



MOIRASHIRE



ENRICHING LIFE ON THE MURRAY

COUNCIL AGENDA

20 June 2016



Discover Moira



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AGENDA

**ORDINARY MEETING OF COUNCIL
FOR
MONDAY 20 JUNE 2016
TO BE HELD AT NUMURKAH TOWN HALL, KNOX STREET NUMURKAH
COMMENCING AT 5:00 PM**

1. CALLING TO ORDER – CEO

RECORDING

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

2. PRAYER

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

Amen

3. ACKNOWLEDGEMENT OF COUNTRY

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

4. APOLOGIES & REQUESTS FOR LEAVE OF ABSENCE

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

6. DECLARATION OF ANY INTEREST OR CONFLICT OF INTEREST

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Recommendation: “That the minutes of the Ordinary Council Meeting held on Monday, 30 May 2016, as prepared, be confirmed.”

8. COUNCILLOR REPORTS

NIL

9. OFFICER REPORTS FOR DETERMINATION

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NIL

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NIL

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FILE NO: 100.00.01
4. ORGANISATION

ITEM NO: 9.1.1

MOIRA SHIRE COUNCIL PROPOSED 2016/17 BUDGET

RECOMMENDATION

That Council:

1. Adopt the Budget 2016-2017 including the User Fees and Charges; and
2. Authorise the Chief Executive Officer to give public notice of the decision to adopt the Budget 2016-2017 in accordance with Section 130 of the *Local Government Act 1989*.

1. Executive Summary

This report seeks Council's adoption of the 2016/17 Council Budget including the User Fees and Charges.

The Budget has been prepared in accordance with section 129 of the Local Government Act and was been provided for public feedback in accordance with Section 223 of the Act.

Following the conclusion of the public feedback process and consideration of the submissions received, Council has revised the draft 2016/17 budget to reflect the following key changes.

- a. The Budget now incorporates a number of the proposals received from the community through the public submission process
- b. The Budget specifically references a number of operational initiatives.
- c. The 'cents in the dollar' rate has been amended in response to the biennial property valuations received this month by Council.

2. Background and Options

The draft Budget details the resources required over the 2016/17 financial year to fund a wide range of services, programs and projects.

The Budget is the first prepared under the new Fair Go Rates System and will see Council's average general rates revenue increase by 2.5% in line with the Victorian Government's rate cap.

The key outcomes of the Budget 2016/17 are

- a rate rise of 2.5 per cent, in line with the Victorian Government's rate cap
- a net operating surplus of \$2.88 million
- fees and charges increase by an average of 3%
- a 2.5% increase in the Environmental Levy, garbage and recycling service charges
- the organic waste service charge is unchanged reflecting the positive response by the Moira residents to this service
- \$11.4 million capital works program

The draft budget has been updated since it was provided for public feedback to reflect the following key changes.

FILE NO: 100.00.01
4. ORGANISATION

ITEM NO: 9.1.1

MOIRA SHIRE COUNCIL PROPOSED 2016/17 BUDGET (cont'd)

a. Operational budget initiatives

In addition to delivering an \$11.4 million capital works program, Council will also deliver a range of operational initiatives including:

- Develop a submission to support Council's advocacy for development of the new Yarrawonga-Mulwala Bridge. (\$20,000)
- Commence development of master plans for the Katunga Recreation Reserve and the Tungamah Recreation Reserve.
- Moira Shire Youth Council participants will be encouraged to propose and develop projects to address youth needs within the Shire. (\$10,000)
- Council aims to reintroduce a Community Leadership Program (\$20,000)
- Develop the 2016-2019 Arts and Culture Strategy
- Provide funding to support the delivery of arts and culture activities across the Moira Shire by the G.R.A.I.N Store, Nathalia (\$10,000)
- Investigate options for development of a Yarrawonga Community Services Hub that may also incorporate Tourism Information Centre, Interpretive Centre and Library (\$50,000)
- Develop detailed design and costing for a new entrance to the J C Lowe Oval, Yarrawonga (\$50,000)
- Investigate solutions for unused Council building on Orr and Hume Streets, Yarrawonga.
- Remove old Yarrawonga Saleyards site infrastructure and investigate future use options.
- Review Council's Waste Management Strategy
- Extend provision of organic kerbside waste collection to further townships
- Trial free green waste disposal at transfer stations during peak demand periods such as prior to the fire season and during spring.

b. Community feedback and submissions

Council sought community feedback on the proposed Budget 2016-2017 in accordance with Section 223 of the Act. Submissions were considered by a Special Committee Meeting of Council held on 18 May 2016. A summary of the submissions and how they have been addressed for the purposes of the 2016/17 budget is provided below:

	Submission	Responses
1	GRAIN Store Nathalia	Council will provide \$10,000 of funding to support the delivery of arts and culture activities across the Moira Shire by the G.R.A.I.N Store, Nathalia. The G.R.A.I.N Store is also encouraged to make further application for funding through Council's annual grants programs. Council will develop an Arts and Culture Strategy during 2016/17 year to guide future funding and support
2	Jubilee Park – Tungamah Recreation Reserve	Commence development of master plan for the Tungamah Recreation Reserve
3	Nathalia and District Development Corporation proposed alterations	Council is considering an alternative solution to improve on-street car parking.

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4. ORGANISATION

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MOIRA SHIRE COUNCIL PROPOSED 2016/17 BUDGET (cont'd)

	to parking	
4	The Wilby & District Memorial Hall	The proposed Budget includes "Construction of upgraded community meeting facilities at Wilby in association with the Country Fire Authority. Includes retirement of the old Wilby Hall. It has a total budget of \$350,000 with Council's contribution at \$85,000." The proposal is subject to a successful grant application.
5	Museum building maintenance, Numurkah & District Historical Society Inc, Numurkah.	Council will continue discussions with the Society.
6	Expenditure on roads works and maintenance	Council is committed to providing a well maintained and safe road network across the Shire. The draft Budget includes \$6.2M for road maintenance which includes road-resealing and gravel road re-sheeting.
7	Repair and rectification of the Katunga Recreation Reserve and Community Netball/Tennis Courts, Katunga.	Review court condition and address under Council maintenance programs if possible.
8	Netball/Tennis Courts, Katunga.	Review court condition and address under Council maintenance programs if possible.
9	New Community Centre at the Katunga Recreation Reserve, Katunga.	Commence development of master plan for the Katunga Recreation Reserve
10	Netball/Tennis Courts, Katunga.	Review court condition and address under Council maintenance programs if possible.
11	Katunga Recreation Reserve Club Rooms and Change Rooms.	Commence development of master plan for the Katunga Recreation Reserve
12	Drainage issues at Kenny Rd, Yarroweyah.	The project included in the budget will determine a viable solution to the drainage of this area of the Shire.
13	Removal and redevelopment of the Katunga Recreation Reserve Community Centre.	Commence development of master plan for the Katunga Recreation Reserve
14	Preparation, planning, designing and costing of a new facility at Katunga	Commence development of master plan for the Katunga Recreation Reserve
15	Preparation, planning, designing and costing of a new facility at Katunga	Commence development of master plan for the Katunga Recreation Reserve

c. 'Cents in the dollar' rates amended

FILE NO: 100.00.01
4. ORGANISATION

ITEM NO: 9.1.1

MOIRA SHIRE COUNCIL PROPOSED 2016/17 BUDGET (cont'd)

Every two years the Valuer-General independently assesses the Capital Improved Value (CIV) for properties across all Victorian municipalities. This month Moira Shire received the Moira Shire property valuations that will be used to calculate the 2016/17 rates notices. The Valuer-General report indicates that on average CIVs have increased across all classes.

To ensure Moira Shire Council does not exceed the Rate Cap, Council has reduced the cents in the dollar rate for all rate categories by 4.85% (p39). Council is therefore expected to raise \$21.9 million from general rates (excluding supplementary rates), an increase of 2.5% from 2015/16.

It is important for property owners to understand that the rate cap applies to the total general rates revenue recovered by Council. Individual property values may increase or decrease by more than the average for their property class and this will impact on the individual rates payable for an individual property.

In accordance with Section 129 of the *Local Government Act 1989*, the Budget 2016-2017 including User Fees and Charges, is now presented for adoption.

3. Financial Implications

The Budget 2016-2017 is the key financial document for that year. The operating budget has been prepared using Council's Strategic Resource Plan as a base.

4. Risk Management

By adopting the recommendation, Council will not be exposed to any significant risk.

5. Internal and External Consultation

Council has met the statutory consultation requirements as required in accordance with Sections 129 and 223 of the *Local Government Act 1989*.

6. Regional Context

Council is required to submit its budget to the Minister by 30 June 2016.

7. Council Plan Strategy

Deliver sound financial management

8. Legislative / Policy Implications

- Local Government Act 1989
- Special Rates and Charges Policy
- Garbage and Recycling Policy
- Asset Management Policy
- Rates and Charges Policy
- Budget and Reporting Policy

9. Environmental Impact

All environmental implications have been addressed as part of preparation of this budget.

FILE NO: 100.00.01
4. ORGANISATION

ITEM NO: 9.1.1

MOIRA SHIRE COUNCIL PROPOSED 2016/17 BUDGET (cont'd)

10. Conflict of Interest Considerations

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

11. Conclusion

The draft Budget details the resources required over the 2016/17 financial year to fund a wide range of services, programs and projects. The Budget seeks to balance the many and often competing needs across the municipality.

Council has prepared the budget in accordance with the requirements of the Act. Following the conclusion of the public feedback process and consideration of the submissions received, the draft 2016/17 budget has been revised to reflect the following key changes.

- a. The Budget now incorporates a number of the proposals received from the community through the public submission process
- b. The Budget specifically references a number of operational initiatives.
- c. The 'cents in the dollar' rate has been amended in response to the biennial property valuations received this month by Council

With these amendments made we recommend the Budget to Council for adoption and implementation from 1 July 2016.

Attachments

- 1 Moira Shire Council Budget 2016 2017 - available on Council's website and service centres
- *printed in separate document*

FILE NO: 180.11.0002
3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 9.1.2

FINANCIAL POSITION REPORT AS AT 31 MAY 2016

RECOMMENDATION

That Council receives and notes the Financial Position Report as at 31 May 2016.

1. Executive Summary

The May 2016 finance report includes 2015/16 Rates and Charges totalling \$33.27 million (\$26.57 million in general rates, municipal charges, interest and legal charges and \$6.70 million in garbage collection charges, recycling and organic waste charges and environmental levy) which is recognised as income at the time of being levied.

As at the end of May, the total Rates and Charges outstanding as at 31 May is \$3.5 million, in addition the Fire Services Levy to be collected from ratepayers is \$393,803. This is an improvement on the same time last year of \$806,907. All 10 monthly, quarterly and annual payments are now due.

For the month of May, a total of \$62,344 of receipts were collected for prior year's rate debtors, this brings the year-to-date total collected to \$1.87 million or 80.87% of the total outstanding at the end of 2014/15. Payments of outstanding rates are being actively managed with payment plans and any rate payers who are experiencing difficulty are encouraged to contact Council officers to discuss options.

Cash and cash equivalents balance as at 31 May 2016 is \$29.80 million, and the higher than average balance is due to the timing of cash outflows for capital work commitments and creditors.

The \$14.08 million capital works is nearing completion. Some projects will roll into the 2016/17 year, such as the completion of the Cobram Library. Actual spend including commitments to date are \$11.48 million which include \$5.93 million for roads, \$2.3 million for building works, \$0.97 million on replacement plant and equipment, \$0.77 million on kerb and channel works, \$0.33 million on landfill and land improvements and \$0.19 million on drainage.

Council's tracking against budget and cash balances remains satisfactory as Council approaches year end.

FILE NO: 180.11.0002
3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 9.1.2

FINANCIAL POSITION REPORT AS AT 31 MAY 2016 (cont'd)

Moirra Shire Council Funding Analysis Summary - May 2016				
Operating Income Statement	Ref	2015/16 Adopted Budget	Forecast to June 2016	Actuals YTD 2015/16
Income				
Operating Grant		(10,932,084)	(6,123,336)	(6,062,133)
Operating Contributions		(86,962)	(44,500)	(94,431)
Reimbursements		(62,859)	(84,467)	(88,574)
Statutory Fees & Fines		(831,920)	(831,620)	(938,256)
User Charges		(2,731,290)	(2,846,644)	(2,024,074)
Other Revenues (incl. Waste Charges & Environmental Levy)		(7,035,256)	(7,088,369)	(6,993,781)
Interest Income		(350,000)	(460,000)	(467,656)
Net Proceeds - Land for resale		(42,000)	(46,331)	(96,331)
Total Income		(22,072,371)	(17,525,267)	(16,765,236)
Expenditure				
Employee Costs		20,169,063	19,402,910	16,100,945
Contractors		5,875,287	5,846,004	4,224,784
Materials & Services		11,627,863	12,011,974	8,684,784
Utilities		967,359	993,907	805,404
Other Expenses		3,833,926	4,229,930	3,396,879
Interest on Borrowings		464,541	464,541	419,709
Bad & Doubtful Debts		5,000	5,000	-
WDV of Disposal of Assets		60,000	60,000	60,558
Total Expenditure		43,003,039	43,014,266	33,693,064
Net Operational (Inflow) / Outflow		20,930,668	25,488,999	16,927,828
Net Operational (Inflow) / Outflow		20,930,668	25,488,999	16,927,828
Funding available through				
Rates and charges		26,863,347	26,724,325	26,743,939
Rate funds available for Capital Projects	A	5,932,679	1,235,326	9,816,111
Capital Expenditure		11,571,406	14,179,699	7,729,897
Capital External funding		(5,313,117)	(6,449,892)	(5,745,688)
Net Council Funding of Capital Projects	B	6,258,289	7,729,807	1,984,209
Surplus of Rate Funds after funding Capital Projects	A - B	(325,610)	(6,494,481)	7,831,902
Equity Inflow / (Outflow)		(892,495)	(892,495)	(817,093)
Net Rate Funds Surplus / (Shortfall)		(1,218,105)	(7,386,976)	7,014,809

FILE NO: 180.11.0002
3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 9.1.2

FINANCIAL POSITION REPORT AS AT 31 MAY 2016 (cont'd)

Reconciliation with Income Statement	2015/16 Adopted Budget	Forecast to June 2016	Actuals YTD 2015/16
Net Rate Funds Surplus / (Shortfall)	(1,218,105)	(7,386,976)	7,014,809
Eliminate Balance Sheet items			
Repayment of Loans	892,495	892,495	817,093
Fund from Equity reserves for Capital carryover	-	-	-
Capital Expenditure Capitalised as Assets	11,571,406	14,179,699	7,729,897
Accounting for Non-cash items			
Depreciation Expense and amortisation	(8,886,214)	(8,886,214)	(8,145,696)
Share Profit/Loss Associated Entity	(20,000)	(20,000)	-
Landfill - Interest Unwinding Discount	(491,346)	(491,346)	-
WDV of Infrastructure Replaced	(200,000)	(200,000)	-
Contributions - Non-Monetary Assets	200,000	200,000	-
Income Statement Surplus / (Deficit)	1,848,236	(1,712,342)	7,416,103

Rates & Other Debtors Report - May 2016

General Rates & Municipal Charges	May-15	May-16	Year on Year Variance
Rate Debtors Outstanding previous month	7,579,278	7,813,313	234,035
Collection for month	3,275,769	4,316,711	1,040,942
Rate Debtors Outstanding as at end of month	4,303,509	3,496,602	(806,907)
No. of Rateable Assessments	17,083	17,332	249
Rateable Valuation C.I.V	4,975,513,500	4,992,326,000	16,812,500
Special Scheme Debtors	Apr-16	May-16	Monthly Variance
Balance Outstanding	16,020	15,920	100
Sundry Debtors	Apr-16	May-16	Monthly Variance
Current	385,687	179,893	205,794
30 Days	109,709	101,209	8,500
60 Days	2,291	13,512	(11,221)
90 Days	305	66	239
> 90 Days	6,348	3,072	3,276
Total	504,340	297,752	206,588
Infringements	Apr-16	May-16	Monthly Variance
Balance Outstanding	154,496	148,329	6,167

FILE NO: 180.11.0002
3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 9.1.2

FINANCIAL POSITION REPORT AS AT 31 MAY 2016 (cont'd)

Quarterly Cash Position - Projection as at 30 June 2016	
	\$
Cash and Cash equivalents as per Balance Sheet - 31 May 2016	29,802,804
Confirmed inflow/(outflow) recorded in the books of accounts as of date	
Debtors - invoices registered in the system	503,231
Payroll	(1,300,000)
Fire Services levy - due to SRO [net of Creditors & Debtors]	(713,004)
Loan instalment due for the quarter	(77,558)
Estimated future (outflows) and inflows up to 30 June 2016	
Creditors - estimated quarterly payout	(4,500,000)
Rates	434,291
Capital Grants	-
Operating Grants	61,203
Projected Cash Balance as at 30 Jun 2016	24,210,967
Following restrictions imposed on Cash and cash equivalents by	
Restricted reserves - Open Space, Car Parking & Net Gain Native	(1,337,837)
Vegetation reserves	
Trust Funds and Deposits	(879,577)
Unexpended Grants [estimated for the year end]	(300,000)
Projected Unrestricted Cash Balance as at 30 Jun 2016	21,693,553

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
- Financial Accountant;
- Finance Analysts;
- Business Support Officer, Safety Amenity & Environment

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

FILE NO: 180.11.0002
3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 9.1.2

FINANCIAL POSITION REPORT AS AT 31 MAY 2016 (cont'd)

5. Regional Context

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

6. Council Plan Strategy

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

7. Legislative / Policy Implications

The report complies with:

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

8. Environmental Impact

There are no environmental impacts associated with this report.

9. Conflict of Interest Considerations

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

10. Conclusion

Council's financial position at 31 May 2016 is in line with approved forecast and builds on a strong 2015/16 year end result.

Attachments

Nil

FILE NO: F13/2477
4. SMARTER DELIVERY OF SERVICES AND
PROGRAMS

ITEM NO: 9.1.3

MOIRA SHIRE COUNCIL SPONSORSHIP POLICY

RECOMMENDATION

That Council adopt the proposed Moira Shire Council Sponsorship Policy

1. Executive Summary

From time to time, Council receives requests for funding assistance that do not easily fit into our existing grant programs or budget preparations.

As Council adjusts to rate capping and changing Government grant funding, Council may wish to progress these requests to facilitate the more cost effective delivery of some services. A sponsorship relationship may provide an appropriate vehicle to support these opportunities.

The Sponsorship Policy will guide Council's consideration, evaluation and potential approval of sponsorship requests to provide a consistent, equitable and timely process.

2. Background and Options

In addition to direct service delivery, Council offers a range of financial support to community groups and organisations to enable delivery of services and programs that align with Council Plan objectives. The primary financial support programs are

- Council's community, events and tourism grant programs and
- Council's annual budget.

As Council adjusts to rate capping and changing Government grant funding, Council may use sponsorship to facilitate the more cost effective delivery of some services that cannot be effectively met through the primary financial support programs. A Sponsorship policy guides the evaluation of these opportunities and ensures a consistent and equitable approach to all applications.

The policy covers eight areas from receiving and considering the request through to the acquittal of funding and interaction with other funding options.

1. Applicant and Funding Exclusions
2. Applications and Requests
3. Approval of applications
4. Agreements
5. Timing
6. Sponsorship reporting and acquittal
7. Sponsorship delivery
8. Interaction with other Council programs or funding opportunities

The Policy has been developed with reference to similar policies in place at other Councils and with particular reference to the Independent Commission Against Corruption (ICAC) 2006 Guidelines for Sponsorship in the Public Sector that provides 10 sponsorship principles.

Ten sponsorship principles

1. A sponsorship agreement should not impose or imply conditions that would limit, or appear to limit, a public sector agency's ability to carry out its functions fully and impartially.
2. There should be no actual conflict between the objectives and/or mission of the sponsored agency and those of the sponsor.

FILE NO: F13/2477
4. SMARTER DELIVERY OF SERVICES AND
PROGRAMS

ITEM NO: 9.1.3

MOIRA SHIRE COUNCIL SPONSORSHIP POLICY (cont'd)

3. In general, a public sector agency with regulatory or inspection responsibilities should not seek, or accept sponsorship from people or organisations which are, or may be, subject to regulation or inspection by the agency during the life of the sponsorship. Where adhering to this principle would unduly limit the agency's sponsorship prospects, the agency should develop alternative strategies to ensure it can carry out its regulatory or inspection responsibilities in relation to sponsors in an open, fair, accountable and impartial manner.
4. Sponsorship of a public sector agency or activity should not involve explicit endorsement of the sponsor or the sponsor's products.
5. Where sponsorship involves the sponsor providing a product to the agency, the agency should evaluate that product for its fitness for purpose against objective criteria that are relevant to the agency's needs.
6. It is inappropriate for any employee of a public sector agency to receive a personal benefit from a sponsorship.
7. In most circumstances, the public interest is best served by making sponsorship opportunities widely known. To this end sponsorships should be sought and granted by using broadly based, open processes that are not limited solely to invited sponsors.
8. Public sector agencies should assess sponsorship proposals against predetermined criteria which have been published in advance or which are circulated to organisations that submit an expression of interest.
9. A sponsorship arrangement is a contract and should be described in a written agreement.
10. All sponsorship arrangements should be approved by the CEO or another designated senior officer of the agency and described in the agency's annual report in a form commensurate with the significance of the sponsorship.

3. Financial Implications

The Policy will ensure the consistent and equitable consideration of proposals and includes clear acquittal and accountability requirements for successful applicants.

Unlike Council's Grants Programs that have an annual budget allocation, this proposal will not see the creation of a sponsorship fund. Funding to meet successful sponsorship applications will be sourced from within existing available budget which reinforces the expectation that sponsorship will allow Council to support the more efficient delivery of existing services.

4. Risk Management

Nil

5. Internal and External Consultation

Moirā Shire Council's Sponsorship Policy has been developed with reference to policies adopted by other Councils and Government departments and agencies.

6. Regional Context

Nil

7. Council Plan Strategy

Smarter service delivery

8. Legislative / Policy Implications

The Policy addresses an existing gap in Council's policy guidance.

FILE NO: F13/2477
4. SMARTER DELIVERY OF SERVICES AND
PROGRAMS

ITEM NO: 9.1.3

MOIRA SHIRE COUNCIL SPONSORSHIP POLICY (cont'd)

9. Environmental Impact

Nil

10. Conflict of Interest Considerations

Nil

11. Conclusion

The Sponsorship Policy will guide Council's consideration, evaluation and potential approval of funding requests that do not fit into Council's existing budget and grant funding programs.

The Policy provides a consistent, equitable and timely evaluation process that is transparent and able to support Council's business activity. In addition Council's use of sponsorship will be restricted by available funding.

Attachments

- 1 Moira Shire Council - draft sponsorship policy

FILE NO: F13/2477
4. SMARTER DELIVERY OF SERVICES AND
PROGRAMS

ITEM NO: 9.1.3

MOIRA SHIRE COUNCIL SPONSORSHIP POLICY (cont'd)

ATTACHMENT No [1] - Moira Shire Council - draft sponsorship policy



Council Sponsorship (outgoing) Policy

Policy type	Council
Adopted (or) Approved by	Moira Shire Council
Responsible General Manager	Corporate
Responsible officer	Governance & Communications Manager
Date adopted	
Scheduled for review	

PURPOSE

The purpose of this Policy is to assist Council to equitably and effectively use sponsorship from Council (outgoing sponsorship) to support the business of Council.

SCOPE

This policy applies to all employees, Councillors and Committees of Council.

This policy guides the provision of sponsorship from Council to organisations (outgoing), it does not guide the acceptance of sponsorship by Council.

STATEMENT

Council may provide sponsorship to support the delivery of programs and services that align with the objectives of the Council Plan.

All sponsorship arrangements will be undertaken in a professional and co-ordinated manner, and in accordance with relevant Council policies.

Acceptance of a Sponsorship Agreement does not mean that Council endorses the product or services of the sponsor. This philosophy must be clearly stated in all sponsorship agreements.

POLICY

1. Applicant and Funding Exclusions

1.1. Sponsorship applications will only be considered where there is alignment with objectives outlined in the Council Plan and there are demonstrable benefits to Council in the delivery of services to our community.

1.2. Council will not enter into sponsorship agreements with organisations that

- are deemed unethical, potentially unlawful or who do not align with Moira Shire Council's Council Plan, values or vision statement
- are involved in a competitive tender or purchasing process at, or around the time of, negotiating a sponsorship agreement
- are in arrears in debt repayment to Council
- have an unacceptable sponsorship record with Moira Shire Council or with any other government authority

1.3. Council will generally not consider requests for sponsorship from:

- Political, religious, race specific or commercial organisations
- Individuals
- Unincorporated bodies / groups
- Projects that discriminate against any organisation, group or person

1.4. Low priority will be given to large organisations that have significant sources of income or receive funding from other government or charitable organisations and have the financial capacity to fund the proposal without funding from Council.

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4. SMARTER DELIVERY OF SERVICES AND
PROGRAMS

ITEM NO: 9.1.3

MOIRA SHIRE COUNCIL SPONSORSHIP POLICY (cont'd)

ATTACHMENT No [1] - Moira Shire Council - draft sponsorship policy



Council Sponsorship (outgoing) Policy

- 1.5. The following sponsorship proposals will not be considered for funding:
 - Projects or activities that are considered to be core services of State or Federal Government
 - Initiatives that do not focus or directly benefit the Moira Shire community.
 - Initiatives that are singular, insular or of self-interest to the applicant or that promote the business or profit interest of the applicant.
 - Requests for retrospective funding, where projects have commenced or are completed prior to submitting an application or receiving funding approval.
 - Projects that are not ready to proceed.
 - Applications from schools for curriculum based activities or where the activity outcome is confined to the school.
 - Applications seeking funding to cover outstanding loans or debts.
- 1.6. Council will publish this assessment criteria on its website
2. **Applications and Requests**
 - 2.1. Sponsorship applications will be accepted year-round.
 - 2.2. The information requirements detailed in Council's application form must be provide before the proposal can be considered by Council.
3. **Approval of applications**
 - 3.1. The CEO must approve the sponsorship before any funds or services will be provided to the sponsored organisation.
 - 3.2. The CEO may delegate approval of a sponsorship application to a General Manager.
 - 3.3. If the total value of the sponsorship exceeds the CEO's delegation, the request will require Council approval.
 - 3.4. In approving any sponsorship application, staff and Councillors must have regard for any Conflict of Interest.
 - 3.5. Availability of funds may limit the level at which Moira Shire Council is able to sponsor projects.
 - 3.6. Council sponsorship may be in the form of cash or in kind contribution (eg materials, labour or resources) in exchange for agreed benefits.
 - 3.7. Applicants will be notified in writing of Moira Shire Council's approval (or otherwise) of the sponsorship application.
 - 3.8. Depending upon the level of sponsorship provided, sponsorship may be confirmed via an email, letter or contract agreement.
4. **Agreements**
 - 4.1. A sponsorship agreement must be signed by all parties and received by Council before any funds or services will be provided to the sponsor.
 - 4.2. Sponsorship recognition will be consistent with Council and the sponsor's policies, guidelines and regulations relating to signage, branding and communications. Forms of recognition will be outlined in the sponsorship agreement to the level and nature of the sponsorship and subject to agreement specifying benefits and costs.
 - 4.3. A sponsorship agreement may be refused and/or terminated if deemed by the CEO as a real or perceived conflict, or where a breach of the terms of an agreement has occurred.
5. **Timing**
 - 5.1. Council may enter into sponsorship agreements for up to a maximum of three (3) years.
6. **Sponsorship reporting and acquittal**

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4. SMARTER DELIVERY OF SERVICES AND
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MOIRA SHIRE COUNCIL SPONSORSHIP POLICY (cont'd)

ATTACHMENT No [1] - Moira Shire Council - draft sponsorship policy



Council Sponsorship (outgoing) Policy

- 6.1. At the conclusion of each financial year the sponsored project or event must provide Council with a written acquital of the funds and in-kind support provided by Council
- 6.2. Upon completion of a sponsorship agreement, the sponsored project or event must provide Council with a written
 - report outlining how Council benefited from the sponsorship agreement
 - acquital of the funds and in-kind support provided by Council

7. Sponsorship delivery

During delivery, the sponsorship will

- 7.1. consistently maintain Council's professional image within the community;
- 7.2. not conflict with the objectives and policies of Council;
- 7.3. not impose or imply conditions that would limit Council's ability to carry out its functions fully and impartially;
- 7.4. not involve explicit endorsement of the recipient or its products;
- 7.5. not control or influence any dealings between the parties; and
- 7.6. ensure no employee or Councillor receives a personal benefit from the sponsorship

8. Interaction with other Council programs or funding opportunities

- 8.1. Council will not sponsor applications that can be effectively serviced through Council grant funding programs.
- 8.2. A sponsorship does not preclude the sponsored organisation or program from participating in Council grant programs
- 8.3. If the sponsored organisation also receives funding through Council's grant programs
 - Grant funds are not included in the total value of the sponsorship
 - Council may consider the total of grant and sponsorship funding to an individual organisation in determining whether to approve a sponsorship or grant application.

DEFINITIONS

Sponsorship - the purchase of rights or benefits, including naming rights, delivered through association with the sponsored organisation's name, products, services or activities.

Sponsorship does not include

- funds received through Council's **grant programs**, and does not preclude the sponsored organisation from participating in such programs;
- direct and/or **contracted** service or program funding arrangements;
- **bequests** which impose no obligations on the recipient and offer little or no rights or benefits to the provider.

Sponsorship value - The value of a sponsorship includes any financial contribution and the value of any and all non-financial support or resources provided by Council.

RELATED LEGISLATION

Local Government Act 1989
Charter of Human Rights and Responsibilities Act 2006
Freedom of Information Act 1982

RELATED POLICIES, PROCEDURES/PROTOCOLS, STATEMENTS & DOCUMENTS

Community and Event Grants Policy
Councillor Code of Conduct
Gift and Benefits Policy
Information Privacy Policy
Procurement Policy
Risk Management Register and Plan

FILE NO: F13/2477
4. SMARTER DELIVERY OF SERVICES AND
PROGRAMS

ITEM NO: 9.1.3

MOIRA SHIRE COUNCIL SPONSORSHIP POLICY (cont'd)

ATTACHMENT No [1] - Moira Shire Council - draft sponsorship policy



Council Sponsorship (outgoing) Policy

Staff Code of Conduct
Moira Shire Council Sponsorship Application

During the election period, staff and Councillors should also refer to the Moira Shire Council Caretaker Policy in conjunction with this policy.

It is considered that this policy does not impact negatively on any rights identified in the Charter of Human Rights Act (2007).

REVIEW

This policy will be reviewed (three) years from the date of adoption, with operational amendments as required, in accordance with Council's approval.

FILE NO: F13/3135
5. DEMONSTRATING GOOD GOVERNANCE

ITEM NO: 9.1.4

PERFORMANCE REPORTING POLICY

RECOMMENDATION

That Council

1. Endorse the proposed Performance Reporting Policy and Performance Reporting Framework.
2. Revoke Moira Shire Council's Budget Preparation and Financial Reporting Policy adopted in February 2010.

1. Executive Summary

This report seeks Council's endorsement of a proposed Performance Reporting Policy and Performance Reporting Framework.

The **Policy** details the scope and frequency of corporate reports that will be provided to Council. The schedule has been developed to ensure compliance with the legislative and regulatory requirements for Local Government.

The **Framework** details the suite of financial and non-financial indicators that Council will report against in its Performance Report. The Framework comprises the Local Government Performance Reporting Framework and will be subject to annual review to ensure alignment with the Victorian Government's evolving LGPRF reporting requirements.

2. Background and Options

Moira Shire Council prepares a range of reports to inform the business, management, Council and the wider community about our performance against key financial and non-financial indicators. These reports include indicators defined in Local Government Act and other legislation, regulation and best practice. Many of these reports are published through Council Meeting Agendas and on Council's website.

The Local Government Performance Reporting Framework and in particular the Governance and Management Checklist also provides guidance on the reporting councils are expected to provide during and at the end of the year. These requirements have increased and expanded substantially since Council adopted its Budget Preparation and Financial Reporting Policy in February 2010.

The LGPRF expects Council's to have a Performance Reporting Framework and complete Council Plan, Financial, Risk, Performance and Annual Reporting.

It is recommended Council revoke the earlier Policy and adopt the proposed Corporate Reporting Policy to improve our internal control environment and to ensure Council is meeting the Performance Reporting requirements detailed in the Act and Regulations.

It is recommended that Council note the Performance Reporting Framework.

Reporting Practice versus Requirements

The Policy reflects the reporting frequency and content requirements defined by the Act and associated regulations. It does not prevent Council from more frequent reporting or from including a wider range of financial or non-financial indicators.

The following table summarises Council's reporting frequency against required practice.

	Current practice	Required practice
Council Plan	Quarterly reporting	Half yearly
Financial Reporting	Monthly	Quarterly

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5. DEMONSTRATING GOOD GOVERNANCE

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PERFORMANCE REPORTING POLICY (cont'd)

LGPRF Indicators	Annual report	collated	Half yearly
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Performance Reporting Framework

A draft Performance Reporting Framework is also attached to this report. It is proposed the Framework remain separate to the Performance Reporting Policy to enable annual review and update in accordance with the evolution of the LGPRF.

3. Financial Implications

Nil

4. Risk Management

The Policy will assist Council meet its statutory reporting requirements and provide clarity regarding the range, frequency and scope of reports to be prepared by Council.

5. Internal and External Consultation

The Policy has been prepared with feedback from Council officers and Council's external auditors.

6. Regional Context

The Policy has been developed with reference to a range of Performance Reporting Policies adopted by Victorian Councils following the introduction of the LGPRF.

7. Council Plan Strategy

Demonstrating good governance

8. Legislative / Policy Implications

Policy to ensure compliance with legislative obligations

9. Environmental Impact

Nil

10. Conflict of Interest Considerations

Nil

11. Conclusion

The proposed Performance Reporting Policy and Framework

- confirms many of Council's existing reporting practices;
- ensures Council's reporting meets the content and frequency requirements of the Local Government Act and the Local Government Performance Reporting Framework.
- Clarifies the scope and frequency of reporting to Council.

Attachments

- 1 draft Performance Reporting Policy
- 2 Performance Reporting Framework

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5. DEMONSTRATING GOOD GOVERNANCE

ITEM NO: 9.1.4

PERFORMANCE REPORTING POLICY (cont'd)

ATTACHMENT No [1] - draft Performance Reporting Policy



Performance Reporting Policy



Policy type	Council
Adopted (or) Approved by	Moira Shire Council
Responsible General Manager	Corporate
Responsible officer	Governance & Communications Manager
Date adopted	
Scheduled for review	

PURPOSE

The purpose of this policy is to define the statutory reporting obligations of Council.

SCOPE

The policy applies to all business units in the organisation.
The policy does apply to reporting prepared to support management decision making.
The policy is a reference for Councillors, Audit Committee and external regulators on Council's obligations around performance reporting

STATEMENT

The Policy provides a framework that will guide Council in the monitoring and reporting of corporate performance, ensuring compliance with legislative requirements, continuous improvement and providing stakeholders with information that is relevant, timely, accessible and transparent.

POLICY

Performance Reporting Framework

- Council's Performance Reporting Framework comprises indicators for measuring Council's financial and non-financial performance.
- The Framework includes the performance indicators referred to in section 131 of the Act and supports Council's reporting against the Local Government Performance Reporting Framework.
- The measures will be reported in the Report of Operations and the Performance Statement in the Annual Report each year and in the reports described in this policy.

Council Plan reporting

- A **Council Plan Report** will be prepared on a half yearly basis and will include the measures contained in the Council Plan
- The Council Plan Report will be presented to Council at the next Ordinary Council Meeting and published on Council's website.

Financial Reporting

- A **Finance Report** will be prepared on a quarterly basis, in accordance with section 138 of the Act and will be presented to the next scheduled Ordinary Council meeting.
- The report will provide
 - a statement of budgeted and actual revenue and expenditure and
 - year-to-date Balance Sheet and capital program

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PERFORMANCE REPORTING POLICY (cont'd)

ATTACHMENT No [1] - draft Performance Reporting Policy



Performance Reporting Policy

- Minutes of the Audit Committee meeting will be presented to Council at the next scheduled Ordinary meeting.
- A monthly financial report will be prepared and presented to the assembly of Councillors (Council Briefing) in the month following.

Management Reporting

- A monthly **Management Report** will be prepared and presented to the assembly of Councillors (Council Briefing) in the month following.

Performance Reporting

- A **Performance Report** will be prepared on a half yearly basis. The report will provide a statement of performance against Council's Performance Reporting Framework.
- The Performance Report half year report will be presented to Council at the next Ordinary Council Meeting and published on Council's website.

Risk Reporting

- A report of strategic risks to Council's operations, their likelihood and consequences of occurring and risk minimisation strategies will be presented to Council on a half yearly basis.

Annual Report

- Council will prepare an annual report in accordance with the requirements of the Act and the Regulations within three (3) months of the close of each financial year.
- The Annual Report will be prepared in a format that complies with the Act and Regulations.
- The Financial Statements in the Annual Report will be prepared in accordance with the Australian Accounting Standards and the Local Government Model Financial Report
- The Performance Statement and Financial Statements will be audited in accordance with the requirements of the Act and Regulations.

DEFINITIONS

Local Government Performance Reporting Framework (LGPRF) - A performance reporting framework developed by the Victorian Government that provides consistent performance reporting across all local government areas within Victoria.

RELATED LEGISLATION

Local Government Act 1989
Local Government (Planning and Reporting) Regulations 2014

RELATED POLICIES

Risk Management Register and Plan

It is considered that this policy does not impact negatively on any rights identified in the Charter of Human Rights Act (2007).

REVIEW

This policy will be reviewed (three) years from the date of adoption, with operational amendments as required, in accordance with Council's approval.

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PERFORMANCE REPORTING POLICY (cont'd)

ATTACHMENT No [2] - Performance Reporting Framework



Moira Shire Council Performance Reporting Framework

Prepared May 2016

D16/29822

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PERFORMANCE REPORTING POLICY (cont'd)

ATTACHMENT No [2] - Performance Reporting Framework

Performance Reporting Framework

- This Framework details the suite of indicators that Council will report against in its Performance Report.
- The Framework includes and will be reviewed annually to ensure it aligns with the Local Government Performance Reporting Framework (LGPRF) that all Councils are required to report against – Council does not report against the LGPRF optional indicators.
- The Indicators have been aligned with the Council Plan 2013-17, goals and strategic performance indicators.
- Council may include further indicators into the Framework and these will be reported against in Council's Performance Report.

Reporting basis and calculation

The LGPRF and their basis for calculation are prescribed by the *Local Government Act 1989* (the Act) and the Local Government (Planning and Reporting) Regulations 2014. Council has adopted this reporting basis.

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PERFORMANCE REPORTING POLICY (cont'd)

ATTACHMENT No [2] - Performance Reporting Framework

LGPRF Indicator	CP Goal CP Objective	CP Strategic Performance Indicator	Performance Measure	Data Source	Department
Indicator – Service Performance					
Aquatic Facilities					
To provide safe, accessible and well utilised facilities					
AF1	G2	3	User satisfaction with aquatic facilities	Optional Performance Measure	Community Development
AF2	G2	3	Health inspections of aquatic facilities	Health Management records Councils Asset Management system	Safety, Amenity and Environment
AF3	G2	3	Reportable safety incidents at aquatic facilities	Councils Contractors records	Community Development
AF4	G2	3	Cost of indoor aquatic facilities	Councils Finance system Councils Contractors records	Community Development
AF5	G2	3	Cost of outdoor aquatic facilities	Councils records Council Contractors records	Community Development

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PERFORMANCE REPORTING POLICY (cont'd)

ATTACHMENT No [2] - Performance Reporting Framework

LGPRF Indicator	CP Goal CP Objective	CP Strategic Performance Indicator	Performance Measure	Data Source	Department
Aquatic Facilities cont'd					
To provide safe, accessible and well utilised facilities					
AF6	G2	3	Utilisation of aquatic facilities	Councils Contractors records Australian Bureau of	Community Development
Animal Management					
To protect the health and safety of animals, humans and the environment					
AM1	G2	2	Time taken to action animal management requests	Measure applicable from 1 July Customer Request Management system (CRM)	Safety, Amenity and Environment
AM2	G2	2	Animals reclaimed	Councils records	Safety, Amenity and Environment
AM3	G2	2	Cost of animal management service	Councils Finance system Councils Animal	Safety, Amenity and Environment
AM4	G2	2	Animal management prosecutions	Councils records	Safety, Amenity and Environment
Food Safety					
To protect public health by preventing the sale of unsafe food					
FS1	G2	3	Time taken to action food complaints	Measure applicable from 1 July Customer Request Management System (CRM)	Safety, Amenity and Environment
FS2	G2	3	Food safety assessments	Councils Health Management system	Safety, Amenity and Environment

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PERFORMANCE REPORTING POLICY (cont'd)

ATTACHMENT No [2] - Performance Reporting Framework

LGPRF Indicator	CP Goal	CP Objective	CP Strategic Performance Indicator	Performance Measure	Data Source	Department
Food Safety cont'd						
To protect public health by preventing the sale of unsafe food						
FS3	G2	3		Cost of food safety service	Councils Finance system Councils Health	Safety, Amenity and Environment
FS4	G2	3		Critical and major non-compliance outcome	Councils Health Management system	Safety, Amenity and Environment
Governance						
To make and implement decisions in the best interests of the community						
G1	O4	19		Councils decisions made at meetings closed to the public	Councils Agenda Management system	Office of the CEO
G2	O4	19		Satisfaction with community consultation and engagement	Community Satisfaction survey	Governance and Communication
G3	O4	19		Councillors attendance at Councils meetings	Councils Agenda Management system	Office of the CEO
G4	O4	19		Cost of governance	Councils Finance system	Governance and Communication
G5	O4	19		Satisfaction with Councils decisions	Community Satisfaction survey	Governance and Communication

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PERFORMANCE REPORTING POLICY (cont'd)

ATTACHMENT No [2] - Performance Reporting Framework

L GPRF Indicator	CP Goal	CP Objective	CP Strategic Performance Indicator	Performance Measure	Data Source	Department
Home and Community Care (HACC)						
To support people to live independently and safely in their own community and home environment and to help avoid premature or inappropriate admission to longer term residential care						
HC1	G2	3	Time taken to commence the HACC service	Measure applicable from 1 July	MHCare Records	Community Development
HC2	G2	3	Compliance with Community Care Common Standards	Councils records	Department of Health	Community Development
HC3	G2	3	Cost of domestic care service	MHCare records		Community Development
HC4	G2	3	Cost of personal care service	MHCare records		Community Development
HC5	G2	3	Cost of respite care service	MHCare records		Community Development
HC6	G2	3	Participation in HACC service	MHCare records	Department of Health	Community Development
HC7	G2	3	Participation in HACC service by Culturally and	MHCare records	Department of Health	Community Development

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PERFORMANCE REPORTING POLICY (cont'd)

ATTACHMENT No [2] - Performance Reporting Framework

LGPRF Indicator	CP Goal	CP Objective	CP Strategic Performance Indicator	Performance Measure	Data Source	Department
Libraries (LB)						
To provide free, accessible and well utilised print and digital based resources						
L1	G2	4	Library Collection Usage	GVRL Library Management	GVRL Library Management	Community Development
L2	G2	4	Standard of library collection	GVRL Library Management	GVRL Library Management	Community Development
L3	G2	4	Cost of library service	Councils Finance system GVRL Library	Councils Finance system GVRL Library	Community Development
L4	G2	4	Active library members	GVRL Library Management system	GVRL Library Management system	Community Development
Maternal and Child Health (MCH)						
To promote healthy outcomes for children and their families						
MC1	G2	5	Participation in first MCH home visit	Councils Maternal & Child Health system Councils records	Councils Maternal & Child Health system Councils records	Community Development
MC2	G2	5	Infant enrolments in MCH service	Councils Maternal & Child Health system Councils records	Councils Maternal & Child Health system Councils records	Community Development
MC3	G2	5	Cost of MCH service	Councils Maternal & Child Health system	Councils Maternal & Child Health system	Community Development

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PERFORMANCE REPORTING POLICY (cont'd)

ATTACHMENT No [2] - Performance Reporting Framework

LGPRF Indicator	CP Goal	CP Objective	CP Strategic Performance Indicator	Performance Measure	Data Source	Department
Maternal and Child Health (MCH) cont'd						
To promote healthy outcomes for children and their families						
MC4	G2	5		Participation in the MCH service	Councils Maternal & Child Health system	Community Development
MC5	G2	5		Participation in MCH service by Aboriginal children	Councils Maternal & Child Health system	Community Development
Roads						
To provide a sealed local road network that is safe and efficient						
R1	G2	7		Sealed local road requests	Customer Request Management	Operations
R2	G2	7		Sealed local roads below the intervention level	Councils Asset Management system	Operations
R3	G2	7		Cost of sealed local road reconstruction	Councils Finance system Councils Asset	Operations
R4	G2	7		Cost of sealed local road resealing	Councils Finance system Councils Asset	Operations
R5	G2	7		Satisfaction with sealed local roads	Community Satisfaction survey	Operations

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PERFORMANCE REPORTING POLICY (cont'd)

ATTACHMENT No [2] - Performance Reporting Framework

LGPRF Indicator	CP Goal CP Objective	CP Strategic Performance Indicator	Performance Measure	Data Source	Department
Statutory Planning					
To make planning application decisions which are consistent with the local planning scheme					
SP1	G3	14	Time taken to decide planning applications	Planning Permit Activity Reporting system (PPARS)	Town Planning and Building
SP2	G3	14	Planning applications decided within 60 days	Planning Permit Activity Reporting system (PPARS)	Town Planning and Building
SP3	G3	14	Cost of statutory planning service	Councils Finance system Planning Permit Activity	Town Planning and Building
SP4	G3	14	Planning decisions upheld at VCAT	Council Agenda Management system	Town Planning and Building
Waste Collection					
To maximise the amount of kerbside waste diverted from landfill					
WC1	G2	10	Kerbside bin collection requests	Council Contractors records Councils Rates system	Safety, Amenity and Environment
WC2	G2	10	Kerbside collection bins missed	Council Contractors records Council Rates system	Safety, Amenity and Environment
WC3	G2	10	Cost of kerbside garbage bin collection service	Council Contractors records Council Finance system	Safety, Amenity and Environment
WC4	G2	10	Cost of kerbside recyclables bin collection service	Council Contractors records Council	Safety, Amenity and Environment

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PERFORMANCE REPORTING POLICY (cont'd)

ATTACHMENT No [2] - Performance Reporting Framework

LGPRF Indicator	CP Goal CP Objective	CP Strategic Performance Indicator	Performance Measure	Data Source	Department
Waste Collection					
To maximise the amount of kerbside waste diverted from landfill					
WC5	G2	10	Kerbside collection waste diverted from landfill	Councils Contractors records Councils Landfill records	Safety, Amenity and Environment
Indicator – Financial Performance					
Efficiency					
Uses resources efficiently					
E1	O2	24	Expenses per property assessment	Councils Financial Statements	Finance
E2	O2	24	Average residential rate per residential property assessment	Councils Financial Statements	Finance
E3	O1	16	Resignations and terminations compared to average staff	Councils Payroll system	Personal and Organisational Development
Liquidity					
Generate sufficient cash to pay bills on time					
L1	O2	24	Current assets compared to current liabilities	Councils Financial Statements	Finance
L2	O2	24	Unrestricted cash compared to current liabilities	Councils Financial Statements	Finance

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PERFORMANCE REPORTING POLICY (cont'd)

ATTACHMENT No [2] - Performance Reporting Framework

LGPRF Indicator	CP Goal CP Objective	CP Strategic Performance Indicator	Performance Measure	Data Source	Department
Indicator – Financial Performance cont'd					
Obligations Appropriate level of long term obligations					
O1	O2	24	Loans and borrowings compared to rates	Councils Financial Statements	Finance
O2	O2	24	Loans and borrowings repayments compared to rates	Councils Financial Statements	Finance
O3	O2	24	Non-current liabilities compared to own source revenue	Councils Financial Statements	Finance
O4	O2	24	Asset renewal compared to depreciation	Councils Financial Statements	Finance
Operating position Generate an adjusted underlying surplus					
OP1	O2	24	Adjusted underlying surplus (or deficit)	Councils Financial Statements	Finance
Stability Generate revenue from a range of sources					
S1	O2	24	Rates compared to adjusted underlying revenue	Councils Financial Statements	Finance
S2	O2	24	Rates compared to property values	Councils Financial Statements Councils Annual Budget	Finance

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PERFORMANCE REPORTING POLICY (cont'd)

ATTACHMENT No [2] - Performance Reporting Framework

L GPRF Indicator	CP Goal CP Objective	CP Strategic Performance Indicator	Performance Measure	Data Source	Department
Indicator – Sustainable Capacity					
Capacity Meet the agreed service needs of the community					
C1	O2	24	Own source revenue per head of municipal	Financial Statements Australian Bureau of Statistics	Finance
C2	O2	24	Recurrent grants per head of municipal population	Financial Statements Australian Bureau of Statistics	Finance
C3	O2	24	Expenses per head of municipal population	Councils Asset system Australian Bureau of Statistics	Finance
C4	O2	25	Infrastructure per head of municipal population	Financial Statements Australian Bureau of Statistics	Finance
C5	O2	25	Population density per length of road	Financial Statements Australian Bureau of Statistics	Finance
C6	G2	3	Relative socio-economic disadvantage	Australian Bureau of Statistics	Governance and Communications

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PERFORMANCE REPORTING POLICY (cont'd)

ATTACHMENT No [2] - Performance Reporting Framework

LGPRF Indicator	CP Goal CP Objective	CP Strategic Performance Indicator	Performance Measure	Data Source	Department
Indicator – Governance and Management Checklist					
Checklist					
Strong Governance and Management frameworks					
1	O3	22	Community engagement policy	Councils records	Governance and Communications
2	O3	22	Community engagement guidelines	Councils records	Governance and Communications
3	O2	24	Strategic Resource Plan	Councils records	Finance
4	O2	24	Annual Budget	Councils records	Finance
5	O2	25	Asset management plans	Councils records	Infrastructure and Construction
6	O2	24	Rating strategy	Councils records	Finance
7	O1	20	Risk policy	Councils records	Commercial Services
8	O1	20	Fraud policy	Councils records	Commercial Services
9	G2	2	Municipal emergency management plan	Councils records	Safety, Amenity and Environment
10	O1	20	Procurement policy	Councils records	Commercial Services
11	O1	20	Business continuity plan	Councils records	Commercial Services
12	O1	20	Disaster recovery plan	Councils records	Information Services
13	O1	20	Risk management framework	Council records	Commercial Services
14	O1	20	Audit committee	Council records	Commercial Services
15	O1	20	Internal audit	Council records	Commercial Services
16	O1	20	Performance reporting framework	Council records	Governance and Communications
17	O1	20	Councils plan reporting	Council records	Governance and Communications
18	O1	20	Financial reporting	Council records	Finance
19	O1	20	Risk reporting	Council records	Commercial Services
20	O1	20	Performance reporting	Council records	Governance and Communications
21	O1	20	Annual report	Council records	Governance and Communications
22	O1	20	Councillor Code of Conduct	Council records	Governance and Communications
23	O1	20	Delegations	Council records	Governance and Communications
24	O1	20	Meeting procedures	Council records	Governance and Communications

Performance Reporting Framework

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PERFORMANCE REPORTING POLICY (cont'd)

ATTACHMENT No [2] - Performance Reporting Framework

LGPRFIndicator	CP Goal	CP Objective	CP Strategic Performance Indicator	Performance Measure	Data Source	Department
Appendix A – Optional Service Performance Indicators						
Economic Development						
To stimulate local economic activity						
ED1	G3	11	Participation in Business Development activities	Councils records	Australian Business Register – Australian	Economic Development
ED2	G3	11	Delivery of planned business	Councils records		Economic Development
ED3	G3	11	Cost of Economic Development service	Councils Finance system	Australian Business	Economic Development
ED4	G3	11	Change in number of businesses	Australian Business Register – Australian Tax Office		Economic Development
Immunisation						
To minimise the incidence of vaccine preventable disease						
I1	G2	3	User satisfaction with immunisation service	No data source		Compliance
I2	G2	3	Vaccination of children by Councils	Australian Childhood Immunisation Register		Compliance
I3	G2	3	Return of consent cards by secondary school children	Councils records		Compliance
I4	G2	3	Cost of immunisation service	Councils Finance system		Compliance
I5	G2	3	Vaccination of children	Australian Childhood Immunisation Register		Compliance
I6	G2	3	Vaccination of secondary school children	Councils Immunisation system	Dept Education and	Compliance
Sports grounds						
To provide accessible and well utilised facilities						
SG1	G2	3	Structured activities on sports fields	Councils records	Councils Asset Management system	Leisure & Facilities
SG2	G2	3	Condition of sports fields	Councils Finance records	Councils Asset	Operations
SG3	G2	3	Cost of sports grounds	Councils records	Councils Asset Management system	Operations
SG4	G2	3	Population per sports field	Australia Bureau of Stastics	Councils Asset	Leisure & Facilities

Performance Reporting Framework

FILE NO: F13/3135
5. DEMONSTRATING GOOD GOVERNANCE

ITEM NO: 9.1.4

PERFORMANCE REPORTING POLICY (cont'd)

ATTACHMENT No [2] - Performance Reporting Framework

LGRF Indicator	CP Goal	CP Strategic Performance Indicator	Performance Measure	Data Source	Department
Street sweeping					
To provide clean local roads while minimising environmental and flooding risks					
SS1	G2	7	Street sweeping requests	Customer Request Management system (CRM)	Operations
SS2	G2	7	Frequency of sealed local road sweeping	Councils records Councils Asset Management system	Operations
SS3	G2	7	Cost of street sweeping service	Councils Finance system Councils Asset	Operations
SS4	G2	7	Routine cleaning of sealed local road pits	Councils records	Operations

FILE NO: F13/790
2. IMPROVING MOIRA'S LIVEABILITY

ITEM NO: 9.1.5

MAC INC.

RECOMMENDATION

That Council enter into a sponsorship arrangement of \$70k per annum with MAC Inc over a three year period to support the development of Arts and Culture across the municipality.

1. Executive Summary

Moira Arts and Culture (MAC Inc.) was first established in 2013. A two year Funding Agreement (2014 – 2016) between Moira Shire Council and MAC Inc. was signed in November 2014 and concludes 30 June 2016.

It is recommended that Council seek to enter into a sponsorship arrangement with MAC Inc. over a three year period. The recommended annual sponsorship amount is \$70,000. It is anticipated this will enable MAC Inc. to continue in its current role and further build on its long term financial stability.

2. Background and Options

Moira Arts and Culture Inc. was established in 2013 to meet a gap in the diversity and coordination of Arts and Culture activities offered throughout the municipality.

Since its establishment, MAC Inc's reputation as a significant contributor to the Arts and Culture offering to residents and visitors has increased throughout the municipality and across the region.

MAC Inc's funding agreement concludes 30 June 2016. Council has considered the current agreement and options for future funding support. Following discussions with the MAC Inc Board it is recommended that Council seeks to enter into a sponsorship agreement with MAC Inc.

Through this proposed model it is envisaged that:

- MAC Inc continue operating as an Incorporated Association;
- Council would not provide a staff member to MAC Inc and would not endorse Councillor representation;
- As part of the sponsorship conditions MAC Inc would continue in its role of facilitating Arts and Culture across the whole of the municipality;
- A three year sponsorship agreement would apply;
- The value of the sponsorship is to be determined by Council; and

3. Financial Implications

A sponsorship range of \$70,000 per annum is recommended.

4. Risk Management

There are no risk management considerations associated with this report.

1. Internal and External Consultation

Consultation for this report has involved Council Officers and the MAC Inc Board.

FILE NO: F13/790
2. IMPROVING MOIRA'S LIVEABILITY

ITEM NO: 9.1.5

MAC INC. (cont'd)

2. Regional Context

This funding model enables MAC Inc to continue to facilitate arts and culture across the whole of the municipality and build on its achievements and profile since its establishment.

3. Council Plan Strategy

MAC Inc and its activities contribute to *Improving Moira's Liveability*, a key Strategic Goal of the 2013 – 2017 Council Plan.

More specifically, it also supports the Strategic Performance Indicator number 5. *Supporting inclusive and connected communities* - Develop the 2015-2019 Arts and Culture Strategy.

4. Legislative / Policy Implications

Moira Arts and Culture Inc. is an independent not for profit Incorporated Association who is governed under the model rules of the Association Incorporation Reform Act 2012.

A sponsorship agreement is not prohibited through either the Victorian Local Government Act or the Victorian Local Government Best Practice Procurement Guidelines.

5. Environmental Impact

There are no environmental impact considerations associated with this report.

6. Conflict of Interest Considerations

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

7. Conclusion

The current agreement is due to conclude as at 30 June 2016, and a decision is required as to any future funding.

Attachments

Nil

FILE NO: F16/245
6. INVOLVING AND COMMUNICATING WITH
OUR COMMUNITY

ITEM NO: 9.1.6

FAMILY DAY CARE

RECOMMENDATION

That Council enter into a Shared Services model of family day care with Greater Shepparton City Council through the Goulburn Valley Regional Collaborative Alliance.

1. Executive Summary

Moira Family Day Care is funded through Council revenue and the Department of Education and Training's Community Support Program (CSP).

Recent advice from the Department of Education and Training indicates that services which meet the eligibility criteria will continue to receive CSP funding for care provided until 30 June 2018. Council officers are currently in communication with the Department to determine if Moira Family Day Care continues to be eligible for the 2016/17 year. The annual funding amount is calculated in accordance with numbers. For the 2015/16 year Moira Family Day Care received approximately \$80,000.

CSP funding will cease from 1 July 2018 and there is a need to review current business models with a view to make changes that will improve sustainability and viability over the coming years.

Along with Greater Shepparton City Council and Strathbogie Shire Council, Moira Shire Council is a partner in the Goulburn Valley Regional Collaborative Alliance. Through this Alliance there is the opportunity for the establishment of a shared service for the provision of family day care across the region.

It is recommended that Council enter into a Shared Service model for family day care and work with all stakeholders in the transition for completion by 23 December 2016. Under this model Greater Shepparton City Council would be the lead council and would hold the children's' service license.

2. Background and Options

Moira Family Day Care has operated since 1994. Over the past decade, a number of family day care, long day care, and occasional care and out of school hours services have established and now operate across the Shire.

In recent months a number of educators have left Moira Family Day Care to join other schemes. Currently, Moira Family Day Care has nine educators located in Numurkah, Katunga, Strathmerton, Yarrawong, Barooga, Yarrawonga and Katamatite. Of these, two are likely to retire before the end of the year. A further two reside in NSW and the exemption to provide care in Barooga expires in 2017. Demand for family day care remains strong.

3. Financial Implications

Without CSP funding the estimated cost to Council is \$175,000.00 for operating costs.

4. Risk Management

The recommended transition provides child care that is delivered in accordance with legal obligations and requirements.

FILE NO: F16/245
6. INVOLVING AND COMMUNICATING WITH
OUR COMMUNITY

ITEM NO: 9.1.6

FAMILY DAY CARE (cont'd)

5. Internal and External Consultation

Internal consultation has been conducted with Family Day Care Coordination Unit staff, educators, families and Community Development staff.

External consultation has included discussion with other Local Government services operating under the Goulburn Valley Regional Collaborative Alliance.

6. Regional Context

This recommended model provides a regional service.

7. Council Plan Strategy

The provision of family day care services contributes to the council Plan strategic goal of 'Improving Moira's Liveability'.

8. Legislative / Policy Implications

If the recommendation is adopted, Council would be required to notify the Department of Education and Training of the decision to cease direct service delivery.

9. Environmental Impact

There are no environmental impact considerations associated with this report.

10. Conflict of Interest Considerations

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

11. Conclusion

A shared services model provides certainty over the longer term for the sustained provision of family day care services across the region.

With the CSP funding ceasing in 2018 it is timely to plan for a coordinated transition to a sustainable model.

Attachments

Nil

FILE NO: F13/152
2. IMPROVING MOIRA'S LIVEABILITY

ITEM NO: 9.1.7

ANNUAL REVIEW MUNICIPAL PUBLIC HEALTH AND WELLBEING PLAN

RECOMMENDATION

That Council note the recent achievements of the Municipal Public Health and Wellbeing plan.

1. Executive Summary

The Victorian Public Health and Wellbeing Act 2008 mandates that all Victorian Councils to develop and adopt a Municipal Public Health and Wellbeing Plan (MPHWP) every four years and report on the implementation of this plan annually.

The current Moira Shire Municipal Public Health and Wellbeing Plan (attached) was developed in consultation with the Municipal Public Health and Wellbeing Steering Committee, the broader community and internal stakeholders in 2013.

This report provides an update Council on recent achievements identified in the plan, both internal and external.

In the past 12 months the following outcomes have been achieved:

- A range of community events offered by Council in partnership with other youth, seniors, children and multicultural agencies.
- Promotion of non-clinical mental health promotion through ongoing work with the Act, Belong, Commit steering committee.
- Moira Shire Youth Action Plan reviewed and service mapping undertaken.
- Volunteer thank you events during 'Volunteer Week' in partnership with a number of local agencies.
- Plans for new buildings and redevelopments are presented to the Disability Advisory Committee on a regular basis to seek relevant feedback and advice.
- Continued implementation of the Environment Sustainability Strategy.
- Replacement street lighting program continued.
- Accessibility audit for many Council assets and disabled car parking bays
- Breastfeeding Playgroup continuing in Cobram with support from local health services and Maternal and Child Health.
- Continued work with Goulburn Valley Primary Care Partnership on local priorities of healthy eating and social connection - currently looking at a project to prevent obesity in primary school aged children.
- Smiles for Miles program implemented in all local preschools with over 75% achieving the award.
- 11 Health Promotion grants distributed to a variety of community organisations.

A copy of the current MPHWP and list of achievements is attached.

2. Background and Options

The MPHWP was adopted by Council in November 2013 after an extensive analysis of local and state health data and consultation with the community.

The plan is now in its final year with a new plan being required to be adopted by Council and submitted to the Health Minister by November 2017. The final year of this plan year involves working on ongoing programs and developing the new draft plan.

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2. IMPROVING MOIRA'S LIVEABILITY

ITEM NO: 9.1.7

ANNUAL REVIEW MUNICIPAL PUBLIC HEALTH AND WELLBEING PLAN (cont'd)

The Victorian State Government released the Victorian Public Health and Wellbeing Plan in 2015 and this will assist with the determination of future priority areas.

3. Financial Implications

The MPHWP's implementation is supported by Council's operating and capital budget lines.

4. Risk Management

MPHWP actions are evaluated to ensure risks are identified and mitigated.

5. Internal and External Consultation

Extensive internal and external consultation occurred during the development of the plan and the MPWHP Steering Committee is the key advisory committee.

6. Regional Context

The MPHWP is a document that is specific for the municipality of Moira.

7. Council Plan Strategy

The Municipal Public Health and Wellbeing Plan aligns with the *Improving Moira's Liveability* and the Strategic Performance Indicator *Encourage healthy and active communities*.

8. Legislative / Policy Implications

The Victorian Public Health and Wellbeing Act 2008 require Council's to, "Prepare a municipal public health and wellbeing plan within the period of 12 months after each general election of the Council." The Act also requires Council's to review their plans at least annually.

9. Environmental Impact

The Municipal Public Health and Wellbeing plan considers environmental sustainability practices in all actions and strives to limit adverse environment impact.

10. Conflict of Interest Considerations

There are no officer conflict interests considerations associated with this report.

11. Conclusion

The MPHWP has made significant achievements in regard to many of the actions listed within it. This report is presented to inform and update Council on work completed over this time.

Attachments

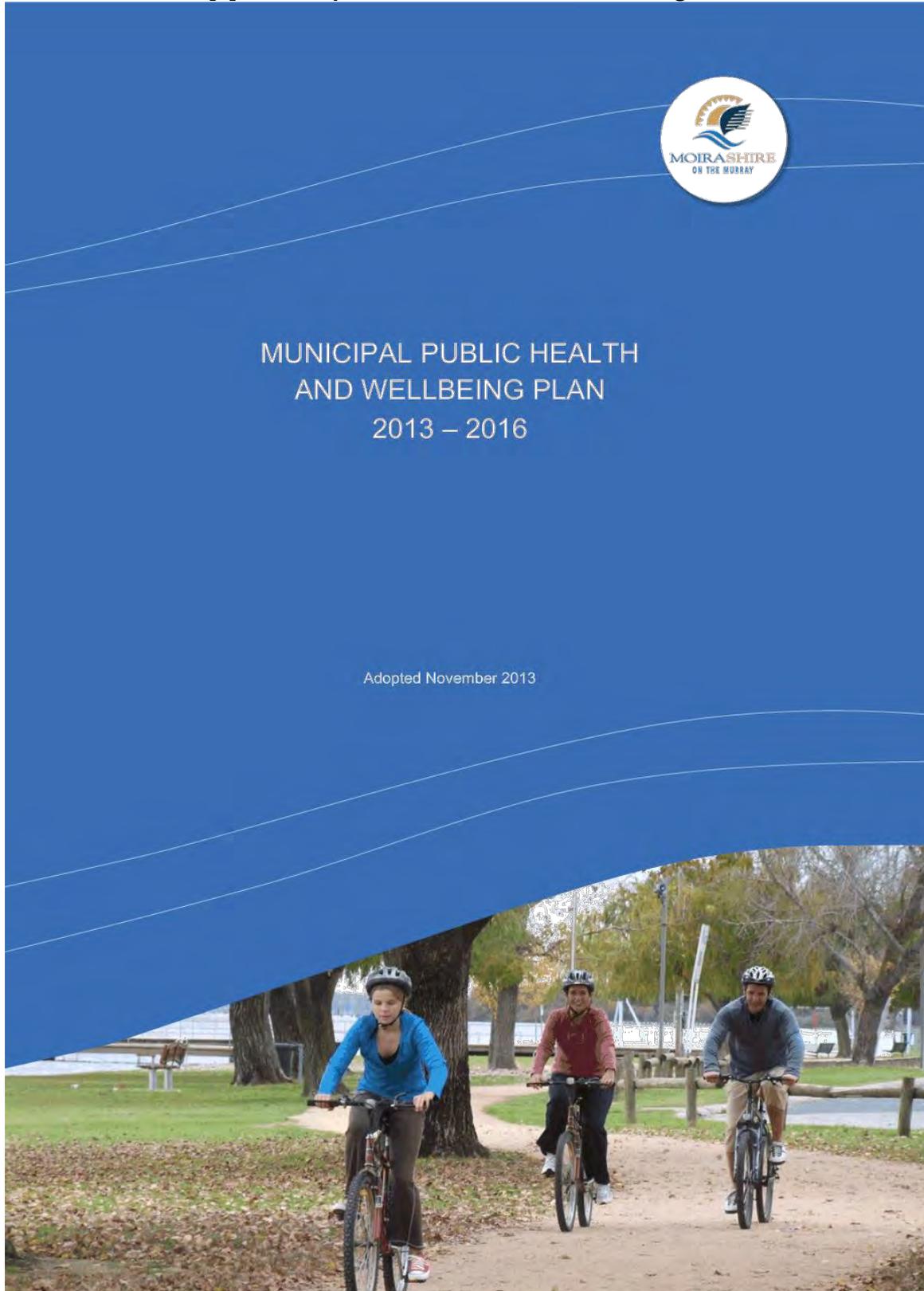
- 1 Municipal Public Health and Wellbeing Plan
- 2 Events and Grants Table

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2. IMPROVING MOIRA'S LIVEABILITY

ITEM NO: 9.1.7

**ANNUAL REVIEW MUNICIPAL PUBLIC HEALTH AND WELLBEING PLAN
(cont'd)**

ATTACHMENT No [1] - Municipal Public Health and Wellbeing Plan



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2. IMPROVING MOIRA'S LIVEABILITY

ITEM NO: 9.1.7

**ANNUAL REVIEW MUNICIPAL PUBLIC HEALTH AND WELLBEING PLAN
(cont'd)**

ATTACHMENT No [1] - Municipal Public Health and Wellbeing Plan

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ITEM NO: 9.1.7

ANNUAL REVIEW MUNICIPAL PUBLIC HEALTH AND WELLBEING PLAN (cont'd)

ATTACHMENT No [1] - Municipal Public Health and Wellbeing Plan

Executive Summary

The Moira Shire Public Health and Wellbeing Plan (MPHWP) reflects Council's commitment to improve the health and wellbeing of our residents and visitors and to assist in the co-ordination of a range of services within the municipal district. Moira Shire through the MPHWP is committed to provide outcomes that will reduce social disadvantage and strengthen the health and wellbeing of communities in Moira.

The World Health Organisation (WHO) definition of health suggests that health is a continuum, and extends the notion of health to include states of positive wellbeing. Health is "a state of complete physical, mental and social wellbeing and not merely the absence of disease or infirmity".

The Victorian Public Health and Wellbeing Act 2008 requires that the MPHWP be developed every four (4) years, it is also a recommendation of this Act that the MPHWP be consistent with the Council Plan and the Municipal Strategic Statement¹. This 'whole of council' approach reflects the importance the MPHWP will have in supporting the strategic directions of the municipality and makes public health a central focus for local government.

In developing the MPHWP consideration has been given to current health status data in Moira Shire as well as feedback from the community through consultation with local health services, community organisations and community members. From this analysis a series of broad goals and strategies have been developed to ensure Moira is a community that enables residents to achieve maximum health and wellbeing.

The framework for the MPHWP is based around environments and behaviours (see diagram below) that are seen as the key components that affect health and wellbeing.



Within these environments there is a priority placed on addressing the following:

1. Health Protection – services such as food safety, immunisation, infectious disease notification water quality and environmental health
2. Health Development – issues that can be advanced by local government such as injury prevention, cancer, cardiovascular diseases, drug and alcohol use, tobacco control and nutrition
3. Population Health Strategies - population groups that are considered as being at risk. This includes strategies to address aged care, youth health, child and family health and other vulnerable groups
4. Public Health Emergency
5. Community Capacity Building and Community Wellbeing²

Ongoing reporting and evaluation of the MPHWP is seen as critical to achieving its goals and objectives. Reporting on the achievements, challenges and opportunities will be discussed with the MPHWP Steering Committee and through an annual report to Council.

Identifying lead and partner agencies will ensure commitment to achieving the goals and will provide some direction and accountability for achieving those goals.

¹ Victorian Public health and wellbeing Act 2008 p 34

² Municipal Public Health Planning Framework (www.health.vic.gov.au)

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**ANNUAL REVIEW MUNICIPAL PUBLIC HEALTH AND WELLBEING PLAN
(cont'd)**

ATTACHMENT No [1] - Municipal Public Health and Wellbeing Plan

Definitions of Key Terms

ACSC	Ambulatory Care Sensitive Conditions
ADAC	Alcohol and Drug Advisory Council
CALD	Culturally and Linguistically Diverse
CMA	Catchment Management Authority
DAC	Disability Advisory Committee
DEECD	Department of Education and Early Childhood Development
DEPI	Department of Environment and Primary Industries
DoH	Department of Health
DSE	Department of Sustainability and the Environment
ESL	English as a Second Language
HACC	Home and Community Care
MAV	Municipal Association of Victoria
M&CH	Maternal and Child Health
MPHWP	Municipal Public Health and Wellbeing Plan
MSC	Moira Shire Council
MSCSC	Moira Shire Community Safety Committee
Moira ACE	Moira Adult and Community Education network
NGER	National Greenhouse and Energy Reporting
GVPCP	Goulburn Valley Primary Care Partnership
U3A	University of the Third Age

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**ANNUAL REVIEW MUNICIPAL PUBLIC HEALTH AND WELLBEING PLAN
(cont'd)**

ATTACHMENT No [1] - Municipal Public Health and Wellbeing Plan

Moira Shire Council Profile

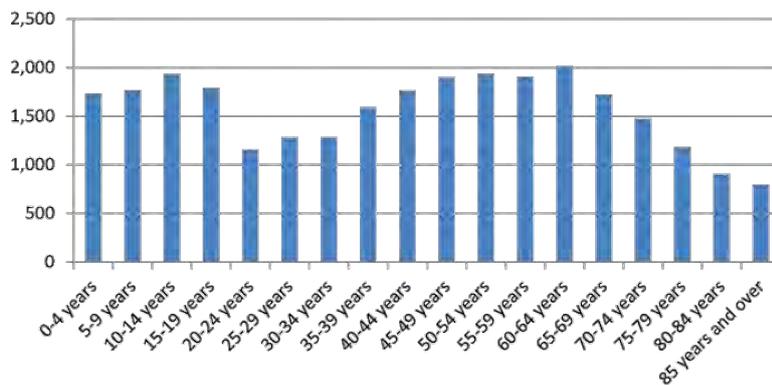


Covering 4,057 square kilometres and with an estimated population of 28,123 Moira is the largest and one of the fastest growing shires in Victoria's North East. Situated three hours drive north of Melbourne; it is strategically positioned within the broader Shepparton Irrigation Region in the heart of the Goulburn and Murray Valleys, one of the most important dairy and fruit production areas in Australia.

Moira's population is distributed throughout the main towns of Cobram, Nathalia, Numurkah and Yarrowonga, as well as 18 other smaller towns and communities. This variety of population distribution reflects Moira's range of lifestyle opportunities, from large orchards and farms, semi-rural 'lifestyle blocks' and smaller urban blocks.

Moira's population growth has been consistent. The chart below depicts the population of Moira in age blocks; of particular interest is the increasing aging population, with 28.8% of residents aged over 60. It is also worthy of noting the significantly lower number of residents aged between 20 and 39. It is anticipated that our population will change 1.55% in between 2011-2021.³

Moira



Age of Moira Shire Population in 5 year groups Source: Compiled by Moira Shire Council (ABS 2011 Census data)

The chart below gives an indication of the age structure for Moira in coming years, and reflects the above chart with an increase in our aged population and lower numbers in the 20 – 35 age brackets. This data provides the opportunity for Council and its partners to be proactive in addressing the needs that will come with an ageing population and also the importance in addressing the outwards migration of our younger residents.

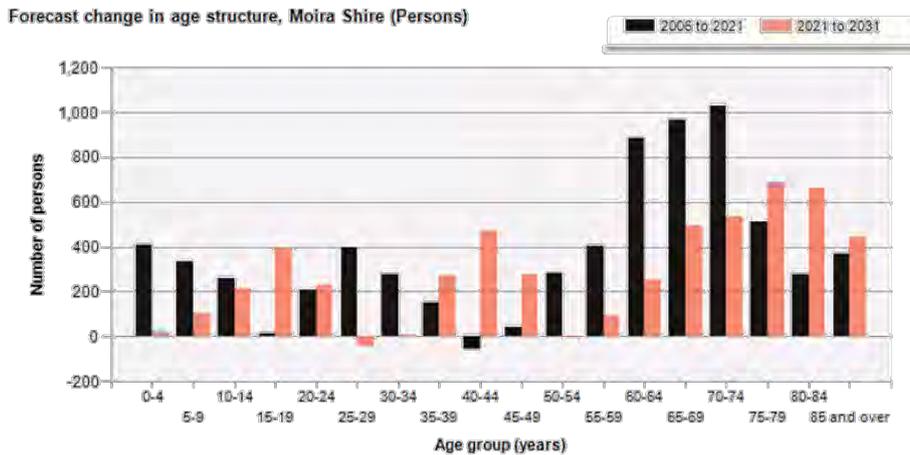
³ [http://docs.health.vic.gov.au/docs/doc/1CE56A3CF258225CCA25786600167C3F/\\$FILE/Moira_2012-v02.pdf](http://docs.health.vic.gov.au/docs/doc/1CE56A3CF258225CCA25786600167C3F/$FILE/Moira_2012-v02.pdf)

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**ANNUAL REVIEW MUNICIPAL PUBLIC HEALTH AND WELLBEING PLAN
(cont'd)**

ATTACHMENT No [1] - Municipal Public Health and Wellbeing Plan



Moira's population is diverse in culture and background, with 14.9% of the population born outside Australia. There is a significant Indigenous population concentrated around Barmah. European migration during the middle of last century saw Italian, German and Dutch settlement in Moira. Moira continues to celebrate this rich diversity of heritage and is now enjoying a surge in Middle Eastern and Indian migrants. The variety of culture brings a range of skills, knowledge and experience to the economy.

The intensity of agricultural production and the cluster of food processing industries are significant features of the region and provide the backbone to its economy. These industries also support the bulk of Moira's labour force that identify itself as being employed in the agriculture, forestry and fisheries sector, closely followed by manufacturing, retail trades and healthcare. Further support of the key industries is found in the constitution of the Shire areas in the south and east, which have been developed for intensive and extensive grazing, while the northern irrigated areas focus on horticulture and grain production.

The horticultural industries of Moira provide an important component of the regional, state and national economy, whilst the dairy industry in Moira and the broader region produces about 25% of Australia's milk⁴. These key shire industries are currently under significant threat due to anticipated climate changes in temperature and rainfall.

Concomitant with the economic growth is a surge in residential development; large residential estates have recently been developed in Cobram, Numurkah and Yarrawonga. This strength in residential demand is expected to continue as the number of 'tree change' seeking retirees move away from major cities and into smaller regional communities. In order to facilitate rural living without compromising agricultural activities or the natural environment, early strategic urban planning is required.

Moira is well serviced with Preschools, Primary and Secondary schools, as well as Adult Education Service Providers in our community and neighbourhood houses. Nearby regional centres of Shepparton, Echuca, Wangaratta and Wodonga provide tertiary education opportunities.

Moira has access to a variety of visiting and local medical professionals. The large sub-regional hospitals in Shepparton and Wangaratta also provide some out-reach specialist services to local hospitals within Moira.

⁴ Campaspe, Greater Shepparton and Moira Regional Rural Land Use Strategy 2008 p 2

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2. IMPROVING MOIRA'S LIVEABILITY

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ANNUAL REVIEW MUNICIPAL PUBLIC HEALTH AND WELLBEING PLAN (cont'd)

ATTACHMENT No [1] - Municipal Public Health and Wellbeing Plan

Council's Role in Public Health

In recent years, the focus of healthcare has evolved to incorporate the view that a person's health and wellbeing is affected by the complex interaction of a range of social, environmental and behavioural factors. From Local Government, this requires a multi-dimensional approach in the areas of:

- Planning;
- Advocacy;
- Service provision; and
- Strengthening community capacity.

The strength or extent of Councils role in a public health issue is context dependant. For example, in the early years of life, Council has a strong emphasis and focus on service provision – immunisation and maternal and child health services are all provided by Council.

Council is committed to providing employment opportunities within the municipality, particularly for our youth. Currently Council has a number of cadets and apprentices employed in a range of departments.

The on-going achievement of Moira Council in these four roles requires commitment to the promotion and support of healthy living; this involves collaboration with partner organisations, the community and all levels of government. Already, the Council is committed to improving public health via:

- Adherence to the regulations associated with the Health Act, tobacco reform, the Food Act and the Food Standard Code. This is evident in the provision of cigarette disposal bins in the central business district (CBD), employment of Environmental Health Officers and a Shire regulatory body to monitor waste water;
- Development of strategies and policies to upgrade walking/cycling tracks, local pools and playgrounds;
- Funding grants to promote cohesion and cultural awareness ranging from community cars to improve access to services or reduce isolation, neighbourhood renewal projects to improve community identity and pride, and giving service providers opportunities to up-skill in culturally and linguistically diverse (CALD) issues;
- Support for community programs such as FREEZA, sexual health education, planned activity groups, 'safe driver' and 'looking after your mates';
- Promoting physical activity by maintaining recreation and sporting reserves at a high level, while forming agreements with organisations such as YMCA to encourage participation in physical activity;
- Monitoring and responding to outbreaks of pandemics or infectious disease in the community;
- Monitoring and planning for the effects of our changing climate. Documents such as the Environment Sustainability Strategy and Planning for Reduced Water Availability and Climate outline Council's position and inform policy and decision.

Continued performance at a high level in these areas, timely recognition of emerging health issues and an emphasis on strong partnerships will provide Moira with a cohesive, interactive and healthy community.

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2. IMPROVING MOIRA'S LIVEABILITY

ITEM NO: 9.1.7

ANNUAL REVIEW MUNICIPAL PUBLIC HEALTH AND WELLBEING PLAN (cont'd)

ATTACHMENT No [1] - Municipal Public Health and Wellbeing Plan

Emergency Management and Recovery

In accordance with Victoria's emergency management arrangements, Moira Shire is responsible for managing and coordinating municipal resources for responding to and recovering from emergencies. Municipal resources include those owned by the Council and those under its control if sourced from other agencies or contractors. Local and regional planning ensures that agencies' expectations of Council's services are based on a realistic assessment of Council capability.

Recovery activities begin as soon as possible after an emergency begins. Waiting for response activities to scale down or stop before starting recovery activities can make problems worse.

For a significant emergency, representatives of recovery agencies (DHS, Red Cross, etc.) are included in the municipal emergency management group. The group will usually have an ongoing management role if the recovery process is prolonged or a wide range of recovery activities is involved.

Recovery includes, but is not limited to, the provision of material needs to affected persons, the provision of personal support services (e.g. counselling, advocacy, etc.) and emergency and/or temporary accommodation.

The Municipal Emergency Management Planning Committee is continually preparing for our response and recovery roles by planning, resourcing, testing and exercising. Our Municipal Emergency Management Plan is continually undergoing review to ensure it reflects current information and practices. The broad objectives of this Plan are to:

- Implement measures to prevent or reduce the causes or effects of emergencies;
- Manage arrangements for the utilisation and implementation of municipal resources in response to emergencies;
- Manage support that may be provided to or from adjoining municipalities;
- Assist the affected community to recover following an emergency; and
- Complement other local, regional and state planning arrangements.

Climate Change

The Victorian Department of Health has clearly identified that climate change associated impacts on community health are a real and present threat. The Department mandating that climate change adaptation be addressed in public health planning sends a clear message that adaptation to climate change is a responsibility shared across multiple Council departments.

Community adaptation to climate change in order to mitigate the negative impacts on public health and wellbeing is a huge task and requires input from innumerable organisations and individuals. Some of the biggest threats to public health and wellbeing from climate change derive from an increase in extreme weather (including increased occurrence of natural disasters). Changes to the natural rhythms of weather present direct and indirect threats to public health and wellbeing by threatening public and private infrastructure, food security, disease occurrence, ecosystem services and emergency management.

Moira Shire Council has developed strategies to facilitate adaptation to climate change. These strategies include: Environmental Sustainability Strategy (2012), Strengthening Victoria's Food Bowl Strategy (planning for reduced water availability and climate) (2011) and the Goulburn Broken Local Government Regional Climate Change Adaptation Plan (2011). These documents clearly articulate actions and methods for adapting to climate change and incorporate actions across multiple Council departments.

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2. IMPROVING MOIRA'S LIVEABILITY

ITEM NO: 9.1.7

ANNUAL REVIEW MUNICIPAL PUBLIC HEALTH AND WELLBEING PLAN (cont'd)

ATTACHMENT No [1] - Municipal Public Health and Wellbeing Plan

Our Health and Wellbeing profile

Based on careful assessment of recent health and wellbeing data, together with health services, community and Council collaboration, it is evident that Moira has some areas of good health and wellbeing. It is also evident from the data that there is some opportunity to improve our general health and wellbeing.

When surveyed 80.6% of residents in our Shire reported that they are satisfied with their standard of living, their health and relationships and what they are achieving in their life.

Moira Shire residents also were more likely to feel safe in their communities, spend more time being active and more time volunteering within their community. 97.1% of children are fully immunised at 24-27 months, which is also higher than the state average.⁵ These positive results provide an opportunity to explore how these areas can be further improved.

Moira residents were less likely to visit "green spaces" than their city counterparts and less likely to attend art activities or events, with 50% of those surveyed attending art activities or events in the last three months. It was also reported that 88.8% of residents have internet access at home and 37.2% of our community accept a diverse range of cultures.⁶

A high percentage of Moira Shire residents do not meet the recommended intake of fruit and vegetables daily, with 64.1% of men and 44.8% of women not meeting the recommended guidelines.⁷ 15.8% of surveyed residents reported that they consume soft drink at least once every day.⁸ Only 18.8% of infants are exclusively breastfed at 6 months of age; the Hume Region average of 23% is the lowest in the state.⁹

Smoking rates in Moira are generally higher than the state average. 33.8% of males in Moira smoke, which is the highest in the state.¹⁰

As depicted in the graphs earlier, 35.5% of residents are over 55, with 10.2% aged over 75, moving in to future this may place extra pressure on our hospitals and health services to ensure we can adequately meet the health needs of our ageing population. Social inclusion is another important factor that will need to be taken in to consideration.

In the 2011 Census it was recorded that 6.5% of our population indicated that they require assistance to complete daily tasks and 9.8% give unpaid assistance to someone with a disability on a daily basis.

The Department of Health Population Health Profile 2012 states that the top three preventable hospital admissions for residents in Moira were:

- Diabetes complications
- Chronic obstructive pulmonary disease
- Pyelonephritis

From the same statistics the top three causes of avoidable mortality were:

- Ischaemic heart disease
- Lung cancer
- Road traffic injury

⁵ <http://www.health.vic.gov.au/modelling/planning/lga.htm>

⁶ VicHealth Indicators Survey 2011 Results – Moira LGA Profile

⁷ <http://www.health.vic.gov.au/modelling/planning/lga.htm>

⁸ VicHealth Indicators Survey 2011 Results – Moira LGA Profile

⁹ Maternal & Child Health Services Annual Report 2011-2012

¹⁰ <http://www.health.vic.gov.au/modelling/planning/lga.htm>

FILE NO: F13/152
2. IMPROVING MOIRA'S LIVEABILITY

ITEM NO: 9.1.7

ANNUAL REVIEW MUNICIPAL PUBLIC HEALTH AND WELLBEING PLAN (cont'd)

ATTACHMENT No [1] - Municipal Public Health and Wellbeing Plan

Understanding our Health and Wellbeing profile

The statistics, health data and information from our residents have revealed some important information about the health and wellbeing of our residents. From this information we have learnt:

- Generally we are satisfied with the lives we lead and are content with our achievements.
- We make some great choices for our children in their early years, with high immunisation rates and attendance at Maternal and Child Health Key Age and Stage visits. However further support and education regarding breast feeding is required as our breast feeding rate at 6 months is among the lowest in the State.
- As we get older our healthy lifestyle decisions decrease – we aren't exercising enough or eating as healthily as we should.
- Our population is ageing and our municipality continues to be attractive as a great community to retire to.
- Our industry and business community is diverse and tourism is a large player in this sector.
- We need to further educate our community about road safety and smoking to decrease these being as prevalent as the cause of avoidable mortality among our residents.

Our work with our partners

The MPHWP has been developed in consultation with the relevant departments within Moira Shire Council, the MPHWP Steering Committee (comprised of a Councillor, representatives from local hospitals and community health services, Department of Health and Moira Healthcare Alliance) and other local health agencies. Relevant data and statistics were assessed and analysed, and priorities and areas of strength and opportunities were identified. From this information areas of strength and opportunity were identified and objectives actions were created to ensure focus was directed in these areas. Local opportunities share focus of the Victorian Public Health and Wellbeing Plan 2001-2015 produced by the Department of Health in September 2011.

During the development of the MPHWP, Council worked closely with stakeholders and our partners to ensure the direction and content to the plan aligned with the strengths and opportunities reflected in the data. Steering Committee members were asked to review the previous plan, reflecting on areas that should be continued in the new plan, achievements made and challenges faced along the way. This information was instrumental in forming our focus for this document.

Community Consultation

Community consultation occurred in the shape of community meetings held at Cobram, Nathalia, Numurkah and Yarrawonga. The plan was also sent to local health facilities, schools, community organisations and available on Council's website for public comment. Interested parties were invited to complete submissions detailing their feedback in relation to the plan. During the community consultation period a short survey was available on Council's website. The survey asked ten questions to which respondents could answer true or false and make comments if they chose. From these surveys valuable information regarding residents priorities was obtained.

Review of other documents and strategies

As illustrated in the diagram on the following page there are many other documents and strategies that sit beneath the MPHWP. In developing and reviewing these documents all information is considered from the MPHWP perspective as well. As each document is developed or reviewed input from the community is sought. This feedback is also used to inform and update the MPHWP.

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**ANNUAL REVIEW MUNICIPAL PUBLIC HEALTH AND WELLBEING PLAN
(cont'd)**

ATTACHMENT No [1] - Municipal Public Health and Wellbeing Plan

Evaluation and Reporting of the MPHWP

The partnerships and working relationships formed during the evaluation and reporting of the MPHWP will be critical in achieving the outcomes of the plan and for the community. The MPHWP will also be used to provide support for state and federal government funding submissions.

The MPHWP will be continuously evaluated to ensure accountability both internally and to the community. The MPHWP Steering Committee will develop an evaluation plan and tool for the purpose of a thorough evaluation. This will enable assessment of progress and determine areas that are succeeding, areas of weakness and those areas that have lost focus. Reporting will be in the form of updates to Council, Hospital Boards, Moira Healthcare Alliance and Community Health Agency Committees. Press Releases will also aim to promote not only achievements of the plan but also highlight areas of concern that affect the public health and wellbeing of our residents. Reporting on the progress of the MPHWP will be undertaken at quarterly meetings of the Steering Committee. At these meetings each representative will be asked to provide some information regarding progress, challenges and achievements in relation to the plan. Reporting will also occur directly in to the plans listed below as they are closely linked and sit beneath the MPHWP.



How to read our plan

In the following pages the framework that our plan is based around will be explored in further detail. Within in each environment the following is addressed:

- What we currently do
- Our directions for 2013 – 2017 (indicates Councils role for each direction)
 - *Planning; (P)*
 - *Advocacy; (A)*
 - *Service Provision; and (SP)*
 - *Strengthening Community Capacity (SCC)*
- What we will do to achieve our directions
- Who we will work with (includes internal and external partners)
- A list of strategies, policies and plans that will assist in measuring our performance
- A table that lists indicators and data that will assist in measuring change

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ANNUAL REVIEW MUNICIPAL PUBLIC HEALTH AND WELLBEING PLAN (cont'd)

ATTACHMENT No [1] - Municipal Public Health and Wellbeing Plan

Economic Environment

Our Goal – Moira's economy will be innovative and entrepreneurial. It will be the best place to live, work and invest.

The economic environment impacts on a community's sense of health and wellbeing in many ways. Having opportunities for employment, having enough money to participate in life, and having access to quality, affordable goods and services locally all impact on our general health and wellbeing.

What we currently do in this area:

- Support the local business chambers and associations
- Facilitate and attract new industry and business investment
- Facilitate business workshops and training programs
- Work with business owners, business chambers and associations to develop strategies to reduce retail leakage and attract new customers
- Provide linkages to State and Federal Governments agencies

Our directions for 2013 – 2017:

To address concerns outlined in the Economic Profile and priorities of Council and the Business and Innovation Unit the following objectives have been developed:

- Promote and support local businesses (P, A, SP)
- Support the development of infrastructure that meets ongoing needs of business community (P, A, SP)
- Increase business investment and attract new industry (P, A)
- Increase training and education opportunities in Moira, to assist in retaining and growing our population (P, A)

What we will do to work towards achieving our directions:

- Facilitate business workshops and training programs
- Support local business chambers and associations
- Prepare strategies for infrastructure attraction
- Ensure there is adequate provision of land for new industry
- Implement innovative programs nationally and globally to attract new investment
- Assist existing industry to diversify and/or restructure
- Advocate for the introduction of higher education and training institutions to provide a presence in the Shire
- Advocate for funding to enable a broader range of nationally recognised training courses in the Shire
- Work with partners to develop a Shire wide workforce training plan
- Advocate for funding and infrastructure to enable the use of virtual technology (such as e-health) in our health services
- Work with business owners to develop strategies to reduce leakage and attract new customers

Who we will work with:

- Business and Innovation Unit
- Moira ACE
- Local industry
- Local business chambers and associations
- State Government Departments
- Local health organisations



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**ANNUAL REVIEW MUNICIPAL PUBLIC HEALTH AND WELLBEING PLAN
(cont'd)**

ATTACHMENT No [1] - Municipal Public Health and Wellbeing Plan

Progress and Performance:

Our progress and performance will be measured on the progress made with the development and implementation of key strategies, policies and plans. These include (but are not limited to):

- Economic Development Strategy
- Moira Shire Disability Action Plan 2013 – 2016
- Positive Ageing Strategy
- Planning for Reduced Water Availability and Climate

Indicators:

The indicators in the below table will assist in measuring change and progress.

Indicator	Measure	Data Source	Timeline
Business Support	Participation in activities to support businesses	Council	Review Annually
Business and Industry Development	Number of new business or industry	Council	Review Annually
Investment Attraction	Employment and income	Council ABS	Review Annually



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ANNUAL REVIEW MUNICIPAL PUBLIC HEALTH AND WELLBEING PLAN (cont'd)

ATTACHMENT No [1] - Municipal Public Health and Wellbeing Plan

Social Environment

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

The social environment is characterised by creating opportunities for our residents and visitors to participate in our community. A positive and healthy social environment offers a feeling of being safe in our community, access to services, opportunities to connect with and meet others and participate in activities of interest. All of these factors, and many more, contribute to our overall sense of health and wellbeing.

What we currently do in this area:

- Support our local community groups, such as Section 86 Committees, community coordinators, preschools and seniors, through resourcing and support
- Facilitate and conduct events for our youth in spaces where they connect including: skate parks and our local pools
- Recognise the contribution of our Volunteers through annual Volunteer Week celebrations
- Seek feedback and input from our community regarding our plans, events and policies

Our directions for 2013 – 2017:

- Increase participation in arts/culture activities and events and highlight the importance of these activities to mental health and wellbeing for all age brackets (P, A, SP, SCC)
- Raise awareness, acceptance and understanding of the importance of keeping mentally healthy within our community (A, SCC)
- Promote and support new and existing groups that provide opportunities for social connection. (P, SCC)
- Continue to work with the Women's Charter, neighbouring municipalities and the MAV to raise awareness and provide leadership to prevent family violence
- Promote acceptance and awareness of our communities cultural diversity (A)
- Continue to provide opportunities to resource, support and recognise our volunteers across the Shire (P, SP)
- Continue to engage with our youth to ensure their participation and involvement in decision making within our community (P, SP, SCC)
- Maintain a sustainable relationship with local indigenous communities through the development and support of social inclusion projects (A, SP)
- Work with community organisations and the community to develop practical and sustainable community transport options (P, A, SP)

What we will do to work towards achieving our directions:

- Support the development of the Moira Shire Arts and Culture Board
- Provide ongoing support to community events including, arts, multicultural, family, youth and health events to promote and attract attendance from all aspects of our community
- Advocate for additional clinical and non-clinical services for mental health in the Shire.
- Work with GVPCCP Integrated Health Network in developing the Act, Belong, Commit program.
- Identify areas of need of social connection opportunities and develop strategies to meet these needs
- Develop a database of services, groups and activities that promote social connection
- In partnership with community organisations and the Women's Charter to conduct events to raise the profile of preventing family violence
- Review and develop the Youth Action Plan
- Conduct volunteer workshops and recognition events and investigate further resourcing and training opportunities
- Liaise with Community Accessibility and local health organisations to provide accessible community transport options

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**ANNUAL REVIEW MUNICIPAL PUBLIC HEALTH AND WELLBEING PLAN
(cont'd)**

ATTACHMENT No [1] - Municipal Public Health and Wellbeing Plan

Who we will work with:

- Committees of Management
- Recreation, Safety and Youth team
- Community Building
- Moira Shire Arts and Culture Board
- Multicultural Advisory Committee
- Junior Council
- Community Safety Committee
- Moira ACE
- Disability Advisory Committee
- Community Coordinator groups
- Local community groups
- Community Accessibility
- Moira Healthcare Alliance
- GVPCP
- Local Community Health centres
- Women's Charter
- MAV



Progress and Performance:

Our progress and performance will be measured on the progress made with the development and implementation of key strategies; policies and plans. These include (but are not limited too):

- Multicultural Action Plan
- Arts and Culture Strategic Action Plan
- Youth Action Plan
- Positive Ageing Strategy
- Recreation Strategy
- Safety Plan
- Way Finding Strategy
- Community Action Plans
- Moira Shire Early Years Action Plan
- Moira Shire Disability Action Plan 2013-2016
- Planning for Reduced Water Availability and Climate



Indicators:

The indicators in the below table will assist in measuring change and progress.

Indicator	Measure	Data Source	Timeline
Inclusion of diverse range of cultures	Increase in participation in community life and events	Council Moira Shire Arts and Culture Board	December 2017
Volunteerism	Increase attendance at volunteer training sessions	Council	Ongoing
Arts/Culture participation	Increased participation and attendance at arts culture events	VicHealth Moira Shire Arts and Culture Board	December 2015
Community Transport	Percentage of community cars and use	Council Community Accessibility	Annually

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ANNUAL REVIEW MUNICIPAL PUBLIC HEALTH AND WELLBEING PLAN (cont'd)

ATTACHMENT No [1] - Municipal Public Health and Wellbeing Plan

Built Environment

Our Goal - Moira will be a desirable place to live, work and visit; this will be supported by its infrastructure, assets and facilities. It will proactively seek to maintain and develop Council's assets and facilities to meet its community's current and future needs.

The built environment can promote belonging and social wellbeing through good municipal planning for residential and business developments, community infrastructure, parks and transport. By altering our surroundings there is an opportunity to improve people's health and wellbeing. This includes clean land, air and water, housing and commercial development, roads, drains, footpaths and shared pathways and public facilities. The built environment provides places for people to meet, socialise, rest, be active and to get around. Good urban design can assist in improving health by vigilant planning for land use, accessible community infrastructure, paths to walk and cycle and environmentally sustainable buildings.

What do we currently do in this area:

- Present plans for Council managed projects to the DAC for consideration and feedback
- Support Section 86 Committees
- Proactively seek funding opportunities to improve community assets and infrastructure
- Planning Scheme Amendments
- Monitor and implement planning recommendations
- Monitor and implement building regulations

Our directions for 2013-2017:

- For all new developments and infrastructure to be accessible and compliant with relevant legislation (P)
- Support work towards ensuring all new and existing facilities are accessible (P, SP)
- Continue to provide a high standard of community library, recreational and sporting facilities (P, SP)
- Advocate and lobby for new and additional health and aged care facilities (P, A)
- Conduct thorough community consultation with our communities to ensure plans for new infrastructure and facilities meet community needs and expectations (P,SP)
- Prepare and implement a capital works program (P, SP)

What we will do to work towards achieving our directions:

- Ensure all plans for new developments and community infrastructure are assessed by suitably qualified people in regard to accessibility
- Conduct audits on Council owned and managed facilities to determine level of accessibility
- Investigate the adoption of the Healthy by Design guidelines for planning approvals
- Continue to work with and support Section 86 Committees and explore funding opportunities
- Remain proactive to explore opportunities for private developments for residential living
- Remain involved in reviewing health facilities
- Undertake an appropriate capital works program
- Undertake condition reports on all Council owned assets
- Implement an annual maintenance program

Who we will work with:

- Infrastructure and planning
- Asset Management
- Section 86 Committees
- Projects Committee
- Vic Roads
- DEPI
- Business and Innovation Unit
- DAC



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**ANNUAL REVIEW MUNICIPAL PUBLIC HEALTH AND WELLBEING PLAN
(cont'd)**

ATTACHMENT No [1] - Municipal Public Health and Wellbeing Plan

Progress and Performance:

Our progress and performance will be measured on the progress made with the development and implementation of key strategies, policies and plans. These include (but are not limited too):

- Moira Shire Disability Action Plan 2013 – 2016
- Municipal Strategic Statement
- Planning for Reduced Water Availability and Climate
- Capital Works Plan
- Municipal Asset Management Plan
- Road Management Plan
- C51 Planning Amendment
- Road Hierarchy

Indicators:

The indicators in the below table will assist in measuring change and progress.

Indicator	Measure	Data Source	Timeline
Development of appropriate planning scheme amendments	Amendments implemented in accordance with legislative requirements	Council - Planning Department	Ongoing
Capital program implemented in accordance with budget	90% of capital program implemented	Moira Shire Annual Report	Annually
Asset register maintained in accordance with VAGO requirements	100% compliance with auditors report	Auditors Report	Ongoing



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ANNUAL REVIEW MUNICIPAL PUBLIC HEALTH AND WELLBEING PLAN (cont'd)

ATTACHMENT No [1] - Municipal Public Health and Wellbeing Plan

Natural Environment

Our Goal - Moira will responsibly manage its environment and ensure that our communities have the opportunity to enjoy, experience and contribute to that environment

The presence of natural environments to promote recreation, leisure and contact with nature has been linked with mental health outcomes. Local natural environments include parks, sports grounds, waterways, nature reserves and cycle/walking paths. These spaces provide opportunities to play, exercise, relax and socialise. Providing spaces for people to be physically active, grow food and connect with others has increased physical and mental health benefits to the community. In addition to the mental and physical health benefits, natural environments are also responsible for providing the essential ecosystem services necessary to sustain all forms of life. This includes climate regulation regardless of whether a natural environment provides a direct anthropogenic benefit; they are important ecologically and therefore have an intrinsic value to the wider community.

What we currently do in this area:

- Facilitate environmental stewardship
- Work towards reducing our ecological footprint
- Increasing land and water quality and biodiversity
- Provision of environmental sustainability education

Our directions for 2013 – 2017:

- Provide opportunities for the community to learn about and develop environmentally sustainable behaviours (SP)
- Develop a community understanding of the importance of natural environments to their present and future health (SP, SCC)
- Support and recognise environmental and sustainability volunteers and their achievements (SP, SCC)
- Explore opportunities to improve storm water management and quality (P, A, SP)
- Support and educate the community to understand and manage their energy consumption through improving efficiency, modifying behaviour and the uptake of alternative technology (SP, SCC)
- Advocate for resources to enable communities and industries to be innovative, resilient and adaptive in relation to climate variability and energy efficiency (A, SCC)
- Encourage residents to adopt and embrace a low-impact lifestyle with sustainable outcomes (SCC)
- Strive to provide best practice waste management services and infrastructure to households, businesses and visitors (P, SP)
- Contribute to the protection and management of areas with significant conservation value (P, A, SP)

What we will do to work towards achieving our directions:

- Continue implementation of the Environment Sustainability Strategy and review success, challenges and achievement
- Continue to foster, develop and strengthen work with our partners within Council and the community to achieve high quality outcomes

Who we will work with:

- Safety, Amenity and Environment team
- Environment Sustainability Advisory Committee
- Environment Working Group
- Community Building
- Local Community Coordinator groups
- Community Safety Committee



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**ANNUAL REVIEW MUNICIPAL PUBLIC HEALTH AND WELLBEING PLAN
(cont'd)**

ATTACHMENT No [1] - Municipal Public Health and Wellbeing Plan

Progress and Performance:

Our progress and performance will be measured on the progress made with the development and implementation of key strategies, policies and plans. These include (but are not limited too):

- Environment Sustainability Strategy
- Domestic Waste Water Management Plan
- Storm Water Management Plan
- Sustainable Water Use Plan
- Planning for Reduced Water Availability and Climate
- Best Practice Environmental Management September 2010 (EPA Victoria)
- Recreation Strategy

Indicators:

The indicators in the below table will assist in measuring change and progress.

Indicator	Measure	Data Source	Timeline
Carbon foot print	Maintain or decrease carbon foot print	NGER/Planet Foot print	Annually
Environmental sustainability awareness	Education events, referrals of community groups, provision of advice to residents	Council (Safety Amenity and Environment Department)	Annually
Recycling and waste diversion	Volumes of material diverted from landfill	Council (Annual data from waste management data base)	Annually



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ANNUAL REVIEW MUNICIPAL PUBLIC HEALTH AND WELLBEING PLAN (cont'd)

ATTACHMENT No [1] - Municipal Public Health and Wellbeing Plan

Healthy Behaviours

Our Goal – Moira Shire will be a municipality where residents live healthy and active lives and have access to services and resources that support health and wellbeing. Moira will continue to plan for and deliver quality services to ensure they meet the needs of all current and future demographic groups.

Individual, group and community behaviours all impact on our health and wellbeing. Healthy behaviours are often a reflection of a person's belief and understanding of what is good health. Some common health behaviours are exercising regularly and eating a balanced diet. However there are other factors to be considered when planning for healthy behaviours, things such as smoking, alcohol consumption and our choices in protecting ourselves from the sun are all important for our long term health and wellbeing.

What we currently do in this area:

- Provide and maintain community recreation spaces such as skate parks, walking and cycling tracks
- Promote nutrition, QUIT and sun smart messages at Key Age and Stage visits and new parent groups facilitated by Maternal and Child Health nurses
- Provide immunisation services for infants and secondary students

Our directions for 2013-2017:

- To increase breastfeeding rates across the Shire (A, SP)
- To increase daily fruit and vegetable intake across the Shire (A)
- Promote the drinking of water across the Shire (P, A)
- Reduce exposure to tobacco smoke and smoking behaviours in outdoor environments across Moira (P, A)
- Support government QUIT campaign (A)
- To increase levels of physical activity in our residents through the provision and maintenance of quality walking and cycling tracks and recreation facilities (P, A, SP)

What we will do to work towards achieving our directions:

- Work with Best Start breastfeeding work group to promote local initiatives, including the development of breastfeeding friendly location maps for the four major towns
- Advocate for better lactation support services within the Shire
- Support the Smiles for Miles and Achievement programs in early childhood facilities
- Ensure healthy food choices are offered at Council functions and venues
- Work with GVPCP Integrated Health Promotion network and local health promotion agencies in relation to local priorities of health eating and social connection
- Ensure the provision of water fountains in public spaces
- Ensure all public playgrounds are fitted with "smoke free" signage
- Ensure all Council events are smoke free
- Continue to provide QUIT information at MCH Key Ages and Stages visits.
- Investigate recent trials in neighbouring municipalities regarding smoke free outdoor dining
- Support and collaborate with local community groups to establish additional cycling and walking tracks
- Investigate options for cycle paths within close proximity of skate parks

Who we will work with:

- Maternal and Child Health Nurses
- Local hospitals and community health centres
- GVPCP
- Early Childhood Services
- Multicultural Advisory Committee
- Disability Advisory Committee
- Moira 0-8 network
- Junior Council
- Local community groups



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**ANNUAL REVIEW MUNICIPAL PUBLIC HEALTH AND WELLBEING PLAN
(cont'd)**

ATTACHMENT No [1] - Municipal Public Health and Wellbeing Plan

Progress and Performance:

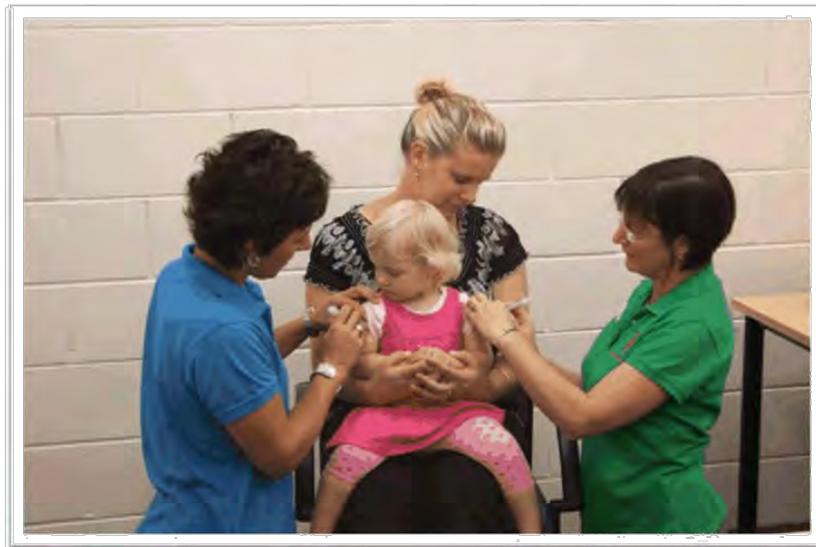
Our progress and performance will be measured on the progress made with the development and implementation of key strategies, policies and plans. These include (but are not limited too):

- Multicultural Action Plan
- Positive Ageing Strategy
- Recreation Strategy
- Moira Shire Disability Action Plan 2013 – 2016
- Moira Shire Early Years Action Plan
- Youth Action Plan
- Way Finding Strategy
- Community Action Plans
- Planning for Reduced Water Availability and Climate

Indicators:

The indicators in the below table will assist in measuring change and progress.

Indicator	Measure	Data Source	Timeline
Breastfeeding rates	Increase in number of children who are breastfed beyond 3 months	Department of Education and Early Childhood Development	December 2017
Fruit, vegetable and soft drink consumption	Increase in residents meeting daily requirements and decrease in amount of soft drink consumed	Department of Health VicHealth GVPCP	December 2017
Smoking rates	Decrease in residents smoking	Department of Health	December 2017
Physical activity	Increase in level of physical activity and visits to "green space"	VicHealth	December 2017



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ANNUAL REVIEW MUNICIPAL PUBLIC HEALTH AND WELLBEING PLAN
(cont'd)

ATTACHMENT No [1] - Municipal Public Health and Wellbeing Plan

CONTACTING COUNCIL

Phone: (03) 5871 9222

Local calls: 1300 369 966

TTY Users: Phone 133 677 then ask for (03) 5871 9222

Speak and Listen Users: Phone 1300 555 727 then ask for (03) 5871 9222

Facsimile: (03) 5872 1567

Postal: PO Box 578, Cobram, VIC, 3643

DX: DX 37801 Cobram

Email: webmaster@moira.vic.gov.au

Web: www.moira.vic.gov.au

LOCATIONS

Main Administration Centre: 44 Station Street, Cobram

Municipal Service Centre: 100 Belmore Street, Yarrawonga

Office Hours Monday to Friday, 8.30am to 5pm

AGENCIES

Barmah Forest Heritage and Education Centre (Nathalia)

Barmah General Store

Katamatite Post Office

Katunga General Store

Numurkah Visitor Information Centre

Strathmerton Post Office

Tungamah Post Office

Wunghnu Post Office

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**ANNUAL REVIEW MUNICIPAL PUBLIC HEALTH AND WELLBEING PLAN
(cont'd)**

ATTACHMENT No [2] - Events and Grants Table

Events and Grants Funded 2015

Health Promotion Grants 2014/15	Health Promotion Grants 2015/16	Arts/Culture Grants
Yarrawonga Community Health Centre – breaking the silence white ribbon day event	Cobram Rotary Club and Cobram District Health partnership - "Pitstop" men's health program and bowel scan program	Yenbena / Simon Marks - Barmah Seasonal Market - Free Open Air Concert
Cobram District Health – Healthy Eating for Parents for Pre-Preps	Goulburn Valley Regional Library Corporation – A new idea for your salads	Yarrawonga College Parents and Friends Workshops program – Community WW1 Diorama Project.
Katamatite Community Action Group – Katamatite Mother's Day Classic	Cobram Harness Club – Pink Ribbon Race Meet	Katamatite Lions Club – Wedged Tail Eagle Sculpture
CWA Yarrawonga & Border Branch – RUOK Day Forum	Yarrawonga Community Health Centre – breaking the silence white ribbon day event	NADDCO – Bardi Gras
Katamatite Primary School Parent and Friends – Katamatite Primary Healthy Living Breakfast Program & Healthy Living Expo	Nathalia District Hospital – "Pitstop" – Men's Annual Health Night Out	Rotary Club of Numurkah – 35th Annual Arts and Craft Exhibition
Numurkah District Health Service – Be on your feet		Moira Contemporary Quilters – Workshop with Caroline Sharkey
		Cobram U3A & District – U3A Cultural Tour
		Yarrawonga Neighbourhood House – Creative Textile Art Workshop
		Cobram Rotary Big Band
		Barmah Market live band

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**ANNUAL REVIEW MUNICIPAL PUBLIC HEALTH AND WELLBEING PLAN
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ATTACHMENT No [2] - Events and Grants Table

Community Events	Act Belong Commit Activities	Youth Events	Arts/Culture Events
Harmony Day Festival	Volunteer Week Events May 2015 (partnership with MSC, MHA Care, Community Houses and Community Health centres)	Bring the Bounce (DJ) x2	Anzac on the Wall
Children's Week events across Shire	International Day for People with a Disability Events December 2015	Kool Skools Recording	Numurkah Lake School of Celtic Music and Dance
Seniors Festival – Gala Day held in Numurkah in 2015 (rotated around Shire each year)	Community Reading Day events in Cobram, Katamatite, Nathalia, Numurkah and Yarrawonga	Battle of the Bands	St Kilda Film Festival
Walk to School Program (11 Primary Schools participated across the Shire)	Various mental health week activities across towns in October e.g. Odd Socks Day in Yarrawonga	MY PASSPORRT drug and alcohol program x6	Ricci Simone Textile Artist Exhibition
		Moirra Movie Nights x4	Taliska
		YMCA Skate Series	Nathalia Lions Club Arts Windows
		Rumble in the Gums (NYW)	Romeo and Juliet
		Youth Stakeholder Meeting	Justine Clarke
		Open Mic	Café Culture series

FILE NO: F13/150-2
6. INVOLVING AND COMMUNICATING WITH
OUR COMMUNITY

ITEM NO: 9.1.8

DISABILITY ACTION PLAN 2013-2016 - ANNUAL REPORT

RECOMMENDATION

That Council endorse the Moira Shire Council's Disability Action Plan 2013 – 2016 Annual Report.

1. Executive Summary

Moira Shire Council adopted the current Disability Action Plan in 2013 for a three year term. It was created to drive positive change for those with disabilities and strengthen the wider communities understanding and respect of those residents with disabilities.

Under Section 38 of the Victorian Disability Act 2006, Councils are required to prepare disability action plans for the purpose of:

- a) Reducing barriers to persons with a disability accessing goods, services and facilities
- b) Reducing barriers to persons with a disability obtaining and maintaining employment
- c) Promoting the inclusion and participation of persons with a disability in the community
- d) Achieving tangible changes in attitudes and practices which discriminate against persons with a disability

These four objectives have been focus of the current Disability Action Plan and have been supported by a number of goals and actions referred to in this report.

This report summarises the outputs from the Disability Action Plan 2013 – 2016. The current plan expires in 2016 and a new Disability Action Plan is currently under development.

2. Background and Options

The Disability Action Plan 2013-2016 (attached) is a mandated document that all local government authorities are required to develop and implement accordingly. Moira Shire Council's Disability Advisory Committee (DAC) assists with prioritising, implementing and reviewing items listed in the Disability Action Plan.

There are four objectives required to be addressed in all Disability Action Plans, as detailed in the Victorian Disability Act 2006. Each of these objectives are included in the current Disability Action Plan 2013 - 2016 with 11 goals identified to help achieve these objectives. Some of the achievements relating to the objectives include:

Accessing goods, services and facilities

- The Hume Access Network was established incorporating 13 local government areas. The networks first project was to develop fact sheets relevant to local businesses about ways to improve access for all. These are planned to be launched in conjunction with International Day of People with Disability, 3 December 2016.

FILE NO: F13/150-2
6. INVOLVING AND COMMUNICATING WITH
OUR COMMUNITY

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DISABILITY ACTION PLAN 2013-2016 - ANNUAL REPORT (cont'd)

- Works have commenced to upgrade public toilets in Quinn Street Numurkah. This project is a result of the Numurkah Access Challenge conducted in 2014.
- On International Day of People with Disability (3 December), Moira Shire Council staff, community members and local business owners participated in an accessibility challenge where they 'adopted' a disability. This challenge gave both staff and business owner's first hand experience and training on existing barriers to access and inclusion in their premises.
- A Hearing Induction Loop system has been purchased and installed for Cobram and Yarrowonga Customer Service Centre's. These are used by people with hearing aids and enable clearer direct communication by removing unnecessary background noise.

Obtaining and Maintaining Employment

- Work placement was offered to students from Yenbena Training Centre's Horticulture program within Councils Operations Team based in Numurkah.
- An audit of the Cobram Administration and Customer Service offices, Yarrowonga Service Centre and Cobram Civic Centre has been conducted. Recommendations of this audit have been considered during the current administration office redevelopment works.

Promoting Inclusion and Participation

- The internal events policy has been reviewed and now includes accessibility criteria. Accessibility is now incorporated in forms, plans and processes within this policy.
- A draft 'Good Access = Good Events' guide and checklist has been developed, with an approval and launch to be forthcoming.
- Projects are now regularly submitted to the Disability Advisory Committee for review and feedback with the relevant Moira Shire Council employee or community member encouraged to attend to present their projects.
- Local Secondary Colleges have attended and participated in Disability Advisory Committee meetings.
- With support of the Disability Advisory Committee, the Cobram and District Specialist School hosted a modified sports day at Mivo Park Cobram for International Day of People with Disability. Students from local primary schools attended and participated in various modified sports hosted by local sporting groups and state sporting bodies
- Nathalia Anglers Club hosted a 'Come and Try Fishing Day' with the support of the Disability Advisory Committee. This was an all abilities event that promoted participation and inclusion.

Changes in attitudes and practices that discriminate

- Accessibility has been included into the staff induction process. This information is intended to be presented at group inductions for all new staff.
- Through the Disability Advisory Committee, three events were held during the first week of December 2015 to celebrate and promote inclusiveness of International Day of People with a Disability. These events were attended by in excess of 300 community members and promoted inclusiveness and awareness. PALs Inc. and Yarrowonga Neighborhood House hosted an open door activities day at Gorman House, Yarrowonga. This was attended by community members, PALs Inc. clients and local secondary college students.

Having reviewed and reported on the Disability Action Plan 2013-2016, a new action plan is currently being developed through community and internal consultation. Once

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DISABILITY ACTION PLAN 2013-2016 - ANNUAL REPORT (cont'd)

complete, the draft plan will be presented to the Disability Advisory Committee before Council considers the plan for adoption.

3. Financial Implications

An annual budget allocation of \$4,000 supports the Disability Advisory Committee and its activities. These funds support several programs and activities. Council also delivers many other projects such as accessible footpaths and ramps through other operating and capital budgets.

4. Risk Management

Through the positive and continual engagement of the Moira Shire Disability Advisory Committee, Council seeks to implement strategies and improvements to assets to reduce potential for personal injury claims or litigation under the Disability Act 2006.

5. Internal and External Consultation

Consultation occurs through the Disability Advisory Committee which consists of community representatives, a number of disability service providers and disability representatives, a Councillor and Council employees. External consultation also occurs with the Hume Access Network and through the Moira ACE (Adult and Community Education) network.

Internal consultation occurs with all departments of Moira Shire Council. Proposed projects and designs are submitted to the Disability Advisory Committee for comment. Accessibility issues raised by the community and the Disability Advisory Committee are forwarded to the relevant department for feedback and action as necessary.

6. Regional Context

In 2011 the Municipal Association of Victoria released its 'Strategic Framework for Local Government: Creating a more inclusive community for people with a disability'. This framework is linked to the National Disability Strategy. The role of local government is essential in promoting the objectives of the framework because of its ability to promote inclusiveness within local communities and in setting policy and procedures that support the framework.

The Hume Access Network has been informally established between 13 local government areas to develop multi-approached projects and establish supports and advocacy relationships throughout the Hume Region.

Moira Shire Council works closely with Greater Shepparton City Council and Strathbogie Shire to support a regional approach of promoting access for all abilities across the region as well as advocating for rural disability needs to both State and Federal Governments and stakeholders. This is best demonstrated through the shared staff resourcing of a Rural Access Officer who works across the three municipalities and is funded through Department of Health and Human Services.

7. Council Plan Strategy

This report aligns to Moira Shire Councils Strategic Goals of 'Stronger Regional Partnerships' and 'Improving Moira's Liveability.'

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DISABILITY ACTION PLAN 2013-2016 - ANNUAL REPORT (cont'd)

8. Legislative / Policy Implications

The Local Government Act 1989 requires that Councils are to maintain a responsibility of addressing and improving the overall quality of life for its local communities and ensure that facilities that are provided by council should be accessible and equitable.

Under Section 38 of the Victorian Disability Act, all local government bodies are required to have a Disability Action Plan that should be produced through the DAC and submitted for reporting as a part of its annual report.

Local government also has a legal obligation under the Charter of Human Rights and Responsibilities Act 2006, which requires all public authorities in Victoria to think about human rights when decisions are made about people. This includes ensuring that community members, regardless of their physical or mental abilities are involved in the planning and decision making process.

9. Environmental Impact

There are no environmental impact considerations associated with this report.

10. Conflict of Interest Considerations

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

11. Conclusion

As the Disability Action Plan 2013-16 is due to conclude this year, officers have commenced development of a new Disability Action Plan that will build on previous successes and adapt to new challenges in promoting and enhancing accessibility across the municipality.

Attachments

- 1 Disability Action Plan - 2013-16

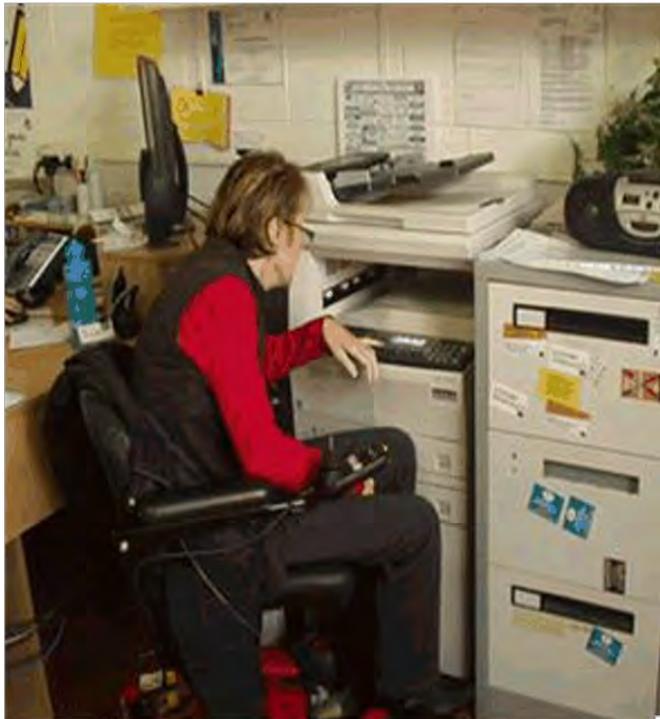
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DISABILITY ACTION PLAN 2013-2016 - ANNUAL REPORT (cont'd)

ATTACHMENT No [1] - Disability Action Plan - 2013-16

MOIRA SHIRE DISABILITY ACTION PLAN 2013 TO 2016



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DISABILITY ACTION PLAN 2013-2016 - ANNUAL REPORT (cont'd)

ATTACHMENT No [1] - Disability Action Plan - 2013-16



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DISABILITY ACTION PLAN 2013-2016 - ANNUAL REPORT (cont'd)

ATTACHMENT No [1] - Disability Action Plan - 2013-16

Vision and Mission

Moira Shire Council's Disability Action Plan has been developed to drive change and highlight the challenges and issues people living with disabilities face. Moira Shire has a proud and confident community that values, trusts, respects and understands the needs of individuals and families. This commitment is highlighted by Moira Shire Council's Mission Statement.

Moira Shire Council has a strong commitment to raising awareness of inclusion and accessibility issues for those living with or caring for someone with a disability, and ensuring that all members of our community feel valued, included and welcome to participate fully in their community. Within our communities we have many assets and organizations that showcase this commitment; from our accessible recreation facilities and public halls to our disability support organizations and the Disability Advisory Committee.

The Disability Advisory Committee meets bi-monthly to discuss pertinent issues and challenges around disability and access. Moira Shire Council's Disability Action Plan has been developed in consultation with members of the Disability Advisory Committee and the broader community.

The Plan draws on information within the following pieces of legislation:

- the objectives of the *Disability Act 2006* (the Act) are centered on advancing the inclusion and participation of people with disabilities and the promotion of a whole of government approach in supporting the needs and rights of people with a disability. This includes the provision of high quality services and the protection of rights to access these services. It also aims to ensure disability service providers are accountable to those accessing their services and public funds are used effectively and efficiently. For further information, please consult the Act.
- The *Disability Discrimination Act 1992 (Commonwealth)* provides clear direction regarding discrimination and how it applies to employment, access of services and facilities and existing laws. It also seeks to promote recognition and acceptance that people with disabilities within our communities have the same rights as everyone else within the community. Further details can be found at www.comlaw.gov.au/Series/C2004A04426

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DISABILITY ACTION PLAN 2013-2016 - ANNUAL REPORT (cont'd)

ATTACHMENT No [1] - Disability Action Plan - 2013-16

Goals and Implementation

Goals

- To form and maintain a strong, active and effective team consisting of Council, disability support groups, community representatives and other key stakeholders.
- To set clear achievable goals that will have beneficial and effective outcomes for the wider community.
- To raise public awareness in a positive manner.

Implementation

The Disability Advisory Committee guides the Plan's implementation, which consists of representatives from Rural Access, disability service providers within the Shire, Moira Shire Council staff and interested community members.

Moira Shire Council will report on the implementation of the plan in its annual report, in accordance with the requirements of the *Disability Act 2006* (s38)

Moira Shire Council's Disability Action Plan is based on the following four objectives, taken from the *Disability Act 2006* (s38(1)):

1. reducing barriers to persons with a disability accessing goods, services and facilities;
2. reducing barriers to persons with a disability obtaining and maintaining employment;
3. promoting inclusion and participation in the community of persons with a disability; and
4. achieving tangible changes in attitudes and practices that discriminate against persons with a disability.

The Act defines disability (s3) in relation to a person as:

- a. a sensory, physical or neurological impairment or acquired brain injury or any combination thereof, which -
 - (i) is, or is likely to be, permanent; and
 - (ii) causes a substantially reduced capacity in at least one of the areas of self-care, self-management, mobility or communication; and
 - (iii) requires significant ongoing or long term episodic support; and
 - (iv) is not related to ageing; or
- b. an intellectual disability; or
- c. a developmental delay.

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DISABILITY ACTION PLAN 2013-2016 - ANNUAL REPORT (cont'd)

ATTACHMENT No [1] - Disability Action Plan - 2013-16

Definitions of Key Terms and Legislation

DAC	Disability Advisory Committee
DAP	Disability Action Plan
DDA	<i>Disability Discrimination Act 1992 (Commonwealth)</i>
EEO	Equal Employment Opportunity
MPHWP	Municipal Public Health and Wellbeing Plan
MSC	Moira Shire Council

The Moira Shire Council Disability Action Plan will be available in an accessible format on Council's website www.moira.vic.gov.au.

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DISABILITY ACTION PLAN 2013-2016 - ANNUAL REPORT (cont'd)

ATTACHMENT No [1] - Disability Action Plan - 2013-16

**Objective 1 - Reducing barriers to persons with a disability
accessing goods, services and facilities**

Goal	Action	Time Frame	Responsibility
All facilities owned by Moira Shire Council are accessible and inclusive of people of all abilities	Conduct access audits of Council venues	Access audits to be arranged and carried out by December 2014, in all Council facilities	Moira Shire Council - Community Development, Community Services Officer
	Develop an action plan to address audit findings in accordance with Council process and budget requirements	At completion of audit process	Moira Shire Council - Community Services Officer and Infrastructure team
To encourage businesses and community organisations across the shire to make accessibility of their business a priority	Offer training on Access to Premises Standards to businesses across the shire	Training to be offered in four major towns by June 2014	Moira Shire Council - Community Development, Community Services Officer
Moira Shire Council's website to be accessible and easy to navigate	Conduct audit of website to determine current level of compliance with WCAG standards	Audit checklist completed by December 2013	Moira Shire Council - Community Services Officer, Corporate Communications Officer and IT staff
	Develop an action plan to work towards achieving compliance with AA standards* in accordance with Council process and budget requirements	Action Plan developed by June 2014	

*as determined at <http://www.w3.org/TR/WCAG10/full-checklist.html>

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DISABILITY ACTION PLAN 2013-2016 - ANNUAL REPORT (cont'd)

ATTACHMENT No [1] - Disability Action Plan - 2013-16

**Objective 2 - Reducing barriers to persons with a disability
obtaining and maintaining employment**

Goal	Action	Time Frame	Responsibility
To ensure all persons with a disability have equal access and choice to participate in the work force by Moira Shire Council ensuring the EEO policy and procedure is inclusive for all employees and potential employees	Undertake a review of the current EEO policy and procedure	Review completed by June 2013	Moira Shire Council - Community Development, Community Services Officer, Human Resources and DAC
	Include statement in advertisements that people with disabilities are welcome to apply.	Statement included in all job advertisements from date this plan is adopted	
For Moira Shire Council to lead by example and ensure all workspaces are inclusive for all staff, regardless of their abilities	Conduct Access Audits of all Moira Shire Council office areas	Access audits to be arranged and carried out by June 2014 in all Council offices	Moira Shire Council - Community Development, Community Services Officer. Rural Access Officer
	Develop an action plan to address audit findings in accordance with Council process and budget requirements	At completion of audit process	

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DISABILITY ACTION PLAN 2013-2016 - ANNUAL REPORT (cont'd)

ATTACHMENT No [1] - Disability Action Plan - 2013-16

**Objective 3 - Promoting inclusion and participation in the
community of persons with a disability**

Goal	Action	Time Frame	Responsibility
Increase participation and inclusion in Moira Shire Council operated and funded community events by ensuring events are held in accessible venues	Ensure all public events funded or sponsored by Moira Shire Council are inclusive and accessible	Ongoing	Moira Shire Council - Events Development Officer, Economic Development, Community Development
	Event venues to be selected for their suitability for all abilities	Ongoing	
	Review event funding and sponsorship form to ensure accessibility requirements are met	Form reviewed by July 2013	
All events facilitated, funded or operated by Moira Shire Council are advertised in an accessible manner	Advertisements will be reviewed by the relevant department for inclusiveness.	Ongoing	Moira Shire Council - Events Development Officer, Media Officer, Corporate Communications
All Moira Shire plans and projects are accessible and inclusive to all members of our community.	All plans for redevelopment or new buildings advertised on Moira Shire Council's website in an accessible manner	Ongoing	Moira Shire Council - Infrastructure and Planning, Governance, Community Development and DAC
	All draft policies and plans are presented to the DAC	Ongoing	

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DISABILITY ACTION PLAN 2013-2016 - ANNUAL REPORT (cont'd)

ATTACHMENT No [1] - Disability Action Plan - 2013-16

Objective 4 - Achieving tangible changes in attitudes and practises that discriminate against persons with a disability

Goal	Action	Time Frame	Responsibility
For all staff at Moira Shire Council to have awareness of disabilities and access	Train current staff in disability awareness	Training offered by June 2014	Moira Shire Council - Community Development, Community Services Officer Rural Access Officer
	Investigate online training on disability awareness being offered to new employees during induction	Investigation conducted by December 2013	Human Resources Learning and Development Officer
	Promote our Disability Action Plan to new staff during induction and then on annual basis	Ongoing	Community Services Officer or member of DAC
	Discuss with staff at All Staff Meetings	Discuss plan at All Staff Meetings bi-annually	
For organisations and community groups within the Shire to discuss and provide feedback regularly on Moira Shire Council's Disability Action Plan	Include on DAC agenda each meeting	Ongoing	Moira Shire Council - Community Development Officers, Community Services Officer and Media Officer
	Seek feedback through Moira Shire Council's website and local media and Community Coordinator Groups	Ongoing	
	Develop a minimum of one media release per year to raise awareness and highlight achievement through the Disability Action Plan	Ongoing	

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DISABILITY ACTION PLAN 2013-2016 - ANNUAL REPORT (cont'd)

ATTACHMENT No [1] - Disability Action Plan - 2013-16

Acknowledgements

Department of Human Services Office for Disability

http://www.officefordisability.vic.gov.au/developing_a_dap.htm

http://www.officefordisability.vic.gov.au/docs/aDAPting_to_Disability_checklist.doc

Local Government Act 1989

Disability Act 2006

Disability Discrimination Act 1992 (Cth)

Human Rights and Responsibility Act 2006

United Nations Convention on the Rights of Persons with Disabilities

Creating a more inclusive community for people with a disability - A Strategic
Framework for Local Government, Municipal Association of Victoria

CONTACTING COUNCIL

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Web: www.moira.vic.gov.au

LOCATIONS

Main Administration Centre: 44 Station Street, Cobram

Municipal Service Centre: 100 Belmore Street, Yarrawonga

Office hours: Monday to Friday, 8.30am to 5pm

AGENCIES

Barmah Forest Heritage and Education Centre (Nathalia)

Barmah General Store

Katamatite Post Office

Katunga General Store

Numurkah Visitor Information Centre

Strathmerton Post Office

Tungamah Post Office

Wunghnu Post Office

FILE NO: C055/14
2. IMPROVING MOIRA'S LIVEABILITY

ITEM NO: 9.1.9

ADOPTION OF DRAFT MOIRA SHIRE RECREATION STRATEGY - 2016 - 2026

RECOMMENDATION

That Council

1. Note the draft Moira Shire Recreation Strategy 2016 – 2026 feedback and,
2. Adopt the draft Moira Shire Recreation Strategy 2016 – 2026

1. Executive Summary

The draft Moira Shire Recreation Strategy 2016 – 2026 (the Strategy) was placed on display for public comment following the 26 April 2016 Ordinary meeting until 1 June 2016.

This process included media releases within local newspapers, regular Facebook posts, drop in sessions to allow for the public to have one on one discussions with Council staff, and an email distribution to over 600 community members and local sporting group representatives.

This report seeks the adoption the draft strategy by Council which will then allow for relevant council staff and departments to begin implementation of the strategy's strategic directions and recommendations.

2. Background and Options

When developing the scope for the new Strategy, Council identified a number of key actions. These included;

1. Undertake a review of the existing sporting and recreational assets across the municipality including open space,
2. Review current and future participation trends in a range of activities,
3. Engage with the community to establish levels of service with regard to future sport and recreation participation and infrastructure needs.
4. Use this information to develop a detailed recreational strategy, suitable for adoption by Council, to guide the future strategic planning of sport and recreation both in terms of activity programming as well as sustainable infrastructure needs.

The development of this draft strategy has provided an opportunity for a number of active and passive recreation activities to be considered. There has been a focus on participation and connectivity as well as infrastructure and assets. The strategy is based on six key priority areas namely;

1. Sustainable Provision of sports facilities and services,
2. Active Recreation and Activating Spaces,
3. Parks and Playgrounds,
4. Swimming and Public Pools,
5. Sport and Recreation Tourism and,
6. Governance

FILE NO: C055/14
2. IMPROVING MOIRA'S LIVEABILITY

ITEM NO: 9.1.9

ADOPTION OF DRAFT MOIRA SHIRE RECREATION STRATEGY - 2016 - 2026 (cont'd)

In addition to making an overall recommendation for each of these key priority areas, the Strategy makes further recommendations in specific activity areas. These areas include traditional sports such as AFL, Netball, Tennis, Basketball, Swimming, Golf, Soccer, Cricket, Equestrian and Bowls as well as other activities including Gym/Group Fitness/Personal Training, walking, running and cycling, fishing, cycling, canoeing, and playing in the park.

During the community consultation and feedback a number and range of ideas and was received regarding the draft strategy. This information has been captured in a number of formats including through Councils' web page, Facebook, drop in sessions and feedback forms.

More than 40 individuals and representatives of groups, clubs and associations attended community drop-in sessions in Cobram, Yarrawonga, Numurkah and Nathalia in mid-May to share their thoughts on the future of sport and recreation in Moira Shire.

Some of the topics covered included future planning for recreation reserves, walking tracks and exercise equipment, a heated pool and stadium in Yarrawonga, improvements to the Cobram Showgrounds and other activities including croquet, rowing and canoeing.

There may be a need to allow for an authorised officer to conduct an editorial check which may lead to minor changes if necessary.

3. Financial Implications

Council received \$30,000 funding from the Victorian Government's Community Facilities Funding Program which was matched by Council.

The 'capacity to pay' of both ratepayers and Council has been taken into account when identifying future projects and priorities over the coming 10 years through implementation.

Council's ability to deliver major project recommendations contained within the strategy will be conditional on securing funding at the appropriate time.

4. Risk Management

This Strategy will enable Council to minimise both reputational and financial risk by responding to the highest priorities in the most appropriate way and so creating an environment that encourages participation in a range of recreational settings

5. Internal and External Consultation

Community consultation during the drafting of the strategy included a community survey, public meetings and workshops and direct consultation with the Regional Sports Assembly, 'Valley Sport', state sporting associations, Councillors and department staff.

A steering committee has also overseen this project. It comprised Council staff, Valley Sport, and a representative from the funding body Sport & Recreation Victoria and a councillor representative.

The draft Strategy was also placed on display for public comment from 26 April 2016 to 1 June 2016.

FILE NO: C055/14
2. IMPROVING MOIRA'S LIVEABILITY

ITEM NO: 9.1.9

ADOPTION OF DRAFT MOIRA SHIRE RECREATION STRATEGY - 2016 - 2026 (cont'd)

6. Regional Context

The Strategy considers neighboring municipalities, their location and access by residents to regionally significant assets such as stadiums and aquatic centres. This access provides an important service

7. Council Plan Strategy

Improving Moira's Liveability – Encourage Healthy and Active Communities - Develop and implement the 2016-2026 Recreation Strategy.

8. Legislative / Policy Implications

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

9. Environmental Impact

There are no environment implications associated with this report.

10. Conflict of Interest Considerations

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

11. Conclusion

The Strategy will guide future investment in sport and recreation over the coming 10 years and beyond. The Strategy has considered current and future trends in participation and the needs both from a programming and infrastructure perspective into the future.

The Strategy has identified recreational opportunities in the areas of planning, facility management, programming, and infrastructure for Moira Shire over the next 10 years and considers these opportunities in the context of both residents and Council's capacity to pay.

Following considerations from the communities review and subsequent feedback on the draft Strategy, it is now requested that the draft Moira Shire Recreation Strategy 2016 – 2026 be adopted by Council to allow implementation of the strategy's strategic directions and recommendations.

Attachments

- 1 Moira Shire Recreation Strategy 2016 – 2026 - available on Council's web site and Service Centres - *printed in separate document*

FILE NO: F13/503
5. DEMONSTRATING GOOD GOVERNANCE

ITEM NO: 9.1.10

ASSEMBLIES OF COUNCILLORS

RECOMMENDATION

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

1. Executive Summary

The records of the Assembly of Councillors reported during the month of May 2016 are attached to this report.

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

2. Background and Options

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

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

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

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

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

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

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

3. Financial Implications

There are no financial implications with this report.

FILE NO: F13/503
5. DEMONSTRATING GOOD GOVERNANCE

ITEM NO: 9.1.10

ASSEMBLIES OF COUNCILLORS (cont'd)

4. Risk Management

There are no risk implications with this report.

5. Internal and External Consultation

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

6. Regional Context

There are no regional contexts associated with this report.

7. Council Plan Strategy

Demonstrating Good Governance

8. Legislative / Policy Implications

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

9. Environmental Impact

There are no environmental impacts with this report.

10. Conflict of Interest Considerations

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

11. Conclusion

The Assembly of Councillors records attached to this report are a true and accurate record of all assemblies of Councillors reported during May 2016. Their recording into the Council Minutes ensures Council meets its statutory obligations under section 80A of the Act.

Attachments

- 1 Attachment 9 May
- 2 Attachment 10 May
- 3 Attachment 16 May
- 4 Attachment 18 May
- 5 Attachment 19 May
- 6 Attachment 30 May

FILE NO: F13/503
5. DEMONSTRATING GOOD GOVERNANCE

ITEM NO: 9.1.10

ASSEMBLIES OF COUNCILLORS (cont'd)

ATTACHMENT No [1] - Attachment 9 May



RECORD OF ASSEMBLY OF COUNCILLORS

Date held	9 May 2016 10:35 am to 4:55 pm
Name of meeting	Councillor Briefing
Councillors attending	Councillors Gary Cleveland, Peter Mansfield, Don McPhee, Wendy Buck, Ed Cox (arrive 11:50 am), Kevin Bourke, Brian Keenan, 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 Construction and Assets, Graham Henderson Manager Strategic Projects, Mark Foord Manager Community Development, David Booth Manager Economic Development, Jane O'Brien Economic Development Officer, Frank Malcolm
Matters discussed	1. MAC Inc 2. Agenda review 3. NADDCO
Conflict of Interest Disclosures (indicate below if Nil or complete details)	
Nil	

FILE NO: F13/503
5. DEMONSTRATING GOOD GOVERNANCE

ITEM NO: 9.1.10

ASSEMBLIES OF COUNCILLORS (cont'd)

ATTACHMENT No [2] - Attachment 10 May



RECORD OF ASSEMBLY OF COUNCILLORS

Date held	10 May 2016 10 am – 1 pm
Name of meeting	CEO Performance Assessment
Councillors attending	Councillor Gary Cleveland, Peter Mansfield, Wendy Buck, Ed Cox, Kevin Bourke, Marie Martin
Council staff attending	Chief Executive Officer, Mark Henderson
Matters discussed	1. CEO Performance Assessment
Conflict of Interest Disclosures (indicate below if Nil or complete details)	
Nil	

FILE NO: F13/503
5. DEMONSTRATING GOOD GOVERNANCE

ITEM NO: 9.1.10

ASSEMBLIES OF COUNCILLORS (cont'd)

ATTACHMENT No [3] - Attachment 16 May



RECORD OF ASSEMBLY OF COUNCILLORS

Date held	16 May 2016 3 – 5:45 pm
Name of meeting	Planning Hearing – 104 Watters Rd, Numurkah
Councillors attending	Councillor Gary Cleveland, Peter Mansfield, Wendy Buck (arrived at 3:40pm), Ed Cox, Kevin Bourke, Marie Martin, Alex Monk, Don McPhee
Council staff attending	Chief Executive Officer, Mark Henderson General Manager Infrastructure – Andrew Close
Matters discussed	1. To hear submissions from community regarding planning application
Conflict of Interest Disclosures (indicate below if Nil or complete details)	
Nil	

FILE NO: F13/503
5. DEMONSTRATING GOOD GOVERNANCE

ITEM NO: 9.1.10

ASSEMBLIES OF COUNCILLORS (cont'd)

ATTACHMENT No [4] - Attachment 18 May



RECORD OF ASSEMBLY OF COUNCILLORS

Date held	18 May 2016
Name of meeting	Council Briefing
Councillors attending	Councillor Gary Cleveland, Peter Mansfield, Wendy Buck, Ed Cox, 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 Finance, Simone Rennie
Matters discussed	
	1. Consider 2016/17 budget submissions
Conflict of Interest Disclosures (indicate below if Nil or complete details)	
	Nil

FILE NO: F13/503
5. DEMONSTRATING GOOD GOVERNANCE

ITEM NO: 9.1.10

ASSEMBLIES OF COUNCILLORS (cont'd)

ATTACHMENT No [5] - Attachment 19 May



RECORD OF ASSEMBLY OF COUNCILLORS

Date held	19 May 2016
Name of meeting	Tourism Advisory Committee - Marketing
Councillors attending	Councillor Don McPhee
Council staff attending	Tourism Development Officer, Louise Munk Klint Tourism Support Officer, Kyla Carpinelli
Matters discussed	
	1. "Raft" Marketing Campaign
Conflict of Interest Disclosures (indicate below if Nil or complete details)	
	Nil

FILE NO: F13/503
5. DEMONSTRATING GOOD GOVERNANCE

ITEM NO: 9.1.10

ASSEMBLIES OF COUNCILLORS (cont'd)

ATTACHMENT No [6] - Attachment 30 May



RECORD OF ASSEMBLY OF COUNCILLORS

Date held	30 May 2016 4:15 to 4:40pm
Name of meeting	Council Briefing
Councillors attending	Councillor Gary Cleveland, Peter Mansfield, Wendy Buck, Ed Cox, Kevin Bourke, Marie Martin, 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 Construction and Assets, Graeme Henderson
Matters discussed	1. Agenda review
Conflict of Interest Disclosures (indicate below if Nil or complete details)	Nil

FILE NO: 000.000.111
8. REBALANCING COUNCIL'S ASSET MIX

ITEM NO: 9.2.1

SALE OF SALEYARDS SITE MILL STREET COBRAM

RECOMMENDATION

1. That following consideration of submissions received under Section 223 of the Local Government Act Council resolve to sell the former saleyards land at Mill Street Cobram.
2. That the Chief Executive Officer be authorized to sell the land.

1. Executive Summary

The Council resolved at its Ordinary Council Meeting in March 2016 to give notice of its intention to sell the land where the Cobram Saleyards once existed.

Written submissions were invited in accordance with Section 223 of the Local Government Act and a Committee of Council, comprising the Mayor, Deputy Mayor and General Manager Infrastructure was appointed to hear those who wished to personally present their submission.

The submissions received were supportive of Councils intention to sell the land and it is recommended that Council now commence a process to sell the the former Saleyards land at Mill Street Cobram.

2. Background and Options

The Cobram Saleyards were formally closed by Council at its meeting of 19 August 2013 and the site has since been cleared of the saleyards infrastructure. Council commenced the process to dispose of the land by resolving to give notice of its intention to sell the land at its Ordinary Council Meeting in March 2016. This triggered a Section 223 process under the Local Government Act 1989 (LGA) inviting written submissions from interested parties on whether Council should or should not sell the land.

The submissions received were supportive of Council's intention to sell the land and it is recommended that Council resolve to sell the land and commence an Expression of Interest process to determine the most appropriate means to dispose of the land.

3. Internal and External Consultation

Notice was given under Section 189 of the LGA of Council's intention to sell the land on 20 April 2016 in the Shepp News, Cobram Courier, Yarrawonga Chronicle, Numurkah Leader, and the Redgum Courier. The notice described the area of land in question and invited interested parties who wished to comment on the proposal to make a written submission under Section 223 of the LGA. The closing date for written submissions to be received by Council was 4pm on 19 May 2016.

Three written submissions (attached) were received by the closing date and each was supportive of Council's intention to sell the land. Two of the submissions went further than simply expressing support, to identifying portions of the former Saleyards site that they would like to acquire.

FILE NO: 000.000.111
8. REBALANCING COUNCIL'S ASSET MIX

ITEM NO: 9.2.1

SALE OF SALEYARDS SITE MILL STREET COBRAM (cont'd)

Submissions were received from:

1. Peter Gilmour
2. Jim and Kay Stokes
3. Christopher King and Fiona King

The Section 223 process allows for person making a written submission to appear before a Committee of Council and present to their submission. Jim and Kay Stokes and Fiona King requested an opportunity to present their submission to the Committee of Council and this took place at 5pm on 1 June 2016 at the Cobram Senior Citizens Centre.

The two parties that presented to the Committee of Council have nominated in their submission portions of the land they might wish to acquire to facilitate the ongoing activities of their businesses. It is intended that the acquisitions proposed by the two submitters will be considered as part of the Expression of Interest process.

4. Council Plan Strategy

Rebalancing Council's asset mix.

5. Legislative / Policy Implications

Section 189 of the Local Government Act (1989) requires Council to allow persons to make a submission under Section 223 of the Act when Council determines its intention to sell any land. This report completes this requirement.

6. Conflict of Interest Considerations

The author of the report has no conflict of interest regarding the subject of this report.

7. Conclusion

Given the supportive nature of the submission received regarding Council's intention to sell the former Cobram Saleyards land, it is recommended that Council now resolve to sell the land and conduct an Expression of Interest process to determine the most suitable method.

Attachments

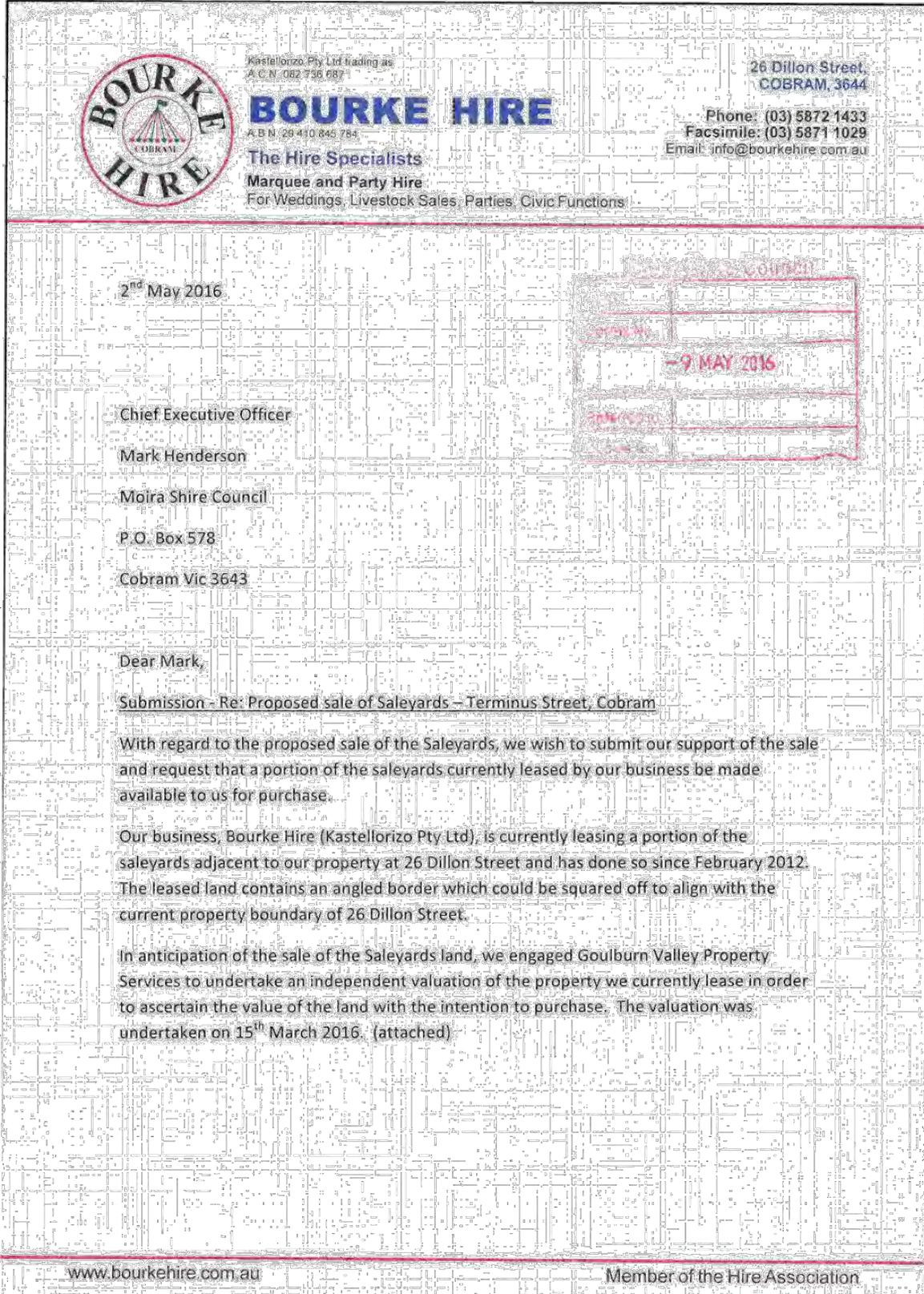
- 1 Bourke Hire - Cobram Saleyards Submission
- 2 Proposed Sale of Cobram Saleyards Submission - Stokes Auto Electrical
- 3 Peter Gilmour - Cobram Saleyards submission

FILE NO: 000.000.111
8. REBALANCING COUNCIL'S ASSET MIX

ITEM NO: 9.2.1

SALE OF SALEYARDS SITE MILL STREET COBRAM (cont'd)

ATTACHMENT No [1] - Bourke Hire - Cobram Saleyards Submission



BOURKE HIRE
Kastellorizo Pty Ltd trading as
A.C.N. 082 736 687
A.B.N. 29 410 845 784
26 Dillon Street,
COBRAM, 3644
Phone: (03) 5872 1433
Facsimile: (03) 5871 1029
Email: info@bourkehire.com.au

BOURKE HIRE
The Hire Specialists
Marquee and Party Hire
For Weddings, Livestock Sales, Parties, Civic Functions

2nd May 2016

Chief Executive Officer
Mark Henderson
Moirra Shire Council
P.O. Box 578
Cobram Vic 3643

Dear Mark,

Submission - Re: Proposed sale of Saleyards – Terminus Street, Cobram

With regard to the proposed sale of the Saleyards, we wish to submit our support of the sale and request that a portion of the saleyards currently leased by our business be made available to us for purchase.

Our business, Bourke Hire (Kastellorizo Pty Ltd), is currently leasing a portion of the saleyards adjacent to our property at 26 Dillon Street and has done so since February 2012. The leased land contains an angled border which could be squared off to align with the current property boundary of 26 Dillon Street.

In anticipation of the sale of the Saleyards land, we engaged Goulburn Valley Property Services to undertake an independent valuation of the property we currently lease in order to ascertain the value of the land with the intention to purchase. The valuation was undertaken on 15th March 2016. (attached)

www.bourkehire.com.au Member of the Hire Association

FILE NO: 000.000.111
8. REBALANCING COUNCIL'S ASSET MIX

ITEM NO: 9.2.1

SALE OF SALEYARDS SITE MILL STREET COBRAM (cont'd)

ATTACHMENT No [1] - Bourke Hire - Cobram Saleyards Submission

Bourke Hire has serviced the Moira Shire and surrounds since 1960 when the business was established by my father Kevin and his brother Barry Bourke. The business originally sold farm machinery and then developed into marquee and equipment hire after Kevin established a local farm machinery expo that ran for several years. Barry became ill and retired in the early 1970s. Bourke Hire now services much of country Victoria and southern NSW for major events, field days, expos and private functions. Cobram is a convenient central location for Bourke Hire to service the large area it is committed to.

The business has been owned and operated since 1998 by Christopher King and myself. The business has grown since 1998 and in order to accommodate this expansion, in 2009 we sought permission from the Saleyards committee to lease a portion of the land in order to operate the business more effectively. The request was eventually passed on to council where it was resolved in 2011 to lease the saleyards land to adjoining landowners. The business continues to grow and we are looking at further opportunities to expand. By obtaining this land our future in Cobram becomes more secure.

Bourke Hire is a strong supporter of our local community and has supported over 180 charities, not for profit organisations and events, many of which are within the Moira Shire. Our donations are both cash and in-kind. Over the past three years we have donated \$37,030 – 2015, \$27,988 – 2014, \$34,259 – 2013.

The business employs two directors, five full time staff and up to 12 casual staff in our busy work periods.

In essence, our business cannot function in its current location without the inclusion of the currently leased land.

We would like to take the opportunity to speak to our submission on Wednesday 1st June at Cobram Senior Citizens Centre.

Yours Faithfully,


Christopher King





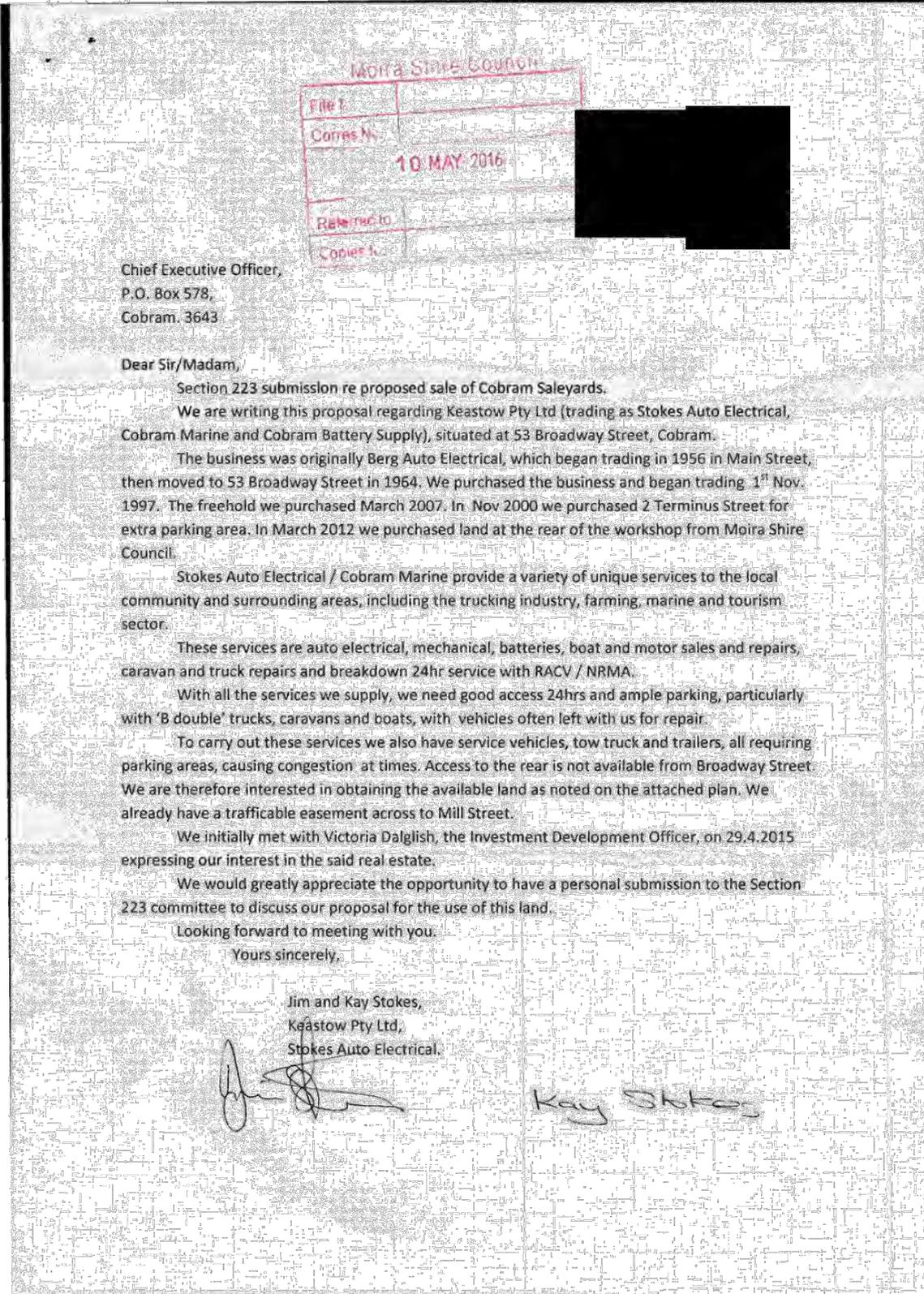


FILE NO: 000.000.111
8. REBALANCING COUNCIL'S ASSET MIX

ITEM NO: 9.2.1

SALE OF SALEYARDS SITE MILL STREET COBRAM (cont'd)

ATTACHMENT No [2] - Proposed Sale of Cobram Saleyards Submission - Stokes Auto Electrical



Chief Executive Officer,
P.O. Box 578,
Cobram. 3643

Dear Sir/Madam,

Section 223 submission re proposed sale of Cobram Saleyards.

We are writing this proposal regarding Keastow Pty Ltd (trading as Stokes Auto Electrical, Cobram Marine and Cobram Battery Supply), situated at 53 Broadway Street, Cobram.

The business was originally Berg Auto Electrical, which began trading in 1956 in Main Street, then moved to 53 Broadway Street in 1964. We purchased the business and began trading 1st Nov. 1997. The freehold we purchased March 2007. In Nov 2000 we purchased 2 Terminus Street for extra parking area. In March 2012 we purchased land at the rear of the workshop from Moira Shire Council.

Stokes Auto Electrical / Cobram Marine provide a variety of unique services to the local community and surrounding areas, including the trucking industry, farming, marine and tourism sector.

These services are auto electrical, mechanical, batteries, boat and motor sales and repairs, caravan and truck repairs and breakdown 24hr service with RACV / NRMA.

With all the services we supply, we need good access 24hrs and ample parking, particularly with 'B double' trucks, caravans and boats, with vehicles often left with us for repair.

To carry out these services we also have service vehicles, tow truck and trailers, all requiring parking areas, causing congestion at times. Access to the rear is not available from Broadway Street. We are therefore interested in obtaining the available land as noted on the attached plan. We already have a trafficable easement across to Mill Street.

We initially met with Victoria Dalglish, the Investment Development Officer, on 29.4.2015 expressing our interest in the said real estate.

We would greatly appreciate the opportunity to have a personal submission to the Section 223 committee to discuss our proposal for the use of this land.

Looking forward to meeting with you.

Yours sincerely,

Jim and Kay Stokes,
Keastow Pty Ltd,
Stokes Auto Electrical.

FILE NO: 000.000.111
8. REBALANCING COUNCIL'S ASSET MIX

ITEM NO: 9.2.1

SALE OF SALEYARDS SITE MILL STREET COBRAM (cont'd)

ATTACHMENT No [3] - Peter Gilmour - Cobram Saleyards submission



4th May 2016

Moira Shire Council
Via email

RE: OLD COBRAM SALEYARD SITE

Dear Councillors and staff,
I note with interest that you are now considering future options for the saleyard site.

Our family had many decades of happy association with the Cobram saleyards and it is testament to this council, agents and saleyards committee that it operated for as long as it did.

Congratulations on a job well done with its removal and clean up.

Dad (Norman) was always a forward thinker and he said in his later years it would make a great supermarket or department store site, it is brilliantly located right in the centre of Cobram, however those type of large stores will only proceed if their companies can justify the development.

Whatever you do with the site I personally would love to see some or all of the proceeds go into developing Federation Park to its full potential.

All the best with your considerations.

Yours Faithfully,

Peter Gilmour.

FILE NO: 5201665
2. IMPROVING MOIRA'S LIVEABILITY

ITEM NO: 9.2.2

**PLANNING PERMIT APPLICATION NO. 5201665 - USE AND DEVELOPMENT
OF LAND FOR A DRUG AND ALCOHOL REHABILITATION CENTRE AT 104
WATERS ROAD NUMURKAH**

RECOMMENDATION

That Council approve the issue of a Notice of Decision to Grant a Permit for Planning Application No. 5201665 to use and develop land at 104 Watters Road, Numurkah for the purpose of a Drug and Alcohol Rehabilitation Centre, subject to the following conditions:

1. Before the *use and/or development* start(s), amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with *the plans submitted with the application* but modified to show:
 - a) The new access from Watters Road must be relocated to not traverse over Crown Allotment 2011, Parish of Drumanure.
2. The use and development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
3. No more than 48 residential clients and 5 staff members may be accommodated on the land overnight at any time.
4. At all times when residents participating in an alcohol and/or drug rehabilitation program are on the site, a minimum of 2 staff members shall be present on the site (inclusive overnight). Such staff must be suitably qualified and experienced in the management and supervision of people with drug and alcohol dependency.
5. Prior to the commencement of the use, the operator under this permit must prepare a "*Complaints Handling Procedure*", to the satisfaction of the Responsible Authority, including (but not necessarily limited to) the following matters:
 - a) a register of complaints that sets out:
 - i. the date of a complaint;
 - ii. details of the complaint with name, contact number and address, if relevant;
 - iii. action to rectify the complaint and date of the action;
 - iv. details of subsequent contact with the complainant regarding the action to resolve the complaint.
 - v. a process and timeframe for the review of the Complaints Handling Procedure by senior staff and management.
 - b) a process and timeframe for the operator to consult with and consider solutions proposed by local community members to resolve any identified issues.
 - c) a process and timeframe for the regular submission of copies of the Complaints Handling Procedure to the Responsible Authority.
 - d) The complaints register and "*Complaints Handling Procedure*" shall be made available for examination by the Responsible Authority at all reasonable times on request by the Responsible Authority.
6. Prior to commencement of the use a Management Plan must be prepared and

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2. IMPROVING MOIRA'S LIVEABILITY

ITEM NO: 9.2.2

PLANNING PERMIT APPLICATION NO. 5201665 - USE AND DEVELOPMENT OF LAND FOR A DRUG AND ALCOHOL REHABILITATION CENTRE AT 104 WATERS ROAD NUMURKAH (cont'd)

submitted to the Responsible Authority for approval and, once approved and endorsed, the Management Plan will form part of this permit and must be complied with at all times. The Management Plan must be to the satisfaction of the Responsible Authority including (but not necessarily limited to) the following matters:

- a) a community education program in relation to the operation of the use by Acso ;
- b) land management practices including management of weeds and vermin, fire prevention, erosion control and stock control.
- c) emergency management in times of flood, bushfire or other natural disaster

The management plan may be amended with the written consent of the responsible authority.

7. No fewer than (33) car spaces must be provided on the land for the use and development, including (2) spaces clearly marked for use by disabled persons.
8. 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
 - 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
9. No external sound amplification equipment or loud speakers are to be used for the purpose of announcement, broadcast, playing of music or similar purpose, except one which is audible only within the subject land.
10. The use must not commence until details of the proposed treatment of all sewage, sullage and waste water, including waste water recycling, is submitted to and approved by the Responsible Authority and any licences or permits required from the Council or any other authority have been obtained.
11. Before the use commences, a sealed road connection from the gate of the subject land to the Nathalia-Katamatite Road must be constructed to the satisfaction of the Responsible Authority.
12. Prior to construction commencing on the site, the applicant must provide a drainage plan that accords with the provisions of Clause 17 (Rural Drainage) of Council's Infrastructure Design Manual [IDM], and has been prepared to the satisfaction of the Responsible Authority. In particular demonstrate that:

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**PLANNING PERMIT APPLICATION NO. 5201665 - USE AND DEVELOPMENT
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WATERS ROAD NUMURKAH (cont'd)**

- a) all storm-water deposited upon, and being transferred through, the developed site in a 10% AEP event must be collected and conveyed by underground pipes and/or by constructed channels to a legal point of discharge nominated by the Responsible Authority;
 - b) no part of any channel used to convey storm-water through the subject property may pass through the zone of influence of the septic tank absorption field;
 - c) all roof water from buildings and surface water from hard paved areas must be collected and conveyed to a drainage easement or to the legal point of discharge so as to prevent storm water nuisance to adjoining land; and
 - d) stormwater drainage plans for the development must incorporate measures to enhance the quality of water discharged from the site and to protect downstream infrastructure and waterways.
13. Prior to the commencement of the use, all drainage infrastructure required by the approved drainage plan must be constructed in accordance with plans and specifications approved by the Responsible Authority.
 14. No contaminants be permitted to enter the storm-water drainage system under any reasonably foreseeable circumstances.
 15. Prior to the commencement of the use, all new and existing vehicle crossings as shown on the endorsed plan must be constructed to the standards of Council's Infrastructure Design Manual [IDM] Clause 12.9. (Rural Vehicle Crossings), and to the satisfaction of the Responsible Authority. In particular, works must be in accordance with Council's IDM Standard Drawing SD255 (Rural Entrance).
 16. Prior to the commencement of the use, and in accordance with Clause 14 (Carparking) of Council's Infrastructure Design Manual [IDM], any internal customer parking, manoeuvring areas and loading and unloading areas created by the proposed development and as shown on the endorsed plan must be constructed to an all-weather standard and drained in accordance with plans and specifications approved by the Responsible Authority.
 17. Vehicle access and egress from the property must take place in a forward direction at all times.
 18. In accordance with the Clause 22 (Environment Management During Construction) of Council's Infrastructure Design Manual [IDM], appropriate measures, satisfactory to the Responsible Authority, must be taken to minimise erosion and to retain dust, silt and debris on site, both during and after the construction phase.
 19. If any damage to existing infrastructure occurs as a result of this development, the affected infrastructure is to be replaced by the applicant, at the applicant's cost to the specification and satisfaction of the Responsible Authority.
 20. No excavated or construction materials may be placed or stored outside the site area or on the adjoining road reserves, except where the materials are required in connection with any road or footpath construction works in such reserves that are required as part of this permit.

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PLANNING PERMIT APPLICATION NO. 5201665 - USE AND DEVELOPMENT OF LAND FOR A DRUG AND ALCOHOL REHABILITATION CENTRE AT 104 WATERS ROAD NUMURKAH (cont'd)

21. All drains and batters, and all areas disturbed in the course of the works, must be topsoiled and seeded to establish grass cover. Reserve areas must be tidied, levelled and trimmed to a standard capable of being maintained by a small tractor and slasher.
22. Native vegetation (including trees, shrubs, herbs and grasses) must not be removed, lopped or destroyed unless a permit has been granted by the Responsible Authority
23. Earthworks and construction must not cause damage to native vegetation to be retained (including trees, shrubs, herbs and grasses) and to natural drainage lines and/or watercourses
24. A 'Tree Protection Zone' (TPZ) must be applied to native vegetation within the works area during development including earthworks and construction. The TPZ must have a minimum radius 12x the Diameter at Breast Height (being 1.3 metres from ground level); the TPZ of trees must be no less than 2 m or greater than 15 m.
25. The TPZ must include a temporary protection fence constructed of star pickets/mesh/flagging or similar to the satisfaction of the Responsible Authority.
26. The temporary fence must remain in place until all works and development are completed, to the satisfaction of the Responsible Authority.
27. No trenching, soil excavation, stockpiling or dumping of soil is to occur within the TPZ without the written consent of the Responsible Authority.
28. Before works and development start, a native vegetation conservation plan, to the satisfaction of the Responsible Authority, must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. The submitted plan must show:
 - a) Identification of existing native vegetation on the subject land,
 - b) Actions to provide conservation of native vegetation and habitats within the subject land, including exclusion of the following activities from areas of native vegetation on the subject land:
 - i. materials or equipment storage
 - ii. parking, servicing and fueling of equipment and vehicles;
 - iii. storage of fuel, oil dumps, chemicals or other waste;
 - iv. open cut trenching, cultivation, grading or excavation works;
 - v. alteration to drainage lines;
 - vi. temporary buildings and works; and
 - vii. removal of fallen timber
29. Before the *use and/or development* start(s), a Landscape Plan, to the satisfaction of the Responsible Authority, must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale and three copies provided. The submitted plan must show;
 - a) the use of indigenous/local native species in landscaping except for areas of lawn
 - b) a permanent plantation of trees and shrubs with a minimum of three rows and ten metres wide using a mixture of indigenous (local native) trees

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PLANNING PERMIT APPLICATION NO. 5201665 - USE AND DEVELOPMENT OF LAND FOR A DRUG AND ALCOHOL REHABILITATION CENTRE AT 104 WATERS ROAD NUMURKAH (cont'd)

- and understorey species to be planted adjacent to the east and south east of the development area to form an effective screen between activities on the site and agricultural activities on adjoining land
- c) a schedule of all proposed trees, shrubs and ground cover, which will include number and botanical names of such plants and the location of all areas to be covered by grass or other surface materials as specified,
 - d) include the method of preparing, draining, irrigating and maintaining the plantings and landscaped areas,
 - e) include a weed management program.
30. Within twelve (12) months of the date of this permit or by such later date as is approved by the Responsible Authority in writing, the landscaping works shown on the application plans must be carried out and completed to the satisfaction of the Responsible Authority.
31. 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.*
32. Except with the prior written consent of the Responsible Authority, all services (including water, electricity, gas and telephone) must be installed underground, and located outside the Tree Protection Zone of any indigenous native tree, to the satisfaction of the Responsible Authority.
33. Before works and development start, the permit holder must advise all persons undertaking works and development on the subject land of all relevant permit conditions and associated statutory requirements or approvals.
34. This permit will expire if one of the following circumstances applies:
 - a) The development and use is/are not started within two years of the date of this permit.
 - b) The development is not completed within two years of the date of commencement.The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires, or within 6 months after the permit expiry date, where the use or development allowed by the permit has not yet started; and within 12 months after the permit expiry date, where the development allowed by the permit has lawfully started before the permit expires.
- Goulburn Broken Catchment Management Authority
35. The finished floor levels of all proposed new buildings must be constructed at least 300 millimetres above the 100-year ARI flood level of 108.0 metres AHD, i.e. 108.3 metres AHD, or higher level deemed necessary by the responsible authority.
- Country Fire Authority
36. Access to the site and within the property must be designed to allow emergency vehicle access. The minimum design requirements (including gates, bridges and culverts) are as follows:
 - a) Curves in the driveway must have a minimum radius of 10 metres.
 - b) The average grade must be no more than 1 in 7 (14.4%), however an absolute maximum of 1 in 5 (20%) is allowed for a maximum of 50 metres.

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**PLANNING PERMIT APPLICATION NO. 5201665 - USE AND DEVELOPMENT
OF LAND FOR A DRUG AND ALCOHOL REHABILITATION CENTRE AT 104
WATERS ROAD NUMURKAH (cont'd)**

- c) Dips must have no more than a 1 in 8 (12.5%, 7.1 degree) entry and exit angle.
 - d) Must provide a minimum trafficable width of 3.5 metres and be clear of encroachments for 4 metres vertically and 0.5 metres each side of the driveway.
 - e) Must be designed, constructed and maintained for a load limit of at least 15 tonnes and be of all weather construction.
 - f) Must provide for the turning of fire fighting vehicles close to the building/s by either:
 - i. A turning circle with a minimum radius of 8 metres; or
 - ii. By the driveway encircling the building/s; or
 - iii. The provision of a T or Y head with a minimum formed surface of each leg being 8 metres in length measured from the centre point of the head, and 4 metres trafficable width.
37. The new buildings area of the development must be provided with a static water supply source for fire fighting purposes which meets the following requirements:
- a) Is stored in an above ground water tank constructed of concrete or metal.
 - b) All fixed above-ground water pipes and fittings required for fire fighting purposes must be made of non corrosive resistant metal.
 - c) Have a minimum effective capacity of 45,000 litres.
- The water supply must also –
- Incorporate a ball or gate valve (British Standard Pipe (BSP) 65mm) and coupling (64 mm CFA 3 thread per inch male fitting).
 - The outlet/s of the water tank must be within 4m of the accessway and be unobstructed.
 - Be readily identifiable from the building or appropriate identification signage to the satisfaction of CFA must be provided.
- Any pipework and fittings must be a minimum of 65 mm (excluding the CFA coupling).
38. Grassland areas in and around the buildings / accommodation areas must be managed / maintained to a height no greater than 10 centimetres for a distance of 30 metres for the declared Fire Danger Period.
39. An Emergency Management Plan must be developed that addresses the identified risks for the site and documents emergency management procedures to be undertaken in the event of an incident to the satisfaction of the Responsible Authority.
- Goulburn Murray Water
40. All wastewater from the rehabilitation centre must be disposed of in accordance with an EPA works approval.
41. All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991).
42. No buildings are to be constructed within 30 metres of any waterways or on any

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2. IMPROVING MOIRA'S LIVEABILITY

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PLANNING PERMIT APPLICATION NO. 5201665 - USE AND DEVELOPMENT OF LAND FOR A DRUG AND ALCOHOL REHABILITATION CENTRE AT 104 WATERS ROAD NUMURKAH (cont'd)

drainage lines.

- Department of Environment Land Water & Planning
43. No polluted and/or sediment laden run-off is to be discharged directly or indirectly into the Park. Overland flows into the Park must be maintained at the same rate post-development as at present.
44. No work and no machinery or associated equipment are permitted on the adjoining Crown land, including for truck turning areas, entry points, parking areas or temporary stack sites.
45. Prior to work commencing, the shared boundary with Crown land must be fenced to the satisfaction of the responsible authority and the Department of Environment, Land, Water & Planning in accordance with the *Fences Act 1968* and at the applicant's expense. Fencing must be:
- a) erected on the boundaries of the land;
 - b) at least 1.2 metres in height;
 - c) stock and domestic pet proof;
 - d) without gates or openings on to adjoining Crown land.
46. The adjoining Crown land is not to be used for private purposes, including: access, parking, storage of materials or rubbish.
47. Litter and waste water are not permitted to be released directly or indirectly into adjoining Crown land.
48. Overflow parking is to be accommodated within the subject freehold land and is to be accessed from Waters Road by an approved crossover point.
49. The fence on the shared boundary with Crown land must be maintained to the satisfaction of the responsible authority and the Department of Environment, Land, Water & Planning in accordance with the *Fences Act 1968* and at the applicant's expense. Fencing must be:
- a) on the boundaries of the land;
 - b) at least 1.2 metres in height;
 - c) stock and domestic pet proof;
 - d) without gates or openings on to adjoining Crown land.

Planning Notes:

This permit does not authorise the commencement of any building construction works. Before any such development may commence, the applicant must apply for and obtain appropriate building approval.

A consent to work within Road Reserve permit must be obtained from the Responsible Authority prior to the carrying out of any vehicle crossing works or roadworks.

Changes to roads associated with the development and use may result in native vegetation loss or removal requiring permit/s from the Responsible Authority.

The Emergency Management Plan should also consider the potential threat from grassfire external to the property.

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PLANNING PERMIT APPLICATION NO. 5201665 - USE AND DEVELOPMENT OF LAND FOR A DRUG AND ALCOHOL REHABILITATION CENTRE AT 104 WATTERS ROAD NUMURKAH (cont'd)

1. Executive Summary

Planning Permit 5/2016/65 seeks approval to use and develop land at 104 Watters Road, Numurkah for the purpose of a Drug and Alcohol Rehabilitation Centre in the Farming Zone and Rural Floodway Overlay.

The proposal is to use and develop a 26 hectare property by converting a couple of dwellings and outbuildings and constructing a number of new buildings to provide short term residential accommodation and treatment facilities for rehabilitating drug and alcohol users.

The application was extensively advertised and some 130 objections have been received along with some 65 submissions supporting the proposal.

The application was referred to external authorities and internal departments offering no objections, subject to conditions.

The application has been assessed against the State and Local Planning Policies, Zone and Overlay provisions and other scheme provisions and consideration of the *Planning and Environment Act 1987*.

While there were some inconsistencies with planning scheme policies and provisions, these must be balanced with the overall community benefit of such a facility.

It is recommended that the application be approved and a Notice of Decision to Grant a Permit be issued subject to conditions.

2. Background and Options

Application details

Applicant:	Ian Field – Life Design Architecture
Owner	W & L Barnes
Property Address:	104 Watters Road Numurkah
Title description	Lot 1 PS 147159
Site Area:	26.64 hectares
File No:	5/2016/65
Zone:	Farming Zone
Overlays:	Rural Floodway Overlay

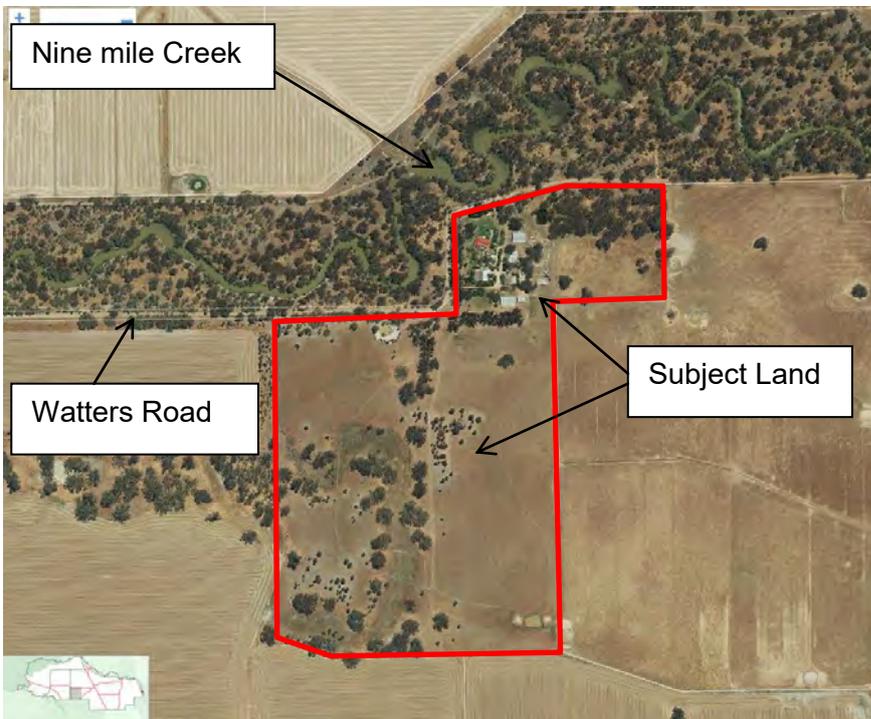
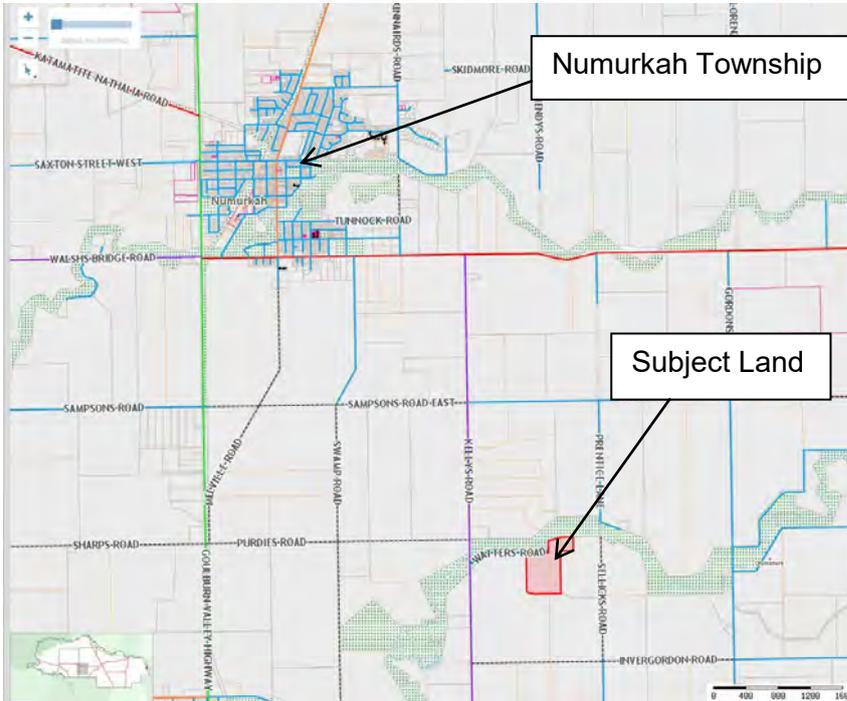
Locality and subject land

The subject land is located approximately 6 kilometres south-east of Numurkah Town centre and more specifically is located on the south side of the Watters Road commencing approximately 526 metres east of Kellys Road.

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Proposal

The application seeks approval for the use and development of the land for a Drug and Alcohol Rehabilitation Centre.

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The proposed centre will provide for short term residential accommodation for up to 48 people and provide structured programs, counselling, recreation and activities for residents.

The proposed centre will operate 24 hours all year round and will employ 20 full time specialist staff including a centre manager, clinical nurse, 5 drug treatment experts, 2 behavioural change specialists, 2 life skills works and 2 case managers, There will be an on-site staffing level of 5-7 people during peak day shifts and a minimum of 2 overnight staff.

The proposal will include buildings and works involving the utilisation of a number of existing buildings and the construction of 6 new buildings used for reception, accommodation, program delivery, offices and meeting rooms.

A total of 33 car parking spaces are shown on the plan inclusive of 2 disabled spaces, which includes a new 23 space car park and 10 undercover spaces utilising existing buildings. A new entry is proposed together utilising the existing access from Waters Road, Numurkah.

It is proposed to establish orchards and a market garden to be used as part of the rehabilitation programs.

No native vegetation is proposed to be removed. There will be new landscaping around the new buildings.

Key Issues

- State Planning Policy
- Local Planning Policy
- Agricultural Policy
- Farming Zone
- Floodway Overlay
- Particular provisions
- Objections received

Options

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

3. Financial Implications

In the event that Council's decision is appealed at VCAT, any cost associated with attending and responding to an appeal would need to be funded.

4. Risk Management

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

5. Internal and External Consultation

Pre-Lodgement Consultation

There was pre-lodgement consultation undertaken by the Applicant.

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Internal Consultation

The application was referred internally to Environmental Health, Infrastructure Planning, Natural Resources, Community Development and Building. No objections have been raised however a number of conditions have been recommended if any permit is issued.

External Consultation

The application was also referred externally to the Goulburn Broken Catchment Management Authority (GBCMA), Goulburn Murray Water (GMW) Department of Land, Water and Planning (DELWP), Environment Protection Authority (EPA) and Country Fire Authority (CFA) Each authority has not objected to the application subject to conditions.

The EPA has not responded to date, however, their interest is in relation to the management of effluent from the development and this can be addressed in the conditions to ensure compliance with current standards.

Public Consultation

Public Notice of the application was given under Section 52 of the *Planning and Environment Act 1987*. Letters were sent to adjoining and nearby landowners, placing a notice on the site and notices in local papers.

The advertising has been carried out correctly and at the time of writing this report 130 objections and 65 letters of support have been received. The basis of the objections are summarised and officer's comments are provided in the following table:

Basis of Objection	Officer's comments
<p>Safety and Security</p> <p>Local people and families Property</p>	<p>Safety and security is a broader social issue which is discussed below. This apprehension in the community is acknowledged, however it was also acknowledged that there is a need for such facility.</p> <p>The structure of the community is fluid and not stagnant, there will always be change. Whilst there may be a certain amount of detriment to some people, it may also be a greater detriment to the wider community if this facility was not established.</p>
<p>Services</p> <p>Police not 24 hours Hospital – No emergency unit Fire Services – overstretched Ambulance – overstretched</p>	<p>It is recognised that not all emergency services are at a level that meet community expectations both now and in the future.</p> <p>It is upon the relevant service providers to respond to the needs of the community as they see fit.</p> <p>The application was referred to the CFA and it responded offering no objection subject to conditions. The other services received an opportunity to comment through the public notification process.</p>

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<p>Environmental Impact</p> <p>Heritage Wildlife- threatened species Trees & plant life Waterways Excavation of services</p>	<p>A voluntary standard assessment Cultural Heritage Management Plan has been prepared with recommendations to undertake a detailed assessment.</p> <p>There are no European heritage items currently listed in the Planning Scheme on the subject land and no items proposed for inclusion from the Heritage Study's recommendations which is now Planning Scheme Amendment C38.</p> <p>The forested creek reserve is recognised as habitat for threatened bird species.</p> <p>The application was referred to DELWP, GMW and EPA and no objections have been received from GMW & DELWP, while, at the time of writing this report, a response has not been received from EPA.</p>
<p>Amenity Impacts</p> <p>On adjoining properties By increased vehicular traffic (car and heavy transport) Dust Effluent escape in times of flood</p>	<p>There will be impacts on the amenity of the area from an increase in vehicular traffic on local unsealed roads from dust. However as such impact is already occurring it is a question of whether there is a level of usage of the road that would demand an upgrading of the road to perhaps a sealed surface. If the amount of dust from the road is impacting on the safety of the road and its users, then this will require further investigation.</p> <p>Notwithstanding, the above, a sealed road from Nathalia Katamatite road to the entrance of the subject land would provide a suitable means to address amenity issues around vehicle access, dust and safety.</p> <p>There would be many effluent disposal systems installed in flood affected areas including the current septic system for the dwelling on the subject land. There will need to be an upgrade to the system which may be required to be licenced under EPA. Any system must comply with the relevant codes and guidelines.</p>
<p>Social and Economic Impacts</p> <p>Numurkah, a small country town Numurkah already has a drug problem Proposal suited to a larger town Will bring an increase to drug use and criminal activity Infrastructure for centre will be funded by local rate payers Limited employment opportunities Affect tourism to Numurkah</p>	<p>A case involving a Place of Worship (<i>Hoskin v Greater Bendigo CC</i>) reviewed the key principles relating to social impacts and effects under S60 [1][f] of the <i>Planning and Environment Act 1987</i>. State and Local Planning Policy generally supports the provision of health and allied services, subject to proper planning assessment. Significant social impacts can be a relevant planning consideration. However:</p> <ul style="list-style-type: none"> • To be a relevant planning issue, VCAT suggested social impacts need to be significant, demonstrable and affecting the community [not just individuals]. • Subjective fears or concerns about a proposal

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should be accorded little if any weight unless there is objective, specific concrete, observable and likely consequences caused by the proposal.

- A large number of objections [on its own] do not demonstrate a significant social impact.
- Objection numbers may illustrate a widely held view that the proposal is not an acceptable planning proposal on its merits. A legitimate difference of opinion about the planning merits is not necessarily a significant social impact.
- To rely on significant social impacts as a reason for a decision requires evidence well beyond the mere assertion of concerns and beyond opinions about the apparent impact of other developments in other places.
- A party seeking to raise and rely on significant social impacts needs to substantiate that claim. It is not for the applicant to "disprove the allegation".

In *Hoskin v Greater Bendigo CC*, VCAT put weight on the Council's sense of the social needs and well-being of the community in coming to a view in which the proposal provided a net community benefit, notwithstanding the opposition of some members of the community.

In this current application, the majority of objections do not raise the idea of only social impact (eg. safety and security), instead focusing on other specific planning issues. For those objections that do raise this issue, they do not provide the type of detail and evidence that would elevate social effects into a legitimate planning concern.

To refuse the application on social impact grounds would require evidence that the proposed use would have significant adverse social impacts. There is no compelling evidence that the social impacts perceived by some objectors would happen.

Ultimately legitimate positive and negative social effects need to be considered and balanced against the other significant effects of the proposal.

With respect to any economic impacts, there appear to be tangible economic benefits for employment & local businesses (during construction and post construction) and potentially negative economic impacts on tourism.

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<p>Property values</p> <p>Surrounding land values affected</p>	<p>The effect on property values is not a relevant planning consideration</p>
<p>Flooding Impacts</p> <p>Numurkah flood Study not completed Flood study boundaries have not been redefined Floor levels in flood overlays not yet determined Access & egress to site may be impassable in time of flood Risks to emergency service workers, staff & clients Any build-up of roads for access will affect flood levels</p>	<p>The application was referred to the GBCMA which offered no objection to the proposal subject to new building being raised 300 millimetres above the 1% AEP (100 ARI) year flood level.</p> <p>If roadworks required the level of the road to be raised by more than 300mm, such works would require separate planning permission.</p>
<p>Application - Supporting Information Inaccuracies</p> <p>Traffic report inaccuracies in text and maps</p>	<p>Whilst there may be certain inaccuracies contained in the traffic report, it is not Council's role to be critical of such detail rather it be used to inform or otherwise in the decision making process.</p>
<p>Site Inadequacies</p> <p>Flood affected No town water Creek water contaminated No public transport Dirt road access not suitable Fire danger area Telephone and internet services poor</p>	<p>The site has a few challenges, however, individual authorities have not objected to the application to the extent that would warrant a refusal.</p> <p>Yes the land is flood prone, however there should be sufficient warning of flooding to evacuate the centre and that any new building will have a floor level above the flood level.</p> <p>Provision of potable water is proposed from collection of water from roofs or other means (water cartage).</p> <p>No public transport exists apart from taxi services.</p> <p>The suitability of accessing the site from an unsealed road is an issue and the provision of a sealed access from the gate of the development to the sealed road network at the Nathalia Katamatite Road would address these concerns.</p> <p>The application was referred to the Infrastructure Department and no objections are raised subject to conditions.</p> <p>Adjoining a forested creek reserve heightens the risk of bushfire where there is more human activity. The application was referred to the CFA and no objections were raised subject to conditions.</p> <p>Telecommunications & internet services are the responsibility of the applicant to enter into</p>

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	agreements with the relevant service providers.
Farm impacts on proposal Odour	The decision to site this facility in a rural location would have taken into consideration the likely impact that it would have from farming activities which may include odour, dust, and noise. There would be no planning grounds to complain against those adjoining and nearby farming activities.
Impacts on farm activities Types of crops grown Movement of stock on roads Movement of farm machinery	The proposal involves using a portion of the site for the rehabilitation centre with the balance used in agricultural pursuits. The impact on the current or future agricultural activities should be minimal. Whilst there may be an increase in traffic movements on local roads, it should not duly affect the operations of those farming activities using the roads, provided all required signage and alert systems are in place.

The applicant was sent the objections for comment and responded accordingly (Applicant's response(s) appended). Further the applicant has provided a response in relation to social and economic impact describing the operation of the rehabilitation centre and its benefits (appended).

6. Regional Context

There is some regional context associated with this development, in terms of supporting people within the broader region.

The Hume Regional Growth Plan does not specifically mention these types of facilities, in terms of need or location. Only in general terms does the Growth Plan state the need to support health services in the Goulburn Valley.

7. Council Plan Strategy

Two of strategic goals in the current Council Plan are:

- *Improve Moira's Liveability*
- *Driving economic growth – agriculture, manufacturing and tourism*

The proposal will add to the range of health services with the Shire which can only benefit Moira's liveability. However, it is located in a rural location that may have amenity impacts and also may have detrimental influences, although minor, on agriculture, tourism and the environment with little effect on Moira Shire's economy overall.

The social implication of this type of facility in this location is whether it provides or adds to community cohesiveness.

While there are positive and negative elements of the proposal, on balance it does not damage Council's strategic goals.

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8. Legislative / Policy Implications

The Planning and Environment Act 1987 and the Moira Planning Scheme set out the requirements for use and development of the land, including the requirements for public notice and referral.

State Planning Policy Framework (SPPF)

It is the expectation of State Government that:

Planning authorities and responsible authorities should endeavour to integrate the range of policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations.

Clause 11.01-2 Activity centre planning

Locate significant new education, justice, community, administrative and health facilities that attract users from large geographic areas in or on the edge of Central Activities Districts, Principal or Major Activity Centres with good public transport.

Locate new small scale education, health and community facilities that meet local needs in or next to Neighbourhood Activity Centres.

The proposal is not located in or on the edge of Numurkah township, rather it is located some 6 kilometres from the centre of town and without public transport to the proposed site. Being this distance from town would not be considered as an isolated location and would be within reasonable distance of urban services and facilities.

Clause 11.05-3 "*Rural Productivity*" seeks to manage land use change and development in the rural areas to promote agricultural and rural production.

Clause 14.01 "*Protection of agricultural land*" notably states the following objectives:

To protect productive farmland which is of strategic significance in the local or regional context;

and;

"To encourage sustainable agricultural land use."

The application for an innominate (undefined) use in a rural area would by itself not achieve the above state policies, however as the proposal is only using a small portion of the land leaving the balance to carry out agricultural activities; this would therefore on balance achieve these objectives. While the proposal may have some degree of impact on surrounding agricultural activities, it is likely these would be negligible given the past use of the property and the plans to maintain some form of agricultural production as part of the programed activities at the centre.

Clause 13 "Environmental Risks"

Clause 13.02-1 "Floodplain Management"

The objectives of this clause are to assist the protection of:

- *Life, property and community infrastructure from flood hazard.*
- *The flood storage functions of floodplains and waterways.*
- *Floodplain areas of environmental significance or of importance to river health.*

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Clause 13.05-1 "*Bushfire*"

The objective of this clause is "*to assist to strengthen community resilience to bushfire.*"

The application was referred to the GBCMA and CFA and both offered no objection to the proposal, therefore it can be reasoned that these state policies are achieved.

Clause 14.02-2 "*Water quality*" seeks to protect water quality by discouraging incompatible land use activities in areas subject to flooding and ensure that contaminated runoffs are minimised.

The impact of the proposal has been assessed by GBCMA, who has not objected to the issuing of a planning permit subject to a condition regarding floor level. GMW has however raised issues in regard to the septic system, in that, potentially a system licenced by the EPA may be required.

Local Planning Policy Framework (LPPF)

Vision of Moira

Part of the Council's vision is underpinned by the following

Effective provision of all social, economic and community services and functions to the community which will require planned integration and to maximise effective use of new and existing social and physical infrastructure;

Municipal Strategic Statement

Clause 21.03-2 Environmental Goal

Council's Environment Goal is to protect and enhance the environmental attributes of the Shire including natural systems (soil, water and air) which in turn support agriculture and tourism and influence the local character of towns and settlements, and to ensure that any development has regard to these environmental features.

Clause 21.04 Settlement – Housing in Rural Areas

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

Clause 22.01 Agricultural Policy.

The purpose of the policy is to address two separate issues: being rural subdivision and rural dwellings. The focus of this policy is in preventing the loss of agricultural land through inappropriate subdivision or the proliferation of dwellings.

There are various elements of the local planning policy that directly or indirectly require consideration with respect to this proposal. Whilst there appears to be no dispute as to the need for this facility, it is the location that requires assessment against Council's policies.

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The desire of the applicant to locate this facility in this location was based on remoteness from residential areas, proximity to support services, ability to conduct agricultural related programs, and, a landscaped environment providing serenity and calmness.

The proposed facility has a residential component and is located in an agricultural area, adjoining a forested creek reserve, therefore the above environmental goal is tested, however the agricultural policy does not specifically address uses such as a rehabilitation centre.

The agricultural policy provides some level of guidance in terms of residential use to ensure that rural production is not compromised and that primary producers are protected from complaints from non-agricultural land users concerned to protect their residential amenity rights.

Any form of residential accommodation in a rural location will compete against the right to farm. Even though there is an agricultural component attached to this proposed use, it is not the primary use of the land.

Being adjacent to Nine Mile Creek with forested habitat and being flood prone would potentially increase the risk on those natural resources, hence not achieving the environmental goal.

Zoning and Overlays
Farming Zone (FZ)

Purpose

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To provide for the use of land for agriculture.*
- *To encourage the retention of productive agricultural land.*
- *To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.*
- *To encourage the retention of employment and population to support rural communities.*
- *To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.*

Under the Farming Zone provisions, a planning permit is required to use and develop land for an unspecified or innominate land use.

The relevant decision guidelines which should be considered are as follows:

General issues

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

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- *The capability of the land to accommodate the proposed use or development, including the disposal of effluent.*
- *Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.*

State and Local Planning Policy have previously been discussed in the report. It is considered the land is not constrained in its capacity to accommodate the disposal of effluent from the proposed rehabilitation centre. The applicant will be required to provide a septic system approved under the Environment Protection Act 1970 whether it is a commercial system licenced by the EPA or a system approved by Council's Environmental Health Department.

The proposal is a non-agricultural use in a farming environment accessed from unsealed rural roads and adjoins a forested creek reserve containing habitat for threatened bird species. Its compatibility with adjoining land uses is therefore questionable.

Agricultural issues

- *Whether the use or development will support and enhance agricultural production.*
- *Whether the use or development will adversely affect soil quality or permanently remove land from agricultural production.*
- *The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.*
- *The capacity of the site to sustain the agricultural use.*

The proposal will remove a portion of the land from agricultural production. However it is proposed that part of the rehabilitation program is to involve clients in some agricultural activities on the site. The primary aim of the proposed agricultural activities on this site is to support the rehabilitation programs and as such is not necessarily economically sustainable into the future.

Environmental issues

- *The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality.*
- *The impact of the use or development on the flora and fauna on the site and its surrounds.*
- *The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.*
- *The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.*

Increased human activity will invariably have a detrimental impact on the natural environment.

Rural Floodway Overlay (RFO)

The proposal is located on part of the land affected by the RFO. Under the provisions of the RFO, a planning permit is required for buildings and works used for habitation. Under those provisions, a planning permit is also required to carry out works associated with

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placing rainwater tanks on the property. The relevant decision guidelines which should be considered are as follows:

- *The State Planning Policy Framework and Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *Any comments from the relevant floodplain management authority.*
- *The local floodplain development plan or flood risk report.*
- *The Victorian River Health Strategy (2002) and any relevant regional river health strategy and associated wetland plan.*

State and Local Planning Policies have previously been discussed in the report. In terms of floodplain management, the application has been referred to the GBCMA pursuant to Section 55 of the Planning and Environment Act 1987. GBCMA has not objected to the granting of a permit subject to a condition relating to floor level.

Relevant Particular Provisions

Clause 52.06 Car Parking

Under the planning scheme provisions, there is no car parking rate for a rehabilitation centre, therefore car parking must be provided to the satisfaction of the responsible authority.

The applicant has provided a car parking demand assessment based on the number of clients, visitors, staff and medical practitioners and has determined that 30 spaces would be required. Provision has been made for 33 spaces on the site.

It is understood that clients will not have access to a car for at least the first 6 weeks and community access will be restricted.

It is considered that the proposed car parking is reasonable, however if more parking is required provision can be made on site accordingly.

Clause 52.17 Native Vegetation

This application does not seek to remove any native vegetation. However, it is prudent to assume that the proposal may ultimately result in a loss, or at least some sort of effect on native vegetation. The removal of such vegetation would require a further permit and referral to the relevant authorities, where appropriate.

General Provisions

Under Clause 65 of the planning scheme, the Responsible Authority must consider, amongst other things:

- The purpose of the zone, overlay or other provisions,
- The orderly planning of the area,
- The effect on the amenity of the area,
- 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 first point has been discussed earlier in this report.

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With respect to the effect on the amenity and orderly planning of the area, the addition of a non-agricultural use in a farming and environmental location could well be argued to be not good planning practice and may detrimentally affect the amenity of the area by reason of, but not limited to, increased traffic, dust, artificial light and noise.

Further, objectors raised the issues of safety and security in having a rehabilitation centre in this neighbourhood which is recognised at planning tribunals as a psychological aspect of amenity. These apprehensions are recognised, however it must be realised that any location for a facility of this type will draw similar concerns, to the point that no site would be suitable. It is a question of balancing the physical amenity concerns with the needs of the community at large.

The land contains native vegetation and this development may put at risk the loss of vegetation if not properly managed.

9. Environmental Impact

As previously mentioned in this report, the proposed use is located on land containing native vegetation, adjoins a waterway and a forested creek reserve and is within a flood affected area.

The proposed use will increase traffic on both Watters Road and Kellys Road, increase dust from unsealed roads, increase noise from human activity and increase artificial light from the facility which could all have a detrimental impact on the natural environment.

As mentioned previously, the land contains native vegetation and if not managed appropriately in terms of location of buildings and works associated with the facility and any agricultural activity conducted on the site, the trees may be put at risk.

10. Conflict of Interest Considerations

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

11. Conclusion

The proposal has been assessed against the provisions of the planning scheme and consideration given to matters required under section 60 of the Planning and Environment Act 1987.

The proposal has some inconsistencies with both state and local planning policy, the purpose of the Farming Zone and its decision guidelines however, these inconsistencies or conflicts should be weighed in favor of net community benefit and sustainable development.

It is considered that locating a non-agricultural land use in a farming environment is generally not good planning practice and may have a detrimental effect on the amenity of the area, however many issues are able to be managed.

There appears to be general acceptance of the need for such a facility however its location is contentious.

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The social and economic implications are only planning matters where there is a community not an individual impact. This has not been demonstrated, therefore a net community benefit would exist if the proposed rehabilitation centre was to establish.

It is acknowledged that much of the interest in this planning application relates to the circumstances of the clients that will occupy the site on a temporary basis. If the circumstances were different, for example a school camp, the planning considerations would not change but it seems likely that the level of objection would.

On balance, the proposed rehabilitation centre in this location may not be the best planning outcome, but it is a sustainable non-agricultural use and development without substantially affecting farming operations or the environment.

The application is therefore recommended for approval.

Attachments

- 1 Development Plans
- 2 Planning Report
- 3 Response to Objections
- 4 Response to objections raised at forum
- 5 Social Impact Statement
- 6 Submissions - Use and development of land for a Drug and Alcohol Rehabilitation Centre at 104 Watters Road Numurkah - *printed in separate document*
- 7 Submissions received after 30 May 2016 - *printed in separate document*

TOWN PLANNING APPLICATION

DRAWING REGISTER	
DWG No.	DWG NAME
	COVERSHEET
	SITE CONTEXT PLAN
	SITE DEVELOPMENT PLAN
	SITE PLAN - NEW BUILDINGS
	RECEPTION FLOOR PLAN - BUILDING 1A
	FOUNDATION PHASE FLOOR PLAN - BUILDING 1A
	STEP DOWN PHASE FLOOR PLAN - BUILDING 1A
	RESIDENTIAL ACCOMMODATION FLOOR PLAN - BUILDING 1A
	PROGNAI BUILDING FLOOR PLAN - BUILDING 1A
	RECEPTION BLDG ELEVATIONS - BUILDING 1A
	FOUNDATION PHASE BLDG ELEVATIONS - BUILDING 1A
	STEP DOWN PHASE BLDG ELEVATIONS - BUILDING 1A
	RESIDENTIAL ACCOMMODATION BLDG ELEVATIONS - BUILDING 1A
	PROGNAI BUILDING BLDG ELEVATIONS - BUILDING 1A
	PROGNAI BUILDING SECTION - BUILDING 1A
	FOUNDATION FLOOR PLAN



The Goulburn Valley ARC
Addiction Recovery Centre 108 WATTERS ROAD NULBURGAH

TOWN PLANNING APPLICATION
COVERSHEET

2015089TP





RESIDENCE

BROKEN-BOOSEY STATE PARK

EXISTING BUILDINGS

RESIDENCE

RESIDENCE



2015089TP010R

TOWN PLANNING APPLICATION

2015089TP010R SITE CONTEXT PLAN

The Goulburn Valley ARC

Addiction/Recovery Centre 104 WATTERS ROAD, NULMERGAH





LEGEND

- Existing Buildings**
- Building 01**
Existing - Residence
Proposed - No change. To be used for meetings, programs and office space.
 - Building 02**
Existing - Outbuilding
Proposed - No changes
 - Building 03/06/07/08/10**
Existing - Sheds
Proposed - No changes
 - Building 04**
Existing - Residence plus and undercover parking for 2 cars
Proposed - Minor internal alterations to provide for self-contained short term residential accommodation for 4 clients plus parking for 2 cars
 - Building 05**
Existing - Workshop
Proposed - No changes proposed - to be used as workshop and stables
 - Building 09**
Existing - Reception Building
Proposed - No proposed changes - activities, meeting and program space
 - Building 11**
Existing - Undercover car parking area
Proposed - No changes proposed - to be used for staff car parking for 8 cars
 - Building 12**
Existing - Storage shed
Proposed - Internal alterations to provide a gym and programme space.
- New Buildings**
- Building 13 - Reception Building**
Central facilities comprising reception, offices, interview rooms, staff room, central kitchen, central laundry and medical services.
 - Building 14 - Foundation Phase Building**
15 bed residential house providing initial treatment for clients.
 - Building 15 - Step Down Phase Building**
15 bed residential house providing the second stage treatment for clients.
 - Building 16 - Residential Accommodation Building**
Self-contained short term residential units and a central lounge for 7 clients.
 - Building 17 - Residential Accommodation Building**
Self-contained short term residential units and a central lounge for 7 clients.
 - Building 18 - Program Building**
Program and meeting space
- Other Facilities**
- 19 - New main entry and access road to the centre.
 - 20 - Car parking for 23 cars
 - 21 - New landscaping
 - 22 - Existing entry and access road to be used for staff access only
 - 23 - Market Garden
 - 24 - Orchard
 - 25 - Existing native woodland to remain
 - 26 - Re-establish native woodland buffer along Watters Road

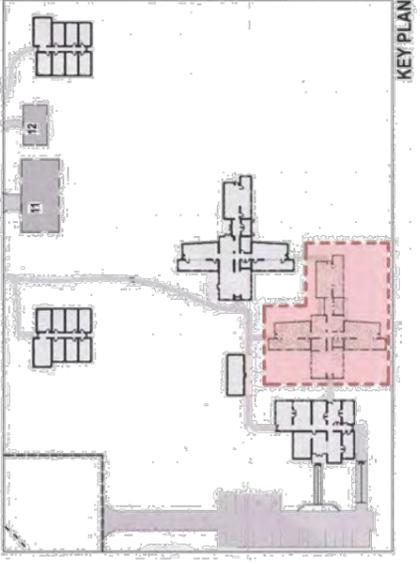


The Goulburn Valley ARC
Addition Recovery Centre. 104 WATERS ROAD NUMURKAH

TOWN PLANNING APPLICATION
SITE PLAN - NEW BUILDINGS

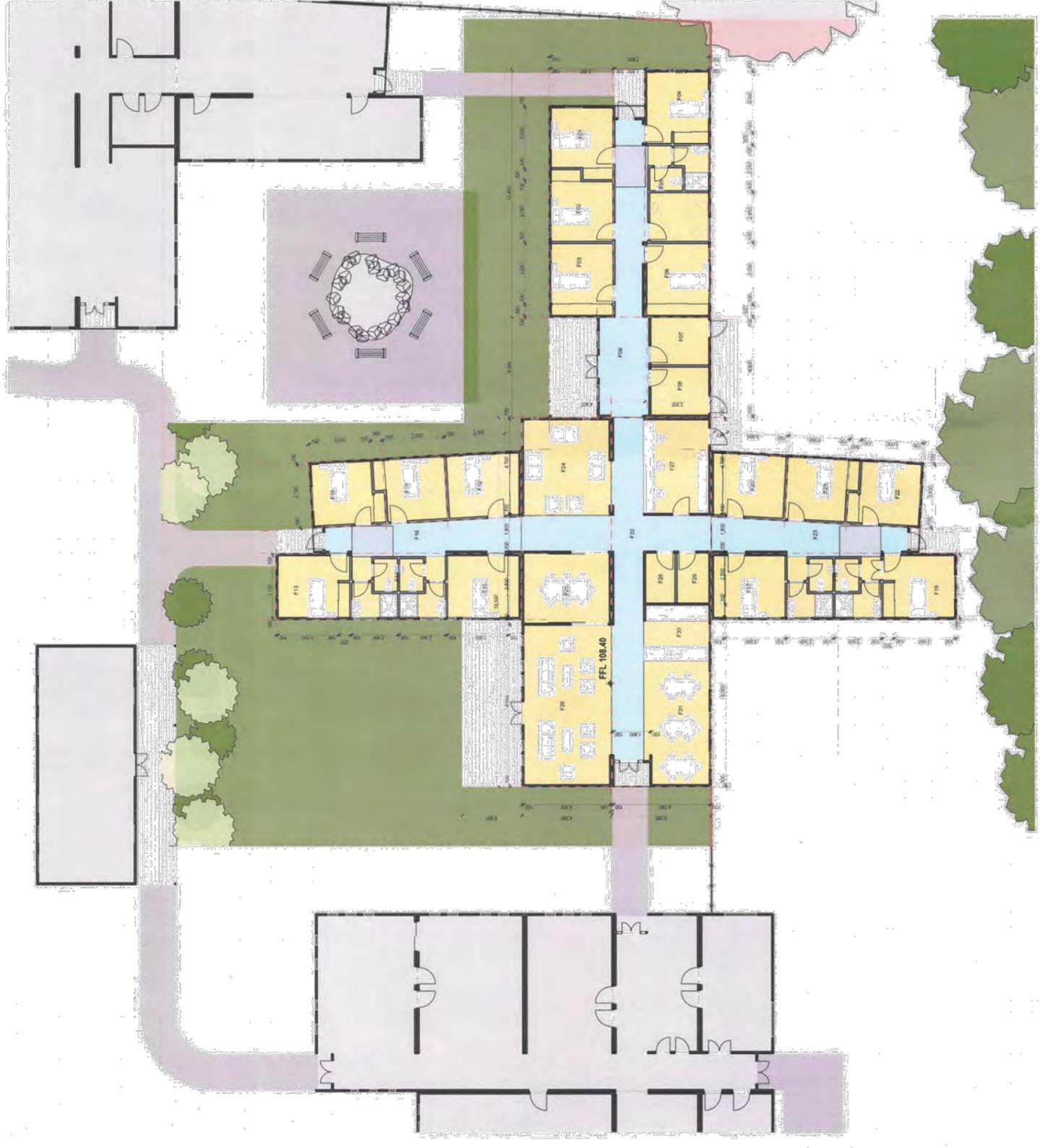
2015089TP100R





FOUNDATION BLDG AREA SUMMARY

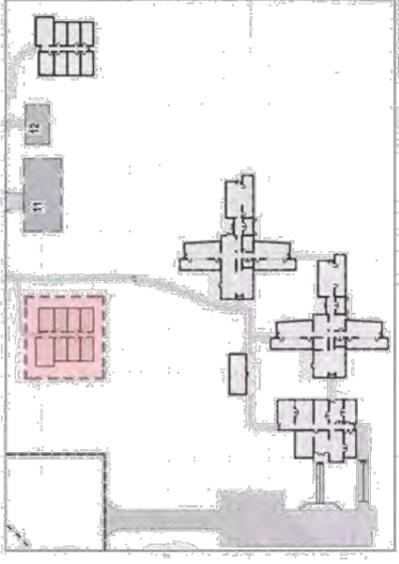
No.	Name	Area
F01	BEDROOM	11.14
F02	BEDROOM	11.47
F03	BEDROOM	11.11
F04	BEDROOM	10.80
F05	BEDROOM	12.54
F06	BEDROOM	12.27
F07	BEDROOM	12.27
F08	WEST AREA	15.83
F09	BEDROOM	15.40
F10	BEDROOM	12.84
F11	INTERVIEW	3.72
F12	INTERVIEW	3.72
F13	INTERVIEW	2.74
F14	INTERVIEW	2.74
F15	CIRCULATION	7.84
F16	CIRCULATION	22.62
F17	BEDROOM	28.63
F18	BEDROOM	18.41
F19	BEDROOM	11.35
F20	BEDROOM	12.12
F21	BEDROOM	12.15
F22	BEDROOM	12.21
F23	BEDROOM	12.21
F24	WEST AREA	15.52
F25	BEDROOM	15.52
F26	BEDROOM	12.24
F27	BEDROOM	12.24
F28	BEDROOM	12.48
F29	BEDROOM	16.40
F30	BEDROOM	12.21
F31	BEDROOM	12.21
F32	WEST AREA	15.52
F33	BEDROOM	15.52
F34	BEDROOM	12.24
F35	BEDROOM	12.24
F36	BEDROOM	12.48
F37	BEDROOM	16.40
F38	BEDROOM	12.21
F39	BEDROOM	12.21
F40	CIRCULATION	11.74
F41	CIRCULATION	12.38
F42	LIVING	22.02
F43	LIVING	22.02
F44	MEETING	18.68
F45	MEETING	18.68
F46	LOUNGE	36.43
F47	LOUNGE	36.43
F48	STAFF	15.56
F49	STAFF	15.56
F50	STORE	2.54
F51	STORE	2.54
F52	CLEARER	4.60
F53	CLEARER	4.60
F54	ATTIC	8.46
F55	ATTIC	8.46
F56	DINING	20.92
F57	DINING	20.92
F58	CIRCULATION	13.72
F59	CIRCULATION	13.72
F60	CIRCULATION	415.51



2015089TP202R

TOWN PLANNING APPLICATION
FOUNDATION PHASE FLOOR PLAN - BUILDING 14

The Goulburn Valley ARC
Addiction Recovery Centre 104 WATERS ROAD NUMAJRAH



RESIDENTIAL BLDG AREA SUMMARY

No.	Name	Area
001	RESIDP	21.56
002	RESIDP	21.56
003	RESIDP	28.62
004	RESIDP	28.62
005	RESIDP	28.62
006	RESIDP	28.62
007	RESIDP	28.62
008	RESIDP	28.62
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010	RESIDP	28.62
011	LOADING	45.92
012	CIRCULATION	29.18
	TOTAL	257.18

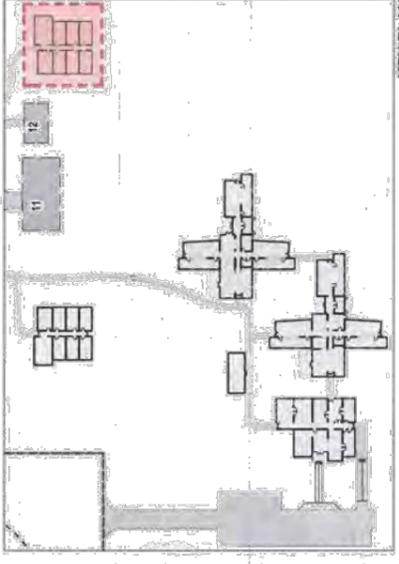
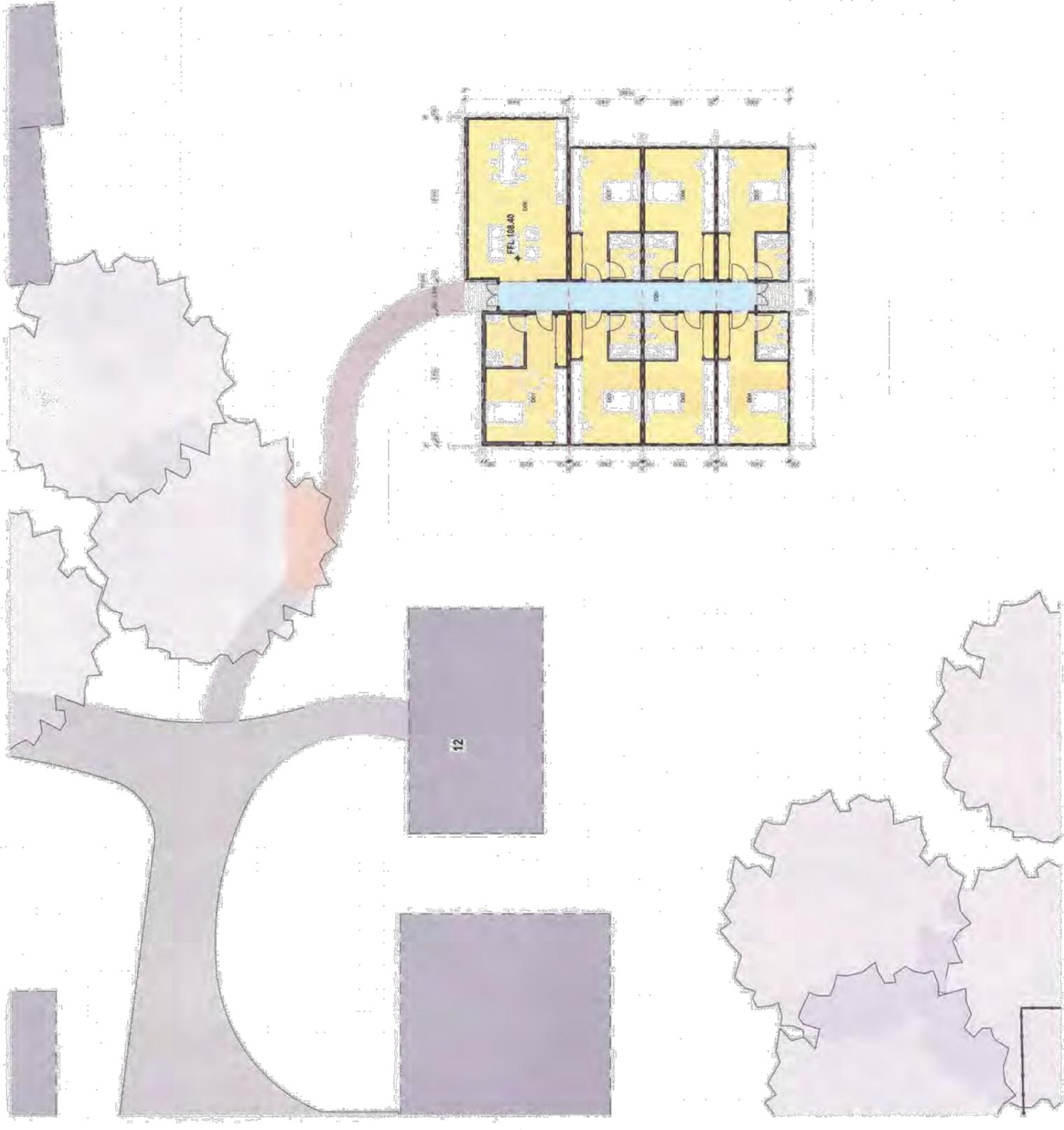
2015089TP204R

TOWN PLANNING APPLICATION
 RESIDENTIAL ACCOMMODATION FLOOR PLAN - BUILDING 16

104 WATERS ROAD, NUMURKAH

The Goulburn Valley ARC
 Addiction Recovery Centre





KEY PLAN

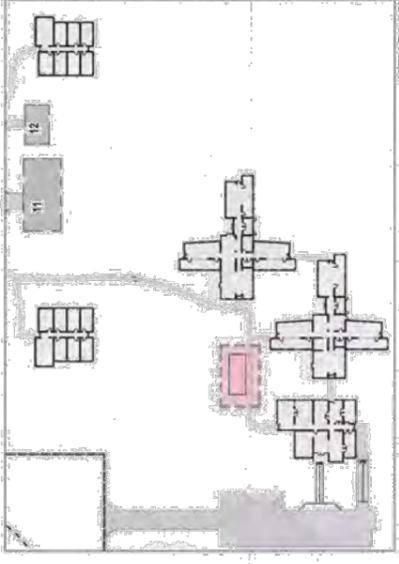
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TOWN PLANNING APPLICATION
 2015089TP205R
 RESIDENTIAL ACCOMMODATION FLOOR PLAN - BUILDING 17

The Goulburn Valley ARC
 Addiction Recovery Centre
 104 WATTERS ROAD, NUMBURAH

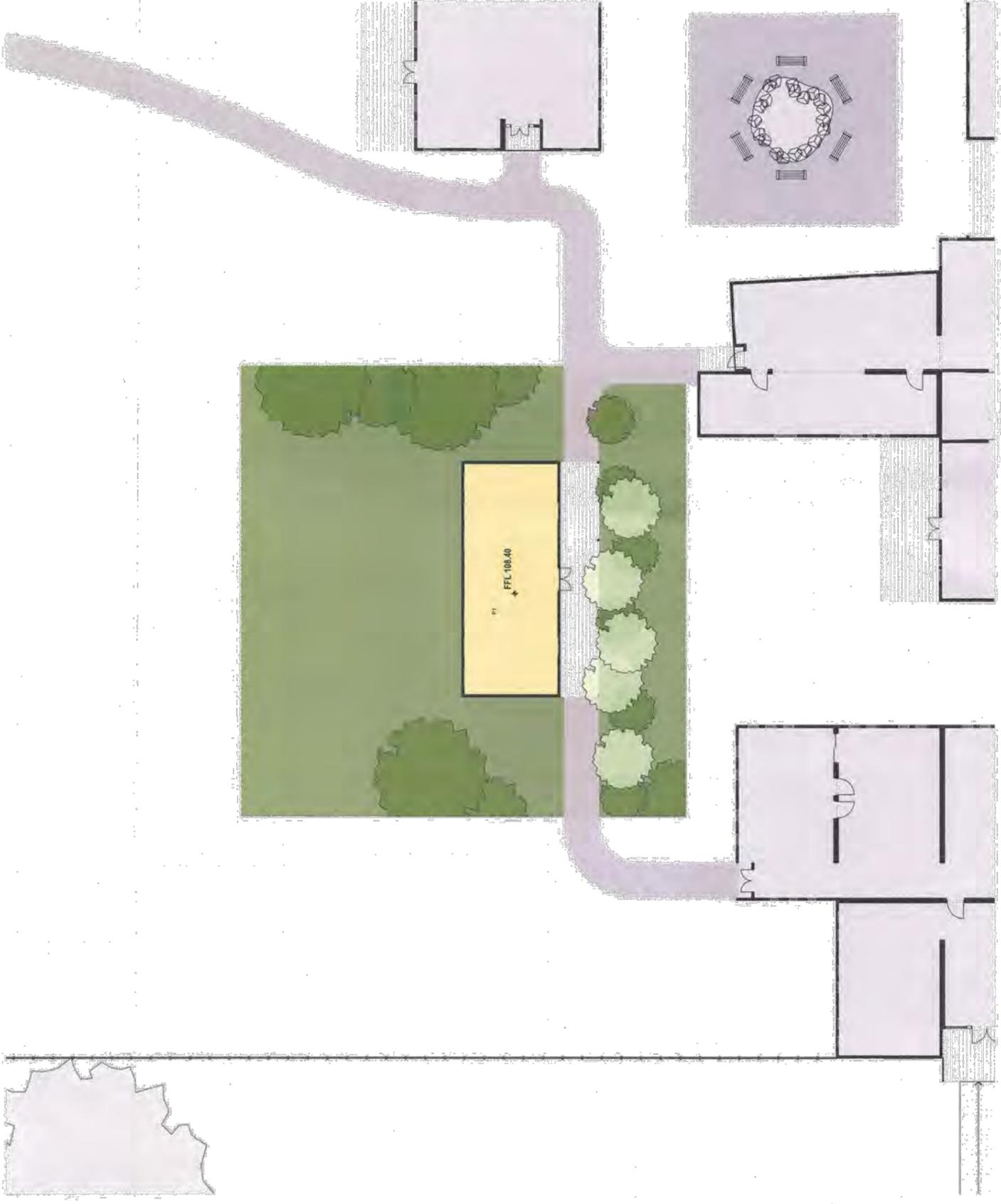




KEY PLAN

PROGRAM BLDG AREA SUMMARY

No.	Name	Area
1	Program	6500
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100	Program	6000



The Goulburn Valley ARC
Addiction Recovery Centre 104 WATTERS ROAD MUMURKRAH

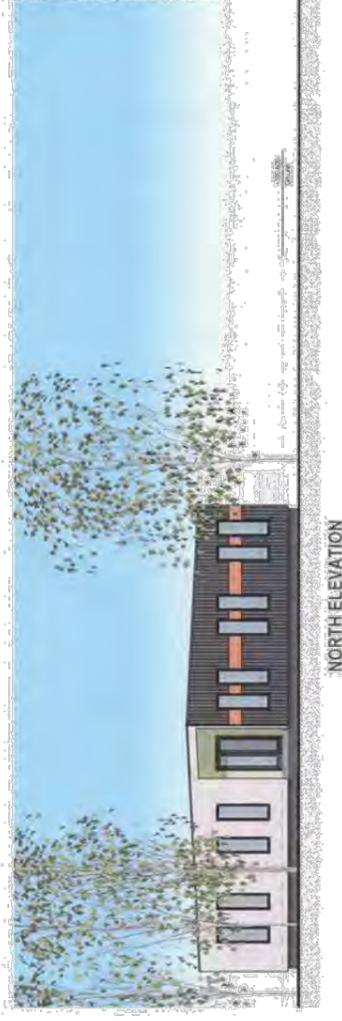
TOWN PLANNING APPLICATION
PROGRAM BUILDING FLOOR PLAN - BUILDING 18

2015089TP206R

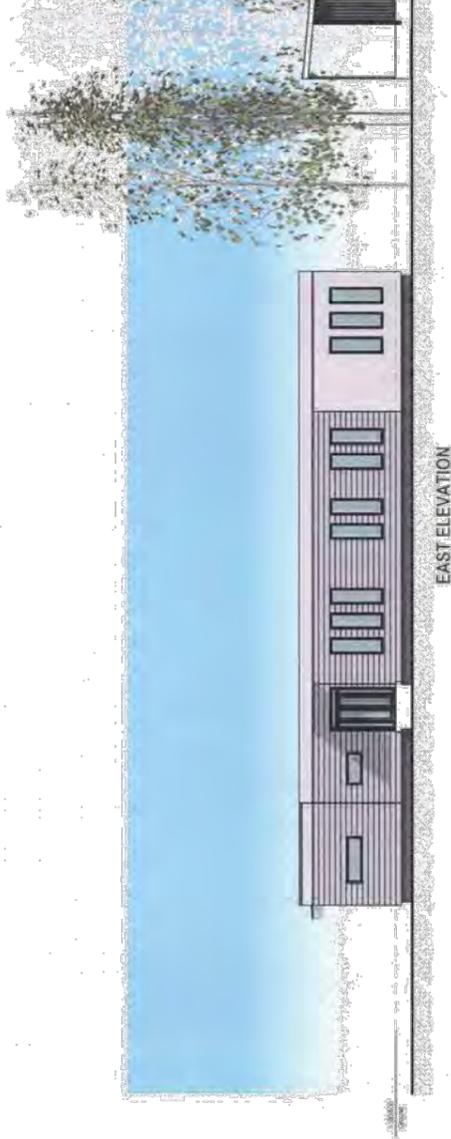




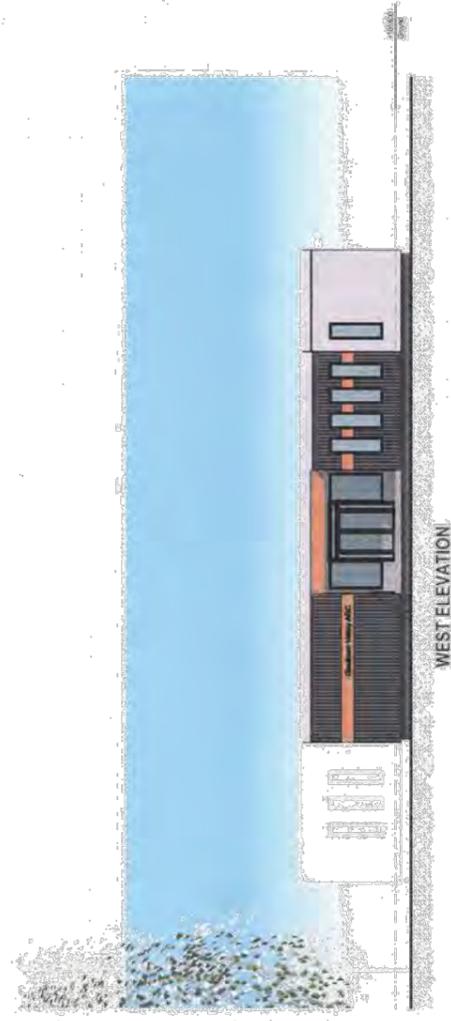
SOUTH ELEVATION



NORTH ELEVATION



EAST ELEVATION



WEST ELEVATION

The Goulburn Valley ARC
Addiction Recovery Centre

104 WATERS ROAD NUMBING

TOWN PLANNING APPLICATION

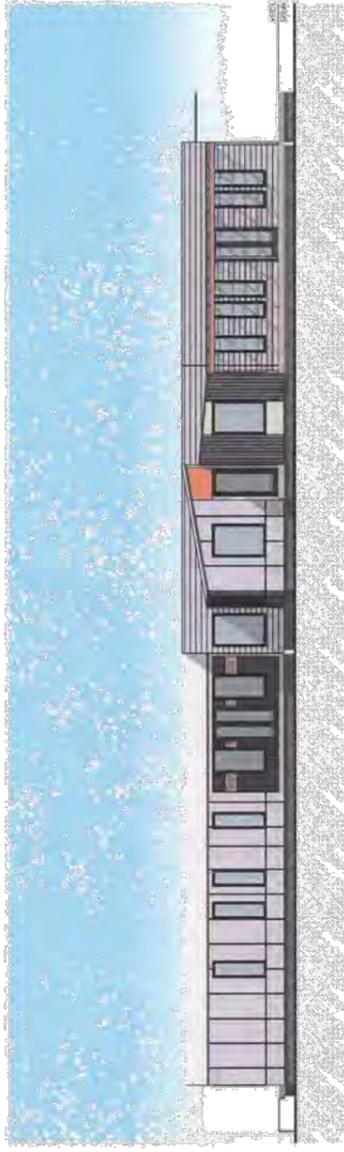
RECEPTION BLDG ELEVATIONS - BUILDING 13

2015089TP501R





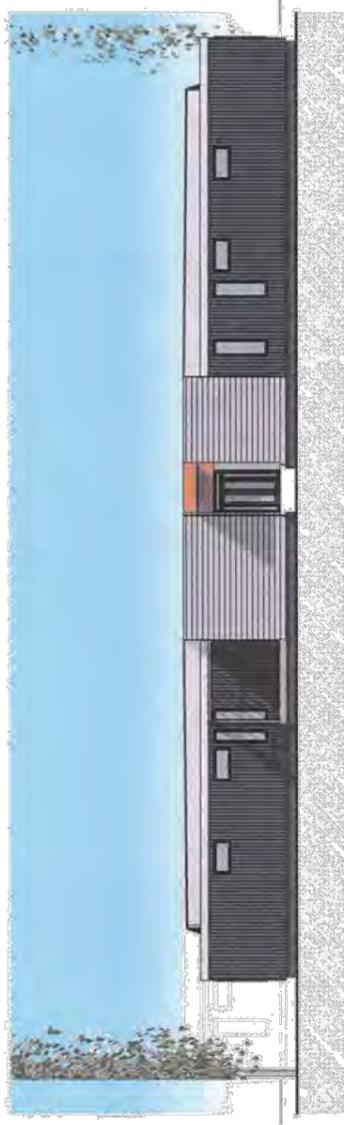
SOUTH ELEVATION



NORTH ELEVATION



EAST ELEVATION



WEST ELEVATION

The Goulburn Valley ARC
Addiction Recovery Centre

104 WATERS ROAD, NUMBURA

TOWN PLANNING APPLICATION
FOUNDATION PHASE BLDG ELEVATIONS - BUILDING 14

2015089TP502R



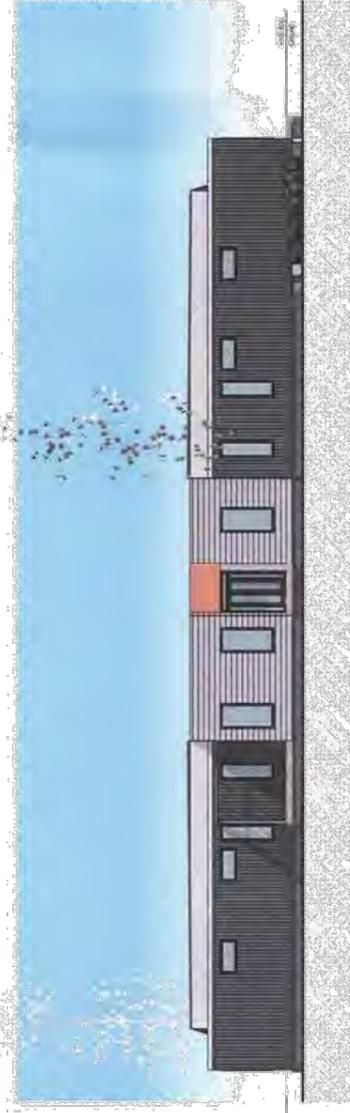
Life Design
Architecture
104 WATERS ROAD, NUMBURA
VIC 3640
PH: 03 5452 1111
WWW.LIFEDSIGNARCHITECTURE.COM.AU



NORTH ELEVATION



SOUTH ELEVATION



WEST ELEVATION



EAST ELEVATION

The Goulburn Valley ARC
Addiction-Recovery Centre

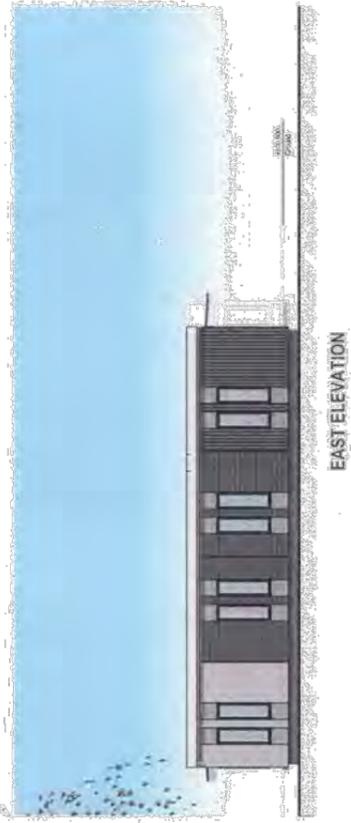
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TOWN PLANNING APPLICATION

STEP DOWN PHASE BLDG ELEVATIONS - BUILDING 15

2015089TP503R





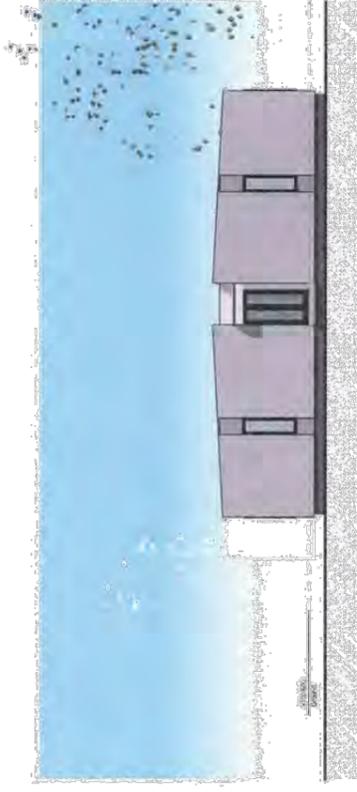
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NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION

The Goulburn Valley ARC
Addiction Recovery Centre

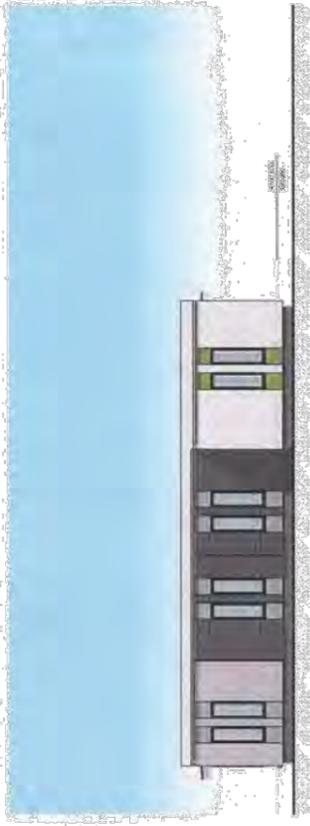
101 WATERS ROAD NUMURKAH

TOWN PLANNING APPLICATION

2015/2016 RESIDENTIAL ACCOMMODATION ELEVATIONS - BUILDING 16

2015089TP504R

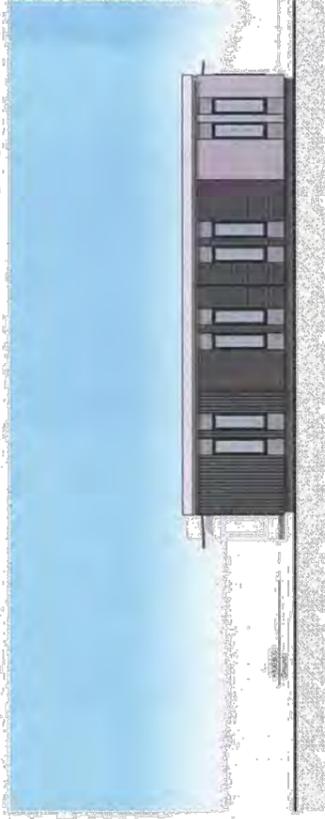




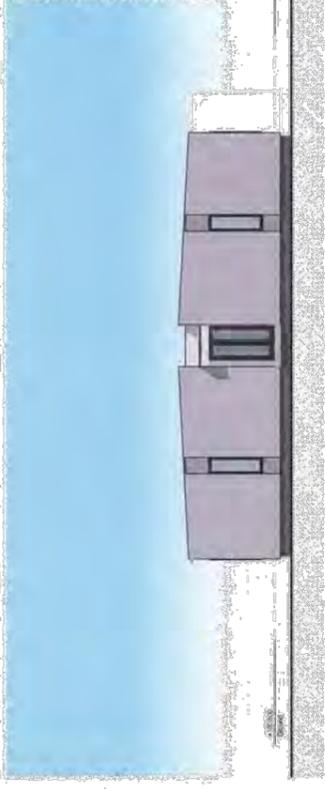
EAST ELEVATION



NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION

The Goulburn Valley ARC
Addiction Recovery Centre

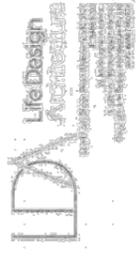
104 WATTERS ROAD NUMURKAH

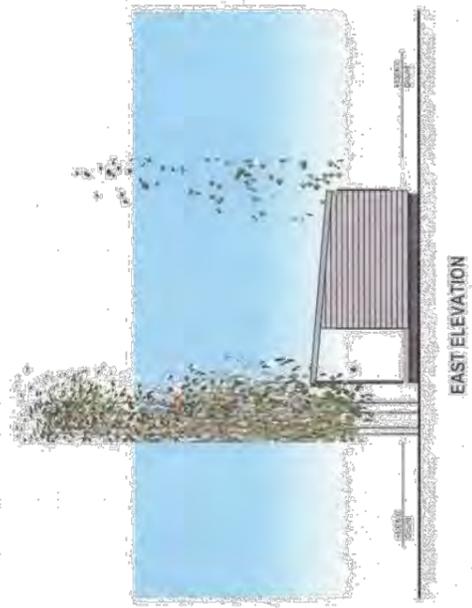
TOWN PLANNING APPLICATION

28/03/2016

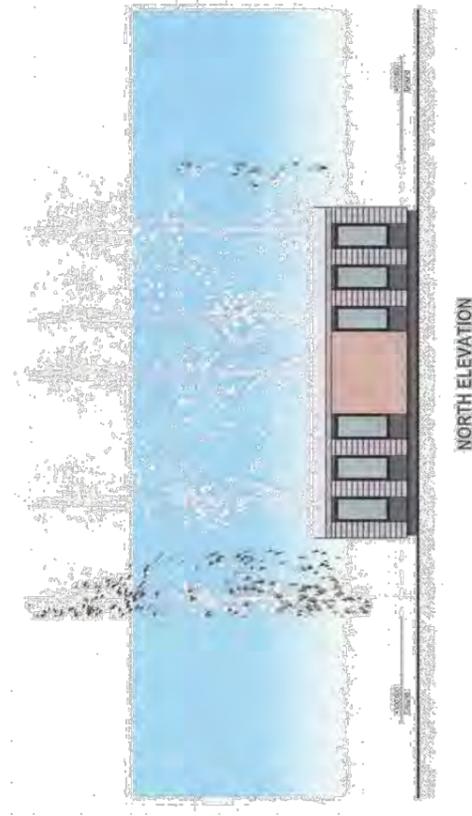
RESIDENTIAL ACCOMMODATION ELEVATIONS - BUILDING 17

20150891TP505R

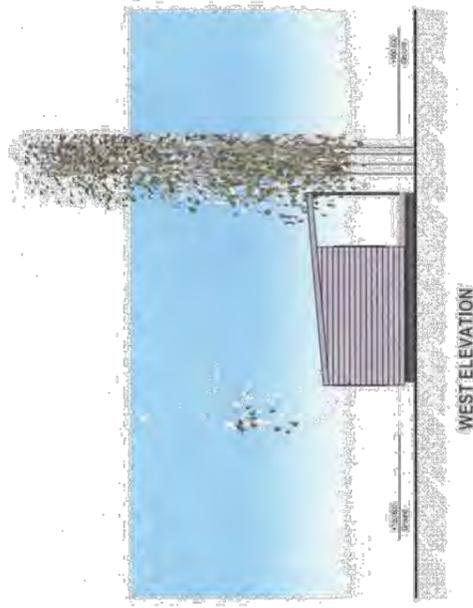




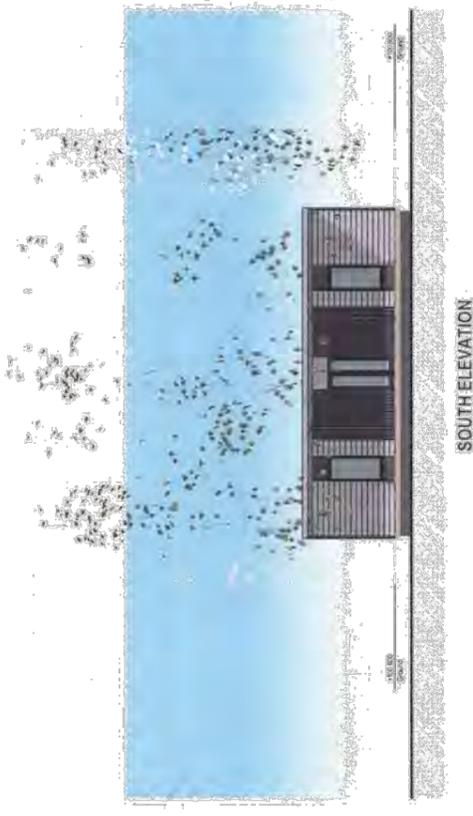
EAST ELEVATION



NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION

The Goulburn Valley ARC
Addiction Recovery Centre

104 WATERS ROAD, NUMARKAH

TOWN PLANNING APPLICATION
PROGRAM BUILDING ELEVATIONS - BUILDING 18

2015089TP506R

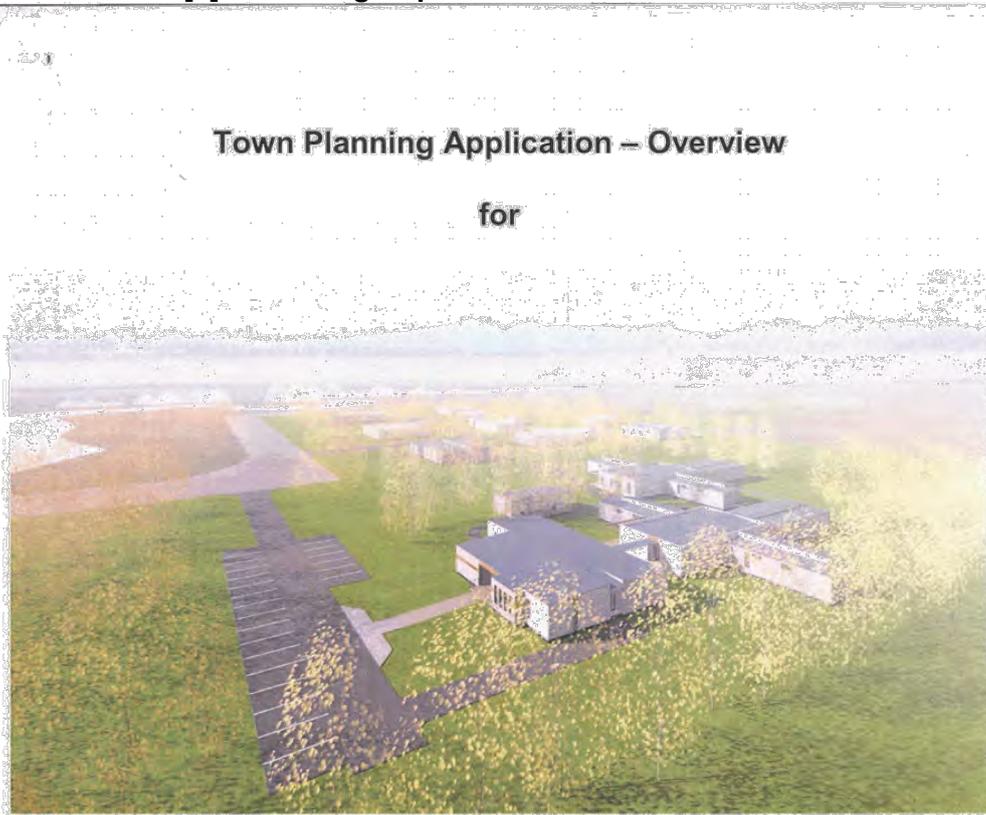


FILE NO: 5201665
2. IMPROVING MOIRA'S LIVEABILITY

ITEM NO: 9.2.2

**PLANNING PERMIT APPLICATION NO. 5201665 - USE AND DEVELOPMENT
OF LAND FOR A DRUG AND ALCOHOL REHABILITATION CENTRE AT 104
WATTERS ROAD NUMURKAH (cont'd)**

ATTACHMENT No [2] - Planning Report



The Goulburn Valley ARC
A 48-bed Residential Drug and Alcohol Recovery Centre
at
104 Watters Road, Numurkah

Prepared by:



591 Bridge Road, Richmond VIC 3121
ph: 03 8488 8205
email: ianf@lifedesignarch.com.au

For



1 Hoddle Street, Richmond, VIC 3121, AUSTRALIA
Shepparton Hub: 95-97 Welsford Street, Shepparton VIC 3630

FILE NO: 5201665
2. IMPROVING MOIRA'S LIVEABILITY

ITEM NO: 9.2.2

**PLANNING PERMIT APPLICATION NO. 5201665 - USE AND DEVELOPMENT
OF LAND FOR A DRUG AND ALCOHOL REHABILITATION CENTRE AT 104
WATERS ROAD NUMURKAH (cont'd)**

ATTACHMENT No [2] - Planning Report

The Goulburn Valley ARC
(Addiction Recovery Centre)


Town Planning Application - Overview

Table of Contents

1.0	Project Summary
2.0	Sponsors
3.0	Overview
3.01	ACSO to build and run a residential drug and alcohol recovery centre in the Goulburn Valley
3.02	There is a need to provide drug and alcohol rehabilitation services in the Goulburn Valley
3.03	Experienced providers of drug and alcohol rehabilitation will manage the centre
3.04	The centre will run structured programs for [up to] 48 residents at a time
3.05	The centre will be supervised 24 hours a day, 7 days a week
3.06	The Goulburn Valley ARC will provide a safe environment for all
4.0	The Site
5.0	Site Master Planning
6.0	Building Design
7.0	Planning Zones and Overlays
8.0	Response to the Planning Zones and Overlays
9.0	Site Services
10.0	Response to Planning Schedule 35.07 – Farming Zone
10.01	Purpose
10.02	Table of Uses 35.07-1
10.03	Decision Guidelines 35.07-6

Attachments

Certificate of Title
Title Plan
Development Plans
Advice letter from Goulburn Broken Catchment Management Authority of 22 December 2015
Traffic Engineering Assessment by Traffix Group of 30 March 2016

FILE NO: 5201665
2. IMPROVING MOIRA'S LIVEABILITY

ITEM NO: 9.2.2

**PLANNING PERMIT APPLICATION NO. 5201665 - USE AND DEVELOPMENT
OF LAND FOR A DRUG AND ALCOHOL REHABILITATION CENTRE AT 104
WATERS ROAD NUMURKAH (cont'd)**

ATTACHMENT No [2] - Planning Report

The Goulburn Valley ARC
(Addiction Recovery Centre)


Town Planning Application - Overview

1.0 Project Summary

The Goulburn Valley ARC is a proposed *Residential Drug and Alcohol (Addiction) Recovery Centre* providing short term residential accommodation for the delivery of rehabilitation services and to build recovery for persons with drug and alcohol addictions in the Goulburn Valley Region.

2.0 Sponsors

The sponsor of the development is **ACSO**. ACSO are a leading provider of services and support for people with drug, alcohol and mental health issues.

Partners with ACSO in this development are:

- **Odyssey House** – Experienced operator of two existing residential drug treatment communities in lower Plenty in metropolitan Melbourne and Benalla in North-East Victoria
- **Neatline Homes** – Shepparton based builder and developer and
- **Life Design Architecture** – Leading architectural and master planning design company

3.0 Overview

3.01 ACSO is planning to build and run a residential Drug and Alcohol recovery centre for local people who live in the Goulburn Valley 8kms outside of Numurkah.

ACSO is a Victorian leader in helping people with difficult problems and improving community safety by reducing crime.

Because of increasing demand and overstretched community services, ACSO intends to build and run a residential drug and alcohol rehabilitation centre to provide rehabilitation for people from the Goulburn Valley who are starting to get into trouble from their drug addiction.

The centre will be a short-term residential facility and have spaces for up to 48 people at a time (48 beds). It will offer a 3 month long rehabilitation program, and shorter (4-6 week) "circuit breaker" stays.

Program residents, who need it, will undertake a Detox program to help them stop using drugs and or alcohol away from Numurkah with other specialist providers at their facilities, before they come to the recovery centre.

At the end of their treatment, people will continue to receive drug and alcohol support in the community.

3.02 There is an increasing need to provide drug and alcohol rehabilitation services in the Goulburn Valley

Across the Goulburn Valley there is an increasing need to provide more drug treatment programs for people in their local community because drug usage is increasing and current community services are overstretched and can't provide intensive residential programs.

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The Goulburn Valley ARC
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ACSO has found that over the last 12 months that increasing numbers of people are seeking help and treatment to get off drugs and get their lives back on track. Within the valley there are particular hotspots, especially in the Greater Shepparton and Moira local government areas and further afield in both Mildura and Campaspe local government areas.

The vast majority of people currently seeking help will receive a short community based counselling program. If they need a more intensive residential drug treatment program they can typically wait for more than 6 months and will usually have to travel out of their community for this type of help and support.

3.03 Experienced providers of drug and alcohol rehabilitation will manage the centre

The Goulburn Valley ARC is a partnership between ACSO and Odyssey House Victoria. Both are leading providers of support and rehabilitation for people living in Victoria, and have substantial experience running successful community based residential facilities.

ACSO is known as the leader in Victoria in the delivery of programs for people who find themselves in trouble because of drug and alcohol issues or mental health problems. We provide a number of successful residential and community based programs across Victoria that respond to these problems.

Community safety is ACSO's first priority, and over the past 30 years we have endeavoured to build safer more inclusive communities by successfully working with people to help them change their lives for the better.

ACSO operates as a not-for-profit charity and employs over 300 staff with almost 150 working in regional Victorian towns. We currently employ 20 local staff based in the Goulburn Valley, and our local Manager lives in Yarrawonga.

ACSO are the gateway into community based mental health and drug treatment programs in the region and have been delivering programs in the Goulburn Valley for the past 19 years. Our office is in Welsford Street, Shepparton, and our staff work across the entire region.

ACSO work with individuals who are experiencing challenges because of drug and alcohol issues, mental health problems or intellectual disabilities, and help to connect them into local treatment and support programs. They also actively work with and support families affected by the issues their loved ones are facing.

ACSO has won a number of awards for our work, and we are extremely proud of these. These include awards for: crime prevention (specifically for reducing offending in the community and thus making it safer), helping people who have been unemployed for a long time to find work, and we have also been awarded for our work helping people get into safe and affordable housing.

ACSO will be working with Odyssey House Victoria to deliver the drug treatment programs at the centre. Odyssey House Victoria is an established provider of services helping those with alcohol and other drug dependencies.

Odyssey House Victoria has two residential rehabilitation communities. One in Lower Plenty in metropolitan Melbourne, and a second near Benalla in North-East Victoria.

Odyssey House aims to help people establish a life that is free from drug dependence and is productive and fulfilling.

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3.04 The centre will run structured programs for [up to] 48 residents at a time

The centre will operate (and will be staffed) 24 hours a day, 365 days a year. Residents will live at the centre for the duration of their treatment and support, and be supported and supervised by full time highly skilled experts delivering drug treatment and behaviour change programs.

Every resident will take part in an intensive structured program of activities, counselling, recreation and life skills programs which will keep them engaged and motivated for the duration of their treatment and support program

Program residents, who need it, will undertake a detox program with other specialist providers at their facilities before they come to the centre.

Once at the centre, the treatment programs have a number of stages:

- **Foundation Phase** – Initial entry assessment and treatment for up to 15 clients at a time. In this initial phase the residents will stay in the foundation phase facility for 3-4 weeks under a high level of supervision (24 hours a day, 7 days a week).
- **Step Down Phase** – Residents will then move to the step down phase facility, which will accommodate up to 15 clients for a further period of 2-3 weeks under a less intense supervision.
- **Residential Rehabilitation** – After the step down phase, depending on need, some residents will move to on-site self-contained residential accommodation for additional support for up to 6 weeks. There will be three residential houses on the site accommodating up to 18 clients.
- After the end of the program, people will leave the facility and return to their homes, or into private or supported houses in their local community. They will be monitored through ongoing off-site counselling and support.

Both programs (the full 3 month rehabilitation program and the 4-6 week "circuit breaker") programs are highly structured and provide a balance between work, therapy and recreation. Each resident has access to a variety of professional staff, and those who have recovered from their own problems with addiction.

All residents participate in decision-making, and they are also expected to contribute to the functioning of the community through cooking, cleaning, and working on property development and maintenance. There will be variety of group based activities to help individuals learn new or better coping skills, build self esteem, and take responsibility for their circumstances.

Community based drug treatment and community based mental health services will play a large role in transition, as people get ready to leave the centre. The community drug treatment and mental health services staff will visit the facility regularly, and residents will take part in supervised community visits to these programs.

The centre is planned to be located in a rural and peaceful farming environment where residents can have access to, and participate in, agricultural endeavours on-site.

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3.05 The centre will be supervised 24 hours a day, 7 days a week

ACSO expect that the centre will have a maximum of 48 residents at any one time, with an on-site staffing level of 5-7 people during peak day shifts and a minimum of 2 staff working overnight.

The centre will operate (and will be staffed) 24 hours a day, 365 days a year. It will employ over 20 full time specialist staff. Full time rostered staff will include:

- A full time centre manager responsible for the facility
- A clinical nurse practitioner
- 5 specialist drug treatment experts who will deliver Odyssey House's highly respected treatment program
- 2 specialist staff who will deliver the highly successful ACSO behaviour change program where people develop the strategies and skills to manage their behaviours
- 2 life skills workers who will plan a range of jobs and activities for residents, including cooking, cleaning, working in the gardens
- 2 case managers who will work with every resident to prepare for their exit into programs in their local community

In addition to the full time staff, there will be a number of staff working shifts and responsible for the centre in the evenings and overnight. These shifts are all "stand up shifts" meaning the centre will be staffed by a minimum of 2 active employees on site 24 hours a day, 7 days a week, 365 days a year.

The centre is designed to have a several consulting rooms where visiting GPs and local services will be able to provide a range of additional support for residents.

No other service currently operates at this level of specialist care for people living in the Goulburn Valley.

3.06 The Goulburn Valley ARC will provide a safe environment for all

ACSO want to make sure that they provide a safe community and a safe environment for residents and staff, and both ACSO and Odyssey House have extensive experience in successfully running community based facilities.

- Odyssey House currently runs more than 115 beds in the community
- ACSO currently runs more than 60 beds in the community

They have found that a strict set of rules for behaviour, appropriate supervision, and monitoring are required, and this creates a safe place for treatment and support.

On entry into all of the residential programs, participants sign a contract where they agree to adhere to all the rules before being admitted into the program.

These rules include:

- No drugs or alcohol are allowed on site (we will urine screen residents twice weekly to test for this)
- Zero tolerance to any type of violence, including threats of violence (police will be called and residents will be removed from the program if this occurs)
- Restricted visiting, with registered visitors and set visiting times
- Community access is restricted and fully supervised by staff for the first 6 weeks (the duration of the circuit breaker program)
- For longer staying residents (those in a 3 month program) any community access after the first 6 weeks is assessed and approved in advance

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Both ACSO and Odyssey House rarely experience breaking of these rules.

In addition, this facility will be purpose built and managed to provide safety:

- The centre will be staffed 24 hours a day seven days a week
- All external doors will have alarms, so we will be aware if a resident leaves the facility without permission
- CCTV will be installed though out in this centre
- Local plans will be developed with emergency services to rapidly respond to any event in our residential programs in the most appropriate way

ACSO and Odyssey House enjoy positive relationships with their neighbours, and have been able to allay community concerns by delivering programs that do not impact on any of their neighbours. In fact, the neighbours have extremely positive things to say about the ACSO / Odyssey House programs.

4.0 The Site

The site for the development is at 104 Watters Road, Numurkah (also known as 399 Kellys Road) comprising Lot 1 on Plan of Subdivision 147159F being a land parcel of 26.64 hectares.

The site is located 7km south east of the Numurkah Township abutting Nine Mile Creek and the Broken-Boosey State Park that runs along the creek. The site is also 6.7km from the township of Wunghnu.

The Numurkah District Health Services which includes a 24 hour emergency service and ambulance depot is 6.1km from the site and the Numurkah Police Station 7.6km.

The main access to the site is along Kellys Road which is a gravel surfaced road being either a 4km drive to the bitumen sealed Katatmite-Nathalia Road to the north or 3km to the bitumen sealed Wunghnu Road to the south. Alternative access to the site is available along Sellicks Road from Wunghnu Road.

A public roadway and State park adjoins the site to the north while all other adjoining land is being used for farming.

There are 13 farmhouses / residents which are 2.5km or less in a direct line from the proposed building site being:

SITE ADDRESS	DISTANCE FROM SITE TO RESIDENCE
• 343 Kellys Road	0.9km (across the creek - 1.8km by road)
• 178 Prentice Lane	0.9km (across the creek - 7.0km by road)
• 268 Purdies Road	1.5km (across the creek - 2.4km by road)
• 434 Kellys Road	1.5km (1.9km by road)
• 458 Kellys Road	1.5km (2.1km by road)
• 488 Kellys Road	1.7km (2.4km by road)
• 536 Kellys Road	2.0km (2.8km by road)
• 541 Sellicks Road	2.0km (3.1km by road)
• 362 Gordons Road	2.2km (5.7km by road)
• 582 Kellys Road	2.4km (3.3km by road)
• 462 Gordons Road	2.4km (4.6km by road)
• 472 Gordons Road	2.4km (4.4km by road)
• 477 Gordons Road	2.5km (4.4km by road)

Most of these residences are a lot further away in distance if travelling via public road as noted. None of these residences have a view to any of the proposed or existing buildings on the site.

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The site is currently used for farming and there are a range of existing buildings clustered in the northern most part of the site adjacent the creek as follows:

- A 3-bedroom residence
- A 4-bedroom residence
- Meeting / reception building
- 2no work sheds
- Various other sheds, outbuildings and open shed structures

There are a large number of existing established trees particularly around the existing buildings to the north of the site. There is an water irrigation system installed to the north east paddock of the site

5.0 Site Master Planning

The master planning of the site has been developed based on a principal of creating minimal change to the existing use and footprint of the land. It is not proposed to remove any tree on the site for the proposed development. The existing buildings on the site will be adapted for use in the new development and the general infrastructure that exists already will be retained. Land that is currently used for dry cropping or land under irrigation will be retained for that use.

The major new building works are to be located to the south of the existing buildings on the site on land that has previously been used for dry cropping. A separate and new vehicle entry will be provided from Kellys Road to access this new building and for all external visitor and public access to the site. The existing access to the site from Kellys Road will be retained but for access only for staff, some deliveries and for those clients staying in the self-contained short term accommodation.



Existing entry point to site from Waters Road – Proposed staff entry

8/1/16
RAD 8

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Location for proposed new entry point form Watters Road



Watters Road with site on the left – this boundary to be re-established as native bush



Adjoining Broken Boosey State Park

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Native bushland on the site along Watters Road to be retained and protected



Area of site to be used for market gardens and orchards



Existing gardens to be retained

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Site for main new buildings -13, 14, 15 and 18



Site for new building 16



Site for new building 17

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6.0 Building Design

New Buildings

The main building complex comprises four interlinked buildings as follows:

Reception Building (Building 13) – this provides all the central facilities for the centre comprising reception entry and waiting room, offices, interview rooms, staff room, central kitchen, central laundry, medical services, stores and amenities. *Total Area 345 sqm*

Foundation Stage Building (Building 14) – a 15 bedroom residential house which will provide the initial treatment for the clients attending the program. *Total Area 470 sqm*

Step Down Stage Building (Building 15) – a 15 bedroom residential house which will provide the second stage treatment for the clients attending the program. *Total Area 470 sqm*

Program Building (Building 18) – a flexible program meeting space for running activity programs for the residents. *Total Area 60 sqm*

Entry to the main building complex for visitors is only from the west entry road / visitors carpark via the secure reception. The main building complex will be surrounded by a securely fenced north facing garden and courtyards.

There are two new residential buildings that provide on-site short term accommodation for up to 6 weeks for some participants after they have completed the program.

Residential Accommodation Building 1 (Building 16) – comprises 7 self-contained accommodation units and a central lounge.

Residential Accommodation Building 2 (Building 17) – comprises 7 self-contained accommodation units and a central lounge

Existing Buildings

Additional facilities for the new centre will be provided in existing buildings and structures on site as detailed on the pages following:

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- **Building 01 – Residential Accommodation Building**
Existing – Original 19th century weatherboard homestead residence.
Proposed – No changes proposed. The building is a reasonable intact early settlers homestead with a number of original features – It is to be retained and used for activities, meetings and as a program space.



Building 01 – Existing conditions

- **Building 02 – Amenities Building**
Existing – Amenities outbuilding adjoining building 01.
Proposed – No change.



Building 02 – Existing conditions

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- **Building 03 – Wattle and Daub shelter**
Existing – Early settlers hut
Proposed – This is an excellent and rare example of a wattle and daub construction hut. No change proposed and to be retained.



Building 03 – Existing conditions

- **Building 04 – Residential Accommodation Building**
Existing – 3 Bedroom brick veneer residence plus outdoor covered deck and undercover parking for 2 cars
Proposed – Minor internal renovations will be made to provide self-contained short term residential accommodation for up to 4 clients with an additional bathroom. No external alterations proposed. Existing Carport to provide parking for 2 client cars.



Building 04 – Existing conditions

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- **Building 05 – Workshed and Stables**
Existing – Workshed
Proposed – No changes proposed – to be used as workshed and stables



Building 05 – Existing Conditions

- **Building 06 / 07 / 08 / 10 – Sheds / Storage**
Existing – Sheds
Proposed – No change



Building 06 – Existing conditions



Buildings 07 & 08 – Existing conditions

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Building 10 – Existing conditions

- **Building 09 – Program and Activities Building**
Existing – Reception / Activities Building
Proposed – No changes proposed – to be used for activities, meetings and as a program space



Building 09 – Existing conditions

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- **Building 11 – Staff Undercover Car Parking**
Existing – Undercover car parking area
Proposed – No changes proposed – to be used for staff car spaces (8 car spaces)



Building 11 – Existing conditions:

- **Building 12 – Gym and Program Space**
Existing – Storage shed
Proposed – Internal alterations to provide a gym and programme space. External alterations will only be required to provide complying access provision.



Building 12 – Existing conditions:

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7.0 Planning Zone and Overlays

The site is to be located in a **Farming Zone**

Overlays to be addressed as necessary include:

- **Rural Flood Overlay**

This planning application is being made for:

Development of a Drug and Alcohol Rehabilitation Centre including:

- | | |
|---------|--|
| 35.07-1 | Use of the land for a Residential Drug and Alcohol Rehabilitation Centre in a Farming Zone 1 |
| 35.07-4 | Buildings and works in a Farming Zone 1 |
| 44.03-1 | Buildings and works in a Rural Floodway Overlay |

8.0 Response to the Planning Zones and overlays

Farming Zone - The Goulburn Valley ARC is a Residential Drug and Alcohol Rehabilitation Centre which is an innominate use in the Planning Scheme (An undefined use in the Planning Scheme) and approval is subject to obtaining of a planning permit. The majority of the land on the site will remain and be used for agricultural production.

Rural Floodway overlay - The site is located in the flood overlay however the area is suitable for further development.

The designated flood level for the site has been nominated by the Goulburn Broken Catchment Management Authority (GBCMA) as RL 108.00 (refer to their letter of 22 December 2015). The natural ground level in the area of the site to be developed varies between RL 107.80 and RL 107.90. The finished floor level of all the new buildings will be a minimum of RL 108.30 being 300mm above the designated flood level and 400-500mm above natural ground level.

The floor level of the existing buildings proposed to be used for habitable accommodation are (refer also to the level investigation survey – drawing no: 16009/01 by Chris Smith and Associates):

- Building 01 – Program and activities Building - **RL 107.96 / 108.01**
- Building 04 – Residential Accommodation Building – **RL 108.51**
- Building 09 – Program and Activities Building – **RL 108.28**
- Building 12 – Gym and Program Space – **RL 108.81**

All these existing buildings are at or above the designated 100 year flood level for the site and most are at least 300mm above this level.

Access to and from the new facility from the existing access of Kellys Road is subject to flooding but the 1:100 flood level on Kellys Road is limited to 500mm above the road surface which the GBCMA have advised is acceptable (refer to their letter of 22 December 2015).

The site is also located in an area designated as:

Area of Aboriginal Cultural Heritage Sensitivity – The preparation of a Cultural Heritage Management Plan for the site has commenced and it is expected this will be lodged with the Yorta Yorta Nations Aboriginal Corporation for approval in May 2016. The desktop audit and the initial standard assessment of the site has been completed and no scar trees were identified on site and no artefacts were discovered.

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Bushfire Prone Area – The new buildings will all be designed to meet the designated bushfire attack level

9.0 Services

9.01 Electricity

Overhead mains supply electricity is available on site. The estimated maximum demand for the new facility has been calculated to be 177 kVA (256A 3 phase @ 400V). An upgrade to the current supply will be required from high voltage lines that are located in Waters Road. An application for this upgrade has been lodged with Powecor.

9.02 Sewer Services

There are three separate existing on-site septic tanks that serve the current buildings. These existing installations will be upgraded or replaced as required to comply with current standards. The new buildings proposed will be connected to one or two new on-site septic treatment facilities to the requirements of the Moira Shire Council. An initial review of the requirements has been undertaken by Alan Petrie from the Council.

9.03 Water Supply

Potable water will be provided on site through the collection, storage and treatment of water from the roofs of the new buildings. Excess rain water collected from the roofs will be connected to the legal point of discharge. There will be a shortfall of water collected from the roof and the demand for potable water on the site so some water top-up of the on-site tanks will be required.

9.04 Irrigation Water

There is 8.4 megalitres of irrigation water available on site from the Lower Broken Creek located along the northern boundary of the site. This water will be used for toilet flushing, watering of the landscape and irrigation on the site.

9.05 Fire Protection

A smoke detection and alarm system compliant with AS1670 will be installed to all new buildings. The system will be connected to an emergency warning and intercommunication system and monitored by an external service provider. All exit doors from the facility will deactivate (open) on activation of the smoke alarms. Portable fire hydrants will be provided to the requirements of the BCA.

9.06 External lighting Security

24 hour external lighting will be provided at all entry and exit doors to the facility, car parks and to access paths linking car parks and the entries to the facility

9.07 Electronic Security

All external entry and exit doors to the main facility will be alarmed and connected to a security alarm system monitored by an external service provider 24 hours a day. Residents in the main facility will also have access to a secure and fenced external garden area.

9.08 General Security

Residents in the foundation or step down phases will not be able to leave the facility without approval of and under the supervision of staff or other approved person.

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10.0 Response to Planning Schedule 35.07 – Farming Zone

10.01 Purpose

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

Response: The proposed development supports the State and local planning framework, the Municipal Strategic Statement and local planning policies

To provide for the use of land for agriculture.

Response: While the proposed use is not for agriculture a key component of the program at the new facility is to engage the residents in rural and agricultural activities both on and off the site. Most of the land will remain in Agricultural use as a market garden, orchard, cropping and grazing and a key component of the new centre's program is to develop the resident's skills and experience in agricultural activities.

To encourage the retention of productive agricultural land.

Response: The proposed use of the property in this application will allow agricultural production to continue on the site as the residents will as part of the program of rehabilitation establish and manage market gardens and an orchard on the site and carry out cropping and grazing activities.

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

Response: The proposed building footprint will occupy only a small proportion of the total site land area. The balance of the site will continue to be available for agricultural use. The residents of the facility will as part of their program of rehabilitation establish and manage an orchard and market gardens on the property and will be encouraged to partake in other agricultural activities including cropping and grazing both on and off the site.

To encourage the retention of employment and population to support rural communities.

Response: The facility will bring employment opportunities to the area. It will create 13 full time positions together with a number of casual positions for shift workers and further opportunities for work for health professionals in the region. The centre will also be an accredited trainer and it is intended to allow clients to pursue training in agricultural related trades and disciplines.

To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

Response: The proposal complies with sustainable land management practices and will in the majority retain the current farming use while the new buildings will be fully connected to compliant water and waste management services

10.02 Table of Uses 35.07-1

The proposed use is for a **Residential Drug and Alcohol Rehabilitation Centre** which is an innominate use in the Planning Scheme (An undefined use in the Planning Scheme) and approval is subject to obtaining of a planning permit.

10.03 Decision Guidelines 35.07-6

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

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2. IMPROVING MOIRA'S LIVEABILITY

ITEM NO: 9.2.2

**PLANNING PERMIT APPLICATION NO. 5201665 - USE AND DEVELOPMENT
OF LAND FOR A DRUG AND ALCOHOL REHABILITATION CENTRE AT 104
WATTERS ROAD NUMURKAH (cont'd)**

ATTACHMENT No [2] - Planning Report

The Goulburn Valley ARC
(Addiction Recovery Centre)



Town Planning Application - Overview

General issues

The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

Response: The proposed development supports the State and local planning framework, the Municipal Strategic Statement and local planning policies

Any Regional Catchment Strategy and associated plan applying to the land.

Response: The proposed development does not impact on any regional catchment Strategies

The capability of the land to accommodate the proposed use or development, including the disposal of effluent.

Response: The land has access to mains electrical power and irrigation water and the proposed on site sewerage treatment facility will not impact on the capability of the land

How the use or development relates to sustainable land management.

Response: The proposal complies with sustainable land management practices and will in the majority retain the current farming use while the new facility will be fully connected to compliant water and waste services

Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.

Response: The site is well suited for the use as a drug and alcohol rehabilitation centre. The centre is located in a farming area so the residents can participate in farming and other outdoor activities including market gardening, managing an orchard, horse riding and landscape gardening. The centre needed to be close to the hospital and other essential services and at this site it is within 10 min of all these services. The facility is compatible with all adjoining and nearby land uses but is well setback from all boundaries of the site. The adjoining land uses include farming land to the south, east and west. The north of the site adjoins the Broken Boosy State Park.

How the use and development makes use of existing infrastructure and services.

Response: The facility will be connected to mains electricity and irrigation water that is available on site. Vehicle access is directly off Watters Road / Kellys Road.

Agricultural issues and the impacts from non-agricultural uses

Whether the use or development will support and enhance agricultural production.

Response: The facility is to provide a residential drug and alcohol rehabilitation program in an agricultural setting. Residents of the facility will be encouraged to participate in agricultural activities on the site including a market garden, orchard, horse riding and potential some livestock management. It is anticipated that agricultural skills can be developed with the residents and some would finish their programs and pursue an agricultural career. On site there will be operating market garden and orchard managed by the residents which would be able to sell produce to the local community

Whether the use or development will adversely affect soil quality or permanently remove land from agricultural production.

Response: The development will not have any impact on the soil quality as there are no adverse processes within the facility and the site will be fully serviced with compliant sewer, power and water services. That part of the land to be developed for the new centre will be partially removed from Agricultural production however this is a small

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ATTACHMENT No [2] - Planning Report

The Goulburn Valley ARC
(Addiction Recovery Centre)



Town Planning Application - Overview

component of the total site area and the balance of the land will remain available and be used for agricultural production

The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.

Response: The proposed development will have no impact on the operation and expansion of adjoining and nearby agricultural uses.

The capacity of the site to sustain the agricultural use.

Response: The development will include the establishment of orchards and market gardens by the residents as part of their program of rehabilitation. The agricultural use of the land will be maintained.

The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.

Response: There should be no impact to the agricultural qualities of the land. The new facility will be connected to irrigation water and will have compliant on site potable water collection and sewer treatment. The majority of the land remains as existing in Agricultural production.

Any integrated land management plan prepared for the site.

Response: An indicative masterplan for the site has been developed and has been provided as part of this application on the proposals for the total management and development of the site

Environmental issues

The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality.

Response: There should be no impact to natural features and resources of the area. The new facility will be connected to irrigation water and will have compliant on site potable water collection and sewer treatment. The majority of the land remains as existing in Agricultural production.

The impact of the use or development on the flora and fauna on the site and its surrounds.

Response: There should be no impact on the flora and fauna of the site and its surrounds. No native vegetation is proposed to be removed. An existing area of original native bush to the north of the site will be retained, protected and enhanced. This will include a commitment to the retention of ground fallen limbs and branches that provide a nesting place for a range of native birds. An additional area of land along Watters Road adjacent the Broken-Boosey State Park will be re-established as a native bushland buffer. This will provide an additional native environment for wildlife birds to breed and nest.

The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.

Response: There should be no impact on the flora and fauna of the site and its surrounds. No native vegetation is proposed to be removed. An existing area of original native bush to the north of the site will be retained, protected and enhanced. This will include a commitment to the retention of ground fallen limbs and branches that provide a nesting place for a range of native birds. An additional area of land along Watters Road adjacent the Broken-Boosey State Park will be re-established as a native bushland buffer. This will provide an additional native environment for wildlife birds to breed and nest.

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ATTACHMENT No [2] - Planning Report

The Goulburn Valley ARC
(Addiction Recovery Centre)

LDA Life Design
ARCHITECTS

Town Planning Application - Overview

The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.

Response: The on-site sewerage treatment system will be designed to the requirements of the relevant authority so that there is minimal impact on waterways and native vegetation. An initial assessment of this has been completed by Alan Petrie representing the Moira Shire Council.

Design and siting issues

The need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses and to minimise the loss of productive agricultural land.

Response: The buildings have been sited adjacent to the existing farmhouses on the property minimising any loss of productive land and enhancing the value of the existing infrastructure and landscape in this area of the site.

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.

Response: The buildings are designed to nestle into the existing established trees and infrastructure of the site and will not be greatly visible from any adjoining resident or from Kellys Road. The buildings are all single storey with predominately muted colours to blend into the native landscape.

The impact on the character and appearance of the area or of natural scenic beauty or importance.

Response: The new development is reflective of the existing infrastructure being provided in a number of interlinked independent structures and additional plantings and landscaping between the buildings will be supportive of the existing native tree canopy.

The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.

Response: The facility will have access to mains power, irrigation water and telecommunications and direct access from Waters Road.

Whether the use and development will require traffic management measures.

Response: A traffic engineering assessment has been prepared by Traffix Group which has identified that the new facility will have a demand for 30 car parking spaces comprising:

- o 5 spaces for residents / clients
- o 16 spaces for visitors
- o 7 spaces for staff
- o 2 spaces for medical practitioners

The development has proposed the provision of 33 car parking spaces which exceeds the expected demand. These spaces will be located as follows:

- o 8 undercover parking spaces for staff vehicles (Building 11)
- o 2 undercover parking spaces for client vehicles (Building 04)
- o 23 spaces for visitors, medical practitioners and residents at the main entry building

The traffic engineering assessment has also determined the expected number of traffic movements to be created by the development will be in the order of 50 vehicles per day with a conservative estimate being that there is currently 50 vehicles per day using the local rural road network. The increased traffic numbers will have a negligible impact on the local road network.

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ATTACHMENT No [3] - Response to Objections

Goulburn Valley ARC

6 May 2016

OBJECTIONS Response

Goulburn Valley Addiction Recovery Centre

104 Watters Road, Numurkah

Response to Objections

11 May 2016

The following is a list of Objections that have been raised by the Brookfield Action Group. The applicant for planning approval 5/2016/65, Life Design Architecture in conjunction with ACSO respond to these objections as detailed below

1. **Development of this site will impact on many endangered species some may become extinct**
 - o **Response** – All new development on the site is to take place on already cleared land that has been used for many generations for farming use. No native fauna or habitat of any local species is proposed to be removed or altered by this proposal. There is existing areas of native habitat on the property which include an undergrowth of natural fallen tree limbs and debris which are important to a number of local bird species. These existing area are proposed to remain and be enhanced by the reinstatement of native habitat along the northern boundary of the site.
2. **Development of this site will impact on some very rare plant life, some may also become extinct**
 - o **Response** – All new development on the site is to take place on already cleared land that has been used for many generations for farming use. No native plant life is proposed to be removed or altered by this proposal. There is existing areas of native habitat on the property which include an undergrowth of natural fallen tree limbs and debris. These existing area are proposed to remain and be enhanced by the reinstatement of native habitat along the northern boundary of the site.
3. **The Brookfield Addiction Recovery Centre will only pay minimal shire rates**
 - o **Response** – The recovery centre will pay the normal rates as for appropriate for the use proposed on the site. There is no agreement in place with the local shire council to pay reduced rates.
4. **There will be long term negative social and economic impacts on Numurkah and Wunghnu**

Response –

 - o The centre will provide addiction recovery programs for up to 300 local residents per year resulting in these people leading a healthy and productive life and breaking the cycle of addiction. These people having undertaken the programme will then be

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able to productively contribute to the improvement in the social and economic well-being of the region as a whole including Numurkah and Wunghnu

- The centre will employ 25 local staff
- The centre will contribute to the local economy, buying food and resources from both Numurkah and Wunghnu.

5. This facility will attract substantial transient population which will have negative impact on local services and the community

Response –

- The residents attending the Recovery program will all live in the Goulburn Valley region. They will be locals of the area.
- In 2015 ACSO conducted over 1,000 alcohol and drug assessments and helped connect local people into drug treatment programs across the Goulburn Valley.
- We know from our data that less than 10 people in the region were able to enter into a local residential recovery program that they needed because of a lack of suitable facilities.
- A residential program is considered to be the “gold star” approach for people who need more than counselling support to change their drug and alcohol use, and is much more successful at helping people stay off drugs and out of trouble. This is the missing piece of the jigsaw puzzle that we want to create.

6. Clients are free to leave the Brookfield Addiction recovery Centre at any time

Response

- Local Adults of all ages, gender, cultural backgrounds etc who meet the admission criteria will be eligible for the program. We will have assessed them as having a high likelihood of responding to rehabilitation and getting their lives back on track, and we will make sure that they understand the conditions of their treatment and the consequences of not following them.
- The centre will be drug and alcohol free, that is to say Drugs and Alcohol will not be allowed on site at all. People will not come to the centre if they are intoxicated, high on drugs or considered dangerous in any way, and if they need “detox” to come down from drugs, that will happen at other locations in the state before they come to the centre. People entering the program will agree to follow a strict set of rules before being allowed to start. These rules will be closely monitored and residents will be regularly tested for drugs and alcohol.
- Drug and alcohol treatment specialists, including psychologists, clinical staff, and allied health workers who are experts in addiction medicine and in treating addiction, will provide the treatment programs, and the centre will be staffed 24 hours a day.
- All residents attending the recovery program will be in monitored conditions supervised by staff, monitored by electronic surveillance and retained by physical

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barriers 24 hours a day. They are not free to leave the centre unless supervised at any time.

7. The centre will take addicts from the Hume region which is 12 municipalities, a population of 331,000

- The centre is for local people living across the GV region.

8. Numurkah police station is not manned for 24 hours per day

Response

- Community safety is our first priority. People who come to the centre for treatment will be closely supervised and monitored at all times, as they would be in a hospital or other health setting.
- We (ACSO & Odyssey) have a long history of running these sorts of recovery and rehabilitation centres safely. For example– Benalla, Lower Plenty.
- Residents will be drug free when they come to the centre and will already have been through a detox program, with other specialist providers at their facilities (usually in metropolitan Melbourne), before they come to the centre if they need help to stop using.
- The centre is a drug and alcohol free complex. Residents who voluntarily enter the program will agree to follow a strict set of rules before being allowed to start and people will not come to the centre if they are intoxicated, high on drugs or considered dangerous in any way.
- Residents will only be able to leave the facility under staff supervision in the first six weeks and only with advance approval after that.
- There will be a zero tolerance to any type of violence, including threats of violence. Police will be called and residents will be removed from the program and the community if this occurs.
- For decades ACSO has successfully worked with people who have a range of problems including addiction. And we (and our partners Odyssey House) have safely run residential facilities like this one across Victoria since the 1980s

9. Local addicts will not be given priority over those from the justice system

- **Response** – The Goulburn Valley Addiction recovery Centre is specifically set up to provide places for local residents of the Goulburn Valley region

10. It is estimated that over 1 million dollars of infrastructure will have to be funded by local rate payers

- **Response** – No infrastructure is to be funded by the local Council. Any infrastructure requirements will be totally funded by the developers and operators of the centre

11. Real employment opportunities for locals will be limited

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Goulburn Valley ARC

6 May 2016

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- **Response** – The centre will provide new employment opportunities for 25 staff all of whom will be locals of the Region

12. All emergency services will be further stretched – putting our community at potential risk

- **Response** – From our experience running residential programs we know it is extremely rare that require the support of emergency services. The impact on local emergency services will be minimal

13. The centre will not have any positive impact on the local drug crisis

Response

- Almost 1,000 people living in the GV came to ACSO in 2015 for help with drug and alcohol use in 2015.
- Almost 1 third need help for alcohol use, another third for amphetamine use (including methamphetamines) and 20% for cannabis use.
- Less than 1% were able to access a residential treatment program, considered to be the “gold star” approach to help people recover from addiction.
- This is considered to be the “missing link” in the treatment pathway locally.
- The proposed recovery centre will provide a *world class* health program supporting people with addiction illnesses to stop using drugs and alcohol in a harmful way.
- The centre will provide a six-week recovery focused residential treatment program helping people to get off and stay off drugs and alcohol.
- For some people who need a longer stay a 12-week program will be offered to help them get their lives back on track.

14. Residential rehabilitation is only the beginning of the struggle to beat addiction

Response – Yes, we agree, it is a very important component of the recovery journey.

- Residential rehabilitation is considered to be the “missing link” in the treatment pathway locally.
- People who take part in the program will transition into community based drug treatment programs (that already exist) across the region.
- They include day programs, outreach support programs, supported accommodation and counselling programs
- Everyone entering the centre will have a transition plan which will ensure supported pathways into these community based drug treatment programs.

15. There are no local support services for post Addiction Recovery care

- **Response** – Please see above

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ATTACHMENT No [3] - Response to Objections

Goulburn Valley ARC

6 May 2016

OBJECTIONS Response

16. If it is not suitable for Mooroopna why is Brookfield suitable

Response –

- Through consultation, we (and the community) felt a semi rural setting was ideal rather than the site we had explored originally.
- A freeway planned to go through the site would negatively impact the therapeutic nature of the facility.
- A local advisory committee selected the site from a large number based on the therapeutic setting and environment after an exhaustive search
- It's the "perfect setting" for a treatment and recovery centre, far away enough from local townships in a serene environment

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ATTACHMENT No [4] - Response to objections raised at forum

Application 5/2016/65 – Goulburn Valley Addiction recovery Centre

Response by applicant to Objections raised at the Forum on 16 May 2016

The following headings cover the major issues raised by the objectors to the proposal as outlined at the forum. Many of the issues were dealt with in our application and also in our response to objections lodged on 12 May 2016. We provide for your information a short summary on the issues raised and our response.

1. The recovery centre is not for Locals

The centre is specifically targeted for residents of the Goulburn Valley Region. There is an overwhelming demand for this residential drug and alcohol service in the local community.

2. Safety Issues

Community Safety is the centres first priority

Potential participants will be screened before entry based on:

- Those whom without treatment pose a risk to themselves or the community
- Those who have been assessed as having the capacity to complete the program without further risk of harm to themselves or others within the facility.

Residents will be drug free when they arrive having already been through a detox program

Drugs and Alcohol are banned from the facility so no resident will be under the influence of drugs while at the centre

There is a zero tolerance to any type of violence, including threats of violence at the centre and a resident will be removed from the program and the community if this occurs

Residents are not free to leave the centre at any time. If they have to leave temporarily this will only be done under staff supervision and with advance approval.

Residents are monitored by CCTV, door alarms and external security fencing.

Residents are monitored by staff 24 hours a day 7 days a week.

2 staff overnight monitor the facility during the period that residents are asleep. The overnight staff are on duty and located in the Foundation Stage building where those at most risk are located. This is a greater level of supervision that currently in place at similar centres.

Visits are limited to family therapy sessions as part of a residents treatment.

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ATTACHMENT No [4] - Response to objections raised at forum

Application 5/2016/65 – Goulburn Valley Addiction recovery Centre

Response by applicant to Objections raised at the Forum on 16 May 2016

3. Wrong Location

This location was selected after thorough consultation with the community and meet key selection criteria of:

- It's distance and remoteness from other residential properties and
- It's relative closeness to support services in Numurkah
- It's ability to provide agricultural related programs including farming, horse riding and trade skills development
- The presence of existing infrastructure and landscape that will greatly enhance the capability of the rehabilitation programs
- A serenity and calmness that will aid the success of the recovery program

4. Traffic and road Issues

Access to the site is either (these are also the directions given on google maps):

- If coming from Shepparton via Wunghnu Road and Kellys Road
- If coming from Numurkah via Katamitte – Nathalia Road and Kellys Road

It is not intended that staff, service providers or visitors to the site will use either Purdies Road or Sellicks Road.

The increase traffic is confirmed in the traffic assessment at 50 cars per day and this can be accommodated in the existing road network as confirmed in the Traffic Report submitted.

5. Flood Issues

All new Buildings will be built with a finished floor level 300mm above the 100 year flood level of 108.00 AHD

The Goulburn Broken Catchment Management Authority has no objection to the development.

6. Services and infrastructure

The facility will provide all the necessary infrastructure for the development

High Voltage electric power is available on the boundary of the site

On site sewerage will be treated in accordance with the requirements of the local authority. An initial assessment has been undertaken by Moria Shire Council and we do not envisage any issues in comply with all requirements

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Response by applicant to Objections raised at the Forum on 16 May 2016

Secondary water is available and will be used for irrigation and toilets flushing when possible as adjoining properties are using this water for.

Water will be collected from roofs for potable water although there will be a need for some make up potable water

7. Impact on Agricultural use

Only a small proportion of the total land will be removed from Agricultural production

The development will not have any impact on soil quality

The development will not limit the capacity of adjoining sites to continue or expand their agricultural production

The residents will participate in agricultural activities on the site including market gardening, cropping and livestock management developing agricultural skills for the residents that can be further developed after the program

8. Environmental Issues

No native tree or native plant is to be removed as part of this development

No native bushland or undergrowth is to be removed as part of this development

Native Bushland is to be re-establish along the northern boundary providing additional native habitat for local birds and wildlife including the Curlew

9. Cultural and Built Heritage Issues

A cultural Heritage Management Plan is being prepared for the site

The desktop study and initial assessment has been completed and there is no evidence of Indigenous artefacts on the site

None of the original homestead buildings and other such original structures or landscape are proposed to be altered as part of this development

10. Bush Fire Safety

The new buildings are being built at an appropriate distance from any existing tree

The centre will develop an appropriate bushfire emergency action plan as we do with all others sites and residential programs in bush fire risk areas. These are approved by the Department of Health and Human Services.

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WATERS ROAD NUMURKAH (cont'd)**

ATTACHMENT No [5] - Social Impact Statement



Application 5/2016/65 - Goulburn Valley Addiction Recovery Centre

Social Impact Statement

Why does the Goulburn Valley need a residential drug and alcohol recovery centre?

The Goulburn Valley needs a residential Drug and Alcohol recovery centre because the current treatment options available are inadequate and the need is growing.

Current options are inadequate; what is available is not particularly successful and there is insufficient access to treatment options for people with difficult drug and alcohol options.

There are very limited treatment options in the Goulburn Valley for people wanting to get off drugs and alcohol and get their life back on track. Throughout Victoria only 3.5 % of people who need drug and alcohol rehabilitation are able to access a residential program. The vast majority of treatment is counselling and outreach support (89% of the treatment for methamphetamine /Ice addiction for example) and we know that this is not particularly successful. Recent data shows that only about half the people referred for treatment actually complete an outreach and counselling program (52%) and even fewer (40%) if their drug of choice is meth/Ice.

By contrast there is clear evidence that an intensive residential rehabilitation model is more successful for methamphetamine /ICE users and for those with severe alcohol and other drug use issues. It is the "gold star" approach for people who need to change their drug and alcohol use, and is much more successful at helping people stay off drugs and out of trouble.

The 12-month and 24-month findings of the Australian Treatment Outcome Study suggest that residential treatment services do see people who are "harder cases" – that is, people with longer-standing drug problems and/or a history of failed treatment, lack of social support, psychological comorbidity (Ross et al 2004).

Residential treatment services were found to have good levels of short and long term retention in treatment (Ross et al 2004).

The 24-month follow-up study found that 71 per cent of study participants were abstinent in the month before their follow-up interview and that changes in other drug use from baseline were most evident in the residential treatment group (Darke et al 2006).

Studies have shown that residential treatment is effective for some users. Residential rehabilitation (RR) is based on the principle that a structured, longer term, residential setting provides an appropriate environment in which to address the underlying causes of problematic drug use Jenner L and Lee N (2008). Treatment Approaches for Users of

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ATTACHMENT No [5] - Social Impact Statement



Application 5/2016/65 - Goulburn Valley Addiction Recovery Centre

Social impact Statement

*Methamphetamine: A Practical Guide for Frontline Workers. Australian Government
Department of Health and Ageing, Canberra.*

This is particularly important for younger people (18-35 year olds) and for people with complex needs such as mental health issues as well as drug and alcohol use problems.

The need for treatment is growing in the Goulburn Valley

In 2015, there was a 30% increase in women referred by police for drug diversion in the Shepparton area, more than any other area in the state, and in the past 12 months over 1,000 people have attended ACSO intake programs for alcohol and other drugs in the Goulburn Valley.

Methamphetamine/ICE is a particular problem in the Goulburn Valley. The Victorian catchment with the greatest percentage of methamphetamine /ICE as the drug of choice is the Goulburn Valley with methamphetamine /ICE accounting for 27.5% of the primary drug count (compared to an average of 17.5% across other catchments), and methamphetamine /ICE addiction is now more common than alcohol addiction in the Goulburn Valley.

In 2015 only 12 Goulburn Valley residents were able to access residential rehabilitation services in Victoria. Current waiting lists for residential rehabilitation services are 6 months and no residential options are available in the Goulburn Valley. More broadly, there are only 208 publicly funded drug and alcohol rehabilitation beds in Victoria, in comparison NSW has more than 800 beds.

There is clear evidence that addiction – particularly abuse of alcohol, and use of ICE (methamphetamine and other amphetamines) and cannabis – leads to more crime and violence if not successfully treated. There is a particularly clear link between ICE use and criminal behaviour.

There is also clear evidence that successfully treating addiction reduces crime and reoffending making the community safer.

Several major studies including Drug Abuse Reporting Program (DARP); Treatment Outcome Prospective Study (TOPS); National Outcome Treatment Research Study (NOTRS); and the Drug Abuse Treatment Outcome Study (DATOS); provide evidence for the efficacy of drug treatment to reduce crime, save money and improve the long term prospects for those involved.

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ATTACHMENT No [5] - Social Impact Statement



Application 5/2016/65 - Goulburn Valley Addiction Recovery Centre

Social Impact Statement

Program Overview

The proposed Goulburn Valley Addiction Recovery Centre (GV ARC) will provide residential programs for more than 300 local residents of the Goulburn Valley per year. Our approach brings together ACSO's expertise in forensic residential and behavioural change programs, and Odyssey House Victoria's proven and well-known expertise in residential drug rehabilitation programs. This model is particularly successful because of the way we "wrap" services around a person and are responsive to their specific and unique needs.

This centre is specifically targeted at the following groups:

- Residents of the Goulburn Valley (where there is an overwhelming demand for this service), who will come to the recovery centre voluntarily, to recover from their drug and / or alcohol use.
- The program will not accept violent and/or sex offenders or parolees.
- Those who would pose a risk to themselves or the community without treatment
- Those who have been assessed as having the capacity to complete the program without further risk of harm to themselves or others within the facility.

The centre will be managed by ACSO / Odyssey House with funding from the State Government.

ACSO has been working in the Goulburn Valley for almost 20 years, and are the gateway for mental health and alcohol and drug treatment programs across the region. Our partner, Odyssey House Victoria, is an established provider of services helping those with AoD dependencies for nearly 40 years.

It is expected that the centre will provide a holistic program with the following stages:

1. Withdrawal (Detoxification)	Withdrawal programs will be provided away from the centre in Numurkah by specialist clinical providers prior to the client's entry to the recovery centre.
2. Foundation Stay	The first stage of the residential program is an intensive model of support that encompasses clinical / therapeutic interventions, addressing each participant's treatment needs. The focus will be on drug treatment and behavioural change interventions. The length of stay will be 21-28 days.
3. Step Down Stay	The second stage of the program will provide specialised

FILE NO: 5201665
2. IMPROVING MOIRA'S LIVEABILITY

ITEM NO: 9.2.2

**PLANNING PERMIT APPLICATION NO. 5201665 - USE AND DEVELOPMENT
OF LAND FOR A DRUG AND ALCOHOL REHABILITATION CENTRE AT 104
WATERS ROAD NUMURKAH (cont'd)**

ATTACHMENT No [5] - Social Impact Statement



Application 5/2016/65 - Goulburn Valley Addiction Recovery Centre

Social impact Statement

	preparation for exit into the community based on living arrangements, with a focus on equipping participants with life skills and treatment strategies. There will be collaboration and referral into community based drug treatment programs. The length of stay will be 14-21 days.
4. Residential Support	Some residents will transition to this stage, which will allow for additional based treatment and maintain engagement in the program. Focus on supporting this group to transition to safe and stable housing in the community and into community based drug treatment programs
5. Aftercare	On return to the community ACSO will provide a co-ordinated aftercare & treatment linkage, in partnership with local therapeutic treatment providers, for all those who have attended the program.

Noteworthy aspects of the Social Impact of the GV ARC and the ACSO / Odyssey program for the region.

There will be a considerable number of significant, positive social and economic impacts from this centre for the Goulburn Valley community.

We expect the major benefits to flow from better drug treatment and improved recovery, but also expect some economic and ecological benefits, some job creation and local skills improvement.

The significant social benefits that accrue from improved drug and alcohol rehabilitation include:

- An improved rate of successful treatment completion by participants and therefore improved community safety;
- A reduced rate of return to alcohol and drug use by participants;
- A reduced risk of alcohol and drug related violence and crime in the Goulburn Valley community; this is especially critical in light of increasing family violence;
- A reduction in alcohol and drug usage and reduced return to AoD use will lead to a reduced burden on local health and emergency services, fewer drug-related hospital admissions, ED presentations, ambulance costs and utilisation of mental health services;

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**PLANNING PERMIT APPLICATION NO. 5201665 - USE AND DEVELOPMENT
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WATERS ROAD NUMURKAH (cont'd)**

ATTACHMENT No [5] - Social Impact Statement



Application 5/2016/65 - Goulburn Valley Addiction Recovery Centre

Social impact Statement

- A reduction in reoffending rates is likely to lead to a reduced burden on police resources in the Goulburn Valley, through reduced violence and crime and a decrease in the costs incurred by victims of crime;
- Substantial savings realised through diversion of individuals from prison, resulting in reduced reoffending and recidivism;
- Treatment of local participants in their home location. Local treatment allows for better support mechanisms by family and carers and a greater chance of success;

Economic, employment, skills and ecological benefits include:

- In total, the modelling of the proposal identifies a direct net benefit of **\$24.57 million** (nominal dollars) for the Victorian Government over the first five years of operation.
- The Program will provide significant tangible financial savings to the justice system and delivers broader benefits also realised by other areas of Government and the community as a whole
- Improved skills training in Agricultural and Trade disciplines as part of the treatment program at the centre;
- Increased ability for participants to continue (or return to) employment and their wider life and positively contribute to the community;
- A reduced burden on social services and community support services, improved employment outcomes and productivity – and conversely a reduction in welfare support.
- Infrastructure benefits to the Goulburn Valley community. The project represents a \$6M plus infrastructure build with over 90% of the supply of construction services to be provided from the Goulburn Valley Region; No infrastructure will be funded by the local Council;
- An additional 20 full time local jobs will be created ongoing at the addiction recovery centre;
- Skills in rehabilitation care expertise to be transferred to the local community;
- Support services to the centre to provide additional opportunities for local business. The centre will contribute to the local economies, buying food and resources from both Numurkah and Wunhyu;
- The refurbishment of the site. The proposed site is generally cleared land that has been used for many generations for farming use. We expect that the existing fauna

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ATTACHMENT No [5] - Social Impact Statement



Application 5/2016/65 - Goulburn Valley Addiction Recovery Centre

Social impact Statement

and flora be enhanced by the reinstatement of native habitat along the northern boundary of the site.

Summary

In summary, there is much worldwide evidence for the success of residential addiction recovery centres compared to community-based drug and alcohol counselling in cases of methamphetamine/ICE and amphetamine addiction. There are numerous advantages to be gained by improving drug and alcohol rehabilitation services, both for the local community and for the Goulburn Valley more generally, where demand is only growing. There are significant, positive social and economic impacts with minimal cost to the local community and specific benefits of the Numurkah location due to the secluded, serene and peaceful semi rural location.

FILE NO: F15/420
6. INVOLVING AND COMMUNICATING WITH
OUR COMMUNITY

ITEM NO: 9.2.3

REVIEW OF THE MOIRA PLANNING SCHEME

RECOMMENDATION

That Council:

1. Adopt the Moira Planning Scheme Review Report, 2016;
2. Adopt the proposed Local Planning Policy Framework for the purposes of public exhibition
3. Introduce the Small Towns Strategy, 2013 as a reference document into the Moira Planning Scheme
4. Prepare Amendment C77 to the Moira Planning Scheme to implement the recommendations of the Moira Planning Scheme Review Report, 2016, the Local Planning Policy Framework and the Small Towns Strategy, 2013.
5. Seek authorisation from the Minister for Planning to prepare Amendment C77.

1. Executive Summary

The Municipal Strategic Statement (MSS) has been developed as the overall land use strategy for the Moira Shire. The main purpose of the review is to assess the effectiveness, relevance and performance of the Moira Planning Scheme since it was last reviewed in 2002. The MSS review does not attempt to re-write the entire Moira Planning Scheme but will focus on the MSS, identify changes to the Local Planning Policy Framework (LPPF) and prompt additional strategic work required to inform and improve the Moira Planning Scheme.

In October 2015 Council appointed Spectrum Surveys to commence a review of the Moira Planning Scheme in accordance with Section 12B of the *Planning and Environment Act, 1987 (the Act)*. Spectrum Surveys prepared the draft Planning Scheme Review Report and Local Planning Policy Framework and conducted preliminary consultation with referral agencies and Elected Members of Council.

The project is ready to be progressed to the Amendment stage. This report seeks a resolution from Council to, for the purposes of public exhibition and comment:-

- adopt the Moira Planning Scheme Review Report,
- adopt the proposed Local Planning Policy Framework (LPPF) for exhibition purposes;
- introduce the Small Towns Strategy as a reference document in the Scheme; and
- request the Minister for Planning for authorisation to prepare and exhibit Amendment C77 for public input and comment.

2. Background and Options

MSS Review

Spectrum Surveys was engaged in October 2015 to undertake the MSS review. The MSS Review is undertaken in accordance with Practice Note 04 – Writing a Municipal Strategic Statement (October 2013) and applies to all land within the municipality.

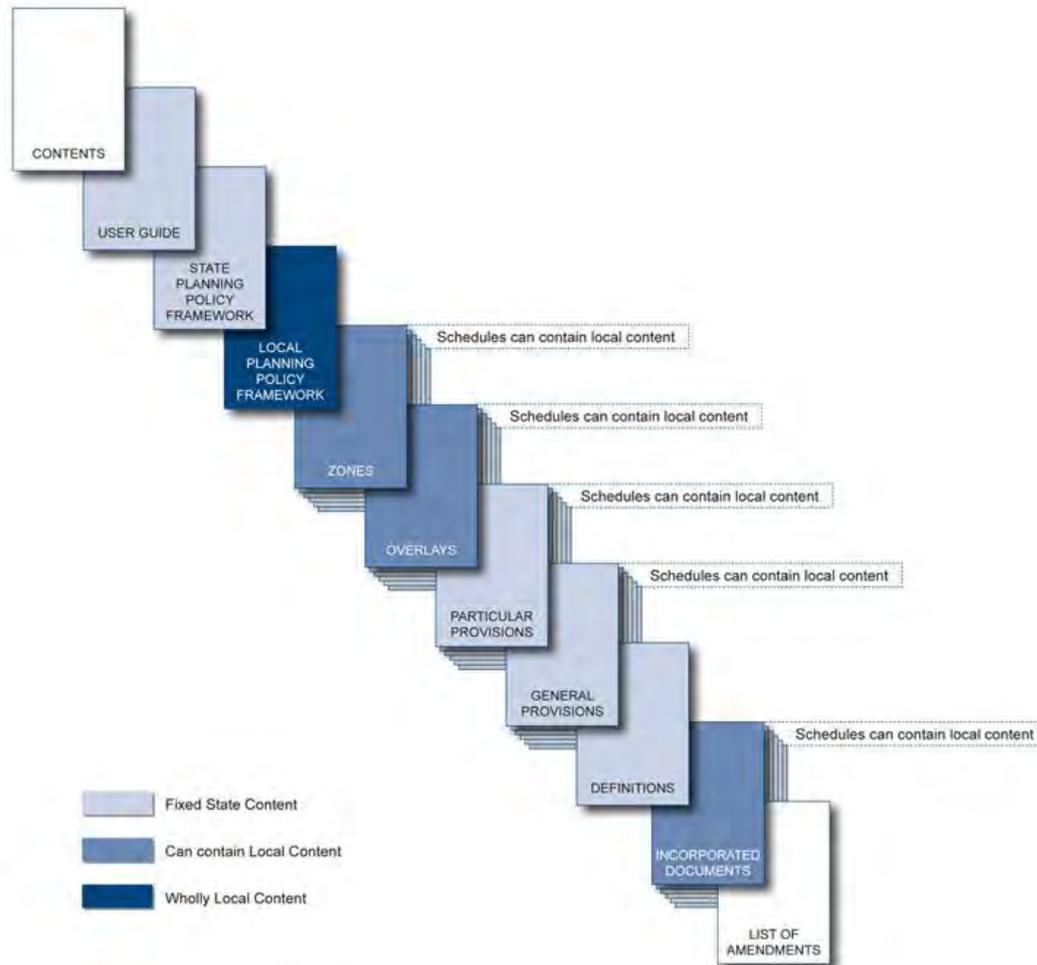
An MSS is used as a tool to inform planning decisions within the Shire and provides a local policy context to inform planning decisions within the Shire and provides a local policy context to assist in decision making. The content as encapsulated in the Moira Planning Scheme includes both policy and detail which are standard in all schemes across Victoria (State Policy) and others that reflect local conditions or desired outcomes

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REVIEW OF THE MOIRA PLANNING SCHEME (cont'd)

(Local Policy). The MSS forms part of the LPPF which sits near the front of the Moira Planning Scheme document as shown in the diagram below.



Source: <http://planningschemes.dpcd.vic.gov.au/about#vpp>

An MSS review is required every four years in terms of Section 12 B of the Act and must be considered by Council within one year of the adoption of a new Council Plan. Council conducted and adopted a review of the 2013-2017 Council Plan 2013-2017 in June 2015. If Council endorses the exhibition to proceed prior to Council Elections later in the year, the MSS review could ideally be finalized in time for the new board of Elected Members to prepare a new Council Plan.

The most significant changes encapsulated in the proposed MSS review are to:

- Update the Township Framework Plans;
- Update background information;
- Delete outdated and repetitive material; and
- Identify new strategic work and incorporate further strategic work to be undertaken since the last review.

The MSS review will seek to achieve a more streamlined level of information. As part of the MSS review project an audit was undertaken of the 27 further strategic work requirements in the current planning scheme. The audit determined that these strategic work requirements could be reduced down to 9 commitments of which 3 commitments Council is expected to be the lead agency in.

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REVIEW OF THE MOIRA PLANNING SCHEME (cont'd)

The MSS section of the Moira Planning Scheme has not been reviewed since 2002. A 2007 review was completed and lodged with the Minister for Planning but not implemented. There has therefore not been a holistic review of the planning scheme for the past 14 years.

A key recommendation of the review is to restructure and review the content of the current MSS and set of local planning policies.

Local Planning Policy Framework (LPPF)

It was found that there are significant opportunities to improve and update the policy elements of the LPPF by incorporating relevant strategic work that has been completed by Council and other agencies. As per the diagram above the LPPF is nested under the MSS section of Moira Planning Scheme.

The general content and structure of the LPPF (including the quality of the maps) has become increasingly dated and does not reflect contemporary approaches to the material that should be included and how it should be presented. The key issues are improving the usability of the LPPF and providing a more focussed LPPF.

The previous MSS Review Report did not focus on structural improvements to the LPPF. The MSS Review Report was drafted with the following improvements in mind:

- To locate policy where objectives and strategies fall within the MSS;
- To clearly delineate between objectives and strategies;
- To avoid blocks of objectives and strategies and vertically align them based on the issues addressed; and
- To create a local areas theme where all towns and significant areas are located as a demonstration of how the objectives and themes are being implemented at the local level

A copy of the draft MSS Review Report is attached to this report as **ANNEXURE**.

Scheme Amendment (C77)

A number of scheme amendments have been undertaken to address issues arising from the 2002 MSS review. Major Changes since the 2002 MSS review included the following:

- Yarrawonga Strategy Plan 2004, implemented via Amendment C24
- Cobram Strategy Plan 2007/08, implemented via Amendment C41
- Numurkah Strategy Plan 2010, implemented via Amendment C63
- Nathalia Strategy Plan 2010, implemented via Amendment C64
- Regional and Rural Land Use Strategy 2008, implemented via Amendment C51
- Cobram Urban Design Framework 2005, implemented with the Cobram Strategy Plan via Amendment C41
- Numurkah Urban Design Framework 2005, implemented via Amendment C31
- Moira Shire Rural Living Study 2004, partially implemented via Amendment C20

The MSS Review Report, amendments to Scheme Clauses and LPPF has no statutory standing without introducing it into the Moira Planning Scheme through a Scheme Amendment. The Scheme Amendment allocated to the MSS review is Amendment C77. Amendment C77 mainly proposes to:

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REVIEW OF THE MOIRA PLANNING SCHEME (cont'd)

- Ensure that the recommendations of the MSS Review Report to be implemented are consistent with the directions or guidelines issued by the Minister for Planning under Section 7 of the Act.
- Ensure it sets out effectively the policy objectives for use and development of land in the Shire; and
- Ensure that it makes effective use of State provisions and local provisions to give effect to State and local planning policy objectives.

A copy of the respective Moira Planning Scheme Clauses proposed to be amended (Moira Planning Scheme Clauses 21.01 to 21.07) are attached to this report as **ANNEXURE**.

Small Towns Strategy, 2013

The Small Towns and Settlement Strategy, 2013 reviewed the capacity of the smaller towns and settlements (excluding Cobram, Yarrawonga, Numurkah and Nathalia) to accommodate sustainable growth. Together with the four major towns the smaller areas are important as a source of affordable housing providing over half of all dwellings, rural lifestyle opportunities and a sense of identity and individual character. The Strategy established a hierarchy classification as a town, village or hamlet based on growth capacity and infrastructure provision.

The Small Towns Strategy was adopted by Council but not incorporated as a reference document into the Scheme. It was found prone to group this work together with the Scheme Review.

The MSS Review Report introduces significant new material for the Planning Scheme and recommends that the MSS and associated LPPF be restructured and updated to reflect best practice.

Council has an option to either accept the request to forward the required documentation to the Minister for Planning to initiate the Amendment or refuse the request to initiate the Amendment.

If the request to initiate is favoured the documents will be sent to the Minister for Planning who will then make a decision on whether or not Council can commence the exhibition process.

If the request to initiate is not favoured, the project including the Amendment is not able to proceed.

Once permission is granted by the Minister, the Amendment will be placed on public exhibition for 12 weeks. If submissions are received the submissions will be dealt with at an Independent Panel hearing.

3. Financial Implications

The review of the Planning Scheme has been fully funded and budgeted for by Council.

4. Risk Management

There are no known risks that are likely to arise by adopting the Moira Planning Scheme Review Report 2015, the proposed Local Planning Policy Framework, abandoning Amendment C13 (approved in 2004) and translating its direction to Amendment C77.

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REVIEW OF THE MOIRA PLANNING SCHEME (cont'd)

5. Internal and External Consultation

The MSS review was workshopped internally with staff and Elected Members and preliminary discussions was held with State agencies and authorities in December 2015.

The Small Towns Strategy, 2013 was adopted by Council in 2013. It was decided that the direct consultation related to this Strategy would be undertaken as part of the MSS Planning Scheme Amendment process. It is recommended that a broad consultation engagement program be implemented as part of the amendment exhibition process.

6. Regional Context

All Councils are required in terms of the Act to review their MSS on a regular basis. This process will therefore not be unlike to what other Councils need to undertake. The MSS is a Shire wide strategic document which is incorporated into the Moira Planning Scheme.

7. Council Plan Strategy

Moira Shire's current Council Plan states that it is a strategic goal of the plan to:

Improve Moira's Liveability

By updating the MSS regularly will ensure that the Shire meets its legislative requirements. It will also ensure that one of the Shire's most important statutory document remain current.

8. Legislative / Policy Implications

The Moira Planning Scheme is a statutory document which is approved by State Government.

Section 12 B of the *Planning and Environment Act, 1987* requires Council to review its planning scheme within one year of adopting a new Council Plan and report the findings to the Minister for Planning without delay.

The Department of Environment Land Water and Planning (DELWP) General Practice Note (Review of Planning Schemes) released in February 2006 establishes what a review report should consist of.

9. Environmental Impact

The proposed Amendment C77 has a number of policies that recognise environmental assets across the Shire and includes measures to assist with environmental protection. It also identifies environmental risks such as bushfire, salinity, flood and climate change.

10. Conflict of Interest Considerations

No conflict was registered with the writing of this report.

11. Conclusion

A long overdue review of the Moira Shire Planning Scheme recommends a rewrite of the LPPF. On the basis of the recent adoption of the Small Towns Strategy, 2013 an opportunity also exists to implement the content of this Strategy in relation to the township through Amendment C77.

It is recommended that Council adopt the above for the purposes of enabling Ministerial Authorisation to prepare the amendment documents for C77 and to undertake the public exhibition to enable the community to make submissions to Council regarding the amendment. Ministerial Authorisation will take approximately 4 weeks to obtain and it is expected that C77 would begin exhibition in July for a period of 12 weeks. Council is

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ITEM NO: 9.2.3

REVIEW OF THE MOIRA PLANNING SCHEME (cont'd)

required to request a Panel hearing at the time exhibition of the amendment commences to assist Panels Victoria with their scheduling.

Attachments

- 1 Moira Planning Scheme Clause 21.01 - Profile - *printed in separate document*
- 2 Moira Planning Scheme Clause 21.02 - Vision - *printed in separate document*
- 3 Moira Planning Scheme Clause 21.03 - Settlement - *printed in separate document*
- 4 Moira Planning Scheme Clause 21.04 - Environment and Heritage - *printed in separate document*
- 5 Moira Planning Scheme Clause 21.05 - Environmental Risks - *printed in separate document*
- 6 Moira Planning Scheme Clause 21.06 - Economic Development - *printed in separate document*
- 7 Moira Planning Scheme Clause 21.07 - Local Areas - *printed in separate document*
- 8 Moira Planning Scheme Review Report - *printed in separate document*

FILE NO: F16/272
6. INVOLVING AND COMMUNICATING WITH
OUR COMMUNITY

ITEM NO: 9.2.4

ADOPTION OF HERITAGE AMENDMENT C38

RECOMMENDATION

That:

1. Having considered all submissions under Section 22 of the Planning and Environmental Act, 1987 and the report of the independent panel for Amendment C38 under Section 27 of the Planning and Environment Act, 1987, Council:
 - (a) Adopts Amendment C38 Panel Report and accept all the Panel recommendations;
 - (b) Adopts Amendment C38 in accordance with Section 29 of the *Planning and Environment Act, 1987*, with changes outlined in the Panel Report;
 - (c) Submits Amendment C38 to the Minister for Planning in accordance with Section 31 of the *Planning and Environment Act, 1987*.
2. Officers contact the owners of these properties to inform them of Council's decision.

1. Executive Summary

The purpose of the report is to consider the recommendations of the independent panel for Amendment C38 to the Moira Planning Scheme relating to the implementation of the Moira Shire Heritage Study(s).

2. Background and Options

Amendment C38 Panel Report was received on 26 April 2016. Council must consider the report and decide whether or not to adopt the amendment. This section provides a brief background of key aspects of C108.

Amendment C38

Amendment C38 proposed to implement the Moira Shire Heritage Study Stage One (2004), the Moira Shire Heritage Study Stage Two (2007) and the Moira Shire Heritage Study (2007) Addendum (24 March 2015) through the application of the Heritage Overlay to 110 additional individual places, 15 precincts and 2 thematic groups of places (21 individual places).

The amendment also included consequential changes to:

- Amend Clauses 21.03 and 21.07 to reflect the recommendations of the Heritage Study;
- Introduce Clauses 22.06 (Heritage Policy) and Clauses 22.07 – 22.22 (Grouped Places Heritage Policies);
- Amend the Schedule to Clause 43.01 Heritage Overlay;
- Amend Clause 61.03 to reflect map changes;
- Introduce the *Planning Permit Exemptions and Application Requirements* in the Moira Planning Scheme Heritage Overlay Exemptions as an incorporated document in the schedule to Clause 81.01;
- Amend Planning Scheme Maps: 3HO, 4HO, 7HO, 9HO, 10HO, 13HO, 14HO, 18HO, 21HO, 23HO, 30HO, 34HO; and
- Insert Planning Scheme Maps: 2HO, 5HO, 11HO, 12HO, 15HO, 16HO, 17HO, 19HO, 20HO, 22HO, 26HO, 28HO, 29HO, 33HO, 35HO, 36HO, 37HO.

Amendment C38 was exhibited from 29 July 2015 until 28 October 2015 and a total of 25 submissions were received. They comprised four queries, 17 submissions against

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ADOPTION OF HERITAGE AMENDMENT C38 (cont'd)

Amendment C38 and four submissions generally in favor but requesting amendments, primarily to mapping. One of the four submissions in favor of the amendment was from the National Trust who set out places that they wish to be incorporated into a subsequent amendment.

Council at its meeting on 23 November 2015 considered the submissions to Amendment C38 and wrote to the Minister for Planning to seek the appointment of an independent planning panel for Amendment C38.

All 25 submissions including one late submission were referred to a Panel following the resolution of Council. The Panel Hearing for Amendment C38 was held on 22 and 23 February 2015. The one member Panel heard submissions from Council and five submitters on Day 1, whilst three submitters were heard on Day 2 which also included Council's right of reply.

The Panel Report was received by Council on 26 April 2016 and was then released for public inspection in accordance with Section 26 of the *Planning and Environment Act, 1987 (the Act)*.

The Panel has delivered a recommendation after consideration of all submissions and evidence as well as independent inspection of all affected properties. The Panel Report is attached as **Annexure** to this report. The key recommendations of the Report are presented below.

1. Realign the boundaries of HO161 to the 1930s facade of the GrainCorp Oils building, its curtilage to McDonald Street, Numurkah and land within a three metre setback from the facade to encompass the return walls at each end of the building.
2. Delete 11-13 St James Road (Concrete Water Tower), St James from Clause 22.17-7.
3. Realign the boundaries of HO226 to provide a polygon containing the existing pump station building with frontages to Sharp Street and Telford Street (Murray Valley Highway), Yarrawonga.
4. Realign the boundaries of HO90 to provide a polygon containing the existing house and immediate curtilage.
5. Revise the mapping of HO130 to include only that land shown at Lot 1 PS619273, 2823 Labuan Road, Numurkah.
6. Delete 17 Irvine Parade, Yarrawonga from Clause 22.20-7.
7. Realign the southern boundary of HO258 at 91 Quinn Street, Numurkah to include a minimum appropriate curtilage immediately to the south of the existing building.
8. Realign the boundaries of HO69 to provide a polygon containing the existing building, with a minimum 28 metre frontage to Brephir Street, Cobram.
9. Realign the boundaries of HO80 to provide a polygon containing the existing building, with a minimum 27 metre frontage to Station Street, Cobram.
10. Delete 'HO215 – Weir over Murray River, Belmore Street, Yarrawonga' from the Amendment.

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6. INVOLVING AND COMMUNICATING WITH
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ADOPTION OF HERITAGE AMENDMENT C38 (cont'd)

11. Delete 'HO116 – Concrete bridge over Wakiti Creek, Murray Valley Highway, Kotupna' from the Amendment.
12. Delete 'HO62 – Lift Bridge over Murray River, Barooga Road, Cobram' from the Amendment.

A summary of minor mapping and text changes that need to be made subsequent to the recommendations of the Independent Panel are depicted in Table 1 as attached to this report.

Provision is also made in the Heritage Policy for the owner/developer to provide a visual record of any contributory or significant heritage fabric that is to be demolished or removed to the satisfaction of the responsible authority prior to the demolition being approved.

Council has the option to consider each recommendation and resolve whether to support in full, in part or reject the report. It is recommended that Council adopts the Panel Report with the recommendations made.

3. Financial Implications

The heritage amendment was undertaken as an in-house project. The costs incurred for holding the Independent Panel Hearing was recovered from the Legal Expenses Cost Code.

4. Risk Management

By failing to undertake the Amendment the Minister for Planning may decide to instruct the Shire to undertake the Amendment without any further delay. Without the amendment the Heritage Studies undertaken has no statutory enforceability. The Minister may, when receiving the request to approve the amendment decide to do so or refuse the Amendment or refer it back to the Shire requesting some modifications be made to the documentation.

5. Internal and External Consultation

Notice of the Amendment was given in accordance with Section 19 of the *Planning and Environment Act 1987*. Notice was given to each Prescribed Minister. Letters were also sent to all landowners and occupants affected by the Amendment.

The Amendment was made available for inspection at the Moira Council offices, Yarrowonga Service Centre, Numurkah Visitor Information Centre and Barmah Forest Heritage and Education Centre, Council's website and the Department of Environment, Land, Water and Planning website. Public notices appeared in the Cobram Courier, Numurkah Leader and Yarrowonga Chronicle on 29 July 2015.

The closing date for submissions was 28 October 2015. Twenty five submissions were received which was referred to an Independent Panel hearing.

6. Regional Context

The Heritage Amendment has not attracted regional significance and did not require the need to update buildings in the State Heritage register.

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6. INVOLVING AND COMMUNICATING WITH
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ADOPTION OF HERITAGE AMENDMENT C38 (cont'd)

7. Council Plan Strategy

The proposal assists in achieving the future direction to improve Moira's Liveability. Built heritage is a valuable asset that serves as a reminder of the Shire's history and shared identity.

8. Legislative / Policy Implications

Relating to State legislation, strategies or policies:

Under the Victoria Planning Provisions, Clause 15.03-1 (Heritage conservation) sets out the State Planning Policy that must be applied through all local Planning Schemes. This compels Local Governments to "encourage appropriate development that respects places with identified heritage values and creates a worthy legacy for future generations", "ensure an appropriate setting and context for heritage buildings", and "support the adaptive reuse of heritage buildings whose use has become redundant";

Under the *Planning and Environment Act 1987*, the Moira Shire Council, as Planning Authority, must give effect to the objectives of planning in Victoria, including: "to conserve and enhance those buildings, areas or other places which are of...historical or otherwise special cultural value" (section 4(b));

Planning Practice Note 8: Writing a Local Planning Policy outlines best practice and guidance regarding the role of local planning policy in Planning Schemes, the need for a local planning policy, and how local policy should be written.

The Moira Shire Heritage Study (respective volumes) outlines the thematic environmental history for the Shire and identifies places of local heritage significance that meet the threshold for protection under the Heritage Overlay. The Moira Shire Heritage Study Stage One (2004), the Moira Shire Heritage Study Stage Two (2007) Volumes 1-5 (Inc) and the Moira Shire Heritage Study Addendum (March 2015) are included as reference documents in the Scheme.

9. Environmental Impact

Council believes that the amendment will have positive effects on the environment as the increased protection and conservation of heritage places reflects the fact that Moira Shire has an abundance of natural, cultural and historically significant sites. Many of these have been recognised by local historic societies, interest groups and the Yorta Yorta community however very few of these are protected by the existing planning scheme.

Protection of heritage places also promotes sustainable development through, among other things, the conservation of, and reduced demand for new construction materials.

It is not anticipated that the amendment will have any negative environmental effects as it does not control the use of the land, but rather conserves development which is already in existence.

10. Conflict of Interest Considerations

There are no disclosable interests raised in relation to this report.

11. Conclusion

Planning Scheme Amendment C38 supports Council's statutory obligation and recognizes the commitment to protect local heritage within the Shire.

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ADOPTION OF HERITAGE AMENDMENT C38 (cont'd)

The Amendment was widely exhibited from 29 July 2015 to 28 October 2015. Public information sessions were held on 4, 5 and 6 March 2015. Amendment C38 was advertised widely in all local newspapers, to heritage interest groups and on Council's website.

An independent Panel was formed which considered all twenty five submissions to the Amendment and offered a number of recommendations.

This report recommends that Council adopt the Amendment with the recommendations made and to make minor mapping and text updates to the amendment documents.

Once adopted, the Amendment would be sent to the Minister for Planning with a request for approval.

Attachments

- 1 Heritage Study Panel Report
- 2 Table 1 - Modifications subsequent to Panel Hearing

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6. INVOLVING AND COMMUNICATING WITH
OUR COMMUNITY

ITEM NO: 9.2.4

ADOPTION OF HERITAGE AMENDMENT C38 (cont'd)

ATTACHMENT No [1] - Heritage Study Panel Report



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6. INVOLVING AND COMMUNICATING WITH
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ITEM NO: 9.2.4

ADOPTION OF HERITAGE AMENDMENT C38 (cont'd)

ATTACHMENT No [1] - Heritage Study Panel Report

Planning and Environment Act 1987

Panel Report pursuant to Section 25 of the Act

Moira Planning Scheme Amendment C38

Moira Heritage Study

26 April 2016



Peter McEwan, Chair

FILE NO: F16/272
6. INVOLVING AND COMMUNICATING WITH
OUR COMMUNITY

ITEM NO: 9.2.4

ADOPTION OF HERITAGE AMENDMENT C38 (cont'd)

ATTACHMENT No [1] - Heritage Study Panel Report

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List of Abbreviations

HO	Heritage Overlay
LPPF	Local Planning Policy Framework
NEW	North East Water
NSW	New South Wales
PPN01	Planning Practice Note 1: Applying the Heritage Overlay, July 2015
PUZ1	Public Use Zone 1
RDZ1	Road Zone Category 1
RMS	NSW Roads and Maritime Services
SPPF	State Planning Policy Framework
the Study	Moira Heritage Study
VHR	Victorian Heritage Register
VPP	Victoria Planning Provisions



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Overview

Amendment Summary

The Amendment	Moira Planning Scheme Amendment C38
Common Name	Moira Moira Heritage Study Study
Planning Authority	Moira Shire Council
Authorisation	9 June 2015
Exhibition	29 July to 28 October 2015
Submissions	Number of Submissions: 25 (see Appendix A)

Panel Process

The Panel	Peter McEwan, Chair
Directions Hearing	Cobram Service Centre, 27 January 2016
Panel Hearing	Cobram Service Centre 22 & 23 February 2016
Site Inspections	Unaccompanied 21, 22 & 23 February 2016
Date of this Report	26 April 2016



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Executive Summary

(i) Summary

Amendment C38 seeks to implement a number of the recommendations of the *Moira Shire Heritage Study (2007)* by utilising the Heritage Overlay (HO) to provide protection to post-contact places and precincts of cultural significance, support decisions made on permit applications by new Local Planning Policies and make consequential changes to the planning scheme.

(ii) Background

The Moira Heritage Study (the Study) consists of the *Moira Shire Heritage Study Stage One (2004)*, the *Moira Shire Heritage Study Stage Two (2007) Volumes 1-5 (Inc)* and the *Moira Shire Heritage Study (2007) Addendum (24 March 2015)*.

The Study identified 126 individual sites, 15 heritage precincts and seven groups of significant places such as schools, halls, churches and cemeteries.

Amendment C38 received 25 submissions. These comprised four queries, 17 submissions against Amendment C38 and four submissions generally in favour but requesting amendments, primarily to mapping. One of the four submissions in favour of the Amendment was from the National Trust who set out places that they wish to be incorporated into a subsequent amendment.

While a number of individual submissions were received in relation to specific properties, a number of submitters made general submissions relating to the preparation of the Amendment. There was a widespread lack of understanding about the implications of heritage listing for individual properties and precincts. Submitters raised concerns with respect to the additional burden proposed on their properties. Such concerns included negative impact on property values, maintenance costs or redevelopment opportunities.

(iii) Key issues raised in submissions

The key issues raised in the submissions received, comprised:

- Disagreement about the heritage significance of individual properties
- Extent of Heritage Overlays
- Exemptions for public authorities
- Concern about imposition of financial and administrative burdens.

The Study commenced in September 2003 and was completed in March 2007. It comprises eight volumes. The Study was diligent in responding to the Burra Charter process and the then current version the *VPP Practice Note: Applying the Heritage Overlay*.

The Panel was guided by the current Practice Note (July 2015) and finds that almost ten years ago the lack of comparative analysis to substantiate the significance of each place created particular challenges.

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(iv) Conclusions

The Panel concludes that the Study provides a sound basis for the application of the HO to defined heritage places and precincts.

Introduction of grouped places heritage policies in the Local Planning Policy Framework at Clause 22.07 and an Incorporated Document for permit exemptions in the schedule to Clause 81.01 are also supported. There is potential to extend these exemptions in future amendments following the preparation of agreed Management Plans for public authorities.

The task of assessing the 1001 potential heritage places and 18 potential precincts over almost five years must be acknowledged. It is hard to overestimate the challenges of inadequate mapping, photography and data collection in a largely pre-digital era. Lorraine Huddle and her team are to be congratulated, along with Moira Council officers who completed the amendment process.

The recent policy preparation has assisted the translation of the Study into a sound amendment.

(v) Recommendations

Based on the reasons set out in this Report, the Panel recommends:

Moira Planning Scheme Amendment C38 be adopted as exhibited subject to the following:

1. Delete HO220 from the Amendment.
2. Remove HO78 from the Amendment.
3. Delete HO297 from the Amendment.
4. Delete 7 Belmore Street, Yarrowonga from Clause 22.21-7.
5. Delete HO225 from the Amendment.
6. Delete HO151 from the Amendment.
7. Realign the boundaries of HO161 to the 1930s facade of the GrainCorp Oils building, its curtilage to McDonald Street, Numurkah and land within a three metre setback from the facade to encompass the return walls at each end of the building.
8. Delete 11-13 St James Road (Concrete Water Tower), St James from Clause 22.17-7.
9. Realign the boundaries of HO226 to provide a polygon containing the existing pump station building with frontages to Sharp Street and Telford Street (Murray Valley Highway), Yarrowonga.
10. Realign the boundaries of HO90 to provide a polygon containing the existing house and immediate curtilage.
11. Revise the mapping of HO130 to include only that land shown at Lot 1 PS619273, 2823 Labuan Road, Numurkah.
12. Delete 17 Irvine Parade, Yarrowonga from Clause 22.20-7.

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13. Realign the southern boundary of HO258 at 91 Quinn Street, Numurkah to include a minimum appropriate curtilage immediately to the south of the existing building.
14. Realign the boundaries of HO69 to provide a polygon containing the existing building, with a minimum 28 metre frontage to Brephir Street, Cobram.
15. Realign the boundaries of HO80 to provide a polygon containing the existing building, with a minimum 27 metre frontage to Station Street, Cobram.
16. Delete 'HO215 – Weir over Murray River, Belmore Street, Yarrawonga' from the Amendment.
17. Delete 'HO116 – Concrete bridge over Wakiti Creek, Murray Valley Highway, Kotupna' from the Amendment.
18. Delete 'HO62 – Lift Bridge over Murray River, Barooga Road, Cobram' from the Amendment.

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1 Introduction

1.1 Panel process

Moira Planning Scheme Amendment C38 (the Amendment) was prepared by the Moira Shire Council as Planning Authority.

At its meeting of 23 November 2015, Council resolved to refer the submissions to a panel. As a result, a Panel to consider the Amendment was appointed under delegation from the Minister for Planning on 14 December 2015 and comprised Peter McEwan (Chair).

Those in attendance at the Panel Hearing are listed in Table 1.

Table 1 Parties to the Panel Hearing

Submitter	Represented by
Moira Shire Council	Ms Jorine Bothma, Manager, Town Planning & Building, assisted by: <ul style="list-style-type: none"> • Martina Foley, council town planner, • Justin Francis, council heritage adviser, and • Lorraine Huddle, author of the <i>Moira Shire Stage Two Heritage Study 2007</i>.
North East Water	J Brooks & P Slocomb
D & M Batty	
T Siciliano	
M Judd	
GrainCorp	P Jemmeson of Beca (Aust) Pty Ltd, engineering consultants, and M Hunter of GrainCorp
C & G Grinter	
J L Crothers	
A Ryan	

1.2 The proposal

(i) The subject area

The Amendment applies to numerous parcels of land of historic interest throughout the Moira Shire.

(ii) Amendment Description

The Amendment proposes to:

- Apply the Heritage Overlay to 110 additional individual places, 15 precincts and 2 thematic groups of places (21 individual places)
- Amend Clauses 21.03 and 21.07 to reflect the recommendations of the Heritage Study

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- Introduce Clauses 22.06 (Heritage Policy) and Clauses 22.07 – 22.22 (Grouped Places Heritage Policies)
- Amend the Schedule to Clause 43.01 Heritage Overlay
- Amend Clause 61.03 to reflect map changes
- Introduce the Planning Permit Exemptions and Application Requirements in the Heritage Overlay Exemptions as an incorporated document in the schedule to Clause 81.01
- Amend Planning Scheme Maps: 3HO, 4HO, 7HO, 9HO, 10HO, 13HO, 14HO, 18HO, 21HO, 23HO, 30HO, 34HO
- Insert Planning Scheme Maps: 2HO, 5HO, 11HO, 12HO, 15HO, 16HO, 17HO, 19HO, 20HO, 22HO, 26HO, 28HO, 29HO, 33HO, 35HO, 36HO, 37HO.

(iii) Purpose of the Amendment

The Amendment seeks to implement the recommendations of the *Moira Shire Heritage Study 2007* (Moira Heritage Study).

1.3 Background to the proposal

The Moira Heritage Study consists of the *Moira Shire Heritage Study Stage One* (2004), the *Moira Shire Heritage Study Stage Two* (2007) Volumes 1-5 (Inc) and the *Moira Shire Heritage Study* (2007) *Addendum* (24 March 2015) for the whole Shire. The Moira Heritage Study identified post-contact places and precincts of cultural significance and included a thematic environmental history of post-colonial European occupation.

The Study identified 126 individual sites (in addition to the existing 35 sites in the planning scheme), 15 heritage precincts and 7 groups of significant places such as schools, halls, churches and cemeteries. Owing to changes since completion of the Stage 1 and Stage 2 studies, a number of individual sites no longer required heritage protection, leaving 110 places. In addition, the 'groups' of places were reduced in accordance with departmental advice and best practice.

The *Moira Shire Heritage Study Stage Two* (2007) was reviewed in 2015 and a project undertaken to 'ground truth' places and items previously nominated for inclusion in a HO. This significantly improved the accuracy of the data, which informs the Amendment.

The Study is proposed to be included as a Reference Document in Clause 21.07. The study informed the identification of the places to be included in the HO whether as individual places, groups or precincts. The study includes 'Statements of Significance' for each individual heritage place, precinct or group of buildings.

The Study also contains detailed lists of those properties within precincts that are identified as being 'Contributory' to that precinct. All local policies for precincts include a list of 'Contributory Places'.

The Amendment proposes to introduce 17 new local policies into the planning scheme. The policies are intended to provide guidance to landowners, developers and the community about how new development and works can be sympathetic to the heritage place and other ways in which important buildings and places can be enhanced and conserved.

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External paint controls will only apply to individually listed heritage places and will not apply within precincts. Tree controls will only apply in a limited number of places all of which are specifically identified for their vegetation significance. No internal controls are proposed.

1.4 Issues dealt with in this report

The Panel considered all written submissions, as well as submissions presented to it during the Hearing. In addressing the issues raised in those submissions, the Panel has been assisted by the information provided to it, as well as its observations from inspections of specific sites.

This report deals with the issues under the following headings:

- Planning context;
- General issues;
- Submissions considered at the Hearing; and
- Written submissions.

A review of the entire Amendment was not undertaken. The Amendment was reviewed only as it relates to the submissions received.

1.5 Preliminary issues

On 18 February 2016, following the Directions Hearing (27 January 2016), the Panel was informed that VicRoads had not been formally notified of the Amendment. Provision was made for VicRoads to appear at the Panel Hearing on 23 February 2016 to make a submission.

Prior to the hearings, VicRoads requested time to assess the impacts of the Amendment and prepare a late written submission. On 23 February 2016, the Panel directed Council to provide this opportunity to VicRoads. The VicRoads submission was received on 9 March 2016; Council's written response was received by the Panel on 11 March 2016.

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2 Planning context

Council provided a response to the Strategic Assessment Guidelines as part of the Explanatory Report.

The Panel has reviewed the policy context of the Amendment and made a brief appraisal of the relevant zone and overlay controls and other relevant planning strategies.

2.1 Legislative and Policy framework

(i) Planning and Environment Act 1987

Section 4 of the *Planning and Environment Act 1987* sets out the objectives for planning in Victoria. Relevant objectives for consideration as part of this amendment include the need for Planning to:

- (b) provide for the protection of natural and manmade resources and the maintenance of ecological processes and genetic diversity
- (d) conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value
- (g) balance the present and future interests of all Victorians.

The Responsible Authority has the responsibility, to identify, conserve and enhance buildings or places that are of historic value. The introduction of the HO on sites, which are deemed as being of heritage value, is a direct response to the objectives (especially 1(d).)of the *Planning and Environment Act 1987*.

(ii) State Planning Policy Framework (SPPF)

The Amendment is consistent with the SPPF, in particular Clause 15.03 (Heritage). It implements the policy by including places which have been identified and assessed as having local cultural heritage significance in the Schedule to the HO.

(iii) Local Planning Policy Framework (LPPF)

Council submitted that the Amendment supports the following local planning objectives:

- Clause 21.03 (Environment) includes the objective to "... protect places of cultural heritage and support preservation of those sites threatened by development or neglect".

The strategies identified to achieve this objective include the identification and documenting of sites within the Shire that have cultural heritage values of local significance.

Amendment C38 is a significant evolution in the LPPF through the identification and assessment of places of potential heritage significance and by the introduction of 17 new local planning policies to assist landowners and decision makers. The HO is the appropriate tool to identify a heritage place, which has a recognized heritage citation or has been identified in a heritage study.

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2.2 Ministerial Directions and Practice Notes

Council submitted that the Amendment meets the relevant requirements of the following Ministerial Directions and Planning Practice Notes:

(i) Ministerial Directions

Ministerial Direction No 11 - Strategic Assessment of Amendments

The Amendment is consistent with Ministerial Direction 11 (Strategic Assessment of Amendments).

The Form and Content of Planning Schemes (s7(5))

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

(ii) Planning Practice Notes (PPN)

PPN01: Applying the Heritage Overlay

PPN01 provides guidance about the use of the HO and the process involved in identifying heritage places. The process that identifies the place should clearly justify its significance as the basis for including it in the HO with documentation to include a 'Statement of Significance' that sets out the importance of the place and addresses the heritage criteria.

PPN13: Applying Incorporated and Reference Documents

PPN13 explains the role of external documents in planning schemes. Reference Documents are not part of the planning scheme but provide background information which in this case comprise the Citations prepared for the Heritage Places.

2.3 Discussion

The Stage Two report of the Moira Heritage Study states that assessment of all heritage places used the Burra charter values of aesthetic, historic, social and scientific significance. The report went on to state that assessment of the heritage places was undertaken in accordance with the then *VPP Practice Note: Applying the Heritage Overlay*.

The Panel concludes that the Amendment is supported by, and implements, the relevant sections of the State and Local Planning Policy Framework. The Amendment is well founded and is strategically justified, subject to addressing the more specific issues raised in submissions as discussed in the following chapters.

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3 General issues

3.1 Implications of Heritage Overlay listing

There was some confusion from all parties about the implications for a property that is within a HO.

3.1.1 Submissions

Written submissions 4 and 5, and parties at the hearings sought clarification on the impact of heritage listing on their properties.

3.1.2 Discussion and conclusions

As stated in Clause 43.01 (Heritage Overlay), a permit is required among other things to subdivide land, demolish or remove a building, construct a building or carry out specified works.

As proposed, Clause 22.06 provides the following guidance:

*A **Heritage Place** is a place that has identified heritage value and could include a site, area, precinct, building, group of buildings, structure, archaeological site, tree, garden, geological formation, fossil site, habitat or other place of natural or cultural significance and its surrounding land. A Heritage Place includes:*

- *An **Individually Listed Local Heritage Place** which is an individually important place of local heritage significance that has been separately identified in the Moira Shire Heritage Study Stage One (2004) and Moira Shire Heritage Study Stage Two (2007).*
- *A **Contributory Heritage Place** which is an individually important place of state, regional or local heritage significance or a place that contributes to the significance of a Heritage Overlay area or precinct. Contributory places may include buildings that are of a built style that contributes to the significance of a precinct, even though it may have been constructed in a later period.*

*A **Non-Contributory Heritage Place** is a building or place within a Heritage Overlay area where the original building has been demolished, replaced or modified beyond recognition, or where the constructed building is stylistically inconsistent with the period of the precinct. Any new development on these sites may impact on the heritage significance of the areas. Therefore, the development of a non-contributory place should take into account the heritage characteristics of the heritage place as well as the heritage values of these streetscapes.*

*Council will disregard **non-contributory buildings** and works when determining the appropriate siting, massing, height, form and scale of new buildings or extensions to existing buildings in a Heritage Overlay.*

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The Panel concludes that the Heritage Policy (Clause 22.06) and Grouped Place Heritage Policies (Clauses 22.07 – 22.22) provides clear guidance to all parties.

3.2 Impact of Heritage Overlay

The potential impacts of heritage listing on property values, the ability to sell, or the development options for a property were cited by a number of submitters as grounds to oppose the inclusion of a place in the HO.

3.2.1 Submissions

- 22: Heritage listing will impact on the potential to further redevelop the property.
- 17: The submitter objected on the basis that recent developments have reduced the aesthetic impact of the streetscape. Heritage listing will impact on the potential to further redevelop the property.
- 14: Heritage listing would impact on the ability to redevelop the site.

3.2.2 Discussion and conclusions

Numerous panels have considered the question of potential impact of heritage controls on property prices and its relevance at the amendment stage. Available evidence on the impact of heritage listing on property prices is inconclusive and often contradictory.

There is common agreement that claims that a HO would devalue properties were not a relevant consideration when applying a HO. The primary issue to be taken into account in determining whether a HO should be applied is whether the place meets the threshold for local heritage significance.

The Panel notes the position put by the Melbourne C207 panel, which was that heritage significance should be the primary consideration for HO listing and that economic effects should be assessed on the basis of the likely impact on the community as a whole, rather than on individual owners or occupiers of land.

The Melton C71 panel concluded that:

Personal economic effects or at least the economic effects for a particular building are able to be considered at the planning permit stage.

The Panel concludes that the potential of heritage listing on property values and/ or a place are not relevant considerations when evaluating whether a place should be included under the HO. Decisions should be based on the heritage significance of the place.

The Panel concurs with these conclusions.

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4 Submissions considered at the Hearing

4.1 HO220 - 15 Hunt Street, Yarrowonga



Figure 1 Former cordial factory, Yarrowonga; eastern elevation

4.1.1 Submissions

(i) Nature of heritage place

The citation includes the following under the heading 'Statement of Significance':

The cordial factory is historically significant on a local level as one of three cordial factories in Yarrowonga during the nineteenth century, and particularly so as the only known extant cordial factory from that period which has remained in continuous use. It has been used by the Crowthers to manufacture cordial for over 70 years. Cordial manufacture developed as an important industry in Yarrowonga and the building is significant for its association with the development of secondary industry in the area.

(ii) Submission 10

J L Crowthers, owner of the property at 15 Hunt Street, objected to the Amendment on behalf of his wider family. The objection is on the basis of the dilapidated state of the building, which is too costly to repair and that heritage listing would restrict future development opportunities:

Most of the building is between 50 & 60 years sold and is in poor condition. The only original part of the old factory is in the centre of the building and is also in a very poor condition.

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(iii) Council response

Ms Huddle provided the following response on behalf of Council:

The area included within this HO includes two separate lots. The one on the right containing the cordial factory and the one on the left housing the band hall. The cordial factory being the simple gable roofed one on the right, with the added-on enclosed skillion in the front, whilst of no architectural merit in itself is of historical and social significance being the last remaining such factory in the town and probably even the Shire. Established in the late 1800s it is now well over 100 years old. This site is important for the historical context in that cordial making took place right here in the centre of town as well as its processing plant still sitting inside the building.

The separate band hall structure to the left, has been relocated to this site and is similarly of no major architectural merit but again is of historical and social significance having housed numerous local bands for their regular meetings, practice and rehearsals.

Whilst there may be scope to extend, alter or even demolish some components of this overall site, until further investigation is carried out the site as currently delineated should remain as exhibited.

Mr Francis submitted that the band hall “was probably not significant”.

4.1.2 Discussion and conclusions

The citation makes no mention of the former band hall on the eastern side of the site. The hall was relocated here some years ago.

Ms Huddle’s suggestion that the whole site be heritage listed as exhibited, pending further investigation, is not reasonable. The Shire has been the subject of very extensive investigation and documentation. The investigations have included this property, but no mention was made of the band hall, which Ms Huddle submitted has no architectural merit.

The place was not formally assessed against the current heritage criteria in PPN01: *Applying the Heritage Overlay*, because the Moira Heritage Study pre-dated the current Planning Practice Note. Instead all properties were assessed against the Criteria of the Register of the National Estate, as then prescribed in the VPP Practice Note: *Applying the Heritage Overlay*.

PPN01 recognises heritage assessment work undertaken before 2012 using older versions of the criteria. Essentially, the current relevant criterion is Criterion A: *Importance to the course or pattern of development of our cultural or natural history (historic significance)*. The relevant threshold to be applied in the assessment is ‘Local Significance’.

PPN01 includes the following:

In order to apply a threshold some comparative analysis will be required to substantiate the significance of each place. The comparative analysis should

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draw on other similar places within the study area, including those that have previously been included in a heritage register or overlay.¹

The Panel would have benefited from some comparative analysis of this place with other historic cordial factory sites in Moira Shire. It is very difficult to interpret the use of buildings such as the historic cordial factory from their outward appearance. The factory is no longer in use, as it was at the time of assessment in the Moira Heritage Study. It is understood that cordial-making machinery remains in place inside the building; however, HO220 does not propose internal controls. The historic part of the building is enclosed within a dilapidated, lightweight, galvanised iron structure between 50 and 60 years old. Being internal to the building, the historic part of the place would not be protected by HO220.

The relationship with the adjacent historic band hall structure might also add to the historic interest of the site; however, no reference is made to this structure in the 'Statement of Significance'.

The Panel does not accept the proposition that HO220 should proceed, with further investigation to be undertaken to determine the extent of alteration or demolition.

For these reasons the Panel concludes that the former cordial factory does not meet the threshold of local significance.

4.1.3 Recommendation

The Panel recommends:

1. Delete HO220 from the Amendment.

4.2 HO78 – 55-57 Punt Road, Cobram

4.2.1 Submissions

(i) Nature of heritage place

The citation includes the following under the heading 'Statement of Significance':

The Inter War Functionalist styled house and fence at 55-57 Punt Road is aesthetically significant on a local level for its rarity in an unusual integration of features forming an excellent design, outstanding setting and overall integrity.

(ii) Submission 16

Mr Siciliano objected to the inclusion of the property in a HO. While agreeing that "this is a unique house" he submitted that there was no other reason why this house was significant. He submitted that the house was built in 1952.

(iii) Council response

Ms Huddle supported Council's proposal to reduce the extent of the HO to the house only.

¹ PPN01: Applying the Heritage Overlay, July 2015

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4.2.2 Discussion and conclusions

The parties discussed the option of reducing the extent of the HO by approximately 50 per cent to just the house itself. Mr Siciliano opposed this option.

The citation used in 4.2.1 refers to some similarities with the luxurious residence known as 'Burnham Beeches' in Sassafra. The local significance is based on "*an unusual integration of features, forming an excellent design, outstanding setting and overall integrity*".

The Panel is inclined to agree with Mr Siciliano's submission that the house was built in 1952. It is unlikely to be an Interwar house. Certainly there are interwar elements; however one of the major design features noted in the Historical Statement: the large semi circular front room with floor to ceiling windows, is clearly a post-war element. The large full height 'crazy paving' stone panel at the ground floor facade is a further indication of post-war architectural influences.

Certainly, the house displays an unusual integration of features, but the Panel cannot agree that it forms an excellent design or that there is an overall integrity. It cannot be compared to 'Burnham Beeches' which was constructed between 1930 and 1933. The VHR describes it as:

... a rare domestic example of the Moderne genre and was designed by Harry Norris, one of the leading commercial architects in Melbourne between the wars.

The final component of local significance (outstanding setting) would be compromised by the proposal to remove the extent of HO78 across half of the site.

The Panel concludes the heritage assessment does not provide a sufficient basis to justify heritage listing of the house at 55-57 Punt Road, Cobram.

4.2.3 Recommendation

The Panel recommends:

2. Remove HO78 from the Amendment.

4.3 HO297 Exotic Trees, 71 Mookarii Street, Cobram

4.3.1 Submissions

(i) Nature of heritage place

The citation includes the following under the heading 'Statement of Significance':

The conifer and golden elm at 71 Mookarii Street are aesthetically and historically significant on a local level as visual landmarks, and may be markers of the beautification efforts taken by the council and residents in the early history of the town around the turn of the twentieth century, or associated with the orchards which were established in the area into the 1920's.

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(ii) Submission 9

D & M Batty, owners of the subject property since 1972, objected to heritage listing of the two trees on the grounds that they are not historic. They submitted that the initial house owner purchased the property in 1959 and planted both trees in 1960:

They have matured in size quite markedly apparently due to (proximity of) the water table beneath them.

Mr and Mrs Batty challenged the citation which speculates that these trees may have been planted in the late 19th century or early 20th century.

(iii) Council response

Council acknowledged that the heritage citation might be incorrect in the light of new information.

4.3.2 Discussion and conclusions

Mr & Mrs Batty provided persuasive evidence going back to the original owner of the property, Mr Rohan Bell. They appear to be passionate custodians of the trees. The two trees may indeed be significant, but not for the reasons suggested in the Study or the 'Statement of Significance'.

The Panel concludes the trees should be deleted from heritage listing in the Amendment.

4.3.3 Recommendation

The Panel recommends:

3. Delete HO297 from the Amendment.

4.4 HO264 Yarrowonga Town Centre precinct

4.4.1 Submissions

(i) Nature of heritage place

The citation states that the Yarrowonga Town Centre is aesthetically, historically and scientifically significant at the local level. Within the precinct, 40 places have been identified as 'Contributory Places'.

The building at 7 Belmore Street is listed in Clause 22.21-7 of the Amendment as a 'Contributory Place':

It demonstrates many original and early design qualities associated with the civic and commercial development of Belmore Street, between the 1880's and 1950's. It is a stylistic mix of predominantly Victorian, some federation and several interwar architectural styles that have been built and maintained throughout most of the precinct.

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(ii) Submission 18

M Judd submitted that the building at 7 Belmore Street had been the subject of modern additions and modifications and is largely in disrepair. Mr Max Currie, registered builder, provided a 'Building Report' for the parcel of three properties detailing such issues as rising damp, water ingress, termites, foundation subsidence and unsound structures.

(iii) Council response

Ms Huddle submitted that the building to the rear of 3 Belmore Street (7 Witt Street) is of local significance, notwithstanding the condition of the building. Drainage is the biggest issue.

4.4.2 Discussion and conclusions

Mr Judd owns a parcel of three properties at 3 (incorporating 7 Witt Street), 5 and 7 Belmore Street. It appears that it may have been Council's intention to include the whole parcel in HO264 as a 'Contributory Place'; however, only No. 7 Belmore Street was listed in the exhibited Amendment.

The issue for the Panel is whether it is appropriate to include No 7 Belmore Street as a 'Contributory Place' at Clause 22.21-7.

The Panel inspected the buildings, the extensive photographic submissions and the building report submitted at the hearing. There is no visible external evidence of any part of the original building at 7 Belmore Street. The parapet was removed due to fractured and fretted brickwork. Both the awning and the street facade have been completely replaced within the past 30 to 40 years.

Despite the structural condition of the structure at 7 Witt Street (on the same title as 3 Belmore Street), there may have been a case for listing that building in HO264. For some unknown reason only 7 Belmore Street was proposed as a 'Contributory Place' in HO264 the exhibited Amendment.

The Panel concludes that there is no justification for listing 7 Belmore Street as a 'Contributory Place'.

4.4.3 Recommendation

The Panel recommends:

4. Delete 7 Belmore Street, Yarrowonga from Clause 22.21-7.

4.5 HO225 – 60 Murphy Street, Yarrowonga

4.5.1 Submissions

(i) Nature of heritage place

The citation includes the following under the heading 'Statement of Significance':

The house at 60 Murphy Street is aesthetically and historically significant on a local level as an elegant Federation style house in a garden setting and for the

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association with the intense residential development that met the increased demand around the time of the weir construction in the 1920s to early 1930s.

(ii) Submission 21

A McKellar & A Ryan objected to inclusion of 60 Murphy Street in a HO. A copy of the original receipt for the construction of the house was provided to show that the house was built in October 1936. Decorative elements on the front facade referred to in the citation were replaced by plastic in the last 10-15 years.

(iii) Council response

Ms Huddle provided the following response:

I agree with the owners request to remove the property from the list of heritage places. The additional information provided by the objector provides evidence of the date of construction as well as information about the source and date of the decorative brackets on the verandah.

Whilst the property would meet the threshold for a contributory place in a heritage precinct, overall, I do not think this property meets the threshold for an individually significant Heritage Overlay.

Council proposed the removal of the property from the list of heritage places.

4.5.2 Discussion and conclusion

The Panel inspected the site and concurs with Council's proposal to remove this place from the Amendment. The property is not located within a precinct HO, and therefore it could not be included as a contributory place.

4.5.3 Recommendation

The Panel recommends:

5. Delete HO225 from the Amendment.

4.6 HO151 – Knox Street, Numurkah and HO161 – McDonald Street, Numurkah

4.6.1 HO151 – Concrete silos

(i) Nature of heritage place

The citation includes the following for HO151 under the heading 'Statement of Significance':

The concrete wheat silos and associated extant infrastructure at Numurkah are aesthetically and historically significant on a local level for the association with the agricultural development of the area in the post-war period and their landmark quality in the townscape.

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Figure 2 Former wheat silos, Numurkah
(photo provide by J Francis)

(ii) Submission 23

P Jemmeson, for GrainCorp, submitted that the site is very complex. The oilseeds processing plant is one of Moira's largest industries. He detailed extensive current and proposed upgrade works for the site.

GrainCorp sought to refine the extent of HO151 to exclude operational areas around the silos.

(iii) Council response

In response to the GrainCorp submission, Ms Huddle submitted that a smaller, tighter curtilage for HO151 would be appropriate. The curtilage should retain the opportunity for interpretation. Ms Huddle proposed that up to five metres around the silos would be an appropriate curtilage.

4.6.2 Discussion and conclusions

The site has a long history in agricultural processing, which has changed significantly over the decades. What was once a butter factory with relatively simple technology has been transformed over her years into a very complex, high technology oilseed processing plant. Most of the current plant on the site has been constructed over the last 25 years.

The 'Historical Statement', which forms part of the citation for this site in the Moira Heritage Study, notes that the concrete wheat silos at Numurkah "*formed part of a wave of wheat storage building throughout the region in the 1940s*".

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There are many towns on rail lines in the Moira Shire that have similar concrete wheat silos. No comparative analysis was undertaken on the relative significance of similar concrete silos so that a threshold of local significance could be determined. If the heritage study were to be undertaken today, then such a comparative analysis would be expected in accordance with the current PPN01.

The Panel observed a number of similar concrete silos in the Moira Shire that were less constrained by being located as part of an ongoing industrial complex that has transformed the context of the original structure. At least three other sets of concrete silos from the 1940s are included in individual HOs in the Amendment:

- HO100 – Katamatite silos (1943)
- HO109 – Katunga silos
- HO177 – Picola silos.

There are further 1940s concrete silos which are listed in Precinct HOs, for example the silos in St James HO260.

The landmark quality of the silos in the Numurkah townscape has been severely compromised by industrial structures completed since the Moira Heritage Study was completed in 2007.

The Panel concludes that the silos no longer have sufficient landmark quality in the Numurkah townscape (as noted in the *'Statement of Significance'*) to justify heritage listing in the Amendment.

4.6.3 Recommendation

The Panel recommends:

6. Delete HO151 from the Amendment.

4.6.4 HO161 – Riverland factory building

(i) Nature of heritage place

The citation includes the following for HO161 under the heading *'Statement of Significance'*:

The Riverland Oils factory building is historically and scientifically significant on a local level as the original home of the Numurkah Butter factory (1907) and as an ongoing site of secondary industry throughout the history of the town from that time. It is associated with the development of secondary production in Numurkah in the early twentieth century onwards.

(ii) Submission 23

HO161 extends over four parcels of land and includes contemporary structures such as the solvent extraction facility, seed crushing plant and associated conveyors, stacks and tanks.

P Jemmeson, for GrainCorp, submitted that the HO should not be imposed without adequate justification. He submitted that HO161 lacked clarity and its introduction was premature with little regard to existing activities and on the site and its future management.

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The extent of the Overlay, based on limited investigations, combined with the heavily altered nature of the area, is unjustified in its proposed form.

GrainCorp acknowledged that the facades were important and accepted that they should be protected:

However GrainCorp believe that the heritage value is limited to the facade only and should not encompass the extent of coverage as depicted in HO161.

(iii) Council response

Council agreed to consider reducing the extent of HO161 in response to submission 23.

Ms Huddle acknowledged that the site is very complex and the historical and physical description is very limited as the Moira Heritage Study limitations did not provide funding for site visits and analysis of complex places.

Assessment by an industrial archaeologist is advised.

...until more specific knowledge is gained through a through industrial archaeological assessment, it is appropriate that a larger rather than a smaller site be delineated for protection.

Ms Huddle submitted that it would take between three and six months to undertake such an investigation. This would provide an evidence-based case for heritage listing.

4.6.5 Discussion and conclusions

The GrainCorp Oils factory building on McDonald Street dates back to 1907 when it was first opened as the Numurkah Butter Factory. The facade was remodelled in the 1930s; however, the balance of the building has gone through major transformations as its use and the available technology have changed.

There was no apparent rationale for the extent of the HO apart from the need to protect the site pending further investigation by an industrial archaeologist.

All parties agreed that the historic industrial facade was significant and warranted heritage protection. Mr Jemmeson submitted that the facade could be protected by including it up to a depth of four metres from the facade itself.

The facade of the former Butter factory is just that, a facade. It was added in the 1930s in the distinctive Interwar Moderne style. It does not relate architecturally to the structures behind it, which have been transformed over time.

The Panel concludes that no justification has been provided for the inclusion of recently constructed operational plant and buildings in a HO. It is not appropriate to include such areas in a HO pending further industrial archaeological investigation to provide evidence-based justification.

The extent of HO161 should be limited to land along the frontage of the GrainCorp Oils building (Riverland factory) along McDonald Street, Numurkah, extending from the McDonald Street boundary back to a point three metres in from the street facade of the building so as provide for the return walls at either end of the building.

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4.6.6 Recommendation

The Panel recommends:

7. **Realign the boundaries of HO161 to the 1930s facade of the GrainCorp Oils building, its curtilage to McDonald Street, Numurkah and land within a three metre setback from the facade to encompass the return walls at each end of the building.**

4.7 North East Water sites

The Amendment impacts on three North East Water (NEW) sites:

- St James Water Storage and Treatment plant, St James Road, St James
- Pump station, corner of Sharp Street and Telford Street (Murray Valley Highway), Yarrawonga
- Water tower, Hovell Street, Yarrawonga.

(i) HO land within the Public Use 1 Zone (PUZ1)

North East Water submission

North East Water (NEW) submitted that the exhibited exemptions still require it to seek and obtain planning approval to undertake works within the proposed precincts. It has not been possible for NEW to receive written assurances from Council in relation to exemptions for day-to-day maintenance and emergency works. This includes excavation works and construction of buildings:

North East Water does not consider it appropriate to create precinct based Heritage Overlays over areas that, apart from the aforementioned engineering structures, have little obvious merit from a heritage perspective.

Council response

Council was supportive of changes to the Incorporated Document: *Moira Shire Planning Scheme Heritage Overlay – Planning Permit Exemptions and Application Requirements* "to include exemptions" for modern structures on this site.

Discussion and conclusions

Routine maintenance and repair activities (which would include repair of flood damage) are generally exempt if they simply replace existing works and infrastructure. There is a more detailed discussion of this issue at section 5.9 of this report in relation to VicRoads issues. The issue at it relates to specific NEW sites is discussed below in greater detail for each site.

(ii) St James Water Storage and Treatment plant, St James Road

The plant is located within HO260 – St James Town Centre precinct.

Nature of heritage place

The HO covers most of the township of St James.

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The citation states that the St James Town Centre is aesthetically, historically, socially and scientifically significant at the local level. Within the precinct, 24 places have been identified as contributory in Clause 22.17.

Clause 22.17 includes the following under the heading 'Statement of Significance':

The Precinct contains a variety of sites related to different aspects of the towns' development, from sites associated with agricultural heritage (grain stores and silos), commercial heritage (shops), public and private industry development (hotels, post office), law and order (police station and lock-up) and transport (railways). Public places (parks, trees, reserves, hall and memorials) are also important both aesthetically and historically as continuing sites of civic beautification. The precinct thus represents a range of historical influences important in the development of St James from the 1880s to the 1990s.

11-13 St James Road (Concrete Water Tower) is listed in Clause 22.17-7 as a 'Contributory Place'. It is located in a PUZ1.

North East Water submission (12)

NEW submitted that the extent of the HOs should be limited to the footprint of the historic water tower structure.

Council response

Council was supportive of changes to the Incorporated Document: *Moira Shire Planning Scheme Heritage Overlay – Planning Permit Exemptions and Application Requirements* to include exemptions "for modern structures on this site".

Discussion and conclusions

There are two water basins located on the site, a water storage tank, pump shed and water tower/standpipe. The St James treatment plant stores water from the water supply pipeline from Yarrowonga to Tungamah and services both the townships of St James and Devenish.

The historic water tower occupies a very small area on the St James Road frontage of the NEW site, which has an area of approximately one hectare.

The water tower is not the subject of a site specific HO, but is listed as a 'Contributory Place' at Clause 22.17-7. It is therefore impractical to map the heritage structure on its own polygon in order to remove the requirement for a planning permit for buildings or works on the remainder of the site.

The Panel observed other similar concrete water towers in the Moira Shire. Several other water towers are included in individual HOs in the Amendment:

- HO70 – Water Towers and Pond, 33-41 Churr Street, Cobram
- HO101 – Concrete water tower, Reserve Road, Katamatite
The concrete water tower at Katamatite is of the same period and design as the St James water tower. It was designed by Sir John Monash and is proposed for an individual HO in the Amendment.
- HO175 – Picola Water Tower and Pond, Moran Street, Picola

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- HO206 – Water tower and mural One Ewe, Goulburn Valley Highway, Wunghnu.

There are further water towers listed as 'Contributory Places' in Precinct HOs.

One such 'Contributory Place' is the magnificent and well-preserved concrete water tower at Nathalia. It is located in the Blake Street reserve in the centre of the Nathalia Town Centre precinct HO.

The 'Statement of Significance' describes the Blake Street reserve as *"the most striking and aesthetically significant place in the Shire for its urban design which has been created by the thoughtful scale of trees, space and structures including the avenue of peppercorn trees, terminated with the War Memorial at the northern end and the concrete water tower at the southern end"*.

The water tower is used to illustrate the Executive Summary of the *Moira Shire Stage Two Heritage Study 2007*. However, despite this and other specific references in the Moira Heritage Study, the concrete tower was not proposed for a specific HO of even listed as a 'Contributory Place' in the Nathalia Town Centre precinct HO in the Amendment.

It is this inconsistency that bemuses the Panel. There was no comparative analysis provided for places proposed in the Amendment. This is now a requirement of PPN01. In the absence of such a comparative analysis, the Panel cannot see how the abandoned water tower at St James warrants inclusion, when the much more significant tower at Nathalia is not even listed as a 'Contributory Place'.

The listing of the concrete water tower of very similar design and style in a site specific HO101 at Katamatite gives the Panel confidence that a representative example of this type of structure will be protected as locally significant in the Moira Planning Scheme.

Should Council wish to pursue the St James water tower as a 'Contributory Place' in Clause 22.17-7, then it is encouraged to enter into consultation on a Management Plan with NEW with a view to agreeing exemptions for obtaining a planning permit for the remainder of the site. The Incorporated Document could then be amended in a subsequent amendment to the Moira Planning Scheme.

The Panel concludes that the concrete water tower at 11-13 St James Road, St James should not be listed at Clause 22.17-7 at this time.

(iii) Pump station, corner of Sharp Street and Telford Street (Murray Valley Highway), Yarrowonga.

The building is included in HO226 – Pumping station, 28 Telford Street, Yarrowonga.

Nature of heritage place

The citation includes the following under the heading 'Statement of Significance':

The sub station is aesthetically and historically significant as a very good example of the inter war functionalist style used for urban infrastructure associated with the 1938 expansion of urban water services in the period following the construction of the Yarrowonga weir and subsequent post war boom

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North East Water submission

NEW submitted that the extent of the HOs should be limited to the footprint of the historic structure. It is a fully functional asset.

Council response

Council was supportive of changes to the Incorporated Document: *'Moira Shire Planning Scheme Heritage Overlay – Planning Permit Exemptions and Application Requirements'* to include exemptions for modern structures on this site.

Discussion and conclusions

The Panel strongly supports the introduction of HO226 to protect this small, freestanding concrete building located at the corner of two streets. It is an excellent example of the Art Deco Style for a small urban infrastructure facility on a prominent site on the Murray Valley Highway.

It is not necessary to include the whole of the larger allotment in a HO to protect the building. The remainder of the site is vacant and to the rear of the building's significant facades.

The Panel concludes that the polygon for a realigned HO should retain sufficient curtilage so as to maintain street frontages for the pump station building to Sharp Street and Telford Street.

(iv) Water tower, Hovell Street, Yarrawonga

The water tower is listed as a 'Contributory Place' at Clause 22.20-7 - Yarrawonga Tom Sharp precinct (HO263). It is located in a PUZ1.

North East Water submission

NEW submitted that the extent of the HOs should be limited to the footprint of the historic structure.

Council response

Council was supportive of changes to the Incorporated Document: *'Moira Shire Planning Scheme Heritage Overlay – Planning Permit Exemptions and Application Requirements'* to include exemptions *"for modern structures on this site"*.

Discussion and conclusions

The brick and steel water tower structure is prominently located near to the centre of Yarrawonga. The relatively small site does not appear to be currently used for any other purpose.

The water tower is not the subject of a site specific HO, but is listed as a 'Contributory Place' at Clause 22.20-7. It is therefore impractical to map the heritage structure on its own polygon in order to remove the requirement for a planning permit for buildings or works on the remainder of the site.

The Panel concludes that NEW might consider the preparation of a Management Plan for the remainder of the site in consultation with Council. Activities undertaken in accordance with

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that Management Plan could then be exempted from obtaining a planning permit. The Incorporated Document could then be amended in a subsequent amendment to the Moira Planning Scheme.

The Panel concludes there should be no change to the Amendment.

4.7.2 Recommendations

The Panel recommends:

8. Delete 11-13 St James Road (Concrete Water Tower), St James from Clause 22.17-7.
9. Realign the boundaries of HO226 to provide a polygon containing the existing pump station building with frontages to Sharp Street and Telford Street (Murray Valley Highway), Yarrawonga.

4.8 HO90 – 15 Kaarimba Hall Road, Kaarimba

4.8.1 Submissions

(i) Nature of heritage place

The citation includes the following under the heading 'Statement of Significance':

The house is historically significant on a local level as an old farmhouse dating back to the late colonial period in the history of Kaarimba.

It is associated with early agricultural development of Kaarimba and early selectors such as Edward Egan, who may also have built the house.

(ii) Submission 24

While not objecting to the farmhouse being included in a HO, C & G Grinter objected the remainder of the farm also being included. It is a working farm with irrigation infrastructure. The submitters were concerned about red tape and permits. They sought to have the HO reduced to cover just the house and its immediate curtilage.

(iii) Council response

Council's heritage advisor was supportive of the proposal by Mr & Mrs Grinter.

4.8.2 Discussion

The Panel notes that the 'Statement of Significance' makes reference only to the farmhouse. The Panel inspected the property and concludes that there is no justification for inclusion of the whole farm property in HO90.

4.8.3 Recommendation

The Panel recommends:

10. Realign the boundaries of HO90 to provide a polygon containing the existing house and immediate curtilage.

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5 Written submissions

5.1 HO130 – Moneygall House, 2823 Labuan Road, Numurkah

(i) Nature of heritage place

The citation includes the following under the heading 'Statement of Significance':

The house is aesthetically and historically significant as a representative example of the Victorian era style and for its association with the early agricultural development of her Naringaningalook area in the nineteenth century.

(ii) Submission 2

The owners of 878 Allerts Road, Numurkah incorrectly received notification of the Amendment. They informed Council that the original property upon which the heritage place is sited has been resubdivided into two allotments.

(iii) Council response

Council supports revision of the mapping of HO130 to include only Lot 1 PS619273, being the location of Moneygall House.

(iv) Discussion and conclusions

Since the Moira Heritage Study was completed in 2007, there have been numerous changes to ownership and property alignments in the Shire. Council sought to 'ground truth' the work of the 2007 study with a significant project in 2015.

Council has responded to submission by supporting the accurate mapping of Moneygall House.

The Panel concludes that the mapping of HO130 should be amended accordingly.

5.1.2 Recommendation

The Panel recommends:

11. Revise the mapping of HO130 to include only that land shown at Lot 1 PS619273, 2823 Labuan Road, Numurkah.

5.2 HO263 - Yarrawonga Tom Sharp Precinct

5.2.1 Submissions

(i) Nature of heritage place

The citation states that the Yarrawonga Tom Sharp Precinct is aesthetically, historically scientifically and socially significant at the local level.

Within the precinct, 56 places are identified as having specific significance. One individual place is listed in the schedule to the HO. Fifty-five places have been identified as contributory in Clause 22.20.

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Clause 22.20 includes the following under the heading 'Statement of Significance':

- *It contains excellent examples of several different architectural styles from the Victorian, Federation and Interwar periods.*
- *The Victorian houses are historically significant on a local level as representative of the earliest residential development in Yarrawonga in the nineteenth century.*
- *The Federation houses are historically significant on a local level for their association with the residential development of Yarrawonga at the turn of the twentieth century.*
- *The Interwar houses are historically significant on a local level for their association with the residential development that met the increased demand around the time of the weir construction in the 1920s to early 1930s.*

(ii) Submission 5

M & R Baldwin sought clarification on the impact of the Amendment on 17 Irvine Parade, Yarrawonga.

Council response

Council submitted that it would be reasonable to exclude this property from the Amendment.

Discussion

The Panel inspected 17 Irvine Parade and noted that a double story dwelling has been constructed on the site since the *Moira Shire Stage Two Heritage Study (2007)*, was completed. Clearly, it is a non-contributory building. No purpose is served by including this property in the Amendment.

Since it is right at the edge of the Yarrawonga Tom Sharp precinct (HO263), it would be feasible to delete this property from the HO without impacting on the continuity of the remainder of the precinct.

(iii) Submission 8

Ms Fawcett objected to the inclusion of the property at 71 Sharp Street, Yarrawonga. The house needs many repairs; the foundations are dropping and the house is "full of asbestos". The family does not have the funds to do repairs.

Council response

With regard to 71 Sharp Street, Council submitted that should the house be granted a permit for demolition, then it would be appropriate to document the house to provide a record.

Discussion

The Panel inspected 71 Sharp Street and noted that it was in need of repair. The primary consideration is whether the building has heritage significance. The condition of the building is not a determining factor in whether or not a HO should be applied to building.

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The building has been identified as 'contributory' in Clause 22.20-7: Yarrowonga Tom Sharp Precinct.

In relation to any future works that would be required to either shore up the building, or demolish it due to its condition, then these issues can be adequately assessed as part of a planning permit application.

5.2.2 Conclusions

The Panel concludes:

- 17 Irvine Parade, Yarrowonga should be deleted from the Amendment.
- With regard to 71 Sharp Street, Yarrowonga the Panel concludes there should be no change to the Amendment.

5.2.3 Recommendation

The Panel recommends:

12. Delete 17 Irvine Parade, Yarrowonga from Clause 22.20-7.

5.3 HO256 - Nathalia Town Centre precinct

5.3.1 Submissions

(i) Nature of heritage place

The citation states that the Nathalia Town Centre precinct is aesthetically, historically and scientifically significant at the local level. Within the precinct, 21 places are identified as having specific significance. Four individual places are listed in the schedule to the HO. Seventeen places have been identified as 'contributory' in Clause 22.13.

Clause 22.13 includes the following under the heading 'Statement of Significance':

It demonstrates many original and early design qualities associated with the civic and commercial development of Blake Street, between the 1880s and 1950s. It is a stylistic mix of predominantly Victorian, Federation and interwar architectural styles that have been built and maintained throughout most of the precinct. These qualities include predominantly brick wall construction, hipped or gabled galvanised corrugated iron roof forms, one-storey and some two storey heights, decorative parapets, posted verandahs, some cantilever verandahs from the interwar and post war period, picturesque skylines created by the pitched rooflines with chimneys and parapets, and accented by a backdrop of sky forming a consistent streetscape.

The Blake Street Reserve is the most striking and aesthetically significant place in the Shire for its urban design which has been created by the thoughtful scale of trees, space, and structures including the avenue of peppercorn trees, poplars, terminated with the War Memorial at the northern end and the concrete water tower at the southern end.

The Blake Street streetscape views: towards the water tower, towards the bridge various views of the reserve and peppercorn trees, the war memorial and associated plantings are aesthetically significant on a local level for their

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association with the civic spirit of Nathalia in the 1890s and thereafter as a locally recognised and appreciated urban landscape feature of the town.

(ii) Submission 4

B & C Dealy expressed concern about the impact of designation of the building as 'contributory', about the specific criteria in the citation and the rationale for inclusion of this building in the HO.

Council response

Mr Francis, Council's heritage advisor, submitted that this building is only listed because it is located in the middle of the historic Nathalia Town Centre precinct.

Council would not I believe oppose its redevelopment. This could include its demolition and the construction of a new building, provided that it blended in with the character an appearance of the streetscape as a whole.

Discussion

The submission relates to a supermarket building at 13-19 Blake Street, Nathalia. It was constructed in the 1980's and is not listed as 'contributory' in Clause 21.13-7.

(iii) Submission 6

P Halden, for Bendigo Bank, objected to the heritage listing of bank premises at 42 Blake Street, Nathalia. It was constructed in the mid 1980's.

Council response

Referred to Panel.

Discussion

The contemporary bank premises is not listed as 'contributory' in Clause 21.13-7.

(iv) Submission 7

The submission objected on the basis that the shop building at 52 Blake Street was constructed in the late 70s or early 80s and has no heritage significance at all:

Our property is the last shop in the strip shopping precinct of Nathalia and can be removed from the proposed heritage overlay easily.

Council response

Referred to Panel.

Discussion

The contemporary bank premises is not listed as 'contributory' in Clause 21.13-7. The building is not located at the edge of HO256, but in the middle.

5.3.2 Conclusions

All three 'non-contributory' properties, which are the subject of submissions for this precinct, are located in the middle of HO256. The citation for the precinct notes the

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particular significance of streetscape views and the Blake Street Reserve located in the centre of the precinct. It is not unreasonable therefore that the development of a non-contributory place should take into account the heritage characteristics of the heritage precinct as well as the heritage values of the streetscape.

The Panel concludes there should be no change to the Amendment.

5.4 HO254 - Nathalia Kostadt precinct

5.4.1 Submissions

(i) Nature of heritage place

The citation states that the Nathalia Kostadt precinct is aesthetically, historically and scientifically significant at the local level.

Within the precinct, 33 places are identified as having specific significance. Five individual places are listed in the schedule to the HO. Twenty-eight places have been identified as contributory in Clause 22.11.

Clause 22.11 includes the following under the heading 'Statement of Significance':

- *It contains excellent examples of several different architectural styles from the Victorian, Federation and Interwar periods.*
- *Views to striking architectural features include the Sawdust burning mill.*

(ii) Submission 11

The property was the site of the previous Barry sawmill. J Drenen submitted that the property 22-28 North Street *"includes structures which are clearly of significance, and for which I support heritage listing"*.

He sought confirmation as to which elements on his property are listed as significant in the Amendment. Council had been unable to provide such clarification.

Of particular concern to him was the potential listing of a large structure, formerly used as a storage shed. He submitted that this shed was not constructed with the original saw mill structures, *"but rather more recently on reinforced concrete footings and using recycled roofing"*.

Council response

Ms Huddle submitted that she was in agreement with the owner's request to remove the shed from being listed as a 'Contributory Place' place on the site.

Therefore the 3 remaining significant places on the site are the house, the kiln and the palms.

Discussion

On maps showing significant places in most heritage precincts throughout the *Moira Stage Two Heritage Study (2007)* the following note appears under the map:

- *Note: Not all significant sites are marked with red dots as the map provided by Moira Shire council is not accurate and some places do not have street numbers on the premises. Refer to the photo list of places.*

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The photo list: F Nathalia Kostadt Precinct (Database No: 983)² does not refer to the shed, but only to the Kiln and Palm Trees.

The author of the report, Ms Huddle, has noted possible inaccuracies in mapping of significant places due to lack of adequate mapping resources available to her.

In translating the heritage study into statutory form for the Amendment, clarification was made to more accurately list significant properties. For the Nathalia Kostadt precinct (HO254), 'contributory places' are listed in Clause 22.11.

For 22-28 North Street, Clause 22.11-7 lists the specific elements which are contributory: (House, Sawdust mill and Palm trees).

No reference is made to the shed either in the Study or in the Amendment. As a non-contributory building, the owner may seek a permit for demolition, replacement or other works to the shed.

(iii) Submission 22

The owner of the property at 21 North Street (M Freeman) submitted that the introduction of a HO would reduce his ability sell an already hard to sell property.

Council response

Referred to Panel.

Discussion

The property is listed in Clause 22.11-7 of the Amendment as a 'Contributory Place'.

A number of submitters raised this issue. It is considered in more detail in section 3.2 of this report.

5.4.2 Conclusion

The Panel concludes there should be no change to the Amendment.

5.5 HO252 – Nathalia Broken Creek precinct

5.5.1 Submissions

(i) Nature of heritage place

The citation states that the Nathalia Broken Creek precinct is aesthetically, historically and socially significant at the local level.

Within the precinct, 22 places are identified as having specific significance. One place is listed in the schedule to the HO. Twenty-one places have been identified as contributory in Clause 22.09.

The property at 12 Scott Avenue is listed in Clause 22.09-7 as a 'Contributory Place'.

Clause 22.09 includes the following under the heading 'Statement of Significance':

² Moira Shire Stage Two heritage Study 2007, Volume 4, Appendix One, Pg. 21

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It contains excellent examples of several different architectural styles from the Victorian, Federation and Interwar periods.

(ii) Submission 17

The owner of 12 Scott Avenue objected on the basis that more recent varied developments have reduced the aesthetic impact of the streetscape. Heritage listing will impact on the potential to further redevelop the property.

(iii) Council response

Referred to Panel.

5.5.2 Discussion

The Panel inspected all properties in Scott Street, comprising part of HO252. There are six other nearby properties in the immediate vicinity in Scott Street also listed as 'Contributory Places'. Together, they are considered by the Panel to contribute directly to the aesthetic significance of the precinct on a local level.

The issue of impacts on development potential is considered in Section 3.2 of this report.

5.5.3 Conclusion

The Panel concludes there should be no change to the Amendment.

5.6 HO159 – 41-43 McCaskill Street, Numurkah

5.6.1 Submissions

(i) Nature of heritage place

The citation includes the following under the heading 'Statement of Significance':

The house is aesthetically and historically significant on a local level as an unusual example of the federation era housing in Numurkah, associated with the housing development in Numurkah in the first decade of the twentieth century at a time of relative stability and consolidation in the town.

(ii) Submission 14

J & J Allen objected on the basis that heritage listing would impact on their ability to redevelop the property, which has issues resulting from flood damage and white ant infestation.

(iii) Council response

Referred to Panel.

5.6.2 Discussion

The issue of impacts on development potential is considered in Section 3.2 of this report.

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The Panel inspected the property and noted the Federation house. It is an individually important place that is considered to meet the threshold of aesthetic and historic significance. Overall it is culturally significant at the local level.

5.6.3 Conclusion

The Panel concludes there should be no change to the Amendment.

5.7 HO258 – Numurkah residential precinct

5.7.1 Submissions

(i) Nature of heritage place

The citation states that the Numurkah residential precinct is aesthetically, historically, socially and scientifically significant at the local level. Within the precinct, 79 places have been identified as contributory in Clause 22.15-7.

Clause 22.15 includes the following under the heading 'Statement of Significance':

It contains excellent examples of several different architectural styles from the Victorian, Federation and Interwar periods.

(ii) Submission 19

M Doyle of 81 Quinn Street submitted that he is likely to face additional insurance premiums as a result of heritage listing.

(iii) Submission 20

R & N Lowrie of 91 Quinn Street objected on the basis of decrease in property value and potential to subdivide the property for further development. They submitted the building has no heritage significance.

They further submitted that the HO should not apply to the whole property, much of which is vacant.

(iv) Council response

Mr Francis submitted that Council was open to the notion of a realignment to the HO boundary to exclude the vacant land to the south.

5.7.2 Discussion and conclusions

Both properties are individually listed in Clause 22.15-7 of the Amendment as a 'Contributory Places'.

The issue of impacts on development potential are considered in Section 3.2 of this report.

With regard to the property at 91 Quinn Street, the Panel notes that the property is a double block with two street frontages. There is also a side frontage to Stewart Street. The frontage to Swallow Street is vacant.

It appears that the extent of HO258 in this area is limited to those properties fronting Quinn Street. It appears that the boundary of HO258 has been drafted following property

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boundaries and consequently has included vacant land (to the rear of 91 Quinn Street) fronting Swallow Street.

The property owners contacted Moira Shire prior to purchasing the property seeking information on their ability to subdivide the larger allotment. There is potential for resubdivision of the larger allotment into either two or more separate allotments, with frontages to Swallow and/or Stewart Streets.

Realignment of the boundary of HO258 as it affects the property at 91 Quinn Street is a reasonable outcome. The southern boundary of HO258 should be determined on the basis of providing appropriate curtilage immediately to the south of the existing building. There is nothing to be gained by extending the southern boundary of HO258 beyond the immediate curtilage of the existing building. The boundaries of a HO do not need to align with title boundaries.

The Panel concludes that the vacant land fronting Swallow Street should not be included in HO258.

5.7.3 Recommendation

The Panel recommends:

13. **Realign the southern boundary of HO258 at 91 Quinn Street, Numurkah to include a minimum appropriate curtilage immediately to the south of the existing building.**

5.8 HO69 – 30-32 Churr Street, Cobram

5.8.1 Submissions

(i) Nature of heritage place

The citation includes the following under the heading 'Statement of Significance':

The house at 30 Churr Street is aesthetically significant on a local level as an exceptionally elaborate house, within a picturesque setting, built at the time of the township proclamation and for its association with the residential development of Cobram in the early twentieth century.

(ii) Submission 15

N Fleming made a written submission on behalf of the owners of the property. The property has an area of 3,000 sqm, with a 50 m frontage to Churr Street and 60 m to Brephir Street. The heritage building is located in one corner of the allotment. The owners are seeking to subdivide the original title into three allotments.

Mr Fleming provided plans of a proposed subdivision.

(iii) Council response

Council was supportive of the proposal by the submitter to reduce the curtilage around the building in HO69. Mr Francis noted that views to and from the river were already disrupted by the construction of a levee bank.

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5.8.2 Discussion and conclusions

The Panel understands that Council is supportive of realigning the boundary of HO69 consistent with the resubdivision proposal submitted by Mr Fleming. The Panel has no comment on any proposed subdivision of the site.

The reduction of the boundaries of HO69 with a 28 m frontage to Brehir Street leaves the building with a generous curtilage within the HO. No mention is made of significant vegetation on the site in the citation; therefore the Panel understands that the house is the only place of significance.

The Panel concludes that it is not unreasonable to reduce the extent of HO69 to that part of the larger site that contains the historic building.

5.8.3 Recommendation

The Panel recommends:

14. Realign the boundaries of HO69 to provide a polygon containing the existing building, with a minimum 28 metre frontage to Brehir Street, Cobram.

5.9 HO80 – 53-67 Station Street, Cobram

5.9.1 Submissions

(i) Nature of heritage place

The citation includes the following under the heading 'Statement of Significance':

53 Station Street is aesthetically and historically significant on a local level as a fine example of the transition between Victorian design and Federation era design in a Federation garden, particularly the palms, and the oldest residence in Cobram and is associated both with the earliest period in the town's history and with James Grant, one of the town's earliest businessmen and co-owner of the now demolished foundry which operated nearby.

(ii) Submission 15

N Fleming made a written submission on behalf of the owners of the property. The property has an area of 2,000 sqm, with a 40 m frontage to Station Street and 40 m to Queen Street. The property comprises two allotments.

The heritage building is located predominately on one of the allotments. The owners are seeking to re-subdivide the original title into two new realigned allotments.

Mr Fleming provided plans of a proposed subdivision.

(iii) Council response

Council was supportive of the proposal by the submitter to reduce the curtilage around the building in HO80.

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5.9.2 Discussion and conclusion

The Panel understands that Council is supportive of realigning the boundary of the polygon for HO80.

The reduction of the boundaries of HO80, with a 27 m frontage to Station Street and the existing 50 m frontage to Queen Street, would leave the building with a generous curtilage within the HO. The significant palms referred to in the citation would be retained within the polygon for HO80.

The Panel concludes that it is not unreasonable to reduce the extent of HO80.

5.9.3 Recommendation

The Panel recommends:

15. **Realign the boundaries of HO80 to provide a polygon containing the existing building, with a minimum 27 metre frontage to Station Street, Cobram.**

5.10 VicRoads – various sites

VicRoads made a late submission (No 25) on heritage places and precincts in the Amendment where it submitted that the VicRoads declared arterial network might be impacted.

(i) HO land within the Road Zone (RDZ1)

VicRoads submission

VicRoads submitted that the precinct HOs for Cobram, Nathalia, Yarrawonga and Tungamah should be modified to remove the overlay from Road Zone Category 1 (RDZ1) and any heritage features located within the road reserve provided separate overlays such as the war memorial in the centre of the roundabout at Belmore Street/Piper Street intersection:

It is noted that the Yarrawonga Tom Sharp Precinct includes part of the Irvine Parade road reserve and this is part of the proposed future 'Grey Route' for the Yarrawonga-Mulwala Bridge replacement. VicRoads requests that the proposed overlay within Irvine Parade road reserve be removed.

The removal of the Heritage Overlay from within the road reserves is too ensure that VicRoads is able to continue to undertake maintenance and construction activities without the potential need to obtain a planning permit depending on the activity being undertaken.

VicRoads would be more comfortable with the HO over the RDZ1 if the Amendment included some form of exemption for maintenance or roadwork activities.

Council response

Council submitted that it is standard practice to include road reserves within heritage precincts.

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Discussion and conclusions

The Panel agrees with the Council view. This general issue has been raised in at a number of Panels. The matter was addressed in some detail in the Interim Panel report for Buloke Planning Scheme Amendment C14. VicRoads made a similar submission that the proposed HO controls be removed from all VicRoads' roads.

It is useful to set out the relevant section of that report in providing this Panel's discussion of the issue:

The Panel has reviewed this issue of the legality of the proposed controls and limitations which might be imposed upon VicRoads' operations if the Road Zone 1 was to be in the Heritage Overlays as proposed.

The Panel would firstly comment that there are hundreds of examples of the inclusion of Road Zone 1 in Heritage Overlays in planning schemes throughout the State.

The proposal to do so is in no way unlawful ... Where the Road Zone 1 passes through a heritage precinct, it is common practice for the roadway to be subject to heritage controls together with abutting lots. Examples of this include central Bendigo, Clifton Hill; and indeed for part of the existing HO9 in Charlton.

This is enabled by the provisions of the Act at Clause 16:

- *Application of planning scheme*
A planning scheme is binding on every Minister, government department and municipal council except to the extent that the governor in council, on the recommendation of the Minister, directs by order published in the Government Gazette.

In considering the effect of the proposed Heritage Overlays on VicRoads' operations, a number of parts of the Planning Scheme must be considered: the Heritage Overlay provisions at Clause 43.01; and the uses, and buildings and works that are exempt from Planning Scheme control as listed in Clause 62.

The following general Planning Scheme exemptions operate at all times to place minimal restriction on VicRoads' operations or usual uses on the roads managed by them:

- *Clause 62.02-1 Buildings and works not requiring a permit*

Any requirement in this scheme relating to the construction of a building or the construction or carrying out of works does not apply to:

- ...
- *Emergency works undertaken by or on behalf of, a municipality, public authority or utility service provider in the exercise of any power conferred on them under any Act.*
- *Maintenance works carried out in any municipality to prevent or alleviate flood damage.*
- *Building and works associated with a minor utility installation*

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- Buildings and works which are a modification necessary to comply with a direction under the Dangerous Goods Act 1985 or the Occupational Health and Safety Act 2004 or a Waste Discharge Licence, Works Approval or Pollution Abatement Notice under the Environment Protection Act 1970.
- Buildings and works associated with a telecommunications facility if the requirements of Clause 52.19 are met.
- A temporary shed or temporary structure for construction purposes, or a portable land sales office located on the land for sale.....

In addition to these exemptions that always apply, Clause 62.02-2 contains provisions relating to buildings and works not requiring a permit unless specifically required by the planning scheme. Relevantly it provides in part:

- Any requirement in this scheme relating to the construction of a building or the construction or carrying out of works does not apply to:
 - A sign
 - Roadworks
 - Street furniture including post boxes, telephone booths, fire hydrants, bus shelters, shade sails, traffic control devices and public toilets
 - Repairs and routine maintenance to an existing building or works
 - Bicycle pathways and trails
 - A television antenna
 - A flagpole
 - A disabled access ramp.

This does not apply if a permit is specifically required for any of these matters.

Clause 43.01 specifies those things which require planning permission in a Heritage Overlay. It does serve to set aside some of the Clause 62.02-2 exemptions as relevant to likely VicRoads' operations and works. As relevant, it provides in part:

A permit is required to:

- Construct a building or construct or carry out works, including:
 - Road works and street furniture other than: traffic signals, traffic signs, fire hydrants, parking meters, post boxes and seating speed humps, pedestrian refuges and splitter islands where the existing footpaths or kerb and channel are not altered.
 - Bicycle pathways and trails
 - Construct or display a sign
 - Carryout works, repairs and routine maintenance which change the appearance of a heritage place or which are not undertaken to the same details, specifications and materials.

The Panel considers, however, that the exceptions to the controls over roadworks as specified in the latter clause as quoted above (in combination with the Clause 62.02-1 and 62.02-2 exemptions) would allow most routine

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activities and works by VicRoads to occur without the need to apply for a planning permit. Routine maintenance and repair activities (which would include repair of flood damage) are also exempt if they simply replace existing works and infrastructure. Further, tree removal and lopping for maintenance of electricity lines and where there is a danger etc are exempt from a requirement for planning permission.

The Panel sees no need to have the Heritage Overlay removed from the Road Zone 1 land on the basis that it would unreasonably restrict VicRoads' operations. It would only be major changes proposed to the main roads as they pass through the heritage precincts that would likely need permission. In the Panel's view this is reasonable. Major changes to the structure and treatment of the major roadways should be assessed amongst other matters in terms of their effects upon the heritage values of the townships.

This Panel concurs with this position and concludes that no change be made the Amendment in response to this issue.

(ii) HO215 – Weir over Murray River, Belmore Street, Yarrawonga

Nature of heritage place

The citation includes the following under the heading 'Statement of Significance':

The Yarrawonga Bridge, 1924, is historically and scientifically significant at a local level as a significant early 20th century Murray River crossing associated with the construction of the Yarrawonga Weir which provides water for irrigation throughout much of the Moira Shire.

VicRoads submission

VicRoads submitted that the bridge has been incorrectly listed in the proposed schedule to the HO as "Weir over the Murray River" and the HO appears to extend across the state border into New South Wales (NSW):

Following VicRoads' completion of planning studies for the Yarrawonga-Mulwala Bridge the Victorian Government announced on the 18 November 2015 in a media release that the 'Grey Route' was the preferred option for the Yarrawonga-Mulwala Bridge replacement which proposes the construction of a new bridge adjacent to the old bridge which will be removed when the new crossing is completed. The bridge is owned and maintained by the New South Wales Roads and Maritime Services (RMS) and the overlay would require RMS to apply for planning permits to undertake maintenance activities such as painting the steel trusses.

The proposed Heritage Overlay over the bridge is at odds with the future removal of the bridge and VicRoads requests that this overlay be removed.

VicRoads submitted that the bridge is owned by RMS (VicRoads contributes 50% of the ongoing maintenance costs). It was further submitted that RMS has not been notified of the

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Amendment and has not had a chance to be party to the amendment process or Panel Hearing:

... no matter which route was chosen by both the Victorian and New South Wales government that the existing Yarrowonga Bridge is to be removed. There appears to be a misconception in the community that the 'Green route' meant the retention of the existing bridge.

Council response

Council acknowledges that the heritage place should be revised to refer to the bridge rather than the weir.

The mapping associated with HO215 extends over the original path of the River Murray and therefore into NSW. Council wishes to revise the extent of the polygon to include only land within the Moira Shire revising the northern edge to reflect the border of Victoria.

Discussion and conclusions

The Panel concurs with both parties with respect to the correct naming of the heritage place. The schedule to Clause 43.01 should be revised to read: Yarrowonga Bridge, Belmore Street, Yarrowonga. It would be appropriate to correctly name and map the bridge with an accurate polygon where the structure is within the boundaries of Victoria.

A prior and greater concern to the Panel, however, is that the owner of the bridge the RMS appears not to have been notified of the Amendment or given the opportunity to make a submission. VicRoads was not notified of the Amendment either, but fortunately, this matter was addressed in time to give the opportunity for a late submission. (See section 1.4) The same opportunity does not exist for RMS.

The Panel concludes RMS, as owner of the bridge, should be given the opportunity to make a submission on any planning scheme amendment which directly impacts on its asset. Therefore, HO215 should not proceed as part of the Amendment at this time.

(iii) HO116 – Concrete bridge over Wakiti Creek, Murray Valley Highway, Kotupna

Nature of heritage place

The citation includes the following under the heading 'Statement of Significance':

is scientifically significant at the local level as a good representative example of a fairly long, cast-in-situ solid flat slab reinforced concrete bridge.

VicRoads submission

VicRoads submitted that the HO would affect how it maintains this bridge and potentially require planning permits to be obtained for maintenance and construction activities. VicRoads requested that Council include in the *Planning Permit Exemptions and Application Requirements Incorporated Plan*, a requirement for VicRoads to submit a Management Plan for the bridge and that activities undertaken in accordance with that Management Plan are exempt from obtaining a planning permit.

VicRoads objected to the inclusion of HO116 without the exemption of works for the Management Plan being included:

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To say that the Management Plan can be added as a later amendment is not a viable solution.

Council response

Council is open to considering targeted exemptions to facilitate key works:

Delaying the Amendment to investigate and agree on what form this should take could be quite time consuming and would delay finalisation of the Amendment. Such an exemption should be subject to a further planning scheme amendment.

Discussion and conclusions

The Panel notes in the citation for HO116, that this type of bridge is "the sixth most common type of concrete bridge in Victoria with over 40 listed on the VicRoads database, including 75 in the North East Region."

No comparative analysis was done with other such bridges in the Shire. Instead, the bridge was noted as being a "good representative example".

There was agreement between parties that it would be appropriate to include in the *Planning Permit Exemptions and Application Requirements Incorporated Plan*, a requirement for VicRoads to submit a Management Plan for the bridge and that activities undertaken in accordance with that plan would be exempt from obtaining a planning permit.

The Panel concludes such an exemption should be part of a further planning scheme amendment. It would also provide the opportunity for some comparative analysis with the many other similar concrete bridges in the Shire of Moira to be undertaken at the same time.

The Panel concludes that HO116 should proceed at this time.

(iv) HO62 – Lift Bridge over Murray River, Barooga Road, Cobram

Nature of heritage place

The citation includes the following under the heading 'Statement of Significance':

The 1908 rail lift bridge over the Murray River at Cobram-Tocumwal is historically, scientifically, socially and aesthetically significant at the Local level. It is aesthetically significant as a landscape setting; the timber and steel lift bridge on (the) Murray River is located amid a red gum forest. It forms a major historic river crossing between the river towns of Tocumwal and Cobram.

VicRoads submission

VicRoads submitted that the bridge appears to be within NSW and the HO appears to be over land approaching the bridge rather than the bridge structure and if this is the case, the overlay could be removed.

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Council response

Most of the bridge is in NSW, where it is protected under NSW legislation. It has also recently been placed on the Victorian Heritage Register (VHR H2352).

Council confirmed that the mapping for HO62 does not match the mapping for the bridge by Heritage Victoria for the VHR.

Discussion and conclusions

It is appropriate to include the bridge in a HO, insofar as it is located within Victorian boundaries, with accurate mapping.

The Panel notes that Heritage Victoria is aware of the mapping discrepancies. Following correction of these mapping discrepancies, Heritage Victoria is able at a later date, in accordance with Section 48 of the *Heritage Act 1995*, to facilitate an amendment to the Moira Planning Scheme to include this place in a HO.

5.10.2 Recommendations

The Panel recommends:

16. Delete 'HO215 – Weir over Murray River, Belmore Street, Yarrawonga' from the Amendment.
17. Delete 'HO116 – Concrete bridge over Wakiti Creek, Murray Valley Highway, Kotupna' from the Amendment.
18. Delete 'HO62 – Lift Bridge over Murray River, Barooga Road, Cobram' from the Amendment.

FILE NO: F16/272
6. INVOLVING AND COMMUNICATING WITH
OUR COMMUNITY

ITEM NO: 9.2.4

ADOPTION OF HERITAGE AMENDMENT C38 (cont'd)

ATTACHMENT No [1] - Heritage Study Panel Report

Moira Planning Scheme Amendment C38 | Panel Report | 26 April 2016

Appendix A Submitters to the Amendment

No.	Submitter
1	P & C Henderson
2	K Bell
3	K Bourke
4	B & C Dealy
5	R Baldwin
6	Bendigo Bank
7	A & G Ammeriaan
8	ME Fawcett
9	D & M Batty
10	J L Crothers
11	J Drenen
12	North East Water
13	National Trust of Australia (Victoria)
14	J & A Allen
15	N Fleming
16	A Siciliano
17	L Halden
18	M Judd
19	M Doyle
20	R & L Lowrie
21	A Ryan
22	M Freeman
23	GrainCorp
24	C & G Grinter
25	VicRoads

FILE NO: F16/272

6. INVOLVING AND COMMUNICATING WITH OUR COMMUNITY

ITEM NO: 9.2.4

ADOPTION OF HERITAGE AMENDMENT C38 (cont'd)

ATTACHMENT No [2] - Table 1 - Modifications subsequent to Panel Hearing

**Moira Planning Scheme Amendment C38
Panel Report Outcome Tracking**

Sub. No.	Submission	Recommendation	Text to be Updated	Completed Date	Map to be Updated	Completed Date	Track Changes?
10	HO220 - 15 Hunt Street, Yarrowonga	Delete HO220 from the Amendment	Schedule 4301		No change		Y (but switched off)
16	HO78 - 55-57 Punt Road, Cobram	Remove HO78 from the Amendment	Schedule 4301		Map 7		Y (but switched off)
9	HO297 - Exotic Trees, 71 Mookari Street, Cobram	Delete HO297 from the Amendment	Schedule 4301		Map 7		Y (but switched off)
18	HO264 - Yarrowonga Town Centre Precinct (7 Belmore Street)	Delete 7 Belmore Street, Yarrowonga from Clause 22.21-7	Clause 22.21-7		No change		N
21	HO225 - 60 Murphy Street, Yarrowonga	Delete HO225 from the Amendment	Schedule 4301		Map 23		Y (but switched off)
23	HO151 - Knox Street, Numurkah	Delete HO151 from the Amendment	Schedule 4301		Map 18		Y (but switched off)
23	HO161 - McDonald Street, Numurkah	Realign the boundaries of HO16 to the 1930's facade of the GrainCorp Oilis building, its curtilage to McDonald Street, Numurkah and land within a three metre setback from the facade to encompass the return walls at each end of the building.	nil		Map 18		n/a
12	Nerwa - General	No change					
12	HO262 - St James Town Centre Precinct (NERWA)	Delete 11-13 St James Road from Clause 22.17-1	Clause 22.17-1		No change		N
12	HO226 - Pumping Station, 28 Telford Street, Yarrowonga	Realign the boundaries of HO226 to provide a polygon containing the existing pump station building with frontages to Sharp Street and Telford Street (Murray Valley Highway, Yarrowonga)	nil		Map 23		n/a
12	HO263 - Yarrowonga Tom Sharp Precinct (NERWA)	No change					
24	HO90 - Kaarimba Hall Road, Kaarimba	Realign the boundaries of HO90 to provide a polygon containing the existing house and immediate curtilage.	nil		Map 29		n/a
2	HO130 - Moneygall House, 2823 Labuan Road, Numurkah	Revise the mapping of HO130 to include only that land shown at Lot 1 PS619273, 2823 Labuan Road, Numurkah	nil		Map 16		n/a
5	HO263 - Yarrowonga Tom Sharp Precinct (17 Irvine Parade)	Delete 17 Irvine Parade, Yarrowonga from Clause 22.20-7	nil - 17 Irvine Parade does not appear in list of contributory places		Map 23		n/a
8	HO263 - Yarrowonga Tom Sharp Precinct (71 Sharp Street)	No change					
4	HO256 - Nathalia Town Centre Precinct (13-19 Blake Street)	No change					
6	HO256 - Nathalia Town Centre Precinct (42 Blake Street)	No change					
7	HO256 - Nathalia Town Centre Precinct (52 Blake Street)	No change					
11	HO254 - Nathalia Kostadt Precinct (22-28 North Street)	No change					
22	HO254 - Nathalia Kostadt Precinct (21 North Street)	No change					
17	HO252 - Nathalia Broken Creek (12 Scott Avenue)	No change					
14	HO159 - 41-43 McCaskill Street, Numurkah	No change					
19	HO258 - Numurkah Residential Precinct (81 Quinn)	No change					
20	HO258 - Numurkah Residential Precinct (91 Quinn)	Realign the boundary of HO258 at 91 Quinn Street, Numurkah to include a minimum appropriate curtilage immediately to the south of the existing building.	nil		Map 18		n/a
15	HO69 - 30-32 Churr Street, Cobram	Realign the boundaries of HO69 to provide a polygon containing the existing building, with a minimum 28 metre frontage to Brepheir Street, Cobram.	nil		Map 7		n/a
15	HO80 - 53-67 Station Street, Cobram	Realign the boundaries of HO80 to provide a polygon containing the existing building, within a minimum of 27 metre frontage to Station Street, Cobram.	nil		Map 7		n/a
VicRoads	General	No change					
VicRoads	HO215 - Weir over Murray River, Belmore Street, Yarrowonga	Delete 'HO215 - Weir over Murray River, Belmore Street, Yarrowonga' from the Amendment	Schedule 4301		Map 23		Y (but switched off)
VicRoads	HO116 - Concrete bridge over Wakitli Creek, Murray Valley Highway Kotupna	Delete 'HO116 - Concrete Bridge over Wakitli Creek, Murray Valley Highway, Kotupna' from the Amendment	Schedule 4301		Map 28		Y (but switched off)
VicRoads	HO62 - Lift Bridge over Murray River, Barooga Road, Cobram	Delete 'HO62 - Lift Bridge over Murray River, Barooga Road, Cobram' from the Amendment	Schedule 4301		Map 7		Y (but switched off)
Other	HO221 - Bungalow house, 8 Hunt Street, Yarrowonga	Demolished therefore delete	Schedule 4301		not on any map		Y (but switched off)

FILE NO: 52015321
2. IMPROVING MOIRA'S LIVEABILITY

ITEM NO: 9.2.5

**52015321 - USE OF THE LAND FOR MOTOR VEHICLE SALES AND
ASSOCIATED ADVERTISING SIGNAGE AT 99 QUINN STREET, NUMURKAH**

RECOMMENDATION

That a Notice of Refusal be issued for Planning Permit Application No. 5/2015/321 to use land at 99 Quinn Street, Numurkah for Motor Vehicle Sales and Associated Advertising Signage on the following grounds:

1. The proposal does not accord with Clause 34.02 of the Moira Planning Scheme.
2. The proposal does not meet the requirements set out in Clause 52.14 of the Moira Planning Scheme.
3. The applicant has not provided sufficient required information to fully assess the application, particularly as regards the provisions as set out in Clause 52.06.

1. Executive Summary

Planning Permit Application 5/2015/321 is an application for the use of 99 Quinn Street, Numurkah for Motor Vehicle Sales and for associated Advertising Signage.

The use was established on the lot since at least June 2015 without the benefit of a permit. A previous application, lodged 7 August 2015 (5/2015/211) previously lapsed when the applicant failed to provide the information required within a statutory time period.

The lot is in the Commercial 2 Zone and the Land Subject to Inundation Overlay. The first trigger for a permit is Clause 34.02-1 of the Moira Planning scheme which states that motor vehicle sales is a Section 2 (Permit Required) use in the Commercial 2 Zone. There is no trigger for a permit in the Land Subject to Inundation Overlay.

Clause 52.05 is the second permit trigger as it indicates that a permit is required for the associated advertising signage (bunting).

There may be a third trigger for a permit in Clause 52.06 as the car parking required may or may not be provided. This is unclear because the applicant has failed to respond to a request for clarification of information relating to car parking, among other matters. This request was issued outside of the statutory time frame and hence this application cannot be lapsed.

The information submitted with the application has been assessed against the requirements for changes of use in the Commercial 2 Zone. The proposal accords with the purpose and the decision guidelines but does not accord with Clause 34.02-2 as it may result in the emission of waste water.

The application has also been assessed against Clause 52.14 which sets out requirements for the use of land for Motor Vehicle Sales. The proposal does not meet the requirements.

This report therefore recommends that the application be refused.

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52015321 - USE OF THE LAND FOR MOTOR VEHICLE SALES AND ASSOCIATED ADVERTISING SIGNAGE AT 99 QUINN STREET, NUMURKAH (cont'd)

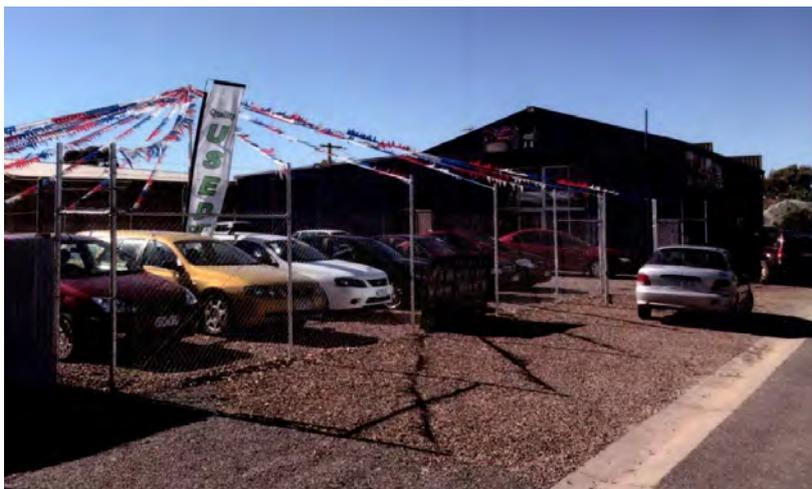
2. Background and Options

Application details

Applicant: Jade O'Dwyer
Owner: Alan Harbor
Property Address: 99 Quinn Street, Numurkah
Title description: Lot1 PS081902
Site Area: Approximately 4312m²
File No: 5/2015/321
Zone: Commercial 2 Zone
Overlays: Land Subject to Inundation Overlay

Proposal

The application seeks approval for the use of the land at 99 Quinn Street, Numurkah for motor vehicle sales. As part of the application the applicant has provided a number of photographs showing that the use is already established on the lot.



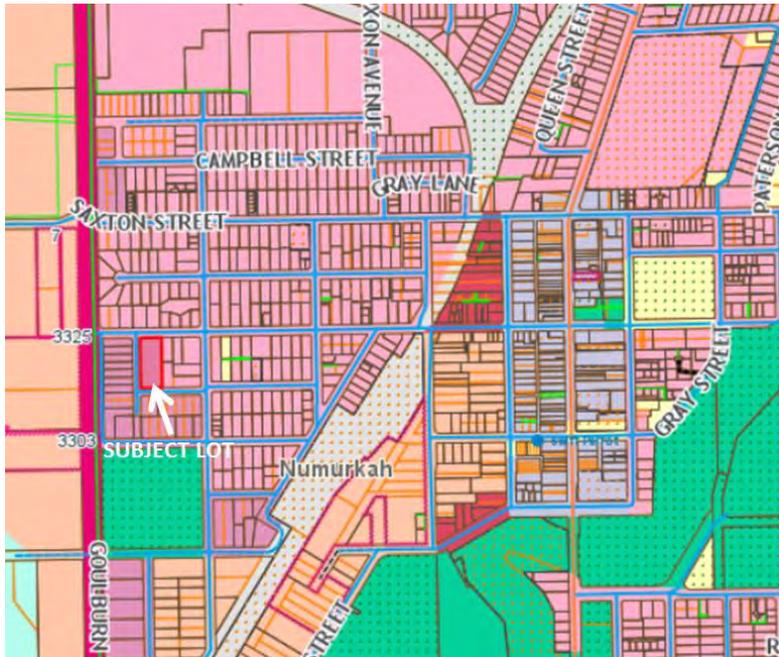
FILE NO: 52015321
2. IMPROVING MOIRA'S LIVEABILITY

ITEM NO: 9.2.5

52015321 - USE OF THE LAND FOR MOTOR VEHICLE SALES AND ASSOCIATED ADVERTISING SIGNAGE AT 99 QUINN STREET, NUMURKAH (cont'd)

Locality and subject land

The subject land is located in the town of Numurkah in an industrial / commercial area located between a residential area (Nelson Street) and the Goulburn Valley Highway.



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**52015321 - USE OF THE LAND FOR MOTOR VEHICLE SALES AND
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(cont'd)**

The subject lot is over 4000m² in size but the subject application relates only to the south western quadrant of this lot, an area of approximately 900m².

The motor vehicle sales business is associated with an established automotive repair business – JSI Automotive which is run from the existing shed on the south west corner.

The site is bound by Swallow Street to the south, Tyacks Street to the west and Quinn Street to the north.

Key Issues

- Commercial 2 Zone
- Clause 52.06 – Car Parking
- Clause 52.14 – Motor Vehicle, Boat or Caravan Sales

Options

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

3. Financial Implications

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

4. Risk Management

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

5. Internal and External Consultation

Pre-Lodgement Consultation / Further Information Requests

In June 2016 Council's Compliance Officer was made aware that the subject lot was being used for motor vehicle sales without the benefit of the relevant planning permit. The applicant phoned Council's Planning Department on 18 June 2015. Following a detailed discussion an email was sent to the applicant setting out the requirements for an application for the use of the subject lot for Motor Sales including an electronic copy of Clause 52.14 – *Motor Vehicle, Boat or Caravan Sales*. It also indicated that if any signs were used they may also trigger a permit. Given that the applicant appeared to be preparing an application a decision was made not to proceed with compliance related actions.

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**52015321 - USE OF THE LAND FOR MOTOR VEHICLE SALES AND
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(cont'd)**

On 7 August 2015 the applicant lodged Planning Permit Application 5/2015/211. None of the information listed in the email of 18 June 2015 was supplied. The application was lapsed on 1 September 2015 as no response was received to a request for further information.

A second application was received on 9 November 2015. The application included a number of photographs of the established sales yard with signage and bunting, a hand drawn site plan and a brief written statement setting out details of the proposal. The site plan and statement are attached as Appendix 1.

An internal request for further information was issued on 21 December 2015. The request came through from the Infrastructure Planning Department. The information required was:

“demonstrate all car parking and deliveries associated with both the existing business and the proposed car sales use are provided within the curtilage of the property, not the roadside.”

The response was due to be received on or before 10 January 2016. The request was issued outside of the statutory 28 day period and the application could therefore not be lapsed when no response was received. A response was received on 2 February 2016 (Appendix 2).

The information provided was referred back to the Infrastructure Planning Department who requested clarification. A request for clarification letter was issued to the applicant on 24 March 2016. It requested revised plans to show:

- *“How deliveries associated with the proposed development are provided within the curtilage of the property boundaries of the subject land and don't encroach in or onto the adjacent Road Reserves, as our records suggest the property boundary is the building line of the existing buildings on the site;*
- *That all vehicle movements to and from the subject land can occur in a forward motion;*
- *That vehicle dimensions for deliveries are nominated with consideration to where any vehicle stock being delivered or loaded will occur on the land;*
- *That all normal levels of carparking is based on a standard car with minimum dimensions of 5m in length and 2.3m in width, or unless agreed to in writing; and*
- *That all parking arrangements for the site meet the requirements of Clause 14 (Car Parking) of Council's Infrastructure Design Manual (IDM).”*

The response was due on 29 May 2016. No response has been received to date.

Internal Consultation

The application was referred internally to the Asset, and Infrastructure Planning Departments. The Asset Department did not object to the issuing of a permit. The Infrastructure Department requested further information and upon receipt of the information requested further clarification – details of which are set out above.

External Consultation

No external consultation was undertaken as none is required by the Moira Planning Scheme

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**52015321 - USE OF THE LAND FOR MOTOR VEHICLE SALES AND
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(cont'd)**

6. Regional Context

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

7. Council Plan Strategy

Moira Shire's current Council Plan states that it is a strategic goal of the plan to:

Improve Moira's Liveability

It is considered that issuing a permit for the subject application would not accord with Moira's strategic goal to enhance liveability through safe and welcoming communities. If a permit was granted, in its current form, the development may impact upon the safety and amenity of the area.

8. Legislative / Policy Implications

Definitions

Clause 74 of the Moira Planning Scheme states that *Car Sales* is included in *Motor vehicle, boat or caravan sales* which in turn are included in *Retail Premises*.

Zoning

The subject land is located in the Commercial 2 Zone (C2Z). The purpose of the C2Z, amongst others, is:

"To encourage commercial areas for offices, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services.

To ensure that uses do not affect the safety and amenity of adjacent, more sensitive uses."

It is considered that the proposal generally accords with the purpose of the C2Z subject to assessment demonstrating that it will not have an impact on the amenity of the area.

In Clause 34.02-1 the use of the land for any *Retail Premises* other than *Food and drink premises, Postal agency, Restricted retail premises, Supermarket and Trade supplies*) is a Section 2 – Permit Required Use. This is the first trigger for the subject application.

Clause 34.02-2 states that a use must not detrimentally affect the amenity of the neighbourhood including through the:

- *Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil."*

This will be discussed further below in the section relating to Particular Provisions.

Clause 34.02-5 sets out the Decision Guidelines for the Zone. It is considered that the proposed use generally accords with the decision guidelines of the C2Z.

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**52015321 - USE OF THE LAND FOR MOTOR VEHICLE SALES AND
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(cont'd)**

Overlays

The subject lot is affected by the Land Subject to Inundation Overlay. There is no trigger for the use of the lot for Motor Vehicle Sales under the Overlay.

Particular Provisions

Advertising Signage

Clause 52.05 sets out the requirement for permits for Advertising Signage. In accordance with the definitions set out in Clause 73 bunting, such as that be shown in the photographs submitted as part of the application, is advertising signage.

Advertising signs in the C2Z are assessed as *Category 1 – Commercial Areas with Minimum Limitation*. Clause 52.05-7 indicates that Bunting is a Section 2 sign for which a planning permit is required. The potential that signage on the site would trigger a permit was highlighted to the applicant prior to the lodgement of the application. The applicant has however not included the signage as part of the application, though it was shown on the photographs submitted.

This is the second trigger for the subject application. Accordingly if a permit is issued the description of what is allowed by the permit should include advertising signage.

Clause 52.05-3 sets out the Decision Guidelines for Advertising Signage. The subject lot is located on the corners of Quinn, Tyack and Swallow Streets. It is not easily seen from Quinn Street. Tyack and Swallow Streets are quiet and do not attract much traffic. The visual impact is therefore negligible.

Car Parking

Clause 52.06 sets out the car parking requirements for new uses. It states that if the required number of car parking spaces to facilitate the use is not provided on the subject lot then there is a separate trigger for a planning permit.

The subject lot is large (4312m²) and the motor vehicle sales use only occurs in the south western corner of the lot (display area approximately 450m²). The car parking required for the existing shed, used for motor repairs and the Car Yard office, in the south west corner was originally located in the yard now converted to a motor vehicle sales use. Parking for both the existing motor repair business and the motor vehicle sales needs to be provided on the subject lot.

The application site plan (Appendix 1) showed no parking on the lot, instead it showed it in the Tyack Street road reserve. Following a request for further information the revised plan (Appendix 2) shows a number of car parking spaces for customers of JSI Automotive along the southern boundary of the lot. The edge of the shed is stepped back from the lot boundary potentially providing space for parking.

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52015321 - USE OF THE LAND FOR MOTOR VEHICLE SALES AND ASSOCIATED ADVERTISING SIGNAGE AT 99 QUINN STREET, NUMURKAH (cont'd)

Schematic Showing Proposal (Based off Applicants Site Plan)



On a visit to the site on 17 May 2016 Planning Officers observed that there are openings into the shed in active usage for access and egress to the repair areas from Swallow Street. If customers were to park here the business could not continue in the same manner.

The revised plan (Attachment 2) shows spaces for customers of the car yard on the eastern side of the yard, which based on the aerial photo is unlikely to be accessible (see previous image). The plan is not to scale and it is not possible to ensure that the spaces meet the required standards. Further, the plan continues to show customer parking in the road reserve. The site plan shows the spaces on the opposite side of the lot from the entrance on Tyack Street. As the Aerial in Part 2 above indicates it is unlikely that any spaces located on the eastern side of the car yard will be accessible.

In the absence of a response to Council's request for Clarification of Further Information it is not possible to assess whether or not the proposed development will include the required number of spaces. If the parking is not provided there would be a third trigger for a planning permit that would require, in accordance with Clause 52.06-6 of the Moira Planning Scheme, submission of a car parking demand assessment and a potential for a reduction in the number of required spaces.

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52015321 - USE OF THE LAND FOR MOTOR VEHICLE SALES AND ASSOCIATED ADVERTISING SIGNAGE AT 99 QUINN STREET, NUMURKAH (cont'd)

Motor Vehicle, Boat or Caravan Sales

Clause 52.14 sets out the requirements for motor vehicle sales. A number of the requirements are discussed separately below.

- *“The site must contain a concrete bay for washing vehicles and waste from the bay must drain into a public sewer or a settlement and oil separation system. The system must comply with the Environment Protection Act 1970 and be installed to the satisfaction of the responsible authority.*
- *Vehicles may be washed only in the washing bay.*
- *Water from the site must be discharged by an underground pipe to an approved outlet to the satisfaction of the responsible authority.”*

The applicant has indicated that no car wash will be provided on the lot. The application indicates that all cars will be washed at an off-site carwash hence does not comply. If cars are washed on the site the waste water could flow to neighbouring lots or into the road reserve. Clause 34.02-2 states any use in the C2Z must not detrimentally affect the amenity of the neighbourhood including through emission of waste water. Any condition requiring the off-site washing of cars would be difficult to enforce.

- *“No vehicle may be repaired on the site.”*

The site incorporates the existing Automotive Repair Business. The application indicates that repairs will be undertaken here. This does not comply with the requirement.

- *“An area of at least 1 space to each 10 spaces or part must be set aside on the site for customer and employee car parking and for valuing vehicles. The area must be clearly marked by a sign reading ‘customer parking’ with the letters at least 50 millimetres high.”*

Car parking was discussed above. The applicant has not demonstrated that the spaces displaced by the use of the yard for motor vehicle sales or the spaces required for the change in use can be provided on site.

- *If the site adjoins a residential zone:*
 - *A landscape buffer strip at least 3 metres wide must be provided on the site along the common boundary and planted and maintained to the satisfaction of the responsible authority.*
 - *Except for the landscape buffer strip, all of the site not occupied by buildings must be sealed to prevent dust.*

The subject application indicates that the site is “rocked”. The photographs show that the site is not sealed. Nor is there a buffer along the western boundary of the lot which adjoins a residential zone. The application does not meet these requirements.

Clause 52.14 sets out that Council can, if it so decides, vary these requirements through the issuing of a permit. It could be argued that the current sales lot is small and the impact of non-compliance with the requirements would be negligible. However if a permit is issued to use this lot for motor vehicle sales, the use could expand into the vacant portion of the lot to the west and even northward to potentially front onto Quinn Street potentially without requiring any further permits. This initial permit therefore should be assessed rigorously.

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(cont'd)**

It is considered therefore that the proposed development does not accord with the requirements and variation of the standards should not be supported.

9. Environmental Impact

Viewed alone the proposed development may be considered to be sustainable if the proposed development was more appropriately located.

10. Conflict of Interest Considerations

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

11. Conclusion

The applicant has not provided sufficient information to allow a complete assessment of the proposed change of use. The Infrastructure Planning Department has requested clarification and no response from the applicant were received to date.

In the absence of this information it is not possible to assess the car parking requirements (Clause 52.06) which could, if not provided on the site, result in a separate trigger for a permit for a Reduction in Car Parking Requirement.

The application has been assessed against the requirements of the Moira Planning Scheme where possible. The application accords generally with the purpose and the decision guidelines for changes to use in the Commercial 2 Zone. It does not however comply with Clause 34.02-2 as in the absence of a sealed lot and a bunded on-site car wash facility, the proposed use could result in the emission of waste water.

The application has been assessed against the Clause 52.14 and was found not to comply with the requirements for the use of the lot as a motor vehicle sales yard.

This report therefore recommends that the application is refused.

Attachments

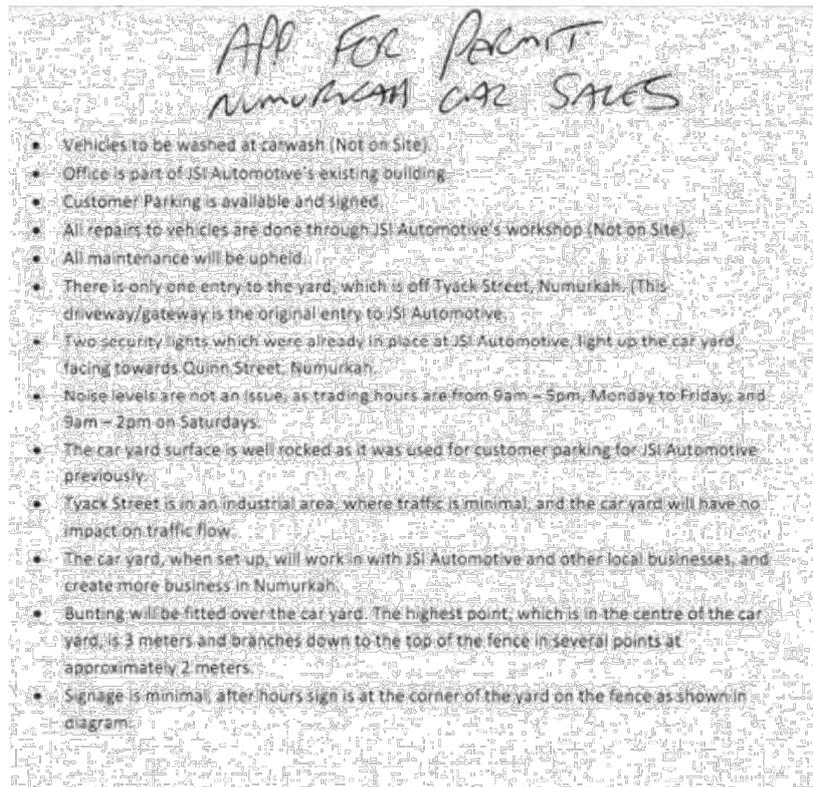
- 1 Application Written Statement and Site Plan
- 2 Applicant's Response to Further Information

FILE NO: 52015321
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**52015321 - USE OF THE LAND FOR MOTOR VEHICLE SALES AND
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(cont'd)**

ATTACHMENT No [1] - Application Written Statement and Site Plan



FILE NO: 52015321
2. IMPROVING MOIRA'S LIVEABILITY

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52015321 - USE OF THE LAND FOR MOTOR VEHICLE SALES AND ASSOCIATED ADVERTISING SIGNAGE AT 99 QUINN STREET, NUMURKAH (cont'd)

ATTACHMENT No [1] - Application Written Statement and Site Plan

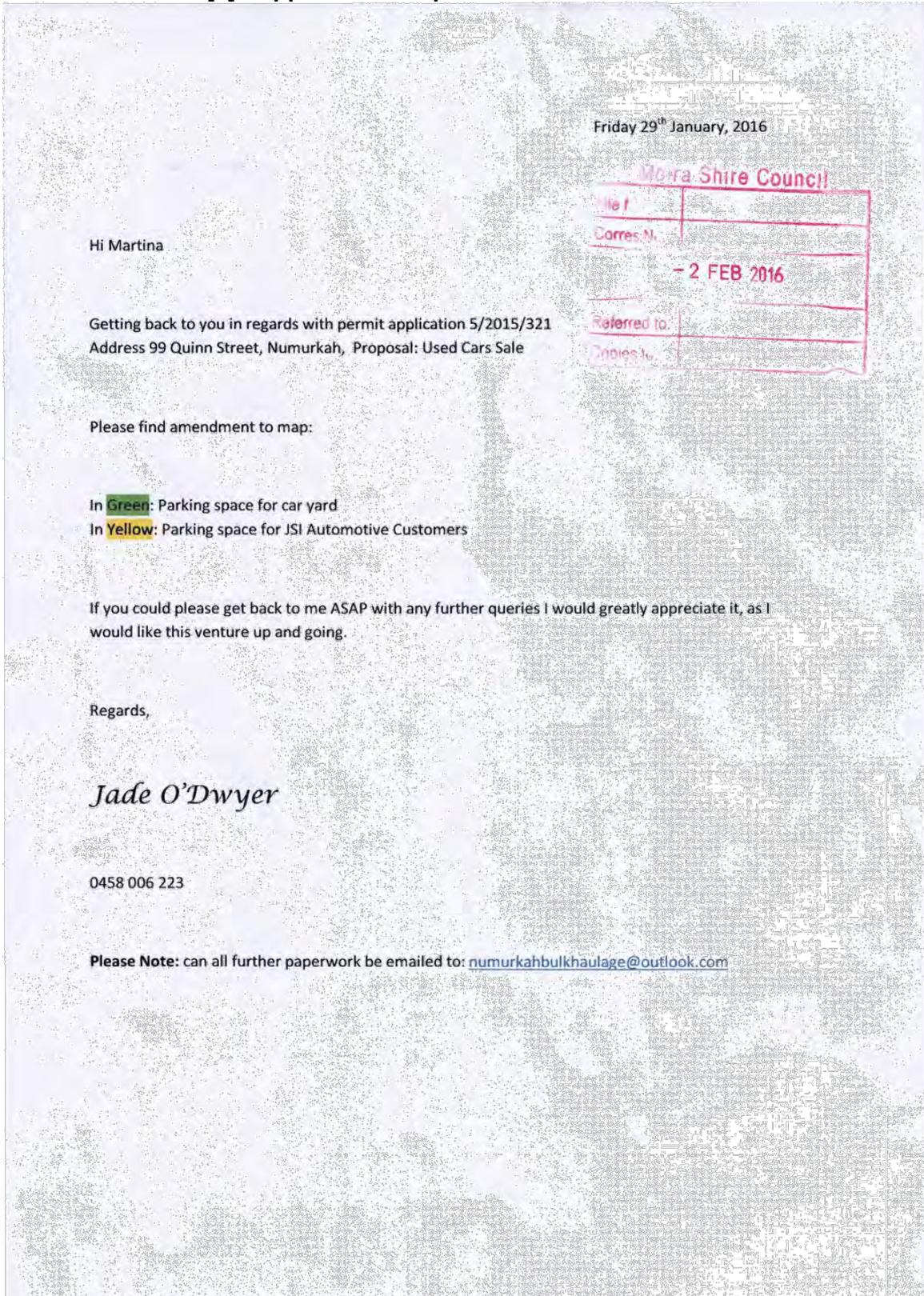


FILE NO: 52015321
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**52015321 - USE OF THE LAND FOR MOTOR VEHICLE SALES AND
ASSOCIATED ADVERTISING SIGNAGE AT 99 QUINN STREET, NUMURKAH
(cont'd)**

ATTACHMENT No [2] - Applicant's Response to Further Information



FILE NO: 52015321
2. IMPROVING MOIRA'S LIVEABILITY

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**52015321 - USE OF THE LAND FOR MOTOR VEHICLE SALES AND
ASSOCIATED ADVERTISING SIGNAGE AT 99 QUINN STREET, NUMURKAH
(cont'd)**

ATTACHMENT No [2] - Applicant's Response to Further Information



FILE NO: 000.000.111
6. INVOLVING AND COMMUNICATING WITH
OUR COMMUNITY

ITEM NO: 9.2.6

REQUESTED UPDATE ON STATUS OF THREE PROJECTS

RECOMMENDATION

That Council:

Note the following report on:

- (a) The status of the project to install exercise equipment on the Yarrawonga Foreshore
- (b) The status of the project to provide an all-abilities playground in Yarrawonga
- (c) The status of the Numurkah Flood Study

1. Executive Summary

At the Ordinary Council meeting on 30 May 2016 a request was made for a report on the status of three projects;

1. Installing exercise equipment on the Yarrawonga Foreshore,
2. Provision of an all-abilities playground in Yarrawonga, and,
3. The Numurkah Flood Study.

2. Background and Options

The status of the projects are as follows:

Installation of exercise equipment on the Yarrawonga Foreshore

The installation of exercise equipment is part of a larger project called the Yarrawonga Recreational Trail which also includes the installation of some lighting along the pathway between the end of Botts Road and the Yacht Club. There will be three exercise equipment stations, each with three pieces of equipment installed. Rubber softfall will be installed around the exercise stations to meet OH&S requirements. The installation is currently planned for the week of 20 to 24 of June.

Provision of an all-abilities playground in Yarrawonga

Council provided a budget of \$200,000 for the installation of an all-abilities playground in the 2015-2016 Capital Budget. These funds were intended to be a contribution toward a larger project in Yarrawonga but this larger project has since been relocated to Mulwala. An opportunity to provide all-abilities playground facilities has been identified through the renewal of the existing playground on the Yarrawonga Foreshore near the Bank Street boat ramp.

A survey of the site has been undertaken and officers are currently working on the design for the provision of infrastructure to support the location of an all-abilities playground. This includes, two all-abilities parking bays, a parking bay for a larger vehicle such as a 20 seater bus, concrete pathways between the parking bays, playground and existing all-abilities toilet facilities.

Quotes are about to be sought from consultants with experience in all-ability playground design on what form the playground renewal should take.

FILE NO: 000.000.111
6. INVOLVING AND COMMUNICATING WITH
OUR COMMUNITY

ITEM NO: 9.2.6

REQUESTED UPDATE ON STATUS OF THREE PROJECTS (cont'd)

The Numurkah Flood Study

Following the public consultation process last September, the consultants ran a flood mitigation scenario for the town of Numurkah called the 'Whole town levee'. The results of this scenario showed the Numurkah Township to be protected from the 1% AEP flood event, however, it also showed increased flood heights upstream of the town extending to the boundaries of the study area.

It was decided that the study area needed to be extended to determine just how far the increased flood levels extended and while there was level data for the flood plain south of Numurkah to Wunghnu, there was no data to the north of the study area. DELWP have flown a LiDAR survey across the land to the north of the study area and this information will be available for inclusion into the flood plain model in late June.

In the meantime, the data for the floodplain to the south of Numurkah was added to the model and the 'whole town levee' scenario was rerun. The predicted increase in flood water heights extended across the flood plain all the way to Wunghnu.

The extent of the increase in the flood levels was concerning and Council officers, in consultation with the CMA and the consultants took the opportunity to run a further mitigation scenario involving the northern levee, southern ring levee, and an extensive floodway starting upstream of the recreation reserve and running adjacent to the course of the creek, through Tunnock Road, across Melville Street and entering the creek at the Railway Park. The results of this scenario proved to be promising. The Flood Reference Group were not supportive due to the impact upon existing infrastructure and a preference for the protection offered to Numurkah by the 'Whole town levee'.

The next step is to integrate the LiDAR data from north of the study area into the model and run the 'Whole town levee' scenario combined with a broad floodway that extends southward around the town from the Kinnairds Wetland to the vicinity of the Box Creek, and then eastwards along this alignment to around Reilly's Pit Road. Once the effects of this scenario have been modelled the impacts will be assessed to determine whether they are acceptable and able to be presented to the broader community for consideration.

3. Financial Implications

The three projects are funded for the 2015-2016 financial year with unexpended funds to be rolled into the 2016-2017 financial year to cover any incomplete works. The State Government provided a further grant of \$50,000 toward the Numurkah Flood Study which is allowing the additional scenario modelling to be undertaken.

4. Conflict of Interest Considerations

The officer preparing this report has no conflict of interest in relation to the matters discussed in this report.

5. Conclusion

The report provides the Council with an update on the progress of the three projects as requested in the May Ordinary Council meeting.

Attachments

Nil

FILE NO: 11.1 6. GOVERNANCE	ITEM NO: 10.1 (
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ACTION OFFICERS LIST

RECOMMENDATION

That Council receive and note the Action Officers' List.

Executive Summary

The below Action Officers' List provides an update on the status of actions from previous Council meetings. It is provided to Councillors in order to keep them informed of progress.

Meeting: 30 May 2016

Subject – General Business

MOTION

CRS WENDY BUCK / PETER MANSFIELD

That

- reports on the status of: the outdoor exercise equipment for Yarrawonga, provision of an all abilities playground in Yarrawonga, the Numurkah Flood study be presented at the next Council meeting and
- Council reaffirms its commitment to the green route for the Yarrawonga-Mulwala Bridge

(CARRIED)

Activity

Reports drafted for the June Council Meeting

Meeting: 29 March 2016

Subject – Notice of Motion

MOTION

CRS PETER MANSFIELD / DON MCPHEE

1. Moira Shire Council's licence of the Numurkah Courthouse not be renewed when the current term expires.
2. DELWP be advised the Moira Shire Council no longer wishes to be the Committee of Management of the Tungamah Court House.

(CARRIED)

COMPLETED

Department Environment Land Water and Plan formally advised.

FILE NO: 11.1 6. GOVERNANCE	ITEM NO: 10.1
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ACTION OFFICERS LIST (cont'd)**Meeting:** 29 March 2016**Subject –** General Business**MOTION**

CRS KEVIN BOURKE / MARIE MARTIN

That Moira Shire Council Officers not abandon legislative or statutory requirements however seek to work with the contractor that is under taking the natural gas rollout in Nathalia and to keep the community informed with the process and timelines.

(CARRIED)

Activity

Start date on the daughter station is now 1st July with reticulation roll out October/November project live around January 2017. Brookfield will start PR in Nathalia in May.

Meeting: Ordinary Council Meeting 23 November 2015**Subject –** General Business**MOTION**

CRS PETER MANSFIELD / BRIAN KEENAN

That Council staff prepare a submission to the Planning Minister championing the green option for the Yarrawonga Mulwala Bridge to be presented when appropriate.

(CARRIED)

Activity

The draft budget includes funding to support Councils submission to the planning process that Vicroads will establish through DELWP. It's important to note that the planning scheme amendment required to facilitate a new bridge may not be considering alternate alignment options. It is expected to only consider the grey route alignment.

FILE NO: 11.1 6. GOVERNANCE	ITEM NO: 10.1
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ACTION OFFICERS LIST (cont'd)

Meeting: Ordinary Council Meeting 26 October 2015
Subject – Moira Shire Community Safety Plan
MOTION CRS KEVIN BOURKE / ALEX MONK That the report to be deferred to such time that the information from the Community Safety Forum is considered. <p style="text-align: right;">(CARRIED)</p>
Activity Draft Strategy developed for safety committee review.

Attachments

Nil

FILE NO: F13/2332
4. SMARTER DELIVERY OF SERVICES AND
PROGRAMS

ITEM NO: 13.1

SETTLEMENT FOR PURCHASE OF 3 MURRAY ST COBRAM

RECOMMENDATION

That Council authorise the Chief Executive Officer to sign and seal the transfer of land documents to settle the purchase of 3 Murray Street, Cobram.

1. Council entered into a terms contract to purchase the property at 3 Murray St Cobram. The former Numurkah hospital administration building is now located on the land and accommodates 40 members of Council staff. The final instalment is due and payable on 30 June 2016 and Council is required to sign and seal the Transfer of Land documents.

Attachments

Nil

FILE NO: VARIOUS

ITEM NO: 14

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

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

FILE NO: VARIOUS

ITEM NO: 15

QUESTIONS FROM THE PUBLIC GALLERY

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

63. Question Time

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

No question must be so read unless:

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

A question may be disallowed by the Chairperson if it:

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

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

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

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

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

FILE NO: VARIOUS

ITEM NO: 16

MEETING ADJOURNMENT**RECOMMENDATION**

That the meeting be adjourned for 10 minutes.

RECOMMENDATION

That the meeting be resumed.

RECOMMENDATION

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

RECOMMENDATION

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

RECOMMENDATION

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