the region including the Murray River and the agricultural landscapes and produce.

**Objective 1**

To encourage tourism uses directly related to primary production.

**Strategy**

- Strategy 1.1 Ensure that land is retained in parcels suitable for agriculture.
- Strategy 1.2 Avoid the proliferation of housing on small lots.
- Strategy 1.3 Encourage tourism uses that will not introduce conflict with agriculture.
- Strategy 1.4 Ensure that the siting of dwellings and other developments does not detract from the rural landscape and avoids environmental risks.
- Strategy 1.5 Prevent ribbon development along major highways and access roads to towns.

**Implementation**

The strategies in relation to development of the **Rural Activity Zone** will be implemented through the planning scheme by:

**Policy guidelines**

- Encouraging the following uses:
  - Agriculture;
  - Tourist and recreational activities;
  - Accommodation associated with tourist or recreational activities including Group accommodation, Backpackers' lodge, Camping and caravan park (including cabins) and Motel; and
  - Restaurant (but only in association with a tourist / recreational activity).
- Discouraging the following uses:
  - Convenience shop;
  - Equestrian supplies;
  - Motor racing track;
  - Hotel;
  - Landscape gardening supplies;
  - Store, Tavern and similar uses;
  - Intensive animal husbandry;
  - Cattle feedlot;
  - Residential hotel; and
  - Service station.
- Discouraging small lot subdivisions (other than those that promote farm consolidation) so as to avoid rural residential outcomes and non-agricultural neighbours.
- Discouraging dwellings not associated with or required for the agricultural or tourism use of the land.

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MOIRA PLANNING SCHEME

- Requiring a landowner to enter into an agreement under Section 173 of the Act when considering a permit application for the construction of a dwelling to prevent the further subdivision of the lot containing the dwelling, except for boundary realignments where there is no net increase in the number of lots and any lot containing a dwelling is at least 2 hectares in size.

**Decision guidelines**

When considering an application, and in addition to the decision guidelines in the Rural Activity Zone, the responsible authority will consider the following matters:

- The purpose statements outlined in the Schedule to the zone and policy guidance.
- Whether proposals are:
  - Of modest scale, that is relevant to the land size, surrounding uses and the ability to blend with the landscape.
  - Subservient to the landscape so as not to detract from the quality of the landscape.
  - Capable of no net loss net gain environmental outcomes.
  - Self-sufficient in the provision of relevant infrastructure and associated development costs.

When considering an application for a dwelling, and in addition to the decision guidelines in the Rural Activity Zone and those above, the responsible authority will consider the following matters:

- The relationship between the proposed dwelling and the agricultural activity on the land.
- Evidence, including an Integrated Land Management Plan or similar addressing the relationship between agricultural activities on the land and the proposed dwelling.
- The agricultural productive capacity or the agricultural potential of the land.
- The nature of the existing agricultural activity on the land and any new proposed agricultural activity at the land.
- The nature of the agricultural activities on the land and whether they require permanent and continuous care, supervision or security.
- The proposed siting of the dwelling and whether it minimises impacts on agricultural operations.
- The lot size, context and physical characteristics of the land.
- Whether the dwelling will result in a rural living or rural residential outcome in the area.
- Whether a condition is required that the landowner enter into an agreement under Sections 173 of the Act.

21.03-6  
14/12/2017  
C/T

**Housing and subdivision in rural areas**

**Overview**

Housing in rural areas requires careful consideration to protect farming as the dominant activity in rural areas and as the major source of economic activity in the municipality. In particular, housing on small rural lots needs to be based on a demonstrated need and evidence that the dwelling will not prejudice the long-term sustainability of farming.

The process of farm consolidation is considered fundamental to the long term viability of the agricultural base. The fragmentation of existing farms is discouraged as it is inconsistent with the trend towards the consolidation of larger and more viable agricultural parcels. Fragmentation also leads to rural living opportunities which compromise farming purposes by increasing land prices and introducing residents with 'non-farming' amenity expectations. The existing supply of lots in the Farming Zone is considered sufficient to enable the incremental growth of farms.



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MOIRA PLANNING SCHEME

Council acknowledges that there is a demand for rural living opportunities, however adequate land has been allocated to accommodate this demand. Unplanned rural living results in agricultural land being taken out of production. A rural dwelling will often be needed to properly farm the land, however new dwellings must be limited to those that genuinely relate to agricultural production.

It is increasingly evident that prospective agricultural investment is jeopardised, deterred, or completely lost by land uses and developments that have the potential to compromise the scale and location of such investment. In particular, agricultural investment is far less likely where land is already fragmented in ownership with housing dispersed throughout.

The *Regional Rural Land Use Strategy 2008* (RRLUS) identifies three categories of farming areas in Moira, Campaspe and Greater Shepparton and recommends different subdivision and minimum lot size provisions for dwellings for each category. The three categories are as follows.

**Growth areas** - being areas for growth and expansion of existing farm businesses and for new investment. Growth areas include those areas that have been retained in larger properties and provide the opportunity for large scale, standalone new agricultural development as well as for consolidation of existing farm properties wishing to grow. The RRLUS seeks to discourage the establishment of new dwellings and where possible encourage farm tenements and property boundaries to consolidate and enlarge in line with the trends in agriculture associated with productivity and viability. The minimum subdivision size in these areas has been set at 60 hectares and a dwelling needs a planning permit on all land less than 80 hectares in area.

**Consolidation areas** - being areas that support existing farm businesses to operate and expand. Consolidation areas typically include land with good soils and many of the former closer settlement areas, but their lot sizes are no longer reflective of current farm sizes. Consolidation areas are considered to provide opportunities for development of growing agricultural enterprises that can, over time, expand and consolidate through a process of property restructure. In this regard 'consolidation' includes the consolidation of land titles or the consolidation of farming enterprises through acquisition of non-contiguous land to increase farm size. The development of additional dwellings threatens expanding agricultural enterprises and accordingly, new dwellings within these areas are discouraged. The use of re-subdivision and excisions within consolidation areas will be considered in recognition that the excision of a dwelling from a farm can provide businesses an opportunity to consolidate property holdings based on the value of land for agriculture. The minimum subdivision size in these areas has also been set at 60 hectares and a dwelling needs a planning permit on all land less than 80 hectares in area.

**Niche areas** - being those areas with productive potential based on existing lot configuration and opportunities for smaller scale and specialized agriculture. Niche areas include those rural areas with productive potential due to soil type, property size or water access. The opportunity for properties within these areas to expand in response to general market trends is limited however due to land value and existing development as most lots are smaller with dwellings. Niche areas are productive farming areas and not rural living areas. Niche areas may involve activities such as spraying and frost fans. New dwellings within the niche area can be considered where associated with farm business activity. Given the existing size and lot configuration, it is envisaged that subdivision would rarely be required. The Niche area has yet to be applied in Moira.

The RRLUS discusses the conflict which arises when the expectations of the farmer and the rural lifestyle resident differ. It is acknowledged that direction is required to ensure that unplanned rural living is not displacing agriculture or preventing flexibility for farm businesses. In particular, existing minimum lot requirements that allow 'as of right' dwellings within the Farming Zone have been reviewed.

Important principles that have been applied in the rural areas are:

- The minimum subdivision size is always to be less than the minimum dwelling lot size in order to avoid expectations and perceptions that there will be an automatic entitlement to erect a dwelling on all newly created lots in the Farming Zone.

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**ATTACHMENT No [2] - Changes to Local Planning Policies**

MOIRA PLANNING SCHEME

- Small lot subdivisions should not create any additional entitlements for a dwelling nor should they create an opportunity for a dwelling without a planning permit.

**Objective 1**

To ensure housing in rural areas does not inhibit the use of the land for agriculture.

**Strategies**

- Strategy 1.1 Ensure housing in rural areas is consistent with 'Growth' and 'Consolidation' areas identified in *Regional Rural Land Use Strategy 2008*.
- Strategy 1.2 Protect the use of agricultural land for agricultural purposes by ensuring that housing in rural areas minimises the impact on the environmental and economic sustainability of the Shire's agricultural resources.
- Strategy 1.3 Restrict housing opportunities in rural areas other than identified on town fringes.

**Implementation**

The strategies in relation to development of rural dwellings will be implemented through the planning scheme by:

**Policy guidelines**

- Discouraging a dwelling not associated with or required for the agricultural use of the land.
- Ensuring that the agricultural use has been established on the land (or an Integrated Land Management Plan under Clause 35.07-6 is in place) prior to the construction of a dwelling.
- Ensuring that the dwelling is located on a lot of at least 2 hectares in area.
- Requiring the landowner to enter into an agreement under Section 173 of the Act to:
  - Ensure that the dwelling is used in conjunction with agricultural production;
  - Prevent the subdivision of the lot containing the dwelling where the proposed lot size is less than the minimum subdivision area specified in the Farming Zone, except for boundary realignments where there is no net increase in the number of lots and any lot containing a dwelling is at least 2 hectares in size; and
  - Acknowledge the impacts of nearby agricultural activities.

**Criteria**

It is policy to assess proposals against the following criteria:

- The lot containing the dwelling and associated infrastructure is no greater than 2 hectares in area unless there is a need for a larger parcel to take account of natural or public infrastructure or to provide a farm boundary configuration that supports efficient agricultural practices.

**Decision guidelines**

When considering an application for a rural dwelling, and in addition to the decision guidelines in the Farming Zone, the responsible authority will consider the following matters:

- Whether the proposed new dwelling is located on a lot that has:
  - Legal frontage to a road.
  - A satisfactory frontage to depth ratio.
  - Suitable two way vehicle access via an all-weather road.
  - Adequate buffers to protect residential amenity from the impacts of agricultural activity.
- The relationship between the proposed dwelling and the agricultural activity on the land.

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MOIRA PLANNING SCHEME

- Evidence of an Integrated Land Management Plan under Clause 35.07-6 or similar, addressing the relationship between agricultural activities on the land and the proposed dwelling.
- The agricultural productive capacity or the agricultural potential of the land.
- The nature of the existing agricultural infrastructure and activity on the land and any new proposed agricultural infrastructure and activity at the land.
- The nature of the agricultural activities on the land and whether they require permanent and continuous care, supervision or security.
- The proposed siting of the dwelling and whether it minimises impacts on existing and potential agricultural operations on nearby land.
- The lot size, context and physical characteristics of the land.
- Whether the dwelling will result in a rural living or rural residential outcome in the area.
- The potential for land to be consolidated with other land to enhance agricultural productivity.
- Whether the planning scheme identifies a 'non-agricultural' future for the land and the implications of development on future development options.

The strategies in relation to **small lot rural subdivisions** will be implemented through the planning scheme by:

**Policy guidance**

- Discouraging small lot subdivisions except where:
  - Restructure is an outcome; and
  - No new opportunities for additional houses below the minimum subdivision area specified in the Schedule to the Farming Zone are created; and
  - The impact on neighbours and existing or potential agricultural use of nearby land is minimised.
- Allowing only one lot to be excised from any lot which existed at 9 September 1999.

**Decision guidelines**

When considering an application for a small lot rural subdivision that contains a dwelling or the re-subdivision of existing lots, the responsible authority will consider the following matters:

- The degree to which the subdivision supports productive agricultural outcomes, particularly farm consolidation.
- Whether the land is suitable for agricultural use based on:
  - Evidence of the capability and versatility of the land.
  - The planning history of the land and surrounding land.
  - Whether an Integrated Land Management Plan under Clause 35.07-6 has been prepared for the site.
- The size of the lot containing the dwelling and associated infrastructure and whether there is a need for a larger parcel to take account of natural or public infrastructure or to provide a farm boundary configuration that supports efficient agricultural practices.
- Whether the area of the 'balance' lot complies with the minimum subdivision area for the zone.
- Whether the dwelling on the lot existed on the land at 9 September 1999.
- Whether the existing dwelling on the lot is habitable.
- Whether the dwelling on the lot has existing use rights pursuant to Clause 63.

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MOIRA PLANNING SCHEME

- Whether a condition is required that the landowner enter into an agreement under section 173 of the Act.
- Whether the proposal relies on land which was previously a road reserve, channel, utility lot, crown land or was of insufficient size to support a dwelling.
- Whether the subdivision creates an additional lot where a dwelling can be erected without a permit.
- Whether the proposal to realign lot boundaries is for the purpose of making minor adjustments including taking account of topographical or public infrastructure features.
- Whether the new lots create more productive and efficient agricultural outcomes, particularly through farm consolidation.

Application of zones and overlays

- Apply the General Residential Zone to established urban residential areas
- Apply the Low Density Residential Zone to existing rural residential areas
- Apply the Rural Living zone (with a 2 hectares minimum lot size) to identify rural lifestyle opportunities around townships
- Apply the Mixed Use zone to areas within Yarrowonga which have been identified as having mixed use potential
- Apply the Township Zone to residential areas in smaller townships
- Apply the Commercial 1 Zone to the retail centres of the four major towns
- Apply the Commercial 2 Zone to areas where highway business activity is encouraged
- Applying the Industrial 1 Zone for the majority of industrial land within the Shire
- Applying the Industrial 2 Zone to sensitive industrial areas at the Peechelba Abattoirs
- Applying the Industrial 3 Zone to existing light industrial development
- Apply the Farming Zone, Schedule 1 to the 'growth' and 'consolidation' areas with a minimum lot size of 60ha
- Apply the Rural Activity Zone Schedule to areas along the Murray River Corridor that support rural based tourism
- Rationalise the residential zonings east of Yarrowonga in accordance with the Yarrowonga to Bathumi Land Use Strategy
- Apply the Development Plan Overlay to areas identified for future urban use, where particular issues of design and development need to be resolved
- Apply the Restructure Overlay to all undeveloped old townships
- Apply the Airport Environs Overlay to areas affected by the Yarrowonga Aerodrome

21.03-8  
18/12/2017  
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Reference documents

- ~~Cobram 2025 Strategy Plan 2007 & Addendum 2008~~
- ~~Yarrowonga Strategy Plan 2004 Framework Plan 2020~~
- ~~Namurrah Strategy Plan 2010~~
- ~~Nathalia Strategy Plan 2010~~
- *Moira Small Towns and Settlements Strategy Plan, 2013*
- *Moira Small Towns and Settlements Strategy Plan Addendum Report, 2017*
- *Bathumi, Youanmitte and Maringri Restructure Plan Report 2008*

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- *Yarrawonga to Bathumi Future Land Use Strategy 2002*
- *Regional Rural Land Use Strategy 2008*
- *Moira Rural Living Strategy 2004*

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16/12/2017  
C77

**Further strategic work**

- Review the *Moira Rural Living Strategy 2004*
- ~~Review existing strategy plans for the four major towns – Cobram, Yarrawonga, Nathalia and Numuckah~~
- Undertake Urban Renewal / Development Investigations for areas adjacent to the alignment of the new river crossing in Yarrawonga
- Prepare an advertising signs policy

DRAFT

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**LOCAL AREAS**

This Clause focuses on local area implementation of the objectives and strategies set out in Clauses 21.03-21.06 for the main 4 towns and a number of small towns and settlements. Each section relates to a particular town and should be read in conjunction with the rest of the Municipal Strategic Statement and not in isolation.

Towns and settlements are addressed in the following Local Area order:

- 21.07-1 Cobram
- 21.07-2 Yarrawonga
- 21.07-3 Numurkah
- 21.07-4 Nathalia
- 21.07-5 Barmah
- 21.07-6 Bundalong
- 21.07-7 atamatite
- 21.07-8 atunga
- 21.07-09 Picola
- 21.07-10 Strathmerton
- 21.07-11 Tungamah
- 21.07-12 Wunghnu

21.07-1  
14/12/2017  
C77

**Cobram**

Cobram is the birthplace of Murray-Goulburn Co-op – Australia's largest dairy processing cooperative. Horticulture and dairy continue to drive the local economy with Cobram providing a wide range of farm, financial and professional advisory services to support agriculture, horticulture and food processing. With its strong base of technical and professional expertise and a strong retail sector, Cobram services communities into southern New South Wales and is the ideal location for the development of a regional agribusiness hub.

Cobram also boasts a number of iconic inland beaches and its Murray River frontage is a popular holiday and fishing destination.

~~In 2011 the population of Cobram was 6,018. The Cobram Strategy Plan 2007 provides guidance on future development and has informed the Cobram Framework Plan 2007.~~

**Local area implementation**

- Ensure development is generally consistent with the Cobram ~~Framework Strategy Plan 2007-2018~~ and contained within the settlement boundary.
- The existing structure of Cobram, with its clear division between land use activities, should not be compromised.
- Medium density housing is encouraged around the commercial fringe of the town centre, near public open space and local neighbourhood centres and access that is within walkable distance of existing and potential public transport routes.
- Short term residential development will be directed to land already zoned.
- Medium and long term residential development should be directed to the south east and south once the existing land supply has reduced to around 10 years.
- Encourage new development and the redevelopment of land to consider the provision of affordable housing.

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- Require the orderly development and co-ordinated provision of roads and infrastructure, community services and facilities to all areas identified for short, medium and long term residential (conventional and low density) consistent with a Development Plan.
- The Low Density Residential Zone is at the interface of the river and public land protect the aesthetics and character of the river environs.
- Low density residential land will be directed to the south west of the town. This area should be serviced with reticulated infrastructure.
- Pending the outcome of the Rural Living Review, the opportunity may exist for rural living development between Irvin Road and Cobram South Road, located on the south side of the Murray alley Highway.
- Industrial development will be focused to the north west. A mix of large and small lots will be retained for long term manufacturing and service industrial expansion.
- Encourage the establishment of a Cobram Business Park in the area defined by the Murray alley Highway, Cobram- oonoomoo Road and Ritchie Road.
- Discourage the expansion of existing caravan park to the west of town.
- Development of an integrated open space plan, inclusive of connections to the town centre, through the expanding residential neighbourhoods and access along the river frontage.
- Ensure that open space is provided in strategic locations and avoid the provision of land for 'pocket parks'.
- Facilitate the redevelopment of surplus railway land (if deemed surplus by iTrack) for either open space or commercial type uses, as appropriate.
- Seek the relocation of inappropriate, non-core uses in the town centre to more suitable and appropriately zoned sites.
- Encourage the redevelopment of vacant and underutilised sites in the commercial precincts, including the town centre.
- Protect the town centre by supporting new retail developments that provide active frontages on the ground floor with offices above the ground floor in the streets surrounding the town centre.  
[Facilitate and support commercial development at 2-6 Colgan Street, Cobram, consistent with the Cobram Strategy Plan at this clause and the Retail Policy Framework for Cobram and Yarrawonga \(2017\)](#)
- Facilitate the expansion of the private and public primary, secondary and tertiary educational facilities to provide a full range of education services in Cobram.
- Facilitate the establishment of a medical precinct around the Cobram Hospital in Broadway Street.
- Ensure that new and expanding residential communities are sensitive to the continued use of adjoining land for agricultural purposes, and that appropriate buffers are included in plans for residential development.



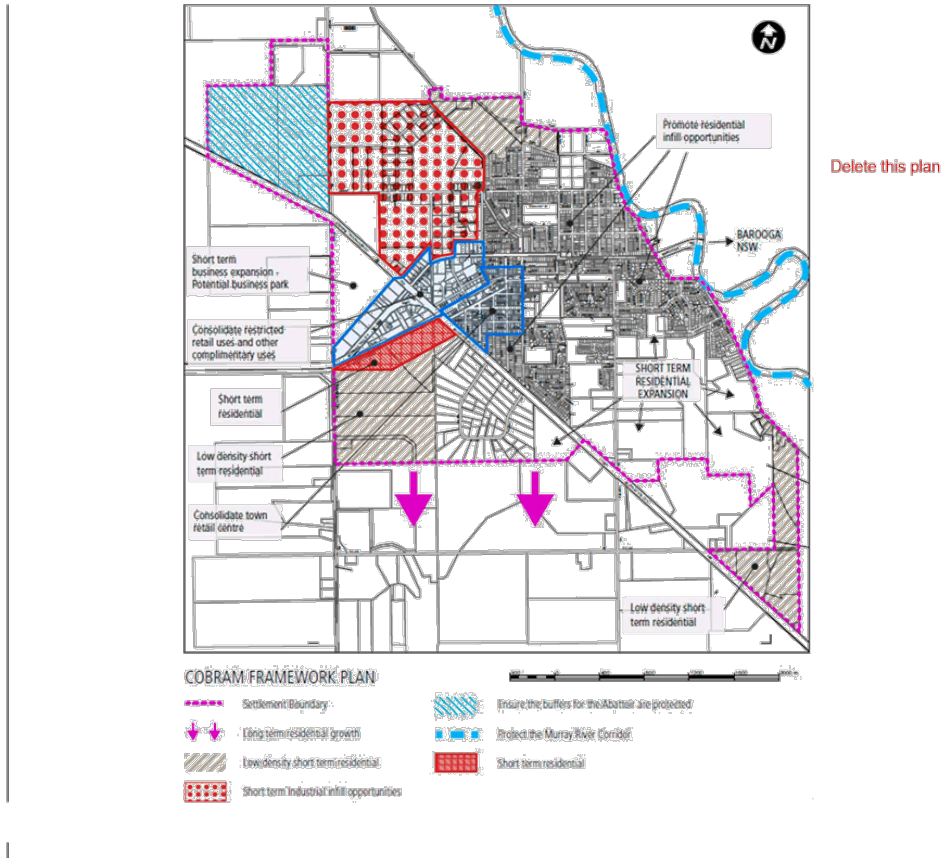
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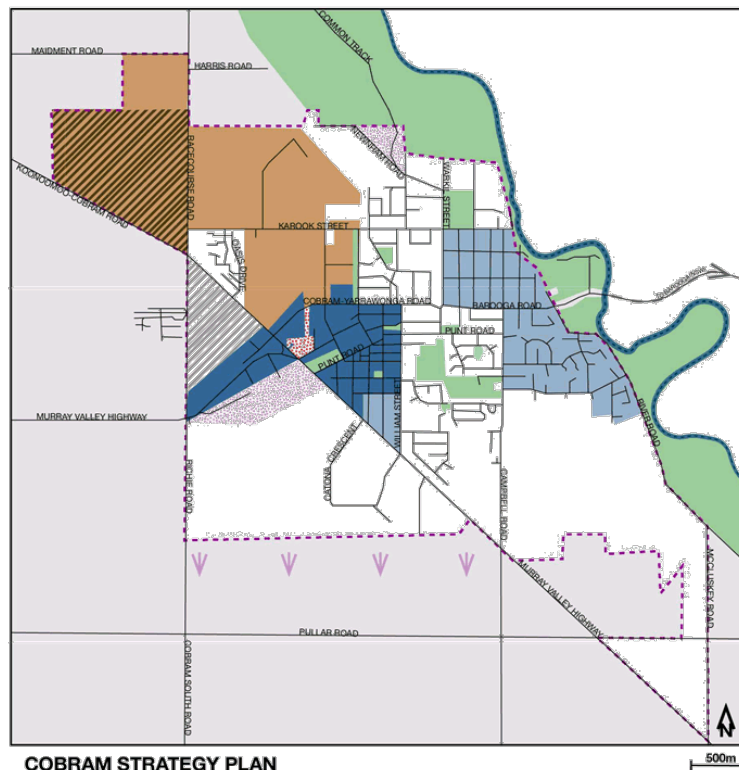
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MOIRA PLANNING SCHEME



Insert new plan

**COBRAM STRATEGY PLAN  
LEGEND**

- |                                   |                         |
|-----------------------------------|-------------------------|
| Settlement Boundary               | Infill Residential      |
| Protect the Broken Creek Environs | Short Term Residential  |
| Public Land                       | Future Residential      |
| Consolidate Commercial Zones      | Protect Abattoir Buffer |
| Proposed Commercial 1 Zone        | Existing Industrial     |
| Future Investigation              | Rural Land              |



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MOIRA PLANNING SCHEME

Entirely new clause

21.07-2  
XX/XX/2021  
C93

**Yarrawonga**

Yarrawonga is identified in the *Hume Regional Growth Plan 2014* as a key sub-regional settlement. Yarrawonga is one of four major towns within the Moira Shire Council and has been identified as offering unique growth opportunities centered around natural and lifestyle attractions. Yarrawonga will accommodate strong residential growth into the future which is identified and contemplated in the *Yarrawonga Framework Plan 2020*.

**Objective 1**

To support a well-connected township.

**Strategy 1.1**

Provide an improved integrated network of roads, pedestrian and cycling infrastructure. New developments must integrate with existing street network and provide for future connections where parcels are not developed.

**Strategy 1.2**

Develop open space that is integrate with surrounding land uses and connected to street network between Belmore Street Precinct and the waterfront of Lake Mulwala.

**Strategy 1.3**

Facilitate the connecting of unfinished trails and linkages between trails both within and between Yarrawonga and Mulwala.

**Strategy 1.4**

Protect capacity on the arterial road network for freight movement, in particular, ensuring that access to and from the Yarrawonga-Mulwala bridge.

**Strategy 1.5**

Protect the amenity of the Murray Valley Highway and encourage future subdivisions orientate towards the Murray Valley Highway with connections via frontage roads and service lanes.

**Objective 2**

To establish and maintain the local activity centre hierarchy

**Strategy 2.1**

Protect and maintain Belmore Street Precinct as the centre of town and primary retailing location through

- improved amenity and encouraging more diverse uses.
- directing retail services to Belmore Street to ensure that it remains the focus for retail, health and community activities.
- facilitating adaptive reuse of historic residential dwellings along Belmore Street
- facilitating consolidation of lots in Belmore Street to encourage large-format retail uses
- avoid new developments or uses that are incompatible with retailing within the Belmore precinct.

**Strategy 2.2**

Avoid large format retail in out of centre locations not identified within the *Yarrawonga Framework Plan 2020* and Map 2 of this clause.

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FRAMEWORK PLAN (cont'd)**

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MOIRA PLANNING SCHEME

Entirely new clause

**Strategy 2.2**

Support and facilitate growth and development of the Kaiela Business Park for a neighbourhood activity centre in accordance with the Map 2 of this Clause.

**Strategy 2.3**

Support and facilitate growth and development of the commercial precinct adjacent to Yarrowonga West Development Plan for a bulky goods activity centre in accordance with the Map 2 of this Clause.

**Objective 3**

To facilitate a strategic approach to stormwater management.

**Strategy 3.1**

New development must undertake a catchment-wide approach for managing urban stormwater runoff.

**Strategy 3.1**

New developments must be generally in accordance with the *Yarrowonga Stormwater Drainage Strategy 2020* and should;

- demonstrate that stormwater outcomes comply with the *Yarrowonga Stormwater Drainage Strategy 2019*
- provide for opportunities for integrated water management including introducing the opportunity for linear wetlands with amenity benefits for the community
- where an alternative stormwater response is proposed demonstrate that the outcomes will have considered the entire stormwater district and result in an improved outcome for stormwater as well as amenity for community and integration into future developments.

**Objective 4**

To manage residential growth in accordance with the Yarrowonga Framework Plan outlined at Map 1.

**Strategy 4.1**

Residential development should be undertaken generally in accordance with Map 1 to this clause.

**Strategy 4.2**

Providing for housing diversity and encouraging higher densities around the Belmore Street Precinct.

**Strategy 4.3**

Support and encourage new infill developments within close proximity to the town centre and the Belmore Street Precinct.

**Strategy 4.4**

Responding to and advocating for the timely provision of physical and community infrastructure and services and to discourage out of sequence development unless infrastructure occurs in a timely manner.

**Objective 5**

To manage industrial growth in accordance with the Yarrowonga Framework Plan outlined at Map 2 and Map 3.

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Entirely new clause

**Strategy 5.1**

Facilitate new industrial development and industrial land rezoning which should be undertaken generally in accordance with Map 3 to this clause.

**Strategy 5.2**

Direct industrial growth to existing zoned industrial areas before rezoning any new industrial areas.

**Strategy 5.3**

Support increased density and infill industrial developments in Industrial 3 Zoned locations.

**Strategy 5.4**

Protect amenity of industrial uses, future industrial expansion areas and surrounding land through;

- Supporting appropriate buffers for industrial land, in particular in close proximity to the Graincorp facility
- Avoid developments that will constrain existing industrial business
- Avoid developments that will constrain future industrial land expansion

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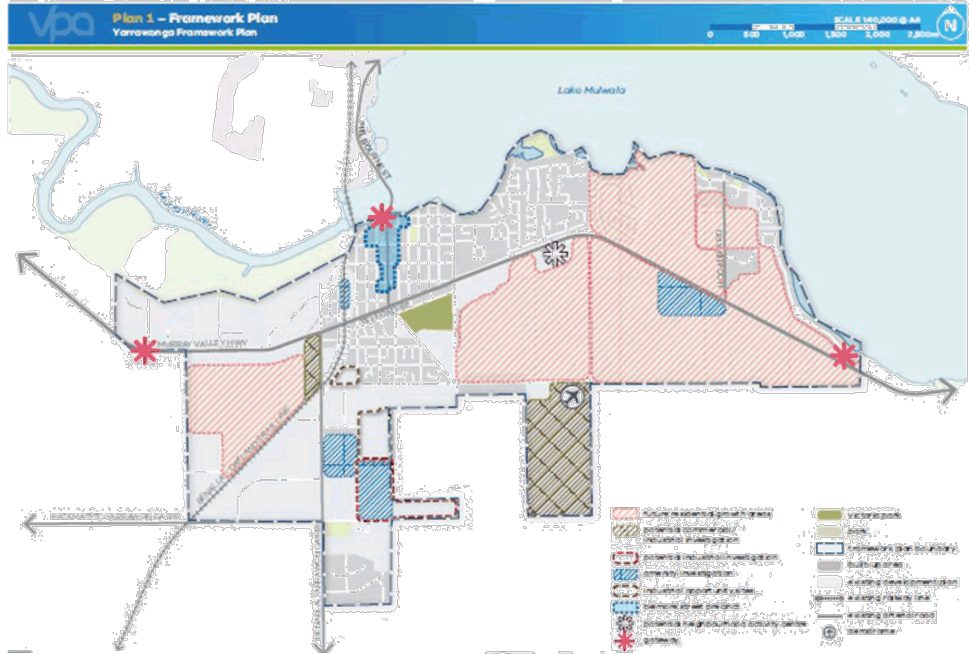
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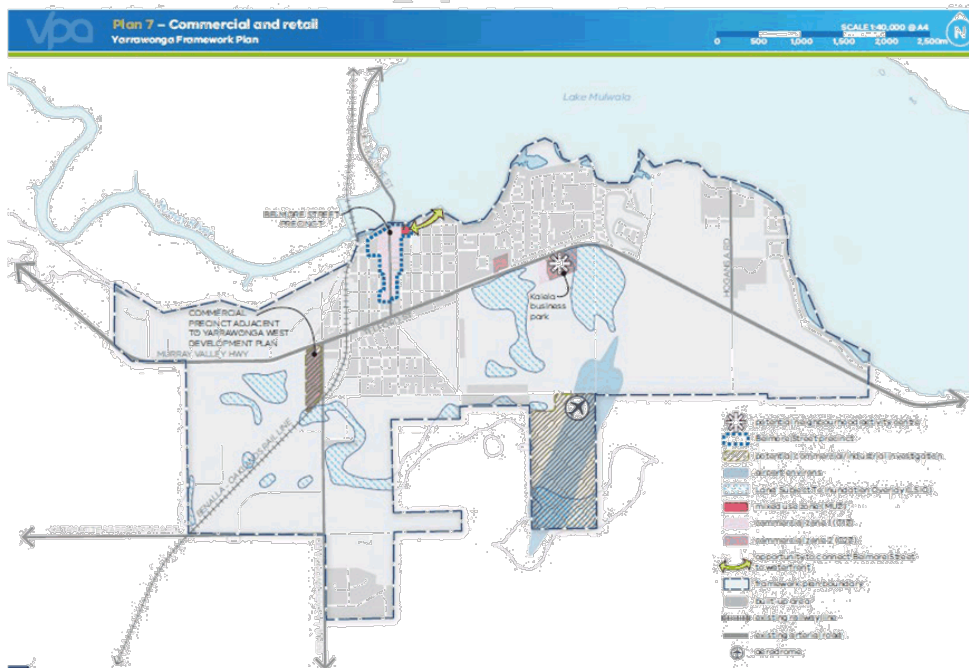
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MOIRA PLANNING SCHEME

Map 1. Yarrowonga Framework Plan



Map 2. Commercial and Retail Plan



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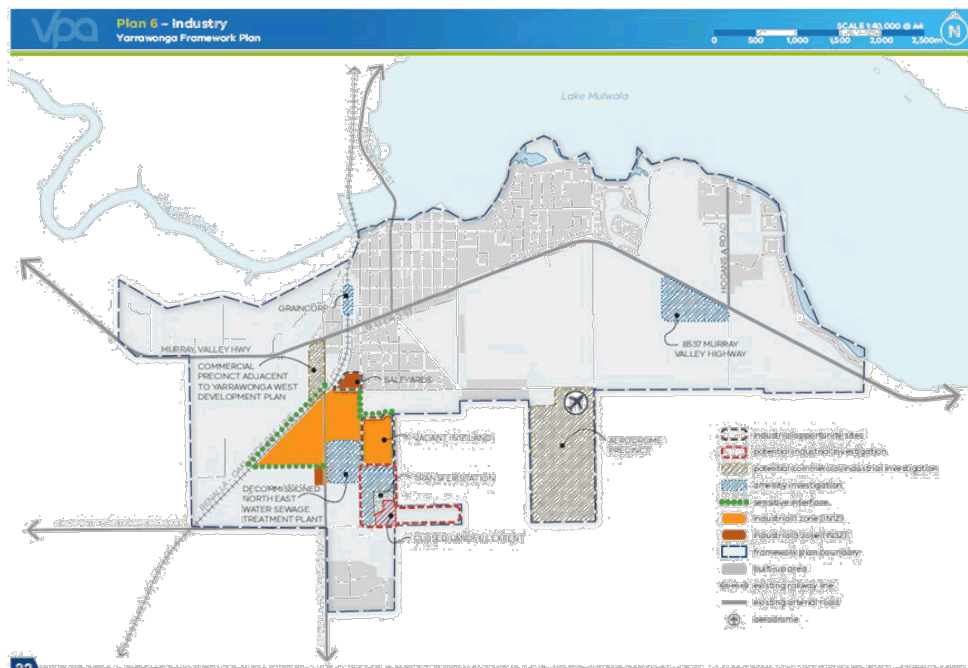
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MOIRA PLANNING SCHEME

Map 3. Industry Plan



Reference Documents

- [Yarrowonga Framework Plan 2020](#)
- [Retail Policy Framework for Cobram and Yarrowonga: Background Analysis, 2017.](#)
- [Yarrowonga Stormwater Drainage Strategy 2019](#)



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21.07-3  
16/12/2017  
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**Numurkah**

Numurkah is an attractive residential lifestyle location thanks to its high quality health, education and sporting services and facilities and its location – around 20 minutes by road from Shepparton, Cobram and Nathalia. Agriculture and processing industries drive local employment and the broader economy with major oilseed processors and rail freight servicing the town. Numurkah is also home to the Innaird's Wetlands, a popular picnic and bird watching location.

*In 2011 the population of Numurkah was 3,841 and is forecast to be 5,324 in 2026. The Numurkah Strategy Plan 2010 provides guidance on future development and has informed the Numurkah Framework Plan*

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MOIRA PLANNING SCHEME

Local area implementation

- Ensure development is generally consistent with the *Numurkah Framework Strategy Plan* and contained within the settlement boundary.
- Encourage medium density housing around the commercial fringe of the town centre, particularly in proximity to public open space.
- Short term residential development will be provided on infill residential land.
- Medium and long term residential growth is directed to the north east and north of the town centre.
- Encourage new development and the redevelopment of land to consider the provision of affordable housing.
- Require the orderly development and co-ordinated provision of roads and infrastructure, community services and facilities to all areas identified for short, medium and long term residential (conventional and low density) consistent with a Development Plan;
- Direct low density residential development to the north east.
- Direct rural living development to the north and south, adjacent to existing rural residential developments.
- Direct industrial development to the north west, west of the Goulburn alley Highway. A mix of large and small lots should be provided for long term manufacturing and service industrial expansion.
- Develop an integrated open space plan with connections to the town centre, through the expanding residential neighbourhoods and access along the Broken Creek frontage linking with inwards Wetlands.
- Create a network of wheelchair / mobility scooter friendly pathways linking residential areas, recreation areas and the Numurkah CBD.
- Ensure open space is provided in strategic locations in new residential development and avoid the provision of 'pocket parks'.
- Facilitate the redevelopment of surplus railway land (if deemed surplus by ic Track) for either open space or commercial uses, as appropriate.
- Encourage the redevelopment of vacant and under-utilised sites in the commercial precincts, including the town centre.
- Encourage new developments that provides active frontages on the ground floor with offices on the first floor.
- Encourage office development in the commercially zoned land surrounding the town centre.
- Encourage building design to be sympathetic to the character and scale of existing development in the Numurkah CBD.
- Ensure new and expanding residential communities are planned to take into account the continued use of adjoining land for agricultural purposes by including appropriate buffers in plans for residential development as required.



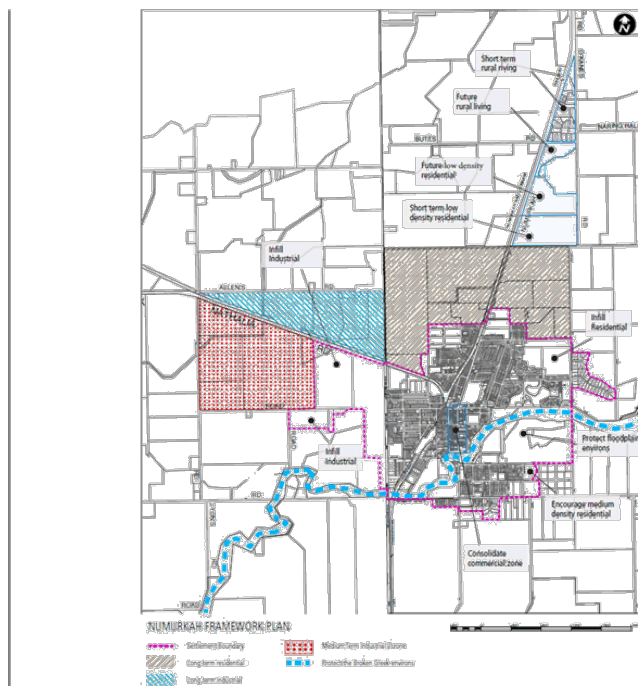
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MOIRA PLANNING SCHEME



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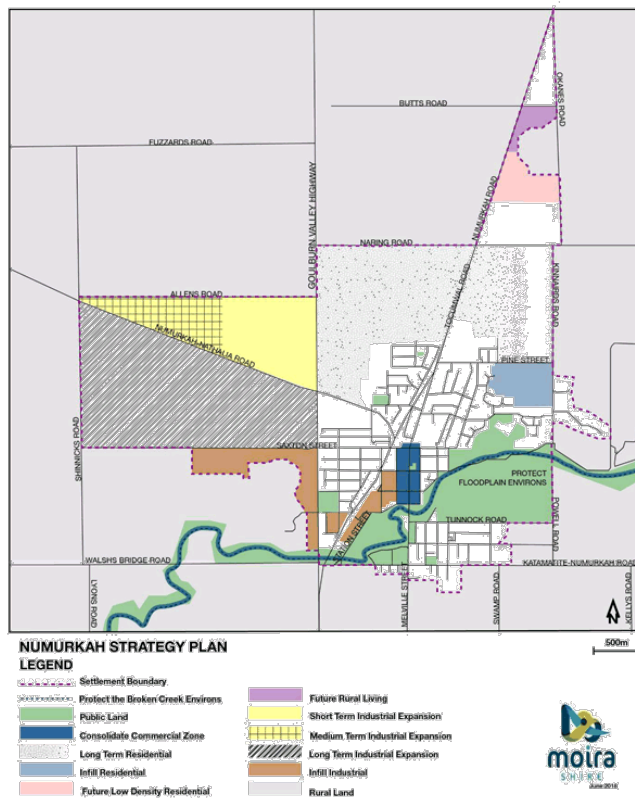
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Insert new map

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YARRAWONGA, MAJOR TOWNS STRATEGY REVIEW AND YARRAWONGA  
FRAMEWORK PLAN (cont'd)**

**ATTACHMENT No [2] - Changes to Local Planning Policies**

MOIRA PLANNING SCHEME

21.07-4  
16/12/2017  
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**Nathalia**

Located south of the Barmah National Park on the banks of the Broken Creek, Nathalia has strong connection with local indigenous communities including at nearby Barmah. In recent years, this indigenous cultural focus has expanded to include the arts making Nathalia a key centre for heritage, culture and arts. Agriculture drives the local economy and is supported by significant local processing, manufacturing and related agribusiness operations and service providers. The development of the Barmah National Park's tourism potential will further support the growth and development of the local area.

Nathalia is also a significant education hub attracting more than 850 primary and secondary students from the wider catchment to its primary and secondary schools.

*In 2011 the population of Nathalia was 1,902. The Nathalia Strategy Plan 2010 provides guidance on future development and has informed the Nathalia Framework Plan 2010.*

FILE NO: F20/539  
2. A THRIVING LOCAL ECONOMY

ITEM NO: 10.4.4

**PLANNING SCHEME AMENDMENT TO INCORPORATE STRATEGIC  
PLANNING WORK - RETAIL POLICY FRAMEWORK FOR COBRAM AND  
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MOIRA PLANNING SCHEME

Local area implementation

- Ensure development is generally consistent with the *Nathalia Framework Plan Strategy Plan* and contained within the settlement boundary.
- Encourage mix of housing densities including medium density development around the town centre, near public open space and in areas with access that is within walkable distance of existing and potential public transport routes.
- Short term residential development will be provided on infill residential land.
- Medium and long term residential is directed to the west and south-west.
- Encourage new development and redevelopment to consider the provision of affordable housing.
- Short-term industrial development is to be provided to the north on land zoned for that purpose. Accommodate additional long-term demand – and demand for larger industrial allotments – to the south east of the Murray Valley Highway.
- Facilitate the redevelopment of surplus railway land (if deemed surplus by Vic Track) for industrial purposes as appropriate.
- Undertake further investigation for industrial expansion generally in accordance with the Nathalia Strategy Plan
- Support new industrial development and strengthen employment opportunities within the industrial areas of Nathalia.
- Enhance public open space facilities and improve accessibility – particularly along Broken Creek.
- Ensure that open space is provided in strategic locations in new residential development and avoid the provision of ‘pocket parks’.
- Encourage the redevelopment of vacant and underutilised sites in the Nathalia CBD.
- Facilitate the establishment of a medical precinct around the hospital in Phillip Street.
- Ensure new and expanding residential communities are sensitive to the continued use of adjoining land for agricultural purposes by including appropriate buffers in plans for residential development as required.

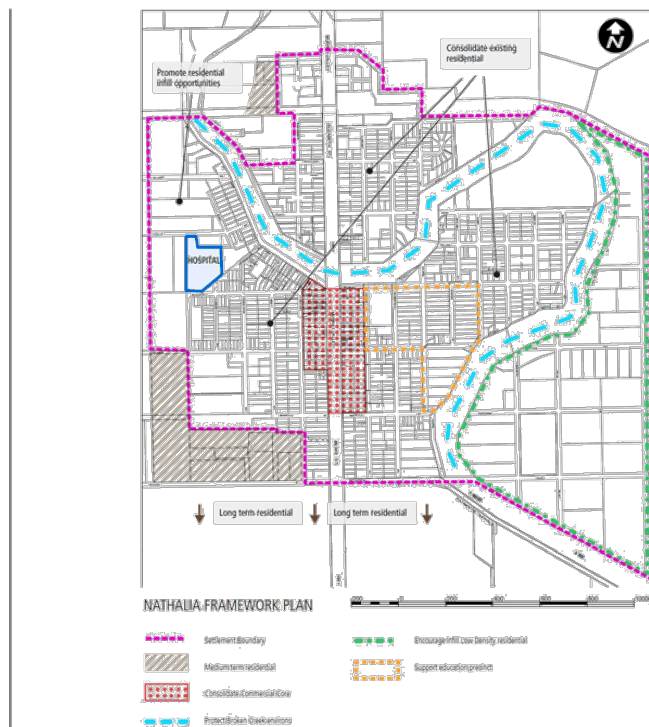
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ATTACHMENT No [2] - Changes to Local Planning Policies

MOIRA PLANNING SCHEME



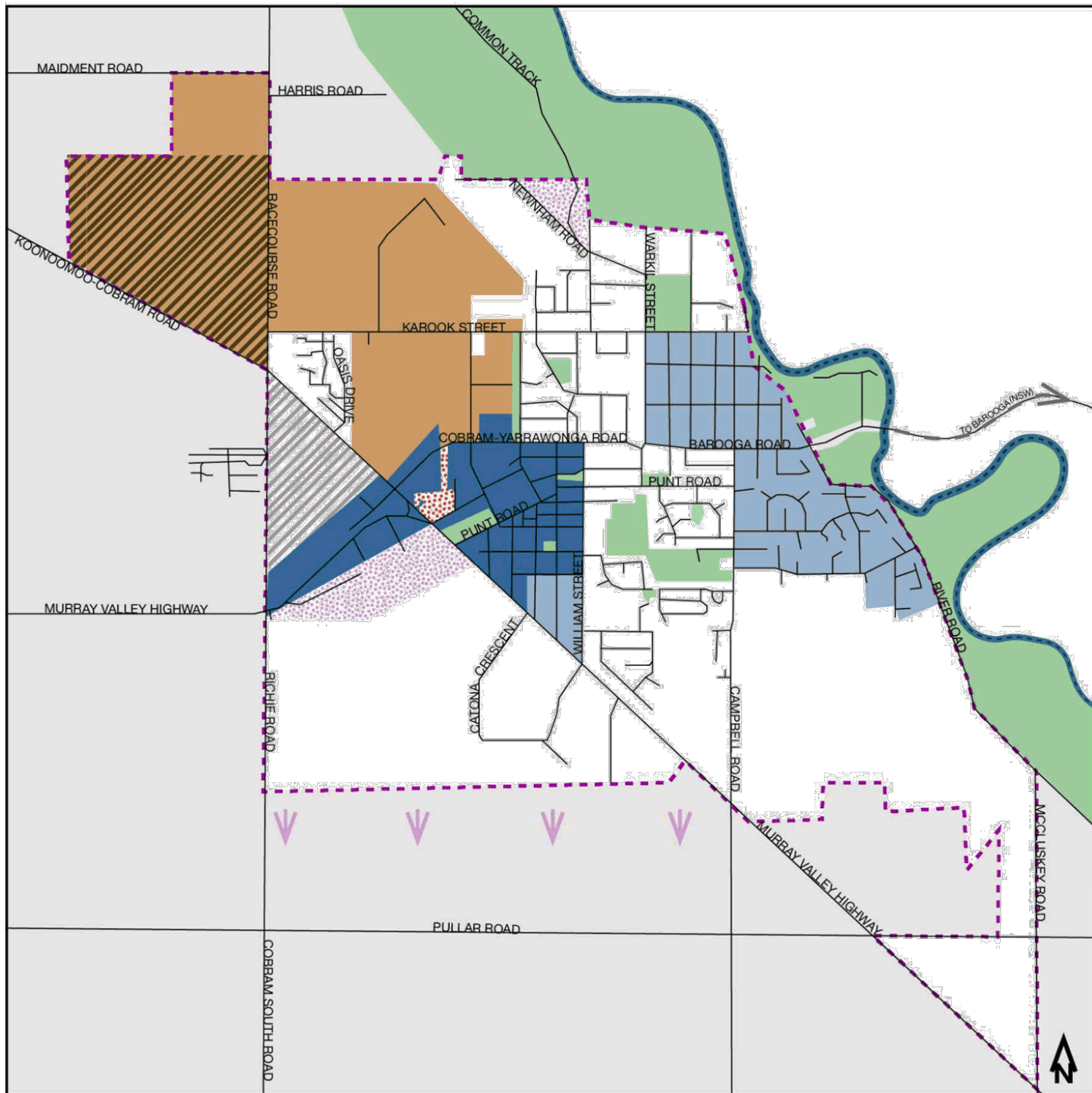
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**PLANNING SCHEME AMENDMENT TO INCORPORATE STRATEGIC PLANNING WORK - RETAIL POLICY FRAMEWORK FOR COBRAM AND YARRAWONGA, MAJOR TOWNS STRATEGY REVIEW AND YARRAWONGA FRAMEWORK PLAN (cont'd)**



**COBRAM STRATEGY PLAN**

**LEGEND**

- |  |                                   |  |                         |
|--|-----------------------------------|--|-------------------------|
|  | Settlement Boundary               |  | Infill Residential      |
|  | Protect the Broken Creek Environs |  | Short Term Residential  |
|  | Public Land                       |  | Future Residential      |
|  | Consolidate Commercial Zones      |  | Protect Abattoir Buffer |
|  | Proposed Commercial 1 Zone        |  | Existing Industrial     |
|  | Future Investigation              |  | Rural Land              |

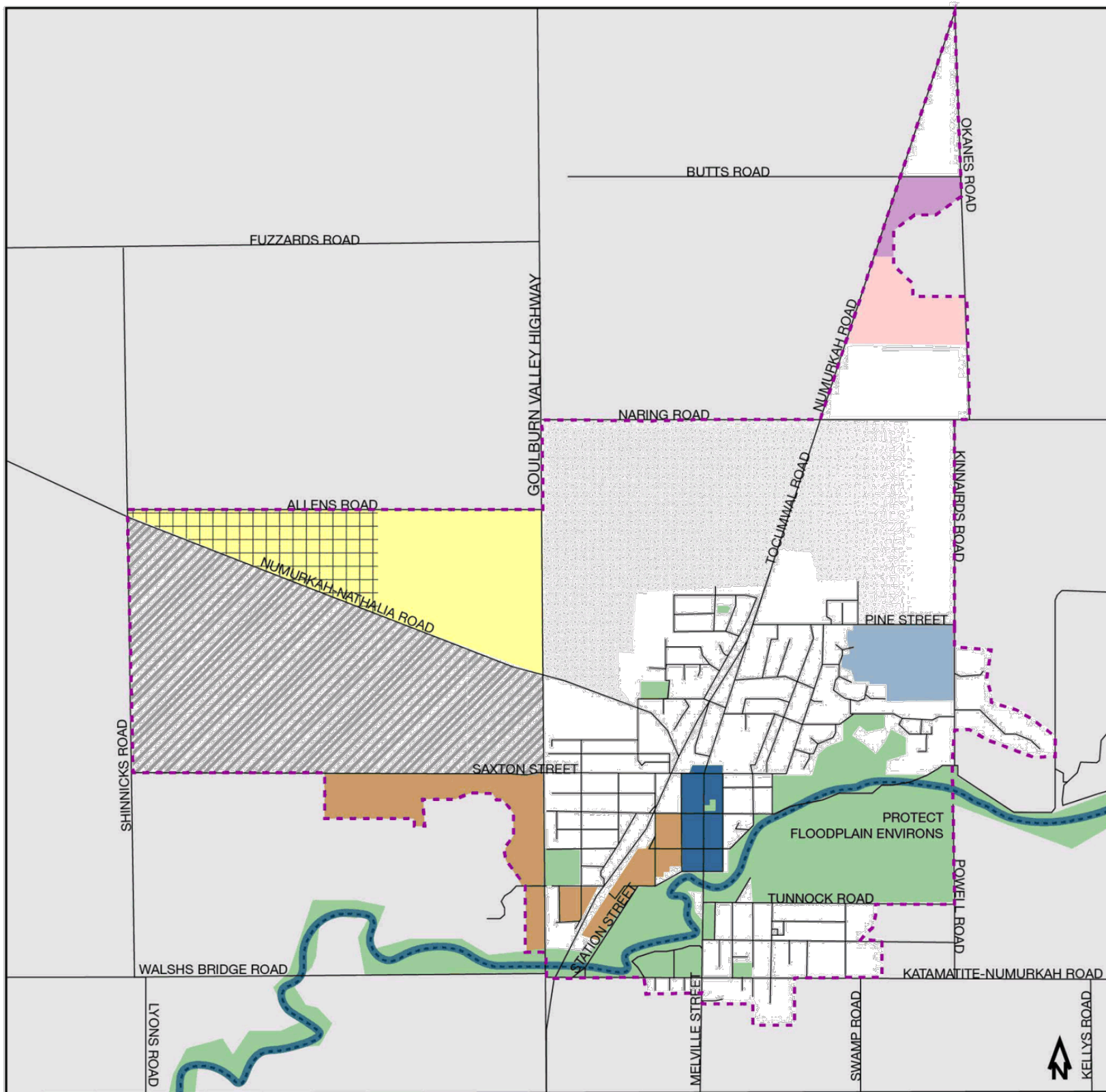




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**NUMURKAH STRATEGY PLAN**

**LEGEND**

- |  |                                   |  |                                  |
|--|-----------------------------------|--|----------------------------------|
|  | Settlement Boundary               |  | Future Rural Living              |
|  | Protect the Broken Creek Environs |  | Short Term Industrial Expansion  |
|  | Public Land                       |  | Medium Term Industrial Expansion |
|  | Consolidate Commercial Zone       |  | Long Term Industrial Expansion   |
|  | Long Term Residential             |  | Infill Industrial                |
|  | Infill Residential                |  | Rural Land                       |
|  | Future Low Density Residential    |  |                                  |

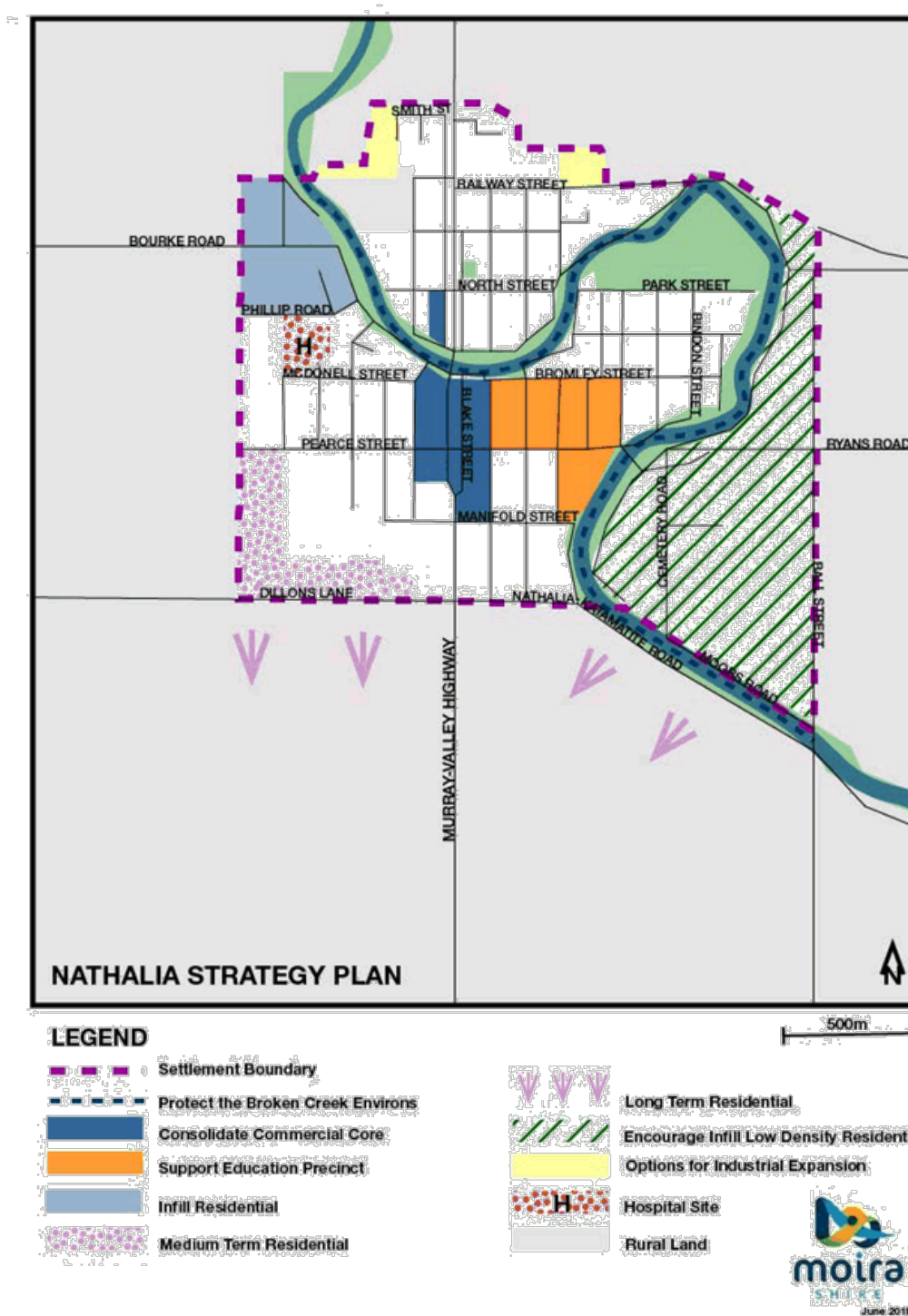
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FILE NO: F20/539  
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FRAMEWORK PLAN (cont'd)**

ATTACHMENT No [4] - Rezoning maps



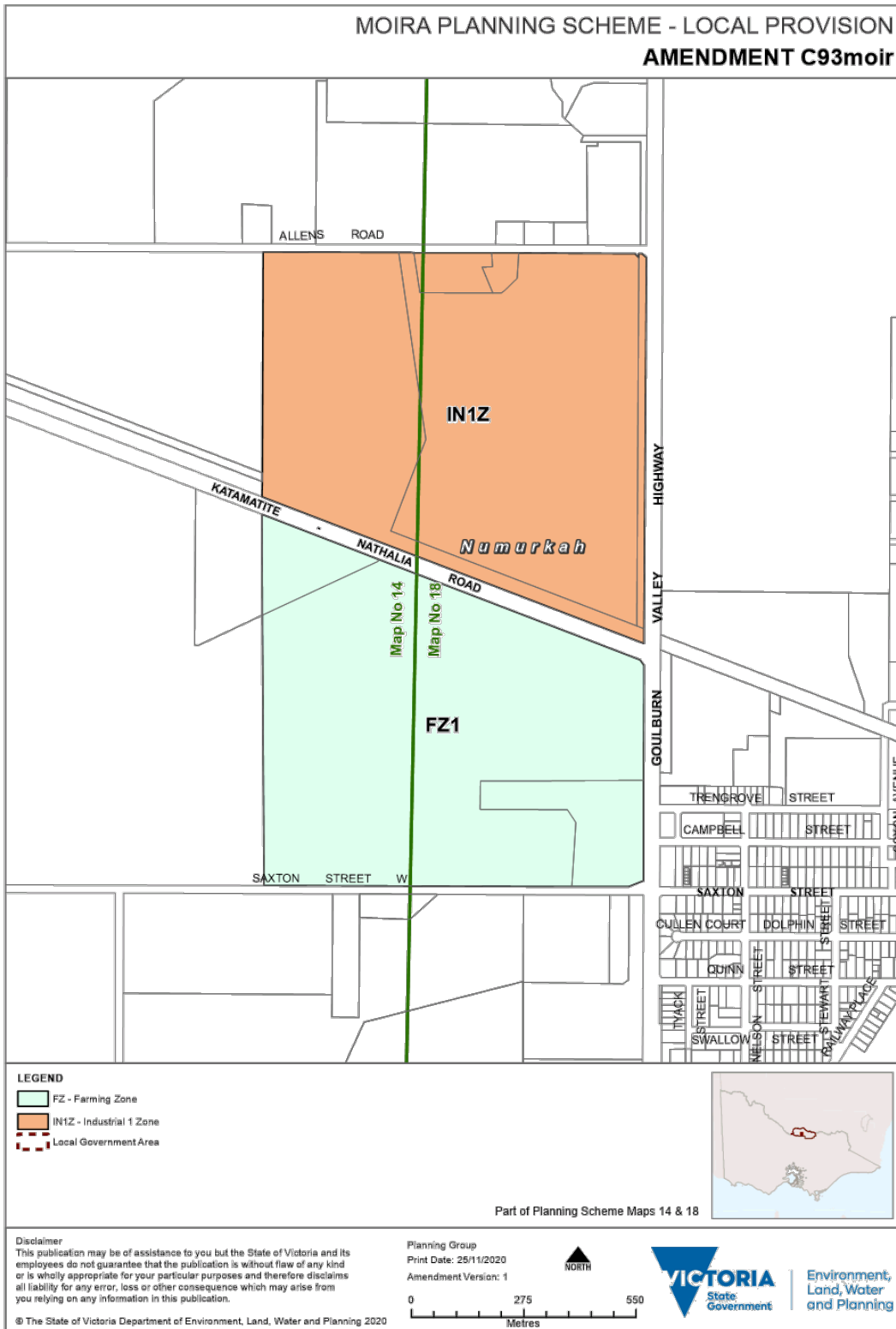
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FILE NO: F20/539  
2. A THRIVING LOCAL ECONOMY

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ATTACHMENT No [4] - Rezoning maps



FILE NO: F20/0603  
4. A WELL RUN COUNCIL

ITEM NO: 12.1

**NOTICE OF MOTION: CR PETER MANSFIELD**

**TAKE NOTICE** that at the Council Meeting to be held on 16 December 2020, it is my intention to move the following motion:

That council investigate possible land or buildings that can be disposed of, with the proceeds used to provide recreational infrastructure for residents across the shire.

**CR PETER MANSFIELD**

Date: 30 November 2020

FILE NO: VARIOUS

ITEM NO: 15

**GENERAL BUSINESS****6.4. 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.