



MINUTES

ORDINARY MEETING OF COUNCIL HELD AT COBRAM CIVIC CENTRE, PUNT ROAD, COBRAM, MONDAY 27 JULY 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 Alex Monk

IN ATTENDANCE:

Leanne Mulcahy	Acting Chief Executive Officer
Andrew Close	General Manager Infrastructure
Brant Doyle	Acting General Manager Corporate
Linda Nieuwenhuizen	Manager Governance and Communications

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

Councillor Peter Mansfield is on leave.

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

6. DECLARATION OF ANY INTEREST OR CONFLICT OF INTEREST

Councillor Martin disclosed a conflict of interest, being an indirect interest because of a close association under section 78 of the *Local Government Act 1989* for item 9.2.4 - Impact on residential amenity (S78e).

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

MOTION:

CRS BRIAN KEENAN / GARY CLEVELAND

"That the minutes of the Ordinary Council Meeting held on Monday, 22 June 2015 and the minutes of the Special Ordinary Council Meeting held on Monday, 29 June 2015, as prepared, be confirmed."

(CARRIED)

8. COUNCILLOR REPORTS

Councillor Don McPhee reported on attending the Victorian Disability Awards

Councillor Kevin Bourke reported on Paul Briggs receiving an award for his song – The children they came back.

Councillor Marie Martin reported on attending the 164th Separation Dinner.

Councillor Marie Martin reported on attending the MAV Councillor Development Weekend.

Councillor Marie Martin advised that Council Community grants that are currently available of up to \$15,000 and \$250,000 in total.

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LEANNE MULCAHY
ACTING CHIEF EXECUTIVE OFFICER

FILE NO: 180.11.0002
3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 9.1.1
(TEAM LEADER - FINANCIAL
ACCOUNTANT, RAMKI SUBRAMANIAM)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

FINANCIAL POSITION REPORT AS AT 30 JUNE 2015

1. Executive Summary

This Financial Report is subject to the completion of end-of-financial year transactions, including: the processing of year-end charges and accruals (e.g. Provision for Long Service Leave and Landfill); and other non-cash item adjustments (i.e. Asset revaluations, final depreciation charges and calculation of developer contributions).

In the Operating Income Statement:

- Operating Grants are \$5.14 million over forecast due to a cash payment made on 30 June 2015 from the Commonwealth Government of \$4.85 million for 50% of Moira Shire's 2015/16 Financial Assistance Grant, brought forward from the 2015/16 financial year.
- User Charges are currently below forecast by 29.5%. This gap will be reduced when S86 Committee income is included in Moira Shire financials.
- Materials & Services currently below forecast by 15.2%. This will be reduced when S86 Committee expenditure is included in Moira Shire financials and when final 2014/15 invoice payments are made.
- The Income Statement surplus of \$12.86 million will be reduced by these additional transactions and other final charges (i.e. Landfill provision, Written-down value of infrastructure replaced). The forecast surplus of \$8.35 million (\$3.50 million + \$4.85 million) is expected to be achieved.

Other significant items:

- As at 30 June 2015, outstanding Rate Debtors are \$2.31 million compared with \$1.77 million as at 30 June 2014, which is an increase of 30.5%. Final notices have been issued.
- Sundry Debtors are at acceptable levels, the percentage of debtors greater than 30 days is 3.7% of total debtors.
- Capital expenditure prior to raising accruals is at \$9.1 million.
- Cash & Cash Equivalents balance as at 30 June 2015 is \$24.35 million.
- Investments at the end of June are \$14.8M and are being monitored to derive the best result. The early payment of the Financial Assistance grant will require an adjustment to the cash - investment mix in July.
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3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 9.1.1
(TEAM LEADER - FINANCIAL
ACCOUNTANT, RAMKI SUBRAMANIAM)
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LEANNE MULCAHY)

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

Background and Options

Moira Shire Council				
Funding Analysis Summary - June 2015				
Operating Income Statement	Ref	Budget 14/15	Mar 14/15 Forecast	Actuals YTD June 14/15
Income				
Operating Grant		(11,215,994)	(11,204,250)	(16,381,357)
Operating Contributions		(93,600)	(56,701)	(117,453)
Reimbursements		(49,532)	(71,525)	(77,484)
Statutory Fees & Fines		(883,576)	(883,776)	(1,060,788)
User Charges		(2,637,997)	(2,701,290)	(2,173,648)
Other Revenues (incl. Waste Charges & Environmental Levy)		(6,723,275)	(6,522,774)	(6,502,456)
Interest Income		(300,000)	(400,000)	(544,030)
Net Proceeds - Land for resale		(10,000)	(64,699)	(73,183)
Total Income		(21,913,974)	(21,905,015)	(26,930,398)
Expenditure				
Employee Costs		18,604,226	18,621,116	16,777,419
Contractors		6,300,072	5,461,289	4,892,246
Materials & Services		11,461,566	10,427,393	8,845,328
Utilities		968,072	978,129	892,720
Other Expenses		4,320,149	4,298,407	4,029,021
Interest on Borrowings		527,476	527,476	526,503
Bad & Doubtful Debts		5,000	5,000	-
WDV of Disposal of Assets		60,129	60,129	65,573
Total Expenditure		42,246,690	40,378,939	36,028,810
Net Operational (Inflow) / Outflow		20,332,716	18,473,924	9,098,412
Net Operational (Inflow) / Outflow		20,332,716	18,473,924	9,098,412
Funding available through				
Rates and charges		25,812,968	25,805,530	25,662,471
Rate funds available for Capital Projects	A	5,480,252	7,331,606	16,564,059
Capital Expenditure		10,720,189	10,758,619	9,094,834
Capital External funding		(6,146,409)	(5,361,957)	(5,037,306)
Net Council Funding of Capital Projects	B	4,573,780	5,396,662	4,057,528
Surplus of Rate Funds after funding Capital Projects	A - B	906,472	1,934,944	12,506,531
Equity Inflow / (Outflow)		(829,560)	(829,560)	62,860
Net Rate Funds Surplus / (Shortfall)		76,912	1,105,384	12,569,391

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(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

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

Reconciliation with Income Statement				
Net Rate Funds Surplus / (Shortfall)	76,912	1,105,384	12,569,391	
Eliminate Balance Sheet items				
Repayment of Loans	829,560	829,560	(62,860)	
Fund from Equity reserves for Capital carryover	-	-	-	
Capital Expenditure Capitalised as Assets	10,720,189	10,758,619	9,094,834	
Accounting for Non-cash items				
Depreciation Expense and amortisation	(8,740,057)	(8,740,057)	(8,740,057)	
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	3,503,675	12,861,308	

Rates & Other Debtors Report - June 2015			
General Rates & Charges	Jun-14	Jun-15	Year on Year Variance
Rates & Charges Levied	30,227,136	33,073,817	2,846,681
Collection to Date	28,457,809	30,758,969	2,301,160
Rate Debtors Outstanding	1,769,327	2,314,848	545,521
No. of Rateable Assessments	17,075	17,583	508
Rateable Valuation C.I.V	4,785,700,600	5,023,879,500	238,178,900
Special Scheme Debtors	May-15	Jun-15	Monthly Variance
Balance Outstanding	22,824	21,903	921
Sundry Debtors	May-15	Jun-15	Monthly Variance
Current	467,669	436,718	30,951
30 Days	107,666	48,524	59,142
60 Days	222,516	13,551	208,965
90 Days	2,318	1,126	1,192
> 90 Days	9,234	3,865	5,369
Total	809,403	503,784	305,619
Infringements	May-15	Jun-15	Monthly Variance
Balance Outstanding	155,652	153,476	2,176

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

2. Financial Implications

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

3. Risk Management

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

4. 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 & Environment

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

5. Regional Context

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

6. Council Plan Strategy

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

7. Legislative / Policy Implications

The report complies with:

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

8. Environmental Impact

There are no environmental impacts associated with this report.

9. Conflict of Interest Considerations

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

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3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 9.1.1
(TEAM LEADER - FINANCIAL
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FINANCIAL POSITION REPORT AS AT 30 JUNE 2015 (cont'd)

10. Conclusion

Council's financial position as at 30 June 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 30 June 2015.

MOTION

CRS ED COX / KEVIN BOURKE

That this item be deferred.

(CARRIED)

FILE NO: F13/877
5. INFRASTRUCTURE

ITEM NO: 9.1.2
(MANAGER PROPERTY, RISK AND
COMPLIANCE, BRUCE BERG VON LINDHE)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

ROAD NAMING - MARTIN ST WILBY

1. Executive Summary

Council has the authority and responsibility to name roads and geographic features using the principles and procedures of the Guidelines for Geographic Names 2010.

Re-naming two sections of Martin St Wilby is required to remove the duplication with Martin Rd Wilby, address some house numbering anomalies and to accommodate possible future subdivision of land on Martin St. It is proposed to re-name Martin St west of Hall St to Smith St and to re-name Martin St east of Hall St to Mallows St.

The Wilby community is strongly in favour of adopting Smith St in memory of Private Arthur Smith who was killed in action on 8 August 2015 while serving with the 14th Battalion at Lone Pine, Gallipoli in World War I. However, Smith St is considered a duplicate of Smyth Road Yabba South which is approximately 28 kms to the south west of Wilby.

In adopting Smith St as the interim name, Council will be required to seek an exemption from the Guidelines and accept any risk to public safety that may result from the duplication.

2. Background and Options

The proposed names of Smith and Mallows were provided by the Wilby community and forwarded to the Registrar of Geographic Names who advised that the use of Smith St would contravene Principle 1(D) of the Guidelines because it was considered a duplicate with Smyth Rd Yabba South which is within 30kms of the road to be re-named.

Following an appeal to the Office of Geographic Names, the Registrar advised the Wilby Coordinators Group that while Smith St is still considered a duplicate of Smyth Rd Yabba South, Council may seek an exemption from the Guidelines provided that Council accept the risk to public safety that may arise from the duplication.

Private Arthur Smith was killed in action at Lone Pine in World War 1 when aged 18. There is a tree and memorial to Pte Smith located on the south west corner of Martin St and Hall St and the community would like to formalise the memorial to Pte Smith.

The name Mallows is recommended as a suitable name of an original settler of the area and is sourced from the Parish Plan.

The proposed re-naming is depicted in the following map:

FILE NO: F13/877
5. INFRASTRUCTURE

ITEM NO: 9.1.2
(MANAGER PROPERTY, RISK AND
COMPLIANCE, BRUCE BERG VON LINDHE)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

ROAD NAMING - MARTIN ST WILBY (cont'd)

7. Council Plan Strategy

The road naming function contributes to the Council Plan objectives to demonstrate good governance and to improve Moira's liveability.

8. Legislative / Policy Implications

In considering this matter, Council is acting with the authority as a Naming Authority provided by section 1.5 of the Guidelines for Geographic Names 2010.

If Council adopts the proposed interim names, public advertising will occur in accordance with the Guidelines for Geographic Names 2010.

9. Environmental Impact

There are no environmental implications resulting from re-naming Martin St.

10. Conflict of Interest Considerations

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

11. Conclusion

Re-naming Martin St Wilby will remove the duplication with Martin Rd Wilby, address some existing house numbering anomalies and accommodate possible future subdivision of land adjoining the road. It is proposed to re-name Martin St west of Hall St to Smith St and to re-name Martin St east of Hall St to Mallows St.

The Wilby community is strongly in favour of the proposed names, however, Smith St is considered a duplicate of Smyth Road Yabba South and Council is required to seek an exemption from Principle 1 (D) of the road naming guidelines in order to adopt the name.

It is recommended that Council support the Wilby community's proposed names.

Attachments

Nil

RECOMMENDATION

That Council:

1. Adopt Smith St as the interim name for the section of Martin St Wilby west of the Hall St Wilby and seek an exemption from the Registrar of Geographic Names to Principle 1 (D) of the Guidelines for Geographic Names 2010.
2. Adopt Mallows St as the interim name of Martin St Wilby east of Hall St Wilby.
3. Place advertisements in local papers seeking comments on the proposed names within 30 days.
4. write to owners of properties adjoining this road seeking comments within 30 days, and
5. Adopt the interim names if no objections are received and submit them to the Office of Geographic Names.

FILE NO: F13/877
5. INFRASTRUCTURE

ITEM NO: 9.1.2
(MANAGER PROPERTY, RISK AND
COMPLIANCE, BRUCE BERG VON LINDHE)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

ROAD NAMING - MARTIN ST WILBY (cont'd)

MOTION

CRS KEVIN BOURKE / BRIAN KEENAN

That Council:

1. Adopt Smith St as the interim name for the section of Martin St Wilby west of the Hall St Wilby and seek an exemption from the Registrar of Geographic Names to Principle 1 (D) of the Guidelines for Geographic Names 2010.
2. Adopt Mallows St as the interim name of Martin St Wilby east of Hall St Wilby.
3. Place advertisements in local papers seeking comments on the proposed names within 30 days.
4. write to owners of properties adjoining this road seeking comments within 30 days, and
5. Adopt the interim names if no objections are received and submit them to the Office of Geographic Names.

(CARRIED)

FILE NO: 100.01.0001
6. GOVERNANCE

ITEM NO: 9.1.3
(MANAGER GOVERNANCE AND
COMMUNICATIONS, LINDA
NIEUWENHUIZEN)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

QUARTERLY REVIEW COUNCIL PLAN

1. Executive Summary

This report contains details and progress of the Strategic Indicators (KPIs) contained within the adopted 2013-14 to 2016/17 Council Plan. Each of the strategic indicators is on target at this time and details on each is included in Attachment 1 of this report

2. Background and Options

This report confirms progress against strategies detailed in the Council Plan 2013-17 that was adopted in June 2014.

3. Financial Implications

Funding for Council Plan initiatives is adopted within the Annual Budget process and reviewed during the year through the ongoing budget review process.

4. Risk Management

This report assists Council's identification and monitoring of risk.

5. Internal and External Consultation

Council Officers participated in the preparation of this report.

6. Regional Context

There are no regional context considerations associated with this report.

7. Council Plan Strategy

This report provides progress update on all Council Plan Strategies

8. Legislative / Policy Implications

This report fulfills Council's obligations under the Local Government Act 1989.

9. Environmental Impact

Nil

10. Conflict of Interest Considerations

Nil

11. Conclusion

Council adopted its 2013/14 – 2016/17 Council Plan in May 2013.

Attachments

- 1 Quarterly Review Council Plan

FILE NO: 100.01.0001
6. GOVERNANCE

ITEM NO: 9.1.3
(MANAGER GOVERNANCE AND
COMMUNICATIONS, LINDA
NIEUWENHUIZEN)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

QUARTERLY REVIEW COUNCIL PLAN (cont'd)

RECOMMENDATION

That Council note the progress against the Council Plan 2013-2017.

MOTION

CRS ED COX / ALEX MONK

That Council note the progress against the Council Plan 2013-2017.

(CARRIED)

FILE NO: 100.01.0001
6. GOVERNANCE

ITEM NO: 9.1.3
(MANAGER GOVERNANCE AND
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QUARTERLY REVIEW COUNCIL PLAN (cont'd)

ATTACHMENT No [1] - Quarterly Review Council Plan

<i>Strategic Goal 1. ENVIRONMENT</i>		<i>Progress 31 March 2015</i>		<i>Department</i>
<i>Strategy: 1.1 Reduce Council's Environmental Footprint through innovative planning and leading practice initiatives.</i>				
<i>Performance Measures</i>	<i>Target</i>	<i>Risk</i>	<i>Comments</i>	
1.1.1 Annual residential waste generation (kilograms) for recycling, landfill & green waste: * Per Capital residential assessment	Less than 600 kilograms per capita * 1000 kilograms per residential assessment	Medium	On Target	Safety, Amenity & Environment
1.1.2 Develop the Moira Shire Green waste Strategy	Green Waste Strategy adopted by Council	Low	On Target	Safety, Amenity & Environment
1.1.3 New or upgraded Council Buildings to meet or exceed 6 star energy rating.	100%	Medium	On Target	Safety, Amenity & Environment

FILE NO: 100.01.0001
6. GOVERNANCE

ITEM NO: 9.1.3
(MANAGER GOVERNANCE AND
COMMUNICATIONS, LINDA
NIEUWENHUIZEN)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

QUARTERLY REVIEW COUNCIL PLAN (cont'd)

ATTACHMENT No [1] - Quarterly Review Council Plan

<i>Strategic Goal 1. ENVIRONMENT</i>				
<i>Strategy 1.1 Reduce Council's Environmental Footprint through innovative planning and leading practice initiatives.</i>				
<i>Performance Measures</i>	<i>Target</i>	<i>Risk</i>	<i>Progress 31 March 2015</i>	<i>Comments</i>
				<i>Department</i>
1.1.4 Implement renewable energy projects where the business case demonstrates a feasible return on investment.	100%	Low	On Target	Safety, Amenity & Environment
1.1.5 Maintain or decrease carbon emissions footprint.	Install 600 LED lights per annum to replace current MV 80 Streetlights	Medium	On Target	Safety, Amenity & Environment

FILE NO: 100.01.0001
6. GOVERNANCE

ITEM NO: 9.1.3
(MANAGER GOVERNANCE AND
COMMUNICATIONS, LINDA
NIEUWENHUIZEN)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

QUARTERLY REVIEW COUNCIL PLAN (cont'd)

ATTACHMENT No [1] - Quarterly Review Council Plan

<i>Strategy: 1.1 Reduce Council's Environmental Footprint through innovative planning and leading practice initiatives.</i>				
<i>Performance Measures</i>	<i>Target</i>	<i>Risk</i>	<i>Progress 31 March 2015</i>	<i>Comments</i>
				<i>Department</i>
1.1.6 Increase Waste Diversion from Landfill, calculated as the proportion of the overall kerbside waste stream that is recycled (includes paper, bottles and green waste) instead of being disposed to landfill.	53%	Medium	On Target	
				Safety, Amenity & Environment
<i>Strategy: 1.2 Administer the implementation of the Environmental Sustainability Strategy and report it to Council in a timely manner.</i>				
<i>Performance Measures</i>	<i>Target</i>	<i>Risk</i>	<i>Progress 31 March 2015</i>	<i>Comments</i>
				<i>Department</i>
1.2.1 Coordinate Goulburn Broken Local Government Biodiversity Reference group meetings.	4 meetings per year	Low	On Target	
				Safety, Amenity & Environment

FILE NO: 100.01.0001
6. GOVERNANCE

ITEM NO: 9.1.3
(MANAGER GOVERNANCE AND
COMMUNICATIONS, LINDA
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(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

QUARTERLY REVIEW COUNCIL PLAN (cont'd)

ATTACHMENT No [1] - Quarterly Review Council Plan

<i>Strategy: 1.2 Administer the implementation of the Environmental Sustainability Strategy and report it to Council in a timely manner.</i>				
<i>Performance Measures</i>	<i>Target</i>	<i>Risk</i>	<i>Progress 31 March 2015</i>	<i>Comments</i>
1.2.2 Coordinate Kinnaird's Wetlands Advisory Committee Meetings	3 meetings per year	Low	On Target	
1.2.3 Host Environmental Sustainability Advisory Committee Meetings	4 meetings per year	Low	On Target	
1.2.4 Participate in Municipal Catchment Coordinator meetings	4 meetings per year	Low	On Target	
<i>Strategy: 1.3 Support the Community in reducing their Environmental Footprint through Education and Communication of leading practice initiatives</i>				
<i>Performance Measures</i>	<i>Target</i>	<i>Risk</i>	<i>Progress 31 March 2015</i>	<i>Comments</i>
1.3.1 Provide Council's Public Place Recycling trailer for use at community events	10 events per year	Low	On Target	

FILE NO: 100.01.0001
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COMMUNICATIONS, LINDA
NIEUWENHUIZEN)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

QUARTERLY REVIEW COUNCIL PLAN (cont'd)

ATTACHMENT No [1] - Quarterly Review Council Plan

<i>Strategy: 1.3 Support the Community in reducing their Environmental Footprint through Education and Communication of leading practice initiatives</i>			
<i>Performance Measures</i>	<i>Risk</i>	<i>Progress 31 March 2015</i>	<i>Comments</i>
<i>Target</i>			
1.3.2 Participate in Broken Boosey Conservation Management network committee meetings and events.	Low	On Target	
1.3.3 Percentage community satisfaction (index score) with waste management	Low	On Target	
<i>Strategy: 1.4 Comply with environmental sustainability legislation and regulatory obligations</i>			
<i>Performance Measures</i>	<i>Risk</i>	<i>Progress 31 March 2015</i>	<i>Comments</i>
<i>Target</i>			
1.4.1 Compliance with EPA landfill requirements	High	On Target	
1.4.2 Respond to native vegetation referrals within 30 days	High	On Target	

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LEANNE MULCAHY)

QUARTERLY REVIEW COUNCIL PLAN (cont'd)

ATTACHMENT No [1] - Quarterly Review Council Plan

<i>Strategy: 1.4 Comply with environmental sustainability legislation and regulatory obligations</i>			
<i>Performance Measures</i>	<i>Target</i>	<i>Risk</i>	<i>Progress 31 March 2015 Comments</i>
1.4.3 Develop and implement a State Government approved Roadside weed and rabbit control plan	*Treat 6 species of regionally prohibited and/or regionally controlled weeds in areas of high conservation significance.	Medium	On Target
<i>Department: Safety, Amenity & Environment</i>			
<i>Strategic Goal 2. COMMUNITY</i>			
<i>Strategy: 2.1 Continue to plan, deliver and improve the quality, accessibility and relevance of community services, to ensure they meet current and future needs of all the demographic groups in Moira Shire</i>			
<i>Performance Measures</i>	<i>Target</i>	<i>Risk</i>	<i>Progress 31 March 2015 Comments</i>
2.1.1 The Disability Action Plan be implemented and reported to Council in a timely manner	Host four Advisory Committees Complete 50% action items in MSC Disability Action Plan	Low	On Target
<i>Department: Community Development</i>			

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Strategy: 2.1 Continue to plan, deliver and improve the quality, accessibility and relevance of community services, to ensure they meet current and future needs of all the demographic groups in Moira Shire					
Performance Measures	Target	Risk	Progress 31 March 2015	Comments	Department
2.1.2 The Positive Ageing Strategy be reviewed and reported to Council in a timely manner	Complete strategy review and implement new strategy	Low	Below Target		Community Development
2.1.3 Continue to provide immunisation services within Moira	*Deliver an immunisation service in all 8 Secondary schools and the four main centres within Moira * 40% of Childhood Infant Immunisations delivered by Councils *Report quarterly *Bench mark against other Shires and State rates	High	On Target		Community Development

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<i>Strategy: 2.1 Continue to plan, deliver and improve the quality, accessibility and relevance of community services, to ensure they meet current and future needs of all the demo graphic groups in Moira Shire</i>			
<i>Performance Measures</i>	<i>Risk</i>	<i>Progress 31 March 2015</i>	<i>Comments</i>
<i>Target</i>	<i>Risk</i>	<i>Progress 31 March 2015</i>	<i>Comments</i>
2.1.4 Provide youth focused social and sporting events.	Low	On Target	
2.1.5 Engage with local youth	Low	On Target	
Strategic Goal 2. COMMUNITY			
<i>Strategy: 2.2 Facilitate Maternal and Child Health and wellbeing</i>			
<i>Performance Measures</i>	<i>Risk</i>	<i>Progress 31 March 2015</i>	<i>Comments</i>
<i>Target</i>	<i>Risk</i>	<i>Progress 31 March 2015</i>	<i>Comments</i>
2.2.1 Proportion of infants born that receive primary immunisations	Medium	On Target	
2.2.2. Number of families participating in Parental Early Education Partnership (PEEP) support program	Low	On Target	

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<i>Strategy: 2.2 Facilitate Maternal and Child Health and wellbeing</i>					
<i>Performance Measures</i>	<i>Target</i>	<i>Risk</i>	<i>Progress 31 March 2015</i>	<i>Comments</i>	<i>Department</i>
2.2.3 Percentage participation of Children in Maternal and Child Health.	* Meet or exceed state average of 85% * Adopt new MAV reporting guidelines and use as a benchmark	Low	On Target		Community Development
2.2.4 Operate a Family Day Care service within Moira Shire	* Maintain at least 15 educators that provide Family Day Care.	Low	On Target		Community Development
<i>Strategic Goal 2. COMMUNITY</i>					
<i>Strategy: 2.3 Maintain and enhance community health and wellbeing through high quality service provision and partnerships to meet the needs of the broader community</i>					
<i>Performance Measures</i>	<i>Target</i>	<i>Risk</i>	<i>Progress 31 March 2015</i>	<i>Comments</i>	<i>Department</i>
2.3.1 The Municipal Public Health and Wellbeing Plan be implemented and reported to Council in a timely manner	* Complete <10 actions from the plan during 2014 and report on progress.	Low	On Target		Community Development

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<i>Strategy: 2.3 Maintain and enhance community health and wellbeing through high quality service provision and partnerships to meet the needs of the broader community</i>		<i>Progress 31 March 2015</i>		<i>Department</i>
<i>Performance Measures</i>	<i>Target</i>	<i>Risk</i>	<i>Comments</i>	
2.3.2 Continue to support Moira HealthCare Alliance (MHA) in the delivery of HACC Services	Council is an active participant on the Board of Moira Healthcare Alliance (100% meetings Councillor representative or delegate) Annual presentation by MHA to Council	Medium	On Target	Community Development
<i>Strategy: 2.4 Identify, develop and action community safety initiatives addressing real and perceived safety issues</i>		<i>Progress 31 March 2015</i>		<i>Department</i>
<i>Performance Measures</i>	<i>Target</i>	<i>Risk</i>	<i>Comments</i>	
2.4.1 Support the Moira Shire Safety Committee through facilitating meetings involving all relevant stakeholder	Host four Safety Committee meetings per year and ensure delivery of outcomes outlined in the Moira Shire Community Safety Plan	Low	On Target	Community Development

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<i>Strategy: 2.3 Improve community engagement, participation and effectiveness by facilitating community involvement in decision making processes</i>					
<i>Performance Measures</i>	<i>Target</i>	<i>Risk</i>	<i>Progress 31 March 2015</i>	<i>Comments</i>	<i>Department</i>
2.5.1 Maintain and strengthen the community volunteer base	* Complete two community priorities annually * Deliver two volunteer skills based workshops annually * Update two Community Plans annually	Medium	On Target		Community Development

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<i>Strategic Goal 2. COMMUNITY</i>					
<i>Strategy 2.6 Provide quality facilities, open spaces and programs to increase participation and cater for the communities needs and interests</i>					
<i>Performance Measures</i>	<i>Target</i>	<i>Risk</i>	<i>Progress 31 March 2015</i>	<i>Comments</i>	<i>Department</i>
2.6.1 Deliver Community Assistance and Small Grants Program	*Deliver 3 Grant Rounds per annum *Receive at least 60 grant applications *Assist successful groups with delivering projects * 100% project completion/ delivery	Low	On Target		Community Development
2.6.2 In partnership with the community and contracts proactively manage Councils community facilities	*Increase the patronage of Council owned aquatic facilities to over 65,000 per year and work with contractor to improve attendance figures *Record 100% of statistics usage of Councils community facilities managed under the Recreation Facilities contract	Medium	On Target		Community Development

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<i>Strategy 2.6 Provide quality facilities, open spaces and programs to increase participation and cater for the communities needs and interests</i>				
<i>Performance Measures</i>	<i>Target</i>	<i>Risk</i>	<i>Progress 31 March 2015</i>	<i>Comments</i>
2.6.3 Monthly audit scores of Parks measuring the quality, appearance and maintenance of public open space areas.	Number of complaints received 20< per annum	Low	On Target	
Strategic Goal 2. COMMUNITY				
<i>Strategy 2.7 Recognise and enhance Moira's diverse cultural and Indigenous heritage through events and programs supporting the arts, traditions and history</i>				
<i>Performance Measures</i>	<i>Target</i>	<i>Risk</i>	<i>Progress 31 March 2015</i>	<i>Comments</i>
2.7.1 Multicultural Action Plan is reported to Council in a timely manner	Complete at least two priorities identified in the Multicultural Action Plan annually	Low	On Target	

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<i>Strategy: 2.7 Recognise and enhance Moira's diverse cultural and indigenous heritage through events and programs supporting the arts, traditions and history</i>				
<i>Performance Measures</i>	<i>Target</i>	<i>Risk</i>	<i>Progress 31 March 2015</i>	<i>Comments</i>
2.7.2 Maintain the sustainable relationship with the local indigenous committee through the development and support of social inclusion projects	Continue to develop linkages with the local indigenous people * Assist in the development of Yembena into viable educational and cultural hub for Barmah	Low	On Target	
2.7.3 Develop Moira Shire Arts and Culture Board	Support & manage Moira Arts and Culture Inc. to deliver and achieve its constituted goals, strategies and activities and to fulfil all reporting requirements of the Moira Arts and Culture Inc. Service Agreement with Moira Shire	Low	On Target	
				Community Development
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<i>Strategy: 2.7</i> Recognise and enhance Moira's diverse cultural and indigenous heritage through events and programs supporting the arts, traditions and history				
<i>Performance Measures</i>	<i>Target</i>	<i>Risk</i>	<i>Progress 31 March 2015</i>	<i>Comments</i>
				<i>Department</i>
2.7.4 Develop a 3 year Arts and Culture Strategic Plan to steer Arts and Culture development and programs across Moira.	* Develop a 3 year Arts and Cultural Strategic Action Plan. 2. Implement strategies and activities identified in the Arts and Cultural Strategic Action Plan including the listed performance measures	Low	On Target	Community Development
<i>Strategy: 2.8</i> Emergency Management				
<i>Performance Measures</i>	<i>Target</i>	<i>Risk</i>	<i>Progress 31 March 2015</i>	<i>Comments</i>
				<i>Department</i>
2.8.1 The Municipal Emergency Management Plan be implemented and reported to Council in a timely manner	100% compliance with Emergency Management Victoria requirements	Medium	On Target	Safety, Amenity & Environment

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<i>Strategic Goal 2 - COMMUNITY</i>						
<i>Strategy: 2.9 Protect the Safety and Amenity for the Community</i>						
<i>Performance Measures</i>	<i>Target</i>	<i>Risk</i>	<i>Progress 31 March 2015</i>	<i>Comments</i>	<i>Department</i>	
2.9.1 The Domestic Animal Management Plan 100% be implemented and reported to Council in a timely manner.	Domestic Animal Management Plan 100% compliant with the Victorian Government requirements	Medium	On Target		Safety, Amenity & Environment	
2.9.2 Respond to complaints received regarding to Moira Shire Local Laws	100% responses processed	Medium	On Target		Safety, Amenity & Environment	
<i>Strategy: 2.10: Maintain and promote the environmental health of communities</i>						
<i>Performance Measures</i>	<i>Target</i>	<i>Risk</i>	<i>Progress 31 March 2015</i>	<i>Comments</i>	<i>Department</i>	
2.10.1 Attend and undertake inspections at market and Agricultural Show venues within the Shire	100% venues inspected	Medium	Complete		Safety, Amenity & Environment	

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<i>Strategy: 2.10: Maintain and promote the environmental health of communities</i>				
<i>Performance Measures</i>	<i>Risk</i>	<i>Progress 31 March 2015</i>	<i>Comments</i>	<i>Department</i>
2.10.2 Respond to nuisance complaints and report to Council annually the nature and frequency of nuisance complaints	Medium	On Target		Safety, Amenity & Environment
2.10.3 Process all applications for septic tank installations	High	On Target		Safety, Amenity & Environment
2.10.4 Assessment of Council Buildings to establish asset renewal program	Medium	Complete		Safety, Amenity & Environment

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<i>Strategic Goal 3. DEVELOPMENT (LIVEABILITY)</i>						
<i>Strategy: 3.1 Maintain and enhance land use planning and building decision making processes by determining applications within statutory time frames.</i>						
<i>Performance Measures</i>	<i>Target</i>	<i>Risk</i>	<i>Progress 31 March 2015</i>	<i>Comments</i>	<i>Department</i>	
3.1.1 Percentage of building permits determined within 10 days	100%	Medium	Below Target	Have received a larger number of the building applications compared to same time last year, it also required to have planning permits prior which delayed issuing building permits in the stat 10 days. Some of the Building applications also had Requests for further information	Planning and Building	
3.1.2 Number of planning applications received	Maintain 2013/14 numbers	Low	Below Target	54 applications received from January to March 2015 compared to 59 received the previous year.	Planning and Building	
3.1.3 Number of planning applications decided	Maintain 2013/14 numbers	Low	Above Target		Planning and Building	
3.1.4 Percentage of planning applications decided by Council year to date	Maintain previous years statistics	Low	Above Target		Planning and Building	
3.1.5 Percentage of planning application decided by Officers under delegation year to date	Maintain previous years statistics	Low	Above Target		Planning and Building	
3.1.6 Percentage of planning applications processed within 60 days statutory timeframes	70%	Medium	Below Target	63.91% of applications are decided within 60 days timeframe. Less that same time last year due to the number of applications and the complexity thereof. A large number of applications receive objections and need to be referred to Council for decision.	Planning and Building	

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<i>Strategy 3.2 Maintain Community Satisfaction by engaging, facilitating and involving the Community in sounds development planning and building principles.</i>					
<i>Performance Measures</i>	<i>Target</i>	<i>Risk</i>	<i>Progress 31 March 2015</i>	<i>Comments</i>	<i>Department</i>
3.2.1 Number of decisions appealed to VCAT	Maintain 2012/13 numbers	Medium	On Target		Planning and Building
3.2.2 Percentage of appeals determined by VCAT in favour of Council	70%	Low	On Target		Planning and Building
3.2.3 Performance of Building and Planning as measured by the annual Community Satisfaction Survey	55%	Medium	On Target		Planning and Building
<i>Strategy 3.3 Community Inclusion</i>					
<i>Performance Measures</i>	<i>Target</i>	<i>Risk</i>	<i>Progress 31 March 2015</i>	<i>Comments</i>	<i>Department</i>
3.3.1 Value of recurrent grants provided to the Moira Shire	\$5,000,000	Medium	On Target		Community Development

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<i>Strategy 3.4: That Council establish a new Management Strategy in support of local Tourism.</i>						
<i>Performance Measures</i>	<i>Target</i>	<i>Risk</i>	<i>Progress 31 March 2015</i>	<i>Comments</i>	<i>Department</i>	
3.4.1 Establish a Moira Shire Tourism Board to support Tourism in the Municipality	Establish of the Board in 2014/15	Medium	Complete		Business and Innovation	
3.4.2 Develop a three year (2013 to 2016) Destination Management Plan in consultation with Moira Shire Council and the community	Destination management plan	Medium	On Target		Business and Innovation	
3.4.3 Conduct familiarisation program for tourism staff and tourism ambassadors (volunteers)	Familiarisations tours are undertaken at least 4 times a year. Staff must participate at least twice. Volunteers participate at least once.	Low	Below Target	One familiarisation complete, one imminent.	Business and Innovation	

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<i>Strategic Goal 3. DEVELOPMENT (LIVABILITY)</i>					
Strategy 3.5 : That Council supports accredited visitor Services in Yarrawonga, Cobram, Numurkah and Nathalia					
Performance Measures	Target	Risk	Progress 31 March 2015	Comments	Department
3.5.1 Visitor attendance numbers at information Centres: Yarrawonga, Cobram, Numurkah, Nathalia	Yarrawonga- 2013: 85,000 2014: 90,000	Low	On Target		Business and Innovation
	Cobram- 2013: 72,000 2014: 78,000				
	Numurkah- 2013: 6,000 2014: 6,600				
3.5.2 Support Local Tourism Associations and individual businesses in the promotion and marketing of the region	Nathalia- 2013: 10,000 2014: 13,000	Medium	On Target		Business and Innovation
	3 major campaigns per annum				
3.5.3 Service standards in the Visitor information centres through mystery shopper audits	84%	Low	Complete		Business and Innovation

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Strategy 3.6 : Library Services						
Performance Measures	Target	Risk	Progress 31 March 2015	Comments	Department	
3.6.1 Increase of residents visiting the library services	* 30% * 70,000 visits * 100,000 website visits	Low	On Target		Community Development	
Strategy 3.7: Support and Promote participation in Council's training and development initiatives for local businesses by delivering a comprehensive training program						
Performance Measures	Target	Risk	Progress 31 March 2015	Comments	Department	
3.7.1 Number of participants in Council's training activities	400	Low	Complete		Business and Innovation	
3.7.2 Percentage of users/businesses satisfied with training and support initiatives for local businesses	80%	Low	On Target		Business and Innovation	
Strategic Goal 3: DEVELOPMENT (LIVEABILITY)						
Strategy 3.8 : Investment Attraction						
Performance Measures	Target	Risk	Progress 31 March 2015	Comments	Department	
3.8.1 Level of support to businesses investing/considering investment in Moira Shire	50 Investors	Medium	Complete		Business and Innovation	

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Strategy 3.9: Business Roundtables with businesses and Councillors						
Performance Measures	Target	Risk	Progress 31 March 2015	Comments	Department	
3.9.1 Conduct roundtables in key towns for 2013/14.	Four round tables.	Low	Below Target	2 Round Tables have been held.	Business and Innovation	
Strategy 3.10: Strategic Alliances						
Performance Measures	Target	Risk	Progress 31 March 2015	Comments	Department	
3.10.1 Develop strategic alliances with key government and business agencies and organisations.	6 Government 10 business	Low	Complete		Business and Innovation	
Strategy 3.11: Commercial Development						
Performance Measures	Target	Risk	Progress 31 March 2015	Comments	Department	
3.11.1 Assess the potential for commercial development of Council controlled assets.	6 Assessments	Medium	Below Target		Business and Innovation	

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Strategy 3.12: Upkeep of Council Assets				
Performance Measures	Target	Risk	Progress 31 March 2015	Comments
				Department
3.12.1 Percentage of graffiti removed from Council owned assets within 48 hours of notification	95%	Medium	On Target	
3.12.2 Audit of Section 86 managed Council Buildings to establish asset maintenance and renewal plans	4 Audits per year	Medium	On Target	
Strategy Goal 4: ORGANISATION				
Strategy 4.1 INFORMATION SERVICES Efficiency and service delivery to support business processes and information sharing reduced costs and increase service effectiveness				
Performance Measures	Target	Risk	Progress 31 March 2015	Comments
				Department
4.1.1 100% completion of IT Strategy	100% completion of IT strategy in 2014/15 reporting year	Medium	On Target	
				Information Technology

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Strategy 4.1 INFORMATION SERVICES Efficiency and service delivery to support business processes and information sharing reduced costs and increase service effectiveness						
Performance Measures	Target	Risk	Progress 31 March 2015	Comments	Department	
4.1.2 Improve integration between finance and assets systems through a fully integrated IT platform (Authority).	Rollout of Authority Assets to production	High	Below Target	Project team established and update meeting held with Civica. It is on hold until Team Lead Assets is recruited.	Information Technology	
4.1.3 Develop and implement online and mobile computing technologies and services.	Create 1 new online/mobile initiative	Low	On Target		Information Technology	
4.1.4 Upgrade the human resources and payroll technology to improve functionality	100% implementation of payroll, HR modules and kiosks	Medium	On Target		Information Technology	

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Strategy 4.2 Ensure Council's workforce is skilled, responsive, has high job satisfaction and is capable of providing quality customer orientated services and programs to Moira's communities and ratepayers.						
Performance Measures	Target	Risk	Progress 31 March 2015	Comments	Department	
4.2.1 Develop practical policies and procedures and staff training program reflecting legislative, regulative and staff requirements	As required	Medium	On Target		Human Resources	
4.2.2 Develop an Organisational Development Strategy to ensure the sustainability of the organisation	100% development and implementation of Strategy and training program	Medium	On Target		Human Resources	
4.2.3 Develop and implement integrated Performance Management System	100% development and implementation of system	Medium	On Target		Governance	
4.2.4 Develop and deliver Stage 2 of Organisation Review	100% complete	Low	On Target		Human Resources	
4.2.5 Staff Performance reviews completed	100% complete	Low	Completed		Human Resources	
4.2.6 Cap Staffing at 195 EFT	195 EFT	Medium	On Target		Human Resources	

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<i>Strategy 4.3 Ensure a safe workplace for all employees by embedding new Occupational Health and Safety (OHS) policies and procedures, OHS training and development programs</i>						
Performance Measures	Target	Risk	Progress 31 March 2015	Comments	Department	
4.3.1 Number of workplace/site OHS inspections undertaken	5 per year	Medium	Above Target		Human Resources	
4.3.2 WorkCover Indicative Performance Rate	<1.0	Medium	On Target		Human Resources	
4.3.3 WorkSafe Insurance Premium Rate	<1.8	Medium	On Target		Human Resources	
4.3.4 Lost Time Injury Frequency Rate	100%	Medium	Above Target		Human Resources	
<i>Strategy 4.4 Ensure Council plans and resources, records and budget systems are maintained and managed sustainably</i>						
Performance Measures	Target	Risk	Progress 31 March 2015	Comments	Department	
4.4.1 Prepare the Annual Budget and Strategic Resource Plan in line with statutory requirements and within a financial sustainability framework for consideration by Council by 30 June 2015	100%	High	On Target		Finance	

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<i>Strategy 4.4 Ensure Council plans and resources, records and budget systems are maintained and managed sustainably</i>							
<i>Performance Measures</i>	<i>Target</i>	<i>Risk</i>	<i>Progress 31 March 2015</i>	<i>Comments</i>	<i>Department</i>		
4.4.2 Reduce debt by 25% to \$6m	\$6m by 2017	Medium	On Target		Finance		
4.4.3 Constrain operational cost increases to 2% (excl CPI)	<2% (excl CPI)	Medium	On Target		Finance		
<i>Strategy 4.5 Provide customer-focused financial management processes, budget systems and valuation practices in accordance with professional standards and legislative requirements</i>							
<i>Performance Measures</i>	<i>Target</i>	<i>Risk</i>	<i>Progress 31 March 2015</i>	<i>Comments</i>	<i>Department</i>		
4.5.1 Attain VAGO financial ratios as part of annual budget process	100%	High	On Target		Finance		
4.5.2 Complete the Annual Financial Statements for the year ended 30 June 2014 with full audit clearance by the legislated time frame	100%	High	Complete		Finance		
4.5.3 Councils Working Capital Ratio	>1.0	High	On Target		Finance		

FILE NO: 100.01.0001
6. GOVERNANCE

ITEM NO: 9.1.3
(MANAGER GOVERNANCE AND
COMMUNICATIONS, LINDA
NIEUWENHUIZEN)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

QUARTERLY REVIEW COUNCIL PLAN (cont'd)

ATTACHMENT No [1] - Quarterly Review Council Plan

Strategy 4.6 Rates Revenue Generation					
Performance Measures	Target	Risk	Progress 31 March 2015	Comments	Department
4.6.1 \$M collected	\$31.541M	High	On Target		Finance
4.6.2 Rating strategy to be delivered as per legislative requirements	Development and Delivery of 1 Rating Strategy	Medium	Deferred to 2015/16		Finance
Strategic Goal 4. ORGANISATION					
Strategy 4.7 Improve Council information, accessibility through effective use of communication and media and ensure services are continuing to meet community expectations and demonstrating a culture of engagement					
Performance Measures	Target	Risk	Progress 31 March 2015	Comments	Department
4.7.1 DPCD Customer Service Survey/Moira Internal Survey	75%	Low	On Target		Communication & Engagement
4.7.2 Deliver effective, timely communication of Council services, activities and scope future needs and methods through Communication Strategy	Communications and Engagement Strategy delivered	Medium	On Target		Communication & Engagement

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QUARTERLY REVIEW COUNCIL PLAN (cont'd)

ATTACHMENT No [1] - Quarterly Review Council Plan

Strategy 4.8 Provide snapshots of community views on emerging issues by establishing a community 'pulse' email panel of 1,000 - 2,000 people with an interest in Moira					
Performance Measures	Target	Risk	Progress 31 March 2015	Comments	Department
4.8.1 Number of members on the community 'pulse' email panel	>1,000	Low	On Target		Communication & Engagement
Strategy 4.9 Encourage higher levels of engagement in Council's activities through enhanced targeted communication via social media					
Performance Measures	Target	Risk	Progress 31 March 2015	Comments	Department
4.9.1 Website quality and accessibility assessed through independent user survey	70%	Low	On Target		Communication & Engagement
4.9.2 Develop and implement integrated Communications Strategy focusing on electronic communications, publications	1 strategy 100% completed	Low	On Target		Communication & Engagement

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QUARTERLY REVIEW COUNCIL PLAN (cont'd)

ATTACHMENT No [1] - Quarterly Review Council Plan

<i>Strategic Goal 4. ORGANISATION</i>						
Strategy 4.10 CUSTOMER SERVICES Ensure excellent customer service by reducing the waiting time for ratepayers and other community members to councils customer centres and services.						
Performance Measures	Target	Risk	Progress 31 March 2015	Comments	Department	
4.10.1 Percentage of customer service enquiries resolved on first call	85%	Medium	On Target		Communication & Engagement	
4.10.2 Percentage satisfaction of after-hours callers with the quality of information and service received	70%	Low	On Target		Communication & Engagement	
4.10.3 Customer service responsiveness assessed through external and internal user surveys	90%	Medium	On Target		Communication & Engagement	

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QUARTERLY REVIEW COUNCIL PLAN (cont'd)

ATTACHMENT No [1] - Quarterly Review Council Plan

<i>Strategic Goal 5. INFRASTRUCTURE</i>					
Strategy 5.1 : Deliver the annual Capital Works program including roads, drainage, buildings, open places and footpaths.					
Performance Measures	Target	Risk	Progress 31 March 2015	Comments	Department
5.1.1 Percentage of completed capital works projects completed based on the adopted capital works budget	95%	Medium	On Target		Infrastructure and Assets
5.1.2 Civic Mutual Plus (Overall score) compliance with Road Management Plan.	80%	Medium	Not Yet Started	Next biannual audit was due in February 2015 but hasn't occurred yet. Note that the Last Audit result for February 2013 was 95% compliance	Infrastructure and Assets

FILE NO: 100.01.0001
6. GOVERNANCE

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(MANAGER GOVERNANCE AND
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QUARTERLY REVIEW COUNCIL PLAN (cont'd)

ATTACHMENT No [1] - Quarterly Review Council Plan

Strategy 5.2 Manage and maintain Council Assets in accordance with Council's Asset Management Plan and Municipal Association of Victoria Step Program					
Performance Measures	Target	Risk	Progress 31 March 2015	Comments	Department
5.2.1 Percentage of Council assets at or below the intervention level in accordance with the Municipal Association of Victoria Step Program	70%	Medium	On Target		Infrastructure and Assets
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	65%	Medium	Not Yet Started		Operations
5.2.3 The length of gravel roads re-sheeted as a percentage of the total unsealed road network	Re-sheet 5% of the unsealed road network	Low	On Target		Operations
5.2.4 The percentage of sealed roads resealed	Re-seal 6% of roads	Low	Not Yet Started	The 2014/15 resealing program has recently been completed with 354,078m ² (64km) of road resealed.	Operations

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6. GOVERNANCE

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(MANAGER GOVERNANCE AND
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QUARTERLY REVIEW COUNCIL PLAN (cont'd)

ATTACHMENT No [1] - Quarterly Review Council Plan

Strategy 5.2 Manage and maintain Council Assets in accordance with Council's Asset Management Plan and Municipal Association of Victoria Step Program							
Performance Measures	Target	Risk	Progress 31 March 2015	Comments	Department		
5.2.5 The percentage of sealed roads reconstructed	Reconstruct 0.5% of the sealed road network	Low	On Target		Operations		
5.2.6 Community satisfaction with local roads, streets and footpaths	65%	Medium	Not Yet Started		Operations		
Strategy 5.3 Management of Council buildings and recreation facilities and open space.							
Performance Measures	Target	Risk	Progress 31 March 2015	Comments	Department		
5.3.1 The Civic Mutual annual score for management of recreational sporting reserves	<50	Low	On Target		Community Development		
5.3.2 The percentage of customer requests relating to playgrounds and public open space actioned within 30 days	80%	Low	On Target		Operations		

FILE NO: 100.01.0001
6. GOVERNANCE

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(MANAGER GOVERNANCE AND
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QUARTERLY REVIEW COUNCIL PLAN (cont'd)

ATTACHMENT No [1] - Quarterly Review Council Plan

Strategy 5.3 Management of Council buildings and recreation facilities and open space						
Performance Measures	Target	Risk	Progress 31 March 2015	Comments	Department	
5.3.3 Complete 2 Township liveability projects (focusing on asset, rationalisation, consolidation and renewal)	2	Medium	On Target		Community Development	
5.3.4 Facilitate monthly contract meetings with contractor to ensure any issues or areas of concern are discussed and addressed	Number of complaints <20	Low	On Target		Community Development	

FILE NO: 100.01.0001
6. GOVERNANCE

ITEM NO: 9.1.3
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QUARTERLY REVIEW COUNCIL PLAN (cont'd)

ATTACHMENT No [1] - Quarterly Review Council Plan

<i>Strategic Goal 6. GOVERNANCE</i>						
<i>Strategy 6.1 Ensure responsible resource management and adherence to good governance practices as prescribed by internal and external audit requirements</i>						
Performance Measures	Target	Risk	Progress 31 March 2015	Comments	Department	
6.1.1 Percentage completion for annual internal Audit plan	100%	Medium	On Target		Finance	
6.1.2 Percentage completion of all scheduled external audits	100%	High	Complete		Finance	
<i>Strategy 6.2: Enhance Councils management of electronic records in line with Public Records Office requirements</i>						
Performance Measures	Target	Risk	Progress 31 March 2015	Comments	Department	
6.2.1 Percentage of electronic management systems actions completed within service charter timeframes	95%	Low	On Target		Governance	
6.2.2 Instruments of Delegation to Council staff renewed biannually and updated upon receipt of legal advice	100%	High	On Target		Governance	

FILE NO: 100.01.0001
6. GOVERNANCE

ITEM NO: 9.1.3
(MANAGER GOVERNANCE AND
COMMUNICATIONS, LINDA
NIEUWENHUIZEN)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

QUARTERLY REVIEW COUNCIL PLAN (cont'd)

ATTACHMENT No [1] - Quarterly Review Council Plan

Strategic Goal 6. GOVERNANCE						
Strategy 6.3: Ensure that Council complies with Freedom of Information (FOI) requests						
Performance Measures	Target	Risk	Progress 31 March 2015	Comments	Department	
6.3.1 Percentage of Freedom of Information Requests responded to within prescribed timeframes.	100%	Medium	On Target		Government	
Strategy 6.4: Ensure strategic and operational risks are managed to protect Council and the community.						
Performance Measures	Target	Risk	Progress 31 March 2015	Comments	Department	
6.4.1 Completion and monitoring of Council's Risk Management Framework	100%	High	On Target		Property, Risk & Compliance	
6.4.2 Quarterly updating of Council's Risk Management Register presented to the Audit Committee/Council	Quarterly (4) per annum	High	On Target		Property, Risk & Compliance	
Strategy 6.5: Prepare Council's Annual Report and submit to the Minister for Local Government.						
Performance Measures	Target	Risk	Progress 31 March 2015	Comments	Department	
6.5.1 Annual Report presented to Council in September 2014, Ordinary Meeting	1 Report to Council by 30 September 2014	High	Complete		Government	
6.5.2 Annual Report to Minister for Local Government by 30 September 2014	1 Annual Report completed & delivered by 30 September 2014	High	Complete		Government	

FILE NO: F
5. INFRASTRUCTURE

ITEM NO: 9.2.1
(MANAGER STRATEGIC PROJECTS,
MARK FOORD)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

LOTT STREET, YARRAWONGA

1. Executive Summary

Staff have undertaken a consultative process with residents of Lott Street as resolved by Council on 27 April 2015.

Residents are very supportive of removal of the trees in Lott Street, Yarrowonga and replacing them with Griffith Pink Brachychitron trees. These trees are closely related to the original trees planted in 1920's that formed the Avenue of Honour within various streets in Yarrowonga.

It is recommended that Council undertake consultation with the wider community regarding the residents proposal to remove the Spotted Gum trees and replace them with Griffith Pink Brachychitron trees which are the residents preferred species.

2. Background and Options

a. Consultation

Two meetings have been held with residents from Lott Street. The first meeting was on 12 May and the second was held on 2 June 2015. The meetings were well attended with in excess of 10 people at each of them.

At the first meeting staff were interested to establish resident's concerns and what their wishes were for the future of the street.

Residents discussed the issues identified in Council's minutes of 27 April 2015, being;

- Lott Street, Avenue of Honour
- Previous Council Decisions
- Historic reconstruction
- Town Planning
- Tree species
- Cost of removal of the trees

Resident's concerns were centered around their opinion that the street always looks unkempt, untidy and dirty, due to the fact that the semi mature spotted gum trees continually shed leaves and bark. This is exacerbated by cockatoos that eat the seeds and trim the young shoots from the top of the canopy, the shoots then also end up upon the street, nature strips and front yards of the houses.

After canvassing options for removal and replacement in stages residents were almost unanimous in their wish that the trees be removed simultaneously and immediately replaced with the preferred species.

The second meeting focused upon deciding a potential replacement tree for the street. By consensus, after considering options developed by staff and residents, it was agreed that an appropriate replacement tree would be the Griffith Pink Brachychitron.

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5. INFRASTRUCTURE

ITEM NO: 9.2.1
(MANAGER STRATEGIC PROJECTS,
MARK FOORD)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

LOTT STREET, YARRAWONGA (cont'd)

There are many issues to consider, as outlined above with respect to the residents proposal to remove the trees from Lott Street. Perhaps the most salient being the Avenue of Honour. Lott Street and the original Brachychitron trees were part of a very significant memorial to those who served in World War 1. The former Shire of Yarrawonga removed the original trees and replaced them with the gum trees.

The issue of removal of trees of itself is also an issue to consider for the residents and perhaps also for the wider community.

Having consulted with the residents of the street, it may now be appropriate for Council to consult with the wider community about the proposal. This can most easily be done in conjunction with the Town Planning process as the works may require a Town Planning Permit.

b. The purpose of Lott Street

Lott Street is a residential street. Its primary purpose is to serve the needs of abutting property owners to access their properties.

In such streets it is appropriate that Council consider the needs and wants of the residents of the streets. The resident's needs and wants are paramount to their lifestyle and the enjoyment of their homes.

c. Development of a project

The requirements of the residents are now clear and a project could be developed that would see their wishes met. A Town Planning Permit would be required to remove the existing trees and it is considered that this could be the first step.

Practically speaking, removal of the trees could be done at any time, planting, however is best done in the autumn, when the newly planted trees would have the best chance of establishing themselves before the onset of our harsh summer period.

d. Funding

Council has not allocated funding for this project. As a preliminary step to bring the project to fruition an application for \$20,000 funding has been made to the State Government under the "Restoring Community War Memorials and Avenues of Honour" program.

Should this application be successful it is suggested that Council could refer the project to a budget review for sourcing of the remaining funding. If the funding proposal is not successful Council would need to consider the project as any other project.

3. Financial Implications

The cost of removing the trees, grinding stumps away and replanting with Griffith Pink Brachychitron trees is estimated at \$35,000.

There is currently no budget available to fund this project. Council could consider allocating budget in future budget reviews or in future Capital Works programs. The nature of the works means that it would be desirable to undertake the works at the commencement of the autumn season.

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5. INFRASTRUCTURE

ITEM NO: 9.2.1
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(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

LOTT STREET, YARRAWONGA (cont'd)

4. Risk Management

When undertaking a risk assessment of tree plantings it is normal to consider the use of the tree by others or its common usage as well as its history in the area. The other factor is the care and maintenance available to mitigate any risks associated with the tree. Council has formal procedures and practices in relation to the management of its street trees, to mitigate the risks associated with management of street trees.

The existing trees in Lott Street are often reported to be a suitable street tree in references; Prestige Plants suggests the tree works well as a street tree. (<http://www.prestigeplants.com.au/www/content/default.aspx?cid=1211>).

FloraBank suggest its use in urban areas; Urban use: good as an ornamental or amenity plant (http://www.florabank.org.au/lucid/key/species%20navigator/media/html/Corymbia_maculata.htm)

The City of Melbourne have particularly good knowledge of the trees in Melbourne and highlight the existing species. *–They are striking when planted as a group or avenue, and make spectacular specimen trees.*”
https://www.melbourne.vic.gov.au/Sustainability/UrbanForest/Documents/spotted_gum_fact_sheet.pdf

The Griffith Pink Brachychitron preferred by the residents tolerates a wide range of soils and climates and has been planted in Belmore Street, by Council. It is a relatively new cultivar of Brachychitron which has been planted in streets successfully for many years. There are still several of the original Brachychitron populeneous planted as part of the Avenue of Honour in Lott Street and one in Belmore Street.

5. Internal and External Consultation

The Town Planning and Operations Departments have been consulted in relation to this report.

Two resident meetings have been conducted to ensure that all information has been gathered and presented within this report.

Additional consultation with the community could be undertaken as part of the Town Planning process.

6. Regional Context

There are no regional issues to consider in relation to this report.

7. Council Plan Strategy

The main Strategic Goal that relates to this report is; Liveability: By investing in Moira's liveability the quality of life for our residents will be improved.

Enabling Objectives that relate directly to this report include; Involving and communicating with our community.

FILE NO: F
5. INFRASTRUCTURE

ITEM NO: 9.2.1
(MANAGER STRATEGIC PROJECTS,
MARK FOORD)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

LOTT STREET, YARRAWONGA (cont'd)

The Strategic Performance Indicators that this report and its outcomes relate to are;

Strategic Performance Indicators	Measure	Action
Provide clean and attractive parks, gardens, streetscapes, reserves and wetlands	<i>Community satisfaction survey</i>	Undertake the Parks maintenance regime in accordance with the agreed program and budget.
Support community lead planning and change	<i>Community Satisfaction survey</i>	
Effectively communicate with our communities and stakeholders	<i>Community satisfaction survey</i>	Improve community and stakeholder awareness of Councillors' role and Council's strategic direction, performance, programs and services.

8. Legislative / Policy Implications

A Town Planning Permit may be required to remove the trees in Lott Street, Yarrawonga.

Under the Road Management Act 2004 Council is responsible for the care and management roads. Lott Street, Yarrawonga is included upon Council's Road Register. The existing trees are planted in the nature strip area which is considered to be part of the roadside under the Act. Council therefore has the power to remove and plant trees in Lott Street, Yarrawonga.

9. Environmental Impact

The environmental impacts associated with this report are in relation to the potential removal of street trees. The trees are planted rather than natural occurring, and are probably not indigenous to Yarrawonga.

10. Conflict of Interest Considerations

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

11. Conclusion

It is clear that the majority of residents of Lott Street, Yarrawonga do not appreciate the spotted gum trees in Lott Street. They want them removed and replaced with a better alternative, and have selected the Griffith Pink Brachychiton as their preferred species.

While Lott Street is a residential street and the opinions of the residents are important, there are other issues, such as the Avenue of Honour and the issue of tree removal itself, associated with the residents request and it is therefore appropriate to seek wider community views regarding the residents proposal.

Community views could be sought as part of the Town Planning process as removal of the existing trees may require a Town Planning Permit.

FILE NO: F
5. INFRASTRUCTURE

ITEM NO: 9.2.1
(MANAGER STRATEGIC PROJECTS,
MARK FOORD)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

LOTT STREET, YARRAWONGA (cont'd)

Attachments

Nil

RECOMMENDATION

That:

1. Council consult with the Yarrawonga community about the Lott Street residents proposal to remove semi mature spotted gum trees from Lott Street, Yarrawonga and replant the street with Griffith Pink Brachychitron trees, and that consultation be done in conjunction with seeking a Town Planning Permit to undertake the works.
2. Council consider the project as part of future budget reviews and capital programs, subject to the outcome of a wider consultation program to be done as part of the Town Planning process.
3. Council thank the residents who participated in the consultation program, and advise them of Council's decision.

MOTION

CRS WENDY BUCK / BRIAN KEENAN

That:

1. Council consult with the Yarrawonga community about the Lott Street residents proposal to remove semi mature spotted gum trees from Lott Street, Yarrawonga and replant the street with Griffith Pink Brachychitron trees, and that consultation be done in conjunction with seeking a Town Planning Permit to undertake the works.
2. Council consider the project as part of future budget reviews and capital programs, subject to the outcome of a wider consultation program to be done as part of the Town Planning process.
3. Council thank the residents who participated in the consultation program, and advise them of Council's decision.

(CARRIED)

FILE NO: F13/858
5. INFRASTRUCTURE

ITEM NO: 9.2.2
(MANAGER CONSTRUCTION AND
ASSETS, GRAHAM HENDERSON)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

PROPOSAL TO DISCONTINUE POWER STREET NATHALIA

1. Executive Summary

Council has received a request from the St Mary of the Angels College in Nathalia to purchase the road reserve known as Power Street in Nathalia for the purpose of improving school bus stop operations and providing a permanent parking facility for their fleet of school buses.

Traffic counts show that traffic volume in Power Street is very low with school buses making up 30% of traffic volume. This demonstrates that the closure of Power Street may not have a negative impact upon the surrounding road network. There is some Council infrastructure within the road reserve which will be able to be protected by a drainage easement as a condition to the road being discontinued if it is closed.

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 therefore recommended that Council undertake the required consultation process to gauge the community's views about St Mary of the Angels College proposal to close the road.

2. Background and Options

Power Street runs between Bromley Street and Pearce Street in Nathalia. St Mary of the Angels College owns the bulk of the property on the west of the street and is planning to provide a permanent shelter for their fleet of school buses by incorporating the road reserve and construct a permanent school bus stop. The property on the east side of the street is in the ownership of the Victorian Education Department as part of the sports precinct for the Nathalia Secondary College. The Secondary College will still be able to access their property off Pearce Street. The property on the south west corner of Power Street and Pearce Street is in different ownership as a residential dwelling and has its primary access off Pearce Street and a secondary access off Power Street. Therefore it may not be adversely impacted should Council resolve to discontinue Power Street.

The College currently parks their fleet overnight and during the day within the road reserve as there is insufficient space within the school grounds to store the bus fleet. In addition, the permanent shelter will serve as the school's main bus stop for picking up and dropping off students and improve safety to both students and bus drivers.

Power Street is classified as Residential Access in the Council's Road Hierarchy Register. The road pavement is unsealed with open table drains on both sides of the road pavement. Average daily traffic count is 37 vehicles weekdays with 30% of traffic being school buses.

There are Council stormwater assets within the road reserve as well as other services and access to these will be protected through the establishment of easements over the pipe/service alignments should the closure proceed. Any easements will be wide enough to allow sufficient space for machinery & equipment should there be the need to replace the stormwater pipes.

FILE NO: F13/858
5. INFRASTRUCTURE

ITEM NO: 9.2.2
(MANAGER CONSTRUCTION AND
ASSETS, GRAHAM HENDERSON)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

PROPOSAL TO DISCONTINUE POWER STREET NATHALIA (cont'd)

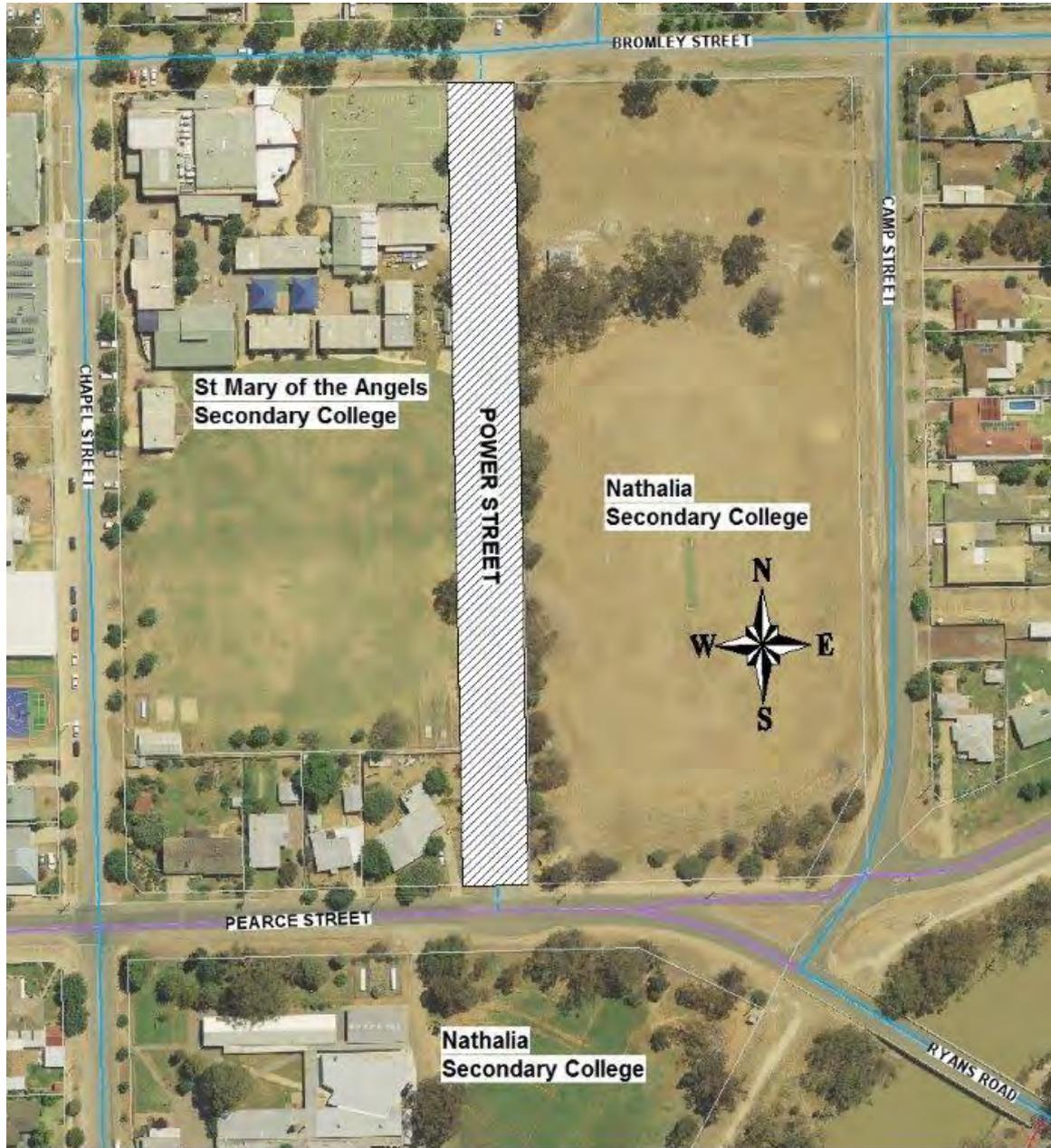


Figure showing location of Power Street with respect to St Mary's of the Angels College.

FILE NO: F13/858
5. INFRASTRUCTURE

ITEM NO: 9.2.2
(MANAGER CONSTRUCTION AND
ASSETS, GRAHAM HENDERSON)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

PROPOSAL TO DISCONTINUE POWER STREET NATHALIA (cont'd)

3. Financial Implications

The road pavement is currently valued as a Council asset, discontinuing the road will see this asset removed from Council's asset register.

Power Street is a government road and should Council resolve to discontinue it, the land will revert back to Crown land and St Mary's of the Angels College will be able to enter into discussions with the relevant State department to purchase the land. The land will be encumbered with the easements to secure Council's and other service authorities access to their assets.

Council will derive no income from the sale of the land given it will revert to Crown land once the road is discontinued.

The Section 223 process allows for persons to make submissions regarding to St Mary of the Angels proposal.

4. Risk Management

The discontinuance of Power Street will see this segment of road removed from Council's Register of Public Roads and from Council's responsibility to inspect and maintain.

5. Internal and External Consultation

Council's Operations and Assets and Construction departments were consulted regarding this proposal and they concluded that provided Council's drainage assets are protected and legal access is maintained, they have no objection to the proposal.

Service authorities will be consulted about the proposal should Council determine to commence the process to discontinue the road.

6. Regional Context

The College has an enrolment of over 500 students and service students from western part of the municipality including townships in New South Wales such as Barooga, Finley and Tocumwal. These students travel to the college on the college's fleet of school buses.

7. Council Plan Strategy

The proposal under consideration in the report supports Council Plan Strategic Theme – Rebalancing Council's asset mix, Item 25 - Sustainably meet the community's assets needs.

8. Legislative / Policy Implications

Schedule 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 Schedule 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 Schedule 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.

FILE NO: F13/858
5. INFRASTRUCTURE

ITEM NO: 9.2.2
(MANAGER CONSTRUCTION AND
ASSETS, GRAHAM HENDERSON)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

PROPOSAL TO DISCONTINUE POWER STREET NATHALIA (cont'd)

should Council determine to commence the process toward discontinuing the road known as Power Street, then a Section 223 process will be undertaken in accordance with the guidelines and the Local Government Act.

9. Environmental Impact

There are no environmental implications associated with Council resolving to commence the process to discontinue Power Street.

10. Conflict of Interest Considerations

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

11. Conclusion

St Mary of the Angels College feels that the discontinuance of Power Street may help address school bus operational issues including improving student safety that exist at the college without having a significant impact upon the surrounding road network.

It is therefore recommended that Council resolve to commence the process to discontinue Power Street, Nathalia, under Schedule 10 Clause 3 of the Local Government Act and conduct a community consultation process in accordance with Section 223 of the Local Government Act.

It is also recommended that Council appoint a Committee of the Council, to consider submissions and hear any person who may wish to be heard in support of their submission regarding the proposed discontinuance of Power Street, Nathalia and to hear submissions on a date, time and place set by the Chief Executive Officer.

Attachments

Nil

RECOMMENDATION

That Council:

1. Resolve to commence the process to discontinue Power Street, Nathalia, and accordingly undertake the required consultation process under section 223 of the Local Government Act 1989;
2. Publish a Public Notice in local newspapers advising of Council's intention to discontinue Power Street, Nathalia, inviting written submissions to be received within 28 days from the date of publication of the Public Notice under section 223 of the Local Government Act 1989;
3. Write letters to adjoining landowners seeking comments within 28 days regarding the proposed discontinuance of Power Street, Nathalia, under section 223 of the Local Government Act 1989;
4. Appoint a Committee of the Council to consider submissions and hear any persons who wish to be heard in support of their submission regarding the proposed discontinuance of Power Street, Nathalia, and,
5. The Committee will hear submissions on a date, time and place as set by the Chief Executive Officer

FILE NO: F13/858
5. INFRASTRUCTURE

ITEM NO: 9.2.2
(MANAGER CONSTRUCTION AND
ASSETS, GRAHAM HENDERSON)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

PROPOSAL TO DISCONTINUE POWER STREET NATHALIA (cont'd)

MOTION

CRS KEVIN BOURKE / WENDY BUCK

That this report lay on the table until Council Officers provide a comprehensive report on the discontinuation of Power Street Nathalia.

(CARRIED)

FILE NO: 5/2015/40
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.3
(TOWN PLANNER, MELISSA LOTITO)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

PLANNING PERMIT APPLICATION 5/2015/40 FOR THE USE AND DEVELOPMENT OF LAND FOR A SHIPPING CONTAINER (DOMESTIC STORAGE) AT MYWEE ROAD, STRATHMERTON

1. Executive Summary

Planning permit application 5/2015/40 is for the use and development of land for a shipping container for the purpose of domestic storage at Mywee Road, Strathmerton.

The shipping container currently exists on the subject lot along the north western boundary. However, no planning permit had been issued for this structure. Council's Development Compliance Officer requested that the applicant, either remove the non-compliant structure, or retrospectively apply for a planning permit. The planning application was submitted and proposes that the container be relocated further south on the lot.

A shipping container used for storage is considered a Section 2 use – planning permit required under Clause 35.07-1 of the Farming Zone. A permit is also triggered under Clause 35.07-4 for buildings and works associated with a use in Section 2.

The application was referred and advertised and one objection was received from a nearby resident. A number of conditions have been recommended to satisfactorily address the amenity concerns raised by the objector.

It is considered, if the planning permit conditions are met, that the proposed use and development will not create any negative amenity impacts. The application satisfies the policies of the Moira Planning Scheme and it is recommended that the application be approved, subject to conditions.

2. Background and Options

Application Details

Applicant: Christopher Scott
Owner: Christopher Scott
Land Address: Mywee Road, Strathmerton
Title Details: Lot 2, PS343316
Site Area: 19.23ha
File No: 52015040
Zone: Farming Zone (FZ)

Overlays: None

The subject lot is located on Mywee Road, approximately 1 kilometre east of the Strathmerton Township. Murray Valley Highway is located to the south of the lot.

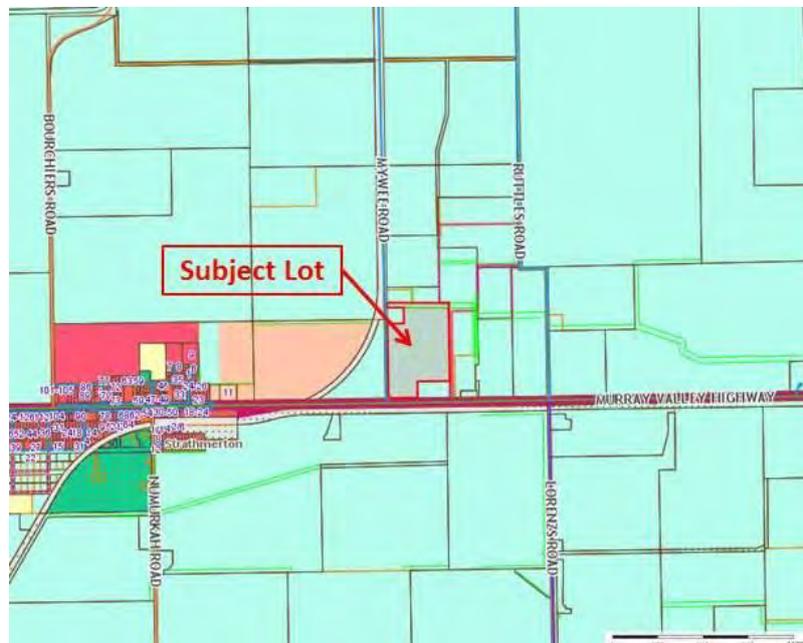
The lot measures 19.23ha and is currently vacant. The primary use of the land is agriculture - cropping.

The surrounding area is largely agricultural in use. Lots to the south and east are used for industrial use. There is an existing dwelling in another person's ownership over 100 metres to the north west of the proposed shipping container.

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3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.3
(TOWN PLANNER, MELISSA LOTITO)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

PLANNING PERMIT APPLICATION 5/2015/40 FOR THE USE AND DEVELOPMENT OF LAND FOR A SHIPPING CONTAINER (DOMESTIC STORAGE) AT MYWEE ROAD, STRATHMERTON (cont'd)



The use of the land for a warehouse in the Farming Zone is listed as a “Section 2 – Permit required” use. A planning permit is triggered for the use under Clause 35.07-1. Buildings or works associated with a use in Section 2 of Clause 35.07-1 trigger a permit.

The application is for the use and development of land for a shipping container for the purpose of domestic storage. A Warehouse is defined in the Moira Planning Scheme as:

“Land used to store or display goods.”

A Store is also included within the definition of a Warehouse. A Store is defined as:

“Land used to store goods, machinery, or vehicles.”

FILE NO: 5/2015/40
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.3
(TOWN PLANNER, MELISSA LOTITO)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

PLANNING PERMIT APPLICATION 5/2015/40 FOR THE USE AND DEVELOPMENT OF LAND FOR A SHIPPING CONTAINER (DOMESTIC STORAGE) AT MYWEE ROAD, STRATHMERTON (cont'd)



(Shipping Container subject to this application at its current location)

Key Issues

- Objection from Neighbour

The objector recommended that if the shipping container were to remain in its current location, it needed to be painted and the area around it landscaped. The recommendation and concerns were discussed with the Applicant on 26 March 2015 where he confirmed that he was satisfied with keeping the container in its current location and that he would paint the container and landscape the area around it as recommended by the objector. The planning permit conditions were drafted to help satisfy the concerns of the objector. On 28 May 2015, the Applicant indicated that he desired to keep his application as originally submitted to Council.

The objector was advised on 29 May 2015. To date the objection has not been withdrawn.

Proposal

The proposed use and development is for the placement of a shipping container on the subject lot to be used for domestic storage, in particular, to store personal furniture. The application was lodged on 13 February 2015 and included a site plan illustrating distances to boundaries from the proposed location of the container. The shipping container will be located on the northern portion of the lot approximately 520 metres from

FILE NO: 5/2015/40
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.3
(TOWN PLANNER, MELISSA LOTITO)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

PLANNING PERMIT APPLICATION 5/2015/40 FOR THE USE AND DEVELOPMENT OF LAND FOR A SHIPPING CONTAINER (DOMESTIC STORAGE) AT MYWEE ROAD, STRATHMERTON (cont'd)

4. Risk Management

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

5. Internal and External Consultation

Pre-Lodgement Consultation

There was a pre-application meeting with a Council planning officer.

Internal Consultation

The application was referred internally to Council's Development Compliance Section for comment.

External Consultation

The application was not required to be referred to any external Authorities.

Public Consultation

Public Notice of the application was given under Section 52 of the *Planning and Environment Act 1987*. Letters were sent to adjoining landowners/occupants.

Council received some enquiry by email into the details of the application on 13 March 2015 but only one objection was received.

The objector recommended that if the shipping container were to remain, painted an alternative colour that reflected the surrounding and the area between the boundary and the container landscaped (with trees and shrubs to provide a screen), that they would not object to the container remaining in its current location.

The recommendation and concerns were discussed with the Applicant on 26 March 2015. At that stage the Applicant confirmed that he was satisfied with keeping the container in its current location and that he would paint the container and landscaping the area around it to help address the concerns raised. The Applicant was requested to submit a revised site plan to Council to reflect this change in the application.

Conditions were drafted to help satisfy the concerns of the objector. The draft conditions were sent to the Applicant by email. After numerous attempts, between April 15 and April 30 there was no response to emails or voicemails left for the Applicant. Furthermore, a revised site plan was not submitted at the time of preparing this report.

In response to the draft conditions sent to the objector, they suggested that a few changes be made. Some of the changes were considered and the draft conditions were amended and sent to the objector along with an Objectors Response Form. The form was not returned and the objection was not withdrawn.

On 28 May 2015, a phone call was made to the Applicant. He apologised in his delay in responding and advised that he desired to keep his application as proposed in his original application submitted to Council. On 29 May 2015, the objector was advised accordingly. Negotiations with the objector proved to be unsuccessful and the objection could not be withdrawn.

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3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.3
(TOWN PLANNER, MELISSA LOTITO)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

PLANNING PERMIT APPLICATION 5/2015/40 FOR THE USE AND DEVELOPMENT OF LAND FOR A SHIPPING CONTAINER (DOMESTIC STORAGE) AT MYWEE ROAD, STRATHMERTON (cont'd)

6. Regional Context

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

7. Council Plan Strategy

The following strategies are set out in the Council Plan:

- Environment – that Moira will responsibly manage its environment;
- Community – that Moira will be a Shire where all its people and communities are happy.

It is considered that the subject use and development is consistent with the strategies set out above.

8. Legislative / Policy Implications

Zoning

The subject land is located in the Farming Zone (FZ). The purpose of the FZ, amongst others, is:

“To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.”

Warehouse is a Section 2 use – permit required in the FZ as per Clause 35.07-1. Clause 35.07-4 states that a permit is required to carry out works associated with a Section 2 use. A permit is triggered for the use and development as per the clauses set out above.

Clause 35.07-6 sets out decision guidelines for development in the FZ. The following issues, among others, must be considered:

- *Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.*
- *The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.*

The container will be used for storage; it is not considered that its use will have any material impact on adjoining land uses. In order to maintain the amenity of the area, it will be recommended by way of conditions that the shipping container be painted in a muted green tone to ensure that it blends with the surroundings, additionally that the area to the north of the container be landscaped to minimise the visual impact on the adjoining landowner.

Overall, it is considered that the proposal generally accords with the decision guidelines of the FZ.

Overlays

There are no overlays affecting the subject lot.

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ITEM NO: 9.2.3
(TOWN PLANNER, MELISSA LOTITO)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

PLANNING PERMIT APPLICATION 5/2015/40 FOR THE USE AND DEVELOPMENT OF LAND FOR A SHIPPING CONTAINER (DOMESTIC STORAGE) AT MYWEE ROAD, STRATHMERTON (cont'd)

State Planning Policy Framework (SPPF)

The objective of *Clause 14.01-1 - Protection of Agricultural Land* is to protect productive farmland which is of strategic significance in the local or regional context. In considering a proposal to develop agricultural land, the following factors must be considered:

- *The desirability and impacts of removing the land from primary production, given its agricultural productivity;*
- *The impacts of the proposed subdivision or development on the continuation of primary production on adjacent land, with particular regard to land values and to the viability of infrastructure for such production;*
- *The compatibility between the proposed or likely development and the existing uses of the surrounding land;*
- *Assessment of the land capability.*

The impact of the proposed development on the surrounding land is considered to be minimal. The shipping container used for storage will not have any potential off-site effects that would limit the continuation of primary production.

Local Planning Policy Framework and Municipal Strategic Statement (LPPF & MSS)

At a local level *Clause 22.01* sets out the Shire's *Agricultural Policy*. The Clause relates to development within the Farming Zone, however, the policy addresses issues relating to new dwellings and subdivisions. Therefore this local policy is not required to be considered.

The decision guidelines of Clause 65

Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:

- *The matters set out in Section 60 of the Act.*
- *The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *The purpose of the zone, overlay or other provision.*
- *Any matter required to be considered in the zone, overlay or other provision.*
- *The orderly planning of the area.*
- *The effect on the amenity of the area.*
- *The proximity of the land to any public land.*
- *Factors likely to cause or contribute to land degradation, salinity or reduce water quality.*
- *Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.*
- *The extent and character of native vegetation and the likelihood of its destruction.*
- *Whether native vegetation is to be or can be protected, planted or allowed to regenerate.*
- *The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.*

All of the matters set out in Clause 65 above have been considered. The proposed use accords with Clause 65.

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3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.3
(TOWN PLANNER, MELISSA LOTITO)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

PLANNING PERMIT APPLICATION 5/2015/40 FOR THE USE AND DEVELOPMENT OF LAND FOR A SHIPPING CONTAINER (DOMESTIC STORAGE) AT MYWEE ROAD, STRATHMERTON (cont'd)

9. Environmental Impact

It is considered that subject to compliance with the conditions, this proposal will have no material negative on the environment.

10. Conflict of Interest Considerations

It is noted that the objectors are former employees of the Shire; the officer on file has never worked directly with these individuals.

11. Conclusion

The application is for the use and development of land for a shipping container for domestic storage. No planning permit had been issued for this structure. Through a meeting with Council's Development Compliance Officer, the Applicant submitted an application for the shipping container and has proposed to place the container in a new location on the lot.

One objection was received and despite mediation efforts the objection has not been withdrawn. Conditions have been recommended that are considered to address the major concerns of the objector, mainly relating to amenity impacts. Considering the location of the use and development and subject to compliance with amenity conditions, it is likely that proposal will not have any negative impacts on adjoining land uses.

Furthermore, the use and development accords with the relevant policies and provisions of the Moira Planning Scheme. It is recommended that Council approve the application, subject to conditions.

Attachments

- 1 Objection and Objector Correspondence
- 2 Applicant Correspondence

FILE NO: 5/2015/40
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.3
(TOWN PLANNER, MELISSA LOTITO)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

PLANNING PERMIT APPLICATION 5/2015/40 FOR THE USE AND DEVELOPMENT OF LAND FOR A SHIPPING CONTAINER (DOMESTIC STORAGE) AT MYWEE ROAD, STRATHMERTON (cont'd)

RECOMMENDATION

That Council approve Application No. 52015040 and issue a Notice of Decision to Grant a Permit for use and development on land at Mywee Road, Strathmerton also known as Lot 2 PS343316 for a shipping container (domestic storage), subject to the following conditions:

1. The use and development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
2. Any advertising or marking other than the ISO/BIC Classification Code must be removed from the external walls of the shipping container.
3. Within 30 days of the issue of the permit, a schedule of external finishes in muted green tones must be submitted to and approved by the Responsible Authority. When approved, the schedule will be endorsed and will form part of the permit. The shipping container must be painted in accordance with the approved schedule.
4. Within 3 months of the issue of this permit, the painting of the shipping container must be completed to the satisfaction of the Responsible Authority.
5. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:
 - a. transport of materials, goods or commodities to or from the land
 - b. appearance of any building, works or materials stored on the land
 - c. emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil
 - d. presence of vermin

The shipping container must be maintained in good order and its appearance or state and must not, in the opinion of the Responsible Authority, adversely affect the amenity of the locality.

6. The shipping container must not be used for the storage of dangerous, hazardous or explosive goods, materials or substances except with the prior written consent of the Responsible Authority. Any future change of the use may require the need for a further planning permit from the Responsible Authority.
7. A satisfactory landscaping plan for the proposed site must be submitted to and approved by the Responsible Authority, within 30 days of the issue of the permit. An endorsed copy of the plan must form part of this permit. The submitted plan must:
 - a. Show existing trees and/or shrubs.
 - b. Show a permanent screen of trees and shrubs consisting of 2 rows with a mixture of indigenous trees and understorey species to form an effective screen with the adjoining land to the north west.
 - c. Include a schedule of all proposed trees and shrubs which will include the

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3. DEVELOPMENT AND LIVEABILITY

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(TOWN PLANNER, MELISSA LOTITO)
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INFRASTRUCTURE, ANDREW CLOSE)

PLANNING PERMIT APPLICATION 5/2015/40 FOR THE USE AND DEVELOPMENT OF LAND FOR A SHIPPING CONTAINER (DOMESTIC STORAGE) AT MYWEE ROAD, STRATHMERTON (cont'd)

botanical names and planting density of such plants to the satisfaction of the Responsible Authority.

8. Within 3 months of the issue of this permit the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
9. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.
10. The shipping container must not be used for habitation.
11. This permit will expire if the following circumstance applies:
 - The use and development is not completed within two years of the date of this permit.The responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or within six months afterwards.

MOTION

CRS WENDY BUCK / ED COX

That Council approve Application No. 52015040 and issue a Notice of Decision to Grant a Permit for use and development on land at Mywee Road, Strathmerton also known as Lot 2 PS343316 for a shipping container (domestic storage), subject to the following conditions:

1. The use and development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
2. Any advertising or marking other than the ISO/BIC Classification Code must be removed from the external walls of the shipping container.
3. Within 30 days of the issue of the permit, a schedule of external finishes in muted green tones must be submitted to and approved by the Responsible Authority. When approved, the schedule will be endorsed and will form part of the permit. The shipping container must be painted in accordance with the approved schedule.
4. Within 3 months of the issue of this permit, the painting of the shipping container must be completed to the satisfaction of the Responsible Authority.
5. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:
 - a. transport of materials, goods or commodities to or from the land
 - b. appearance of any building, works or materials stored on the land

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3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.3
(TOWN PLANNER, MELISSA LOTITO)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

PLANNING PERMIT APPLICATION 5/2015/40 FOR THE USE AND DEVELOPMENT OF LAND FOR A SHIPPING CONTAINER (DOMESTIC STORAGE) AT MYWEE ROAD, STRATHMERTON (cont'd)

- c. emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil
- d. presence of vermin

The shipping container must be maintained in good order and its appearance or state and must not, in the opinion of the Responsible Authority, adversely affect the amenity of the locality.

- 6. The shipping container must not be used for the storage or dangerous, hazardous or explosive goods, materials or substances except with the prior written consent of the Responsible Authority. Any future change of the use may require the need for a further planning permit from the Responsible Authority.
- 7. A satisfactory landscaping plan for the proposed site must be submitted to and approved by the Responsible Authority, within 30 days of the issue of the permit. An endorsed copy of the plan must form part of this permit. The submitted plan must:
 - a. Show existing trees and/or shrubs.
 - b. Show a permanent screen of trees and shrubs consisting of 2 rows with a mixture of indigenous trees and understorey species to form an effective screen with the adjoining land to the north west.
 - c. Include a schedule of all proposed trees and shrubs which will include the botanical names and planting density of such plants to the satisfaction of the Responsible Authority.
- 8. Within 3 months of the issue of this permit the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
- 9. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.
- 10. The shipping container must not be used for habitation.
- 11. This permit will expire if the following circumstance applies:
 - The use and development is not completed within two years of the date of this permit.The responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or within six months afterwards.

(CARRIED)

FILE NO: 5/2015/40
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.3
(TOWN PLANNER, MELISSA LOTITO)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

**PLANNING PERMIT APPLICATION 5/2015/40 FOR THE USE AND
DEVELOPMENT OF LAND FOR A SHIPPING CONTAINER (DOMESTIC
STORAGE) AT MYWEE ROAD, STRATHMERTON (cont'd)**

ATTACHMENT No [1] - Objection and Objector Correspondence

Melissa Lotito

From: [REDACTED]
Sent: Thursday, 5 March 2015 3:40 PM
To: Melissa Lotito
Cc: RecordsWebmaster
Subject: Planning permit application 5/2015/2015 - request information

Hi Melissa,
As per my phone call this afternoon, could you please send me a copy of the application and any supporting information/plans submitted with the application.

I trust that a site inspection will be conducted at some point prior to a decision being made.

Regards,
[REDACTED]

Melissa Lotito

From: Melissa Lotito
Sent: Thursday, 5 March 2015 4:06 PM
To: [REDACTED]
Subject: TRIM RE: Planning permit application 5/2015/2015 - request information

HP TRIM Record Number: D15/35701


Mywee Rd
Strathmerton Ap..

Hi [REDACTED]

Please find attached the requested information.

Planning Permit Application No.: 5/2015/40
Proposal: To place a shipping container on the subject lot
Location: Mywee Road, Strathmerton/Lot 2 PS343316

Please Take Note

This document has been copied and made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited. If you have any questions, please contact the Moira Shire Planning Department on 56719222.

Melissa Lotito
Town Planner
Town Planning and Building

Moira Shire Council
PO Box 578 Cobram Vic 3643
44 Station Street Cobram Vic 3644
Phone: (03) 5871 9222
Fax: (03) 5872 1567
www.moira.vic.gov.au

FILE NO: 5/2015/40
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.3
(TOWN PLANNER, MELISSA LOTITO)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

PLANNING PERMIT APPLICATION 5/2015/40 FOR THE USE AND DEVELOPMENT OF LAND FOR A SHIPPING CONTAINER (DOMESTIC STORAGE) AT MYWEE ROAD, STRATHMERTON (cont'd)

ATTACHMENT No [1] - Objection and Objector Correspondence

From: [REDACTED]
Sent: Friday, 13 March 2015 4:22 PM
To: mlolito@moira.vic.gov.au
Cc: RecordsWebmaster
Subject: Planning permit application 5/2015/040

Good afternoon Melissa,

I refer to your notice of application and request a response to the following:

1. Is the application for an additional shipping container or the existing one moved to a different location?
2. Is the 'placement' permanent or temporary. If temporary, for how long? Is a sunset condition proposed?

3. The existing container is bright orange and rusty. An offensive colour in most landscapes. It would appear that the company that supplied the container provides alternative colours (refer attached).
4. What is the container going to be used for? Nature of stored items?
5. The use/development is not described, or rather is described as 'placement' - what is it that council is proposing to issue a permit for (or not)?

If the existing container was painted an alternative colour (e.g. green and preferably mist green, the junk between the container and property boundary removed/relocated and that area landscaped with trees and shrubs we wouldn't object to it remaining as it screens the unsightly mass comprising stored scrap timber, a toilet, pallets, broken concrete, rusty metal, old children's bikes and other sundry junk from view (refer attached).

In the event that the existing container is relocated as a consequence of approval of this application, or otherwise, we will ask the council to enforce its Moira Shire Council Community Safety and Environment Local Law 2013 that states:

2.2 Unsightly land

No person who owns or occupies property shall allow or permit such property to be kept in a manner which, in the opinion of an authorised officer, is unsightly or detrimental to the general amenity of the neighbourhood, including property, which:

- a) harbours unconstrained rubbish; or
- b) contains disused excavation or waste material; or
- c) contains long or excessive vegetation including weeds, grass, undergrowth or any other vegetation.

I await your response.

Regards,



FILE NO: 5/2015/40
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.3
(TOWN PLANNER, MELISSA LOTITO)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

**PLANNING PERMIT APPLICATION 5/2015/40 FOR THE USE AND
DEVELOPMENT OF LAND FOR A SHIPPING CONTAINER (DOMESTIC
STORAGE) AT MYWEE ROAD, STRATHMERTON (cont'd)**

ATTACHMENT No [1] - Objection and Objector Correspondence

Melissa Lotito

From: Melissa Lotito
Sent: Thursday, 19 March 2015, 3:44 PM
To: [REDACTED]
Subject: TRIM: RE: Planning permit application 5/2015/040

HP TRIM Record Number: D15/15675

Hi [REDACTED]

In response to your questions regarding planning permit application 5/2015/40, please see below:

1. The existing container will be moved to the location indicated on site plan
2. The applicant has not applied for a temporary permit for the shipping container, at this point Council is not proposing any sunset conditions.
3. Conditions will be considered to ensure that the external finishes (the paint) be in muted tones that reflect the surroundings.
4. The Applicant has advised that the container will be used to store furniture.
5. If a permit were to be issued it would be for Shipping Container Storage.

In terms of the unsightly land our Local Laws Department would deal with the enforcement of that, you are more than welcome to follow up with them on that matter.

Let me know if you have any further questions.

Regards,

Melissa Lotito
Town Planner
Town Planning and Building

Moira Shire Council
PO Box 578 Cobram Vic 3643
44 Station Street Cobram Vic 3644
Phone: (03) 5871 9222
Fax: (03) 5872 1567
www.moira.vic.gov.au



On 26/03/2015, at 9:30 AM, "Melissa Lotito" <m.lotito@moira.vic.gov.au> wrote:

Good Morning [REDACTED]

I spoke with the Applicant yesterday and discussed the option of keeping the shipping container in its current location and have it painted in a muted green tone (to Council's

1

FILE NO: 5/2015/40
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.3
(TOWN PLANNER, MELISSA LOTITO)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

**PLANNING PERMIT APPLICATION 5/2015/40 FOR THE USE AND
DEVELOPMENT OF LAND FOR A SHIPPING CONTAINER (DOMESTIC
STORAGE) AT MYWEE ROAD, STRATHMERTON (cont'd)**

ATTACHMENT No [1] - Objection and Objector Correspondence

satisfaction). He confirmed that he is willing to do that and will send Council an amended site plan.

I trust this will address your concern and recommendation in your last email. Please let me know if you have any other questions.

Regards,

Melissa Lotito
Town Planner
Town Planning and Building

(Moirā Shire Council
PO Box 578 Cobram, Vic 3643
44 Station Street Cobram, Vic 3643
Phone: (03) 5872 0222
Fax: (03) 5872 1507
www.moirā.vic.gov.au
image001.jpg

Melissa Lotito

From: [REDACTED]
Sent: Thursday, 26 March 2015 12:08 PM
To: Melissa Lotito
Subject: Re: Planning Application - Mywee Road, Strathmerton - 5/2015/40
Attachments: image001.jpg

Follow Up Flag: Follow up
Flag Status: Completed

Hi Melissa,

In our email we also requested that the area between the fence and container be landscaped to soften the visual bulk. We request that a condition to that effect be included on any permit that issues, in addition to a condition requiring that nothing be stored between the container and the fence.

As you can see in the attached photo, the materials stored there presently are unsightly.



I would appreciate the opportunity to review draft permit conditions. If they are satisfactory, I would be prepared to withdraw my objection allowing a delegated decision to be made.

I would be happy to discuss the above.

Regards,
[REDACTED]

FILE NO: 5/2015/40
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.3
(TOWN PLANNER, MELISSA LOTITO)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

**PLANNING PERMIT APPLICATION 5/2015/40 FOR THE USE AND
DEVELOPMENT OF LAND FOR A SHIPPING CONTAINER (DOMESTIC
STORAGE) AT MYWEE ROAD, STRATHMERTON (cont'd)**

ATTACHMENT No [1] - Objection and Objector Correspondence

Melissa Lotito

From: [REDACTED]
Sent: Thursday, 26 March 2015 12:14 PM
To: Melissa Lotito
Subject: TRM: Re: Planning Application - Mywee Road, Strathmerton - 5/2015/40
Attachments: image001.jpg
Follow Up Flag: Follow up
Flag Status: Completed
HP TRM Record Number: 015/35708

Further, it would be helpful if you specified a particular 'green'...otherwise we may end up with something entirely inappropriate.

Mist green, Pale Eucalypt, Meadow or Wilderness are colours in Colorbond's palette that would be appropriate.

Regards,
[REDACTED]

FILE NO: 5/2015/40
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.3
(TOWN PLANNER, MELISSA LOTITO)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

**PLANNING PERMIT APPLICATION 5/2015/40 FOR THE USE AND
DEVELOPMENT OF LAND FOR A SHIPPING CONTAINER (DOMESTIC
STORAGE) AT MYWEE ROAD, STRATHMERTON (cont'd)**

ATTACHMENT No [1] - Objection and Objector Correspondence

Melissa Lotito

From: Melissa Lotito
Sent: Friday, 27 March 2015 4:26 PM
To: [REDACTED]
Subject: TRIM: RE: Planning Application - Mywee Road, Strathmerton - 5/2015/40
HP TRIM Record Number: D15/17547

Good Afternoon [REDACTED]

I have not drafted a set of conditions as of yet, I will provide you with the draft copy hopefully by next week.

I will address the unsightly land (materials stored around the container) as a condition or planning note and I will also consider proper landscape treatment to provide a screen from the container and your boundary.

Additionally, the permit will specify appropriate colours, specifically, muted green tones within the Colorbond palette to the satisfaction of the responsible authority.

Regards,

Melissa Lotito
Town Planner
Town Planning and Building

Moira Shire Council
PO Box 578 Cobram Vic 3643
44 Station Street Cobram Vic 3644
Phone: (03) 5871 8222
Fax: (03) 5872 1667
www.moira.vic.gov.au



From: [REDACTED]
Sent: Thursday, 26 March 2015, 12:08 PM
To: Melissa Lotito
Subject: Re: Planning Application - Mywee Road, Strathmerton - 5/2015/40.

Hi Melissa,

In our email we also requested that the area between the fence and container be landscaped to soften the visual bulk. We request that a condition to that effect be included on any permit that issues, in addition to a condition requiring that nothing be stored between the container and the fence.

As you can see in the attached photo, the materials stored there presently are unsightly.

FILE NO: 5/2015/40
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.3
(TOWN PLANNER, MELISSA LOTITO)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

**PLANNING PERMIT APPLICATION 5/2015/40 FOR THE USE AND
DEVELOPMENT OF LAND FOR A SHIPPING CONTAINER (DOMESTIC
STORAGE) AT MYWEE ROAD, STRATHMERTON (cont'd)**

ATTACHMENT No [1] - Objection and Objector Correspondence

Melissa Lotito

From: Melissa Lotito
Sent: Wednesday, 15 April 2015 3:28 PM
To: [REDACTED]
Subject: TRIM: 5/2015/40 - Mywee Road - Planning Permit Draft Conditions
Attachments: 5201540 - Mywee Road Strathmerton - Shipping Container - Draft Condition...docx
HP TRIM Record Number: D15/05705

Good Afternoon [REDACTED]

Please find attached a set of draft conditions for the above noted application. I hope that these conditions satisfy all of your concerns.

Let me know if you have any questions.

Regards,

Melissa Lotito
Town Planner
Town Planning and Building

Moira Shire Council
PO Box 578 Cobram Vic 3643
44 Station Street Cobram Vic 3644
Phone: (03) 5671 5222
Fax: (03) 5672 4567
www.moira.vic.gov.au



-----Original Message-----

From: [REDACTED]
Sent: Wednesday, 15 April 2015 2:54 PM
To: Melissa Lotito
Subject: Fwd: Draft Permit Conditions.docx

> Hi Melissa,
>
> I've suggested a few changes, and made a few comments in track changes
> for you to consider.
>
> I get the impression that you don't understand what the permit
> triggers are, or how to draft planning permit conditions to address
> the concerns raised in my submission.
>
> I'd be interested in seeing your delegates report to gauge the level
> of assessment you have given the application.
>
> I will be in Cobram early on Monday morning on my way to Wangaratta
> should you wish to discuss in person. I'd be happy to help with the drafting.
>
> Regards
>
> [REDACTED]

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FILE NO: 5/2015/40
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.3
(TOWN PLANNER, MELISSA LOTITO)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

**PLANNING PERMIT APPLICATION 5/2015/40 FOR THE USE AND
DEVELOPMENT OF LAND FOR A SHIPPING CONTAINER (DOMESTIC
STORAGE) AT MYWEE ROAD, STRATHMERTON (cont'd)**

ATTACHMENT No [1] - Objection and Objector Correspondence

Melissa Lotito

From: Melissa Lotito
Sent: Wednesday, 15 April 2015 5:06 PM
To: [REDACTED]
Subject: TRIM RE: Draft Permit Conditions.docx

HP TRIM Record Number: D15/35710

Hi [REDACTED]

Thank you for your response.

I am still awaiting to speak to the applicant in regards to the draft conditions.

I will take your suggestions and comments into consideration in the formulation of permit conditions.

Regards,

Melissa Lotito
Town Planner
Town Planning and Building

Moira Shire Council
PO Box 578 Cobram Vic 3643
44 Station Street Cobram Vic 3644
Phone: (03) 5871 9222
Fax: (03) 5872 1667
www.moira.vic.gov.au

Melissa Lotito

From: Melissa Lotito
Sent: Friday, 1 May 2015 5:07 PM
To: [REDACTED]
Subject: TRIM: 5/2015/40 - Mywee Road Planning Application
Attachments: 5201540 - Mywee Road Strathmerton - Form - Objectors Response to
Applica...docx; 5201540 - Mywee Road Strathmerton - CONDITIONS DRAFT #
2.docx

HP TRIM Record Number: D15/35711

Hello [REDACTED]

As per your email from April 15th, I have made some further changes to the draft conditions for the above noted application. The draft is attached.

I have also attached an Objectors Response Form that you can send back to me at your earliest convenience.

Let me know if you have any other questions, I will be back in the office mid next week.

Regards,

Melissa Lotito
Town Planner
Town Planning and Building

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FILE NO: 5/2015/40
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.3
(TOWN PLANNER, MELISSA LOTITO)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

**PLANNING PERMIT APPLICATION 5/2015/40 FOR THE USE AND
DEVELOPMENT OF LAND FOR A SHIPPING CONTAINER (DOMESTIC
STORAGE) AT MYWEE ROAD, STRATHMERTON (cont'd)**

ATTACHMENT No [1] - Objection and Objector Correspondence

Melissa Lotito

From: Melissa Lotito
Sent: Friday, 29 May 2015 10:07 AM
To: [REDACTED]
Subject: TRM: 5/2015/40 - Mywee Road, Strathmerton
Attachments: 5201540 - Mywee Road Strathmerton - CONDITIONS DRAFT #3.docx; 5201540 - Mywee Road Strathmerton - Form - Objectors Response to Applica...docx

HP TRM Record Number: 015/95700

Good Morning [REDACTED]

In regards to the above noted application, I have had contact with the applicant yesterday. Despite Council's efforts to address the concerns raised, it is the applicants desire to re-locate the shipping container to the position proposed in his original application submitted to Council.

The draft conditions have been amended to reflect the proposed location of the shipping container and I have attached them to this email for your consideration. I have also attached an Objectors Response Form and would request that a response be provided to Council within 14 days of the date of this email.

Regards,

Melissa Lotito
Town Planner
Town Planning and Building

Moira Shire Council
PO Box 978 Cobram Vic 3643
44 Station Street Cobram Vic 3644
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Fax: (03) 8873 1667
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FILE NO: 5/2015/40
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.3
(TOWN PLANNER, MELISSA LOTITO)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

**PLANNING PERMIT APPLICATION 5/2015/40 FOR THE USE AND
DEVELOPMENT OF LAND FOR A SHIPPING CONTAINER (DOMESTIC
STORAGE) AT MYWEE ROAD, STRATHMERTON (cont'd)**

ATTACHMENT No [2] - Applicant Correspondence

Melissa Lotito

From: Melissa Lotito
Sent: Thursday, 28 May 2015 9:53 AM
To: 'chris.scott'
Subject: RE: 5/2015/40 - Mywee Road Planning Application

Hi Chris,

Thanks for your email. I did not receive your original email, it doesn't look like it was addressed to me, or our system may have blocked it for some reason.

I am happy to discuss this with you. I will give you a call today.

Regards,

Melissa Lotito
Town Planner
Town Planning and Building

Moira Shire Council
PO Box 578 Cobram Vic 3643
44 Station Street Cobram Vic 3644
Phone: (03) 5871 9222
Fax: (03) 5872 1667
www.moira.vic.gov.au



From: chris.scott [redacted]
Sent: Wednesday, 27 May 2015 9:03 PM
To: Melissa Lotito
Subject: Fwd: 5/2015/40 - Mywee Road Planning Application

Hi Melissa, on the 30th April I sent the following email to you. To date I have not received a reply. Can you please ring me.

Regards

Chris.scott [redacted]

Sent from Chris Scotts iPad

Begin forwarded message:

From: Chris Scott [redacted]
Date: 30 April 2015 8:23:11 pm AEST
To: chris.scott [redacted]
Subject: RE: 5/2015/40 - Mywee Road Planning Application

Hi Melissa,

FILE NO: 5/2015/40
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.3
(TOWN PLANNER, MELISSA LOTITO)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

**PLANNING PERMIT APPLICATION 5/2015/40 FOR THE USE AND
DEVELOPMENT OF LAND FOR A SHIPPING CONTAINER (DOMESTIC
STORAGE) AT MYWEE ROAD, STRATHMERTON (cont'd)**

ATTACHMENT No [2] - Applicant Correspondence

Firstly I apologise for the delay in returning your email and not returning phone calls.

It's a hectic time of year for me at work and I have also had commitments in Melbourne on weekends.

I have given the application for a permit for the container some thought and am considering not leaving the container where it is and reverting to putting the container in the position that I have already applied for.

I need to discuss this with you in person if this is possible.

Regards

Chris Scott
[REDACTED]

From: chris.scott [REDACTED]
Sent: Thursday, 30 April 2015 7:59 PM
To: Chris Scott
Subject: Fwd: 5/2015/40 - Mywee Road Planning Application

Sent from Chris Scott's iPad

Begin forwarded message:

From: Melissa Lotito <m.lotito@moira.vic.gov.au>
Date: 15 April 2015 11:29:52 am AEST
To: [REDACTED]
Subject: 5/2015/40 - Mywee Road Planning Application

Good Morning Chris,

I have drafted some conditions for your application and have attached them to this email. These conditions will help to satisfy the concerns of your neighbour. I know I had previously discussed some of these items with you over the phone but I wanted to provide you with them now that I have drafted them up.

As well, I still require that you provide in writing (in an email perhaps) that you are happy with the option of keeping the shipping container in its current location.

Please let me know if you have any questions.

Regards,

Melissa Lotito
Town Planner
Town Planning and Building
Moira Shire Council

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FILE NO: F13/1427
5. INFRASTRUCTURE

ITEM NO: 9.2.4
(MANAGER STRATEGIC PROJECTS,
MARK FOORD)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

NUMURKAH FLOOD STUDY COMMUNITY ENGAGEMENT

Cr Marie Martin left the meeting, the time being 6.18 PM

Cr Wendy Buck took the chair at 6.18 PM

1. Executive Summary

For more than 18 months Moira Shire, a Community Reference Group, technical consultants and the Goulburn Broken Catchment Management Authority (GBCMA) have worked to develop the Draft Numurkah Floodplain Management Study.

While the study is underway, Council has deferred a number of projects and planning approvals in the local area. The study is also informing the development of flood emergency response plans by agencies including the SES.

The project has taken considerably longer to complete than originally planned because the modelling has confirmed the limited viability and efficacy of macro mitigation options for Numurkah south. As a result, the Group has identified and explored a wider range of possible mitigation options and is unable to unanimously support an agreed suite of solutions.

Moira Shire is required to seek broad community feedback on the draft Study. Council believes it is in the best interests of the wider community that Council now commence the community feedback process.

The Study is a draft and its release will be accompanied by robust and comprehensive opportunities for the community to consider and provide feedback on the recommendations and acknowledged limitations of the available flood mitigation options as they relate to their local area and their specific property. It is possible that through this process further mitigation options maybe identified and their efficacy modelled and tested.

At the completion of the consultation period the reference committee and council will have opportunity to consider the community feedback and adjust the draft plan prior to providing final, formal endorsement of the plan.

2. Background and Options

In 2012 Numurkah experienced significant flooding with around 160 buildings damaged over flood level. High water marks indicate that floodwaters during the 2012 flood were equivalent to or higher than historic major floods in 1974 and 1993.

Following the floods, Council and the Goulburn Broken Catchment Management Authority have been working with specialist Consultants and a Steering Committee to undertake the Study to develop the Numurkah Floodplain Management Study and Plan to:

- examine the 2012 flood, as well as previous floods,
- to construct a computer model of flooding at Numurkah and
- to provide recommendations for improving future flood warning for the town and
- assess measures to mitigate and manage any future flood.

FILE NO: F13/1427
5. INFRASTRUCTURE

ITEM NO: 9.2.4
(MANAGER STRATEGIC PROJECTS,
MARK FOORD)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

NUMURKAH FLOOD STUDY COMMUNITY ENGAGEMENT (cont'd)

This Flood Study incorporates a review of the flood modeling (hydrology and hydraulics) in light of the 2012 floods, and has produced revised flood inundation mapping. The model has been checked against actual floods that have occurred such as the events in 1974, 1993 and 2012.

At its commencement the study outlined a process that incorporated the gathering of all scientific information as well as information held by the local community. It provided for a formal Steering Committee. Emergency services organisations, as well as Bureau of Meteorology and Catchment Management Authority have also participated during the study period.

Unlike some other studies conducted by Council and other Authorities, the Numurkah Floodplain Management Study and Plan has not been able to develop a simple and easily recognized solution to the flooding issues in Numurkah.

The geometry of the catchment, the slow flow of flood water across the wide and very flat flood plain and the presence of the town itself all contribute to making the task of understanding how flood water travels very difficult. Some mitigation measures that may be obvious do not have the effects that may be perceived, that may be expected or that are affordable for ratepayers without significant external funding assistance.

These challenges are reflected in the draft Study recommendations to help the community of Numurkah prepare for future floods. The recommendations include upgrading the stream and rain gauge network to provide more timely flood warnings along with mitigation infrastructure and measures.

Moira Shire is required to seek broad community feedback on the draft Study. Given the delays to completing the study, Council believes it is in the best interests of the wider community that Council now commence the community feedback process.

The Study is a draft and its release will be accompanied by robust and comprehensive opportunities for the community to consider and provide feedback on the recommendations and acknowledged limitations of the available flood mitigation options as they relate to their local area and their specific property. It is possible that through this process further mitigation options maybe identified, their efficacy modelled and tested and possible funding solutions identified.

At the completion of the consultation period the reference Group and Council will consider the community feedback and adjust the draft prior to providing final, formal endorsement of the Study.

3. Financial Implications

The study had an initial approved budget of \$130,000 as reported to Council at its meeting on 18 March 2013 provided by external funding (\$110,000) and by Council (\$20,000). The budget was later amended to \$140,000 in 2013.

Council proposes to roll-over unspent funding from the 2014/15 operational budget to meet the costs required to complete the project. The funds are unspent because of the delays to completing the project.

FILE NO: F13/1427
5. INFRASTRUCTURE

ITEM NO: 9.2.4
(MANAGER STRATEGIC PROJECTS,
MARK FOORD)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

NUMURKAH FLOOD STUDY COMMUNITY ENGAGEMENT (cont'd)

There is currently no provision for funding implementation of the Study's recommendations, and this cannot occur until the proposed works are confirmed in the final Study.

4. Risk Management

The study itself highlights the risks of flooding to the town of Numurkah as well as the surrounding countryside and quantifies and estimates or predicts the effects upon properties as well as Council infrastructure. There are risks that it predicts flooding where there may be none and/or does not predict flooding where there is. The study discusses such risks.

The study risks are mitigated by ensuring that the study has been undertaken in accordance with well-established principles and practices and is in accordance with industry standards and best practice.

5. Internal and External Consultation

Consultation has been undertaken with a limited group of organizations and individuals and it is now appropriate to undertake a consultation program with the entire community of Numurkah as well as others who may be affected by the study as well as possible funding agencies.

The proposed community information program combines the opportunity for general information through the delivery of a newsletter and public information session with the opportunity for one to one consultation. This combination recognises that public meetings are ineffective in meeting individual information needs - in this case allowing individuals to discuss the specific implications for their individual property.

The information program's key objective is to encourage the community to provide submissions detailing their views on the study by 4 September 2015.

The feedback collated through the community information program and all submissions will be provided to the Reference group and council for consideration and may result in adjustments to the study prior to its formal endorsement by council.

Council will not be asked to formally endorse the final study until at least the September 2015 ordinary meeting.

6. Regional Context

There are no regional implications arising from this report.

7. Council Plan Strategy

The study aligns with Moira Shire Councils strategic goals of improving Moira Shire liveability and also enabling economic growth. Adoption of the study will improve certainty and emergency response coordination for residents, business and potential investors in the Study area.

8. Legislative / Policy Implications

There are several legal obligations or issues to consider in relation to flood studies, and the resulting information obtained. In addition there is uncertainty with respect to impending legislation from the State Government.

FILE NO: F13/1427
5. INFRASTRUCTURE

ITEM NO: 9.2.4
(MANAGER STRATEGIC PROJECTS,
MARK FOORD)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

NUMURKAH FLOOD STUDY COMMUNITY ENGAGEMENT (cont'd)

The results of the flood study and the methodology used should meet the standards and practices of the day. In this case the study has been conducted by experienced consultants with up to date technology and the study as well as the results have been undertaken in accordance with the latest version of the levee management Guidelines produced by the Department of Environment, Land, Water and Planning in 2015. It is noted that Council staff participated on the Project Technical Reference group that produced the Guidelines.

The guidelines specify that the reference flood for design of infrastructure be the 1% flood. The Numurkah flood study has utilized this flood for design purposes; it also discusses the 2012 event and recommends an appropriate design standard for any future works.

9. Environmental Impact

There are no environmental impacts resulting from the Numurkah Floodplain Management Study and Plan.

The environment is or will be affected in some way by any works in relation to the mitigation of flooding or control of water flowing within natural streams such as the Broken Creek. Effects upon landholders from any of the recommended works have been assessed and prime objectives of the study have been to ensure that any negative effects on the environment are minimized.

10. Conflict of Interest Considerations

There are several Councillors and Council Officers who reside and own property within areas that are or may be affected by the Numurkah Floodplain Management Study and Plan. The Council Officers have declared a conflict of interest to the Chief Executive Officer. None of the Officers have been involved in any decisions relating to the preparation of the Numurkah Floodplain Management Study and Plan.

The CEO may request some staff that have declared conflicts of interest to assist with administrative matters in relation to the study, to prepare reports, and other documentation, and to carry out what would normally be considered to be part of their normal duties in respect to matters in relation to the Study.

11. Conclusion

It is recommended that Council seek the views of members of the Numurkah community regarding the Numurkah Floodplain Management Study and Plan.

Attachments

Nil

FILE NO: F13/1427
5. INFRASTRUCTURE

ITEM NO: 9.2.4
(MANAGER STRATEGIC PROJECTS,
MARK FOORD)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

NUMURKAH FLOOD STUDY COMMUNITY ENGAGEMENT (cont'd)

RECOMMENDATION

That Council endorse the commencement of a community consultation and engagement process for the Draft Numurkah Floodplain Management Study.

MOTION

CRS KEVIN BOURKE / DON MCPHEE

That Council do not endorse the community consultation at this point in time.

Cr Kevin Bourke called for a division.

FOR

Cr Bourke
Cr Buck
Cr McPhee

AGAINST

Cr Cleveland
Cr Cox
Cr Keenan
Cr Monk

(LOST)

MOTION

CRS ED COX / BRIAN KEENAN

That Council endorse the commencement of a community consultation and engagement process for the Draft Numurkah Floodplain Management Study.

Cr Ed Cox called for a division.

FOR

Cr Cleveland
Cr Cox
Cr Keenan
Cr Monk

AGAINST

Cr Bourke
Cr Buck
Cr McPhee

(CARRIED)

Cr Marie Martin returned to the meeting, the time being 6.35pm and resumed the chair.

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

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

ASSEMBLIES OF COUNCILLORS

1. Executive Summary

The records of the Assembly of Councillors reported during the month of June 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: F13/503
3. OUR COMMUNICATIONS AND
PROCESSES

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

ASSEMBLIES OF COUNCILLORS (cont'd)

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

Attachments

- 1 Attachment 2
- 2 Attachment 9
- 3 Attachment 16
- 4 Attachment 16
- 5 Attachment 22
- 6 Attachment 25

RECOMMENDATION

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

MOTION

CRS DON MCPHEE / ED COX

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

(CARRIED)

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

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

ASSEMBLIES OF COUNCILLORS (cont'd)

ATTACHMENT No [1] - Attachment 2



RECORD OF ASSEMBLY OF COUNCILLORS

Date held	2 June 2015
Name of meeting	Disability Advisory Committee
Councillors attending	Councillor Don McPhee
Council staff attending	Community Services Officer, Hayley O'Loughlin Community Development Officer, Dulce Alexandrino
Matters discussed	1. Moira Shire Disability Action Plan Update 2. Moira Shire Disability Action Plan Review (2016) 3. International Day of People with Disability 2015 4. State Disability Action Plan Consultation
Conflict of Interest Disclosures (indicate below if Nil or complete details)	
Nil	

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

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

ASSEMBLIES OF COUNCILLORS (cont'd)

ATTACHMENT No [2] - Attachment 9



RECORD OF ASSEMBLY OF COUNCILLORS

Date held	9 June 2015
Name of meeting	Councillor Briefing
Councillors attending	Councillor Marie Martin, (absent 4:30 to 4:36pm), Ed Cox, Wendy Buck, Gary Cleveland, Peter Mansfield, Brian Keenan, Kevin Bourke (depart 1:15), Alex Monk
Council staff attending	Chief Executive Officer, Mark Henderson, General Manager Corporate, Leanne Mulcahy, General Manager Infrastructure, Andrew Close, Manager Governance and Communications, Linda Nieuwenhuizen, Manager Operations, Rick Devlin
Matters discussed	<ol style="list-style-type: none"> 1. Planning permit - Numurkah 2. Community Satisfaction Survey 2015 3. Numurkah Flood study – progress and proposals for community feedback 4. Councillor issues – Hogan's Road, Scott Reserve, Yarrawonga Showgrounds, Solar lights, shared services, Cobram Industrial Estate, Cobram Saleyards, Industrial land across the Shire, Gas to Nathalia, Murray Goulburn upgrade project update, Yarrawonga Saleyards, Regional utility supply constraints, Regional living expo open days, 5. Buloke Regional review of rate capping and rural living campaign 6. Yarrawonga All Abilities Playground 7. Agenda review – financial position, procurement policy,
Conflict of Interest Disclosures (indicate below if Nil or complete details)	Nil

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

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

ASSEMBLIES OF COUNCILLORS (cont'd)

ATTACHMENT No [3] - Attachment 16



RECORD OF ASSEMBLY OF COUNCILLORS

Date held	16 June 2015
Name of meeting	Moirashire Youth Council
Councillors attending	Councillors Alex Monk, Gary Cleveland
Council staff attending	Youth Development Officer, Hollie Barnes Administration Support Officer, Gale Hatton
Matters discussed	<ol style="list-style-type: none"> 1. FReeZA Youth Events 2. Bring the Bounce 3. Refugee Week 4. YMCA Skate Competition 5. Final Youth Council Function 6. Youth and Town Issues 7. Group Activity
Conflict of Interest Disclosures (indicate below if Nil or complete details)	NIL

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

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

ASSEMBLIES OF COUNCILLORS (cont'd)

ATTACHMENT No [4] - Attachment 16



RECORD OF ASSEMBLY OF COUNCILLORS

Date held	16 June 2015
Name of meeting	Environment Sustainability Advisory Committee
Councillors attending	Councillors Wendy Buck, Ed Cox
Council staff attending	Manager Safety Amenity & Environment, Sally Rice Coordinator Waste Management Services, John Mangan, Team Leader Waste Management Services, George Bitcon, Environment Sustainability Officer, Thomas Brown, Environment Service Technical Officer, Jackson Tennant, Corporate Governance Officer, Lisa Deayton, Natural Resources Officer, Gary Deayton, Business Support Officer, Jeanette Morrison,
Matters discussed	1. Monitoring of Kinnaird's Wetland – Post Fire 2. Round Table updates from Committee members
Conflict of Interest Disclosures (indicate below if Nil or complete details)	Nil

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

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

ASSEMBLIES OF COUNCILLORS (cont'd)

ATTACHMENT No [5] - Attachment 22



RECORD OF ASSEMBLY OF COUNCILLORS

Date held	22 June 2015
Name of meeting	Councillor Briefing
Councillors attending	Councillors Marie Martin, Ed Cox, Wendy Buck, Gary Cleveland, Peter Mansfield, Brian Keenan, Kevin Bourke, Alex Monk, Don McPhee
Council staff attending	Chief Executive Officer, Mark Henderson, General Manager Corporate, Leanne Mulcahy, General Manager Infrastructure, Andrew Close, Manager Governance and Communications, Linda Nieuwenhuizen Manager Operations, Rick Devlin Acting Manager Finance, Mark Anderson Finance Officer, Ramki Subramaniam
Matters discussed	1. Review submissions Council Budget 2015/16 and Council Plan 2013-17 2. Agenda review
Conflict of Interest Disclosures (indicate below if Nil or complete details)	
Nil	

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

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

ASSEMBLIES OF COUNCILLORS (cont'd)

ATTACHMENT No [6] - Attachment 25



RECORD OF ASSEMBLY OF COUNCILLORS

Date held	25 June 2015
Name of meeting	Tourism Advisory Committee Meeting
Councillors attending	Councillor Don McPhee
Council staff attending	Chief Executive Officer, Mark Henderson Economic Development Manager, Jane O'Brien Tourism Development Officer, Louise Munk Klint Tourism Support Officer, Kyla Carpinelli
Matters discussed	<ol style="list-style-type: none"> 1. Tourism Victoria Research – Intrastate Campaign 2. Marketing efforts for financial year 2014-2015 3. RV Friendly Tourism – brief update 4. Tracks and Trails – brief discussion
Conflict of Interest Disclosures (indicate below if Nil or complete details)	Nil

FILE NO: 1
5. INFRASTRUCTURE

ITEM NO: 10.2.1
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)
(CHIEF EXECUTIVE OFFICER, MARK
HENDERSON)

OUTCOME OF PUBLIC CONSULTATION FOR REVISED DRAFT MUNICIPAL EMERGENCY MANAGEMENT PLAN

1. Executive Summary

Moira Shire Council is required under the Emergency Management Act to regularly review its Municipal Emergency Management Plan (MEMPlan).

The draft MEMPlan was placed on exhibition for public comment following the Ordinary Council meeting in May 2015.

No comments were received and therefore it is recommended that Council endorse the draft MEMPlan for adoption by Council's Municipal Emergency Management Planning Committee (MEMPC) at its next meeting.

2. Background and Options

The Moira Shire Council Municipal Emergency Management Plan (MEMPlan) has been revised consistent with the Emergency Management Act 1986 and 2013 and the Emergency Management Manual Victoria.

It documents the outcomes of the planning process conducted by the (MEMPC) and is the overarching emergency management plan for the municipality. It includes the hazards likely to impact the municipality, the context for the development and integration of risk specific response and recovery plans, information to emergency services, organisations and the community on how risks will be dealt with and the management arrangements for emergencies.

The MEMPlan revision process is to provide an opportunity for the community to have input into the MEMPlan. This opportunity has concluded and no comments were received.

3. Risk Management

The development and planning of the MEMPlan includes the identification of risks and hazards likely to impact the assets and people in the municipality, what steps are to be taken to prevent, respond to and recover from emergency events and the role of organisations in relation to emergencies.

4. Internal and External Consultation

This report concludes the external consultation process before the MEMPC considers adopting the draft MEMPlan.

Media outlets within the municipality printed articles to further bring to the community's attention the opportunity to provide comment on the draft MEMPlan.

5. Regional Context

The Victorian Emergency Management framework ensures the components of emergency management are organised within a structure which facilitates planning, preparedness, operational coordination and community participation at the State, Regional, and Municipal levels.

The Moira Shire Council MEMPlan forms part of and contributes to this framework.

FILE NO: 1
5. INFRASTRUCTURE

ITEM NO: 10.2.1
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)
(CHIEF EXECUTIVE OFFICER, MARK
HENDERSON)

**OUTCOME OF PUBLIC CONSULTATION FOR REVISED DRAFT MUNICIPAL
EMERGENCY MANAGEMENT PLAN (cont'd)**

6. Council Plan Strategy

The revised and endorsed MEMPlan will contribute directly to Council Plan for Improving Moira's Liveability, to encourage safe and resilient communities.

7. Legislative / Policy Implications

The recommended action arising from this report is in compliance with the Emergency Management Act 1986 & 2013 and the Emergency Management Manual of Victoria.

8. Conflict of Interest Considerations

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

9. Conclusion

The draft MEMPlan has been placed on public exhibition for community feedback. No comments were received and therefore Council is recommended to endorse the draft MEMPlan for adoption by the MEMPC at its next meeting.

Attachments

Nil

RECOMMENDATION

That:

Council endorse the draft Municipal Emergency Management Plan for adoption by Council's Municipal Emergency Management Planning Committee.

MOTION

CRS ALEX MONK / ED COX

That:

Council endorse the draft Municipal Emergency Management Plan for adoption by Council's Municipal Emergency Management Planning Committee.

(CARRIED)

FILE NO: 11.1
6. GOVERNANCE

ITEM NO: 11.1
(EXECUTIVE ASSISTANT TO CEO,
ROBYN BONADDIO)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

ACTION OFFICERS LIST

Attachments

- 1 Action Officer's List

RECOMMENDATION

That Council receive and note the Action Officers List.

MOTION

CRS KEVIN BOURKE / DON MCPHEE

That Council receive and note the Action Officers List.

(CARRIED)

**FILE NO: 11.1
6. GOVERNANCE**

**ITEM NO: 11.1
(EXECUTIVE ASSISTANT TO CEO,
ROBYN BONADDIO)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)**

ACTION OFFICERS LIST (cont'd)

ATTACHMENT No [1] - Action Officer's List

Action Officers List –July 2015

Meeting: Ordinary Council 22 June 2015
Subject: General Business
<p>MOTION</p> <p>CRS BRIAN KEENAN / KEVIN BOURKE</p> <p>That Council contact DELWP and Local Members for support in eradicating the massive influx of Corella and Cockatoos within the Shire. (CARRIED)</p>
<p>Activity</p> <p>Letters to DELWP and Local Members have been drafted.</p>

1

FILE NO: 11.1
6. GOVERNANCE

ITEM NO: 11.1
(EXECUTIVE ASSISTANT TO CEO,
ROBYN BONADDIO)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

ACTION OFFICERS LIST (cont'd)

ATTACHMENT No [1] - Action Officer's List

Action Officers List –July 2015

<p>Meeting: Ordinary Council Meeting 23 March 2015</p>	<p>Subject: Petition Maple Crescent Park, Numurkah</p>	<p>MOTION</p> <p>CRS ALEX MONK / KEVIN BOURKE</p> <p>That:</p> <ol style="list-style-type: none"> 1. The local community be consulted and participate in development of a plan, as well as works to implement the plan, to develop the Maple Crescent Park. 2. The petition organizer be thanked for their time and effort taken to prepare and circulate the petition. <p>(CARRIED)</p>	<p>ACTIVITY</p> <p>The meeting will be reschedule to due to the school holiday period which occurs near the end of the financial year to ensure that all likely participants are available.</p>
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FILE NO: 11.1
6. GOVERNANCE

ITEM NO: 11.1
(EXECUTIVE ASSISTANT TO CEO,
ROBYN BONADDIO)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

ACTION OFFICERS LIST (cont'd)

ATTACHMENT No [1] - Action Officer's List

Action Officers List –July 2015

Meeting: Ordinary Council Meeting 23 March 2015
Subject: Petition for process to remove Gum Trees from Lott Street Yarrawonga
MOTION
CRS WENDY BUCK / PETER MANSFIELD
That: Council receive a petition containing 15 signatures requesting the removal of Gum Trees in Lott Street Yarrawonga due to a range of issues impacting residents
(CARRIED)
ACTIVITY
The report on the Lott Street Trees Yarrawonga is in the July agenda for Council's consideration.

FILE NO: 11.1
6. GOVERNANCE

ITEM NO: 11.1
(EXECUTIVE ASSISTANT TO CEO,
ROBYN BONADDIO)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

ACTION OFFICERS LIST (cont'd)

ATTACHMENT No [1] - Action Officer's List

Action Officers List –July 2015

Meeting: Ordinary Council Meeting 27 April 2015
Subject: Council Plan
<p>MOTION That Council:</p> <ol style="list-style-type: none"> 1. Accept the reviewed 2013/14 to 2016/17 Council Plan including the Strategic Resource Plan for the purposes of Section 125 of the Local Government Act 1989. 2. Authorise the Chief Executive Officer to: <ol style="list-style-type: none"> (a) give public notice of the preparation of the Draft reviewed 2013-2017 Council Plan; (b) invite submissions in respect of this matter in accordance with Section 223 of the Local Government Act 1989; (c) make available for public inspection the Draft reviewed 2013-2017 Council Plan; and (d) receive submissions until 4pm Friday 29 May 2015. 3. Form a committee comprising all or part of Council and hold a meeting at the Cobram Civic Centre, Cobram on Tuesday 9 June 2015 to consider submissions on any proposal or proposals contained in the Draft reviewed 2013-2017 Council Plan; 4. Consider the adoption of the Draft reviewed 2013-2017 Council Plan at an Ordinary Meeting of Council to be held on Monday 22 June 2015 at 6.00 pm at the Numurkah Tourist Information Centre. <p>(CARRIED)</p>
<p>COMPLETED The reviewed 2013/14 to 2016/17 Council Plan including the Strategic Resource Plan has been sent to the Minister;</p>

FILE NO: 11.1
6. GOVERNANCE

ITEM NO: 11.1
(EXECUTIVE ASSISTANT TO CEO,
ROBYN BONADDIO)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

ACTION OFFICERS LIST (cont'd)

ATTACHMENT No [1] - Action Officer's List

Action Officers List –July 2015

<p>Meeting: Ordinary Council Meeting 23 February 2015</p>	<p>Subject: Lease to National Broadband Network - Wunghnu</p>	<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>(CARRIED)</p>	<p>ACTIVITY</p> <p>Paper work completed at this end, waiting return of lease agreement.</p>
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FILE NO: 11.1
6. GOVERNANCE

ITEM NO: 11.1
(EXECUTIVE ASSISTANT TO CEO,
ROBYN BONADDIO)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

ACTION OFFICERS LIST (cont'd)

ATTACHMENT No [1] - Action Officer's List

Action Officers List –July 2015

Meeting: Ordinary Council Meeting 23 February 2015
Subject: Lease to Optus Mobile Pty Ltd – Cobram, Numurkah and Yarrawonga
<p>MOTION</p> <p>CRS BRIAN KEENAN / ED COX</p> <p>That Council:</p> <ol style="list-style-type: none"> 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. Authorise the CEO to sign and seal the lease documents. <p>(CARRIED)</p>
<p>ACTIVITY</p> <p>Paper work completed at this end, waiting return of lease agreement.</p>

FILE NO: 11.1
6. GOVERNANCE

ITEM NO: 11.1
(EXECUTIVE ASSISTANT TO CEO,
ROBYN BONADDIO)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

ACTION OFFICERS LIST (cont'd)

ATTACHMENT No [1] - Action Officer's List

Action Officers List –July 2015

Meeting: Ordinary Council Meeting 23 February 2015
Subject: Lease to Telstra Corporation Limited - Nathalia Telecommunications Tower
<p>MOTION</p> <p>CRS KEVIN BOURKE / DON MCPHEE</p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Resolve to enter into a lease with Telstra Corporation to occupy part of the Moira Shire Council telecommunications tower and land located at 77 Blake St Nathalia. 2. Authorise the CEO to sign and seal the lease proposal and lease documents. <p>(CARRIED)</p>
<p>ACTIVITY</p> <p>Paper work completed at this end, waiting return of lease agreement.</p>

FILE NO: 11.1
6. GOVERNANCE

ITEM NO: 11.1
(EXECUTIVE ASSISTANT TO CEO,
ROBYN BONADDIO)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

ACTION OFFICERS LIST (cont'd)

ATTACHMENT No [1] - Action Officer's List

Action Officers List – July 2015

<p>Meeting: Ordinary Council Meeting 15 September 2014</p>	<p>Subject: General Business – VCAT orders.</p>	<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 (CARRIED)</p>	<p>ACTIVITY</p> <p>The matter has been filed at the Supreme Court with the Court date listed as Wednesday 24 June 2015.</p> <p>The debt recovery of costs has been registered at the Magistrates Court and has been handed over to Council's debt collectors to progress further.</p> <p>The Magistrates Court case to enforce the unpaid Infringement Notice for the tyre shredder will be heard on 29 July 2015.</p>
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FILE NO: 11.1
6. GOVERNANCE

ITEM NO: 11.1
(EXECUTIVE ASSISTANT TO CEO,
ROBYN BONADDIO)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

ACTION OFFICERS LIST (cont'd)

ATTACHMENT No [1] - Action Officer's List

Action Officers List –July 2015

<p>Meeting: Ordinary Council Meeting 09 December 2013</p>	<p>Subject: Cobram Library</p>	<p>MOTION</p> <p>CRS GARY CLEVELAND / MARIE MARTIN</p> <p>That:</p> <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. <p>(CARRIED)</p>	<p>ACTIVITY</p> <p>The Library's Technical Sub Committee and Steering Committee met with the Architect on the 23rd June to review the preliminary design plans. Design plans have been revised to incorporate the Goulburn Valley Regional Library Group's requirements for installation of Radio Frequency Identification Digital Scanner equipment.</p> <p>A councillor briefing paper showing latest design plans will be presented at the next Councillor Briefing scheduled for 13th July.</p> <p>Detail design plans and specifications are on track for completion in September.</p>
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FILE NO: 11.1
6. GOVERNANCE

ITEM NO: 11.1
(EXECUTIVE ASSISTANT TO CEO,
ROBYN BONADDIO)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

ACTION OFFICERS LIST (cont'd)

ATTACHMENT No [1] - Action Officer's List

Action Officers List –July 2016

Meeting: Ordinary Council Meeting 12 December 2011
Subject: Local Law 2007 Meeting Procedure
MOTION
That Council review the Local Law 2007 Meeting Procedure. (CARRIED)
ACTIVITY
A briefing note was distributed in late November. Focus of the review is around options for question time. Staff have done a preliminary review with proposed improved changes and will refine before seeking feedback from Councillors.

FILE NO: F13/2852
5. INFRASTRUCTURE

ITEM NO: 14.1
(MANAGER STRATEGIC PROJECTS,
MARK FOORD)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

HOGANS ROAD BICYCLE WALKING/CYCLING PATH

The community has expressed a wish for an off road pedestrian and cycle path along Hogans Road in Yarrowonga. The current road formation does not easily facilitate this path being constructed within the road reserve, although once development of the land adjacent to Hogans Road occurs, this may be corrected.

Council Officers have been negotiating with the developers of the Silverwoods site to gain permission to occupy some of the land along the abuttal to Hogans Road to occupy and construct a temporary Bicycle/Walking Path. This will provide for the section of path that runs along the Silverwoods frontage to Hogans Road.

Agreement has been reached with the developers of the Silverwoods site that provides for a licence to construct a Bicycle/Walking track upon the Silverwoods site along the alignment with Hogans Road, and for the path to be used by the public.

The licence has an extended period of ten years, with little additional cost to Council over constructing the path on Council land, and will provide a facility for residents and others in the area until permanent works are constructed through the development.

It is recommended that Council provide permission to the CEO to finalise the agreement and attach the Council seal to the final document.

Attachments

Nil

RECOMMENDATION

That Council authorise the Chief Executive Officer to finalise and to sign and affix the Council seal to a suitable licence agreement that provides Council with permission to construct and operate a public Walking/Cycling track within the Silverwoods development, along Hogans Road in Yarrowonga.

MOTION

CRS DON MCPHEE / WENDY BUCK

That Council authorise the Chief Executive Officer to finalise and to sign and affix the Council seal to a suitable licence agreement that provides Council with permission to construct and operate a public Walking/Cycling track within the Silverwoods development, along Hogans Road in Yarrowonga.

(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 ED COX / ALEX MONK

That Council receives items of general business.

(CARRIED)

MOTION

CRS ED COX / DON MCPHEE

That the Murray Darling Corporation be requested to negotiate with the relevant authorities in Queensland, New South Wales, Victoria, Australia Capital Territory and South Australia to erect signs on all the highways and main roads at the edge of the Murray Darling Basin indicating, "you are now entering the Murray Darling Basin".

(CARRIED)

MOTION

CRS KEVIN BOURKE / BRIAN KEENAN

That Council work with St Mary's of the Angels and Nathalia Secondary College to erect a school crossing in Pearce Street Nathalia.

(CARRIED)

MOTION

CRS WENDY BUCK / DON MCPHEE

That Council Officers investigate and report to Council on options relating to all ability playground equipment in Yarrawonga.

(CARRIED)

FILE NO: VARIOUS

ITEM NO: 15

GENERAL BUSINESS

MOTION

CRS ALEX MONK / WENDY BUCK

That Council Officers provide a comprehensive report on the status of the Cobram truck wash.
(CARRIED)

Councillor Don McPhee asked for an update on the Yarrawonga Sale yards.

Andrew Close, General Manager Infrastructure advised that the sale of the Yarrawonga Sale yard would be undertaken when Cobram Sale Yards are complete.

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

16.1 **John Hay - Koonoomoo**

Question: How much is Council spending on roads?

Answer: Question was taken on notice.

FILE NO: VARIOUS

ITEM NO: 17

MEETING ADJOURNMENT

RECOMMENDATION

That the meeting be adjourned for 10 minutes.

MOTION

CRS ED COX / KEVIN BOURKE

That the meeting be adjourned for 10 minutes.

(CARRIED)

RECOMMENDATION

That the meeting be resumed.

MOTION

CRS DON MCPHEE / ED COX

That the meeting be resumed.

(CARRIED)

RECOMMENDATION

That pursuant to Sections 89(2) 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 KEVIN BOURKE / DON MCPHEE

That pursuant to Section 89(2) of the Local Government Act, 1989, this meeting of Council be closed to members of the public in order for Council to discuss contractual, industrial and any other matters which the Council or Special Committee 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 ALEX MONK / 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 DON MCPHEE / WENDY BUCK

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)

SUCCESSFUL TENDERS AWARDED:

C023/15 - Provision of Security & Cash Collection Services

- Murray Security Services
- Borderline Security Services