



MINUTES

ORDINARY MEETING OF COUNCIL HELD AT
YARRAWONGA TOWH HALL, BELMORE STREET,
YARRAWONGA,
MONDAY 23 MARCH 2015

The meeting commenced at 6:00 pm.

PRESENT

Councillor Marie Martin (Mayor)
Councillor Kevin Bourke
Councillor Wendy Buck
Councillor Gary Cleveland
Councillor Ed Cox
Councillor Brian Keenan
Councillor Don McPhee
Councillor Peter Mansfield
Councillor Alex Monk

IN ATTENDANCE:

Mark Henderson	Chief Executive Officer
Leanne Mulcahy	General Manager Corporate
Andrew Close	General Manager Infrastructure

1. CALLING TO ORDER - CEO

2. PRAYER

Almighty God we humbly ask you to guide our deliberations for the welfare and benefit of the Moira Shire and its people whom we serve.

Amen

3. ACKNOWLEDGEMENT OF COUNTRY

We, the Moira Shire Council, would like to acknowledge the traditional owners of the land upon which we meet and pay our respects to their Elders both past and present.

4. APOLOGIES & REQUESTS FOR LEAVE OF ABSENCE

Nil

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

Nil

6. DECLARATION OF ANY INTEREST OR CONFLICT OF INTEREST

Cr Edward Cox declared a conflict of interest in item 9.2.3.

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

MOTION:

CRS ALEX MONK / PETER MANSFIELD

"That the minutes of the Ordinary Council Meeting held on Monday, 23 February 2015, as circulated, be confirmed."

(CARRIED)

8. COUNCILLOR REPORTS

Cr Brian Keenan gave a report on the success of Campervan and Motor Club of Australia's recent stay in Numurkah.

Cr Peter Mansfield reported on the MAV briefing that was held in Wangaratta.

Cr Kevin Bourke reported on the Nathalia Youth of the Year evening.

Cr Wendy Buck reported on:

- The recent Australian Local Government Women's Association meeting.
- Moira's initiative to celebrate the 100 years of women in Local Government.
- Attendance at the Environment Sustainability Committee Meeting.
- Moira's Organic Waste Statistics.
- The current savings from the Watts Working Better Project.

Cr Marie Martin reported on:

- The Goulburn Valley Vicroads Cluster Meeting.
- The recent Junior Council Meeting.
- The International Women's Day.
- Harmony Day Celebrations.

9. OFFICER REPORTS FOR DETERMINATION

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21.	CLOSE OF MEETING	

Meeting closed at 8:05 PM

MARK HENDERSON
CHIEF EXECUTIVE OFFICER

FILE NO: 180.11.0002
3. OUR COMMUNICATIONS AND PROCESSES

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

FINANCIAL POSITION REPORT AS AT 28 FEBRUARY 2015

1. Executive Summary

Moirá Shire Council				
Executive Summary - Funding Analysis February 2015				
Operating Income Statement	Ref	Budget 14/15	Dec 14/15 Forecast	Actuals YTD February 14/15
Income				
Operating Grant		(11,215,994)	(11,430,035)	(8,626,854)
Operating Contributions		(93,600)	(70,426)	(40,468)
Reimbursements		(49,532)	(59,822)	(53,988)
Statutory Fees & Fines		(883,576)	(883,776)	(539,798)
User Charges		(2,637,997)	(2,686,336)	(1,547,553)
Other Revenues		(6,723,275)	(6,357,089)	(6,433,020)
Interest Income		(300,000)	(360,000)	(260,893)
Net Proceeds - Land for resale		(10,000)	(73,182)	(73,183)
Total Income		(21,913,974)	(21,920,666)	(17,575,757)
Expenditure				
Employee Costs		18,604,226	18,610,788	11,037,268
Contractors		6,300,072	5,755,527	2,993,135
Materials & Services		11,461,566	11,229,791	5,957,862
Utilities		968,072	991,972	585,103
Other Expenses		4,320,149	4,399,972	2,801,172
Interest on Borrowings		527,476	527,476	363,641
Visitor Information Centres		-	-	-
Bad & Doubtful Debts		5,000	5,000	-
WDV of Disposal of Assets		60,129	60,129	19,663
Total Expenditure		42,246,690	41,580,655	23,757,842
Net Operational (Inflow) / Outflow		20,332,716	19,659,989	6,182,086
Net Operational (Inflow) / Outflow		20,332,716	19,659,989	6,182,086
Funding available through				
Rates and charges		25,812,968	25,832,416	24,787,690
Rate funds available for Capital Projects	A	5,480,252	6,172,427	18,605,604
Capital Expenditure		10,720,189	10,891,595	4,005,391
Capital External funding		(6,146,409)	(5,856,155)	(2,210,403)
Net Council Funding of Capital Projects	B	4,573,780	5,035,440	1,794,988
Surplus of Rate Funds after funding Capital Projects	A - B	906,472	1,136,987	16,810,616
Equity Inflow / (Outflow)		(829,560)	(1,000,966)	(543,678)
Net Rate Funds Surplus / (Shortfall)		76,912	136,021	16,266,938

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(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

FINANCIAL POSITION REPORT AS AT 28 FEBRUARY 2015 (cont'd)

2. Background and Options

Moira Shire Council				
Funding analysis by Department and Income Statement				
Reconciliation - February 2015				
Operational (Inflow) and Outflow:				
Department	Inc/Exp	Budget 14/15	Dec 14/15 Forecast	Actuals YTD February 14/15
Community Service Delivery	O-EX	5,911,537	5,889,226	3,696,524
	O-IN	(963,558)	(1,022,670)	(838,403)
Outflow funded by Rates & Charges		4,947,979	4,866,556	2,858,121
Construction and Assets	O-EX	2,179,337	2,641,511	1,268,885
	O-IN	(4,860)	(52,263)	(15,677)
Outflow funded by Rates & Charges		2,174,477	2,589,248	1,253,208
Disaster Recovery	O-EX	-	-	83,711
	O-IN	-	-	(256,176)
Outflow funded by Rates & Charges		-	-	(172,465)
Finance	O-EX	3,418,808	3,368,855	1,588,658
	O-IN	(6,910,965)	(7,008,323)	(4,822,740)
Outflow funded by Rates & Charges		(3,492,157)	(3,639,468)	(3,234,082)
Office of CEO	O-EX	1,910,767	1,853,811	1,063,324
	O-IN	(29,999)	(35,142)	(31,468)
Outflow funded by Rates & Charges		1,880,768	1,818,669	1,031,856
Operations	O-EX	9,474,893	9,733,375	6,583,221
	O-IN	(3,904,228)	(3,923,519)	(2,918,240)
Outflow funded by Rates & Charges		5,570,665	5,809,856	3,664,981
People & Organisational Development	O-EX	1,652,084	1,465,325	822,563
	O-IN	(10,961)	(13,161)	(10,004)
Outflow funded by Rates & Charges		1,641,123	1,452,164	812,559
Safety Amenity & Environment	O-EX	7,766,904	7,361,842	3,656,156
	O-IN	(8,983,191)	(8,587,118)	(7,466,366)
Outflow funded by Rates & Charges		(1,216,287)	(1,225,276)	(3,810,210)
Town Planning & Building	O-EX	1,459,989	1,408,610	781,888
	O-IN	(577,192)	(582,699)	(413,210)
Outflow funded by Rates & Charges		882,797	825,911	368,678
Information Services	O-EX	2,887,115	2,588,226	1,338,747
	O-IN	(56,969)	(129,530)	(311,369)
Outflow funded by Rates & Charges		2,830,146	2,458,696	1,027,378
Property Risk and Compliance	O-EX	1,202,432	1,224,843	794,068
	O-IN	(328,651)	(322,506)	(288,774)
Outflow funded by Rates & Charges		873,781	902,337	505,294
Governance and Communications	O-EX	2,095,966	1,836,408	910,109
	O-IN	(25,600)	(25,753)	(20,928)
Outflow funded by Rates & Charges		2,070,366	1,810,655	889,181
Economic Development	O-EX	2,286,858	2,208,623	1,170,002
	O-IN	(117,800)	(217,982)	(182,401)
Outflow funded by Rates & Charges		2,169,058	1,990,641	987,601
Net Operational (Inflow) / Outflow		20,332,716	19,659,989	6,182,100

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ITEM NO: 9.1.1
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LEANNE MULCAHY)

FINANCIAL POSITION REPORT AS AT 28 FEBRUARY 2015 (cont'd)

	Budget 14/15	Dec 14/15 Forecast	Actuals YTD February 14/15
Funds available through			
Rates and charges	25,812,968	25,832,416	24,787,690
Rate funds available for Capital projects	5,480,252	6,172,427	18,605,590
Capital Outflow	10,720,189	10,891,595	4,005,391
Capital Inflow	(6,146,409)	(5,856,155)	(2,210,403)
Net Council Funding required for Capital Projects	4,573,780	5,035,440	1,794,988

	Budget 14/15	Dec 14/15 Forecast	Actuals YTD February 14/15
Equity Inflow / (Outflow)			
Repayment of Loans	829,560	829,560	543,678
Fund from Equity reserves for Capital carryover		(171,406)	
Net Rate Funds Surplus / (Shortfall)	76,912	136,021	16,266,924

Reconciliation with Income Statement

	Budget 14/15	Dec 14/15 Forecast	Actuals YTD February 14/15
Net Rate Funds Surplus / (Shortfall)	76,912	136,021	16,266,924
Eliminate Balance Sheet items			
Repayment of Loans	829,560	829,560	543,678
Fund from Equity reserves for Capital carryover	-	171,406	-
Capital Expenditure Capitalised as Assets	10,720,189	10,891,595	4,005,391
Accounting for Non-cash items			
Depreciation Expense and amortisation	(8,740,057)	(8,740,057)	(5,826,705)
Share Profit/Loss Associated Entity	(20,000)	(20,000)	-
Landfill - Interest Unwinding Discount	(429,831)	(429,831)	-
WDV of Infrastructure Replaced	(200,000)	(200,000)	-
Contributions - Non-Monetary Assets	200,000	200,000	-
Income Statement Surplus / (Deficit)	2,436,773	2,838,694	14,989,288

FILE NO: 180.11.0002
3. OUR COMMUNICATIONS AND PROCESSES

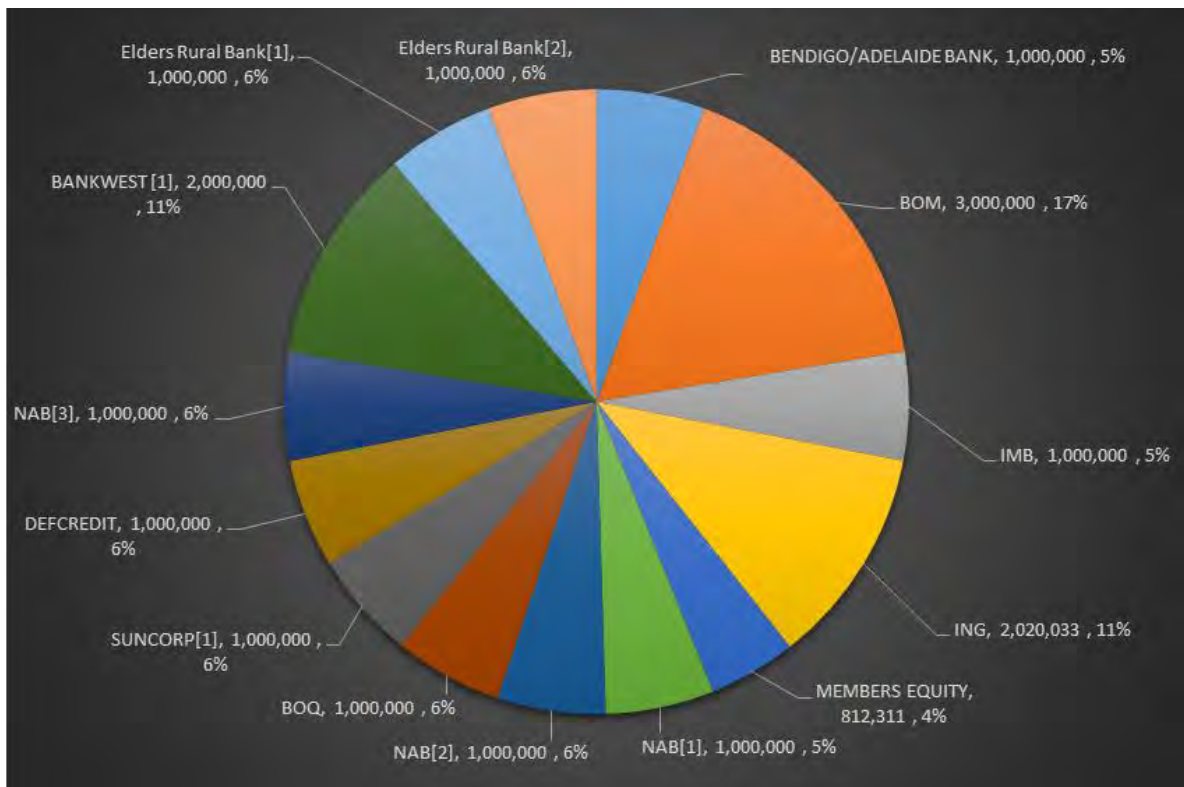
ITEM NO: 9.1.1
(ASSISTANT FINANCIAL ACCOUNTANT,
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FINANCIAL POSITION REPORT AS AT 28 FEBRUARY 2015 (cont'd)

Current Investments as at 28 Feb 2015

Bank	Deposit amount
BENDIGO/ADELAIDE BANK	1,000,000
BOM	3,000,000
IMB	1,000,000
ING	2,020,033
MEMBERS EQUITY	812,311
NAB[1]	1,000,000
NAB[2]	1,000,000
BOQ	1,000,000
SUNCORP[1]	1,000,000
DEFCREDIT	1,000,000
NAB[3]	1,000,000
BANKWEST [1]	2,000,000
Elders Rural Bank[1]	1,000,000
Elders Rural Bank[2]	1,000,000
Grand Total	17,832,344.06

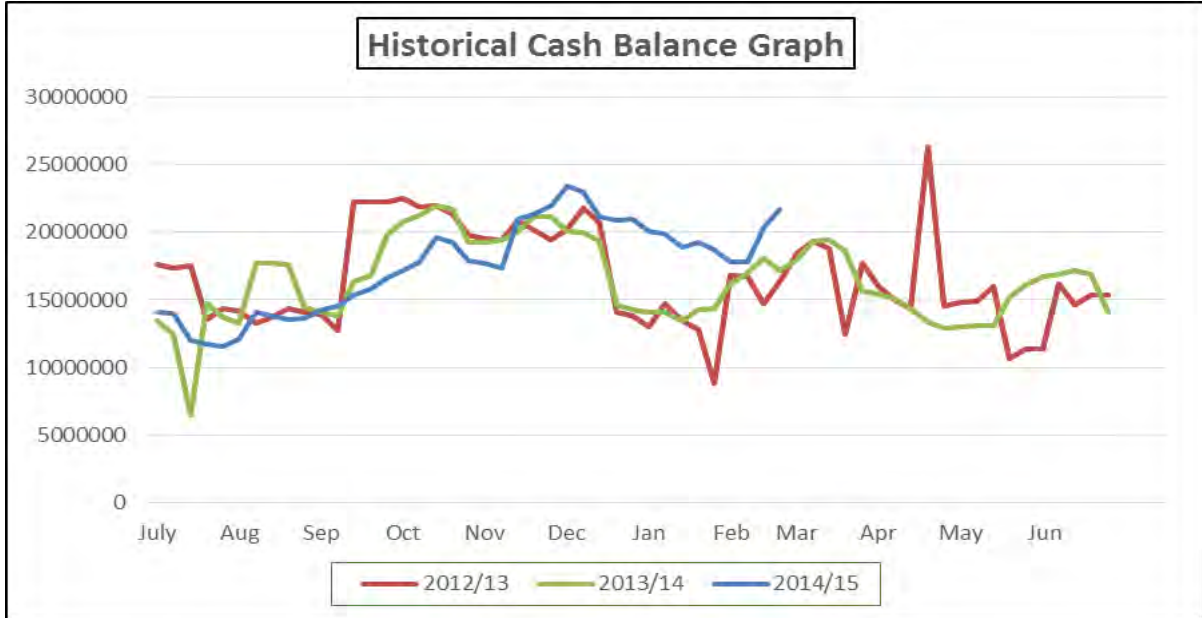
Active Investment Spread as at 28 Feb 2015



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(ASSISTANT FINANCIAL ACCOUNTANT,
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FINANCIAL POSITION REPORT AS AT 28 FEBRUARY 2015 (cont'd)



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3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 9.1.1
(ASSISTANT FINANCIAL ACCOUNTANT,
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FINANCIAL POSITION REPORT AS AT 28 FEBRUARY 2015 (cont'd)

Quarterly Cash Position Projection - March 2015	
	\$
Cash and cash equivalents as per Balance Sheet - 28 Feb 2015	22,163,273
Confirmed inflow/(outflow) recorded in the books of accounts as of date	
Creditors - invoices registered in the system	(545,156)
Payroll [average payroll payout amount \$650k per FN]	(1,300,000)
Fire Services levy - due to SRO [net of Creditors & Debtors]	(676,381)
Loan installment due for the month	(69,824)
Estimated future (outflows) and inflows up to 31 Mar 2015	
Creditors - estimated quarterly payout \$2.5 million per month)	(2,500,000)
Rates	1,038,363
Capital Grants	1,556,979
Operating Grants	200,295
Projected Cash Balance as at 31 March 2015	19,867,549
Following restrictions imposed on Cash and cash equivalents	
by regulations or other externally imposed restrictions or by	
commitments made by Council	
Restricted reserves - Open Space, Car Parking & Net Gain Native	
Vegetation reserves	(1,262,937)
Long Service leave	
Current	(1,651,139)
Non-current	(263,932)
Trust Funds and Deposits	(556,574)
Unexpended Grants [estimated for the year end]	(750,000)
Projected Cash Balance (less Restricted Cash) as at 31 March 2015	15,382,968

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ITEM NO: 9.1.1
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FINANCIAL POSITION REPORT AS AT 28 FEBRUARY 2015 (cont'd)

Rates & Other Debtors Report - February 2015			
Rate Collection			
General Rates & Charges	Feb-14	Feb-15	Movements
Arrears carried forward	1,310,464	1,769,327	458,863
Total rates to be collected (amount levied)	29,168,983	31,054,669	1,885,686
Collection to date	19,680,933	22,513,394	2,832,461
No. of rateable assessments	17,063	17,504	441
Rateable Valuation C.I.V	4,764,726,000	4,980,978,300	216,252,300
Supplementary rate increase since adopted budget	(173,274)	96,917	270,191
Fire Services Levy			
Fire Services Levied	3,605,359	3,544,021	(61,338)
Fire Services Rebates/Concessions/Cancellations & Collections	2,066,468	2,343,762	277,294
Supplementary Fire Services	1974	(20,588)	(22,562)
			-
Debtors & Infringements			
Special Rate Debtors	Jan-15	Feb-15	
Principal Outstanding	36,782	24,327	12,455
Interest Outstanding	2,092	527	1,565
Total	38,874	24,854	14,020
Sundry Debtors			
	Jan-15	Feb-15	
Current	608,004	616,495	(8,491)
30 Days	11,725	18,331	(6,606)
60 Days	1,558	2,499	(941)
90 Days	1,989	0	1,989
> 90 Days	58,213	57,537	676
Total	681,489	694,862	(13,373)
Infringements			
	Jan-15	Feb-15	
Balance Outstanding	151,469	162,368	(10,899)

3. Financial Implications

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

4. Risk Management

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

5. Internal and External Consultation

The following members of staff were consulted:

- General Manager – Corporate;
- Finance Manager;
- Team Leader, Financial Accountant;
- Finance Analysts;
- Team Leader, Revenue & Property Services;
- Business Support Officer, Safety & Amenity

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3. OUR COMMUNICATIONS AND PROCESSES

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

FINANCIAL POSITION REPORT AS AT 28 FEBRUARY 2015 (cont'd)

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

6. Regional Context

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

7. Council Plan Strategy

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

8. Legislative / Policy Implications

The report complies with:

- the Local Government Act S.136; and
- Council's Budget and Financial Reporting Policy.
- The 2013/14 to 2016/17 Council Plan Strategic Goal 4 and Strategic Resource Plan

9. Environmental Impact

There are no environmental impacts associated with this report.

10. Conflict of Interest Considerations

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

11. Conclusion

Council's financial position as at 28 February 2015 is satisfactory, but it must continue to be managed prudently, particularly in the areas of capital income, capital expenditure and operational growth, for this situation to be maintained.

Attachments

Nil

RECOMMENDATION

That Council receives and notes the Financial Position Report as at 28 February 2015.

MOTION

CRS ALEX MONK / WENDY BUCK

That Council receives and notes the Financial Position Report as at 28 February 2015.

(CARRIED)

FILE NO: F13/25
2. COMMUNITY

ITEM NO:
(ADMINISTRATION SUPPORT OFFICER -
S86 COMMITTEES (HOME BASE), FIONA
MULQUINEY)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

**SECTION 86 COMMITTEE OF MANAGEMENT REPRESENTATIVE APPOINTMENTS
- AMENDMENTS**

RECOMMENDATION

That Council:

1. Rescind the appointments of the following persons representing Community and/or User Groups on the Special Committee of Management, as indicated, for the four (4) year term which commenced 1 October 2013 and concludes on 30 September 2017.

Committee of Management	User Group	First Name	Last Name
Yarrowonga Showgrounds Reserve / Victoria Park	Rotary Club of Yarrowonga Mulwala (Alternative)	Doug	Evans
Yarrowonga Showgrounds Reserve / Victoria Park	Equestrian Users (Alternative)	Matthew	Hicks
Bearii Recreation Reserve	Community	Christine	Milton

2. Approve the appointments of the following persons representing Community and/or User Groups, on the Special Committee of Management, as indicated, for the remaining period of the four (4) year term which commenced on 1 October 2013 and concludes on 30 September 2017.

Committee of Management	User Group	First Name	Last Name
Yarrowonga Showgrounds Reserve / Victoria Park	Rotary Club of Yarrowonga Mulwala (Alternative)	Bruce	Pitcher
Yarrowonga Showgrounds Reserve / Victoria Park	Equestrian Users (Alternative)	Emma	Hicks

4. Write and thank outgoing Committee of Management members.

1. Executive Summary

At Council's meeting held 16 September 2013, Council, in exercise of the powers conferred by sections 86 of the *Local Government Act 1989* (the Act), resolved to appoint persons as Community or User Group representatives on various Special Committees, for the four (4) year period which commenced on 1 October 2013 and concludes on 30 September 2017.

Even though representatives are initially appointed for a period of four years, should they wish to relinquish their position, they are not obliged to remain on the Committee for the entire period, and a replacement representative would be appointed.

2. Background and Options

It is expected that, during the four (4) year term, individuals who represent the Community and/or User Groups on the Committee of Management will change.

Some User Groups feel it is more appropriate to change their representative on a regular basis, annually for example. Also the situations of individuals may change, requiring their appointment to be rescinded and another individual to be appointed as a replacement.

FILE NO: F13/25
2. COMMUNITY

ITEM NO:
(ADMINISTRATION SUPPORT OFFICER -
S86 COMMITTEES (HOME BASE), FIONA
MULQUINEY)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

SECTION 86 COMMITTEE OF MANAGEMENT REPRESENTATIVE APPOINTMENTS - AMENDMENTS (cont'd)

Also, it is important to have representation on the Committee of Management from those user groups who utilise the facility. As such, the composition may change.

Detailed below are any amendments to the current composition and/or Community or User Group representation for those Committees of Management specified.

Yarrowonga Showgrounds Reserve / Victoria Park

Bruce Pitcher has been nominated to replace Doug Evans as a Rotary Club of Yarrowonga Mulwala alternative representative. Emma Fredericks has been nominated to replace Matthew Hicks as an Equestrian Users alternative representative.

Bearii Recreation Reserve

Christine Milton has resigned from the Committee. A replacement representative has not been nominated at this time.

3. Financial Implications

There are no financial implications to consider within this report.

4. Risk Management

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

5. Internal and External Consultation

As the Section 86 Committees are in essence an extension of Council and are managing the facilities on behalf of Council, it is important for Council to maintain an appropriate balance of representation from user groups and the community and also maintain an accurate and up to date database of representatives on each of the Committees of Management.

To ensure the accuracy of the database, it is essential that each Committee advise Council when changes are required to individual representatives and also to user group representation. When changes do occur, a Council resolution is required. Council Officers are aware of the amendments

6. Regional Context

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

7. Council Plan Strategy

This report supports the Council Plan Strategy to provide quality facilities, open spaces and programs to increase participation and cater for the communities' needs and interests.

8. Legislative / Policy Implications

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

9. Environmental Impact

There are no environmental implications to consider within this report.

10. Conflict of Interest Considerations

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

FILE NO: F13/25
2. COMMUNITY

ITEM NO:
(ADMINISTRATION SUPPORT OFFICER -
S86 COMMITTEES (HOME BASE), FIONA
MULQUINEY)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

**SECTION 86 COMMITTEE OF MANAGEMENT REPRESENTATIVE APPOINTMENTS
- AMENDMENTS (cont'd)**

11. Conclusion

As part of Councils efforts to ensure that interested and appropriate person(s) and user groups be appointed to the Section 86 Committees, it is recommended that the proposed amendments to the current composition and/or Community or User Group representation for those Committees of Management specified, be approved.

MOTION

CRS DON MCPHEE / GARY CLEVELAND

That Council:

1. Rescind the appointments of the following persons representing Community and/or User Groups on the Special Committee of Management, as indicated, for the four (4) year term which commenced 1 October 2013 and concludes on 30 September 2017.

Committee of Management	User Group	First Name	Last Name
Yarrawonga Showgrounds Reserve / Victoria Park	Rotary Club of Yarrawonga Mulwala (Alternative)	Doug	Evans
Yarrawonga Showgrounds Reserve / Victoria Park	Equestrian Users (Alternative)	Matthew	Hicks
Bearii Recreation Reserve	Community	Christine	Milton

2. Approve the appointments of the following persons representing Community and/or User Groups, on the Special Committee of Management, as indicated, for the remaining period of the four (4) year term which commenced on 1 October 2013 and concludes on 30 September 2017.

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Yarrawonga Showgrounds Reserve / Victoria Park	Rotary Club of Yarrawonga Mulwala (Alternative)	Bruce	Pitcher
Yarrawonga Showgrounds Reserve / Victoria Park	Equestrian Users (Alternative)	Emma	Hicks

3. Write and thank outgoing Committee of Management members.

(CARRIED)

FILE NO: F13/877
5. INFRASTRUCTURE

ITEM NO: 9.2.1
(ASSETS TECHNICAL OFFICER, TRICIA
SIMPSON)
(GENERAL MANAGER INFRASTRUCTURE,
ANDREW CLOSE)

RENAMING OF PART LAKEVIEWS CIRCUIT, YARRAWONGA

1. Executive Summary

Council has the authority and the responsibility to develop names for roads, public infrastructure and geographic features for submission to the Office of Geographic Names (Vic Names) for formal approval.

During the development of Lakeviews Circuit in Yarrawonga, it has come to Council's attention that a section of Lakeviews Circuit needs to be renamed due to the redesign of the subdivision by the developer. As there are currently residents on this section of Lakeviews Circuit, Council needs to rename this section of road.

Council consideration is sought to adopt the interim name of "Rakali Drive" for community consultation purposes.

2. Background and Options

In the event of an incident, delays in reaching the correct destination may be experienced by emergency services if a road is not named correctly. In addition, residents and visitors will be able to provide clearer directions if roads are correctly identified.

Originally Lakeviews Circuit was designed to start and end at Jane Road by the developer. As the developer has progressed through the stages of their subdivision, Lakeviews Circuit now has a section that goes through to Botts Road. This has made the numbering of Lakeviews Circuit very difficult if it is allowed to continue as per its original design to Jane Road.

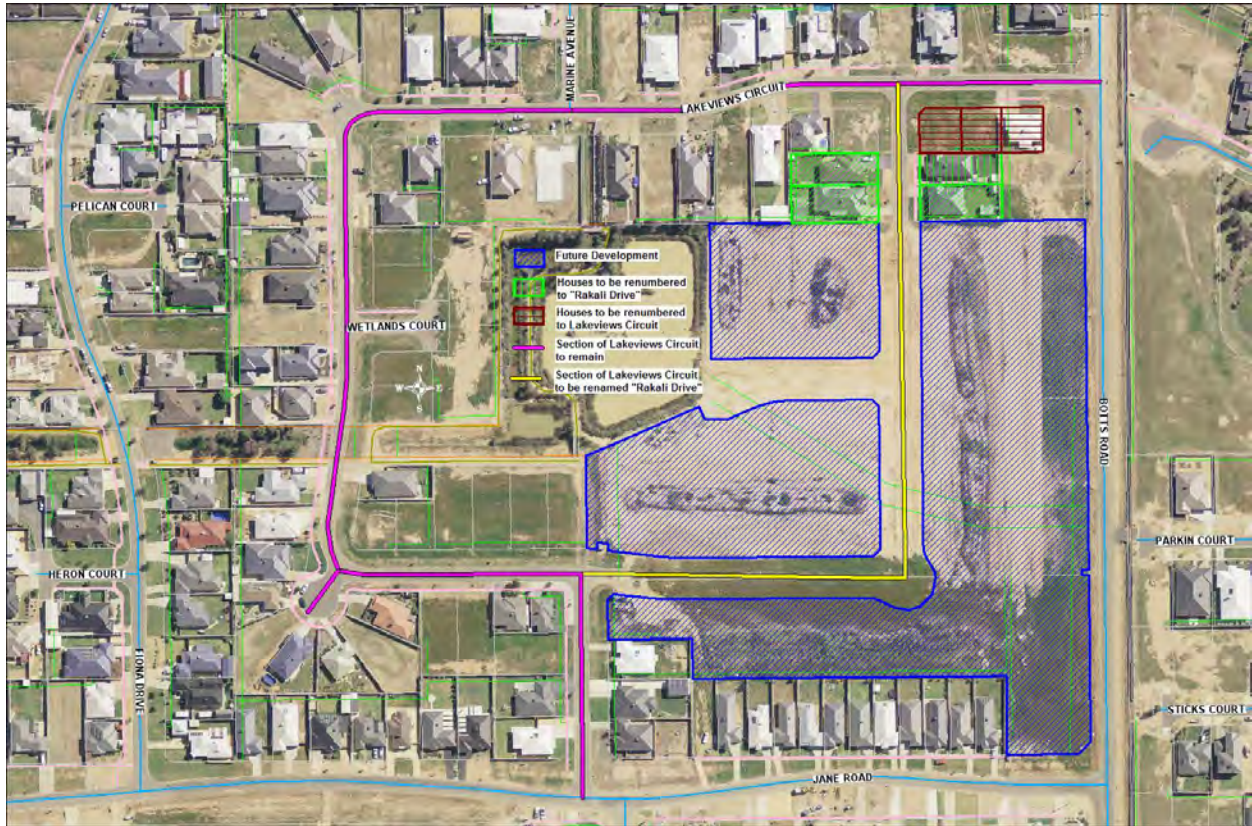
It is proposed to rename a section of road Lakeviews Circuit "Rakali Drive" as shown on the map below. Currently the road is maintained by Council and is used by local traffic to gain access to residential properties. This road will be further developed by the developer in future years as "Rakali Drive".

The Rakali is a native aquatic animal that lives along many of Victoria's creeks, rivers and bays. Rakali Drive was satisfactorily assessed against the Guidelines for Geographic Names 2010 (the Guidelines).

FILE NO: F13/877
5. INFRASTRUCTURE

ITEM NO: 9.2.1
(ASSETS TECHNICAL OFFICER, TRICIA
SIMPSON)
(GENERAL MANAGER INFRASTRUCTURE,
ANDREW CLOSE)

RENAMING OF PART LAKEVIEWS CIRCUIT, YARRAWONGA (cont'd)



3. Financial Implications

Renaming this road does not affect Council's maintenance practice. Installation of a new road name sign is funded through the roads operating budget.

4. Risk Management

Renaming this road will reduce the risks associated with delays in reaching the correct destination that may be experienced by emergency services if a road is not named correctly.

5. Internal and External Consultation

If adopted by Council, the interim road name –Rakali Drive” will be advertised in the local news media inviting submissions from the public to be made within 30 days, in accordance with the Guidelines.

The affected residents have been notified of the proposal. Two submissions have been received from these affected residents. Both submissions received wanted clarification on their future numbering to Lakeviews Circuit and neither submission was against the proposal.

The proposed road name has been considered by Council's internal Road Naming Working Group and appears to comply with the Guidelines.

6. Regional Context

Once a name has been formally adopted by Council, accepted and registered with Vic Names it will be recognised nationwide as the name of this road and will appear in Council's Public Road Register.

FILE NO: F13/877
5. INFRASTRUCTURE

ITEM NO: 9.2.1
(ASSETS TECHNICAL OFFICER, TRICIA
SIMPSON)
(GENERAL MANAGER INFRASTRUCTURE,
ANDREW CLOSE)

RENAMING OF PART LAKEVIEWS CIRCUIT, YARRAWONGA (cont'd)

7. Council Plan Strategy

This matter is a function performed by the Assets Department in support of the Council Plan Strategy to upkeep Council assets.

8. Legislative / Policy Implications

Under Section 1.5 of the Guidelines, Council is a Naming Authority, responsible for developing road and feature names for submission to Vic Names. Council is carrying out its duty in proposing the road names, however, the road names cannot formally be adopted until they are accepted by Vic Names.

9. Environmental Impact

There are no environmental implications associated with renaming this road.

10. Conflict of Interest Considerations

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

11. Conclusion

It is recommended that Council adopt the interim name –Rakali Drive”, Yarrowonga for consultation purposes.

Attachments

Nil

RECOMMENDATION

That Council:

1. adopt the interim name of –Rakali Drive” for the balance of Lakeviews Circuit;
2. place advertisements in local papers seeking comments within 30 days regarding the adoption of this name;
3. write to owners of properties adjoining this road seeking comments within 30 days, and
4. if no objections are received following the consultation process, adopt the name –Rakali Drive” for submission to the Office of Geographic Names.

FILE NO: F13/877
5. INFRASTRUCTURE

ITEM NO: 9.2.1
(ASSETS TECHNICAL OFFICER, TRICIA
SIMPSON)
(GENERAL MANAGER INFRASTRUCTURE,
ANDREW CLOSE)

RENAMING OF PART LAKEVIEWS CIRCUIT, YARRAWONGA (cont'd)

MOTION

CRS KEVIN BOURKE / ALEX MONK

That Council:

1. adopt the interim name of "Rakali Drive" for the balance of Lakeviews Circuit;
2. place advertisements in local papers seeking comments within 30 days regarding the adoption of this name;
3. write to owners of properties adjoining this road seeking comments within 30 days, and
4. if no objections are received following the consultation process, adopt the name "Rakali Drive" for submission to the Office of Geographic Names.

(CARRIED)

FILE NO: 1
5. INFRASTRUCTURE

ITEM NO: 9.2.2
(MANAGER SAFETY AMENITY AND
ENVIROMENT, SALLY RICE)
(GENERAL MANAGER INFRASTRUCTURE,
ANDREW CLOSE)

DRAFT ROADSIDE WEED AND PEST ANIMAL CONTROL STRATEGY 2015 - 2020

1. Executive Summary

As part of an amendment to the Catchment and Land Protection Act 1994 (CaLP Act), the responsibility for the management of Regionally Prohibited and Regionally Controlled weeds on Council managed roadsides has been placed onto Local Government.

To assist in the changeover in legislation, Moira Shire received a grant from Department of Environment and Primary Industries (DEPI) to develop and implement a Roadside Weed and Pest Control Plan (RWPCP). This Plan was developed with a focus on treating and mapping noxious weeds of Regionally Controlled and Regionally Prohibited status, and European Rabbits (*Oryctolagus cuniculus*). The funding for the implementation of this plan allowed Council to partially target approximately 30% of roadsides. This funding ran for three years from 2012-2013 until 2014-2015.

In preparation for the funding expiry, Council officers have developed a draft Roadside Weed and Rabbit Control Strategy. This Strategy builds on the RWRCP in the view of a longer term approach for required weed control on Council managed roadsides within the Shire.

A number of options were considered for implementation of this strategy. The recommended option is based on an effective and strategic long term program to control weeds and pest animals on roadsides throughout the Shire.

The recommended option involves a \$175,000 p.a. initial investment aimed at eradicating regionally prohibited weeds and preventing the growth and spread of regionally controlled weeds and pests.

Following the initial five year implementation it is anticipated that an annual maintenance schedule will be sufficient to manage Council roadsides from a weed and pest animal perspective.

There is no State Government funding available for the implementation of the Roadside Weed and Rabbit Control Strategy; therefore it will require resourcing through Council annual operating budget.

Controlling weeds on roadsides has a range of environmental and social benefits, which include increasing roadside biodiversity values, increasing native vegetation and habitat for native fauna. While decreasing fire hazard on roadsides, along with better drainage and aesthetic benefits, it will also increase the agricultural productivity of adjoining farmland.

This report recommends that the attached draft Roadside Weed and Control Strategy 2015 – 2020 be made available, via Councils website, to the public for a period of four weeks ending on the 30th April 2015. The public will be invited to consider the draft strategy and provide written feedback. Following this period of public comment the strategy will be finalised and presented to Council at a future meeting for adoption.

2. Background and Options

In 2013 an amendment to the CaLP Act was made to –elarfify responsibility for management of noxious weeds and pest animals on roadsides”.

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5. INFRASTRUCTURE

ITEM NO: 9.2.2
(MANAGER SAFETY AMENITY AND
ENVIROMENT, SALLY RICE)
(GENERAL MANAGER INFRASTRUCTURE,
ANDREW CLOSE)

**DRAFT ROADSIDE WEED AND PEST ANIMAL CONTROL STRATEGY 2015 - 2020
(cont'd)**

The amendment in the CaLP Act 1994 states –a land owner must take all reasonable steps to—
(a) avoid causing or contributing to land degradation which causes or may cause damage to land of another land owner; and
(b) conserve soil; and
(c) protect water resources; and
(d) eradicate regionally prohibited weeds; and
(e) prevent the growth and spread of regionally controlled weeds; and
(f) prevent the spread of, and as far as possible eradicate, established pest animals.”

The definition of land owner means –the municipal council, if the land is a municipal road in the municipal district of that municipal council”. This clarifies that it is now State Government legislation that the responsibility of Regionally Controlled, Regionally Prohibited and pest animals on roadsides is the responsibility of Local Government.

As part of the change in legislation, Moira Shire received a grant from Department of Environment and Primary Industries (DEPI) for \$50,000 per annum for 3 years (2012/13, 2013/14 and 2014/15). The grant was to develop and implement a Roadside Weed and Pest Control Plan (RWPCP) with a focus on treating and mapping noxious weeds of Regionally Controlled and Regionally Prohibited status, and European Rabbits (*Oryctolagus cuniculus*). This plan targeted weeds species on roadsides of high conservation significance as a first priority.

Through the funding from the State Government, in a period of 20 months (between November 2013 to June 2015) the partial treatment of approximately one third of the Council managed roadsides and detailed GPS mapping of the entire Shire will have occurred. All work to date has been entirely funded through the State Government, with the in-kind support of Council through Officer time in program supervision and management.

The Roadside Weed and Rabbit Control Strategy has been developed to build on the RWPCP in the view of a longer term approach at weed and pest control on Council managed roadsides within Moira Shire.

The Strategy aims to ensure that Council addresses risks associated with regulatory responsibilities. It recommends that the management, mapping and treatment of roadside weeds and pests be tendered out to a contractor for a five year period from 2015 to 2020. This will ensure that the knowledge of weeds on our roadsides, consistency in treatment approaches and coordination of an ongoing plan addresses regulatory responsibilities as efficiently and effectively as possible.

The mapping component of the Roadside Weed and Pest Animal Control Strategy is essential to the success of the Strategy and its implementation. It is important that each weed species present and/or treated is mapped and the relevant information associated with each weed is documented in a coordinated mapping system. This allows for effective and efficient future control, planning, monitoring and management of weeds on Council managed roadsides. Constant updating and management of the mapping data is essential to see the full benefits of its collection. See Figure 1 and Figure 2 below for examples of mapping that has already occurred including the level of detail required for an effective long term weed and rabbit mapping program.

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5. INFRASTRUCTURE

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(MANAGER SAFETY AMENITY AND
ENVIROMENT, SALLY RICE)
(GENERAL MANAGER INFRASTRUCTURE,
ANDREW CLOSE)

**DRAFT ROADSIDE WEED AND PEST ANIMAL CONTROL STRATEGY 2015 - 2020
(cont'd)**

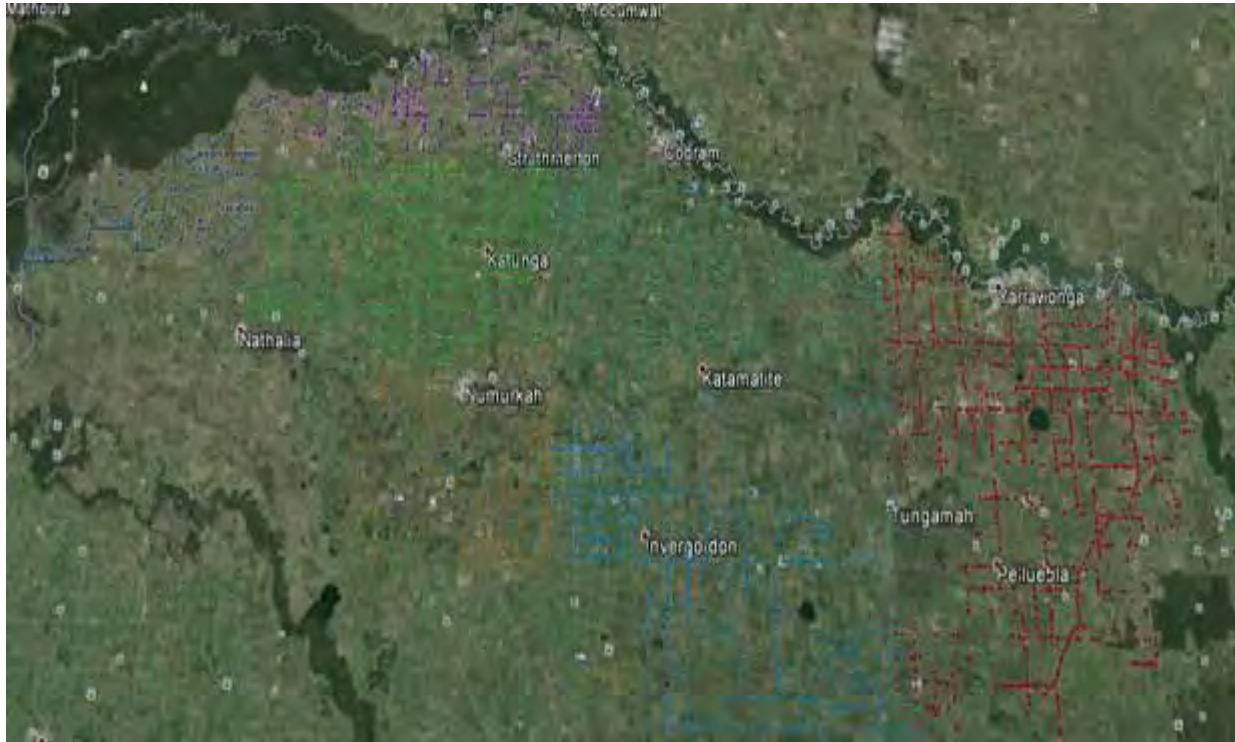


Figure 1: Screenshot of a summary of all priority weeds on roadsides in Moira Shire

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**DRAFT ROADSIDE WEED AND PEST ANIMAL CONTROL STRATEGY 2015 - 2020
(cont'd)**

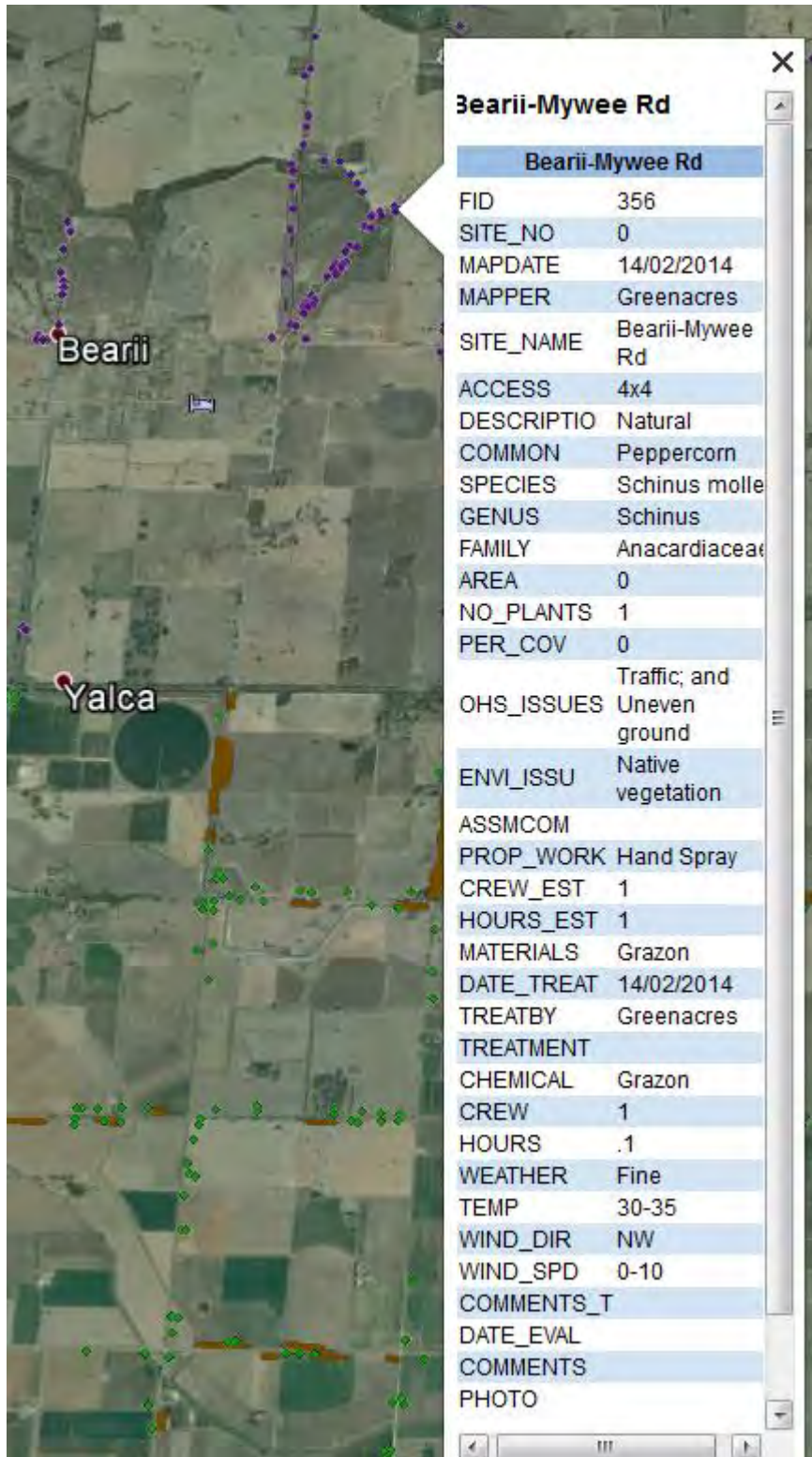


Figure 2: Information recorded and associated with each individual weed point in the mapping

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**DRAFT ROADSIDE WEED AND PEST ANIMAL CONTROL STRATEGY 2015 - 2020
(cont'd)**

Options considered

The table below details the options considered for the management of noxious weeds on roadsides. Options are listed in order of recommendation with Option 1 being the recommended options.

Option	Financials	Strength	Weakness
<p>Option 1: Recommended Option</p> <p>Mapping and treatment:</p> <ul style="list-style-type: none"> • Mapping of 100% roadsides p.a • Complete treatment of approx. 30% of roadsides p.a 	<p>\$175,000 p.a for 5 years then ongoing management regime \$50,000 per annum</p> <p>Contractor and internal resources included in costs</p>	<p>Response to legislative responsibilities</p> <p>Applies best practice principals involving treatment of Regionally Prohibited and Regionally Controlled weeds and rabbits on priority roadsides (allows for multiple or follow up treatments, seasonal variation and/ or species diversity)</p> <p>Avoids potential financial penalties and/ or larger infestations that are more costly to treat</p> <p>Aim to eradicate Regionally Prohibited weeds and prevent the spread of Regionally Controlled weeds</p> <p>Reduce biosecurity and bushfire risk</p> <p>High quality roadsides and increased environmental value</p> <p>Support agriculture industry and community interests</p>	<p>New ongoing Council budget item</p>
<p>Option 2:</p> <p>Mapping and treatment:</p> <ul style="list-style-type: none"> • Mapping of 100% roadsides p.a • Complete treatment of approx. 100% of roadsides p.a 	<p>Year 1 - \$411,500 decreasing approx. 30% p.a. until year 5 then ongoing management regime \$50,000 p.a</p> <p>Contractor and internal resources included in costs</p>	<p>Complete response to legislative responsibilities</p> <p>Best practice weed management fully implemented</p> <p>Full eradication of regionally prohibited and regionally controlled weeds</p>	<p>New ongoing Council budget item</p>

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**DRAFT ROADSIDE WEED AND PEST ANIMAL CONTROL STRATEGY 2015 - 2020
(cont'd)**

Option	Financials	Strength	Weakness
Option 3: Mapping and management: <ul style="list-style-type: none"> • Mapping of 100% roadsides p.a • Partial treatment of approx. 30% of roadsides p.a 	\$108,000 per annum ongoing Contractor and internal resources included in costs	Partial treatment of Regionally Prohibited and Regionally Controlled weeds and rabbits (treat priority roadsides once p.a, does not allow for seasonal variation and/ or species diversity) Response to legislative responsibilities Avoid potential financial penalties	Management approach only Ongoing costs No decline in weed infestations

Table 1: Treatment options

Note: Effective and efficient treatment of weeds is impacted significantly by weather and seasonal conditions. The cost estimates below are indicative only and treatment of weeds will vary according to the particular seasonal and climatic conditions.

Currently Council conducts roadside verge spraying as is part of an asset (road) management program. This spraying program serves a different purpose to the activities involved in this draft Strategy and does not address our CaLP Act legislative requirements and/ or weed infestation or establishment. This treatment does nothing to reduce risks for agricultural productivity, environment values or roadside quality, biosecurity, or bushfire risks. Not conducting any additional works to address our legislative requirements would also result in corporate backlash, negative public perception and potential financial penalties.

3. Financial Implications

To date the treatment and mapping of priority weeds on Council managed roadsides has been funded entirely through the State Government. Council received a total of \$150,000 over a three year period to develop and implement a Roadside Weed and Rabbit Control Plan. This plans implementation has occurred to date over a period of 20 months from November 2013 to June 2015 and has resulted in the treatment of approximately one third of the Council managed roadsides within the Shire and mapping of the entire Shire for priority weeds.

Council currently invests \$80,000 into general weed spraying and chemicals. This is a function of the Operations department as part of an asset management program. The works undertaken consists of spraying roadside verges and around signage which has a different purpose to that of the draft Strategy.

Council Officers recommend that to comply with legislation through the implementation of this draft Strategy will cost \$175,000 per annum for duration of five years. This is a new operational cost to Council. This is based on contractor costs for treatment and mapping and staff resources to supervise the program. This funding is based on treatment of the entire Shire on a three year rotation.

The scale of response recommended in the draft Strategy at this level of investment is considered sufficient to comply with Councils legislative responsibilities and to have a meaningful impact on weed infestation.

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DRAFT ROADSIDE WEED AND PEST ANIMAL CONTROL STRATEGY 2015 - 2020 (cont'd)

In recommending this level of initial response the longer term and ongoing commitment will be reduced to a maintenance level regime. The risk of not responding at this scale is that future infestations will be larger and more costly to treat.

There are potential financial risks if Council does not address legislative responsibilities, such as compliance action by State Government.

4. Risk Management

There are significant risks associated with not implementing the draft Roadside Weed and Pest Animal Control Strategy 2015 – 2020. The risk of not addressing the change in legislation may result in financial penalties and increased future reactive control costs. It may also result in an increase in fire hazards, threat to biodiversity, threat to agricultural productivity and community backlash. As well as decreasing roadside biodiversity values, native vegetation and habitat for native fauna.

The community has a strong interest in roadside weed management. By Council having an endorsed Strategy and planned works program is an important step in mitigating negative public perception in relation to this issue.

5. Internal and External Consultation

In preparing the RWPCP 300 randomly selected landholders received a survey through the mail. A further 39 key stakeholders were interviewed in relation to weed and pest animal management.

In preparing the draft Roadside Weed and Pest Animal Control Strategy consultation has occurred with Council's Natural Resources Officer, Environmental Services Technical Officer, Manager of Operations, Manager of Safety Amenity and Environment, Department of Environment, Land, Water and Planning, Goulburn Broken Catchment Management Authority, Goulburn Broken Catchment Management Authority, Broken Boosey Catchment Management Network, Goulburn Murray Landcare Network, and neighbouring Councils – Campaspe and Shepparton.

Upon endorsement of the draft Strategy this report recommends that it be made available for the public's consideration and comment. It is proposed that the document will be placed on Councils website and the public will be invited to read it and provide written feedback. The local newspapers will be used to promote the four week opportunity to access and comment on the draft Strategy with the comment period closing on the 30 April 2015.

6. Regional Context

State Government change in legislation under the CaLP Act requires every municipality in Victoria to manage noxious weeds on Council managed roadsides.

7. Council Plan Strategy

Council Plan 2013/14 – 2016/17: "Develop and implement a State Government approved Roadside Weed and rabbit control plan".

Roadsides make up some of the last remaining quality remnant habitats and standings of native vegetation and are an incredibly important asset to the ecology of Moira Shire. Roadsides are particularly vulnerable given their exposure and traffic volumes. Therefore protecting them and

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ANDREW CLOSE)

DRAFT ROADSIDE WEED AND PEST ANIMAL CONTROL STRATEGY 2015 - 2020 (cont'd)

their biodiversity is a very high priority, with a major threat being weed infestations. These benefits will also flow onto agricultural productivity.

8. Legislative / Policy Implications

It is a legislative requirement under the CaLP Act that Council controls noxious weeds on Council managed roadsides.

9. Environmental Impact

Controlling weeds on roadsides has a range of environmental benefits, including increasing roadside biodiversity values, increasing native vegetation and habitat for native fauna. While decreasing fire hazard on roadsides, along with better drainage and improved landscape, it will also reduce threats to the agricultural productivity of adjoining farmland.

10. Conflict of Interest Considerations

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

11. Conclusion

It is a legislative requirement of the Catchment and Land Protection Act 1994 that Councils are to manage noxious weeds and pests on Council managed roadsides. To address our legislative requirements, Council officers have developed the draft Roadside Weed and Pest Animal Control Strategy 2015 – 2020. This draft Strategy builds on the RWPCP in the view of a longer term approach at weed control on Council managed roadsides within Moira Shire.

The draft Strategy aims to ensure that Council addresses risks associated with regulatory responsibilities. It recommends that the management, mapping and treatment of roadside weeds and pests be tendered out to a contractor for a five year period from 2015 to 2020. This will provide knowledge of weeds on our roadsides, consistency in treatment approaches and coordination of an ongoing plan that addresses regulatory responsibilities as efficiently and effectively as possible

To implement the draft Strategy will require funding from Council of approximately \$175,000 per annum over the life of the strategy.

Controlling weeds on roadsides, along with legislative requirements, has a range of environmental and social benefits also. These include increasing roadside biodiversity values, increasing native vegetation and habitat for native fauna. While decreasing fire hazard on roadsides, along with better drainage and improved landscape, it will also reduce threats to the agricultural productivity of adjoining farmland.

The draft Roadside Weed and Pest Animal Strategy 2015 – 2020 is essential to achieving legislative, social, and environmental requirements and benefits within Moira Shire. Seeking public comment via posting it on Council's website and receiving written submissions is an important step that is now recommended prior to adopting the Strategy for implementation.

Attachments

- 1 ROADSIDE WEED AND PEST CONTROL STRATEGY 2015 - 2020

FILE NO: 1
5. INFRASTRUCTURE

ITEM NO: 9.2.2
(MANAGER SAFETY AMENITY AND
ENVIROMENT, SALLY RICE)
(GENERAL MANAGER INFRASTRUCTURE,
ANDREW CLOSE)

**DRAFT ROADSIDE WEED AND PEST ANIMAL CONTROL STRATEGY 2015 - 2020
(cont'd)**

RECOMMENDATION

That:

1. Council endorse the draft Roadside Weed and Rabbit Control Strategy 2015-2020; and
2. the draft Roadside Weed and Rabbit Control Strategy 2015-2020 be available to the public for comment over a four week period.

MOTION

CRS KEVIN BOURKE / PETER MANSFIELD

That:

1. Council receive the draft Roadside Weed and Rabbit Control Strategy 2015-2020; and
2. the draft Roadside Weed and Rabbit Control Strategy 2015-2020 be available to the public for comment over a four week period.

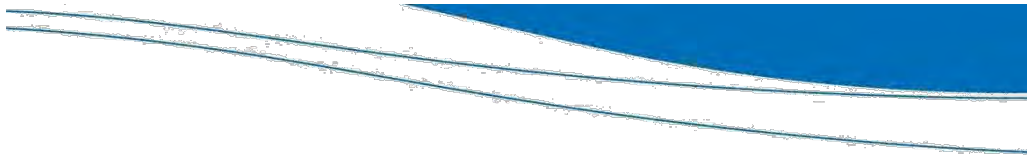
(CARRIED)

FILE NO: 1
5. INFRASTRUCTURE

ITEM NO: 9.2.2
(MANAGER SAFETY AMENITY AND
ENVIROMENT, SALLY RICE)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

DRAFT ROADSIDE WEED AND PEST ANIMAL CONTROL STRATEGY 2015 - 2020 (cont'd)

ATTACHMENT No [1] - ROADSIDE WEED AND PEST CONTROL STRATEGY 2015 - 2020



**DRAFT ROADSIDE WEED AND
PEST ANIMAL CONTROL
STRATEGY
2015 - 2020**

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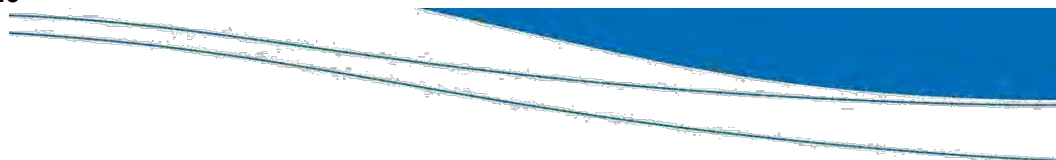
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DRAFT ROADSIDE WEED AND PEST ANIMAL CONTROL STRATEGY 2015 - 2020 (cont'd)

ATTACHMENT No [1] - ROADSIDE WEED AND PEST CONTROL STRATEGY 2015 - 2020



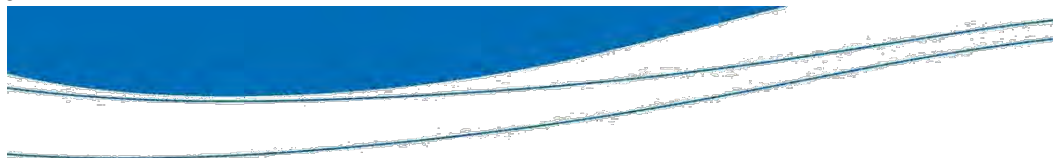
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DRAFT ROADSIDE WEED AND PEST ANIMAL CONTROL STRATEGY 2015 - 2020 (cont'd)

ATTACHMENT No [1] - ROADSIDE WEED AND PEST CONTROL STRATEGY 2015 - 2020



VISION

A healthy and resilient natural environment supported by our community

AIM

Weeds and pest animals are managed on roadsides throughout the Shire to improve native vegetation quality, farmland productivity, landscape values, biodiversity, and waterway habitats.

ACKNOWLEDGEMENT OF TRADITIONAL LAND OWNERS

Moira Shire Council acknowledges the Yorta Yorta peoples as the Traditional Custodians of the land on which the Moira Shire is located.

EXECUTIVE SUMMARY

As part of an amendment to the *Catchment and Land Protection Act 1994* (CaLP Act), the responsibility for the management of Regionally Prohibited and Regionally Controlled weeds on Council managed roadsides has been placed onto Local Government.

Within the region the North East and Goulburn Broken Regional Catchment Strategies outline a number of key priorities for our catchment regions. Weed control is an important objective at achieving many of the characteristics of a healthy catchment, such as biodiversity, vegetation quality and healthy waterways. Moira Shire is comprised mostly of the Goulburn Broken Catchment, with a small section that is included within North East Catchment.

The Moira Shire Roadside Weed and Pest Animal Control Strategy aims to take an integrated approach to weed and pest animal management on Council managed roadsides, while ensuring Council fulfils its legislative requirements. The Strategy aligns with the biosecurity approach outlined in the *Invasive Plants and Animals Policy Framework (IPAPF)* (DPI, 2010) which underpins the weed strategies of the Goulburn Broken and North East Catchment Management Authorities (GBCMA and NECMA).

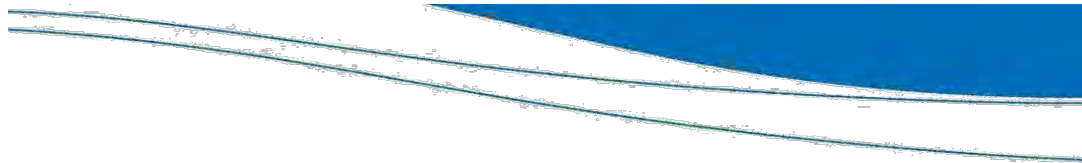
As part of the change in legislation, Moira Shire received a grant from Department of Environment and Primary Industries (DEPI) to develop and implement a Roadside Weed and Pest Control Plan which was developed with a focus on treating and mapping noxious weeds of Regionally Controlled and Regionally Prohibited status, and European Rabbits (*Oryctolagus cuniculus*).

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DRAFT ROADSIDE WEED AND PEST ANIMAL CONTROL STRATEGY 2015 - 2020 (cont'd)

ATTACHMENT No [1] - ROADSIDE WEED AND PEST CONTROL STRATEGY 2015 - 2020



The plan targeted weeds species on roadsides of high conservation significance as a first priority. The State funding for the implementation of this plan has allowed Council to target, map and partially treat approximately 30% of roadsides. This funding ran for three years from 2012-2013. Funding of future works is to be from Council rate revenue.

This Strategy has been designed to build on the Roadside Weed and Pest Control Plan in the view of a longer term approach at weed and pest control on Council managed roadsides within Moira Shire.

This Strategy is built around best practise approach to weed and rabbit control. The treatment criteria outlined within the Strategy are based on the ability to achieve best practice. These criteria are used to identify priorities for treatment of weeds and pests on Council managed roadsides.

The treatment criteria are:

- Regionally Controlled and Regionally Prohibited weed species;
- Conservation value of the roadside with higher priority being roadsides of highest quality with the least infestations;
- Neighbouring property asset value such as roadsides adjoining conservation or bushland reserves;
- Population density (in the case of rabbit control); and
- Cost efficiencies

This strategy draws alignment with a number of Council endorsed plans and strategies which are detailed within.

The basis for this strategy is a planned and targeted approach over a period of time, to minimise costs and maximise effectiveness while addressing legislative responsibilities through the mapping and treatment of weeds and pest on Council managed roadsides.

A number of options were considered for implementation of this strategy. The recommended option is based on an effective and strategic long term program to control weeds and pest animals on roadsides throughout the Shire. The recommended option involves a relatively high initial (five year) investment aimed at eradicating regionally prohibited weeds and preventing the growth and spread of regionally controlled weeds and pests.

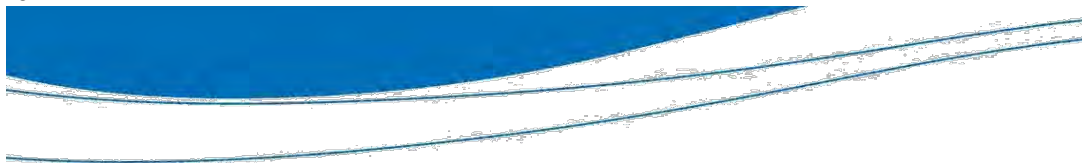
Following the initial five year implementation it is anticipated that an annual maintenance schedule will be sufficient to manage Council roadsides from a weed and pest animal perspective.

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DRAFT ROADSIDE WEED AND PEST ANIMAL CONTROL STRATEGY 2015 - 2020 (cont'd)

ATTACHMENT No [1] - ROADSIDE WEED AND PEST CONTROL STRATEGY 2015 - 2020



OBJECTIVES AND STRATEGIES

THEME 1: WEEDS

OBJECTIVES

- Council meets its legal obligations as specified under the Catchment and Land Protection Act 1994 (CaLP Act), while maximising resource efficiency
- The spread of weeds is minimised.

STRATEGIES

- Apply the weed treatment prioritisation criteria (listed in this Strategy) when implementing Council's annual weed program which takes into account the classification of weeds under the CaLP Act, the efficient use of Council resources and the location and conservation value of sites

THEME 2: PEST ANIMALS (RABBITS)

OBJECTIVES

- Council meets its legal obligations for pest animal management as specified under the CaLP Act

STRATEGIES

- Apply the pest animal treatment prioritisation criteria (listed in this Strategy) when implementing Council's annual pest animal program which takes into account the location and conservation value of the site and the efficient use of Council resources.

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BACKGROUND

Moira Shire Council is responsible for conducting weed and pest animal control works across all Council managed roadsides across the shire.

The *Moira Shire Roadside Weed and Pest Animal Strategy 2015-2025* sits within a broader State and Federal response to weeds and pest animals. This Strategy clearly defines the Shire's priorities for roadside weed and pest animal control activities and ensures Council's resources are allocated effectively.

The Strategy expands on the existing Roadside Weed and Pest Control Plan which has a focus on treating and mapping noxious weeds of Regionally Controlled and Regionally Prohibited status, and European Rabbits (*Oryctolagus cuniculus*) on roadsides of high conservation significance.

This Strategy aims to take an integrated approach to weed and pest animal management on Council managed roadsides, while ensuring Council fulfils its legislative requirements. The Strategy aligns with the biosecurity approach outlined in the Invasive Plants and Animals Policy Framework (IPAPF) (DPI, 2010) which underpins the weed strategies of the Goulburn Broken and North East Catchment Management Authorities (GBCMA and NECMA).

Why is it important to treat weeds and pests on roadsides?

Invasive weeds are among the most serious threats to Australia's natural environment and primary production industries. They displace native species, contribute significantly to land degradation, and reduce farm and forest productivity (Australian Government 2014).

A weed is any plant that requires some form of action to reduce its effect on the economy, the environment, human health and amenity. Weeds typically produce large numbers of seeds, assisting their spread and are often excellent at surviving and reproducing in disturbed environments. A weed can be an exotic species or a native species that colonises and persists in an ecosystem in which it did not previously exist. Weeds can inhabit all environments, from our towns and cities through to our oceans, deserts and alpine areas (Australian Government 2014). It is estimated that the agricultural cost of weeds to Australia is in the vicinity of \$4 billion per annum. The cost to nature conservation and landscape amenity is thought to be of a similar magnitude (NRMMC2007).

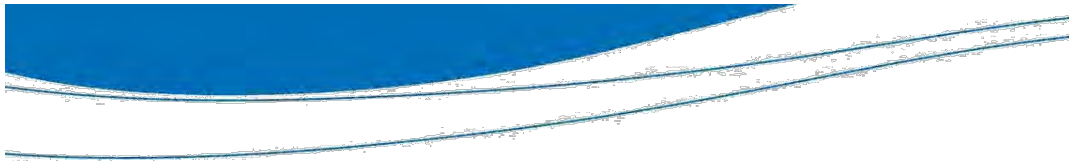
The effective management of weeds can also significantly impact on fire management. In many circumstances weedy roadsides of the same vegetation type will tend to pose a higher fire risk than those dominated by natives. To take grasslands as an example, Phalaris can grow to two metres high, with fuel levels of 29 tonnes per hectare. This contrasts with fuel levels of 6 tonnes per hectare measured for native grasslands dominated by Kangaroo Grass (*Themeda triandra*) during January in an average year (CFA 2011).

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Pest animals are invasive species that have been introduced or could be introduced into Victoria or Australia. These species threaten native flora and fauna in a number of ways, including but not limited to, creating competition with native fauna for the same resources and creation of additional grazing pressure on native vegetation communities and agricultural systems.

In the case of rabbits, more than 2 rabbits per hectare virtually eliminate the regeneration potential of plant species (Government of South Australia 2011), and 16 rabbits exhibit the same grazing pressure as 1 dry sheep equivalent. The overall loss caused by rabbits to agriculture was recently estimated to be around \$206 million per annum (Gong et. al, 2009). The implication of this is that there is a clear conservation and economic need to act strategically to control these species.

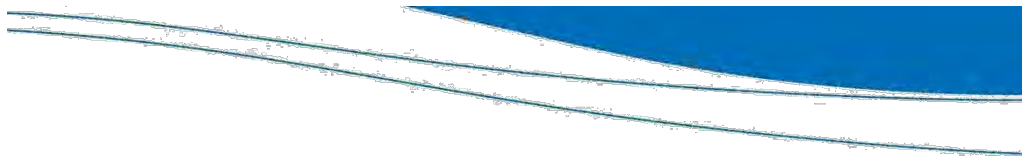
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SCOPE

This *Roadside Weed and Pest Animal Strategy* applies to:

- Council managed roadsides;
- Regionally Controlled and Regionally Prohibited noxious weeds declared under the Catchment and Land Protection Act 1994;
- environmental weeds, including Australian natives from other regions whose growing populations have caused concern as they are a threat to agriculture or native vegetation and habitats; and
- established rabbit populations on Council managed roadsides.

This strategy does not apply to:

- native fauna, including perceived problem wildlife;
- pest animals other than rabbits;
- invertebrates;
- diseases or plant pathogens; and
- species or controls covered by the Domestic Animal Management Plan 2013 – 2017.

This Strategy has a primary focus on roadsides managed by Council.

PURPOSE

The purpose of the *Weed and Pest Animal Strategy* is to:

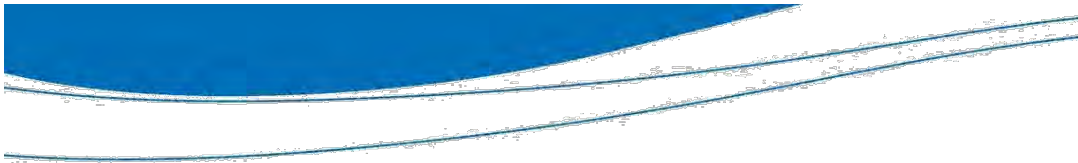
- Identify a set of Council priorities for weed and pest animal control actions;
- Establish a weed and pest animal management framework using best practice principles which takes a conservation based approach that is effective and cost efficient
- Establish a robust monitoring, evaluation, review and improvement program

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LAND MANAGEMENT CONTEXT

Management of weeds and pests on public land is complex, involving multiple state government departments and agencies as well as various Council departments.

The following matrix sets out who is responsible for weed and pest animal management on public land in Moira Shire.

Location	Sub-location	Responsible Department / Agency
Roads and Roadside	Local roads in townships	Moira Shire Council
	Local roads outside townships	Moira Shire Council
	Arterial roads	VicRoads
Rail reserves	Rail reserves	VicTrack
Public and Council reserves	Council Reserves (Kinnairds)	Moira Shire Council
	Recreation and sporting reserves	Moira Shire Council
	State Parks, Regional Parks, Flora Reserves & Crown Land	Parks Victoria / DELWP(*)

* DELWP – Department of Environment, Land, Water and Planning

Table 1: Stakeholders responsible for weed and pest animal management on public land within Moira Shire

LEGISLATIVE CONTEXT

Catchment and Land Protection Act 1994

In Victoria, the CaLP Act is the main piece of legislation with the objective to provide for the control of noxious weeds and pest animals. The Department of Economic Development, Jobs, Transport and Resources is the regulating authority for enforcing Council obligations under the CaLP Act.

The State Government have recently replaced the weed and pest animal provisions of the CaLP Act. These new provisions are intended to improve some of the powers for enforcement of weeds but also to make it much easier and quicker to make alterations to the listing of species. As a result weed control planning needs to be ready to adapt to any change. Good species distribution data will facilitate this planning, and is likely to be particularly pertinent for new and emerging species.

State Government responsibilities

The CaLP Act specifies that the responsibilities of the Secretary of the Department of Economic Development, Jobs, Transport and Resources are to take all reasonable steps to:

- eradicate State Prohibited weeds from all land in the State
- control restricted pest animals on any land in the State; and

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- eradicate regionally prohibited weeds on roadsides on Crown land.

The State Government is also responsible for enforcing the CaLP Act as it applies to private land owners. The Secretary delegates responsibilities to Authorised Officers employed by the Department of Environment and Primary Industries to issue enforcement notices as a result of a landowner's failure to meet their obligations under the Act. This means that land owners who fail to control noxious weeds or established pests on their land can be issued with directions or land management notices. Failure to comply with these notices can result in fines or court action.

Land owner obligations

Land owner obligations take into consideration any land owner, including Councils, private land owners and other land management bodies. Section 20 of the Act includes in the general duties of a landowner that a landowner must take all reasonable steps to:

- eradicate regionally prohibited weeds;
- prevent the growth and spread of regionally controlled weeds; and
- prevent the spread of, and as far as possible eradicate, established pest animals.

The CaLP Act also states that a person must not (without a permit from the Secretary) transport within Victoria a noxious weed or any part of a noxious weed capable of growing. This has implications for treatment methods and the removal of treated materials for both public and private land managers.

Obligations relating to roadsides

In addition to its responsibilities under Section 20 of the Act for land owned or managed by Councils, in 2013, the CaLP Act was amended to clarify that municipal councils are responsible for controlling declared species on roadsides if the land is a municipal road. These amendments also introduced the opportunity for the Minister for Environment to require municipal councils to prepare a Roadside Weed and Pest Control Plan. Under the CaLP Act, a weed and pest animal management plan must have regard to—

- any information provided by the Minister; and
- any regional catchment strategy applying to the declared municipal district.

The Moira Shire Roadside Weed and Pest Control Plan which was required by the Minister has been used as a basis for the development of this Strategy.

Declared noxious weeds and pest animals

Weeds and pest animals are given different classifications for different catchment management areas. The latest list of noxious weeds and pest animals declared under the CaLP Act were gazetted on 21 August 2014.

Non-declared weeds and pest animals

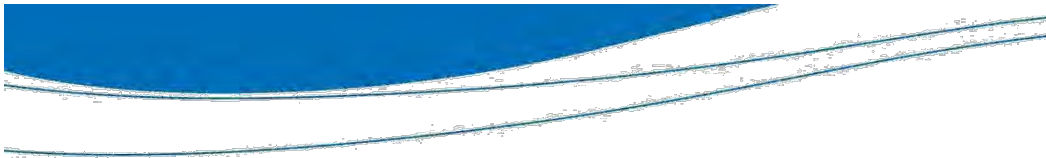
Non-declared weeds and pest animals are those species which are not listed under current legislation. It is important that Council recognise the impact these species can have on the

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natural, agricultural and economic environments and, consequently work to minimise their impact.

From an effectiveness and efficiency standpoint, it is advisable that Council also treat non-declared weeds on roadsides alongside the treatment of declared noxious weeds in these areas.

Note: An up to date list of declared noxious weeds for the Goulburn Broken and North East catchment management areas, as well as environmental and agricultural weeds commonly found in the Shire can be found by accessing the DELWP website.

Relationship to other legislation

There is a significant history of enforcement of the CaLP Act for several species reinforcing the impetus to take reasonable steps to control listed species. However this does come with an obligation not to contravene other Acts such as those that protect native species or sites of cultural heritage significance. Relevant related Acts include the:

- Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act);
- Victorian Planning and Environment Act 1987 (P&E Act);
- Victorian Flora and Fauna Guarantee Act 1988 (FFG Act);
- Victorian Aboriginal Heritage Act 2006;
- Victorian Traditional Owner Settlement Act 2010 (and associated Land Use Agreements) and;
- Victorian Wildlife Act 1975

For example ripping of rabbit warrens is the best way to achieve long term control of rabbits, however, in a native grassland context this may create an impact that would be in breach of federal law – i.e. the EPBC Act – due to the high conservation status of many grassland communities and associated grassland species. In addition, ripping may impact sites of Aboriginal cultural heritage sensitivity which are protected under the Aboriginal Heritage Act 2006. In this instance fumigation may be more suitable.

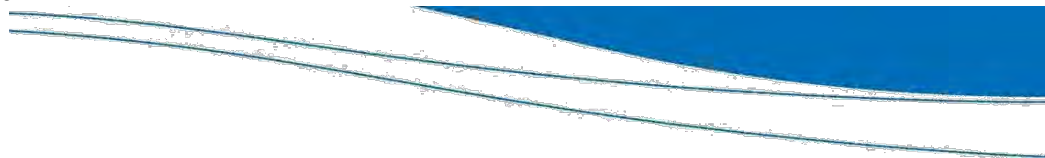
The Wildlife Act 1975 also makes it illegal to “disturb” or “molest” protected wildlife without authorisation or an order from the Secretary for the DELWP. Protected wildlife comprises all the indigenous fauna in the State. That is, any actions that aim to control indigenous fauna such as cockatoos or kangaroos, requires approval from the State Government and, therefore, cannot be considered as a part of general pest control. In addition, any pest control activities, such as baiting or shooting, need to be designed to avoid adverse impacts on native wildlife.

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Various model codes of practice and standard operating procedures provide guidance about the humane treatment of pest animals. These should be taken into account when deciding on a treatment techniques.

POLICY CONTEXT

Regional Strategies

The CALP Act 1994 gives rise to much of the policy related to weeds and pest animals. It is through the requirements of the CALP Act that the Catchment Management Authorities were created and given the directive to establish Regional Catchment Strategies (RCS). The RCSs are intended to set the overarching direction for environmental management policy within catchments; Therefore it is important that Council documents align with the objects of RCSs which in turn supports working in partnership and funding opportunities.

Goulburn Broken and North East Regional Catchment Strategy 2013-2019

The Goulburn Broken and North East Regional Catchment Strategies list invasive plant and animal control, fire and flood management and continued habitat loss and degradation as all putting pressure on farm productivity and sustainability. The Strategies note that threats such as weed and pest animal invasions will also change with climate change, causing the likely extinction of some species.

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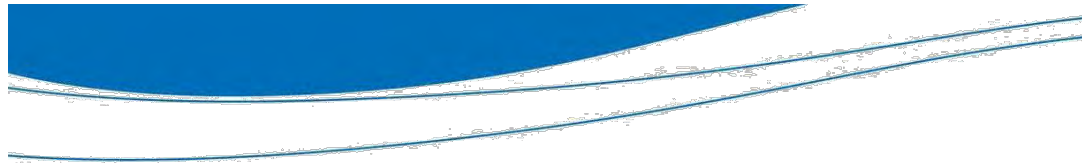


Figure 1: Goulburn Broken Catchment area map with Sub-catchment social-ecological systems

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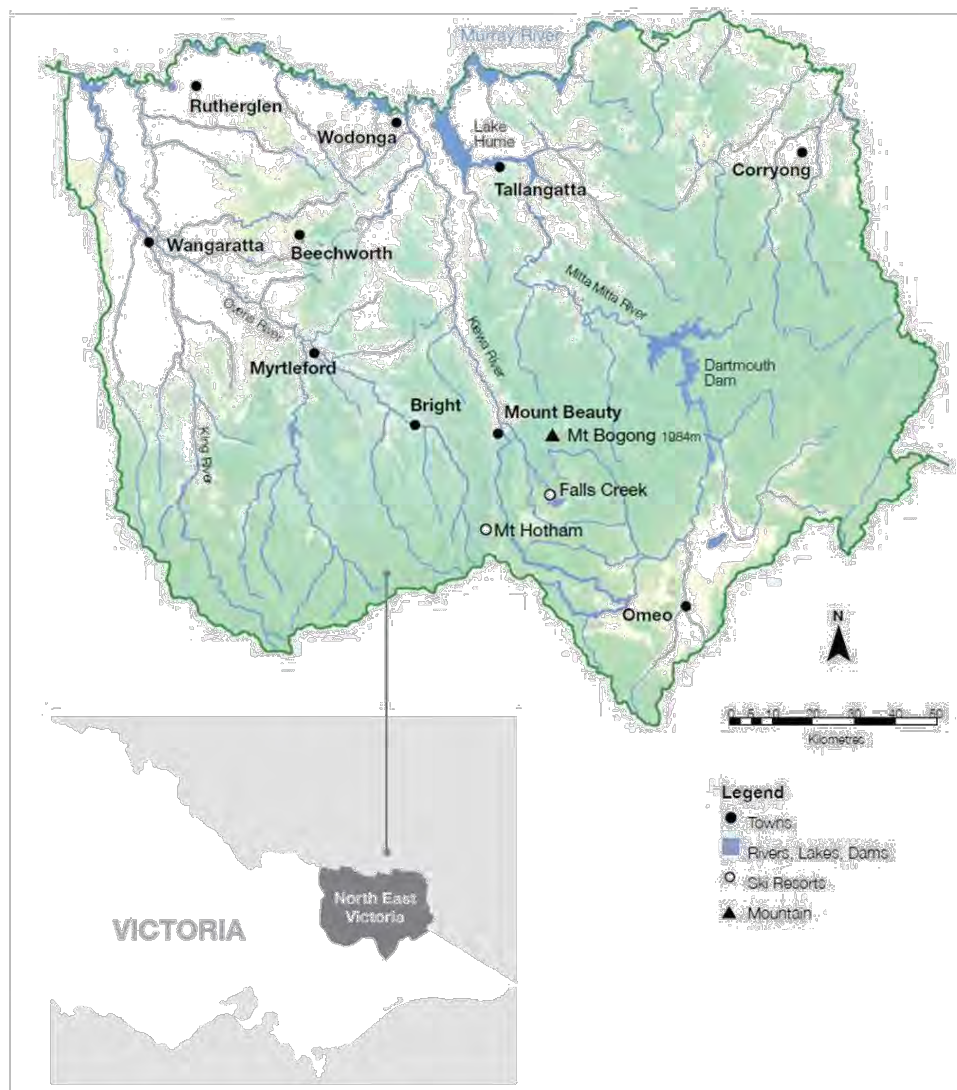
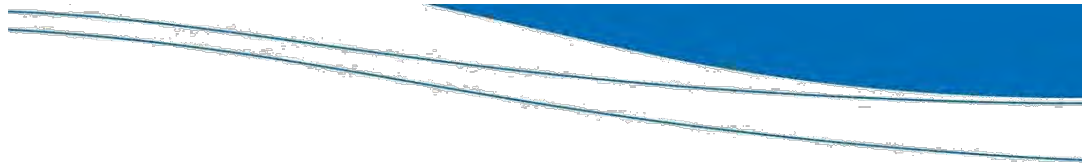


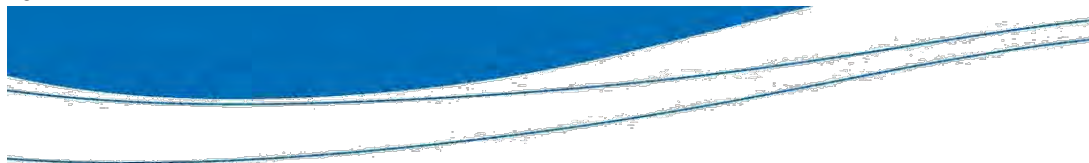
Figure 2: North East Catchment area map

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COUNCIL STRATEGIES AND PLANS

Controlling weeds on Council managed roadsides aligns with many plans and strategies which have been endorsed by Council, specifically:

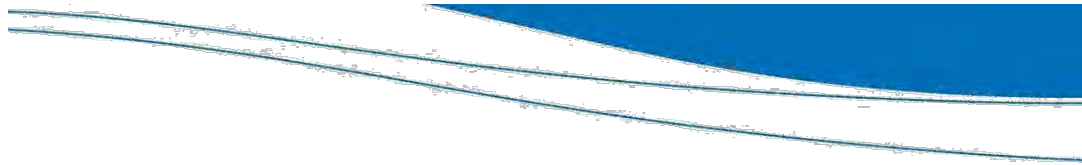
1. Council Plan 2013/14 – 2016/17: *“Develop and implement a State Government approved Roadside Weed and rabbit control plan”*
2. Goulburn Broken Local Government Regional Climate Change Adaption Plan 2011: *“to conserve native vegetation and habitats through a range of mechanisms”*
3. Environment Sustainability Strategy 2012: *“Contribute to the protection and management of areas with significant conservation value”*
4. Guidelines for Roadside Revegetation: *“associated works must not compromise existing biodiversity values”*
5. Moira Shire Council Roadside Management Plan: *“To ensure that legal responsibilities for controlling pest plants on roadsides are adhered to”*
6. Moira Shire Municipal Strategic Statement: *“Weeds and pest animals pose a threat to natural assets and agricultural production”*
7. Roadside Biodiversity Risk Management Protocols 2007: *“enhance biodiversity as a result of activities undertaken in road reserves”*
8. Road Management Plan: *It is a responsibility to keep roads clear of obstructions, including circumstances relating to weeds affecting visibility.*

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BEST PRACTICE

Striving for best practice is essential as are many factors that can confound or interrupt the effect of treatment works, and many treatment methods in isolation can tend to have a limited effect. Most weed species also create a seed bank in the soil that can be viable for many years. In the case of Gorse, seed can last as long as 20 – 30 years.

As the biology and ecology of species vary, Best Practice Management Manuals have been developed for each of the Weeds of National Significance. This expertise should be drawn upon for decision making. For further details on the best practice principles please refer below under the treatment and prioritisation section.

GENERALISED INVASION CURVE SHOWING ACTIONS APPROPRIATE TO EACH STAGE

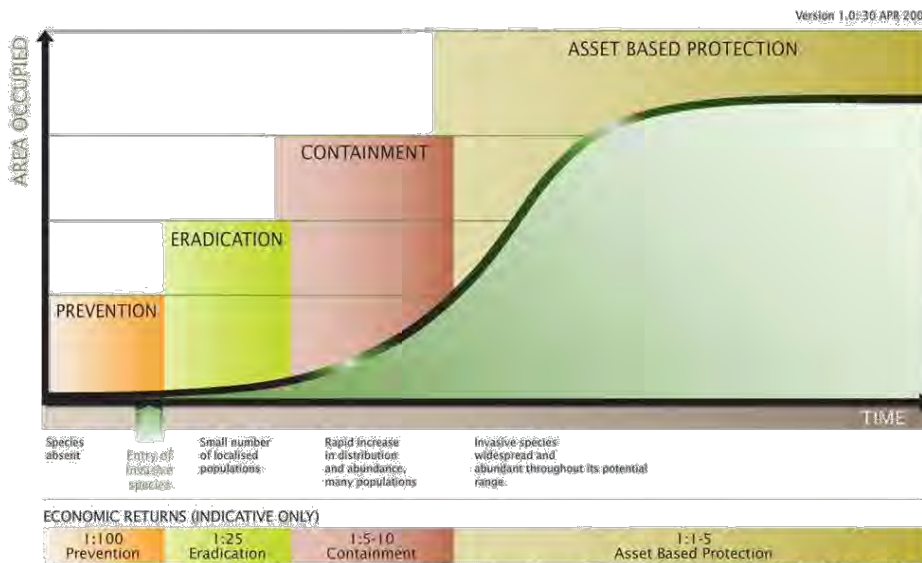


Figure 3: Generalised Invasive Curve. (DELWP, www.delwp.vic.gov.au accessed 29 May 2014)

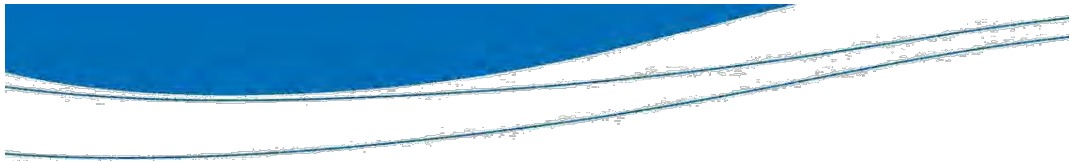
Further detail about best practice principles appears later in this document (page 23 and 24).

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INVASIVE PLANT CLASSIFICATIONS

Declared noxious weeds

Under the CaLP Act certain plants are declared as noxious weeds in Victoria. These plants cause environmental or economic harm or have the potential to cause such harm. They can also present risks to human health. The CaLP Act defines four categories of noxious weeds:

State prohibited weeds

These invasive plants either do not occur in Victoria but pose a significant threat if they invade, or are present and pose a serious threat and can reasonably be expected to be eradicated. If present, infestations of a State prohibited weed are relatively small.

Regionally prohibited weeds

Regionally prohibited weeds are not widely distributed in a region but are capable of spreading further. It is reasonable to expect that they can be eradicated from a region and they must be managed with that goal. Land owners, including public authorities responsible for crown land management, must take all reasonable steps to eradicate regionally prohibited weeds on their land.

Regionally controlled weeds

These invasive plants are usually widespread in a region. To prevent their spread, ongoing control measures are required. Land owners have the responsibility to take all reasonable steps to prevent the growth and spread of regionally controlled weeds on their land.

Restricted weeds

This category includes plants that pose an unacceptable risk of spreading in this State and are a serious threat to another State or Territory of Australia. Trade in these weeds and their propagules, either as plants, seeds or contaminants in other materials is prohibited.

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EXISTING PARTNERS

Management of weeds and pest animals requires integrated management through partnerships with state government agencies, Catchment Management Authorities and the community.

Stakeholder	Type of partnership / activity
Department of Environment, Land, Water and Planning	Community grants and Good Neighbour Program. Control of State Prohibited weeds. Enforcement of the CaLP Act. Working with private landholders
Department of Economic Development, Jobs, Transport and Resources	Funding provided to Councils for roadside weed and pest animal management (3 year funding ending June 2015)
Parks Victoria	Management of weeds and pest animals on neighbouring State managed parks and reserves
Arterial Roads	Management of weeds and pest animals on arterial roads
Catchment Management Authorities	Peak natural resource management body in the catchment
Goulburn Murray Water	Manages weeds on water storage, delivery and drainage systems involving 70% of Victoria's stored water.
Neighbouring Councils	Partnership with grant programs through Landcare and the CMAs. Information sharing about partner programs and grant opportunities.
Landcare networks	Community led action that encourages private land owners to take action to tackle specific weeds.

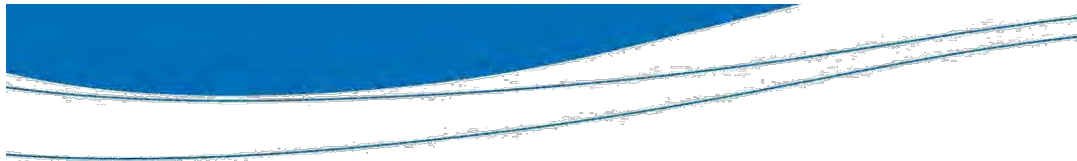
Table 2: Stakeholder Partnerships Summary

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COMMUNITY

Weeds

The community in Moira Shire strongly values the natural environment, is generally well informed about conservation principles and is relatively active in terms of responding to environmental threats.

Council takes into account a range of criteria when prioritising its weed control works. Sites which are the subject of individual community requests will be considered according to the treatment priority criteria described below.

Community expectations may exceed resources, hence the purpose of the strategy is to guide priority works, however the longer term aim is to ensure all roadsides will be surveyed and treated.

A key to communication is promoting the importance of implementing this strategy and ongoing works to the public and groups such as Landcare Networks and Conservation Management Networks.

Organic Properties

Moira Shire is home to a number of Organic agricultural properties adjacent to numerous Council managed roadsides. In an effort to minimise potential impacts the treatment of weed and pest species may have on organic property certifications, Council have a collated list of each organic property in the Shire. It is essential that any employee of the Shire be equipped with this list, and is aware of the organic properties which reside in Moira Shire.

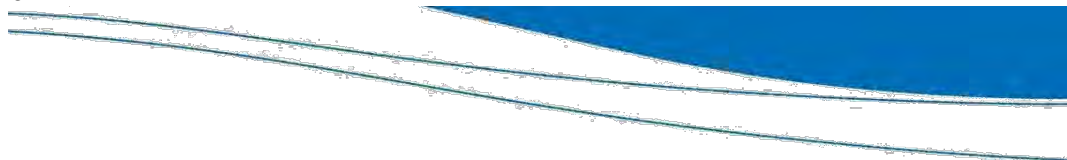
It is highly important that when treating weeds along roadsides adjoining organic farms that the landowner be contacted for their consent prior to treatment.

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EXISTING COUNCIL ACTIVITIES

Annual weed control program

As part of the changes to the CaLP Act, Council were required to develop a Roadside Weed and Pest Control Plan through consultation with the former DEPI (now the Department of Economic Development, Jobs, Transport and Resources). This plan was endorsed by the State Government and Council was provided with funding to assist in implementing works set out in the plan. This funding totalled \$150,000 over three years, and Council commenced works on the annual Roadside Weed and Pest Control Plan in 2012-2013.

With these State Government funds, contractors have been engaged to conduct the works to treat and map weed species on Council managed roadside. The mapping is essential to document and assess the weed species present, current weed coverage, and to allow for appropriate planning for future control programs.

With this funding over the three year period, Council was able to achieve the mapping of all Council managed roadsides within the Shire, as well as partial treatment of approximately 30% of our roadsides. The 30% of roadsides are all considered to be high conservation significance areas. Council now have to fund future works from rate revenue.

Pest animal control

As part of the Roadside Weed and Pest Control Plan, sites of rabbit infestations along roadsides have been mapped and are documented for potential control depending on funding allocations or allowances. There are certain limitations to pest control on roadsides such as no baiting in a road reserve, no deep ripping of burrows, and no damage to cultural heritage.

Other Activities

In addition to on-ground works, Council also encourages programs run by Conservation Management Networks, Landcare networks and other organisations and non-for-profit groups.

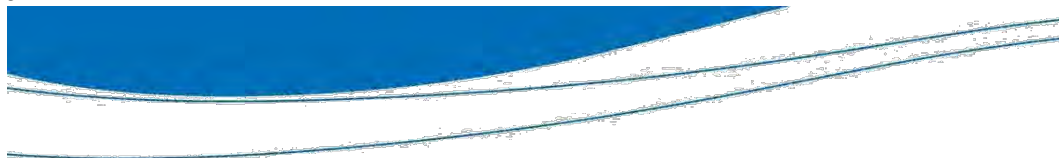
Note: The Roadside Weed and Pest Control Plan is attached as an appendix to this strategy

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ATTACHMENT No [1] - ROADSIDE WEED AND PEST CONTROL STRATEGY 2015 - 2020



TREATMENT AND PRIORITISATION

The volume of work necessary to treat the weeds and pest animals on approximately 7000km of roadsides amounting to thousands of hectares of Council managed roadsides each year is always likely to exceed the available budget.

As a result a robust method needs to be implemented to determine priorities to enable treatment of roadsides on a rotational basis. This will enable the most effective treatment and the highest return on investment by taking action at sites that pose the biggest threat to environmental, economic and social assets. It will also address the liability that Council faces as a land manager through the potential for prosecution related to CaLP Act listed weeds.

WEED TREATMENT CRITERIA

A prioritisation framework has been established as a part of this Strategy which enables Council to attribute a priority score for each weed and pest animal control site in the Shire. This will enable Council to maximise efficiency and effectiveness by allocating its resources to the highest priority sites.

A combination of the following criteria informs the priority score for each site:

1. **Conservation value** – higher priority given to sites supporting high quality native vegetation, including species or communities listed under the Environment Protection Biodiversity Conservation Act, Flora & Fauna Guarantee Act, or included on the DELWP's threatened species advisory lists. Roadsides have already undergone an conservation significance assessment, and this is currently mapped out on a GIS layer, which will provide a strong support basis for roadside priorities.

Note: In simpler terms, we will be working from the highest quality roadsides with the least infestations out to the most infested

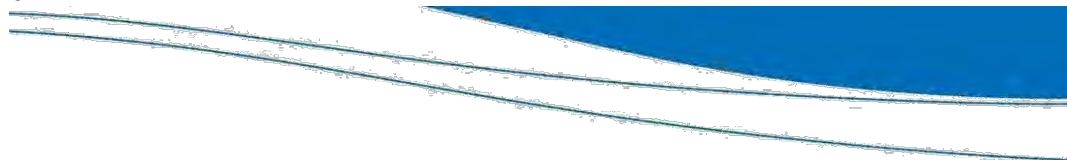
2. **Weed classification** – higher priority given to sites containing regionally prohibited, or regionally controlled weeds (declared under the CaLP Act). Medium priority given to regionally restricted weeds, and lower priority given to sites supporting unlisted environmental and agricultural weeds only.
3. **Neighbourhood** – higher priority given to sites adjoining land with high conservation value, such as conservation or bushland reserves. This will include boundaries with other Shires and treat new threats and areas where there are other treatment programs being implemented eg. Parks Victoria, Conservation Management Networks, Landcare Networks.

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Note: that chemical weed control on sites immediately adjoining certified organic farms will be avoided where possible.

4. **Cost efficiencies** – higher priority given to sites where multiple weed species are present that require the same method of treatment at the same time.

PEST ANIMAL (RABBITS) TREATMENT CRITERIA

Previous surveys and the low number of resident requests relating to rabbits on roadsides suggest that this problem is relatively isolated and low level. This does not mean that Council should be complacent about rabbit control. Instead low infestation levels mean that a small investment in control works now can prevent major costs in the future.

The criteria below will be used to identify works as additional data is collected relating to rabbit activity in the Shire. Council may need to budget or apply for funding to address community requests for pest animal control works.

1. **Population density** – higher priority given to sites with a high population density
2. **Neighbourhood** – higher priority given to sites where complementary control is being undertaken by partners (e.g. Landcare, CMNs and CMAs)
3. **Conservation value** – higher priority given to sites supporting high quality native vegetation, including species or communities listed under the EPBC Act, FFG Act, or included on DELWP's threatened species advisory lists

It is noted that Council's rabbit program will be limited to treatment of rabbits declared under the CaLP Act.

Treatment of non-declared pests and problem wildlife will not form part of Council's treatment works. Instead Council plays a support and advisory role in relation to these species.

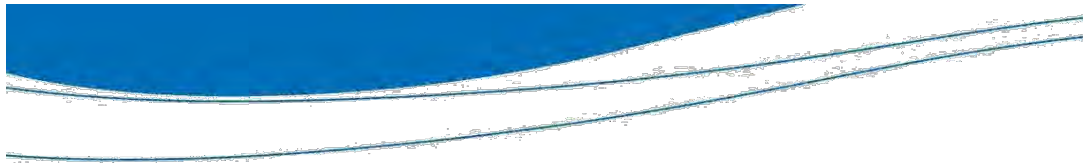
Note: Destroying warrens instead of the rabbits themselves is the most effective way to minimise breeding and spread.

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BEST PRACTICE PRINCIPLES

There are some general principles that can be broadly applied. These include:

- **Integrated management** – this involves a long term management approach, using as many management techniques as possible. Using several methods of control reduces the chance that species will adapt to the control technique used – e.g. through herbicide resistance.

Integrated management also involves coordinating weed control, pest animal management and revegetation to maximise resources and achieve improvements in vegetation quality. As a general principle, weed and pest animal control should occur before revegetation to ensure new plantings survive. Similarly, treatment of woody weeds can have the dual effect of controlling invasive flora species, while also removing harbour for rabbits and foxes.

- **Appropriate scale** – species such as rabbits are very mobile. Research shows that the likelihood of reinvasion is greatly reduced if there is no significant warren within 3km of the given treatment site. Therefore, rabbit control needs to take a landscape scale approach to be effective.
- **Long term time frames with follow up** – many species develop extensive seed banks that can be stimulated by disturbance, so a lack of follow-up can allow a bigger problem to emerge.
- **Chemical control** – chemical control is the most commonly thought of measure for weed and pest animal control. The effectiveness of this technique depends on the choice of chemical, timing of application, rate of application to suit the circumstance, and even changing chemicals to avoid plants developing resistance.
- **Physical control** – grooming can virtually remove the fire risk of standing biomass without the need to gain permits to transport weed material from a site.

Controlled burning can remove biomass and stimulate the seed bank of weeds and natives to germinate, thus allowing more efficient follow up, potentially reducing the duration of a weed seed bank, and expediting site rehabilitation.

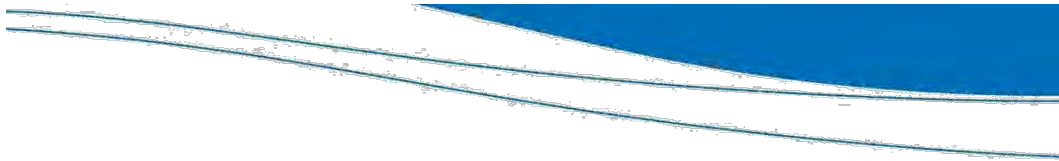
- **Cultural control** – humans are the most efficient cause of spread for weed and pest animal species. Behavioural measures, such as the cleaning of vehicles to remove seeds (especially slashers), can drastically reduce the spread of species such as Chilean Needle Grass (*Nassella neesiana*).
- **Biological control** – in some areas biological controls, such as the Bridal Creeper rust and mite that are already present in the landscape can help reduce the vigour of infestations ahead of other integrated controls.

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- **Biosecurity** – taking a biosecurity approach involves preventing incursions of new species, eradicating high threat species that have low infestation levels, containing species that are wide spread but could spread further, and only targeting wide spread infestations that have reached their natural range where they threaten areas of high conservation or agricultural value. This approach is cost effective as it maximises the return from investment in weed and pest control. A diagrammatic explanation of a biosecurity approach is provided at Figure 3. This approach generally aligns with the classification of weed species for each catchment as defined under the CaLP Act.

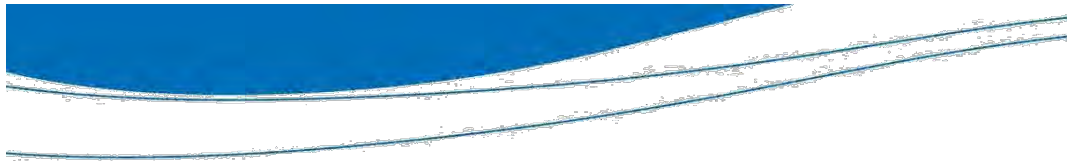
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MONITORING, EVALUATION, REPORTING AND IMPROVEMENT

Sophisticated mapping technologies now exist to record relevant data and inform future planning and decision making. Ongoing mapping with treatment to monitor trends over time and allowing for seasonal variations is considered best practice and essential for the implementation of a successful and efficient long term program. Mapping allows for the monitoring of kilometres of roadside treated, species present and treated, and density and distribution of weed and pest species.

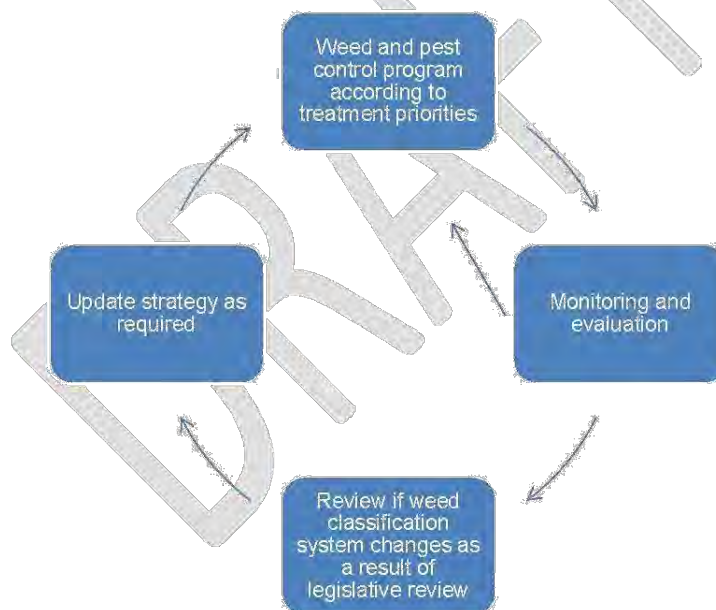


Figure 3: Flow diagram representing the procedure of monitoring, evaluation, reporting and improvement

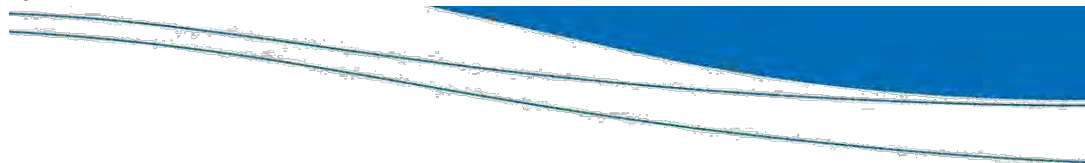
Mapping information provides the weather, wind speed and direction, chemical used, number of people required and time estimation of each site. This supports future planning and assessments, feedback to the community, and also a reference to previous treatments

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should there be any complaints. The monitoring and mapping of new and emerging weed species is also a priority, especially taking careful note of the Shire's borders to identify emerging invasions.

OPTIONS

With the responsibility for roadside weed management under the CaLP Act, a strategic approach including budget is needed to adequately manage the extensive area for which Council is responsible.

It is important that Council's weed and pest animal activities are monitored and evaluated to facilitate improvements. This will ensure Council's investment is as efficient and effective as possible.

The following table presents the options that have been considered for implementation of the Roadside Weed and Pest Animal Control Strategy.

The first option presented in Table 3 below is the recommended option. It is considered that this option will provide Council the ability to target the roadsides according to priorities proposed in this strategy and work through a staged process according to best practice principles to effectively treat roadsides across the Shire on a three year rotation.

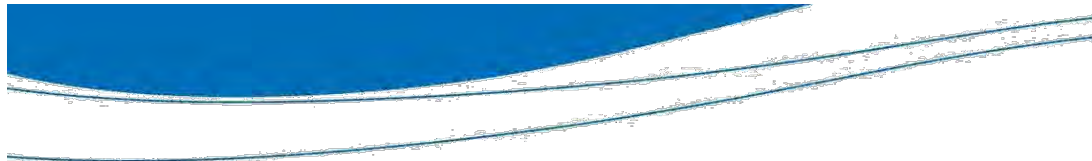
Note: Effective and efficient treatment of weeds is impacted significantly by weather and seasonal conditions. The cost estimates below are indicative only and treatment of weeds will vary according to the particular seasonal and climatic conditions.

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Option	Financials	Strength	Weakness
Option 1: Recommended Option Mapping and treatment: <ul style="list-style-type: none"> • Mapping of 100% roadsides p.a • Complete treatment of approx. 30% of roadsides p.a 	\$175,000 per annum for 5 years then ongoing management regime \$50,000 p.a Contractor and internal resources included in costs	Response to legislative responsibilities Applies best practice principals involving treatment of Regionally Prohibited and Regionally Controlled weeds and rabbits on priority roadsides (allows for multiple or follow up treatments, seasonal variation and/ or species diversity) Avoids potential financial penalties and/ or larger infestations that are more costly to treat Aim to eradicate Regionally Prohibited weeds and prevent the spread of Regionally Controlled weeds Reduce biosecurity and bushfire risk High quality roadsides and increased environmental value Support agriculture industry and community interests	New ongoing Council budget item
Option 2: Mapping and treatment: <ul style="list-style-type: none"> • Mapping of 100% roadsides p.a • Complete treatment of approx. 100% of roadsides p.a 	Year 1 - \$411,500 decreasing approx. 30% p.a. until year 5 then ongoing management regime \$50,000 p.a Contractor and internal resources included in costs	Complete response to legislative responsibilities Best practice weed management fully implemented Full eradication of regionally prohibited and regionally controlled weeds	New ongoing Council budget item
Option 3: Mapping and management: <ul style="list-style-type: none"> • Mapping of 100% roadsides p.a • Partial treatment of approx. 30% of roadsides p.a 	\$108,000 per annum ongoing Contractor and internal resources included in costs	Partial treatment of Regionally Prohibited and Regionally Controlled weeds and rabbits (treat priority roadsides once p.a, does not allow for seasonal variation and/ or species diversity) Response to legislative responsibilities: Avoid potential financial penalties	Management approach only Ongoing costs No decline in weed infestations

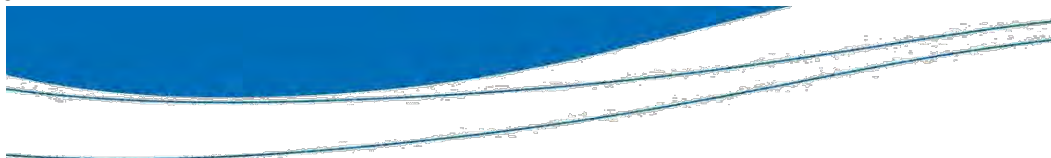
Table 3: Treatment options

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CONCLUSION

A number of options were considered for implementation of this strategy. The recommended option is based on an effective and strategic long term program to control weeds and pest animals on roadsides throughout the Shire.

The recommended options requires a relatively high initial investment (five years) after which an annual maintenance schedule is anticipated to be sufficient to manage Councils roadsides from a weed and pest animal perspective.

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**APPENDIX 1- IMPLEMENTATION PLAN
(RECOMMENDED OPTION)**

Theme 1: Weeds on Roadsides

Objectives	Action	Measure	Resources
Council addresses its legal obligations relating to pest animal management as specified in our approved Roadside Weed and Pest Control Plan under the CaLP Act. 1994	Implement an annual weed treatment for Council managed roadsides as outlined in this strategy.	Number of Council managed roadsides sites treated each year and over the life of the strategy. Target 30% p.a	Conducted by external contractors utilising Council's annual weed and pest program budget allocation Estimated cost: \$175,000 p.a
	<ul style="list-style-type: none"> ➤ Give highest priority to the treatment of sites that contain Regionally Controlled or Regionally Prohibited weeds ➤ Give priority to sites that have been treated previously (to reduce regrowth) ➤ Give medium treatment priority to sites that contain restricted weeds ➤ Treat environmental weeds 	<ul style="list-style-type: none"> ➤ Density and spread of Regionally Controlled and Regionally Prohibited weeds ➤ Number of sites over the life of the Strategy that transition from requiring annual treatment to requiring monitoring only ➤ Density and spread of ➤ Restricted weeds Density and spread of environmental weeds. 	
	Continue to implement an annual mapping and monitoring program for Council managed roadsides as outlined in this strategy	Number of Council managed roadsides sites mapped and monitored each year and over the life of the strategy. Target 100% p.a	Conducted by external contractors utilising Council's annual weed and pest program budget allocation

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	Promote vehicle hygiene practices within Council, including the use of engineered solutions to prevent the transport of seeds on vehicles (eg. slasher covers, wash downs etc)	Number of contractors implementing vehicle hygiene practices Develop a Standard Operating Procedure with Council staff and contractors	Internal resources
	Implement regular vehicle hygiene training sessions with Council staff and contractors	Number of sessions delivered on an as needed basis Review Standard Operating Procedures for training a number of Council staff to implement appropriate vehicle hygiene practices	Internal resources
	Investigate incorporating vehicle hygiene practices into the position descriptions for council staff operating machinery	Review Standard Operating Procedures for the inclusion of vehicle hygiene practices into relevant position descriptions	Internal resources
Monitoring and Evaluation	Recording data on weeds and treatment to evaluate success of program	Annual decrease in sites and density of weeds on roadsides	

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Theme 2: Rabbits on Roadsides

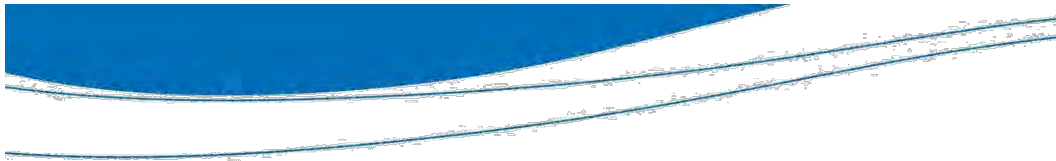
Objectives	Action	Measure	Resources
Council addresses its legal obligations relating to pest animal management as specified in our approved Roadside Weed and Pest Control Plan under the CaLP Act, 1994.	Continue to implement an annual rabbit control and mapping program for Council managed roadsides as outlined in this strategy.	Number of Council managed roadsides sites treated each year and over the life of the strategy.	Council's annual weed and pest program budget allocation
	Take into account the model codes of practice and standard operating procedures for pest animal control that include guidance and best practice directions about humane techniques	Alignment of pest animal control techniques employed and the recommendations in the relevant codes of practice and standard operating procedures	Internal Resources
Monitoring and Evaluation	Recording data on rabbits and treatment to evaluate success of program	Annual decrease in sites and density of rabbits on roadsides	Contractor and Internal

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APPENDIX 2 – WEED CLASSIFICATIONS

Please refer to the Department of Environment, Land, Water and Planning website for up to date lists of weeds and their classifications in the region.

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APPENDIX 3: COUNCIL ROADSIDE WEED AND PEST CONTROL PLAN 2012 – 2015

Roadside Weed and Rabbit Control Plan

Council Details:

Council Name:	Moira Shire Council
Postal Address:	PO Box 578, Cobram, VIC, 3644.

Key Contact:

Name:	Sally Rice
Position:	Manager, Safety, Amenity and Environment.
Contact Details:	0358 719 222 srice@moira.vic.gov.au

Regional Context of Noxious Weed and Rabbit Management

Moira Shire is located in the Central Murray region of Victoria and covers a total area of 4,057 square kilometers. Moira Shire has four major towns; Cobram, Nathalia, Numurkah and Yarrawonga and 17 smaller communities as well as a rural residential population.

Moira Shire is bounded by the Murray, Goulburn and Ovens Rivers. It enjoys an environment with a range of natural features dominated by river systems, wetlands, plains woodlands and grasslands.

Moira Shire makes up a large part of Victoria's productive food bowl. Agriculture is the primary land use in the municipality which encompasses major irrigation centered on the Goulburn Murray Irrigation District and extensive dry land farming areas. It is one of the nation's major agricultural areas in terms of productivity, economic value and production and diversity of product.

Moira Shire has a responsibility for the management of approximately 3,500 km of local road network. This equates to approximately 7,000km of roadside. The management of rural roadsides has many complexities and Council has developed a Roadside Management Plan (2004) and Roadside Biodiversity Risk Management Protocols (2007) to help guide sound management of roadsides.

The Roadside Management plan indicates that roadside vegetation assessment data will be used to locate areas of serious noxious and environmental weed invasion and control methods will be targeted to roadsides of Very High and High conservation value as a first priority. Further

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priorities of this plan included:

- preparation and production of weed maps;
- undertaken to play a leading role in the control and eradication of weeds on roadsides for which Council is deemed responsible; and
- priority will be given to actions that are part of a co-operative community weed action plan.

Between 2008 and 2012 an evaluation of the Shires roadsides was undertaken. This information produced an assessment of indigenous vegetation and indications of rabbits (*Oryctolagus cuniculus*) and weeds on roadsides including relative abundance of identified species. This information exists as an MS Access Database. More detailed and current mapping is required.

Moira Shire Council is aware that proposed amendments to the *Catchment and Land Protection Act 1994* will clarify responsibility for management of noxious weeds and pest animals on roadsides and provide for the introduction of a management plan prepared by municipal councils.

Moira Shire undertakes general roadside spraying to control weeds on Councils roadsides. For example in the 2012/13 financial year this involved spraying along 1167km (2334km of roadside) of road. Currently Moira Shire has no rabbit invasions therefore no work has been carried out; monitoring for rabbits is continuous.

Council conducts regular training for staff to assist in their management of Councils roadside assets. This includes relevant staff undertaking the 'Weed Stop' training program and for example in May 2013 approximately 25 of Councils Operations staff attended an Environmental Works Planning day. This training was to improve management of environmental assets during works, ensure good practice and compliance with legislative requirements.

Community Consultation

Moira Shire stays in touch with community concerns via attendance at meetings and participation in activities of the Goulburn Murray Landcare Network as well as other meetings of relevant community groups including local Landcare Groups, Broken Boosey Conservation Management Network, Lower Goulburn Conservation Management Network, Township Community Coordinator groups, GeckoClan Landcare Network and via direct phone calls and correspondence from individuals, school groups etc. Council also has an Environment Sustainability Advisory Committee that meets 4 times per year.

The Shire has specifically requested community views on the issue of roadside weeds and rabbits via 300 randomly selected landholder mail survey and interviews with key stakeholders (please see below for list) and maintains a record of feedback. There were also 39 interviews conducted face-to-face or over the phone.

Council also keeps records of community concerns reported including pest and weeds, via general communications such as the council website, and Customer Request system.

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Stakeholder Consultation
<p>The following key stakeholders have been consulted in the development of this plan.</p> <ul style="list-style-type: none">• Benalla Rural City• Broken Boosey Conservation Management Network• Broken Creek Improvement Group• Bunbartha Kaarimba Zeerust Landcare Group• Burramine Tungamah Land Management Group• Country Fire Authority• Dookie Land Management Group• Department of Environment and Primary Industries• GeckoClan Landcare Network• Goulburn Broken Catchment Management Authority• Goulburn Murray Landcare Network• Goulburn Valley Environment Group• Indigo Shire Council• Invergordon District Environment Group• Koonoomoo Landcare Group• Lower Goulburn Conservation Management Network• Muckatah Landcare Group• Naringaningalook Landcare Group• Nathalia Tree Group• North East Catchment Management Authority• Parks Victoria• Pocola Land Management Group• Riverine Plains Group• South Yarrawonga Landcare Group• Superb Parrot Project• Victorian Farmers Federation• Yarrawonga Urban Landcare Group• Warby Ranges Landcare Group
Relevant Local and Regional Policies and Strategies
<p>State</p> <ul style="list-style-type: none">• Invasive Plants and Animal Policy Framework• <i>Catchment and Land Protection Act 1994</i>• <i>Roadside Management Act 2004</i>• <i>Aboriginal Heritage Act 2006</i>• <i>Road management Act 2004</i>, Code of Practice, Worksite Safety – Traffic Management• Road management (Works and Infrastructure) Regulations 2005• DSE Roadside Vegetation Policy for Bushfire Risk Mitigation purposes.

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Regional

- GBCMA Invasive Plants and Animals Strategy 2010-2015
- Goulburn Broken Catchment Roadside Biodiversity Risk Management Protocols

Local

- Moira Shire Draft Municipal Fire Management Plan
- Moira Shire Roadside Management Strategy 2004
- Moira Shire Road Management Plan
- Moira Shire Environmental Sustainability Strategy 2012
- Moira Shire Council 2013-2017 Council Plan
- Moira Shire Environmental Local Law 2003
- Moira Shire Streets and Roads Local Law 2003

Objectives of the Plan

The objective of this plan is to prevent and control the spread and introduction of invasive plant and animal species (*Oryctolagus cuniculus*) across the Shire and region, and to complement past investments made by Moira Shire Council enabled through State Government initiative funding.

Moira Shires overall roadside weed and rabbit (*Oryctolagus Cuniculus*) management program objective is the effective and proactive management of invasive species on Council managed roadsides across the Shire.

Investment of funds will be aligned to:

- Treatment for the eradication of Regionally Prohibited Weed infestations.
- Treatment for the containment or reduction in area infestations of Regionally Controlled Weeds and rabbits – aligned to DPI weed and rabbit compliance project area.
- Supporting community group investment in weed and pest control projects.
- Contributing to other previous investment in the control of Regionally Controlled and Regionally Prohibited Weeds and rabbits:
- Protect identified assets such as significant roadside vegetation under threat from weed and/or rabbit invasion.
- Addressing other roadside declared noxious weed infestations of concern to the Shire's community.
- If the allocated funds to individual species are not fully spent on the allocated species, the funds will be redistributed accordingly, dependent on priority rating and the infestations and abundance of targeted species

Timeframe

The plan will run from 30 August 2013 to 30 June 2015, unless extended or replaced with Department of Environment and Primary Industries or Department of Planning and Community Development approval.

FILE NO: 1
5. INFRASTRUCTURE

ITEM NO: 9.2.2
(MANAGER SAFETY AMENITY AND ENVIROMENT, SALLY RICE)
(GENERAL MANAGER INFRASTRUCTURE, ANDREW CLOSE)

DRAFT ROADSIDE WEED AND PEST ANIMAL CONTROL STRATEGY 2015 - 2020 (cont'd)

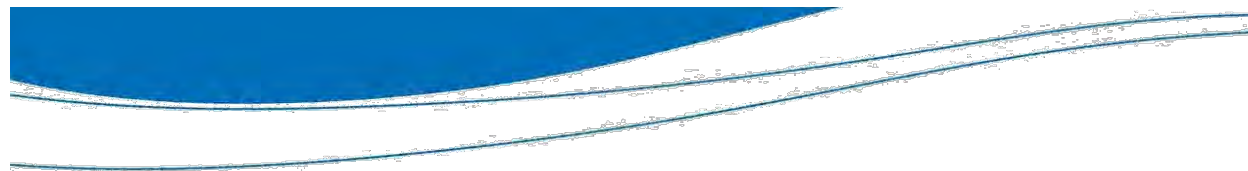


Table 1: Target Species

Common Name	Scientific Name	CaLP classification	PRIORITY RATING (1 highest – 3 lowest)	Reasons for Management
Serrated Tussock	<i>Nassella trichotoma</i>	Regionally Prohibited Weed	1	<ul style="list-style-type: none"> - To support DEPI compliance programs. - There are no current sites of Serrated Tussock mapped within Moira Shire. Continue surveillance, any new sites will be treated immediately.
Rabbit	<i>Oryctolagus cuniculus</i>	Established Pest Animal	2	<ul style="list-style-type: none"> - Support DEPI compliance projects. Response to community complaints. Currently no major occurrence of rabbits on roadsides - Support community led control programs in priority areas
Blackberry	<i>Rubus fruticosus</i> (agg.)	Regionally Controlled Weed	2	<ul style="list-style-type: none"> - To support DEPI compliance programs; local Landcare group's activities and previous DPI and council investment
Sweet Briar	<i>Rosa rubiginosa</i>	Regionally Controlled Weed	3	<ul style="list-style-type: none"> - To support previous DEPI and council investments - To support community led control programs
African Boxthorn	<i>Lyceum ferossissimum</i>	Regionally Controlled Weed	3	<ul style="list-style-type: none"> - To support previous investment by Council - In response to community and landholder group programs and feedback: restricted to roadsides with High or Very High Conservation significance
Paterson's Curse	<i>Echium plantagineum</i>	Regionally Controlled Weed	3	<ul style="list-style-type: none"> - In response to community and landholder group programs and feedback: restricted to roadsides with High or Very High Conservation significance
St John's Wort	<i>Hypericum perforatum</i>	Regionally Controlled Weed	3	<ul style="list-style-type: none"> - In response to community and landholder group programs and feedback: restricted to roadsides with High or Very High Conservation significance

FILE NO: 5/2009/205
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.3
(STATUTORY PLANNING COORDINATOR, PETER
STENHOUSE)
(GENERAL MANAGER INFRASTRUCTURE,
ANDREW CLOSE)

**PLANNING PERMIT 5/2009/205 - SECONDARY CONSENT TO AMEND A PLAN - GREEN PALMS
VILLAGE, 85 RITCHIE ROAD, COBRAM**

1. Executive Summary

An application for Secondary Consent to amend the plan endorsed as part of Planning Permit 5/2009/205 (TP0900205) has been received for Green Palms Village at 85 Ritchie Road Cobram to accord with the amended Schedule 10 to the Development Plan Overlay by increasing the number of transportable residential units from 150 to 200 in the Green Palms Village.

The application for Secondary Consent was not required to be referred or advertised as it is not changing the concept of the village and is only adding 50 additional transportable residential units.

Notwithstanding, an objection has been received from an adjoining land owner. Unfortunately, this objection has no legal standing within the planning system following the approval of a Planning Scheme Amendment and Development Plan amendment for the increase in the number of transportable residential units.

The location of the additional transportable residential units does not interfere with the significant vegetation on the subject land.

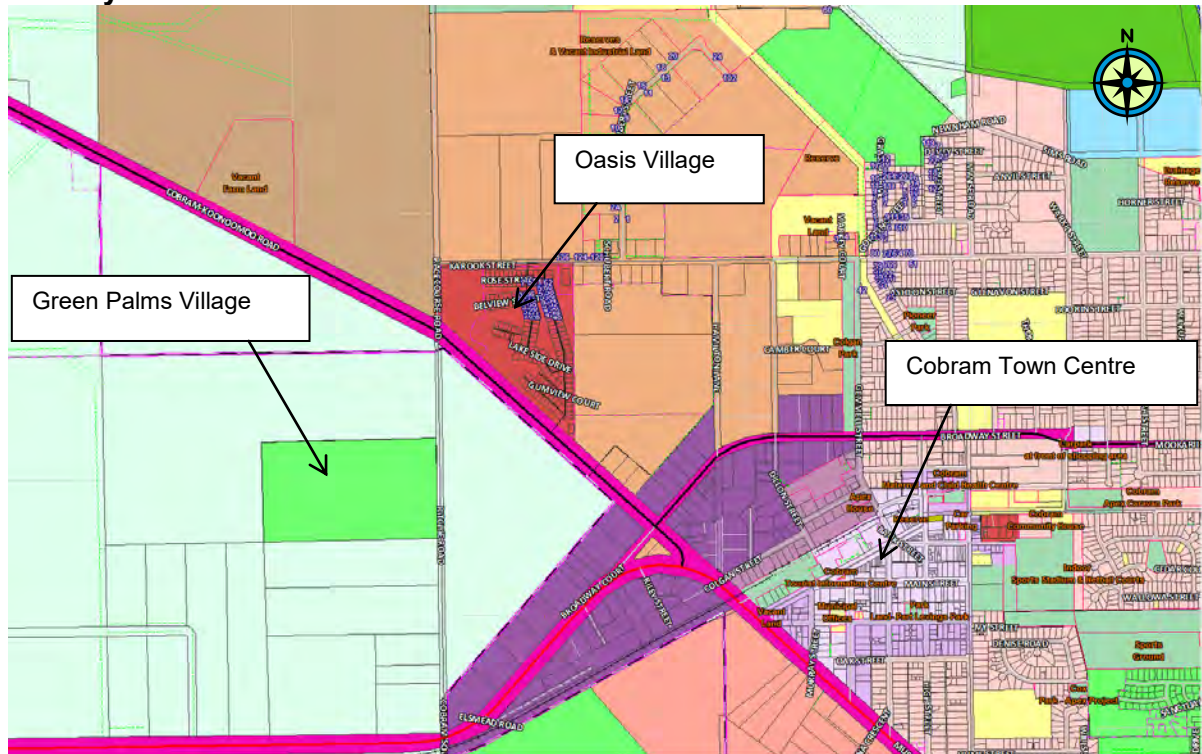
It is recommended that Secondary Consent be granted to amend the plan endorsed as part of Planning Permit 5/2009/205.

FILE NO: 5/2009/205
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.3
(STATUTORY PLANNING COORDINATOR, PETER
STENHOUSE)
(GENERAL MANAGER INFRASTRUCTURE,
ANDREW CLOSE)

PLANNING PERMIT 5/2009/205 - SECONDARY CONSENT TO AMEND A PLAN - GREEN PALMS VILLAGE, 85 RITCHIE ROAD, COBRAM (cont'd)

Locality Plan



2. Background and Options

Amendment C37 to the Moira Planning Scheme was approved by the Minister for Planning on 4 June 2009 that rezoned the land from Farming to Special Use Zone and introduced the Environmental Significance Overlay and Development Plan Overlay.

The Development Plan for Green Palms Village was approved by Council at its meeting on 21 December 2009.

Planning Permit TP0900205 was approved by Council on 15 January 2010 for the use and development of land for a residential village. The permit was subsequently amended on 30 June 2011 to replace the description of the use from Residential Village to Camping and Caravan Park to accord with the amended Schedule to Development Plan Overlay (DPO10).

Amendment C67 to the Moira Planning Scheme was approved by the Minister for Planning on 12 May 2011 to amend the Schedule to the Special Use Zone (SUZ1) and the Schedule to the Development Plan Overlay (DPO10) to enable the development of the land to be consistent with the approved 'Green Palms Development Plan' and replacing the description of the use from Residential Village to Camping and Caravan Park in DPO10.

FILE NO: 5/2009/205
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.3
(STATUTORY PLANNING COORDINATOR, PETER
STENHOUSE)
(GENERAL MANAGER INFRASTRUCTURE,
ANDREW CLOSE)

**PLANNING PERMIT 5/2009/205 - SECONDARY CONSENT TO AMEND A PLAN - GREEN PALMS
VILLAGE, 85 RITCHIE ROAD, COBRAM (cont'd)**

Amendment C74 to the Moira Planning Scheme was adopted by Council at its meeting on 24 June 2013 and subsequently approved by the Minister for Planning on 10 October 2013 to increase the number of transportable residential units from 150 to 200 and to correctly state the address of the subject land being 85 Ritchie Road, Cobram.

The Development Plan was amended by Council on 24 June 2013 to better reflect the actual site plan of the village in terms of road layout, transportable residential unit sites, protected vegetation areas and village facilities.

The Development Plan was amended by Council at its meeting on 8 December 2014 to accommodate for the additional 50 transportable residential units to accord with Planning Scheme Amendment C74.

The options available to Council with respect to this application for Secondary Consent are:

- 1) Grant Secondary Consent to amend the plan endorsed as part of Planning Permit 5/2009/205;
- 2) Refuse to grant Secondary Consent to amend the plan endorsed as part of Planning Permit 5/2009/205.

3. Secondary Consent

Condition 1 of Planning Permit 5/2009/205 states:

The use and development hereby permitted as shown on the endorsed plans, as detailed in the Environment Management Plan (November 2009) and the approved Development Plan must not be altered without the written consent of the Responsible Authority.

The plans can be considered under "secondary consent" as they comply with the provisions and requirements as determined by VCAT, Deputy President Helen Gibson's decision in the *WestPoint Corporation PL v Moreland CC* VCAT 1049 (Red Dot) order. This VCAT order is used as the basis of assessment for Secondary Consent applications.

The plans do not:

- result in a transformation of the proposal;
- authorise something for which primary consent was required under the planning scheme;
- result in any consequence having regard to the purpose of the planning control under which the permit was granted; and
- result in a contradiction to a specific requirement.

FILE NO: 5/2009/205
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.3
(STATUTORY PLANNING COORDINATOR, PETER
STENHOUSE)
(GENERAL MANAGER INFRASTRUCTURE,
ANDREW CLOSE)

PLANNING PERMIT 5/2009/205 - SECONDARY CONSENT TO AMEND A PLAN - GREEN PALMS VILLAGE, 85 RITCHIE ROAD, COBRAM (cont'd)

4. Discussion

This Secondary Consent application is the last in the line of approvals that has seen planning scheme amendments exhibited and adopted by Council, development plans approved by Council and the issuing of a planning permit that accords with the Development Plan.

The Planning System in Victoria is a fair and robust system using the provisions of the Planning and Environment Act 1987 and the Planning Scheme. It provides the ability for public participation through the preparation of Strategic Plans which in turn are used as the basis for amending the planning scheme.

There are however exemptions in the Planning Scheme for the giving of Notice which is reasonable in the circumstances where a proposal has been previously tested at the Strategy Plan and Planning Scheme Amendment stages.

The Green Palms concept has travelled through all stages in the planning process with the knowledge, acceptance and adoption/approval of the Council and the Minister of Planning.

It is unfortunate that an adjoining owner, and now objector, who has only recently purchased an adjoining property has not been party to all the planning processes since the preparation of the Cobram Strategy Plan and subsequent Planning Scheme Amendments. It is also unfortunate the planning system does not provide opportunity at this late stage for a person to become involved in the process of a secondary consent application to amend an endorsed plan. (Refer to section 7 of this report)

Notwithstanding, the conditions of the planning permit are still relevant and may provide some relief to the adjoin properties to the south, particularly in relation to landscaping along the southern boundary.

It should be noted that the permit provides for the development be completed within 10 years from the date of commencement (ie 2020). There are still works to be completed namely landscaping, widening in Ritchie Road in accordance with the Traffic Impact Assessment Report and a shared pathway linking the Village with the existing network in Cobram - Koonoomoo Road and Murray Valley highway as required by the Development Plan Overlay (Schedule 10).

Given the extension to the Village, it is pertinent to remind the proponent of these outstanding matters and that such matters should be undertaken sooner rather than later for the betterment of residents and visitors to the Village and surrounding land owners.

Further, as the Village grows and with more residents, the proponent should ensure that alternative access is available for emergency purposes rather than relying on one point of entry/exit.

5. Financial Implications

There may be financial implications to Council if either applicant or objector refers the matter to VCAT. Provision for these costs have not been made in the current budget.

6. Risk Management

The conditions of the Planning Permit are still relevant and compliance must be achieved. If there is a breach of the permit conditions, then it becomes a compliance issue.

FILE NO: 5/2009/205
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.3
(STATUTORY PLANNING COORDINATOR, PETER
STENHOUSE)
(GENERAL MANAGER INFRASTRUCTURE,
ANDREW CLOSE)

**PLANNING PERMIT 5/2009/205 - SECONDARY CONSENT TO AMEND A PLAN - GREEN PALMS
VILLAGE, 85 RITCHIE ROAD, COBRAM (cont'd)**

7. Internal and External Consultation

Consultation has occurred throughout the planning processes associated with the use and development of the land.

Planning Scheme Amendments C37 was exhibited to all prescribed Ministers and authorities, notices to adjoining land owners and notices in the Cobram Courier and Government Gazette.

Planning Scheme Amendment C67 was exhibited to all prescribed Ministers and authorities. However the Minister granted an exemption to give public notice on the basis that this Amendment only involved a change to the description of the land use from Residential Village to Camping and Caravan Park.

Planning Scheme Amendment C74 was exhibited to prescribed Ministers and authorities listed below, adjoining land owners and placing notices in the Cobram Courier and the Government Gazette:

Vic Roads, Goulburn Broken Catchment Management Authority (GBCMA), Minister for Agriculture and Food Security, Minister for Environment and Climate Change, Minister for Energy and Resources, Department of Environment and Primary Industries (former Department of Sustainability and Environment- DSE), Telstra, Powercor, Country Fire Authority (CFA), Goulburn Valley Region Water Corporation (GVRWC).

The application for the original Planning Permit was referred to the following authorities:

- GBCMA
- DSE
- EPA
- CFA
- APA
- GVRWC
- Powercor
- Telstra

The Planning Permit Application was exempt from the giving of Notice pursuant to Clauses 37.01-2, 37.01-4, 43.04-2 and 44.04-4 of the Moira Planning Scheme. The Permit application was in accordance with the approved Development Plan.

The original Development Plan was approved by Council on 21 December 2009. The application was both referred internally and externally. The external referral authorities included DSE (now Department of Environment, Land, Water and Planning-DELWAP) and VicRoads. Surrounding landowners were also notified, albeit not required to do so, and no objections/comments were received.

The amendment to the Development Plan was not required to be advertised as Planning Scheme Amendment C74 was publicly exhibited and no objections were received. It should be noted that there is not statutory requirement to give notice of an amendment to a Development Plan.

The reason why Scheme Amendment C74 was referred to the above eight referral authorities and the Development Plan only to two (DSE and Vicroads) could be explained as follows:
Scheme Amendment C74 sought to (above other aspects) increase the number of units on the land from 150 to 200 and therefore impacted on a number of authorities and its assets.

FILE NO: 5/2009/205
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.3
(STATUTORY PLANNING COORDINATOR, PETER
STENHOUSE)
(GENERAL MANAGER INFRASTRUCTURE,
ANDREW CLOSE)

**PLANNING PERMIT 5/2009/205 - SECONDARY CONSENT TO AMEND A PLAN - GREEN PALMS
VILLAGE, 85 RITCHIE ROAD, COBRAM (cont'd)**

The Development Plan was referred to only Vic Roads and DSE as it specifically related to the specialist studies submitted with the Development Plan; being the Traffic Management Report and the Fauna and Flora Assessment. It should be noted that these two referral authorities also provided comments as part of C74.

With respect to this current application for Secondary Consent, there is no requirement to give notice. If amendments to the endorsed plan accords with the approved Development Plan, then it is exempt from Notice and Review pursuant to Clause 43.04-2, as stated below:

An application under any provision of this scheme which is generally in accordance with the development plan is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

Following the approval of the amended Development Plan in December 2014, an adjoining owner made enquiries in relation to the 50 additional transportable residential units to the Village.

The adjoining land owner was informed of the application for Secondary Consent and included the following information:

We wish to advise that the application is exempt from notice and review, that is, there is no requirement to give notice of the application and that there is no rights for a third party to apply to VCAT to review the merits of the proposal.

Regardless of the above, the owner has subsequently objected to the application, albeit the core objection relates to the planning processes (Planning Scheme Amendments, Development Plan and Planning Permit) have not being open and transparent.

The objector has not specifically stated the reasons for objecting to this Secondary Consent application, however alluded to 'right to farm' issues.

8. Regional Context

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

9. Council Plan Strategy

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

Community - Moira will be a Shire where all its people and communities are happy, healthy and safe with the ability and the opportunity to integrate, participate, connect and contribute to their communities.

Development - Moira will responsibly manage its environment and the communities affected by and living in that environment through innovation, leadership, quality services, partnerships and program delivery and accountability.

It is considered that the proposed amendment to the endorsed plan is consistent with the community or development goals.

FILE NO: 5/2009/205
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.3
(STATUTORY PLANNING COORDINATOR, PETER
STENHOUSE)
(GENERAL MANAGER INFRASTRUCTURE,
ANDREW CLOSE)

**PLANNING PERMIT 5/2009/205 - SECONDARY CONSENT TO AMEND A PLAN - GREEN PALMS
VILLAGE, 85 RITCHIE ROAD, COBRAM (cont'd)**

10. Legislative / Policy Implications

The Development Plan is a requirement of Clause 43.04 of the Moira Planning Scheme which states that a permit must not be granted to use or subdivide land, construct a building or carry out works until a Development Plan has been prepared to the satisfaction of the responsible authority. The subsequent request for Secondary Consent is in accordance with the approved amended Development Plan and Planning Scheme Amendment C74.

11. Environmental Impact

There are a number of significant stands of trees (native vegetation) that are protected by the Significant Landscape Overlay. As part of the Development Plan, a Flora and Fauna Assessment has been prepared that assesses biodiversity significance, health and habitat values and the management regime to be adopted to protect and preserve areas identified

12. Conflict of Interest Considerations

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

13. Conclusion

The application for Secondary Consent to amend the plan endorsed as part of Planning Permit 5/2009/205 showing the proposed 50 transportable residential units is consistent with the approved Development Plan, therefore such plan be endorsed as part of the permit.

Attachments

- 1 Existing Endorsed Plan
- 2 Proposed Plan for Secondary Consent

RECOMMENDATION

That Council

1. Grant Secondary Consent to amend the plan endorsed as part of Planning Permit 5/2009/205 subject to:
 - Identifying amongst other relevant issues an alternate access and egress plan in the event of an emergency.
 - Submission of a landscape plan to the satisfaction of the responsible authority.
 - Provision of a pedestrian pathway and road widening at the entrance of the village in accordance with permit 5/2009/205 prior to commencement of the increase in residential units hereby endorsed.
 - Provision of an emergency management plan to the satisfaction of the responsible authority
2. Inform the objecting land owner of Council's decision and confirm that there are no rights for a third party to apply to VCAT to review the merits of the Council's decision.

FILE NO: 5/2009/205
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.3
(STATUTORY PLANNING COORDINATOR, PETER
STENHOUSE)
(GENERAL MANAGER INFRASTRUCTURE,
ANDREW CLOSE)

**PLANNING PERMIT 5/2009/205 - SECONDARY CONSENT TO AMEND A PLAN - GREEN PALMS
VILLAGE, 85 RITCHIE ROAD, COBRAM (cont'd)**

Cr Edward Cox declared a conflict of interest and left the meeting at 6:37 PM

MOTION

CRS Brian Keenan / Wendy Buck

That Council

1. Grant Secondary Consent to amend the plan endorsed as part of Planning Permit 5/2009/205 subject to:
 - Identifying amongst other relevant issues an alternate access and egress plan in the event of an emergency.
 - Submission of a landscape plan to the satisfaction of the responsible authority.
 - Provision of a pedestrian pathway and road widening at the entrance of the village in accordance with permit 5/2009/205 prior to commencement of the increase in residential units hereby endorsed.
 - Provision of an emergency management plan to the satisfaction of the responsible authority
2. Inform the objecting land owner of Council's decision and confirm that there are no rights for a third party to apply to VCAT to review the merits of the Council's decision.

(CARRIED)

Cr Kevin Bourke called for a division.

FOR

Cr Buck
Cr Cleveland
Cr Keenan
Cr Mansfield
Cr McPhee

AGAINST

Cr Bourke
Cr Martin
Cr Monk

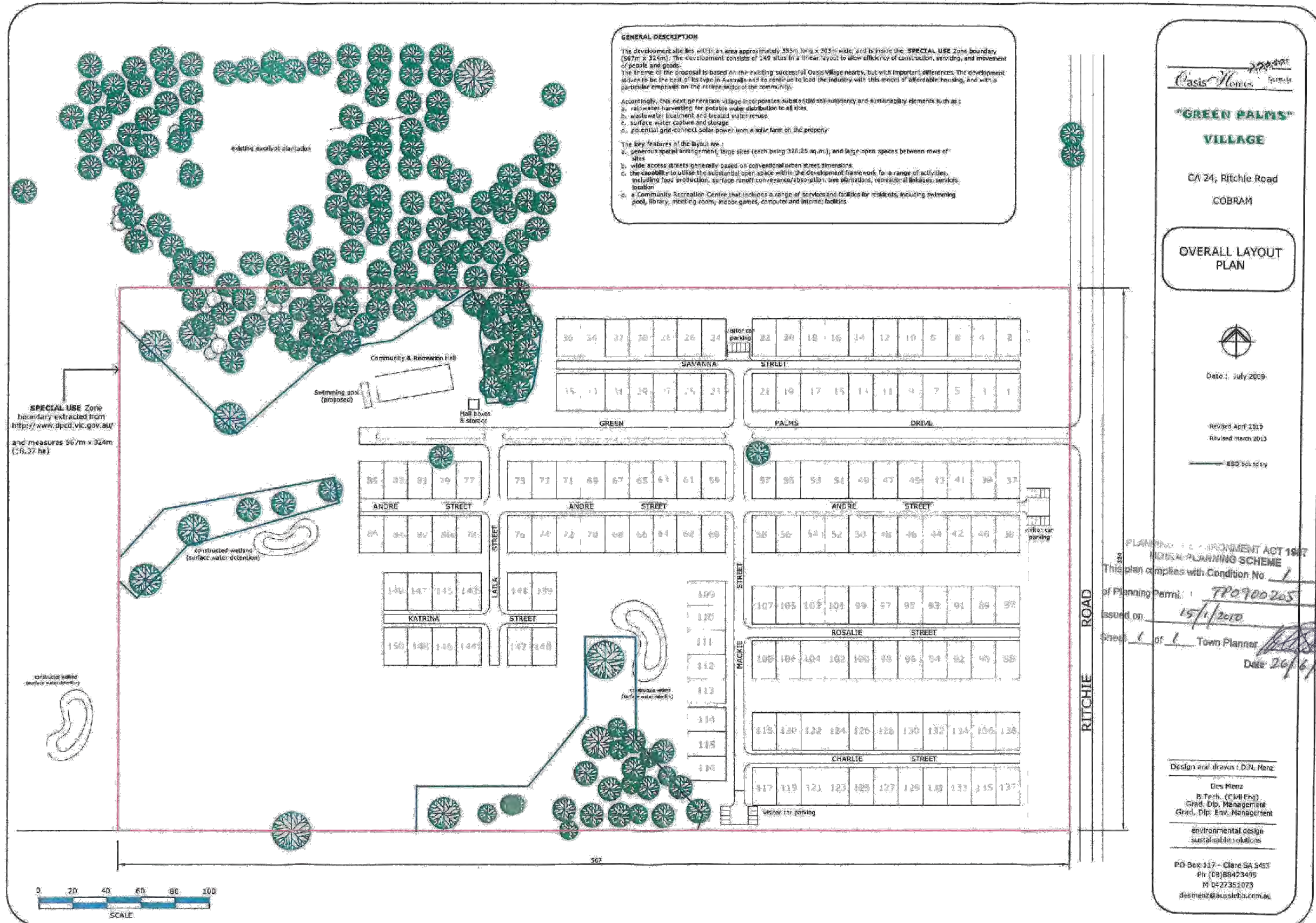
Cr Edward Cox returned to the meeting at 6:49 PM.

FILE NO: 5/2009/205
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.3
(STATUTORY PLANNING COORDINATOR, PETER STENHOUSE)
(GENERAL MANAGER INFRASTRUCTURE, ANDREW CLOSE)

PLANNING PERMIT 5/2009/205 - SECONDARY CONSENT TO AMEND A PLAN - GREEN PALMS VILLAGE, 85 RITCHIE ROAD, COBRAM (cont'd)

ATTACHMENT No [1] - Existing Endorsed Plan

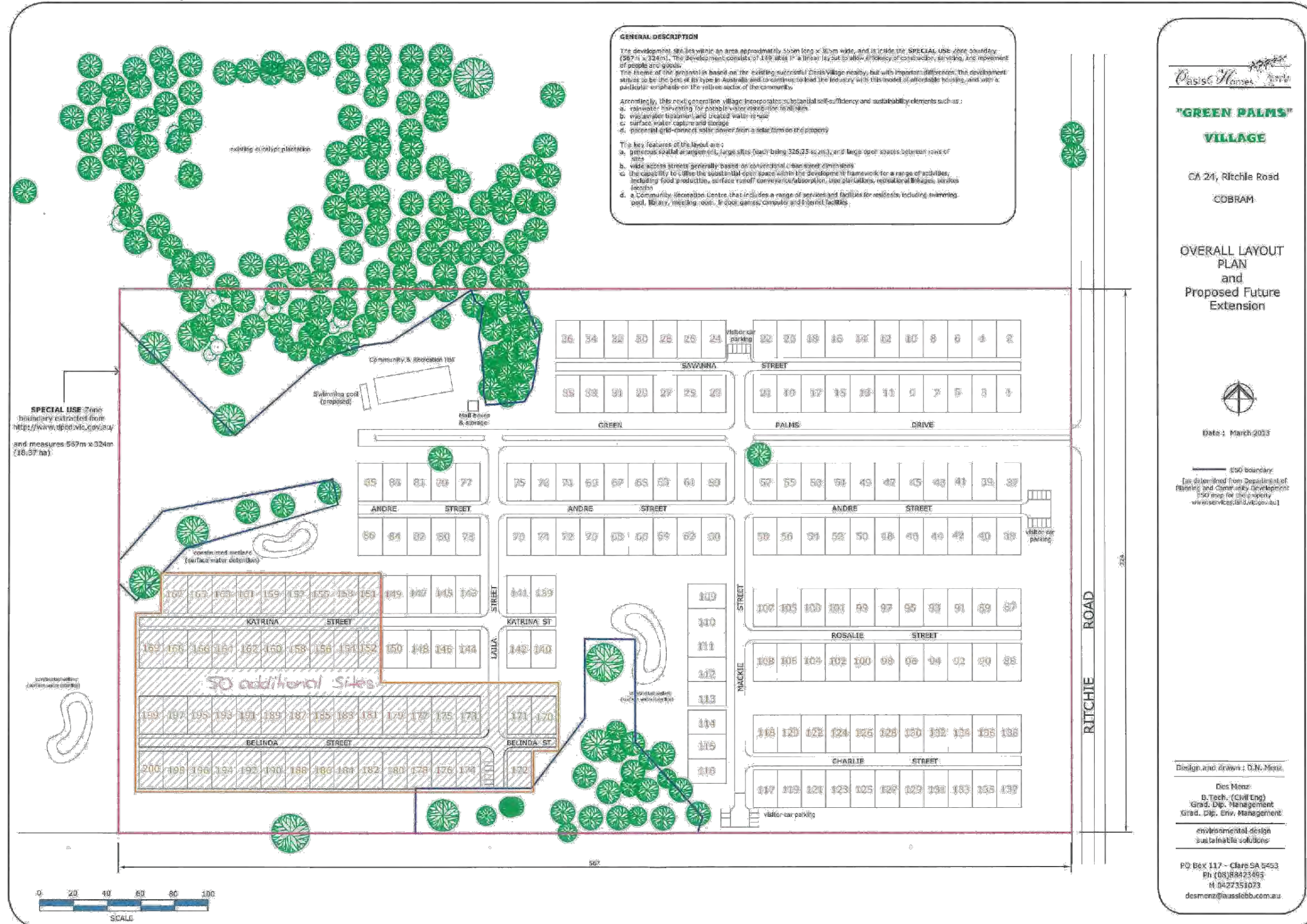


FILE NO: 5/2009/205
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.3
(STATUTORY PLANNING COORDINATOR, PETER STENHOUSE)
(GENERAL MANAGER INFRASTRUCTURE, ANDREW CLOSE)

PLANNING PERMIT 5/2009/205 - SECONDARY CONSENT TO AMEND A PLAN - GREEN PALMS VILLAGE, 85 RITCHIE ROAD, COBRAM (cont'd)

ATTACHMENT No [2] - Proposed Plan for Secondary Consent



FILE NO: F13/858
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.4
(ASSETS TECHNICAL OFFICER, TRICIA SIMPSON)
(GENERAL MANAGER INFRASTRUCTURE,
ANDREW CLOSE)

PROPOSAL TO DISCONTINUE HAMILTON LANE COBRAM - HEARING OF SUBMISSIONS

1. Executive Summary

At Council's meeting of 23 February 2015, Council considered a report on the proposal to discontinue Hamilton Lane, Cobram.

Under Schedule 10 Clause 3 of the Local Government Act (the Act), Council has the power to discontinue a road by a notice published in the Government Gazette. Before this power can be exercised, the public has the right to make a submission on the proposed road discontinuance under Section 223 of the Act.

It is proposed that a Committee of Council be convened to hear submitters wishing to be heard and consider submissions for the proposed road discontinuance of Hamilton Lane, Cobram.

2. Background and Options

At its meeting on 23 February 2015, Council resolved as follows:

That Council:

Resolve to commence the process to discontinue Hamilton Lane, and accordingly undertake the required a consultation process under Section 223 of the Local Government Act.

The Local Government Act 1989 specifically requires Council to undertake the Section 223 right to make a submissions process for road discontinuances.

As part of the Section 223 process Council hear submissions at a meeting of Council or a committee determined by the Council. Council must also fix the day, time and place of the meeting and give reasonable notice of this to each person who has requested to be heard.

3. Financial Implications

There are no financial implications to consider within this report.

4. Risk Management

If Council does not ensure compliance with Section 223 of the Local Government Act 1989, Council may be exposed to legal challenge if, it publishes a public notice containing incorrect or defective information or makes a decision outside the scope of the proposal in the public notice.

Also if Council fails to give an adequate hearing, or sufficient notice of a hearing, to a submitter whose rights or interests are affected by a proposal, may be found by a court to have denied that person natural justice.

5. Internal and External Consultation

Community consultation will be sought on the proposal to discontinue Hamilton Lane, Cobram under Section 223 of the Local Government Act 1989. This will include advertising through public notices in local papers and on Council's website for a period of 28 days.

The public notice was advertised in the Cobram Courier of 11 March 2015.

FILE NO: F13/858
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.4
(ASSETS TECHNICAL OFFICER, TRICIA SIMPSON)
(GENERAL MANAGER INFRASTRUCTURE,
ANDREW CLOSE)

PROPOSAL TO DISCONTINUE HAMILTON LANE COBRAM - HEARING OF SUBMISSIONS (cont'd)

6. Regional Context

There are no significant regional influences to consider within this report.

7. Council Plan Strategy

This matter is a function performed by the Assets Department in support of the Council Plan Strategy to upkeep Council assets.

8. Legislative / Policy Implications

Section 10 Clause 3 of the Local Government Act 1989 (the Act) outlines Council's power to discontinue roads by a notice published in the Government Gazette. Section 207A of the Act states that when exercising a power under Section 10 Clause 3, a person may make a submission under Section 223 of the Act.

Section 223 of the Act outlines a process whereby Council is required to publish a notice of its intention to exercise its power under Section 10 Clause 3 and persons are given the right to make a submission concerning the matter. The period for receiving submissions is not to be less than 28 days from when the notice is published.

9. Environmental Impact

There are no environmental implications associated with Council resolving to commence the process to discontinue Hamilton Lane.

10. Conflict of Interest Considerations

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

11. Conclusion

It is recommended that Council conduct a community consultation process in accordance with Section 223 of the Local Government Act proposing to discontinue Hamilton Lane, Cobram under clause 3 of Schedule 10 of the Act.

It is also recommended that Council appoint a Committee of the Council, to consider submissions and hear any person who wishes to be heard in support of their submission on the proposed discontinuance of Hamilton Lane, Cobram and to hear submissions on a date, time and place as set by the Chief Executive Officer.

Attachments

Nil

RECOMMENDATION

That Council:

1. appoint a Committee of the Council, comprising Councillor _____ and Councillor _____ and the General Manager Infrastructure to consider submissions and hear any person who wishes to be heard in support of their submission on the proposed discontinuance of Hamilton Lane, Cobram, and,
2. the Committee will hear submissions on a date, time and place as set by the Chief Executive Officer.

FILE NO: F13/858
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.4
(ASSETS TECHNICAL OFFICER, TRICIA SIMPSON)
(GENERAL MANAGER INFRASTRUCTURE,
ANDREW CLOSE)

PROPOSAL TO DISCONTINUE HAMILTON LANE COBRAM - HEARING OF SUBMISSIONS
(cont'd)

MOTION

CRS PETER MANSFIELD / BRIAN KEENAN

That Council:

1. appoint a Committee of the Council, comprising Councillor Cleveland and Councillor Cox and the General Manager Infrastructure to consider submissions and hear any person who wishes to be heard in support of their submission on the proposed discontinuance of Hamilton Lane, Cobram, and,
2. the Committee will hear submissions on a date, time and place as set by the Chief Executive Officer.

(CARRIED)

FILE NO: F13/52
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.5
(MANAGER STRATEGIC PROJECTS, MARK
FOORD)
(GENERAL MANAGER INFRASTRUCTURE,
ANDREW CLOSE)

PETITION - TUNGAMAH COURT HOUSE

1. Executive Summary

Council has received a petition/letter containing 138 signatures requesting Council to restore the Tungamah Court House. In accordance with Council's Local Law the petition was lodged at Council's meeting of 23 February 2015, at which Council resolved;

That:

Council receive the Petition/Letter with 138 signatures and 30 letters requesting Council to Restore Tungamah Court House

The petition called for Council to act as quickly as possible to do repair work to the Tungamah Court House and enable access to the building. The building has been closed for safety reasons due to the dangerous condition of internal plaster and other sections of the building.

Neither the building nor the land upon which the building is constructed is owned by Council.

The building requires extensive repairs and any consideration of a proposal to undertake works would require Council to allocate funding within its budget. There are no funds in the 2014/15 budget to undertake works on the building.

An assessment of the works required has been done by a heritage experienced building estimator and the costs of bringing the building back to its original state are of the order of \$600,000, including documentation and tender costs.

A proposal has been prepared for Council to consider works for the 2015/16 financial year and opportunities for external funding have been explored.

An application has been lodged with the State Government which owns the building, for grant funds of \$500,000 with Council providing \$100,000, subject to budgetary consideration.

2. Background and Options

a. Ownership

Neither the building nor the land upon which the building is constructed is owned by Council.

The land which includes the building, is listed as a piece of crown land. It is temporarily reserved for public recreation Gov Gazette (November 1977. Page 3461)

There is an active Tungamah Court House Committee of Management that has been formed under Council's powers.

Should Council or the Committee of Management wish to carry out works on the building, owners permission would need to be sought. The responsible State Government Department is now DELWP.

FILE NO: F13/52
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.5
(MANAGER STRATEGIC PROJECTS, MARK
FOORD)
(GENERAL MANAGER INFRASTRUCTURE,
ANDREW CLOSE)

PETITION - TUNGAMAH COURT HOUSE (cont'd)

b. Building Use

The building was in regular use by the Tungamah Historic Society until the condition of the building required Council to close it for safety reasons on 11 September 2014. There are displays of various papers and items that are of some historic value. Some materials are no doubt of value while much is only relevant to the local community.

c. Heritage Significance

The building is not heritage listed on the State Register. It is a very significant building within the Shire.

3. Financial Implications

An estimate of works required to be done on the building has been obtained from an experienced building estimator. The estimated costs to restore the building are of the order of \$600,000, including documentation and tender costs.

An application for \$600,000 has been lodged with the State Government to fund restoration of the building. If the grant is successful, Council's contribution would be \$100,000.

4. Risk Management

The building is presently closed to the public because there is a significant risk of internal plaster and other building material falling from the internal walls.

5. Internal and External Consultation

Council's Town Planning and Building Department have been consulted with respect to this report.

6. Regional Context

There are no regional issues with respect to this report or the building itself.

7. Council Plan Strategy

The aspects of the Council Plan that influence this report or any decision resulting from it include;

- 5.2.1 Percentage of Council assets at or below the intervention level in accordance with the Municipal Association of Victoria Step Program.
- 5.2.2 The budget spent on renewal as a percentage of the asset renewal gap as identified by the Municipal Association of Victoria Step Program

8. Legislative / Policy Implications

The building is not owned by Council. There is an agreement with the State Government which owns the site and the building, that Council may manage the building and use it for public purposes.

9. Environmental Impact

There are no environmental impacts to consider with respect to this report.

10. Conflict of Interest Considerations

There are no Officer conflicts of interest with respect to the Officers who have prepared or contributed to the preparation of this report.

FILE NO: F13/52
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.5
(MANAGER STRATEGIC PROJECTS, MARK
FOORD)
(GENERAL MANAGER INFRASTRUCTURE,
ANDREW CLOSE)

PETITION - TUNGAMAH COURT HOUSE (cont'd)

11. Conclusion

The building requires extensive works to restore it or to repair it to a fit state for public use and it is not owned by Council.

Council has lodged a request to fund repair works with the State Government with Council contributing \$100,000, subject to the availability of funding in the 2015/16 budget.

It is recommended that Council consider providing a significant contribution to funding the repair works on the Tungamah Court House building in the 2015/16 financial year.

Attachments

- 1 Petition and Letters

RECOMMENDATION

That:

1. Council consider providing a part contribution to funding the repair works on the Tungamah Court House building in the 2015/16 budget.
2. Council formally advise the State Government that the building has been closed to public use because of the risk of material falling from the walls.
3. The petition organisers and those who have written letters regarding the building be advised of Council's decision.

MOTION

CRS DON MCPHEE / BRIAN KEENAN

That:

1. Council consider providing a part contribution to funding the repair works on the Tungamah Court House building in the 2015/16 budget.
2. Council formally advise the State Government that the building has been closed to public use because of the risk of material falling from the walls.
3. The petition organisers and those who have written letters regarding the building be advised of Council's decision.

(CARRIED)

FILE NO: F13/52
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.5
(MANAGER STRATEGIC PROJECTS,
MARK FOORD)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

PETITION - TUNGAMAH COURT HOUSE (cont'd)

ATTACHMENT No [1] - Petition and Letters

TO THE PRESIDENT AND COUNCILLORS OF THE SHIRE OF MOIRA, WE THE
UNDERSIGNED PERSONS WHO CARE FOR THE HERITAGE AND HISTORY OF
TUNGAMAH, SINCERELY ASK THAT COUNCIL ACT AS QUICKLY AS POSSIBLE
TO DO REPAIR WORK TO THE TUNGAMAH COURT HOUSE AND ENABLE THE
COMMUNITY ACCESS TO THIS GREAT BUILDING AND WONDERFUL MUSEUM.

File 1
Comes M.
DIS/1112
8 JAN 2015

FILE NO: F13/52
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.5
(MANAGER STRATEGIC PROJECTS,
MARK FOORD)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

PETITION - TUNGAMAH COURT HOUSE (cont'd)

ATTACHMENT No [1] - Petition and Letters

Letter of support –Tungamah Court House

This letter is to express my strong support for the restoration and reopening of the Tungamah Court House.

The Court House is important to me

The Tungamah Court House is a very important place for me and for all Tungamah and District people (past, present and future).

The Tungamah Court House forms part of the historic streetscape that makes our town unique. Its very existence also demonstrates what a depth of history this town has. For Tungamah Primary School students, what an amazing thing to know that Tungamah was once such a busy town with so many people that it had a functioning Court House.

To understand their local history, it is so important that our local children are able to visit the building, to see and feel the history in its walls, and to learn from the records it contains.

The Court House is a community focal point

The Court House building and its museum provides a focal point for the community, to meet and share stories. This applies to the volunteer team that operate the museum and to visitors alike.

It is so important that the Court House continues to be available to be used by the community, for the community.

The Court House preserves our stories

The Court House houses a wonderful collection of archives that tell the stories of those Tungamah people who came before us. Highlights of the collection include military memorabilia and honour boards from the World Wars, the records from Shire of Tungamah (including rate books from the 19th and 20th centuries) and other local treasures from costumes to historic tools. The Court House keeps our stories alive.

[If you have any other points to make about the environmental, economic or social/community benefits that would flow from the restoration and reopening of the Court House – mention them here]

It would be a community tragedy if the Tungamah Court House was boarded up and fell into ruin.

For all these reasons, I wholeheartedly support:

- the application for a grant to restore the Court House,
- the reopening of the Court House for community purposes.

I am happy for you to share my vote of support with the Moira Shire and Heritage Victoria.

Thank you.

Yours sincerely

FILE NO: F13/52
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.5
(MANAGER STRATEGIC PROJECTS,
MARK FOORD)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

PETITION - TUNGAMAH COURT HOUSE (cont'd)

ATTACHMENT No [1] - Petition and Letters

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To understand their local history, it is so important that our local children are able to visit the building, to see and feel the history in its walls, and to learn from the records it contains.

The Court House is a community focal point.

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3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.5
(MANAGER STRATEGIC PROJECTS,
MARK FOORD)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

PETITION - TUNGAMAH COURT HOUSE (cont'd)

ATTACHMENT No [1] - Petition and Letters

Letter of support -Tungamah Court House

This letter is to express my strong support for the restoration and reopening of the Tungamah Court House.

Growing up in Tungamah

Although I was born in Melbourne, coming as a 5 year-old to Tungamah, and my father taking our family elsewhere when I was 12, I spent my childhood formative years in Tungamah. I cannot express how important are my memories of growing up in Tungamah. Swimming in the creek, playing with friends, the school...

I particularly remember the old school house, now sadly gone. I would also donate to a fund to fix the shelter shed, perhaps even moving it closer to town.

The Court House

The Tungamah Court House is a very important place for me and for all Tungamah and District people (past, present and future).

The Tungamah Court House forms part of the historic streetscape that makes our town unique. Its very existence also demonstrates what a depth of history this town has.

For Tungamah Primary School students, what an amazing thing to know that Tungamah was once such a busy town with so many people that it had a functioning Court House.

To understand their local history, it is so important that our local children are able to visit the

FILE NO: F13/52
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.5
(MANAGER STRATEGIC PROJECTS,
MARK FOORD)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

PETITION - TUNGAMAH COURT HOUSE (cont'd)

ATTACHMENT No [1] - Petition and Letters

Dear Sir,

On behalf of the Tungamah Primary School I want to express our concern of the closure of the Tungamah Historical Museum..

We believe this is of great benefit for our pupils to have access to their town heritage and family history.

We support that the Historical Museum remain opened to the community.

Kind regards

FILE NO: F13/52
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.5
(MANAGER STRATEGIC PROJECTS,
MARK FOORD)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

PETITION - TUNGAMAH COURT HOUSE (cont'd)

ATTACHMENT No [1] - Petition and Letters

I wish to support the Tungamah Court House Committee of Management in their endeavour to the restoration of the court house building I believe this building to be of significant value to our town and the wider community.

I am prepared to assist in any way to make this possible.

Yours faithfully

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FILE NO: F13/52
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.5
(MANAGER STRATEGIC PROJECTS,
MARK FOORD)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

PETITION - TUNGAMAH COURT HOUSE (cont'd)

ATTACHMENT No [1] - Petition and Letters
accepted." Cd

BUSINESS ARISING;

1. Street Lights. Have been fixed and all are working.
2. Podiums. All have been put in, replacements for Hotel and Shop to be done, Old sign at Saunders Park to be redone with map of podium sites to be added Graham to follow up on prices to get sign redone.
3. Flood Guides. Have gone to State Manager SES.
4. Sewerage. Roads needing to be fixed, Shire will do the work and send the account to North East Water.

REPORTS;

1. Finance Report. Balance in account Balance as at 31st January \$4,331.22
Includes \$600.00 for Australia day credited to our account from Moira Shire ✓

Moved P. Boucher/I. Littler "That the finance report be accepted." Cd

CORRESPONDENCE;

1. Australia Day information and confirmation of \$600.00 transferred into our account.

GENERAL BUSINESS;

1. Australia Day. Nomination Date has been extended due to lack of nominations around shire. Lions will do the breakfast again. Councillor Don McFee to be approached to be guest speaker. Signs to go up around town closer to day.
2. House Block in School Street. Suggested local Lions club be approached to clean the yard.
3. Shire has indicated it does not want it to close, Committee looking to get a grant, needs letters of support from people of Tungamah.

NEXT MEETING; December 8th 2014

FILE NO: F13/52
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.5
(MANAGER STRATEGIC PROJECTS,
MARK FOORD)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

PETITION - TUNGAMAH COURT HOUSE (cont'd)

ATTACHMENT No [1] - Petition and Letters

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FILE NO: F13/52
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.5
(MANAGER STRATEGIC PROJECTS,
MARK FOORD)
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INFRASTRUCTURE, ANDREW CLOSE)

PETITION - TUNGAMAH COURT HOUSE (cont'd)

ATTACHMENT No [1] - Petition and Letters

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I am prepared to assist in any way to make this possible.

Yours faithfully



FILE NO: F13/52
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.5
(MANAGER STRATEGIC PROJECTS,
MARK FOORD)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

PETITION - TUNGAMAH COURT HOUSE (cont'd)

ATTACHMENT No [1] - Petition and Letters

Chairman of the Committee,
Mr Ian Lither
Tungamah Local Museum,

Dear Mr Lither,

I am writing
to strongly support the application for a grant to
help repair the Tungamah Museum building.
This building holds local history records as well
as local memorabilia which many people wish to
visit and view.

With the museum complementing the heritage walk
it is a very important landmark in our township.

Yours faithfully,

FILE NO: F13/52
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.5
(MANAGER STRATEGIC PROJECTS,
MARK FOORD)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

PETITION - TUNGAMAH COURT HOUSE (cont'd)

ATTACHMENT No [1] - Petition and Letters

We are very concerned to hear that the Tungamah Court House building has deteriorated to the extent that it has been closed to the public.

It is vital that the building be restored and maintained as it is a magnificent and elegant structure with such a long and important history. Its meaning to Tungamah and district is immeasurable because of the many significant events which have occurred in and around the building and because it is such a notable example of the early architecture of the late 1800's when Tungamah was being established.

The building has been useful in all its many and varied roles. Our children attended the pre-school and playgroup there and we all became very fond of the building from that time. Its most recent function as a museum is a very fitting use for the venue and the displays created there are a valuable record of the history of the area.

It is our hope that the Court House can be preserved for the future and we hope this letter of support will assist in some measure.

Yours sincerely

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FILE NO: F13/52
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.5
(MANAGER STRATEGIC PROJECTS,
MARK FOORD)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

PETITION - TUNGAMAH COURT HOUSE (cont'd)

ATTACHMENT No [1] - Petition and Letters

TO WHOM IT MAY CONCERN

As members of the small community of Tungamah we wish to add our concerns to the possibility we may lose a valuable part of our heritage in the Old Court House.

For many years now the building has housed a very valuable collection of history and memorabilia of the town of Tungamah and surrounding districts.

There is also a very good collection of information relating to the Two World Wars and the documents of the old Shire of Tungamah are irreplaceable. Many people from all over the country come to do research at the museum.

We understand the problem is costly, but other communities have faced similar problems and been able to overcome them.

To lose such an asset as valuable to a community as this would be a tragedy, not only to the people of this area, but all those who visit each year.

We fully endorse the committed people endeavouring to have the Court House restored and opened to the public again.

Yours Sincerely



FILE NO: F13/52
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.5
(MANAGER STRATEGIC PROJECTS,
MARK FOORD)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

PETITION - TUNGAMAH COURT HOUSE (cont'd)

ATTACHMENT No [1] - Petition and Letters

TO WHOM IT MAY CONCERN

The members of the Tungamah and District Lions Club wish to add their concerns to the possibility we may lose a valuable part of our heritage in the Old Court House.

The building now houses a very valuable collection of history and memorabilia of the town of Tungamah and surrounding districts.

Collections relating to the two world wars and the Shire of Tungamah are irreplaceable. Many people from all over the country come to do research at the museum.

We understand the problem is not insurmountable and though costly, can be fixed. An asset as valuable to a community as this must not be lost to the people of this area and all those who visit each year.

We fully endorse the committed people endeavouring to have the Court House restored and opened to the public again.

FILE NO: F13/52
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.5
(MANAGER STRATEGIC PROJECTS,
MARK FOORD)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

PETITION - TUNGAMAH COURT HOUSE (cont'd)

ATTACHMENT No [1] - Petition and Letters

3728

TO WHOM IT MAY CONCERN

The members of the Community Representative Committee in Tungamah and District wish to add their concern at the possibility that we may lose the historic Court House building in Tungamah.

The Court House is now used as a museum. The Museum has a very large display of the history of this area that is invaluable to people wishing to do research into their families or just spend a few hours browsing at things from the past.

It also houses a valuable resource of information regarding the old Tungamah Shire and aspects of both great world wars.

The history of farming in this community is also well represented, the log cabin relocated to the site is an excellent example of this. To lose such a well resourced facility would be a tragedy for many people who have donated so much to make this museum such a wonderful place to visit.

We understand the damage to the building is not major, it is only one small corner in a very important historical building. To lose a building of such historical significance would be a major blow to the small rural town of Tungamah.

We would ask that you consider this application in light of the value to this small community and all those visitors who find it so valuable for finding information about this area.

FILE NO: F13/52
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.5
(MANAGER STRATEGIC PROJECTS,
MARK FOORD)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

PETITION - TUNGAMAH COURT HOUSE (cont'd)

ATTACHMENT No [1] - Petition and Letters

5 December, 2014
Chairman of the Committee
Mr. I. Littler
Tungamah Court Museum
22 Mallon St.
Tungamah, Vic. 3728

Dear Mr. Littler,

Upon hearing that the Tungamah Museum is having to close its doors to the public I wish to voice my concern as to the future of the Museum's contents. Especially as to where the Rate Books will now be housed so as to be available to be viewed by members of the public.

For many years I have been interested in Local and Family History of this area and realise the immense value of being able to peruse (particularly) early Rate Books. Living near to the boundary of the Benalla and Moira (Tungamah) Shires, the perusal of Tungamah Rate Books are a valuable suggestion to family history researchers.

I trust that a suitable home will be found to house these treasures and the history of the Tungamah area, so lovingly collected by this generation, so as to be available to future generations.

Yours faithfully,



Ms. J. J. J. J. J.

FILE NO: F13/52
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.5
(MANAGER STRATEGIC PROJECTS,
MARK FOORD)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

PETITION - TUNGAMAH COURT HOUSE (cont'd)

ATTACHMENT No [1] - Petition and Letters

I support what my son Jason has said about Tungamah Court House.

Sent from my iPad

Important - This email and any attachments may be confidential. If received in error, please contact us and delete all copies. Before opening or using attachments check them for viruses and defects. Regardless of any loss, damage or consequence, whether caused by the negligence of the sender or not, resulting directly or indirectly from the use of any attached files, our liability is limited to resupplying any affected attachments. Any representations or opinions expressed are those of the individual sender, and not necessarily those of the Department of Education and Early Childhood Development.

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3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.5
(MANAGER STRATEGIC PROJECTS,
MARK FOORD)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

PETITION - TUNGAMAH COURT HOUSE (cont'd)

ATTACHMENT No [1] - Petition and Letters

By email to

Letter of support –Tungamah Court House

This letter is to express this Society's strong support for the restoration and reopening of the Tungamah Court House.

The Court House is important

The Tungamah Court House is a very important place for all Tungamah and District people (past, present and future).

The Tungamah Court House forms part of the historic streetscape that makes Tungamah unique. Its very existence also demonstrates what a depth of history this town has.

For Tungamah Primary School students, what an amazing thing to know that Tungamah was once such a busy town with so many people that it had a functioning Court House.

To understand their local history, it is so important that our local children are able to visit the building, to see and feel the history in its walls, and to learn from the records it contains.

The Court House is a community focal point

The Court House building and its museum provides a focal point for the community, to meet and share stories. This applies to the volunteer team that operate the museum and to visitors alike.

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3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.5
(MANAGER STRATEGIC PROJECTS,
MARK FOORD)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

PETITION - TUNGAMAH COURT HOUSE (cont'd)

ATTACHMENT No [1] - Petition and Letters

It is so important that the Court House continues to be available to be used by the community, for the community.

The Court House preserves Tungamah's stories

The Court House houses a wonderful collection of archives that tell the stories of those Tungamah people who came before us. Highlights of the collection include military memorabilia and honour boards from the World Wars, the records from Shire of Tungamah (including rate books from the 19th and 20th centuries) and other local treasures from costumes to historic tools. The Court House keeps our stories alive.

It would be a community tragedy if the Tungamah Court House was boarded up and fell into ruin.

For all these reasons, we wholeheartedly support:

- the application for a grant to restore the Court House.
- the reopening of the Court House for community purposes.

Our Society members are happy for you to share our vote of support with the Moira Shire and Heritage Victoria.

Yours faithfully,

FILE NO: F13/52
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.5
(MANAGER STRATEGIC PROJECTS,
MARK FOORD)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

PETITION - TUNGAMAH COURT HOUSE (cont'd)

ATTACHMENT No [1] - Petition and Letters

Chairman of Committee of Management.
Tungamah Court House.

Dear Sam,
We wish to endorse the committee's request
for a National Trust grant for restoration of
the Tungamah Court House, currently housing our museum.
Apart from its valuable use as a museum
this lovely authentic building is unique + holds
great historic significance to our town + district.
We applaud the Committee + trust your
request is forthcoming.

Best wishes friend,
" " " " " "

FILE NO: F13/52
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.5
(MANAGER STRATEGIC PROJECTS,
MARK FOORD)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

PETITION - TUNGAMAH COURT HOUSE (cont'd)

ATTACHMENT No [1] - Petition and Letters

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For Tungamah Primary School students, what an amazing thing to know that Tungamah was once such a busy town with so many people that it had a functioning Court House.

To understand their local history, it is so important that our local children are able to visit the building, to see and feel the history in its walls, and to learn from the records it contains.

I remember the days of passing the court house daily on route to all things Tungamah.

The Court House is a community focal point

The Court House building and its museum provides a focal point for the community to meet and share stories. This applies to the volunteer team that operate the museum and to visitors alike.

It is so vitally important that the Court House continues to be available to be used by the community, for the community.

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As many of our kids live for today, it is vital to be able to teach our kids respect for our history and why Tungamah is like it is today. Whilst our Governments at all levels are making large scale changes to be more cost effective it is vital that an established building such as this is maintained for the greater good of the Community. Historic establishments like this build the desired bridges between the elderly and the young and keeps the history alive longer.

It would be a community tragedy if the Tungamah Court House was boarded up and fell into ruin, as small to medium sized towns down grade their own facilities by choosing the incorrect options to keep the history alive for all the right reasons. Those reasons being part of the social charter of any council in the below to which don't appear to be occurring in this instance.

1. A well educated and employed community is difficult when they are not educated on local history in the future.
2. A healthy and safe community, is engaging people to get to the Court House.
3. A culturally & socially vibrant and connected community to the building.
4. A sustainably built and maintained plan that is environmentally engaged community around this building
5. A well planned and engaged community on maintaining this building.

For all these reasons, I wholeheartedly support:

- the application for a grant to restore the Court House,
- the reopening of the Court House for community purposes.

I am happy for you to share my vote of support with the Moira Shire and Heritage Victoria.

Thank you.

Yours sincerely

FILE NO: F13/52
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.5
(MANAGER STRATEGIC PROJECTS,
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(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

PETITION - TUNGAMAH COURT HOUSE (cont'd)


ATTACHMENT No [1] - Petition and Letters

The Tungamah Museum holds a treasure chest of documented local history, ex-service memorabilia, Honour Boards as well as a wide variety of items of social interest. Because of the closure of this building to prohibit entry, these records can no longer be accessed by the public.

On a personal note, over the years, I have been involved in the recording of local history. In this capacity, together with several residents from Tungamah and St. James, we have laboriously photocopied the Tungamah Rate books from its inception. We then took a decision that these copies be handed to the then Tungamah Shire. Following Council Amalgamations these precious records were handed to the Tungamah Museum as permanent custodians. These Rate Books are of vital importance to many persons tracing their family colonial roots.

As stated by the Moira Shire, the owner of this building, it has no capacity to fund the necessary remedial structure work and have taken a decision to apply for a National Trust Grant in order have this work completed. I pray that this Grant be urgently considered and approved and our *treasure chest of history* is again available to the public.

Yours faithfully,

A handwritten signature in dark ink, appearing to be 'J. ...', is written over a faint, rectangular stamp or grid.

FILE NO: F13/52
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.5
(MANAGER STRATEGIC PROJECTS,
MARK FOORD)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

PETITION - TUNGAMAH COURT HOUSE (cont'd)

ATTACHMENT No [1] - Petition and Letters

To Whom It May Concern

I was concerned to hear from Mr. Ian Littler, Chairman of the Tungamah Court House Management Committee that the Tungamah Court building has been deemed unsafe for the public to access the museum collection housed in that building.

Tungamah is fortunate to have a stable community with some architecturally significant buildings of which one is the Court House. The museum contained within the Court House has been well curated and welcomes both locals and visitors to the area.

A wealth of social history is documented in the museum, history that covers one and a half centuries of the town as well as broader social history. Families researching their own social histories find the municipal collection, covering the century of the Shire of Tungamah, particularly helpful in the accurate documenting of where people were at given times.

The collection of wartime and returned services memorabilia is also an important collection.

My particular interest has been in the fabric collection. The museum, has set aside in a *specially darkened room, a collection of garments and domestic textiles that present an engaging link to the past.

I sincerely hope that the Tungamah Court House Management Committee is successful in obtaining a grant to repair the Court House. A repaired Court House would not only benefit the streetscape of the town of Tungamah but allow locals and visitors to have access to the building.

Yours sincerely,

FILE NO: F13/52
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.5
(MANAGER STRATEGIC PROJECTS,
MARK FOORD)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

PETITION - TUNGAMAH COURT HOUSE (cont'd)

ATTACHMENT No [1] - Petition and Letters

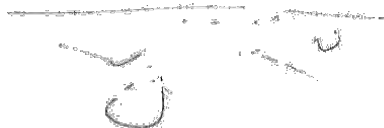
24 November 2014

To Whom it may concern,

On behalf of the Tungamah Historical Society I wish to encourage your support for a grant to enable the significant Tungamah Courthouse building, in which our collection of memorabilia is housed, to be restored.

Many people enjoy being able to access the wide variety of exhibits and records that are on offer when the Museum can be opened.

Yours sincerely,



FILE NO: F13/52
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.5
(MANAGER STRATEGIC PROJECTS,
MARK FOORD)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

PETITION - TUNGAMAH COURT HOUSE (cont'd)

ATTACHMENT No [1] - Petition and Letters

Members of the Tungamah Uniting Church were dismayed to learn of the closure of the Tungamah Museum, following the identification of a structural problem with the Court House building which has been present for many years.

The Tungamah Historical Society's Museum is an integral part of the Tungamah community, and it provides an important and highly valued resource for many in the community, as well as people who come to us from across the nation seeking information regarding their ancestors and their connections to Tungamah. The Court House houses a wide variety of exhibits detailing the social history of a community and its life over more than a century and a half. There are records of the involvement of local people during wartime, and a significant amount of military memorabilia. There are Council records of a century of the life of the Shire of Tungamah. There are records of births and deaths that occurred long ago. The fabric room encapsulates much social history. It is absolutely vital that the building be reopened as soon as possible so that people from across the nation may again have access to the wealth of information it contains.

In addition, the old Court House is a building of great significance to the community and a treasure for the district. It is important that it be preserved, and not allowed to crumble and fall into disrepair for want of a small amount of essential maintenance.

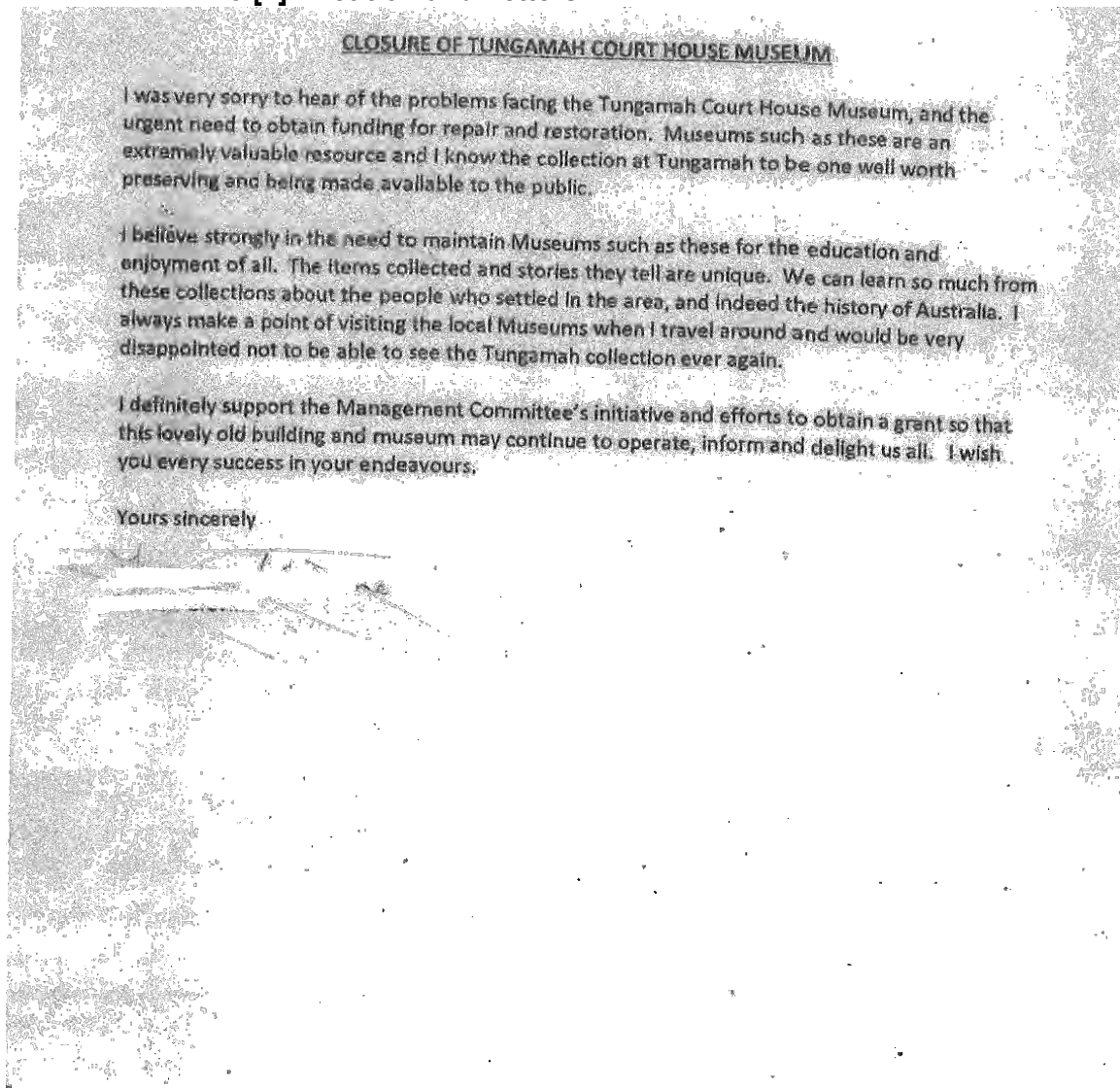
Yours Sincerely,

FILE NO: F13/52
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.5
(MANAGER STRATEGIC PROJECTS,
MARK FOORD)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

PETITION - TUNGAMAH COURT HOUSE (cont'd)

ATTACHMENT No [1] - Petition and Letters



FILE NO: F13/52
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.5
(MANAGER STRATEGIC PROJECTS,
MARK FOORD)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

PETITION - TUNGAMAH COURT HOUSE (cont'd)

ATTACHMENT No [1] - Petition and Letters

I write in support of the application for funding for a grant to enable repair work to be carried out on the old Court House building at Tungamah.

The court house and the museum provide a key part in the history and heritage of Tungamah.

There is a move within the education system to teach more of local, state and Federal history. This museum is a repository for local government rate books and municipal matters, both world wars as well as a vast variety of items of local social interest. I am honoured to say that in the museum collection are a number of items from my family who first arrived in Tungamah in the 1890's.

Tungamah can ill afford losing such a fine building as the old Court House and I definitely support the application for a grant for repairs.

Yours faithfully,



FILE NO: F13/52
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.5
(MANAGER STRATEGIC PROJECTS,
MARK FOORD)
(GENERAL MANAGER
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PETITION - TUNGAMAH COURT HOUSE (cont'd)

ATTACHMENT No [1] - Petition and Letters

houses so many historical items in Tungamah. As you know, my friends and I have enjoyed our visits to Tungamah including the Boosey Creek reserve, the Churches and the Court House. It is very sad to hear that we may no longer be able to access this most informative capsule of the life and times of Tungamah and surrounds, which seems to indicate that small country towns are no longer of importance. I strongly disagree.

May I wish you and the Committee of Management every success in your endeavours.

~~Yours sincerely,~~

FILE NO: F13/52
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.5
(MANAGER STRATEGIC PROJECTS,
MARK FOORD)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

PETITION - TUNGAMAH COURT HOUSE (cont'd)

ATTACHMENT No [1] - Petition and Letters

Please cut along line as top part of message is not required with letter

[insert your address here]
[insert date here]
Mr Ian Liddler
Chairman, Court House Committee of Management
22 Mallon Street
Tungamah VIC 3728
and
Ms Wendy Saunders
President, Tungamah Historical Development & Tourist Society
Argus Street
Tungamah VIC 3728
By email to ian.liddler@bglpond.com

Dear Mr Liddler and Ms Saunders
Letter of support - Tungamah Court House
This letter is to express my strong support for the restoration and reopening of the Tungamah Court House.
The Court House is important to me
The Tungamah Court House is a very important place for me and for all Tungamah and District people (past, present and future).
The Tungamah Court House forms part of the historic streetscape that makes our town unique. Its very existence also demonstrates what a depth of history this town has.
For Tungamah Primary School students, what an amazing thing to know that Tungamah was once such a busy town with so many people that it had a functioning Court House.
To understand their local history, it is so important that our local children are able to visit the building, to see and feel the history in its walls, and to learn from the records it contains.
The Court House is a community focal point
The Court House building and its museum provides a focal point for the community, to meet and share stories. This applies to the volunteer team that operate the museum and to visitors alike.
It is so important that the Court House continues to be available to be used by the community, for the community.
The Court House preserves our stories
The Court House houses a wonderful collection of archives that tell the stories of those Tungamah people who came before us. Highlights of the collection include military memorabilia and honour boards from the World Wars, the records from Shire of Tungamah (including rate books from the 19th and 20th centuries) and other local treasures from costumes to historic tools. The Court House keeps our stories alive.
[If you have any other points to make about the environmental, economic or social/community benefits that would flow from the restoration and reopening of the Court House - mention them here]
It would be a community tragedy if the Tungamah Court House was boarded up and fell into ruin.
For all these reasons, I wholeheartedly support:
• the application for a grant to restore the Court House,
• the reopening of the Court House for community purposes.
I am happy for you to share my vote of support with the Moira Shire and Heritage Victoria.

Thank you
gamahOfOld/timeline

FILE NO: F13/52
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.5
(MANAGER STRATEGIC PROJECTS,
MARK FOORD)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

PETITION - TUNGAMAH COURT HOUSE (cont'd)

ATTACHMENT No [1] - Petition and Letters

Please include me in helping in anyway to help save our historical buildings not only the courthouse but all our town history I was born and breed in this township and I don't want shire council destroying our past and present buildings or projects etc that are in the Tungamah community.

Sincerely yours,

FILE NO: F13/52
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.5
(MANAGER STRATEGIC PROJECTS,
MARK FOORD)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

PETITION - TUNGAMAH COURT HOUSE (cont'd)

ATTACHMENT No [1] - Petition and Letters

Tungamah Court House – Letter of Support

Please accept this letter as my support for the restoration and reopening of the Tungamah Court House. The Tungamah Court House is a very important place for me and for all townships people (past, present and future). The Tungamah Court House forms part of the historic streetscape that makes our town unique. Its very existence also demonstrates what a depth of history this town has.

For Tungamah Primary School students, what an amazing thing to know that Tungamah was once such a busy town with so many people that it had a functioning Court House. To understand their local history, it is so important that our local children are able to visit the building, to see and feel the history in its walls, and to learn from the records it contains. The Tungamah Court house has been utilised over the years for many purposes, originally in the day of the court house and later on as the local Pre-School and Occasional Care facility, I remember many glorious days of attending pre-school at the court house and now home of our beloved Museum.

The Court House building and its museum provides a focal point for the community, to meet and share stories. The daily operations of the Tungamah Court house is functioned by local volunteers (young and old) that enable visitors including past resident to relive lovely memories and the opportunity to share stories with the young children in the township today. To me, that is why it is important that the Court House continues to be available to be used by the community, for the community. The Court House preserves our stories. The Court House houses a wonderful collection of archives that tell the stories of those Tungamah people who came before us. Highlights of the collection include military memorabilia and honor boards from the World Wars, the records from Shire of Tungamah (including rate books from the 19th and 20th centuries) and other local treasures from costumes to historic tools. The Court House keeps our stories alive.

It would be a community tragedy if the Tungamah Court House was boarded up and fell into

FILE NO: F13/52
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.5
(MANAGER STRATEGIC PROJECTS,
MARK FOORD)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

PETITION - TUNGAMAH COURT HOUSE (cont'd)

ATTACHMENT No [1] - Petition and Letters

RE: Letter in support of preserving the Tungamah Court House

As a direct descendent of six pioneer families in the district, I would like to support the restoration of the heritage-listed Tungamah Court House.

Thank you for your support of this issue and for bringing it to our attention.

I have loaned some items and information currently on display in the courthouse and would like to see this beautiful old building restored to its former glory and open once again for the general public.

Yours sincerely

FILE NO: F13/52
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.5
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MARK FOORD)
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INFRASTRUCTURE, ANDREW CLOSE)

PETITION - TUNGAMAH COURT HOUSE (cont'd)

ATTACHMENT No [1] - Petition and Letters

Letter of support – Tungamah Court House

This letter is to express my strong support for the restoration and reopening of the Tungamah Court House.

The Court House is important to me

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For Tungamah Primary School students, what an amazing thing to know that Tungamah was once such a busy town with so many people that it had a functioning Court House.

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The Court House is a community focal point

The Court House building and its museum provides a focal point for the community, to meet and share stories. This applies to the volunteer team that operate the museum and to visitors alike.

It is so important that the Court House continues to be available to be used by the community, for the community.

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[If you have any other points to make about the environmental, economic or social/community benefits that would flow from the restoration and reopening of the Court House – mention them here]

It would be a community tragedy if the Tungamah Court House was boarded up and fell into ruin.

For all these reasons, I wholeheartedly support:

- the application for a grant to restore the Court House;
- the reopening of the Court House for community purposes.

I am happy for you to share my vote of support with the Moira Shire and Heritage Victoria.

Thank you.

Yours sincerely

FILE NO: F13/52
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.5
(MANAGER STRATEGIC PROJECTS,
MARK FOORD)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

PETITION - TUNGAMAH COURT HOUSE (cont'd)

ATTACHMENT No [1] - Petition and Letters

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- * the application for a grant to restore the Court House.
- * the reopening of the Court House for community purposes.

I am happy for you to share my vote of support with the Moira Shire and Heritage Victoria.

Thank you.

Yours sincerely

FILE NO: 52014592
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.6
(TOWN PLANNER, MARTINA FOLEY)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

52014592 - ELEVEN (11) LOT SUBDIVISION - HUMBERSTONE STREET, NATHALIA

1. Executive Summary

A Planning Permit application has been received for an eleven (11) lot subdivision at Humberstone Street, Nathalia. Ten local residents and landowners have objected to the issuing of the permit, highlighting concerns relating primarily to drainage related flooding but also to the increase in traffic that may arise.

The proposed development accords with the purpose of the General Residential Zone and the decision guidelines set out in the Moira Planning Scheme. It is also in accordance with State and Local Planning Policies. The application was internally and externally referred and no objection has been received.

A report was put before Council on 23 February 2015 recommending that a permit be issued, subject to conditions.

At the 23 February Ordinary Council Meeting, Council resolved the following:

That Council defer a decision with on this application, until the next Ordinary meeting during which time a meeting is held with objectors and the Applicant if possible, in order to review the objections.

This meeting was held on 11 March 2015 at the Nathalia Library and attended by most of the objectors and the applicant with the outcome being a commitment that Council officers would investigate the options to address the existing drainage issues in Hawker, Federation and Pearce Streets.

It is recommended that a permit be issued subject to conditions as it is the officer's submission that the concerns of the objectors have been fully considered and permit conditions will ensure that the subdivision is adequately drained.

2. Background and Options

Application Details

Applicant: Ken McNamara
Owners: Haback Holding PTY LTD,
Ian and Kristy Brereton,
Stuart and Elvie Barnes
Land Address: Humberstone Street, Nathalia
Title Details: PC368988
Site Area: 8123m²
File No: 52014592
Zone: General Residential Zone (GRZ)
Overlays: No

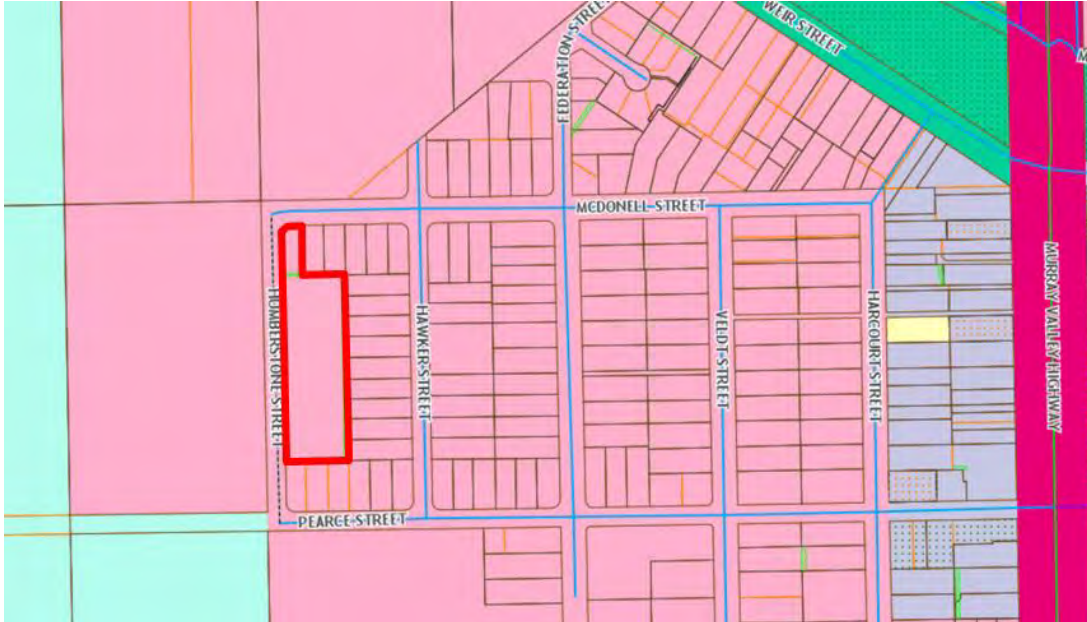
Key Issues

- State & Local Planning Policy
- Zoning requirements
- Development/subdivision requirements
- Objections

FILE NO: 52014592
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.6
(TOWN PLANNER, MARTINA FOLEY)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

**52014592 - ELEVEN (11) LOT SUBDIVISION - HUMBERSTONE STREET,
NATHALIA (cont'd)**



The subject land (PC 368988) is located in Nathalia, on the western fringe of the town. It is located to the south of the new Nathalia District Hospital. Humberstone Street is

FILE NO: 52014592
3. DEVELOPMENT AND LIVEABILITY

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(GENERAL MANAGER
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**52014592 - ELEVEN (11) LOT SUBDIVISION - HUMBERSTONE STREET,
NATHALIA (cont'd)**

currently an unformed road running north/south parallel to Hawkers Street between Pearce and McDonnell Streets.



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(TOWN PLANNER, MARTINA FOLEY)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

**52014592 - ELEVEN (11) LOT SUBDIVISION - HUMBERSTONE STREET,
NATHALIA (cont'd)**

Proposal

The proposal is for an eleven (11) lot subdivision creating lots, from north to south (starting at McDonnell Street) as follows:

Lot 1: 327m²
Lot 2: 329m²
Lot 3: 832m²
Lots 4 - 11: 829m² each

The proposed plan of subdivision incorporates four existing easements relating to Goulburn Valley Water pipeline and drainage for lots on LP21100.

Planning History

In 2005 an application was lodged for a planning permit to build a twenty-three (23) unit independent living community (TP05/244). The permit was issued however it has subsequently expired.

An application for the certification of a plan of consolidation was lodged to consolidate 10 lots into one single lot (TP05/289). No planning permit is required for the consolidation of land. The plan was certified and issued with a Statement of Compliance.

This new application effectively subdivides this lot into 11 separate lots, in a similar configuration to what previously existed.

Options

Council has the option to defer its decision for further assessment, issue a notice of refusal or issue a planning permit.

3. Financial Implications

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

4. Risk Management

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

5. Internal and External Consultation

Internal Consultation

The application was referred to the Shire's Infrastructure Planning and Assets Departments. No objections have been raised however a number of conditions have been recommended if any permit is issued. It should be noted that Infrastructure Planning have set out detailed conditions relating to the construction of Humberstone Street and requiring detailed drainage plans be provided. The Statement of Compliance will not be issued until these conditions have been satisfied.

FILE NO: 52014592
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.6
(TOWN PLANNER, MARTINA FOLEY)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

**52014592 - ELEVEN (11) LOT SUBDIVISION - HUMBERSTONE STREET,
NATHALIA (cont'd)**

External Consultation

The application was also referred, externally, to APA, Goulburn Valley Water (GVW) and Powercor under Section 55 of the *Planning and Environment Act 1987*. No objections have been received. Conditions have however been set out.

Public Consultation

Public Notice of the application was given in accordance with the provisions of Section 52 of the *Planning and Environment Act 1987*.

At the time of writing this report, 10 objections have been received from residents of McDonald Street, Williamson Street, Hawker Street, Federation Street and Pearce Street. Copies of the objections are attached hereto. The main focus of concern relates to the drainage of the proposed lots. The objectors state that Pearce Street and Hawker Street are regularly subject to surface flooding after rain events and query the impact the addition of 11 new lots may have on drainage in the vicinity. One of the objections also raised a concern relating to traffic volume increases as a result of the proposed subdivision and resulting residential development.

The objections were forwarded to the applicant on 25 September 2014 with a request for a formal response. This was followed up with phone calls and an email on 10 October 2014. To date no response has been received from the applicant.

Water pooling on Pearce Street morning of 25 September following rain on the previous night



FILE NO: 52014592
3. DEVELOPMENT AND LIVEABILITY

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(TOWN PLANNER, MARTINA FOLEY)
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INFRASTRUCTURE, ANDREW CLOSE)

**52014592 - ELEVEN (11) LOT SUBDIVISION - HUMBERSTONE STREET,
NATHALIA (cont'd)**

Water pooling on Pearce / Hawker Street junction



As a result Council's resolution on 23 February 2015 to defer consideration of the application until a meeting is held with the objectors and the applicant, if possible, in order to review the objections, a meeting was held on the 11 March at the Nathalia Library with the parties and Council's General Manager Infrastructure.

The objectors to the planning permit were most concerned that drainage problems that exist in the vicinity of Pearce Street and the intersections with Hawker and Federation Streets would not be exacerbated by the proposed development in Humberstone Street. Pearce Street runs east-west to the south of the proposed development and it was highlighted that the closest drainage infrastructure that the development would be able to discharge to was in Federation St, northward of the development.

There was general agreement around the table from the objectors that stormwater from the new development should be discharged northward of the proposed development. There was also agreement around the table that the drainage issues within Hawker, Federation and Pearce Streets need to be addressed as a matter of urgency.

The objectors were advised that proposed Condition 13 of the recommended Notice of Decision to Grant a Permit required the developer to submit a properly prepared drainage plan with computations for approval by the Responsible Authority, namely Council, before the plan of subdivision could be certified. This will provide Council with ample opportunity to ensure that drainage issues already existing will not be made worse by the development.

A commitment was given to the objectors that Council officers would investigate the options available to address the existing drainage issues in Hawker, Federation and Pearce Streets which might include working with the developer to provide additional capacity in any underground drainage they are required to install. This will be the subject of a future report to Council once the options have been determined and costed.

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3. DEVELOPMENT AND LIVEABILITY

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(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

**52014592 - ELEVEN (11) LOT SUBDIVISION - HUMBERSTONE STREET,
NATHALIA (cont'd)**

6. Regional Context

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

7. Council Plan Strategy

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

- *Environment* – that Moira will responsibly manage its environment. The conditions attached to any permit will ensure that the proposal will not impact negatively upon the Shire's environment.
- *Development* – that Moira will be a great place to live. Focusing on liveability Council must decide if the objectors' concerns relating to drainage should take precedence when Council's Infrastructure Planning Officers have set out conditions that should ensure adequate drainage of the site.

8. Legislative / Policy Implications

Zoning

The subject lands are located in the General Residential Zone (GRZ). The purposes of the GRZ, amongst others, are:

*"To encourage development that respects the neighbourhood character of the area.
To provide a diversity of housing types and moderate housing growth in locations offering good access to services and transport."*

It is considered that the proposed subdivision into 11 lots accords with the purpose of the GRZ.

Clause 32.08-2 states that a permit is required to subdivide land. Further it states that any application for a subdivision creating 3-15 lots in the GRZ must meet all the objectives and standards set out in Clauses 56.02-1, 56.03-1 to 56.03-4, 56.05-2, 56.06-1, 56.06-3 and 56.06-6 of the Moira Planning Scheme. These will be discussed separately under Relevant Particular Provisions below.

Clause 32.08-10 sets out the decision guidelines for developments in the GRZ as follows:

General

- *The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *The purpose of this zone.*
- *Any other decision guidelines specified in a schedule to this zone.*

Subdivision

- *The pattern of subdivision and its effect on the spacing of buildings.*
- *For subdivision of land for residential development, the objectives and standards of Clause 56.*

Assessments related to relevant particular provisions will be discussed below. Regarding the remainder of the guidelines it is considered that the proposed development accords with the guidelines, subject to compliance with the conditions set out.

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3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.6
(TOWN PLANNER, MARTINA FOLEY)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

**52014592 - ELEVEN (11) LOT SUBDIVISION - HUMBERSTONE STREET,
NATHALIA (cont'd)**

State Planning Policies

Clause 11.10-3 of the SPP sets out that it is a strategy of the *Hume Region Growth Plan* to:

Support growth and development in ... existing urban settlements and foster the sustainability of small rural settlements.

By utilising residentially zoned land within an established urban settlement the subject development accords with this strategy.

Local Planning Policy and Municipal Strategic Statement

Clause 21.04 sets out Moira's vision for the future development of Nathalia. It is a stated strategy that:

Direct short term residential development to land already zoned for residential purposes.

The proposed development accords with this strategy. It is however a general settlement strategy in Clause 21.04-4 to:

Discourage new residential development in areas significantly affected by flooding.

Water pooling in the vicinity of the subject site is therefore of concern. It should however be noted that the flooding is a drainage related issue, rather than the type of flood events that effect other parts of the Shire. It is considered therefore that subject to compliance with the proposed conditions the proposed subdivision is unlikely to exacerbate surface water retention in the area.

Relevant Particular Provisions

Clause 52.01 – Open Space

This clause sets out the Shire's policies relating to Public Open Space Contributions and Subdivision. There is no record of any Public Open Space Contribution having been paid for the subject lands. Accordingly a condition requiring payment of the contribution will be set out.

Clause 56 – Residential Subdivision

Clause 56 sets out the requirements for residential subdivision. As a two lot subdivision the proposed development must accord with out in 56.02-1, 56.03-1 to 56.03-4, 56.05-2, 56.06-1, 56.06-3 and 56.06-6. A review of the proposed application has found that the proposed development accords generally with the requirement of the scheme. The proposed lots 3 – 11 generally accord with the existing pattern of lots in the area and provide ample space for new dwellings. Lots 1 and 2 are however much smaller, being 327m² and 329m² respectively. These are much smaller lots than those found in the vicinity however it is considered that smaller lots may be appropriate given the proximity to the Nathalia District Hospital.

FILE NO: 52014592
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.6
(TOWN PLANNER, MARTINA FOLEY)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

**52014592 - ELEVEN (11) LOT SUBDIVISION - HUMBERSTONE STREET,
NATHALIA (cont'd)**

The decision guidelines of Clause 65

Before deciding on an application to subdivide land, the responsible authority must also consider, as appropriate:

- *The suitability of the land for subdivision.*
- *The existing use and possible future development of the land and nearby land.*
- *The availability of subdivided land in the locality, and the need for the creation of further lots.*
- *The effect of development on the use or development of other land which has a common means of drainage.*
- *The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.*
- *The density of the proposed development.*
- *The area and dimensions of each lot in the subdivision.*
- *The layout of roads having regard to their function and relationship to existing roads.*
- *The movement of pedestrians and vehicles throughout the subdivision and the ease of access to all lots.*
- *The provision and location of reserves for public open space and other community facilities.*
- *The staging of the subdivision.*
- *The design and siting of buildings having regard to safety and the risk of spread of fire.*
- *The provision of off-street parking.*
- *The provision and location of common property.*
- *The functions of any body corporate.*
- *The availability and provision of utility services, including water, sewerage, drainage, electricity and gas.*
- *If the land is not sewered and no provision has been made for the land to be sewered, the capacity of the land to treat and retain all sewage and sullage within the boundaries of each lot.*
- *Whether, in relation to subdivision plans, native vegetation can be protected through subdivision and siting of open space areas.*

All the matters set out in Clause 65 have been considered. It is concluded that the proposed application, subject to compliance with the relevant conditions, accords with Clause 65.

9. Environmental Impact

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

10. Conflict of Interest Considerations

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

11. Conclusion

The application accords with all of the relevant planning policies that regulate new subdivisions.

FILE NO: 52014592
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.6
(TOWN PLANNER, MARTINA FOLEY)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

**52014592 - ELEVEN (11) LOT SUBDIVISION - HUMBERSTONE STREET,
NATHALIA (cont'd)**

In relation to traffic concerns raised by one of the objectors it should be noted that the road system in the vicinity of Humberstone Street were designed to cater for the traffic generated by the cumulative impact of the potential 11 new dwellings.

With respect to the drainage concerns raised by the objectors in their written objections and at the meeting with Council officers on 11 March 2015 regarding the proposed development, the Infrastructure Planning Department have set out conditions that must be complied with prior to the issuing of certification of a plan of subdivision and a statement of compliance.

It is recommended that a permit be issued for the subdivision, subject to conditions.

Attachments

- 1 Objections

RECOMMENDATION

That Council approve the issue of a Notice of Decision to Grant a Permit for Planning Application No. 52014592 for an eleven (11) lot subdivision at PC 368988, also known as Humberstone Street, Nathalia, subject to the following conditions:

1. The subdivision as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
2. Before the plan of subdivision is certified under the *Subdivision Act 1988*, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority, unless otherwise agreed in writing. When approved, the plans will be endorsed and then form part of the permit. The plans must be drawn to scale with dimensions the three copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to:
 - (a) Show on Lot 1 and Lot 2 building envelopes measuring 10 metres by 15 metres or 9 metres by 15 metres.
3. Before the Statement of Compliance is issued under the *Subdivision Act 1988*, the applicant or owner must pay to the Responsible Authority a sum equivalent to 5 per cent of the site value of all the land in the subdivision as a contribution to public open space. All costs associated with the valuation of land shall be borne by the applicant or owner.
4. The owner of the land must enter into an agreement with:
 - a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
 - a suitably qualified person for the provision of fibre ready telecommunication

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3. DEVELOPMENT AND LIVEABILITY

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(TOWN PLANNER, MARTINA FOLEY)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

**52014592 - ELEVEN (11) LOT SUBDIVISION - HUMBERSTONE STREET,
NATHALIA (cont'd)**

facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

5. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.
6. The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.
7. The sections of Humberstone St and McDonald St fronting the development must be constructed and sealed to the satisfaction of the Responsible Authority. Prior to the Responsible Authority issuing a Statement of Compliance for the Subdivision, the Subdivider must undertake or cause to be provided:
 - a) full construction of all new roads, kerb and channel, vehicle cross overs and drainage in accordance with the Infrastructure Design Manual. All works must conform to plans and specifications prepared by a qualified Engineer at the Subdivider's expense, and approved by the Responsible Authority;
 - b) payment to the Responsible Authority of an amount up to 2.5% of the actual cost of work, being for costs of the Responsible Authority supervision of the works, as determined by the Responsible Authority;
 - c) payment to the Responsible Authority of an engineering design checking fee of an amount up to 0.75% of the value of documented works;
 - d) the maintenance of the roads and footpaths for a period of 12 months from practical completion;
 - e) a defect liability period of 12 months will commence from the date of Statement of Compliance;
8. Before any works associated with the subdivision start, detailed construction plans must be prepared to the satisfaction of the Responsible Authority. All works constructed or carried out must be in accordance with those plans
9. Landscaping of the nature strip is to include the planting of one (1) mature (2 – 3 metres high) street tree per lot (of an approved species and location).
10. Prior to the issue of the Statement of Compliance, a complete copy of the as-constructed plans must be provided to the Responsible Authority both in hard copy and electronic format.
11. Prior to the issue of the Statement of Compliance three (3) copies of the schedule of construction costs must be provided to the Responsible Authority.
12. Prior to the issue of a Statement of Compliance a Guarantee of Work is to be provided to the Council having a minimum value of 5% of the total cost of roads, drainage and landscaping based upon the bill of quantities. The guarantee shall be released at the termination of the Defect liability period subject to satisfactory

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**52014592 - ELEVEN (11) LOT SUBDIVISION - HUMBERSTONE STREET,
NATHALIA (cont'd)**

completion of any works identified at that time.

13. Prior to the certification of the plan of subdivision under the Subdivision Act 1988, a properly prepared drainage discharge plan with computations to the satisfaction of the responsible authority must be submitted to and approved by the Responsible Authority.

When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and a minimum of three copies must be provided. The information submitted must show the details listed in the council's Infrastructure Design Manual and be designed in accordance with the requirements of that manual.

The information and plan must include:

- a) details of how the works on the land are to be drained and/or retarded.
- b) computations including total energy line and hydraulic grade line for the existing and proposed drainage as directed by Responsible Authority
- c) independent drainage for each lot
- d) underground pipe drains conveying stormwater to the legal point of discharge for each allotment
- e) measures to enhance stormwater discharge quality from the site and protect downstream waterways including the expected discharge quality emanating from the development (output from MUSIC or similar) and design calculation summaries of the treatment elements;
- f) a maximum discharge rate from the site is to be determined by computation to the satisfaction of Council

- g) documentation demonstrating approval from the relevant authority for the legal point of discharge.

Before the use begins and/or the building(s) is/are occupied or issue of a Statement of Compliance all works constructed or carried out must be in accordance with those plans. to the satisfaction of the Responsible Authority

GVW Conditions

14. Payment of a new customer contribution for water supply to the development, such amount being determined by the Corporation at the time of payment;
15. Provision of a reticulated water supply and associated construction works to each allotment within the development, at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation;
16. Payment of a new customer contribution for sewerage services to the development, such amount being determined by the Corporation at the time of payment;
17. Provision of reticulated sewerage and associated construction works to each allotment within the development, at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation.

In the case of multi-tenement development, the works required are to be carried out in accordance with AS 3500.2 - 'Sanitary plumbing and drainage', and include disconnection of any existing house connection drain to the satisfaction of the

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INFRASTRUCTURE, ANDREW CLOSE)

**52014592 - ELEVEN (11) LOT SUBDIVISION - HUMBERSTONE STREET,
NATHALIA (cont'd)**

Corporation's Property Services Section;

18. Provision of easements in favour of the Goulburn Valley Region Water Corporation over all existing and proposed sewer mains located within private property;
19. A notation is to be placed on the plan of subdivision to note that pursuant to Section 12(2) of the Subdivision Act 1988, there exists "implied easements" over proposed allotments 1 and 2 only and the common property within the development;
Alternatively, the developer is to provide a two metre wide sewerage easement over the common portion of the house connection drain, in favour of the benefiting land, to the satisfaction of the Goulburn Valley Region Water Corporation;
20. The operator under this permit shall be obliged to enter into an Agreement with Goulburn Valley Region Water Corporation relating to the design and construction of any sewerage or water works required. The form of such Agreement shall be to the satisfaction of Goulburn Valley Water. A copy of the format of the Agreement will be provided on request;
21. The plan of subdivision lodged for certification is to be referred to the Goulburn Valley Region Water Corporation pursuant to Section 8(1) of the Subdivision Act, 1988.

Powercor Conditions

22. The applicant shall:-

- a) Provide an electricity supply to all lots in the subdivision in accordance with Powercor's requirements, including the extension, augmentation or re-arrangement of any existing electricity supply system, as required by Powercor (A payment to cover the cost of such work will be required). In the event that a supply is not provided, the applicant shall provide a written undertaking to Powercor Australia Ltd that prospective purchasers will be so informed.
- b) Provide to Powercor Australia Ltd. A copy of the version of the plan of subdivision submitted for certification, which shows any amendments which have been required.

Planning Notes

Consent to work within the Road Reserve is required from the Responsible Authority prior to the undertaking of works planned within the Road Reserve, such as road upgrading, installing footpaths, kerb and channel, driveway crossings, street trees, drainage etc

Attention is drawn to drainage design plans prepared for Nathalia and note that while an overall concept for drainage has been prepared, little of the design drainage has been constructed. The applicant, in preparing a drainage design for this development is strongly encouraged to take this design documentation into account.

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**52014592 - ELEVEN (11) LOT SUBDIVISION - HUMBERSTONE STREET,
NATHALIA (cont'd)**

MOTION

CRS KEVIN BOURKE / ED COX

That Council approve the issue of a Notice of Decision to Grant a Permit for Planning Application No. 52014592 for an eleven (11) lot subdivision at PC 368988, also known as Humberstone Street, Nathalia, subject to the following conditions:

1. The subdivision as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
2. Before the plan of subdivision is certified under the *Subdivision Act 1988*, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority, unless otherwise agreed in writing. When approved, the plans will be endorsed and then form part of the permit. The plans must be drawn to scale with dimensions the three copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to:
 - (a) Show on Lot 1 and Lot 2 building envelopes measuring 10 metres by 15 metres or 9 metres by 15 metres.
3. Before the Statement of Compliance is issued under the *Subdivision Act 1988*, the applicant or owner must pay to the Responsible Authority a sum equivalent to 5 per cent of the site value of all the land in the subdivision as a contribution to public open space. All costs associated with the valuation of land shall be borne by the applicant or owner.
4. The owner of the land must enter into an agreement with:
 - a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
 - a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
5. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.
6. The plan of subdivision submitted for certification under the *Subdivision Act 1988* must be referred to the relevant authority in accordance with Section 8 of that Act.
7. The sections of Humberstone St and McDonald St fronting the development must be constructed and sealed to the satisfaction of the Responsible Authority. Prior to the Responsible Authority issuing a Statement of Compliance for the Subdivision, the Subdivider must undertake or cause to be provided:

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**52014592 - ELEVEN (11) LOT SUBDIVISION - HUMBERSTONE STREET,
NATHALIA (cont'd)**

- a) full construction of all new roads, kerb and channel, vehicle cross overs and drainage in accordance with the Infrastructure Design Manual. All works must conform to plans and specifications prepared by a qualified Engineer at the Subdivider's expense, and approved by the Responsible Authority;
 - b) payment to the Responsible Authority of an amount up to 2.5% of the actual cost of work, being for costs of the Responsible Authority supervision of the works, as determined by the Responsible Authority;
 - c) payment to the Responsible Authority of an engineering design checking fee of an amount up to 0.75% of the value of documented works;
 - d) the maintenance of the roads and footpaths for a period of 12 months from practical completion;
 - e) a defect liability period of 12 months will commence from the date of Statement of Compliance;
8. Before any works associated with the subdivision start, detailed construction plans must be prepared to the satisfaction of the Responsible Authority. All works constructed or carried out must be in accordance with those plans
 9. Landscaping of the nature strip is to include the planting of one (1) mature (2 – 3 metres high) street tree per lot (of an approved species and location).
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 12. Prior to the issue of a Statement of Compliance a Guarantee of Work is to be provided to the Council having a minimum value of 5% of the total cost of roads, drainage and landscaping based upon the bill of quantities. The guarantee shall be released at the termination of the Defect liability period subject to satisfactory completion of any works identified at that time.
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When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and a minimum of three copies must be provided. The information submitted must show the details listed in the council's Infrastructure Design Manual and be designed in accordance with the requirements of that manual.
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 - c) independent drainage for each lot
 - d) underground pipe drains conveying stormwater to the legal point of discharge for

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**52014592 - ELEVEN (11) LOT SUBDIVISION - HUMBERSTONE STREET,
NATHALIA (cont'd)**

each allotment

- e) measures to enhance stormwater discharge quality from the site and protect downstream waterways including the expected discharge quality emanating from the development (output from MUSIC or similar) and design calculation summaries of the treatment elements;
- f) a maximum discharge rate from the site is to be determined by computation to the satisfaction of Council

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INFRASTRUCTURE, ANDREW CLOSE)

**52014592 - ELEVEN (11) LOT SUBDIVISION - HUMBERSTONE STREET,
NATHALIA (cont'd)**

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Attention is drawn to drainage design plans prepared for Nathalia and note that while an overall concept for drainage has been prepared, little of the design drainage has been constructed. The applicant, in preparing a drainage design for this development is strongly encouraged to take this design documentation into account.

(CARRIED)

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3. DEVELOPMENT AND LIVEABILITY

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(TOWN PLANNER, MARTINA FOLEY)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

**52014592 - ELEVEN (11) LOT SUBDIVISION - HUMBERSTONE STREET,
NATHALIA (cont'd)**

ATTACHMENT No [1] - Objections

7 SEP 2014
September 13 2014

Mr Henderson,
Shire Chief Officer,
Moirā Shire Council,
Post Office Box 578
COBRAM, 3643

Dear Sir,

I write with some dismay.

I am an Elderly Widow and have lived at this address for some 32 years.

In those 32 years, I have had constant concerns regarding the flooding that occurs in Hawker and Pearce Streets, Nathalia, after even a small down pour of rain. As I do not drive, I have had to wade through this flooding along Hawker and Pearce Streets on a huge amount of occasions. It can be very deep and dangerous during and after a rain event, as the water can stay around for some days.

I have been informed by a neighbour across the road, that there is yet another idea of building houses to the West of Hawker St, in Humberstone St. I find this very disconcerting as previous attempts to develop this area has been put on hold until such time as something can be done about the flooding in this area.

I have a letter that I penned to the Nathalia Shire in 1987, expressing my concern about this problem. It has only got worse since and although I hesitate to object to anything, I feel I must lodge an objection in this case until the drainage is rectified.

Is there some reason that I have not been notified of this proposed development because if it were to go ahead without drainage works, it would adversely affect me.

Yours Sincerely,

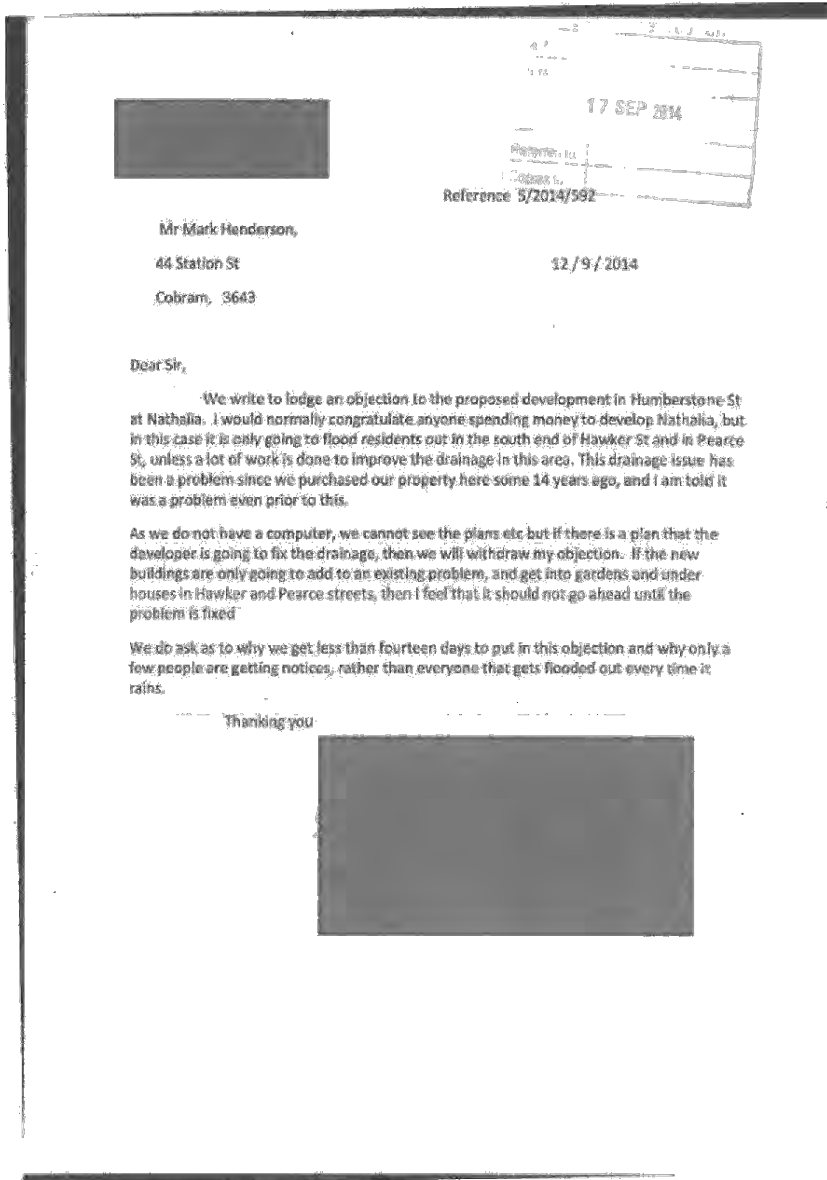
[REDACTED]

FILE NO: 52014592
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.6
(TOWN PLANNER, MARTINA FOLEY)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

**52014592 - ELEVEN (11) LOT SUBDIVISION - HUMBERSTONE STREET,
NATHALIA (cont'd)**

ATTACHMENT No [1] - Objections

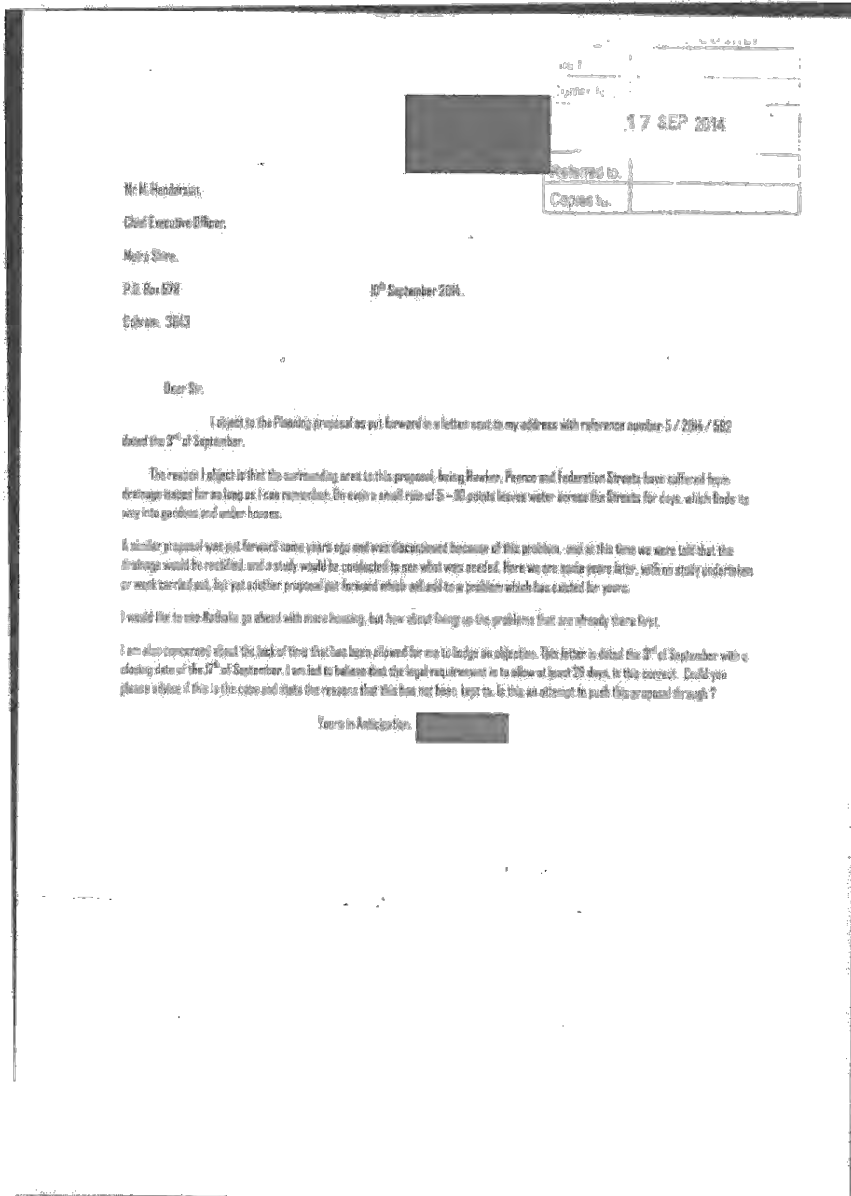


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**52014592 - ELEVEN (11) LOT SUBDIVISION - HUMBERSTONE STREET,
NATHALIA (cont'd)**

ATTACHMENT No [1] - Objections




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3. DEVELOPMENT AND LIVEABILITY

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**52014592 - ELEVEN (11) LOT SUBDIVISION - HUMBERSTONE STREET,
NATHALIA (cont'd)**

ATTACHMENT No [1] - Objections

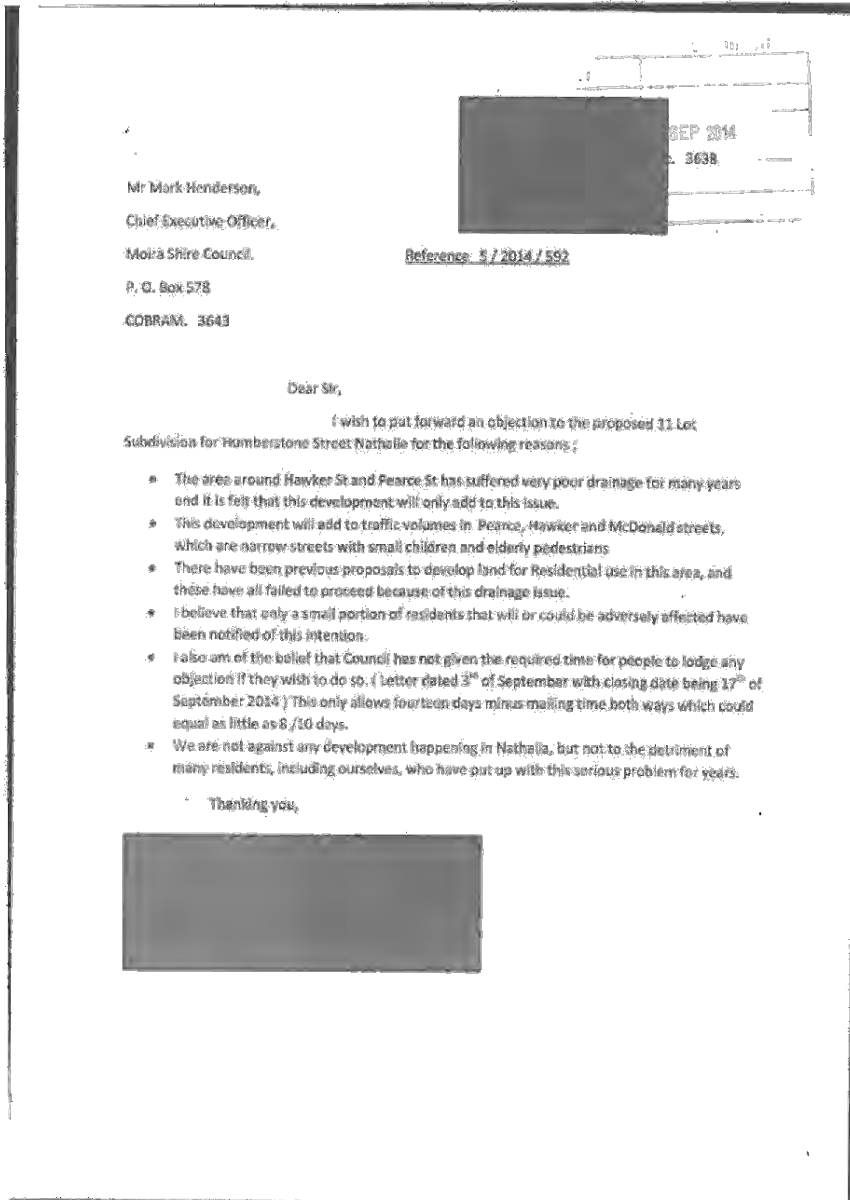
	17 SEP 2014
Mr M. Henderson, Chief Executive Officer, Moira Shire Council, 44 Station Street Cobram, Victoria 3643	13 th September 2014
Dear Sir,	
I have lived in Hawker Street for many years and during that time I have experienced major flooding with water coming into yards and under Houses as soon as it rains more than about 5 mm.	
This causes damage to foundations and major inconvenience to many residents, including some elderly residents who reside in the Hawker and Pearce Street areas.	
As this problem has existed for many years without having the appropriate attention given, I can only see that any further development in this area will only make matters much worse. It is for this reason that I feel that I must object to any proposal to further develop this area without first fixing the problem.	
If the developers care to fix this problem (Moira Shire has had years of opportunity and failed to fix it.) then I will thankfully withdraw my objection and wish them well.	
Can I enquire about the very tight timeframe that we have been given to lodge any concerns. Is this meeting legal requirements ?	
Could you please advise.	
Yours In Anticipation,	
	

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**52014592 - ELEVEN (11) LOT SUBDIVISION - HUMBERSTONE STREET,
NATHALIA (cont'd)**

ATTACHMENT No [1] - Objections

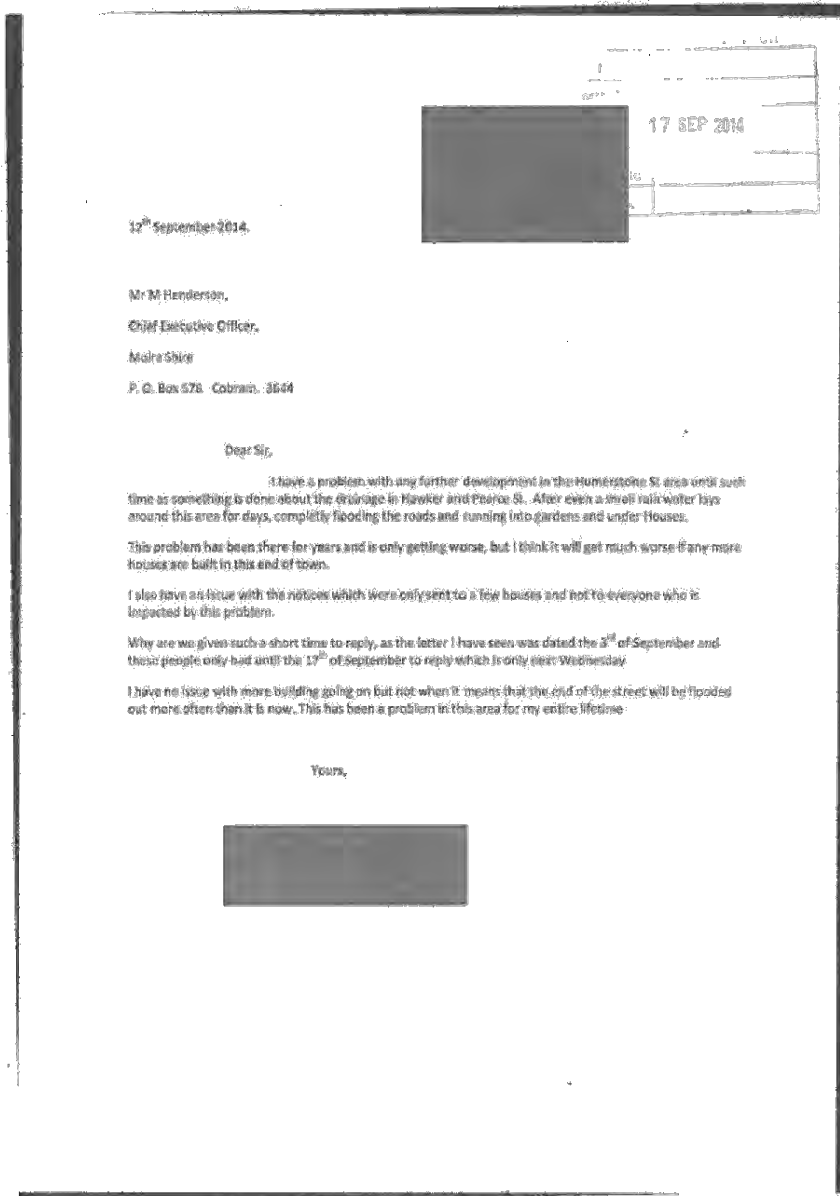


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**52014592 - ELEVEN (11) LOT SUBDIVISION - HUMBERSTONE STREET,
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ATTACHMENT No [1] - Objections



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52014592 - ELEVEN (11) LOT SUBDIVISION - HUMBERSTONE STREET,
NATHALIA (cont'd)

ATTACHMENT No [1] - Objections

MARTINA FOLEY
MOIRA SHIRE COUNCIL
P.O. Box 578
COGRAM 3648.

15/9/2014
Moira Shire Council

17 SEP 2014

SUBJECT - Planning Permit N° 5/2014/592

I lodge this objection to the above application as a concerned resident and owner of 2 (two) properties directly impacted by this development. The two properties are [REDACTED] Nathalia.

My concern with this development lies with the drainage. For the past 30 years or more the Shire in various forms has failed to deal with flooding experienced by the residents of Harker Road near Sts West. Numerous complaints have been lodged.

I have no objections to the above development providing I can be guaranteed that the cut and channeling in Harker St is completely and professionally repaired and made to operate efficiently and effectively together with the drainage from the newly proposed sub-division.

If the Shire can assure me that these problems can and will be fixed PRIOR to the completion of the sub-division I have no further concerns.

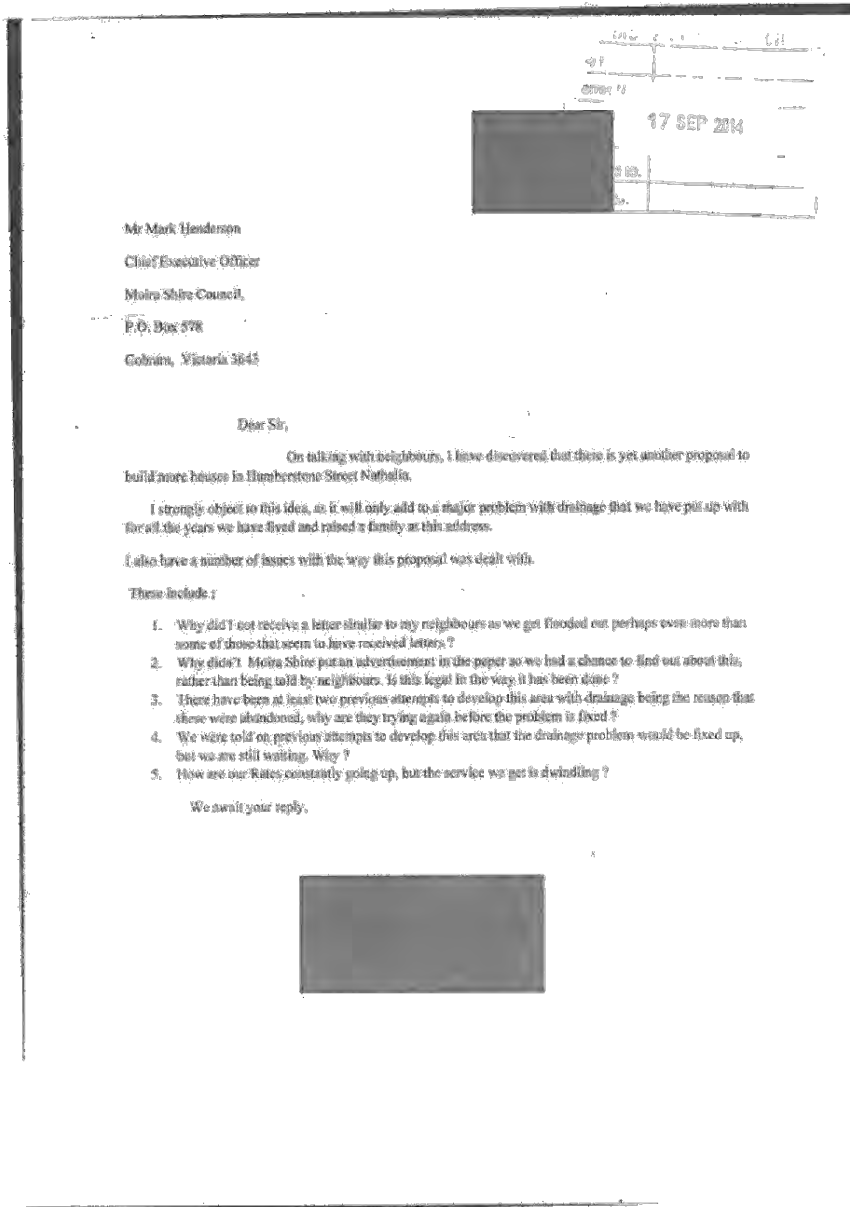
Yours Sincerely
[REDACTED]

FILE NO: 52014592
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INFRASTRUCTURE, ANDREW CLOSE)

52014592 - ELEVEN (11) LOT SUBDIVISION - HUMBERSTONE STREET,
NATHALIA (cont'd)

ATTACHMENT No [1] - Objections



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**52014592 - ELEVEN (11) LOT SUBDIVISION - HUMBERSTONE STREET,
NATHALIA (cont'd)**

ATTACHMENT No [1] - Objections

Moira Shire Council	
File #	
Case No.	
	P 2014
Created On	12/9/2014

Mr Mark Henderson,
Chief Executive Officer, Moira Shire Council.

Dear Sir,


I am writing to formally lodge an objection to any further development occurring in Humberstone Street Nathalia until such time as the constant flooding of both Hawker St and Pearce St is addressed.

Although I do not normally experience water in my yard or under my house, I am aware that many residents at the South end of Hawker St and the Western end of Pearce St. Do so on a regular basis.

I do have trouble negotiating this area to get to and from my residence as soon as even a small amount of rain falls, with water completely covering the roadway and running into adjoining residences. I try and avoid this area if at all possible because the water can get very deep on the roadway.

I would like to see further development happening in Nathalia, but not to the detriment of my neighbours, many of whom are elderly and have had to put up with this problem for years.

I will thankfully withdraw my objection if I can be assured that something will be done about this long standing problem.

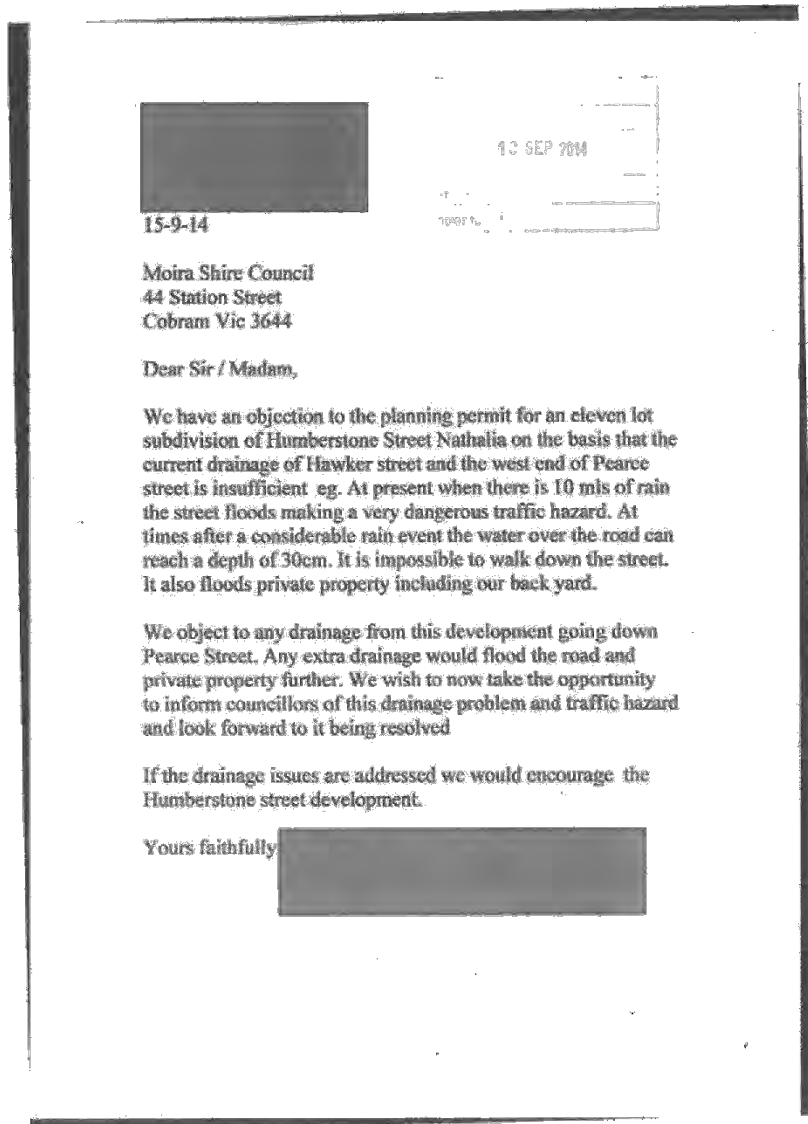
Yours in Anticipation,


FILE NO: 52014592
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.6
(TOWN PLANNER, MARTINA FOLEY)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

**52014592 - ELEVEN (11) LOT SUBDIVISION - HUMBERSTONE STREET,
NATHALIA (cont'd)**

ATTACHMENT No [1] - Objections



FILE NO: 120.16.0001
3. OUR COMMUNICATIONS AND
PROCESSES

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

ASSEMBLIES OF COUNCILLORS

1. Executive Summary

The records of the Assembly of Councillors reported during the month of February 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.

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.

FILE NO: 120.16.0001
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)

6. Regional Context

There are no regional contexts associated with this report.

7. Council Plan Strategy

Ensuring Good Governance to meet legislative obligations

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 February 2015. Their recording into the Council Minutes ensures Council meets its statutory obligations under section 80A of the Act.

Attachments

- 1 Attachment 9 February
- 2 Attachment 10 February
- 3 Attachment 16 February
- 4 Attachment 25 February

RECOMMENDATION

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

MOTION

CRS BRIAN KEENAN / PETER MANSFIELD

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

(CARRIED)

FILE NO: 120.16.0001
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 9 February



RECORD OF ASSEMBLY OF COUNCILLORS

Date held	9 February 2015																	
Name of meeting	Council Briefing																	
Councillors attending	Martin, Cox (depart 4:50), Cleveland, McPhee, Bourke, Mansfield, Buck, Keenan, Monk (arrive 10:15 am)																	
Council staff attending	Henderson, Close, Sharp, Rice, Nieuwenhuizen, Forde, Hargreaves, Brown, Booth, Alexandrino, Cobb																	
Matters discussed	<table border="0"> <tr> <td>1. Sustainability</td> <td>9. Procurement</td> </tr> <tr> <td>2. Project management</td> <td>10. Tungamah Liveability</td> </tr> <tr> <td>3. Half yearly budget review</td> <td>11. Inland rail</td> </tr> <tr> <td>4. Youth Club Hall Numurkah</td> <td>12. CEO delegations</td> </tr> <tr> <td>5. Management Report</td> <td>13. Agenda review</td> </tr> <tr> <td>6. Australia Day Awards Evening</td> <td>14. Maintenance of war memorials and bus stops</td> </tr> <tr> <td>7. Heritage Overlay</td> <td>15. RV Friendly</td> </tr> <tr> <td>8. Fruit fly response</td> <td></td> </tr> </table>		1. Sustainability	9. Procurement	2. Project management	10. Tungamah Liveability	3. Half yearly budget review	11. Inland rail	4. Youth Club Hall Numurkah	12. CEO delegations	5. Management Report	13. Agenda review	6. Australia Day Awards Evening	14. Maintenance of war memorials and bus stops	7. Heritage Overlay	15. RV Friendly	8. Fruit fly response	
1. Sustainability	9. Procurement																	
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6. Australia Day Awards Evening	14. Maintenance of war memorials and bus stops																	
7. Heritage Overlay	15. RV Friendly																	
8. Fruit fly response																		
Conflict of Interest Disclosures (indicate below if Nil or complete details)	NIL																	

FILE NO: 120.16.0001
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 10 February



RECORD OF ASSEMBLY OF COUNCILLORS

Date held	Tuesday 10 February 2015
Name of meeting	Moirashire Local Safety Committee
Councillors attending	Councillors: Kevin Bourke, Wendy Buck
Council staff attending	Community Facilities & Recreation Officer, Dylan Robinson Administration Support Officer, Sharon Nye Safety & Amenity Coordinator, John Shaw
Matters discussed	<ol style="list-style-type: none"> 1. Youth Update 2. Draft Community Safety Plan 2015 – 2018 3. Roadsafe GV Update <ul style="list-style-type: none"> - Heavy Vehicle Forum - Looking After Our Mates Programs - Senior Driver & Scooter Programs 4. Strathmerton Speed Limit 5. Crossing at Yarrawonga near McDonalds on highway 6. Safety concerns on pedestrians / runners with earphones in 7. Moira Harmony Festival 8. State of Murray Valley Highway 9. Zaidee Foundation 10. Local road concerns
Conflict of Interest Disclosures (indicate below if Nil or complete details)	
Nil	

FILE NO: 120.16.0001
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 16 February



RECORD OF ASSEMBLY OF COUNCILLORS

Date held	16 February 2015
Name of meeting	Assembly of Councillors
Councillors attending	Councillors Marie Martin, Kevin Bourke, Peter Mansfield, Wendy Buck, Gary Cleveland, Alex Monk
Council staff attending	Chief Executive Officer, Mark Henderson
Matters discussed	
	1. Green Palms Village Expansion
Conflict of Interest Disclosures (indicate below if Nil or complete details)	
	Nil

FILE NO: 120.16.0001
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 25 February



RECORD OF ASSEMBLY OF COUNCILLORS

Date held	Monday 26 February 2015
Name of meeting	Municipal Public Health and Wellbeing Plan Meeting
Councillors attending	Councillor Marie Martin
Council staff attending	Team Leader Community Services, Kim Fitzgerald Environmental Health Officer, Kellie Lewis
Matters discussed	1. Priorities for the year, what does the steering committee wish to achieve? 2. Review of actions in plan – any inclusions or omissions required? 3. Health Promotion Grants currently available
Conflict of Interest Disclosures (Indicate below if Nil or complete details)	Nil

**FILE NO: 100.01.0001
3. OUR COMMUNICATIONS AND
PROCESSES**

**ITEM NO: 11.1
(EXECUTIVE SUPPORT OFFICER,
MAYOR AND COUNCILLORS, BOBBY
BROOK)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)**

ACTION OFFICERS LIST

Attachments

- 1 Action Officer's list March

RECOMMENDATION

That Council receive and note the Action Officers List.

MOTION

CRS DON MCPHEE / ALEX MONK

That Council receive and note the Action Officers List.

(CARRIED)

**FILE NO: 100.01.0001
3. OUR COMMUNICATIONS AND PROCESSES**

**ITEM NO: 11.1
(EXECUTIVE SUPPORT OFFICER, MAYOR AND COUNCILLORS, BOBBY BROOK)
(GENERAL MANAGER - CORPORATE, LEANNE MULCAHY)**

ACTION OFFICERS LIST (cont'd)

ATTACHMENT No [1] - Action Officer's list March

ACTION OFFICERS LIST –March: 2015:

Meeting	Subject
Ordinary Council Meeting 23 February 2015	Discontinuation of Hamilton Lane Cobram
MOTION	
CRS ED COX / ALEX MONK	
That Council:	
Resolve to commence the process to discontinue Hamilton Lane, and accordingly undertake the required a consultation process under Section 223 of the Local Government Act.	
(CARRIED)	
ACTIVITY	
Advertising has commenced for the Section 223 process in local papers for the discontinuation of Hamilton Lane.	
Meeting	Subject
Ordinary Council Meeting 23 February 2015	52014592 - Eleven (11) Lot Subdivision - Humberstone Street, Nathalia
MOTION	
CRS KEVIN BOURKE / PETER MANSFIELD	
That Council defer a decision with on this application, until the next Ordinary meeting during which time a meeting is held with objectors and the Applicant if possible, in order to review the objections.	
(CARRIED)	
ACTIVITY	
Senior Council Officers met with objectors to discuss their concerns on 11 March 2015.	

**FILE NO: 100.01.0001
3. OUR COMMUNICATIONS AND PROCESSES**

**ITEM NO: 11.1
(EXECUTIVE SUPPORT OFFICER, MAYOR AND COUNCILLORS, BOBBY BROOK)
(GENERAL MANAGER - CORPORATE, LEANNE MULCAHY)**

ACTION OFFICERS LIST (cont'd)

ATTACHMENT No [1] - Action Officer's list March

ACTION OFFICERS LIST –March 2015:

Meeting	Subject
Ordinary Council Meeting 23 February 2015	Road Closure of unused Road in Tungamah
<p>MOTION</p> <p>CRS KEVIN BOURKE / ED COX</p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Declare the government road, west of Crown Allotment 1, Section 24, Parish of Tharanbegg, Township of Tungamah not required for public traffic and unused under Section 400 of the Land Act 1958; and 2. Authorise the CEO to sign and seal the attached Schedule 4, notifying the Department of Environment, Land, Water and Planning of Council's decision. <p style="text-align: right;">(CARRIED)</p>	
<p>COMPLETED</p> <p>The Chief Executive Officer has signed and sealed the road closure schedule. The Department of Environment Land Water and Planning have been advised.</p>	
Meeting	Subject
Ordinary Council Meeting 23 February 2015	Lease to National Broadband Network - Wunghnu
<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 the National Broadband Network Company to occupy land within the Wunghnu Recreation Reserve in Carlisle St Wunghnu for the construction of a telecommunications tower. 2. Authorise the CEO to sign and seal the lease documents. <p style="text-align: right;">(CARRIED)</p>	
<p>ACTIVITY</p> <p>Lease documents are in the process of being signed by the Chief Executive Officer.</p> <p style="text-align: right;">2</p>	

**FILE NO: 100.01.0001
3. OUR COMMUNICATIONS AND PROCESSES**

**ITEM NO: 11.1
(EXECUTIVE SUPPORT OFFICER, MAYOR AND COUNCILLORS, BOBBY BROOK)
(GENERAL MANAGER - CORPORATE, LEANNE MULCAHY)**

ACTION OFFICERS LIST (cont'd)

ATTACHMENT No [1] - Action Officer's list March

ACTION OFFICERS LIST –March: 2015:

Meeting	Subject
Ordinary Council Meeting 23 February 2015	Lease to Optus Mobile Pty Ltd – Cobram, Numurkah and Yarrawonga
MOTION	
CRS BRIAN KEENAN / ED COX	
That Council:	
<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, 	
(CARRIED)	
ACTIVITY	
Lease documents are in the process of being signed by the Chief Executive Officer.	

**FILE NO: 100.01.0001
3. OUR COMMUNICATIONS AND PROCESSES**

**ITEM NO: 11.1
(EXECUTIVE SUPPORT OFFICER, MAYOR AND COUNCILLORS, BOBBY BROOK)
(GENERAL MANAGER - CORPORATE, LEANNE MULCAHY)**

ACTION OFFICERS LIST (cont'd)

ATTACHMENT No [1] - Action Officer's list March

ACTION OFFICERS LIST –March 2015

Meeting	Subject
Ordinary Council Meeting 23 February 2015	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>Lease documents are in the process of being signed by the Chief Executive Officer.</p>	

**FILE NO: 100.01.0001
3. OUR COMMUNICATIONS AND PROCESSES**

**ITEM NO: 11.1
(EXECUTIVE SUPPORT OFFICER, MAYOR AND COUNCILLORS, BOBBY BROOK)
(GENERAL MANAGER - CORPORATE, LEANNE MULCAHY)**

ACTION OFFICERS LIST (cont'd)

ATTACHMENT No [1] - Action Officer's list March

ACTION OFFICERS LIST -March 2015

Meeting	Subject
Ordinary Council Meeting 23 February 2015	Petition – Speed Limit Strathmerton
MOTION	
CRS WENDY BUCK / KEVIN BOURKE	
That Council:	
1. Agree to deal with this petition, regarding reducing the speed limit on the Murray Valley Highway at Strathmerton earlier than required by Council's Meetings and Procedures Local Law 2007.	
That Council, subject to the above being adopted:	
<ul style="list-style-type: none"> (a) Agree to consider several letters from residents received in conjunction with the petition at the same time as the petition. (b) Advise VicRoads that, The Moira Shire Council has received a petition signed by 261 people requesting reduction of the speed limit from 80km/hr to 60km/hr along the Murray Valley Highway, in Strathmerton and that Council supports the wishes of the petitioners. (c) Advise the writers of letters and the petition Organisers of Council's decision. 	
(CARRIED)	
ACTIVITY	
Council Officers will meet with Vicroads and concerned residents regarding the reduction of the speed limit.	

**FILE NO: 100.01.0001
3. OUR COMMUNICATIONS AND PROCESSES**

**ITEM NO: 11.1
(EXECUTIVE SUPPORT OFFICER, MAYOR AND COUNCILLORS, BOBBY BROOK)
(GENERAL MANAGER - CORPORATE, LEANNE MULCAHY)**

ACTION OFFICERS LIST (cont'd)

ATTACHMENT No [1] - Action Officer's list March

ACTION OFFICERS LIST –March 2015

Meeting	Subject
Ordinary Council Meeting 23 February 2015	Petition/Letter for Council to Restore the Tungamah Court House
<p>MOTION</p> <p>CRS PETER MANSFIELD / BRIAN KEENAN</p> <p>That:</p> <p>Council receive the Petition/Letter with 138 signatures and 30 letters requesting Council to Restore Tungamah Court House</p> <p style="text-align: right;">(CARRIED)</p>	
<p>ACTIVITY</p> <p>A report will be in the 23 March 2015 Ordinary Council Meeting Agenda.</p>	
Meeting	Subject
Ordinary Council Meeting 23 February 2015	Petition to Develop Park Land from Birch Crescent to Maple Crescent adjacent to Elm Court Numurkah
<p>MOTION</p> <p>CRS ED COX / ALEX MONK</p> <p>That:</p> <p>1. Council receive a petition containing 18 signatures requesting Council develop a park situated in Maple Crescent adjacent to Elm Court and Birch Court Numurkah</p> <p style="text-align: right;">(CARRIED)</p>	
<p>ACTIVITY</p> <p>A report will be in the 23 March 2015 Ordinary Council Meeting Agenda.</p>	

**FILE NO: 100.01.0001
3. OUR COMMUNICATIONS AND PROCESSES**

**ITEM NO: 11.1
(EXECUTIVE SUPPORT OFFICER, MAYOR AND COUNCILLORS, BOBBY
BROOK)
(GENERAL MANAGER - CORPORATE, LEANNE MULCAHY)**

ACTION OFFICERS LIST (cont'd)

ATTACHMENT No [1] - Action Officer's list March

ACTION OFFICERS LIST –March 2015

Meeting	Subject
Ordinary Council Meeting 23 February 2015	Lobby for Country Roads and Bridges Funding
<p>MOTION</p> <p>CRS WENDY BUCK / KEVIN BOURKE</p> <p>That Council writes to the Premier of Victoria, Minister for Transport, Murray River Group of Councils and Neighboring Councils to lobby to reinstate the Country Roads and Bridges Funding.</p> <p style="text-align: right;">(CARRIED)</p>	
<p>ACTIVITY</p> <p>Letters have been created to the Premier of Victoria, Minister for Transport, Murray River Group of Councils and Neighboring Councils to lobby to reinstate the Country Roads and Bridges Funding.</p>	

FILE NO: 100.01.0001
3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 11.1
(EXECUTIVE SUPPORT OFFICER, MAYOR AND COUNCILLORS, BOBBY BROOK)
(GENERAL MANAGER - CORPORATE, LEANNE MULCAHY)

ACTION OFFICERS LIST (cont'd)

ATTACHMENT No [1] - Action Officer's list March

ACTION OFFICERS LIST –March 2015

Meeting	Subject
Ordinary Council Meeting 8 December 2014	General Business – Access points for fire fighting
<p>MOTION</p> <p>CRS KEVIN BOURKE / BRIAN KEENAN</p> <p>That Council liaise with the CFA and other relevant authorities to assist in facilitating installation of water access points for fire fighting where irrigation modernisation has meant reduced access to secure water.</p> <p style="text-align: right;">(CARRIED)</p>	
<p>ACTIVITY</p> <p>Initial discussion has been held with regional CFA. New strategies in addressing and responding to fire risk in North East Victoria including Moira Shire include fire fighting aircraft now being stationed at regional airports over the Summer Fire periods and are deployed simultaneously with ground appliances to forest and grass fires. Water tankers can also accompany appliances where access to water is seen as limited. Previously, Council has partnered with the CFA in installing water tanks under the then Fire Access funding program. This program does not currently exist.</p>	
Meeting	Subject
Ordinary Council Meeting 15 September 2014	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>ACTIVITY</p> <p>The Victorian Administrative Tribunal (VCAT) has issued a certificate stating that the enforcement order (for both the Numurkah and Katunga tyre sites) is appropriate for filing in the Supreme Court. Lot 847 Numurkah Road, Katunga have since been cleared of whole tyres with some shredded materials remaining on the land. Supreme Court filing of this matter has occurred as has magistrates listing of debt recovery.</p>	

**FILE NO: 100.01.0001
3. OUR COMMUNICATIONS AND PROCESSES**

**ITEM NO: 11.1
(EXECUTIVE SUPPORT OFFICER, MAYOR AND COUNCILLORS, BOBBY BROOK)
(GENERAL MANAGER - CORPORATE, LEANNE MULCAHY)**

ACTION OFFICERS LIST (cont'd)

ATTACHMENT No [1] - Action Officer's list March

ACTION OFFICERS LIST –March 2015	
Meeting	Subject
Ordinary Council Meeting 09 December 2013	Cobram Library
MOTION	
CRS GARY CLEVELAND / MARIE MARTIN	
That:	
<ol style="list-style-type: none"> 1. Council approve the Cobram Civic Centre as the location for the new Cobram Library/Community Hub; 2. Authorise Council Officers to seek the services of a suitably qualified Architect to undertake the detailed design of a multiple staged 'Civic Centre Precinct' in order to meet with the projected future needs of the community, with Stage 1 of the project being a new Library facility and associated works. 	
(CARRIED)	
ACTIVITY	
<p>Tender specifications for the Detail Design Architectural Services are being prepared in readiness for commencement of Tender advertising in Mid-February with tenders to close on 11th March. Should the successful tender price exceed the CEO's authorised delegation, a report will be presented to the April Council Meeting for Council's approval to award the detail Design services contract. The detail design will be based on the final version concept design following consultation with the Cobram RSL Sub-branch on the impacts of the library footprint with the war memorial.</p> <p>Council presented the Cobram Library & Learning Centre concept plan to Members of the Cobram-Barooga RSL at their meeting on Monday 12 January 2015. About 40 members were present, with the concept plan well received by RSL Members. Council will continue to liaise with Cobram-Barooga RSL as a key stakeholder on this project; a representative of the RSL will also join the Cobram Library & Learning Centre community steering committee. The concept plan will go out to the general community at the same time as the detailed design tender advertisement.</p>	
Meeting	Subject
Ordinary Council Meeting 12 December 2011	Local Law 2007 Meeting Procedure
MOTION	
That Council review the Local Law 2007 Meeting Procedure.	
(CARRIED)	
ACTIVITY	
This item will be an agenda item at the 20 April 2015 briefing.	

FILE NO: F13/2583-2
5. INFRASTRUCTURE

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

PETITION - MAPLE CRESCENT PARK, NUMURKAH

1. Executive Summary

A petition containing 18 signatures requesting Council develop the park situated in Maple Crescent adjacent to Elm Court and Birch Court, Numurkah has been received.

At it's meeting of 23 February Council received the petition and resolved;

That Council receive a petition containing 18 signatures requesting Council develop a park situated in Maple Crescent adjacent to Elm Court and Birch Court Numurkah.

In accordance with Council's Local Law this report has been prepared regarding the petition.

The petition suggests that Council holds a substantial bond or money in relation to development of this park. This is not the case. The Developer did lodge a substantial bond for outstanding works at the time of the subdivision but there were never any plans submitted or approved for park works.

Development of the Park therefore is a matter that can be considered, either now or in the future.

It is recommended that Council carry out a consultation program with the Local Community to prepare a plan and commence development of the park.

2. Background and Options

Council has over the years received many small allotments of land as a result of subdivision. These allotments were provided as a result of subdivision of land. In the past, land was required to be provided and there was little ability to require development.

The Infrastructure Development Manual, to which Council is a signatory and which Council has adopted, requires Developers when providing land to also provide a plan for its' development and then to implement the development of the park land in accordance with the approved plan.

The Maple Crescent development did not include a requirement upon the developer to develop the park, as was the practice at the time.

Council has assisted local communities to prepare plans for small local parks in the past, and it is recommended that a plan be prepared. Implementation could then be undertaken on a staged basis with community involvement dependent upon the resources available within the community.

3. Financial Implications

Development of a plan to improve the park can be undertaken by in-house staff from the Infrastructure and Community Services Departments from operational budgets.

Implementation of any works upon the park will be dependent upon the outcome of the community consultation. It is likely that some works can be done by the community with Council Parks and Gardens staff assisting by provision of equipment and plants.

If the works required meet the requirements of capital expenditure, an application for funding could be made for the 2015/16 financial year or for future capital programs.

<p>FILE NO: F13/2583-2 5. INFRASTRUCTURE</p>	<p>ITEM NO: 13.1 (MANAGER STRATEGIC PROJECTS, MARK FOORD) (GENERAL MANAGER INFRASTRUCTURE, ANDREW CLOSE)</p>
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PETITION - MAPLE CRESCENT PARK, NUMURKAH (cont'd)

4. Risk Management

There are very few implications arising out of this report. In respect of any works and the involvement of the community, there are risks, however these are minimized by provision of protective equipment, proven work practices and appropriate supervision.

5. Internal and External Consultation

The Operations, Community Services and Town Planning Departments have been consulted with respect to this report.

It is expected that the local community will be consulted and be invited to participate in development of the park.

6. Regional Context

There are no regional issues to consider with respect to this report.

7. Council Plan Strategy

There are many ways in which the recommendations of this report are reflected in the Council Plan but two specific references are included within the Community section as follows;

- 2.6.3 Monthly audit scores of Parks measuring the quality, appearance and maintenance performance of public open space areas
- 2.5.1 Maintain and strengthen the community volunteer base

8. Legislative / Policy Implications

The land in question is a reserve that has resulted from subdivision of adjacent land. Council is entitled to develop the land.

9. Environmental Impact

There are no specific environmental impacts resulting from this report. It is expected that any development arising from the consultation recommended by this report would include consideration of any environmental impact.

10. Conflict of Interest Considerations

There are no conflict of interest issues with respect to the Officers that have prepared or who have been consulted in relation to this report.

11. Conclusion

It is recommended that 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.

Attachments

Nil

FILE NO: F13/2583-2
5. INFRASTRUCTURE

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

PETITION - MAPLE CRESCENT PARK, NUMURKAH (cont'd)

RECOMMENDATION

- That:
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.

MOTION

CRS ALEX MONK / KEVIN BOURKE

- That:
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.

(CARRIED)

FILE NO: 1
5. INFRASTRUCTURE

ITEM NO: 13.2
(EXECUTIVE SUPPORT OFFICER, JULIE GERARD)
(GENERAL MANAGER INFRASTRUCTURE,
ANDREW CLOSE)

PETITION FOR PROCESS TO REMOVE GUM TREES FROM LOTT STREET YARRAWONGA

1. Executive Summary

A petition containing 15 signatures requesting Council to consult with residents and ultimately remove the Gum trees lining Lott Street Yarrowonga has been received.

In accordance with Section 66 of Meeting Procedures Local Laws 2007, it is recommended that the petition be received and lay on the table and be considered at the next ordinary meeting of Council on Monday 27 April 2015 where a report on the issues raised will be presented.

Attachments

- 1 Petition Letter Gum Trees Lott St Yarrowonga

RECOMMENDATION

That:

1. Council receive a petition containing 15 signatures requesting the removal of Gum Trees in Lott Street Yarrowonga due to a range of issues impacting residents

MOTION

CRS WENDY BUCK / PETER MANSFIELD

That:

1. Council receive a petition containing 15 signatures requesting the removal of Gum Trees in Lott Street Yarrowonga due to a range of issues impacting residents

(CARRIED)

FILE NO: 1
5. INFRASTRUCTURE

ITEM NO: 13.2
(EXECUTIVE SUPPORT OFFICER, JULIE GERARD)
(GENERAL MANAGER INFRASTRUCTURE, ANDREW CLOSE)

PETITION FOR PROCESS TO REMOVE GUM TREES FROM LOTT STREET YARRAWONGA (cont'd)

ATTACHMENT No [1] - Petition Letter Gum Trees Lott St Yarrawonga

Mr Mark Henderson
Chief Executive Officer
Moirā Shire Council
Cobram Victoria

02 MAR 2015
Referred to:
Copies to:

Dear Mr Henderson

We the undersigned wish to officially express our concerns re the avenue of gum trees that line Lott Street between Belmore Street and Sharp Street, Yarrawonga. Our properties either face directly onto this street or due to the fact we are on a corner block our nature strip is part of this street. Over previous years we have individually expressed our concerns but that has failed to bring any action.

We recognize that these trees are very much part of our native Australia but are normally located in bush settings. We have chosen to live in this lovely town not the bush. We are all very proud citizens of Yarrawonga and endeavour to keep our little bit of this town clean and tidy. Wikipedia states outside their natural ranges these trees are criticized for being "water-guzzling" aliens leading to controversy over their total impact. Our gardens are certainly suffering not only because of the water issue but also the amount of rubbish dumped on our nature strips and garden beds.

We appreciate the fact that a small street sweeper attempts to clean the street but this is often inadequate in collecting the larger branches that fall on the roadside and onto our nature strips. The amount of debris from these trees is at times overwhelming and so very untidy. To drive around Yarrawonga and see the lovely clean streets and then return to our dirty, untidy street is quite disheartening. So there are obviously numerous types of trees planted around this town that do not constantly shed leaves, twigs, branches, bark and flowers.

There are three other issues

1. The amount of vegetation that flows into the storm water system. This must surely inhibit the flow of water, especially after heavy downfalls and we have all seen this in recent years.
2. A very real concern is that branches falling from these trees may damage our vehicles or worse still an innocent person. We have all read in newspapers in recent times where very serious incidents, like this, have occurred.
3. Pedestrians using this street mostly have to walk on the roadside and not the nature strips due to the amount of debris. This surely must be classified as unsafe practises.

We are not tree haters but feel sure that the use of these trees are very inappropriate for residential areas.

FILE NO: 1
5. INFRASTRUCTURE

ITEM NO: 13.2
(EXECUTIVE SUPPORT OFFICER, JULIE GERARD)
(GENERAL MANAGER INFRASTRUCTURE, ANDREW CLOSE)

PETITION FOR PROCESS TO REMOVE GUM TREES FROM LOTT STREET YARRAWONGA (cont'd)

ATTACHMENT No [1] - Petition Letter Gum Trees Lott St Yarrawonga

We would appreciate some form of a consultative process being commenced.

Yours Sincerely

Name	Address	Signature
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FILE NO: 1
6. GOVERNANCE

ITEM NO: 14.1
(EXECUTIVE SUPPORT OFFICER, JULIE
GERARD)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

CROWN LANDS LICENSE

For the project to construct a Jetty at Thompsons Beach, Kennedy Park, Council has been required to obtain approvals from NSW Maritime, Berrigan Shire Council and enter into a license agreement with the New South Wales Crown Lands Department.

The Crown Land License has now been made available and needs to be signed and sealed before it will be put before the relevant New South Wales Minister for signing.

Attachments

Nil

RECOMMENDATION

That Council authorise the Chief Executive Officer to sign and seal the Crown Land License with the New South Wales Crown Lands Department.

MOTION

CRS KEVIN BOURKE / GARY CLEVELAND

That Council authorise the Chief Executive Officer to sign and seal the Crown Land License with the New South Wales Crown Lands Department.

(CARRIED)

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

MOTION

CRS ALEX MONK / PETER MANSFIELD

That items of general business be considered.

(CARRIED)

Cr Brian Keenan raised the issue of homeless in the shire and requested that a solutions to this issue be discussed.

Cr Don McPhee requested an update on the lease negotiations of the Yarrawonga Caravan Park and the all abilities playground. The CEO advised that negotiations with the Yarrawonga Caravan Park lease have progressed well with both parties displaying good faith. A stage has now been reached where the parties believe most matters have been addressed and settled. Following further negotiation on the reinvestment plan into the park's facilities the lease will go out for community consultation through a 223 process. It is envisaged that all matters will be concluded within four to five months. Discussions have also been held with the committee for the all abilities playground and the planning permit has been put on hold. Councillors are touring similar playgrounds in the region and are working with the committee to ascertain what is Council's role with regards to a partnership, location risk and insurance. This project will need strong community support as it will be difficult to attract Government funding in the present climate.

MOTION

CRS KEVIN BOURKE / PETER MANSFIELD

That Moira Shire Council write to all Members of the Victorian State Parliament, including all Shadow Ministers and all members of the Barmah National Park Board, the Mayors and Councillors of our adjoining Local Government bodies, namely Campaspe, City of Greater Shepparton and Indigo Councils, requesting a postponement of the proposed cessation of the firewood collection from the Barmah National Park, scheduled for the 30 June 2015, explaining the hardship and health concerns this proposal could impact on a large number of Moira residents.

(CARRIED)

FILE NO: VARIOUS

ITEM NO: 15

GENERAL BUSINESS

MOTION

CR BRIAN KEENAN

That campervans be allowed to park at Council's show grounds for a maximum 48 hours with a fee of \$10 per night.

(Motion lapsed due to lack of seconder)

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: 16

QUESTIONS FROM THE PUBLIC GALLERY

Cr Edward Cox declared a conflict of interest in the following matter and left the meeting at 7:30 pm.

16.1 Heather du Vallon - Cobram

Question: In regards to item 9.2.3 what was meant by other relevant issues?

Answer: The Chief Executive Officer responded that there is a number of issues identified through the current planning process that would need to be addressed through compliance and a planning scheme review.

Question: Is the developer required to widen the road or put in place a designated right hand turn?

Answer: The motion adopted for item 9.2.3 requires planning conditions from the original planning permit to be met prior to commencement of works.

Cr Cox returned to the meeting at 7:35 PM

16.2 Anita Smith - Cobram

Question: How long has a compliance officer got to report back on a complaint?

Answer: The Chief Executive Officer responded that Council's Customer Service Charter has timelines for response to complaints. Without knowing the content of the complaint it would be difficult to estimate the exact timelines required.

16.3 John Thorpe - Yarrawonga

Question: Would Council agree to the residents of Lott Street Yarrawonga having input into what type of new trees?

Answer: The Chief Executive Officer responded that the process of determining new species will involve community consultation.

FILE NO: VARIOUS

ITEM NO: 17

MEETING ADJOURNMENT

RECOMMENDATION

That the meeting be adjourned for 10

MOTION

CRS DON MCPHEE / GARY CLEVELAND

That the meeting be adjourned for 10 minutes.

(CARRIED)

RECOMMENDATION

That the meeting be resumed.

MOTION

CRS GARY CLEVELAND / ALEX MONK

That the meeting be resumed.

Meeting resumed at 7:50 PM

(CARRIED)

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..

MOTION

CRS ED COX / GARY CLEVELAND

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.

(CARRIED)

FILE NO: VARIOUS

ITEM NO: 17

MEETING ADJOURNMENT

RECOMMENDATION

That pursuant to Section 89(2) of the Local Government Act 1989, Council resolve to resume the Ordinary meeting.

MOTION

CRS GARY CLEVELAND / DON MCPHEE

That pursuant to Section 89(2) of the Local Government Act 1989, Council resolve to resume the Ordinary meeting.

(CARRIED)

RECOMMENDATION

That the recommendations of the "Closed" Meeting of Council with regard to contractual, industrial and any other matters which the Council considers would prejudice the Council or any person be adopted.

MOTION

CRS ED COX / GARY CLEVELAND

That the recommendations of the closed meeting of Council be adopted and the tenders awarded be recorded in the minutes of the open section of the meeting.

(CARRIED)