



MOIRASHIRE



ENRICHING LIFE ON THE MURRAY

COUNCIL AGENDA

14 December 2015



Discover Moira



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AGENDA

ORDINARY MEETING OF COUNCIL
FOR
MONDAY 14 DECEMBER 2015
TO BE HELD AT NUMURKAH TOURIST INFORMATION CENTRE, MELVILLE STREET
NUMURKAH
COMMENCING AT 6:00 PM

1. CALLING TO ORDER – CEO

RECORDING

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

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 Monday, 23 November 2015, as prepared, be confirmed."

8. COUNCILLOR REPORTS

NIL

9. OFFICER REPORTS FOR DETERMINATION

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11. NOTICES OF MOTION

NIL

12. PETITIONS AND JOINT LETTERS

NIL

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FILE NO: 180.11.0002
3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 9.1.1
(FINANCIAL ACCOUNTANT, ANDREW
WILSON)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

FINANCIAL POSITION REPORT AS AT 30 NOVEMBER 2015

RECOMMENDATION

That Council receives and notes the Financial Position Report as at 30 November 2015.

1. Executive Summary

The November 2015 finance report includes Rates and Charges totalling \$33.18 million (\$26.49 million in general rates and municipal charges, and \$6.69 million in garbage collection and recycling charges and environmental levy) which is recognised as income at the time of being levied.

For the month of November a total of \$0.17 million of receipts were collected for prior year's rate debtors, this brings the year-to-date total collected to \$1.36 million or 58.96% of the total outstanding as at 30 June 2015. Payments of outstanding rates are being actively managed and any rate payers who are experiencing difficulty are encouraged to contact Council officers to discuss options.

Sundry debtors are within acceptable levels with 2.05% of sundry debtors in excess of 30 days and are under active management. This represents a figure of \$9,365 out of the total of \$457,184.

Cash and Cash Equivalents balance as at 30 November 2015 is \$27.33 million.

Council's financial position as at 30 November 2015 continues to be satisfactory.

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(GENERAL MANAGER - CORPORATE, LEANNE MULCAHY)

FINANCIAL POSITION REPORT AS AT 30 NOVEMBER 2015 (cont'd)

Moira Shire Council				
Funding Analysis Summary - November 2015				
Operating Income Statement	Ref	2015/16 Adopted Budget	Sep 2015 Approved Forecast	Actuals 15/16 YTD
Income				
Operating Grant		(10,932,084)	(6,093,900)	(3,054,845)
Operating Contributions		(86,962)	(86,962)	(8,748)
Reimbursements		(62,859)	(62,859)	(26,166)
Statutory Fees & Fines		(831,920)	(832,049)	(390,716)
User Charges		(2,731,290)	(2,681,790)	(902,582)
Other Revenues (incl. Waste Charges & Environmental Levy)		(7,035,256)	(7,076,180)	(6,852,089)
Interest Income		(350,000)	(350,000)	(137,092)
Net Proceeds - Land for resale		(42,000)	(42,000)	(179,558)
Total Income		(22,072,371)	(17,225,740)	(11,551,796)
Expenditure				
Employee Costs		20,169,063	19,929,584	7,309,998
Contractors		5,875,287	5,996,876	1,480,395
Materials & Services		11,627,863	12,072,651	4,161,000
Utilities		967,359	1,001,773	421,671
Other Expenses		3,833,926	3,892,115	1,418,832
Interest on Borrowings		464,541	464,541	194,791
Bad & Doubtful Debts		5,000	5,000	-
WDV of Disposal of Assets		60,000	60,000	-
Total Expenditure		43,003,039	43,422,540	14,986,686
Net Operational (Inflow) / Outflow		20,930,668	26,196,800	3,434,890
Net Operational (Inflow) / Outflow		20,930,668	26,196,800	3,434,890
Funding available through				
Rates and charges		26,863,347	26,854,347	26,492,439
Rate funds available for Capital Projects	A	5,932,679	657,547	23,057,549
Capital Expenditure		11,571,406	13,999,696	2,666,974
Capital External funding		(5,313,117)	(6,339,892)	(1,718,519)
Net Council Funding of Capital Projects	B	6,258,289	7,659,804	948,455
Surplus of Rate Funds after funding Capital Projects	A - B	(325,610)	(7,002,257)	22,109,094
Equity Inflow / (Outflow)		(829,560)	(829,560)	(829,560)
Net Rate Funds Surplus / (Shortfall)		(1,155,170)	(7,831,817)	21,279,534

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FINANCIAL POSITION REPORT AS AT 30 NOVEMBER 2015 (cont'd)

	Budget 15/16	Sep 15/16 Forecast	Actuals YTD 15/16
Reconciliation with Income Statement			
Net Rate Funds Surplus / (Shortfall)	(1,155,170)	(7,831,817)	21,279,527
Eliminate Balance Sheet items			
Repayment of Loans	829,560	829,560	829,560
Capital Expenditure Capitalised as Assets	11,571,406	13,999,696	2,667,883
Accounting for Non-cash items			
Depreciation Expense and amortisation	(8,886,214)	(8,886,214)	(3,702,589)
Share Profit/Loss Associated Entity	(20,000)	(20,000)	-
Landfill - Interest Unwinding Discount	(491,346)	(491,346)	-
WDV of Infrastructure Replaced	(200,000)	(200,000)	-
Contributions - Non-Monetary Assets	200,000	200,000	-
Income Statement Surplus / (Deficit)	1,848,236	(2,400,121)	21,074,381

Rates & Other Debtors Report - November 2015

General Rates & Charges	Nov-14	Nov-15	Year on Year Variance
Rate Debtors Outstanding previous month	22,361,413	28,058,667	5,697,254
Collection for month	3,961,468	4,787,502	826,034
Rate Debtors Outstanding as at end of month	18,399,945	23,271,165	4,871,220
No. of Rateable Assessments	17,448	17,676	228
Rateable Valuation C.I.V	4,969,789,600	5,052,633,100	82,843,500
Special Scheme Debtors	Oct-15	Nov-15	Monthly Variance
Balance Outstanding	20,845	18,971	1,874
Sundry Debtors	Oct-15	Nov-15	Monthly Variance
Current	182,665	326,759	(144,094)
30 Days	77,602	121,060	(43,458)
60 Days	4,611	3,032	1,579
90 Days	93	2,424	(2,331)
> 90 Days	3,884	3,909	(25)
Total	268,855	457,184	(188,329)
Infringements	Oct-15	Nov-15	Monthly Variance
Balance Outstanding	150,839	149,469	1,370

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FINANCIAL POSITION REPORT AS AT 30 NOVEMBER 2015 (cont'd)

Quarterly Cash Position - Projection as at 31 December 2015	
	\$
Cash and Cash equivalents as per Balance Sheet - 30 Nov 2015	27,323,615
Confirmed inflow/(outflow) recorded in the books of accounts as of date	
Debtors - invoices registered in the system	800,766
Payroll	(1,300,000)
Fire Services levy - due to SRO [net of Creditors & Debtors]	(764,871)
Loan instalment due for the quarter	(73,498)
Estimated future (outflows) and inflows up to 31 December 2015	
Creditors - estimated quarterly payout	(2,000,000)
Rates	839,510
Capital Grants	1,113,513
Operating Grants	-
Projected Cash Balance as at 31 Dec 2015	25,939,035
Following restrictions imposed on Cash and cash equivalents by regulations or other externally imposed restrictions or by commitments made by Council	
Restricted reserves - Open Space, Car Parking & Net Gain Native	
Vegetation reserves	(1,337,837)
Long Service leave	
Current	(2,007,902)
Non-current	(299,612)
Trust Funds and Deposits	(801,969)
Unexpended Grants [estimated for the year end]	(500,000)
Projected Unrestricted Cash Balance as at 31 Dec 2015	20,991,716

2. Financial Implications

There are no financial implications outside of the normal quarterly review.

3. Risk Management

Regular monthly financial reporting; increases confidence that the internal controls which ensure accuracy are working effectively.

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FINANCIAL POSITION REPORT AS AT 30 NOVEMBER 2015 (cont'd)

4. Internal and External Consultation

The following members of staff were consulted:

- General Manager – Corporate;
- Financial Accountant;
- Finance Analysts;
- Business Support Officer, Safety Amenity & Environment

Council's Financial Position Report is provided on a monthly basis for public viewing in accordance with Council's open and transparent governance policy.

5. Regional Context

There are no regional context issues to consider within this report.

6. Council Plan Strategy

The report assists Council to deliver on its organisation plan strategy by ensuring sound financial management practices.

7. Legislative / Policy Implications

The report complies with:

- the Local Government Act s136;
- Council's Budget and Financial Reporting Policy; and
- Council's 2013-2017 Council Plan strategic objective (Delivering sound financial management) and Strategic Resource Plan

8. Environmental Impact

There are no environmental impacts associated with this report.

9. Conflict of Interest Considerations

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

10. Conclusion

Council's financial position at 30 November 2015 is in line with approved forecast and builds on a strong 2014/15 year end result.

Attachments

Nil

FILE NO: 1.0
5. DEMONSTRATING GOOD GOVERNANCE

ITEM NO: 9.1.2
(EXECUTIVE ASSISTANT, MAYOR AND
COUNCILLORS, BOBBY BROOK)
(EXECUTIVE ASSISTANT TO CEO, ROBYN
BONADDIO)

COUNCILLOR EXPENCE AND SUPPORT POLICY

RECOMMENDATION

That Council adopt the Councillor Expense and Support Policy.

1. Executive Summary

The Local Government Act 1984 states "A Council must adopt and maintain a policy in relation to the reimbursement of expenses for Councillors".

The current policy is due for review in 2015, the policy has been reviewed to ensure Council and Councillors are not at risk of expending public funds.

Councillor expenditure is reported on yearly in the Annual Report. This policy will ensure that all support and costs are bona fide and will safeguard Councillors against public scrutiny.

2. Background and Options

The Councillor Expense and Support policy has been updated to reflect the support and the expenses of Councillors. The new inclusions for consideration are:

- Pool Vehicles
- Superannuation
- Accommodation
- Partner Reimbursement
- Memberships
- Corporate Credit Card
- Corporate Uniform

3. Financial Implications

By implementing this policy Councillor Reimbursement of expenditure will ensure that all expenses and support are reasonable and bona fide.

4. Risk Management

There are no risk implications with this report.

5. Internal and External Consultation

Consultation has occurred with the Corporate Management Team and Councillors. While reviewing the existing policy, research on other municipalities of a similar size in our region was undertaken.

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(EXECUTIVE ASSISTANT, MAYOR AND
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COUNCILLOR EXPENCE AND SUPPORT POLICY (cont'd)

6. Regional Context

Good governance by Councillors in relation to expenditure of public funds. By implementing a policy for reimbursement and support to Councillors it reduces the risk to Council and Councillors.

7. Council Plan Strategy

The revised Reimbursement and Support Policy supports the Council Plan by demonstrating good governance, policies and decisions by adopting Best Value Principles.

8. Legislative / Policy Implications

Section 75 of the Local Government Act 1989 states that Council must reimburse Councillors for expenses. This policy meets the requirements of the *Local Government Act 1989*, and *Local Government Regulations 2004*.

9. Environmental Impact

There is no environmental impact.

10. Conflict of Interest Considerations

There are no conflict of interest considerations.

11. Conclusion

The Councillor Expense and Support policy will be reviewed in two years (December 2017). This will allow for the 2016 incoming Council to have twelve months adhering to the policy. The policy will then be reviewed every four years thereafter.

Attachments

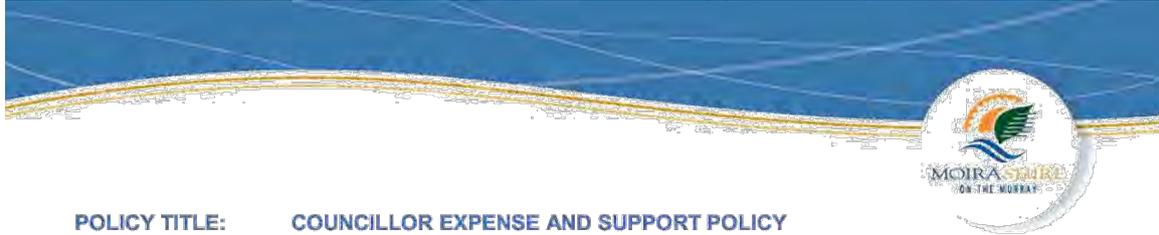
- 1 Councillor Expense and Support Policy

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COUNCILLOR EXPENCE AND SUPPORT POLICY (cont'd)

ATTACHMENT No [1] - Councillor Expense and Support Policy



POLICY TITLE: COUNCILLOR EXPENSE AND SUPPORT POLICY

PURPOSE

To provide guidance on the allowance, reimbursement of expenses, provision of facilities and support for Councillors in accordance with Section 74 and 75B(1) of the *Local Government Act 1989 Act* ("the Act") which requires Council to review, adopt and maintain a policies in relation to Councillor allowances and the reimbursement of expenses.

APPLICATION

- This policy applies to all Moira Shire Councillors, including the position of Mayor.
- The reimbursement of expenses should provide a reduction of barriers of effective participation in a local government by members of the community, by providing support to reduce costs associated with civic leadership.
- To demonstrate due diligence around expenditure of public funds.

POLICY

Moira Shire is committed to the providing appropriate, consistent and transparent financial and resource support to assist Councillors undertake their duties on behalf of the Moira Shire.

Section 74 of the Act describes allowances payable to the Mayor and Councillors.

RELATED POLICIES

Corporate Uniform
Development of Policy Documents and Policy Guideline
Councillor Professional Development
Motor Vehicle
Use of Network, E-mail and Internet Facilities

RELATED LEGISLATION

Local Government Act 1989
Local Government Regulations 2004

REFERENCES

- *Recognition and Support, The Victorian Government's Policy Statement on Local Government Mayoral and Councillor Allowances and Resources (April 2008)*
- *Mayor and Councillor Entitlements, Information Guide on reimbursement of expenses and provision of resources and facilities support for Victorian Mayors and Councillors (November 2008)*
- *Moira Shire Council, Councillor Code of Conduct*
- *Moira Shire Council, Corporate Uniform Policy*

REVIEW

This policy will be reviewed in two years (2017) from the date of adoption, then every four years thereafter or with operational amendments as required, in accordance with Council's approval.

ATTACHMENTS

Appendix A - Reimbursement of Councillor Expenses
Appendix B - Councillor Reimbursement for Motor Vehicle Travel Expenses
Appendix C - Councillor Professional Development

Councillor Expense and Support Policy
Date to be Reviewed:

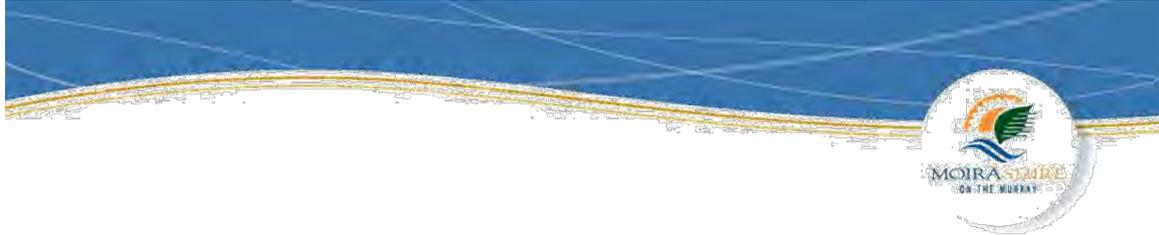
Date Adopted:
Date Reviewed – current as at:

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COUNCILLOR EXPENCE AND SUPPORT POLICY (cont'd)

ATTACHMENT No [1] - Councillor Expense and Support Policy



Councillor Allowances

Councillor allowances are paid in accordance with the *Act* and must be reviewed within six months of a Council election.

Mayoral and Councillor allowances are subject to the addition of the equivalent of the superannuation guarantee. In accordance with ATO ID 2007/205 Councillors can sacrifice any amount of their allowances into a complying superannuation fund. Under common law, Councillors are deemed not to be an employee.

In accordance with the ATO Interpretative Decision 2007/205, Council may enter into an arrangement with a Councillor under which the Councillor agrees to forego all or part of their annual fee in exchange for the Council making contributions to a complying superannuation fund on their behalf. Having set up the facility, any request by a Councillor to redirect their fees as a superannuation contribution must be in writing and cannot be retrospective.

Council Expenses

General

- Section 75 of the *Act* describes reimbursement of out of pocket expenses to Councillors performing duties as a Councillors.
- In recognition of the special role of Mayor, this policy provides for the provision of some additional facilities and expenditure specific to the Mayoral office.
- Councillors will be reimbursed for necessary out of pocket expenses on the presentation of a signed statement of expenditure (Appendix A). Expenses are to be supported by official receipts and other relevant documentation.
- Councillors are required to progressively submit their expense claims on a monthly basis.
- A report will be submitted annually to the Internal Audit Committee on the costs incurred by each Councillor for that financial year including travel, phone calls, legal expenses and any personal development or events attended.
- Councillor expenses are reported on each year in the Annual Report and are available on Councils website.
- Councillor expenses will be reported to Councillors on a quarterly basis.

Access to facilities and resources

Councillors will be provided with the following support and resources:

- Computer – tablet PC
- Mobile phone and landline if required
- Stationery
- Access to fax/copier/printer

The Mayor will also be provided with the following additional support and resources:

- Administrative support
- Office
- Vehicle including fuel card

Reimbursement

- Travel - including reimbursement of public transport costs
- Internet or data – reimbursement of relevant call costs
- Child care/family care

Councillor Expense and Support Policy
Date to be Reviewed:

Date Adopted:
Date Reviewed – current as at:

FILE NO: 1.0
5. DEMONSTRATING GOOD GOVERNANCE

ITEM NO: 9.1.2
(EXECUTIVE ASSISTANT, MAYOR AND
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COUNCILLOR EXPENCE AND SUPPORT POLICY (cont'd)

ATTACHMENT No [1] - Councillor Expense and Support Policy



Additional support will be provided for Councillors as follows:

PROVISION FOR FACILITIES AND SUPPORT

Administrative Support

All Councillors will be provided with adequate administrative support using existing Council staff, so that official duties may be pursued in a professional manner.

Office Space and Facilities

An office will be provided for the mayor to conduct Council business, a lounge and a small interview room will be provided for Councillors use.

Communications

Connection to Council's computer network, internet or email will be in accordance with the Use of Council's E-mail and Internet Facilities Policy.

Where direct connection is provided, Council will meet the rental and other service charges related to it.

Corporate Uniform

Each Councillor may be provided with a uniform allowance towards the actual cost of purchasing a corporate uniform, in accordance with Council's Corporate Uniform Policy and the Chief Executive Officer's Corporate Uniform Directive.

Protective Clothing

Councillors will be provided with protective clothing and head wear to assist in carrying out their duties when required.

Stationery

Upon request, provide Councillors with standard stationery held or obtained generally for Organisational requirements. No Moira Shire Council letterhead will be provided.

TYPES OF EXPEDITURE

- Access to Pool Vehicle
- Travel Expenses
- Accommodation
- Meals and Entertainment
- Partner Reimbursement
- Memberships
- Professional Development
- Legal Advice
- Exclusions

Councillor Expense and Support Policy
Date to be Reviewed:

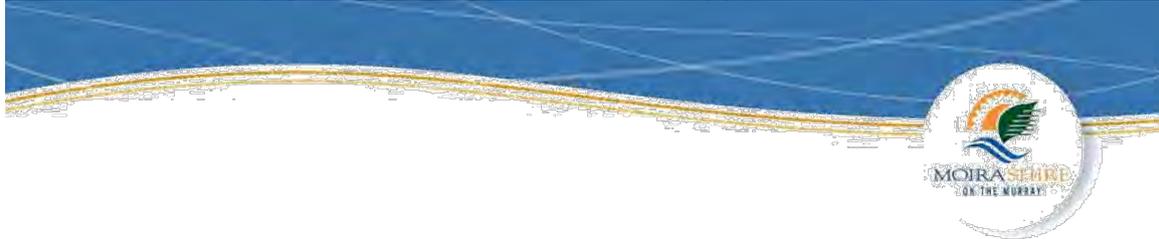
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COUNCILLOR EXPENCE AND SUPPORT POLICY (cont'd)

ATTACHMENT No [1] - Councillor Expense and Support Policy



Access to a Council Pool Vehicle

A vehicle will be made available to the mayor and is available for private use, the vehicle will include a Council fuel card.

A Council vehicle will be provided to Councillors when attending events that form part of the Councillors official duties or professional development. A Council vehicle must be used when travelling outside the municipality where considered appropriate and if a vehicle is available.

Use of a council vehicle must be in accordance with Council's Motor Vehicle Policy, the Chief Executive Officer's Motor Vehicle Directive and Conditions of Use for a Council Motor Vehicle.

Travel Expenses

Reimbursement will be paid to Councillors to attend a Council function, Council meetings and briefings or other functions as an authorized representative of Moira Shire Council. Authorized meetings and functions are those meetings of bodies to which a Councillor is formally appointed by the Council, including Section 86 Committees of Management, Advisory Committees and Representative Bodies or as directed by the Mayor.

Councillors may choose to travel by public transport when representing Council or for professional development. Tickets can be obtained through the Office of CEO with 48 hours' notice or costs reimbursed with presentation of tax invoice and Councillor Reimbursement form completed (Appendix B).

Where a Councillor uses their private vehicle, reimbursement of expenses will be in accordance with the Act and be at the per kilometre business rate set by the Australian Taxation Office.

Councillors will be paid an extra \$40 remote travel allowance for each day they attend authorised meetings or functions that are held more than 50kms away from where they live (up to a maximum of \$5,000 per year).

Accommodation

Council will pay for accommodation when traveling outside the municipality for Council business or professional development when fatigue and driver safety may be a concern. Accommodation that offers Government rates will be utilised, the accommodation will be a standard room or four star equivalent as appropriate, and/or if available.

Meals and Entertainment

Councillors will be provided meals (morning/afternoon tea, lunch and dinner) when meeting for extended time frames or when held over meal times.

Partner Reimbursement

If a partner chooses to attend a function with their spouse, the cost of the program and/or reception will be reimbursed in full to Council.

Corporate Credit Card

The Mayoral credit card will have a monthly credit limit of \$2,000. Credit card usage will be limited to bona fide expenses associated with the Office of Mayor. All tax invoices and receipts are to be provided to the Executive Assistant at the end of each month for reconciliation and for approval by the Chief Executive Officer.

Councillor Expense and Support Policy
Date to be Reviewed:

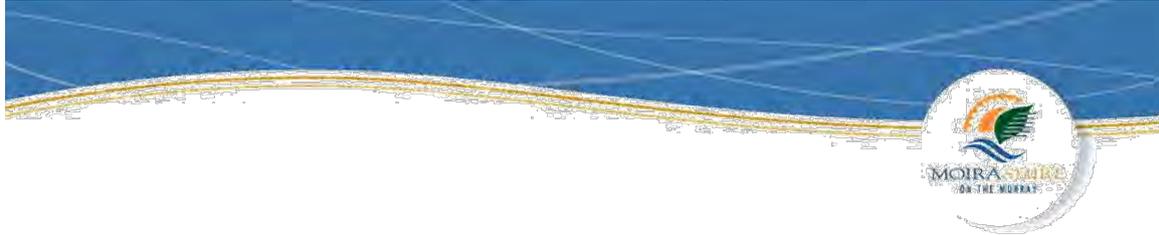
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COUNCILLOR EXPENCE AND SUPPORT POLICY (cont'd)

ATTACHMENT No [1] - Councillor Expense and Support Policy



Memberships

Councillors may be eligible to have their individual memberships covered by Council if the CEO determines that the membership will directly benefit the Council.

Professional Development

Councillors are encouraged to attend appropriate conferences and undertake professional development to enhance their function as a Councillor. Professional Development must be approved by the Mayor and Chief Executive Officer upon completion the Councillor Professional Development form (Appendix C).

Legal Advice Expenses

The Council will only meet legal expenses incurred as a result of a Councillor executing their official duties. Councillors need to be aware of their role and responsibilities under the Act.

If a Councillor requires legal advice in connection with his or her functions as a Councillor:

- (a) The Councillor may submit a Notice of Motion requesting that Council facilitate and fund such legal advice; or
- (b) The Chief Executive Officer may facilitate such legal advice and confirm that Council will meet expenses if:
 - (i) appropriate to do so taking into the consideration the same criteria used by Council (below); and
 - (ii) the Councillor requirement for legal advice cannot be deferred until the lodgment or consideration of a Notice of Motion.
- (c) Council will evaluate any requirement by a Councillor for legal advice against the following criteria:
 - (i) the extent to which the subject-matter of the advice required relates to the Councillors functions as a Councillor;
 - (ii) the extent to which the subject-matter of the advice required relates to a matter before Council or the Councillors representative role as a Councillor;
 - (iii) the extent to which the subject-matter of the advice required will or is likely to be of interest to all Councillors;
 - (iv) the public interest; and
 - (v) any other relevant considerations.
- (d) In the event that legal advice relates to a writ, action or pending action against a Councillor or Councillors, the Councillor or Councillors must supply a copy of the writ or action or provide the information which may lead to an action, to the Chief Executive Officer, who will advise Council's insurers as soon as possible, in accordance with Council's insurance policy conditions.

Other Expenditure

Any expenditure not specified in this policy will be the responsibility of the Councillor, except where the Chief Executive Officer grants approval.

Exclusions

The expenses below will not be reimbursed by Council:

- Any expense/s incurred from breach of road, traffic, parking, local law or any other regulation or law will not be reimbursed or paid by Council
- Any expenses such as minibar items incurred while staying in accommodation.
- Any unlawful or accidental damage caused in an accommodation venue.

Councillor Expense and Support Policy
Date to be Reviewed:

Date Adopted:
Date Reviewed – current as at:

FILE NO: F13/203
5. DEMONSTRATING GOOD GOVERNANCE

ITEM NO: 9.1.3
(CORPORATE GOVERNANCE OFFICER,
LISA DEAYTON)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

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

RECOMMENDATION

That Council, in the exercise of the powers conferred by section 224 of the *Local Government Act 1989* and the other legislation referred to in the attached instrument of appointment and authorisation (the instrument), resolves that:

1. the members of Council staff referred to in the instrument be appointed and authorised as set out in the instrument;
2. the instrument comes into force immediately the common seal of Council is affixed to the instrument, and remains in force until Council determines to vary or revoke it;
3. the instrument be sealed; and
4. on coming into force of the instrument, the instrument of appointment and authorisation to members of Council staff as made by Council on 23 February 2015 is revoked.

1. Executive Summary

Council officers are appointed and authorised directly by Council under the *Planning and Environment Act 1987* to undertake inspections and carry out enforcement. Council does this through the powers provided by the *Local Government Act 1989*.

The list of Council officers to be appointed and authorised has been reviewed and is included in the attached instrument.

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.

Appointments and authorisations differ from delegations. A person who is appointed as an 'authorised officer' has the powers of that position as prescribed by the relevant legislation. With delegations a delegate is acting on behalf of the Council in exercising Council's powers. Appointments are made to individuals by name, whereas delegations are made to position titles.

In the attached instrument appointments are made to the Chief Executive Officer, both General Managers and most officers within the planning, and safety and amenity areas. The Instrument of Appointment and Authorisation provides the legal basis to undertake inspections and carry out enforcement if required.

The attached instrument and resolution are based upon the templates included in the Maddocks Lawyers delegations and authorisation service.

3. Financial Implications

There are no financial implications associated with this report.

FILE NO: F13/203
5. DEMONSTRATING GOOD GOVERNANCE

ITEM NO: 9.1.3
(CORPORATE GOVERNANCE OFFICER,
LISA DEAYTON)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

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

4. Risk Management

Regularly reviewing the Instrument of Appointment and Authorisation under the Planning and Environment Act 1987 is good practice. It ensures that actions taken by Council's authorised officers are made with proper authority.

5. Internal and External Consultation

This report has been informed by the template included in the Maddocks Delegations and Authorisations Service, the Human Resources Advisor, and the Manager Town Planning and Building.

6. Regional Context

Nil.

7. Council Plan Strategy

Demonstrating good governance - Ensure governance and decision making framework meets legislative requirements and community needs.

8. Legislative / Policy Implications

This report is in accordance with section 224 of the *Local Government Act 1989*.

224 Authorised officers

- (1) A Council may appoint any person other than a Councillor to be an authorised officer for the purposes of the administration and enforcement of any Act, regulations or local laws which relate to the functions and powers of the Council.

9. Environmental Impact

Nil.

10. Conflict of Interest Considerations

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

11. Conclusion

The updated instrument of appointment and authorisation includes staff that require appointment under the *Planning and Environment Act 1987* to carry out their duties for Council.

Attachments

- 1 Instrument of Appointment and Authorisation

FILE NO: F13/203
5. DEMONSTRATING GOOD GOVERNANCE

ITEM NO: 9.1.3
(CORPORATE GOVERNANCE OFFICER,
LISA DEAYTON)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

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

ATTACHMENT No [1] - Instrument of Appointment and Authorisation



Moirra Shire Council

**Instrument of Appointment
and Authorisation**

(Planning and Environment Act 1987)

14 December 2015



FILE NO: F13/203
5. DEMONSTRATING GOOD GOVERNANCE

ITEM NO: 9.1.3
(CORPORATE GOVERNANCE OFFICER,
LISA DEAYTON)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

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

ATTACHMENT No [1] - Instrument of Appointment and Authorisation

S11A - Instrument of Appointment and Authorisation



**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
Leanne Mulcahy, General Manager Corporate
Jorine Bothma, Manager Town Planning and Building
Sally Rice, Manager Safety, Amenity and Environment
Erin Stubberfield, Town Planner
Martina Foley, Town Planner
Melissa Lotito, Land Use (Native Vegetation) Planner
Peter Stenhouse, Planning Co-ordinator
Jacqueline Miller, Development Compliance Officer
Gary Deayton, Natural Resources 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**

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 232 of the *Local Government Act 1989* 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 14 December 2015.

"The COMMON SEAL of the
MOIRA SHIRE COUNCIL
was affixed hereto by authority
of the Council on the day of
December 2015 in presence of:

.....Chief Executive Officer

FILE NO: F15/551
5. DEMONSTRATING GOOD GOVERNANCE

ITEM NO: 9.1.4
(CORPORATE GOVERNANCE OFFICER,
LISA DEAYTON)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

ARRANGEMENTS FOR THE 2016 COUNCIL ELECTION

RECOMMENDATION

That Council:

1. Confirm that postal voting will be used for the 2016 Moira Shire Council Election and beyond; and
2. Authorise the returning officer to designate a place for a computer vote count outside of the municipality, should this be required for the 2016 Council Election and any subsequent countback or by-election held before the 2020 Council Election.

1. Executive Summary

The next Council election will be held on Saturday 22 October 2016. The *Local Government Act 1989* and the *Local Government (Electoral) Regulations 2005* prescribe the many aspects of the election process.

The Act states that a council should consider any changes to its preferred method of voting at least eight months prior to the election and is required to authorise the returning officer to designate a place outside of the municipality to hold an electronic vote count (should this be required).

This report provides an opportunity for Council to consider and decide these matters in a timely manner that assists the planning of the 2016 election.

The report recommends Council continue with postal voting and authorise the returning officer.

2. Background and Options

The Victorian Electoral Commission (VEC) became the statutory provider for electoral services in October 2015. It is expected that the VEC will finalise a Service Plan for 2016 Local Government Elections in late December 2015 confirming the operational details of how they will conduct elections. There are two matters that are unchanged by the recent reforms that Council should address to ensure timely consideration and decision making.

Voting

Council elections can be held using either attendance or postal voting. The Act asks councils to consider any change to their preferred method of voting at least eight months prior to the election (by 21 February 2016). If councils do not make a change, the option used at the previous election continues. It is therefore good practice for Council to consider and confirm its preferred method of voting for the 2016 elections prior to the February deadline.

Moira Shire Council used postal voting for the 2012 Council election following a decision of Council in November 2011.

- Postal voting was recommended by the Local Government Electoral Review Panel in 2014 to be applied to all councils to raise participation and formality rates and reduce costs.

FILE NO: F15/551
5. DEMONSTRATING GOOD GOVERNANCE

ITEM NO: 9.1.4
(CORPORATE GOVERNANCE OFFICER,
LISA DEAYTON)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

ARRANGEMENTS FOR THE 2016 COUNCIL ELECTION (cont'd)

- At the 2012 local government elections 70 of the 79 councils used postal voting.
 - Voter turnout was higher for postal elections at 72.53%, compared with 63.62% for attendance elections.
 - Informal voting remained significantly higher for attendance elections, at 10.09% compared to postal elections, with a rate of 4.66%.

In addition postal voting:

- is generally preferred by voters who like the convenience and opportunity to consider information on candidates and preferences in their own time, and
- costs an average of 25% - 30% less than attendance voting.

It is recommended Council continue with postal voting for the 2016 elections.

Counting Place

The Victorian Electoral Commission intends to set up an election office in each municipality. A separate place will be established locally for a computer count, provided a suitable venue is available. Legislation requires Council to authorise the returning officer to designate a place outside of the municipality for a computer count should this be required, for example if a suitable venue is not available. The authorisation applies for the 2016 Council Election and any subsequent countback or by-election to be held before the 2020 Council Election.

The electronic vote count for the 2012 Council Election was held at the Cobram Community House and the VEC advised at a recent briefing that technology improvements had improved its ability to conduct local counts.

It is recommended that Council authorise the Returning Officer to designate a place outside the municipality for a computer count if this is required.

3. Financial Implications

There is a cost saving to Council of approximately 25% to 30% to hold an election using postal voting, rather than attendance voting. There are no known costs associated with authorising the returning officer to designate a place outside of the municipality to hold a computer count.

4. Risk Management

This report addresses some of Council's statutory requirements for holding the next Council election.

5. Internal and External Consultation

This report was prepared to meet legislative requirements. A briefing was held by the Victorian Electoral Commission (VEC) for Council officers on their draft service plan.

6. Regional Context

Nil.

7. Council Plan Strategy

Demonstrating good governance - Ensure governance and decision making framework meets legislative requirements and community needs.

FILE NO: F15/551
5. DEMONSTRATING GOOD GOVERNANCE

ITEM NO: 9.1.4
(CORPORATE GOVERNANCE OFFICER,
LISA DEAYTON)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

ARRANGEMENTS FOR THE 2016 COUNCIL ELECTION (cont'd)

8. Legislative / Policy Implications

This report complies with the requirements of the *Local Government Act 1989* (s41A) and the *Local Government (Electoral) Regulations 2005* (r93(2)).

9. Environmental Impact

There are no environmental impacts associated with this report.

10. Conflict of Interest Considerations

No Council officers who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

11. Conclusion

The Victorian Electoral Commission (VEC) became the statutory provider for electoral services in October this year. It is expected that the VEC will finalise a Service Plan for 2016 Local Government Elections in late December 2015.

This report requests Council consider and confirm the continued use of postal voting and authorise the returning officer to arrange a computer count outside of the municipality if required. These decisions will assist in the efficient planning and delivery of the 2016 Council election.

Attachments

Nil

FILE NO: F13/2614
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.1.5
(TOURISM DEVELOPMENT OFFICER,
LOUISE MUNK KLINT)
(MANAGER ECONOMIC DEVELOPMENT,
JANE O'BRIEN)

RECREATIONAL VEHICLE STRATEGY

RECOMMENDATION

That Council:

1. Promotes Moira Shire in partnership with the tourism industry as a destination that welcomes tourists travelling with Recreational Vehicles (RVs) and highlights the relevant facilities and experiences encouraging visitation and increased length of stay.
2. Release the draft Recreational Vehicle (RV) Strategy for stakeholder feedback.
3. Thank the RV Friendly Working Group for its development of the draft strategy.

1. Executive Summary

The Recreational Vehicle (RV) Friendly Town Scheme is an initiative of The Caravan Motorhome Club of Australia (CMCA). Holding an RV Friendly status for a town means that the community welcomes and provides amenities to accommodate the needs of RV tourists, including parking, access to potable water and a free dump point. Currently four towns in Moira Shire are recognised as RV Friendly towns.

In November 2014, the RV Friendly Working Group was established and members appointed. The first RV Friendly Working Group meeting took place on 20 November 2014. The RV Friendly Working Group has met five times over the last eleven months with its last meeting scheduled for 8 December 2015.

This report discusses in detail the challenges and opportunities associated with catering for the needs of the RV users in Moira Shire Council. It outlines the key issues that Council will have to consider including broader social and economic implications, financial implications, risk management and legislative and policy implications.

This report recommends that Council recognises the potential to promote the shire as a friendly destination for the RV market through the provision of relevant visitor information and facilities, provision of suitable visitor packs to the RV market, and commencement of broader consultation on the draft Recreational Vehicle strategy.

Background and Options

The RV market has grown in size over the last couple of decades. The Caravan Motorhome Club of Australia (CMCA) is the peak body for the RV market. It was established in 1986 and currently represents more than 65,000 members.

The RV Friendly Town Scheme is an initiative of CMCA that was launched in 2007. Holding an RV Friendly status for a town means that the community welcomes and provides amenities to accommodate the needs of RV tourists, including parking, access to potable water and a free dump point. In Victoria there are currently 35 RV Friendly Towns of which Yarrowonga, Nathalia, Numurkah and Cobram are included.

On 5 August 2014, a report on the RV Friendly issue went to CMT, followed by the Council Briefing on 25 August 2014. The matter was brought to an Ordinary Council Meeting on 17 November 2014. At this meeting Council carried a motion to endorse the Terms of Reference of the RV Friendly Working Group and appoint the nominated persons for the positions of community representatives on the working group and Cr Keenan as the Council Representative on the working group.

FILE NO: F13/2614
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.1.5
(TOURISM DEVELOPMENT OFFICER,
LOUISE MUNK KLINT)
(MANAGER ECONOMIC DEVELOPMENT,
JANE O'BRIEN)

RECREATIONAL VEHICLE STRATEGY (cont'd)

The working group has since met five times to discuss RV Friendly tourism in the shire, the issues and opportunities that it brings.

During meetings of the RV Friendly Working Group, challenges that have been discussed include: Local laws; Water; Waste; Power; Noise; Competition; Risks; Insurance, and Application of the final RV Strategy.

The RV Strategy sets out the actions to be implemented to make Moira Shire an RV Friendly Shire that seeks to proactively encourage greater visitation and economic impact from this niche market.

Importance of Tourism

Tourism is an important contributor to the local economy in Moira Shire Council. The tourism industry makes a considerable contribution by bringing new dollars into the region that are directly spent on a wide range of services from accommodation, restaurants and attractions to the retail sector, as highlighted in the table below:

The tourism sector in Moira Shire currently contributes:

- \$95.504 million (3.7 %) of total output
- 580 jobs (6.3 %) to total employment
- \$22.335 million (4.5 %) of total wages and salaries
- \$43.417 million (4.1 %) of total value-added

These figures are derived from economic modelling by REMPLAN for July 2014 based on the following sources of data: 2012-13, Australian Bureau of Statistics (ABS), Tourism Satellite Account.

For the year ending March 2015, Sun Country on the Murray received close to 900,000 visitors of which 525,000 were domestic overnight, 365,000 domestic day visitors and 5,200 were international visitors. Domestic visitors (day and overnight) spent an approximately \$320 million in the region. International Visitor expenditure in the region is considered statistically unreliable for the YE March 15.

Caravan parks and commercial camping grounds represent the second most popular type of accommodation for domestic overnight visitors, with 15.3 per cent of the overnight domestic visitors staying at this type of accommodation. The caravan and commercial camping grounds do not rank highly with international visitors.

Moira Shire Council seeks to strengthen Moira's tourism offer through the development of a destination management plan (DMP). The RV market represents a growing tourism market that should be considered in Moira Shire's tourism offering.

Two elements of the RV Strategy has created some division in the RV Friendly Working Group, being: (a) Provision of publicly managed dump points in showgrounds; and (b) Provision of low cost overnight parking in major towns and other towns with caravan parks.

It is recommended that Council trial the provision of dump points and low cost overnight parking in showgrounds. A review after 12 months would provide further recommendations to Council as to whether the provision of these services should continue after the trial period.

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3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.1.5
(TOURISM DEVELOPMENT OFFICER,
LOUISE MUNK KLINT)
(MANAGER ECONOMIC DEVELOPMENT,
JANE O'BRIEN)

RECREATIONAL VEHICLE STRATEGY (cont'd)

2. Financial Implications

From a tourism perspective, the RV market is considered relatively low-yield compared to other tourism markets. The RV market's major contribution is more in line with that of regular residents in that the RVers spend more money on fuel and supermarket supplies and less on actual tourism products and experiences. Nevertheless, the RV market still spend money in region, particularly when they are in day 1,2,4 and 7 of their replenishment cycle, as identified by the CMCA.

There are some significant costs associated with establishment of RV user facilities that meet the legislative requirements to address relevant standards. These are outlined below:

Establishment of new dump points – CMCA under their RV Friendly Town Scheme can provide the actual dump point free of charge, but the installation can be costly. All dump points need to be connected to the local sewerage system and depending on the location can up to \$15,000 to install.

Maintenance cost of dump points – Council is required to sign a Waste Trade Service agreement at a cost of \$300 per year per dump point and must ensure that the use of the dump points are supervised at all times.

Access to potable water – As part of the RV Friendly Town Scheme, RVers should have access to potable water. It is normal for an RV to have a 160L to 180L capacity for potable water. The current cost of water through Goulburn Valley Water is around \$1.1250 per kL. Consideration would have to be made as to who pays for the water.

Access to electricity – Many RVers carry solar panels, but will use access to electricity when available to run air-conditioning or heating as well as to charge their batteries. Given the cost of electricity in Victoria, the use of electricity by RVers could end up costing a considerable amount for Council, unless a self-sufficient or user pay approach is selected. It is recommended by the RV Friendly Working Group that no access to power is permitted.

Installation of signage and bollards around relevant sites – It is important to promote the region's tourism offerings and local caravan parks at identified RV Friendly facilities to encourage RVers to stay longer and spend more. Installation of bollards, directional and promotional signage will easily cost at least \$15,000-30,000 depending on the number of locations.

Ongoing Maintenance of RV Facilities – Ongoing maintenance of facilities will include cleaning, rubbish removal and any repairs and servicing required and would need to be incorporated into Council's operating budget.

3. Risk Management

There are a number of risks associated with an RV Friendly Shire status. These include:

Competitive neutrality – The state of Victoria is obliged to introduce and apply a competitive neutrality policy and principles to local government and to all government agencies. The Competitive Neutrality Policy (September 2012) outlines the potential competitive advantages and competitive disadvantages to be considered to ensure that

FILE NO: F13/2614
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.1.5
(TOURISM DEVELOPMENT OFFICER,
LOUISE MUNK KLINT)
(MANAGER ECONOMIC DEVELOPMENT,
JANE O'BRIEN)

RECREATIONAL VEHICLE STRATEGY (cont'd)

when governments undertake significant business activities in markets, they do so on a fair and equitable basis.

Insurance Gaps – If Council was to become RV Friendly and allow free camping in line with the competitive neutrality policy, this would potentially bring about a range of insurance gaps, including but not limited to adjustments to premium and coverage.

Contamination – Council will require supervision of the dump points to ensure that there is no contamination of the dump points. On the other hand with no provision of dump points, Council faces the issue of RVers disposing of their waste water (grey and black) on the side of the road.

If Council does not promote itself as a destination that welcomes the RV sector it will be bypassed by RV users, as recent social media comments have identified. This presents a risk of lost opportunities for the local tourism industry and broader business community.

4. Internal and External Consultation

Internal Meetings

Over the years, internal consultation has involved the CEO, Council's Corporate Management Team and Council Officers and Managers from areas of Infrastructure; Property, Risk and Compliance; Safety, Amenity and Environment; Community Development; Economic Development; and Tourism.

External Meetings

In 2011, the Economic Development Unit distributed fifty-five invitations to accommodation houses to attend meetings in Yarrawonga, Cobram and Numurkah on 14th, 15th and 16th September respectively to discuss RV Friendly status in the Moira Shire. Each business was contacted by phone as a follow-up. Twelve people attended the meetings, representing nine businesses within the Moira Shire.

Online Survey

A survey was conducted through the Survey Monkey website, which attracted thirty-one responses.

In 2015, the RV Strategy has been discussed by the RV Friendly Working Group and the Tourism Advisory Committee.

5. Regional Context

RV Friendly tourism fits into the larger regional context of continuing to grow visitor numbers that have an economic impact on the wider community and region.

More localised research is required to identify what the economic impact of RV Friendly tourism is for Moira Shire and the Murray Region. This has been identified as a key action item of the RV Strategy to ensure the strategy is evidence-based and sound moving forward.

6. Council Plan Strategy

The RV Strategy links to Council's strategic goal to *Build on our economic strengths in agriculture, manufacturing and tourism* and the specific action *Strengthen Moira's tourism offer* through the development of a *Moira Shire Tourism and Event Strategy (destination management plan)*.

FILE NO: F13/2614
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.1.5
(TOURISM DEVELOPMENT OFFICER,
LOUISE MUNK KLINT)
(MANAGER ECONOMIC DEVELOPMENT,
JANE O'BRIEN)

RECREATIONAL VEHICLE STRATEGY (cont'd)

7. Legislative / Policy Implications

If Council proceeds to become an RV Friendly Shire there are a number of legislative and policy implications, as follows:

Moira Shire Council's Recreation Reserves Local Law 2009 – Part 3, 12.1(d) of the recreation reserves local law outlines that no camping is allowed at a recreation reserve.

Clause 9, however, states that the Section 86 Committee of Management may issue a permit for an event. There is a process for hiring of a recreation reserve that needs to be followed in order for any permit to be successfully granted. The end decision for the approval of any application for hire of the reserves lies with the relevant Section 86 Committee.

In order for Council to provide camping facilities for RVers in Council's recreation reserves, Council would have to amend this local law in order to allow camping (outside of permitted event) to be allowed in recreation reserves or on a case by case basis resolve to approve the erection of signage stating "free camping allowed" at the designated location(s).

Moira Shire Council's Community Safety & Environment Law – Clause 2.16 of the community safety and environment law outlines that "A person must not, except with a permit, camp on any Council land, on any public land, or on any privately owned vacant land within the municipal district unless within a designated camping area."

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

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

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

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

Residential Tenancies Act 1997 – The regulations covering caravan parks set out the following requirements for operating a caravan park in Victoria:

- Registration with local council and associated duties on owners
- Fees for registration

FILE NO: F13/2614
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.1.5
(TOURISM DEVELOPMENT OFFICER,
LOUISE MUNK KLINT)
(MANAGER ECONOMIC DEVELOPMENT,
JANE O'BRIEN)

RECREATIONAL VEHICLE STRATEGY (cont'd)

- Standards for fire safety and emergency management planning in caravan parks
- Construction standards and installation requirements for movable dwellings in parks
- Standards for services and amenities and the maintenance of sites and dwellings

In other words, if Council were to provide overnight facilities for the RV market, Council will be required to register with its environmental health department, to follow the fire safety and emergency management standards and to abide by the given standards for services, amenities and maintenance.

8. Environmental Impact

If Council continues to offer the use of dump points, it would need to continue to ensure the proper procedures are in place to prevent contamination of the dump points. Garbage and litter management are also items that need to be considered together with access to water and power.

Council would also have to consider the environmental impact if Council decided to discontinue the provision of free dump points to the RV market, as some RVers may dump their grey and black water on the side of the road, if they cannot access the appropriate facilities. This could have some significant environmental ramifications.

9. Conflict of Interest Considerations

There is no officer conflict of interest with regards to this report.

10. Conclusion

The RV Friendly Town Scheme is an initiative of The Caravan Motorhome Club of Australia (CMCA). Holding an RV Friendly status for a town means that the community welcomes and provides amenities to accommodate the needs of RV tourists, including parking, access to potable water and a free dump point.

In 2014 the Council established an RV Friendly Working Group to discuss the issues of the Shire becoming RV Friendly. Issues that have been discussed at the RV Friendly Working Group include: Local laws; Water; Waste; Power; Noise; Competition; Risks; Insurance, and Application of the final implementation framework.

The attached RV Strategy has considered the identified issues and has presented the best option for Moira Shire to become an RV Friendly Shire that promotes the Sun Country on the Murray region in partnership with the tourism industry as a destination that welcomes tourists travelling with Recreational Vehicles (RVs).

It is recommended that Council recognises the potential to promote the shire as a friendly destination for the RV market through the provision of relevant visitor information and facilities, provision of suitable visitor packs to the RV market, and commencement of broader consultation on the draft Recreational Vehicle strategy and thank the RV Friendly Working Group for its development of the draft strategy.

Attachments

- 1 Draft RV Strategy

FILE NO: F13/2614
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.1.5
(TOURISM DEVELOPMENT OFFICER,
LOUISE MUNK KLINT)
(MANAGER ECONOMIC DEVELOPMENT,
JANE O'BRIEN)

RECREATIONAL VEHICLE STRATEGY (cont'd)

ATTACHMENT No [1] - Draft RV Strategy



DRAFT
**Recreational Vehicle (RV)
Friendly Strategy**



FILE NO: F13/2614
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.1.5
(TOURISM DEVELOPMENT OFFICER,
LOUISE MUNK KLINT)
(MANAGER ECONOMIC DEVELOPMENT,
JANE O'BRIEN)

RECREATIONAL VEHICLE STRATEGY (cont'd)

ATTACHMENT No [1] - Draft RV Strategy



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(MANAGER ECONOMIC DEVELOPMENT,
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1 Executive Summary

Moirashire Council wants to be an Recreational Vehicle (RV) Friendly Shire and seeks to proactively encourage greater visitation and economic impact from this niche tourism market.

Tourism is an important contributor to the local economy in Moira Shire Council with around 900,000 visitors coming to the region annually. The tourism industry makes a considerable contribution by bringing new dollars into the region that directly spent on a wide range of services from accommodation, restaurants and attractions to the retail sector.

The traditional caravan and camping market represent an important component of the tourism mix in Moira Shire with caravan parks and commercial camping grounds being the second most popular type of accommodation for domestic overnight visitors. In total, there are 22 caravan parks registered in Moira Shire offering a total of 1,010 cabins and 1,450 powered/unpowered sites.

A new market has developed; the self-contained RV market that covers visitors travelling with caravans, campervans and/or motorhomes, but does not necessarily require the facilities of commercial caravan parks and camping grounds. This market require only access to potable water, dump points and a place to stop and camp overnight legally.

Research has shown that the self-contained RV market has the potential to generate economic activity with an average weekly spend of \$500 and an average of 163 days of travel annually. Some RVers will only stay in commercial caravan parks, other RVers will never stay in commercial caravan parks and some RVers will stay in a mixture of commercial and non-commercial caravan parks and camping grounds.

The self-contained RV market represents a growing but lower yielding market that should be considered in Moira Shire's tourism offering, but should not detract from the traditional caravan and camping market.

In 2007 The RV Friendly schemes (i.e. RV Friendly Destination and RV Friendly Town) was established by the Caravan Motorhome Club of Australia (CMCA) with the purpose of assisting regional areas to attract RV tourists and provide a network of RV friendly sites throughout Australia. Specific criteria apply to each of these schemes.

Moirashire Council currently has four RV Friendly Towns (i.e. Yarrawonga, Cobram, Nurmukah and Nathalia), but is looking to take a shire-wide approach to being RV Friendly.

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

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Taking into the consideration the range of challenges and issues, Moira Shire Council's vision is to become an RV Friendly Shire.

To achieve the vision of becoming an RV Friendly Shire, Moira Shire Council will have to implement the following actions:

- ❖ Endorse and Promote Moira Shire as an Attractive RV Friendly Shire
- ❖ Establish Economic Data and Visitor Profile of RV Market
- ❖ Transition to Commercially Managed Dump Points
- ❖ Trial the continuation of Council managed dump points
- ❖ Develop RV Friendly Low Cost Overnight Sites in smaller towns and surrounds
- ❖ Trial RV Friendly Low Cost Overnight Sites in major towns
- ❖ Commit resources to enforcement
- ❖ Encourage local businesses to become CMCA RV Friendly Destinations
- ❖ Provide long-vehicle parking close to shopping precincts
- ❖ Offer access to potable water from designated locations
- ❖ Provide new signage

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2 Industry Overview

2.1 Importance of Tourism

Tourism is an important contributor to the local economy in Moira Shire Council. The tourism industry makes a considerable contribution by bringing new dollars into the region that are directly spent on a wide range of services from accommodation, restaurants and attractions to the retail sector. Then there are the indirect and flow-on effects from tourism in Moira Shire.

The tourism sector in Moira Shire currently contributes:

- ❖ \$95.504 million (3.7 %) of total output
- ❖ 580 jobs (6.3 %) to total employment
- ❖ \$22.335 million (4.5 %) of total wages and salaries
- ❖ \$43.417 million (4.1 %) of total value-added

Source: These figures are derived from economic modelling by REMPLAN for July 2014 based on the following sources of data: 2012-13, Australian Bureau of Statistics (ABS), Tourism Satellite Account.

For the year ending March 2015, Sun Country on the Murray¹ received close to 900,000 visitors of which 525,000 were domestic overnight, 365,000 domestic day visitors and 5,200 were international visitors. Domestic visitors (day and overnight) spent an approximately \$320 million in the region. International visitor expenditure in the region is considered statistically unreliable for the year ending March 2015.

After 'friends or relatives property' (40.3%), 'caravan parks and commercial camping grounds' represent the second most popular type of accommodation for domestic overnight visitors, with 15.3 per cent of the overnight domestic visitors staying at this type of accommodation. The caravan and commercial camping grounds do not rank highly with international visitors.

Moira Shire Council seeks to strengthen Moira's tourism offer through the development of a destination management plan (DMP) and advocacy and support for the development of key tourism assets in the region.

2.2 Traditional Caravan and Camping Market versus the Self Contained RV Market

As highlighted in the above section, the typical caravan and camping market represent an important component of the tourism mix in Moira Shire. Nevertheless, an opportunity also exists to tap into the self-contained RV market.

¹ For the statistics reported, the Sun Country region includes Yarrawonga, Mulwala, Cobram, Barooga, Numurkah, Barmah, Nathalia, Tocumwal, Finley and Berrigan.

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The traditional caravan and camping market covers visitors that travel with tents or vehicles such as caravans, campervans and motorhomes that can either be self-contained or not self-contained that stay in commercial caravan and camping grounds.

The self-contained RV market covers visitors that travel with caravans, campervans and/or motorhomes, but does not require the facilities of commercial caravan and camping grounds. This newer generation of RVers are seeking an experience that offers freedom of choice along with new options to satisfy their needs. In other words, the self-contained RVers are capable of being independent for up to a week and enjoy the freedom of stopping whenever and wherever they want. They require only access to potable water, dump points and a place to stop and camp overnight legally.

Nationally, the interests of businesses associated with the caravan and camping market is represented by the Caravan Industry Association of Australia (CIAA). The CIAA is the national peak body for the Australian caravan and camping industry representing over 4000 industry businesses ranging from caravan parks, manufacturers and retailers of industry products, suppliers of goods and services, and service providers.

In Victoria the traditional caravan and camping market is also represented by the Victorian Caravan Parks Association (often referred to as VicParks) and other relevant industry associations. The Victorian Caravan Parks Association was formed in 1964 to protect, promote and advance the caravan park industry. VicParks represents the interests of the commercial caravan and camping grounds.

In Victoria the self-contained RV market is also represented by the Campervan and Motorhome Club of Australia. The Caravan Motorhome Club of Australia (CMCA) is the peak body for the RV market. It was established in 1986 and currently represents more than 65,000 members.

Being a relative new and growing market, research for the self-contained RV market is not yet covered through formal research channels, such as the traditional caravan market that is represented in our national and international visitor surveys conducted by Tourism Research Australia. However, research conducted by the CMCA indicates that the RV market has potential to generate economic activity with the average weekly spend of RV tourists when travelling is around \$500. This is generally spent on:

- ❖ Fuel \$210
- ❖ Expenses \$160
- ❖ Repairs/maintenance \$25
- ❖ Site fees \$51
- ❖ Other \$46

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What is particularly important to note is that the RV tourists spends around 163 days travelling annually and on average spends three days at each stop that they make. The replenishment cycle of the RV tourist mean that generally RVers will stock up on day 1 (fully stocked vehicle), day 2 (need to stock up with fuel and basics), day 4 (need to stock up with more basics) and day 7 (full replenishment of groceries and vehicle needs).

Research conducted by CMCA of their 65,000+ members have also shown that of the RV market:

- ❖ 33% will only stay in a commercial caravan and camping grounds;
- ❖ 16% will only stay in RV friendly site (i.e. non-commercial sites only); and
- ❖ 51% will stay in a mixture of commercial and non-commercial caravan and camping grounds.

The following provide an overview of research considering the pros and cons of RV Friendly:

The 2013 Caravan Motorhome Club of Australia (CMCA) snapshot report highlights the growth and value of the RV market

- ❖ Around 500,000 RVs registered in Australia
- ❖ RV market is worth \$6.5 billion a year to the Australian economy
- ❖ The RV market spend on average expenditure of \$500-\$900 per week
- ❖ The RV market is a growing market due to baby boomers
- ❖ 34% of the RV market stay in caravan parks – only 16% of the RV market will only stay in non-commercial accommodation
- ❖ 50% use a mix of commercial and non-commercial accommodation.

The 2012 Caravan and Road Vehicle Accommodation (CRVA) snapshot report highlights the commercial and non-commercial camper spend patterns

- ❖ Commercial campers create \$5.4 billion of economic activity a year in Australia – with 90% of direct expenditure (\$2 billion) spent in regional areas.
- ❖ Commercial campers' average expenditure is \$576 per location (excl. accomm. cost) vs. \$213 non-commercial campers. The average daily spend for a commercial camper is around \$73 versus \$53 for a non-commercial camper.
- ❖ Commercial campers on average stay longer

The RV market represents a growing tourism market that should be considered in Moira Shire's tourism offering, but should not detract from the traditional caravan and camping market.

3 CMCA RV Friendly Schemes

The RV Friendly schemes were launched by the CMCA in 2007. The purpose of the RV Friendly Schemes was to assist regional areas to attract RV tourists and provide a network of RV friendly sites throughout Australia as a service to their club members.

The RV Friendly Schemes identify common criteria that are appealing to the RV market and which will help encourage short stays within the communities or destinations that enter into the scheme.

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There are two schemes:

1. RV Friendly Destinations
2. RV Friendly Towns

An RV Friendly Shire scheme has not yet been identified. We have discussed this with CMCA and they are welcoming Moira Shire Council to take an RV Friendly Shire approach where Council can promote to RVers that we welcome them to the shire and identify the relevant RV facilities. Macedon Ranges is one example of a local council that has recently taken an RV Friendly Shire approach to being RV Friendly.

The criteria for each of the existing schemes have been outlined below.

3.1 RV Friendly Destinations™

An RV Friendly Destination™ is often a small town, club, oval, showground, scenic attraction or business that is not able to meet the full criteria of the CMCA RV Friendly Town™ program. Councils, progress associations and businesses can apply to participate by completing an application form, which is available from the CMCA National Headquarters.

3.1.1 Essential criteria:

- ❖ Provision of short term, low cost overnight parking (24/48 hours) for self-contained RVs.
- ❖ The parking area needs to be on a solid, level surface.
- ❖ There must be enough room for large vehicles to manoeuvre.

3.1.2 Desirable criteria:

- ❖ A waste water dump point.
- ❖ Potable water.
- ❖ Longer term parking.

CMCA will offer RV Friendly Destinations™ specified signage at cost price plus promotion of the destination on the Club website (subject to terms and conditions).

In Moira Shire, the following RV Friendly Destinations are:

- ❖ Wakiti Creek Resort; and
- ❖ The Big Strawberry

With the appropriate Council permits in place, other businesses could be encouraged to enquire about joining this RV Friendly Destination™ scheme.

3.2 RV Friendly Towns™

An RV Friendly Town™ is a town that has met a set of guidelines to ensure they provide a certain amount of amenities, and a certain level of services for these travellers. When RV tourists enter a

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town displaying the RV Friendly Town sign, they know they will be welcome, certain services will be provided for them that may not be available in other centres, and they will have access to a safe place to stay overnight, and possibly for a longer period.

3.2.1 Essential criteria:

- ❖ Provision of appropriate parking within the town centre, with access to a general shopping area for groceries and fresh produce.
- ❖ Provision of short term, low cost overnight parking (24/48 hours) for self-contained RVs, as close as possible to the CBD.
- ❖ Access to potable water.
- ❖ Access to a free dump point at an appropriate location.

3.2.2 Desirable criteria:

- ❖ Provision of long term parking for self-contained RVs.
- ❖ Access to medical facilities or an appropriate emergency service.
- ❖ Access to a pharmacy or a procedure to obtain pharmaceutical products.
- ❖ Visitor Information Centre (VIC) with appropriate parking facilities.
- ❖ VIC to provide a town map showing essential facilities, such as short and long term parking areas, dump point and potable water.
- ❖ RV Friendly Town™ signs to be erected within the town precinct.

The CMCA provides the participating Council with two signs advertising the RV Friendly Town™ and promotion of the town on the Club website (subject to terms and conditions). The CMCA signs are not compliant with VicRoads standard signage.

Moir Shire Council currently has four RV Friendly Towns™ including Yarrawonga, Cobram, Numurkah and Nathalia.

3.3 Leave No Trace®

The CMCA recognised that one of the great advantages of travelling in a self-contained vehicle is having the luxury to be able to stop at remote and regional locations, with no facilities, and become immersed in the tranquillity.

The CMCA wants to secure the opportunity for freedom camping and have established a code of conduct for their members titled the Leave No Trace® Program, which was introduced in 1994.

The program demonstrates to all levels of governments that self-contained vehicles do not necessarily have a negative impact on the environment, even if the campsite does not have any facilities. Under the Leave No Trace program, RV users adhere to strict guidelines relating to the vehicle's capacity for holding fresh, grey and black water allowing Councils to give access to controlled areas for RV self-contained users.

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4 Situation Analysis

4.1 Tourism Destinations in the Murray Considering RV Friendly Option

Moirashire Council is not the only council in the Murray Region and Victoria to consider the RV Friendly tourism options. Many towns in the Murray Region are considering or have become RV Friendly Towns under the guidelines set out by the CMCA.

Considering the issues that it creates for commercial caravan parks, The Murray Regional Tourism Board (MRTB) indicates in their Destination Management Plan that a strategic approach to RV Friendly Towns and the provision of RV infrastructure is required.

The MRTB recommends that

only towns without caravan parks and existing visitor demand should consider becoming RV friendly; other locations should consider providing RV facilities on a commercial basis, typically within existing caravan parks (MRTB DMP, p. 39).

It is recommended that this regional tourism strategy is considered in the development of Moirashire's RV Friendly Strategy and implementation of such.

4.2 Moirashire's Existing Caravan and Road Vehicle Accommodation Capacity

Moirashire is rather unique in terms of its existing caravan and road vehicle accommodation capacity. Many councils in Victoria do not have the same existing capacity that Moirashire Council does.

In Moirashire there are currently 22 operational caravan parks on offer across the towns of Barmah, Bathumi, Bundalong, Cobram, Kanyapella, Katamatite, Koonoomoo, Kotupna, Nathalia, Numurkah, Strathmerton and Yarrowonga. Of these 22 caravan parks, four (4) are council owned but managed through a Committee of Management. We have no community parks in Moirashire.

Across these 22 caravan parks, there are a total of 1,010 cabins and 1,450 powered/unpowered sites. The sites vary in size and further investigation is necessary to identify the capacity to cater for large scale RVs.

Prices in the commercial caravan parks although varying are approximately between \$30-\$35 per night, increasing up to \$50 during holiday periods; cheaper for non-powered and chain member discounts. Member discounts are usually a percentage with a maximum discount of \$40.00

The 22 caravan parks that are registered with Moirashire Council include:

- ❖ Apex Caravan Park
- ❖ Barmah Camping Pty Ltd Caravan Park

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- ❖ Bundalong Holiday Park
- ❖ Coach Stop Caravan Park
- ❖ Cobram East Caravan Park
- ❖ Cobram Oasis Tourist Park
- ❖ Cobram Willows Caravan Park
- ❖ Green Palms Caravan Park
- ❖ Jelara Caravan Park
- ❖ Katamatite Caravan Park
- ❖ Murray Perch Caravan Park
- ❖ Murray River Hideaway Holiday Park
- ❖ Nathalia Motel & Holiday Park
- ❖ Numurkah Caravan Park
- ❖ RACV Cobram Resort
- ❖ River Bend Caravan Park
- ❖ Riverbank Caravan Park
- ❖ Time Out Holiday Resort
- ❖ Wakiti Creek Resort
- ❖ Yarrawonga Holiday Park
- ❖ Yarrawonga Westside Caravan Park
- ❖ Skiland Motel Pty. Ltd.

There is also a wide range of vehicle dispersed camping opportunities in the parks and forests of our shire. These sites are too many to list. Areas where such dispersed camping options can be found include but is not limited to:

- ❖ Barmah National Park;
- ❖ The Murray River Reserve;
- ❖ Cobram Regional Park;
- ❖ Yarrawonga Regional Park; and
- ❖ Warby-Ovens National Park.

4.2.1 Current Unauthorised Sites

There are areas within Moira Shire Council that currently has camping occurring on an ad hoc basis, which Council's Local Laws Officers from time to time receive complaints about. Some sites include:

- ❖ Thompsons Beach, Kennedy Park Cobram
- ❖ Showgrounds, Cobram
- ❖ Showgrounds, Yarrawonga
- ❖ Showgrounds, Numurkah
- ❖ Lions Park, Numurkah
- ❖ Murray Valley Highway, Strathmerton

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- ❖ West Rest Area, Yarrawonga
- ❖ Rest Area, Bundalong
- ❖ Truck Stop, Wunghnu

Increasing the awareness of RV Friendly sites and facilities will assist to limit the inappropriate usage of unauthorised sites and lessen the burden on our Local Laws Officers.

A clearer promotion of where the RV Friendly facilities and sites are will direct RVers to the appropriate sites and may offer opportunities for promotion of commercial caravan and camping grounds within the shire.

4.2.2 Current Authorised Sites

There are currently no Authorised Sites.

4.3 Dump Points

A dump point is a properly designed facility allowing RVers to dispose of grey and black water, as well as sewage waste. Dump points need to be installed as low to the ground as possible to allow discharge from a vehicle by gravity. Dump points are usually connected either directly to the sewage system or to a septic tank. Dump points also need to be placed in a position that allows access to large vehicles up to 19.5 metres in length.

The purpose of providing easily-accessible dump points is to encourage more self-contained tourism throughout Australia, benefiting both regional and rural centres, and the environment.

4.3.1 Dump Point Locations in Moira Shire

Over 300 public dump points have been installed throughout Australia under the dump point subsidy scheme organised by the CMCA.

In Moira Shire, there are five dump points managed by Council and a range of dump points located within caravan parks. The following provide a list of dump points in Moira Shire:

- ❖ Showgrounds, Numurkah
- ❖ Showgrounds, Yarrawonga
- ❖ Showgrounds, Cobram
- ❖ Murray Valley Highway, Strathmerton
- ❖ Weir St, Nathalia

The following commercial dump points also exist in Moira Shire:

- ❖ Yarrawonga Holiday Park, Yarrawonga x 2 - For guests only
- ❖ Bundalong Holiday Resort, Bundalong - For guests only
- ❖ Murray River Hideaway, Strathmerton (septic tank)
- ❖ Nathalia Motel & Holiday Park, Nathalia - For guests only

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- ❖ Oasis, Cobram – \$5 dollar user charge
- ❖ RACV, Cobram – For guests only
- ❖ River Bank, Nathalia – For guests only
- ❖ Time Out Holiday Park, Koonoomoo (currently installing) – would allow user charge
- ❖ Wakiti Creek, Kotupna – would allow user charge

The following caravan parks would allow usage by RVers either for free or at a charge if they had a dump point installed:

- ❖ Barmah
- ❖ Numurkah Caravan Park, Numurkah
- ❖ Cobram East Caravan Park, Cobram
- ❖ Willows, Cobram
- ❖ Westside Creek, Yarrawonga– need more information

The Westside Petrol Station in Strathmerton has also expressed an interest in allowing usage by RVers either for free or at a charge if they had a dump point installed. The Westside Petrol Station is open 24 hours, seven days a week.

4.3.2 Dump Point Installation Costs

Under the RV Friendly scheme, CMCA/KEA Campers provide selected councils with a dump point for installation at a suitable public site, such as a community facility or rest area. The subsidised dump point must be provided free of charge as a public facility and be available for use, at the minimum, during normal daylight hours. Subsidised dump points will display a small stainless steel plaque (supplied by CMCA) acknowledging the contribution of CMCA and KEA Campers.

Although CMCA under their RV Friendly Town Scheme can provide the actual dump point free of charge, the installation of the dump point can be costly. All dump points need to be connected to the local sewerage system and depending on the location can cost up to \$15,000 to install.

4.4 Long Vehicle Parking (day time)

One of the essential criteria of the RV Friendly Town scheme is to provide appropriate parking within the town centre, with access to a general shopping area for groceries and fresh produce.

Long vehicle parking bays are significantly longer than regular vehicle bays and allow for parking of caravans, motorhomes, boats and longer vehicles that can be otherwise difficult to accommodate.

The provision of long vehicle parking options within the major towns as well as smaller towns is crucial to ensure that the economic impact of RV tourism is felt locally.

Long vehicle parking options can either be line-marked designated long-vehicle parking or un-marked off the side of the street parking.

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4.4.1 Long Vehicle Parking in Major Towns

Long vehicle parking is available un-marked or line-marked in the following locations within the four major towns of Yarrawonga, Cobram, Numurkah and Nathalia:

- ❖ Punt Road , Cobram
- ❖ Behind Federation Park, Cobram Railway Station, Cobram
- ❖ Mivo Park, Cobram
- ❖ Blake St, Nathalia
- ❖ Weir Street, Nathalia
- ❖ Irvine Parade, Yarrawonga
- ❖ Hunt Street, Yarrawonga
- ❖ Hume Street, Yarrawonga
- ❖ Hovell Street, Yarrawonga
- ❖ Gilmore Street, Yarrawonga
- ❖ Melville Street Numurkah
- ❖ Knox Street, Numurkah

There may be further options for long vehicle parking that could be explored further, including but not limited to:

- Railway land at the end of Lott Street, Yarrawonga – this land is owned by VicTrack and not Council. In other words, this would either require VicTrack's direct consent or the Committee of Management could apply for an extension of their lease of land near the Railway Station to allow Council to promote this location for parking.

4.4.2 Long Vehicle Parking in Smaller Towns

Long vehicle parking is available un-marked in the following locations:

- ❖ Lions Park, Tungamah
- ❖ Barr Street, Tungamah
- ❖ Swamp Road, Lake Rowan
- ❖ Hotchin Street, Katamatite
- ❖ Off Murray Valley Highway near Goughs Lane, Bundalong
- ❖ Off Murray Valley Highway, Strathmerton
- ❖ Wunghnu, by the creek
- ❖ Moran Street, Picola

4.5 Potable Water

Access to potable water in Moira Shire will be from the following locations:

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

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- ❖ Benalla-Tocumwal Road, Katamatite
- ❖ Blake Street, Nathalia
- ❖ Weir Street, Nathalia

Access to potable water may also potentially be provided from the same location as the commercial dump points. This will depend on the level of interest from the caravan parks to be part of such a packaged deal (i.e. dump your waste and fill up with potable water) at a minimal set fee.

5 RV Friendly Policies and Strategies for Other Councils

RV Friendly policies and strategies vary between shires in Victoria depending on the features and needs of the differing regions.

5.1 Murray Region

The following provide just a snapshot of the RV Friendly policies and strategies of other councils within the Murray Region (tourism region):

Albury City Council

Albury City is RV Friendly but the shire does not have a specific RV Strategy. Albury City Council promotes one free dump site located within their Railway Precinct and one designated free camping site within the shire.

Gannawarra Shire Council

Gannawarra Shire has three RV Friendly towns (i.e. Leitchville, Cohuna and Murrabit) and another two towns in the process of becoming RV Friendly (i.e. Kerang and Quambatook). Gannawarra Shire Council does not have a specific RV Strategy, but will be developing an RV Friendly Policy in the near future. Four free dump points are provided to RVs visiting the Gannawarra Shire. Gannawarra Shire Council is also planning to provide five short stay camping areas and already has an extensive range of longer term camping sites in the parks and forests managed by either Parks Victoria or the Department of Environment, Land, Water and Planning (DELWP).

Campaspe Shire Council

Campaspe Shire has two official CMCA RV Friendly Towns (i.e. Kyabram and Lockington). The Campaspe Shire offers six dump points to RVers. Four dump points are free. Two dump points are located within Caravan Parks and are free to guests and \$5 and \$15 to non-guests. In terms of designated camping sites, Campaspe Shire offers one council operated free camping site with a stay limit of 28 days, two on Parks Victoria and GV Water sites and four in townships where camping fees are by way of a donation, plus innumerable other free-camping sites along the Murray River.

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Corowa Shire Council

Corowa Shire is not RV Friendly under the CMCA scheme, but the shire does offer free dump points in all three towns (i.e. Corowa, Howlong and Mulwala). There are also a number of reserves where RVers can camp overnight at no cost (e.g. Kyffins Reserve, Wagon Wheel and Lions Park).

Berrigan Shire Council

Each of the towns in Berrigan Shire now has a dump point accessible to all, including: Barooga, Berrigan, Finley and Tocumwal.

Deniliquin

Deniliquin Shire is RV Friendly, but does not have a specific RV strategy. Deniliquin Council promotes its RV Friendly town (i.e. Deniliquin) with one free dump point and two free camping areas with a maximum stay of 48 hours.

Swan Hill Rural City Council

There are two RV Friendly Towns (i.e. Nyah and Robinvale) within the boundaries of Swan Hill Rural City Council. The Council also offers three free dump points and one designated free camping site at the Nyah Recreation Reserve.

Wakool Shire Council

The Wakool Shire may consider becoming an RV Friendly Shire and developing a specific strategy, as part of their process of reviewing all tourism strategies. There currently is one RV Friendly Town (i.e. Moulamein). There are three dump points available across the Wakool Shire - one in Barham that is free for guests and with a fee for use of dump point only and two dump points in Moulamein that are both free. Multiple designated free camping sites are available from Campbell's Island and Koondrook State Forest.

Wentworth Shire Council

The Wentworth Shire is not RV friendly nor is any of its towns under the CMCA scheme. Wentworth Shire, however, does offer the following facilities for RVers visiting: a free dump point at the Wentworth Caravan Park; and two 48 hour free camping sites.

5.2 Other Rural Victorian Councils

The following provide just a snapshot of the RV Friendly policies and strategies of other rural Victorian Councils:

Bass Coast Shire Council

No RV strategy, but a number of dump points are located in commercial caravan parks.

Baw Baw Shire Council

No RV strategy – the RV market is however recognised in their draft strategy.

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Glenelg Shire Council

Provides free camping sites.

East Gippsland Shire Council

East Gippsland Shire Council promotes four designated free rest areas and eight dump points.

LaTrobe City Council

LaTrobe City Council does not have an RV Strategy and does not offer any public dump points or overnight parking facilities to cater for the RV market.

Macedon Ranges

The Macedon Ranges has one RV Friendly Town (i.e. Kyneton) with overnight parking of up to 48 hours at the Kyneton Mineral Springs Reserve. A dump point is also made available at this location. RV parking is available in five towns (Kyneton, Woodend, Gisborne, Romsey and Lancefield).

Moyne Shire Council

No free camping within the shire – Council owned caravan parks provide free dump points.

Wellington Shire Council

Wellington Shire Council has five RV Friendly towns and locations, 11 dump points and promotes more than 50 free or low cost camping and short term overnight parking.

Shepparton City Council

Shepparton City Council is not RV Friendly under the CMCA scheme and does not offer any designated free camping sites. They do however offer one free public access dump point, three dump points can be accessed at a fee within caravan parks and one dump point is offered for free within a business (car dealership). Shepparton City Council currently has established a working group to look into the topic of RV Friendly further.

Wangaratta City Council

Wangaratta not RV Friendly under the CMCA scheme, but does offer seven designated free camping sites, a free dump point at Oxley Reserve and access to a dump point at a caravan park in Wangaratta (i.e. Painters Island Caravan Park) at a small fee (\$5).

Benalla Rural City Council

Benalla is not yet officially recognised by the CMCA, but has been working with the CMCA to achieve this. Although Benalla does not have a specific RV strategy, there is one free public dump point and five designated free camping sites within the shire.

Indigo Shire

Indigo Shire is keen to demonstrate to the RV community that its towns embrace RVers and acknowledge their valuable contribution to regional economies whilst recognising that not all towns will be able to meet the CMCA RV Friendly Town/Destination criteria. Indigo Shire Council has

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developed an internal RV policy that clearly states Council's policy on RV tourism. The policy outlines that RV facilities within major towns will exclude overnight parking and that dump points are provided within commercial caravan parks to RVers at a fee (token amount/\$5).

6 Challenges and Issues

Regardless of the RV market contributing to the local economy, there are a number of issues relating to the provision of free dump points and low cost or free camping that must be taken into consideration:

6.1 Dump Points

The current location of three of the current council managed dump points in showgrounds is not ideal, particularly when users wish to use the dump points during sporting and other events.

As the dump points are connected to the sewage system, Council is required to sign a Waste Trade Service agreement with the local water board at a cost of \$300 per year per dump point. This is due to the fact that the chemicals used in the black water holding tanks of RVs impede the natural processes of decomposition by either killing or retarding beneficial bacterial growth or may result in blockages of the discharge pipeline.

Under the Waste Trade Service agreement Council must ensure that the dump points are:

- ❖ Locked when not in use;
- ❖ Supervised at all times when used - This is to ensure that the dump points are not misused and that the wrong waste is not dumped into the sewage system; and
- ❖ Record vehicle registration numbers and time/date of use.

All dump points are in locations that are not easily supervised. Finally, there is also the cost of ongoing maintenance of these dump points.

6.2 Short-Term Parking Locations

To be an RV Friendly Town under the CMCA scheme, there must be short term (e.g. 15min – 8 hours) parking within the vicinity of the town. These need to be long enough to fit RV vehicles and brings with it the challenge of policing to ensure that the given time limits are adhered to.

6.3 Low Cost Overnight Parking:

The low cost overnight parking (e.g. 48 hours) bring with it the following challenges and issues:

- 1) Enforcement - ensuring that RVers only stay for the permitted period of time;
- 2) Waste – dump points, contamination of dump points and general waste;
- 3) Water – potable water needs to be accessible to become RV Friendly – who bears the cost?;
- 4) Power – should this be accessible and who pays and how is the use otherwise prevented;

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- 5) Noise caused from increased traffic – will this affect the amenity of neighbouring residents?;
- 6) Competition to commercial businesses;
- 7) Risks and insurance – changes would be required to premium and coverage;
- 8) Current local laws do not allow for camping (except when linked to an event with a successful 'hire of park/reserve' application) – amendments would be required; and
- 9) Application – is this for RVers only or can all caravan'ers and campers use these facilities and sites. This raises the issue of being in competition with existing commercial caravan parks. On the other hand, not all commercial caravan parks can fit the very large motorhomes and RVs.

6.4 Regulatory Requirements

If Council proceeds to become an RV Friendly Shire there are a number of legislative and policy implications, as follows:

6.4.1 Moira Shire Council's Recreation Reserves Local Law 2009

Part 3, 12.1(d) of the Recreation Reserves Local Law outlines that no camping is allowed at a recreation reserve.

Clause 9, however, states that the Section 86 Committee of Management may issue a permit for an event. There is a process for hiring of a recreation reserve that needs to be followed in order for any permit to be successfully granted. The end decision for the approval of any application for hire of the reserves lies with the relevant Section 86 Committee.

In order for Council to provide camping facilities for RVers in Council's Recreation Reserves, Council would have to amend this local law in order to allow camping (outside of permitted event) to be allowed in recreation reserves.

6.4.2 Moira Shire Council's Community Safety & Environment Law

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

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

6.4.3 Competitive Neutrality Policy

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

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

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

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

6.4.4 Residential Tenancies Act 1997

The regulations covering caravan parks set out the following requirements for operating a caravan park in Victoria:

- ❖ Registration with local council and associated duties on owners;
- ❖ Fees for registration;
- ❖ Standards for fire safety and emergency management planning in caravan parks;
- ❖ Construction standards and installation requirements for movable dwellings in parks; and
- ❖ Standards for services and amenities and the maintenance of sites and dwellings.

6.5 Risk Management

All Victorian councils and caravan park operators are required to protect sites users and to minimize risk to themselves, Council and the environment.

6.6 Environmental and Waste Management

With no provision of dump points, Council would face the issue of RVers disposing of their waste water (grey and black) on the side of the road.

Council will have to consider waste management for any new proposed RV sites. Council will be required to allocate funds to and/or find appropriate solutions that minimise the cost and impact to the flora, fauna and local communities. These are issues that are already being considered by Council for campers camping in the bush.

During the development of this strategy, the suitability of several sites has been assessed with the above issues and challenges in mind.

7 Discussion

Travelling the country-side in RVs has become a popular lifestyle of retirees as well as the family market. The RV market is growing in size and will continue to grow in coming years. In order for

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Moirashire Council to capitalise on this market growth and encourage any economic activity from this market, it is crucial that the current needs of the RV market are considered and appropriate facilities and services are provided.

Many RVers regularly use formal caravan parks. It is the intention by Moira Shire Council to actively support the shire's formal caravan parks by increasing the pool of RVers coming to the region; by providing a few low cost camping sites and promoting the RV market to stay longer, explore the region, visit the region's attractions and stay in formal caravan parks for at least part of their stay.

Although Moira Shire Council currently has four RV Friendly Towns, Council seeks to take a shire-wide approach. An RV Friendly Shire approach is the appropriate way forward, capturing the opportunities arising from tapping into the RV market.

Tourism business operators and businesses supporting the tourism industry can apply for the RV Friendly Destination status where the business addresses the CMCA RV Friendly Destination criteria and are subject to planning approval.

Moirashire Council is an attractive destination for the RV market, situated in the south to north/north to south route from Melbourne. Using the appropriate communication channels and clearly promoting the approved RV facilities and services will limit inappropriate usage and address the challenges and issues currently faced by Moira Shire Council.

By taking a shire-wide approach, effective measures can be applied to ensure that the:

- ❖ Benefits of tapping into the RV market are enhanced;
- ❖ Needs of the RV market are met;
- ❖ Sites are properly maintained, protected and preserved through regulation of the sites; and
- ❖ Existing caravan park operators and other tourism operators are respected and in-directly supported.

A series of actions will transition Moira Shire from having four RV Friendly Towns to becoming an RV Friendly Shire with a range of facilities and services on offer to the RV market while enhancing the economic input.

8 Action Plan

The following actions will further enhance the profile of Moira Shire as an attractive region for RVers. Moira Shire Council will pro-actively encourage greater visitation and economic impact from the RV market by:

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8.1 Endorse and Promote Moira Shire as an Attractive RV Friendly Shire

Council will position and promote Moira Shire (utilising its tourism brand) in partnership with the tourism industry as a destination that welcomes RVs and highlights the facilities and experiences encouraging visitation and increased length of stay.

Council can provide visitor information packs targeted specifically to the RV market from the visitor information centres and promote the facilities and experiences on offer through appropriate RV channels, the destination tourism website(s), Murray Regional Tourism Board and the visitor information centre network.

8.2 Establish Economic Data and Visitor Profile of RV Market

Moira Shire Council to work with community groups to develop the appropriate mechanisms to obtain economic data (i.e. visitor length of stay and expenditure), visitor profiles (i.e. visitor demographics and psychographics) and industry feedback.

This data will help validate if this strategy is the best way forward for Moira Shire Council and if any amendments are required to this RV strategy.

8.3 Transition to Commercially Managed Dump Points

A number of existing caravan parks with dump points have expressed an interest in providing this service to the RV market at a fee. There are also existing caravan parks that do not yet have a dump point, but if given the chance would be interested in providing the service to the RV market at a fee. Council should liaise with these caravans to finalise the list of commercially managed dump points available to the RV market (at a fee).

- ❖ Existing commercial dump points that could be offered at a charge:
 - Murray River Hideaway, Strathmerton (Septic Tank)
 - Oasis, Cobram – \$5 dollar user charge already in place
 - Time Out Holiday Park, Koonoomoo (currently installing)
 - Wakiti Creek, Kotupna
- ❖ Caravan parks interested in having dump point installed in order to offer their service at a charge:
 - Numurkah Caravan Park, Numurkah
 - Cobram East Caravan Park, Cobram
 - Willows, Cobram
 - Westside Creek, Yarrawonga– need more information
- ❖ There may also be service stations that could be interested in installing dump points and making these available at a nominal fee for non-patrons and free of charge for patrons.
 - Westside Petrol Station, Strathmerton

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In the transition phase, existing public dump points that can be offered free of charge include

- ❖ Murray Valley Highway, Strathmerton
- ❖ Weir Street, Nathalia
- ❖ Nangunia St adjacent to the Lions Bus Shelter, Barooga – approval for promotion of this dump point has been sought from Berrigan Shire Shire.
- ❖ Purtle Park, Mulwala – approval for promotion of this dump point has been sought from Corowa Shire.

Economic data and evaluation (Section 8.2) will identify if Moira Shire Council should continue to offer a mixture of public and commercially managed dump points or fully transition to only commercially managed dump points.

8.4 Trial the Continuation of Council Managed Dump Points in Showgrounds

Council should seek to trial the continuation of the Council managed dump points in showgrounds – i.e. Cobram, Numurkah and Yarrawonga. During the trial period, free dump points will also be accessible from:

- ❖ Showgrounds, Cobram
- ❖ Showgrounds, Numurkah
- ❖ Showgrounds, Yarrawonga

A review should be taken after 12 months. The review will ascertain if Council should continue to provide free dump points at the showgrounds, keep the dump points open for events only or completely decommission the dump points.

8.5 Develop RV Friendly Low Cost Overnight Parking Sites in Smaller Towns and Surrounds

Council should in the long term seek to develop 8 locations that offer low cost overnight parking (up to 48 hours), catering for RVers travelling to the east, south, west and north of the shire. These locations should aim to increase economic activity in smaller towns thereby enhancing the economic benefit of tapping into the RV market and at the same time not be seen as in competition with our formal caravan parks.

Council will be required to register the following proposed sites with its Environmental Health Department, to follow the fire safety and emergency management standards and to abide by the given standards for services, amenities and maintenance, as outlined in section 6.4.4.1 to 6.4.4.8.

Council will be required to find a solution for how to address the issue of non-RVers using the sites once they are established, such as itinerant workers and homeless people that are not travelling in self-contained vehicles. This may be through a signage or a revision to the local law. Legal advice

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may need to be sought to ensure that this will not be seen as discrimination under the Human Rights Act.

8.5.1 Tungamah

A site has been identified in Tungamah as an ideal location for low cost overnight parking. The community at Tungamah has expressed a keen interest in having the Lions Park on the Broken Creek turned into a destination catering for the RV market.

8.5.2 Yarroweyah

The recreation reserve in Yarroweyah has been identified as an ideal location for low cost overnight parking. The Recreation Reserve is currently being used by the local Footy Club, which is the last club using the facility. The long-term viability of the Footy Club has been questioned and if the footy club was to fold, there would just be vacant land, which would be suitable for overnight parking of no more than 48 hours.

The site is on the Benalla-Tocumwal Route and near the Murray Valley Highway and would therefore capture both the north/south and east/west travel.

8.5.3 Picola

A site has been identified in Picola as an ideal location for low cost overnight parking. Although off the beaten track, it would capture RV traffic from the Barmah-Shepparton Rd and Murray Valley Highway.

The location is on the East side of the Picola Train Park, but in order for this to be offered as a RV facility, a lease with VicTrack would be required. Such a lease would cost around \$250 per annum.

8.5.4 Wunghnu

A site has been identified in Wunghnu as an ideal location for low cost overnight parking.

The Recreation Reserve is managed by a Section 86 Committee. Council would have to liaise with this Section 86 Committee to ensure that they would be happy to provide this location for overnight parking of up to 48 hours.

The location in Wunghnu would capture the north/south travel along the Goulburn-Valley Highway.

8.5.5 Forges Beach

Forges Beach is managed by Parks Victoria. Parks Victoria currently supports the notion to promote Forges Beach No1 &2 to the RV market, but requires the following challenges and issues to be considered:

- ❖ **Road maintenance** - Traditionally Parks Victoria has maintained the access road to allow for 2 wheel drives to access Forges No. 1 . Nevertheless, there may be some minor constraints with the reliability of funding to maintain the access road to an acceptable standard

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consistently . For example, Parks Victoria's Road Maintenance budget for the entire road network within their reserves managed out of Yarrawonga is \$7,000 for 2015/16. If there was any assistance available from the Moria Shire for road maintenance linking some of our more iconic beaches this would be of assistance.

- ❖ **Toilet infrastructure at capacity-** The promotion of the site to the RV Market would add pressure to the toilet at Forges Beach no. 1, which already is at capacity during peak times. Furthermore, Parks Victoria has experienced issues with RVers dumping waste into the existing toilets. With increased usage of chemical toilets and other systems available to campers the need for a dump disposal point located between Yarrawonga and Cobram could be an option.

8.5.6 Barmah Lakes Camping Area, Barmah National Park

This site is maintained by Parks Victoria. The Barmah Lakes Camping Area has recently been upgraded and is suitable for promotion to the RV Market.

The site offers easy access to the Barmah National Park, the Barmah Lakes, the township of Barmah, local tourism operators and a number of walking tracks. RVers need to be aware of camping under trees as River Red Gums can drop branches or fall over without warning.

8.5.7 The Killawarra Camp, Warby Ovens National Park, Killawarra

This site is maintained by Parks Victoria. The Killawarra Camp in the Warby Ovens National Park is accessed via Camp Rd, off the Boweya Road and is suitable for promotion to the RV Market. RVers need to be aware of camping under trees as River Red Gums can drop branches or fall over without warning.

8.5.8 Lower Ovens Wildlife Reserve at Bundalong.

This site is maintained by Parks Victoria. Although technically in the Indigo Shire by 50m, park visitors shop in Bundalong and Yarrawonga and it would be suitable to promote to the RV market. It is located downstream of the River Bend Caravan Park at Bundalong and is recognised as one of the best sites in Northern Victoria. RVers need to be aware of camping under trees as River Red Gums can drop branches or fall over without warning.

8.6 Trial RV Friendly Low Cost Overnight Parking Sites in Major Towns

The provision of low cost overnight parking in towns with caravan parks is somewhat controversial; with RVers claiming it is necessary to attract the RV market and caravan parks arguing it will affect their viability.

Over at least a year Council will trial the provision of low cost overnight parking in the showgrounds of each of its major towns (i.e. Yarrawonga, Cobram, Numurkah and Nathalia).

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Council will be required to register the following proposed sites with its Environmental Health Department, to follow the fire safety and emergency management standards and to abide by the given standards for services, amenities and maintenance, as outlined in section 6.4.4.1 to 6.4.4.8.

Council will be required to find a solution for how to address the issue of non-RVers using the sites once they are established, such as itinerant workers and homeless people that are not travelling in self-contained vehicles. This may be through a signage or a revision to the local law. Legal advice may need to be sought to ensure that this will not be seen as discrimination under the Human Rights Act.

After a year Council will undertake an independent review of the provision of low cost overnight parking in showgrounds. Monitoring strategies may include:

- ❖ Enforcement of time limit
- ❖ Enforcement of self-contained vehicles only
- ❖ Economic impact survey and results
- ❖ Impact on caravan parks

8.7 Commit Resources to Enforcement

To ensure that the RV Strategy is successfully implemented, Council must commit the necessary resources to ensure appropriate enforcement of the duration of stay and restricting parking to designated areas and associated activities.

8.8 Encourage Local Businesses to Become CMCA RV Friendly Destinations

With the appropriate Council permits in place, local tourism and tourism support businesses could be encouraged to join the RV Friendly Destination™ scheme, if this aligns with the overarching aim and strategies of the individual business.

8.9 Provide Long-Vehicle Parking Close to Shopping Precincts

Long vehicle parking to be properly line marked or sign-posted where appropriate. Moira Shire Council will provide long-vehicle parking of up to four hours in close proximity to shopping precincts and amenities in the following locations:

- ❖ Punt Road , Cobram
- ❖ Behind Federation Park, Cobram Railway Station, Cobram
- ❖ Mivo Park, Cobram
- ❖ Blake St, Nathalia
- ❖ Weir Street, Nathalia
- ❖ Irvine Parade, Yarrawonga
- ❖ Hunt Street, Yarrawonga
- ❖ Hume Street, Yarrawonga

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

There may be further options for long vehicle parking that could be explored further, including but not limited to:

- Railway land at the end of Lott Street, Yarrawonga – this land is owned by VicTrack and not Council. In other words, this would either require VicTrack's direct consent or the Committee of Management could apply for an extension of their lease of land near the Railway Station to allow Council to promote this location for RV parking.

8.10 Offer Access to Potable Water from Designated Locations

Moir Shire Council will offer access to potable water from the following designated locations:

- ❖ Cnr Barr Street and Tungamah Main Road, Tungamah
- ❖ Cnr Benalla - Tocumwal Road and Moore St, Katamatite
- ❖ Benalla-Tocumwal Road, Katamatite
- ❖ Blake Street, Nathalia
- ❖ Weir Street, Nathalia

Access to potable water may also potentially be provided from the same location as the commercial dump points. This will depend on the level of interest from the caravan parks to be part of such a packaged deal (i.e. dump your waste and fill up with potable water) at a minimal set fee.

8.11 Provide New Signage

Signage will be an important component of clearly identifying the RV Facilities and Services. A signage plan is to be developed as part of the Moira Shire Signage Strategy outlining the signage requirements and locations. Signage is to include:

- ❖ Long vehicle parking signage (where appropriate);
- ❖ Overnight parking signage;
- ❖ Promotional signage of key attractions and caravan parks

FILE NO: F13/2614
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.1.5
(TOURISM DEVELOPMENT OFFICER,
LOUISE MUNK KLINT)
(MANAGER ECONOMIC DEVELOPMENT,
JANE O'BRIEN)

RECREATIONAL VEHICLE STRATEGY (cont'd)

ATTACHMENT No [1] - Draft RV Strategy



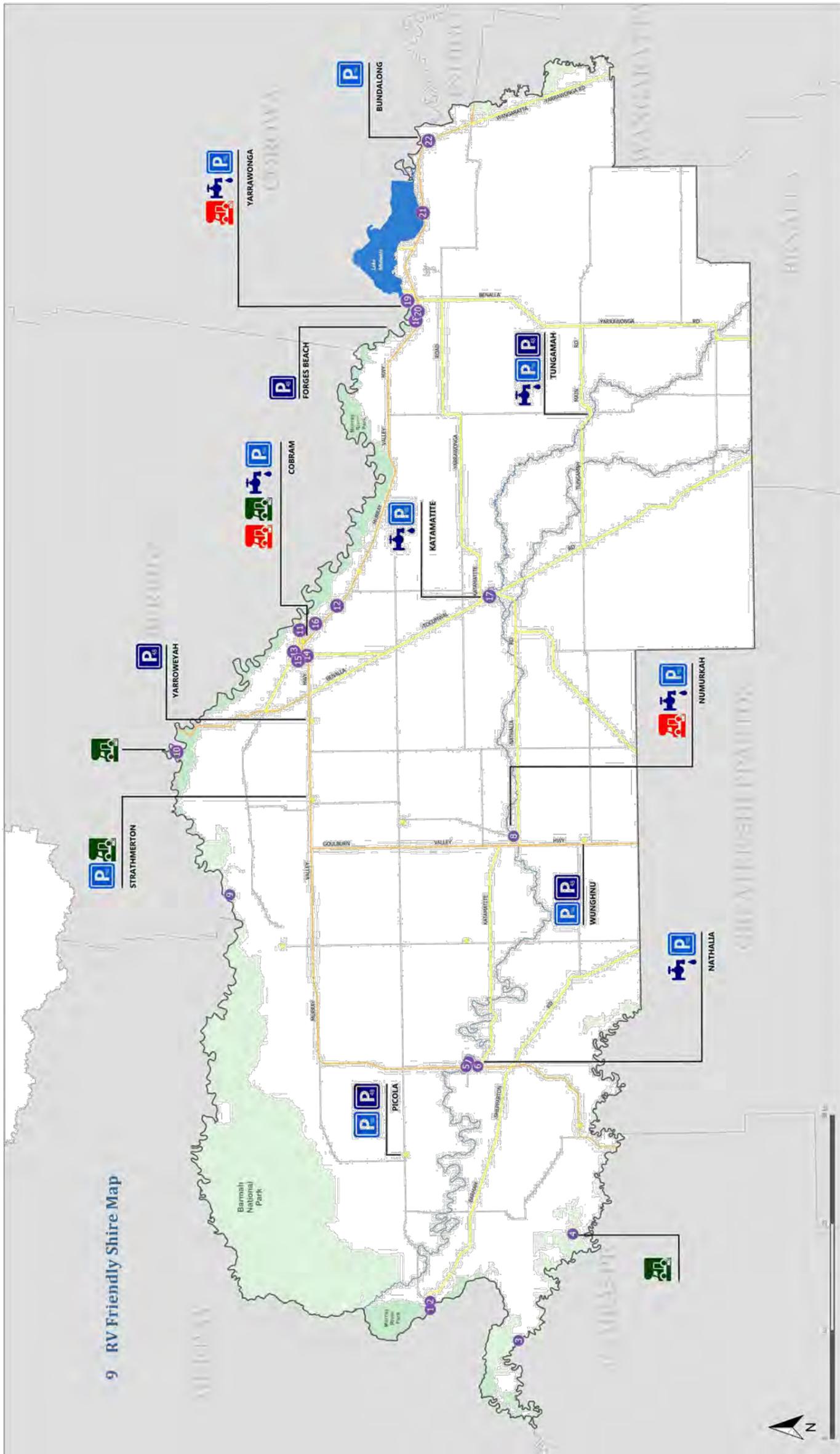
❖ Potable water signage

The provision of signage and any potential line marking would require a budget of approximately \$10,000 - \$15,000.

FILE NO: F13/2614
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.1.5
(TOURISM DEVELOPMENT OFFICER, LOUISE MUNK KLINT)
(MANAGER ECONOMIC DEVELOPMENT, JANE O'BRIEN)

RECREATIONAL VEHICLE STRATEGY (cont'd)



- 9 RV Friendly Shire Map**
- 1 LONG TERM PARKING 48 HOURS
 - 2 SHORT TERM PARKING
 - 3 POTABLE WATER
 - 4 CARAVAN PARKS
 - 5 RV DUMP POINT
 - 6 POTENTIAL RV DUMP POINT
 - 7 BARMAH CAMPING PTY LTD CARAVAN PARK
 - 8 MURRAY PERCH CARAVAN PARK
 - 9 RIVER BEND CARAVAN PARK
 - 10 WAKITTI CREEK RESORT
 - 11 CONCH STOP CARAVAN PARK
 - 12 NATHALIA MOTEL AND HOLIDAY PARK
 - 13 RIVERSIDE CARAVAN PARK
 - 14 NUMURKAH CARAVAN PARK
 - 15 MURRAY RIVER HIDEAWAY HOLIDAY PARK
 - 16 TIME OUT HOLIDAY PARK
 - 17 APEX CARAVAN PARK
 - 18 COBRAM EAST CARAVAN PARK
 - 19 COBRAM OASIS TOURIST PARK
 - 20 COBRAM WILLOWS CARAVAN PARK
 - 21 GREEN PALMS CARAVAN PARK
 - 22 RACY COBRAM RESORT
 - 23 KATAMATITE CARAVAN PARK
 - 24 JELARA CARAVAN PARK
 - 25 YARRAWONGA HOLIDAY PARK
 - 26 YARRAWONGA WESTSIDE CARAVAN PARK
 - 27 SKELAND MOTEL PTY LTD
 - 28 BUNDALONG HOLIDAY PARK



FILE NO: F14/232
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.1.6
(TOURISM DEVELOPMENT OFFICER,
LOUISE MUNK KLINT)
(CHIEF EXECUTIVE OFFICER, MARK
HENDERSON)

**TOURISM ADVISORY COMMITTEE REPRESENTATIVE APPOINTMENTS -
AMENDMENTS**

RECOMMENDATION

That Council:

1. Rescind the appointments of the following persons representing Local Tourism Associations and/or Community on the Tourism Advisory Committee for the remainder of the term, ending 30th June 2016
 - (a) Ron Baker, Numurkah Love our Lifestyle Inc.
2. Approve the appointments of the following persons representing Local Tourism Associations and/or Community on the Tourism Advisory Committee for the remainder of the term, ending 30th June 2016
 - (a) Terry Harbour, Numurkah Love our Lifestyle Inc.

1. Executive Summary

At Council's meeting held 20 October 2014, Council resolved to appoint persons as Community representatives on Moira Shire Council's Tourism Advisory Committee (TAC) for a period ending 30th June 2016. Council resolved to appoint additional persons as community representative on Council's TAC on 25 May 2015 for a period ending 30th June 2016.

Even though the current representatives have initially been appointed for the remaining term of the committee, should they wish to relinquish their position, they are not obliged to remain on the Committee for the entire period, and a replacement representative would be appointed.

2. Background and Options

It is expected that individuals who represent the Community, Goulburn-Murray Water, Parks Victoria and/or Local Tourism Associations (LTA) on the Committee of Management will change.

Local Tourism Associations elect their chairperson annually, which may change the elected representative on the TAC. Also the situations of individuals may change, requiring their appointment to be rescinded and another individual to be appointed as a replacement.

Detailed below are any amendments to the current TAC composition:

- Ron Baker has stepped down as chairperson and is no longer a committee member on Numurkah Love our Lifestyle Inc.
- Terry Harbour was at the recent Numurkah Love our Lifestyle Inc. annual general meeting elected chairperson of the LTA, thereby replacing Ron Baker on the TAC.

3. Financial Implications

There are no financial implications to consider within this report.

4. Risk Management

There are no risk management implications to consider within this report.

FILE NO: F14/232
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.1.6
(TOURISM DEVELOPMENT OFFICER,
LOUISE MUNK KLINT)
(CHIEF EXECUTIVE OFFICER, MARK
HENDERSON)

TOURISM ADVISORY COMMITTEE REPRESENTATIVE APPOINTMENTS - AMENDMENTS (cont'd)

5. Internal and External Consultation

It is important for Council to maintain an appropriate balance of representation from user groups and the community and also maintain an accurate and up to date database of representatives on the TAC.

To ensure the accuracy of the TAC database, it is essential that Council is advised when changes are required to skills-based community representatives, LTA representative and Parks Victoria and Goulburn-Murray Water representatives. When changes do occur, a Council resolution is required. Council Officers are aware of the amendments.

6. Regional Context

There are no regional context issues to consider within this report.

7. Council Plan Strategy

This report supports the implementation of Moira Shire Council's key strategic goal: *"Build on our economic strengths in agriculture, manufacturing and tourism"*.

8. Legislative / Policy Implications

There are no legislative / policy implications to consider within this report.

9. Environmental Impact

There are no environmental implications to consider within this report.

10. Conflict of Interest Considerations

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

11. Conclusion

It is recommended that Council rescind the appointments of Ron Baker and approving the appointment of Terry Harbour as the Numurkah Love our Lifestyle representative on the TAC.

Attachments

Nil

FILE NO: F13/503
5. DEMONSTRATING GOOD GOVERNANCE

ITEM NO: 9.1.7
(GOVERNANCE RECORDS OFFICER,
MARGARET HINCK)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

ASSEMBLIES OF COUNCILLORS

RECOMMENDATION

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

1. Executive Summary

The records of the Assembly of Councillors reported during the month of October and November 2015 are attached to this report.

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

2. Background and Options

An Assembly of Councillors is defined under Division 1A – Conduct and interests in section 76AA of the Act:

assembly of Councillors (however titled) means a meeting of an advisory committee of the Council, if at least one Councillor is present, or a planned or scheduled meeting of at least half of the Councillors and one member of Council staff which considers matters that are intended or likely to be -

- (a) the subject of a decision of the Council; or
- (b) subject to the exercise of a function, duty or power of the Council that has been delegated to a person or committee—

but does not include a meeting of the Council, a special committee of the Council, an audit committee established under section 139, a club, association, peak body, political party or other organisation.

Section 80A of the Act requires the Chief Executive Officer to ensure that a written record of an assembly of Councillors is reported to an ordinary meeting of the Council as soon as practicable. The written record must include whether a Councillor who has disclosed a conflict of interest leaves the assembly.

Section 80A(1) requires that a record is kept of:

- (a) the names of all Councillors and members of Council staff attending;
- (b) the matters considered;
- (c) any conflict of interest disclosures made by a Councillor attending under subsection (3);
and
- (d) whether a Councillor who has disclosed a conflict of interest as required by subsection (3) leaves the assembly.

3. Financial Implications

There are no financial implications with this report.

FILE NO: F13/503
5. DEMONSTRATING GOOD GOVERNANCE

ITEM NO: 9.1.7
(GOVERNANCE RECORDS OFFICER,
MARGARET HINCK)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

ASSEMBLIES OF COUNCILLORS (cont'd)

4. Risk Management

There are no risk implications with this report.

5. Internal and External Consultation

The community are able to access written records of assemblies of Councillors.

6. Regional Context

There are no regional contexts associated with this report.

7. Council Plan Strategy

Demonstrating Good Governance

8. Legislative / Policy Implications

This report complies with the requirements under the *Local Government Act 1989*.

9. Environmental Impact

There are no environmental impacts with this report.

10. Conflict of Interest Considerations

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

11. Conclusion

The Assembly of Councillors records attached to this report are a true and accurate record of all assemblies of Councillors reported during October and November 2015. Their recording into the Council Minutes ensures Council meets its statutory obligations under section 80A of the Act.

Attachments

- 1 Attachment 12 amended
- 2 Attachment 4
- 3 Attachment 9
- 4 Attachment 23

FILE NO: F13/503
5. DEMONSTRATING GOOD GOVERNANCE

ITEM NO: 9.1.7
(GOVERNANCE RECORDS OFFICER,
MARGARET HINCK)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

ASSEMBLIES OF COUNCILLORS (cont'd)

ATTACHMENT No [1] - Attachment 12 amended



RECORD OF ASSEMBLY OF COUNCILLORS
Amended

Date held	12 October 2015
Name of meeting	Councillor Briefing
Councillors attending	Councillors Marie Martin, Gary Cleveland, Peter Mansfield, Kevin Bourke, Alex Monk, Brian Keenan (arrived 9:30, depart 3 pm), Don McPhee, Ed Cox(arrived 10:46), Wendy Buck
Council staff attending	Chief Executive Officer, Mark Henderson General Manager Corporate, Leanne Mulcahy General Manager Infrastructure, Andrew Close, Manager Governance and Communications, Linda Nieuwenhuizen Manager Property, Risk and Compliance, Bruce Berg von Lindhe Manager Community Development, David Booth Youth Development Officer, Hollie Barnes Manager Economic Development, Jane O'Brien Tourism Development Officer, Louise Munk-Klint Team Leader Community Facilities, Recreation and Youth, Clinton Shand
Matters discussed	<ol style="list-style-type: none"> 1. Youth Services 2. Local Government Act Review 3. Tourism Strategy 4. Section 86 Committee Review 5. Constraints policy – Kotupna Farmers 6. Brookefield Energy Australia – Gas Infrastructure Program 7. Cobram Barooga Business and Tourism Development Inc - Presentation 8. Agenda review
Conflict of Interest Disclosures (indicate below if Nil or complete details)	Nil

FILE NO: F13/503
5. DEMONSTRATING GOOD GOVERNANCE

ITEM NO: 9.1.7
(GOVERNANCE RECORDS OFFICER,
MARGARET HINCK)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

ASSEMBLIES OF COUNCILLORS (cont'd)

ATTACHMENT No [2] - Attachment 4



RECORD OF ASSEMBLY OF COUNCILLORS

Date held	4 November 2015
Name of meeting	Kinnaird's Wetland Advisory Committee
Councillors attending	Councillor Ed Cox
Council staff attending	Natural Resources Officer, Gary Deayton Environmental Technical Officer, Jackson Tennant Administration Support Officer, Jackson Tennant
Matters discussed	<ol style="list-style-type: none"> 1. Environmental Management Plan implementation <ul style="list-style-type: none"> • Environmental water delivery • Ecological monitoring 2. Recent works <ul style="list-style-type: none"> • Weed control and revegetation areas maintenance • Track maintenance • Boardwalks 3. Other business <ul style="list-style-type: none"> • Recent media • Visit by Broken Creek Field Naturalists Club • Unauthorised vehicle use reported to Police • Ongoing problems of vandalism
Conflict of Interest Disclosures (indicate below if Nil or complete details)	
Nil	

**FILE NO: F13/503
5. DEMONSTRATING GOOD GOVERNANCE**

**ITEM NO: 9.1.7
(GOVERNANCE RECORDS OFFICER,
MARGARET HINCK)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)**

ASSEMBLIES OF COUNCILLORS (cont'd)

ATTACHMENT No [3] - Attachment 9



RECORD OF ASSEMBLY OF COUNCILLORS

Date held	Monday 9 November 2015	
Name of meeting	Councillor Briefing	
Councillors attending	Councillors Marie Martin, Gary Cleveland, Peter Mansfield, Kevin Bourke, Alex Monk, Brian Keenan (arrive 12:15), Don McPhee, Ed Cox, Wendy Buck	
Council staff attending	Chief Executive Officer, Mark Henderson General Manager Corporate, Leanne Mulcahy General Manager Infrastructure, Andrew Close, Manager Governance and Communications, Linda Nieuwenhuizen Manager Economic Development, Jane O'Brien Manager Safety, Amenity and Environment, Sally Rice Safety and Amenity Coordinator, John Shaw Manager Information Services, James Hargreaves Manager Community Development, David Booth	
Matters discussed	1. Agenda as provided	
Conflict of Interest Disclosures (indicate below if Nil or complete details)	Yes	
Matter No.	Councillor	Did Councillor leave meeting
Community grants	Councillor Gary Cleveland	yes

FILE NO: F13/503
5. DEMONSTRATING GOOD GOVERNANCE

ITEM NO: 9.1.7
(GOVERNANCE RECORDS OFFICER,
MARGARET HINCK)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

ASSEMBLIES OF COUNCILLORS (cont'd)

ATTACHMENT No [4] - Attachment 23



RECORD OF ASSEMBLY OF COUNCILLORS

Date held	23 November 2015	
Name of meeting	Councillor Briefing	
Councillors attending	Councillors Gary Cleveland, Marie Martin, Ed Cox, Kevin Bourke, Alex Monk, Don McPhee, Peter Mansfield, Wendy Buck, Brian Keenan	
Council staff attending	Chief Executive Officer, Mark Henderson General Manager Corporate, Leanne Mulcahy General Manager Infrastructure, Andrew Close Governance Information Officer, Margaret Hinck	
Matters discussed	<ol style="list-style-type: none"> 1. Agenda Review 2. Yarrawonga Library 3. Numurkah Flood Study 4. Yarrawonga Yacht Club 5. Justice of Peace 6. Griffiths Lane Nathalia 	
Conflict of Interest Disclosures (indicate below if Nil or complete details)		
Matter No.	Councillor	Did Councillor leave meeting
1 – Item 9.1.6	Councillors Gary Cleveland and Don McPhee	Yes

FILE NO: 5/2015.245
2. IMPROVING MOIRA'S LIVEABILITY

ITEM NO: 9.2.1
(STATUTORY PLANNING
COORDINATOR, PETER STENHOUSE)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

PLANNING APPLICATION 5/2015/245 - 2 LOT SUBDIVISION, 19 LIGAR STREET, BUNDALONG

RECOMMENDATION

That Council approve the issue of a Notice of Decision to Grant a Permit for Planning Application No 52015245 for a two lot subdivision at 19 Ligar Street, Bundalong, subject to the following conditions

1. The subdivision as shown on the endorsed plans must not be altered without the written consent of the responsible authority.
2. The owner of the land must enter into an agreement with:
 - (a) a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
 - (b) a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
3. Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:
 - (a) a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
 - (b) a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
4. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.
5. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.
6. The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.
7. Prior to the release of the Statement of Compliance, the applicant must enter into an agreement under Section 173 of the Act with the Responsible Authority to provide for the following:
 - (a) Any building or structure on proposed lot 2 must be contained with the

FILE NO: 5/2015.245
2. IMPROVING MOIRA'S LIVEABILITY

ITEM NO: 9.2.1
(STATUTORY PLANNING
COORDINATOR, PETER STENHOUSE)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

**PLANNING APPLICATION 5/2015/245 - 2 LOT SUBDIVISION, 19 LIGAR
STREET, BUNDALONG (cont'd)**

building envelope and effluent disposal must be confined to the effluent disposal envelope as indicated on the plan endorsed as part of the planning permit. These envelopes cannot be varied except with the consent of the Responsible Authority.

- (b) Any dwelling constructed on lot 2 must be single storey.
- (c) Existing and proposed landscaping around the perimeter of lot 2 must be maintained in accordance with the landscape plan endorsed as part of the permit to the satisfaction of the Responsible Authority.

Council will undertake to have the Agreement prepared upon written notification of the applicant. All costs associated with the preparation of the agreement shall be borne by the applicant. All fees associated with the documentation must be fully paid prior to execution and registration of the document by Council.

- 8. Prior to the consent to Certification, any easements for the purpose of draining lots to the legal point of discharge must be created.
- 9. Prior to the issue of a Statement of Compliance, the applicant must provide a drainage plan that accords with the provisions of Clauses 17 (Rural Drainage) and 19 (On-site Detention Systems) of Council's Infrastructure Design Manual [IDM], and has been prepared to the satisfaction of the Responsible Authority. In particular demonstrate that:
 - (a) provision for sufficient on-site detention to limit the peak outflow from the site during a 5-year ARI event to network capacity, and conveyed by underground pipes and/or by natural or constructed channels to a legal point of discharge nominated by the Responsible Authority;
 - (b) all storm-water deposited upon, and transferred through, the developed site during a 5-year ARI event must be collected and conveyed by underground pipes and/or by natural or constructed channels to a legal point of discharge nominated by the Responsible Authority
 - (c) all storm-water runoff originating from, or currently flowing through, the developed site in a 100-year ARI event must be collected and conveyed by secure overland and/or underground flood pathways to a legal point of discharge identified by the Responsible Authority; and
 - (d) stormwater drainage plans for the development must incorporate measures to enhance the quality of water discharged from the site and to protect downstream infrastructure and waterways.
- 10. Prior to the issue of a Statement of Compliance, all drainage infrastructure required by the approved drainage plan must be constructed in accordance with plans and specifications approved by the Responsible Authority.
- 11. Prior to the issue of a Statement of Compliance, each proposed lot must have a stormwater property drain inlet point, extending from the legal point of discharge to within its property boundary to the specification and satisfaction of the Responsible

FILE NO: 5/2015.245
2. IMPROVING MOIRA'S LIVEABILITY

ITEM NO: 9.2.1
(STATUTORY PLANNING
COORDINATOR, PETER STENHOUSE)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

**PLANNING APPLICATION 5/2015/245 - 2 LOT SUBDIVISION, 19 LIGAR
STREET, BUNDALONG (cont'd)**

Authority.

12. Where an underground pipe or pipes discharges into a natural or constructed open channel, the pipe or pipes must be directed to an appropriate point of concentration, in the form of a pit or end-wall, and arrangements satisfactory to the Responsible Authority must be made to prevent erosion within the receiving channel.
13. No part of any constructed channel used to convey storm-water may pass through the zone of influence of the proposed septic tank absorption field.
14. Prior to the issue of a Statement of Compliance, or unless agreed otherwise, any required restriction to stormwater flows from the site will require a Section 173 Agreement to be registered on the title, to the specification and satisfaction of the Responsible Authority, in accordance with Section 181 of the Planning and Environment Act 1987. The Agreement must be registered on the title of each proposed Lot, at no expense to Council.
15. Prior to the issue of a Statement of Compliance, all new and existing vehicle crossings as shown on the endorsed plan must be constructed and sealed to the standards of Council's Infrastructure Design Manual [IDM] Clause 12.9.2 "Rural Vehicle Crossings", and to the satisfaction of the Responsible Authority. In particular:
 - (a) existing crossing serving Lot 1 must be upgraded to provide appropriate culvert endwalls and an all-weather sealed surface; and
 - (b) works must be in accordance with Council's IDM Standard Drawing SD260 (Fringe Urban Residential Entrance).
16. Prior to the issue of a Statement of Compliance, the battle-axe leg serving access to Lot 2 created by the proposed development and as shown on the endorsed plan(s) must be constructed, sealed and drained with minimum 3m width in accordance with plans and specifications approved by the Responsible Authority.
17. All roof water from buildings and surface water from hard paved areas must be collected and conveyed to a drainage easement or to the legal point of discharge so as to prevent storm water nuisance to adjoining land.
18. Prior to the issue of a Statement of Compliance, all drains, batters and other disturbed areas must be topsoiled and seeded to establish grass cover.
19. In accordance with the Clause 22 of the IDM, appropriate measures, satisfactory to the Responsible Authority, must be taken to minimise erosion and to retain dust, silt and debris on site, both during and after the construction phase.
20. Care is to be taken to preserve the condition of existing infrastructure adjacent to the site. If any damage to existing infrastructure occurs as a result of this development, the affected infrastructure is to be replaced by the applicant, at the applicant's cost to the specification and satisfaction of the Responsible Authority.
21. No construction materials or earth is to be placed or stored outside the site area or on adjoining road reserves. This does not apply to road or footpath construction

FILE NO: 5/2015.245
2. IMPROVING MOIRA'S LIVEABILITY

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COORDINATOR, PETER STENHOUSE)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

PLANNING APPLICATION 5/2015/245 - 2 LOT SUBDIVISION, 19 LIGAR STREET, BUNDALONG (cont'd)

works on adjoining roads required as part of this permit.

22. A satisfactory landscaping plan for the whole of the subject land must be submitted to and approved by the Responsible Authority, prior to the issue of a statement of compliance. An endorsed copy of the plan must form part of this permit. The submitted plan must;
- (a) include a survey of all existing vegetation and natural features showing plants (over 2.0 metres in height) to be removed,
 - (b) include a schedule of all proposed trees, shrubs and ground cover, which will include the location, number and size at maturity of all plants, the botanical names of such plants and the location of all areas to be covered by grass, lawn or other surface materials as specified,
 - (c) the method of preparing, draining, watering and maintaining the landscaped area,
 - (d) the weed management program,
 - (e) show a permanent screen of trees and shrubs with a minimum of two rows using a mixture of local trees and understorey species (or other type of screen as specified) must be planted around perimeter of the site to form effective visual screen.
23. Prior to the issue of a Statement of Compliance, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.

Planning Notes

Before undertaking any works on public land or roads, the applicant must obtain a permit from the relevant authority giving *Consent to Work within a Road Reserve*.

1. Executive Summary

A Planning Permit Application has been received for a two lot subdivision at 19 Ligar Street, Bundalong.

The application was advertised and 4 objections were received of which one has since been withdrawn.

The application was referred to internal departments offering no objections, but subject to conditions. The application was not required to be referred to external authorities.

The proposed development accords with the purpose of the Low Density Residential Zone, relevant planning scheme provisions and state and local planning policies.

It is recommended that the application be approved and a Notice of Decision to grant a permit be issued, subject to conditions.

FILE NO: 5/2015.245
2. IMPROVING MOIRA'S LIVEABILITY

ITEM NO: 9.2.1
(STATUTORY PLANNING
COORDINATOR, PETER STENHOUSE)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

PLANNING APPLICATION 5/2015/245 - 2 LOT SUBDIVISION, 19 LIGAR STREET, BUNDALONG (cont'd)

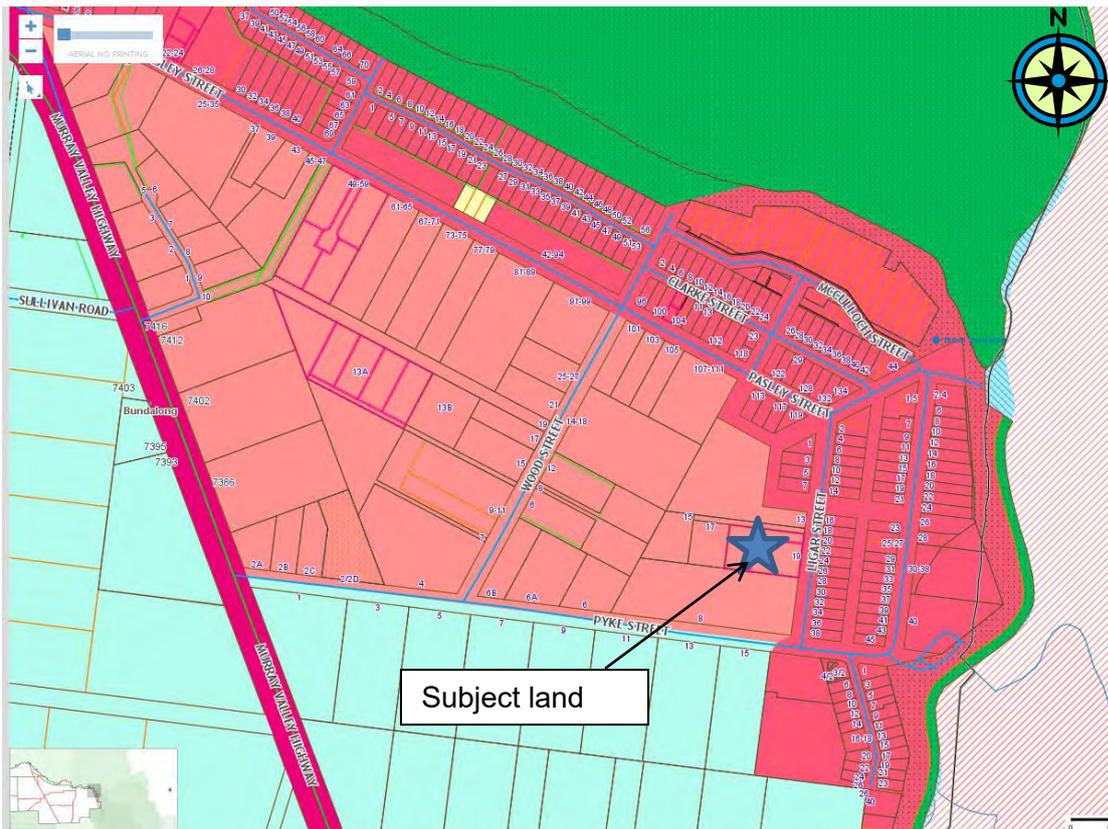
2. Background and Options

Application Details

Applicant: North East Survey Design
Owners: I and L.E Mullen
Land Address: 19 Ligar Street, Yarrowonga
Title Details: Lot 1 PS613053L
File No: 52015245
Zone: Low Density Residential Zone
Overlays: Nil

Key Issues

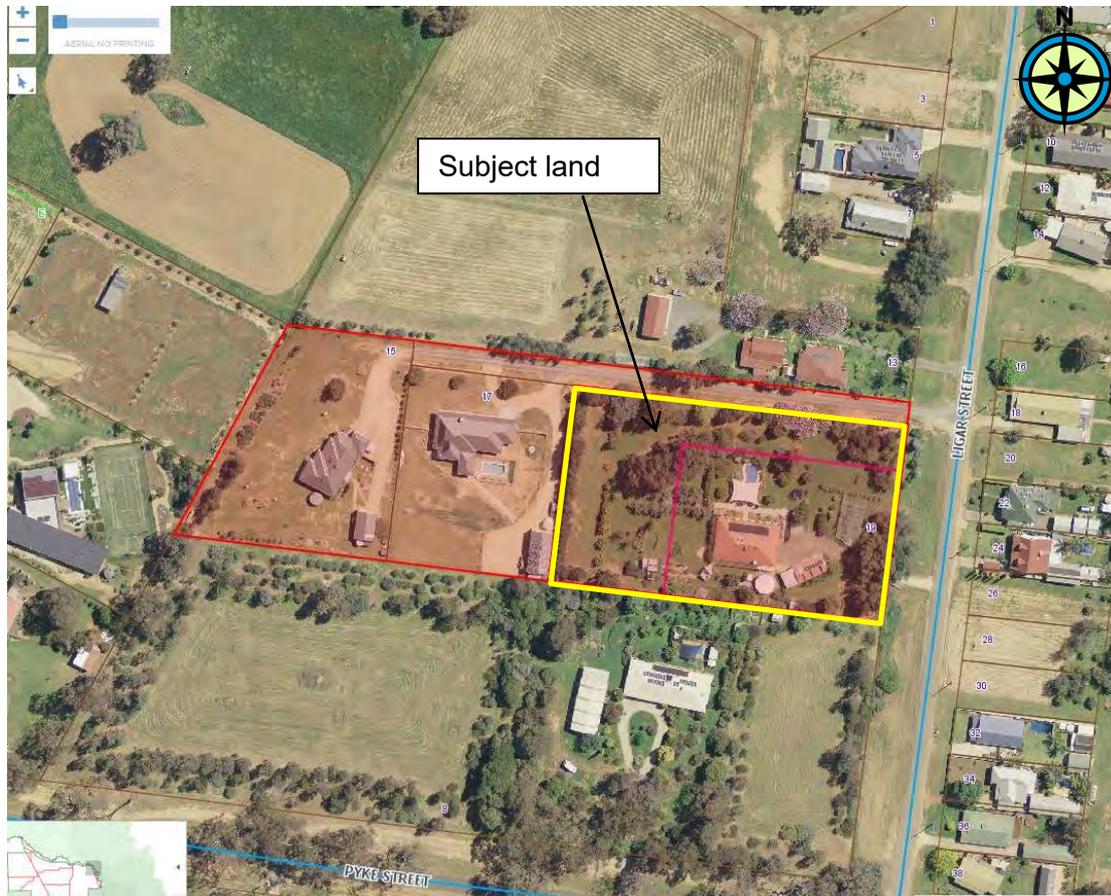
- Planning Scheme Provisions
- Settlement pattern
- Amenity



FILE NO: 5/2015.245
2. IMPROVING MOIRA'S LIVEABILITY

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(STATUTORY PLANNING
COORDINATOR, PETER STENHOUSE)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

PLANNING APPLICATION 5/2015/245 - 2 LOT SUBDIVISION, 19 LIGAR STREET, BUNDALONG (cont'd)



Proposal

The proposal is to subdivide land having an area of 8586m² into 2 lots with areas of 4394m² and 4192m² respectively.

Planning History

Planning Permit 5/2006/12502 was issued on 6 February 2006 for the purpose of a 3 lot subdivision at 19 Ligar Street, Bundalong. A Plan of Subdivision was subsequently certified and a statement of compliance issued. The subdivision was registered at the Titles Office and titles created on 9 April 2009.

Options

Council has the option to defer its decision for further assessment, issue a Notice of Decision to Grant a Permit or issue a Notice of Refusal.

3. Financial Implications

In the event that Council's decision is appealed at VCAT, any cost associated with attending and responding to an appeal is not budgeted for

4. Risk Management

If Council decides to grant a permit and conditions are not fulfilled, it may become a compliance issue.

FILE NO: 5/2015.245
2. IMPROVING MOIRA'S LIVEABILITY

ITEM NO: 9.2.1
(STATUTORY PLANNING
COORDINATOR, PETER STENHOUSE)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

PLANNING APPLICATION 5/2015/245 - 2 LOT SUBDIVISION, 19 LIGAR STREET, BUNDALONG (cont'd)

5. Community Consultation

The application was advertised by giving notice to surrounding property owners and occupiers. The advertising was carried correctly and 4 objections were received. The basis of the objection is summarised below:

- Building setback from boundaries
- Landscaping to retain country living environment
- Potential for existing trees to be removed
- Privacy at risk from possible 2 storey dwelling on lot 2
- Second bite at the cherry subdivision
- Any removal of existing trees will have an environmental impact
- Drainage may impact of adjoining property and driveway if not properly controlled
- Stormwater should be retained on site
- Any use of adjoining driveway will increase noise and traffic and affect our peace and quiet

The objections were forwarded to the applicant to respond positively and make changes where possible to overcome the objectors concerns. The applicant provided a response and suggested some changes including an increase in setback to the building envelope from the western boundary and to restrict the height of a dwelling to a single storey.

The objectors were forwarded the applicants response with the options to withdraw their objection, arrange a meeting on site or for Council to decide the application. Only one objection has been withdrawn, while 2 objectors requested for Council to make a decision and with the one remaining objector not responding.

6. Internal and External Consultation

The application was not required to be referred to external authorities. Standard planning scheme conditions would apply if approved.

The application was referred to the Infrastructure Department, Environmental Health and Natural Resources. No objections have been raised, while permit conditions should be imposed.

7. Regional Context

There is no regional context associated with this proposal, given its scale and location.

8. Council Plan Strategy

It is considered that the proposed development is generally consistent with the following strategies set out in the Council Plan:

- *Environment* – that Moira will responsibly manage its environment.
- *Development* – that Moira will be a great place to live.

9. Legislative / Policy Implications

The subject land is located in the Low Density Residential Zone (LDRZ). The purposes of the LDRZ are:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*

FILE NO: 5/2015.245
2. IMPROVING MOIRA'S LIVEABILITY

ITEM NO: 9.2.1
(STATUTORY PLANNING
COORDINATOR, PETER STENHOUSE)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

PLANNING APPLICATION 5/2015/245 - 2 LOT SUBDIVISION, 19 LIGAR STREET, BUNDALONG (cont'd)

- *To provide for low-density residential development on lots which, in the absence of reticulated sewerage, can treat and retain all wastewater.*

In the LDRZ a planning permit is required to subdivide the land. The minimum lot size, where there is no reticulated sewerage system, is 4000m². Adequate information has been submitted with the application to address the application requirements of the zone.

There is no specific State Planning Policy to address subdivision in low density residential areas, however there are generally policies reflecting on the urban design of subdivisions in creating urban environments and that there should be provision for housing diversity.

With respect to the Municipal Strategic Statement within the Local Planning Policy Framework, there should be urban consolidation, make provision for housing diversity and preserve the amenity of current and future residents in residential areas.

It is considered that the proposed subdivision does not conflict with relevant State and Local Planning Policies, accords with the purpose of the zone and has addressed the zone requirements.

Clause 65

<i>The suitability of the land for subdivision.</i>	The land is suitable in terms of the size, location and zoning for the subdivision.
<i>The existing use and possible future development of the land and nearby land.</i>	The subdivision is consistent with the low density residential use of adjoining and nearby land. More conventional residential development is opposite the subject land.
<i>The availability of subdivided land in the locality, and the need for the creation of further lots.</i>	There appears to be limited availability of land of this size, although there is other conventional residential land available in the township.
<i>The effect of development on the use or development of other land which has a common means of drainage.</i>	The application was referred to the Infrastructure Planning department. They have no objection to the issue of a permit subject to conditions which is to control drainage from the site.
<i>The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.</i>	It is considered that the pattern of low density residential lots are generally 2 hectares (5 acres) in size with a number of lots having been subdivided or are to be subdivided (approximately 12 lots) down to a minimum of 4000m ² . This proposal accords with the existing lot structure in the area. The vegetation on the site has been planted as there was little or no vegetation on the site around 2005.
<i>The density of the proposed development.</i>	The proposed subdivision maximises the allowable density for this area
<i>The area and dimensions of each lot in the subdivision.</i>	The area and dimensions of each lot are reasonable and in keeping with the pattern of

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PLANNING APPLICATION 5/2015/245 - 2 LOT SUBDIVISION, 19 LIGAR STREET, BUNDALONG (cont'd)

	land use in the area. The lots accord with the minimum lot requirements for the LDRZ.
<i>The layout of roads having regard to their function and relationship to existing roads.</i>	There are no roads proposed. Ligar Street is a formed and constructed sealed road. A new access from Ligar Street to the new vacant lot will be required
<i>The movement of pedestrians and vehicles throughout the subdivision and the ease of access to all lots.</i>	Each lot created will have its own access.
<i>The provision and location of reserves for public open space and other community facilities.</i>	No community facilities are included with this subdivision.
<i>The staging of the subdivision.</i>	There is no staging proposed.
<i>The design and siting of buildings having regard to safety and the risk of spread of fire.</i>	There should be no fire implications.
<i>The provision of off-street parking.</i>	The proposed lots will provide ample on-site parking space.
<i>The provision and location of common property.</i>	There is no common property proposed.
<i>The functions of any owner's corporation.</i>	There is no owner's corporation proposed.
<i>The availability and provision of utility services, including water, sewerage, drainage, electricity and gas.</i>	With the exception of reticulated sewerage and gas all other services are available to the site.
<i>If the land is not sewered and no provision has been made for the land to be sewered, the capacity of the land to treat and retain all sewage and sullage within the boundaries of each lot.</i>	The application was referred to Environmental Health and Infrastructure with no objection being offered.
<i>Whether, in relation to subdivision plans, native vegetation can be protected through subdivision and siting of open space areas.</i>	There is no protection required as there is no remnant native vegetation on the site that is at risk.

10. Environmental Impact

It is considered that the proposed subdivision will not impact unduly upon the environment, subject to compliance with the relevant conditions.

11. Conflict of Interest Considerations

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

12. Conclusion

The subject land is located in a Low Density Residential Zone. A planning permit is required however the minimum lot size must be at least 4000m². The proposed subdivision achieves this requirement even though the land was only created in 2009 as a result of previous 3 lot subdivision.

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INFRASTRUCTURE, ANDREW CLOSE)

**PLANNING APPLICATION 5/2015/245 - 2 LOT SUBDIVISION, 19 LIGAR
STREET, BUNDALONG (cont'd)**

The application was advertised and objections received. Many of those objections can be addressed with appropriate permit conditions relating to access, drainage, positioning and construction of any future dwelling on proposed lot 2 and landscaping. The proposed development accords with the purpose of the Low Density Residential Zone, relevant planning scheme provisions and state and local planning policies.

The proposed subdivision is considered to be in keeping with the settlement pattern of the area and should not have a detrimental effect on the environment and adjoining properties.

It is considered that the proposed subdivision is reasonable and therefore it is recommended that Council approve the issue of a Notice of Decision to Grant a Permit subject to reasonable and relevant conditions.

Attachments

- 1 Original Plan
- 2 Modified Plan
- 3 Applicant's response to objectors
- 4 Objections

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2. IMPROVING MOIRA'S LIVEABILITY

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(STATUTORY PLANNING
COORDINATOR, PETER STENHOUSE)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

PLANNING APPLICATION 5/2015/245 - 2 LOT SUBDIVISION, 19 LIGAR STREET, BUNDALONG (cont'd)

ATTACHMENT No [1] - Original Plan



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2. IMPROVING MOIRA'S LIVEABILITY

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COORDINATOR, PETER STENHOUSE)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

**PLANNING APPLICATION 5/2015/245 - 2 LOT SUBDIVISION, 19 LIGAR
STREET, BUNDALONG (cont'd)**

ATTACHMENT No [3] - Applicant's response to objectors



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matti@nesd.com.au

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stephen@nesd.com.au

M2153

7th October 2015

Mr Peter Stenhouse
Planning Coordinator
Moira Shire Council
PO Box 578
COBRAM VIC 3644

pstenhouse@moira.vic.gov.au

Dear Peter,

Re: **Planning Permit Application 5/2015/245
19 Ligar Street, Bundalong
Response to Objections**

Thank you for your email advising us of the objections received to this proposal. In response we propose the following additions, amendments and clarifications to hopefully help to alleviate some of the objectors concerns;

Objection 1

A building envelope has been shown on the development plan indicating the location for the proposed dwelling set well back from the southern boundary of the site and [REDACTED] adjacent property. We believe there is sufficient distance and existing vegetation between the proposed dwelling site and the existing house at [REDACTED] to ensure that their property will not be overlooked without a need for additional buffer planting on the proposed lot.

Objection 2

As the objector has rightly pointed out a new driveway is proposed to provide access to the building envelope on Lot 2. The existing trees along the northern boundary of the site will not be required to be removed and will provide a buffer between the two driveways and also the adjacent dwelling to the north at 13 Ligar Street.

The site will be drained in accordance with Council requirements to ensure that additional stormwater does not flow onto adjacent lots or the adjacent common property driveway.

Objection 3

A new driveway will be constructed from Ligar Street to access the proposed building envelope at the rear of Lot 2. The new dwelling will not be accessed via the existing common property driveway to 15 & 17 Ligar Street thereby avoiding exacerbating their existing problem.

The existing trees along the northern boundary of 19 Ligar Street will be retained to provide a buffer to the existing dwelling at 13 Ligar Street.

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(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

**PLANNING APPLICATION 5/2015/245 - 2 LOT SUBDIVISION, 19 LIGAR
STREET, BUNDALONG (cont'd)**

ATTACHMENT No [3] - Applicant's response to objectors

Objection 4

The subject site at 19 Ligar Street is 8,586m² and the minimum lot size for subdivision in the zone without reticulated sewerage is 4,000m². Subdivision down to a lot size of 4,000m² is therefore permissible.

The existing trees along the western boundary of 19 Ligar Street provide a buffer between the lots. It is unlikely that these would be removed as they afford both lots a good level of privacy however the objector may wish to consider planting a buffer on their own land to ensure that their privacy is maintained.

The developer has also confirmed that he would be willing to provide a restrictive covenant on the title of the land to limit the height of a future dwelling to only one storey as a gesture of good faith and will increase the setbacks from the boundaries to the proposed building envelope to 5m.

Trees within the proposed building envelope, effluent disposal area and along the alignment of the new driveway are likely to be removed however trees along the boundaries and elsewhere on the site are unlikely to be removed due to the buffer that they provide. Unfortunately we cannot provide a guarantee that the trees will not be removed however there is also no guarantee of this regardless of the subdivision.

Regarding the existing vegetation on the land we wish to clarify that all of the vegetation on the site is planted and can therefore be removed without a planning permit if necessary. A large proportion of this planted vegetation is exotic species.

As stated above the site will be drained in accordance with Council requirements to ensure that additional stormwater does not flow onto adjacent lots or the adjacent common property driveway. As per Councils policies stormwater from the site will be collected, detained as necessary and conveyed to the legal point of discharge for the land.

By way of clarification the land is not considered to be "flood prone" as it is not affected by a Land Subject to Inundation or Floodway planning overlay.

We understand the current practice for Council notification of planning proposals is a letter to adjacent landholders and/or a notice in the local paper. The practice of posting notices on the site is still used by some Councils however the statutory two week period for receipt of submissions is the same in any case regardless of the advertising method.

We understand that the adjacent neighbours are concerned and uncertain about the proposal however we believe the proposed subdivision complies with all of the requirements of the planning scheme and can confirm that the developer wishes to proceed with the application. We are happy to participate in a mediation process and propose alterations to the proposal as outlined below:

- Amend development plan to increase the building envelope setback to 5m from adjacent boundaries (refer attached)
- The developer has agreed to a restrictive covenant limiting the height for a dwelling on Lot 2 to only one storey.

Should you wish to conduct further mediation in the form of a meeting please advise.

Yours sincerely,



ANDREW MOTT

CAUSERS\ANDREW MOTT\DROPBOX (NESD)\NESD JOB DIRECTORY\M2153 -SUBDIVISION LIGAR STREET BUNDALONG-IAN MULLEN\PLANNING DOCUMENTS\M2153-15-10-07-MOIRA-RESPONSE TO OBJECTIONS TO PLN APP 5-2015-245.DOC

NORTH EAST SURVEY DESIGN

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2. IMPROVING MOIRA'S LIVEABILITY

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(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

**PLANNING APPLICATION 5/2015/245 - 2 LOT SUBDIVISION, 19 LIGAR
STREET, BUNDALONG (cont'd)**

ATTACHMENT No [4] - Objections

13 September 2015

PLANNING PERMIT No. 5/2015/245

Attn: Peter STENHOUSE, Moira Planning Coordinator,

1. As the owners and occupiers of [REDACTED] we wish to submit an objection to the planning permit application above.
2. We purchased [REDACTED] in 2011 in the belief that the subdivision of the original property (19 Ligar St) has already been subdivided to create 15 and 17 Ligar St had been completed and no further subdivision was to occur. We believe that this proposed subdivision has the potential to be detrimental to the amenity of the area and benefits we currently enjoy. There are an abundance of similar sized vacant blocks already for sale in Bundalong and we query the need for more.
3. The proposed subdivision is likely to impact on us as a neighbouring property and our uses if a dwelling is developed. We have developed our entertainment area and pool on the east side of our property in the belief that it was to remain private and secluded from dwellings and outbuildings. Development of any kind is likely to have implications; however, any two storey construction or dwelling with an entertainment area or predominant windows on the west side will have a high impact on the privacy we believed we were going to permanently be afforded when we purchased the property. Appendix A attached is a series of photographs taken from our entertainment area which shows the line of sight to the proposed development. As can be seen, any two story structure in that position will pose a significant reduction of our privacy and amenity.
4. For reasons that we will go into in the following two paragraphs it appears that the proposal is merely a "second bite at the cherry" of an already completed subdivision. We carefully studied the titles and subdivision possibilities when we purchased our property. It is clear and apparent that Lot 13, Ligar St could be subdivided in the future and for that reason we built our home and the private areas facing away from that direction. If the basic principal in any court was applied to the proposal (the reasonable person test) we submit they would look at what we purchased and think no further subdivision was possible.
5. We were aware that 19 Ligar St was on the property market for a period of about twelve months prior to this proposal but did not sell. In conversation between ourselves and a representative of the real estate agent contracted to sell the property it was said the property was unlikely to sell as a whole and would be more attractive, with less maintenance should the block be further subdivided.
6. We have been told (hearsay only) that at this stage the proposer's son is to be sold the proposed lot. We question if that is just what we are being told only to ensure this proposal goes through without objection only to find it appear on the open property market a short time later and all of the assurances about vegetation retention and privacy concerns being forgotten by the new owners.
7. The planning report states that existing vegetation on the site will be retained and that removal of significant trees from the neighbourhood won't occur, however, some or most of these will need to be removed to accommodate any new dwelling. This also has the potential to significantly impact upon our privacy as the existing trees on the fence line provide seclusion for our pool and entertainment area. Although the proposer, our neighbour has never spoken about this proposal with us personally, it has been repeated to us that the proposer said, "it's in the report but when Kevin gets it he can really do what he wants."

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2. IMPROVING MOIRA'S LIVEABILITY

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(STATUTORY PLANNING
COORDINATOR, PETER STENHOUSE)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

PLANNING APPLICATION 5/2015/245 - 2 LOT SUBDIVISION, 19 LIGAR STREET, BUNDALONG (cont'd)

ATTACHMENT No [4] - Objections

8. The trees that are on 19 Ligar St, particularly toward the rear are home to a significant number of native birds all year round. King Parrots, Crimson Rosellas, Kookaburras and finches use the trees at all times of the year. It would have a significant environmental impact should the trees be removed. We refer to the proposal and the term 'mostly' when referring to vegetation.

In the planning proposal Clause 65.02 (Page 12) the following question and response appears:

Q. The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.

A. The subdivision site is flat and there are no significant physical characteristics that will impede development. There are a number of existing trees on the site however these are planted and mostly exotic species which can be removed without a permit if necessary to accommodate the construction of a dwelling on proposed Lot 2.

A broad brush, "mostly" approach is not satisfactory in our submission / objection.

9. A stormwater drainage system and discharge is not listed on the Concept Development Plan (as referenced on page 14) which is concerning. The current drainage on our private driveway just manages to meet the needs of 15 and 17 Ligar St but could not sustain a third property. We would strongly object to any stormwater drainage being directed towards our property or along the private driveway.

In the planning proposal Clause 65.02 (Page 11) the following question and response appears:

Q. The effect of development on the use or development of other land which has a common means of drainage

A. There will be minimal impact in this regard due to the low density nature of the proposed subdivision.

10. This question and answer fails to address the issue completely. During any significant rain event the existing drain that we share with 15 Ligar Street struggles to cope with excess storm water that is not collected in storage tanks. Under no circumstances should we be expected to take any additional storm water from the proposed subdivision. If this objection is overlooked we submit that any subdivision must have the ability to dispose of any water caught. It is well documented how poorly drained and flood susceptible Bundalong already is. The issue of drainage in Bundalong is critical. Throughout the proposal document the proposer states the area is "not flood prone". Does the proposer not remember the significant flood event of 2012?
11. Finally, we are disappointed not to have been consulted on the proposal despite being direct neighbours. In these circumstances we thought it was a legislative requirement that a publicly displayed board be made clearly visible proposing the subdivision, if so it was not. That the proposal letter arrived for consideration with fourteen days to consider an objection and seek considered legal advice seems extremely short notice. If we had been away on a two week holiday for instance we would not have had time to consider the proposal at all. Had a discussion occurred we could have a better understanding of what is proposed which may have nullified the need for this letter.
12. We are sympathetic to the position of the proposer and their inability to sell 19 Ligar St in its current form however we strongly object to the proposal. We struggle to come to terms with the fact that our dream home and the privacy and amenity we saw in the block are to be significantly impacted so that the proposer can sell and move away.

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2. IMPROVING MOIRA'S LIVEABILITY

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(STATUTORY PLANNING
COORDINATOR, PETER STENHOUSE)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

**PLANNING APPLICATION 5/2015/245 - 2 LOT SUBDIVISION, 19 LIGAR
STREET, BUNDALONG (cont'd)**

ATTACHMENT No [4] - Objections

13. We understand that objections will also be lodged from the three neighbouring properties directly affected by this proposal, being [REDACTED]. If that doesn't send a strong message to the Moira Shire of the perceived impact of not only ours but their privacy and amenity of the proposal we fail to see what will.
14. As stated, there are an abundance of available subdivisions within the township. If the proposer's son seeks to move closer to his parents we say with the utmost respect, there is any number of vacant lots available within a short walking distance of 19 Ligar St for purchase.
15. Finally we would like it noted that we reserve the right to take the matter to a higher authority (VCAT) should the planned subdivision be authorised. We believe that common sense states that this subdivision stands to significantly impact our privacy well beyond the departure of the proposer from Bundalong in the future. This is our home, not a holiday home and we love it how it is.

Yours sincerely,



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(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

PLANNING APPLICATION 5/2015/245 - 2 LOT SUBDIVISION, 19 LIGAR STREET, BUNDALONG (cont'd)

ATTACHMENT No [4] - Objections

APPENDIX 'A'

Views from 17 Ligar Street, Bundalong towards proposed subdivision.



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2. IMPROVING MOIRA'S LIVEABILITY

ITEM NO: 9.2.1
(STATUTORY PLANNING
COORDINATOR, PETER STENHOUSE)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

PLANNING APPLICATION 5/2015/245 - 2 LOT SUBDIVISION, 19 LIGAR STREET, BUNDALONG (cont'd)

ATTACHMENT No [4] - Objections

15th September 2015

To: Peter Stenhouse
Ref: 5/2015/245

Moira Shire Council	
File No.	5/2015/245
Doc No.	DIS/5607
Date	10 SEP 2015
Referred to	
Approved by	

Notice of Application for Planning Permit No. 5/2015/245

Dear Peter,

We are writing to you in regards of the Planning Permit No. 5/2015/245 for 19 Ligar Street Bundalong.

We would like to oppose the application for the Planning Permit.

When we purchased our property [redacted] we were under the impression that our block and the block next door which is [redacted] were the only sub divisions to be made from the property which was 19 Ligar Street, Bundalong.

We have concerns for the impending Subdivision of 19 Ligar Street. The attraction of the original purchase for us was the privilege of privacy from the other properties surrounding us. Now we have a situation where the original block which was subdivided to create numbers 15 & 17 is now once again being subdivided into another block, considering there are so many other blocks For Sale in the Bundalong area.

In the planning report it shows a loosely drawn driveway directly adjacent to our existing driveway. On lot 19 there is currently boundary trees planted which create privacy from our access driveway, with the addition of the new proposed driveway there is a potential for these trees to be removed which would not enhance our local environment, also the collection of natural ground water from the new proposed site has the potential to fall towards our existing driveway and create erosion thus undermining our Driveway.

The existing property at 19 Ligar Street Bundalong was recently taken off the Real Estate Market with no result of selling we now find that the property is to be subdivided again and possibly made available to the current Real Estate market again. Our concerns that there is potential for another dwelling to be erected consisting of 2 stories which again impedes on our privacy.

We think the Council need to look at the amount of vacant properties that are currently available in Bundalong, do we need another subdivision.

Kind regards

[Redacted signature area]

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(STATUTORY PLANNING
COORDINATOR, PETER STENHOUSE)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

**PLANNING APPLICATION 5/2015/245 - 2 LOT SUBDIVISION, 19 LIGAR
STREET, BUNDALONG (cont'd)**

ATTACHMENT No [4] - Objections

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Doc #	52015245
Date	DS/52450
	08 SEP 2015
Relayed to:	
Copy to:	

To
MOIRA Shire Council
Moira Shire Council Cobram Office
44 Station Street
Cobram 3644

Date: 04/09/2015

For the attention of – Mr. Peter Stenhouse (planning coordinator)

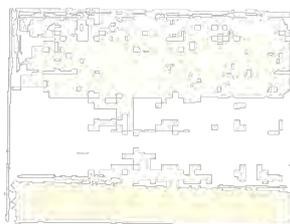
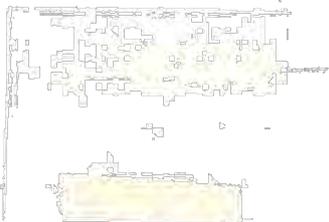
Reference: Application for planning permit – 5/2015/245

Dear Sir,

We [REDACTED] write in connection to the above planning permit, we have examined the plans and we know the site well. We wish to object strongly to the development of this subdivision in this location as they would be using the road that runs down the length of our house and the granny flat behind our house and it is too close to our house, there is enough noise caused by the traffic on this road without the additional noise and traffic that will increase with further subdivision.

The present road is causing us huge amount of stress as we have no peace and quiet due to all the traffic on this road.

Yours faithfully



FILE NO: F15/661
6. INVOLVING AND COMMUNICATING WITH
OUR COMMUNITY

ITEM NO: 9.2.2
(MANAGER TOWN PLANNING AND
BUILDING, JORINE BOTHMA)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

**REQUESTING MINISTERIAL INTERVENTION 20(4) - INTERIM HERITAGE
CONTROLS AT 55 PUNT ROAD COBRAM**

RECOMMENDATION

That:

Council ratify the request for Ministerial Intervention in terms of Section 20 Part 4 of the *Planning and Environment Act, 1987* to:

- Prepare, adopt and approve interim heritage controls for 55 Punt Road, Cobram.

1. Executive Summary

The purpose of the report is to recommend Council to ratify a request for Ministerial intervention in terms of Section 20 Part 4 of the *Planning and Environment Act, 1987* to prepare, adopt and approve interim heritage controls for 55 Punt Road, Cobram.

2. Background and Options

On 27 October 2015 Council received a building permit application to demolish the building at 55 Punt Road, Cobram. 55 Punt Road is registered as a place of 'Individual Significance' in the 2007 Moira Shire Heritage Study. An extract from the Heritage Study that relates to the property is attached to this report.

Moira Shire Council has suspended the particular building demolition permit application until Heritage Amendment C38 is approved by the Minister for Planning.

At this stage it is not known whether 55 Punt Road will be included in the permanent Heritage Overlay controls which is the subject of Heritage Amendment C38. If the demolition were to proceed prior to finalising the Heritage Amendment, a building which is potentially of heritage significance would be lost forever. It is therefore necessary to delay the action to demolish the building until the outcome of the Heritage Amendment is known.

Once Amendment C38 has been decided, places similar to 55 Punt Road Cobram with individual significance under the Heritage Overlay will require a planning permit prior to the approval of any building permit.

Council has two options:

- To ratify the request lodged for Ministerial Intervention to implement interim heritage controls; or
- To refuse the request for Ministerial Intervention.

3. Financial Implications

An application fee of \$2 200 is associated with the Scheme Amendment and have been paid by Council to the Department of Environment, Land, Water and Planning (DELWP). The request lodged with the Minister for Planning needs to be ratified by Council hence the preparation of this report.

4. Risk Management

If Council decides not to approve this request for Ministerial intervention to introduce interim heritage controls for 55 Punt Road Cobram, the request which was lodged with the Minister for Planning will be withdrawn and the applicant will be allowed to progress the building permit to demolish the building. If the demolition is however allowed to

FILE NO: F15/661
6. INVOLVING AND COMMUNICATING WITH
OUR COMMUNITY

ITEM NO: 9.2.2
(MANAGER TOWN PLANNING AND
BUILDING, JORINE BOTHMA)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

**REQUESTING MINISTERIAL INTERVENTION 20(4) - INTERIM HERITAGE
CONTROLS AT 55 PUNT ROAD COBRAM (cont'd)**

proceed, a building which is potentially of heritage significance will be lost for future generations.

5. Internal and External Consultation

External consultation was undertaken with officers from the Department of Transport, Planning and Local Infrastructure. Normally a scheme amendment requires public exhibition and referral to external service agencies. With the amendment being a Ministerial amendment, it will be exempt from the formal notice procedure and exhibition requirements in terms of Sections 17, 18 and 19 of the *Planning and Environment Act, 1987* will not apply.

6. Regional Context

The proposed Amendment will help Moira to protect its heritage at a level that better accords with current practice both at state and regional levels.

7. Council Plan Strategy

Amendment C83 accords with two of the three strategic goals set out in the Moira Council Plan (2012-2017):

Improving Moira's Livability

Amendment will help to support heritage within the Shire. The proposed residential Precincts (Numurkah Residential Precinct, Nathalia Kostadt Precinct, Nathalia Broken Creek Precinct and Yarrowonga Tom Sharp Precinct) also recognise some of the Shire's most livable areas. Along with other measures set out in the Moira Planning Scheme will help to protect the livability of these residential areas.

Driving economic growth – agricultural, manufacturing and tourism

Protecting Moira's heritage will be of benefit to attracting tourism to Moira and thus driving economic growth.

8. Legislative / Policy Implications

9.

The *Planning and Environment Act, 1987* applies to the application both in respect to the request for Ministerial intervention and Scheme Amendment process.

10. Environmental Impact

The Heritage Amendment and the Interim Heritage Controls will ensure increased protection and conservation of heritage places reflects Moira Shire's abundance of natural, cultural and historically significant sites.

11. Conflict of Interest Considerations

No officer has registered a conflict of interest with respect to the application.

12. Conclusion

It is recommended Council ratify the request for Ministerial intervention to enable the Minister for Planning to prepare, adopt and approve interim heritage controls for 55 Punt Road Cobram until such time as Heritage Amendment C38 is fully considered.

Attachments

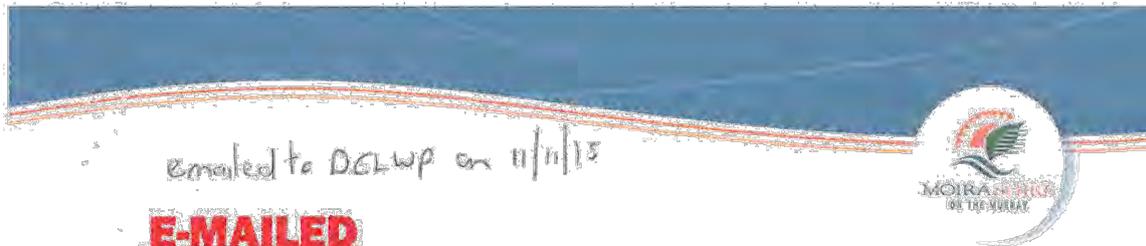
- 1 Letter to Minister Requesting Intervention
- 2 Extract from 2007 Heritage Study

FILE NO: F15/661
6. INVOLVING AND COMMUNICATING WITH
OUR COMMUNITY

ITEM NO: 9.2.2
(MANAGER TOWN PLANNING AND
BUILDING, JORINE BOTHMA)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

**REQUESTING MINISTERIAL INTERVENTION 20(4) - INTERIM HERITAGE
CONTROLS AT 55 PUNT ROAD COBRAM (cont'd)**

ATTACHMENT No [1] - Letter to Minister Requesting Intervention



E-MAILED
Ref No: F15/661

10 November 2015

Hon Richard Wynne MP
Minister for Planning
Wangaratta Government Centre
Level 1, 62 Ovens Street
WANGARATTA VIC 3676

Dear Minister Wynne

Moira Shire Council
14 Station Street
Cobram VIC 3604
PO Box 476
Cobram VIC 3604
VIC 3604
Cobram
TEL: 03 5971 9222
1300 30 9361
FAX: 03 5972 1357
WWW.MOIRASHIRE.COUNCIL.VIC.GOV.AU
AEN20153 191 751

**REQUEST FOR MINISTERIAL INTERVENTION 20(4) – INTERIM HERITAGE
CONTROLS AT 55 PUNT ROAD, COBRAM**

Moira Shire Council request the Minister for Planning prepare, adopt and approve interim heritage controls for 55 Punt Road, Cobram.

Council received an application on 27 October 2015 under Section 29A of the *Building Act 1993* for a building permit for the demolition of the building at 55 Punt Road, Cobram. 55 Punt Road, Cobram is registered as a place of Individual Significance in the 2007 Moira Shire Heritage Study. A copy of the citation is attached to this letter in support of the application.

Moira Shire Council Council has suspended the demolition permit application under Section 29B of the *Building Act 1993*, pending this request to introduce interim heritage controls.

This interim heritage controls are required until the subsequent amendment (Amendment C38) proposing permanent heritage controls is introduced.

Amendment C38 will allow for the significance of places identified in the Moira Shire Heritage Study to be fully considered with the opportunity for all affected parties to comment and for those comments to be considered by the Responsible Authority.

Amendment C38 was exhibited for a period of three months between 29 July and 28 October 2015. Submissions received will be considered at the next Ordinary Council meeting of 23 November 2015.

Amendment C38 will be considered by Planning Panels Victoria with the Directions Hearing scheduled the week commencing 25 January 2016 and the Panel Hearing scheduled to commence the week of 22 February 2016.

The application of interim heritage controls will enable Council to consider an application for a planning permit against the requirements of the Heritage Overlay whilst permanent controls are prepared and approved.

Due to the tight time frame there has not been an earlier opportunity to put the matter to the full Ordinary Council Meeting. The matter will however be submitted to Council at its next

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FILE NO: F15/661
6. INVOLVING AND COMMUNICATING WITH
OUR COMMUNITY

ITEM NO: 9.2.2
(MANAGER TOWN PLANNING AND
BUILDING, JORINE BOTHMA)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

**REQUESTING MINISTERIAL INTERVENTION 20(4) - INTERIM HERITAGE
CONTROLS AT 55 PUNT ROAD COBRAM (cont'd)**

ATTACHMENT No [1] - Letter to Minister Requesting Intervention

sitting on 14 December 2015. The Department will be provided with a formal response from Council shortly thereafter.

If you have any queries regarding this matter please contact Jorine Bothma from the Moira Shire Council by e-mail jbothma@moira.vic.gov.au or telephone (03) 5871 9222.

Yours sincerely



Jorine Bothma
Manager Town Planning and Building

FILE NO: F15/661
6. INVOLVING AND COMMUNICATING WITH
OUR COMMUNITY

ITEM NO: 9.2.2
(MANAGER TOWN PLANNING AND
BUILDING, JORINE BOTHMA)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

**REQUESTING MINISTERIAL INTERVENTION 20(4) - INTERIM HERITAGE
CONTROLS AT 55 PUNT ROAD COBRAM (cont'd)**

ATTACHMENT No [2] - Extract from 2007 Heritage Study

MOIRA SHIRE STAGE TWO HERITAGE STUDY 2007
VOLUME THREE of Five: GROUP AND INDIVIDUALLY SIGNIFICANT PLACES

Inter War Functionalist (c1930s) House, 55 Punt Road, Cobram DB 225



Inter War Functionalist House, 55 Punt Road, Cobram
Source: Lorraine Huddle 2004

Historical Statement:

Description:

The Inter War Functionalist house is constructed of brick, and mostly painted render. The face red brick plinth has been provided as a visual means of 'grounding' the building with a deep, solid red brick base. The horizontality of the design has been reinforced with a band of bricks at first floor height. The whole design has been capped by the deep reds of the terra cotta tiled roof and red brick chimneys. Decorative elements are primarily the form of the building as well as the wrought iron balustrade and fence and gates supported on contrasting brick piers. It might be seen as a conservative Inter War two storey house with a hipped tiled roof and angled bay windows if it were not for the projecting semi circular wing across half the front elevation.

The interesting architectural features of this building include the asymmetric massing, simple geometric shapes, semi-circular room with a wall of floor to ceiling windows below a deep curved semi circular balcony which forms a portico accentuated by the three steps curving around the circumference supported on fine metal columns. The matching wrought iron and brick pier fence is very important as it completes the integrity of the design. It is a radical design in the area, and one which has withstood the weathering of time. It has some similarities to the luxurious residence known as 'Burnham Beeches' in Sassafras, Victoria.

Heritage Intelligence Pty Ltd: Architectural Historians, Professional Heritage and Design Consultants
Director: Lorraine Huddle B.Architecture (Hons) M.Phil., ICOMOS

**FILE NO: 11.1
6. GOVERNANCE**

**ITEM NO: 10.1
(EXECUTIVE ASSISTANT TO CEO,
ROBYN BONADDIO)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)**

ACTION OFFICERS LIST

RECOMMENDATION

That Council receive and note the Action Officers List.

Attachments

- 1 Action Officer's list

FILE NO: 11.1
6. GOVERNANCE

ITEM NO: 10.1
(EXECUTIVE ASSISTANT TO CEO,
ROBYN BONADDIO)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

ACTION OFFICERS LIST (cont'd)

ATTACHMENT No [1] - Action Officer's list

Action Officers List – December 2015

Meeting: Ordinary Council Meeting 23 November 2015
Subject – General Business
MOTION
CRS PETER MANSFIELD / BRIAN KEENAN
That Council staff prepare a submission to the Planning Minister championing the green option for the Yarrowonga Mulwala Bridge to be presented when appropriate. (CARRIED)
Activity
Submission will be provided on advice of the intended planning process.
Meeting: Ordinary Council Meeting 23 November 2015
Subject – General Business
MOTION
CRS PETER MANSFIELD / WENDY BUCK
That Council write to the Premier of Victoria expressing it's disappointment over the process and announcement of the Yarrowonga Mulwala Bridge route with a copy to the Roads Minister. (CARRIED)
COMPLETED
Letter sent to the Premier 26 November 2015.
Meeting: Ordinary Council Meeting 23 November 2015
Subject – General Business
MOTION
CRS PETER MANSFIELD / DON MCPHEE
That Council establish a steering committee of stakeholders on the future options for the Yarrowonga Library to be considered during the budget process for 2016/2017. (CARRIED)
Activity
General Manager Corporate currently establishing steering committee.

FILE NO: 11.1
6. GOVERNANCE

ITEM NO: 10.1
(EXECUTIVE ASSISTANT TO CEO,
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(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

ACTION OFFICERS LIST (cont'd)

ATTACHMENT No [1] - Action Officer's list

Action Officers List – December 2015

Meeting: Ordinary Council Meeting 26 October 2015
Subject – Notice of Motion
MOTION
CRS DON MCPHEE / BRIAN KEENAN
That the sum of \$200,000 previously allocated for the Yarrawonga foreshore all abilities playground be now allocated to playground in Yarrawonga with the emphasis on disability playground equipment. (CARRIED)
Activity Project to be scoped and reported to Council.
Meeting: Ordinary Council Meeting 26 October 2015
Subject – General Business
Meeting: Ordinary Council Meeting 26 October 2015
Subject – Goulburn Murray Water Relinquishment of Service Point at Nathalia Transfer Station
MOTION
CRS KEVIN BOURKE / BRIAN KEENAN
That Council:
Defer the surrendering of this access point until Council can be fully briefed on the situation regarding this and similar access points. (CARRIED)
COMPLETED
Councillors provided with a briefing note. Report in the December Ordinary Council Meeting Agenda.
Meeting: Ordinary Council Meeting 26 October 2015
Subject – Moira Shire Community Safety Plan
MOTION
CRS KEVIN BOURKE / ALEX MONK
That the report to be deferred to such time that the information from the Community Safety Forum is considered. (CARRIED)
Activity Briefing to be scheduled.

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FILE NO: 11.1
6. GOVERNANCE

ITEM NO: 10.1
(EXECUTIVE ASSISTANT TO CEO,
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(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

ACTION OFFICERS LIST (cont'd)

ATTACHMENT No [1] - Action Officer's list

Action Officers List – December 2015

Meeting: Ordinary Council Meeting 28 September 2015
Subject: Yarrawonga Holiday Park Lease
<p>MOTION</p> <p>CRS DON MCPHEE / PETER MANSFIELD</p> <p>That:</p> <ol style="list-style-type: none"> 1. Council give notice of its intention to enter into a lease of the Yarrawonga Holiday Park with the Yarrawonga Holiday Park Inc (YHP Inc) in accordance with the Local Government Act; 2. In the interim period from when the existing lease expires on 30 November 2015 until a new lease is established, Council grant the YHP Inc a licence to continue to manage the Park on equivalent terms to the current lease. <p style="text-align: right;">(CARRIED)</p>
<p>ACTIVITY</p> <ul style="list-style-type: none"> • Section 223 process closes 2 December 2015 • Temporary licence in place. • Awaiting proposed lease edits from the Yarrawonga Holiday Park Committee.
Meeting: Ordinary Council Meeting 27 July 2015
Subject: Road Naming - Martin St Wilby
<p>MOTION</p> <p>CRS KEVIN BOURKE / BRIAN KEENAN</p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Adopt Smith St as the interim name for the section of Martin St Wilby west of the Hall St Wilby and seek an exemption from the Registrar of Geographic Names to Principle 1 (D) of the Guidelines for Geographic Names 2010. 2. Adopt Mallow St as the interim name of Martin St Wilby east of Hall St Wilby. 3. Place advertisements in local papers seeking comments on the proposed names within 30 days. 4. write to owners of properties adjoining this road seeking comments within 30 days, and 5. Adopt the interim names if no objections are received and submit them to the Office of Geographic Names. <p style="text-align: right;">(CARRIED)</p>
<p>ACTIVITY</p> <ul style="list-style-type: none"> • Proposal Lodge. Vicnames have requested further information which has been provided. • Mallow Street has been gazetted

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FILE NO: 11.1
6. GOVERNANCE

ITEM NO: 10.1
(EXECUTIVE ASSISTANT TO CEO,
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ACTION OFFICERS LIST (cont'd)

ATTACHMENT No [1] - Action Officer's list

Action Officers List – December 2015

Meeting: Ordinary Council Meeting 27 July 2015
Subject: Lott Street Yarrowonga
<p>MOTION</p> <p>CRS WENDY BUCK / BRIAN KEENAN</p> <p>That:</p> <ol style="list-style-type: none"> 1. Council consult with the Yarrowonga community about the Lott Street residents proposal to remove semi mature spotted gum trees from Lott Street, Yarrowonga and replant the street with Griffith Pink Brachychitron trees, and that consultation be done in conjunction with seeking a Town Planning Permit to undertake the works. 2. Council consider the project as part of future budget reviews and capital programs, subject to the outcome of a wider consultation program to be done as part of the Town Planning process. 3. Council thank the residents who participated in the consultation program, and advise them of Council's decision. <p style="text-align: right;">(CARRIED)</p>
<p>ACTIVITY</p> <ul style="list-style-type: none"> • A Town planning permit has been applied for. • The assessment of Native Vegetation is currently being carried out and the public advertising and feedback process will follow the assessment.

FILE NO: 11.1
6. GOVERNANCE

ITEM NO: 10.1
(EXECUTIVE ASSISTANT TO CEO,
ROBYN BONADDIO)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

ACTION OFFICERS LIST (cont'd)

ATTACHMENT No [1] - Action Officer's list

Action Officers List – December 2015

<p>Subject: General Business</p> <p>CRS KEVIN BOURKE / BRIAN KEENAN</p> <p>That Council work with St Mary's of the Angels and Nathalia Secondary College to erect a school crossing in Pearce Street Nathalia.</p> <p style="text-align: right;">(CARRIED)</p>
<p>ACTIVITY</p> <ul style="list-style-type: none"> • Met with St Marys School on site, (Secondary college couldn't make the meeting at the time) Site preference is on the west side of Camp Street. Crossing will operate throughout the school day as students from both schools share classes at each other school's class rooms for various subjects in Year 11 and 12. • Vicroads criteria for a children's crossing is a minimum of 20 students and 50 vehicles per hour. To have a Vicroads funded school crossing supervisor the criteria is much higher for both primary schools and secondary schools. For Primary schools the criteria is a minimum of 20 students and 100 vehicles per hour. For secondary schools the criteria is a minimum of 20 students and 250 vehicles per hour. Average daily traffic volume in Pearce Street is 511 vehicles per day. • Further discussions will be held with Vicroads at the next Local Traffic Liaison meeting scheduled for the first week in December.
<p>Meeting: Ordinary Council Meeting 27 July 2015</p> <p>Subject: General Business</p>
<p>MOTION</p> <p>CRS WENDY BUCK / DON MCPHEE</p> <p>That Council Officers investigate and report to Council on options relating to all ability playground equipment in Yarrowonga.</p> <p style="text-align: right;">(CARRIED)</p>
<p>ACTIVITY</p> <p>Report to be presented in conjunction with the Recreation Strategy, to ensure that the report and any recommendation is complementary to the Recreation Strategy.</p>

FILE NO: 11.1
6. GOVERNANCE

ITEM NO: 10.1
(EXECUTIVE ASSISTANT TO CEO,
ROBYN BONADDIO)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

ACTION OFFICERS LIST (cont'd)

ATTACHMENT No [1] - Action Officer's list

Action Officers List – December 2015

<p>Meeting: Ordinary Council Meeting 23 March 2015</p>
<p>Subject: Petition Maple Crescent Park, Numurkah</p>
<p>MOTION</p> <p>CRS ALEX MONK / KEVIN BOURKE</p> <p>That:</p> <ol style="list-style-type: none"> 1. The local community be consulted and participate in development of a plan, as well as works to implement the plan, to develop the Maple Crescent Park. 2. The petition organizer be thanked for their time and effort taken to prepare and circulate the petition. <p style="text-align: right;">(CARRIED)</p>
<p>ACTIVITY</p> <p>A residents meeting has been held and a concept design is being prepared.</p>
<p>Meeting: Ordinary Council Meeting 23 February 2015</p>
<p>Subject: Lease to Optus Mobile Pty Ltd – Cobram, Numurkah and Yarrawonga</p>
<p>MOTION</p> <p>CRS BRIAN KEENAN / ED COX</p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Resolve to enter into separate leases with Optus Mobile Pty Ltd to occupy an area on each of the Moira Shire Council telecommunication towers and land located at 44 Station St Cobram, 97-99 Melville St Numurkah and 26-30 Belmore St Yarrawonga. 2. Authorise the CEO to sign and seal the lease documents, <p style="text-align: right;">(CARRIED)</p>
<p>COMPLETED</p> <p>All three leases signed and sealed and returned to Optus.</p>

FILE NO: 11.1
6. GOVERNANCE

ITEM NO: 10.1
(EXECUTIVE ASSISTANT TO CEO,
ROBYN BONADDIO)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

ACTION OFFICERS LIST (cont'd)

ATTACHMENT No [1] - Action Officer's list

Action Officers List – December 2015

Meeting: Ordinary Council Meeting 23 February 2015
Subject: Lease to Telstra Corporation Limited - Nathalia Telecommunications Tower
<p>MOTION</p> <p>CRS KEVIN BOURKE / DON MCPHEE</p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Resolve to enter into a lease with Telstra Corporation to occupy part of the Moira Shire Council telecommunications tower and land located at 77 Blake St Nathalia. 2. Authorise the CEO to sign and seal the lease proposal and lease documents. <p style="text-align: right;">(CARRIED)</p>
<p>ACTIVITY</p> <p>Draft lease received for review. Await amended plans.</p>
Meeting: Ordinary Council Meeting 12 December 2011
Subject: Local Law 2007 Meeting Procedure
<p>MOTION</p> <p>That Council review the Local Law 2007 Meeting Procedure.</p> <p style="text-align: right;">(CARRIED)</p>
<p>ACTIVITY</p> <p>A briefing note was distributed in late November 2014. Focus of the review is around options for question time. Staff have done a preliminary review with proposed improved changes and will refine before seeking feedback from Councillors.</p>

FILE NO: F13/897
5. INFRASTRUCTURE

ITEM NO: 13.1
(MANAGER CONSTRUCTION AND
ASSETS, GRAHAM HENDERSON)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

GOULBURN MURRAY WATER RELINQUISHMENT OF SERVICE POINT AT NATHALIA TRANSFER STATION

RECOMMENDATION

That Council:

1. authorise the Chief Executive Officer to sign and seal the Service Point Relinquishment Agreement document with Goulburn Murray Water for the disconnection of rural water supply for at the Nathalia Transfer Station; and
2. authorise the Chief Executive Officer to sign all other documents relating to the ceasing of this service point and transferring of the delivery shares.

1. A report on Council's Raw Water Irrigation Supply and Infrastructure was prepared by consultant DJDee's Consulting in 2007. As part of this report the Nathalia Transfer Station service was described as having no service point and there was no requirement for this water to remain at this location. It was recommended that Council should permanently transfer the water to a more suitable service within the Goulburn system and transfer the delivery share to another Allocation Bank Account (ABA).

2. The relinquishment agreement has been discussed with Goulburn Murray Water's Officers and Council Officers. It was determined that this service point had not been used by Council in a long period of time, if at all, and was not required for the ongoing use of the Nathalia Transfer Station.

3. As part of the relinquishment of this service point, the water use licence will be cancelled, the property will cease to exist as a serviceable property with Goulburn Murray Water, the relevant entitlement will be transferred to the Invergordon Township ABA, being Council's most suitable ABA within the same zone as Nathalia Transfer Station.

4. The relinquishment of this service point will not impact the abutting property owner's service point or their water allocation as the service point will revert from a shared service point between adjoining property owners to a single service point for the abutting property owner.

5. It is recommended that Council authorise the CEO to sign and seal the above Service Point Relinquishment Agreement with Goulburn Murray Water and sign all other documents relating to the ceasing of this service point and transferring of the delivery shares.

Attachments

Nil

FILE NO: VARIOUS

ITEM NO: 14

GENERAL BUSINESS**Clause 62 of Council's "Meeting Procedures Local Law 2007 (No 1 of 2007) states:****62. Urgent or general business**

1. Business which has not been listed on a meeting agenda may only be raised as urgent or general business if the majority of Councillors are present and it is agreed to by a resolution of the Council.
2. Notwithstanding sub-clause (1), if all Councillors are not present, the Chairperson may rule the matter is of urgency and accept an urgency motion to deal with the business which has not been listed on the meeting agenda.
3. An urgency motion can be moved without notice.
4. Only the mover of an urgency motion may speak to the motion before it is put

FILE NO: VARIOUS

ITEM NO: 15

QUESTIONS FROM THE PUBLIC GALLERY

Clause 63 of Council's "Meeting Procedures Local Law 2007 (No. 1 of 2007) states:

63. Question Time

1. At every ordinary meeting of the Council a maximum of 30 minutes may be allocated to enable members of the public to submit questions to Council.
2. The time allocated may be extended by unanimous resolution of Council.
3. Sub-clause (1) does not apply during any period when the Council has resolved to close a meeting in respect of a matter under section 89 (2) of the Act.
4. To assist the accurate recording of minutes and addressing any questions that may require written response or follow up, the Chief Executive Officer may require questions to be submitted in writing on a form approved or permitted by Council.
No person may submit more than two (2) questions at any one (1) meeting.
The Chairperson or member of Council staff nominated by the Chairperson may read a question to those present.

No question must be so read unless:

- (a) the person asking the same is in the gallery at the time it is due to be read;
and
- (b) the person asking the question reads the same when called upon by the Chairperson to do so.

A question may be disallowed by the Chairperson if it:

- (a) relates to a matter outside the duties, functions and powers of Council;
- (b) is defamatory, indecent, abusive, offensive, irrelevant, trivial or objectionable in language or substance;
- (c) deals with a subject matter already answered;
- (d) is aimed at embarrassing a Councillor or a member of Council staff;
- (e) relates to personnel matters;
- (f) relates to the personal hardship of any resident or ratepayer;
- (g) relates to industrial matters;
- (h) relates to contractual matters;
- (i) relates to proposed developments;
- (j) relates to legal advice;
- (k) relates to matters affecting the security of Council property; or
- (l) relates to any other matter which Council considers would prejudice Council or any person.

All questions and answers must be as brief as possible, and no discussion may be allowed other than for the purposes of clarification.

The Chairperson may request a Councillor or member of Council staff to respond, if possible, to the question.

A Councillor or member of Council staff may require a question to be put on notice until the next Ordinary meeting, at which time the question must be answered, or elect to submit a written answer to the person asking the question.

A Councillor or member of Council staff may advise Council that it is his or her opinion that the reply to a question should be given in a meeting closed to members of the public . The Councillor or member of Council staff must state briefly the reason why to reply should be so given and, unless Council resolves to the contrary the reply to such question must be so given.

FILE NO: VARIOUS

ITEM NO: 16

MEETING ADJOURNMENT

RECOMMENDATION

That the meeting be adjourned for 10 minutes.

RECOMMENDATION

That the meeting be resumed.

RECOMMENDATION

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

RECOMMENDATION

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

RECOMMENDATION

That the recommendations of the "Closed" Meeting of Council be adopted and the award of tenders disclosed in the open minutes.