



MOIRASHIRE



ENRICHING LIFE ON THE MURRAY

COUNCIL AGENDA

23 November 2015



Discover Moira



44 Station Street
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AGENDA

ORDINARY MEETING OF COUNCIL **FOR** **MONDAY 23 NOVEMBER 2015** **TO BE HELD AT TUNGAMAH COMMUNITY CENTRE** **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, 26 October 2015, and the minutes of the Special Council Meeting held on Monday, 9 November 2015, as prepared, be confirmed.”

8. COUNCILLOR REPORTS

NIL

9. OFFICER REPORTS FOR DETERMINATION

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NIL

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NIL

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NIL

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18. CONFIDENTIAL BUSINESS

19. CONFIDENTIAL ACTION OFFICERS LIST

20. URGENT OR GENERAL CONFIDENTIAL BUSINESS

21. CLOSE OF MEETING

A handwritten signature in black ink, appearing to read 'M Henderson', is written over a thin horizontal line.

MARK HENDERSON
CHIEF EXECUTIVE OFFICER

FILE NO: 180.07.0021
3. OUR COMMUNICATIONS AND PROCESSES

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

QUARTERLY BUDGET REVIEW - SEPTEMBER 2015

RECOMMENDATION

That Council notes and approves the projections for the 2015/16 financial year contained in the September 2015 quarterly budget review.

1. Executive Summary

Council has been able to counter the effect of the prepayment of \$4.8 million of Federal assistance grants [50% of 2015/16 grants income received in 2014/15] in the Income statement with capital income generating a net increase of \$1.12 million due to additional Roads to Recovery projects allocated by the Federal government.

In effect, this means that instead of a deficit of \$3.0 million due the above prepayment of Federal assistance grant, the projected deficit in the September 2015 review is \$2.4 million for the financial year 2015/16 as compared to the Adopted Budget surplus of \$1.8 million.

While the surplus / (deficit) variation between the Adopted Budget 2015/16 and the Sep 2015 quarterly review is \$4.25 million [as detailed in the table next page], it is stressed, that the cash flow remains unchanged due to the timing of receipt of the Federal assistance grant.

The movements are detailed in Forecast overview table in the next page. Council continues to closely monitor expenditure and income throughout the 2015/16 financial year. Operating cash flow is detailed in table 2.3.

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(FINANCIAL ACCOUNTANT, ANDREW
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(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

QUARTERLY BUDGET REVIEW - SEPTEMBER 2015 (cont'd)

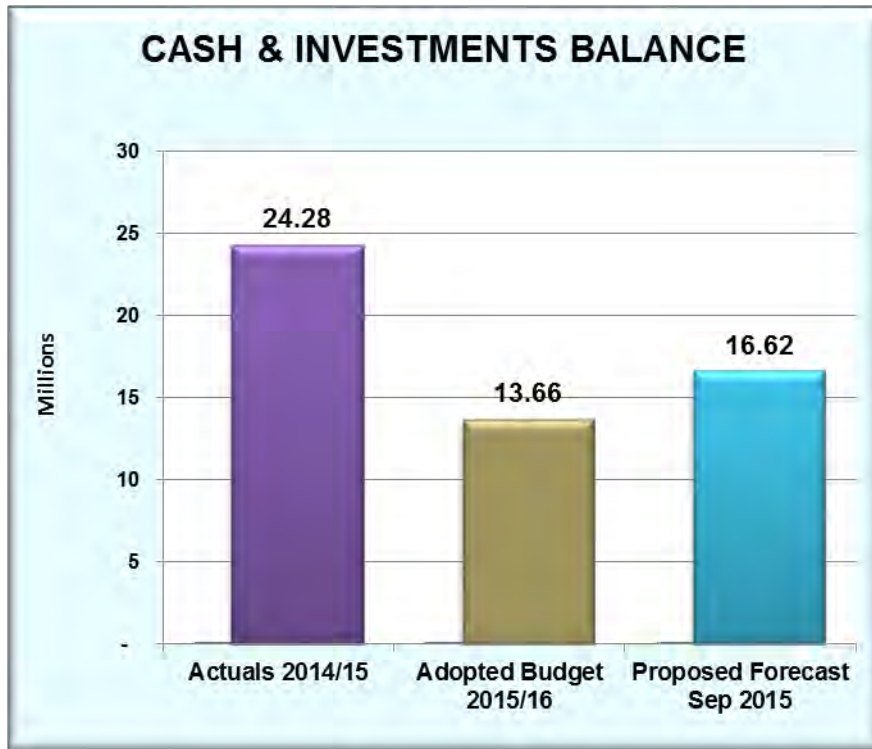
The following table summarises the forecast changes or movements arising from the September 2015 review:

Item	Actual 2014/15	Adopted Budget 2015/16	Proposed Forecast Sep 2015	Variance 2015/16 Budget vs Sep 2015	Comments
BALANCE OF CASH & INVESTMENTS	24,278,060	13,657,931	16,616,970	2,959,039	Variance driven by a higher actual cash balance at the end of 2014/15 than originally budgeted.
OUTSTANDING LOANS	6,471,867	5,579,446	5,579,446	-	
CAPITAL EXPENDITURE	7,777,792	11,571,406	13,999,696	2,428,290	Variance mainly driven by budgeting unexpended 2014/15 capital expenditure and forecast expenditure relating to additional Roads to Recovery funding, also includes funding for Cobram Service Centre Building and is offset by projects where suitable grant funding cannot be identified.
CAPITAL INCOME (A)	5,040,809	5,212,617	6,339,892	1,127,275	Variance mainly driven by additional Roads to Recovery funding, offset by projects where suitable grant funding cannot be identified (Yarrowonga Aerodrome and roadworks at Moran Street Picola and Numurkah Road Katunga).
OPERATING INCOME (B)	54,808,976	49,176,218	44,220,087	(4,956,131)	Variance mainly driven by receipt of 50% of the 2015/16 Financial Assistance Grant in 2014/15.
OPERATING EXPENSES (C)	55,343,065	52,540,599	52,960,099	419,500	Variance mainly driven by budgeting unexpended 2014/15 operating expenditure in 2015/16 across various programs including: IT strategy for disaster recovery site relocation; Fruit Fly awareness; Tourism and marketing projects; and support organic waste projects.
SURPLUS / (DEFICIT)	4,506,720	1,848,236	(2,400,120)	(4,248,356)	A + B - C

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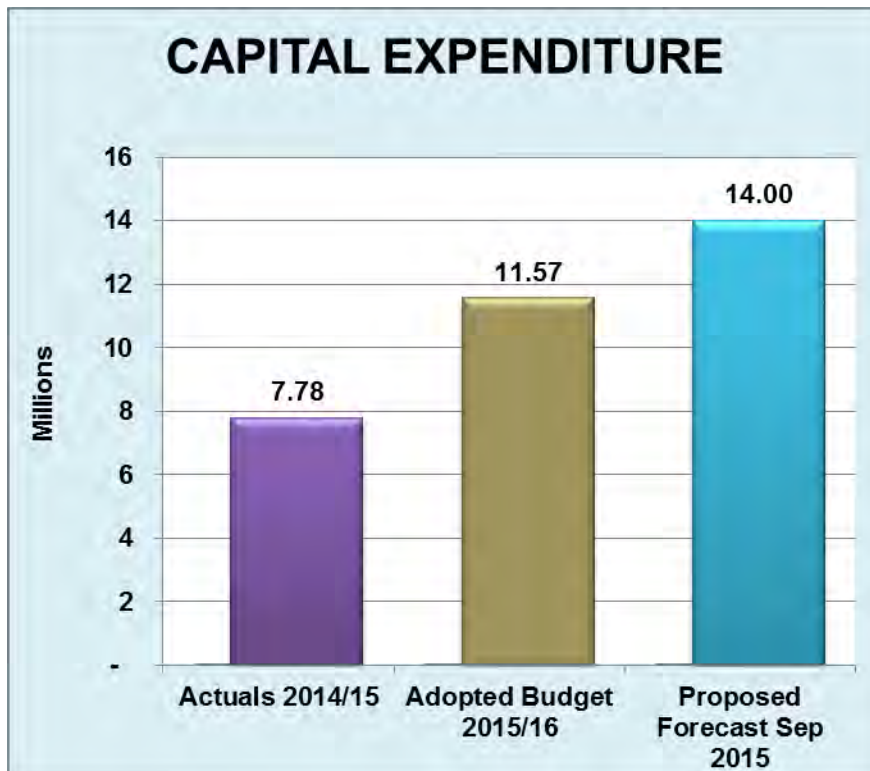
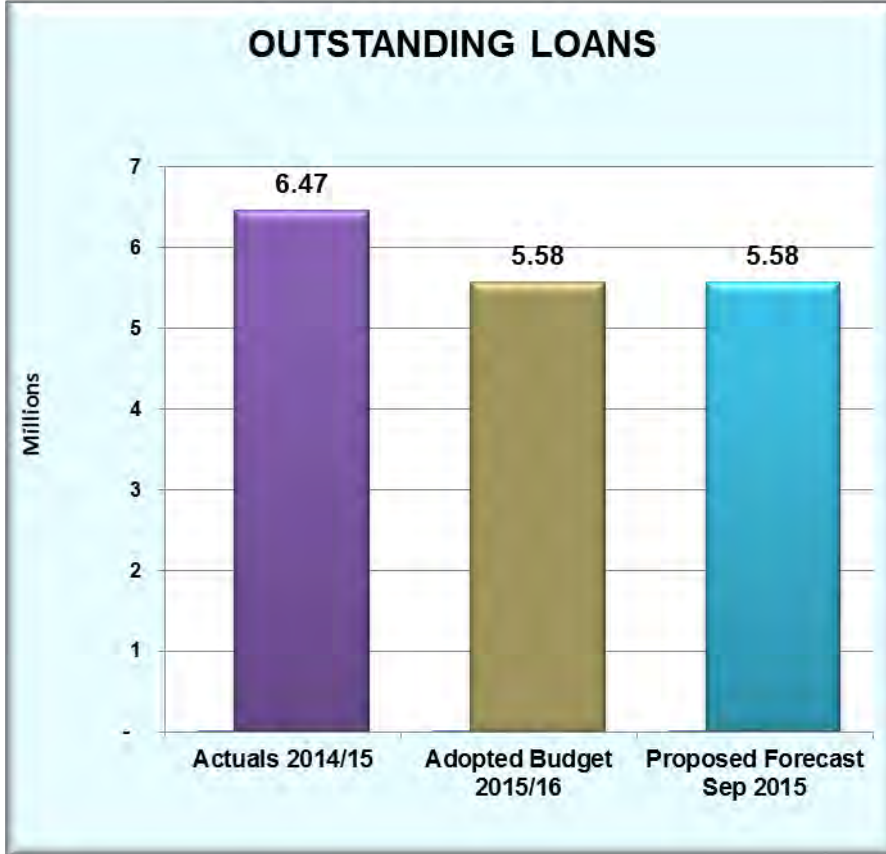
QUARTERLY BUDGET REVIEW - SEPTEMBER 2015 (cont'd)



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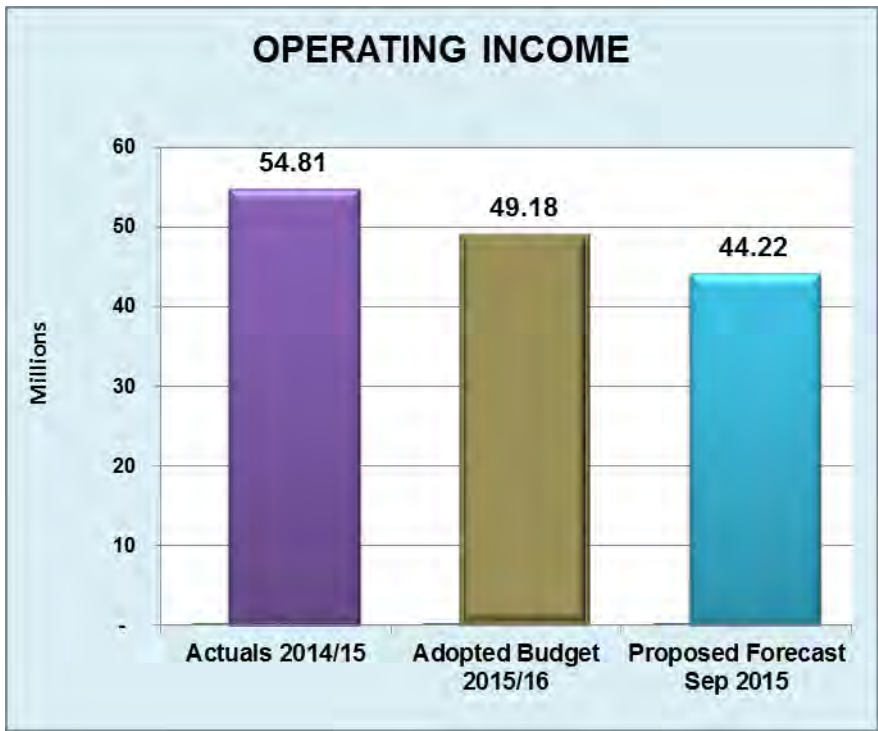
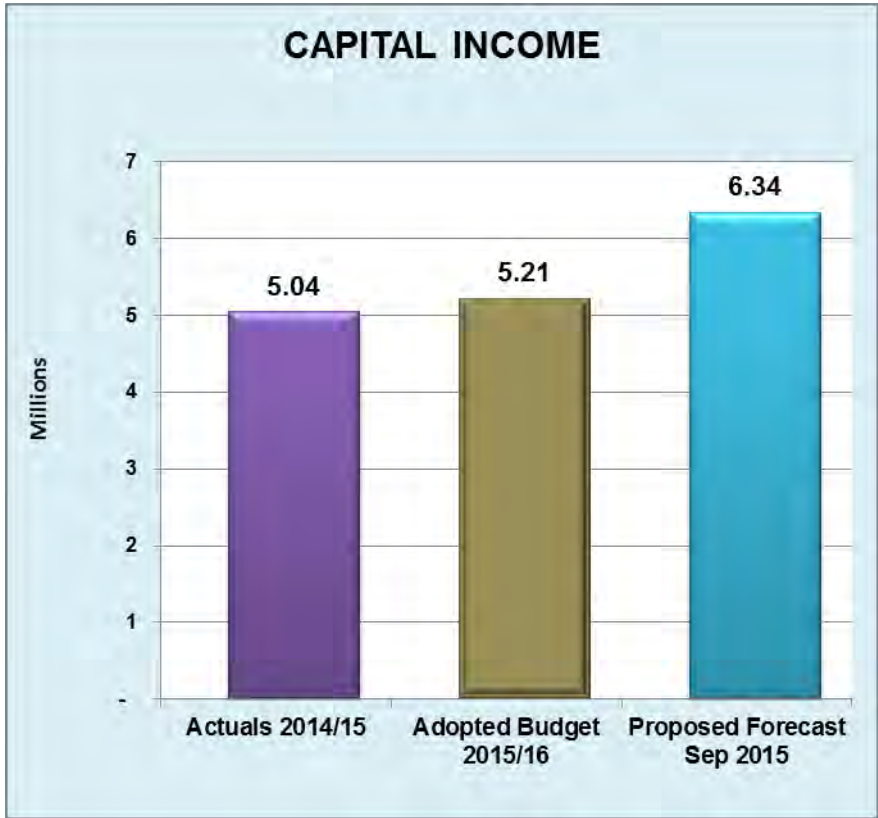
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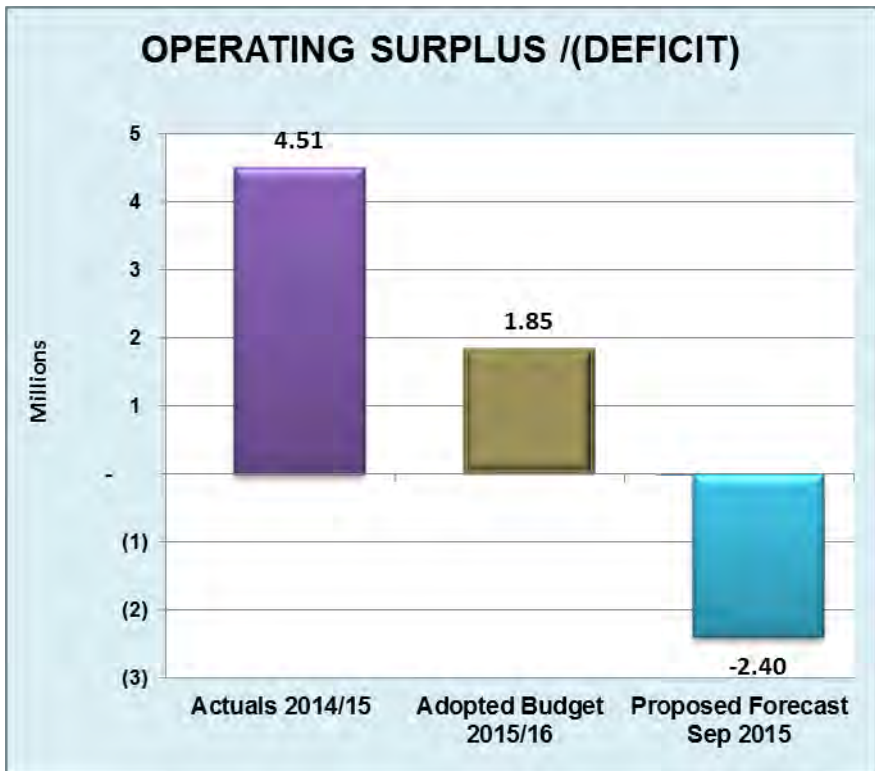
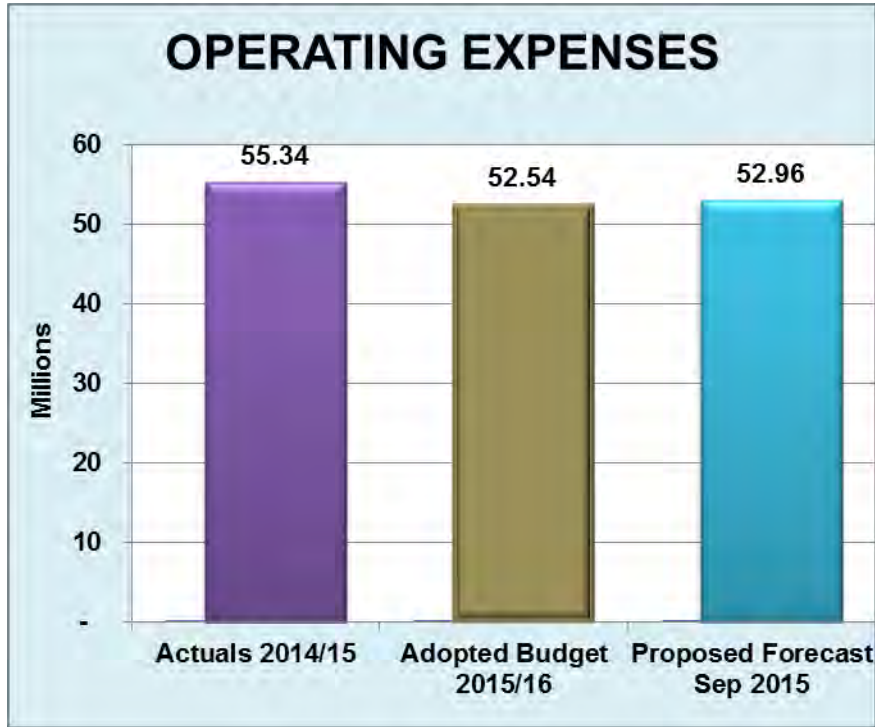
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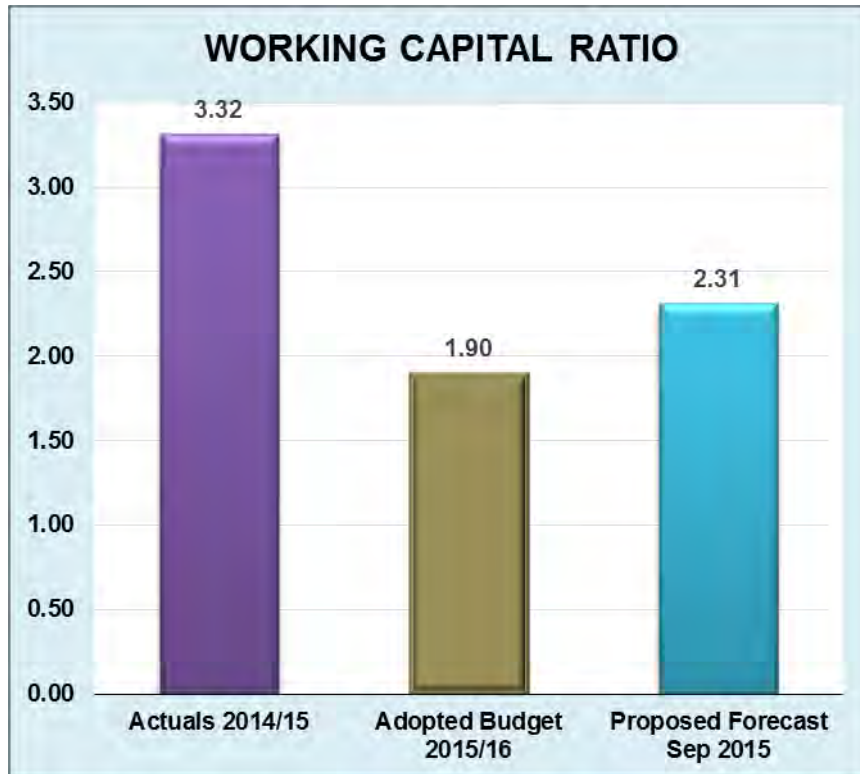
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QUARTERLY BUDGET REVIEW - SEPTEMBER 2015 (cont'd)



2. Discussion

2.1 Summary of changes to projected operating result for the 2015/16 financial year

The deficit for the Proposed Forecast September 2015 is expected to be \$2,400,120 - a decrease in the surplus of \$4,248,356 compared to the Adopted Budget surplus for 2015/16 of \$1,848,236. The major reasons for this decrease in the deficit are as follows:

Adopted Budget 2015/16 Vs Proposed Sep 2015 Forecast	\$
Surplus – Adopted Budget 2015/16	1,848,236
Increase in Rates income	15,586
Increase in Capital Income	1,026,775
Decrease in Operating Grants	(4,838,184)
Other various variations to operating income	(33,033)
Employee Costs	239,480
Material & Services	(554,788)

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QUARTERLY BUDGET REVIEW - SEPTEMBER 2015 (cont'd)

Contract Services	(121,589)
Other various variations to operating expenditure	17,397
Proposed September 2015 Forecast Deficit	(2,400,120)

Council has a forecast deficit of \$2,400,120. The significant points are as follows:

- Increase in Capital Income – Additional Roads to recovery funding of \$2.1 million, offset by reductions of grant income for projects where no suitable grant can be identified (Yarrowonga Aerodrome and roadworks at Picola and Katunga).
- Decrease in Operating Grants – Council received 50% of its Financial Assistance Grant in the 2014/15 financial year of \$4.83 million.
- Employee Cost – Variance driven by reallocation of operational employee costs to capital expenditure to meet additional demand from Roads to Recovery funding.
- Materials & Services – Increase driven by including unspent 2014/15 operating expenditure across various programs and increase in service costs for grading of unsealed roads to enable resources to be allocated to Roads to Recovery activities.
- Contract Services – Increase driven by contractor backfilling of operational roles and additional costs for delivery of audit services and a number of small projects (continuous improvement, rating strategy and the Numurkah flood study finalisation).

2.2 Income Statement

Income Statement	Actual 2014/15	Adopted Budget 2015/16	Proposed Forecast Sep 2015	Variance 2015/16 Budget vs Sep 2015
Income				
Rates	31,304,490	33,254,274	33,269,860	15,586
Special Rates	-	-	-	-
Operating Grants	16,381,358	10,932,084	6,093,900	(4,838,184)
Capital Grants	4,785,332	4,525,000	5,551,775	1,026,775
Capital contributions	255,477	687,617	687,617	-
Contributions- cash	162,025	132,837	132,837	-
Contributions- non - monetary (Donated assets)	1,708,660	200,000	200,000	-
Reimbursements and Subsidies	77,484	62,859	62,859	-
User Charges	2,667,669	2,933,890	2,872,390	(61,500)

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QUARTERLY BUDGET REVIEW - SEPTEMBER 2015 (cont'd)

Statutory Fees and Fines	1,093,865	861,920	862,049	129
Interest	544,030	350,000	350,000	-
Other Revenue	706,932	365,854	394,192	28,338
Net Proceeds of Sale of Land Held for Resale	73,181	42,000	42,000	-
Net Gain on Disposal of Property, Plant & Equipment	23,326	40,500	40,500	-
Share of Net Profit of Associated Entity	58,156	-	-	-
Previously Unrecognised Assets	7,800			
Income Total	59,849,785	54,388,835	50,559,979	(3,828,856)
Expenditure				
Employee Costs	18,401,057	19,699,169	19,459,689	239,480
Materials & Services	12,667,146	11,002,863	11,557,651	(554,788)
Contract Services	5,018,074	6,345,181	6,466,770	(121,589)
Utilities	931,660	967,359	1,001,773	(34,414)
Bad and Doubtful Debts	108	5,000	5,000	-
Depreciation	8,273,708	8,886,214	8,886,214	-
Other expenses	3,647,272	4,458,926	4,407,115	51,811
Interest on Borrowings	526,503	464,541	464,541	-
Interest on Unwinding of Discount of Provisions	232,499	491,346	491,346	-
Written Down Value of Infrastructure Replaced	5,645,038	200,000	200,000	-
Net Loss on Disposal of Property, Plant & Equipment	-	-	-	-
Share of Net Loss of Associated Entity	-	20,000	20,000	-
Expenditure Total	55,343,065	52,540,599	52,960,099	(419,500)
Operating Result	4,506,720	1,848,236	(2,400,120)	(4,248,356)

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QUARTERLY BUDGET REVIEW - SEPTEMBER 2015 (cont'd)

2.3 Statement of Cash Flow

Statement of Cash Flows	Actual 2014/15	Adopted Budget 2015/16	Proposed Forecast Sep 2015	Variance 2015/16 Budget vs Sep 2015)
Net cash flows provided by operating activities	18,002,305	11,579,425	7,297,960	(4,281,465)
Net cash flow used on investing activities	(7,546,960)	(11,656,030)	(14,031,320)	(2,375,290)
Net cash flows provided by financing activities	(615,434)	(935,538)	(927,731)	(7,807)
Net change in cash held	9,839,911	(1,012,143)	(7,661,090)	(6,664,562)
Cash at the beginning of the year	14,438,149	14,670,075	24,278,060	9,607,985
Cash at the end of the year	24,278,060	13,657,932	16,616,970	2,959,039

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QUARTERLY BUDGET REVIEW - SEPTEMBER 2015 (cont'd)

2.4 Balance Sheet

		Adopted Budget 2015/16	Proposed Forecast Sep 2015	Variance 2015/16 Budget vs Sep 2015
Balance Sheet	Actual 2014/15			
Current Assets	28,970,396	18,430,733	22,127,426	3,696,693
Non-Current Assets	501,271,897	503,455,574	505,980,685	2,525,111
Total Assets	530,242,293	521,886,307	528,108,111	6,221,804
Current Liabilities	8,736,670	9,681,850	9,579,385	102,465
Non-current Liabilities	15,595,560	12,853,495	15,018,784	(2,165,289)
Total Liabilities	24,332,230	22,535,345	24,598,168	(2,062,823)
Equity	505,910,063	499,350,962	503,509,943	4,158,981

2.5 Capital

	Actual 2014/15	Adopted Budget 2015/16	Proposed Forecast Sep 2015	Variance 2015/16 Budget vs Sep 2015
Total capital income	(5,040,809)	(5,212,617)	(6,339,892)	1,127,275
Total capital expenditure	7,777,792	11,571,406	13,999,696	(2,428,290)
Grand Total	2,736,983	6,358,789	7,659,804	(1,301,015)

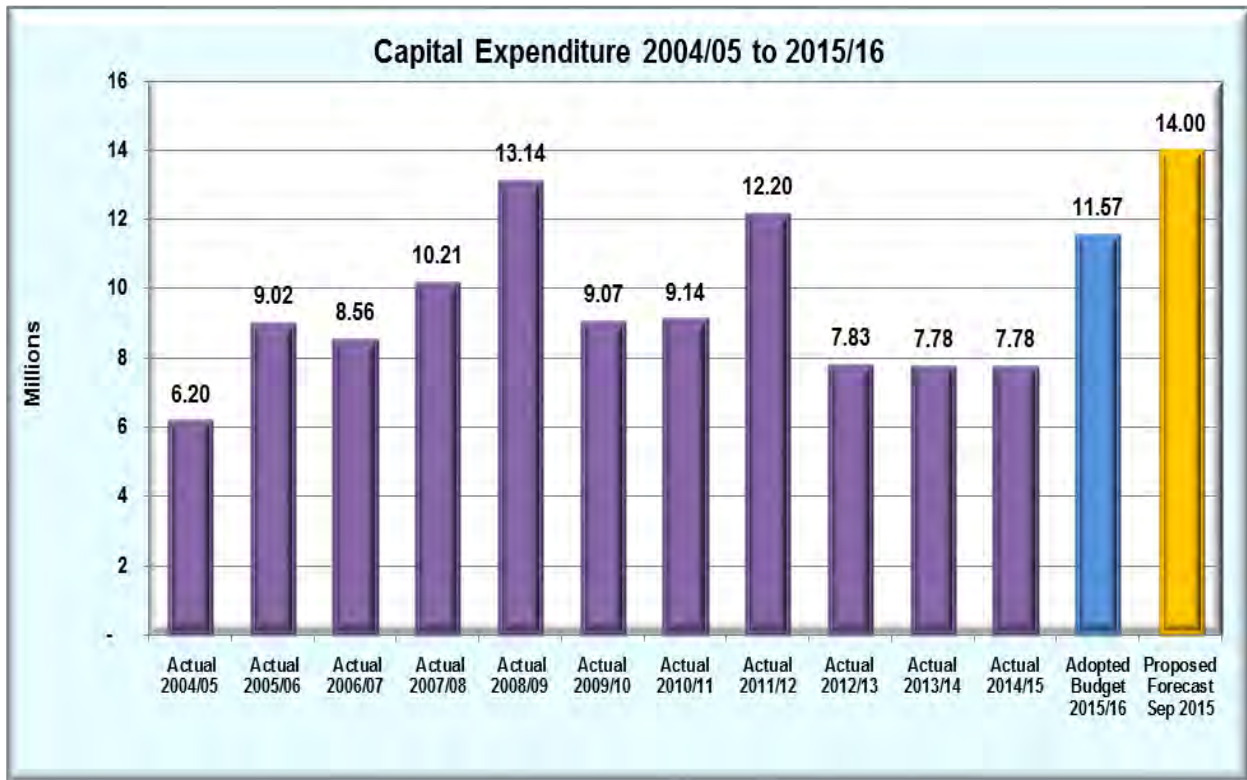
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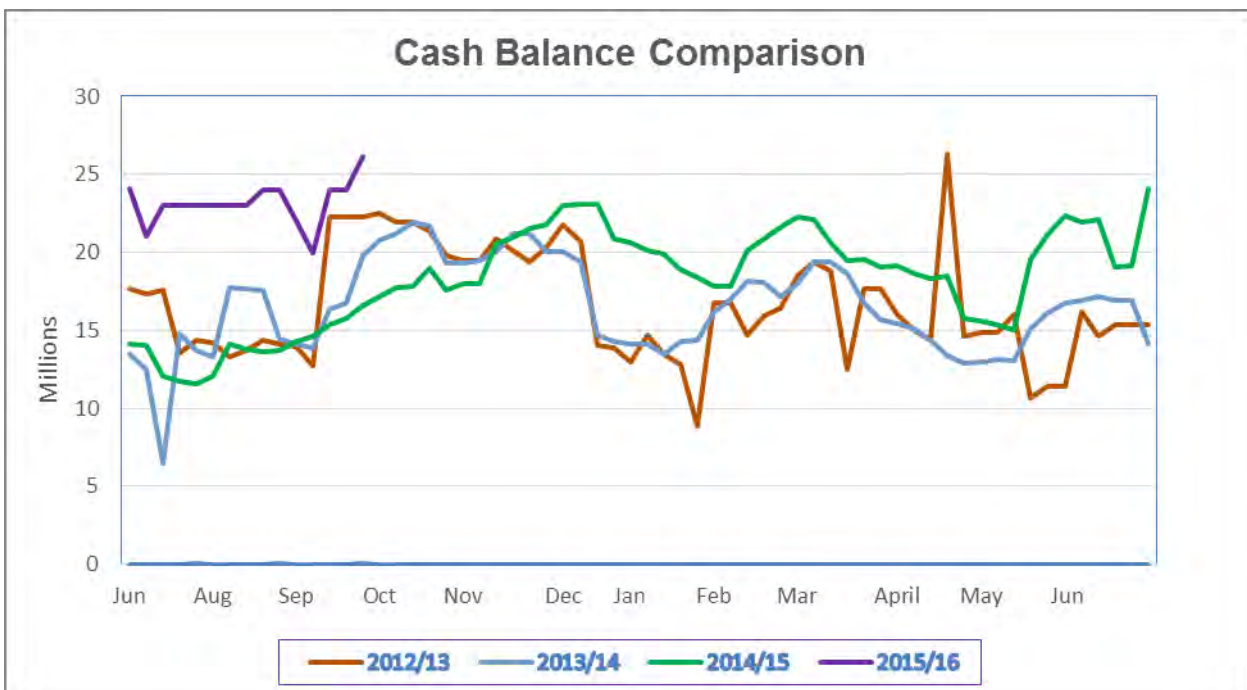
QUARTERLY BUDGET REVIEW - SEPTEMBER 2015 (cont'd)

2.6 Capital expenditure

Historical expenditure on capital works:



2.7 Cash Balances



FILE NO: 180.07.0021
3. OUR COMMUNICATIONS AND PROCESSES

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

QUARTERLY BUDGET REVIEW - SEPTEMBER 2015 (cont'd)

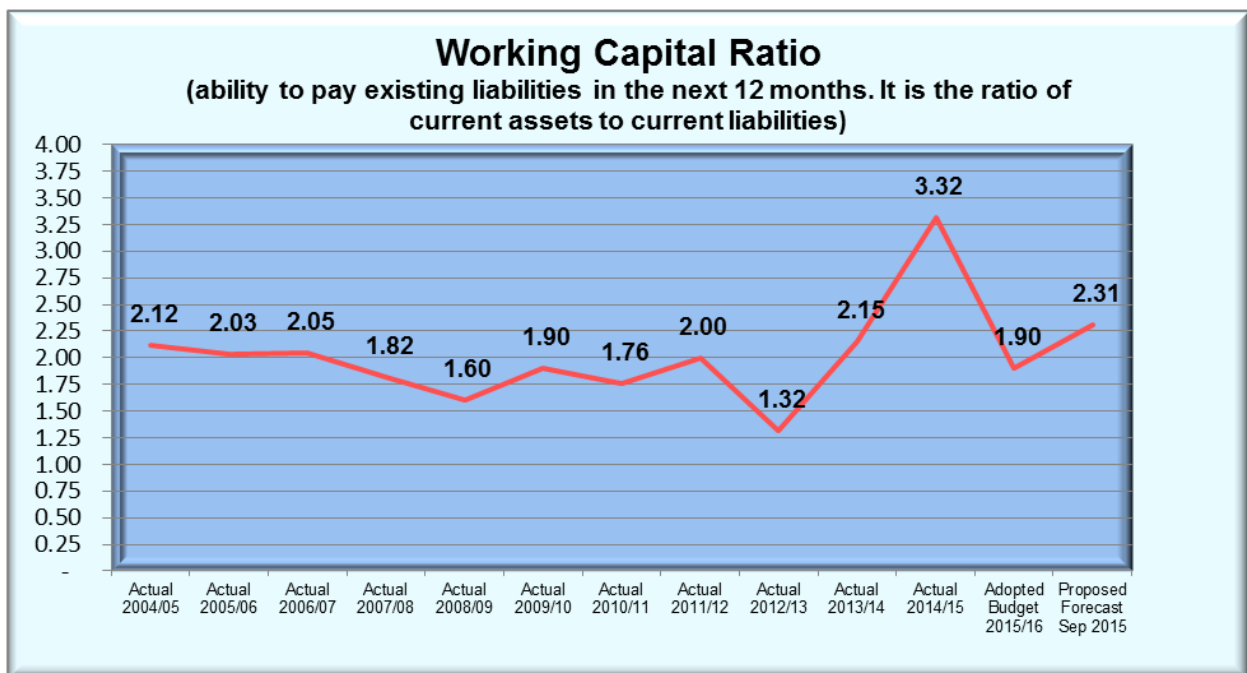
This graph represents the balance of cash assets which comprises cash at bank and on hand plus investments. The balance of cash assets remains in a sound position at \$26.11 million as at 30 September 2015.

2.8 Working Capital

Working capital equals current assets (assets which can be turned into cash within one year) less current liabilities (amounts owing by Council which need to be paid within one year).

The working capital is projected to be \$12.55 million as at 30 June 2016. This would result in a working capital ratio of 1:2.31, which is above the low risk sustainability indicator of the Victorian Auditor-General’s Office of better than 1:1.5. Council will continue to work hard to reduce expenditure and increase income to meet the VAGO ratio benchmark.

The long term financial plan model indicates that the working capital ratio (presently 1:2.31) will continue to meet the VAGO requirement.



2.9 Financial Risks

Moving forward it is appropriate to examine risks as they may impact on the financial position of Council. The areas identified are flagged to highlight potential impacts on Council.

Capital Works

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

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QUARTERLY BUDGET REVIEW - SEPTEMBER 2015 (cont'd)

Grant Income

Council has a significant level of government grants - \$11.65 million (after excluding \$4.83 million received in 2014/15). These grants underpin several capital works projects and operating programs, all of which are of importance to the community. Capital grants, for 2014/15, total \$5.55 million and operating grants \$6.09 million. Due to the current cash-strapped position of the Government there is a declining trend of Grants as a proportion of the total income. The continuation of this level of funding will be monitored closely and to actively look for more income streams.

Underlying Result

In essence, the underlying result is the operating result after eliminating non-cash capital income, which is contributed assets from developers. Projected for 2015/16 this financial indicator is (5.15%) and therefore below the VAGO target of greater than zero, however this is impacted by the receipt of 2015/16 income in the 2014/15 financial year.

Indebtedness (Total long term liabilities / Own source revenue)

This ratio measures the ability for Council to pay its liabilities from its own sources of income, which excludes all grants and contributions. Council's long term liabilities include loans and Council's obligation to rehabilitate landfills.

To be in the low financial risk category VAGO suggests that the ratio be 40% or lower. Council's ratio is currently 39.57% and reduces gradually as Council's does not plan to avail of new loans.

3. Community Consultation

The Council's September 2015 budget review is provided for public viewing in accordance with Council's open and transparent governance policy.

4. Internal Consultation

The following members of staff were consulted:

- Corporate Management Team
- All Managers
- Team Leader - Financial Accountant
- Financial Accountant

5. Legislative / Policy Implications

This report complies with the Local Government Act 1989 and Council's Budget and Financial Reporting policy.

In accordance with Section 138 of the Local Government Act 1989, at least every three months the Chief Executive Officer must ensure a statement comparing the budgeted revenue and expenditure for the financial year with actual revenue and expenditure to date is presented to the Council.

6. Environmental Sustainability

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

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QUARTERLY BUDGET REVIEW - SEPTEMBER 2015 (cont'd)

7. Conflict of Interest Considerations

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

8. Conclusion

The projected cash position is \$16.61 million as at 30 June 2016.

An operating deficit of \$2.4 million is forecast as at 30 June 2016.

A capital works program of \$13.99 million is currently forecast to be delivered as at 30 June 2016.

Council is facing a challenging position and will have to seek additional revenue streams and monitor expenditure as explained earlier.

Attachments

Nil

FILE NO: 100.01
5. DEMONSTRATING GOOD GOVERNANCE

ITEM NO: 9.1.2
(MANAGER GOVERNANCE AND
COMMUNICATIONS, LINDA
NIEUWENHUIZEN)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

COUNCIL PLAN QUARTERLY UPDATE

RECOMMENDATION

That:

Council note the progress against the Council Plan 2013-17.

1. Executive Summary

Council adopted a revised Council Plan in June 2015. This report provides an update of progress against the goals and objectives identified in this Plan.

2. Background and Options

Council's revised Council Plan identifies the projects, programs and outcomes Council intends to deliver over the final two years of the Council Plan period.

Council's success in achieving its Council Plan goals is ultimately measured by the views and feedback from our community. The primary measurement tool is the annual Community Satisfaction Survey that is scheduled to take place in early 2016.

Highlights achieved during the reporting period include:

- Council found new homes for 39 cats and dogs that were unclaimed from our Pound
- Detailed design of the new Cobram Library was completed and Council commenced the process to seek tenders for construction
- The Yarrowonga Drainage Study is progressing well and is on track to be available for Council consideration in early 2016
- Three business development workshops were held with more than 70 participants
- Council has progressed delivery of the RV Friendly and Tourism strategies.
- Council completed a comprehensive improvement program to streamline and improve quality control associated with rates and revenue management
- Council completed an audit of its safety systems to meet regulatory requirements and enhance the safety of our staff, contractors and the public.
- Council has substantially increased the scale of its 2015/16 roads maintenance program following a substantial increase in Roads to Recovery grant funding.

3. Financial Implications

Financial impact of changes to Council programs and priorities is addressed in Council's regular financial reporting.

4. Risk Management

Program and project delivery risk is addressed within relevant project management plans.

5. Internal and External Consultation

Nil

6. Regional Context

Nil

FILE NO: 100.01
5. DEMONSTRATING GOOD GOVERNANCE

ITEM NO: 9.1.2
(MANAGER GOVERNANCE AND
COMMUNICATIONS, LINDA
NIEUWENHUIZEN)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

COUNCIL PLAN QUARTERLY UPDATE (cont'd)

7. Council Plan Strategy

Fulfills obligations under Council Plan reporting requirements.

8. Legislative / Policy Implications

Nil

9. Environmental Impact

Nil

10. Conflict of Interest Considerations

Nil

11. Conclusion

This report details the achievements by Council against the Council Plan 2013-17 that was adopted in June 2015. In the first quarter many projects are in the planning or scoping phase however Council has delivered a number of important achievements as highlighted in the report.

Attachments

- 1 Council Plan - quarterly reporting - first quarter 2015-16 report

FILE NO: 100.01
5. DEMONSTRATING GOOD GOVERNANCE

ITEM NO: 9.1.2
(MANAGER GOVERNANCE AND
COMMUNICATIONS, LINDA
NIEUWENHUIZEN)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

COUNCIL PLAN QUARTERLY UPDATE (cont'd)

ATTACHMENT No [1] - Council Plan - quarterly reporting - first quarter 2015-16 report

Moira Shire Council Council Plan – quarterly report – progress to 30 September 2015

Building stronger regional partnerships						
	Strategic Performance Indicator	Measure of the Strategic Performance Indicator	Actions	2015/16	Progress to 30 September 2015	Highlights
1	Represent the interests of our community	Community satisfaction survey - advocacy	Develop an advocacy plan focusing on Council's regional opportunities in agriculture, manufacturing and tourism.		Ongoing	
			Actively engage in relevant forums and networks to promote Moira's interests including MAV, HRLGN, Hume RDA and Murray Group of Councils.		Councillors and Officers have regularly attended and contributed to discussions and submissions generated by these groups.	Murray Regional Group of Council's submission to the Senate Inquiry into the MDB Plan.
			Liaise with key industry groups about future directions to explore collaborative opportunities and advocate for growth and investment		Ongoing	

FILE NO: 100.01
5. DEMONSTRATING GOOD GOVERNANCE

ITEM NO: 9.1.2
(MANAGER GOVERNANCE AND
COMMUNICATIONS, LINDA
NIEUWENHUIZEN)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

COUNCIL PLAN QUARTERLY UPDATE (cont'd)

ATTACHMENT No [1] - Council Plan - quarterly reporting - first quarter 2015-16 report

Moira Shire Council Council Plan – quarterly report – progress to 30 September 2015

Improving Moira's Liveability						
	Strategic Performance Indicator	Measure of the Strategic Performance Indicator	Actions	2015/16	Progress to 30 September 2015	Highlights
2	Encourage safe and resilient communities	<i>Community satisfaction survey</i> <ul style="list-style-type: none"> Emergency and Disaster Management Local law enforcement <i>Local Government Performance Reporting Framework (LGPRF)</i>	Assist our communities to prepare, respond and recover from emergencies and natural disasters in line with Moira's Emergency Management Plan		Final MEMPlan document was prepared, made available for public comment and endorsed by Council.	<ul style="list-style-type: none"> On the 27 July 2015 Moira Shire Council endorsed the draft MEMPlan for adoption by Council's Municipal Emergency Management Planning Committee (MEMPC). Emergency Relief Centres (ERC) identified across the municipality. Audits are underway to confirm appropriateness.
			Implement Domestic Animal Management Plan		Domestic Animal Management Plan is ongoing.	Between July and September 2015 39 dogs and cats were rehomed as part of Council's animal adoption program
			Enforce Local Laws in timely and reasonable manner		Enforcement of Council's local laws ongoing.	
			Develop and commence implementation of Community safety plan 2015-2018		Draft Community Safety Plan being finalised.	
3	Encourage healthy and active communities	<i>Community satisfaction survey</i> <ul style="list-style-type: none"> Elderly support services Sporting facilities <i>LGPRF</i> <ul style="list-style-type: none"> Satisfaction with Aquatic facilities Utilisation of aquatic facilities Cost of MaCH service Participation 	Fulfil obligations under the Public Health and Well Being Act and Food Act		Inspections of all registered premises ongoing.	
			Identify and deliver relevant preventative health programs including mosquito monitoring and Syringe disposal		No activity in this period. Council's annual mosquito monitoring program occurs between November and April.	
			Develop Early Years Plan 2016 – 2019		Draft plan has been completed and input is being sought from local early years' service providers	
			Implement Youth strategy 2015 – 2018		Not yet started. Quarter 3/4	

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5. DEMONSTRATING GOOD GOVERNANCE

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COUNCIL PLAN QUARTERLY UPDATE (cont'd)

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		<p><i>in MaCH programs</i></p> <p><i>Other Immunisation rates at state average</i></p>	<p>Implement Municipal Public Health and Wellbeing Plan 2014 – 2017</p>		<p>Many strategies from plan are being implemented across the Shire. These include activities to increase breastfeeding rates, working with local community health centres on initiatives to increase fruit and vegetable consumption and a range of social connection initiatives.</p>	
			<p>Develop 2015 – 2025 Recreation Strategy</p>		<p>Draft being developed.</p>	
			<p>Implement 2015-2025 Recreation Strategy</p>			
			<p>Review Moira's Walking and Cycling (Tracks'n'Trails) Strategy and prepare construction program</p>		<p>Not yet started.</p>	
4	<p>Support community education and learning</p>	<p><i>Community Satisfaction survey</i></p> <p><i>LGPRF</i></p> <ul style="list-style-type: none"> • <i>Cost of Library services</i> • <i>Library members</i> 	<p>Foster efficient delivery of adult education opportunities across the Shire</p>			
			<p>Deliver Cobram Library project</p>		<p>Detailed design is now complete. Tendering for works advertised in September.</p>	
5	<p>Support inclusive and connected communities</p>	<p><i>Community satisfaction survey</i></p> <ul style="list-style-type: none"> • <i>Family support services</i> • <i>Disadvantage support services</i> <p><i>LGPRF</i></p> <ul style="list-style-type: none"> • <i>Community Engagement Policy and Guidelines</i> • <i>Access audits</i> 	<p>Develop the 2015-2019 Arts and Culture Strategy</p>		<p>Not yet started. Quarter 3/4</p>	
			<p>Implement Cultural Diversity Action Plan 2014 – 2017</p>		<p>Planning for Cultural Diversity Week- Harmony Day 2016 event ongoing. Discussions on implementation and actions on Human Rights declaration ongoing.</p>	
			<p>Implement Disability Action Plan 2013 - 2016</p>		<p>Staff awareness training induction developed. Many items now completed or are continuous in nature.</p>	<p>Improvements to footpath networks ongoing with ramp access at intersections.</p>
			<p>Implement 2015 – 2018 Active Aging Strategy</p>		<p>Not yet started. Awaiting adoption of the strategy.</p>	

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COUNCIL PLAN QUARTERLY UPDATE (cont'd)

ATTACHMENT No [1] - Council Plan - quarterly reporting - first quarter 2015-16 report

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6	Provide clean and attractive parks, gardens, streetscapes, reserves and wetlands	<i>Community satisfaction survey</i>	Review the Streetscape Strategy for the four major towns.			
			Undertake the Parks maintenance regime in accordance with the agreed program and budget.		Maintenance of parks and gardens undertaken in accordance with Operations' Calendar of Events program.	
7	Connect our communities via safe and efficient footpath and road networks	<i>Community Satisfaction survey</i> <i>Compliance with Road Management Plan</i>	Review Moira's Road Management Plan to align with changes in road use and reduced road funding		Scheduled to commence late 2016	
			Develop a foot path strategy to guide Council and community investment		Commenced	
			Commence review of roads hierarchy network plan		Scheduled to commence mid 2016	
8	Well planned, and maintained drainage network	<i>Community Satisfaction survey</i>	Commence implementation of Numurkah Flood Study recommendations			
			Complete Yarrowonga Drainage Study		Ongoing, scheduled for Council consideration in early 2016.	
			Review capacity of existing drainage infrastructure to meet community demand and cope with more frequent extreme weather events		Scheduled to commence first town drainage review in late 2016.	
9	Engage and empower the community in working towards a sustainable future	<i>Community satisfaction survey</i> <i>Greenhouse gas emissions</i> <i>Utility accounts</i>	Implement Council's Environmental Sustainability Strategy		Implementation of Councils Environment Sustainability Strategy is ongoing.	Stage 2 of the Watts Working Better (WWB) project was completed in August 2015. In total the WWB project has now replaced 1,717 inefficient street lights with LED lights reducing operating costs and greenhouse gas emissions.

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COUNCIL PLAN QUARTERLY UPDATE (cont'd)

ATTACHMENT No [1] - Council Plan - quarterly reporting - first quarter 2015-16 report

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10	Deliver effective waste management services	<i>Community satisfaction survey</i> <ul style="list-style-type: none"> waste services <i>Compliance with the requirements of the EPA</i>	Develop Waste Management Business Plan		Development of Councils Waste Management Business plan is ongoing.	Since introducing the Kerbside Organic Service in December 2014 a total of 1,932 tonnes of organic material has been collected at the kerb and delivered to Councils organics processor. The average contamination rate for the period 1 December 2014 to 30 Sept 2015 is 0.54%.
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COUNCIL PLAN QUARTERLY UPDATE (cont'd)

ATTACHMENT No [1] - Council Plan - quarterly reporting - first quarter 2015-16 report

Moira Shire Council Council Plan – quarterly report – progress to 30 September 2015

Build on our economic strengths in agriculture, manufacturing and tourism						
	Strategic Performance Indicator	Measure of the Strategic Performance Indicator	Actions	2015/16	Progress to 30 September 2015	Highlights
11	Strengthen and grow the Moira economy	<i>Customer satisfaction survey</i> <i>Business and Industry satisfaction survey</i>	Implement Business and Innovation Strategy 2013-2017		Ongoing <ul style="list-style-type: none"> Detailed pipeline of confirmed and potential investments in Moira Three business development workshops held with 70 participants Three Economic Development e-newsletters distributed to business and stakeholder database 	<ul style="list-style-type: none"> Business Transformation Scholarship Program in progress with 12 high growth potential businesses participating Launched 'no flies on us' Queensland Fruit Fly awareness campaign in partnership with Berrigan Shire and local horticultural industry
			Develop 2017-2021 Economic Development Strategy			
			Develop and implement industrial land development master plan			
12	Strengthen Moira's tourism offer	<i>Customer satisfaction survey</i> <i>Business and Industry satisfaction survey</i>	Develop Moira Shire Tourism and Event Strategy (destination management plan)		Underway	Strategy developed and currently available for stakeholder feedback
			Advocate for and support the development of key tourism assets in our region		Ongoing	Prospectus for revamped Farm Gate Trail brochure has been distributed to current and potential participants RV Friendly Strategy under development
13	Anticipate and plan for future land use needs	<i>'Ahead of growth curve'</i>	Develop land use master plan for Yarrawonga		Scheduled to commence early 2016	

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COUNCIL PLAN QUARTERLY UPDATE (cont'd)

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			Review Structure plan for Cobram			
			Develop residential land and housing study for the four major towns – Cobram, Nathalia, Numurkah and Yarrawonga		To be undertaken over a period of four years; one study every year. Numurkah Study progressed and project managed by Economic Development Department	
14	Build community and investor confidence in Council's land use planning	<i>Community satisfaction survey</i> <i>Business and Industry satisfaction survey</i>	Demonstrate best practice in planning and building processes		Ongoing	
			Involve industry and community in the improvement of customer-focused planning and building service delivery		Scheduled for delivery in 2016	

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Smarter delivery of services and programs						
	Strategic Performance Indicator	Measure of the Strategic Performance Indicator	Actions	2015/16	Progress to 30 September 2015	Highlights
15	Consistently deliver high quality customer service across all platforms (online, phone and in person)	<i>Customer satisfaction survey</i> <i>Business and Industry satisfaction survey</i> <i>Staff satisfaction survey</i>	Review Council's customer service charter		Scheduled for early 2016	Council has completed a comprehensive improvement program to streamline and improve quality control associated with rates and revenue management.
			Develop end-to-end customer service procedures and service standards for high frequency/high reach customer service activities		Ongoing	
			Develop customer complaints policy and procedures		Commenced	
			Deliver online and mobile customer service capabilities			
			Develop 3 year customer service excellence strategy			
			Establish program for testing customer service standards with relevant community audiences			
16	Moira is a great place to work	<i>Staff satisfaction survey</i> <i>Staff turnover</i> <i>Staff sick leave accrued</i>	Develop and implement People and Organisational Development Strategy		Underway	Currently scoping. MAV Workforce Step Program data will be used in scoping of strategy.
			Develop and implement annual internal communications program to support P&OD strategy		Yet to commence	Will follow scoping.
			Develop employee reward and recognition program		Underway	
17	Moira is a safe place to work	<i>Staff satisfaction survey</i> <i>WorkCover Premium lower than the Average</i>	Develop and implement Occupational Health and Safety strategy		Underway	

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		<i>Industry Rate No increase in number of Lost Time Injury claims Ratio of OHS near misses to reported incidents 1:1</i>	Review and revise safety systems to meet risk and regulatory requirements		Underway	Audit completed. Currently working through program to implement recommendations.
18	Enhance work place systems to improve business productivity and corporate decision making	<i>Staff satisfaction survey(s)</i>	Maintain effective and efficient financial management and reporting systems			
			Develop & implement IT and Information Management Strategy			

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COUNCIL PLAN QUARTERLY UPDATE (cont'd)

ATTACHMENT No [1] - Council Plan - quarterly reporting - first quarter 2015-16 report

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Demonstrating good governance						
	Strategic Performance Indicator	Measure of the Strategic Performance Indicator	Actions	2015/16	Progress to 30 September 2015	Highlights
19	Ensure governance and decision making framework meets legislative requirements and community needs	<i>Legislative compliance Meet audit and risk requirements Community satisfaction</i>	Develop a long-term strategic vision to guide Council Planning and decision making.			
			Improve public access to and involvement in Council Meetings			Council continues to hold meetings in towns across the Shire.
			Ensure Council's codes, policies and procedures are current, relevant, complete and shared with relevant audiences		Review of policy development and review processes is underway.	
			Council's services, programs and procurement fulfil Best Value principles.		Ongoing	
			Ensure that all new services, programs and projects are subject to Council's Project Management System.		Ongoing	
20	Manage business risks to appropriately safeguard our assets, our community, and our business operations	<i>Legislative and procedural compliance</i>	Review Section 86 committee of management model		Review commenced.	
			Develop Council Grants strategy		Scheduled to commence with appointment of Grants Officer.	
			Review and implement risk management framework		Ongoing	
			Annual internal audit program delivered		Ongoing	Council successfully recruited two new internal audit committee members to take up positions of outgoing members.

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21	Ensure compliance with relevant legislation, regulation and standards	<i>No adverse findings or reports from regulatory agencies No breaches of legislation, regulations or standards</i>	Meet legislative and regulatory reporting, monitoring and compliance obligations		Ongoing	
			Identify and plan compliance upgrades of Council infrastructure within reduced grant and financial resources.		Significant boost to Roads to Recovery grant funding enabled Council to rescale its planned 2015/16 works program.	

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COUNCIL PLAN QUARTERLY UPDATE (cont'd)

ATTACHMENT No [1] - Council Plan - quarterly reporting - first quarter 2015-16 report

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Involving and communicating with our community						
	Strategic Performance Indicator	Measure of the Strategic Performance Indicator	Actions	2015/16	Progress to 30 September 2015	Highlights
22	Support community lead planning and change	<i>Community satisfaction survey</i> <ul style="list-style-type: none"> Community consultation and engagement Informing the community LGPRF 	Revise and implement Council's community engagement strategy		Commenced	
			Develop Community Plans for towns and townships		Current community plans continue to be implemented. A new community Planning framework is being developed for 2016.	
23	Effectively communicate with our communities and stakeholders	<i>Customer and segment satisfaction with</i> <ul style="list-style-type: none"> Newsletters Advertising Website 	Review Council's communications strategy		Commenced	
			Improve community and stakeholder awareness of Councillors' role and Council's strategic direction, performance, programs and services.		Ongoing	New look advertising commenced

Deliver sound financial management						
	Strategic Performance Indicator	Measure of the Strategic Performance Indicator	Actions	2015/16	Progress to 30 September 2015	Highlights
24	Meet the community's needs in a financially sustainable manner	<i>Performance against VAGO indicators</i> <i>Unqualified audit opinions</i>	Develop long term financial management principles and model		Scheduled to commence with appointment of Finance Manager	
			Review revenue rating strategy to align with principles		Commenced	
			Review business systems and operational practices and implement improvements		Scheduled to commence with appointment of Finance Manager	

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COUNCIL PLAN QUARTERLY UPDATE (cont'd)

ATTACHMENT No [1] - Council Plan - quarterly reporting - first quarter 2015-16 report

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Rebalancing Council's asset mix						
	Strategic Performance Indicator	Measure of the Strategic Performance Indicator		2015/16	Progress to 30 September 2015	Highlights
25	Sustainably meet the community's asset needs	<i>VAGO Indicators</i> <i>Community satisfaction survey</i>	Review Moira's asset management strategy to align with emerging and future community needs and declining grant and funding resources.			
			Deliver capital works to budget and schedule		Ongoing	
			Develop public pool strategy		Review of industry standards for pool strategy has commenced.	
			Develop Land & Buildings management framework			
			Conduct audit of lease holdings		Commenced	
			Develop consistent service standards for all Council facilities			

FILE NO: 100.09.001
7. DELIVER SOUND FINANCIAL
MANAGEMENT

ITEM NO: 9.1.3
(CHIEF EXECUTIVE OFFICER, MARK
HENDERSON)
(CHIEF EXECUTIVE OFFICER, MARK
HENDERSON)

GOULBURN VALLEY REGIONAL ALLIANCE

RECOMMENDATION

That Council:

- (a) Participate in the Goulburn Valley Alliance (GVA) with Greater Shepparton City Council and Strathbogie Shire Council; and future Councils that seek to join.
- (b) Authorise the Chief Executive Officer to sign the necessary instruments to facilitate membership of the alliance.
- (c) Receive quarterly update on the outcomes being achieved through the alliance.

1. Executive Summary

There are increasing expectations upon the Local Government sector to reform business practices, improve the quality of council services and reduce costs.

Victorian councils are approaching rate capping which will have significant impact on their revenue and capacity to maintain current service levels. Also many councils continue to operate with underlying operating deficits that are not sustainable in the longer term.

Greater Shepparton City Council and Strathbogie Shire Council have developed a regional alliance exploring opportunities to collaborate to provide more efficient cost effective services.

2. Background

Objectives of a Regional Services Delivery Model

In contemplating a *Regional Services Delivery Model* the following mutual objectives are relevant:

- Reform the way services are delivered to our communities providing more channels, greater flexibility, more integration improving our effectiveness and efficiency utilising our collective resources in the most prudent way;
- Transform the quality and responsiveness of information and services provided to customers;
- Become employers of choice, providing improved career paths, better process and modern business systems;
- Provide a platform for continued further reform of other core services;
- Break down the barriers to collaboration, develop common business processes and reporting, introduce more standardised ways of working across the three councils;
- Leverage innovative developments as a Pilot for the sector, using our collective resources to translate innovative ideas into real projects.
- Use our collective capability to build better more responsive solutions that are able to meet the needs of our communities into the future.

FILE NO: 100.09.001
7. DELIVER SOUND FINANCIAL
MANAGEMENT

ITEM NO: 9.1.3
(CHIEF EXECUTIVE OFFICER, MARK
HENDERSON)
(CHIEF EXECUTIVE OFFICER, MARK
HENDERSON)

GOULBURN VALLEY REGIONAL ALLIANCE (cont'd)

Strategic collaboration with the Shire of Strathbogie Shire and Greater Shepparton City Council is not just about savings and sharing resources, it is also about maximising capacity in addressing community expectations. Collaboration between councils should also enhance staff skills and experience. Collaboration is not about reducing staff numbers or council autonomy.

The forming of a collaborative arrangement will allow the three councils to pool resources, reduce duplication and form a common platform to develop initiatives. Benefits include economies of scale and scope, streamlined business processes and improved service delivery.

An alliance between Greater Shepparton, Strathbogie and Moira would build on current co-operative arrangements such as

- Goulburn Valley Library Corporation
- Infrastructure Design Manual
- Goulburn Valley Regional Waste Management Group
- Goulburn Broken Greenhouse Alliance
- Regional Rural Land Use Strategy
- North East Regional Development Scheme (NERDS)

Social Implications

There are no social impacts in the signing of a Statement of Intent.

Economic Impacts

There are no economic impacts in the signing of a Statement of Intent.

However, the purpose of the signing of the Statement of Intent is that a Business Plan will be developed to explore the ability of the council to deliver a better quality service via the regional collaboration model.

3. Financial Implications

Entering into the alliance will require a modest contribution towards overall costs. It is expected that this will be more than offset through year one savings.

4. Risk Management

The alliance has a legal framework to mitigate risk but is structured so that any party can withdraw on notice without penalty.

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7. DELIVER SOUND FINANCIAL
MANAGEMENT

ITEM NO: 9.1.3
(CHIEF EXECUTIVE OFFICER, MARK
HENDERSON)
(CHIEF EXECUTIVE OFFICER, MARK
HENDERSON)

GOULBURN VALLEY REGIONAL ALLIANCE (cont'd)

5. Internal and External Consultation

Moira staff have met with their Goulburn Valley counterparts to better understand how the alliance operates. Officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration.

6. Regional Context

The Hume Local Government Network is actively exploring shared service models but the Goulburn Valley Alliance presents a logical and functioning model that Moira can add early value to.

7 Council Plan Strategy

A shared service model will assist with Council's plan to provide quality, affordable services.

8 Legislative / Policy Implications

There are no legal or statutory implications of the Council to prevent the execution of a regional collaborative model as referred to in this report.

9 Environmental Impact

Not applicable

10 Conflict of Interest Considerations

Under section 80C of the *Local Government Act 1989* officers and persons engaged under a contract providing advice to Council must disclose any conflicts of interests, including the type and nature of interest..

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

11. Conclusion

Local Government needs a sector wide game plan to lead change rather than react to it. The Goulburn Valley Alliance will assist the participant councils and the sector to learn what can be achieved (savings and improved services) through collaboration.

There is a need for stronger collaboration between councils to capture the economies of regional scale and to create the added value and opportunity regions provide whilst ensuring local democracy is maintained.

Collaboration enables this opportunity and improves the ability to transform service delivery. In addition, there is a need for improved cross-boundary cooperation between neighbouring councils, as well as the development of more common specifications and standards.

Attachments

Nil

FILE NO: 120.06.0003
1. OUR COMMUNITIES

ITEM NO: 9.1.4
(EXECUTIVE ASSISTANT TO CEO,
ROBYN BONADDIO)
(CHIEF EXECUTIVE OFFICER, MARK
HENDERSON)

SECTION 86, AUDIT AND OTHER COMMITTEE REPRESENTATIVES

RECOMMENDATION

That Council:

1. Appoint Councillor Representatives to Council's Section 86 Committees; Advisory (Special) Committees; Audit Committee; Moira Advisory Committees; Other Moira Committees and Other Representative Bodies, in accordance with the attached list.

1. Executive Summary

Section 86 of the *Local Government Act 1989* (the Act) enables councils to establish special committees, which may be the subject of delegations from the Council. It also recognises the possibility of establishing advisory committees, whose role it is to provide recommendations to the Council, although they do not have any formal delegated powers.

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

This report identifies Councillor Representatives to Council's Section 86 Committees; Advisory (Special) Committees; Audit Committee; Moira Advisory Committees; Other Moira Committees and Other Representative Bodies for 2015.

2. Discussion

Special Committees of Council are in the case of Section 86 Committees established to manage community assets in partnership with Council whilst others advise Council on special interest areas of decision making. Committees may comprise individual community members, community group representatives and in some instances agency and government department representatives.

As a function of Council, Councillor Representation is also common.

An instrument of delegation to a committee is used to clearly articulate the nature of the delegation, and any conditions or limitations under which the delegation is exercised. Section 86(4) also imposes certain limitations, including the power to borrow money or enter into contracts for an amount exceeding that previously determined by the Council.

The process for establishing a special committee is relatively simple. It involves:

- Resolving to establish the committee, including setting out its purposes, members (and their voting rights), delegated powers, and reporting obligations back to the Council; and
- Delegating, via an instrument of delegation, certain Council powers to the committee to enable it to function effectively.

The Council is also able to impose conditions on the exercise of the delegated powers and to ensure it can operate effectively and provide the advice required. This option also often ensures that the Council will have continued access to funding from the

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1. OUR COMMUNITIES

ITEM NO: 9.1.4
(EXECUTIVE ASSISTANT TO CEO,
ROBYN BONADDIO)
(CHIEF EXECUTIVE OFFICER, MARK
HENDERSON)

SECTION 86, AUDIT AND OTHER COMMITTEE REPRESENTATIVES (cont'd)

Commonwealth and State Government (which may not be the case where the external body is appointed to manage the land, for example).

As appointees to special committees, Councillors will be provided with opportunities to attend conferences, workshops and forums that relate directly to their role on their appointed committees. This will allow for Councillors to expand on their knowledge in specific areas.

Special committees can be formed at any time where a need is identified. Once identified, a formal process of Council to advertise the formation of a committee and appointment of committee representatives is undertaken.

3. Financial Implications

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

4. Community Consultation

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

5. Internal Consultation

Councillors held a discussion on which Councillor/s would be representatives on Council's Section 86 Committees; Advisory (Special) Committees; Audit Committee; Moira Advisory Committees; Other Moira Committees and Other Representative Bodies.

6. Legislative / Policy Implications

The process of delegation of Council's powers is a legislative requirement and is accomplished by documentation for each committee.

Section 86 of the *Local Government Act 1989*, and Section 86(4) of the *Local Government Act 1989* are particularly relevant

7. Environmental Sustainability

There are no environmental sustainability issues to consider within this report.

8. Conflict of Interest Considerations

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

9. Conclusion

Following the committee appointments, should an alternative Councillor Representative be appointed to a Committee, the Instrument of Delegation and previous meeting Minutes will be forwarded to the Councillor for their information.

It is then suggested the relevant Council Manager will brief the Councillor Representative on the workings and issues relevant to the Committee.

Attachments

- 1 Councillor Committee Representatives

FILE NO: 120.06.0003
1. OUR COMMUNITIES

ITEM NO: 9.1.4
(EXECUTIVE ASSISTANT TO CEO,
ROBYN BONADDIO)
(CHIEF EXECUTIVE OFFICER, MARK
HENDERSON)

SECTION 86, AUDIT AND OTHER COMMITTEE REPRESENTATIVES (cont'd)

ATTACHMENT No [1] - Councillor Committee Representatives

SECTION 86 COMMITTEES			
	Representatives	Dates	Occurrence
Baulkamaugh Recreation Reserve & Community Hall	Marie Martin	Fourth Monday	Quarterly
Bearii Recreation Reserve	Alex Monk	Third Tuesday	Tri
Bundalong Dan Cronin Recreation Reserve & Public Hall	Peter Mansfield	First Tuesday	Quarterly
Cobram Scott Reserve	Gary Cleveland	Second Wednesday	Every second month
Floridan Park Recreation Reserve	Alex Monk	Fourth Tuesday	Quarterly
Invergordon Recreation Reserve & Community Hall	Alex Monk	Second Wednesday	Quarterly
Katamatite Recreation Reserve	Alex Monk	Third Wednesday	Every second month
Katunga Recreation Reserve & Community Centre	Wendy Buck	Third Wednesday	Every second month
Koonoomoo Recreation Reserve	Gary Cleveland	First Thursday	Quarterly
Picola Recreation Reserve	Kevin Bourke	First Wednesday	Quarterly
St James Recreation Reserve	Don McPhee	Second Tuesday	Quarterly
Strathmerton Recreation Reserve	Wendy Buck	Fourth Wednesday	Quarterly

FILE NO: 120.06.0003
1. OUR COMMUNITIES

ITEM NO: 9.1.4
(EXECUTIVE ASSISTANT TO CEO,
ROBYN BONADDIO)
(CHIEF EXECUTIVE OFFICER, MARK
HENDERSON)

SECTION 86, AUDIT AND OTHER COMMITTEE REPRESENTATIVES (cont'd)

ATTACHMENT No [1] - Councillor Committee Representatives

SECTION 86 COMMITTEES			
	Representatives	Dates	Occurrence
Tungamah Jubilee Park Recreation Reserve	Alex Monk	Fourth Tuesday	Annual
Waaia Recreation Reserve	Kevin Bourke	Second Monday	Three
Wilby Racecourse & Recreation Reserve	Peter Mansfield	Second Wednesday	Quarterly
Wunghnu Recreation Reserve	Marie Martin	Second Wednesday	Every second month
Yalca North Recreation Reserve	Kevin Bourke	First Monday	Annual
Yarrowonga JC Lowe Oval Reserve	Don McPhee	First Tuesday	Quarterly
Yarroweyah Recreation Reserve	Edward Cox	Fourth Wednesday	Every second month
Yarrowonga Eastern Foreshore	Peter Mansfield	Fourth Tuesday	Monthly
Cobram Showgrounds Apex Reserve	Edward Cox	Second Monday	Monthly
Nathalia Showgrounds & Recreation Reserve	Kevin Bourke	Fourth Wednesday	Monthly
Numurkah Showgrounds Reserve	Marie Martin	Second Monday	Monthly
Yarrowonga Showgrounds Reserve & Victoria Park	Peter Mansfield	Fourth Tuesday	Monthly

FILE NO: 120.06.0003
1. OUR COMMUNITIES

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(EXECUTIVE ASSISTANT TO CEO,
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SECTION 86, AUDIT AND OTHER COMMITTEE REPRESENTATIVES (cont'd)

ATTACHMENT No [1] - Councillor Committee Representatives

SECTION 86 COMMITTEES			
	Representatives	Dates	Occurrence
Katamatite Public Hall	Marie Martin	First Monday	Quarterly
Lake Rowan Hall	Peter Mansfield	Third Tuesday	Three
Numurkah Town Hall	Marie Martin	Third Wednesday	Every second month
Picola Public Hall	Kevin Bourke	Third Tuesday	Quarterly
St James Public Hall	Don McPhee	Second Tuesday	Quarterly
Strathmerton Public Hall	Wendy Buck	First Monday	Quarterly
Wilby Memorial Hall	Peter Mansfield	Third Thursday	Quarterly
Yarroweyah Memorial Hall	Edward Cox	Second Monday	Monthly
Cobram Historical Precinct	Edward Cox	Third Monday	Quarterly
Nathalia Historical Precinct	Kevin Bourke	Second Tuesday	Quarterly
Tungamah Court House	Alex Monk	Various	Quarterly

FILE NO: 120.06.0003
1. OUR COMMUNITIES

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(EXECUTIVE ASSISTANT TO CEO,
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SECTION 86, AUDIT AND OTHER COMMITTEE REPRESENTATIVES (cont'd)

ATTACHMENT No [1] - Councillor Committee Representatives

ADVISORY COMMITTEES AND BOARDS			
	Representative	Dates	Occurrence
Moira Shire Disability Advisory Committee	Don McPhee	First Tuesday	Quarterly
Moira Shire Environment Advisory Committee	Wendy Buck	Third Tuesday	Quarterly
Moira Shire Junior Council	Alex Monk Edward Cox Gary Cleveland	Third Tuesday	Quarterly
Moira Shire Kinnards Wetland Advisory Committee	Edward Cox	Various	Quarterly
Moira Shire Local Safety Committee	Kevin Bourke Marie Martin	First Tuesday	Quarterly
Moira Shire Municipal Public Health & Wellbeing Advisory Committee	Marie Martin	Last Monday	Quarterly
Yarrowonga Aerodrome Advisory Committee	Peter Mansfield Brian Keenan	First Thursday	Monthly
Moira Shire Multicultural Advisory Committee	Marie Martin	Various	Quarterly
RV Friendly Advisory Committee	Brian Keenan	Various	Various
Moira Arts and Culture Board Inc	Alex Monk Marie Martin	Second Wednesday	Monthly

FILE NO: 120.06.0003
1. OUR COMMUNITIES

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(EXECUTIVE ASSISTANT TO CEO,
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SECTION 86, AUDIT AND OTHER COMMITTEE REPRESENTATIVES (cont'd)

ATTACHMENT No [1] - Councillor Committee Representatives

OTHER REPRESENTATIVE BODIES			
	Representative	Dates	Occurrence
Goulburn Broken Greenhouse Alliance	Wendy Buck	Third Thursday	Varies
Goulburn Valley Community Road Safety Council	Kevin Bourke	First Tuesday	Every third month
Goulburn Valley Regional Library Corporation Board	Gary Cleveland	Thursday	Quarterly
Goulburn Valley Waste and Resource Recovery Group	Wendy Buck	Friday	Quarterly
Lake Mulwala Community Reference Group	Don McPhee	Various	Varies
Moira Healthcare Alliance Board	Alex Monk	Last Monday	Every second month
Municipal Association of Victoria	Mayor	Friday	Quarterly
Murray River Group of Councils	Mayor		Every second month
Municipal Emergency Management Planning Committee	Kevin Bourke Wendy Buck		

FILE NO: 120.06.0003
1. OUR COMMUNITIES

ITEM NO: 9.1.4
(EXECUTIVE ASSISTANT TO CEO,
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(CHIEF EXECUTIVE OFFICER, MARK
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SECTION 86, AUDIT AND OTHER COMMITTEE REPRESENTATIVES (cont'd)

ATTACHMENT No [1] - Councillor Committee Representatives

OTHER REPRESENTATIVE BODIES			
	Representative	Dates	Occurrence
Murray Darling Association Inc	Alex Monk Edward Cox	Various	Twice yearly
Sullivan Education Fund	Brian Keenan Don McPhee Peter Mansfield Wendy Buck	No meetings required.	
Barmah Horse Advisory Committee	Kevin Bourke		
Barmah Forest Heritage and Education Centre	Kevin Bourke		
L2P Program	Alex Monk	Various	Quarterly
Numurkah Flood Study Community Reference Group	Kevin Bourke	First Wednesday	Quarterly
AUDIT COMMITTEE			
	Representatives	Dates	Occurrence
Moira Shire Council Audit Committee	Cr Edward Cox Cr Alex Monk Mayor	Various	Minimum Quarterly

FILE NO: 120.06.003
6. GOVERNANCE

ITEM NO: 9.1.5
(EXECUTIVE ASSISTANT TO CEO,
ROBYN BONADDIO)
(CHIEF EXECUTIVE OFFICER, MARK
HENDERSON)

COUNCIL MEETING SCHEDULE 2016

RECOMMENDATION

That: Council

1. Pursuant to Part 3, Section 8(1) of Local Law No. 1 (No. 1 of 2007 amended 22 July 2008) set the date, time and place of Council meetings as:
 - Ordinary Council Meetings to be held on the fourth Tuesday of the month commencing at 5pm, except in June and September Ordinary Meeting where meetings will be scheduled for the third week of the month.
 - Two Ordinary Council Meetings to be held at each of Yarrowonga, Nathalia
 - All other Ordinary Council Meetings to be held in Numurkah.
2. Briefing sessions to be held generally on the second Tuesday of the month

1. Executive Summary

Under Part 3, Section 8(1) of Council's Meeting Procedures Local Law 2007 (No. 1 of 2007 amended 22 July 2008) Council is required to set the date, time and place for Council Meetings.

This report details the meeting and briefing schedule for 2016.

2. Background and Options

Meeting locations

In 2015 Council meetings took place in Cobram, Numurkah, Nathalia, Tungamah and Yarrowonga.

In past years Council has scheduled meetings in smaller towns and this is well received by local communities but has not necessarily resulted in increased community attendance and increased the logistical and technology challenges as well as the time required of Council officers. In 2016, while the Library is constructed, Council will not have access to the Cobram Civic Centre.

- **Proposal** – Council Briefings are held in a venue in or near Cobram
- **Proposal** - Council meetings held in Numurkah for the majority of the meetings, with two meeting each in Nathalia and Yarrowonga.

Meeting times

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

It is arguable that meetings held during the day could attract participation from a larger pool that includes residents as well those who travel to town for work or other activities.

Council meetings tend to take around 2 hours and could be scheduled to commence late afternoon and hence enable question time to coincide with standard office closure.

FILE NO: 120.06.003
6. GOVERNANCE

ITEM NO: 9.1.5
(EXECUTIVE ASSISTANT TO CEO,
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COUNCIL MEETING SCHEDULE 2016 (cont'd)

- **Proposal** – Council schedule meetings to commence at 5pm.

Week of the month

In 2015 Council Meetings were scheduled on the fourth Monday of each month. This enabled month end data to be included at the next meeting and hence improved the timeliness of officer reports. However a number of critical business reports including the Council Plan, Council Budget and Annual Report have submission dates that fall in the last week of the month which created exceptionally tight deadlines for Council consideration and endorsement of these documents prior to their submission to the Minister or other key stakeholders.

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

- **Proposal** – Continue with fourth week of the month except for the June and September Meeting that are scheduled for the third week to meet submission deadlines.

3. Financial Implications

Council meeting expenses are included in the adopted budget. The budget amount for 2015/2016 is: \$21,000. The meeting expenses include:

- Lunch, afternoon tea and dinner.
- Hire of venues that are not owned by Council.
- Cost of external bodies to present to Council.

In addition to the meeting expenses, the cost of Councillor and staff travel, staff overtime and time demands of senior staff are hidden costs that needs to be taken into consideration.

4. Risk Management

Risk to Councillors, staff and community members of travelling long distances on country roads at night will be reduced by having the meetings starting earlier during winter months and the majority of the venues accessible by major roads.

In addition to the above mitigation the physical workload and man hours required to set up venues without the required equipment is reduced, by having the meetings at venues with the appropriate ergonomic equipment.

FILE NO: 120.06.003
6. GOVERNANCE

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(EXECUTIVE ASSISTANT TO CEO,
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COUNCIL MEETING SCHEDULE 2016 (cont'd)

5. Internal and External Consultation

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

All Council Meetings and Special Council Meetings are advertised in the Moira Shire Full Page advertisement, which is advertised in the: Yarrowonga Chronicle, Numurkah Leader, Cobram Courier and the Nathalia Red Gum Courier. Council Meeting dates and times are available from the Moira Shire website (www.moira.vic.gov.au). Copies of the agenda are available from the Moira Shire website and service centres. Minutes of the previous meeting are uploaded onto the website once Council has approved them at the following meeting.

6. Regional Context

There are no regional issue to consider within this report.

7. Council Plan Strategy

Governance Moira will meet governance, communication, compliance and regulatory standards through its commitment to advocacy and effective decision making and demonstrate good governance by being consensus orientated, equitable, effective and efficient.

8. Legislative / Policy Implications

Under Part 3, Section 8(1) of Council's Meeting Procedures Local Law 2001 (No. 1 of 2007 amended 22 July 2008) Council is required to set the date, time and place for Council Meetings.

9. Environmental Impact

There is a carbon footprint left whenever meetings require travel. Councillors and Officers car pool where possible to reduce the amount of cars travelling to one location.

10. Conflict of Interest Considerations

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

11. Conclusion

That Council set the date, time and place for Council meetings and Briefings for 2016 as per the attached schedule.

Attachments

- 1 Meeting schedule 2016

FILE NO: 120.06.003
6. GOVERNANCE

ITEM NO: 9.1.5
(EXECUTIVE ASSISTANT TO CEO,
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(CHIEF EXECUTIVE OFFICER, MARK
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COUNCIL MEETING SCHEDULE 2016 (cont'd)

ATTACHMENT No [1] - Meeting schedule 2016

Council Meeting and Briefing Schedule – 2016

Date	Venue	Meeting
Tue 9 Feb 2016	TBC	Briefing
Tue 23 Feb 2016	Numurkah – Presidents Room	Ordinary Council Meeting
*Tue 15 Mar 2016	TBC	Briefing
*Tue 29 Mar 2016	Numurkah – Presidents Room	Ordinary Council Meeting
Tue 12 April 2016	TBC	Briefing
*Tue 26 April 2016	Nathalia Dancocks Room	Ordinary Council Meeting
Tue 10 May 2016	TBC	Briefing
Mon 24 May 2016	Numurkah – Presidents Room	Ordinary Council Meeting
*Tue 14 June 2016	TBC	Briefing
Tue 21 June 2016	Yarrowonga – Presidents Room	Ordinary Council Meeting (Adopt Budget)
Tue 12 July 2016	TBC	Briefing
Tue 26 July 2016	Nathalia Dancocks Room	Ordinary Council Meeting
Tue 9 Aug 2016r	TBC	Briefing
Tue 23 Aug 2016	Numurkah – Presidents Room	Ordinary Council Meeting
Tue 13 Sep 2016	TBC	Briefing
Tue 20 Sep 2016	Yarrowonga – Town Hall	Ordinary Council Meeting (Adopted financial statements)
Tue 11 Oct 2016	TBC	Briefing
Tue 25 Oct 2016	Numurkah – Presidents Room	Ordinary Council Meeting
Tue 14 Nov 2016	TBC	Briefing
Tue 14 Nov 2016	Numurkah – Presidents Room	Special Council Meeting – Mayoral Election
Tue 29 Nov 2016	Numurkah – Presidents Room	Ordinary Council Meeting
Tue 13 Dec 2016	TBC	Briefing
Tue 20 Dec 2016	Numurkah – Presidents Room	Ordinary Council Meeting

* Indicates a public holiday on the Monday

FILE NO: F15/170
6. INVOLVING AND COMMUNICATING WITH
OUR COMMUNITY

ITEM NO: 9.1.6
(MANAGER COMMUNITY SERVICES,
DAVID BOOTH)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

2015 2016 COMMUNITY & EVENTS GRANTS SCHEME

RECOMMENDATION

That:

- Council approve the list of projects recommended for funding under the 6 categories of the 2015/16 Community and Events Grants Scheme as detailed below.

COMMUNITY MAJOR GRANTS

Organisation	Project	Amount
Picola Recreation Reserve Committee of Management	Shower & Bathroom Renovation (Stage 2 of Change Room Refurbishment)	\$15,000.00
Katamatite Recreation Reserve Committee of Management	Upgrade Electricity Mains & Metering to Community Hub Building	\$10,000.00
Katunga Recreation Reserve and Community Centre Section 86	Katunga Recreation Reserve and Community Centre Equipment Shed Project	\$15,000.00
Nathalia & District Preschool Asset	Solar Panels Project	\$6,500.00
Numurkah Toy Library Inc.	Stack it up and come on in	\$3,500.00
Numurkah Football and Netball Club	Numurkah Showgrounds - Adventure Playground	\$14,000.00
Yarroweyah Hall Committee of Management	100 Chairs for Hall increase seating capacity to 200	\$5,000.00
Yarrowonga Yacht Club Inc	Upgrade of Training Room and Toilet Facilities	\$15,000.00
Lions Club of Yarrowonga Inc	Continued Refurbishment and Upgrade of Lions Clubrooms, Kitchen, Toilets and Wool Pavilion	\$13,000.00
Scott Reserve Committee of Management	Seating and Tree upgrade for Scott Reserve	\$14,000.00
Yarrowonga & District Netball Association	Seating and Shelter around Netball Courts	\$8,000.00
Numurkah & District Development Group	Outdoor Gym Equipment - Quinn St Numurkah Lake	\$15,000.00
TOTAL		\$134,000.00

COMMUNITY MINOR GRANTS

Organisation	Project	Amount
Yarrowonga Mulwala Development Inc.	Leasehold Improvements - Storage Cupboards and Security Lighting	\$2,500.00
Numurkah Lawn Tennis Club	Tennis court net replacement project	\$2,500.00

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2015 2016 COMMUNITY & EVENTS GRANTS SCHEME (cont'd)

COMMUNITY MINOR GRANTS continued		
Organisation	Project	Amount
Katunga Cricket Club	Katunga Cricket Club Mower Purchase	\$2,500.00
Showcase 2016 (Auspiced by The Lions Club of Numurkah Inc.)	Showcase 2016 - Numurkah Community Expo	\$1,500.00
Muckatah Landcare Group (Auspiced by Farm Tree and Landcare Association)	Fence, Gate and Tree Project at Peter Kennedy Reserve	\$2,400.00
Nathalia Recreation Reserve Committee of Management	Install Security Fence at Reserve	\$2,500.00
Yarrowonga Yacht Club Inc.	Defibrillator Station	\$2,500.00
Nathalia Golf Club	Rain Water Tank	\$2,500.00
Numurkah Playgroup (Auspiced by Playgroup Victoria)	Play Shack Shambles - Toy storage	\$ 400.00
Numurkah Friends of the Library (Auspiced by GV Libraries)	Digital Projector and Screen	\$1,400.00
Strathmerton Netball Club (Auspiced by Strathmerton Recreation Reserve)	Purchase and Installation of Electronic Score Boards	\$2,500.00
Strathmerton Public Hall Committee of Management	New Kitchen Stove	\$2,000.00
Numurkah Pony Club (Auspiced by Floridan Park COM)	Show-jump Wings	\$1,900.00
Cobram Cricket Club Inc.	Replace Fence in front of Pavilion	\$2,500.00
Goulburn Valley Kart Club (GVKC INC)	All abilities ramp to improve accessibility	\$2,500.00
Numurkah Senior Citizens Club Inc.	Main Hall Digital Integrated Audio Visual Equipment & Installation	\$2,500.00
Yarrowonga Football Netball Club	Yarrowonga Football Netball Club Trainer's Shelter	\$2,500.00
The Katamatite Cemetery Trust	Katamatite Cemetery Front Gates with signage	\$2,500.00
Yarrowonga Pre-School & Occasional Care	Poster Storage Unit	\$2,000.00

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6. INVOLVING AND COMMUNICATING WITH
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2015 2016 COMMUNITY & EVENTS GRANTS SCHEME (cont'd)

COMMUNITY MINOR GRANTS continued		
Organisation	Project	Amount
Waaia Football Netball Club	Seating	\$2,500.00
Yarrowonga Health	A Community Showcase	\$1,400.00
Numurkah RSL Sub Branch (Auspiced by GV Vietnam Veterans Assoc. Inc.)	Replace north Windows in Meeting Room and Bar area to protect memorabilia	\$2,500.00
TOTAL		\$48,000.00
TOURISM EVENTS GRANTS		
Organisation	Project	Amount
Yorta Yorta	Dharnya Centre Event	\$4,000.00
Nathalia Lions Club	New Year's Eve Carnival	\$3,000.00
Cobram Barooga Business & Tourism Development Inc.	River Beach Festival	\$3,000.00
TOTAL		\$10,000.00
COMMUNITY EVENTS GRANTS		
Organisation	Project	Amount
Katamatite Community Action Group	Katamatite Community Town BBQ	\$500.00
Invergordon Primary School (Auspiced by Invergordon Primary School Parents Club)	End of Year Community Celebration	\$500.00
PALS Inc.	Twilight Fete	\$500.00
Cobram Commemoration Committee of Cobram Barooga RSL Sub branch (Auspiced by RSL Victoria)	Anzac Day Celebrations 2016	\$500.00
Muckatah Land care Group (Auspiced by Farm Tree and Land care Association)	Launch of Interpretive Sign at Peter Kennedy Reserve	\$500.00
Lioness Club of Yarrowonga (Auspiced by Yarrowonga Lions Club)	Yarrowonga Lioness Craft Expo	\$500.00
TOTAL		\$3,000.00

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2015 2016 COMMUNITY & EVENTS GRANTS SCHEME (cont'd)

ARTS AND CULTURE SMALL GRANTS		
Organisation	Project	Amount
Bardi Gras Group	Bardi Gras Major Procession Items	\$1,972.00
Rotary Club of Numurkah	Rotary Club of Numurkah 36th Annual Art & Craft Exhibition 11-14 March 2016	\$2,000.00
Peechelba & District Progress Association Inc	Peechelba History: In images and stitch	\$1,040.00
Cobram Harness Racing Club (Auspice for Finley & District Camera Club)	Portraiture & iPhone Photographic Workshop	\$1,380.00
Goulburn Valley Libraries	Advancing Art in the Library	\$1,400.00
Nathalia & District Historical Society	Nathalia's Great War: The Display	\$1,860.00
Yarrowonga P-12 Parents & Friends Assoc.	Community Workshop Brings the Lake to the School Project	\$2,000.00
GRAIN. Inc	Moira's Aspiring Artists - Schools Exhibition	\$1,500.00
Total		\$13,152.00
HEALTH PROMOTION GRANTS		
Organisation	Project	Amount
Yarrowonga Health	Breaking the Silence - White Ribbon Day	\$500.00
Goulburn Valley Library	A new idea for your salads	\$250.00
Nathalia District Hospital	Pitstop - Men's Annual Health Night Out	\$500.00
Rotary Club of Cobram Inc.	Cobram District Health 'Pitstop' Men's Health Program and Rotary Bowel scan Program	\$500.00
TOTAL		\$1,750.00

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2015 2016 COMMUNITY & EVENTS GRANTS SCHEME (cont'd)

1. Executive Summary

Council received 89 applications totalling \$470,120 in requested funding for the Community and Events Grants Scheme 2015/16 across the following grant streams.

Grant Stream	Applications Received	Funding available	Funding requested
Community Major Grants	33	\$120,000	\$363,517
Community Minor Grants	31	\$80,000	\$68,701
Tourism Events Grants	4	\$20,000	\$15,500
Community Events Grants	7	\$10,000	\$3,500
Arts and Culture Small Grants	10	\$22,500	\$17,152
Health Promotion Grants	4	\$4,000	\$1,750
Total	89	\$256,500	\$470,120

The recommendation is to fund 55 projects with funding totalling \$209,902 through the 2015 2016 Community and Events Grants Scheme, as detailed in this report.

Projects which are not recommended for funding are either ineligible, require further planning, other government agency responsibility or provide limited community benefit. Feedback will be provided to these applicants on this.

2. Background and Options

The following community projects and events are recommended for Community and Events Grants funding by the respective grant review panels:

COMMUNITY MAJOR GRANTS		
Organisation	Project	Amount
Picola Recreation Reserve Committee of Management	Shower & Bathroom Renovation (Stage 2 of Change Room Refurbishment)	\$15,000.00
Katamatite Recreation Reserve Committee of Management	Upgrade Electricity Mains & Metering to Community Hub Building	\$10,000.00
Katunga Recreation Reserve and Community Centre Section 86	Katunga Recreation Reserve and Community Centre Equipment Shed Project	\$15,000.00
Nathalia & District Preschool Asset	Solar Panels Project	\$6,500.00
Numurkah Toy Library Inc.	Stack it up and come on in	\$3,500.00
Numurkah Football and Netball Club	Numurkah Showgrounds - Adventure Playground	\$14,000.00
COMMUNITY MAJOR GRANTS continued.		

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6. INVOLVING AND COMMUNICATING WITH
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2015 2016 COMMUNITY & EVENTS GRANTS SCHEME (cont'd)

Organisation	Project	Amount
Yarroweyah Hall Committee of Management	100 Chairs for Hall increase seating capacity to 200	\$5,000.00
Yarrowonga Yacht Club Inc	Upgrade of Training Room and Toilet Facilities	\$15,000.00
Lions Club of Yarrowonga Inc	Continued Refurbishment and Upgrade of Lions Clubrooms, Kitchen, Toilets and Wool Pavilion	\$13,000.00
Scott Reserve Committee of Management	Seating and Tree upgrade for Scott Reserve	\$14,000.00
Yarrowonga & District Netball Association	Seating and Shelter around Netball Courts	\$8,000.00
Numurkah & District Development Group	Outdoor Gym Equipment - Quinn St Numurkah Lake	\$15,000.00
TOTAL		\$134,000.00

COMMUNITY MINOR GRANTS

Organisation	Project	Amount
Yarrowonga Mulwala Development Inc.	Leasehold Improvements - Storage Cupboards and Security Lighting	\$2,500.00
Numurkah Lawn Tennis Club	Tennis court net replacement project	\$2,500.00
Katunga Cricket Club	Katunga Cricket Club Mower Purchase	\$2,500.00
Showcase 2016 (Auspiced by The Lions Club of Numurkah Inc.)	Showcase 2016 - Numurkah Community Expo	\$1,500.00
Muckatah Landcare Group (Auspiced by Farm Tree and Landcare Association)	Fence, Gate and Tree Project at Peter Kennedy Reserve	\$2,400.00
Nathalia Recreation Reserve Committee of Management	Install Security Fence at Reserve	\$2,500.00
Yarrowonga Yacht Club Inc.	Defibrillator Station	\$2,500.00
Nathalia Golf Club	Rain Water Tank	\$2,500.00
Numurkah Playgroup (Auspiced by Playgroup Victoria)	Play Shack Shambles - Toy storage	\$ 400.00
Numurkah Friends of the Library (Auspiced by GV Libraries)	Digital Projector and Screen	\$1,400.00

COMMUNITY MINOR GRANTS continued.

FILE NO: F15/170
6. INVOLVING AND COMMUNICATING WITH
OUR COMMUNITY

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2015 2016 COMMUNITY & EVENTS GRANTS SCHEME (cont'd)

Organisation	Project	Amount
Strathmerton Netball Club (Auspiced by Strathmerton Recreation Reserve)	Purchase and Installation of Electronic Score Boards	\$2,500.00
Strathmerton Public Hall Committee of Management	New Kitchen Stove	\$2,000.00
Numurkah Pony Club (Auspiced by Floridan Park COM)	Show-jump Wings	\$1,900.00
Cobram Cricket Club Inc.	Replace Fence in front of Pavilion	\$2,500.00
Goulburn Valley Kart Club (GVKC INC)	All abilities ramp to improve accessibility	\$2,500.00
Numurkah Senior Citizens Club Inc.	Main Hall Digital Integrated Audio Visual Equipment & Installation	\$2,500.00
Yarrowonga Football Netball Club	Yarrowonga Football Netball Club Trainer's Shelter	\$2,500.00
The Katamatite Cemetery Trust	Katamatite Cemetery Front Gates with signage	\$2,500.00
Yarrowonga Pre-School & Occasional Care	Poster Storage Unit	\$2,000.00
Waaia Football Netball Club	Seating	\$2,500.00
Yarrowonga Health	A Community Showcase	\$1,400.00
Numurkah RSL Sub Branch (Auspiced by GV Vietnam Veterans Assoc. Inc.)	Replace north Windows in Meeting Room and Bar area to protect memorabilia	\$2,500.00
TOTAL		\$48,000.00

TOURISM EVENTS GRANTS

Organisation	Project	Amount
Yorta Yorta	Dharnya Centre Event	\$4,000.00
Nathalia Lions Club	New Year's Eve Carnival	\$3,000.00
Cobram Barooga Business & Tourism Development Inc.	River Beach Festival	\$3,000.00
TOTAL		\$10,000.00

COMMUNITY EVENTS GRANTS

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2015 2016 COMMUNITY & EVENTS GRANTS SCHEME (cont'd)

Organisation	Project	Amount
Katamatite Community Action Group	Katamatite Community Town BBQ	\$500.00
Invergordon Primary School (Auspiced by Invergordon Primary School Parents Club)	End of Year Community Celebration	\$500.00
PALS Inc.	Twilight Fete	\$500.00
Cobram Commemoration Committee of Cobram Barooga RSL Sub branch (Auspiced by RSL Victoria)	Anzac Day Celebrations 2016	\$500.00
Muckatah Land care Group (Auspiced by Farm Tree and Land care Association)	Launch of Interpretive Sign at Peter Kennedy Reserve	\$500.00
Lioness Club of Yarrawonga (Auspiced by Yarrawonga Lions Club)	Yarrawonga Lioness Craft Expo	\$500.00
TOTAL		\$3,000.00

ARTS AND CULTURE SMALL GRANTS

Organisation	Project	Amount
Bardi Gras Group	Bardi Gras Major Procession Items	\$1,972.00
Rotary Club of Numurkah	Rotary Club of Numurkah 36th Annual Art & Craft Exhibition 11-14 March 2016	\$2,000.00
Peechelba & District Progress Association Inc	Peechelba History: In images and stitch	\$1,040.00
Cobram Harness Racing Club (Auspice for Finley & District Camera Club)	Portraiture & iPhone Photographic Workshop	\$1,380.00
Goulburn Valley Libraries	Advancing Art in the Library	\$1,400.00
Nathalia & District Historical Society	Nathalia's Great War: The Display	\$1,860.00
Yarrawonga P-12 Parents & Friends Assoc.	Community Workshop Brings the Lake to the School Project	\$2,000.00
GRAIN. Inc	Moira's Aspiring Artists - Schools Exhibition	\$1,500.00
Total		\$13,152.00

FILE NO: F15/170
6. INVOLVING AND COMMUNICATING WITH
OUR COMMUNITY

ITEM NO: 9.1.6
(MANAGER COMMUNITY SERVICES,
DAVID BOOTH)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

2015 2016 COMMUNITY & EVENTS GRANTS SCHEME (cont'd)

HEALTH PROMOTION GRANTS		
Organisation	Project	Amount
Yarrowonga Health	Breaking the Silence - White Ribbon Day	\$500.00
Goulburn Valley Library	A new idea for your salads	\$250.00
Nathalia District Hospital	Pitstop - Men's Annual Health Night Out	\$500.00
Rotary Club of Cobram Inc.	Cobram District Health 'Pitstop' Men's Health Program and Rotary Bowel scan Program	\$500.00
TOTAL		\$1,750.00

To further assist community groups with preparation for these applications it is planned that July through to December be allocated to promotion, preparation and workshops with the annual funding round then opening in February of each year.

3. Financial Implications

A total of \$209,902 is recommended by the grants review panel to be allocated to projects and events.

The breakdown is listed below:

Grant Stream	Allocated Funding 2015/16	Number of Applications Received	Number of Applications Recommended for funding	Recommended Funding Amount
Community Major Grants	\$120,000.00	33	12	\$ 134,000.00
Community Minor Grants	\$80,000.00	31	22	\$ 48,000.00
Tourism Events Grants	\$20,000.00	4	3	\$ 10,000.00
Community Events Grants	\$10,000.00	7	6	\$ 3,000.00
Arts and Culture Small Grants	\$22,500.00	10	8	\$ 13,152.00
Health Promotion Grants	\$4,000.00	4	4	\$ 1,750.00
TOTAL	\$256,500.00	89	55	\$ 209,902.00

4. Risk Management

The Community and Events Grants Scheme addresses risk by:

- Ensuring a financial agreement and process is in place before funding is provided.

FILE NO: F15/170
6. INVOLVING AND COMMUNICATING WITH
OUR COMMUNITY

ITEM NO: 9.1.6
(MANAGER COMMUNITY SERVICES,
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LEANNE MULCAHY)

2015 2016 COMMUNITY & EVENTS GRANTS SCHEME (cont'd)

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

5. Internal and External Consultation

Internal consultation has taken place with the grant review panel meetings. The grant review panels consisted of representatives from the following;

- Manager Community Development
- Team Leader Community Services
- Team Leader Recreation, Youth and Safety
- Community Building Officers
- Arts and Culture Officer
- Tourism Development Officer
- A MAC Inc. Board member
- Grants Coordination Officer

Following Council's adoption of the Ordinary meeting report, all applicants will be notified by letter of the outcome of their application and those unsuccessful will be encouraged to contact Council's Community Development Office for feedback.

6. Regional Context

The Community and Events grants program contributes to community and economic development

7. Council Plan Strategy

The Community and Events Grants Scheme support the 2013 – 2017 Council Plan strategic goals of;

- Improve Moira's Liveability
- Build on our economic strengths in agriculture, manufacturing and tourism

8. Legislative / Policy Implications

The Community and Events Grants applications have been assessed in accordance with the Moira Shire Community and Events Grants policy and guidelines.

9. Environmental Impact

Moira Shire's community grants program aims to support wide range of diverse projects and events. Where appropriate, the grant review panel ensure that environmentally sustainable options are considered when scoping projects and events.

10. Conflict of Interest Considerations

There are no Council officer conflict of interest issues relating to the projects recommended for funding.

FILE NO: F15/170
6. INVOLVING AND COMMUNICATING WITH
OUR COMMUNITY

ITEM NO: 9.1.6
(MANAGER COMMUNITY SERVICES,
DAVID BOOTH)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

2015 2016 COMMUNITY & EVENTS GRANTS SCHEME (cont'd)

11. Conclusion

Following the assessment of applications received under the 2015 2016 Community and Events grants scheme, the review panel recommends funding 55 projects under the Community and Events Grants Scheme in 2015 2016 with a total value of \$209,902.

Attachments

Nil

FILE NO: F13/335
2. IMPROVING MOIRA'S LIVEABILITY

ITEM NO: 9.2.1
(TOWN PLANNER, MARTINA FOLEY)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

**PLANNING SCHEME AMENDMENT C38 - HERITAGE OVERLAY
AMENDMENT - CONSIDERATION OF SUBMISSIONS**

RECOMMENDATION

That Council, in accordance with the provisions of Section 23(1)(b) of the *Planning and Environment Act 1987*:

1. Request that the Minister appoint an Independent Panel under Section 153 of the Act.
2. Refer the submissions received regarding Planning Scheme Amendment C38 to the Panel.
3. Adopt the recommendations set out in Tables 1 and 2 and submit them to the Panel for consideration.

1. Executive Summary

On 9 June 2015 Moira Shire received Authorisation from the Minister to prepare and exhibit Amendment C38. The 3 month exhibition period closed on 28 October 2015. Following analysis of the 24 submissions received it is recommended that Council request the Minister to appoint an Independent Panel to consider the submissions and recommendations for changes to C38 set out in this report.

2. Background and Options

The *Moira Shire Heritage Study Stage One (2004)*, *Moira Shire Heritage Study State Two (2007)* and the *Moira Shire Heritage Study (2007)* were adopted by Council on 27 April 2015. These studies are collectively referred to as 'The Moira Shire Heritage Study' (the Study).

Also on 27 April 2015 Council authorised the Planning Department to seek authorisation from the Minister for Planning to prepare and exhibit Amendment C38 of the Moira Planning Scheme in accordance with Part 3 Division 1 of the *Planning and Environment Act 1987*.

On 9 June 2015 Moira Shire received Authorisation from the Minister to prepare and exhibit Amendment C38. The exhibition period began on 29 July 2015 and closed on 28 October 2015. The exhibition period was 3 months in duration to allow the community and affected service authorities time to review the proposed changes and make submissions.

During the exhibition process the Shire's Heritage Advisor, where possible, has provided advice and feedback to submitters and Council Officers, including undertaking site visits.

Following the close of the exhibition period Council Officers have reviewed the submissions received. Although it may be possible to resolve a number of the concerns expressed within these submissions, some of these issues cannot be resolved. This report recommends that Council now refer these submissions to an Independent Planning Panel for consideration.

FILE NO: F13/335
2. IMPROVING MOIRA'S LIVEABILITY

ITEM NO: 9.2.1
(TOWN PLANNER, MARTINA FOLEY)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

PLANNING SCHEME AMENDMENT C38 - HERITAGE OVERLAY AMENDMENT - CONSIDERATION OF SUBMISSIONS (cont'd)

It is noted that Table 1 attached hereto sets out recommended changes to the Amendment as a result of submissions received. It is considered that Council submit these recommendations for changes to the Panel as part of its submission. It should also be noted that as part of answering phone queries relating to the Amendment Planning Officers identified four (4) errors in the documentation. Two of the errors relate to Heritage Places for which we have received written submissions. The submissions however did not highlight the errors.

The errors relate to both mapping and written policy. The recommended revisions have been attached to this report as Table 2. These changes should also be referred to Panel for consideration.

Options

Council in considering the submissions must either:

- change the amendment as requested;
- refer the submissions and amendment to an independent Panel; or
- abandon the amendment.

This report recommends the submissions and amendment be referred to an Independent Panel.

3. Financial Implications

As reported at the Council meeting of 13 December 2010, Council will be required to pay for the consideration of the submissions by a panel, including any expert witnesses and a detailed submission by Council. Funds are available in the 2015/16 budget for this purpose.

4. Risk Management

By failing to undertake the Amendment to the Heritage Overlay in the Planning Scheme, the Minister for Planning may instruct the Council to undertake the Amendment. Without the Amendment the Heritage Study (Stages 1 and 2) has no statutory enforceability.

5. Internal and External Consultation

Prior to requesting Authorisation from the Minister, preliminary community consultation was undertaken in four towns in the Shire, namely, Cobram, Yarrawonga, Nathalia and Numurkah. The consultation was undertaken from the 3 March to the 6 March 2015, with over one hundred people attending the heritage community consultation days. The heritage community consultation days were attended by Justin Francis, Council's Heritage Advisor and Council planning officers.

Notification of the amendment was sent to affected properties, community groups and relevant authorities and an advertisement was placed in Government Gazette and the local newspapers (Cobram Courier, Numurkah Leader, Yarrawonga Chronicle on 29 July 2015).

FILE NO: F13/335
2. IMPROVING MOIRA'S LIVEABILITY

ITEM NO: 9.2.1
(TOWN PLANNER, MARTINA FOLEY)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

**PLANNING SCHEME AMENDMENT C38 - HERITAGE OVERLAY
AMENDMENT - CONSIDERATION OF SUBMISSIONS (cont'd)**

Throughout the exhibition period the Amendment documentation was available for viewing during office hours, at the offices of the planning authority at:

- o Moira Shire Council Main Administration Centre, 44 Station Street, Cobram;
- o Moira Shire Council Service Centre, 100 Belmore Street, Yarrawonga;
- o Visitor Information Centre, 99 Melville Street, Numurkah; and
- o Barmah Forest Heritage & Education Centre, 77 Blake Street, Nathalia.

The documentation was also available online with links from the Moira Shire Website. Customer Service Staff and Volunteers at the Cobram, Yarrawonga, Numurkah and Nathalia centres have indicated that members of the public have taken advantage of the exhibition period to review the documents.

In total 54 people contacted Council via the telephone and 8 of these callers have subsequently lodged written submissions.

A total of 24 written submissions have been received within the exhibition period. These consist of 4 queries and 16 submissions against Amendment C38 and 4 submissions generally in favour but requesting amendments, primarily to mapping. One of the 4 submissions in favour of the Amendment was from the National Trust who set out places that they wish to be incorporated into a subsequent amendment.

Written acknowledgment of receipt of submission was sent to each submitter.

The submissions have been reviewed by Planning Officers who have, where appropriate, made recommendations to modify the Amendment. These are contained in the attached Table. This report recommends that the changes set out therein are accepted by Council and that Council instruct that they be submitted to Panel for consideration.

6. Regional Context

A survey undertaken by Heritage Victoria in 2014 indicates that statewide there are over 20,000 places protected by Councils through Heritage Overlays. Of the 82 Councils listed Moira is currently 71nd on the list with 35 significant places. If the proposed Amendment is gazetted Moira would be approximately 42nd on the list.

Within the Hume Region the proposed Amendment will, based on the 2014 figures, bring Moira to 3rd on the list behind Indigo and Greater Shepparton.

It is concluded therefore that the proposed Amendment will help Moira to protect its heritage at a level that better accords with current practice at state and regional levels.

7. Council Plan Strategy

The Moira Council Plan 2012-2017 was revised in June 2015. Three strategic goals were set out. The Amendment C38 accords with two:

Improving Moira's Livability

FILE NO: F13/335
2. IMPROVING MOIRA'S LIVEABILITY

ITEM NO: 9.2.1
(TOWN PLANNER, MARTINA FOLEY)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

**PLANNING SCHEME AMENDMENT C38 - HERITAGE OVERLAY
AMENDMENT - CONSIDERATION OF SUBMISSIONS (cont'd)**

Amendment will help to support heritage within the Shire. The proposed residential Precincts (Numurkah Residential Precinct, Nathalia Kostadt Precinct, Nathalia Broken Creek Precinct and Yarrawonga 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

The *Planning and Environment Act 1987* sets out the legislative requirements for preparing Planning Scheme Amendments. All procedures associated with Amendment C38 have complied with these requirements.

Amendment C38 proposes changes to the Moira Planning Scheme. The Amendment will result in additional statutory controls for proponents within the Heritage Overlay. These controls and associated policy must be considered when the Shire is deciding on planning matters.

9. Environmental Impact

The amendment will have positive environmental impacts. The increased protection and conservation of heritage places reflects Moira Shire's abundance of natural, cultural and historically significant sites.

10. Conflict of Interest Considerations

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

11. Conclusion

Given the nature and number of submissions received it is recommended that the issues raised therein should be referred to an independent panel. Further it is recommended that Council adopt the changes recommended in Table 1 and 2 for submission to Panel.

Attachments

- 1 Table 1 - Submissions
- 2 Table 2 - Correction of Errors

FILE NO: F13/335
2. IMPROVING MOIRA'S LIVEABILITY

ITEM NO: 9.2.1
(TOWN PLANNER, MARTINA FOLEY)
(GENERAL MANAGER INFRASTRUCTURE, ANDREW CLOSE)

PLANNING SCHEME AMENDMENT C38 - HERITAGE OVERLAY AMENDMENT - CONSIDERATION OF SUBMISSIONS
(cont'd)

ATTACHMENT No [1] - Table 1 - Submissions

SUB NO	HERITAGE PLACE	AFFECTED PROPERTY	SUMMARY OF SUBMISSION	RESPONSE	RECOMMENDATION
1	HO260 Tungamah Church Precinct & HO261 St James Town Centre	4 Barr Street, Tungamah & 22 St James Road, St James	Queried incorrect address information on Notification Letters	Submission acknowledged & Council Rates Department updated details	No further action required
2	HO130 Moneygall House, 2823 Labuan Road, Numurkah	2823 Labuan Road, Numurkah	Queried ownership details	Submission acknowledged and letter re-issued to new owner	No further action required
3	HO262 Tungamah Town Centre Precinct	Berndt Street, Tungamah	Highlighted perceived neglect of Tungamah Courthouse.	Submission acknowledged	No further action required
4	HO256 Nathalia Town Centre Precinct	13-19 Blake Street, Nathalia	Queries about the Amendment and the Heritage Study	Submission acknowledged and query answered	No further action required
5	HO263 Yarrowonga Tom Sharp Precinct	17 Irvine Road, Yarrowonga	Hand written note requesting explanation	Submission acknowledged and request for phone contact to answer query	No further action required
6	HO256 Nathalia Town Centre Precinct	42 Blake Street, Nathalia	Against overlay on the grounds that Bank dates from the 1980's	Submission acknowledged	Refer to Panel
7	HO256 Nathalia Town Centre Precinct	52 Blake Street, Nathalia	Against overlay on the grounds that building has no heritage value	Submission acknowledged	Refer to Panel
8	HO263 Yarrowonga Tom Sharp Precinct	71 Sharp Street, Yarrowonga	Against overlay on the grounds are condition of property and cost of renovating	Submission acknowledged	Refer to Panel
9	HO297 Exotic Trees, 71 Mookarri Street, Cobram	71 Mookarri Street, Cobram	Against overlay on the grounds that owners believe that they are best placed to needs of the trees	Submission acknowledged	Mapping to be revised to affect front and rear of 71 Mookarri Street only. Objection to be referred to Panel.
10	HO220 Cordial factory and band hall, 15 Hunt Street, Yarrowonga	15 Hunt Street, Yarrowonga	Against overlay on the grounds are the condition of the Cordial factory and Band Hall and that the Band Hall has been relocated to the site	Submission acknowledged	Refer to Panel
11	HO254 Nathalia Kostadt Precinct	22-28 North Street, Nathalia	Against overlay on the grounds that the Heritage Study is unclear about what on the property is contributory	Submission acknowledged	Refer to Panel

FILE NO: F13/335
2. IMPROVING MOIRA'S LIVEABILITY

ITEM NO: 9.2.1
(TOWN PLANNER, MARTINA FOLEY)
(GENERAL MANAGER INFRASTRUCTURE, ANDREW CLOSE)

PLANNING SCHEME AMENDMENT C38 - HERITAGE OVERLAY AMENDMENT - CONSIDERATION OF SUBMISSIONS
(cont'd)

ATTACHMENT No [1] - Table 1 - Submissions

SUB NO	HERITAGE PLACE	AFFECTED PROPERTY	SUMMARY OF SUBMISSION	RESPONSE	RECOMMENDATION
12	HO260 St. James Town Centre Precinct	11 St. James Road, St. James	Supports process generally but requests exemption to allow NEWRA to undertake works that will not impact upon heritage	Submission acknowledged	Exemption be provided in the documentation to allow works to modern structures within set constraints. Refer to Panel
13	Various	Various	Supporting amendment and suggesting additional places for future Heritage Overlay amendments	Submission acknowledged	No further action required
14	HO159 Federation House, 41-43 McCaskill Street, Numurkah	41-43 McCaskill Street, Numurkah	Against overlay on the grounds that they believe Heritage Overlay could limit development on the site	Submission acknowledged	Refer to Panel
15	HO69 Federation House, 30-32 Churr Street, Cobram & HO80 House, 53-67 Station Street, Cobram	30 Churr Street, Cobram & 53 Station Street, Cobram	Generally supportive but requesting amendments to mapping to allow development of balance of these two large lots	Submission acknowledged	Mapping be revised but extent of polygon to be considered. Refer to Panel.
16	HO78 Inter war functionalist house, 55-57 Punt Road, Cobram &	55-57 Punt Road, Cobram	Against overlay on the grounds that of the condition of property and lack of heritage significance	Submission acknowledged	Map be revised to exclude Lot 2 LP25049. Refer to Panel
17	HO252 Nathalia Broken Creek Precinct	12 Scott Avenue, Nathalia	Against overlay on the grounds that mix of new and old properties on street negates requirement for overlay.	Submission acknowledged	Refer to Panel
18	HO252 Yarrowonga Town Centre Precinct	7 Witt Street, Yarrowonga	Against overlay on the grounds of condition of property	Submission acknowledged	Refer to Panel
19	HO258 Numurkah Residential Precinct	81 Quinn Street, Numurkah	Against overlay on the grounds are increasing cost of household insurance and no heritage value.	Submission acknowledged	Refer to Panel
20	HO258 Numurkah Residential Precinct	91 Quinn Street, Numurkah	Against overlay on the grounds that there is no heritage significance and request to revise mapping	Submission acknowledged	Mapping to be revised to exclude southern half of lot. Refer to Panel

FILE NO: F13/335
2. IMPROVING MOIRA'S LIVEABILITY

ITEM NO: 9.2.1
(TOWN PLANNER, MARTINA FOLEY)
(GENERAL MANAGER INFRASTRUCTURE, ANDREW CLOSE)

PLANNING SCHEME AMENDMENT C38 - HERITAGE OVERLAY AMENDMENT - CONSIDERATION OF SUBMISSIONS
(cont'd)

ATTACHMENT No [1] - Table 1 - Submissions

SUB NO	HERITAGE PLACE	AFFECTED PROPERTY	SUMMARY OF SUBMISSION	RESPONSE	RECOMMENDATION
21	HO225 House and garden, 60 Murphy Street, Yarrowonga	60 Murphy Street, Yarrowonga	Against overlay on the grounds that there are errors in the Heritage Study and condition of structure including lack of original detailing	Submission acknowledged	Refer to Panel
22	HO254 Nathalia Kostadt Precinct	21 North Street, Nathalia	Against overlay on the grounds that overlay will make it harder to sell property	Submission acknowledged	Refer to Panel
23	HO151 Concrete Silos, Knox Street, Numurkah & HO161 Riverland Factory, McDonald Street, Numurkah	46-50 McDonald Street, Numurkah	Supportive but requesting changes to mapping to limit HO161 to facade only	Submission acknowledged	Mapping to be revised but extent to be investigated. Refer to Panel.
24	HO90 House, 15 Kaarimba Hall Road, Kaarimba	15 Kaarimba Hall Road, Kaarimba	Against overlay on the grounds that the farm has no significance	Submission acknowledged	Refer to Panel

FILE NO: F13/335
2. IMPROVING MOIRA'S LIVEABILITY

ITEM NO: 9.2.1
(TOWN PLANNER, MARTINA FOLEY)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

**PLANNING SCHEME AMENDMENT C38 - HERITAGE OVERLAY
AMENDMENT - CONSIDERATION OF SUBMISSIONS (cont'd)**

ATTACHMENT No [2] - Table 2 - Correction of Errors

PS MAP REF	HERITAGE PLACE	ERROR	DISCUSSION	RECOMMENDATION
HO130	Moneygall House, 2823 Labuan Road, Numurkah	House is located on Lot 1 PS619273. The mapping extends into Lot 2 PS619273.	The Statement of Compliance makes no reference to any elements that are located on Lot 2. Accordingly it is considered appropriate that the overlay affect only Lot 1.	Mapping is updated to exclude Lot 2 from the polygon for HO130.
HO221	Bungalow house, 8 Hunt Street, Yarrowonga	Not shown in C38 Mapping but listed in Schedule. Permit for subdivision has been issued (5/2015/82). If implemented it will result in demolition of bungalow.	The bungalow is still in place. No application for demolition has been received. The permit for subdivision may never be implemented. Accordingly we recommend that HO221 remain in the proposed overlay.	Mapping is updated to include a polygon for HO221.
HO263	Yarrowonga Tom Sharp Precinct	Clause 22.20-7 is incorrectly listed in the documentation as 22.19-7.	Simple error. Text should be changed.	Clause number to be corrected to read 22.20-7 in text.
HO297	Exotic Trees , 71 Mookarri Street, Cobram	The two (2) trees highlighted in the Statement of Significance are both on 71 Mookarri Street. The mapping polygon covers only one and extends onto 73 Mookarri Street.	This error can be easily resolved by amending the mapping so that it covers both trees and excludes 73 Mookarri Street.	Mapping is updated for polygon HO297 to affect the whole lot at 71 Mookarri Street only.

FILE NO: 5/2013/665
3. BUILD ON OUR ECONOMIC STRENGTHS
IN AGRICULTURE, MANUFACTURING AND
TOURISM

ITEM NO: 9.2.2
(DEVELOPMENT COMPLIANCE OFFICER,
PATRICK DUBUC)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

**PLANNING APPLICATION 5/2013/665 - 10 LOT SUBDIVISION - 30-36
TUNNOCK ROAD NUMURKAH**

RECOMMENDATION

That:

1. Council refuse Planning Permit Application 5/2013/665 to subdivide land at 30-36 Tunnock Road Numurkah into 10 lots on the following grounds:
 - (a) The proposed subdivision does not accord with an approved Development Plan;
 - (b) The application is premature as there is no approved Development Plan for the subject land.
2. Advise the applicant that Council will consider a fresh application, following the approval a Development Plan, provided that it accords with the Plan.

1. Executive Summary

The proposal is for a 10 lot subdivision of a parcel of land zoned General Residential Zone (part) and Farming Zone (part) which is also affected by two Flood Overlays and by a Development Plan Overlay.

The absence of any approved Development Plan for the subject land means the application is premature and under Clause 43.04-1; *'a permit cannot be granted to use, develop or subdivide land until a development plan has been prepared to the satisfaction of the Responsible Authority'*.

The subject land is located at 30-36 Tunnock Road Numurkah, which comprises a dwelling and ancillary outbuildings and abuts three roads and an unformed road reserve. The subject land forms the transition between residential areas to the west (across from Corke Street) and a rural type living area to the east (across an unformed road reserve). The adjacent land to the north and south are occupied by the Numurkah Golf Club (across from Tunnock Road) and the Numurkah Cemetery (across from Madeline Street) respectively.

The proposal seeks to subdivide land onto 10 allotments of various areas in size, including an allotment for the existing dwelling. The proposal seeks approval for four lots covering approximately 2000sqm along Corke Street, transitioning to 4000sqm lots to 5000 and 9000sqm lots on the eastern end.

2. Background and Options

Application Details

Applicant: Plan Right Pty Ltd

Owner: Damian and Elizabeth Smith

Land Address: 30-36 Tunnock Road Numurkah

Title Details: Crown Allotment 26

Site Area: 4.02ha

File No: 52013665

Zone: General Residential Zone and Farming Zone

Overlays: Rural Floodway, Land Subject to Inundation and Development Plan Overlays

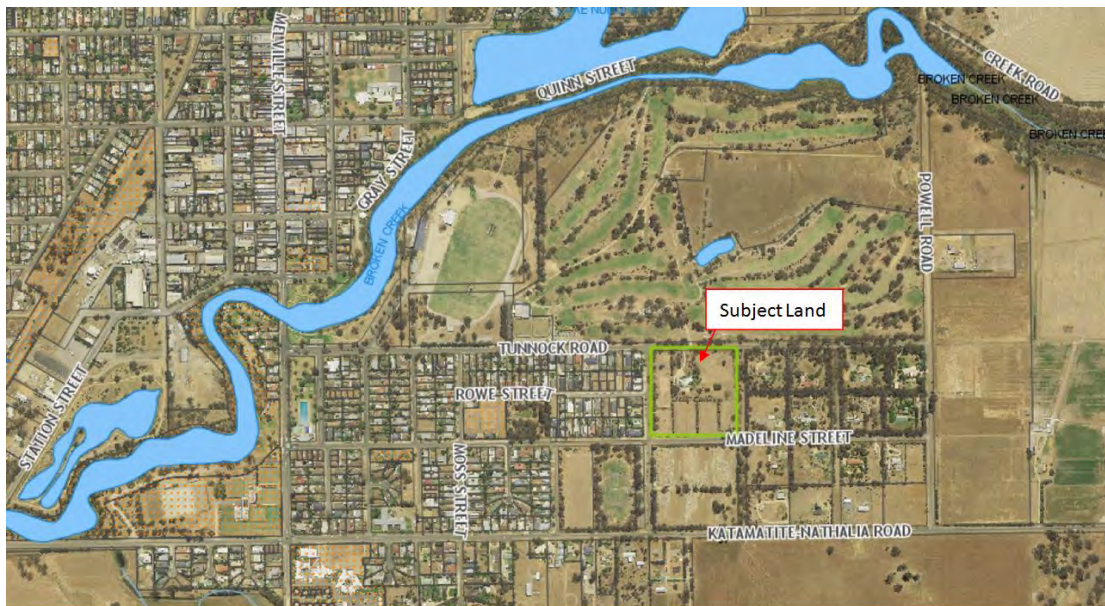
FILE NO: 5/2013/665
3. BUILD ON OUR ECONOMIC STRENGTHS
IN AGRICULTURE, MANUFACTURING AND
TOURISM

ITEM NO: 9.2.2
(DEVELOPMENT COMPLIANCE OFFICER,
PATRICK DUBUC)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

**PLANNING APPLICATION 5/2013/665 - 10 LOT SUBDIVISION - 30-36
TUNNOCK ROAD NUMURKAH (cont'd)**

Key Issues

- Development Plan Overlay
- No approved Development Plan
- Municipal Strategic Statement (Clause 21.04)
- Numurkah Strategy Plan
- Rural Floodway Overlay
- Land Subject to Inundation Overlay
- Ongoing Flood Study



While every care is taken by Moira Shire Council and Land Victoria to ensure the accuracy of this data, Moira Shire Council and Land Victoria make no representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and disclaim all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages (including indirect or consequential damage) and costs which may be incurred as a result of data being inaccurate or incomplete in any way and for any reason.

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FILE NO: 5/2013/665
3. BUILD ON OUR ECONOMIC STRENGTHS
IN AGRICULTURE, MANUFACTURING AND
TOURISM

ITEM NO: 9.2.2
(DEVELOPMENT COMPLIANCE OFFICER,
PATRICK DUBUC)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

**PLANNING APPLICATION 5/2013/665 - 10 LOT SUBDIVISION - 30-36
TUNNOCK ROAD NUMURKAH (cont'd)**



Subject land – 30-36 Tunnock Road Numurkah

Background

The subject land was identified in the Numurkah Strategy Plan of January 2010 as growth area resulting in Planning Scheme Amendment C63 (approved 13 September 2010) which saw part of the land rezoned from Farming to Residential 1 and the introduction of a Development Plan Overlay covering the land.

The application was received on 1 October 2013 despite the absence of any approved Development Plan for the subject land. The applicant was notified of this on 22 October 2013 and again notified on 15 April 2014 that a Development Plan must be prepared and submitted for approval otherwise the application will be returned.

The applicant proceeded in submitting a Development Plan which was reported to Council at its meeting on 8 December 2014 but no decision was made, rather the following motion was carried:

That

- 1. Council defer the Development Plan for the land known as 30-36 Tunnock Road Numurkah to after the release of the Numurkah Flood Study.*
- 2. Any process for approving the development plan will be subject to consultation with relevant authorities and the flood study findings.*

The applicant was offered the opportunity to withdraw the application in October 2015 and to resubmit at a later and more appropriate time; but no response was received.

FILE NO: 5/2013/665
**3. BUILD ON OUR ECONOMIC STRENGTHS
IN AGRICULTURE, MANUFACTURING AND
TOURISM**

ITEM NO: 9.2.2
(DEVELOPMENT COMPLIANCE OFFICER,
PATRICK DUBUC)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

**PLANNING APPLICATION 5/2013/665 - 10 LOT SUBDIVISION - 30-36
TUNNOCK ROAD NUMURKAH (cont'd)**

3. Financial Implications

In the event that Council's interpretation of the Planning Scheme or decision/non decision is challenged at VCAT, any cost associated with attending and responding to an application for Declaration or Review is not budgeted for.

4. Risk Management

As Council cannot grant a planning permit without an approved Development Plan, Council would be acting outside its powers (ultra vires) to consider granting a permit.

The application either needs to remain in the system without the capacity to make a decision or needs to be withdrawn or refused. Once a Development Plan has been approved, a new permit application can be received and assessed against the approved Development Plan.

Otherwise, if the application is held longer, it will most likely require amendment to accord with approved Development Plan.

It is noted that any application on land subject to an approved Development Plan Overlay is exempt from public notification and exempt of any review rights under Section 82 of the Planning and Environment Act 1987 at VCAT. This exemption applies under Clause 43.04-2 of the Moira Planning Scheme.

5. Internal and External Consultation

The application has not reached the referral stage. The submitted Development Plan was, however, referred to internal Departments and external Authorities.

6. Regional Context

The proposal aims at completing the last area open for development in the Numurkah south of the Broken Creek. It is relevant in a local context of Numurkah township and particularly in the vicinity of this southern area of Numurkah.

The future subdivision and development of the subject land is already been enshrined in strategic documents including the Numurkah Strategy Plan, the Municipal Strategic Statement and the Local Planning Policies Framework. This subsequently transferred into planning controls, being the then Residential 1 Zone (now General Residential Zone) and Development Plan Overlay. Consequently, the concern is about keeping appropriate control on the design of development rather than whether development should occur.

7. Council Plan Strategy

Arguably, the application does not meet the objectives of the Council Plan in regard to:

- Demonstrating good governance – whilst a decision should have been made at the appropriate time to avoid having this application remaining in the system; keeping the application as 'undecided' in the system is not good practice and it does not meet Council's commitment to advocacy and effective decision making.
- Smarter delivery of services and programs – keeping this application in the system does not constitute a sound, pro-active and transparent business practice. The applicant must be informed appropriately of the impact of the regulations and its requirement and the fact that the application was premature when other requirements were to be met first.

FILE NO: 5/2013/665
3. BUILD ON OUR ECONOMIC STRENGTHS
IN AGRICULTURE, MANUFACTURING AND
TOURISM

ITEM NO: 9.2.2
(DEVELOPMENT COMPLIANCE OFFICER,
PATRICK DUBUC)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

**PLANNING APPLICATION 5/2013/665 - 10 LOT SUBDIVISION - 30-36
TUNNOCK ROAD NUMURKAH (cont'd)**

8. Legislative / Policy Implications

The subject land is zoned part General Residential Zone and part Farming Zone. The land is also part Land Subject to Inundation and part Rural Floodway Overlay. The subject land is also whole affected by a Development Plan Overlay (DPO11).

A permit is required to subdivide land under the Farming Zone and the General Residential Zone provisions but also under the Land Subject to Inundation and Rural Floodway Overlays.

The minimum lot size required for the Farming Zone at Clause 35.07 is 60ha which cannot be achieved in this instance. The relevant exemption to assess this application is at Clause 64.03 - Subdivision of land in more than one zone.

There is no approved development plan for the land, albeit a development plan was submitted for approval in late 2014, no decision has been made.

Clause 43.04-1 of the Scheme states that a permit must not be granted to subdivide land until a development plan has been prepared to the satisfaction of the Responsible Authority.

Other provisions of the Scheme are relevant to this proposal:

- Clause 64.03 – subdivision of land in more than one zone

A permit may be granted to subdivide land even if one of the lots does not comply with the minimum lot size requirements of a zone. The minimum lot size for the Farming Zone cannot be complied with but this clause allows for a permit to be granted nonetheless and as long as the new lots created does not extend into more than one zone.

- Clause 44.03-2 – subdivision within the Rural Floodway Overlay

A permit may only be granted if the subdivision does not create any new lots which are entirely within this overlay.

The overlay covers the same area as part of the land under the Farming Zone which is inconsistent with Clause 64.03. However, Clause 44.03-2 allows for a subdivision creating a lot entirely within the overlay which by agreement between the owner and the relevant floodplain management authority is to be transferred to an authority for public purposes.

Consequently, the land can only be subdivided if the area zoned Farming and affected by the Rural Floodway Overlay is transferred as a public reserve. This part of the land constitutes approximately 9000sqm.

- The proposal is exempt from public notification and review under Clause 43.04-2 of the Scheme. This means it does not have to be advertised and it cannot be brought to VCAT by a potential objector.

FILE NO: 5/2013/665
3. BUILD ON OUR ECONOMIC STRENGTHS
IN AGRICULTURE, MANUFACTURING AND
TOURISM

ITEM NO: 9.2.2
(DEVELOPMENT COMPLIANCE OFFICER,
PATRICK DUBUC)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

**PLANNING APPLICATION 5/2013/665 - 10 LOT SUBDIVISION - 30-36
TUNNOCK ROAD NUMURKAH (cont'd)**

- The application is subject to the requirements of Clause 56, however this assessment has not been done due to the absence of an approved Development Plan

9. Environmental Impact

The requirement for a Development Plan addresses issues relevant to environmental assessment, such as stormwater and drainage.

The land is affected by the Land Subject to Inundation and Rural Floodway Overlays and the impact of the development on the movement of flood water and drainage has been previously challenged by a concerned land owner/objector to the development plan.

Ultimately, appropriate layout design and reasonable and relevant permit conditions should alleviate these concerns.

10. Conflict of Interest Considerations

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

11. Conclusion

The application is for a 10 lot subdivision on land subject to a Development Plan Overlay, a development plan has not been approved by the Responsible Authority and therefore the application cannot proceed. The application has been delayed for nearly 2 years with no immediate decision on the development plan in sight.

There only one option available to Council, to refuse the application as there is no approved development plan.

It will be possible to entertain a fresh application once the development plan issue has been resolved.

Attachments

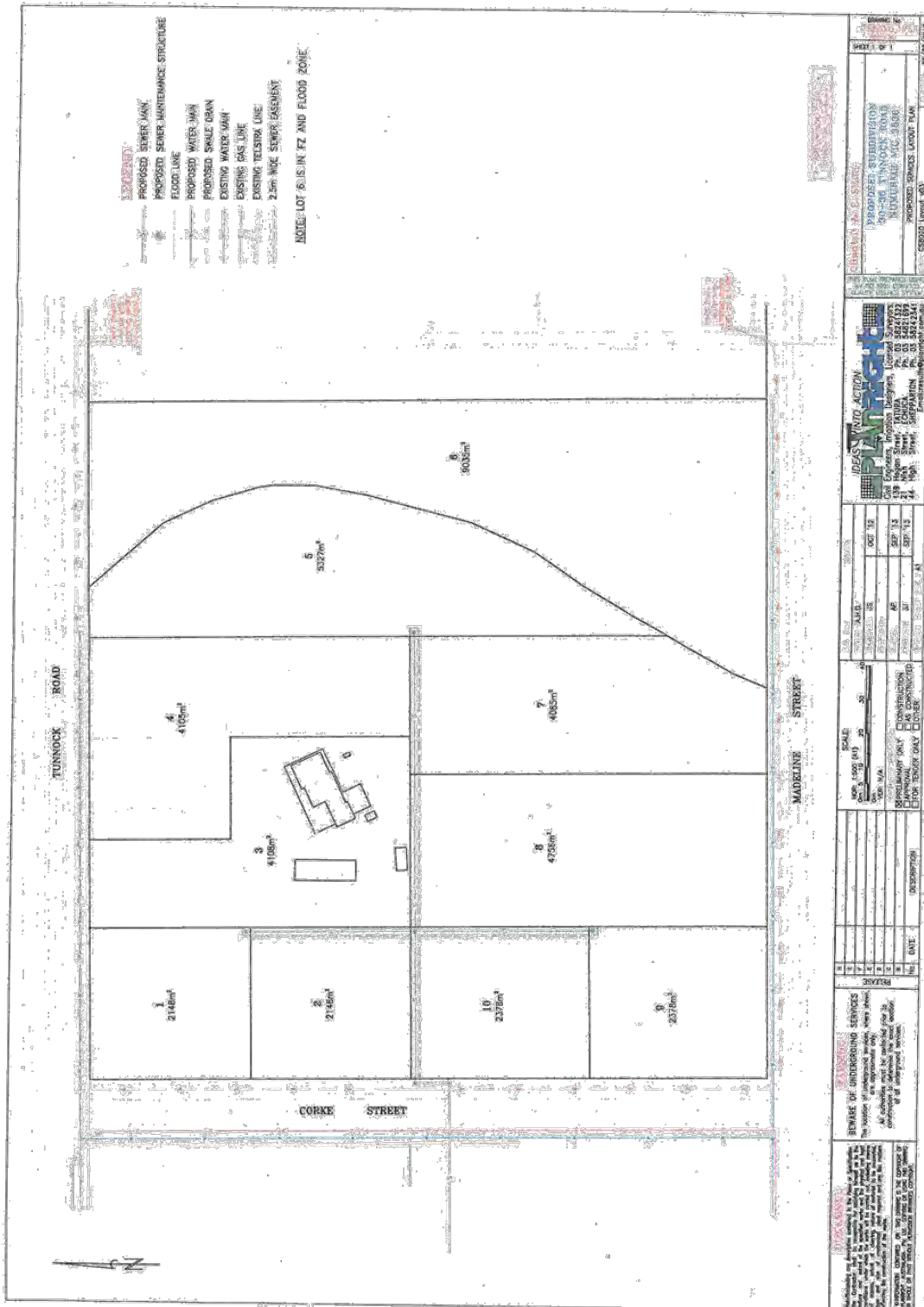
- 1 Proposed Subdivision Plan

FILE NO: 5/2013/665
3. BUILD ON OUR ECONOMIC STRENGTHS
IN AGRICULTURE, MANUFACTURING AND
TOURISM

ITEM NO: 9.2.2
(DEVELOPMENT COMPLIANCE OFFICER,
PATRICK DUBUC)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

**PLANNING APPLICATION 5/2013/665 - 10 LOT SUBDIVISION - 30-36
TUNNOCK ROAD NUMURKAH (cont'd)**

ATTACHMENT No [1] - Proposed Subdivision Plan



FILE NO: F13/640
5. DEMONSTRATING GOOD GOVERNANCE

ITEM NO: 9.2.3
(DEVELOPMENT COORDINATOR / TEAM
LEADER LOCAL LAWS, JOHN SHAW)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

**PERMITS TO BURN ISSUED BY COUNCIL DURING THE DECLARED FIRE
DANGER PERIOD**

RECOMMENDATION

That:

1. Council endorse the Municipal Fire Prevention Officer's use of discretionary power to not supply Country Fire Authority Act 1958 Schedule 13 – Permit to Burn by a Private Person during the declared fire danger period and referring all applications to the CFA to approve and issue.

1. Executive Summary

With recent fires in Victoria highlighting the importance of good risk assessments and onsite fire management, Moira Shire will no longer issue permits to burn during the Fire Danger Period.

Local farmers and property owners are encouraged to ensure they have appropriate permits in place. Permits are available from your local CFA or the regional CFA offices in Shepparton or Wangaratta.

Further information about applying for permits to burn is available online at <http://www.cfa.vic.gov.au/warnings-restrictions/fire-permits/> and from local CFA District Offices in Wangaratta and Shepparton or CFA headquarters on (03) 9262 8444.

Shepparton - District 22 Headquarters	Wangaratta - District 23 Headquarters
Address: 195-205 Numurkah Road Shepparton , VIC 3630 Postal: PO Box 932 Shepparton , VIC 3630 Phone: (03) 5833 2400 Fax: (03) 5833 2482	Address: 1 Ely Street Wangaratta , VIC 3677 Postal: PO Box 565 Wangaratta , VIC 3677 Phone: (03) 5721 4122 Fax: (03) 5721 3497

2. Background and Options

The Country Fire Authority is the administrator of the Country Fire Authority Act 1958 ("the Act") and the Country Fire Authority Regulations 2014 made in accordance with the Act.

Section 4 of the Act empowers the Chief Executive Officer of the CFA to declare a fire danger period for the Country area of Victoria –

"4 Declaration of fire danger period

The Chief Executive Officer after consultation with the Department Head of the Department may by declaration published in the Government Gazette declare any period to be the fire danger period in respect of the country area of Victoria or any

FILE NO: F13/640
5. DEMONSTRATING GOOD GOVERNANCE

ITEM NO: 9.2.3
(DEVELOPMENT COORDINATOR / TEAM
LEADER LOCAL LAWS, JOHN SHAW)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

**PERMITS TO BURN ISSUED BY COUNCIL DURING THE DECLARED FIRE
DANGER PERIOD (cont'd)**

specified part or parts thereof and, without affecting the generality of the foregoing, may declare different periods to be the fire danger period in respect of different parts of the said country area. Any declaration so published may be revoked amended or varied by a subsequent declaration so published”.

Section 37 of the Act prohibits the lighting of fires during a declared fire danger period –

“37 General prohibition against lighting open air fires

A person shall not light a fire in the open air in the country area of Victoria (not including any land within a fire protected area) during a fire danger period unless authorized or directed by or pursuant to some other provision of this Act.

Penalty: 120 penalty units or imprisonment for 12 months or both”.

A proviso to the above offence is contained in section 38 of the Act whereby permits to burn may be issued by a Municipal Fire Prevention Officer (MFPO) or the Chief Officer (CFA). Such a permit must be in writing and in the prescribed form as determined in Schedule 13 of the Regulations – Permit to Burn by a Private Person.

Under the Act, section 96A requires every Council in the country area of Victoria to appoint a person as a MFPO who amongst other things has the ability to consider an application for a permit to be issued in accordance with the abovementioned section.

Fire in the environment, whether it be controlled or uncontrolled, is a topic that is growing rapidly as a major public concern.

Agencies that use fire or permit fire to be used, for mitigation purposes or otherwise together with individuals who use fire for livelihood purposes are continually being questioned about their safety protocols and procedures.

It would be fair to say that Council lacks any such safety measures when it comes to issuing permits to burn during the declared fire danger period and does so at the direction and expectation of the responsible authority – the CFA – hence the reason for the recommendation of this report.

Subject to annual climatic conditions the CFA generally declares a fire danger period for northern Victoria early December and this remains in force through to 1 May unless revoked or curtailed earlier. However this year the CFA have declared that the fire danger period will commence as of 26 October 2015.

During this period to appease the farming community, the CFA determines that certain periods are safe enough to allow a fire to be lit to burn grass and stubble for agricultural purposes – Section 38(1)(a). Permits issued under this section must be done so in accordance clause 109 of the Regulation and must be in the prescribed form. (MFPOs generally deal with Schedule 13 permits only).

The CFA website under the title “Protecting Lives and Property – Who Does What” incorrectly cites the MFPO is responsible for issuing permits to burn during the fire danger period which is contrary to section 38 of the Act – “the MFPO or the Chief Executive Officer” (CFA). Furthermore the web page goes on to say – under certain

FILE NO: F13/640
5. DEMONSTRATING GOOD GOVERNANCE

ITEM NO: 9.2.3
(DEVELOPMENT COORDINATOR / TEAM
LEADER LOCAL LAWS, JOHN SHAW)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

PERMITS TO BURN ISSUED BY COUNCIL DURING THE DECLARED FIRE DANGER PERIOD (cont'd)

circumstances CFA may issue permits to burn. This clearly shifts a shared statutory role onto Council and is misleading.

Last season 485 permits to burn grass and/or stubble were issued by Council authorized staff. The majority of these permits were for multiple properties owned by the applicant.

The concerns and risks of Council's involvement in issuing any type of permit to burn are defined in the paragraph entitled "Risk Management". We must be mindful of the most recent fire incident at Lancefield – an innocent planned fire hazard reduction burn that got out of control which no doubt will result in a class action lawsuit for substantial loss.

What are the options that have been considered to protect the integrity of Council officers and Council?

1. Council officers are not experts in the control and use of fire. Furthermore, no formal guidelines/procedures have ever been developed by the responsible authority for the MFPO to follow. Also there is no mandatory legislative requirement for Council to issue permits to burn, therefore to mitigate the risk to Council the MFPO will not be issuing permits to burn and will refer all applications to the responsible authority. This speaks for itself and places the onus and responsibility onto the CFA to endure the risks and consequences.
2. The need to light a fire at the beginning and during the most dangerous part of the fire danger period is questionable. This is the period that the most damage is likely to occur should an out of control fire wreak havoc on the landscape. It would also be the time the Council would be most vulnerable to litigation and would struggle to adequately defend itself. It is logical that the need to burn may be permitted towards the end of the fire danger period when climatic conditions may be more favourable and beneficial to genuine needs. However the risks, consequences and likelihood of fire causing death, injury and/or property damage remain high. Council would still be in a vulnerable position regarding litigation.

As there is no mandatory legislative requirement for Council to issue permits to burn, the MFPO will cease doing so and refer all applications to the Country Fire Authority. A permit can be processed by the CFA either by visiting their website or attending in person the District Office.

3. Financial Implications

This could be substantial if Council is subject to a law suit for liability and/or negligence for the loss of life and/or property resultant of a fire lit under a permit issued by a municipal officer.

4. Risk Management

The determination to allow permit burning is made by the CFA under pressure from Group Officers (volunteers). These requests are usually forthcoming after a rain event and at a time not always deemed to be a safe environment to light a fire. The CFA consider that it is necessary to issue permits to farmers, as to not issue them would be considered to be interfering with a farmers livelihood; this appears to be regardless of the consequences of a mishap.

FILE NO: F13/640
5. DEMONSTRATING GOOD GOVERNANCE

ITEM NO: 9.2.3
(DEVELOPMENT COORDINATOR / TEAM
LEADER LOCAL LAWS, JOHN SHAW)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

PERMITS TO BURN ISSUED BY COUNCIL DURING THE DECLARED FIRE DANGER PERIOD (cont'd)

Currently any consultative process is one sided and in favour of a CFA predetermined outcome. Council is expected to do what they are told regardless of any objection or concerns raised about lighting fires under permit conditions during the fire danger period.

There is no prescriptive and consistent procedure relating to the issue of permits to burn.

The provision of this service leaves council exposed to risks that can lead to litigation contiguous to liability and negligence claims; and if proven can have substantial financial impacts, whilst the possibility of criminal charges being laid against an individual under the Crimes Act 1958 are not out of the question.

5. Internal and External Consultation

Consultation is an ongoing process. The MFPO met with representatives from CFA Headquarters Melbourne, the CFA District Officer and the MFPO from Shepparton Council on Thursday 22 October 2015. A further meeting with the CFA and MFPO's from Moira Shepparton and Strathbogie was held on 27 October 2015. Both these meetings encompassed the issues and concerns of local government's role and perceived responsibility to issue Schedule13 permits. At both meetings it was established that the MFPO is not bound to issue permits and may do so at his/her discretion; and there was an absence of formal guidelines.

It is not beyond the realms of possibility for the CFA to develop an application and permit issue scheme built into their internet site whereby the entire process is overseen by the appropriate authority and provides a one point of contact for a prospective applicant to progress through the entire permit procedure.

6. Regional Context

This is a state wide issue that affects all municipalities in the country area of Victoria.

7. Council Plan Strategy

The report is aligned to the Council plan by addressing the Strategic Performance Indicator of Improving Moira's Livability in particular by 'encouraging safe and resilient communities' by assist our communities to prepare, respond and recover from emergencies and natural disasters in line with Moira's Emergency Management Plan.

8. Legislative / Policy Implications

Permits to burn are referenced in section 38 Country Fire Authority Act 1958, Regulation 109 and Schedule13 of the Country Fire Authority Regulations 2014.

Interestingly section 38(4) of the Act states "Compliance with the conditions of a permit does not of itself relieve the holder of a permit from liability for any damage sustained by another person as a result of any fire lit by the holder of the permit pursuant to that permit" – no doubt the liability does not finish there.

9. Environmental Impact

An out of control permitted burn has the ability to have substantial impact on the built and natural environment.

FILE NO: F13/640
5. DEMONSTRATING GOOD GOVERNANCE

ITEM NO: 9.2.3
(DEVELOPMENT COORDINATOR / TEAM
LEADER LOCAL LAWS, JOHN SHAW)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

**PERMITS TO BURN ISSUED BY COUNCIL DURING THE DECLARED FIRE
DANGER PERIOD (cont'd)**

During large scale permit burning operations the Council receives regular complaints regarding air quality and health issues. The community has a perception that Council is responsible for these matters by reason of the fact that we issue the permits sanctioning the activity.

10. Conflict of Interest Considerations

There are no officer conflicts of interests regarding this report.

11. Conclusion

Frequently local government is required to provide services outside of its core business.

Sometimes the provision of these services leave council exposed to risks that can lead to litigation contiguous to liability and negligence claims; and if proven can have substantial financial impacts, whilst the possibility of criminal charges being laid against an individual under the Crimes Act 1958 are not out of the question.

The Country Fire Authority is the administrator of the Act and as such should take full responsibility for the permit to burn process.

It is not beyond the realms of possibility for the CFA to develop an application and permit issue scheme built into their internet site whereby the entire process is overseen by the appropriate authority and provides a one point of contact for a prospective applicant to progress through the entire permit procedure.

As there is no mandatory legislative requirement for Council to issue permits to burn, the MFPO will not be issuing Schedule 13 permits to burn and will refer all applications to the Country Fire Authority for their consideration. The endorsement of the recommendation is sought as a safeguard to Council and its officers.

Attachments

Nil

FILE NO: F13/503
3. OUR COMMUNICATIONS AND
PROCESSES

ITEM NO: 10.1.1
(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 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
3. OUR COMMUNICATIONS AND
PROCESSES

ITEM NO: 10.1.1
(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 2015. Their recording into the Council Minutes ensures Council meets its statutory obligations under section 80A of the Act.

Attachments

- 1 Attachment 12
- 2 Attachment 13
- 3 Attachment 19
- 4 Attachment 26
- 5 Attachment 27

FILE NO: F13/503
3. OUR COMMUNICATIONS AND
PROCESSES

ITEM NO: 10.1.1
(GOVERNANCE RECORDS OFFICER,
MARGARET HINCK)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

ASSEMBLIES OF COUNCILLORS (cont'd)

ATTACHMENT No [1] - Attachment 12



RECORD OF ASSEMBLY OF COUNCILLORS

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)
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
3. OUR COMMUNICATIONS AND
PROCESSES

ITEM NO: 10.1.1
(GOVERNANCE RECORDS OFFICER,
MARGARET HINCK)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

ASSEMBLIES OF COUNCILLORS (cont'd)

ATTACHMENT No [2] - Attachment 13



RECORD OF ASSEMBLY OF COUNCILLORS

Date held	13 October 2015
Name of meeting	Disability Advisory Committee
Councillors attending	Councillor Don McPhee
Council staff attending	Community Services Officer, Hayley Benson Community Development Officer, Frank Malcolm
Matters discussed	1. Numurkah Showgrounds Community Centre Stair Redevelopment 2. Quinn Street Numurkah Toilet Upgrade 3. Disability Action Plan Update and Redevelopment 4. International Day of People with Disability Events (Tuesday 3 December)
Conflict of Interest Disclosures (indicate below if Nil or complete details)	
Nil	

FILE NO: F13/503
3. OUR COMMUNICATIONS AND
PROCESSES

ITEM NO: 10.1.1
(GOVERNANCE RECORDS OFFICER,
MARGARET HINCK)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

ASSEMBLIES OF COUNCILLORS (cont'd)

ATTACHMENT No [3] - Attachment 19



RECORD OF ASSEMBLY OF COUNCILLORS

Date held	19 October 2015
Name of meeting	Assembly of Councillors
Councillors attending	Councillors Marie Martin, Kevin Bourke, Peter Mansfield, Wendy Buck, Alex Monk, Gary Cleveland
Council staff attending	Chief Executive Officer, Mark Henderson
Matters discussed	
	1. LG Act Review 2. Wilby Hall Future 3. Workplace Health and Safety 4. Numurkah Flood Study
Conflict of Interest Disclosures (indicate below if Nil or complete details)	
	Nil

FILE NO: F13/503
3. OUR COMMUNICATIONS AND
PROCESSES

ITEM NO: 10.1.1
(GOVERNANCE RECORDS OFFICER,
MARGARET HINCK)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

ASSEMBLIES OF COUNCILLORS (cont'd)

ATTACHMENT No [4] - Attachment 26



RECORD OF ASSEMBLY OF COUNCILLORS

Date held	26 October 2015
Name of meeting	Councillor Briefing
Councillors attending	Councillors Marie Martin, Gary Cleveland, Peter Mansfield, Kevin Bourke, Alex Monk, Brian Keenan, Don McPhee, Ed Cox
Council staff attending	Chief Executive Officer, Mark Henderson General Manager Corporate, Leanne Mulcahy General Manager Infrastructure, Andrew Close, Manager Governance and Communications, Linda Nieuwenhuizen
Matters discussed	
1. Agenda Review	
Conflict of Interest Disclosures (indicate below if Nil or complete details)	
Nil	

FILE NO: F13/503
3. OUR COMMUNICATIONS AND
PROCESSES

ITEM NO: 10.1.1
(GOVERNANCE RECORDS OFFICER,
MARGARET HINCK)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

ASSEMBLIES OF COUNCILLORS (cont'd)

ATTACHMENT No [5] - Attachment 27



RECORD OF ASSEMBLY OF COUNCILLORS

Date held	27 October 2015
Name of meeting	Moirashire Youth Council
Councillors attending	Councillors Gary Cleveland, Alex Monk, Wendy Buck, Peter Mansfield
Council staff attending	Hollie Barnes, Youth Development Officer, Business Support Officer, Sharon Nye
Matters discussed	<ul style="list-style-type: none">Final Celebrations 2015
Conflict of Interest Disclosures (indicate below if Nil or complete details)	
Nil	

**FILE NO: 11.1
6. GOVERNANCE**

**ITEM NO: 11.1
(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: 11.1
(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 – November 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
MOTION
CRS PETER MANSFIELD / BRIAN KEENAN
That Moira Shire Council invite the Minister for Roads to Yarrawonga for discussion with Council regarding the route for the proposed Yarrawonga Mulwala Bridge. (CARRIED)
COMPLETED
Letter sent to the Hon Luke Donnellan
Meeting: Ordinary Council Meeting 26 October 2015
Subject – General Business
MOTION
CRS KEVIN BOURKE / BRIAN KEENAN
That the Chief Executive Officer arranges a meeting with all alleged adversely affected landholders in the vicinity of Griffiths Lane, in an effort to alleviate their concerns with the recent road works. (CARRIED)
COMPLETED
Meeting held on 12 November 2015.

FILE NO: 11.1
6. GOVERNANCE

ITEM NO: 11.1
(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 – November 2015

Meeting: Ordinary Council Meeting 26 October 2015
Subject – Goulburn Murray Water Relinquishment of Service Point at Nathalia Transfer Station
<p>MOTION</p> <p>CRS KEVIN BOURKE / BRIAN KEENAN</p> <p>That Council:</p> <p>Defer the surrendering of this access point until Council can be fully briefed on the situation regarding this and similar access points.</p> <p style="text-align: right;">(CARRIED)</p>
Activity Currently compiling the information for Council.
Meeting: Ordinary Council Meeting 26 October 2015
Subject – Moira Shire Community Safety Plan
<p>MOTION</p> <p>CRS KEVIN BOURKE / ALEX MONK</p> <p>That the report to be deferred to such time that the information from the Community Safety Forum is considered.</p> <p style="text-align: right;">(CARRIED)</p>
Activity Briefing scheduled for December.

FILE NO: 11.1
6. GOVERNANCE

ITEM NO: 11.1
(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 – November 2015

Meeting: Ordinary Council Meeting 28 September 2015
Subject: Yarrowonga 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 Yarrowonga Holiday Park with the Yarrowonga 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> <p>Draft lease returned from DELWP with one minor change provided to Committee. Interim licence provided to Committee for signing 28/10/15.</p>
Meeting: Ordinary Council Meeting 24 August 2015
Subject: Notice of Motion
<p>MOTION</p> <p>CRS PETER MANSFIELD / WENDY BUCK</p> <p>That Council do a study into the Yarrowonga Library addressing future requirements on space, trends etc to report back to Council in November 2015 with options for the future.</p> <p style="text-align: right;">(CARRIED)</p>
<p>COMPLETED</p> <p>Briefing note distributed to Councillor's in October</p>

FILE NO: 11.1
6. GOVERNANCE

ITEM NO: 11.1
(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 – November 2015

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 Mallows 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> <p>Awaiting repair of Notification and Editing System to lodge naming proposal.</p>

FILE NO: 11.1
6. GOVERNANCE

ITEM NO: 11.1
(EXECUTIVE ASSISTANT TO CEO,
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ACTION OFFICERS LIST (cont'd)

ATTACHMENT No [1] - Action Officer's List

Action Officers List – November 2015

Meeting: Ordinary Council Meeting 27 July 2015
Subject: Lott Street Yarrawonga
<p>MOTION</p> <p>CRS WENDY BUCK / BRIAN KEENAN</p> <p>That:</p> <ol style="list-style-type: none"> 1. Council consult with the Yarrawonga community about the Lott Street residents proposal to remove semi mature spotted gum trees from Lott Street, Yarrawonga 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> <p>Letters have been mailed to residents to advise of the process to advertise and progress the proposal. The planning application process will commence in coming weeks with information appearing in the Yarrawonga Chronicle. The outcomes of this application process will determine if the proposal can proceed and, if so, if the project proceeds funding will be determined through the mid-year budget review and we would endeavour to have the new trees planted during Autumn 2016. We will continue to provide updates on the progress of this proposal through local media and on our website.</p>

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ACTION OFFICERS LIST (cont'd)

ATTACHMENT No [1] - Action Officer's List

Action Officers List – November 2015

Subject: General Business
CRS KEVIN BOURKE / BRIAN KEENAN
That Council work with St Mary's of the Angels and Nathalia Secondary College to erect a school crossing in Pearce Street Nathalia. (CARRIED)
ACTIVITY
<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.
Meeting: Ordinary Council Meeting 27 July 2015
Subject: General Business
MOTION
CRS WENDY BUCK / DON MCPHEE
That Council Officers investigate and report to Council on options relating to all ability playground equipment in Yarrawonga. (CARRIED)
ACTIVITY
Report to be presented in conjunction with the Recreation Strategy, to ensure that the report and any recommendation is complimentary to the Recreation Strategy.

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ITEM NO: 11.1
(EXECUTIVE ASSISTANT TO CEO,
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ACTION OFFICERS LIST (cont'd)

ATTACHMENT No [1] - Action Officer's List

Action Officers List – November 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>ACTIVITY</p> <p>Final draft leases received 22 & 30 October 2015 being checked prior to signing.</p>

FILE NO: 11.1
6. GOVERNANCE

ITEM NO: 11.1
(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 – November 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 15 September 2014
Subject: General Business – VCAT orders.
<p>MOTION</p> <p>CRS KEVIN BOURKE / MARIE MARTIN</p> <p>That Council authorise the Chief Executive Officer to seek enforcement of the recent VCAT orders on the tyre storage facilities at Numurkah and Katunga</p> <p style="text-align: right;">(CARRIED)</p>
<p>COMPLETED</p> <p>The Supreme Court has determined that the tyres on 7 and 25 Saxton Street, Numurkah needs to be removed within 90 days from 20 October 2015. In terms of the Order Council does not have the ability to extend the 90 day timeframe for compliance and are maintaining a strict line that compliance is required within this timeframe. If there has not been compliance within 90 days, the Council can seek further orders from the Supreme Court, which may include sequestration of property and/or imprisonment.</p>

FILE NO: 11.1
6. GOVERNANCE

ITEM NO: 11.1
(EXECUTIVE ASSISTANT TO CEO,
ROBYN BONADDIO)
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ACTION OFFICERS LIST (cont'd)

ATTACHMENT No [1] - Action Officer's List

Action Officers List – November 2015

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: D15/67229
1. STRONGER REGIONAL PARTNERSHIPS

ITEM NO: 13.1
(MANAGER STRATEGIC PROJECTS,
MARK FOORD)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

REILLYS PIT ROAD PETITION

RECOMMENDATION

That:

1. The petitioner be thanked for the time and effort taken to prepare the petition.
2. The petitioner be advised it is expected that developers meet the cost of additional infrastructure required as part of development of land, whether that be in a rural or urban situation.

1. Executive Summary

A petition has been received requesting upgrade of Reillys Pit Road from a Rural Farm Access Road to an all-weather gravel road.

The section of Reillys Pit Road is described in Council's Road Management Plan and Road Register as a Rural Farm Access Road.

Council generally welcomes development of land within the Shire. Development provides economic stimulus, enhances diversity within the community and improves liveability. This is however tempered by the need to ensure that development increases community well-being and does not have undue adverse effects.

Predominant in consideration of petitions is the need to ensure that reasonableness and fairness is assured and assessed. This includes reasonableness and fairness to the petitioner as well as to the remainder of the ratepayers of the Shire.

Should a property owner wish to develop land, whether in Reillys Pit Road, or anywhere else in the Shire, and therefore require better or additional infrastructure, the costs of upgrade should be borne by the developer, as part of the development, to do otherwise is unfair to the remainder of the ratepayers within the Shire.

It is recommended that the petitioner be advised that the community and Council expect that developers meet the cost of upgraded infrastructure required as part of development of land, whether that be in a rural or urban situation. By ensuring that developers meet the costs of upgrade of required infrastructure, the costs of land reflects the true cost of development, and the costs are not unfairly borne by the ratepayers of the Shire.

2. Background and Options

a. The Petition

Council has received a petition, or joint letter, tabled at its meeting of 26 October 2015, requesting upgrade of Reillys Pit Road, near Wunghnu. A copy of the petition is attached. It has been signed by 10 people.

The petition states, amongst other items;

"I use this road for access for my farming requirements, e.g. tractors, trucks, stock etc."

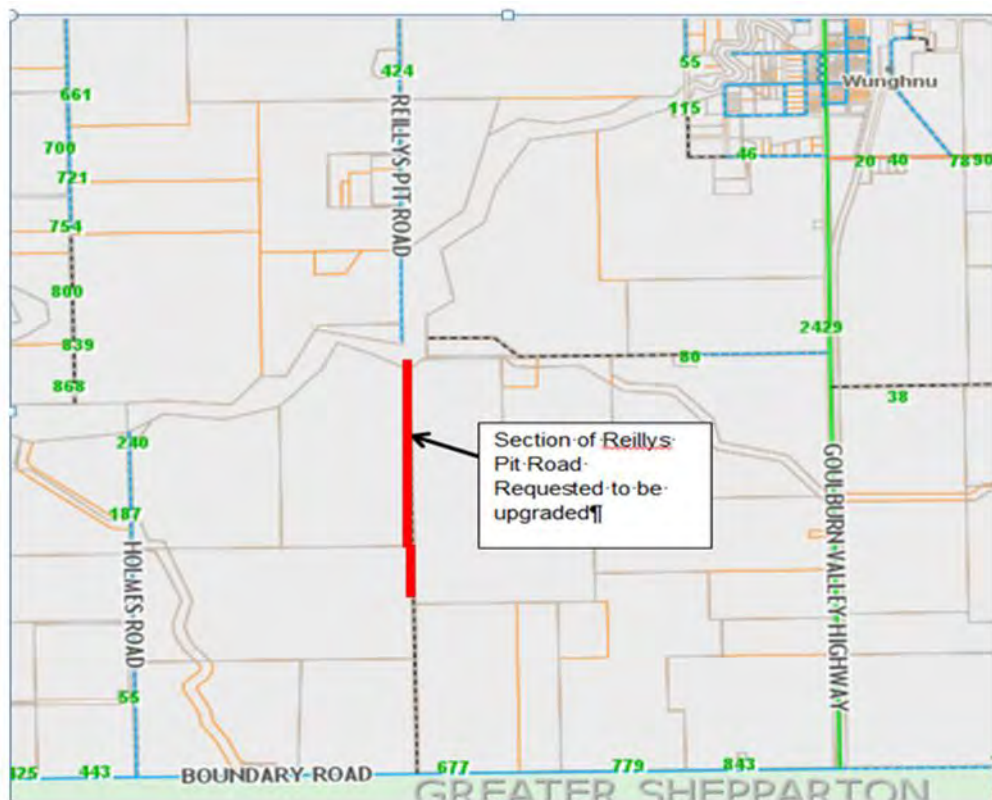
FILE NO: D15/67229
1. STRONGER REGIONAL PARTNERSHIPS

ITEM NO: 13.1
(MANAGER STRATEGIC PROJECTS,
MARK FOORD)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

REILLYS PIT ROAD PETITION (cont'd)

“This is becoming a big problem as I wish to sell this property. The two interested parties are only willing to invest their money in this property if there is an all weather road.”

The diagram below shows the section of Reillys Pit Road that has been requested to be upgraded.



In considering petitions there are several questions that should be answered;

- Is the petitioner asking that Council undertake works or deliver services that would normally be delivered – Is the petitioner “missing out.”
- Is the petitioner asking that something be fixed?
- Is the petitioner bringing something to notice that is unfair or unreasonable?
- Is the petitioner asking for something to be reinstated that has been withdrawn or changed?
- Is the petitioner conveying, perhaps by virtue of the number of signatures the wishes or wants or needs of the community in general?

Predominant in consideration of petitions is the need to ensure that reasonableness and fairness is assured and assessed. This includes reasonableness and fairness to the petitioner as well as to the remainder of the ratepayers of the Shire.

<p>FILE NO: D15/67229 1. STRONGER REGIONAL PARTNERSHIPS</p>	<p>ITEM NO: 13.1 (MANAGER STRATEGIC PROJECTS, MARK FOORD) (GENERAL MANAGER INFRASTRUCTURE, ANDREW CLOSE)</p>
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REILLYS PIT ROAD PETITION (cont'd)

b. Management of the Road System

Council's Asset Management Plan, Road Management Plan and Road Register set out the wishes, aspirations and standards to which Council manages the road system.

The Asset Management Plan, at Appendix 1.3 – Local Roads 2009, provides that Council is committed to providing all weather access from the sealed road network to every existing permanently occupied residence in the Shire.

Reillys Pit Road is a Rural Farm Access Road within the Council Road Register.

Within the Asset Management Plan, the function of a farm access road is defined as;

A road or laneway in this category primarily provides access for abutting agricultural properties and connects into either the local road network or the arterial road network. There is minimal to no through traffic, and access is not available in all weather conditions.

Reillys Pit Road is classified correctly, and it is being maintained to the required standards as set out in the Asset Management Plan, Road Management Plan and the Road Register.

There are also practical issues of the connectivity of the road system to be considered. Reillys Pit Road has a bridge and sharp bends, near to the end of the section that has been requested to be upgraded. The bridge, and the bends are of a standard suitable for the road as it exists, they are however not suitable for an upgraded standard. If the road was upgraded the bridge as well as the standard of the road formation at the bends, signage and other facilities should also meet the upgraded standard. The cost of this additional work would be significant.

c. Development

Council welcomes development. Council has Officers with specific responsibilities with respect to economic development, tourism as well as many other services related to attracting and ensuring that development continues across the Shire. Development provides economic stimulus, enhances diversity within the community and improves liveability.

Development however must be controlled - controlled to ensure that it has minimal negative effects and that costs to the community are minimized – an additional objective for Council is to seek that development maximises or “adds value” the “add-on” effects of development can be very beneficial to ratepayers as well as the community in general.

Council's Planning Scheme is paramount to ensuring that development is controlled.

The cost of development, is met by the developer. This is logical and reasonable, no-one would expect that Council construct a house, farm machinery and additional improvements upon land for a property owner. The cost of improving infrastructure that is attributable to the development should also be met by the developer.

It is obvious that when a new and substantial subdivision is under consideration, the developer must construct all the roads and improve the intersections as well as the roads

FILE NO: D15/67229 1. STRONGER REGIONAL PARTNERSHIPS	ITEM NO: 13.1 (MANAGER STRATEGIC PROJECTS, MARK FOORD) (GENERAL MANAGER INFRASTRUCTURE, ANDREW CLOSE)
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REILLYS PIT ROAD PETITION (cont'd)

leading to the subdivision, as part of the development. This concept is however less obvious, when development on a relatively small scale is under consideration.

A search of related matters to Reillys Pit Road has determined that a Town Planning Permit has been issued to develop and use land. The Town Planning Permit includes a condition that requires the costs of upgrading of the road to be met by the developer.

d. Rates and Charges

One of the remarks in the petition is;

"I have paid rates for 44 years and in that time I have only had the road graveled once."

Council's rates are levied upon the value of the land and the improvements thereon. The ratepayer has been paying rates upon the property that presently exists. The value of the rates meets the costs of infrastructure maintenance, as well as the other services that are provided to the ratepayer by Council.

If the road was upgraded to an all-weather road and a dwelling and other facilities constructed upon the land, the value of the rates would change to reflect the new values that are applicable, and the cost to Council of maintaining the additional length of gravel road, and other services that would be required if a dwelling were on the site.

The ratepayer has therefore been paying the correct value of rates for the services that have been delivered to the property. The property owner has not been paying rates applicable to a property that has a dwelling upon it and an all-weather access road.

3. Financial Implications

The cost of upgrading a farm access road to an all-weather gravel road is approximately \$20,000 per kilometre. The request made within the petition is therefore valued at approximately \$36,000.

4. Risk Management

The risk implications of this report relate to the management and control of the road network.

Council's road system is managed and maintained in accordance with the Road Management Act and Council's Road Management Plan. Roads that are managed are included on the Road Register.

The requirements of the Road Management Plan are regularly audited to ensure that the requirements are being met.

5. Internal and External Consultation

This report considers a petition lodged by members of the local community.

6. Regional Context

There are no regional implications arising from this report.

FILE NO: D15/67229

1. STRONGER REGIONAL PARTNERSHIPS

ITEM NO: 13.1

(MANAGER STRATEGIC PROJECTS,
MARK FOORD)(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)**REILLYS PIT ROAD PETITION (cont'd)****7. Council Plan Strategy**

Council's Goal of Improving Moira's Liveability is relevant to this report. In ensuring that the cost of development is met by developers, Council is demonstrating good governance, and sound financial management.

By considering this petition, and having processes in place to ensure that the petition is considered, Council is helping the process of communicating and involving the community.

8. Legislative / Policy Implications

The legislation with respect to management of the road has been addressed within the risk section of this report.

With respect to petitions, Council has a Local Law, the Meeting Procedures Local Law 2007. It provides that a petition or joint letter may be received by Council, and be responded to at the next Ordinary Meeting of Council.

9. Environmental Impact

There are no environmental implications arising from this report.

10. Conflict of Interest Considerations

There are no Officer conflict of interest issues in respect of this report.

11. Conclusion

The petitioner has requested that Council upgrade a local road to enable adjacent land to be developed, or sold. The petitioner has been paying rates upon the property for many years and the service level provided for the road is Council's minimal service level.

At first glance this appears to be a reasonable request, however upon reflection;

- The value of the rates payable are for the block of land as it currently exists, and with the current road access – The ratepayer has been paying rates levied in accordance with the value of the land – the value of the land is directly affected by the infrastructure surrounding it.
- The road is only used periodically for tractors, trucks, stock etc,

The condition of the road is affecting the ability to sell the land – There is a direct relationship between the condition of the road and the value or marketability of the land.

Would it be fair and equitable for Council – the ratepayers of the Shire - to upgrade the road, and then for the owner to sell the land adjacent?

It is suggested that it is fair and equitable - for all of the ratepayers of the Shire, for all developers to meet the full costs of development of their properties. This includes large scale developers, as well as those who merely wish to sell a piece of property.

It is recommended that the petitioner be advised that it is neither fair nor equitable for the ratepayers of the Shire to pay to have a road upgraded, in order to improve the marketability of adjacent land.

FILE NO: D15/67229
1. STRONGER REGIONAL PARTNERSHIPS

ITEM NO: 13.1
(MANAGER STRATEGIC PROJECTS,
MARK FOORD)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

REILLYS PIT ROAD PETITION (cont'd)

Attachments

1 Petition

FILE NO: D15/67229
1. STRONGER REGIONAL PARTNERSHIPS

ITEM NO: 13.1
(MANAGER STRATEGIC PROJECTS,
MARK FOORD)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

REILLYS PIT ROAD PETITION (cont'd)

ATTACHMENT No [1] - Petition

Dear Sir/Madam.,

To whom it may concern,

we
I am writing to Council for need of an all weather road on Reillys Pit Road from the south boundary of my property [redacted] to the corner of Nine mile creek and Gillespies road.

Corres No. 1
4 NOV 2015
Copies to:

I have had numerous conversations regarding the problem with a Mr Hodgekiss. He repeatedly said that there was no house on the property so no gravel and only graded once a year.

I have paid rates on this property for 44 years in that time I have had the road only gravelled once. This a ludicrous situation because although the road has been formed there has been no gravel placed on my property boundary. The south end was gravelled with flood relief funding, so why not have all the road done.

I use this road for access for my farming requirements eg tractors trucks stock etc.

This is also becoming a big problem as I wish to sell this property.

The road is in such poor condition that the two interested parties are only will to invest their money in this property if there is an all weather road.

Therefore I feel I am being disadvantaged by not being able to have an ALL WEATHER road after having paid rates for 44 years and having so little work done in all that time.

Yours In Anticipation

FILE NO: VARIOUS

ITEM NO: 15

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: 16

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: 17

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.