



MINUTES

ORDINARY MEETING OF COUNCIL HELD AT
YARROWEYAH HALL, MURRAY VALLEY HIGHWAY
YARROWEYAH,
TUESDAY 22 APRIL 2014

The meeting commenced at 6:00 pm.

PRESENT

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

IN ATTENDANCE:

Peter Bertolus	Acting Chief Executive Officer
Bruce Connolly	Acting Director Community
David Booth	Manager Corporate Governance
Jorine Bothma	Manager Town Planning and Building

1. CALLING TO ORDER - CEO

2. PRAYER

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

Amen

3. ACKNOWLEDGEMENT OF COUNTRY

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

4. APOLOGIES & REQUESTS FOR LEAVE OF ABSENCE

- Alison Coe, Director Corporate Governance
- Mark Foord, Acting Director Shire Development and Liveability
- CR Brian Keenan requested a leave of absence in general business commencing on Friday 25 April for 10 days.

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

NIL RECEIVED

6. DECLARATION OF ANY INTEREST OR CONFLICT OF INTEREST

NIL RECEIVED

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

MOTION:

CRS DON MCPHEE / WENDY BUCK

"That the minutes of the Ordinary Council Meeting held on Monday, 17 March 2014, as prepared and circulated, be confirmed."

(CARRIED)

8. COUNCILLOR REPORTS

NIL

9. OFFICER REPORTS FOR DETERMINATION

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PETER BERTOLUS
ACTING CHIEF EXECUTIVE OFFICER

FILE NO: 100.01.0001
3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 9.1.1
(PERSONAL ASSISTANT TO CEO, ROBYN
BONADDIO)
(DIRECTOR CORPORATE GOVERNANCE,
ALISON COE)

EMPLOYMENT CONTRACT – CHIEF EXECUTIVE OFFICER

1. Executive Summary

Following an exhaustive recruitment process it is recommended that Council appoint Mr Mark Henderson to the position of Chief Executive Officer effective from the 19 May 2014 for a five year term.

2. Discussion

Following the departure of Mr Gary Arnold from the position of Chief Executive Officer, Council appointed an Acting Chief Executive Officer, Mr Peter Bertolus.

The Acting Chief Executive Officer position will cease once the Chief Executive Office commences duties on the 19 May 2014.

Section 94 of the Local Government Act states that:

- 1) *A Council must appoint a natural person to be its Chief Executive Officer.*
- 2) *The Chief Executive Officer is a member of Council staff.*
- 3) *A Council may only appoint a person to be its Chief Executive Officer after it has invited applications for the position in a notice in a newspaper circulating generally throughout Victoria and Has considered all applications received by it that comply with the conditions specified in the notice.*

Jo Fisher, Executive Search was engaged to manage the recruitment process. From the applications received, a long list was identified for review by Council. Following an initial assessment of applicants a short list was identified and the short listed candidates were interviewed by all Councillors.

Following completion of this process Mr Mark Henderson was identified as the preferred candidate.

It is recommended that Council appoint Mr Mark Henderson to the position of Chief Executive Officer for a five year term, effective from the 19 May 2014.

The Acting Chief Executive Officer, Peter Bertolus, in light of the above recommendation will cease in the role effective on the 19 May 2014. Mr Bertolus will be formally thanked for his contribution during the intervening period between Mr Gary Arnold's departure and the recruitment of the Chief Executive Officer.

3. Financial Implications

All financial impacts of this appointment are provided for in Councils 2013 / 2014 budget.

4. Community Consultation

There are no community consultation considerations associated with this report.

5. Internal Consultation

A panel consisting of all nine councillors worked with Jo Fisher and associates on the recruitment and negotiation of the contract for the successful applicant.

FILE NO: 100.01.0001
3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 9.1.1
(PERSONAL ASSISTANT TO CEO, ROBYN
BONADDIO)
(DIRECTOR CORPORATE GOVERNANCE,
ALISON COE)

EMPLOYMENT CONTRACT – CHIEF EXECUTIVE OFFICER (cont'd)

6. Legislative / Policy Implications

Local Government Act 1989 Section 94.

7. Environmental Sustainability

There are no Environmental Sustainability considerations associated with this report.

8. Conflict of Interest Considerations

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

9. Conclusion

Following an exhaustive recruitment process it is recommended that Council appoint Mr Mark Henderson to the position of Chief Executive Officer for a five year term, effective from the 19 May 2014.

Attachments

Nil

RECOMMENDATION

That:

That Council:

- a) In accordance with Section 94(4) (a) of the Local Government Act 1989, appoint Mark Henderson as its Chief Executive Officer for a term of five years commencing 19 May 2014.
- b) Authorise the Mayor to finalise the contract of employment with Mr Henderson.
- c) Authorise the Council seal on the above document.
- d) Thank Mr Peter Bertolus for his advice, guidance and assistance during his term as Interim Acting Chief Executive Officer

FILE NO: 100.01.0001
3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 9.1.1
(PERSONAL ASSISTANT TO CEO, ROBYN
BONADDIO)
(DIRECTOR CORPORATE GOVERNANCE,
ALISON COE)

EMPLOYMENT CONTRACT – CHIEF EXECUTIVE OFFICER (cont'd)

MOTION

CRS ED COX / BRIAN KEENAN

That:

That Council:

- a) In accordance with Section 94(4) (a) of the Local Government Act 1989, appoint Mark Henderson as its Chief Executive Officer for a term of five years commencing 19 May 2014.
- b) Authorise the Mayor to finalise the contract of employment with Mr Henderson.
- c) Authorise the Council seal on the above document.
- d) Thank Mr Peter Bertolus for his advice, guidance and assistance during his term as Interim Acting Chief Executive Officer

(CARRIED)

FILE NO: 180.11.0002
3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 9.1.2
(ASSISTANT FINANCIAL ACCOUNTANT,
ANDREW WILSON)
(DIRECTOR CORPORATE GOVERNANCE,
ALISON COE)

FINANCIAL POSITION REPORT AS AT 31 MARCH 2014

1. Executive Summary

Highlights:

- Financial position as at 31 March 2014 is tracking to forecast.
- Sundry debtors and infringement balances continue to be well managed with \$636,193 in debtors outstanding. This debt includes an amount > 90 days of \$198,000 for sale of land due for payment in November 2014.
- Flood Recovery activity is drawing to a close but Wunghnu fires expenditure awaiting claims to be submitted.

2. Discussion

Notes to Executive Summary Dashboard (Per attachment):

In most instances, Council is on track against its major indicators with the 90 day and >90 days debtors and capital projects highlighted as on track to meet their targets.

FILE NO: 180.11.0002
3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 9.1.2
(ASSISTANT FINANCIAL ACCOUNTANT,
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(DIRECTOR CORPORATE GOVERNANCE,
ALISON COE)

FINANCIAL POSITION REPORT AS AT 31 MARCH 2014 (cont'd)

Executive Summary Dashboard						Rate Collection					
<div><div></div> On target</div> <div><div></div> On track to meet target</div> <div><div></div> below target</div> <div><div></div> Performance Improving</div> <div><div></div> Performance Declining</div> <div><div></div> Performance Staying about the same</div>						<u>General Rates & Charges</u>	Feb-13	Mar-14	Rank	Progress	
						Arrears carried forward	1,251,064	1,310,464	<div></div>	<div></div>	
						Total rates to be collected (amount levied)	22,211,499	29,168,983	<div></div>	<div></div>	
						Collection to date	14,007,280	28,934,837	<div></div>	<div></div>	
						No. of rateable assessments	16,909	17,073	<div></div>	<div></div>	
						Rateable Valuation C.I.V	4,723,785,000	4,764,864,600	<div></div>	<div></div>	
						Supplementary rate increase since adopted budget	386,231	-175,673	<div></div>	<div></div>	
						<u>Fire Services Levy</u>					
						Fire Services Levied	0	3,544,021	<div></div>	<div></div>	
						Fire Services Collected	0	2,331,101	<div></div>	<div></div>	
						Supplementary Fire Services	0	2,275	<div></div>	<div></div>	
Debtors						Special Rate Debtors					
							Feb-13	Mar-14	Rank	Progress	
						Current	488,533	314,810	<div></div>	<div></div>	
						30 Days	5,629	88,919	<div></div>	<div></div>	
						60 Days	174	15,106	<div></div>	<div></div>	
						90 Days	4,741	50	<div></div>	<div></div>	
						> 90 Days	213,357	217,308	<div></div>	<div></div>	
						712,434	636,193				
Infringements						Capital Expenditure					
							Budget	Actuals	Rank	Progress	
						Infringement Balance Outstandin	129,831	128,651	<div></div>	<div></div>	
						Capital Projects for 2013/2014	10,105,873	6,120,450	<div></div>	<div></div>	
						Total	10,105,873	6,120,450			

**Summary Income Statement
March 2014**

Summary Income Statement	Current Year Adopted Budget 2013/2014 \$	Approved Forecast as at 31 Dec 2013	Actuals to date as at 31 March 2014 (less Disaster Recovery)
INCOME			
Operating	(39,418,483)	(40,958,383)	(38,586,114)
Capital	(4,901,431)	(5,835,142)	(4,752,465)
	(44,319,914)	(46,793,525)	(43,338,579)
EXPENSES			
Operating	48,296,652	48,454,733	33,481,493
OPERATING (SURPLUS)/DEFICIT	3,976,738	1,661,208	(9,587,086)

FILE NO: 180.11.0002
3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 9.1.2
(ASSISTANT FINANCIAL ACCOUNTANT,
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(DIRECTOR CORPORATE GOVERNANCE,
ALISON COE)

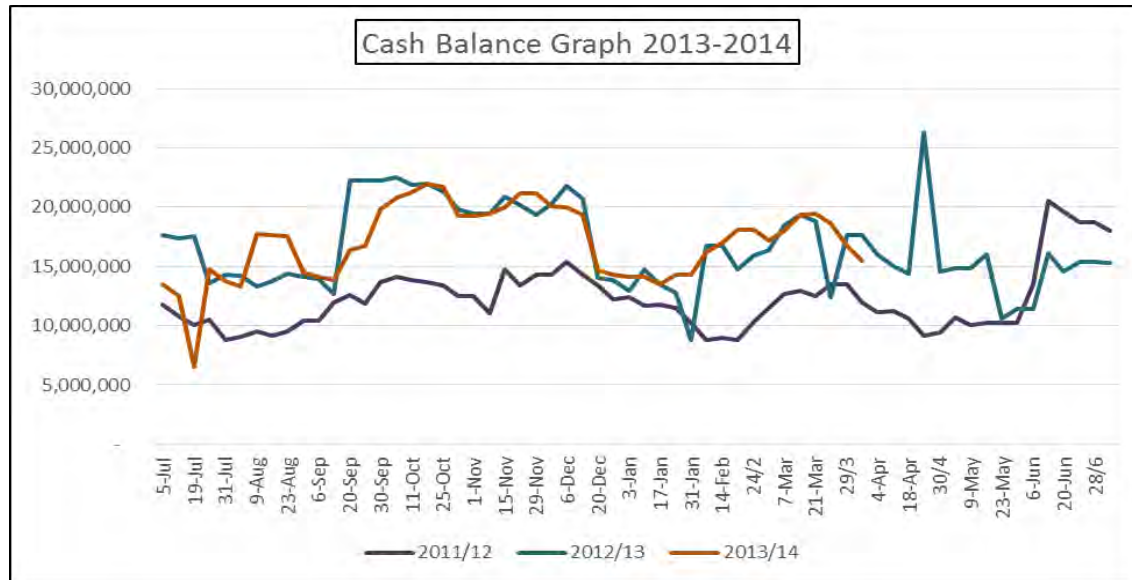
FINANCIAL POSITION REPORT AS AT 31 MARCH 2014 (cont'd)

<u>Moira Shire Council</u>		
	Cash flow statement for the period up to June 2014	31-Mar-14
	Currently held cash balance composition:	
	Cash At Bank - General	731,030
	At Call 11 am Short Term Investment	2,017,091
	S/T Invested Funds - Term Deposits	11,000,000
	LSL Investment	1,767,091
	Total Cash & Investments	15,515,212
	Confirmed inflow/outflow registered in the books of account as of date	
A	Creditors & Payroll outflow	(1,222,531)
	Current dues and next fortnight payroll payment	
B	Fire Service Levy - Net dues to State Revenue Office	(98,941)
C	Flood Emergency (Payments due) / Receipts due	1,014,111
	Estimate of future inflows/outflows up to June 2014	
A	Average monthly payments to Creditors from April to June [2014 average monthly payout was \$3.6 million]	(10,800,000)
B	With an average number of 6 payrolls in a quarter the total payout excluding the next fortnight will be [average payout per payroll period is \$630k]	(2,520,000)
C	Grants Commission funding 4th instalment due in May 2014	1,221,411
D	Expected collections from Rates debtors for the period Apr to Jun	5,308,795
E	Restricted LSL Investment	(1,767,091)
F	19208 - Trust & Deposits	(822,317)
G	Restricted Unexpended Grants [estimate only]	(1,500,000)
	Estimated free cash balance end of June 2014	4,328,649

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FINANCIAL POSITION REPORT AS AT 31 MARCH 2014 (cont'd)



Council's Cash Position as at 31 March 2014 is \$15.5M.

Current Investments as at 31 March 2014

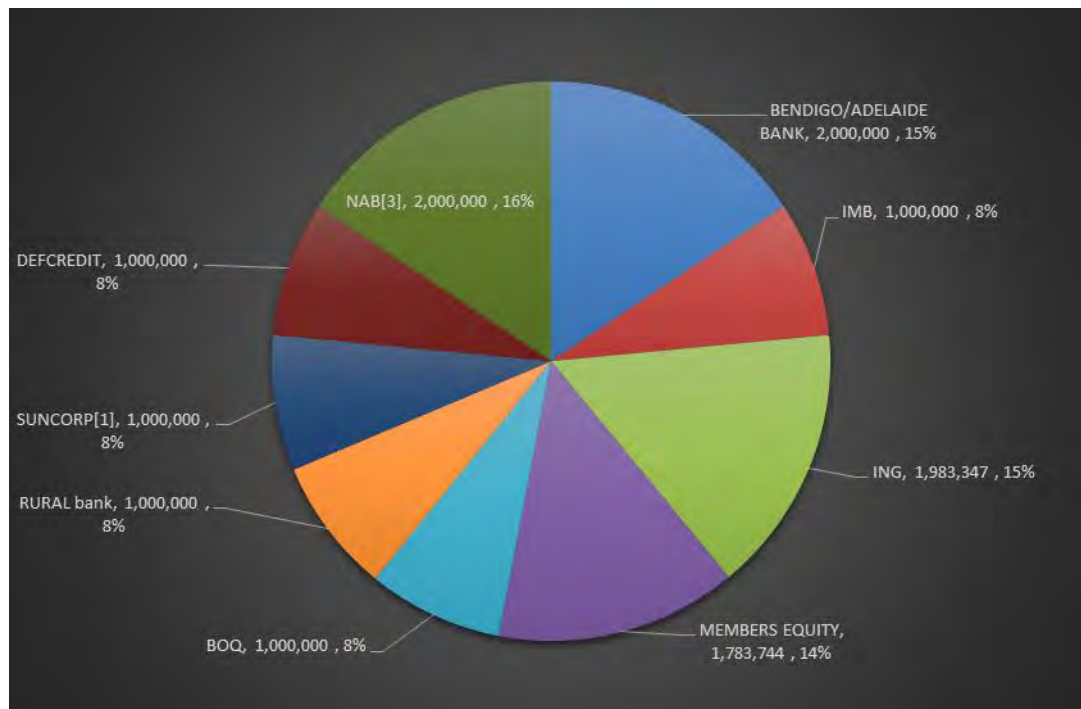
Bank	Deposit amount
BENDIGO/ADELAIDE BANK	2,000,000
IMB	1,000,000
ING	1,983,347
MEMBERS EQUITY	1,783,744
BOQ	1,000,000
RURAL bank	1,000,000
SUNCORP[1]	1,000,000
DEFCREDIT	1,000,000
NAB[3]	2,000,000
Grand Total	12,767,091

FILE NO: 180.11.0002
3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 9.1.2
(ASSISTANT FINANCIAL ACCOUNTANT,
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ALISON COE)

FINANCIAL POSITION REPORT AS AT 31 MARCH 2014 (cont'd)

Active Investment Spread as on 31 March 2014



Capital Expenditure

(Figures and explanation as provided by Infrastructure & Planning Team)

Project completion	Budget 2013/2014	YTD actuals 2013/2014	Forecast Budget December
Capital Projects	10,105,873	6,120,450	10,434,440
Grand Total	10,105,873	6,120,450	10,434,440

FILE NO: 180.11.0002
3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 9.1.2
(ASSISTANT FINANCIAL ACCOUNTANT,
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ALISON COE)

FINANCIAL POSITION REPORT AS AT 31 MARCH 2014 (cont'd)

Capital Works Snapshot – End March 2014

Master Account	Current Year Adopted Budget Incl Oncosts	31 Dec Budget Review Incl Oncosts	Actuals Incl Oncosts	Commitments	% Completed	Comments
Expenditure						
04250 - Capital Works to Assets	577,500	577,500	0	0		
04251 - Furniture Fittings & Other Equipment	0	0	0	0		
04252 - Plant & Equipment	1,003,600	1,003,860	756,441	85,633	75%	
04253 - Land Improvements	1,062,400	794,002	430,417	40,369	54%	Kennedy & Federation Parks deferred to 2014/15
04254 - Playground Equipment	0	0	0	0		
04256 - Land	1,431,800	1,020,000	269,763	25,499	26%	Budget to be increased to cover new tender (\$2.2M)
04257 - Building Capital Works	1,332,531	2,054,382	1,023,053	534,851	50%	
04258 - Road Capital Works	3,827,797	4,121,537	3,208,420	228,509	78%	
04260 - Bridges	200,000	30,001	(0)	0	0%	Deferred to 2014/15
04261 - Kerb & Channel Works	200,000	287,572	190,353	1,080	66%	Minor works
04262 - Footpath Capital Works	63,669	54,276	44,327	0	82%	Minor works
04263 - Drainage Capital Works	406,576	476,000	187,103	33,620	39%	Drainage strategies to be completed soon for Yarrowonga & Numurkah
04264 - Other Assets	0	15,310	10,574	950	69%	Swimming Pool rehab projects
Expenditure Total	10,105,873	10,434,440	6,120,450	950,510	59%	Year to date completed
Income						
01550 - Plant Disposal Proceeds Income	0	0	(145,700)	0		
02200 - Capital Projects Income	(4,901,431)	(5,835,142)	(4,606,765)	0		
Income Total	(4,901,431)	(5,835,142)	(4,752,465)	0		
Total	5,204,442	4,599,298	1,367,984	950,510		

TOTAL WORKS COMMITTED: 68% AS A PERCENTAGE OF 31 DEC REVIEW (\$950,510 COMMITMENTS)

3. Financial Implications

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

4. Community Consultation

The following members of staff were consulted:

Directors, Corporate Governance;
Executive Engineer;
Acting Executive Manager, Assets & Construction
Finance Manager;
Finance Analyst;
Team Leader Revenue, Property and Valuation Services
Corporate Management Team

5. Internal Consultation

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

6. Legislative / Policy Implications

The report complies with:

FILE NO: 180.11.0002
3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 9.1.2
(ASSISTANT FINANCIAL ACCOUNTANT,
ANDREW WILSON)
(DIRECTOR CORPORATE GOVERNANCE,
ALISON COE)

FINANCIAL POSITION REPORT AS AT 31 MARCH 2014 (cont'd)

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

7. Environmental Sustainability

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

8. Conflict of Interest Considerations

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

9. Conclusion

Council is in a good underlying financial position as at 31 March 2014 and will continue to be, provided capital income, capital expenditure and operational growth are managed prudently.

Attachments

Nil

RECOMMENDATION

That Council receives and notes the Financial Position Report as at 31 March 2014.

MOTION

CRS ALEX MONK / ED COX

That Council receives and notes the Financial Position Report as at 31 March 2014.

(CARRIED)

FILE NO: F13/3145
3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 9.1.3
(MANAGER CORPORATE GOVERNANCE,
DAVID BOOTH)
(DIRECTOR CORPORATE GOVERNANCE,
ALISON COE)

COUNCIL PLAN 2013/14 - 2016/17. MARCH 2014 QUARTERLY REVIEW

1. Executive Summary

In accordance with the requirements of the Local Government Act 1989, a quarterly report is required to be presented to Council detailing the progress against the Council Plan in that reporting period. Quarterly reports against the 2013/14 to 2016/17 Council Plan have previously been provided as part of the agenda papers for the October 2013 and February 2014 Ordinary Council Meeting.

This report continues the commitment to exceed this minimum requirement and report monthly against the Council Plan ensuring a more regular review and raised awareness of Councils progress throughout the reporting period to 30 June 2014.

This report contains details of the Key Performance Indicators (KPIs) contained within the adopted 2013-14 to 2016/17 Council Plan as at 31 March 2014. Each of the 118 identified KPIs are on target. More detail on these KPIs is included in **Attachment 1**.

A number of the identified Key Performance Indicators relate to the results of the Department of Planning and Community Development (DPCD)'s Annual Community Satisfaction Survey. The results of this Survey is not released until July 2014. Subsequently the results from this Survey are not able to be reported until 2014.

2. Discussion

Council identified a number of Key Performance Indicators for inclusion in the Council Plan.

These KPIs form the base of the Council Plan and are KPIs which have been identified by the Victorian Auditor Generals Office (VAGO) as core KPIs which will be compulsorily reported against from 2014. The identified KPIs reflect the 'core business' of Council and it is anticipated that further KPIs will be added to the Council plan as they are identified moving forward.

3. Financial Implications

This report contains no financial implications.

4. Community Consultation

Community consultation is achieved through the publishing of this report as part of Councils Agenda and also its placement on Councils website.

5. Internal Consultation

Internal consultation has been achieved through the Director of Corporate Governance, Manager of Governance, Management team and officers responsible for updating individual actions culminating in the overall review by the Corporate Management Team.

6. Legislative / Policy Implications

This report is in compliance with legislative requirements relating to progress reporting on objectives contained within the current Council Plan.

7. Environmental Sustainability

The report contains no environmental implications.

FILE NO: F13/3145
3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 9.1.3
(MANAGER CORPORATE GOVERNANCE,
DAVID BOOTH)
(DIRECTOR CORPORATE GOVERNANCE,
ALISON COE)

COUNCIL PLAN 2013/14 - 2016/17. MARCH 2014 QUARTERLY REVIEW (cont'd)

8. Conflict of Interest Considerations

There are no identified conflicts of interest with staff responsible for the compilation of this report.

9. Conclusion

This report provides an update on progress in relation in achieving the objectives of the Council Plan as at 28 February 2014.

Attachments

- 1 Council Plan Progress Report - March 2014

RECOMMENDATION

That Council receive and note the Council Plan Quarterly progress report for the period ending 31 March 2014 in relation to the adopted 2013/14 to 2016/17 Council Plan.

MOTION

CRS BRIAN KEENAN / ALEX MONK

That Council receive and note the Council Plan Quarterly progress report for the period ending 31 March 2014 in relation to the adopted 2013/14 to 2016/17 Council Plan.

(CARRIED)

FILE NO: F13/3145
3. OUR COMMUNICATIONS AND
PROCESSES

ITEM NO: 9.1.3
(MANAGER CORPORATE GOVERNANCE,
DAVID BOOTH)
(DIRECTOR CORPORATE GOVERNANCE,
ALISON COE)

COUNCIL PLAN 2013/14 - 2016/17. MARCH 2014 QUARTERLY REVIEW
(cont'd)

ATTACHMENT No [1] - Council Plan Progress Report - March 2014

<i>Strategic Goal 1. ENVIRONMENT</i>					
<i>Strategy : 1.1 Strengthen Moira's focus on the environment, environmental health and sustainability agendas by building on innovation, leading practice, education and communication for the community;</i>					
<i>Performance Measures</i>	<i>Target</i>	<i>Risk</i>	<i>Progress 31 March 2014</i>	<i>Comments</i>	<i>Department</i>
1.1.1 Annual residential waste generation (kilograms) for recycling, landfill & green waste: * Per Capital * Per residential assessment	* Less than 600 Kilograms per capita * 1000 kilograms per residential assessment	Medium	On Target	The Annual report submitted by Resource GV which includes these calculations are typically received by Council in May of each year. No issues Noted	Environment/ Operations
<i>Strategy : 1.2 Environmental Health</i>					
<i>Performance Measures</i>	<i>Target</i>	<i>Risk</i>	<i>Progress 31 March 2014</i>	<i>Comments</i>	<i>Department</i>
1.2.1 Percentage community satisfaction (index score) with waste management	65%	Medium	On Target	Reported Annually	Environment/ Operations

FILE NO: F13/3145
3. OUR COMMUNICATIONS AND
PROCESSES

ITEM NO: 9.1.3
(MANAGER CORPORATE GOVERNANCE,
DAVID BOOTH)
(DIRECTOR CORPORATE GOVERNANCE,
ALISON COE)

COUNCIL PLAN 2013/14 - 2016/17. MARCH 2014 QUARTERLY REVIEW
(cont'd)

ATTACHMENT No [1] - Council Plan Progress Report - March 2014

Strategy : 1.3 > Natural Resource Management > Environmental Sustainability programs and services					
Performance Measures	Target	Risk	Progress 31 March 2014	Comments	Department
1.3.1 Implement the Environment Sustainability Strategy and report it to Council in a timely manner	* Host 4 Advisory Committee meetings * Facilitate 6 educational activities	Med	On Target	March ESAC meeting held at Cobram Civic Centre. Bearji and Muckatan Clean Up Australia day events facilitated with road signage and waste disposal. All staff sustainability training package delivered and completed, two training sessions were held with 30 staff in attendance. Participated and presented on Moira's Climate Smart Agricultural Adaptation Project at the Eastern Green House Alliance Mini Conference in Camberwell. National Schools Tree Day preparations continue in readiness for June-July. Currently there are 14 schools registered to receive Council sponsorship. Sustainability Victoria Funding application for public place recycling program was successful.	Environment

FILE NO: F13/3145
3. OUR COMMUNICATIONS AND
PROCESSES

ITEM NO: 9.1.3
(MANAGER CORPORATE GOVERNANCE,
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(DIRECTOR CORPORATE GOVERNANCE,
ALISON COE)

COUNCIL PLAN 2013/14 - 2016/17. MARCH 2014 QUARTERLY REVIEW
(cont'd)

ATTACHMENT No [1] - Council Plan Progress Report - March 2014

<i>Strategy</i> : 1.4 Comply with legislative and regulatory obligations					
<i>Performance Measures</i>	<i>Target</i>	<i>Risk</i>	<i>Progress 31 March 2014</i>	<i>Comments</i>	<i>Department</i>
1.4.1 Compliance with EPA landfill requirements	80%	High	On Target	1 instance excess Landfill gas noted for the Cobram Landfill site, this was reported and cap was repaired.	Operations
1.4.2 Respond to native vegetation referrals within 30 days	100% referrals processed	High	On Target	Referrals and Requests are responded to within the necessary timeframes.	Environment
<i>Strategy</i> : 1.5 Lead and support Council and the community in moving towards and adopting sustainable energy options, programs and services and reducing its own environmental footprint					
<i>Performance Measures</i>	<i>Target</i>	<i>Risk</i>	<i>Progress 31 March 2014</i>	<i>Comments</i>	<i>Department</i>
1.5.1 Lead by example in preparing for and adapting to a more variable climate	100% of new or upgraded Council buildings exceed the six star rating	Med	On Target	Continuing to facilitate the coordination of Councils utility accounts. A number of accounts have been moved into the AGL corporate electricity supply account, enabling instant savings to council. Additionally every electricity invoice received by council is now having its cents per kWh rate assessed to check if additional savings can be made from consolidation of the account. CEEP WWNB project is progressing well, work is underway to attempt a bulk procurement of LED lights with another regional council. Joint procurement may be able to achieve project savings of ~\$70,000. LGEEP works are scheduled to be completed by mid-April.	Environment

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<i>Strategy : 1.5 Lead and support Council and the community in moving towards and adopting sustainable energy options, programs and services and reducing its own environmental footprint</i>					
<i>Performance Measures</i>	<i>Target</i>	<i>Risk</i>	<i>Progress 31 March 2014</i>	<i>Comments</i>	<i>Department</i>
1.5.2 Increase Councils uptake and renewable energy	Implement 100% of all renewable energy business cases demonstrating a feasible return on investment	Med	On Target	Attended the Community Renewable Energy meeting in Yackandandah as part of developing working relationships with Indigo Shire Council. Continuing to work on the VRPS partnership project with Swan Hill Rural City Council. The funding deed will be completed by mid-April.	Environment
<i>Strategy : 1.6 Reduce the environmental impacts of Council and use the communities natural resources efficiently, and protect vulnerable elements of the environment</i>					
<i>Performance Measures</i>	<i>Target</i>	<i>Risk</i>	<i>Progress 31 March 2014</i>	<i>Comments</i>	<i>Department</i>
1.6.1 Maintain or decrease environmental footprint	Councils emissions < 5000 tCO2 e per annum	High	On Target	A review of Planet Footprint membership structure will provide increased accuracy of utilities data collection. Work across the organisation continues towards improving the management processes for utilities. This is a long process and a case by case approach is working well. Potential for significant financial savings are being realised.	Environment
1.6.2 Waste Diversion from Landfill, calculated as the proportion of the overall kerbside waste stream that is recycled (includes paper, bottles and green waste) instead of being disposed to landfill	53%	Med	On Target	Continuing to work with Team Leader of Waste. Diversions from waste streams are increasing.	Environment/ Operations

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<i>Strategy : 1.7 Develop a Green Waste Strategy</i>					
<i>Performance Measures</i>	<i>Target</i>	<i>Risk</i>	<i>Progress 31 March 2014</i>	<i>Comments</i>	<i>Department</i>
1.7.1 Develop 1 Green Waste Strategy	100%	High	On Target	New timelines have been set and a Contract is in development for the bulk procurement of the infrastructure required.	Environment/ Operations
<i>Strategy : 2 Continue to plan, deliver and improve the quality, accessibility and relevance of community services, to ensure they meet current and future needs of all the demo graphic groups in Moira Shire</i>					
<i>Performance Measures</i>	<i>Target</i>	<i>Risk</i>	<i>Progress 31 March 2014</i>	<i>Comments</i>	<i>Department</i>
2.1. The Disability Action Plan be implemented and reported to Council in a timely manner	Host four Advisory Committees	Medium	On Target	Items from the adopted Disability Action Plan are in progress. Communication Access training for Customer Service is underway, website is under review to make it all abilities accessible, and Human Resources have included a statement for equal opportunity employment for those with disabilities. Disability Advisory Committee to meet this week.	Community Development

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Strategy : 2 Continue to plan, deliver and improve the quality, accessibility and relevance of community services, to ensure they meet current and future needs of all the demographic groups in Moira Shire					
Performance Measures	Target	Risk	Progress 31 March 2014	Comments	Department
2.1.2 The Positive Ageing Strategy be reviewed and report to Council in a timely manner	Complete strategy review	Low	Below target	Quote has been received and work will commence in January 2014. Report on Active Ageing Advisory group went to CMT in December, this will be investigated further. Consultant no longer available to complete strategy, this will now be done internally, currently developing the survey to distribute for consultation in late April and May.	Community Development
2.1.3 Continue to provide immunisation services within Moira	* Deliver an immunisation service in all 8 Secondary schools and the four main centres within Moira * 40% of Childhood Infant Immunisations delivered by Council's service	High	On target	The first round of school immunisation has been completed. Second round commences in May. Infant programs remain well attended with high rates of infant immunisation.	Community Services
2.1.4 Number of families participating in Parental Early Education Partnership (PEEP) support program	Increase the number of PEEP pro-grams operating from 1 (Cobram) to 2 (Cobram and Numurkah)	Low	On target	Program to be delivered in Cobram and Yarrawonga as Numurkah is already serviced. Programs commence 12 May 2014 and will be presented by Ann Dykes, Maternal and Child Health Nurse and Speech Therapists from Yarrawonga and Cobram.	Maternal and Child Health

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<p><i>Strategy : 2 Continue to plan, deliver and improve the quality, accessibility and relevance of community services, to ensure they meet current and future needs of all the demo graphic groups in Moira Shire</i></p>					
Performance Measures	Target	Risk	Progress 31 March 2014	Comments	Department
2.1.5 Provide youth focused social and sporting events	Host six events throughout the Shire	Medium	On target	FreeZa event held at Strathmerton Skate Park on 16 November 2013. 100 people attended throughout the day and utilised free jumping castle, sausage sizzle and skating workshops. National Youth Week event "Rumble in the Gums" to be held 13 April 2014 in Federation Park Cobram. Will involve live bands, skate work shop, jumping castle and market stalls.	Sport, Recreation and Youth
2.1.6 Engage with local youth	Host four Junior Council Meetings per year	Host four Junior Council Meetings per year	On target	Junior Council meeting held in Numurkah on 13 August 2013. Junior Council Celebration held 15 October 2013. The celebration was conducted at Thomson's Beach in a semi- formal format with great feedback from participants with the change from the formal sit down dinner. Well attended by parents and Councillors. First meeting for 2014 held at Ulupna Island on 25 February 2014, consisted mainly of planning for the coming year. Next meeting to be held on 29 April 2014.	Sport, Recreation and Youth

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<i>Strategic Goal 2. COMMUNITY</i>					
<i>Strategy : 2.2 Facilitate Maternal and Child Health and wellbeing</i>					
<i>Performance Measures</i>	<i>Target</i>	<i>Risk</i>	<i>Progress 31 March 2014</i>	<i>Comments</i>	<i>Department</i>
2.2.1 Proportion of infants born that receive primary immunisations	90%	Medium	On target	In June 2013, 93.51% of infants born are receiving primary immunisations (up to 15months of age).	Maternal and Child Health
2.2.2. Percentage participation of Children in the 3.5 year old maternal and child health check *No visits attended	No. visits No. records	Medium	On target	Total number of 3.5yo visits conducted in February 2014 was 16, with a total of 33 in this age group enrolled, 48%.	Maternal and Child Health
2.2.4 Percentage participation of Children in Maternal and Child Health.	Meet or exceed state average of 85%	Medium	Below target	Period 1 July 2013 - 28 February 2014 (Note new data period. Previously data collected a month in retrospect. These are performance indicators, not participation rates). Home Visit - 94% 2 week - 92% 4 week - 94% 8 week - 91% 4 months - 89% 8 months - 88% 12 months - 88% 18 months - 81% 2 years 80% 3.5 years - 75% Average - 87.2% An additional 699 consults outside of key appointments were completed that are not included in these statistics.	Maternal and Child Health

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<i>Strategy : 2.2 Facilitate Maternal and Child Health and wellbeing</i>					
<i>Performance Measures</i>	<i>Target</i>	<i>Risk</i>	<i>Progress 31 March 2014</i>	<i>Comments</i>	<i>Department</i>
2.2.6 Participation satisfaction with Moira Maternal and Child Health Service	95%	Medium	On target	Survey has been circulated electronically and via hard copy. Survey closes on 16 April 2014.	Maternal and Child Health
2.2.7 Operate a Family Day Care service within Moira Shire	Maintain at least 15 educators that provide Family Day Care	Low	On target	18 educators registered in March 2014. Promotional activities to recruit more Educators continue.	Family Day Care
<i>Strategy : 2.3 Maintain and enhance community health and wellbeing through high quality service provision and partnerships to meet the needs of the broader community</i>					
<i>Performance Measures</i>	<i>Target</i>	<i>Risk</i>	<i>Progress 31 March 2014</i>	<i>Comments</i>	<i>Department</i>
2.3.1 The Municipal Public Health and Wellbeing Plan be implemented and reported to Council in a timely manner	Host four meetings with relevant stakeholders to monitor MPHWP	Medium	On target	Plan was adopted at the November Council meeting. The Steering Committee will hold its last meeting on Monday 2 December with this being the third meeting for 2013. Meeting in December cancelled due to number of apologies received. First steering committee meeting for 2014 has been held, good attendance and productive meeting. Currently working on an annual review template with input from other Hume Region Councils and the Department of Health.	Community Development

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<i>Strategy : 2.3 Maintain and enhance community health and wellbeing through high quality service provision and partnerships to meet the needs of the broader community</i>					
<i>Performance Measures</i>	<i>Target</i>	<i>Risk</i>	<i>Progress 31 March 2014</i>	<i>Comments</i>	<i>Department</i>
2.3.2 Continue to support Moira HealthCare Alliance (MHA) in the delivery of HACCC Services	Council is an active participant on the Board of Moira Healthcare Alliance (100% meetings Councilor representative or delegate) Annual presentation by MHA to Council	low	On target	Councils Director of Corporate Governance and a Councilor attend monthly Moira Healthcare Alliance board meetings.	Community Development
<i>Strategy : 2.4 Identify, develop and action community safety initiatives addressing real and perceived safety issues</i>					
<i>Performance Measures</i>	<i>Target</i>	<i>Risk</i>	<i>Progress 31 March 2014</i>	<i>Comments</i>	<i>Department</i>
2.4.1 Support the Moira Shire Safety Committee through facilitating all meetings involving all relevant stakeholder	Host four Safety Committee meetings per year	Low	On target	Local Safety Committee meetings are scheduled based on calendar year. This year meetings will be held across the four major towns on 04 February, 01 April, 03 June, 05 August and 07 October.	Community Development

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<i>Strategy : 2.5</i> Improve community engagement, participation and effectiveness by facilitating community involvement in decision making processes					
Performance Measures	Target	Risk	Progress 31 March 2014	Comments	Department
2.5.1 Maintain and strengthen the community volunteer base	* 22 townships within Moira meet to deliver on their Community Action Plan * Deliver two volunteer skills based workshops	Medium	On target	Community Development Officers attended a number of meetings during March with Community Coordinators, and project task groups on project priorities identified in Community Action Plans. Community Plans are being developed with Numurkah and Yarrawonga now underway.	Community Development
<i>Strategy : 2.6</i> Provide quality facilities, open spaces and programs to increase participation and cater for the communities needs and interests					
Performance Measures	Target	Risk	Progress 31 March 2014	Comments	Department
2.6.1 Deliver Community Assistance and Small Grants Program	100% uptake of grant program	Low	On target	The January Small Grants Scheme has closed with 21 projects recommended for funding at a total of \$38,400. Report was passed at March Council meeting. Applicants have been notified of outcome.	Community Development
2.6.2 In partnership with the community and contracts proactively manage Councils community facilities	Increase the patronage of Council owned aquatic facilities to over 65,000 per year. 100% of Councils community facilities recorded usage and statistics	Medium	On target	67,721 - Next update to be provided June 2014.	Community Development

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<i>Strategy : 2.6</i> Provide quality facilities, open spaces and programs to increase participation and cater for the communities needs and interests					
<i>Performance Measures</i>	<i>Target</i>	<i>Risk</i>	<i>Progress 31 March 2014</i>	<i>Comments</i>	<i>Department</i>
2.6.3 Monthly audit scores of Parks measuring the quality, appearance and maintenance performance of public open space areas	Number of complaints received 20< per annum	Low	On Target	There was one complaint received during March regarding the appearance and maintenance of public open spaces. A total of five complaints have been received for 2013/14 financial year.	Operations
<i>Strategy : 2.7</i> Recognise and enhance Moira's diverse cultural and indigenous heritage through events and programs supporting the arts, traditions and history					
<i>Performance Measures</i>	<i>Target</i>	<i>Risk</i>	<i>Progress 31 March 2014</i>	<i>Comments</i>	<i>Department</i>
2.7.1 Multicultural Action Plan is reported to Council in a timely manner	Establish one new multicultural advisory committee * Review new multicultural action plan and deliver on two priorities	Medium	On target	Two strategies identified and agreed to by the committee. Implementation has commenced. Cultural Diversity Week events successfully held. Henna Workshop and Exhibition, Talking Books, and Junior World Cup were held with over 100 participants attending Cultural Diversity Week events.	Community Development
2.7.2 Maintain the sustainable relationship with the local indigenous committee through the development and support of social inclusion projects	Establish one community garden in Barnah	Medium	On target	The ACE network in conjunction with Yenbena is developing a Horticulture Certificate 1 to be delivered at Yenbena utilising the community garden.	Community Development

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<p>Strategy : 2.7 Recognise and enhance Moira's diverse cultural and indigenous heritage through events and programs supporting the arts, traditions and history</p>	<p>2.7. 3 Develop Moira Shire Arts and Culture Board</p>	<p>* One board implemented * One Strategy implemented * One Strategic Plan implemented</p>	<p>Medium</p>	<p>On target</p>	<p>MAC Inc. Chair has received no further response from CEO and Council regarding Council motion request. Draft Funding Agreement between Moira Shire and Moira Arts and Culture Inc. currently being assessed by Russell Kennedy Pty Ltd before signing. MAC Inc received Regional Arts Victoria affiliate membership which covers their public liability insurance.</p>	<p>Community Development</p>
	<p>2.7. 4 Develop a 3 year Arts and Culture Strategic Plan to steer Arts and Culture development and programs across Moira.</p>	<p>* Subject to funding * 10 Community Arts projects funded * In partnership host 8 community arts programs * Run four skill development workshops for the art community * Total attendance for all events 4120</p>	<p>Medium</p>	<p>On target</p>	<p>14 Arts and Culture Small Grants applications were assessed on 11 March 2014. Total of \$16,550 was issued to support Arts and Cultural events and projects across the Shire. One application was unsuccessful as the event had already occurred. Deborah Mills facilitated Strategic Action Planning Day is well underway for CMT and Councillor presentation on 9 May 2014 and Community Workshop Day on 10 May 2014 from 8:30am to 4pm at the Cobram Civic Centre. Agenda has been confirmed and pre workshop reading will be sent out to community organisation by 7 April 2014. Curated the Barmah Brumbies Exhibition at the Barmah Forest Heritage and Education Centre which will be on exhibit until 14 April 2014.</p>	<p>Community Development</p>

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Strategy : 2.8 Emergency Management					
Performance Measures	Target	Risk	Progress 31 March 2014	Comments	Department
2.8.1 The Municipal Emergency Management Plan be implemented and reported to Council in a timely manner	100% compliance with Emergency Management Victoria requirements	Med	On Target	The final audit of MEMP has been deferred for 6 months pending a reformat of the plan to include the latest requirements set out and recommended in the guidelines - Emergency Management Manual Victoria. The new format will include a risk assessment completed by using the newly released Community Emergency Risk Assessment (CERA) process	Environment

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Strategy 2.9 Protect the Safety and Amenity for the Community					
Performance Measures	Target	Risk	Progress 31 March 2014	Comments	Department
2.9.1 The Domestic Animal Management Plan be implemented and reported to Council in a timely manner	Domestic Animal Management Plan 100% compliant with the Victorian Government requirements	Med	On Target	March was a busy month for the Animal Adoption Program. 17 dogs and 8 cats were rehoused. The program is gaining momentum with the number of animals successfully rehoused continuing to increase. Statistics collated at the end of March 2014 indicate that in the last 12 months, approximately 87% of dogs have either been reclaimed by their owners or rehoused through the animal adoption program. Security Fencing has been erected. The upgrade up of the dog pens and floor are due to commence 31/03/2014. Cattle enclosure materials have been sourced and will be erected at a later date.	Safety and Amenity
2.9.2 Respond to complaints received regarding to Moira Shire Local Laws	100% responses processed	Med	On Target	Officers continue to attend to complaints received from the public in a timely manner. All requests received to date have been assigned to an action officer and responded to within the required timeframe	Safety and Amenity

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Strategy 2.10: Regulation and Public Safety					
Performance Measures	Target	Risk	Progress 31 March 2014	Comments	Department
2.10.1 Attend and undertake inspections at market and Agricultural Show venues within the Shire	100% venues inspected	Med	On Target	No markets/fetes inspected this month due to absence of Team Leader and consequently EHO's extra workload.	Environmental Health
2.10.2 Respond to nuisance complaints and report to Council annually the nature and frequency of nuisance complaints	100% applications processed	Med	On Target	Complaints are attended to as they are received.	Environmental Health
2.10.3 Process all applications for septic tank installations	100% applications processed	High	On Target	All applications are allocated to each officer in their particular area and are processed as quickly as possible.	Environmental Health
2.10.4 Number of registered premises receiving one full compliance assessment annually in accordance with the Health and Food Acts	100%	Med	On Target	These inspections have not commenced. Due to Team Leader being absent for some months, EHO's are only able to concentrate on completing their statutory requirements eg inspecting every food premises once per annum. When the Team Leader resumes duties, these inspections will be carried out.	Environmental Health
2.10.5 All registered premises inspected prior to the renewal of their registration including compliance enforcement as needed	100% premises inspected	High	On Target	All Food Premises have been inspected for this renewal period, preparation for the coming period have begun.	Environmental Health

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<i>Strategic Goal 3. DEVELOPMENT (LIVEABILITY)</i>						
<i>Strategy 3.1 Land use, planning and building</i>						
<i>Performance Measures</i>	<i>Target</i>	<i>Risk</i>	<i>Progress 31 March 2014</i>	<i>Comments</i>	<i>Department</i>	
3.1.1 Percentage of building permits determined within 30 days	100%	Medium	On target	100% to date	Planning and Building	
3.1.2 Number of planning applications: * Received * Decided	Maintain 2012/13 statistics	Low	On target	25 Received, 24 completed	Planning and Building	
3.1.3 Number decisions appealed to VCAT	Maintain 2012/13 statistics	Low	None		Planning and Building	
3.1.4 Percentage of planning applications decided during year by: * Council * Officers under delegations	Maintain 2012/13 statistics	Low	On target	234 (87%)	Planning and Building	

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Strategy 3.2 Development and Planning					
Performance Measures	Target	Risk	Progress 31 March 2014	Comments	Department
3.2.1 Percentage of planning applications processed within 60 days statutory timeframes	95%	Medium	Below target	67.74% due to complexity of applications in system	Planning and Building
3.2.2 Median processing days (gross) for planning applications	80% gross days	Low	Below target	44.5 days (50%) due to complexity of applications	Planning and Building
3.2.3 Percentage of appeals determined by VCAT in favour of Council	50%	Low	Above target	No VCAT determinations for the current month	Planning and Building
3.2.4 Community satisfaction ratings for performance compared to similar councils: * Town Planning * Planning and Building permits approvals	55%	Medium	On target	Rating for this measure will be collated at end of year	Planning and Building

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Strategy 3.3 Community Inclusion					
Performance Measures	Target	Risk	Progress 31 March 2014	Comments	Department
3.3.1 Number of Groups applied for Community Grants	>60	Low	On target	To date in the 2013/14 financial year we have undertaken all three of the Community Grant Rounds. Council received 33 grant applications for the Community Assistance Grants Scheme. Council approved to fund 15 of these projects totalling \$119,640. Council received 40 grant applications for the August Small Grants Scheme. Council approved to fund 20 of these projects totalling \$39,100. Council received 37 applications for the January Small Grants Round totalling \$68,550 for funding. 21 projects recommended for funding went to the March Council meeting and was passed. Applicants have been notified of outcomes.	Community Development
3.3.2 Value of recurrent grants provided to the Moira Shire	\$5,000,000	Medium	On target	Recurrent Funding has commenced for the 2013/14 financial year.	Community Development

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Strategy 3.4 : Tourism, that Council provides accredited visitor Services in Yarrawonga, Cobram, Numurkah and Nathalia						
Performance Measures	Target	Risk	Progress 31 March 2014	C Comments	Department	
3.4.1 Visitor attendance numbers at Information Centres: Yarrawonga, Cobram, Numurkah, Nathalia	Yarrawonga 2013:85000 2014:90000 Cobram 2013: 72000 2014: 78000 Numurkah 2013: 6000 2014: 6600 Nathalia 2013:10000 2014:13000	Low	On target	Yarrawonga Mulwala 11464 Cobram Barooga 11314 Nathalia 717 Numurkah 474	Tourism	
3.4.2 Service standards in the Visitor Information Centres through mystery shopper audits	84%	Low	Not yet started	With the cessation of Sun Country on the Murray this action will be reviewed under the new structure	Tourism	
3.4.3 Develop a three year (2013 to 2016) Destination Management Plan in consultation with Moira Shire Council and the community	That the Sun Country on the Murray Inc. 3 Year Destination Management Plan Action Items are completed and progress reports presented to Council on an annual basis	Medium	Complete	A new 3 year Plan has been developed. Consultation with Local Tourism Association members in Yarrawonga, Cobram, Numurkah and Nathalia as well as a strategic workshop with Councilors was undertaken before adoption of the plan by the Sun Country on the Murray Board.	Tourism	

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Strategy 3. 4: Tourism, that Council provides accredited visitor Services in Yarrawonga, Cobram, Numurkah and Nathalia					
Performance Measures	Target	Risk	Progress 31 March 2014	Comments	Department
3.4.4 Sun Country on the Murray develops Annual Business and Marketing Plans	<p>* That the actions outlined in the Sun Country on the Murray Annual Business and Marketing Plans are completed and reported to Council in a timely manner.</p> <p>* Sun Country on the Murray must address at least 80% of the action items in the plan</p>	High	Not yet started	With the cessation of Sun Country on the Murray this action will be reviewed under the new structure	Tourism
Strategy 3. 5: Tourism, that Council provides accredited visitor Services in Yarrawonga, Cobram, Numurkah and Nathalia					
Performance Measures	Target	Risk	Progress 31 March 2014	Comments	Department
3.5.1 Sun Country on the Murray partners with Local Tourism Associations and individual businesses in the promotion and marketing of the region	That Sun Country on the Murray Inc. sources financial contributions from the industry that represents 25% of annual income	Medium	Not yet started	With the cessation of Sun Country on the Murray this action will be reviewed under the new structure	Tourism
3.5.2 Sun Country on the Murray con- ducts the ongoing familiarisation program for tourism staff and tourism ambassadors (volunteers)	Familiarisations tours are under- taken at least 4 times a year. Staff participate at least twice. Volunteers participate at least once	Low	Not yet started	With the cessation of Sun Country on the Murray this action will be reviewed under the new structure	Tourism

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Strategy 3.5: Tourism, that Council provides accredited visitor Services in Yarrowonga, Cobram, Numurkah and Nathalia					
Performance Measures	Target	Risk	Progress 31 March 2014	Comments	Department
3.5.3 Sun Country on the Murray conducts industry training opportunities	At least three training/forum opportunities are offered annually	Low	Not yet started	With the cessation of Sun Country on the Murray this action will be reviewed under the new structure	Tourism
Strategy 3.6: Library Services					
Performance Measures	Target	Risk	Progress 31 March 2014	Comments	Department
3.6.1 Percentage of residents who are active borrowers	* 30% * 70,000 visits * 100,000 website visits	Medium	On target	Based on 2011 census population of 28,435, 30% of residents are active members of library service as at November 2013. As of January 2014 there were 167 new members recorded at the library services across the Shire, with a slight decrease in visits over the festive season.	Community Development
Strategy 3.7: Support and Promote participation in Council's training and development initiatives for local businesses by delivering a comprehensive training program					
Performance Measures	Target	Risk	Progress 31 March 2014	Comments	Department
3.7.1 Number of participants in Council's training activities	400	Low	55% 262 participants year to date	Tourism Expo – 38 Bus Plan – 9 Business Plan Program - 12 EDS Consultation w/shops - 45 Business Scholarship - 13 StreetLife - 125 (across Moira/Campaspe/Shepparton) On-Line Strategy - 20	Economic Development
3.7.2 Percentage of users/businesses satisfied with training and support initiatives for local businesses	0.8	Low	95%	Data sourced from an exit survey from training conducted.	Economic Development

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Strategic Goal 3. DEVELOPMENT (LIVEABILITY)						
Strategy3. 8 : Investment Attraction						
Performance Measures	Target	Risk	Progress 31 March 2014	Comments	Department	
3.8.1 Level of support to businesses investing/considering investment in Moira Shire	50 Investors	Medium	70% 35 Businesses	Varying degrees of interest across these businesses. Increasing interest by local investors/ business developers	Economic Development	
Strategy3.9 : Business Roundtables with businesses and Councillors						
Performance Measures	Target	Risk	Progress 31 March 2014	Comments	Department	
3.9.1 Conduct roundtables in key towns for 2013/14	Four round tables	Low	75% 2 Round tables held to this time.	1st - 15 businesses participated 2nd - 35 businesses participated 3rd - 10 Businesses participated	Economic Development	
Strategy3.10: Strategic Alliances						
Performance Measures	Target	Risk	Progress 31 March 2014	Comments	Department	
3.10.1 Develop strategic alliances with key government and business agencies and organisations	* 6 Government * 10 business	Low	100% 7 Government and 8 business alliances created	Government - DBI, RDV, DEPI, Invest Victoria, EPA, CASA, ABARES, Austrade, Business - VECCL, EDA, Murray Dairy, VPAGA, Fruit Growers Victoria, Riverine Plains, Dairy Australia, Murray Now, Murray Regional Tourism Association	Economic Development	

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Strategy 3.11: Commercial Development					
Performance Measures	Target	Risk	Progress 31 March 2014	Comments	Department
3.11.1 Assess the potential for commercial development of Council controlled assets	6 Assessments	Medium	66%	Assessments completed for the Yarrawonga Aerodrome and Yarrawonga Caravan Park Truck washes at Cobram and Yarrawonga CBA completed	Economic Development
Strategy 3.12: Upkeep of Council Assets					
Performance Measures	Target	Risk	Progress 31 March 2014	Comments	Department
3.12.1 Percentage of graffiti removed from Council owned assets within 48 hours of notification	95%	Medium	On Target	There were three requests received for graffiti removal during March all attended to within the set timeframes. A total of 17 requests for the removal of graffiti have been received in the 2013/14 financial year.	Operations

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<i>Strategic Goal 4. ORGANISATION</i>					
<i>Strategy 4.1 INFORMATION SERVICES Efficiency and service delivery to support business processes and information sharing reduced costs and increase service effectiveness</i>					
Performance Measures	Target	Risk	Progress 31 March 2014	Comments	Department
4.1.1 100% completion of IT Strategy	100% completion of IT strategy	Medium	On Target	<p>7 of 7 projects underway.</p> <p>Aerial photography - Delivery complete. Negotiating with supplier in regards to quality issues.</p> <p>Telephone system upgrade - Project team selected. Current discussions looking at 15/16 implementation (budget)</p> <p>Maternal and Child Health software upgrade - on hold due to State Government development project. Tender being prepared by MAV/State Gov.</p> <p>Wireless install - complete in main administration building and cabling for Executive office and Cobram Council Chambers. Wireless to be completed July 14.</p> <p>Mobile computing - see 4.1.3 for update.</p> <p>Intranet development still progressing.</p> <p>WCAG requirements for website - upgrade of website added to budget for 14/15. Upgrade includes WCAG to AA standard.</p> <p>Mobile website - responsive design component of upgraded website added to budget for 14/15.</p>	Information Technology

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Strategy 4:1 INFORMATION SERVICES Efficiency and service delivery to support business processes and information sharing reduced costs and increase service effectiveness					
Performance Measures	Target	Risk	Progress 31 March 2014	Comments	Department
4.1.2 Improve data quality and work flow between building, property and planning areas through a fully integrated IT platform (CIVICA) ensuring easy electronic retrieval of key/information	100% completion if CIVICA implementation	Medium	On Target	Contract for consultancy onsite signed. Workflows and priority issues documented.	Information Technology/ Building and Planning
4.1.3 Develop and implement mobile computing technologies	80%	Low	On Target	Wireless install complete Building dept. business case for solution for inspections and mobile access to email / calendar being developed.	Information Technology
Strategy 4:1 INFORMATION SERVICES Efficiency and service delivery to support business processes and information sharing reduced costs and increase service effectiveness					
Performance Measures	Target	Risk	Progress 31 March 2014	Comments	Department
4.1.4 Upgrade the human resources and payroll technology to improve functionality	100% implementation of payroll, HR modules and kiosk	Medium	On Target	Project scheduled for completion July 14.	Information Technology/ Human Resources

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Strategy 4.2 HUMAN RESOURCES Ensure Council's workforce is skilled, responsive, has high job satisfaction and is capable of providing quality customer orientated services and programs to Moira's communities and ratepayers.					
Performance Measures	Target	Risk	Progress 31 March 2014	Comments	Department
4.2.1 Develop practical policies and procedures and staff training program reflecting legislative, regulatory and staff requirements	As required	Low	On Target	Policies and procedures are being developed. The organisational development strategy (People Plan) has been developed. Includes learning & development strategy (staff training programs).	Human Resources
4.2.2 Develop an Organisational Development Strategy to ensure the sustainability of the organisation	100% development and implementation of Strategy and training program				Human Resources
4.2.3 Develop and implement integrated Performance Management System	100% development and implementation of system	Low	On Target	KPI's have been developed and rolled out. HR are scoping from best practice models. On track to meet target.	Human Resources
4.2.4 Develop and deliver Stage 2 of Organisation Review	100% complete	Low	Complete	All positions within Stage 2 of restructure have been filled.	Human Resources
4.2.5 Staff Performance reviews completed	100% complete	Low	On Target	The new performance review system commenced. Will be utilising human resources technology to improve process.	Human Resources

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Strategy 4.3 Ensure a safe workplace for all employees by embedding new Occupational Health and Safety (OHS) policies and procedures, OHS training and development programs					
Performance Measures	Target	Risk	Progress 31 March 2014	Comments	Department
4.3.1 Number of workplace/site OHS inspections undertaken	100%	Medium		No workplace inspections	Human Resources
4.3.2 WorkCover Indicative Performance Rate	<1.0	Medium		<1.0	Human Resources
4.3.3 WorkSafe Insurance Premium Rate	<1.8	Medium		<1.8	Human Resources
Strategy 4.3 Ensure a safe workplace for all employees by embedding new Occupational Health and Safety (OHS) policies and procedures, OHS training and development programs					
Performance Measures	Target	Risk	Progress 31 March 2014	Comments	Department
4.3.4 Lost Time Injury Frequency Rate	100%	Medium		This rate is calculated at the end of the reporting period.	Human Resources
Strategy 4.4 FINANCIAL MANAGEMENT Ensure Council plans and resources, records and budget systems are maintained and managed sustainably					
Performance Measures	Target	Risk	Progress 31 March 2014	Comments	Department
4.4.1 Prepare the Annual Budget and Strategic Resource Plan in line with statutory requirements and within a financial sustainability framework for consideration by Council by 30 June 2013	100%	High	complete	Annual budget, incorporating Strategic Resource Plan adopted by Council 24 June 2013.	Finance

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Strategy 4.5 Provide customer-focused financial management processes, budget systems and valuation practices in accordance with professional standards and legislative requirements					
Performance Measures	Target	Risk	Progress 31 March 2014	Comments	Department
4.5.1 Attain VAGO financial ratios as part of annual budget process	100%	High	complete	VAGO Indebtedness ratio calculated at 43.36% for the 2012/2013 financial year.	Finance
4.5.2 Complete the Annual Financial Statements for the year ended 30 June 2013 with full audit clearance by the legislated time frame	100%	High	complete	Annual Financial Statements have been audited and have been forwarded to VAGO as part of preparations of the 2012/2013 Annual Report.	Finance
4.5.3 Budgeted adjusted working capital ratio or as per the 2012-13 adopted budget	100%	High	on target	Forecast budget to be adjusted at next review.	Finance
Strategy 4.6 Rates Revenue Generation					
Performance Measures	Target	Risk	Progress 31 March 2014	Comments	Department
4.6.1 \$M collected	\$25.327M	High	on target	Includes Rates raised of \$22.96M	Finance
4.6.2 Rating strategy to be delivered as per legislative requirements	Development and Delivery of 1 Rating Strategy	High	complete	Rating strategy adopted by Council in April 2013.	Finance

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<i>Strategic Goal 4. ORGANISATION</i>					
Strategy 4.7 COMMUNICATIONS AND ENGAGEMENT Improve Council information, accessibility through effective use of communication and media and ensure services are continuing to meet community expectations and demonstrating a culture of engagement					
Performance Measures	Target	Risk	Progress 31 March 2014	Comments	Department
4.7.1 DPCD Customer Service Survey/ Moira Internal Survey	75%	Low	On target		Governance
4.7.2 Deliver effective, timely communication of Council services, activities and scope future needs and methods through Communication Strategy	Communications and engagement Strategy delivered	Medium	On target		Governance
Strategy 4.8 Provide snapshots of community views on emerging issues by establishing a community 'pulse' email panel of 1,000 - 2,000 people with an interest in Moira					
Performance Measures	Target	Risk	Progress 31 March 2014	Comments	Department
4.8.1 Number of members on the community 'pulse' email panel	>1,000	Low	Not yet started	Will be replaced by social media platforms	Governance

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<i>Strategy 4.9</i> Encourage higher levels of young people's engagement in Council's activities through enhanced targeted communication via social media					
Performance Measures	Target	Risk	Progress 31 March 2014	Comments	Department
4.9.1 Website quality and accessibility assessed through independent user survey	70%	Low	On Target		Governance
4.9.2 Develop and implement integrated Communications Strategy focusing on electronic communications, publications	1 strategy 100% completed	Low	On Target		Governance
<i>Strategy 4.10</i> CUSTOMER SERVICES Ensure excellent customer service by reducing the waiting time for ratepayers and other community members to councils customer centres and services					
Performance Measures	Target	Risk	Progress 31 March 2014	Comments	Department
4.10.1 Average time after-hours callers wait before their call is answered	<25 seconds	Medium	On Target		Governance

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<i>Strategic Goal 4. ORGANISATION</i>					
<i>Strategy 4.10 CUSTOMER SERVICES Ensure excellent customer service by reducing the waiting time for ratepayers and other community members to councils customer centres and services</i>					
Performance Measures	Target	Risk	Progress 31 March 2014	Comments	Department
4.10.2 Percentage of customer service enquiries resolved on first call	85%	Medium	On Target		Governance
4.10.3 Percentage satisfaction of after- hours callers with the quality of information and service received	70%	Low	On Target		Governance
4.10.4 Customer service responsiveness assessed through external and internal user surveys	90%	Medium	On Target		Governance

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Strategic Goal 5. INFRASTRUCTURE

Strategy 5: CAPITAL WORKS In support of services delivered to our communities, undertake our annual capital works program including:

- Roads
- Drains studies/plans
- Building
- Park & gardens
- Footpaths
- Kerbs and channels

Performance Measures	Target	Risk	Progress 31 March 2014	Comments	Department
5.1 Percentage of completed capital works infrastructure projects completed at the conclusion of the financial year (based on number of projects)	95%	Low	On Target	To be calculated at end of year	Infrastructure Planning and Design
5.1.2 Civic Mutual Plus (Overall score) compliance with Road Management Plan	80%	Medium	On Target	To be calculated at end of year	Infrastructure Planning and Design

Strategy 5.2 ASSET MANAGEMENT

Performance Measures	Target	Risk	Progress 31 March 2014	Comments	Department
5.2.1 Percentage of Council assets at intervention level (MAV STEP PROGRAM)Composite (roads, bridges & pathways, buildings & Drains)	70%	Low	On Target	To be calculated at end of year	Asset Management

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Strategy 5.3 ASSET RENEWALS					
Performance Measures	Target	Risk	Progress 31 March 2014	Comments	Department
5.3.1 Condition based renewal gap - \$ spent on renewal divided by what \$ were required to be spent for period "MAV STEP program"> Composite (roads, bridges and pathways, buildings & drains	65%	High	On Target	To be calculated at end of year	Operations
5.3.2 Local Roads renewed	* 6% resurfaced as % of total sealed network * 0.5% Reconstructed total sealed road network. (Asset reconstructed when reaching level8) * Re-sheeted as 5% of total gravel road network	High	On Target	* Resurfacing works for the 2013/14 financial year have been completed with a total of 56kms resurfaced. * Resheeting works have been completed for 2013 with further works planned for May and June 2014. 45 kilometres of road (53 road sections) have been re-sheeted from July to October 2013, which is 69% of the works programmed for the financial year. * The 2013 Shoulder Resheeting program was completed on the 20 December 2013 with 13.6kms (27.2km both sides) of road shoulders resheeted.	Operations
5.3.3 Community satisfaction (index score) with conditions & maintenance of municipal roads, streets, footpaths (CSS)	85%	Low			Infrastructure / Asset Management / Operations

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Strategic Goal 5. INFRASTRUCTURE					
Strategy 5.4 FACILITIES AND AMENITY MANAGEMENT					
Performance Measures	Target	Risk	Progress 31 March 2014	Comments	Department
5.4.1 Civic Mutual Plus overall score for management of sporting reserves	>50	Medium	On target	Results for 2013 show a score of 69, an increase against the average for Large Rural Shires, which was 67. Update to be provided in 2014.	Community Development
5.4.2 Community satisfaction (index score) with: * Recreational facilities * Appearance of public areas	Number of complaints <20	Low	On target	Council has received 2 complaints in recent months. One has been dealt with in relation to a staff member, the other to be dealt with in the March Monthly contract meeting to be held 27 March 2014.	Community Development/ Operations

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<i>Strategic Goal 6. GOVERNANCE</i>					
<i>Strategy 6.1 Ensure responsible resource management and ongoing adherence to good governance by ensuring completion of the annual internal audit plan</i>					
Performance Measures	Target	Risk	Progress 31 March 2014	Comments	Department
6.1.1 Percentage completion for annual internal Audit plan	100%	Medium	On Target	2013/2014 Internal Audit Plan consists of an Inventory Management Audit and a Long Term Viability Audit. The Inventory management Audit was conducted in October 2013 and a Contracts Audit in January 2014. The Long Term Viability Audit is yet to be confirmed.	Governance
6.1.2 Percentage completion of all scheduled external audits	100%	High	Complete	The Independent Audit of 2012/2013 financial and performance statements was completed and signed off by the Victorian Auditor General's Office (VAGO) on 23 October 2013. These audit reports were included as part of the 2012/13 Annual Report and presented to Council at its ordinary meeting on 18 November 2013.	Governance

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Strategy 6.2: Enhance Councils management of electronic records in line with Public Records Office requirements (revising archiving procedures and provide ongoing user training and system improvements)					
Performance Measures	Target	Risk	Progress 31 March 2014	Comments	Department
6.2.1 Percentage of electronic management systems actions completed within service charter timeframes	95%	Low	On Target	Reporting frameworks from TRIM on service delivery timeframes is currently being finalised.	Governance
6.2.2 Instruments of Delegation to Council staff renewed biannually and updated upon receipt of legal advice	100%	High	On Target	Instruments from Council to the CEO and to Council Staff have been reviewed following legal advice and completion of the organisational restructure. Report on reviewed instruments was adopted at the 18 November Council meeting. Sub Delegations of CEO to Staff was signed by the CEO in February 2014.	Governance
Strategy 6.3: Enhancing Councils management and response times processing FOI requests are met					
Performance Measures	Target	Risk	Progress 31 March 2014	Comments	Department
6.3.1 Percentage of Freedom of Information Requests responded to within prescribed timeframes	100%	Medium	On Target	Three (3) Freedom of Information request received and a response provided within the prescribed timeframe.	Governance

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<i>Strategy 6.4 : Ensure strategic and operational risks are appropriately managed to protect Council and the community by updating and implementing Council's Risk Management Strategy</i>					
Performance Measures	Target	Risk	Progress 31 March 2014	Comments	Department
6.4.1 Percentage completion of Risk Management Framework (7 elements)	100%	Medium	On Target	The 7 elements of the Victorian Government Risk Management Framework are well established in Council's operations. Review and refinement of these elements are ongoing.	Governance
6.4.2 Quarterly updating of Council's Risk Management Register presented to the Audit Committee/ Council	Quarterly (4) per annum	High	On Target	Council's Risk Management Register was updated and reported to the Internal Audit committee of 25 July 2013 and 30 January 2014. Minutes from these Internal Audit committee meeting were reported to Council at subsequent Ordinary meetings.	Governance

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Strategy 6.5: Prepare Council's Annual Report 2012-13 as an accurate and transparent record of the year and submit to the Minister for Local Government by 30 September 2013					
Performance Measures	Target	Risk	Progress 31 March 2014	Comments	Department
6.5. Annual Report presented to Council by 30 September 2013	1 Report to Council by 30 September 2013	High	Complete	The 2012/13 Annual report was included in the November Ordinary meeting agenda and noted by Council. A copy has been forwarded to the Minister, distributed to service centres and made available on Council's website.	Governance
6.5.2 Annual Report to Minister for Local Government by 30 September 2013	1 Annual Report completed & delivered by 30 September 2013	High	Complete	The Moira Shire 2012/13 Annual Report was lodged with Minister for Local Government on 25 October 2013. Council noted the 2012/13 Annual Report at its ordinary meeting on 18 November 2013. The 30 September 2013 deadline was not met.	Governance

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ITEM NO: 9.1.4
(EXECUTIVE SUPPORT OFFICER,
ELIZABETH COX)
(DIRECTOR CORPORATE GOVERNANCE,
ALISON COE)

COUNCIL MEETING SCHEDULE

1. Executive Summary

The Council Meeting schedule for 2014 was approved at the Ordinary Council Meeting in December 2013. However the St James Hall is set to be officially opened on Thursday 29 May 2014 and therefore the Council Meeting cannot be held at the St James Hall on Monday, 19 May 2014.

The recommendation proposes that Council change the venue for Monday, 19 May (Waaia) and Monday, 17 November 2014 (St James). Under Part 3, Section 8(1) of Council's Meeting Procedures Local Law 2007 (No. 1 of 2007 amended 22 July 2008) Council is required to set the date, time and place for Council Meetings.

2. Discussions

Council meetings are held typically on the third Monday of each month, with meetings commencing at 6:00 pm. The public are invited to the meeting, unless closed pursuant to Section 89(2) of the Local Government Act 1989.

89(2) A Council or special committee may resolve that the meeting be closed to members of the public if the meeting is discussing any of the following –

- (a) personnel matters;*
- (b) the personal hardship of any resident or ratepayer;*
- (c) industrial matters;*
- (d) contractual matters;*
- (e) proposed developments;*
- (f) legal advice;*
- (g) matters affecting the security of Council property;*
- (h) any other matter which the Council or special committee considers would prejudice the Council or any person;*
- (i) a resolution to close the meeting to members of the public.*

In 2012 the current Council decided to include smaller towns as part of the 2013 schedule, as there was a significant increase in attendance in particular from smaller communities. A Council Meeting has yet to be held in St James and Waaia.

3. Financial Implications

Council meeting expenses are included in the adopted budget. The meeting expenses include:

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

The budget amount for 2013/2014 is: \$25,000. To date this financial year \$5716.00 has been spent.

4. Community Consultation

An Ordinary meeting of Council forms part of Council's commitment to community engagement. The opportunity, as part of the Ordinary meeting agenda for questions from the gallery has been effective in enabling local issues to be raised where this may not always have been the case with

FILE NO: 120.06.0003
3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 9.1.4
(EXECUTIVE SUPPORT OFFICER,
ELIZABETH COX)
(DIRECTOR CORPORATE GOVERNANCE,
ALISON COE)

COUNCIL MEETING SCHEDULE (cont'd)

a centralised meeting schedule. 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. No person may submit more than two (2) questions at any one (1) meeting.

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

5. Internal Consultation

Internal consultation has been held between Community Development Officers, Manager Governance and Director Corporate Governance.

6. Legislative / Policy Implications

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

7. Environmental Sustainability

There is a carbon footprint left whenever meetings require travel. Councillors and Officers car pool where possible to reduce the amount of cars travelling to one location. There is also the effects of the community travelling less because the meetings are more localised.

8. Conflict of Interest Considerations

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

9. Conclusion

That Council change the venue for Monday, 19 May Council Meeting to Waaia Hall; and change the venue for Monday, 17 November Council Meeting to St James Hall.

Attachments

- 1 Council Meeting Schedule 2014 Monday

RECOMMENDATION

That Council:

1. Change the venue for Monday, 19 May Council Meeting to Waaia Hall; and change the venue for Monday, 17 November Council Meeting to St James Hall.
2. This is Pursuant to Part 3, Section 8(1) of Local Law No. 1 (No. 1 of 2007 amended 22 July 2008) set the date, time and place of Council meetings as detailed in the attached Council Meeting Schedule for 2014.

FILE NO: 120.06.0003
3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 9.1.4
(EXECUTIVE SUPPORT OFFICER,
ELIZABETH COX)
(DIRECTOR CORPORATE GOVERNANCE,
ALISON COE)

COUNCIL MEETING SCHEDULE (cont'd)

MOTION

CRS KEVIN BOURKE / DON MCPHEE

That Council:

1. Change the venue for Monday, 19 May Council Meeting to Waaia Hall; and change the venue for Monday, 17 November Council Meeting to St James Hall.
2. This is Pursuant to Part 3, Section 8(1) of Local Law No. 1 (No. 1 of 2007 amended 22 July 2008) set the date, time and place of Council meetings as detailed in the attached Council Meeting Schedule for 2014.

(CARRIED)

FILE NO: 120.06.0003
3. OUR COMMUNICATIONS AND
PROCESSES

ITEM NO: 9.1.4
(EXECUTIVE SUPPORT OFFICER,
ELIZABETH COX)
(DIRECTOR CORPORATE GOVERNANCE,
ALISON COE)

COUNCIL MEETING SCHEDULE (cont'd)

ATTACHMENT No [1] - Council Meeting Schedule 2014 Monday

COUNCIL MEETING SCHEDULE - 2014

Ordinary Council Meetings will commence at 6.00pm on the following dates and locations for 2014.

DATE	VENUE
Monday 17 February 2014	Council Chambers Cobram Civic Centre, Punt Road, Cobram
Monday 17 March 2014	Wunghnu Recreation Reserve Carlisle Street, Wunghnu
Tuesday 22 April 2014	Yarroweyah Hall Murray Valley Highway, Yarroweyah
Monday 28 April 2014 Special Meeting to approve Proposed Budget 2014/15	Council Chambers Cobram Civic Centre, Punt Road, Cobram
Monday 19 May 2014	Waaia Hall, Waaia Bearii Road, Waaia
Tuesday 10 June 2014 Special Meeting to hear Budget Submissions	Council Chambers Cobram Civic Centre, Punt Road, Cobram
Monday 23 June 2014 Adopt Budget at Ordinary Meeting	Council Meeting Room 99 Melville Street, Numurkah
Monday 21 July 2014	Dancocks Room Community Centre, Robertson Street, Nathalia
Monday 18 August 2014	Katunga Recreation Reserve and Community Centre Carter Street, Katunga
Monday 15 September 2014	Council Meeting Room Tungamah Community Centre, Middleton Street Tungamah
Monday 20 October 2014	Invergordon Community Hall, Batey Drive, Invergordon
Wednesday 5 November 2014 Special Meeting – Mayoral Election	To be confirmed
Monday 17 November 2014	St James Hall, St James
Monday 8 December 2014	Town Hall Belmore Street, Yarrawonga

FILE NO: 100.01.0001
3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 9.1.5
(PERSONAL ASSISTANT TO CEO, ROBYN
BONADDIO)
(ACTING, CHIEF EXECUTIVE OFFICER,
PETER BERTOLUS)

SUPPORT OF THE STATE COUNCIL MOTION SUBMITTED BY CAMPASPE SHIRE

1. Executive Summary

MAV State Motions must be submitted by one Council however may be supported by other Councils. The Council submitting the motion needs to supply written confirmation from any Council listed as supporting the motion.

The motion submitted by Campaspe is additionally supported by the Murray River Group of Councils, comprising of Mildura Rural City, Swan Hill Rural City, Gannawarra Shire, Campaspe Shire Loddon Shire, Moira Shire Council.

2. Discussion

The rationale behind the motion is the SES undertakes a wide variety of roles including response to flood, severe storms, earthquakes, road accident rescue as well as search and rescue, and since 2005 has been recognised under the Victorian State Emergency Service Act 2005 as a statutory authority.

There has been a long standing agreement with the State Government in relation to the funding of the SES, pre dating its recognition as a statutory authority. This arrangement can be summarised as follows;

- In 1989 the Municipal Association of Victoria (MAV) entered into an agreement with the State Government, on behalf of member Councils, to support local SES units.
- The agreement was that the State would increase its funding level for each SES unit from \$500 to \$2500 if this was match on a \$ for \$ basis by local government.
- There was no allowance for any annual increments or sunset clause within the agreement. Over time the amount of matching funds has increased.
- The MAV have indicated to Council (30 August 2013) that municipalities are not bound by the funding agreement following an increase in State funding in 2009 for the SES and that Councils are not expected to match as per the terms of the agreement.

It is fully recognised that the SES is currently under resourced and has difficulty attracting funding to provide fundamental ongoing operations including equipment replacement, building maintenance and community education programs.

FILE NO: 100.01.0001
3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 9.1.5
(PERSONAL ASSISTANT TO CEO, ROBYN
BONADDIO)
(ACTING, CHIEF EXECUTIVE OFFICER,
PETER BERTOLUS)

SUPPORT OF THE STATE COUNCIL MOTION SUBMITTED BY CAMPASPE SHIRE (cont'd)

To enable the authority to undertake education program, it must seek specific grants to do so.

In some cases SES units have some vehicles that are government owned and registered and other vehicles that are unit owned and registered. This approach is inconsistent, inefficient and confusing for the SES and its partners.

Due to the uncertain nature of its operational funding, the SES believes it is not in a position to take on the responsibility of building maintenance on the infrastructure its units occupy and subsequently does not wish to own these assets. This position has meant that Local Government has had an expectation that it will own and maintain this infrastructure on behalf of State based agency.

There is a need to treat all emergency services equally, in view of all being recognised as response agencies under the Act.

All are currently predominantly funded by the State without contribution from local government, except for the SES.

3. Financial Implications

There are no financial implication considerations associated with this report.

4. Community Consultation

There are no community consultation considerations associated with this report.

5. Internal Consultation

There are no internal consultation considerations associated with this report

6. Legislative / Policy Implications

The Victorian State Emergency Service Act 2005

7. Environmental Sustainability

There are no environmental sustainability considerations associated with this report.

8. Conflict of Interest Considerations

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

9. Conclusion

The SES and volunteer members provide outstanding contribution to their respective community's and it is essential that the SES be self-sufficient so that it can fulfil its role as a lead agency in flood, storm and earthquake emergencies.

Attachments

Nil

FILE NO: 100.01.0001
3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 9.1.5
(PERSONAL ASSISTANT TO CEO, ROBYN
BONADDIO)
(ACTING, CHIEF EXECUTIVE OFFICER,
PETER BERTOLUS)

**SUPPORT OF THE STATE COUNCIL MOTION SUBMITTED BY CAMPASPE SHIRE
(cont'd)**

RECOMMENDATION

That:

1. Council supports the Campaspe Shire's State Motion of; "That in acknowledging the outstanding contribution of local SES units and volunteer members in the service of their respective community's the MAV advocate for the SES to be self-sufficient so that it can fulfil its role as a lead agency in flood, storm and earthquake emergencies. This would involve the SES being fully funded by the State Government and not reliant on individual Councils across the state to support them with financial contribution or facilities."
2. Provides written confirmation of this support.

MOTION

CRS BRIAN KEENAN / ED COX

That:

1. Council supports the Campaspe Shire's State Motion of; "That in acknowledging the outstanding contribution of local SES units and volunteer members in the service of their respective community's the MAV advocate for the SES to be self-sufficient so that it can fulfil its role as a lead agency in flood, storm and earthquake emergencies. This would involve the SES being fully funded by the State Government and not reliant on individual Councils across the state to support them with financial contribution or facilities."
2. Provides written confirmation of this support.

(CARRIED)

FILE NO: 140.09.0001
1. OUR COMMUNITIES

ITEM NO: 9.2.1
(ECONOMIC DEVELOPMENT OFFICER,
MICHELLE MOORE)
(ACTING DIRECTOR, COMMUNITY , BRUCE
CONNOLLY)

DRAFT ECONOMIC DEVELOPMENT STRATEGY

1. Executive Summary

In 2008, Moira Shire Council adopted the Moira Shire Economic Development Strategy 2008-2013. All of the actions contained within the strategy were completed, realigned or, in some cases, deleted due to changing economic circumstances. With an ever changing environment, both natural and economic, a period of four years is more appropriate than a five year horizon for a strategy. On this basis a new strategy has been prepared for the period 2014-2017.

To ensure that an informed and robust strategy was developed, the Business and Innovation Unit implemented a broad program of review and consultation throughout 2013. Relevant local and regional plans, strategies and documents were reviewed. In addition, the business community and key stakeholders were consulted through an in-depth and independent consultation process conducted by the Regional Development Company and PSI Delta in conjunction with the National Institute of Economic and Industry Research (NIEIR).

In total, eight workshops were held in the following areas:

- Retail and Combined Chambers of Commerce
- Professional Business Services
- Manufacturing, Trades and Light Industrial
- Agri-business (dairy, cropping, livestock and horticulture and associated businesses)
- Champions of Business (larger employers, companies of strategic significance)
- Moira Shire Councillors
- Moira Shire Corporate Management Team and Managers

Additionally, a series of one on one interviews and meetings were held.

The research and consultation has resulted in an economic development strategy, based on thorough consultation and supported by good economic modelling of key growth sectors, for the Moira Shire. The strategy contains a set of strategic pillars, supported by well-structured strategies and operational plans. The strategy focuses on growth, globalization, innovation, communication and building community strength and over the next four years. Council's Business and Innovation Unit are charged with the responsibility to engage all identified stakeholders and provide measurable results for the identified priorities.

2. Discussion

Moira Shire Council is committed to supporting businesses and industry to start up, grow and prosper in Moira Shire through a dedicated Business and Innovation Unit. The Moira Shire Economic Development Strategy 2014-2017 was developed to provide Council with a decisive pathway to guide the Business and Innovation Unit's activities for the next four years.

To explore the issues and opportunities facing the local business community, a series of business and stakeholder workshops were conducted across the Shire (eight in total), as well as one-on-one and telephone interviews with key business owners, managers and regional stakeholders. The information gathered during this process is an invaluable snapshot of how current global, national and local economic conditions is affecting business locally, and has informed the majority of the actions contained in this strategy.

Consultation for this economic development strategy examined the changing environment and, with the support and guidance of many community members and stakeholders, developed strategies to embrace change and harnesses opportunities for growth, innovation and stronger communities. The drivers and enablers of the economy have been examined and strategies to

FILE NO: 140.09.0001
1. OUR COMMUNITIES

ITEM NO: 9.2.1
(ECONOMIC DEVELOPMENT OFFICER,
MICHELLE MOORE)
(ACTING DIRECTOR, COMMUNITY , BRUCE
CONNOLLY)

DRAFT ECONOMIC DEVELOPMENT STRATEGY (cont'd)

address gaps and opportunities were identified in the process. Council's role in economic and business development has also been defined.

The key strategies that will guide the activities of Moira's Business and Innovation Team for the next four years are:

1. **Strengthen Moira** – strengthening and diversify existing businesses and industry to drive employment and a wealthier, smarter and stronger community.
2. **Grow Moira** – attracting new businesses and industry to ensure a strong and diverse economy.
3. **Innovate Moira** – encouraging cutting edge industries, new ways of doing business and embracing technological change to stay
4. **Globalise Moira** – thinking globally, capturing and fostering new markets, nationally and internationally to ensure we 'grow the pie'.
5. **Market Moira** – promoting and celebrating our beautiful shire to attract new businesses, residents and visitors to live, work and invest in Moira.
6. **Connect Moira** – creating partnerships with business owners, industry associations, government departments and economic agencies to drive growth and innovation.

3. Financial Implications

There will be financial implications that arise from the strategy. Whilst not quantified, prioritised projects and actions that relate directly to the Economic Development Strategy will form the basis of the Business and Innovation Unit's budget process for the next four years.

It is expected that Council budget allocations will be leveraged with contributions from State and Federal government programs and, where appropriate, industry sources.

4. Community Consultation

To explore the issues and opportunities facing the local business community, business and stakeholder workshops were conducted across the Shire. One-on-one and telephone interviews with key business owners, managers and regional stakeholders were also conducted. The information gathered during this process is an invaluable snapshot of how current global, national and local economic conditions is affecting business locally, and has informed the majority of the actions contained in this strategy.

Eight workshops with key business sectors were held, including:

- Retail and Combined Chambers of Commerce
- Professional Business Services
- Manufacturing, Trades and Light Industrial
- Agri-business (dairy, cropping, livestock and horticulture and associated businesses)
- Champions of Business (larger employers, companies of strategic significance)
- Youth forum with Junior Councillors across the Shire

5. Internal Consultation

Two workshops were conducted with internal stakeholders.

- Moira Shire Councillors
- Moira Shire Corporate Management Team and Managers

FILE NO: 140.09.0001
1. OUR COMMUNITIES

ITEM NO: 9.2.1
(ECONOMIC DEVELOPMENT OFFICER,
MICHELLE MOORE)
(ACTING DIRECTOR, COMMUNITY , BRUCE
CONNOLLY)

DRAFT ECONOMIC DEVELOPMENT STRATEGY (cont'd)

6. Legislative / Policy Implications

There are no legislative or policy implications within this report.

7. Environmental Sustainability

The strategy addresses environmental sustainability for business and industry and climate change adaption through:

- Participation in the Climate Smart Agricultural Adaption project
- The development of a Food and Beverage Cluster and an Agribusiness Cluster will build resilience and diversity throughout Moira Shire
- The recommended tourism strategy will address the need for eco-tourism products and infrastructure, and will contain a section to address disaster management.
- Commercialisation projects for industrial land developments will adopt environmentally sustainable practices

8. Conflict of Interest Considerations

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

9. Conclusion

The project achieved a robust economic development strategy, based on thorough community and stakeholder consultation and supported by good economic modelling of key growth sectors, for the Moira Shire Council. The strategy has focussed on six strategic pillars to deliver business attraction, expansion and economic growth and is supported by well-structured strategies and operational plans.

The strategy focuses on growth, globalisation, innovation, communication and building community strength and over the next four years. Council's Business and Innovation Unit are charged with the responsibility to engage all identified stakeholders and provide measurable results for the identified priorities.

Attachments

- 1 Draft Economic Development Strategy - *printed in separate document*

RECOMMENDATION

That:

1. That Council adopts the Moira Shire Economic Development Strategy 2014-2017.

MOTION

CRS ED COX / MARIE MARTIN

That:

1. That Council adopts the Moira Shire Economic Development Strategy 2014-2017.

(CARRIED)

FILE NO: 290.13.0003
3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 9.2.2
(PERSONAL ASSISTANT TO CEO, ROBYN
BONADDIO)
(ACTING, CHIEF EXECUTIVE OFFICER,
PETER BERTOLUS)

2014/2015 CHRISTMAS – NEW YEAR OFFICE CLOSURE

1. Executive Summary

Over the last fourteen years with the exception of 2010, Council has historically closed its offices over the Christmas – New Year period, which for this year would be from 4pm Wednesday 24 December 2014 to Thursday 1 January 2015, with the offices to reopen at 8.30am on Friday 2 January 2015 or Monday 5 January 2015.

Servicing of public areas such as toilets, waste and recycling services and Maternal and Child Health services would continue to be provided as will essential services normally provided for after hours and on public holidays via staff rosters. Appropriate advertising of the closure and contact information will be provided to the public prior to, and during the closure.

It is recommended that Council continue with this approach of closure across the Christmas and New Year period as detailed above

2. Discussion

Over the 2014/2015 Christmas – New Year Period the following days have been declared public holidays.

Thursday	25 December 2014	Christmas Day
Friday	26 December 2014	Boxing Day
Thursday	1 January 2015	New Year's Day

Should the office closure be approved, staff will be required to take leave to cover the three or four days (depending on whether the offices reopen on the Friday or the Monday); being Monday 29th, Tuesday 30th, Wednesday 31st December 2014 and Friday 2nd January 2015 that are not classified as Public Holidays.

Council services such as public toilet cleaning, barbeque cleaning, waste and recycling collection and street bin collection will continue to operate over the period.

Maternal and Child Health services will continue to operate on a roster system except on public holidays. Essential services will continue to be provided through a staff roster for emergency response. Contact numbers will be advertised in the weeks leading up to Christmas and Council's recorded message will be amended to reflect the closure.

During the 2010 Christmas – New Year period when Council Service Centres remained open, Council received approximately 40% of the number of telephone calls normally received each day, approximately 43% of the average daily number of Customers at the Cobram Service Centre and approximately 81% of the average daily number of customers at the Yarrowonga Service Centre.

In comparison, during the 2013 Christmas – New Year closure, Council received an average of 36 phone calls per day between Tuesday 24th December and Wednesday 1st January 2014.

3. Financial Implications

All financial aspects of the Christmas – New Year closure are contained within the budget.

FILE NO: 290.13.0003
3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 9.2.2
(PERSONAL ASSISTANT TO CEO, ROBYN
BONADDIO)
(ACTING, CHIEF EXECUTIVE OFFICER,
PETER BERTOLUS)

2014/2015 CHRISTMAS – NEW YEAR OFFICE CLOSURE (cont'd)

4. Community Consultation

Advertisements will be placed in local papers advising the community of the Christmas – New Year arrangements and recorded messages on telephones will further support this closure.

5. Internal Consultation

Feedback following last year's closure from staff was supportive of the office closure during the Christmas period.

6. Legislative / Policy Implications

National Employment Standards and Victorian State Law have been considered in this report.

7. Environmental Sustainability

There are no Environmental Sustainability considerations associated with this report.

8. Conflict of Interest Considerations

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

9. Conclusion

Over the last fourteen years with the exception of 2010, Council Service Centres have closed over the Christmas and New Year period. Office closure over this period would have a minimal operational effect on the organisation, with key services of an emergency and/or essential nature maintained through Councils' after hours roster system and careful scheduling of staff to ensure coverage of those requirements.

Previous experience indicates that Council is not expected to provide the full range of services during the holiday period and the closure would allow staff to maximise their time with family.

Required services such as public toilet and barbeque cleaning, waste, recycling and street bin collection, Maternal and Child Health services and emergency response, will continue to operate during the proposed closure and callers are provided with a wide range of information on Council's recorded telephone system and website which will satisfy most calls of a routine nature.

Monitoring conducted over the 2010 Christmas – New Year period confirms that the number of telephone calls and customer enquiries received fell to less than half of normal levels and generally related to routine or non-urgent matters.

Attachments

Nil

FILE NO: 290.13.0003
3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 9.2.2
(PERSONAL ASSISTANT TO CEO, ROBYN
BONADDIO)
(ACTING, CHIEF EXECUTIVE OFFICER,
PETER BERTOLUS)

2014/2015 CHRISTMAS – NEW YEAR OFFICE CLOSURE (cont'd)

RECOMMENDATION

That:

1. That Council approve the 2014/2015 Christmas – New Year office closure for the period of 4pm Wednesday 24 December 2014 to Thursday 1 January 2015, with the offices to reopen on Friday 2 January 2015 or
2. That Council approve the 2014/2015 Christmas – New Year office closure for the period of 4pm Wednesday 24 December 2014 to Friday 2 January 2015, with the offices to reopen on Monday 5 January 2015.

MOTION

CRS DON MCPHEE / KEVIN BOURKE

That:

2. That Council approve the 2014/2015 Christmas – New Year office closure for the period of 4pm Wednesday 24 December 2014 to Friday 2 January 2015, with the offices to reopen on Monday 5 January 2015.

(CARRIED)

FILE NO: F13/2358
1. OUR COMMUNITIES

ITEM NO: 9.2.3
(COMMUNITY DEVELOPMENT OFFICER,
DULCE ALEXANDRINO)
(ACTING DIRECTOR, COMMUNITY , BRUCE
CONNOLLY)

HUME REGION PREVENTING VIOLENCE AGAINST WOMEN & CHILDREN STRATEGY 2013 - 2017

1. Executive Summary

Women's Health Goulburn North East (GNE) has worked in partnership with a number of organisations to develop a Hume region approach to preventing violence against women and children. The 2013 – 2017 strategy was launched in November 2013, with a number of organisations and local government authorities endorsing the strategy.

Council has received a request from Women's Health GNE to endorse the strategy and commence implementing the strategies relevant to Council in partnership with the Preventing Violence Against Women -12 (PVAW12) committee.

This report asks Council to endorse the strategy with the local government strategies being in line with the gender equity principle in the Women's Charter and also Council's Municipal Public Health and Wellbeing Plan.

2. Discussion

The Hume region preventing violence against women and children 2013 – 2017 strategy was launched in November 2013.

The strategy was developed in partnership with Victoria Police, local government authorities, and community organisations, with the aim that "Hume region women and their children live free from violence in safe communities", under the following principles:

- Partnerships
- Supportive environments
- Capacity building
- Direct participation in Programs
- Research and promoting the evidence base

The strategy addresses the determinants of violence against women and aims to build the capacity of communities to take action. The strategy aims to address a range of issues, including:

- Promoting equal and respectful relationships between men and women at all levels
- Bringing about structural and systemic organisational changes to promote gender equitable and non-violent cultures
- Building the capacity of individuals to take action on gender inequity and sexism; and
- Coordinating a region wide approach to preventing violence against women working across multiple sectors and key settings

Although Moira Shire was not directly involved in developing the regional strategy, it is part of the PVAW12 steering committee – a committee with all 12 local government authorities represented which will be implementing the Local Government actions identified in the strategy.

The strategies identified for local government are:

Strategy	Performance Indicator (Hume Region)
2.1.1 Develop and implement a violence free charter driven by local government that can be embedded into a variety of community settings	<ul style="list-style-type: none">- two LG implementing a violence free charter- two community organisations implementing the charter

FILE NO: F13/2358
1. OUR COMMUNITIES

ITEM NO: 9.2.3
(COMMUNITY DEVELOPMENT OFFICER,
DULCE ALEXANDRINO)
(ACTING DIRECTOR, COMMUNITY , BRUCE
CONNOLLY)

HUME REGION PREVENTING VIOLENCE AGAINST WOMEN & CHILDREN STRATEGY 2013 - 2017 (cont'd)

2.1.2 Engage with local government to promote PVAWC externally involving the broader community	- one LG promoting PVAWC within local community
3.3.1 Engage with local government to promote PVAWC internally, increasing gender equity within the workplace	- one LG conducting gender audit - one LG implementing family violence policy - one LG implementing gender equity practices
3.3.2 Partner with local government to build the capacity of all staff to take action against gender inequity and recognise it within the workplace	- one LG engaged; participated in training and implemented practices

The above strategies are in line with Council's Women's Charter action plan (under the gender equity principle) and the Municipal Public Health and Wellbeing Plan (MPHWP). The MPHWP states that Moira Shire will "continue to work with the women's charter, neighbouring municipalities and the MAV to raise awareness and provide leadership to prevent family violence".

The Hume region is ranked the 4th highest in Victoria for family violence incidents; some other statistics and facts around violence against women include:

- Violence against women is now widely recognised as a global and one of the most widespread violations of human rights (VicHealth, 2008).
- Although both women and men can be perpetrators or victims of domestic violence and sexualised assault, research show that the overwhelming majority of violence is perpetrated against women by men (ABS, 2006).
- Women who have been exposed to violence:
 - o have poorer health
 - o are more likely to engage in practices that harm their health
 - o experience higher levels of anxiety and depression
- In Australia since the age of 15
 - o One in five women have experience sexual violence
 - o Over one in three have experience physical violence.
 - o Over a third of women report at least one form of violence during their lifetime from a boyfriend or husband

This report asks Council to endorse the regional strategy with the local government strategies for implementation being in line with the Women's Charter and Council's MPHWP.

3. Financial Implications

Funds required to implement the strategies will be sought through Women's Health Goulburn North East or the Municipal Public Health and Wellbeing Plan - Health Promotion funding program.

4. Community Consultation

Deliverables from the Hume region preventing violence against women and children strategy will be reported in the Women's Charter which was adopted by Council in 2010. It will also be reported in the MPHWP which has gone through extensive community consultation and has been adopted by Council. The MPHWP identifies the following directions for 2013 – 2017:

FILE NO: F13/2358
1. OUR COMMUNITIES

ITEM NO: 9.2.3
(COMMUNITY DEVELOPMENT OFFICER,
DULCE ALEXANDRINO)
(ACTING DIRECTOR, COMMUNITY , BRUCE
CONNOLLY)

HUME REGION PREVENTING VIOLENCE AGAINST WOMEN & CHILDREN STRATEGY 2013 - 2017 (cont'd)

Continue to work with the Women's Charter, neighbouring municipalities and the MAV to raise awareness and provide leadership to prevent family violence

5. Internal Consultation

Consultation has been held with

- Women's Charter committee
- Team Leader, Community Service
- Acting Manager, Community Service Delivery
- Manager, Community Engagement & Community Relations

6. Legislative / Policy Implications

The Hume region preventing violence against women and children strategy is consistent with the Women's Charter and the Human Rights Charter; and Council's MPHWP which is in line with the 2008 Victorian Public Health and Wellbeing Act.

7. Environmental Sustainability

There are no environmental issues to consider within this report.

8. Conflict of Interest Considerations

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

9. Conclusion

The Hume region is ranked the 4th highest in the state for family violence incidents. As a step in addressing this, Council is asked to endorse the Hume region strategy for implementation in partnership with PVAW12 and at the community level across our Shire.

Attachments

- 1 Hume Region Preventing Violence against Women & Children Strategy 2013-2017

RECOMMENDATION

That Council:

1. endorse the Hume region Preventing Violence against Women & Children Strategy 2013 – 2017.

MOTION

CRS MARIE MARTIN / ALEX MONK

That Council:

1. endorse the Hume region Preventing Violence against Women & Children Strategy 2013 – 2017.

(CARRIED)

FILE NO: F13/2358
1. OUR COMMUNITIES

ITEM NO: 9.2.3
(COMMUNITY DEVELOPMENT OFFICER,
DULCE ALEXANDRINO)
(ACTING DIRECTOR, COMMUNITY ,
BRUCE CONNOLLY)

**HUME REGION PREVENTING VIOLENCE AGAINST WOMEN & CHILDREN
STRATEGY 2013 - 2017 (cont'd)**

**ATTACHMENT No [1] - Hume Region Preventing Violence against Women &
Children Strategy 2013-2017**



Moira Shire Council

File #	
Corres No.	
- 2 DEC 2013	
Referred to	
Responsible to	

WOMEN'S HEALTH
GOULBURN NORTH EAST
Challenging inequity, embracing diversity.

28th November 2013

Mr Peter Bertulos
Acting CEO Moira Shire Council
PO Box 578
Cobram, 3643

Dear Mr Bertulos,

Following on from the previous letter I sent you (please see enclosed), regarding the Hume region "Preventing Violence against Women & Children" strategy launch and Vic Health "Leadership for Preventing Violence against Women" course, on behalf of the Hume region PVAWC Steering Committee, I'm inviting your council to endorse the regional PVAWC strategy 2013-17.

Following the successful launch that mobilised leaders from across the region to take united action, we are encouraging you to show your commitment and offering you this opportunity to join the movement. The silence on violence against women and children has been broken. Now is the time for stronger action. The crossroad is here and the time is now.

Your colleagues, Ms Linda Nieuwenhuizen and Dulce Alexandrino both attended the launch and Leadership course, providing positive feedback. We would be more than happy to meet with you and your team to discuss the strategy in more detail, and your involvement.

A key focus of the **Moira Municipal Public Health and Wellbeing Plan 2013-16**, is to "continue to work with the women's charter, neighbouring municipalities and the MAV to raise awareness and provide leadership to prevent family violence". Endorsement of the strategy and participation in the steering committee provides you with tangible avenues to support this objective, aligning with your plans actions.

With seven out of the twelve Hume region Councils endorsing the strategy, and another in the process, we would like to extend this opportunity to your council. We are offering all Hume region Councils the opportunity to collectively contribute to the prevention of violence against women and children through endorsement of the strategy. Following endorsement, support and a number of resources will be made available to endorsing organisations to assist them in promoting gender equity and preventing violence.

If you would like more information on the strategy please contact Caitlyn Hoggan, via email c.hoggan@whealth.com.au or telephone on 5722 3009.

Kind Regards,



Susie Reid
EO Women's Health Goulburn North East



Women's Health Goulburn North East ACN A0039392E ABN 75 815 140 163
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FILE NO: F13/2358
1. OUR COMMUNITIES

ITEM NO: 9.2.3
(COMMUNITY DEVELOPMENT OFFICER,
DULCE ALEXANDRINO)
(ACTING DIRECTOR, COMMUNITY ,
BRUCE CONNOLLY)

**HUME REGION PREVENTING VIOLENCE AGAINST WOMEN & CHILDREN
STRATEGY 2013 - 2017 (cont'd)**

**ATTACHMENT No [1] - Hume Region Preventing Violence against Women &
Children Strategy 2013-2017**

31 October 2013

Mr Peter Bertulos
Acting CEO Moira Shire Council
PO Box 578
Cobram, 3643



Dear Mr Bertulos,

On behalf of the Hume region Preventing Violence against Women & Children (PVAWC) Steering Committee I am inviting you to attend the **Vic Health Leadership for Preventing Violence against Women** course. This course is being held to celebrate the launch of the regional PVAWC strategy 2013-2017, and to mobilise and *inspire leadership from people of influence* in the Hume region.

Date: Thursday 21st of November, 2013

Time: 12:00 noon – 4:30pm

Venue: Benalla Performing Arts and Convention Centre, Samaria Road, Benalla

The leadership course aims to engage senior managers in dialogue about the nature of violence against women, and inspire effective, preventative action. Please note, if you are unavailable, councillors and other high-level managers from your council are encouraged to attend.

The PVAWC strategy development has established a highly engaged committee and a strategy that reflects the community needs. Fifteen organisations have endorsed the strategy, with more endorsements expected. The following councils have actively contributed to the development of the strategy, and made an ongoing public commitment to support and participate in the implementation:

- Benalla Rural City Council
- Greater Shepparton City Council
- Mansfield Shire Council
- Mitchell Shire Council
- Murrindindi Shire Council
- Strathbogie Shire Council
- City of Wodonga Council

With seven out of the twelve Hume region Councils endorsing the strategy, I encourage you to show your commitment. As the Hume region ranked the 4th highest in the state for family violence incidents, it is a significant health issue for all.

We are offering all Hume region Councils the opportunity to contribute through endorsement of the strategy, and participation in the leadership course. Following endorsement, support and a number of resources will be made available to councils.

If you would like to register please complete the registration form included and email VicHealth at shortcourse@vichealth.vic.gov.au with '**Leadership for Preventing Violence against Women**' in the subject line, or fax to 03 9667 1375 (attention: Caitlin Dunlop).

If you would like more information on the strategy please contact Caitlyn Hoggan, via email c.hoggan@whealth.com.au or telephone on 5722 3009.

Kind Regards,

Susie Reid
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Department of
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HUME REGION PREVENTING VIOLENCE AGAINST WOMEN & CHILDREN

REGIONAL STRATEGY 2013-2017

OVERVIEW

Vision: 'Hume region women and their children live free from violence in safe communities'

This project has been funded under the Reducing Violence against Women & their Children grants program, part of the Victorian Government's Community Crime Prevention Program. Projects are expected to deliver outcomes at a regional level using whole of community primary prevention strategies.

The **Hume region Preventing Violence against Women & Children (PVAWC)** strategy addresses the determinants of violence against women and builds the capacity of communities to take action. The strategy aims to address a range of issues, including:

- Promoting equal and respectful relationships between men and women at all levels
- Bring about structural and systemic organisational changes to promote gender equitable and non-violent cultures
- Build the capacity of individuals to take action on gender inequity and sexism
- Coordinate a region wide approach to preventing violence against women working across multiple sectors and key settings

The strategy identifies five key themes for action. They include:

- 1) **Partnerships** – support, foster and connect with other organisations and individuals to work more effectively, promoting the health and wellbeing of the community. Collaboration and engagement from all sectors is required to enable the cultural change required to prevent violence against women and children.
- 2) **Supportive Environments** – create supportive environments that foster equal participation, generates living, working, learning and playing conditions that are safe, stimulating and enjoyable. Community settings need to be inclusive and equitable in order for respectful relationships and non-violent norms to grow. Within this strategy attention will be directed to the following settings:
 - Local Government
 - Education
 - Sporting Clubs
 - Maternal & Child Health
 - Community
- 3) **Capacity Building** – empower individuals and organisations through increased knowledge and skills in order to create sustainable change. To raise awareness of the prevention of violence against women, leaders within key settings need to drive change and embed policies and structures within organisations, that promote gender equity
- 4) **Direct Participation in Programs** – creating an opportunity to develop direct participation in programs has the ability to influence individual's attitudes and behaviours, as well as increasing knowledge and skills. Challenging beliefs in traditional gender roles and gender inequity is pivotal in shifting societal attitudes.
- 5) **Research and promoting the evidence base** – Utilising the evidence concerning the determinants of violence against women as the basis for primary prevention initiatives, we will:
 - Provide learning opportunities by sharing and utilising resources;
 - Develop a comprehensive evaluation framework and monitoring mechanisms to build the evidence base for the prevention of violence against women and children.

Women's Health Goulburn North East

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Stats and Facts on violence against women



WOMEN'S HEALTH
GOULBURN NORTH EAST
Challenging inequity, embracing diversity.

Violence against women is now widely recognised as a global problem and one of the most widespread violations of human rights. VicHealth 2008

Although both women and men can be perpetrators or victims of domestic violence and sexualised assault, research shows that the overwhelming majority of violence is perpetrated against women by men. ABS 2006

Family violence:

- is not an act of anger
- is a specific choice to exert **power and control** over another person/s.
- is often calculated and unseen by the public
- is based on unequal power that can be maintained economically, physically, emotionally and psychologically and has its basis in **fear**
- can be ongoing or a one-off action

Violence is gendered

Men are more likely to be killed or assaulted by other males unknown to them. ABS 2006

Women are more likely to be killed or assaulted by men known to them. ABS 2006

Women use violence in self-defence. VicHealth 2011

Men use violence, as a self-perceived 'right' or 'entitlement' as the male head of household leader over other family members. VicHealth 2011

Women suffer more severe forms of violence over time than men such as abuse, terrorisation and increasingly possessive and controlling behaviour. VicHealth 2011

Women are more likely to fear for their lives than men. VicHealth 2011

Violence is prevalence VicHealth 2008

The United Nations (1993) define violence against women as:

'Any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women.'

Domestic violence

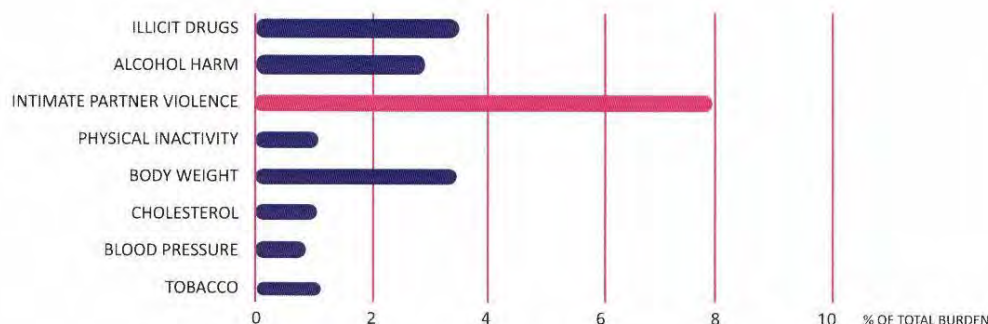
'is an abuse of power within a relationship or after a separation when one partner in an intimate relationship attempts by physical or psychological means to dominate and control the other.'

VicHealth 2003

'Psychological and emotional abuse can include a range of controlling behaviours such as control of finances, isolation from family and friends, continual humiliation, threats against children or being threatened with injury or death.'

National Plan to Reduce Violence against Women and their Children.

Top eight risk factors contributing to the disease burden in women aged 15-44 years, Victoria, Australia, 2001



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In Australia since the age of 15:



one in five women have experienced sexual violence.



over **one in three women** have experienced physical violence.

Over a third of women report at least one form of violence during their lifetime from a boyfriend or husband.

Violence is severe

"every week a woman is murdered by her partner or ex-partner"

Chief Commissioner Ken D. Lay APM

Women who have been exposed to violence:

- have poorer health; VicHealth 2008
- are more likely to engage in practices that harm their health; VicHealth 2008
- experience higher levels of anxiety and depression. VicHealth 2008

Up to 80% of women in the **mental health system** and up to 70% of women with **drug and alcohol issues**, have experienced sexual violence at some time in their past. QSAS 2010

Violence costs WHV, 211 & NCRVAVC, 2009

Australian women bear a large proportion of the cost. The estimated cost to the Australian economy was \$13.6 billion (in 2008-2009) and Australian business lose via staff turnover costs and sick leave.



**AUSTRALIAN
BUSINESSES**
losing at least
\$500 million per year

Violence is preventable Vic Health, 2007

The causes of domestic violence stem from deeply held beliefs about masculinity.

The most significant risk factors of violence against women are:

- belief in rigid gender roles;
- masculine orientation or sense of entitlement;
- male dominance and control of wealth in relationships.

To prevent violence against women before it occurs, actions need to:

- promote equal and respectful relationships between men and women;
- foster non-violent social norms and reduce the effects of prior exposure to violence; (especially on children)
- improve access to resources and systems of support.

"...men aren't having hard conversations with each other.

So, guys: take a stand. Examine your own behaviour and attitudes. Re-calibrate whatever weird sense of manhood might tell you that the casual molestation of women is okay. This is your issue just as much as anybody else's."

Chief Commissioner Ken D. Lay APM

Women's Health Goulburn North East
57 Rowan Street, Wangaratta, Victoria 3677
P: 03 5722 3009 F: 03 5722 3020 E: whealth@whealth.com.au W: www.whealth.com.au

- If you or anyone you know is experiencing violence please call 1800 015 188

References

Australian Bureau of Statistic (ABS), 2006, *Personal Safety Survey*

VicHealth, 2003, *Public Health Mental Health & Violence Against Women*

VicHealth, 2007, *Preventing Violence before it occurs, A framework and background paper to guide the primary prevention of violence against women in Victoria*

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Women's health association of Victoria (WHV), 2011 *Proposal for the Inclusion of Violence Against Women as a State wide Health Promotion Priority*

Victoria Department of Health, (DH) Better Health Channel, *Domestic violence- why men abuse women.*

Queensland sexual assault services (QSAS), 2010, *The right to choose: enhancing best practice in responding to sexual assault in Queensland*

National Council to Reduce Violence Against Women and their Children, (NCRVAVC) 2009 *The cost of violence against women and their children*

'intimate partner violence'

'family violence'

'domestic violence'

'violence against women'

'gender-based violence'

'abuse'

are all interchangeable terms

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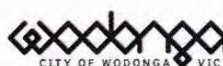
WOMEN'S HEALTH
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Challenging inequity, embracing diversity.

HUME REGION PREVENTING VIOLENCE
AGAINST WOMEN & CHILDREN
REGIONAL STRATEGY 2013-2017



INTEGRATED FAMILY VIOLENCE SERVICES
Women, men and children
GOULBURN OVENS MURRAY



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ACRONYMS

ATSI	Aboriginal and Torres Strait Islander
CARN	Centre Active Recreation Network
CCP	Community Crime Prevention (referring to the Department of Justice funding)
DOJ	Department of Justice
FVPN	Family Violence Prevention Network
GOMIFVMSC	Goulburn Owen's Murray Integrated Family Violence Managers Steering Committee
IFVRAG	Indigenous Family Violence Regional Action Group
IHP	Integrated Health Promotion (referring to the Department of Health funded work by Women's Health)
LG	Local Government
NESAY	North East Support and Action for Youth
PVAW	Preventing Violence Against Women
PVAWC	Preventing Violence Against Women & Children
RIC	Regional Integrated Coordinator
RVAWC	Reducing Violence Against Women and Children
WHGNE	Women's Health Goulburn North East
WHO	World Health Organisation
VAWC	Violence Against Women & Children

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DEFINITION OF VIOLENCE AGAINST WOMEN

Violence against women can be described in many different ways, and laws in each state and territory have their own definitions. For the purpose of this strategy we have utilised the definition from the United Nations

'The term violence against women means any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life.'

(United Nations Declaration on the Elimination of Violence against Women)

THE GENDERED NATURE OF VIOLENCE

Domestic violence is generally understood as gendered violence, and 'is an abuse of power within a relationship or after a separation when one partner in an intimate relationship attempts by physical or psychological means to dominate and control the other (Vic Health, 2003, Public Health, Mental Health & Violence against Women).

Gendered Nature of Violence

According to the 2006 Personal Safety Survey:

- Men are most at risk in public spaces and licensed premises from men they don't know
- Women are at more risk of violence in the home from men they know

According to Vic Health (Preventing Violence against Women in Australia, Research Summary, 2011):

- Women suffer more severe forms of violence than men (such as abuse, terrorisation and increasingly possessive and controlling behaviour over time)
- Women are more likely to use violence in self-defence
- Men are most likely to use it as an expression of self-perceived and/or societal-sanctioned 'rights' or 'entitlements' of male household leaders over other family members (WHO 2002).
- Women are more likely to receive medical attention than men
- Women are more likely to fear for their lives than men.

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PREVALENCE OF VIOLENCE AGAINST WOMEN & CHILDREN

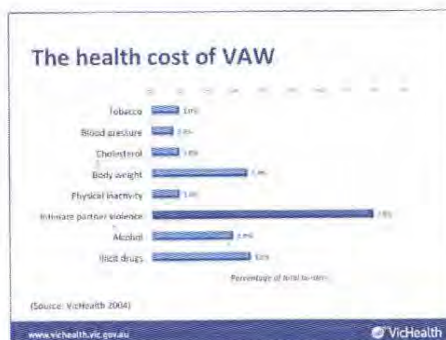
Australian Context

The evidence shows that the overwhelming majority of abuse and violence is perpetrated by men against women. The largest single risk factor for becoming a victim of sexual assault and/or domestic violence is, simply, being female.

- Over one in three Australian women have experienced physical violence since the age of fifteen (Vic Health, 2008)
- Nearly one in five Australian women have experienced sexual violence since the age of fifteen (Vic Health, 2008)
- Over a third of women (34%) who have ever had a boyfriend or husband report experiencing at least one form of violence during their lifetime from an intimate male partner. About half have experienced physical violence and a third have experienced sexual violence (Vic Health, 2008)

Victorian Context

- In Victoria, intimate partner violence is the leading contributor to the total disease burden of women aged 15-44 years, causing 9% of disease burden (Vic Health, 2008)
- It is responsible for more ill-health and premature death in Victorian women under the age of 45 than any other single risk factor, including diseases related to obesity, alcohol, drug use, and smoking (Vic Health, 2010)
- Approximately every ten minutes there is a call to police made in regards to incidents of domestic violence (Victoria Police, 2013)
- In 2011/12 Victoria Police attended more than 50,300 family violence incidents (Victoria Police, 2012)



Hume Region Context

- 8.1 per 1,000 family violence incidents rates were reported in the Hume region in 2012 compared to 7.4 in the Victorian population (Department of Health, 2012)

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SEVERITY OF VIOLENCE AGAINST WOMEN & CHILDREN

The right to live free from violence is a fundamental human right. Men's use of violence against women is a significant public health issue with serious social, economic and health consequences for women, their families and communities.

- Women who have been exposed to violence have a greater risk of developing a range of health problems, including stress, anxiety, depression, pain syndromes, phobias and somatic and medical symptoms (VicHealth, 2008)
- Up to 80% of women in the mental health system have experienced sexual violence at some time in their past (Queensland Sexual Assault Services, 2010)
- The cost of violence against women and their children to the Australian economy is estimated to be \$13.6 billion in 2008-09 and, if there is no reduction in current rates, it will cost the economy an estimated \$15.6 billion by 2021-22. This is more than the 2008 stimulus to address the Global Financial Crisis (\$10.4 billion) (Queensland Sexual Assault Services, 2010)
- A study undertaken by KPMG found that the costs associated with violence against women exceed \$3.4 billion dollars per year in Victoria (Women's Health Association of Victoria)
- The KPMG report also found preventing violence for just one Australian woman would mean avoiding over \$20,766 in costs (Women's Health Association of Victoria)
- Children's exposure to violence against women is associated with a number of mental health, behavioural and learning difficulties in the short term, and increases the risk of developing mental health problems later in life (VicHealth, 2011)

The economic costs of VAW

Estimated cost of violence against women in 2009 **\$13.6 billion**

\$2.9 billion borne by governments
\$456 million by employers
\$8.1 billion by victims

(Source: KPMG, 2009)

www.vichealth.vic.gov.au

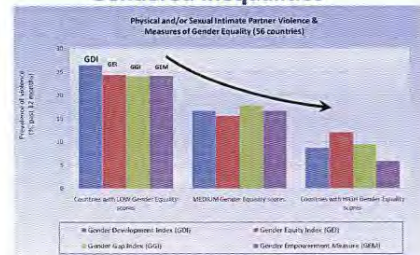
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CAUSES OF VIOLENCE AGAINST WOMEN & CHILDREN

Violence against women is prevalent and serious, but it is also preventable. A number of factors are known to contribute to violence against women and/or vulnerability to such violence. Research shows that the most significant determinants of violence against women are:

- Unequal power relations between men and women
- Adherence to gender stereotypes
- Broader cultures of violence

Gendered inequalities



www.unwomen.org

www.vichealth.vic.gov.au

VicHealth

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The above diagram demonstrates the positive correlation between gender inequity and violence against women. The horizontal axis represents the gender inequity within a country, and the vertical axis quantifies the perpetration of violence against women. The right hand group of columns exhibits countries with low gender inequity show a lower perpetration of violence against women. The left hand set of columns depicts countries in which there is a high level of gender inequality and subsequently a higher incidence of violence against women. The perpetration of violence against women more common and accepted in cultures where there is a high degree of gender inequity and inequality.

PRIMARY PREVENTION

Primary prevention addresses the determinants of violence against women and seeks to prevent violence before it occurs. The policy and practice framework devised by Vic Health – Preventing Violence Before it Occurs: A framework and background paper to guide the primary prevention of violence against women in Victoria – recommends that the primary prevention of violence against women be guided by three intersecting components that concentrate on the key determinants. They are:

- Promoting equal and respectful relationships between men and women
- Promoting non-violent social norms and reducing the effects of prior exposure to violence
- Improving access to resources and systems of support

This framework is based on an ecological model for understanding violence; it recognises factors influencing violent behaviour lie at multiple levels including individual/relationship, community/organisational and societal. Primary prevention efforts are most likely to be effective when a coordinated range of mutually reinforcing strategies is targeted across these levels of influence.

TARGET POPULATION

- Children (0-12)
- Young People (12-25)

There is compelling evidence for targeting children and young people:

- This is a stage where the risk of perpetration of violence against women later in life is increased through; witnessing parental violence, being subject to violence, poor parenting and care or weak attachment to education
- Perpetration of violence is highest during adolescence
- Young men are more likely to hold attitudes that support violence

This strategy aims to prevent violence from occurring to women and children in the Hume region. Some women and children are more at risk of violence occurring than others due to a range of social, economic and individual factors that impact on them, their health and their living and working conditions. However, living in safety is a basic human right.

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In order to prevent violence against women and children, this strategy recognises it will need to work with communities, individuals and organisations to create cultural change and address the underlying determinants of violence outlined previously by the Vic Health framework. The interventions identified in this strategy may in fact not always work with women, but instead they may target men, men and women together, children, families, or whole communities. As a primary prevention strategy, the plan specifically focuses on improving the safety of children and young people, as a future investment, where we will see more sustainable, longer term benefits as a result of the strategy.

EVIDENCED BASED SETTINGS FOR ACTION

Local Government

Local Government has the unique position to profoundly influence cultural change, engage with people in their communities and respond to local issues. Given their role to creating safe public environments and their ability to reach community members local government is well placed to take an active role in the prevention of violence against women.

Sporting Clubs

Sporting Clubs have generally been seen as male dominated environments, suggesting an important need for education and organisational development. Preventing violence against women activities led by sports clubs has the ability to reach larger numbers of adults and youth, particularly men and boys. Clubs can address the features associated with violence against women, such as sexist peer cultures to create positive and non-violent norms.

Education Providers

Schools have a significant influence in childhood and adolescence, times when the prospects for primary prevention are strong. School based respectful relationship programs are among the most effective primary prevention interventions. Further education institutes are seen as important settings to raise awareness of and develop skills in preventing violence against women.

Maternal & Child Health

There is significant potential to include violence prevention into the core business of early childhood and family support programs. Attitudes towards gender roles have shown to become more traditional during the 12 months following the birth of a child. The transition into parenthood provides an opportunity to engage with men and women, challenging traditional gender roles and promote equality during this life stage.

Workplaces

Workplaces provide organisational contexts through which social norms are shaped and can be changed. Workplace environments that are safe, are inclusive of women and encourage their participation and leadership are essential in the prevention of violence against women. These environments can create and reinforce broader social norms of non-violence and equity. Workplaces are important settings in reaching men and women who have limited contact with place based community settings.

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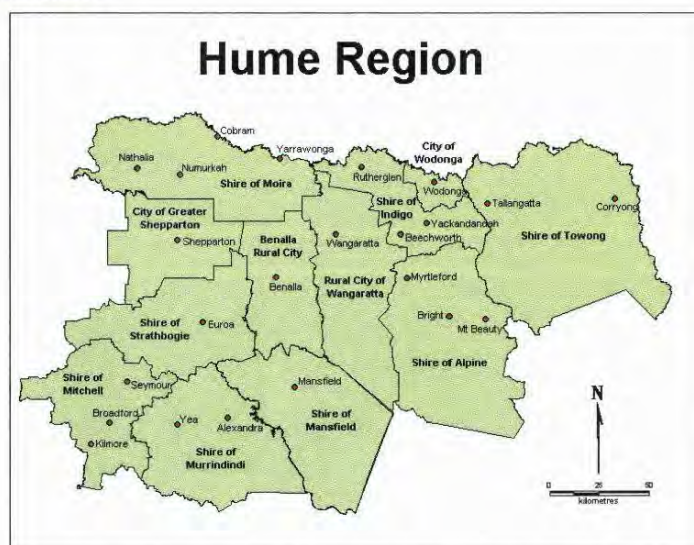
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(ACTING DIRECTOR, COMMUNITY ,
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HUME REGION PREVENTING VIOLENCE AGAINST WOMEN & CHILDREN STRATEGY 2013 - 2017 (cont'd)

ATTACHMENT No [1] - Hume Region Preventing Violence against Women & Children Strategy 2013-2017

HUME REGION PREVENTING VIOLENCE AGAINST WOMEN & CHILDREN | REGIONAL STRATEGY 2013-2017

HUME REGION



The Hume Region is located in the north east of Victoria, covering the Goulburn Valley and is bounded by the Murray River to the north and metropolitan Melbourne rural fringe to the south. Hume Region comprises 18% of Victoria in area, and some 40,427 square kilometres. It is one of Victoria's five regional areas with a population over 320,000.

Hume is one of Australia's fastest growing regional areas. Its growing economy is driven by access to intensive irrigated land, a quality workforce of around 120,000 and its strategic location in the Melbourne-Sydney-Brisbane national freight corridor. It is geographically diverse including major parts of Victoria's alpine areas, some relatively remote farming communities and the major regional centres of Wodonga, Wangaratta and Shepparton.

Hume Region has 12 Local Government Areas: Alpine, Benalla, Indigo, Mansfield, Mitchell, Moira, Murrindindi, Shepparton, Strathbogie, Towong, Wangaratta and Wodonga.

WHGNE provides services to a diverse population of women and girls across the Hume Region, particularly those who live in isolated rural areas, are disadvantaged, or are from culturally and linguistically diverse backgrounds.

VISION

"Hume region women and their children live free from violence in safe communities"

This vision has been adapted from the National Plan to Reduce Violence against Women and their Children (2010-2022). The National Plan aims to bring about attitudinal and behavioral change at the cultural, institutional and individuals levels, with a particular focus on young people. It is the first plan that has a strong focus on prevention and provides a framework for action over the next twelve years.

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WOMENS HEALTH GOULBURN NORTH EAST

WHGNE is the government funded specialist women's health service for the Goulburn Valley and north east Victoria. We are dedicated to promoting the health and wellbeing of all women and to improving the delivery of health and community services for women in our local community. WHGNE receives funding from the Department of Health to implement an integrated health promotion plan. Our organisation auspices the Hume Region Integrated Family Violence Coordinator position, attracting funding from the Department of Human Services. Further funding comes from receiving grants to implement specific projects.

WHGNE have selected PVAWC as a health promotion priority for 2012-2017. 45% of the health promotion budget will be allocated to the prevention of VAWC over a five year period. A regional PVAWC health promotion plan has been developed, recognising and building upon the work completed by WHGNE, and responding to those most vulnerable women in our communities.

WHGNE were successful in obtaining the 'Reducing Violence against Women and Children' grant funding from the Department of Justice in January 2013. A steering committee was developed to unite stakeholders across the Hume, utilising their expertise and local knowledge in the development and implementation of the regional PVAWC strategy. WHGNE, being the lead agency in the prevention of violence against women across the region, will drive the strategy, coordinating action across sectors and working with communities to create sustained change.

This strategy represents a collaborative and holistic approach. It aims to encompass and unify preventative actions undertaken by stakeholders across the Hume. Women's Health will mobilise a range of activities including:

- Local Government Municipal Public Health and Wellbeing Plans (2013-17)
- WHGNE health promotion plan (2012-17)
- Goulburn Ovens Murray Integrated Family Violence Strategic plan (2012-15)

Incorporating the above plans and current best practice and resources, we have created an evidenced informed, whole of community strategy.

As the regional strategy incorporates features of the WHGNE health promotion plan, the health promotion budget (Department of Health funding) will be utilised to implement certain aspects of the regional PVAWC strategy. Strategy actions have been allocated a funding source, with IHP actions funded by the health promotion budget, and CCP actions will be implemented using DOJ funding. This demonstrates our ongoing commitment to the prevention of violence against women and the need for dedicated preventative action.

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STEERING COMMITTEE MEMBERS

Local Government

- Mitchell Shire Council
- Benalla Rural City Council
- Greater Shepparton City Council
- Strathbogie City Council
- Wodonga City Council
- Mansfield Shire Council
- Murrindindi Shire Council

Community Health

- Ovens & King Community Health
- Yarrawonga Community Health
- Nexus Primary Health

Youth Services

- NESAY

Family Violence Services

- Goulburn Valley Centre Against Sexual Assault
- Centre Against Violence
- Regional Integrated Coordinator

Indigenous Services

- Mungabareena

Victoria Police

Department of Justice

Women's Health Goulburn North East

GOULBURN OVENS MURRAY INTEGRATED FAMILY VIOLENCE MANAGERS STEERING COMMITTEE

The Goulburn Ovens Murray Integrated Family Violence Managers Steering Committee (GOMIFVMSC) works to improve integration across the whole family violence sector for women and children (refer to Appendix 1 on final page). Whilst the GOMIFVMSC works at the opposite end of the violence against women spectrum, responding to the needs of women and children and improving system response, a strong partnership with the PVAWC steering committee has developed, keeping one another informed to ensure best outcomes for women and children. The GOMIFVSC have also adapted the vision from the National Plan in their Strategic Plan.

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HARMONY PROJECT

Rumbalara Aboriginal Cooperative is a key stakeholder in Aboriginal Health in the Hume region, maintaining a holistic approach to service provision and emphasizes the importance of Family and Community. The area known as Rumbalara is situated on the river flats between Shepparton and Mooroopna. It is a place where Community people can meet for cultural and social activities as well as provide education, information and support in areas of special need such as health, housing, welfare and culture.

Under the Reducing Violence against Women and Children grants, the Department of Justice are funding an additional \$2.4 million state wide over three years specifically to address violence in Koori Communities. Rumbalara was successful in receiving the grant, dedicating funds to the delivery of their 'Harmony' project. WHGNE and the regional strategy will support Rumbalara with the implementation of the Harmony project.

REGIONAL MAPPING

The steering committee undertook a mapping exercise in March 2013, investigating primary prevention activities that related to violence against women and children. The purpose of this activity was to identify existing primary prevention initiatives, scoping potential to build upon and utilise these programs, and to prevent duplication of work. What this process elucidated was a dearth of evidenced based primary preventative initiatives across the Hume region. It also formed an educative purpose, and was able to highlight the difference between primary prevention and early intervention, stressing the importance of addressing the determinants of violence against women.

The mapping elucidated four broad themes of activity that had been implemented across the Hume. These included Parenting Programs, Relationship programs, White Ribbon Day events and actions taken by Local Government. The mapping analysis was utilised in the development of the regional strategy, informing selection of strategy actions and ensuring gaps that had been exposed were addressed.

REGIONAL STRATEGY

"This project has been funded under the Reducing Violence against Women & their Children grants program, part of the Victorian Government's Community Crime Prevention Program"

Under the Crime Prevention Program, the Department of Justice has funded eight projects across Victoria to assist in the prevention of violence against Women and their Children. The one-off Reducing Violence against Women and their Children (RVAWC) grants offer \$600,000 over three years. Activities are expected to deliver outcomes at a regional level using both whole of community primary prevention strategies and targeted responses to individuals and groups where there are strong signs that violence may occur. The project aims to address a range of issues, including:

- promoting equal and respectful relationships between men and women during their transition to parenthood

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- working across local government, workplaces and sporting settings to coordinate a region-wide approach to preventing violence against women
- bringing about structural and systemic organisational change to promote gender equitable and non-violent cultures
- build the capacity of male leaders in preventing violence against women.

(Department of Justice, 2013)

The **Hume Region Preventing Violence against Women and Children Strategy** has identified five key themes for action. They include:

- 1) **Partnerships** – to support, foster and connect with other organisations and individuals to work more effectively to promote the health and wellbeing of the community. Collaboration and engagement from all sectors are required to ensure the cultural change needed to prevent violence against women and children.
- 2) **Supportive Environments** – create supportive environments that fosters equal participation and generates living, working and playing conditions that are safe, stimulating and enjoyable. Community settings need to be inclusive, safe and gender equitable in order for respectful relationships and non-violent norms to grow. Within this strategy attention will be directed to the following settings:
 - Local Government
 - Community
 - Sporting Clubs
 - Youth Services
 - Education
- 3) **Capacity Building** – empower individuals and organisations through increased knowledge and skills in order to create sustainable change. To raise awareness of the prevention of violence against women, leaders within key settings need to drive change and embed policies and structures within organisations, displaying a commitment to the health and wellbeing of the community.
- 4) **Direct Participation in Programs** – Directly participating in programs has the ability to influence individual's attitudes and behaviours, as well as increasing knowledge and skills. Such programs addressing the determinants of violence against women can significantly expose gender inequality. Challenging beliefs in traditional gender roles and gender inequity is pivotal in shifting societal attitudes.
- 5) **Research and promoting the evidence base** – Use the evidence concerning the determinants of violence against women as the basis for primary prevention of violence against women initiatives.
 - Provide learning opportunities by sharing and utilising resources.
 - Develop a comprehensive evaluation framework and monitoring mechanisms to build the evidence base for the prevention of violence against women and children.

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WORKING GROUPS

Three working groups have been developed out of the steering committee to assist in the implementation of the strategy. The working groups each have a specific focus, centralising their work to core features of the strategy. The groups have been devised to utilise steering committee members time efficiently, and to employ member's skills and resources effectively. Please refer to Appendix 1 on the final page to view the Hume region violence against woman and children sector diagram.

Group	Brief	Initial Tasks/Responsibility
GENDER EQUITY	<p>The group will focus on ensuring the principles of gender equity are embedded in strategy actions and adopted in organisations.</p> <p>The group will employ a gendered lens over the strategy, certifying all resource produced address the determinants of VAW.</p> <p>Women's Health will drive this group.</p>	<ul style="list-style-type: none"> - Development of the preventing violence against women and children charter - Organisational audits - Provision of tools and resources to support - Development of the social marketing message - Gender and equity tools and resource
LOCAL GOVERNMENT	<p>The local government group will be a collective of council representatives, sharing barriers and enablers, and discussing ways to raise the profile of PVAWC on the council agenda</p> <p>Those local governments with greater capacity and experience can provide key learnings, supporting other councils in their journey.</p> <p>A consistent statement of PVAWC can be implemented across local governments.</p> <p>Local Government members will drive this group.</p>	<ul style="list-style-type: none"> - Implementing the charter in council - Promoting adoption of the charter to organisations within the local government area - Promoting the inclusion of PVAWC in councils policies, plans and procedure - Assist driving the gender audit conducted at council - Support for councils wanting to partake in strategy
COMMUNITY ACTION	<p>The community action group will concentrate on creating supportive environments in key settings specified in the strategy.</p> <p>These community settings need to promote equal and respectful relationships, providing an inclusive environment where women and children feel safe and respected.</p> <p>The key settings the action group will devote attention to include sporting clubs, youth services and community.</p> <p>Women's Health, Health Promotion Worker will drive this group.</p>	<ul style="list-style-type: none"> - Working with Valley sport and CARN to implement and achieve the Inclusion criteria under Vic Health's Healthy Sporting Environments - Support clubs and organisations to implement gender equity policies and practice - Support clubs and organisations to adopt the charter - Support for gender equity principles to be embedded into early years programs - Provide a platform for existing prevention networks to collaborate on primary prevention initiatives

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1) PARTNERSHIPS

Strategy	Responsibility	Performance Indicator
1.1 Steering Committee members collaboratively implement and monitor the Hume Region PVAWC strategy	Steering Committee Members	Attendance at meetings (Meeting minutes) Strategy endorsement Community Capacity Index tool employed
1.2 Liaise with Rumbalara Justice and support the implementation of the PVAWC Harmony Project	WHGNE – CCP** Rumbalara	Attendance at meetings (Meeting minutes)
1.3 Work with the IFVRAG as representatives of the Aboriginal communities in the Hume Region to support primary prevention of VAWC actions in their strategic plan	WHGNE- IHP* WHGNE- RIC WHGNE- CCP	Representation on steering committee Primary prevention initiatives implemented
1.4 Partner with existing Family Violence and primary prevention networks to support the implementation of actions within the strategy	WHGNE - IHP	Attendance at meetings (meeting minutes) 2 FVPN implementing primary prevention initiatives
1.5 Liaise with the GOMIFVMSC	WHGNE - RIC	Attendance at meetings (Meeting minutes)
1.6 Liaise with DOJ regarding the implementation of the regional strategy and expenditure of funds	WHGNE – CCP	Bimonthly reports
1.7 Work collaboratively with project workers from other PVAWC DOJ funded projects across the state, sharing resources and key learnings	WHGNE - CCP	Attendance at community of practice quarterly meetings
1.8 Utilise existing successful partnerships at a local level to implement PVAWC initiatives	WHGNE – CCP Nexus	Partnerships established 1 PVAWC primary prevention initiative implemented

*WHGNE IHP – Integrated Health Promotion. Action of the Women's Health, health promotion plan and funded through Department of Health funding

**WHGNE CCP – Community Crime Prevention. Action of the regional PVAWC strategy and funded through Department of Justice funding.

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2) SUPPORTIVE ENVIRONMENTS

2.1 COMMUNITY (LOCAL GOVERNMENT)

Strategy	Responsibility	Performance Indicator
2.1.1 Develop and implement a violence free charter driven by Local Government that can be embedded into a variety of community settings	WHGNE – CCP Local Government Benalla Rural City Council Murrindindi Shire Council Steering Committee	<ul style="list-style-type: none"> - Two LG implementing a Violence Free Charter - Two community organisation implementing the Charter
2.1.2 Engage with Local Government to promote PVAWC externally involving the broader community	WHGNE - IHP Local Government	<ul style="list-style-type: none"> - One LG promoting PVAWC within local community

2.2 COMMUNITY (SOCIAL MARKETING)

Strategy	Responsibility	Performance Indicator
2.2.1 Develop a social marketing campaign with clear and consistent messages of respect & equity and PVAWC to be delivered across the Hume region	WHGNE - CCP Steering Committee	<ul style="list-style-type: none"> - Social marketing campaign implemented in 12 LGA's

2.3 SPORTING CLUBS

Strategy	Responsibility	Performance Indicator
2.3.1 Work with local sporting assemblies to increase women's participation and create more family friendly environments aligning with Healthy Sporting Environments	WHGNE – CCP Nexus	<ul style="list-style-type: none"> - Two Clubs implementing gender equity practices - Increase of women's participation in sporting club
2.3.2 Promote the adoption of the Violence Free Charter in sporting clubs supporting Local Government and Healthy Sporting Environments	WHGNE - CCP - IHP	<ul style="list-style-type: none"> - Charter implemented in two sporting clubs

2.4 YOUTH SERVICES

Strategy	Responsibility	Performance Indicator
2.4.1 Support youth agencies to implement and deliver primary prevention activities, embedding the determinants of VAWC into existing programs and structures	WHGNE - IHP Youth Agencies	<ul style="list-style-type: none"> - One program adopting determinants of VAWC into program content - Participant change in attitudes
2.4.2 Provide social media safety training to caregivers and		<ul style="list-style-type: none"> - One Training session delivered

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adolescents embedding respectful relationships and gender equity content into the program		
2.4.3 Consult with youth agencies regarding the development of a PVAWC social marketing campaign and PVAWC initiatives	WHGNE – CCP Nexus	- Consultation process complete with recommendations provided

2.5 EDUCATION

Strategy	Responsibility	Performance Indicator
2.5.1 Strengthen relationship with DEECD and identify potential key partners to advocate for system change	WHGNE – IHP Steering Committee Nexus	- Key partners identified - Collaborative partnership formed
2.5.2 Collaborate with alternate education providers to promote gender & equity and nonviolent norms within the organisation	WHGNE - IHP	- One education provider adopting resources - One education provider promoting gender equity message
2.5.2 Advocate for the inclusion of gender equity in the school curriculum and mandate existing respectful relationship programs in the curriculum	WHGNE – IHP Nexus	- Strategic discussions with DEECD and resulting action towards embedding curriculum
2.5.3 Provide schools with tools and resources, supporting them to implement a policy/charter communicating clear gender & equity messages	WHGNE - IHP Schools	- One School adopting resources - One school implementing a charter/policy

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3) CAPACITY BUILDING

3.1 INDIVIDUALS

Strategy	Responsibility	Performance Indicator
3.1.1 Build the capacity of leaders within key settings to take action against gender inequity and champion the PVAWC message Key Settings -Sporting environments -Education -Local Government -Community	WHGNE - CCP - IHP Prevention networks	- 20 males participating in training - Five Champions actively playing positive role models
3.1.2 Provide the prevention networks with training and support them to identify and up skill community leaders	WHGNE - IHP	- One training session provided to each prevention network

3.2 WORKFORCE

Strategy	Responsibility	Performance Indicator
3.2.1. Promote WHGNE training opportunities of developed packages across the continuum of violence prevention to the Hume region	WHGNE - IHP - CCP	- Training provided
3.2.2 Advocate for and support local TAFE's to embed gender equity and PVAWC into existing curriculum	WHGNE - IHP	- Application of gender recognized in one TAFE curriculum
3.2.3 Provide youth providers with training to increase their knowledge of PVAWC, gender equity and skills to facilitate primary prevention actions	WHGNE – CCP	- Training provided to one youth agency
3.2.4 Advocate for the addition of an inclusion/equity criteria in Local Business Awards to encourage workplaces to implement equity initiatives		- Equity recognised in business awards
3.2.5 Develop higher level partnerships to advocate for the application of gender into all teaching courses (University) upskilling the future workforce	WHGNE - IHP	- Application of gender recognized in one University education curriculum

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3.3 ORGANISATIONAL

Strategy	Responsibility	Performance Indicator
3.3.1 Engage with Local Government to promote PVAWC internally, increasing gender equity within the workplace	WHGNE - CCP Local Government	<ul style="list-style-type: none"> - One LG conducting gender audit - One LG implementing family violence policy - One LG implementing gender equity practices
3.3.2 Partner with local government to build the capacity of all staff to take action against gender inequity and recognize it within the workplace	WHGNE - CCP Local Government	<ul style="list-style-type: none"> - One LG engaged; participated in training and implemented practices
3.3.3 Partner with local workplaces (particularly male dominated workplaces) to build the capacity of all staff to take action against gender inequity and recognize it within the workplace/communities	WHGNE - IHP	<ul style="list-style-type: none"> - One workplace engaged; participated in training and implemented practices

(Workplaces – In this context; place, such as an office or factory, where people are employed, comprising of at least 20 employees)

4) DIRECT PARTICIPATION IN COMMUNITY BASED INTERVENTIONS

Strategy	Responsibility	Performance Indicator
4.1 Promote Baby Makes 3 and support Maternal & Child Health to embed principles of Baby Make 3 and gender equity into antenatal/prenatal classes	WHGNE - IHP	<ul style="list-style-type: none"> - Baby Makes 3 implemented in one LGA
4.2 Explore opportunities to adapt Baby Makes 3 to vulnerable groups -ATSI -Low SES	WHGNE - IHP	<ul style="list-style-type: none"> - Research and consultation with vulnerable groups complete - Recommendations made
4.3 Embed gender and equity principles into existing parenting and relationships programs	WHGNE - IHP	<ul style="list-style-type: none"> - One service provider engaged and program embedded with gender equity principles

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STRATEGY 2013 - 2017 (cont'd)**

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5) RESEARCH AND PROMOTING THE EVIDENCE BASE

Strategy	Responsibility	Performance Indicator
5.1 Conduct research investigating best practice of PVAWC in rural and community settings	WHGNE – IHP WHGNE – CCP	- Literature review and case study produced
5.2 Support professionals in the use and application of tools and resources, disseminating information throughout network	WHGNE – IHP WHGNE – CCP	- Disseminate information quarterly
5.3 Provide professionals with the opportunity to participate in community of practice	WHGNE – CCP WHGNE – IHP	- Online learning forum established - Updated with resources quarterly
5.4 Keep abreast of current research in key areas and inform the steering committee - Disability - Elder Abuse - Mental Health	WHGNE – IHP	- Steering committee provided with information quarterly

CONTACT:

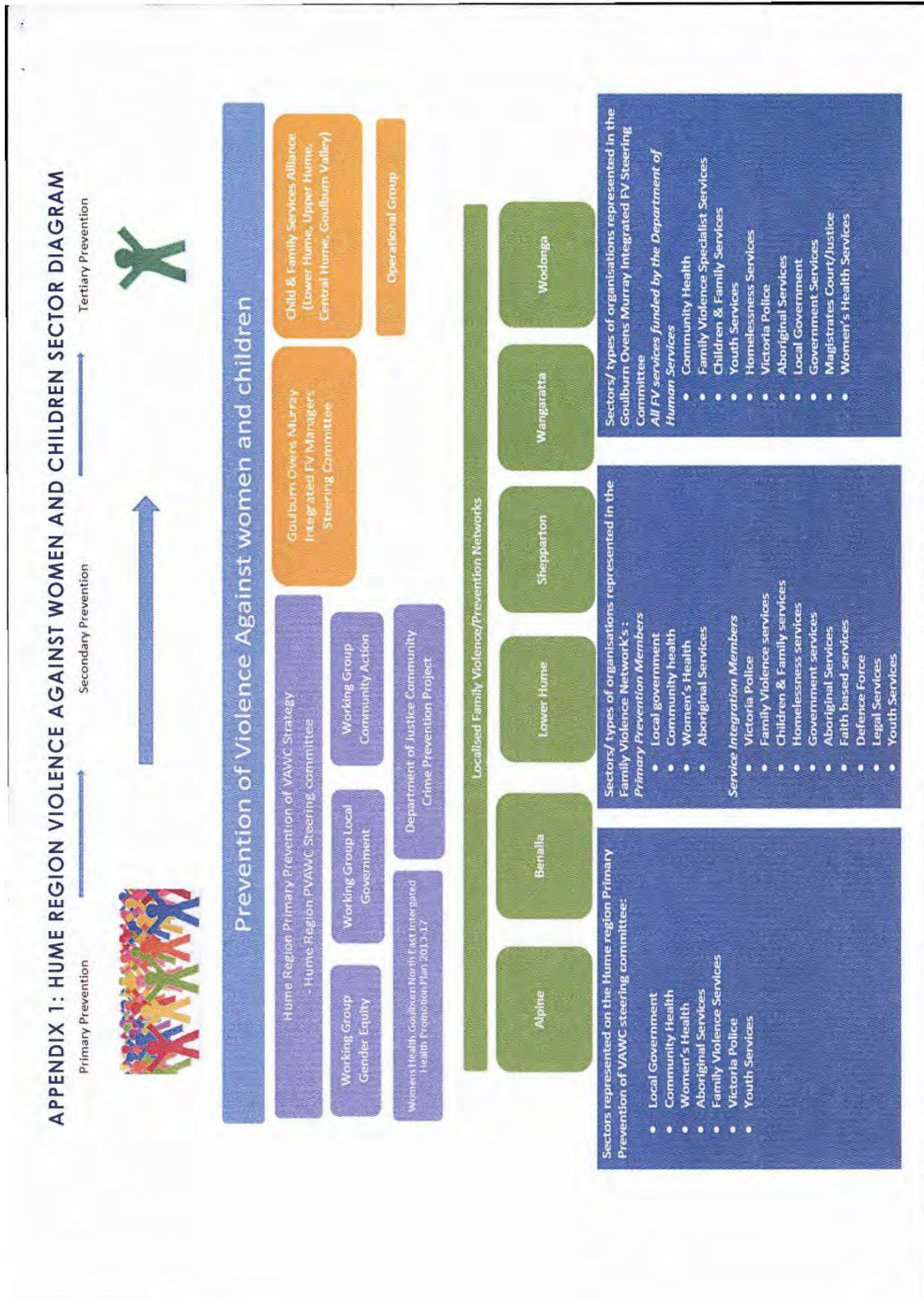
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[July 2013]

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FILE NO: 1
1. OUR COMMUNITIES

ITEM NO: 9.2.4
(ENVIRONMENTAL SERVICES TECHNICAL
OFFICER, JAMES WALTERS)
(ACTING DIRECTOR, COMMUNITY , BRUCE
CONNOLLY)

ORGANICS KERBSIDE SERVICE

RECOMMENDATION

That Council:

1. approve the implementation of a full organic kerbside service for the residential areas of the four major towns of Cobram, Nathalia, Numurkah and Yarrawonga based on a full cost recovery model.

1. Executive Summary

Council is currently presented with the opportunity to implement an organic kerbside service with the support of neighbouring municipalities, Resource GV and Sustainability Victoria funding.

In Moira Shire approximately 4000 tonnes of organic waste is collected as part of the kerbside garbage service. This represents approximately 30% of all waste that goes to the Cobram landfill.

The implementation of the proposed service would result in significant financial savings to Council through decreased annual EPA landfill levy costs and reduction in landfill airspace consumption.

This report seeks support of a compulsory collection service for the residential areas of our four major towns within the Shire: Cobram, Nathalia, Numurkah and Yarrawonga. This area consists of around 9,000 tenements.

This report presents two funding model options for the proposed service areas. The **Preferred funding model (Option 1)** is for full cost recovery based on the contract price. This is estimated to be \$90 per serviced property.

This charge would be administered through the rates notices similar to the existing recycling and organic waste services.

2. Discussion

Context

In 2013, Moira disposed of 14,700 tonnes of waste into landfill. Of the waste kerbside collection, organic waste made up about 4000 tonnes, which is 54% of total collected waste from the kerbside collection. This is 30% of total landfilled material being organic waste coming from kerbside waste collection.

Imperative

In 2013 the State Government released the Getting Full Value: the Victorian Waste and Resource Recovery Policy. This sets out a vision and approach to position Victoria as a national leader in resource recovery.

The State wide Waste and Resource Recovery Infrastructure Plan (SWRRIP) 2013 provides the evidence base to inform planning and investment to realise this vision. The SWRRIP has identified key landfills in a 30 year road map that will be prioritised for future investment (Table 1). The Cobram landfill is not a priority in this roadmap.

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ITEM NO: 9.2.4
(ENVIRONMENTAL SERVICES TECHNICAL
OFFICER, JAMES WALTERS)
(ACTING DIRECTOR, COMMUNITY , BRUCE
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ORGANICS KERBSIDE SERVICE (cont'd)

A tax on carbon is looming. Disposing of organics to landfill increases our Green House Gas (GHG) emissions which potentially exposes Council to future liabilities. Policy is trending towards removing organic waste totally from landfill, and doing so will reduce potential financial liabilities associated with taxes on carbon.

Proposed WMG Area	Landfill	Owner
Goulburn Valley	Patho Landfill, Echuca	Ellwaste Echuca
	Cosgrove Landfill, Shepparton	Greater Shepparton City Council
	Hildene Landfill, Seymour	Mitchell Shire Council

TABLE 7.3 IMPORTANT LANDFILLS BY PROPOSED WASTE MANAGEMENT GROUP AREAS

Table 1. Important landfills by proposed waste management group areas (SWRRIP)

Opportunity

An organic kerbside service is considered best practice and leading industry standard in waste management practises. If implemented, as well as providing a best practice waste management service Council would see significant savings and environmental benefits through the decrease in landfill levy being paid, reduction in landfill airspace consumption, and long term savings associated with environmental benefits; primarily leachate control, landfill gas minimisation, licence compliance and site management.

An opportunity exists to implement this service now with access to part of a regional grant from Sustainability Victoria of \$550,000. This grant is supporting Councils in the Resource GV region to implement an organic waste service with Moira set to receive \$145,000 plus access to a \$50,000 regional media campaign. Further details about this grant are in the financial implications section below.

To successfully introduce this service into the community, it is proven that the community engagement and education surrounding the service prior to introduction is paramount.

FILE NO: 1
1. OUR COMMUNITIES

ITEM NO: 9.2.4
(ENVIRONMENTAL SERVICES TECHNICAL
OFFICER, JAMES WALTERS)
(ACTING DIRECTOR, COMMUNITY , BRUCE
CONNOLLY)

ORGANICS KERBSIDE SERVICE (cont'd)



Through the Sustainability Victoria funding and Resource GV partnership there is an opportunity to align our media campaign with the well-recognised and proven 'Back to Earth' initiative.

Currently 11 Victorian municipalities are participating in the 'Back to Earth' campaign as part of the introduction and implementation of an organic kerbside service. Using the 'Back to Earth' campaign will be recognised within and beyond the region and a consistent message about the organic kerbside service will be delivered allowing a greater understanding and appreciation of the service.

Service implementation key considerations - Summary

Benefits	Comment
Access to SV funding and Regional implementation	\$145,000 for implementation i.e. procurement of caddies and bags and support for expansion Participation in "Back to Earth" regional media campaign (\$50,000)
Ongoing reduction in waste management service costs	Estimated reduction in EPA landfill levy \$120,000 p.a
Extension in lifespan of Cobram landfill	30%
Improved EPA compliance	Organic waste is a significantly higher landfill EPA risk than non-putrescible waste
Responsible environmental management practices	Reduction of GHG emissions and generation of a valuable organic compost
Risks	
Additional service charge on rate notices commencing 2014/15	Benefits of service promoted prior to and following implementation
Lack of community engagement and participation resulting in low uptake therefore low diversion from landfill or high levels of contamination (charged at \$400/ tonnes)	Benefits of service promoted prior to and following implementation

Proposed Service Area

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ORGANICS KERBSIDE SERVICE (cont'd)

Initially, this service is proposed for compulsory implementation in the residential areas of the four major towns within Moira Shire: Cobram, Nathalia, Numurkah and Yarrawonga. There are approximately 12,000 tenements across the Shire with approximately 9,000 (75%) of these residing in these residential areas. Therefore the majority of residential organic waste currently going to landfill originates in these towns.

Each household will receive a 240L Mobile Organics Bin (MOB) which will be serviced fortnightly by a collection contractor and then disposed of at an appropriate processing facility. Along with the MOB, each household will receive a small kitchen caddy and roll of compostable bags to collect their household scraps in for disposal into their MOB. It is expected that a roll of 150 bags is sufficient to support each household each year.

Waste stream audits provide evidence that those whom reside on larger blocks further from town, have much less input of organics into the waste stream due to an increased capacity and prevalence for composting/keeping chickens etc.

Limiting the service to these higher density collection areas will ensure it is viable from an economic standpoint and also from an efficiency stance of removing organics from landfill.

The inclusion of other areas in the Shire is possible in the future. If there is demand and majority agreement within a settlement the service can be extended to include new areas.

The Proposed Service

The service will be a full organic service which includes the collection and processing of the following items:

- Leaves and bark;
- grass clippings;
- weeds;
- small prunings and branches <100mm in diameter and 300mm in length;
- dry sawdust from untreated timber;
- food scraps including meat, bones and other animal products;
- animal droppings and manure; and
- approved compostable bags.

Implementation timelines

The aim is to implement the organic kerbside service commencing on the 1 September 2014. A tender process will be conducted to appoint contractors to deliver the service. The contract will involve two separable component parts in recognition of the distinctly different operations involved in supplying this service: kerbside collection including supply of MOB and processing.

The service will also be implemented in September 2014 in Greater Shepparton City Council and the Strathbogie Shire. The Back to Earth media and community engagement activities will commence immediately upon the service being endorsed formally by Council.

3. Financial Implications

Notes: As indicated in the timelines section of this report the implementation of the service is anticipated to commence in line with our neighbouring Councils in September 2014. This represents 83% of the financial year.

In the case that this service is implemented it will become an ongoing annual service; therefore the figures are discussed in terms of 12 month service delivery not 10 as is the case for

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ORGANICS KERBSIDE SERVICE (cont'd)

2014/15. Therefore adjustments for the first rating period are indicated in brackets as 83% of the totals.

The figures within this report are estimates. This is due to the following:

- the annual cost of the contract will not be known until the contract is advertised, submissions received and a contract awarded;
- figures are calculated based on 9000 serviced properties;
- the number of tonnes of organic matter diverted from the landfill is an estimate; and
- the consequent reduction in EPA levy is an estimation.

EPA Levy

The EPA levy has an annual budget allocation of approx. \$526,214, and is calculated at the rate of \$29.30 charged per tonne of municipal and \$51.30 per tonne of industrial waste that is landfilled. Removing 4000 tonnes of organics from landfill will reduce our levy costs by about \$120,000.

Landfill airspace

Airspace costs in excess of \$150 M³ (2011 Figure) landfilled. Landfill airspace is the most precious commodity and overriding issue in a landfill. The amount of space is directly related to the capacity and usable life of the landfill. Increasing (or preserving) the air space extends the usable life of the landfill. Numerous activities regularly carried out by Council are with the aim to preserve landfill airspace as it is a valuable asset that would be extremely expensive to replace. Removing organics from landfill through a kerbside service would extend the life of the landfill 30% longer than current projections.

Sustainability Victoria Grant

Resource GV were successful in obtaining a grant of \$550,000 to deliver 35,000 tenements across the region. As part of this grant submission Moira indicated support to achieving this target by the servicing of 8,000 tenements. Based on current figures the number of serviced properties has increased to 9000 tenements. By implementing the organic kerbside service Moira is set to receive \$145,000 plus access to a \$50,000 regional media campaign.

It is proposed that the \$145,000 will be used for initial bulk procurement of kitchen caddies and bags for residents, with the remainder committed to purchase and supply further caddies and bags to residents in potential expansion zones throughout the lifetime of the contract.

Options for funding service

The model proposed for the organic kerbside service is full cost recovery which will be facilitated through rating the serviced properties by adding an additional line onto the rate notice '240L Organic Waste Bin'. This will enable normal rating processes to apply including the application of the Pensioners rebate and the various payment options including periodic instalments, direct debits etc. Note, charges for waste services that already apply per serviced property are Garbage (\$95.32 for 2013/14) and Recycling (\$85.96 for 2013/14).

Funding model options for the proposed service are:

- **Preferred funding model (Option 1)** is for full cost recovery based on the contract price. This is estimated to be \$90 per serviced property (\$810,000 per annum); or
- **Alternative funding model (Option 2)** is an adjusted cost recovery based on the contract price being adjusted according to the estimated annual reduction in the EPA Landfill Levy. This is estimated to be \$77 per serviced property.

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Note that while the potential for reduced EPA Landfill Levies are acknowledged Option 1 is preferred as it does not factor in savings that are yet to be realised. The opportunity exists each year to review and adjust the charge based on savings realised.

Both the income and expenses associated with this service have been included in the draft 2014/15 budget.

4. Community Consultation

An organic waste trial was conducted in Numurkah in July 2011 and was very successful with a majority (96%) of trial participants in support of the service after the completion of the trial. This has provided valuable insight from the community through direct feedback in the form of surveys and communications through Council Officers, to develop a communication plan that will assist the success of the service throughout the Shire.

Through a number of surveys, reports and studies, both internally and externally, it is clear that the success of an organics kerbside service is directly related to the quality and success of the associated communication strategy.

Council Officers have been working on the implementation of this service with Resource GV, in particular our neighbouring municipalities Greater Shepparton City, Strathbogie Shire, and Campaspe Shire. This enables the alignment of the advertising and education campaign with neighbouring councils and shared media outlets.

Through an opportune partnering of Resource GV and Melbourne's Metropolitan Waste Management Group's, we have access to the professionally developed and market tested media and community engagement package "Back to Earth".

Following its formal endorsement the community will begin to see branded media releases and advertisements regarding the proposed new service. These will involve both Shire specific and regional "Back to Earth" releases. Participating in the "Back to Earth" program provides value in terms of using an established advertisement and education campaign; it also keeps the messages consistent throughout the region which will improve the communities knowledge of and trust in the service.

There will also be an extensive amount of activities including school visits and educational materials delivered throughout the Shire.

The organics kerbside service has been a topic at numerous Environmental Sustainability Advisory Committee meetings, and has been well-received by all in attendance.

5. Internal Consultation

The implementation of an organic kerbside service has been discussed a number of times with Council; both formally and informally. Council were briefed in April 2008, June 2011 and again in June 2013, and have to this point indicated support for the implantation of the service. At a Council Meeting in 2012, a motion was made to "work towards a green waste service being part of the 2013/14 budget deliberations", which was carried unanimously.

Recently, discussions have involved participation and consultations between the finance, governance, environment, and communications department. Moira Shire's Environmental Working Group has also frequently discussed the organic kerbside service, and supports the implementation of the third bin system.

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ORGANICS KERBSIDE SERVICE (cont'd)

6. Legislative / Policy Implications

The implementation of an organic kerbside service will align with the Council Plan 2013/14 to 2016/17. There are three strategies directly related to the organic kerbside service implementation, with performance measures to be reviewed against. These are:

- “Strengthen Moira’s focus on the environment, environmental health and sustainability agendas by building on innovation, leading practice, education, and communication for the community”;
- “Reduce the environmental impacts of Council and use the communities natural resources efficiently, and protect vulnerable elements of the environment”; and
- “Develop a Green Waste Strategy”.

This service also aligns with the new Statewide Waste and Resource Recovery Infrastructure Plan (SWRRIP) and the associated 30 year roadmap, along with Environment Protection Act 1970, The Hume Strategy for Sustainable Communities 2010 – 2020, and Councils Local Greenhouse Action Plan 2006.

In relation to the introduction of a new service rate and/ or Charge Section 161 of the Local Government Act states the following:

Service rate and service charge

- (1) A Council may declare a service rate or an annual service charge or any combination of such a rate and charge for any of the following services—
 - (a) the provision of a water supply;
 - (b) the collection and disposal of refuse;
 - (c) the provision of sewage services;
 - (d) any other prescribed service.
- (2) A service rate or service charge may be declared on the basis of any criteria specified by the Council in the rate or charge

7. Environmental Sustainability

Implementing the proposed organic kerbside service will divert a large amount of organic waste that is currently ending up in our municipal landfill. Organics in landfill generates a significant amount of greenhouse gases in the form of methane; which is approximately 20 times more potent than Carbon Dioxide (CO₂).

An organics kerbside service is recognised and defined as industry best practise in the waste services field. Council has committed to working towards a sustainable future for Moira Shire, and implementing an organic kerbside service is a strong step forwards in this quest.

Organic waste makes up over 50% of waste going to landfill. Therefor diversion of organic waste represents significant environmental benefits. The landfill lifespan would be extended significantly, and the organic material would become a valuable organic compost.

8. Conflict of Interest Considerations

There are no Council Officer conflicts of interest to consider within this report.

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ORGANICS KERBSIDE SERVICE (cont'd)

9. Conclusion

An organics kerbside service is recognised as industry best practise in the waste services field. Council has committed to working towards a sustainable future for Moira Shire, and implementing an organic kerbside service would be a strong step forwards in this quest.

The implementation of this proposed service will see large financial savings to Council, through decrease in landfill levy being paid and reduction in landfill airspace consumption.

The proposed service is a compulsory collection for the residential areas of the four major towns within the Shire: Cobram, Nathalia, Numurkah and Yarrawonga. This would consist of around 9,000 tenements, reaching 75% of the Shire's residences who receive a kerbside waste service.

This service is proposed to be a full cost recovery based on it being a rated service for entirety of its lifetime.

This report presents two funding model options for the proposed service areas. The **Preferred funding model (Option 1)** is for full cost recovery based on the contract price. This is estimated to be \$90 per serviced property.

A partnership with Melbourne Metropolitan Waste Management Group's "Back to Earth" Program is available to Council to brand a regional media campaign involving Moira Shire, Greater Shepparton City Council, Strathbogie Shire and Resource GV

Attachments

Nil

RECOMMENDATION

That Council:

1. approve the implementation of a full organic kerbside service for the residential areas of the four major towns of Cobram, Nathalia, Numurkah and Yarrawonga based on a full cost recovery model.

MOTION

CRS WENDY BUCK / KEVIN BOURKE

That Council:

1. approve the implementation of a full organic kerbside service for the residential areas of the four major towns of Cobram, Nathalia, Numurkah and Yarrawonga based on a full cost recovery model.

(CARRIED)

FILE NO: 52013482
2. OUR ENVIRONMENT AND LIFESTYLE

ITEM NO: 9.3.1
(STATUTORY PLANNING COORDINATOR,
PETER STENHOUSE)
(ACTING DIRECTOR, DEVELOPMENT AND
LIVEABILITY, MARK FOORD)

PLANNING PERMIT APPLICATION 5/2013/482, MULTI-STOREY RESIDENTIAL HOTEL, APARTMENT AND SHOP DEVELOPMENT, DWELLINGS AND WAIVER/REDUCTION OF BICYCLE PARKING AT 11-13 MURRAY VALLEY HIGHWAY, 72-84 STATION STREET AND 11-13 MURRAY STREET, COBRAM

1. Executive Summary

Planning Permit Application 52013482 has been lodged seeking approval to use and develop the land for the purpose of a 5 storey residential hotel, a 6 storey residential building consisting of 56 apartments and 96 car parking spaces, 3 two storey dwelling and 3 shops.

The application was advertised and referred with one conditional objection being received from Goulburn Valley Water (GVW), given that the development is being built over a sewer main.

While the proposed use and development generally accords with State and Local Planning Policy and planning provisions, it is difficult to conclude that it is in keeping with the character of the area.

However, given the location being on a highway and within a commercial zone, the impact on the character of the area is minimised.

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

2. Discussion

Application details

Owner/Applicant: Libro Mustica (SJB Planning)

Property Address: 11-13 Murray Valley Hwy, 72-84 Station St and 11 & 13 Murray Street, Cobram

Title Details: Lot on TP 857252D, PC 370700 and Lots 144 & 145 on LP1834.

Site Area:

File No: 52013482

Zone: Commercial 1 Zone (CZ1)

Overlays: Parking Overlay (PO)

Key Issues

- State and Local Planning Policy Framework
- Commercial 1 Zone provisions
- Design response
- Traffic & Access

Proposal

The proposal consists of two stand-alone buildings. One of the buildings will contain the residential hotel and the other will contain residential apartments, medium density dwellings and 3 commercial tenancies. The various uses are detailed below:

Residential Hotel

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**PLANNING PERMIT APPLICATION 5/2013/482, MULTI-STOREY RESIDENTIAL
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(cont'd)**

This will be located on the south side of the site fronting the Murray Valley Highway. This building will consist of 5 levels. The ground floor will include a lobby, office area, meeting rooms, function room, commercial kitchen, café and bar area.

The first floor will include 11 hotel rooms, gymnasium and restaurant. The second, third and fourth floors will each contain 18 hotel rooms. The hotel will have a total of 65 rooms. Parking for 79 cars will be provided for the hotel.

Medium density dwellings

Three, two storey attached dwellings are proposed to be located on the Murray Street frontage of the site adjoining the western end of the proposed apartment building. Each dwelling will include living areas and garage on the ground floor with 3 bedrooms located above. The buildings will be setback 6.9m from Murray Street. Each dwelling will include a double garage.

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Commercial tenancies

Three commercial spaces are proposed to be located on the Station Street frontage at the eastern end of the apartment building on the ground floor level. The tenancies will have areas of 136m², 152m² and 152m². Eighteen car spaces are provided for commercial tenancies.

Residential apartments

A total of fifty six apartments will be included in a six storey building. The ground floor and first floor will consist of parking spaces for 96 cars.

Floor	No. apartments	3 bedroom	2 bedroom
Third	16	2	14
Fourth	16	2	14
Fifth	16	2	14
Sixth	8	0	8
Total	56	6	50

Each apartment will have direct access to a private balcony. The balconies will vary in size with an average of 18.5m².

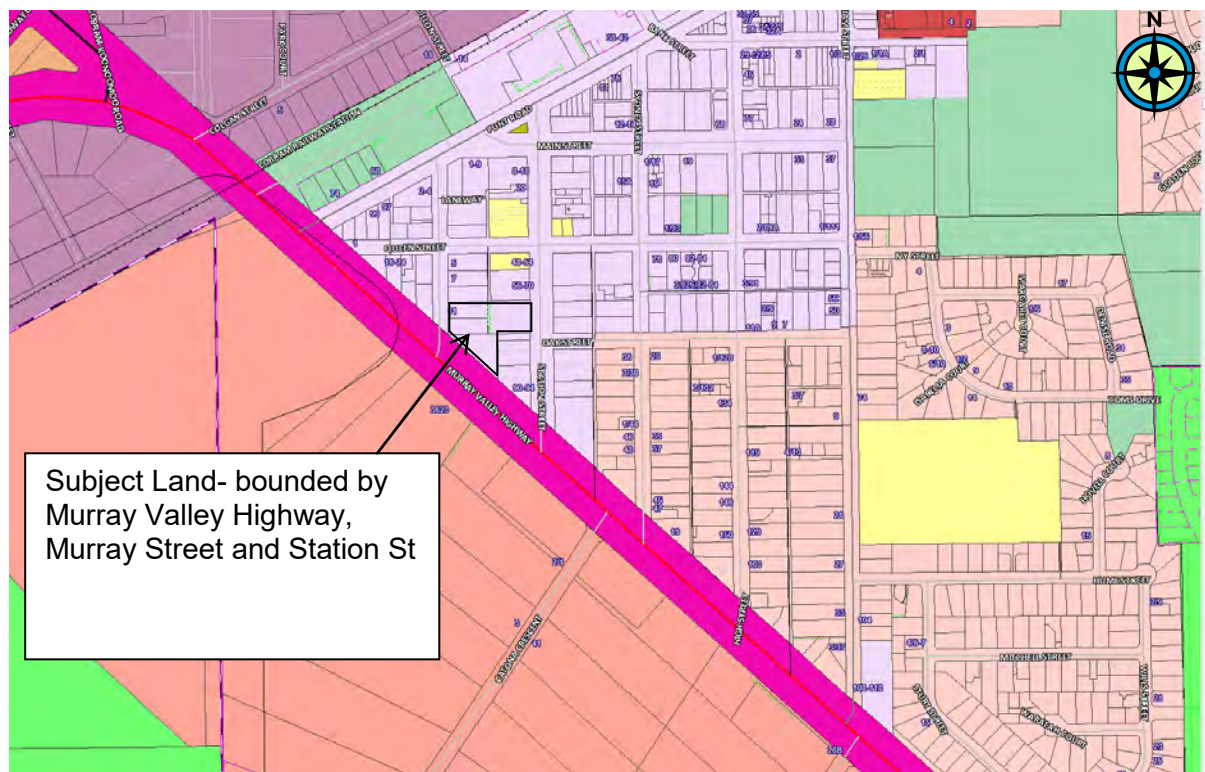
Two lifts and two stairwells will be service the apartments.

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Subject land and Locality



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The subject land has frontages to the Murray Valley Highway, Station Street and Murray Street. The Murray Valley Highway frontage adjoins an existing service station to the east and Murray Street to the west.

The Station Street frontage adjoins a car wash to the south and the veterinary clinic to the north. The Murray Street frontage adjoins a single storey residential dwelling to the north and opposite to the west are dwellings.

There are two existing houses on Murray Street frontage of the site. The remainder of the site is vacant.

The site is all located within the Commercial 1 Zone as is the land immediately to the north of the site. The land to the east and west of the site is all zoned Commercial 2 and the land opposite is in a Low Density Residential Zone.

The site is well located in terms of its access to facilities being located on the edge of the commercial centre of Cobram and with access to a major highway.

The main access to the site will be via a two way access off Station Street. This will provide access to the hotel and apartment car parks. This access way will extend through to the Murray Street which is contained in the Murray Valley Highway road reserve, however, the west end will be only one way; allowing access only from the Murray Street.

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Vehicular access to the 2 of the 3 multi dwellings will be directly off Murray Street. The access to the third dwelling will be via the driveway to the Residential Hotel and apartments which is considered inappropriate and will increase conflict points, therefore it is recommended by our Infrastructure Department that all townhouses obtain direct access from Murray Street.

Planning Scheme Provisions

State Planning Policy Framework (SPPF)

Of the SPPF, the following clauses are most relevant to the application.

Clause 11 (Settlement) seeks to facilitate sustainable development that takes full advantage of existing settlement patterns, and investment in transport and communication, water, sewerage and social facilities;

Clause 11.05-1 (Regional Settlement Networks) seeks to promote the sustainable growth and development of regional Victoria;

Clause 15.01-2 (Urban Design) seeks to achieve architectural and urban design outcomes that contribute positively to local urban character and enhance the public realm whilst minimising detrimental impact on neighbouring properties. Development proposals of four or more storeys should also have regard to the Design Guidelines for Higher Density Residential Development;

Clause 15.02 (Sustainable Development) aims to encourage land use and development that is consistent with the efficient use of energy and the minimisation of greenhouse gas emissions;

Clause 16.01 (Residential Development) encourages an increase in the supply of housing in existing urban areas, including in or close to activity centres, employment corridors and other strategic redevelopment sites. The policy encourages the development of well-designed medium density housing which respects neighbourhood character, improves housing choice, makes better use of existing infrastructure and improves energy efficiency;

Clause 16.01-2 (Location of Residential Development) seeks to increase the proportion of new housing in or close to activity centres and employment corridors and other strategic redevelopment sites that offer good access to services and transport;

Clause 17.03 (Tourism) seeks to encourage tourism development to maximise the employment and long term economic, social and cultural benefits of developing the State as a competitive domestic and international tourist destination;

Clause 17.03-1 (Facilitating Tourism) encourages the development of a range of well designed and sited tourist facilities, including integrated resorts, residential hotel accommodation and smaller scale operations, building on the assets and qualities of surrounding urban or rural activities;

Clause 17.01 (Business) seeks to encourage development which meets the communities' needs for retail, entertainment, office and other commercial services and provides net community

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benefit in relation to accessibility, efficient infrastructure use and the aggregation and sustainability of commercial facilities; and

Clause 18.02 (Movement networks) refers to sustainable personal transport and encourages the use of walking, cycling and developing high quality pedestrian environments. The provision of adequate bicycle parking and related facilities to meet demand is desirable. In relation to car parking, policy seeks to ensure an adequate supply of car parking that is appropriately designed and located.

**Local Planning Policy Framework (LPPF)
Municipal Strategic Statement (MSS)**

Clause 21.01 (Municipal Overview)

This clause also recognises the municipality for its environmental attributes and notes the area as a 'desirable tourist attraction'. In terms of economic development, the tourism industry is a growing contributor to the Shire's economy. Tourism is based on the natural features of the Shire, particularly the Murray, Goulburn Rivers and Ovens Rivers and the Barmah Forest.

Clause 21.02 (Vision for Moira)

This clause envisages that employment opportunities in Moira will be dominated by the agricultural, industrial and tourism resources of the municipality and in relation to housing, alternatives to traditional 'family housing' is expressly encouraged.

Clause 21.04 (Settlement)

This clause recognises the broad issues related to settlement and acknowledges that increased growth will need to be accommodated in centres such as Cobram. Relevant objectives under this clause for Cobram are:

- Future development of the township of Cobram will be generally in accordance with the Cobram Town Structure Plan;
- The existing structure of Cobram, with its clear division between land use activities, should not be compromised;
- Medium density housing is encouraged around the commercial fringe of the town centre, near public open space and local neighbourhood centres and within good access to existing and potential public transport routes;
- Short term residential development will be directed to land already zoned;
- Encourage the redevelopment of vacant and underutilised sites in the commercial precincts, including the town centre;
- Protect the town centre by favouring new retail developments that provide active frontages on the ground floor with offices above the ground floor in the streets surrounding the town centre;

Clause 21.05 (Economic Development)

This clause recognises that: *'Tourism development needs to be enhanced In order to multiply the expenditure benefits tourism brings to the municipality. It will be of paramount importance that any development does not jeopardise the long-term viability of the Shire's natural assets'*

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Local Planning Policies

Clause 22.05 Car Parking Policy

This clause recognises that many of the rates specified in Clause 52.06 are much higher than has typically been applied in comparable regional Victorian centres.

It is policy that before deciding on an application to reduce or waive the parking requirements of Clause 52.06, the responsible authority must consider as appropriate:

- The amount of parking credit which applies to the site;
- The availability of on-street and off-street car parking within 100 metres of the site;
- Whether the proposal will adversely affect the heritage significance of the building or the streetscape;
- The potential for shared car parking;
- Whether the proposal incorporates any design and amenity features;
- The design and layout of the proposed development;
- The proposed landscape treatment of the public and private domain; and
- The recommendations of the appropriate car parking study.

The following car parking rates are required to be provided for all business or commercial uses to the satisfaction of the Responsible Authority:

- Cobram - 6 spaces per 100m² leasable floor area.

In exceptional circumstances, a permit may be granted to reduce or waive the number of car spaces required, where sufficient justification is provided by the applicant.

The proposal is generally consistent with the State and Local Planning Policy frameworks in that it:

- builds on the tourism base for the municipality;
- provides for an alternative to traditional family housing;
- provides additional commercial space in the commercial zone

Zone Provisions:

The subject site is entirely located within the Commercial 1 Zone under the Moira Planning Scheme. The purpose of the Commercial 1 Zone is:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.
- To provide for residential uses at densities complementary to the role and scale of the commercial centre.

A permit is required for the use of land for a dwelling and a residential hotel under the provisions of the Commercial 1 Zone. A use permit is not required for the 3 commercial tenancies. A planning permit is triggered for the building and works.

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PETER STENHOUSE)
(ACTING DIRECTOR, DEVELOPMENT AND
LIVEABILITY , MARK FOORD)

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The provisions of Rescode do not apply as the proposal is greater than four storeys in height. The relevant decision guidelines which should be considered are as follows:

General

- *The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *The interface with adjoining zones, especially the relationship with residential areas.*

State and Local Planning Policy have previously been discussed in the report. The proposed development does not interface with any residential zones; although there is an existing residential property adjoining the site to the north and dwellings opposite in Murray Street.

Use

- *The effect that existing uses may have on the proposed use.*
- *The drainage of the land.*
- *The availability of and connection to services.*
- *The effect of traffic to be generated on roads.*
- *The interim use of those parts of the land not required for the proposed use.*

These matters have been taken into consideration in the report submitted with the application.

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Building and works

- *The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.*
- *The provision of car parking.*
- *The streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.*
- *The storage of rubbish and materials for recycling.*
- *Defining the responsibility for the maintenance of buildings, landscaping and paved areas.*
- *Consideration of the overlooking and overshadowing as a result of building or works affecting adjoining land in a General Residential Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.*
- *The availability of and connection to services.*
- *The design of buildings to provide for solar access.*

These matters have been taken into considered in the report submitted with the application.

Overlays

The subject land falls within the Parking Overlay – Schedule 2 (Business Zones and Mixed Use Zones Cobram). However the overlay does not apply to this proposal as the proposed uses of residential hotel, dwellings and shop are not included in the table to this overlay.

Particular Provisions

Clause 52.06 – Car parking

The following table sets out the parking requirements for the various uses and there compliance with Clause 52.06.

Residential Uses

Use	Parking rate	Number	No. of spaces required	No. of spaces provided
Medium density units	2 spaces per 3 bedroom dwelling	3 dwellings	6	96
Apartments (2 bedroom)	1 space per two bedroom dwelling	50	50	
Apartments (3 bedroom)	2 spaces per three bedrooms	6	12	
Visitor parking	1 space per 5	59 dwellings	12	

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	dwelling			
Total			80	96

Commercial Uses

Use	Parking rate	Size	No. of spaces required	No. of spaces provided
Shop	4 per 100 sqm of leasable floor area	451 sqm	18	18

A Residential Hotel is not included in the table to Clause 52.06. The application has provided for 79 car spaces for the hotel. For a motel the requirement is 1 space per room. On this basis as there are 65 rooms available to guests, this leaves 14 spaces for staff. The proposed parking provisions are considered to meet the requirements of clause 52.06.

Clause 52.07 – Loading/unloading of vehicles

A loading bay is provided for the Residential Hotel which complies with the requirements of the clause. However it is not proposed to provide a designated loading area for the shops. A loading area could be set aside on Station Street. This could be a condition of any approval.

Clause 52.34 – Bicycle Facilities

Under this clause there is a requirement for 24 spaces for the total development (18 for the dwelling component and 6 for the hotel). While this number may be considered excessive, it would not be unreasonable to convert one car parking space in the apartment car park to bicycle parking. The same could be provided for the hotel. This would result in about 8 bicycle spaces for each use.

Clause 52.35 – Urban Context Report and Design Response for Residential Development over Four Storeys.

An Urban Context Report has been provided as part of the documentation submitted with the application. The report was prepared by the architects for the proposal. This clause has been satisfied.

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 elsewhere in this report. With respect to the effect on amenity, consideration needs to be given to amenity expectations of the adjoining residents. The reasonable expectations of the adjoining residents must be considered having regard to the

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fact that these properties are located within a commercial zone. On balance it is considered that any loss of amenity has been minimised by the design elements of the proposed building which takes into account overlooking and overshadowing.

The location of the proposal on the edge of the commercial area and with frontage to a major highway is considered to be consistent with orderly planning of the area. There is no native vegetation that will be removed from the site.

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 budgeted for.

4. Community Consultation

Public notice of the application was provided under Section 52 of the Planning and Environment Act 1987 by:

- Sending notices to adjoining owners and occupiers;
- Placing signs on-site.
- Placing a notice in the Cobram Courier

No objections have been received.

5. External Consultation

The application was referred to the Director of Public Transport (DPT) and VicRoads under Section 55 of the Planning and Environment Act 1987. A notice of application was sent to Goulburn Valley Regional Water Authority (GVRWA) and Powercor under Section 52 of the Act. The comments received were as follows:

DPT	Does not object to the grant of a planning permit.
VicRoads	Does not object to the grant of a planning permit subject to conditions. VicRoads requested that a Traffic Impact Assessment Report (TIAR) be prepared, which was subsequently submitted. VicRoads requested amendments to the TIAR, which were duly made. Such report was based on the desired layout of the applicant and its impact on the highway. The report provided no assessment of impact on the intersection between Murray Street and the site.
GVRWA	<u>Objects</u> to the grant of a planning permit on the grounds that both the proposed apartment building and the hotel are positioned directly over a corporation owned reticulation gravity sewerage main. However the Authority may consider withdrawing its objection if conditions are included on any Notice of Decision issued.
Powercor	Does not object to the grant of a planning permit subject to

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	conditions.
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6. Internal Consultation

The application was referred to the Building, Environmental Health and Infrastructure Departments. Comments and conditions have been recommended if any permit is issued. The comments were as follow:

Building Department.	No objection
Environmental Health Department	Food Act registration will be required under the provisions of the Food Act 1984 and Public Health and Wellbeing Act registration will be required under the Public Health and Wellbeing Act 2008.
Infrastructure Department	The Infrastructure Department are concerned with the proposed access from Murray Street having unsafe movements from the highway into Murray St then a second movement into the site. It is preferable that the development be redesigned having exit only into Murray St. with entry from Station St. Amended plans would therefore be required along with relevant infrastructure conditions. Specific comments from Infrastructure relating to entry and exit are below: <i>The plans supplied demonstrate the concern with respect to the potential for "short stacking" of vehicles within the intersection of Murray St and Murray Valley Highway.</i> <i>It is important to note that while Infrastructure Planning is not attempting to obstruct this development, there is serious concern for the future safety of users of this intersection and the plan should not be accepted in its current form.</i> <i>By way of brief explanation, there is the possibility that vehicles waiting to enter onto MVH could block the entrance to the hotel complex. The blocked entrance would (if a bus proceeded into Murray St),</i>

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	<p><i>prevent the bus from clearing the highway further exacerbating the situation. The lead vehicle (waiting to enter MVH) may be pressed to enter the highway without adequate visibility of oncoming traffic.</i></p> <p><i>The intended treatment for the shared path is unsatisfactory as there is less protection than is currently afforded to users of the path. The introduction of a traffic island to serve as a pedestrian (and cyclist refuge) may be a solution for the users of the shared path but will probably exacerbate the traffic problems created by the location of the entrance.</i></p> <p><i>The reversal of the development entrance to exit only in conjunction with a splitter island at the MVH/Murray St intersection should be seriously considered as a safer arrangement for road users at this location. An arrangement of exit only will remove the issues of short stacking, provide a safer crossing for shared path users and possibly alleviate the need for the slip lane from MVH.</i></p>

7. 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.

8. Environmental Sustainability

There is no remnant vegetation on this site. A condition of approval will include the requirement for the site to be landscaped.

9. Conflict of Interest Considerations

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

10. Conclusion

This proposal for a multi-storey development is a first for the area that in the main is characterised by single and two storey developments. As such, the building if approved, will be

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a major land mark for the town of Cobram. There are no height restrictions in the Commercial 1 Zone. Whether it can be considered to be out of scale in the context of nearby development needs to be carefully considered. The fact that no objections were received from the community indicates that the proposal is not considered to have any unreasonable off site amenity issues.

The proposal is consistent with many of the state and local objectives particularly in the provision of alternative and diverse housing opportunities. Apartment style living is not common in regional areas, but adds to the diversity of housing choices for existing and prospective residents. Its location at the edge of the town centre makes it ideal for this type of accommodation, having easy walking access to all facilities.

The residential hotel component of the proposal is consistent with the local policy aspirations to capitalise on the tourism attractions of the area as a major driver for economic growth. Its location on a major highway is suitable for a major hotel proposal.

The commercial component of the development will contribute to the retail vitality of the town centre.

The development accords with the Commercial 1 Zone and relevant planning policies by contributing to the provision of an active use (shops in Station Street) at ground level with dwellings on the floors above.

The building design responds to its context in terms of setbacks, built form, massing, orientation and architectural treatments. These factors will help to ameliorate against the scale of the development, making it better fit with its surroundings.

With the exception of modifications to the entry and exit, on balance, the proposal is considered to be a suitable development for the site that will have minimal impact on adjoining land uses.

Given the objection raised by GVRWA, approval will have to be in the form of a Notice of Decision subject to conditions.

Attachments

- 1 Development Plans

RECOMMENDATION

That Council approve the issue of a Notice of Decision to Grant a Permit for planning Application No 52013482 for the use and development of land described as 11-13 Murray Valley Hwy, 72-84 Station St and 11 & 13 Murray Street, Cobram for the construction of a sixty-five (65) room Residential Hotel, construction of a building comprising fifty-six (56) apartments and 3 shops, use of land for a Residential Hotel and Dwellings and Waiver/reduction of Bicycle Parking, subject to the following conditions:

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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) Murray Street access (for the Residential Hotel and Apartments) be used for “exit only”.
 - b) Vehicle access to all three townhouses must only be from Murray Street.
 - c) At least 14 spaces for bicycle parking (refer condition 6).
 - d) Residential hotel garbage & recycling storage area(s).
2. The use and/or development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
3. That the Transport Impact Assessment Report (TIAR) submitted with the application be modified to reflect Murray Street as an exit only together with any civil works in the vicinity Murray Valley Highway and Murray Street. Such modified TIAR must be to the satisfaction of VicRoads and the Responsible Authority.
4. Before the *use or occupation of the development* starts, the area(s) set-aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
 - a) constructed;
 - b) properly formed to such levels that they can be used in accordance with the plans;
 - c) surfaced with an all-weather-seal coat;
 - d) drained;
 - e) line marked to indicate each car space and all access lanes;
 - f) clearly marked to show the direction of traffic along access lanes and driveways;to the satisfaction of the Responsible Authority. Car spaces, access lanes and driveways must be kept available for these purposes at all times.
5. No fewer than 163 car spaces must be provided on the land for the use and development, including at least 2 spaces clearly marked for use by disabled persons in accordance with the recommendations of the Transport Impact Assessment by TrafficWorks dated 4/11/2013.
6. No fewer than 8 secure bike space(s) must be provided on the land for residents and 6 spaces for visitors in accordance with recommendations of the of the Transport Impact Assessment by Traffic Works dated 4/11/2013.
7. That the design of the building must ensure that there is no detrimental impact upon traffic movements or surrounding streets as a result glare or reflection from the building.
8. A satisfactory landscaping plan for the whole of the subject land must be submitted to and approved by the Responsible Authority, prior to the development permitted by this permit commencing or, within 30 days of the issue of the Building Permit, whichever is the

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sooner. An endorsed copy of the plan must form part of this permit. The submitted plan must:

- a) include a survey of all existing vegetation and natural features showing plants (over 2.0 metres in height) to be removed;
 - b) include a schedule of all proposed trees, shrubs and ground cover, which will include the location, number and size at maturity of all plants, the botanical names of such plants and the location of all areas to be covered by grass, lawn or other surface materials as specified;
 - c) the method of preparing, draining, watering and maintaining the landscaped area;
 - d) the weed management program.
9. Before the *use/occupation of the development* starts or by such later date as is approved by the Responsible Authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
10. 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.*
11. All disused or redundant vehicle crossings must be removed and the area reinstated to kerb and channel at full cost to the applicant to the satisfaction of the Responsible Authority.
12. Any damage occurring to Council Assets (ie sealed roads, drains, footpaths etc) during the period of construction must be repaired at the cost of the applicant to the satisfaction of the Responsible Authority.
13. Murray St, to the extent that it is impacted by alterations at the intersection with the Murray Valley Highway and for a distance along Murray St. at least as far as the existing kerb and channel, must be constructed and sealed to the satisfaction of the Responsible Authority. Such construction shall generally conform to the Infrastructure Design Manual and shall include kerb and channel, drainage, footpath extension from Murray St south to the shared path and modifications to the shared path across Murray St. The pavement of Murray St shall be split by a traffic island so as to prevent access to the development by from the Murray Valley Highway and be designed integrally with the existing shared path to facilitate use of the traffic island as a refuge.
14. Any new vehicular crossing to the subject land from the road must be constructed of a size and standard satisfactory to the Responsible Authority at the applicant's expense. The final location of the crossing is to be approved by the Responsible Authority via a "Consent To Work Within The Road Reserve", prior to the undertaking of works.
15. Prior to the commencement of any civil works associated with the entrance to or exit from

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the development, detailed construction plans must be prepared to the satisfaction of the Responsible Authority. All civil works constructed or carried out in relation to the entrance or exit must be in accordance with the approved plans.

16. A plan to be provided of the Off Street Parking area demonstrating that it complies with the requirements of the relevant Australian Standards, including AS/NZS 2890.1 and AS/NZS 2890.6.
17. Prior to the commencement of the use or development / issue of the Certificate of Occupancy/issue of the Certificate of Final Inspection, the Developer / Applicant must ensure that safe intersection sight distances (SISD) as described in the AustRoads Publication: Guide to Road Design Part 4: Intersections and Crossings, are achieved at the point of access, and the point of exit, to the satisfaction of the Responsible Authority.
18. All construction works are to be conducted in accordance with sediment control principles outlined in EPA Publication 275: "Construction Techniques for Sediment Pollution Control" 1991 and sediment retention structures are to be implemented prior to the commencement of development to ensure that detrimental impact of sediment transport from this development is minimized.
19. All garbage generated from the hotel, residential apartments and commercial premises shall be stored on site until collected, screened from public view to the satisfaction of the Responsible Authority and must not be used for any other purpose.
20. Prior to the issue of building approval for the development, functional layout plans must be prepared and approved by the responsible authority, showing the storage areas for garbage receptacles relating to the hotel, residential apartments and commercial premises. The plan must also show all intended vehicle movements required to collect and remove garbage from the premises. The plan must demonstrate the ability of a garbage collection vehicle to enter the premises, empty the receptacles and leave the premises in a forward direction.

The design must ensure that access to the site is maintained at all times during collection of garbage.

21. Before any of the development starts, a properly prepared drainage discharge plan with computations to the satisfaction of the responsible authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and a minimum of three copies must be provided. The information submitted must show the details listed in the council's Infrastructure Design Manual and be designed in accordance with the requirements of that manual. The information and plan must include:
 - a) details of how the works on the land are to be drained and retarded to pre-development discharge rates for a 1 in 20 year ARI storm,
 - b) computations including total energy line and hydraulic grade line for the existing

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and proposed drainage as directed by Responsible Authority,

- c) computations showing the capacity of the existing drainage system passing through and immediately downstream of the site,
- d) underground pipe drains conveying stormwater to the legal point of discharge,
- e) a maximum discharge rate from the site is to be determined by computation to the satisfaction of Council. The maximum discharge rate shall have regard for the capacity of the existing pipe network.
- f) documentation demonstrating approval from the relevant authority for the legal point of discharge.
- g) the provision of gross pollutant and/or litter traps installed at the drainage outfall of the development to ensure that no effluent or polluted water of any type may be allowed to enter the Council's stormwater drainage system.

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

- 22. All existing drainage assets within the development area, whether on private land, easement or road reserve shall be inspected and details provided as to how all existing assets will be protected both during and post construction. All and any changes proposed shall be documented in plans to be submitted for approval by the responsible authority.
- 23. Easements shall be created over all Council drainage assets located within the development site. The applicant shall meet the cost of creation of those easements.
- 24. 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.

Vic Roads

- 25. Prior to the commencement of the use the following mitigating works must be constructed in accordance with the recommendations of the Transport Impact Assessment Report prepared by Trafficworks to the satisfaction of the Roads Corporation (VicRoads) at no cost to the Roads Corporation:
 - a) A Basic Right Turn intersection treatment (Type BAR) as shown in Figure 7.5 of the Austroads Guide to Road Design Part 4A at Station Street / Murray Valley Highway intersection.

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- b) A Basic Right Turn lane treatment (Type BAR) as shown in Figure 7.5 of the Austroads Guide to Road Design Part 4A and a Basic Left Turn lane treatment (Type BAL) as shown in Figure 8.2 of the Austroads Guide to Road Design Part 4A at the Murray Street / Murray Valley Highway intersection.

Goulburn Valley Water

26. Payment of a new customer contribution for water supply to the development, such amount being determined by the Corporation at the time of payment.
27. Provision of individual water supply meters to the apartments, townhouses and three shops within the development.
28. Any existing water service that crosses any of the existing allotment boundaries within the proposed development must be disconnected and re-located at the developer's expense, to be wholly within one allotment only and to the satisfaction of the Goulburn Valley Region Water Corporation.
29. Provision of reticulated sewerage and associated construction works to the development, at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation. (*relocation of existing sewer main clear of the proposed building footprint to continue service to existing customers upstream of this development*).
30. Connection of all sanitary fixtures within the development to reticulated sewerage, at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Authority. All works required are to be carried out in accordance with AS 3500.2 - 'Sanitary plumbing and drainage', and to the satisfaction of the Authority's Property Services Section.
31. Pursuant to Section 36 of the Subdivision Act, if the Corporation considers that, for the economical and efficient subdivision and servicing of the land covered by the Application for Permit, it requires the owner of the land to acquire an easement over other land in the vicinity. That is, any land not owned by the Developer through which a sewerage extension servicing the development is to be located, easements shall be created in favour of the Corporation.
32. Discharge of trade waste from the development shall be subject to a Trade Waste Consent Agreement. The owner and or occupier is required to submit a completed Trade Waste Application, and install the required pre-treatment facility to the satisfaction of Goulburn Valley Water's Trade Waste Section, before approval to discharge trade waste from the development into the Corporation's sewer is granted.
33. The operator under this permit shall be obliged to enter into an Agreement with Goulburn Valley Region Water Corporation relating to the design and construction of any sewerage works required. The form of such Agreement shall be to the satisfaction of Goulburn Valley Water. A copy of the format of the Agreement will be provided on request.

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PLANNING PERMIT APPLICATION 5/2013/482, MULTI-STOREY RESIDENTIAL HOTEL, APARTMENT AND SHOP DEVELOPMENT, DWELLINGS AND WAIVER/REDUCTION OF BICYCLE PARKING AT 11-13 MURRAY VALLEY HIGHWAY, 72-84 STATION STREET AND 11-13 MURRAY STREET, COBRAM (cont'd)

Powercor

34. The buildings must comply with the clearances required by the Electricity Safety (Network Assets) Regulations.
35. Any construction work must comply with Energy Safe Victoria's "No Go Zone" rules.
36. The Applicant/Developer must negotiate with Powercor Australia Ltd for a supply of electricity to the development. The negotiations for the electricity supply may require a kiosk or indoor substation area, which would require a lease area and easements for electricity and carriageway.

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.

Prior to any works commencing, an Asset Protection Permit pursuant to Moira Shire Council's Streets and Roads Local Law 2003 is to be obtained.

The premises are to comply with the Food Act 1984, as amended. Council's Environmental Health Department should be contacted regarding these requirements.

The premises are to comply with the Public Health and Wellbeing Act 2008, as amended. Council's Environmental Health Department should be contacted regarding these requirements.

VicRoads

Separate consent for works within the road reserve and the specifications of these works is required under the Road Management Act.

MOTION

CRS ED COX / GARY CLEVELAND

That Council approve the issue of a Notice of Decision to Grant a Permit for planning Application No 52013482 for the use and development of land described as 11-13 Murray Valley Hwy, 72-84 Station St and 11 & 13 Murray Street, Cobram for the construction of a sixty-five (65) room Residential Hotel , construction of a building comprising fifty-six (56) apartments and 3 shops, use of land for a Residential Hotel and Dwellings and Waiver/reduction of Bicycle Parking, subject to the following conditions:

FILE NO: 52013482
2. OUR ENVIRONMENT AND LIFESTYLE

ITEM NO: 9.3.1
(STATUTORY PLANNING COORDINATOR,
PETER STENHOUSE)
(ACTING DIRECTOR, DEVELOPMENT AND
LIVEABILITY, MARK FOORD)

PLANNING PERMIT APPLICATION 5/2013/482, MULTI-STOREY RESIDENTIAL HOTEL, APARTMENT AND SHOP DEVELOPMENT, DWELLINGS AND WAIVER/REDUCTION OF BICYCLE PARKING AT 11-13 MURRAY VALLEY HIGHWAY, 72-84 STATION STREET AND 11-13 MURRAY STREET, COBRAM (cont'd)

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) Murray Street access (for the Residential Hotel and Apartments) be used for "exit only".
 - b) Vehicle access to all three townhouses must only be from Murray Street.
 - c) At least 14 spaces for bicycle parking (refer condition 6).
 - d) Residential hotel garbage & recycling storage area(s).
2. The use and/or development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
3. That the Transport Impact Assessment Report (TIAR) submitted with the application be modified to reflect Murray Street as an exit only together with any civil works in the vicinity Murray Valley Highway and Murray Street. Such modified TIAR must be to the satisfaction of VicRoads and the Responsible Authority.
4. Before the *use or occupation of the development* starts, the area(s) set-aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
 - a) constructed;
 - b) properly formed to such levels that they can be used in accordance with the plans;
 - c) surfaced with an all-weather-seal coat;
 - d) drained;
 - e) line marked to indicate each car space and all access lanes;
 - f) clearly marked to show the direction of traffic along access lanes and driveways;to the satisfaction of the Responsible Authority. Car spaces, access lanes and driveways must be kept available for these purposes at all times.
5. No fewer than 163 car spaces must be provided on the land for the use and development, including at least 2 spaces clearly marked for use by disabled persons in accordance with the recommendations of the Transport Impact Assessment by TrafficWorks dated 4/11/2013.
6. No fewer than 8 secure bike space(s) must be provided on the land for residents and 6 spaces for visitors in accordance with recommendations of the of the Transport Impact Assessment by Traffic Works dated 4/11/2013.
7. That the design of the building must ensure that there is no detrimental impact upon traffic movements or surrounding streets as a result glare or reflection from the building.
8. A satisfactory landscaping plan for the whole of the subject land must be submitted to and approved by the Responsible Authority, prior to the development permitted by this permit commencing or, within 30 days of the issue of the Building Permit, whichever is the sooner. An endorsed copy of the plan must form part of this permit. The submitted plan

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**PLANNING PERMIT APPLICATION 5/2013/482, MULTI-STOREY RESIDENTIAL
HOTEL, APARTMENT AND SHOP DEVELOPMENT, DWELLINGS AND
WAIVER/REDUCTION OF BICYCLE PARKING AT 11-13 MURRAY VALLEY
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(cont'd)**

must:

- a) include a survey of all existing vegetation and natural features showing plants (over 2.0 metres in height) to be removed;
 - b) include a schedule of all proposed trees, shrubs and ground cover, which will include the location, number and size at maturity of all plants, the botanical names of such plants and the location of all areas to be covered by grass, lawn or other surface materials as specified;
 - c) the method of preparing, draining, watering and maintaining the landscaped area;
 - d) the weed management program.
9. Before the *use/occupation of the development* starts or by such later date as is approved by the Responsible Authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
 10. 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.*
 11. All disused or redundant vehicle crossings must be removed and the area reinstated to kerb and channel at full cost to the applicant to the satisfaction of the Responsible Authority.
 12. Any damage occurring to Council Assets (ie sealed roads, drains, footpaths etc) during the period of construction must be repaired at the cost of the applicant to the satisfaction of the Responsible Authority.
 13. Murray St, to the extent that it is impacted by alterations at the intersection with the Murray Valley Highway and for a distance along Murray St. at least as far as the existing kerb and channel, must be constructed and sealed to the satisfaction of the Responsible Authority. Such construction shall generally conform to the Infrastructure Design Manual and shall include kerb and channel, drainage, footpath extension from Murray St south to the shared path and modifications to the shared path across Murray St. The pavement of Murray St shall be split by a traffic island so as to prevent access to the development by from the Murray Valley Highway and be designed integrally with the existing shared path to facilitate use of the traffic island as a refuge.
 14. Any new vehicular crossing to the subject land from the road must be constructed of a size and standard satisfactory to the Responsible Authority at the applicant's expense. The final location of the crossing is to be approved by the Responsible Authority via a "Consent To Work Within The Road Reserve", prior to the undertaking of works.
 15. Prior to the commencement of any civil works associated with the entrance to or exit from the development, detailed construction plans must be prepared to the satisfaction of the

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(cont'd)**

Responsible Authority. All civil works constructed or carried out in relation to the entrance or exit must be in accordance with the approved plans.

16. A plan to be provided of the Off Street Parking area demonstrating that it complies with the requirements of the relevant Australian Standards, including AS/NZS 2890.1 and AS/NZS 2890.6.
17. Prior to the commencement of the use or development / issue of the Certificate of Occupancy/issue of the Certificate of Final Inspection, the Developer / Applicant must ensure that safe intersection sight distances (SISD) as described in the AustRoads Publication: Guide to Road Design Part 4: Intersections and Crossings, are achieved at the point of access, and the point of exit, to the satisfaction of the Responsible Authority.
18. All construction works are to be conducted in accordance with sediment control principles outlined in EPA Publication 275: "Construction Techniques for Sediment Pollution Control" 1991 and sediment retention structures are to be implemented prior to the commencement of development to ensure that detrimental impact of sediment transport from this development is minimized.
19. All garbage generated from the hotel, residential apartments and commercial premises shall be stored on site until collected, screened from public view to the satisfaction of the Responsible Authority and must not be used for any other purpose.
20. Prior to the issue of building approval for the development, functional layout plans must be prepared and approved by the responsible authority, showing the storage areas for garbage receptacles relating to the hotel, residential apartments and commercial premises. The plan must also show all intended vehicle movements required to collect and remove garbage from the premises. The plan must demonstrate the ability of a garbage collection vehicle to enter the premises, empty the receptacles and leave the premises in a forward direction.

The design must ensure that access to the site is maintained at all times during collection of garbage.

21. Before any of the development starts, a properly prepared drainage discharge plan with computations to the satisfaction of the responsible authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and a minimum of three copies must be provided. The information submitted must show the details listed in the council's Infrastructure Design Manual and be designed in accordance with the requirements of that manual. The information and plan must include:
 - a) details of how the works on the land are to be drained and retarded to pre-development discharge rates for a 1 in 20 year ARI storm,
 - b) computations including total energy line and hydraulic grade line for the existing

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and proposed drainage as directed by Responsible Authority,

- c) computations showing the capacity of the existing drainage system passing through and immediately downstream of the site,
- d) underground pipe drains conveying stormwater to the legal point of discharge,
- e) a maximum discharge rate from the site is to be determined by computation to the satisfaction of Council. The maximum discharge rate shall have regard for the capacity of the existing pipe network.
- f) documentation demonstrating approval from the relevant authority for the legal point of discharge.
- g) the provision of gross pollutant and/or litter traps installed at the drainage outfall of the development to ensure that no effluent or polluted water of any type may be allowed to enter the Council's stormwater drainage system.

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

- 22. All existing drainage assets within the development area, whether on private land, easement or road reserve shall be inspected and details provided as to how all existing assets will be protected both during and post construction. All and any changes proposed shall be documented in plans to be submitted for approval by the responsible authority.
- 23. Easements shall be created over all Council drainage assets located within the development site. The applicant shall meet the cost of creation of those easements.
- 24. 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.

Vic Roads

- 25. Prior to the commencement of the use the following mitigating works must be constructed in accordance with the recommendations of the Transport Impact Assessment Report prepared by Trafficworks to the satisfaction of the Roads Corporation (VicRoads) at no cost to the Roads Corporation:
 - a) A Basic Right Turn intersection treatment (Type BAR) as shown in Figure 7.5 of the Austroads Guide to Road Design Part 4A at Station Street / Murray Valley Highway intersection.

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- b) A Basic Right Turn lane treatment (Type BAR) as shown in Figure 7.5 of the Austroads Guide to Road Design Part 4A and a Basic Left Turn lane treatment (Type BAL) as shown in Figure 8.2 of the Austroads Guide to Road Design Part 4A at the Murray Street / Murray Valley Highway intersection.

Goulburn Valley Water

26. Payment of a new customer contribution for water supply to the development, such amount being determined by the Corporation at the time of payment.
27. Provision of individual water supply meters to the apartments, townhouses and three shops within the development.
28. Any existing water service that crosses any of the existing allotment boundaries within the proposed development must be disconnected and re-located at the developer's expense, to be wholly within one allotment only and to the satisfaction of the Goulburn Valley Region Water Corporation.
29. Provision of reticulated sewerage and associated construction works to the development, at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation. (*relocation of existing sewer main clear of the proposed building footprint to continue service to existing customers upstream of this development*).
30. Connection of all sanitary fixtures within the development to reticulated sewerage, at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Authority. All works required are to be carried out in accordance with AS 3500.2 - 'Sanitary plumbing and drainage', and to the satisfaction of the Authority's Property Services Section.
31. Pursuant to Section 36 of the Subdivision Act, if the Corporation considers that, for the economical and efficient subdivision and servicing of the land covered by the Application for Permit, it requires the owner of the land to acquire an easement over other land in the vicinity. That is, any land not owned by the Developer through which a sewerage extension servicing the development is to be located, easements shall be created in favour of the Corporation.
32. Discharge of trade waste from the development shall be subject to a Trade Waste Consent Agreement. The owner and or occupier is required to submit a completed Trade Waste Application, and install the required pre-treatment facility to the satisfaction of Goulburn Valley Water's Trade Waste Section, before approval to discharge trade waste from the development into the Corporation's sewer is granted.
33. The operator under this permit shall be obliged to enter into an Agreement with Goulburn Valley Region Water Corporation relating to the design and construction of any sewerage works required. The form of such Agreement shall be to the satisfaction of Goulburn Valley Water. A copy of the format of the Agreement will be provided on request.

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Powercor

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35. Any construction work must comply with Energy Safe Victoria's "No Go Zone" rules.
36. The Applicant/Developer must negotiate with Powercor Australia Ltd for a supply of electricity to the development. The negotiations for the electricity supply may require a kiosk or indoor substation area, which would require a lease area and easements for electricity and carriageway.

Planning Notes

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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.

Prior to any works commencing, an Asset Protection Permit pursuant to Moira Shire Council's Streets and Roads Local Law 2003 is to be obtained.

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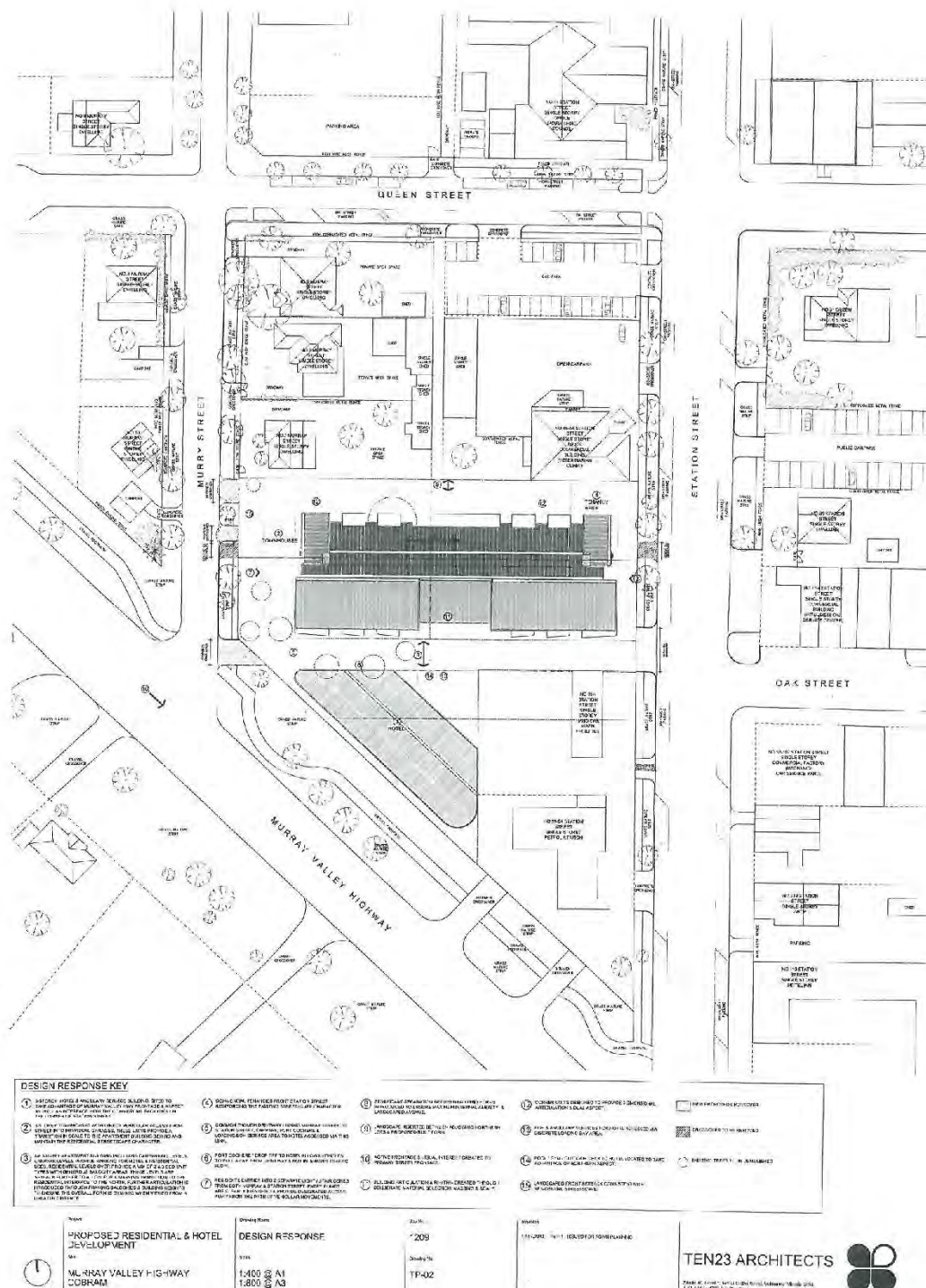
(CARRIED)

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STREET, COBRAM (cont'd)**

ATTACHMENT No [1] - Development Plans

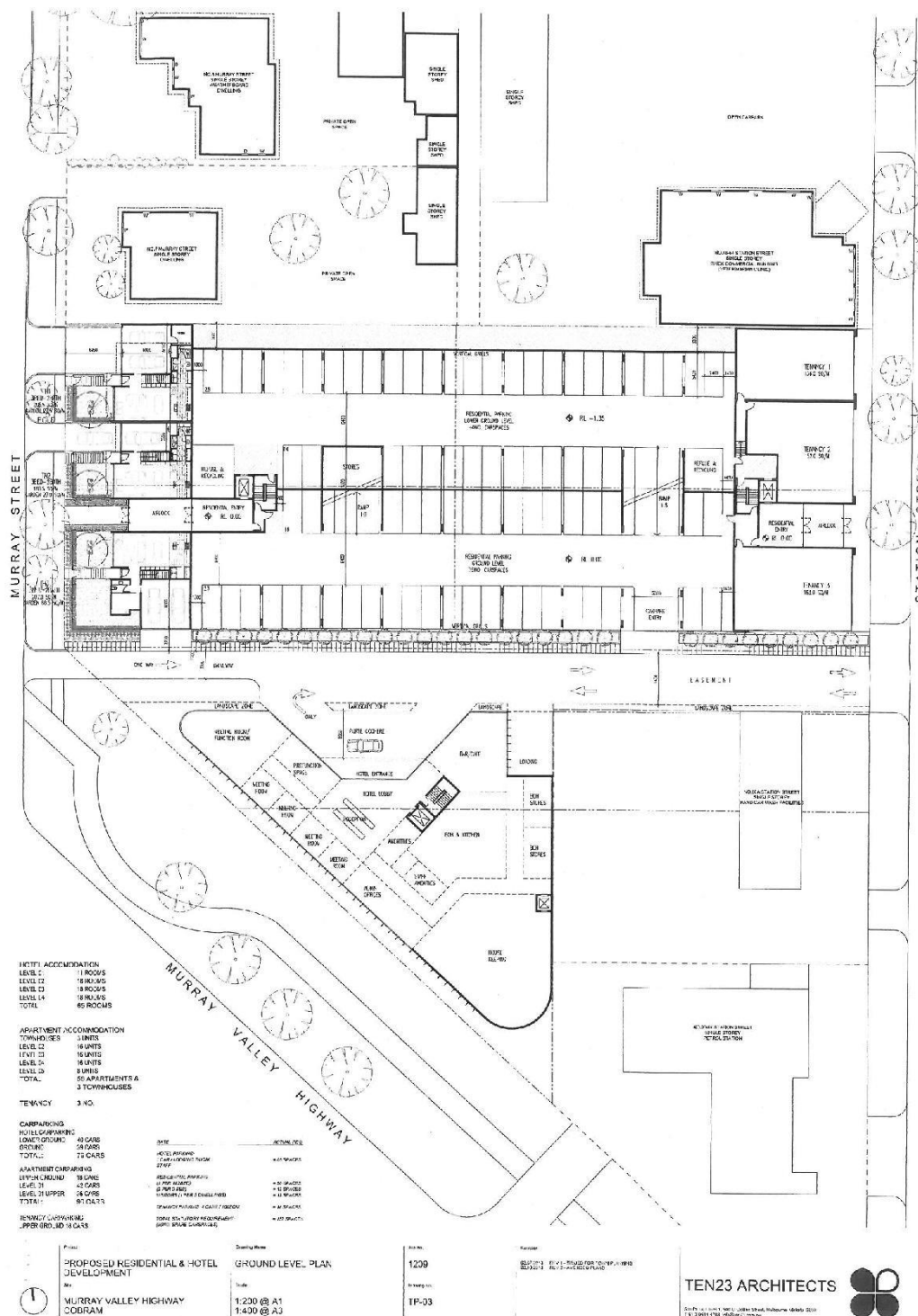


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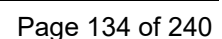
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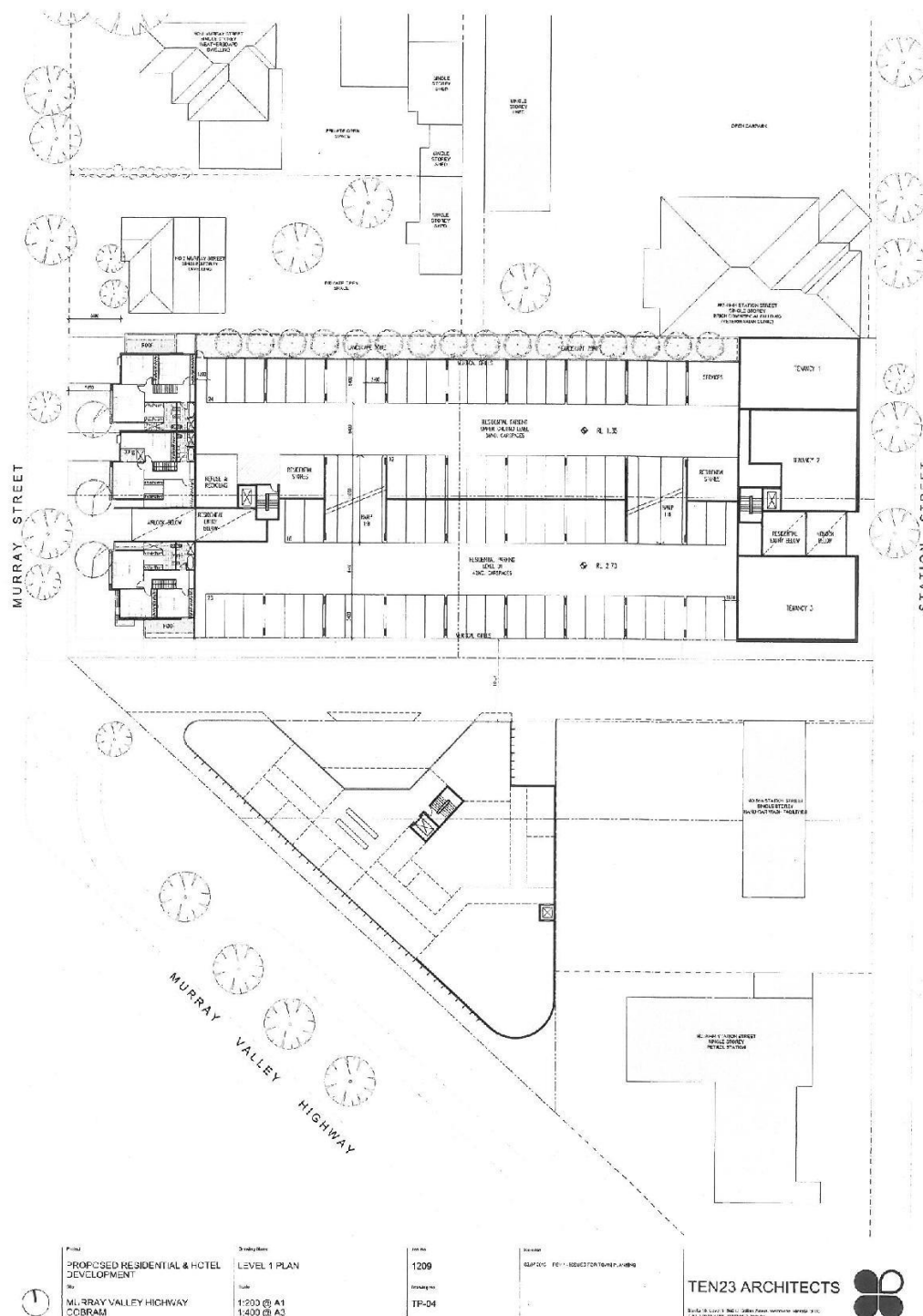


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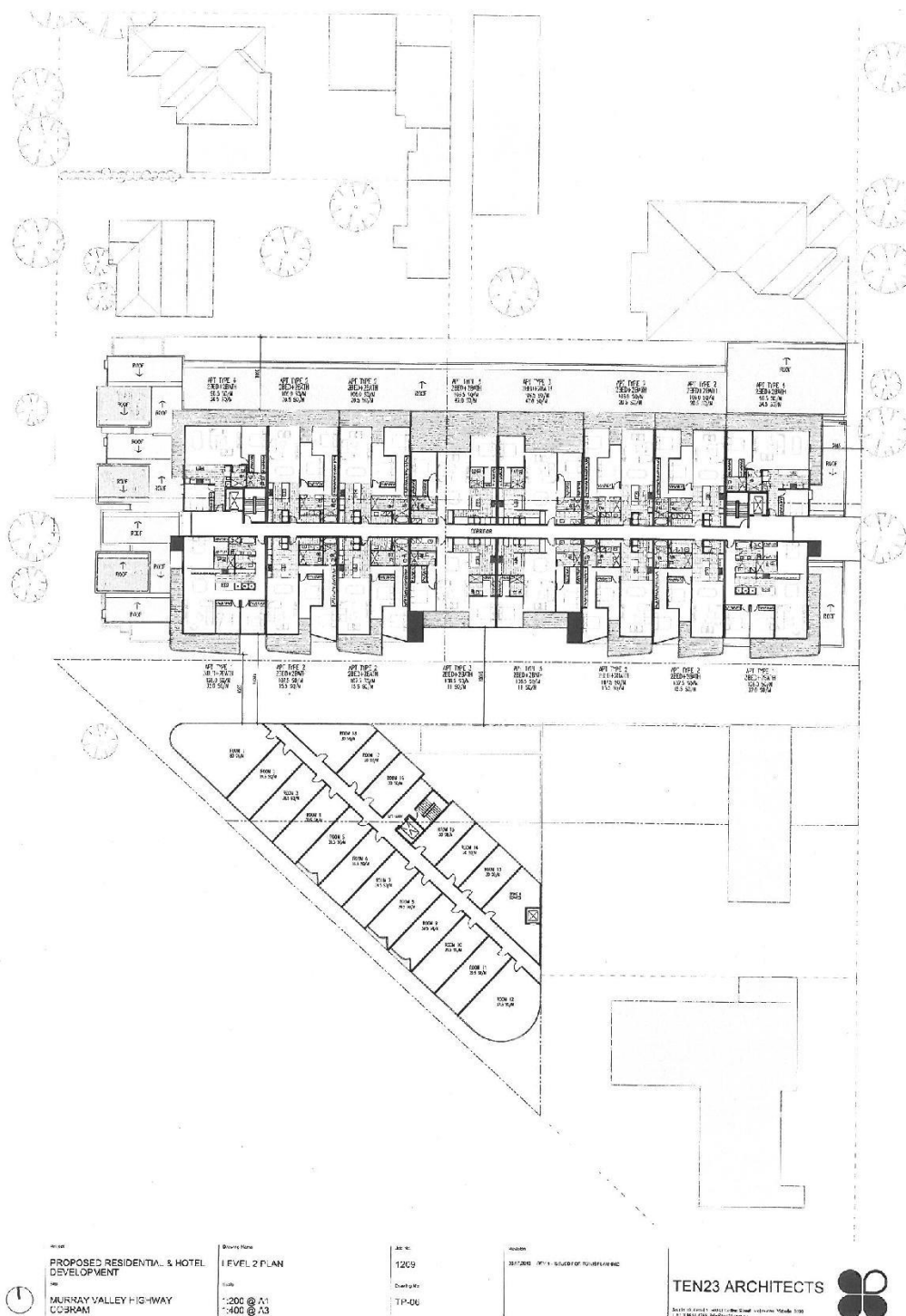


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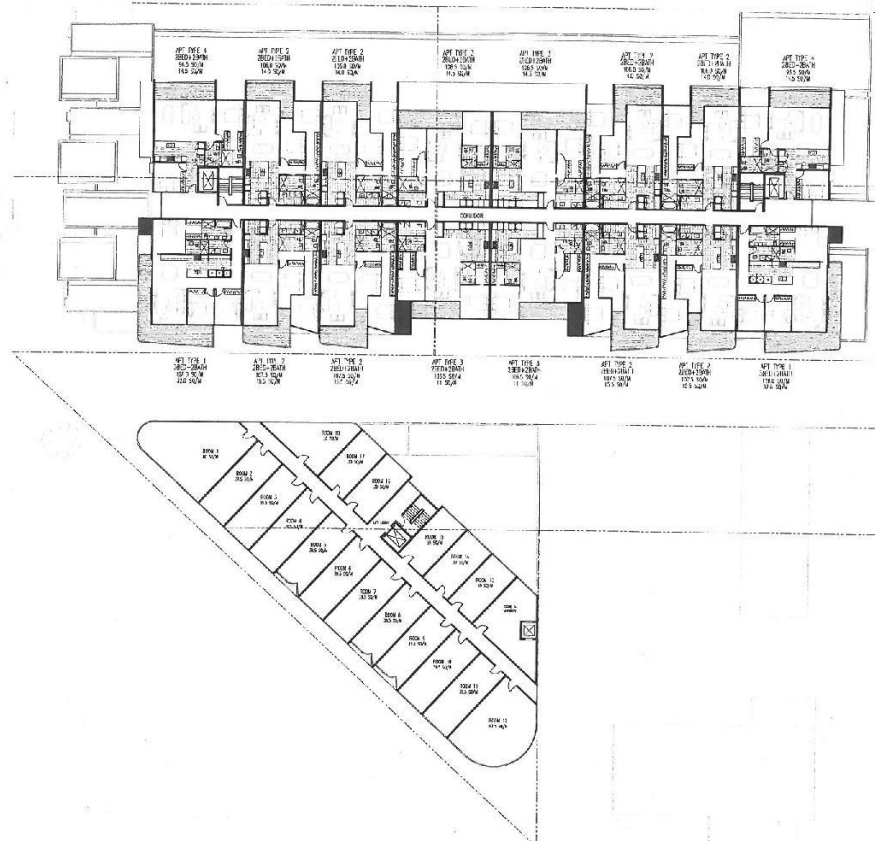


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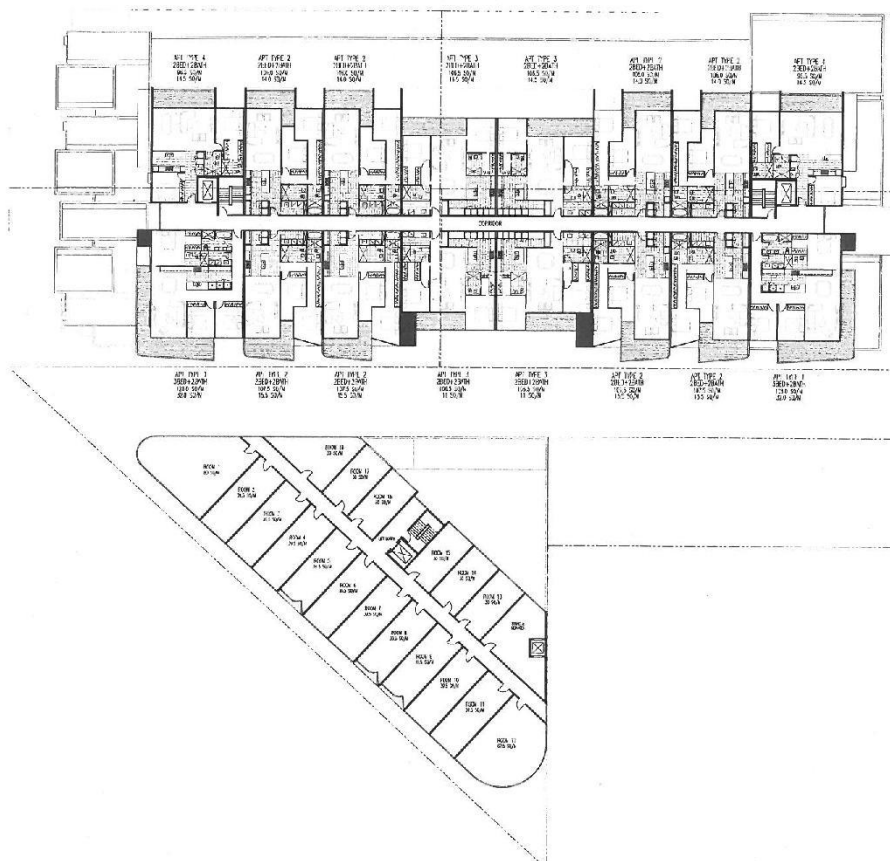


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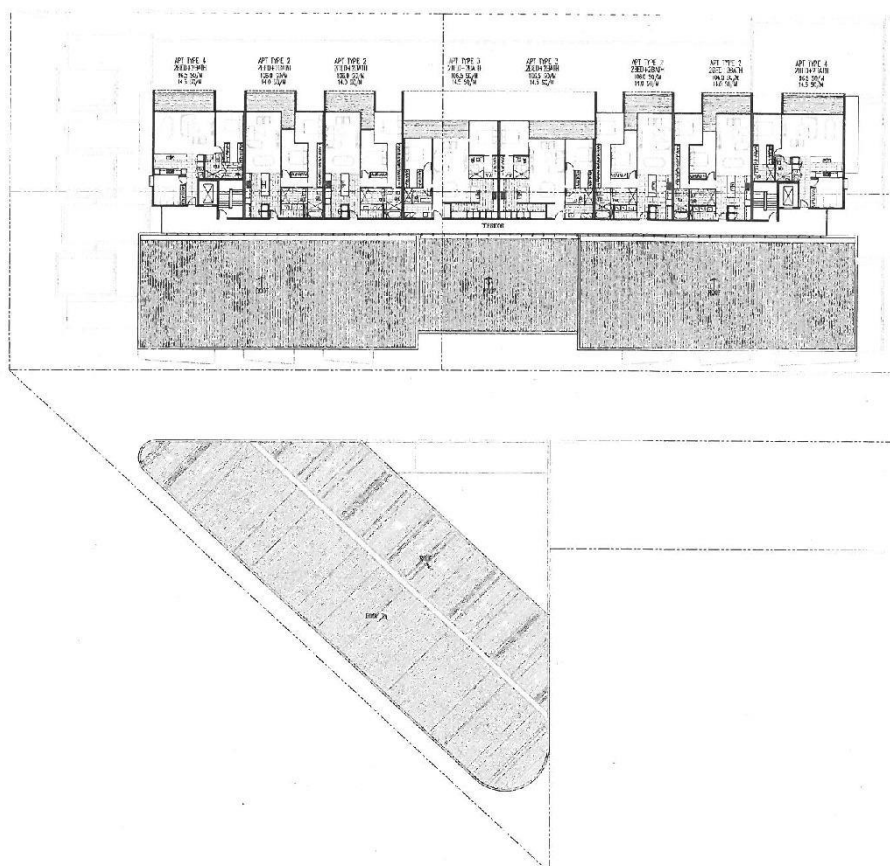
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ATTACHMENT No [1] - Development Plans



Project
PROPOSED RESIDENTIAL & HOTEL
DEVELOPMENT
Site
MURRAY VALLEY HIGHWAY
COBRAM

Drawing Name
LEVEL 6 PLAN
Scale
1:200 @ A1
1:400 @ A3

Job No.
1209
Drawing No.
TP-09

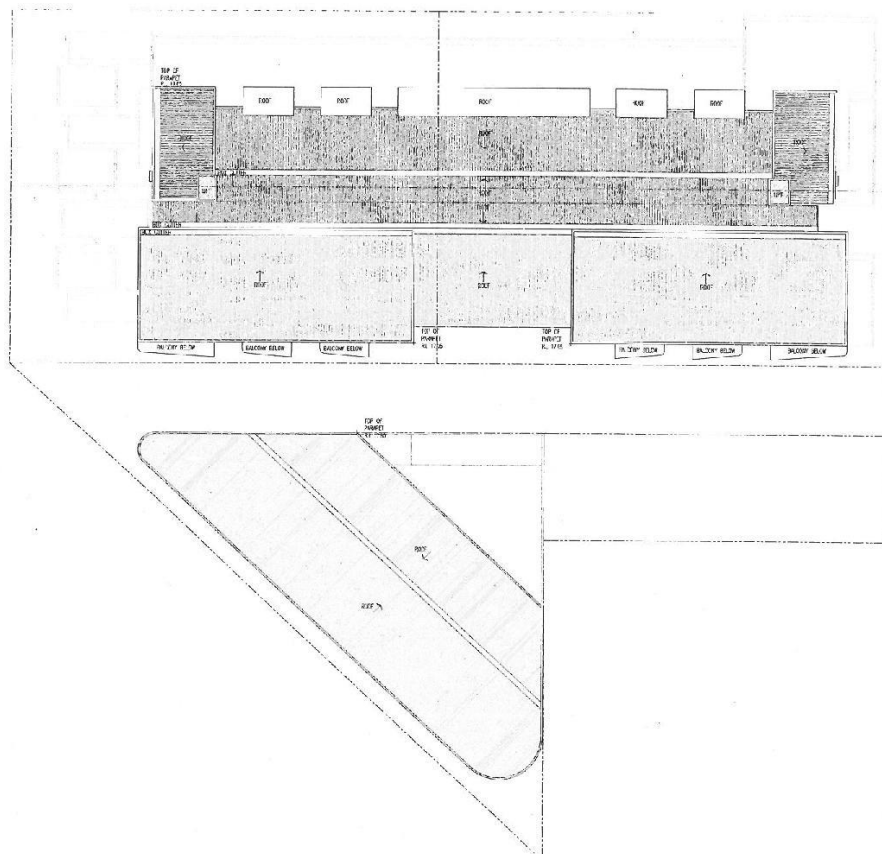
Revision
REV 002 12/11/2013 FOR 10/10/13 PLAN 0000

TEN23 ARCHITECTS
Studio 18 Level 1 3601 Coburn Street, Geelong VIC 3220
T 08 6231 1000 P 08 6231 1001



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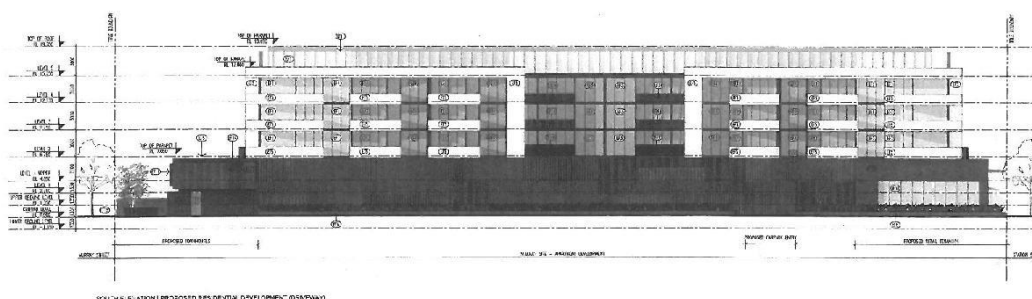
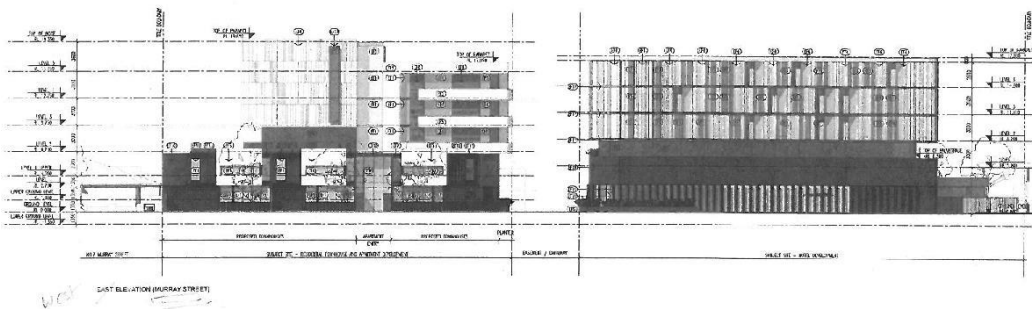
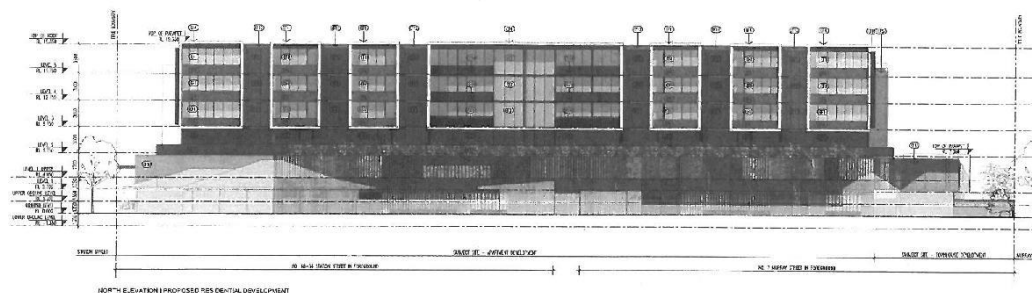


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ATTACHMENT No [1] - Development Plans



EXTERNAL FINISHES SCHEDULE LEGEND		
(1) DRY GLASS	(11) TIMBER CLADDING - HORIZONTAL, ARBORESCENT	(21) WALL FACE FINISH - ALUMINUM SQUARES WITH
(2) WET GLASS	(12) COLOUR DRY	CONCRETE FINISH - COLOUR BRONZE
(3) WET GLASS	(13) ELEVATION CLADDING	(22) WALL FACE FINISH - ALUMINUM SQUARES WITH
(4) FEATURE CLADDING - COLOUR WHITE	(14) STEEL FRAME WITH ALUMINUM RAIL INSIDE	POWDERCOAT FINISH - COLOUR CHROMA
(5) RENDER FINE FINISH - COLOUR WHITE	(15) PAINT - COLOUR CHROMA	(23) ALUMINUM BLADE WITH ANODISED FINISH
(6) RENDER FINE FINISH - COLOUR GREY	(16) STEEL FRAME WITH ALUMINUM RAIL OUTSIDE	(24) CHROME
(7) RENDER FINE FINISH - COLOUR GREY	(17) PAINT - COLOUR CHROMA	(25) PAINT FINISH TO STEEL WORK - COLOUR WHITE
(8) RENDER FINE FINISH - COLOUR GREY	(18) VERTICAL SATELITE SCREEN ANODISED FINISH	(26) CLEAR GLASS
(9) TIMBER CLADDING - HORIZONTAL	(19) COLOUR BRONZE	
(10) ALUMINUM		

PROPOSED RESIDENTIAL & HOTEL DEVELOPMENT MURRAY VALLEY HIGHWAY COBRAM	ELEVATIONS 1:200 @ A1 1:400 @ A3	DATE 12/09 DRAWING NO. TP-12	REVISIONS REVISION 1: 12/09/13
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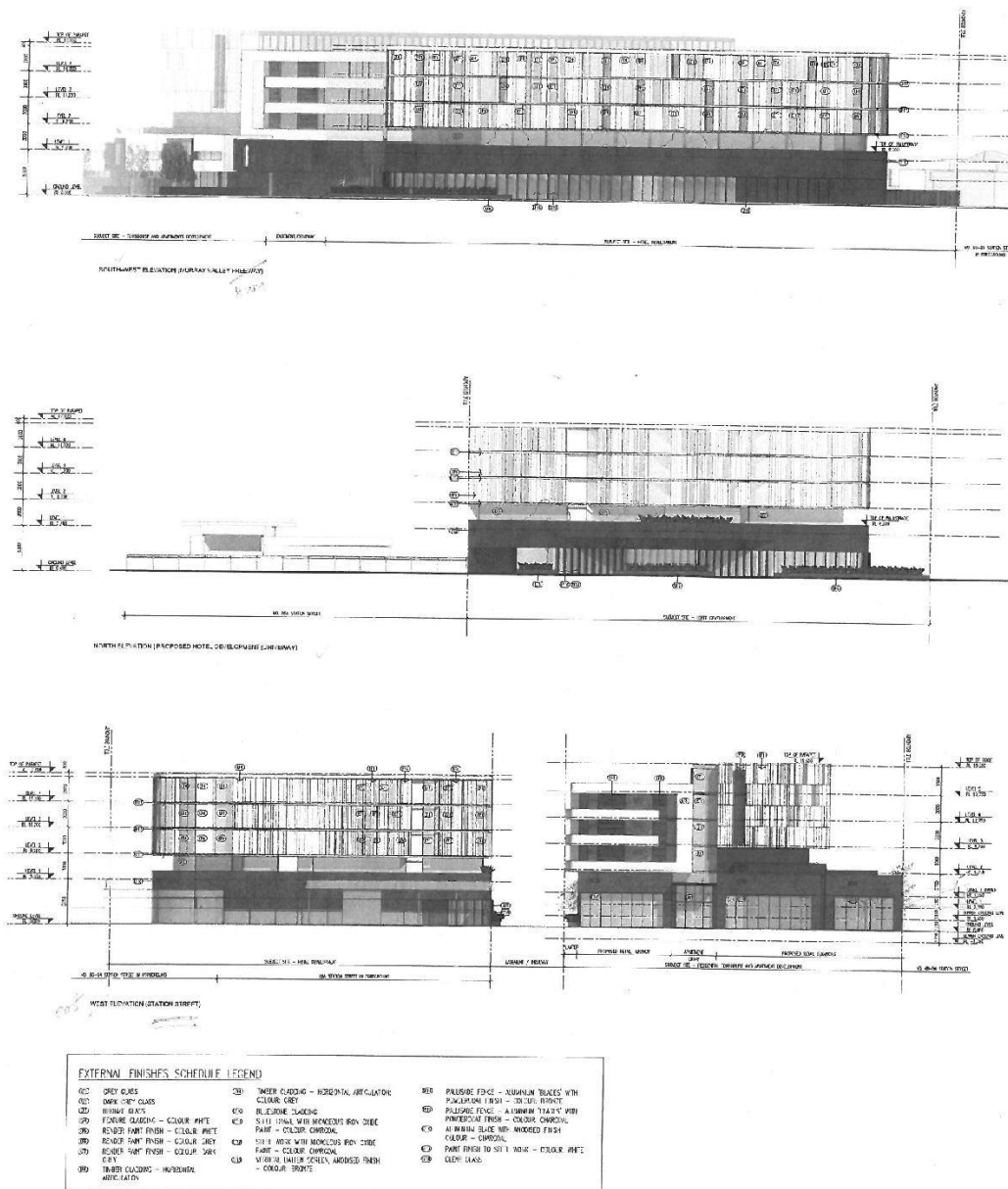
TEN23 ARCHITECTS

FILE NO: 52013482
2. OUR ENVIRONMENT AND LIFESTYLE

ITEM NO: 9.3.1
(STATUTORY PLANNING
COORDINATOR, PETER STENHOUSE)
(ACTING DIRECTOR, DEVELOPMENT
AND LIVEABILITY, MARK FOORD)

**PLANNING PERMIT APPLICATION 5/2013/482, MULTI-STOREY
RESIDENTIAL HOTEL, APARTMENT AND SHOP DEVELOPMENT,
DWELLINGS AND WAIVER/REDUCTION OF BICYCLE PARKING AT 11-13
MURRAY VALLEY HIGHWAY, 72-84 STATION STREET AND 11-13 MURRAY
STREET, COBRAM (cont'd)**

ATTACHMENT No [1] - Development Plans



PROPOSED RESIDENTIAL & HOTEL
DEVELOPMENT
MURRAY VALLEY HIGHWAY
COBRAM

Elevations
Scale
1:200 @ A1
1:400 @ A3

Job No.
1209
Drawing No.
TP-11

Project
MURRAY VALLEY HIGHWAY DEVELOPMENT

TEN23 ARCHITECTS

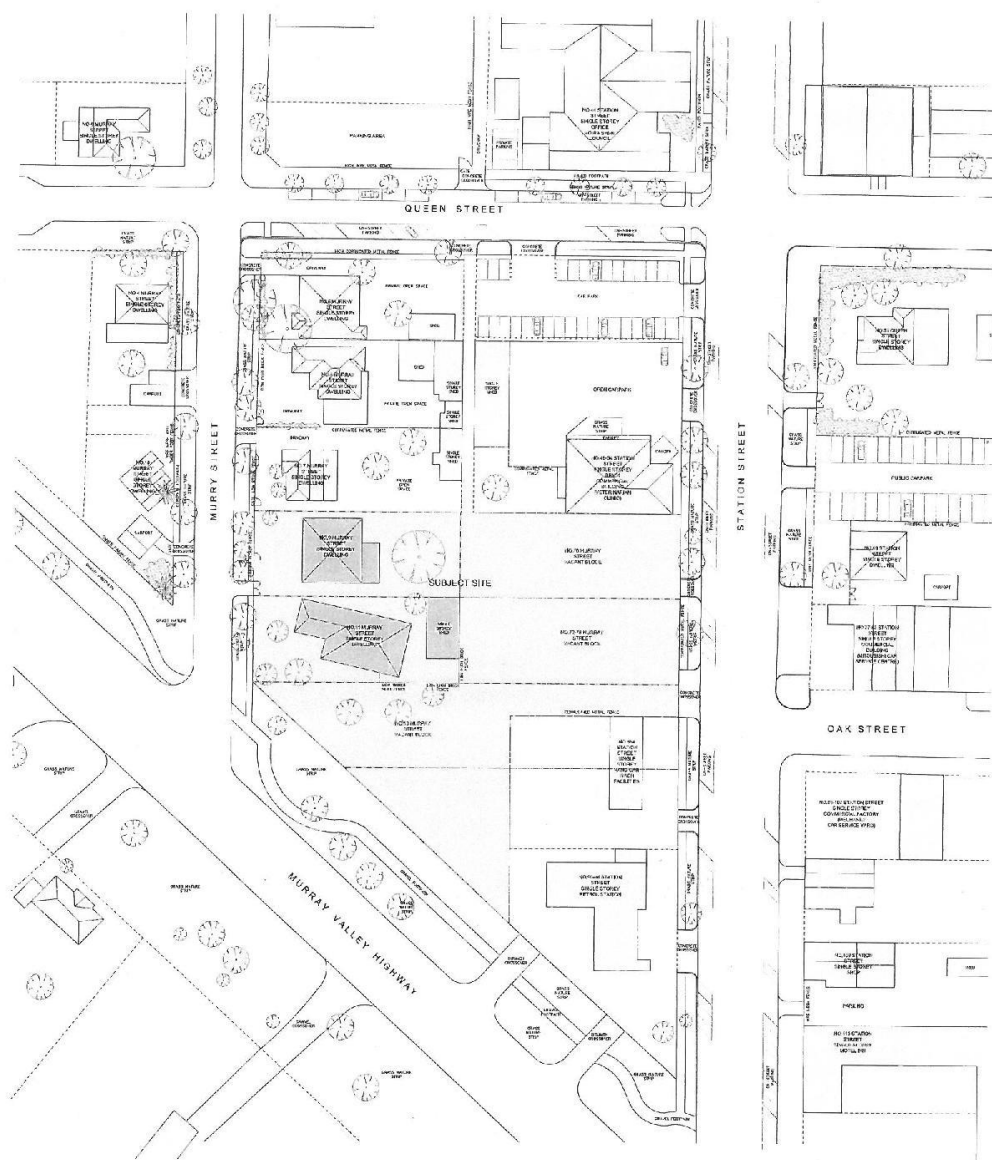


FILE NO: 52013482
2. OUR ENVIRONMENT AND LIFESTYLE

ITEM NO: 9.3.1
(STATUTORY PLANNING
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**PLANNING PERMIT APPLICATION 5/2013/482, MULTI-STOREY
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MURRAY VALLEY HIGHWAY, 72-84 STATION STREET AND 11-13 MURRAY
STREET, COBRAM (cont'd)**

ATTACHMENT No [1] - Development Plans



Project:
PROPOSED RESIDENTIAL & HOTEL
DEVELOPMENT
At:
MURRAY VALLEY HIGHWAY
COBRAM

Planning Name:
SITE ANALYSIS
Scale:
1:400 @ A1
1:800 @ A3

Site No:
1209
Drawing No:
TP-01

Author:
MURRAY VALLEY COUNCIL PLANNING DEPARTMENT

TEN23 ARCHITECTS



Units 18 Level 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 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2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093

FILE NO: F13/601
2. OUR ENVIRONMENT AND LIFESTYLE

ITEM NO: 9.3.2
(DEVELOPMENT COMPLIANCE OFFICER,
PATRICK DUBUC)
(MANAGER TOWN PLANNING AND
BUILDING, JORINE BOTHMA)

PLANNING AND DEVELOPMENT COMPLIANCE PROGRESS REPORT - JULY 2013- FEBRUARY 2014

1. Executive Summary

This report covers Planning Compliance activities undertaken by Moira Shire's Development Compliance Officer for the period of July 2013 to February 2014.

2. Discussion

The objective of Planning Compliance is to achieve compliance with the Planning and Environment Act 1987, the Moira Planning Scheme, the conditions associated with Planning Permits issued by Moira Shire and compliance to other relevant Acts.

As of March 2014, a total of 82 cases were still under investigation, mediation or under legal proceeding. Of those, 4 cases from 2011 and 15 cases from 2012 remain open for the following reasons:

- Legal proceeding is underway at the Tribunal or the Court
- Mediation is still within agreed timeframe;
- Investigation has not concluded or a new aspect has come to light;
- Mediation has been unsuccessful or the breach has returned.

The remaining 64 cases are new cases lodged at Council during the second half of 2013 and beginning of 2014.

Statistics:

The ratio of resolution/near-resolution is about 42% of cases achieving a positive outcome. A further 15% is under negotiation or entering a mediation process to resolve the problem. However, this ratio may drop significantly should any negotiated agreement fail. In contrast, 20% of cases breached all directives agreed upon and may not be resolved unless legal proceedings are undertaken. The number of cases not achieving resolution significantly raised by a further 5% compare to the first half of 2013. There is a risk that the breach will remain effective or that further legal costs will result for Council to achieve the necessary outcome.

The remaining cases are still being investigated or may ultimately be dismissed.

A list of current issues can be found attached to this report. Personal information has been obscured from the attachment in accordance with the Information Privacy Act 2000.

Milestone:

The following item aims at sharing positive outcomes achieved throughout 2012-2013 by mediation from Council's Officer.

Case 1. Illegal dismantling of motor vehicles (Materials Recycling Junk yard) in Waaia.
(Enclosed document)

FILE NO: F13/601
2. OUR ENVIRONMENT AND LIFESTYLE

ITEM NO: 9.3.2
(DEVELOPMENT COMPLIANCE OFFICER,
PATRICK DUBUC)
(MANAGER TOWN PLANNING AND
BUILDING, JORINE BOTHMA)

PLANNING AND DEVELOPMENT COMPLIANCE PROGRESS REPORT - JULY 2013- FEBRUARY 2014 (cont'd)

A complaint was first lodge in late 2011 regarding allegation that a dump truck from Shepparton City Council was dumping waste on a vacant bush block to the South of Waaia close to the Broken Creek. The investigation revealed two different properties located within the Farming Zone and affected by an active Rural Floodway Overlay were used by the occupiers for the storage and dismantling of disused motor vehicles and dumping of scrap metal and similar waste items **[Image 1 attached]**.

At the time of a site inspection in January 2012, there were over 300 vehicles identified on the properties. This constituted a prohibited use of the land under the provisions of the Farming Zone and a high risk of contamination to the environment.

Both landowners and occupiers were ordered to cease the illegal use of the land and remove all materials to have the land reinstated to its previous state. Unfortunately, the clean-up was not fast enough to have the materials and vehicles removed from all properties prior to the March 2012 Flood event **[Image 2 attached]**. The flood acted as a reminder of the environmental risk associated with sensitive use located in inappropriate location as the contaminants of a remaining 200 vehicles were washed away by the flooding water of the Broken Creek towards Nathalia.

Ultimately, the site dried again and the cleaning could proceed. By February 2013 all vehicles were finally removed from the site with only small pieces remaining **[Image 3 attached]**. While some audit is still required to ensure that small parts are finally cleared from the land, this process has achieved a good outcome as the illegal use of the land was removed, including the removal of an illegal dwelling.

3. Financial Implications

The Planning and Development Compliance activities operate within the allocated budget.

However in mid-2013, the Victorian Civil and Administrative Tribunal (VCAT) has revealed its new administrative and hearing fees which are slowly rising exponentially. The application fee for an enforcement order under Section 114 of the Planning and Environment Act 1987 has change from \$64 in 2012 to \$838 currently.

Consequently, there is a risk that a high number of investigations achieving no outcomes through the usual mediation may significantly impact on the allocated budget as proceedings for an Enforcement Order at the VCAT would result in higher legal cost. While alternatives to the VCAT's proceeding exists, these are not always available or the appropriate step to take.

The main enforcement options available to Council are:

- Applying for an Enforcement Order at the VCAT with the intent to rectify, remove or stop a situation from occurring.
- Issuing an Infringement Notice with the intent to punish the offender and request some form of reparation. While this provides a source of revenue, there is no system in place to ensure that fines are paid. Albeit, in the absence of payment the result can only be achieved through prosecution at the Court.
- Prosecuting a breach at the Magistrates Court with the intent to punish the offender for a breach. This does not necessarily result in rectifying the problem. The Magistrates Court implies significantly lower legal cost but this action is bounded by the following aspects:
- The prosecution must commence within one year of the breach;

FILE NO: F13/601
2. OUR ENVIRONMENT AND LIFESTYLE

ITEM NO: 9.3.2
(DEVELOPMENT COMPLIANCE OFFICER,
PATRICK DUBUC)
(MANAGER TOWN PLANNING AND
BUILDING, JORINE BOTHMA)

PLANNING AND DEVELOPMENT COMPLIANCE PROGRESS REPORT - JULY 2013- FEBRUARY 2014 (cont'd)

- The problem is not rectified.

A number of offenders enter agreements with Council to resolve the issue throughout a period of time. This mediation process is encourage and supported as part of the compliance approach and officer's discretion. However, this can greatly impact on meeting the statutory limitations in the circumstances where no outcomes are achieved after the allocated time. Sometimes, there is not enough time to contemplate the Court process and the VCAT remains the only option available with, consequently, higher costs.

Council's officers have the ability to prepare Enforcement files for the Court or the VCAT 'in-house' to avoid Solicitor's costs. However, this results in time that cannot be allocated to the usual workloads and ongoing complaints or investigations.

4. Community Consultation

There is no community consultation required in respect to this report.

5. Internal Consultation

The Planning and Development Compliance role requires a high degree of internal consultation and cooperation with other departments by also auditing those planning permit conditions requested by Infrastructure, Assets, Environmental Health, and Natural Resources Departments.

6. Legislative / Policy Implications

Under Section 14 of the Planning and Environment Act 1987, the Council as the Responsible Authority has the duty to:

- (a) Efficiently administer and enforce the Planning Scheme;
- (b) Enforce any enforcement order or interim enforcement order relating to land covered by a planning scheme for which it is the Responsible Authority;
- (c) Implement the objectives of the Planning Scheme;
- (d) Comply with this Act and the Planning Scheme;
- (e) Provide information and reports as required by the regulations.

The planning and development compliance activities described in this report meet the requirements of the Planning and Environment Act 1987.

7. Environmental Sustainability

The purpose of carrying out planning compliance activities aim to ensure compliance with the Planning and Environment Act 1987 and the Moira Planning Scheme.

The activities undertaken allow improved protection of sensitive land and assist reducing the risk associated with inappropriate use and development of the land as well as protecting the local amenity and future of Moira Shire's residents.

The Moira Planning Scheme regulates land use and development so that it meets agreed objectives, including environmental and biodiversity objectives.

8. Conflict of Interest Considerations

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

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2. OUR ENVIRONMENT AND LIFESTYLE

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**PLANNING AND DEVELOPMENT COMPLIANCE PROGRESS REPORT - JULY
2013- FEBRUARY 2014 (cont'd)**

9. Conclusion

The Planning and Development Compliance function continues to support Council's strategic goals and ensure that use and development complies with relevant regulations.

Attachments

- 1 Mile stone: Case 1 illegal dismantling of motor vehicles
- 2 Planning and Development Compliance Progress Report table – July 2013 – February 2014

RECOMMENDATION

That:

1. That Council receive and note the Planning and Development Compliance Progress Report.

MOTION

CRS ALEX MONK / BRIAN KEENAN

That:

1. That Council receive and note the Planning and Development Compliance Progress Report.

(CARRIED)

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ATTACHMENT No [1] - Mile stone: Case 1 illegal dismantling of motor vehicles

Case 1. Illegal dismantling of motor vehicles (Materials Recycling Junk yard) in Waaia



Image 1. View of the subject land as of December 2009



Image 2. View of the Subject land as of March 2012 (March 2012 Flood)

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ATTACHMENT No [1] - Mile stone: Case 1 illegal dismantling of motor vehicles

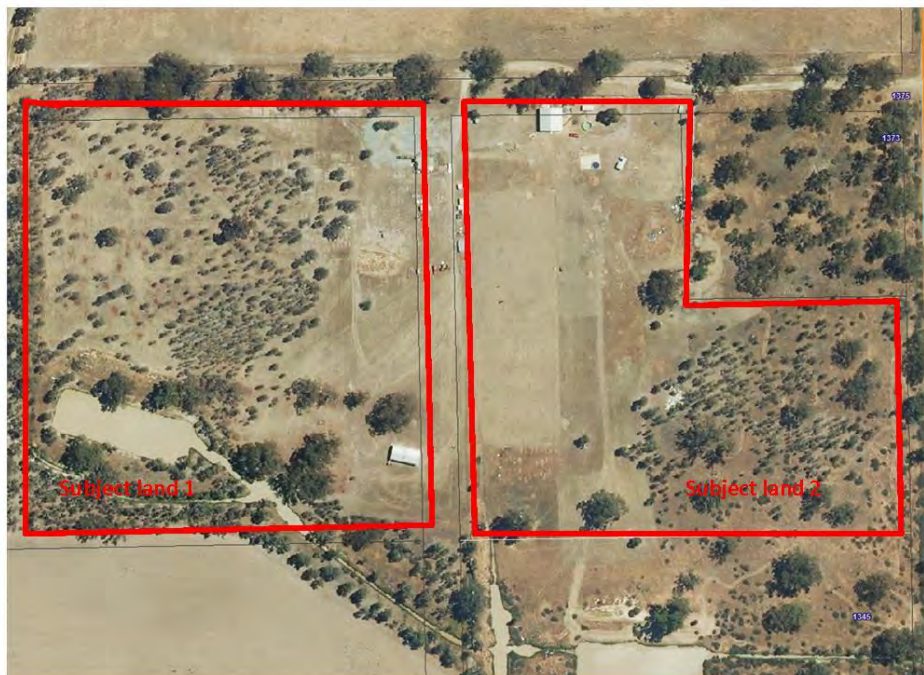


Image 3. View of the subject land as of November 2013

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PLANNING AND DEVELOPMENT COMPLIANCE PROGRESS REPORT ATTACHMENT – JULY 2013 – FEBRUARY 2014

Native Vegetation Removal		Source	Issue(s)	Action(s)	Outcome(s)
Date	Locality				
2011	FZ Cemetery Rd, Cobram	Resident	Removal/Lopping of native trees	Directive: Process for offset through S173 Agreement associated with further permit removal, now part of permit process	Planning issued
Jan-2012	FZ / Maidment Koonoomoo	Rd, Staff	Removal of native tree	Official Warning issued with directive for reparation, monitoring reparation required	Audit Required
Aug-2012	PPRZ Boulevard Ave, Numurkah	Resident / Staff	Removal and lopping of native vegetation on DSE land	Inspected with DSE, work done by Council, mediation in process for reparation	Reparation planned
Jan-2013	FZ St. James Rd, Lake Rowan	Resident / Staff	Removal of native tree	Inspected, confirmed, no negotiation, breach, infringement issued, infringement ignored	No further action
Jun-2013	RDZ1 / Barmah-Shepparton LSIO Rd, Nathalia	Authority	Removal of native vegetation in high conservation area	Inspected with DSE and VicRoads, breach declared, investigation with adjoining owners, no response	Lack of evidence for proceedings - Closed
Jun-2013	FZ Ryans Rd, Nathalia	Staff	Removal of native trees	Inspection, correspondence, under determination	Official Warning issued
Oct-2013	FZ / Hutchins Ln, Kotupna	Resident	Removal of native trees	Referred to DEPI	No further action
Dec-2013	UFZ / Station Numurkah	Street, Staff	Removal of native trees, deposit of fill in flood risk zone	Referred to DEPI, notice issued, summons to follow if no response	Pending

Total new requests: 4

Previous ongoing matters: 4

- New Requests from Staff: 1
- New Requests from Authority: 1
- New Requests from Residents: 1

Resolved: 2

Pending resolution: 1

Abandoned action: 2

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Earthworks (including audit of Whole Farm Plan and Works Within Road Reserve)						
Date	Controls	Locality	Source	Issue(s)	Action(s)	Outcome(s)
Jul-2012	FZ – LSIO	Dairy Paddock Cobram East	Resident	Earthworks	Mediation, applied for permit, permit denied – need to remove earthworks	Audit required
Jan-2013	FZ	Bearii-East Strathmerton	Rd, Staff	Earthworks associated with racing track	Inspected, mediation, directive given	Completed no further action
Jan-2013	TZ – LSIO	Berndt St, Tungamah	Resident	Earthworks by means of fill	Inspected, negotiation with NERWA/owners, fill to be spread or removed	Completed No further action
April-2013	FZ – LSIO/RFO	Brooke Court, Numurkah	Authority	Earthworks by mean of mounds/fill	Assessed, discussed with GBCMA, no evidence of earthworks following inspection	Closed
April-2013	FZ- LSIO/RFO	Naring Road, Numurkah	Proactive	Earthworks – levee banks	Assessed, discussed with GBCMA	No further action at this stage
April-2013	FZ- LSIO/RFO	Naring Road, Numurkah	Proactive	Earthworks – levee banks	Assessed, discussed with GBCMA	No further action at this stage
April-2013	FZ- LSIO/RFO	Wattle Drive, Numurkah	Proactive	Earthworks – levee banks	Investigation	No further action
June-2013	FZ / LSIO	Saxton Street West, Numurkah	Proactive	Unpermitted works within road reserve	Investigation, correspondence, response from offender, to seek consent from Assets	Failed process with assets, no outcome

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Earthworks (including audit of Whole Farm Plan)							Outcome(s)	
Date	Controls	Locality	Source	Issue(s)	Action(s)			
July 2013	FZ / RFO	Gawne Road, South	Staff	Unpermitted works within road reserve affecting rate of flow, damage to Council Assets	Investigate and sent correspondence, response received willing to repair, referred to Assets for required steps		Mediation and repair	Closed
July 2013	R1Z	Telford Yarrowongga	Authority / Resident	Addition of a new vehicular crossing on VicRoads without permit	Investigate, offender to apply for retrospective permit		Planning permit application lodged	
August 2013	FZ / RFO	Boundary Wunghnu	Resident	Cut in existing levee, drainage issue, changing rate of flow across boundary	Investigated, sent notice to show cause and await to assess whether breach of planning is warranted, response from GBCMA pending		Response pending	
August 2013	FZ	Marungi Youarang	Resident	Drainage issue from existing turkey nest dam	Assessed records, no breach under planning provisions, referred to Infrastructure Planning		Infrastructure to Planning address	
September 2013	FZ / LSIO	Wrights Road, Yundool	Authority	Drainage issue	Referred to Infrastructure Planning		Infrastructure to Planning address	
September 2013	FZ / LSIO	Cobram-Koonoomoo, Road Cobram	Staff	Unpermitted levee along property boundary in flood area alleged other levee on property	Investigated and correspondence, site meeting organised with GBCMA – management, GBCMA and VicRoads object to retrospective permit, Directive: levee to be removed, no response from owner		Proceedings pending approval	
September 2013	FZ	Centre Road, Katunga	Resident	Construction of vehicle crossings and other	Correspondence sent, referred to Asset		Asset address	to
September 2013	FZ	Marungi Waggarandall	Resident	Complaint regarding drainage from dam	Referred to Infrastructure planning		No further action	
October 2013	FZ / LSIO	Muscara Yarroweyah	Resident	Small earthworks allegedly associated with motorbiking	Investigate, left verbal message to landowner, no response			
October 2013	FZ / LSIO	Kenny Koonoomoo	Staff	Drainage and dig up on road reserve	Investigated, referred to Operations for correction		Operations to address	

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October 2013	FZ / LSIO / CHMPO	McIntyre Cobram	Road,	Resident / Authority	Drainage issue from overflowing dam, extraction of sand within cultural heritage	Referred to Operations (water), referred to DPI and aboriginal victoria	No further action
October 2013	FZ / LSIO	Dockery Wunghnu	Street,	Resident	Alleged earthworks and fencing in flood prone	Inspected, no breach noted	No further action
January 2014	FZ / RFO	Loofs Road, Naring		Resident	Earthworks across Muckatah Depression	Inspected, referred to GMW and GBCMA, notice to show cause sent, pending response from GMW	Pending
January 2014	R1Z	Henderson Yarrowonga	Street,	Resident	Deposit of fill on land	Inspected, responded as no trigger or breach for earthworks within residential area	No further action
February 2014	FZ / RFO	Walshs Bridge Road, Numurkah		Resident / Authority	Earthworks part of WFP, impact on Parks Victoria land	Referred to GMW, DEPI and GBCMA for response regarding approved WFP	Pending
February 2014	FZ / LSIO	Ryans Road, Nathalia		Resident / Authority	Earthworks part of WFP	Referred to GMW and GBCMA for further investigation regarding approved WFP	Pending
February 2014	FZ / LSIO	Katamatite-Nathalia Rd, Katamatite		Resident	Construction of vehicle crossing on VicRoads	Inspected, notice issued, redundant crossing removed	No further action
March 2014	FZ / LSIO	Benalla-Yarrowonga Road, Yarrowonga		Resident	Alleged earthworks within Muckatah Depression – Pitmans Crossing	Investigate	

Total new requests: 17

Previous ongoing matters: 7

- New requests from Staff: 1
- New requests from Residents: 1
- New requests from Authority: 2

Matters resolved/abandoned: 4

Matters pending resolution: 1

Matters under review: 4

- 2 Notice to comply issued

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Use and Development of Land (including signage and illegal dumping)						
Date	Controls	Locality	Source	Issue(s)	Action(s)	Outcome(s)
2011	FZ / RFO	Walshs Bridge South Rd, Waaia	Resident	Car wrecking/storage, Waste	Dumping of waste removed, vehicles remained, negotiation failed, seeking support from EPA, new owners and investigation to restart	Pending
2011	FZ / RFO	Walshs Bridge South Rd, Waaia	Resident	Car wrecking/storage, Recycling of scrap metal	Directive given, vehicles removed, cleaning of land ongoing	Resolved – Monitoring and no further action
Jan-2012	TZ / LSIO	Goulburn-Valley Hwy, Wunghnu	Committee	Non-Conform reserve	Assessed and sent memo to Community, Signage to be removed	Resolved – No further action
Feb-2012	FZ	Singapore Rd, Yarroweyah	Resident	Materials Recycling and storage of motor vehicles	Directive given, negotiation, Not complied, Breach	Abandoned action, no response from management
Apr-2012	B1Z	Melville Numurkah	Resident / Staff	Use of commerce for dwelling, storage and shipping container	Inspected, complied for use, negotiated and directive given for shipping container to apply for permit, no action and situation worsened by deposit of waste	Pending
May-2012	R1Z / LSIO	Knox St, Numurkah	Resident / Staff	Storage of motor vehicles, motor repair business, Materials Recycling, shipping containers	Inspected, directive given, no result, vehicles and car parts removed, only shipping containers remain	Closed
Jun-2012	B3Z	Needham Numurkah	St, Authority	Waste dumping through fill	Directive given, no result	Pending

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Date	Controls	Locality	Source	Issue(s)	Action(s)	Outcome(s)
Jun-2012	IN1Z	South Yarrowonga	Rd, Resident	Storage, Materials Recycling and Waste Dumping	Negotiated, Existing rights for storage, verbal directive given in regard to sight (October 2013)	Pending
Jul-2012	FZ	Murray Valley Hwy, Strathmerton	Resident	Waste dumping, materials recycling, storage	Inspected with EPA, Official Warning issued with directive, site cleaned, minor aspects remain	Closed
Sep-2012	FZ / LSIO	Alice Rd, Waaia	Resident	Illegal dwelling in shipping container	Directive given, mediation, await directive from management	Abandoned Action - no response from management
Sep-2012	FZ	Waaia-Bearii Rd, Waaia	Resident	Shipping container on land, Materials Recycling, Storage	Investigation	Abandoned Action - no response from management
Sep-2012	FZ / RFO	Yarwood Rd, Waaia	Resident	Illegal dwelling in shipping container	Investigation	Abandoned Action - no response from management
Nov-2012	FZ / LSIO	Campbell Cobram	Rd, Staff	Car wrecking/Storage, Recycling	Directive given	Pending
Jun-2012	R1Z	Ely St, Yarrowonga	Proactive	Storage, Materials Recycling, Hoarding	Negotiated, directive given, partial clean-up	Closed
Sep-2012	B4Z	Elsmead Cobram	Rd, Proactive	Materials Recycling, Waste Dumping	Mediate, Official Warning issued, withdrawn, PIN issued No response to PIN, Summons to be served	Summons No pendings

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Date	Controls	Locality	Source	Issue(s)	Action(s)	Outcome(s)
Oct-2012	R1Z	Ely St, Yarrowonga	Proactive	Shipping container on land, littering	Investigation	Abandoned Action - no response from management
Oct-2012	TZ	Moran St, Picola	Proactive	Development on land without permit	Investigation, verbal directive given	Pending
Nov-2012	LDRZ / RFO	Cemetery / Nathalia	Rd, Resident	Alleged tree lopping business, storage, amenity issue	Inspected, directive given, no action, summons pending	Summons pending
Dec-2012	B1Z	Belmore Yarrowonga	St, Staff	Development using shipping containers, referred from Building	Investigation, directive given, structure partially removed, before hearing	Pending
Jan-2013	FZ	Bearli-East Strathmerton	Rd, Proactive	Alleged used for Motor racing track, use for storage and industry	Inspected, directive given	No further action
Feb-2013	PPRZ / LSO	Boulevard Numurkah	Rd, Resident / Staff	Shipping containers, illegal dumping	Investigation, site cleaned, waiting action for shipping containers	Pending
Mar- 2013	R1Z	Sheyna Numurkah	Dr, Resident / Staff	Development of land for shipping containers, use for storage	Investigation	
Mar-2013	FZ	Cobram South Cobram	Rd, Resident / Staff	Shipping containers	Investigation, planning permit process	Permit issued, no further action
Mar-2013	FZ / LSO	Hendys Numurkah	Rd, Resident	Buildings and works, development of a dwelling within a shed	Investigate, informed planning permit required and stop work, VCAT hearing avoided, permit refused, referred to building	No further action at this stage
Apr-2013	R1Z	Campbellfield Yarrowonga	Dr, Resident	Materials recycling, car storage, car on reserve	Investigation, notice served	Pending

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Date	Controls	Locality	Source	Issue(s)	Action(s)	Outcome(s)
Apr-2013	FZ – RDZ1	Goulburn Hgh, Wunghnu	Valley Authority	Signage	Notice served, signs removed	Complied
May-2013	PPRZ – LSIO	Kenny Yarroweayah	Rd, Proactive	Signage	Notice served, sign removed	Resolved
May 2013	TZ	Moran St, Picola	Resident	Alleged work and dwelling in garage	Investigation	Resolved
May- 2013	FZ – LSIO	Murray Highway, Yarrowonga	Valley Resident	Amenity issue with chicken farm, alleged buildings and works	Investigation	Pending
June 2013	R1Z	Pinnuck Numurkah	St, Resident	Alleged home occupation, unsightly, use of land for materials recycling	Investigation, directive given, agreement for clean-up	Pending
June 2013	B4Z	Elsmead Cobram	Rd, Authority	Alleged disposal of asbestos, materials recycling	Second investigation, previous official warning served, contacted EPA	Report to EPA
June 2013	TZ	Railway St, Waaiia	Staff	Alleged use as motor repair shop, disposal of used oil, use of road reserve	Investigation, contacted EPA, referred to EHO	Pending
June 2013	RDZ1	Goulburn Hwy, Wunghnu	Valley Authority	Portable sign in road reserve without consent	Approval from Local law for a secondary road, sign must not be located on VicRoads, directive given, mediation failed	Pending, refer back to VicRoads
July 2013	PPRZ	Doc Ct, Yarrowonga	Resident	Complaint regarding storage of boat at Yacht Club	No breach of planning	No further action
July 2013	TZ – RFO	Walter Wunghnu	Street, Resident	Use of land for storage of sand and gravel without permit, breach of existing permits, objection from GBCMA	Investigated, no response from offender, refusal to mediate, used cease and material removed	Complied

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Date	Controls	Locality	Source	Issue(s)	Action(s)	Outcome(s)
July 2013	FZ	Hodge Street, Invergordon	Authority / Staff	Use of land for animal husbandry (dogs) without consent, breach of various acts, extent of existing use rights	Investigate and inspected, report regarding extent of existing used rights breach, Agreement for consent	Pending refer to Local Laws
August 2013	FZ	Austins Bundalong	Resident	Development without permit	Investigate, planning permit application sought	Planning permit issued
August 2013	FZ – LSIO	Cobram Road, Cobram	Proactive	Development without permit	Investigated, confirmed, meeting with offender for retrospective approval, planning application lodged	Planning permit issued
September 2013	IN1Z	Murray Highway, Strathmerton	Resident	Issues regarding the proposed removal of an acoustic wall	No requirement under planning at this stage	No further action
October 2013	FZ	Benalla-Tocumwal Road	Resident – Proactive	Signage along VicRoads	Investigate, correspondence sent, mediation	Pending
November 2013	FZ	Sampson Road	Resident	Use of land for materials recycling, unsightly land	Investigate	
November 2013	R1Z	Zorro Drive, Yarrowonga	Resident	Industrial storage, builders yard, shipping containers, amenity	Investigate, verbal directive given to builders	
November 2013	R1Z	Lakeviews Crescent, Yarrowonga	Proactive	Industrial Storage, builders yard, shipping containers, amenity	Investigate, verbal directive given to builders	
November 2013	FZ	Murray Highway, Cobram	Resident	Regarding storage of fertiliser containers on boundary	Referred to Local laws	No further action
November 2013	FZ	Rifle Butts Road, Yabba North	Resident	Camping and illegal dwelling, storage on farm land	Investigate, no response from owner	
November 2013	R1Z	Murray Avenue, Numurkah	Resident	Storage of vehicles and dismantle vehicles	Investigate	

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Use and Development of Land (including signage and illegal dumping)						
Date	Controls	Locality	Street	Source	Issue(s)	Action(s)
December 2013	UFZ / RFO	Station / Numurkah		Staff	Deposit of fill in high flood risk area, removal of native vegetation, use of land for shipping container	Investigate, notice to comply, summons to follow if not resolved
December 2013	PCRZ / RFO / ESO	Stewarts / Road, Lower Moira	Bridge	Authority	Development of structures on land	Parks issue
January 2014	C1Z	Punt Road, Cobram		Resident	Sale of motor vehicles on private land	Investigate, notice sent, small lot issue
January 2014	R1Z	Silver / Cobram	Court,	Resident	Repair of motor vehicles on residential land	Investigate, contact with owners no positive outcome
January 2014	R1Z	Gregory / Cobram	Street,	Resident	Demolition rubbles on residential block	Not planning issue, referred to building and local laws, notice issued and land cleared
January 2014	FZ	Numurkah / Katunga	Road,	Proactive	Dumping of waste	Associated with tyres investigation
January 2014	C1Z	Meiklejohn / Numurkah	St,	Proactive	Unsanitary land, materials recycling	Notice sent, land cleaned
January 2014	F1Z	Murray / Highway, Bundalong	Valley	Resident	Drainage issue	Investigate, responded no planning issue, recorded report
January 2014	SUZ / DPO	Ritchie / Cobram	Road,	Resident	Complaint regarding landscaping at caravan park	Investigate, review permit, no clear requirement for landscape
February 2014	C1Z	Belmore / Yarrawonga	Street,	Staff	Sign on footpath and buildings and works on awning	

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Date	Controls	Locality	Source	Issue(s)	Action(s)	Outcome(s)
February 2014	R1Z	Denson Cobram	Court, Resident	Use of land as accommodation	Investigation and notice sent	Pending
February 2014	FZ	Geary Tungamah	Road, Resident, Staff	Use of land as a wreckers yard, materials recycling	Investigate, notice to show cause sent, response site to be cleared	Pending
February 2014	FZ	Keenans Yarrowonga	Road, Council	Dumping of waste on farmland	Investigate, notice sent, no response,	Pending
February 2014	FZ	Naring Numurkah	Road, Staff	Dumping and stockpiles of tyres on farmland	Investigate, notice sent	Pending
February 2014	FZ	Gillespies Wunghnu	Road, Staff	Dumping of rubbish onto farm gully	Investigate, request to clean-up	Pending
February 2014	FZ	Goulburn-Valley Highway, Wunghnu	Staff / Authority	Erection of sign in UFZ and FZ, prohibited sign	Sign previously removed, Notice sent again as sign returned	Pending
February 2014	FZ	Loofs Road, Naring	Authority	Use of land as cattery without permit	Investigation, notice issued	Pending
February 2014	FZ	Mywee Strathmerton	Road, Resident	Placement of a shipping container on land	Investigation, mediation with owners, permit or removal	Pending
February 2014	FZ	Murray Highway, Strathmerton	Valley Proactive	Sign on road reserve	Contact builders, verbal directive given	No further action

Total new requests: 33

Previous ongoing matters: 32

- New Requests from Staff: 7
- New Requests from Authority: 4
- New Requests from Residents: 18

Matters resolved: 24
Breach: 2

FILE NO: F13/601
2. OUR ENVIRONMENT AND LIFESTYLE

ITEM NO: 9.3.2
(DEVELOPMENT COMPLIANCE OFFICER,
PATRICK DUBUC)
(MANAGER TOWN PLANNING AND
BUILDING, JORINE BOTHMA)

**PLANNING AND DEVELOPMENT COMPLIANCE PROGRESS REPORT -
JULY 2013- FEBRUARY 2014 (cont'd)**

ATTACHMENT No [2] - Planning and Development Compliance Progress Report
table – July 2013 – February 2014

DEVELOPMENT SERVICES

PLANNING AND DEVELOPMENT COMPLIANCE PROGRESS REPORT ATTACHMENT – JULY 2013 – FEBRUARY 2014

Planning Permit Audit						
Date	Controls	Locality	Source	Issue(s)	Action(s)	Outcome(s)
2011	IN1Z / LSIO	Numurkah / Katunga	Resident Rd,	Use of land - Storage of tyres	Negotiation and directive given	VCAT Enforcement Order
2011	FZ	Saxton St West, Numurkah	Resident	Endorsed plans - Storage of tyres	Negotiation altogether with EPA, monitoring of issue, extension of planning permit refused	VCAT Enforcement Order
2011	LDRZ	Catona Crescent, Cobram	Resident / Staff	Use of land for industry and storage	Negotiation and direction given to cease use, no resolution,	Summons pending
Jan-2012	TZ / RFO	Corry St, Barmah	Proactive	Permit audit, illegal dwelling in shed, development without permit, caravan storage	Investigation	NIL
May-2012	FZ / LSIO	Ulupna Bridge Rd, Ulupna	Resident	Alleged use as caravanning, unsightly	Inspected, direction given, mediation and amendment of dwelling permit, owner sold land and removed all structure	Complied, No further action
Jul-2012	B1Z	Belmore St, Yarrawonga	Staff	Signs	Inspected, sent memo to manager for directives	No further action
Oct-2012	FZ / LSIO	Barmah-Piccola Rd, Barmah	Proactive	Permit Audit, Use of shed for dwelling in breach of permit, construction without permit	Inspected, directive given, new landowner, new correspondence sent, agreement and mediation	Pending
Sep-2012	B4Z	Elsmead Rd, Cobram	Proactive	Outstanding landscaping, amenity issue, storage	Inspected, negotiation, no outcome, reevaluate action	

FILE NO: F13/601
2. OUR ENVIRONMENT AND LIFESTYLE

ITEM NO: 9.3.2
(DEVELOPMENT COMPLIANCE OFFICER,
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**PLANNING AND DEVELOPMENT COMPLIANCE PROGRESS REPORT -
JULY 2013- FEBRUARY 2014 (cont'd)**

ATTACHMENT No [2] - Planning and Development Compliance Progress Report
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DEVELOPMENT SERVICES

PLANNING AND DEVELOPMENT COMPLIANCE PROGRESS REPORT ATTACHMENT – JULY 2013 – FEBRUARY 2014

Planning Permit Audit						
Date	Controls	Locality	Source	Issue(s)	Action(s)	Outcome(s)
Dec-2012	FZ – LSIO	Kenny Rd, Yarroweyah	Staff	Permit condition, landscaping and consolidation	Negotiation, and directive given, landscape plan received	Pending
Jan-2013	FZ	Waaia-Bearii Rd, Waaia	Resident	Alleged amenity issue for barking dogs, Audit of permit	Directive given, followed up, permit conditions met, dog barking to be confirmed	No further action
Mar-2013	FZ	Montgomery Rd, Yarroweyah	Resident	Use of land for sand extraction, dependent persons unit, materials recycling, waste burning	Negotiation, rehabilitation in process	Audit required
May-2013	FZ - RFO	Ralph St, Wunghnu	Proactive	Non-compliance with endorsed plan	Correspondence sent, update file, reminder sent	Pending
May-2013	TZ - LSIO	Welch St, Wunghnu	Proactive	Outstanding condition	Sent correspondence, reminder sent	Pending
June-2013	FZ	Kokoda Rd, Katunga	Proactive	Outstanding conditions	Site meeting, mediation	Pending
June-2013	TZ – RFO	Moor St, Barmah	Proactive / Staff	Breach of permit, further development	Correspondence sent, no resolution	Pending
July-2013	R1Z	Yarrowonga Foreshore	Resident	Alleged breach of condition regarding rental of tricycle	Investigate, no issues	No further action
August 2013	TZ – RFO	Walters Street Wunghnu	Resident	Outstanding conditions, fill materials on land	Investigate, notice sent, part correction	No further action

FILE NO: F13/601
2. OUR ENVIRONMENT AND LIFESTYLE

ITEM NO: 9.3.2
(DEVELOPMENT COMPLIANCE OFFICER,
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**PLANNING AND DEVELOPMENT COMPLIANCE PROGRESS REPORT -
JULY 2013- FEBRUARY 2014 (cont'd)**

ATTACHMENT No [2] - Planning and Development Compliance Progress Report
table – July 2013 – February 2014

DEVELOPMENT SERVICES

PLANNING AND DEVELOPMENT COMPLIANCE PROGRESS REPORT ATTACHMENT – JULY 2013 – FEBRUARY 2014

Planning Permit Audit						
Date	Controls	Locality	Source	Issue(s)	Action(s)	Outcome(s)
September 2013	FZ – LSO – ESO	Cemetery Road Cobram East	Resident – Staff	Use of land for breeding kennels, breach of planning permit, breach of various Acts	Inspection, audit and report, planning permit lapsed, existing use rights over extended,	Pending – liaise with Local laws
September 2013	C1Z	Belmore Street Yarrowwonga	Resident	Compliance with conditions regarding parking and waste bins, amenity issue	Inspection, mediation, contact with occupier and landowner pending	Pending
October 2013	C1Z	Belmore Street Yarrowwonga	Staff	Signage without permit	Amend current application to retrospectively include signage	Permit issued
November 2013	R1Z – RFO	Stevenson Road – Yarrowwonga	Authority – Staff	Alleged breach regarding legal point of discharge, condition of permit	Correspondence for information to owners	Refer Infrastructure Planning
January 2014	FZ	Murray Valley Highway, Yarrowweyah	Proactive	Compliance with permit for removal of vehicle crossing	Verbal directive given to landowner	Pending
January 2014	R1Z	Henderson Street, Yarrowwonga	Resident	Audit of planning permit, residential development issues	Audited, planning permit lapsed and no requirement for permit under current provision, referred to building	No further action
February 2014	FZ	Numurkah Road, Katunga	Staff	Planning permit condition related to offset of removal of native vegetation	Notice sent, response, negotiation for compliance	Pending

FILE NO: F13/601
2. OUR ENVIRONMENT AND LIFESTYLE

ITEM NO: 9.3.2
(DEVELOPMENT COMPLIANCE OFFICER,
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**PLANNING AND DEVELOPMENT COMPLIANCE PROGRESS REPORT -
JULY 2013- FEBRUARY 2014 (cont'd)**

ATTACHMENT No [2] - Planning and Development Compliance Progress Report
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DEVELOPMENT SERVICES

PLANNING AND DEVELOPMENT COMPLIANCE PROGRESS REPORT ATTACHMENT – JULY 2013 – FEBRUARY 2014

Planning Permit Audit						
Date	Controls	Locality	Source	Issue(s)	Action(s)	Outcome(s)
February 2014	FZ	Numurkah Road, Katunga	Staff	Planning permit condition outstanding for landscape place	Notice sent, plan provided	No further action

Total new requests: 10

Previous ongoing matters: 15

➤ New Requests from Staff: 3

➤ New Requests from Residents: 5

Matters resolved: 8

Current enforcement proceedings: 2

Breach: 4

Table reading key:

Darker grey	The matter is rolled-over from a previous report
Lighter grey	The matter is a new request which has been attended
White	The matter is noted/investigated and/or no action has been taken as of yet

FILE NO: 5/2013/906
2. OUR ENVIRONMENT AND LIFESTYLE

ITEM NO: 9.3.3
(TOWN PLANNER, MARTINA FOLEY)
(ACTING DIRECTOR, DEVELOPMENT AND
LIVEABILITY, MARK FOORD)

**PLANNING PERMIT APPLICATION NO. 52013906 - BUILDING AND WORKS -
SHED AT 52 MYWEE ROAD, STRATHMERTON**

1. Executive Summary

Planning Permit Application No. 52013907 has been lodged for Building and Works - Shed at 52 Mywee Road, Strathmerton.

The application has been referred and advertised, with referral authorities not objecting to the application subject to conditions, however an objection has been received from nearby residents.

The application has been assessed against the planning scheme and found that it generally conforms to State and Local Planning Policy and relevant provisions and both the purpose and decision guidelines of the Farming Zone.

The impact on the amenity of the area is considered to be minimal.

It is recommended that the application be approved, subject to conditions for the protection of residential amenity.

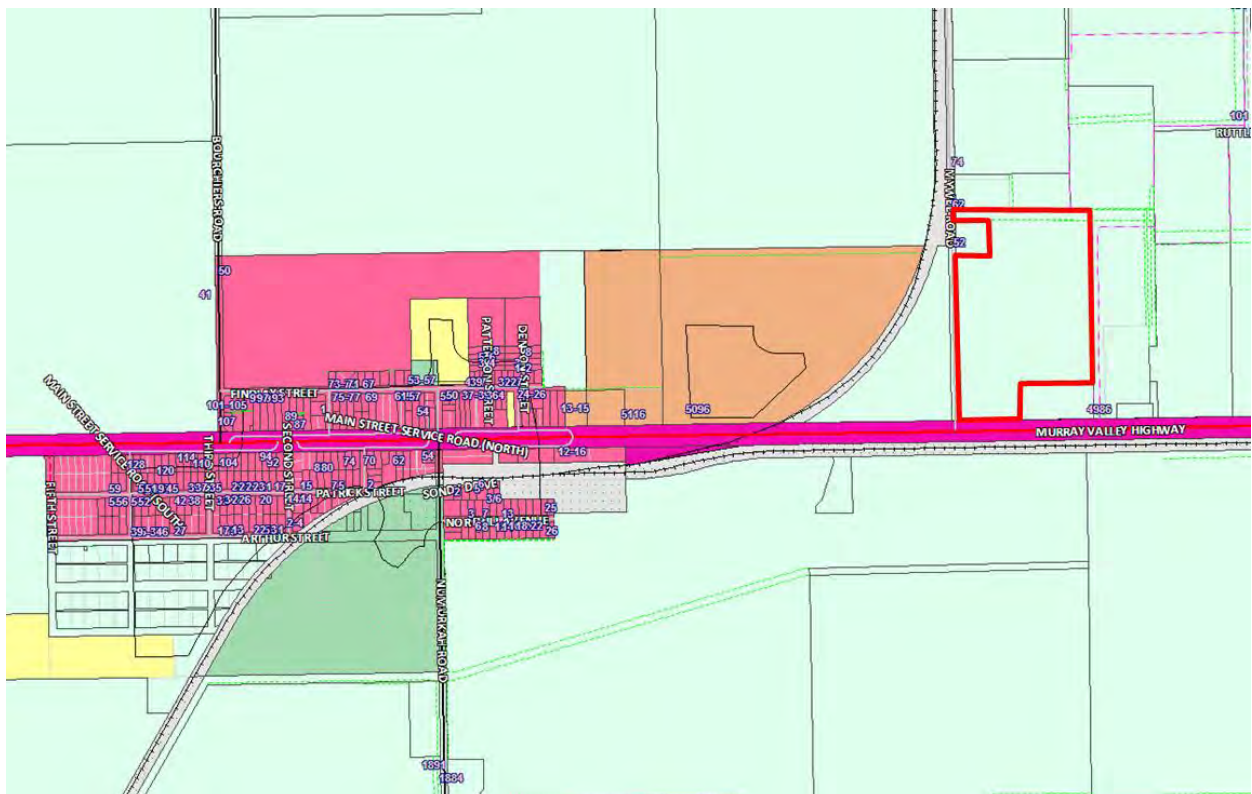
2. Discussion

Location

The subject land is located on Mywee Road, approximately 1 kilometres east of the Strathmerton Township.

The land is approximately rectangular in shape, with two exclusions in the north west and south east corners. The lot measures c.19.23ha. It is currently vacant and is used for agriculture - cropping.

The surrounding area is largely agricultural in use. There is a dwelling in another person's ownership less than 100 metres to the north of the proposed shed.



FILE NO: 5/2013/906
2. OUR ENVIRONMENT AND LIFESTYLE

ITEM NO: 9.3.3
(TOWN PLANNER, MARTINA FOLEY)
(ACTING DIRECTOR, DEVELOPMENT AND
LIVEABILITY, MARK FOORD)

**PLANNING PERMIT APPLICATION NO. 52013906 - BUILDING AND WORKS -
SHED AT 52 MYWEE ROAD, STRATHMERTON (cont'd)**



Proposal

The proposal is building and works for a shed. The proposed shed is 16m x 17m in size, made from colourbond. It has 4 bays, two of which will be open and two of which will have windows.

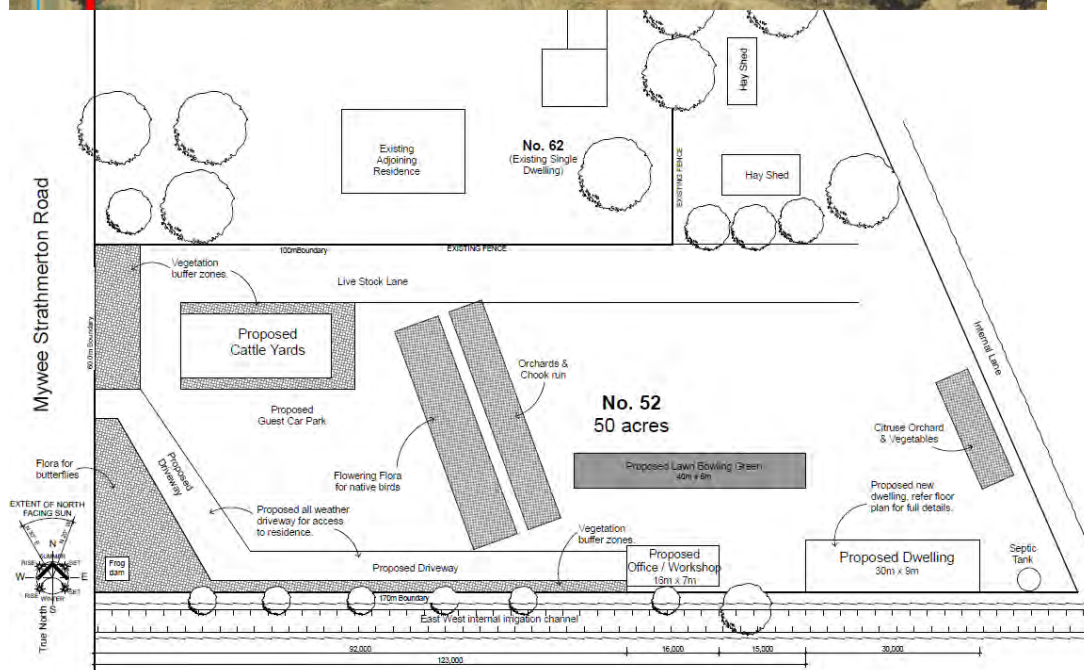
The shed is to be located in the northwest portion of the site, north of an existing irrigation channel/drain. It is located close to the site of a proposed house, permitted under permit number 5/2013/129 (currently subject to VCAT proceedings – Ref. No. P251/2014). This portion of the lot is considered to be the least productive and the house was sited here to limit loss of agricultural lands.

A business plan submitted as part of the application for the dwelling indicated that the lot will primarily be used for Lucerne growing and Donkey Breeding. The proposed shed is agricultural in nature and according to further information submitted 6th February 2014 will be used as a workshop and contain a small ancillary office from which the business will be run.

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**PLANNING PERMIT APPLICATION NO. 52013906 - BUILDING AND WORKS -
SHED AT 52 MYWEE ROAD, STRATHMERTON (cont'd)**



FILE NO: 5/2013/906
2. OUR ENVIRONMENT AND LIFESTYLE

ITEM NO: 9.3.3
(TOWN PLANNER, MARTINA FOLEY)
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LIVEABILITY, MARK FOORD)

**PLANNING PERMIT APPLICATION NO. 52013906 - BUILDING AND WORKS -
SHED AT 52 MYWEE ROAD, STRATHMERTON (cont'd)**

Application Details

Applicant: Adrian Hansen Building Surveying
Land Address: 52 Mywee Road, Strathmerton
Title Details: Lot 2 on Plan of Subdivision 343316H
Site Area: c.19.23ha
File No: 52013906
Zone: Farming Zone
Overlays: Nil

Key Issues

- State and Local Planning Policy
- Farming Zone
- Protection of Residential Amenity

Zoning

The subject lands are located in the Farming Zone (FZ). The purposes of the FZ are to:

- *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.*

The proposed development is to construct a farm shed on the subject lot. The use accords with the purposes of the FZ and does not trigger a permit.

However the buildings and works trigger a permit under Clause 35.07-4 of the Moira Shire Planning Scheme as the works are within 100 metres of to a dwelling within another person's ownership (as specified in the schedule to the FZ).

Clause 35.07-6 sets out the Decision Guidelines that decision makers must consider when assessing applications in the FZ. These are quite comprehensive but the most relevant guidelines. It is noted that the majority of the guidelines relate to the protection of agricultural uses both of the subject lot and in adjoining areas. As the trigger for this permit is however proximity to a dwelling the following are the most relevant of the decision guidelines that must be considered when assessing this application:

- *Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.*
- *Whether the use or development will support and enhance agricultural production.*
- *The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.*

It is noted that the Objectors have indicated that, in their opinion, the proposed development of a farming shed at the subject location is not compatible with their residential use of the adjoining land. This matter will be discussed in detail below.

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2. OUR ENVIRONMENT AND LIFESTYLE

ITEM NO: 9.3.3
(TOWN PLANNER, MARTINA FOLEY)
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**PLANNING PERMIT APPLICATION NO. 52013906 - BUILDING AND WORKS -
SHED AT 52 MYWEE ROAD, STRATHMERTON (cont'd)**

It should be noted that the proposed development will support and enhance agricultural production and will not limit the operation or expansion of adjoining and nearby agricultural uses. Therefore, apart for the protection of the adjoining domestic use which will be discussed below, the proposed development accords with the purpose and decision guidelines of the Farming Zone.

Overlays

The lot is not subject to an overlay.

State Planning Policies

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

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

State level policy, like that set out in the Farming Zone focuses primarily upon the impact of any development upon agricultural lands. The impact upon other existing uses is given a lesser status as it also sets out that *in assessing rural development proposals, planning and responsible authorities must balance the potential off-site effects of rural land use proposals which might affect productive agricultural land against the benefits of the proposals.*

As the proposed development will not adversely impact upon agricultural lands and indeed will promote agricultural uses, it is considered to accord with the State level policy. The impact of the proposed development on the amenity of the

Local Planning Policy and Municipal Strategic Statement

At a local level *Clause 22.01* sets out the Shire's *Agricultural Policy*. While the clause does relate to development in the Farming Zone it is set out to control proposals for new dwellings and subdivisions only and therefore does not need to be considered as part of this assessment.

The decision guidelines of Clause 65

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

- *The matters set out in Section 60 of the Act.*
- *The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *The purpose of the zone, overlay or other provision.*
- *Any matter required to be considered in the zone, overlay or other provision.*
- *The orderly planning of the area.*
- *The effect on the amenity of the area.*
- *The proximity of the land to any public land.*
- *Factors likely to cause or contribute to land degradation, salinity or reduce water quality.*

FILE NO: 5/2013/906
2. OUR ENVIRONMENT AND LIFESTYLE

ITEM NO: 9.3.3
(TOWN PLANNER, MARTINA FOLEY)
(ACTING DIRECTOR, DEVELOPMENT AND
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**PLANNING PERMIT APPLICATION NO. 52013906 - BUILDING AND WORKS -
SHED AT 52 MYWEE ROAD, STRATHMERTON (cont'd)**

- *Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.*
- *The extent and character of native vegetation and the likelihood of its destruction.*
- *Whether native vegetation is to be or can be protected, planted or allowed to regenerate.*
- *The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.*

All the matters set out in Clause 65 have been considered. Those matters above that most closely relate to the proposed development, namely the purpose of the zone, overlay or other provisions, together with the orderly planning of the area and the effect on the amenity of the area have been addressed elsewhere in this report.

Incorporated / Reference Documents
None relevant

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 budgeted for.

4. Community Consultation

Public Notice of the application was given under Section 52 of the *Planning and Environment Act 1987*, as the proposed development is located within 100 metres of a dwelling in another person's ownership and could give rise to amenity impacts. The notice was issued by post on 14th January 2014.

On 28th January 2014 an objection was received, via email, from 2 no. objectors in a combined submission. The objection was augmented by a second email on the same day. According to the submission, the objectors were at the time in the process of purchasing the property. The issues raised by the objection will be discussed below.

Council issued a letter of response to the objection on 25th February 2014. It set out draft conditions for discussion purposes and included a new Site Layout Plan submitted to council by the applicant on 6th February 2014. Objector no. 1 responded via email on 7th March 2014 reiterating the objection. A second email, from Objector no 2 was received on 21st March 2014 and again reiterated the objection. The matters raised in these email will be discussed below.

A copy of all correspondence is attached hereto. At this juncture it is incumbent to mention that the applicants raised a number of issues that do not relate directly to the matters being considered by this report. This report therefore can only discuss planning matters that directly relate to the assessment of the subject application.

In summary the relevant issues raised are the:

- Impact of proposed shed
- Landscaping proposal
- Materials and colours
- Procedural issues:
 - Current Proceedings at VCAT (Ref. No. P251/2014)
 - Commencement of works

FILE NO: 5/2013/906
2. OUR ENVIRONMENT AND LIFESTYLE

ITEM NO: 9.3.3
(TOWN PLANNER, MARTINA FOLEY)
(ACTING DIRECTOR, DEVELOPMENT AND
LIVEABILITY, MARK FOORD)

**PLANNING PERMIT APPLICATION NO. 52013906 - BUILDING AND WORKS -
SHED AT 52 MYWEE ROAD, STRATHMERTON (cont'd)**

- Scope of the assessment
- Lack of detail in the application documentation

Each of these issues will be discussed separately below.

Impact of Proposed Shed

The objectors have expressed concern regarding the impact of the proposed development upon their residential amenity. Clause 35.07-6 of the Planning Scheme indicates that when assessing an application for development in the Farming Zone the decision maker must consider:

Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.

As the subject permit was triggered because the proposed shed is less than 100 metres from the objectors dwelling is it the key issue for the assessment of the permit. The objectors concerns in this regard are therefore the most significant aspect of their submission. To summarise their submission indicates that the proposed development will negatively impact on their amenity in terms of visual, privacy, noise and thermal dynamics impacts.

The potential negative visual impact of the shed are mitigated through the distance, proposed landscaping and the orientation of the objectors' dwelling. It is noted that the rooms from which the shed is visible are bedrooms, bathrooms etc. all with average to small sized windows. The entertainment / daytime use rooms face north, towards the sun. It is considered therefore that the visual impact of the proposed shed is negligible.

The same rationale can be set out for the protection of privacy. Any loss of privacy is mitigated through the distance, proposed landscaping etc. A condition ensuring that the landscaping be planted and appropriately managed to protect privacy should be included in any permit issued.

The potential for noise disturbance is also considered negligible. The use of the shed will be agricultural. There are no proposals for loud plant etc. and it is unlikely that any noise disturbance will be felt. In the interest of protecting the amenity of residents a condition limiting future noise emissions, should the use of the shed change, can be added to the permit.

As regards to thermal dynamics, the applicants contend that the construction of a shed, over 60 metres from their dwelling, will result in a reduction in cooling south eastern breezes reaching their dwelling in the summer. It is noted that the applicants did not provide any supporting evidence regarding any of their concerns. Instead they state that the shed should be located elsewhere on the lot, rather than close to their property. The lot is c.19.23ha and the applicants contend that their amenity would be better protected if the shed where located elsewhere on the lot.

It is noted that the site of the shed, and indeed the dwelling that is subject to a VCAT review, was chosen with regard to the agricultural productivity of the remainder of the lot which has greater potential for intensification of agricultural uses. This accords with the purpose and the decision guidelines of the Farming Zone.

As stated above, when reviewing state level policies and the Clause 35.07-6 decision guidelines for developments in the Farming Zone focuses primarily upon the impact of any development upon agricultural lands rather than the protection on non-farming related or "other" uses.

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**PLANNING PERMIT APPLICATION NO. 52013906 - BUILDING AND WORKS -
SHED AT 52 MYWEE ROAD, STRATHMERTON (cont'd)**

This conclusion is vindicated by two recent VCAT findings. In *Ward v Macedon Ranges SC* [2013] VCAT 1758 (10 October 2013) the Order states:

"The various requirements of the [farming] zone are designed to ensure that using the land for a dwelling does not compromise agricultural use of the subject, adjoining and nearby agricultural land. Put another way, the use of the land for a dwelling should not overwhelm or become the dominant use and expectations of residential amenity should not prevent adjoining land from being used for agricultural purposes."

The Order for *Knott v Mitchell SC & Ors* [2013] VCAT 1112 (28 June 2013) also states:

"Residents in a Farming Zone must expect a level of amenity commensurate with the environment likely to be created by legitimate land uses in such a Zone, but they are entitled to a reasonable level of amenity"

To conclude it is considered that the proposed development will not materially adversely impact on the amenity of the residents. Any such impacts can be mitigated through appropriate conditions.

Current Proceedings at VCAT (Ref. No. P251/2014)

The objectors have highlighted the current VCAT proceedings stating that it is relevant to the current application but their submission does not suggest that the application should not be assessed. This may be because the current application though on the same land is in effect a separate proceeding. The decision being appealed is a permit issued for the use and development of a dwelling at this location. This application is for the development of an effectively unrelated agricultural shed.

To conclude the current proceedings at VCAT will not be considered as part of this assessment. It is however noted that the objectors have indicated that if they are unhappy with the outcome of this application (Building and Works – Shed) they will appeal the decision to VCAT.

Commencement of Works

The objectors' submissions have stated that works have commenced for the construction of the dwelling (subject of VCAT Ref. No. P251/2014) and shed (current application). A site visit was undertaken on 2nd April 2014 by Martina Foley, Town Planner.

On a previous inspection our Compliance Officer, Patrick Dubuc found that the applicant has brought fill material to site of the proposed shed effectively preparing the site for construction however construction has not begun. Patrick provided verbal advice to the applicant that no further works (i.e. construction) can begin until a permit is issued and plans approved.

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2. OUR ENVIRONMENT AND LIFESTYLE

ITEM NO: 9.3.3
(TOWN PLANNER, MARTINA FOLEY)
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**PLANNING PERMIT APPLICATION NO. 52013906 - BUILDING AND WORKS -
SHED AT 52 MYWEE ROAD, STRATHMERTON (cont'd)**



Earthworks on site (Photographed 2nd April 2014)

Scope of Assessment

The objectors have listed a number of issues that they believe should be considered as part of the assessment. The objector indicates, in their submission dated 21st March 2014, that these issues “*may not be spelled out word for word in the planning scheme*”.

When assessing any planning permit the planner can only consider those matters set out in the scheme. This report is therefore based upon the provisions of the Moira Shire Planning Scheme

Application Documentation

The objectors have indicated that the documentation submitted with the application was not adequate to assess the proposal. Further information was submitted on 6th February 2014 and again on 6th March 2014. It is considered that the information provided is adequate for assessment.

Landscaping Proposal

The objectors have raised concerns regarding the landscaping proposal submitted with the application. It is however considered that the information submitted on 6th March 2014 is acceptable.

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2. OUR ENVIRONMENT AND LIFESTYLE

ITEM NO: 9.3.3
(TOWN PLANNER, MARTINA FOLEY)
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**PLANNING PERMIT APPLICATION NO. 52013906 - BUILDING AND WORKS -
SHED AT 52 MYWEE ROAD, STRATHMERTON (cont'd)**

Materials and Colours

The objectors have raised concerns regarding the proposed materials and colours of the proposed shed. They have requested that colourbond merino (cream) or mist green (light green) provide the lease visual impact. It is appropriate that these colours, or colours in the same pallet, be conditioned as part of any permit issued.

5. Internal Consultation

The application was referred to the Natural Recourses and Infrastructure Planning Departments. No objections have been raised however a number of conditions have been recommended by the both the Natural Recourses and Infrastructure Planning Departments if any permit is issued. The conditions relate to drainage, vehicular crossings and landscaping.

6. Legislative / Policy Implications

The *Planning and Environment Act 1987* and the Moira Planning Scheme set out the requirements for use and development of land, including the requirements for public notice. Accordingly the application was referred Goulburn Murray Water who offered no objection to the permit subject to conditions.

7. Environmental Sustainability

It is considered that the proposed development is sustainable. It is a permissible use in the zone and will not detract from the amenity of the area.

8. Conflict of Interest Considerations

It is noted that the objectors are former employees of the Shire. It is noted that certain council officers have withheld further involvement in this assessment to avoid any apparent conflict of interest. As to only Town Planner on staff who did not work directly with the objectors this file was re-assigned to Martina Foley on 11th March 2014 for assessment

9. Conclusion

The application is for building and works – shed. The use of the shed is agricultural and is supported by the Farming Zone. The permit was triggered by proximity to a dwelling in another persons' ownership.

It is considered that the impact on amenity enjoyed by the nearby residents will be minimal.

In summation it is considered that the proposed development accords with State and Local Planning Policy and relevant Planning Scheme provisions therefore the application should be approved and a Notice of Decision to Grant a Permit issued.

Attachments

- 1 Objection emails

FILE NO: 5/2013/906
2. OUR ENVIRONMENT AND LIFESTYLE

ITEM NO: 9.3.3
(TOWN PLANNER, MARTINA FOLEY)
(ACTING DIRECTOR, DEVELOPMENT AND
LIVEABILITY, MARK FOORD)

**PLANNING PERMIT APPLICATION NO. 52013906 - BUILDING AND WORKS -
SHED AT 52 MYWEE ROAD, STRATHMERTON (cont'd)**

RECOMMENDATION

That Council approve the issue of a Notice of Decision to Grant a Permit for Planning Application No. 52013907 for the use and development of Lot 2 on PS343316H also known as 52 Mywee Road, Strathmerton, for or buildings and works - shed, subject to the following conditions:

1. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
2. The building must not be used for habitation.
3. The subject land must be kept neat and tidy at all times and its appearance must not, in the opinion of the Responsible Authority, adversely affect the amenity of the locality.
4. The development must be managed so that the amenity of the area is not detrimentally affected, through the:
 - a) transport of materials 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.
5. Noise levels emanating from the land must comply with the requirements of the Environment Protection Authority's Publication N3/89 *Interim Guidelines for the Control of Noise from Industry in Country Victoria*.
6. Before the development starts, a schedule of construction materials, external finishes and colours incorporating colourbond merino (cream) or mist green (light green) or colours in the same pallet, to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the schedule will be endorsed and will then form part of the permit.
7. Before the the development starts, or by such later date as is approved by the Responsible Authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
8. 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
9. Before the building is occupied all stormwater and surface water discharging from the site, buildings and works must be retained on site or conveyed to the legal point of discharge drains to the satisfaction of the Responsible Authority. No effluent or polluted water of any type will be allowed to enter the stormwater drainage system any road, stream, river or other waterway reserve
10. The existing vehicular crossing located at Mywee Road must be upgraded in accordance with Council's Infrastructure Design Manual, specifically standard drawing SD255.

FILE NO: 5/2013/906
2. OUR ENVIRONMENT AND LIFESTYLE

ITEM NO: 9.3.3
(TOWN PLANNER, MARTINA FOLEY)
(ACTING DIRECTOR, DEVELOPMENT AND
LIVEABILITY, MARK FOORD)

**PLANNING PERMIT APPLICATION NO. 52013906 - BUILDING AND WORKS -
SHED AT 52 MYWEE ROAD, STRATHMERTON (cont'd)**

11. The shed must not contain bedrooms (or rooms that could be used as bedrooms) or any facilities with the potential to produce wastewater, including toilets, kitchens or other food preparation facilities.
12. The shed must not encroach on the existing wastewater treatment system or disposal area of the dwelling or breach the minimum setback distances specified in the relevant *EPA Code of Practice – Onsite Wastewater Management*.
13. No buildings or works may be erected or carried out within 30 metres of any Goulburn-Murray Water surface infrastructure (including open irrigation channels and drains), 10 metres from any other structure (such as culverts, drainage inlets, subways, syphons), or 5 metres from any below surface infrastructure (including pipelines), located on any G-MW freehold, easements or reserves.
14. This permit will expire if one of the following circumstances applies:
 - i. The development and use is/are not started within two years of the date of this permit.
 - ii. 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 three months afterwards.

Notations:

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.

Application must be made to Goulburn-Murray Water prior to construction of any dams on the subject land. A licence must be obtained where surface or groundwater supplies are taken and used for commercial irrigation purposes or if a dam is to be constructed on a waterway as defined under the *Water Act 1989*. For further information, the applicant should contact Goulburn-Murray Water Diversion Operations.

ALTERNATE MOTION

CRS KEVIN BOURKE / DON MCPHEE

That permit application 52013906 for a building and works shed at 52 Mywee Road, Strathmerton be deferred to allow for further consideration of the issues relating to the application.

(CARRIED)

FILE NO: 5/2013/906
2. OUR ENVIRONMENT AND LIFESTYLE

ITEM NO: 9.3.3
(TOWN PLANNER, MARTINA FOLEY)
(ACTING DIRECTOR, DEVELOPMENT
AND LIVEABILITY, MARK FOORD)

**PLANNING PERMIT APPLICATION NO. 52013906 - BUILDING AND WORKS -
SHED AT 52 MYWEE ROAD, STRATHMERTON (cont'd)**

ATTACHMENT No [1] - Objection emails

TEXT OF OBJECTION EMAILS

Email No. 1 Received 28th February 2014 jointly from Objector No. 1 & Objector No. 2
We refer to your recent letter to "The Occupant" in relation to the above application. As you are aware, we are in the process of purchasing [REDACTED] Strathmerton.

Further to a meeting at your office on 21 January 2013, we object to the grant of a permit on the following grounds:

1. Approval of the proposal legitimises a decision to issue a planning permit on 23 May 2013 (5/2013/129) for use and development of the subject land for a dwelling, contrary to both state and local planning policy.
2. The above permit is, or is about to be, the subject of VCAT proceedings unless the Council can negotiate a satisfactory resolution to the siting of the dwelling approved approximately 40m from our house.
3. The siting of the proposed 112 square metre shed/workshop so close to the shared property boundary is completely unacceptable on a lot comprising approximately 20 hectares, from a visual and noise amenity perspective.
4. The siting of the shed and associated hardstand area so close to the boundary to the south-east of our dwelling will have a detrimental impact on the thermal efficiency of our dwelling, increasing the resources required to keep the dwelling cool in summer. The cooling breezes in summer come from the south east and would be heated (potentially redirected) as they pass over and around the shed and hardstand area.
5. The proposed colours, finishes and reflectivity are not shown.
6. The plans submitted with the application do not provide sufficient detail to determine the complete impact of the proposed shed on our amenity by way of access, ie "left side, right side, left end and right end" - notice of the application should not have been given in its present form.

We trust that council will exercise its duties as Responsible Authority and refuse the application.

Regards

Email No. 2 Received 28th February 2014 From Objector No. 1

As an addendum to my earlier email, a further ground for objection:

7. The landscaping proposed is completely inadequate. Planting to date includes invasive weeds - *Canna indica* - planted far too close to the boundary fence. Any planting near the shared property boundary should comprise several rows of mixed Australian native species comprising canopy trees and understorey shrubs, preferably indigenous to the area and of an appropriate Ecological Vegetation Class.

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2. OUR ENVIRONMENT AND LIFESTYLE

ITEM NO: 9.3.3
(TOWN PLANNER, MARTINA FOLEY)
(ACTING DIRECTOR, DEVELOPMENT
AND LIVEABILITY, MARK FOORD)

**PLANNING PERMIT APPLICATION NO. 52013906 - BUILDING AND WORKS -
SHED AT 52 MYWEE ROAD, STRATHMERTON (cont'd)**

ATTACHMENT No [1] - Objection emails

Email No. 3 Received 7th March 2014 From Objector No. 2
Attention: Jorine Bothma

Dear Madam,

I refer to your letter dated 25 February 2014 and received on 3 March 2014 addressed to [REDACTED] in relation to the above matter.

As I am an objector to this application (refer to email 28 January 2014), I am responding to your letter. [REDACTED] may also choose to respond or endorse and/or add to my comments.

Response to matters raised:

1. I reject your assertion that the proceedings before VCAT are not relevant to this application. The matters are inextricably linked, ie 'proposed dwelling (and) sheds' was shown on the plans for Application for Planning Permit no. 5/2013/129. The location of the house and consequentially the shed were relocated at the direction of the planning department. That matter is yet to be determined.
2. I assume the most recent plan drawn on 24 January 2014 is an amended plan and forms part of the application (though not date stamped either) and is in response to our concerns about the plans (detail) submitted with this application. This is the second plan, to my knowledge, submitted. I would be surprised if the shed pad, which has already been constructed, is 65 metres from our dwelling. Please confirm that or otherwise as proposed condition 1 is inappropriate whilst this remains unclear. Draft conditions relating to landscaping appear irrelevant to the distance from our dwelling which may have been misrepresented a number of times and remains unknown (as confirmed by requirement (b) of condition 1 of your proposed/draft permit).
3. The decision guidelines at Clause 35.07-6 - General issues - refer to whether the site is suitable for the development and compatible with adjoining and nearby uses. The decision guidelines at Clause 65 - Environmental issues - refer to the impact of the proposal on the natural physical features and resources of the area... In addition, Design and siting issues - refers to the impact of the siting, design, height bulk, colours, materials to be used on the natural environment, vistas etc.
4. I confirm that at a meeting with the owner to discuss the permit issued by your office for use and development of the land for a dwelling the materials to be used for the shed was discussed. I also confirm that we were advised that the shed was to be constructed of colourbond material and would most likely be dark green. That was not agreed to. I would not recommend that the Council issue a Notice of Decision requiring 'likely dark green' finishes as stated in your letter. Research conducted into the impact of farm and other buildings and structures on the landscape would indicate that colourbond merino (cream) or mist green (light green) provide the least visual impact.
5. The shed may be proposed to be orientated with open bays to the north resulting in the most impact, however the 'proposed driveway' does not provide access to the shed (refer plan dated 24.1.2014). Therefore the use of the development will encroach further towards our property and affect our amenity accordingly and is unacceptable.
6. If your advice that a landscape (landscaping) plan will be required as a permit condition, including shrubs (and not trees?) then your proposed/draft condition 7 should be changed as that stipulates a permanent landscaping plantation 10 metres west and north of the proposed shed and does not provide for common boundary landscaping. I would suggest the

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2. OUR ENVIRONMENT AND LIFESTYLE

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AND LIVEABILITY, MARK FOORD)

**PLANNING PERMIT APPLICATION NO. 52013906 - BUILDING AND WORKS -
SHED AT 52 MYWEE ROAD, STRATHMERTON (cont'd)**

ATTACHMENT No [1] - Objection emails

proposed landscaping may render access to the shed virtually impossible. The condition requires revisiting.

Please note that I did not meet with you on 20 January 2014 and request that you amend your advice and records to reflect that fact (refer 4 of your letter). That meeting was not convened to discuss this application.

In summary, the proposed permit conditions are inconsistent with your advice, partly incomprehensible and so open ended as to provide me with no comfort whatsoever as to what will be constructed, the materials to be used or the location of the proposed shed. All remain subject to amended plans being submitted and approval at the discretion of your office.

Accordingly, I do not intend to withdraw my objection at this time or return your proforma letter as that was not addressed to me.

I do not propose to comment further on the planning department's processes and continued unwillingness to properly engage with the community as that is so ably demonstrated by receipt of your letter, including attached pro forma letter.

Sincerely

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2. OUR ENVIRONMENT AND LIFESTYLE

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(TOWN PLANNER, MARTINA FOLEY)
(ACTING DIRECTOR, DEVELOPMENT
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**PLANNING PERMIT APPLICATION NO. 52013906 - BUILDING AND WORKS -
SHED AT 52 MYWEE ROAD, STRATHMERTON (cont'd)**

ATTACHMENT No [1] - Objection emails

Email No. 4 Received 21st March 2014 From Objector No. 1
Attention Jorine Botha, Manager Planning and Building

Dear Ms Botha,

Planning permit application 5/2013/906

Thank you for your recent letter. Regrettably, your response does not satisfactorily address any of the matters raised in my objection, rather, it raises more concerns. Further to those matters already expressed, I submit the following for your careful consideration:

1. Proceedings at VCAT (P251/2014) are relevant. I will seek to have both proceedings (application to cancel or amend and review of council's decision) joined in the event council issues a notice of decision to grant a permit. Further, works have been completed on the shed pad which is the subject of this application without approval. It would appear that the height of the building proposed from natural ground level has been grossly underestimated - yet another example of misleading information.

2. The site plan that was submitted with the application was so poorly drawn and not to scale, it was impossible to determine the siting of the proposed shed. If we are to rely on the 'scale' provided, 6m has the same dimension as 15m. It would be helpful if reference to title boundaries is provided (but not by way of permit condition - the council cannot determine the application properly without this most of basic information). Will council endorse a plan that shows a dwelling on a lot that is 60m in dimension north to south and 170m in depth east to west?

I presume that the plan provided with your response is an 'amended plan' and if so, why were we not provided a copy of this plan until now? This 'amended plan' appears to show openings on the west and east sides of the proposed shed, contrary to your letter.

The draft conditions relating to landscaping conflict with advice contained within your letter.

3. I am deeply concerned that you consider that the decision guidelines at Clause 35.07-6 and 65 are the only matters that need to be taken into account when assessing an application. I hold grave concerns for the future planning of Moira Shire if such limited assessment is and remains the norm.

Question: Why is there a permit trigger for building and works within 100m of a dwelling not in the same ownership? Answer: So that adverse amenity issues can be considered and addressed. This and other summers were characterised by extreme heat for extended periods. You and your staff may not be capable of giving consideration to thermal efficiency and the decision guidelines, so we will be left (again) to request the Tribunal to do so.

The purpose of the Farming Zone is to:

Implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies - consideration must be given to matters raised related to these requirements (which may not be spelled out word for word in the planning scheme).

In addition,

To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision - The intent of the purpose and extent of this objective does not end at the property boundary of land subject to a planning permit

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2. OUR ENVIRONMENT AND LIFESTYLE

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**PLANNING PERMIT APPLICATION NO. 52013906 - BUILDING AND WORKS -
SHED AT 52 MYWEE ROAD, STRATHMERTON (cont'd)**

ATTACHMENT No [1] - Objection emails

application... perhaps conduct an inspection and consider some of the off-site issues and take a broader view.

The decision guidelines of the Farming Zone do not explicitly mention the phrase 'thermal efficiency' but do require consideration of *whether the proposal is compatible with adjoining and nearby land uses* (General issues); *the impact of the proposal on the natural physical features and resources of the area* (Environmental issues); *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*. Please refer to your planning scheme.

The decision guidelines are not designed to be read literally as most planners should know. Clause 65.01 requires the council to consider the matters set out in Section 60 of the Planning and Environment Act, which include (amongst others) the relevant planning scheme, the objectives of planning in Victoria; any strategic plan, policy statement, code or guideline which has been adopted by a Minister, government department, public authority or municipal council.

The **objectives of planning in Victoria** (of which Moira Shire Council is a part) appear to have been dismissed, that is:

- a) to provide for the **fair, orderly, economic and sustainable use, and development of land**; *not just fair to the applicant, not just a singular parcel of land.*
- b) to provide for the **protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity**; *the modification of the microclimate will have a detrimental impact on natural and man-made resources, and damage the ecological processes that occur in this microclimate.*
- c) to secure a **pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria**; *if I am to be living next door to a 'most likely' dark green shed and an expansive hard stand area which will give off the heat of an oven, it will not be a pleasant, efficient or safe working, living or recreational environment.*
- g) to balance the **present and future interests of all Victorians**. *Not just people who pay planning permit application fees to council.*

The planner assessing the application and attempting to consider my objection appears to have ignored the Planning and Environment Act, State Planning Policy and council's own Local Policies.

4. 'Most likely' a particular colour is not satisfactory. How can a planning permit require that the shed should be most likely be a particular colour. It is either is a particular colour or it isn't. Dark green is not an appropriate colour, and will absorb heat exacerbating the amenity impacts.

5. Given the open bays will apparently face my dwelling (but note that I have not received plans that demonstrate this proposal yet despite requesting that), we will not have the benefit of a colorbond finish, rather a clear view of the contents of the shed and vehicle movements, noise etc. The design, siting, openings should be oriented away from my dwelling - after all the property comprises 20 hectares (not that you would know that from the plans submitted, which provide site dimensions of 60m x 170m).

6. The plan submitted with the application is a joke. As are the draft permit conditions. In relation to draft condition 7 - for a start, the development has already commenced. A building pad of considerable height above natural ground level has been constructed for some time - the matter was raised with your enforcement officer.

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2. OUR ENVIRONMENT AND LIFESTYLE

ITEM NO: 9.3.3
(TOWN PLANNER, MARTINA FOLEY)
(ACTING DIRECTOR, DEVELOPMENT
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**PLANNING PERMIT APPLICATION NO. 52013906 - BUILDING AND WORKS -
SHED AT 52 MYWEE ROAD, STRATHMERTON (cont'd)**

ATTACHMENT No [1] - Objection emails

Supplementary plantings to enhance existing plantings - as in the plantings that were there before this environmental bandit purchased the land? Or supplement what has been planted/cultivated since he purchased the land because I struggle to think of what could possibly supplement the caltrops, wire weed and canna lilies.

The location of 'supplementary plantings' is not adequately described in the condition. If 10m of trees and shrubs were planted immediately to the north and west of the proposed shed, the shed would not be particularly useful, given the openings will apparently face north.

3 rows of trees and shrubs 10m wide - what kind of planting densities should we expect, given council appear quick to sign off on anything that remotely resembles a plan.

I struggle to see where he is likely to plant them, considering he has placed a large number of hay bales against the fence - posing among other things an odour nuisance and a fire hazard. I have requested the Municipal Fire Prevention Officer to view the hazard, which has potential to destroy my primary asset.

In relation to the apparently 'revised plan' which was sent with your response: if a revised/amended plan is received, it is normal practice for the application to be re-notified - or at the very least it should be sent to an objector notated accordingly.

I have concerns about some of the other conditions that have been proposed for inclusion on any permit that may issue:

1. Before the development starts - *if anyone had bothered to do a site inspection, they would note development has already commenced.*

3. Apart from sloppy punctuation, taken literally this condition would require the landowner to stop flooding the road reserve when he irrigates poorly, prior to his using the shed - I'm sure VicRoads would not support his discharging irrigation run-off into the Murray Valley Highway reserve as the landowner has been doing recently.

4. When must the vehicular crossing be upgraded? There is no clue in the condition as to when this must be done.

6. Your letter states that the shed will 'most likely' be dark green.

May I recommend that you might take the time to pick up the telephone and consult and discuss this matter rather than insult me by sending draft (pre determined? and flawed) permit conditions which do not serve any purpose or any of the parties well. Be advised also that your department's failure to engage in a collaborative manner and any meaningful way has resulted in increased tension and animosity between the applicant and ourselves which we hold the council directly responsible for.

Please also take notice that unless works already constructed on the proposed shed are removed immediately, I will be forced to take the necessary VCAT action to enforce your planning scheme and this letter will produced as to the matter of costs. Please advise what the council proposes to do about this breach of your planning scheme.

In closing, we are extremely disappointed with the handling of this application to date (with the exception of the professionalism displayed by your enforcement officer) and will, if necessary, apart from any VCAT proceedings, refer the matter to Mr McCurdy, our local member, the Minister for Local Government and Ombudsman for review. I wonder if we are being given especially poor treatment because we are former staff members, and council is

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2. OUR ENVIRONMENT AND LIFESTYLE

ITEM NO: 9.3.3
(TOWN PLANNER, MARTINA FOLEY)
(ACTING DIRECTOR, DEVELOPMENT
AND LIVEABILITY , MARK FOORD)

**PLANNING PERMIT APPLICATION NO. 52013906 - BUILDING AND WORKS -
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ATTACHMENT No [1] - Objection emails

living up to its reputation as having a culture of bullying and harassment or if this level of customer services is now a standard for Council.



FILE NO: 52013094
2. OUR ENVIRONMENT AND LIFESTYLE

ITEM NO: 9.3.4
(MANAGER TOWN PLANNING AND
BUILDING, JORINE BOTHMA)
(ACTING DIRECTOR, DEVELOPMENT AND
LIVEABILITY, MARK FOORD)

RECONSIDERATION OF PERMIT APPLICATION 5/2013/094, DWELLING ON LOT 39 KINNIARDS ROAD

1. Executive Summary

Council considered Planning Permit Application No. 5201394 at its Ordinary Council meeting of 16 September 2013 Council resolved as follows:

“That application for Planning Permit No 5/2013/094 for the use and development of land at Lot 39 Kinnairds Road Numurkah for dwelling be refused on the following grounds:

- a. The subject land is considered unsuitable for a dwelling due to the land being susceptible to flooding during a 1:100 year flooding event.*
- b. Road access to the dwelling for emergency services will be inundated during a 1:100 year flood event.”*

The applicant appealed to VCAT against Council’s recommendation. The VCAT hearing was scheduled to take place on 25 March 2014. The applicant lodged a request for adjournment of this hearing granted to enable him an opportunity to bring the matter before Council for re-consideration. Hence the submission of this report to Council for re-consideration.

The application was advertised and referred to referral authorities and one objection was received from the Goulburn Broken Catchment Management Authority (GBCMA), but was subsequently withdrawn following discussion with the applicant.

The land is contained within the Farming Zone and affected by the Rural Floodway Overlay and Land Subject to Inundation Overlay. The applicant, Mr Milner, indicated that he is able to construct the dwelling at 600millimetres above the 2012 flood level or higher as deemed necessary by the responsible authority. Mr Milner was informed that the application may also need to be referred to the Goulburn Broken Catchment Management Authority (GBCMA) to verify the 2012 flood level. This will occur if Council considers the application favourably.

It is recommended that the application be re-considered subject to conditions.

Application details:

Applicant: Reg Perkins – GMR Engineering
Owner: Chris and Lorraine Milner
Land Address: Kinnairds Road, Numurkah
Title Address: Lot 39 PS 306431
Site Area: 17.22 hectares
File No: 5201387
Zone: Farming Zone
Overlays: Rural Floodway Overlay (RFO) and Land subject to Inundation Overlay (LSIO)

Key Issues

- State and Local Planning Policy
- Farming Zone Provisions
- Flooding overlays provisions
- Comments from referral authorities
- Pattern of development in the area

2. Discussion

At its Ordinary Council meeting held on 16 September 2013 Council resolved as follows:

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2. OUR ENVIRONMENT AND LIFESTYLE

ITEM NO: 9.3.4
(MANAGER TOWN PLANNING AND
BUILDING, JORINE BOTHMA)
(ACTING DIRECTOR, DEVELOPMENT AND
LIVEABILITY, MARK FOORD)

**RECONSIDERATION OF PERMIT APPLICATION 5/2013/094, DWELLING ON LOT
39 KINNIAIRDS ROAD (cont'd)**

"That application for Planning Permit No 5/2013/094 for the use and development of land at Lot 39 Kinnairds Road Numurkah for dwelling be refused on the following grounds:

- c. The subject land is considered unsuitable for a dwelling due to the land being susceptible to flooding during a 1:100 year flooding event.*
- d. Road access to the dwelling for emergency services will be inundated during a 1:100 year flood event."*

The applicant appealed to VCAT against Council's recommendation. The VCAT hearing was scheduled to take place on 25 March 2014. The applicant lodged a request for adjournment of this hearing which was granted to enable him an opportunity to bring the matter before Council for re-consideration. Hence the submission of this report for re-consideration to Council while the new "notice of hearing is awaited from VCAT.

Proposal

The proposal is to use and develop the land for the purpose of a dwelling, which is a transportable building, containing 3 bedrooms, kitchen, lounge, dining, laundry, bathroom and toilet and having a floor area of 105 square metres. The building is to be constructed upon stumps and not a slab on the ground.

The dwelling is proposed to be located approximately 70 metres from Kinnairds Road and 60 metres from the northern boundary in amongst existing native vegetation. A new driveway is proposed from the existing access point. A new effluent disposal system is also proposed to be installed.

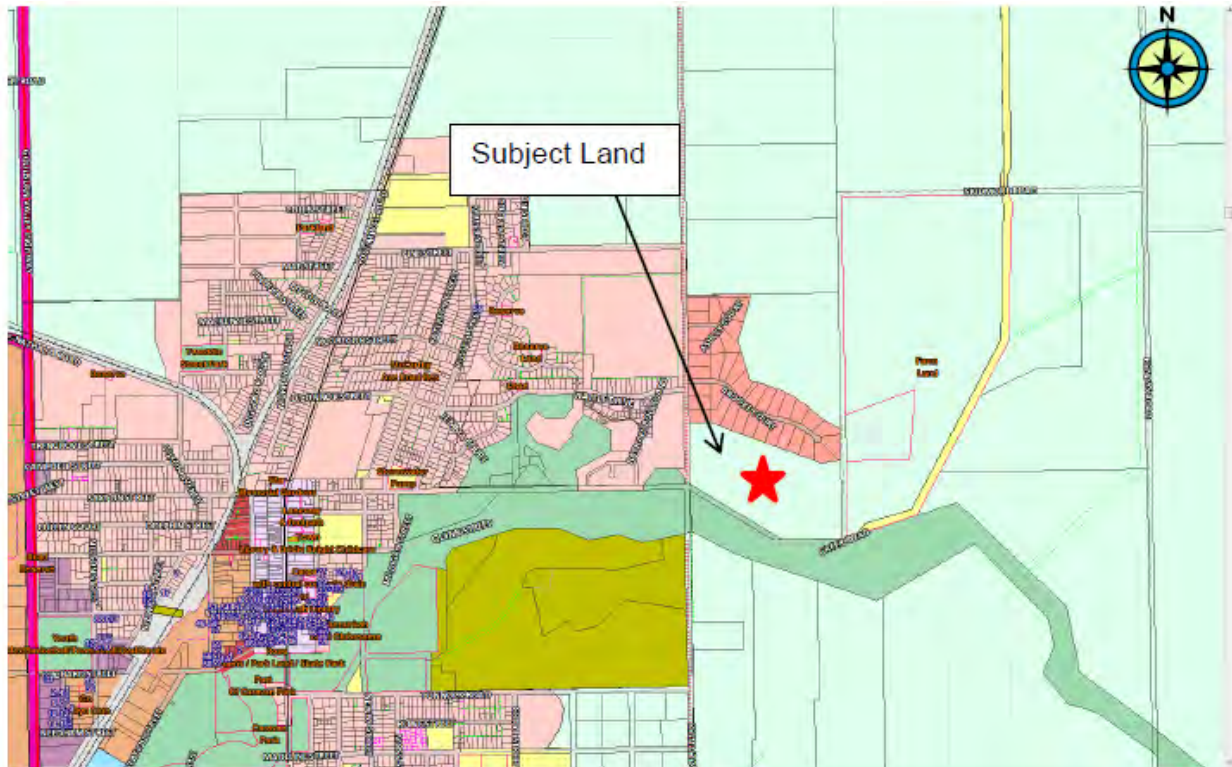
Locality

The subject land is located on the east side of Kinnairds Road, commencing 140 metres south of Brooke Court. The land is bound by low density residential development to the north, Broken Creek to the south, Kinnairds Wetland to the east and vacant residential land and a GMV channel to the west on the opposite side of Kinnairds Road.

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2. OUR ENVIRONMENT AND LIFESTYLE

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(MANAGER TOWN PLANNING AND
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LIVEABILITY, MARK FOORD)

**RECONSIDERATION OF PERMIT APPLICATION 5/2013/094, DWELLING ON LOT
39 KINNIARDS ROAD (cont'd)**



**Planning Scheme Provisions
State Planning Policy Framework (SPPF)**

FILE NO: 52013094
2. OUR ENVIRONMENT AND LIFESTYLE

ITEM NO: 9.3.4
(MANAGER TOWN PLANNING AND
BUILDING, JORINE BOTHMA)
(ACTING DIRECTOR, DEVELOPMENT AND
LIVEABILITY, MARK FOORD)

**RECONSIDERATION OF PERMIT APPLICATION 5/2013/094, DWELLING ON LOT
39 KINNIARDS ROAD (cont'd)**

Clause 13.02-1 Floodplain Management

Objective

To assist the protection of

- *Life, property and community infrastructure from flood hazard*
- *The natural flood carrying capacity of rivers, streams and flood ways*
- *The flood storage function of floodplains and waterways*
- *Floodplain areas of environmental significance or of importance to river health*

Strategies

Identify land affected by flooding, including floodway areas, as verified by the relevant floodplain management authority, in planning scheme maps. Land affected by flooding is land inundated by the 1 in 100 year flood event as determined by the floodplain management authority.

Avoid intensifying the impacts of flooding through inappropriately located uses and developments.

The authority views this proposal as achieving the objective of floodplain management.

GBCMA has advised that prior to 2012 the 100 year flood level in the area was established as 108.3 AHD. However since the 2013 floods the Authority has recorded additional flood levels in the vicinity ranging from 108.23 to 108.35 AHD.

The Authority has identified that the subject land contains a small parcel of land (30 to 80 metres east of Kinnairds Road) that has a higher level of about 107.8 AHD which would be suitable for a dwelling site based in the depth of flooding on 500 mm or less.

Clause 14.01-1 "Protection of agricultural land" states the following objective:

"To enable protection of productive farmland which are of strategic significance in the local or regional context."

The strategy of this clause is:

"To ensure that the State's agricultural base is protected from unplanned loss of productive agricultural land due to permanent changes of land and take into consideration regional, state and local, issues and characteristics in the assessment of agricultural quality and productivity."

Clause 17.05-2 also states:

"In considering a proposal to subdivide or develop agricultural land, the following factors must be considered:

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

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2. OUR ENVIRONMENT AND LIFESTYLE

ITEM NO: 9.3.4
(MANAGER TOWN PLANNING AND
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LIVEABILITY, MARK FOORD)

**RECONSIDERATION OF PERMIT APPLICATION 5/2013/094, DWELLING ON LOT
39 KINNIARDS ROAD (cont'd)**

It would appear that the land has continuously been used for agricultural purposes and it is proposed that some form of agriculture will continue be it grazing or cropping. The proposed use of the land for a dwelling will not remove the land from productive agricultural use given the location of the dwelling is in amongst native vegetation.

There would appear to be no potential impact on the continuation of agricultural production on adjacent land as there is no agriculture on adjoining land.

The addition of a dwelling on this land would be compatible with adjoining land uses, particularly the land to the north and west which is residentially developed and set aside for future residential development respectively. The proposed dwelling site is distant from the Broken Creek and Kinnairds Wetlands therefore no material impact on these natural features or assets are expected.

Clause 10.01 of the SPPF relates to biodiversity and aims to ensure that land use and development assists in the protection and conservation of biodiversity, specifically relating to native vegetation.

The site contains a reasonable stand of native vegetation that is intended to be retained without loss.

The Local Planning Policy Framework (LPPF)

Clause 21.02 "Vision for Moira" states:

Sustainable management of productive rural land will be dependent upon effective environmental management and protection of land and water resources, which services the land."

The LPPF Clause 22.02 "Housing in Rural Areas Policy" states its objectives are:

- to ensure that dwellings in rural areas are needed to support the agricultural use of the land
- to ensure that the use of dwelling on a rural lot does not prejudice surrounding agricultural activities; and
- to prevent the construction of dwellings on small and inappropriate lots in rural areas.

Furthermore, the Clause states that its policy for construction of a dwelling being:

- *the dwelling is required for the operation of the rural use of the land*
- *the dwelling lot must be at least 2ha in area*
- *the construction of new dwellings is discouraged on any land that is not suitable for the on-site disposal of septic tank effluent*
- *the dwelling is to satisfy the infrastructure requirements of the Planning Scheme*
- *the applicant be required to enter into an agreement under Section 173 of the Act to prevent the subdivision of the lot containing the dwelling where the proposed lot size is less than the minimum specified in the zone; and*
- *the applicant may be required to enter into an agreement under Section 173 of the Act acknowledging that the possible off-site impacts or nearby agricultural activities.*

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2. OUR ENVIRONMENT AND LIFESTYLE

ITEM NO: 9.3.4
(MANAGER TOWN PLANNING AND
BUILDING, JORINE BOTHMA)
(ACTING DIRECTOR, DEVELOPMENT AND
LIVEABILITY, MARK FOORD)

RECONSIDERATION OF PERMIT APPLICATION 5/2013/094, DWELLING ON LOT 39 KINNIARDS ROAD (cont'd)

With regards to these requirements, it is clear that the land is not suitable for extensive agriculture production due to the size of the land and the location which adjoins zoned land.

Native vegetation on the site could benefit from the presence of a well-managed dwelling in relation to conservation of these species particularly as this compliments the naturally vegetated creek reserve and Kinnairds Wetlands

Overall the proposal is not inconsistent with State and Local Planning Policy.

Zone Provisions

The subject land is located in the Farming Zone. Clause 35.07-1 states that a planning permit is required for the use of land for a dwelling where the area of the land is less than the area specified in the schedule to the Farming Zone. The minimum lot size for which no planning permit is required to use land for a dwelling is currently 40 hectares. As the subject land has a land area of 17.22 hectares, a planning permit is required to use the land for a dwelling.

Clause 35.07-2 of the Planning Scheme States that a dwelling must:

- *Have access via an all-weather road;*
- *Have the ability to retain and treat waste water on site;*
- *Be connected to a potable water supply; and*
- *Be connected to a power supply.*

The dwelling had direct access from Kinnairds Road, which is constructed to an unsealed all-weather road standard. The land is considered capable of retaining and treating waste water. Potable water may be available from the nearby reticulated system and power is also available.

Under clause 35.07-4, a planning permit is required for buildings and works associated with a Section 2 Use.

Under Clause 35.07-5, applications for dwellings must be supported by a written response to the decision guidelines of Clause 35.07-6. The decision guidelines include Agricultural, Dwelling, Environmental and Design & Siting issues.

Information accompanying the application provides a response to these decision guidelines. With regards to the 'need for a dwelling', the applicant has outlined that a dwelling is required to support the hobby farm with a small flock of sheep of up to 50 head. A small income would be derived however it is more the presence of a farming operation and management of the land that is important, not the extent of the farming activity.

An assessment has been carried out against these Decision Guidelines at Clause 35.07-6. The more relevant issues which apply to this are listed below:

- *The State Planning Policy Framework and the Local Planning policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *Whether the dwelling will result in the loss or fragmentation of productive agricultural land.*
- *Whether the dwelling is reasonably required for the operation of the agricultural activity conducted on the land*
- *Whether the dwelling will adversely affect the operation and expansion of adjoining land and nearby agricultural uses.*

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39 KINNIARDS ROAD (cont'd)**

The proposed use of the land does not involve extensive primary agricultural production, therefore it is difficult to justify the need for a dwelling to support the agricultural activity. However, in determining the suitability of the land for use as a dwelling, the following points can be considered:

- *The subject land contains a significant amount of native vegetation and is not suitable for agricultural production;*
- *There would be no net loss of productive agricultural land on the subject land;*
- *The land is serviced by an existing all weather road;*
- *The use of the land for a dwelling will not limit the operation and expansion of adjoining or nearby agricultural uses as there is no agricultural production on adjoining land; and*
- *The site has the ability to accommodate a suitable on-site wastewater treatment system.*

Notwithstanding the above, it is noted at the time of writing this report, that Minister for Planning has released (15 August 2013) revised Farming Zone Provisions which do not test the need for a dwelling supporting agriculture conducted on the land. Rather, the provisions test whether dwelling will adversely agricultural activities on adjoining land and affect the expansion of agricultural uses adjoining on nearby land.

Overlays

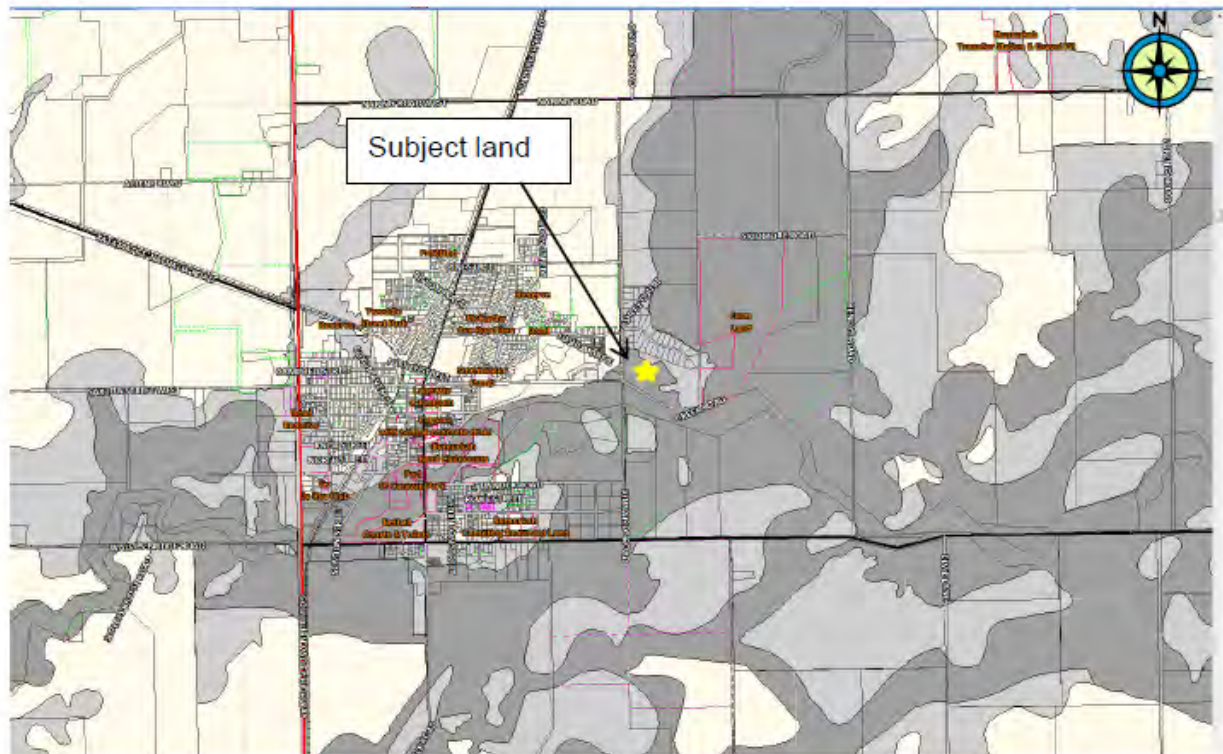
The land is partly affected by the Rural Floodway Overlay (RFO) and the Land Subject to Inundation Overlay (LSIO). The application was referred to the Goulburn Broken Catchment Management Authority pursuant to Section 55 of the Planning and Environment Act 1987. The GBCMA originally objected to the application. However, following discussions between the applicant and the authority, the GBCMA has offered no objection subject to conditions relating to the specific location for the dwelling and the floor level.

The plan shows the extent of the flooding on and in vicinity of the subject land:

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**RECONSIDERATION OF PERMIT APPLICATION 5/2013/094, DWELLING ON LOT
39 KINNIARDS ROAD (cont'd)**



General Provisions

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

- The purpose of the zone, overlay and 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 dot point has been discussed elsewhere in this report.

The placement of a dwelling on this land, when considering land use is considered to be reasonable, however the characteristics of the land being low-lying and subject to flooding is a concern however the floodplain manager (GBCMA) has not objected to the application.

With respect to the effect on the amenity of the area, an additional dwelling should have minimal impact on the residential development to the west and north of the site. Further, being located amongst native vegetation and well set back from natural environments along the creek wetlands, the amenity of the area should remain unaffected.

It must be noted that this site may contain remnants of legislatively protected native vegetation (Plains Grassy Woodland or Derived Grassland), including grasses and forbs with high conservation significance. Further, Broken Creek and Kinnairds Wetlands are areas of high conservation significance.

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39 KINNIARDS ROAD (cont'd)**

The location of the dwelling on the site in amongst native trees and ground cover has previously been disturbed. The paddocks on the land also contain native vegetation (including grasses and forbs) and any form of grazing or paddock improvement including ploughing may put at risk some loss of vegetation if not properly managed.

3. Financial Implications

In the event of Council's decision is appealed at VCAT (which has been the case with this application), any cost associated with attending and responding to an appeal needs to be budgeted for.

4. Community Consultation

Public Notice of the application was given under Section 52 of the *Planning and Environment Act 1987*, by notifying adjoining property owners and occupier. No objections have been received.

5. Internal Consultation

The application was referred to the Natural Resources, Environmental Health and Infrastructure Departments. No objections have been raised however a number of conditions have been recommended for inclusion on any permit that is issued.

6. Legislative / Policy Implications

The *Planning and Environment Act 1987* ("The Act") and the Moira Planning Scheme set out the requirements for use and development of land, including the requirements for referral and public notice. The relevant legislative requirements have been addressed as the application was referred to relevant referral authorities and public notice given as indicated above.

7. Environmental Sustainability

It is considered unlikely that there would be any environmental impacts resulting from the application as there is no native vegetation being removed. However, the agricultural activity proposed that supports the need for a dwelling, if not properly managed, could see a loss of native vegetation (i.e. grasses and forbs). If a permit was able to be issued it could impose conditions controlling the agricultural activity and minimise the loss of such vegetation.

8. Conflict of Interest Considerations

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

9. Conclusion

The application seeks approval for the use and development of land for a dwelling in the Farming Zone that is affected by RFO and LSIO.

It is argued that a dwelling in the Farming Zone in this location would produce acceptable outcomes and is able to be controlled, minimising the risk to people and property due to flooding.

Attachments

Nil

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**RECONSIDERATION OF PERMIT APPLICATION 5/2013/094, DWELLING ON LOT
39 KINNIARDS ROAD (cont'd)**

RECOMMENDATION

That:

Planning Permit Application No 5/2013/094 to use and develop the land for a dwelling at Lot 39 Kinnairds Road Numurkah be approved, subject to the following conditions:

1. The use and/or development as shown on the endorsed plans must not be altered *without the written consent of the responsible authority*.
2. 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.
3. When approved, the plans must be drawn to scale with dimensions and three copies must be provided. The plans must generally in accordance with the plans submitted with the application but modified to show:
 - a) final location of all buildings, services and connections associated with the development and use (referring to BGCMA conditions);
 - b) defined buildings and services footprint;
 - c) defined environmental conservation zone subject to protection in perpetuity and environmental management plan;
4. Before the *use and/or development* start(s), the owner must enter into:
An agreement with the Responsible Authority made pursuant to Section 173 of the *Planning and Environment Act 1987* to provide for the following:
 - a) protection in perpetuity of the environmental conservation zone;
 - b) implementation of the approved Environmental Management Plan;*except with the written consent of the Responsible Authority.*
Or
A conservation Covenant with Trust for Nature Victoria
5. Before the use starts, an environmental management plan for the management and operation of the use which is to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority *upon the advice of Department Sustainability and Environment*. When approved, the plan will be endorsed and will then form part of the permit. The use must at all times be conducted in accordance with the endorsed plan. The environmental management plan must include:
 - a) Overall environmental objectives for the development, use and techniques for their achievement;
 - b) Activities that will be foregone within the environmental conservation zone, such as grazing (except for ecological management), removal of fallen timber and standing trees and other development/uses
 - c) Management actions that will be undertaken to ensure long term sustainability of the environmental conservation zone such as permanent fencing, weed control, revegetation maintenance and other habitat management actions
 - d) Method of permanent protection for environmental conservation zone such as a formal agreement
 - e) Persons responsible for implementing and monitoring the environmental conservation zone

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39 KINNIARDS ROAD (cont'd)**

- f) Time frame for implementing the Plan
 - g) Identification of possible risks of operational failure and response measures to be implemented
 - h) Procedures to ensure that no adverse environmental impacts occur as a result of the use
 - i) Proposed monitoring systems.
6. 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.
 7. A 'Tree Protection Zone' (TPZ) must be applied during earthworks and construction. A TPZ applies to a tree and is a specific area above and below the ground. The TPZ must have a radius 12x the Diameter at Breast Height (DBH); the TPZ of trees should be no less than 2m or greater than 15m.
 8. No trenching, excavation, stockpiling or dumping of soil is to occur within the TPZ without the written consent of the Responsible Authority.
 9. Any new vehicular crossing to the subject land from the road must be constructed of a size and standard satisfactory to the Responsible Authority at the applicant's expense. The final location of the crossing is to be approved by the Responsible Authority via a "Consent to Work within the Road Reserve", prior to the undertaking of works.
 10. Prior to the commencement of the use all internal access roads must be constructed, formed and drained to avoid erosion and minimise disturbance to natural topography of the land to the satisfaction of the Responsible Authority.
 11. Documentation must be provided demonstrating approval from the relevant authority for the point of discharge.
 12. The works must not cut off natural drainage from adjacent properties.
 13. An approved septic tank system must be installed prior to any occupation of the dwelling, and all domestic wastewater must be disposed of and contained within the prescribed setback buffer distances of the disposal field of the property.
 14. Any septic tank system, including effluent disposal and disposal field, must not be located within:
 - 300 metres upslope of a potable water supply from a dam or reservoir (below ground level), including food production;
 - 100 metres upslope from a stream used as a potable water supply catchment;
 - 6 metres upslope of an adjacent allotment boundary;
 - 3 metres downslope of an adjacent allotment boundaryAnd as described in the Code of Practice – Onsite Wastewater Management, EPA Publication 891.2, December 2008, subject to the discretion of Council's Environmental Health Officer.
 15. This permit will expire if one of the following circumstances applies:
 - a) The development is not completed within two years of the date of this permit

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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 six months afterwards.

GBCMA Conditions

16. The building envelope must be contained within the hatched area in the figure contained in the Catchment Management Authority's letter dated August 2013.
17. The floor level of the proposed dwelling must be constructed at least 300 millimetres above the 100-year ARI flood level of 108.35 metres AHD; i.e 108.65 metres AHD, or higher floor level deemed necessary by the Responsible Authority.

Planning Notes

The permit does not include the removal of native vegetation. Any removal of native vegetation which is not subject to the exemptions listed in Clause 52.17 of the Planning Scheme will require a planning permit.

Consent to work within the Road Reserve is required from the Responsible Authority prior to the undertaking of works planned within the Road Reserve.

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.

ALTERNATE MOTION

CRS MARIE MARTIN / KEVIN BOURKE

That permit application 5/2013/094 on lot 39 Kinnairds Road be deferred until the Numurkah Flood Study is completed.

(CARRIED)

FILE NO: 5201457
2. OUR ENVIRONMENT AND LIFESTYLE

ITEM NO: 9.3.5
(TOWN PLANNER, MARTINA FOLEY)
(ACTING DIRECTOR, DEVELOPMENT AND
LIVEABILITY, MARK FOORD)

**PLANNING PERMIT APPLICATION NO. 5201457 - USE AND DEVELOPMENT OF
LAND FOR EMERGENCY SERVICES FACILITY, 6-8 KATAMATITE-NATHAILA
ROAD, NUMURKAH**

1. Executive Summary

Planning Permit Application No. 5201457 has been lodged to use and develop land at 6-8 Katamatite-Nathalia Road, Numurkah for an emergency services facility (Ambulance Victoria).

While the benefit to the community of the proposal is clear this report finds that the location is not appropriate. The site is within the 100 year flood area and as such does not accord with state and local policies. Further the Goulburn Broken Catchment Management Authority (GBCMA) has objected to the issuing of a permit.

It is recommended that the permit be refused.

Application Details

Applicant: Ambulance Victoria
Owner: Numurkah District Health Service
Title: Lots 3 & 4 on LP 21325
Address: 6-8 Katamatite-Nathalia Road, Numurkah
Site Area: 4054m² approx.
File No: 5201457
Proposal: Use and development of land for an Emergency Service Facility
Zone: Residential 1 Zone (R1Z)
Overlays: Nil

Key Issues

The key issues relating to the proposal included:

- Flooding
- Consistency with State and Local Planning Policy
- Consistency with Planning Scheme Provisions

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ROAD, NUMURKAH (cont'd)**

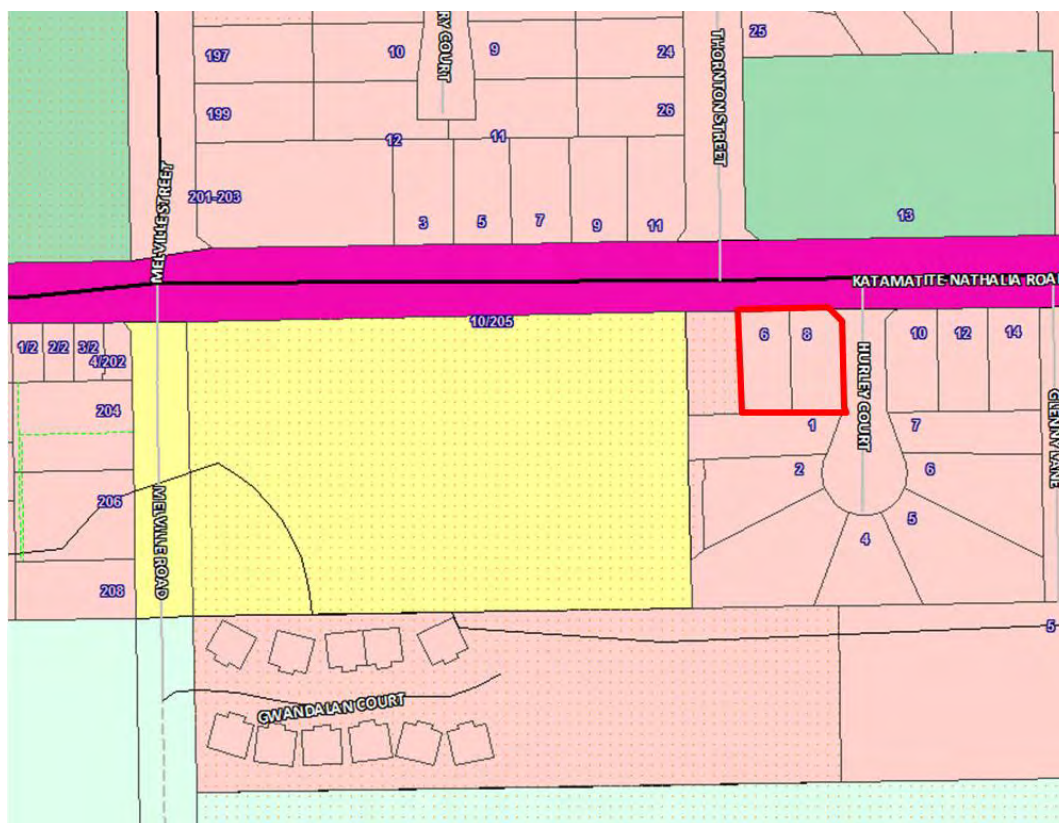
2. Discussion

Proposal

The proposal is to use and develop 6-8 Katamatite-Nathalia Road, Numurkah as an emergency service facility for the use of Ambulance Victoria.

The facility will consist of an L shaped structure incorporating a 3 bay emergency vehicle garage, a meals / living area, rest rooms, training room, lockers, changing rooms, office, store and water tank.

The lot is bordered to the west by the Numurkah Hospital. It is noted that a recent permit has been issued for a replacement hospital at this location. The previous hospital was removed following flood damage in 2012.



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Planning Scheme Provisions

The zoning of the land

The land zoned as Residential 1 Zone (R1Z). One of the purposes of the R1Z is:

In appropriate locations, to allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs.

The use of lots in this zone for an Emergency Service Facility is a Section 2 use, as set out in Clause 32-03.1, and therefore requires a permit. Clause 32-03.4 further indicates that a permit is required to undertake buildings and works associated with a Section 2 use.

It is considered the proposed use accords with the purpose of the R1Z as it will provide an important service for the local community.

There are no decision guidelines set out for non-residential developments in the R1Z.

Relevant overlay provisions

The subject land (2 lots) is not affected by any overlay.

The subject land is however adjacent to land affected by the Land Subject to Inundation Overlay (LSIO). The site was affected by the 2012 floods. Accordingly, the application was referred to the Goulburn Broken Catchment Management Authority (GBCMA) in accordance with Section 52 of the *Planning and Environment Act 1987* who have objected to the issuing of a permit. This will be discussed further below.

The State Planning Policy Framework (SPPF)

11.05-4 Regional Planning Strategies and Principles

The SPPF in setting out state-wide strategies states, in Clause 13.02-1 that it is an objective of Floodplain Management to:

To assist the protection of life, property and community infrastructure from flood hazard.

Further, it is a strategy to:

Locate emergency and community facilities (including hospitals, ambulance stations, police stations, fire stations, residential aged care facilities, communication facilities, transport facilities, community shelters and schools) outside the 1 in 100 year floodplain and, where possible, at levels above the height of the probable maximum flood.

The GBCMA's objection indicates that the flooding experienced in 2012 was representative of a 1 in 100 year flood. It is clear therefore that the proposed development does not accord with the SPPF.

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The Local Planning Policy Framework (LPPF) – including the Municipal Strategic Statement (MSS) and local planning policies

The Vision for Moira Shire, set out in Clause 21.01 of the Planning Scheme, is underpinned by the:

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.

Being located beside Numurkah Hospital the proposed emergency service facility is clearly an effective integration of new and existing social and physical infrastructure.

The construction of a new ambulance station would appear to accord with this policy. It is however noted that the same clause lists *Flood Mitigation* as a major challenge which will continue to influence future planning and development of the municipality. The very real likelihood that the proposed development will flood in the future cannot be ignored.

The *management of and control of issues relating to flooding* is, according to Clause 21.03-1, a key issue and challenge. The section on flooding states that:

Council is critically aware that inappropriate development within designated floodplains can significantly exacerbate flood impacts along the floodplain.

Further Clause 21.03-3 sets out that it is an objective of the LPPF

To minimise the risk to life and safety of the population from the effects of flood waters.

While the benefit of an upgraded ambulance station to the community of Numurkah and surrounding areas is clear this assessment must measure whether or not it is proposed at an appropriate location in terms of flood risk.

Relevant Particular Provisions

Land Adjacent to Road Zone Category 1 (RZC1) – Clause 52.29

One of the purposes of the RZC1 is: *To ensure appropriate access to identified roads.* The clause indicates that a permit is required to create or alter access to a road in RZC1. The effect of the trigger is that the application must be referred to VicRoads. Accordingly the application was referred, as a Section 55 referral under the *Planning and Environment Act 1987*.

VicRoads did not object to the issuing of a permit subject to conditions which will be discussed below.

The decision guidelines of Clause 65

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

- *The matters set out in Section 60 of the Act.*

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

The effect of the proposed development on the amenity of residents in the area is a key consideration for this application. There have been no objections received from any local resident but nevertheless their amenity should be protected. The ambulance station is not likely to be busy but if a permit was to be issued conditions relating to noise and the use of sirens should be considered along with more general conditions regarding the maintenance and appearance of the development.

All the other matters set out in Clause 65 have been considered. Those matters above that most closely relate to the proposed development, namely the purpose of the zones and the degree of flood associated with the location or other provisions, together with the orderly planning of the area and the effect on the amenity of the area have been addressed elsewhere in this report.

Due to the flood risk associated with the subject proposal it is concluded that that the proposed development does not accord with the principles set out in Clause 65.

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 budgeted for.

4. Community Consultation

Public Notice of the application was given under Section 52 of the *Planning and Environment Act 1987*, by notifying property owners and occupiers in the vicinity of the subject site and placing a notice on the land. A number of people viewed the file. No objections have been received from the public.

An objection has however been received from the Goulburn Broken Catchment Management Authority. This will be discussed below.

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5. Internal Consultation

The application was referred to the Building, Environmental Health, Assets and Infrastructure Planning Departments. No objections have been raised however a number of conditions have been recommended by the both the Asset and Infrastructure Planning Departments if any permit is issued. The conditions relate to vehicular crossings and drainage. It is considered that through compliance with these conditions the operators of the proposed emergency service facility will not impact on the residential amenity of locals.

6. Legislative / Policy Implications

The *Planning and Environment Act 1987* and the Moira Planning Scheme set out the requirements for use and development of land, including the requirements for providing notice to the relevant referral authorities. Accordingly the application was referred to VicRoads and the Goulburn Broken Catchment Management Authority (GBCMA).

Aerial Photograph of flood on site – Provided by the GBCMA



VicRoads have not objected to the proposal, subject to condition. It is noted that upon receiving VicRoads' initial referral response, 21st February 2014, the applicant contacted Moira Shire Council proposing revised access arrangements. This was referred to VicRoads for comment

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and a second referral response was received on 27th March 2014 with a revised condition regarding access to the Katamatite-Nathalia Road (Road Zone – Category 1).

The GBCMA have objected to the issuing of a permit on these lots. As a Section 52 referral authority Council must have regard to the points that they have raised when making their decision. The GBCMA maintain that this is not an appropriate location flooding affects both access to the site, in effect rendering the facility inoperable, and the site itself.

The GBCMA's core of objection is as follows:

"1 During a 100-year ARI type flood, the site is:

- a. Subject to inundation by floodwater.
- b. Inaccessible due to floodwater.

2 Clause 13.02-1 of the State Planning Policy Framework states:

- a. Objective to assist the protection of: Life, property and community infrastructure from flood hazard.
- b. Locate emergency and community facilities (including hospitals, ambulance stations, police stations, fire stations, residential aged care facilities, communication facilities, transport facilities, community shelters and schools) outside the 1 in 100 year floodplain and, where possible, at levels above the height of the probable maximum flood.

3 Inconsistent with Local Planning Policy Framework at Clause 21.03-01 and Clause 21.03-3."

It is noted that the applicant has not provided any evidence to counter the GBCMA's conclusion. Rather, following receipt of the objection, dated 6th March 2014, the applicants verbally put forward, an alternative scenario. They proposed that the existing ambulance station be kept ready and in the event of flood operations be moved back to cover the emergency period.

This proposal was discussed with the Guy Tierney, Statutory Planning and Floodplain Manager of the GBCMA. Despite reassurance that any such arrangement could be conditioned as part of a permit he concluded that the proposal does not hold enough weight to overcome the GBCMA's concerns regarding the proposed development. In the authority's professional opinion the proposal should not be permitted as it does not accord with State and Local policies. The objection was therefore not withdrawn.

7. Environmental Sustainability

It is considered generally that the proposed development is sustainable. It is a permissible use in the zone and will not detract from the amenity of the area. However the long term sustainability of an emergency service facility at this location is questionable as, according to the GBCMA, during a 1-100 year flood the site is subject to inundation by floodwater and inaccessible due to floodwater.

8. Conflict of Interest Considerations

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

FILE NO: 5201457
2. OUR ENVIRONMENT AND LIFESTYLE

ITEM NO: 9.3.5
(TOWN PLANNER, MARTINA FOLEY)
(ACTING DIRECTOR, DEVELOPMENT AND
LIVEABILITY, MARK FOORD)

**PLANNING PERMIT APPLICATION NO. 5201457 - USE AND DEVELOPMENT OF
LAND FOR EMERGENCY SERVICES FACILITY, 6-8 KATAMATITE-NATHAILA
ROAD, NUMURKAH (cont'd)**

9. Conclusion

The proposal is a permissible use within Residential 1 Zone (R1Z) and has been referred to all relevant authorities. Further, it has been referred, internally, to all the relevant sections of the Council who have set out conditions to govern the development should a permit be granted.

The main concern however relates to the threat of periodic flooding of the site. In a 100 year flood the land will flood. The GBCMA have objected to the issuing of a permit and have not withdrawn their objection when given the opportunity to assess an alternative arrangement for the use during times of flood.

This report has shown that the proposed development does not accord with State or Local Planning Policy. State policy in particular states that it is strategy to:

Locate emergency and community facilities (including hospitals, ambulance stations, police stations, fire stations, residential aged care facilities, communication facilities, transport facilities, community shelters and schools) outside the 1 in 100 year floodplain

This, in conjunction with the objection received from the GBCMA, the body tasked with providing advice to Council on flooding issues, indicates that the proposed development does not accord with the Moira Shire Planning Scheme or the proper and orderly development of the area and as such should be refused a permit.

Attachments

Nil

RECOMMENDATION

That a Notice of Refusal be issued for 5201457 on the following grounds:

1. The site of the proposed development is subject to flooding.
2. The proposal is not consistent with State Planning Policy.
3. The proposal is not consistent with the Local Planning Policy.
4. The proposal does not accord with the decision guidelines set out in Section 65 of the *Planning and Environment Act 1987*.
5. The proposal is not considered to be sustainable.

FILE NO: 5201457
2. OUR ENVIRONMENT AND LIFESTYLE

ITEM NO: 9.3.5
(TOWN PLANNER, MARTINA FOLEY)
(ACTING DIRECTOR, DEVELOPMENT AND
LIVEABILITY, MARK FOORD)

**PLANNING PERMIT APPLICATION NO. 5201457 - USE AND DEVELOPMENT OF
LAND FOR EMERGENCY SERVICES FACILITY, 6-8 KATAMATITE-NATHAILA
ROAD, NUMURKAH (cont'd)**

ALTERNATIVE MOTION

CRS MARIE MARTIN / KEVIN BOURKE

That the permit application 5201457 for use and development of land for emergency services facility, 6-8 Katamatite Nathalia Road, Numurkah be deferred until the Numurkah Flood Study is completed.

(CARRIED)

FILE NO: F13/206
2. OUR ENVIRONMENT AND LIFESTYLE

ITEM NO: 9.3.6
(ACTING DIRECTOR, DEVELOPMENT AND
LIVEABILITY , MARK FOORD)
(ACTING DIRECTOR, DEVELOPMENT AND
LIVEABILITY , MARK FOORD)

MUNICIPAL ASSOCIATION OF VICTORIA - TYRE STORAGE MOTION

1. Executive Summary

The Municipal Association of Victoria is scheduled to have its State Council Meeting on 16 May 2014. The State Council meeting provides Councillors with an opportunity to discuss issues common to Councils. The meeting provides an opportunity for important issues to be highlighted by formally adopting them as motions of the meeting.

This report recommends that the issue of tyre storage is an important issue to Moira Shire and to several other Councils and that specific State Government legislation would enhance control of the industry, provide better environmental outcomes and ensure that those that need to store large quantities of tyres are properly informed about the requirement to store tyres safely.

There are several large tyre storage sites within the Shire, notably those at Numurkah and Katunga. Neither of these sites has a Planning Permit for the extent of the land use and development that presently exist. Council is involved in protracted and costly enforcement proceedings to ensure compliance with the Planning Scheme.

Tyre storage, particularly the size of the sites at Numurkah and Katunga, may present significant risk to the community and surrounds if not properly designed and operated.

There is no direct regulation of tyre storage facilities in Victoria, at least not to the same extent that applies in many other States. A land holder in Victoria requires a Town Planning Permit to operate a business or to carry out works upon a site. In other States there is direct regulation by the EPA or similar Organisation in relation to the storage of a particular quantity of tyres.

If legislation were introduced that directly affected tyre storage and prescribed a quantity of tyres, the community could be assured that any facility over the trigger point is properly regulated by legislation and any site that has an amount of tyres over the trigger point is immediately bound by those regulations.

This report recommends that Council continue to liaise with the Environment Protection Authority and call upon the Municipal Association of Victoria to help represent Moira Shire as well as other Council's to bring the issue of tyre storage before the State Government and the EPA by formally adopting a motion at the annual conference that would see the EPA introducing specific regulation of tyre storage throughout the State of Victoria.

It is recommended that the following motion be put before the MAV State Conference for endorsement;

"The Municipal Association of Victoria requests that the State Government introduce legislation that would regulate and control the storage of tyres on sites throughout the State of Victoria.

Such legislation would prescribe a maximum number or quantity of tyres to be stored before an EPA licence would be required for the site."

FILE NO: F13/206
2. OUR ENVIRONMENT AND LIFESTYLE

ITEM NO: 9.3.6
(ACTING DIRECTOR, DEVELOPMENT AND
LIVEABILITY , MARK FOORD)
(ACTING DIRECTOR, DEVELOPMENT AND
LIVEABILITY , MARK FOORD)

MUNICIPAL ASSOCIATION OF VICTORIA - TYRE STORAGE MOTION (cont'd)

2. Discussion

a. Tyre Storage is an issue

The storage of large amounts of rubber tyres is an issue for the following reasons;

- Tyres may present a fire hazard
- Leakage of contaminated water from the site
- Vermin and pests habitat
- Aesthetics and visual impacts upon neighbouring properties

Rubber tyres are not easily ignitable, however when alight they are extremely difficult to extinguish. The energy stored within the tyres is effectively double that of common combustible materials. When tyres burn they release high levels of energy that results in a very hot fire with large volumes of smoke, both of which present a hazard to the community, environment and anyone involved in fighting the fire.

Leakage of contaminated water can result from stormwater runoff or from a site that has been burnt.

Stored tyres can provide excellent habitat for vermin, pests and weed species.

Many members of the community would argue that tyres stored in piles are unsightly.

b. Regulations in other States

By regulation, in New South Wales any facility that proposes to store more than 50 tonnes of rubber tyres is required to be licenced by the NSW Department of Environment and Climate Change (DECC). In addition, there are also regulations about how tyres can be stored. The common method of storing them in stacks with the "tread up" is not permitted as any burning tyre may easily roll away and ignite neighbouring stacks.

In Western Australia, the Western Australian Environmental Protection Regulations stipulate that any site that stores more than 100 tyres requires a licence unless the site is a tyre fitting business.

In South Australia, a licence from the EPA (under the Environment Protection Act 1993) is required for any site that has more than 5 tonnes of tyres upon it.

In the ACT approval is required for any tyre storage facility.

The Commonwealth Government – Department of the Environment has recognised the issue of tyre storage and has recommended that a National approach be used to control the issue of tyre storage in its report, A National Approach to Waste Tyres 2001.

3. Financial Implications

There are no financial implications arising out of the recommendation of this report to request the MAV to support Council in its endeavours to have the EPA legislate regarding tyre storage.

FILE NO: F13/206
2. OUR ENVIRONMENT AND LIFESTYLE

ITEM NO: 9.3.6
(ACTING DIRECTOR, DEVELOPMENT AND
LIVEABILITY , MARK FOORD)
(ACTING DIRECTOR, DEVELOPMENT AND
LIVEABILITY , MARK FOORD)

MUNICIPAL ASSOCIATION OF VICTORIA - TYRE STORAGE MOTION (cont'd)

4. Risk Management

The recommendation of this report is to help bring about additional legislation to help regulate and control the storage of tyres on sites throughout the municipality.

If legislation were introduced into Victoria, the risk of litigation and enforcement of Planning Permit requirements may decrease.

5. Community Consultation

There has been no specific community consultation in relation to the development of this report.

6. Internal Consultation

The Planning Department has been consulted in relation to this report.

7. Legislative / Policy Implications

This report specifically requests that the State Government via the EPA adopt additional legislative requirements in relation to the storage of tyres.

8. Environmental Sustainability

The storage and disposal of rubber tyres is a significant environmental issue. The disposal of tyres to landfill has been effectively curtailed due to the costs and fees charged to dispose of tyres in this manner.

The Australian Government report entitled "A National Approach to used tyres – 2001" states that the quantity of used tyres produced each year is difficult to determine, however it is likely to exceed 10 million per year Australia wide. The waste rubber problem is likely to be in excess of 100,000 tonnes per year.

The uses for waste tyres are now many and varied. They can be crumbed, and the rubber reused, other recycling options include pyrolysis which produces a number of liquid and solid product outputs including a potential substitute for diesel fuel.

Many used tyres are exported for reuse in other Countries.
The adoption of legislative requirements for the storage of tyres may result in better environmental controls being placed upon tyre storage sites.

9. Conflict of Interest Considerations

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

10. Conclusion

The MAV State Council Meeting presents Council with the opportunity to discuss issues common to Councils. The meeting provides an opportunity for important issues to be highlighted by formally adopting them as motions of the meeting.

It is recommended that Council provide a draft motion for the meeting that would see a formal recommendation being put to the State Government via the EPA to introduce Legislative control of tyre storage.

Legislative control would assist the community and provide better control of those involved in the industry.

FILE NO: F13/206
2. OUR ENVIRONMENT AND LIFESTYLE

ITEM NO: 9.3.6
(ACTING DIRECTOR, DEVELOPMENT AND
LIVEABILITY , MARK FOORD)
(ACTING DIRECTOR, DEVELOPMENT AND
LIVEABILITY , MARK FOORD)

MUNICIPAL ASSOCIATION OF VICTORIA - TYRE STORAGE MOTION (cont'd)

At present the controls are administered by Council via the Town Planning process and while permits can be appropriately conditioned to ensure sites are properly operated, the process of enforcement is complicated, time consuming and expensive. The outcome is also dependent upon decisions from VCAT and the courts. The outcomes are therefore not guaranteed and may not be consistent across Municipal boundaries or even particular sites.

Attachments

- 1 Motion - MAV State Council Meeting

RECOMMENDATION

That:

Council request that the Municipal Association of Victoria adopt the following motion at its State Council Meeting on 16 May 2014.

“The Municipal Association of Victoria requests that the State Government introduce legislation that would regulate and control the storage of tyres on sites throughout the State of Victoria.

Such legislation would prescribe a maximum number or quantity of tyres to be stored before an EPA licence would be required for the site.”

MOTION

CRS KEVIN BOURKE / MARIE MARTIN

That:

Council request that the Municipal Association of Victoria adopt the following motion at its State Council Meeting on 16 May 2014.

“The Municipal Association of Victoria requests that the State Government introduce legislation that would regulate and control the storage of tyres on sites throughout the State of Victoria.

Such legislation would prescribe a maximum number or quantity of tyres to be stored before an EPA licence would be required for the site.”

(CARRIED)

FILE NO: F13/206
2. OUR ENVIRONMENT AND LIFESTYLE

ITEM NO: 9.3.6
(ACTING DIRECTOR, DEVELOPMENT AND
LIVEABILITY , MARK FOORD)
(ACTING DIRECTOR, DEVELOPMENT AND
LIVEABILITY , MARK FOORD)

MUNICIPAL ASSOCIATION OF VICTORIA - TYRE STORAGE MOTION (cont'd)

ATTACHMENT No [1] - Motion - MAV State Council Meeting

MAV State Council Meeting – 16 May 2014

To submit a motion for consideration by State Council on 16 May 2014, please complete this form and email to **State Council**, ***no later than 18 April 2014***. Please note, deadlines are strictly observed.

MOTION

[INSERT NAME OF MOTION]

Submitted by: [Moirā Shire Council]*

MOTION:

[“The Municipal Association of Victoria requests that the State Government introduce legislation that would regulate and control the storage of tyres on sites throughout the State of Victoria.

Such legislation would prescribe a maximum number or quantity of tyres to be stored before an EPA licence would be required for the site.”]

RATIONALE:

[There are several large tyre storage sites within the State, notably those at Numurkah and Stawell.

Tyre storage, particularly the size of the sites at Numurkah and Avoca, present significant risk to the community and surrounds if not properly designed and operated. Issues associated with the storage of tyres include;

- Tyres present a fire hazard
- Leakage of contaminated water from the site
- Stored tyres provide vermin and pest habitat
- Stored tyres provide weed habitat
- Aesthetics and visual impacts upon neighbouring properties

There is no direct regulation of tyre storage facilities in Victoria, at least not to the same extent that applies in many other States. A land holder in Victoria requires a Town Planning Permit to operate a business or to carry out works upon a site. In other States there is direct regulation by the EPA or similar Organisation in relation to the storage of tyres.

If legislation were introduced that directly affected tyre storage and prescribed a quantity of tyres, the community could be assured that any facility over the trigger point is properly regulated by legislation and any site that has an amount of tyres over the trigger point is immediately bound by those regulations.

FILE NO: 120.16.0001
3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 10.1.1
(GOVERNANCE RECORDS OFFICER,
MARGARET HINCK)
(DIRECTOR CORPORATE GOVERNANCE,
ALISON COE)

ASSEMBLIES OF COUNCILLORS

1. Executive Summary

The records of the Assembly of Councillors reported during the month of March 2014 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. Discussion

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

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

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

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

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

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

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

3. Financial Implications

There are no financial implications with this report.

4. Community Consultation

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

5. Internal Consultation

There are no internal consultations associated with this report.

6. Legislative / Policy Implications

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

FILE NO: 120.16.0001
3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 10.1.1
(GOVERNANCE RECORDS OFFICER,
MARGARET HINCK)
(DIRECTOR CORPORATE GOVERNANCE,
ALISON COE)

ASSEMBLIES OF COUNCILLORS (cont'd)

7. Environmental Implications

There are no environmental implications with this report.

8. Conflict of Interest Considerations

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

9. Conclusion

The Assembly of Councillors records attached to this report are a true and accurate record of all assemblies of Councillors reported during March 2014. Their recording into the Council Minutes ensures Council meets its statutory obligations under section 80A of the Act.

Attachments

- 1 Attachment 3 March
- 2 Attachment 3 March
- 3 Attachment 5 March
- 4 Attachment 6 March
- 5 Attachment 11 March

RECOMMENDATION

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

MOTION

CRS ED COX / GARY CLEVELAND

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

(CARRIED)

FILE NO: 120.16.0001
3. OUR COMMUNICATIONS AND
PROCESSES

ITEM NO: 10.1.1
(GOVERNANCE RECORDS OFFICER,
MARGARET HINCK)
(DIRECTOR CORPORATE GOVERNANCE,
ALISON COE)

ASSEMBLIES OF COUNCILLORS (cont'd)

ATTACHMENT No [1] - Attachment 3 March



RECORD OF ASSEMBLY OF COUNCILLORS

Date held	Monday 3 March 2014
Name of meeting	Municipal Public Health and Wellbeing Plan Meeting
Councillors attending	Councillor Marie Martin
Council staff attending	Team Leader Community Services, Kim Fitzgerald
Matters discussed	
1. Evaluation tool/template discussion	
2. Act Belong Commit Program	
3. Priorities for the year, what does the steering committee wish to achieve?	
Conflict of Interest Disclosures (indicate below if Nil or complete details)	
Nil	

FILE NO: 120.16.0001
3. OUR COMMUNICATIONS AND
PROCESSES

ITEM NO: 10.1.1
(GOVERNANCE RECORDS OFFICER,
MARGARET HINCK)
(DIRECTOR CORPORATE GOVERNANCE,
ALISON COE)

ASSEMBLIES OF COUNCILLORS (cont'd)

ATTACHMENT No [2] - Attachment 3 March



RECORD OF ASSEMBLY OF COUNCILLORS

Date held	3 March 2014	
Name of meeting	Council Briefing	
Councillors attending	Councillors Brian Keenan, Kevin Bourke, Wendy Buck, Gary Cleveland, Ed Cox, Don McPhee, Alex Monk	
Council staff attending	Director Corporate Governance, Alison Coe Acting Director Community, Bruce Connolly Acting Director Shire Development and Liveability, Mark Foord Manager Governance, David Booth	
Matters discussed		
Independent Probity Audit – weighting G.R.A.I.N Store - Bill Kelly Discussion following external presentation Draft Capital Works and General Budget Afternoon tea at Scotts Reserve Oval, Cobram (inspection of building - budget proposal) Discussion following external presentation Improving Liveability for Older People final report - Kim Fitzgerald Communication Access - Kim Fitzgerald Hume Region Preventing Violence Against Women & Children Strategy 2013 - 2017 - Dulce Alexandrino Tungamah liveability Project update - Linda Nieuwenhuizen		
Conflict of Interest Disclosures (indicate below if Nil or complete details)		
Matter No.	Councillor	Did Councillor leave meeting
Nil		

FILE NO: 120.16.0001
3. OUR COMMUNICATIONS AND
PROCESSES

ITEM NO: 10.1.1
(GOVERNANCE RECORDS OFFICER,
MARGARET HINCK)
(DIRECTOR CORPORATE GOVERNANCE,
ALISON COE)

ASSEMBLIES OF COUNCILLORS (cont'd)

ATTACHMENT No [3] - Attachment 5 March



RECORD OF ASSEMBLY OF COUNCILLORS

Date held	5 March 2014
Name of meeting	Kinnairds Wetland Advisory Committee
Councillors attending	Councillor Cox
Council staff attending	Natural Resources Officer, Gary Deayton
Matters discussed	
<ol style="list-style-type: none">1. Environmental Management Plan implementation<ul style="list-style-type: none">• Environmental Management Plan endorsement• Environmental water delivery• Cultural heritage survey2. Recent works<ul style="list-style-type: none">• Weed control and revegetation areas maintenance• Post fire repair works3. Other business<ul style="list-style-type: none">• Post fire rehabilitation• Post fire media	
Conflict of Interest Disclosures (indicate below if Nil or complete details)	
Nil	

FILE NO: 120.16.0001
3. OUR COMMUNICATIONS AND
PROCESSES

ITEM NO: 10.1.1
(GOVERNANCE RECORDS OFFICER,
MARGARET HINCK)
(DIRECTOR CORPORATE GOVERNANCE,
ALISON COE)

ASSEMBLIES OF COUNCILLORS (cont'd)

ATTACHMENT No [4] - Attachment 6 March



RECORD OF ASSEMBLY OF COUNCILLORS

Date held	Thursday 6 March 2014
Name of meeting	Multicultural Advisory Committee
Councillors attending	Councillor Marie Martin
Council staff attending	Community Development Officer, Dulce Alexandrino
Matters discussed	
	1. Multicultural Action Plan 2. Actions for accomplishment in 2014 3. Cultural Diversity Week 2014
Conflict of Interest Disclosures (indicate below if Nil or complete details)	
	Nil

FILE NO: 120.16.0001
3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 10.1.1
(GOVERNANCE RECORDS OFFICER,
MARGARET HINCK)
(DIRECTOR CORPORATE GOVERNANCE,
ALISON COE)

ASSEMBLIES OF COUNCILLORS (cont'd)

ATTACHMENT No [5] - Attachment 11 March



RECORD OF ASSEMBLY OF COUNCILLORS

Date held	11 March 2014	
Name of meeting	Council Briefing	
Councillors attending	Councillors Brian Keenan (arrived at 2PM), Gary Cleveland, Ed Cox, Peter Mansfield (arrived at 2PM) Don McPhee, Alex Monk	
Council staff attending	Acting Chief Executive Officer, Peter Bertolus Director Corporate Governance, Alison Coe Acting Director Community, Bruce Connolly Acting Director Shire Development and Liveability, Mark Foord Manager Governance, David Booth	
Matters discussed		
Small Grants Round Hume Region Preventing Violence Against Women & Children Strategy 2013 - 2017 Tourism update Capital Works and General Budget Discussion Agenda Review: <ul style="list-style-type: none">Financial Position Report As At 28 February 2014Non Submission Of Register Of Interest ReturnsSection 86 Committee Of Management Representative Appointments - AmendmentsSmall Grants Scheme - January Round 2013/14		
Conflict of Interest Disclosures (indicate below if Nil or complete details)		
Matter No.	Councillor	Did Councillor leave meeting
Nil		

FILE NO: 250.08.0004

3. OUR COMMUNICATIONS AND PROCESSES

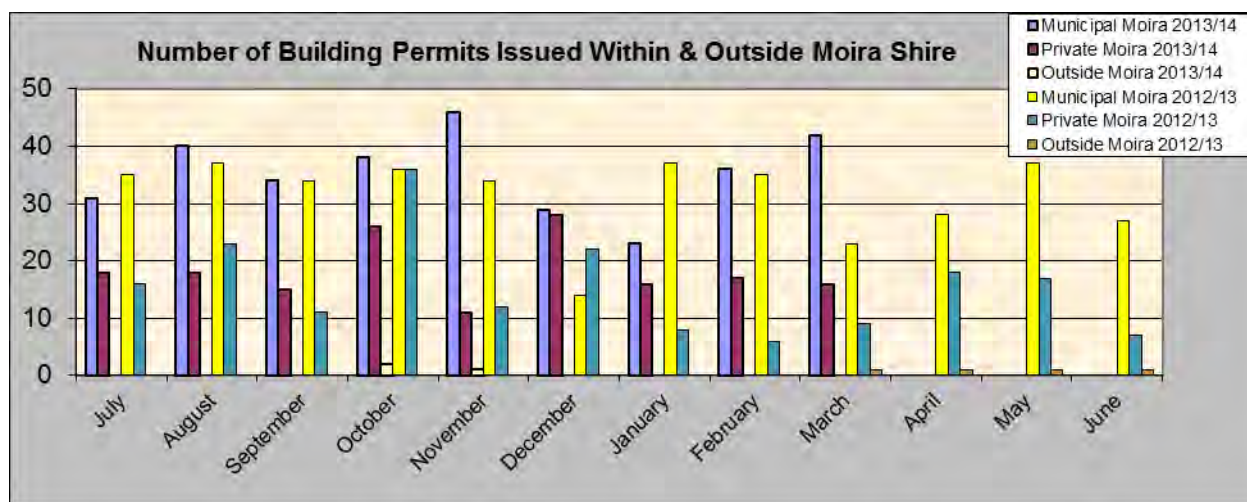
ITEM NO: 10.3.1

(ADMINISTRATION SUPPORT OFFICER,
AMANDA MATHERS)
(ACTING DIRECTOR, DEVELOPMENT AND
LIVEABILITY , MARK FOORD)

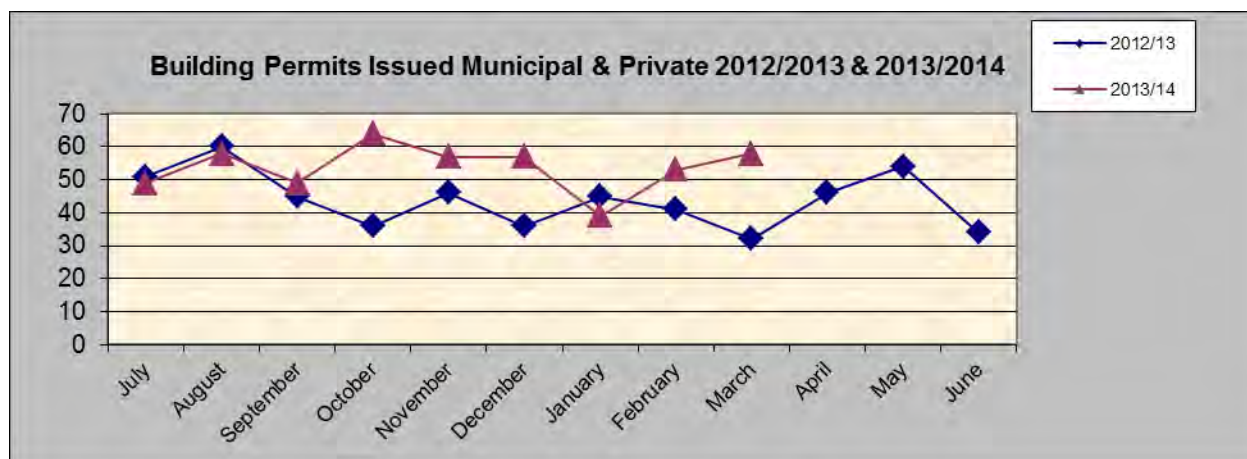
BUILDING AND PLANNING PERMIT ACTIVITY REPORTS

Building Permits

For the period of 1 to 31 March 2014, Fifty Eight (58) building permits were issued to the value of \$4,700,047.00.



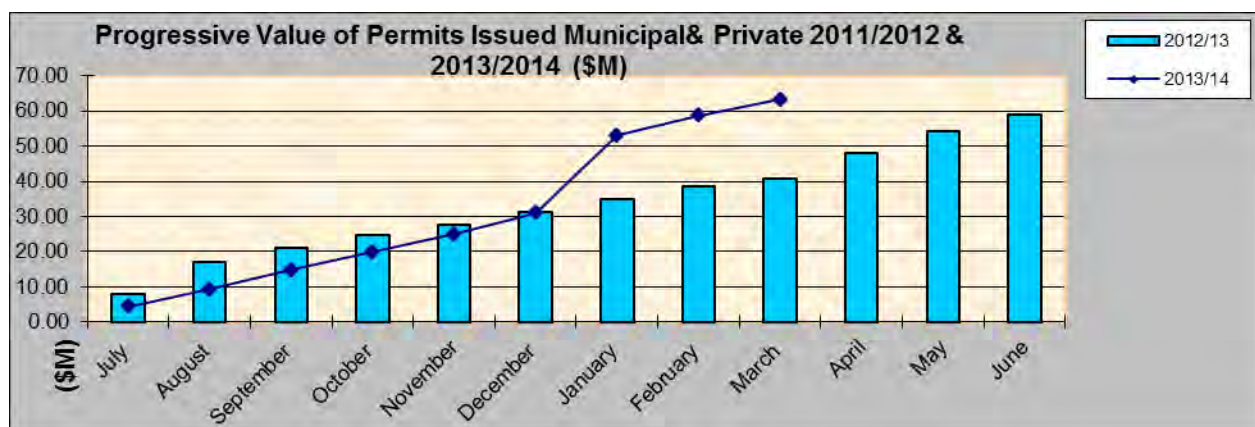
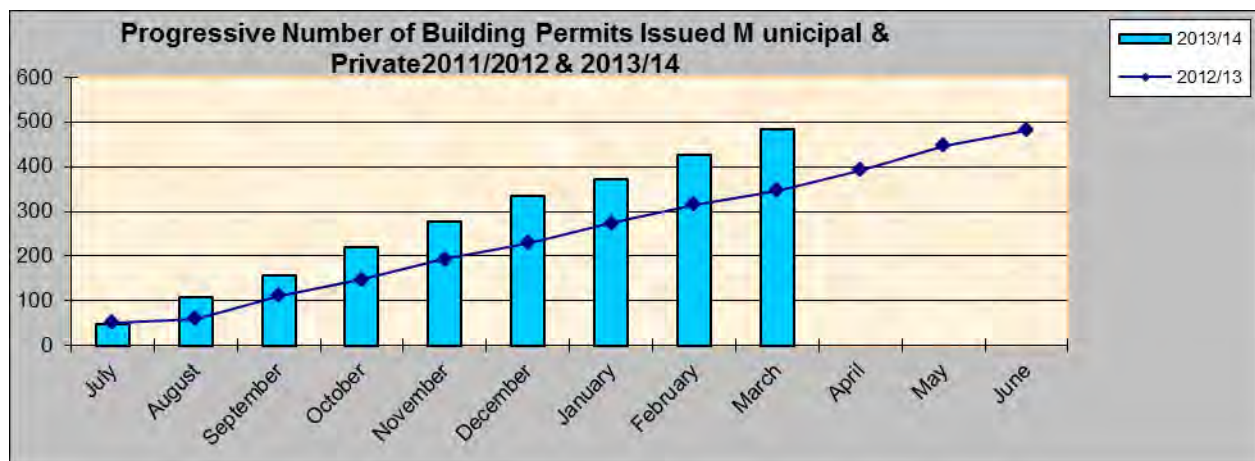
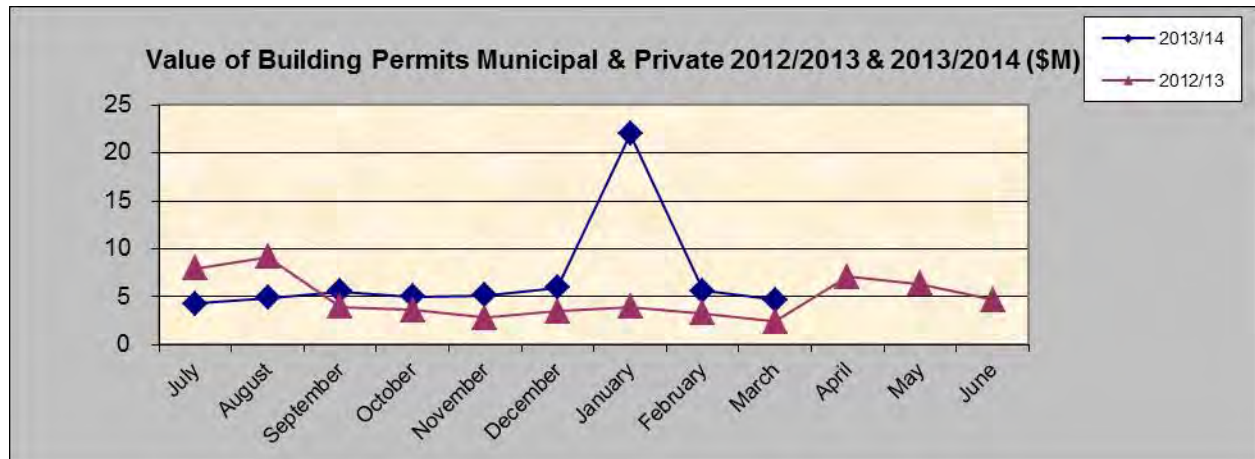
No building permits were issued outside Moira Shire during these months. Applications for building permits outside Shire boundaries vary.



FILE NO: 250.08.0004
3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 10.3.1
(ADMINISTRATION SUPPORT OFFICER,
AMANDA MATHERS)
(ACTING DIRECTOR, DEVELOPMENT AND
LIVEABILITY, MARK FOORD)

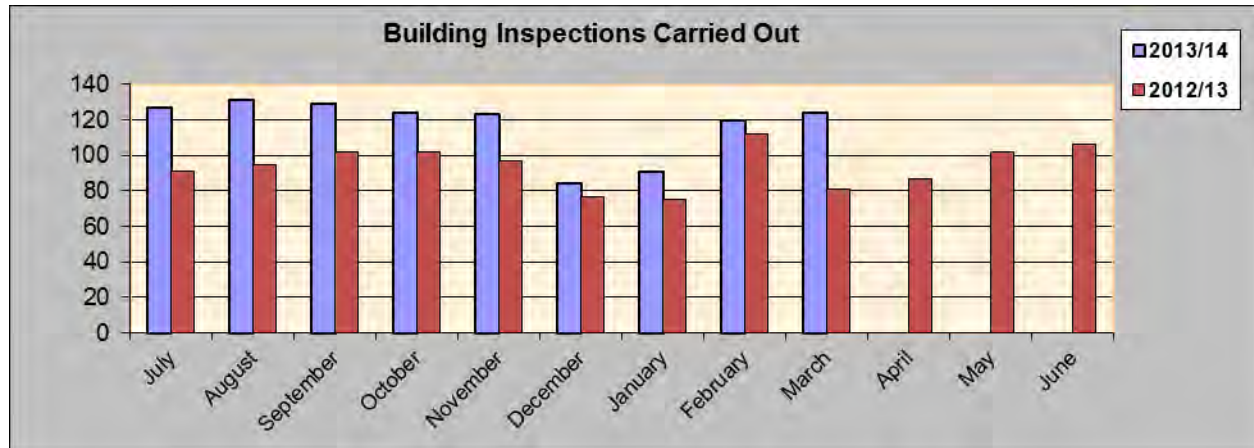
BUILDING AND PLANNING PERMIT ACTIVITY REPORTS (cont'd)



FILE NO: 250.08.0004
3. OUR COMMUNICATIONS AND PROCESSES

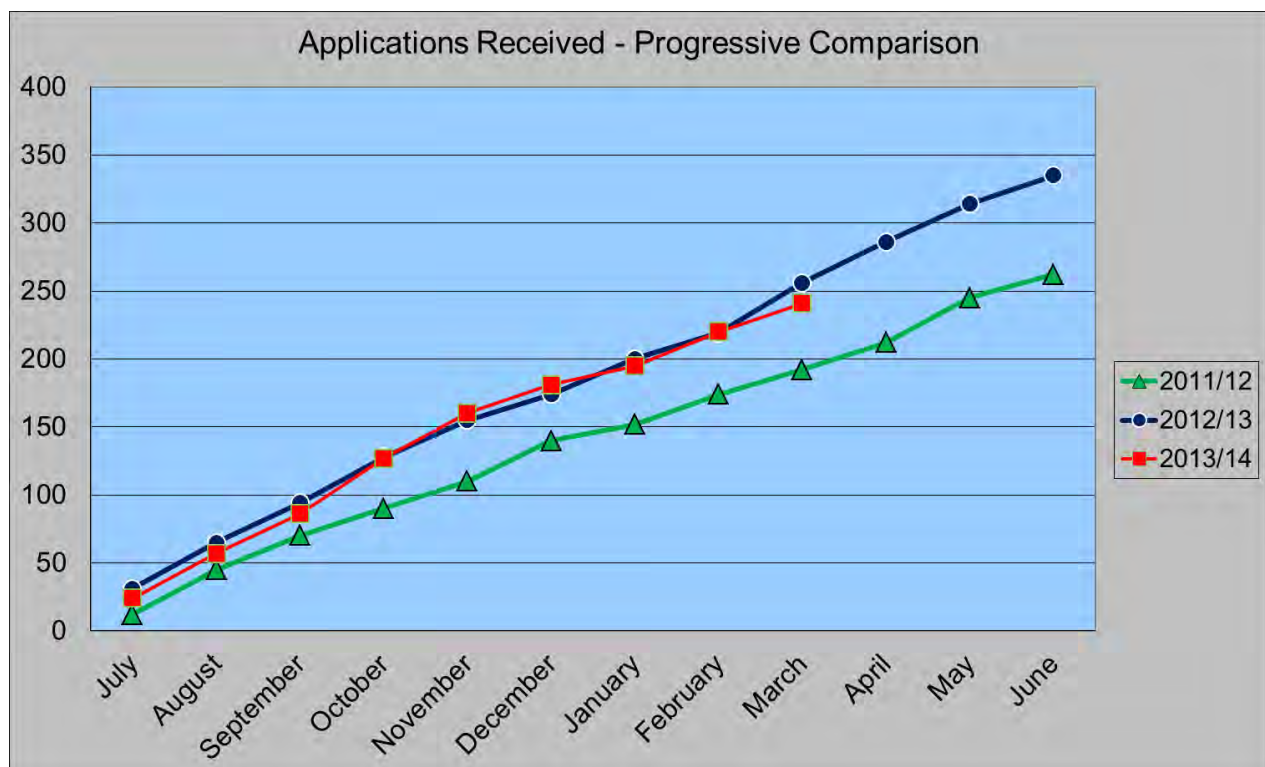
ITEM NO: 10.3.1
(ADMINISTRATION SUPPORT OFFICER,
AMANDA MATHERS)
(ACTING DIRECTOR, DEVELOPMENT AND
LIVEABILITY , MARK FOORD)

BUILDING AND PLANNING PERMIT ACTIVITY REPORTS (cont'd)



Planning Permits

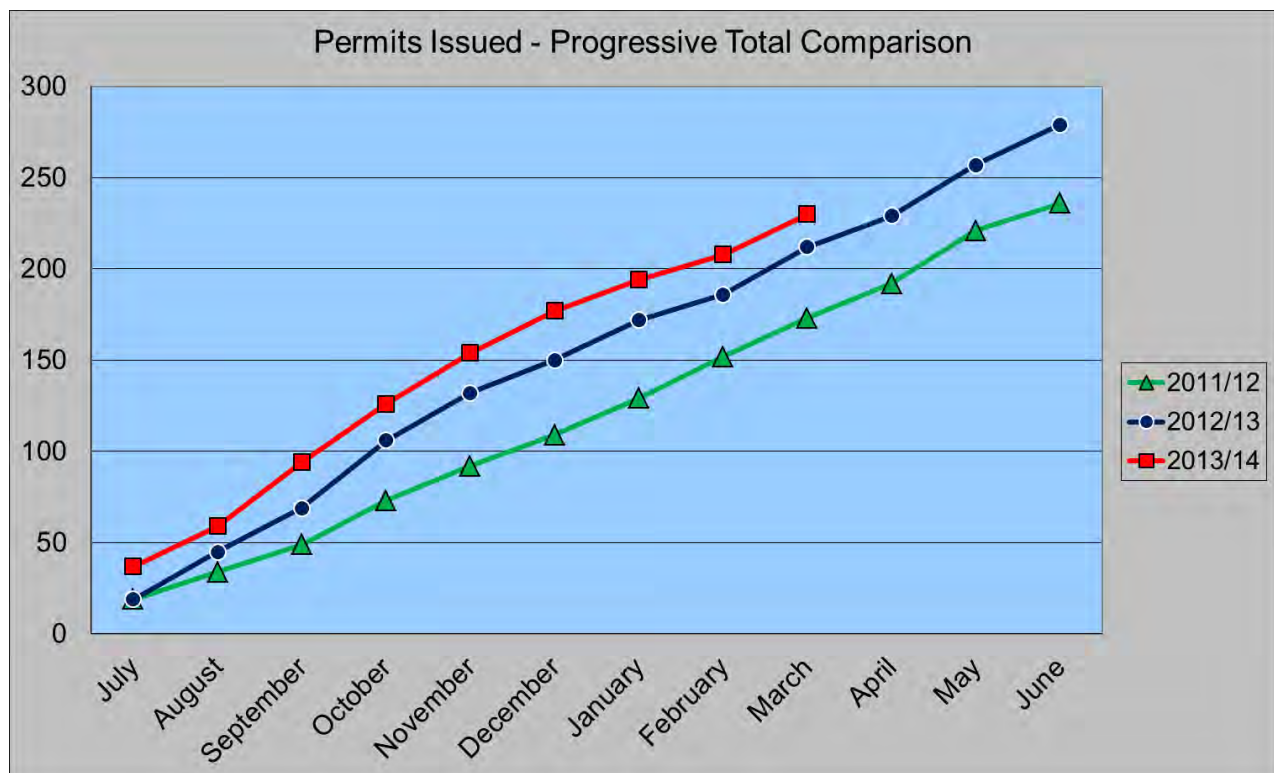
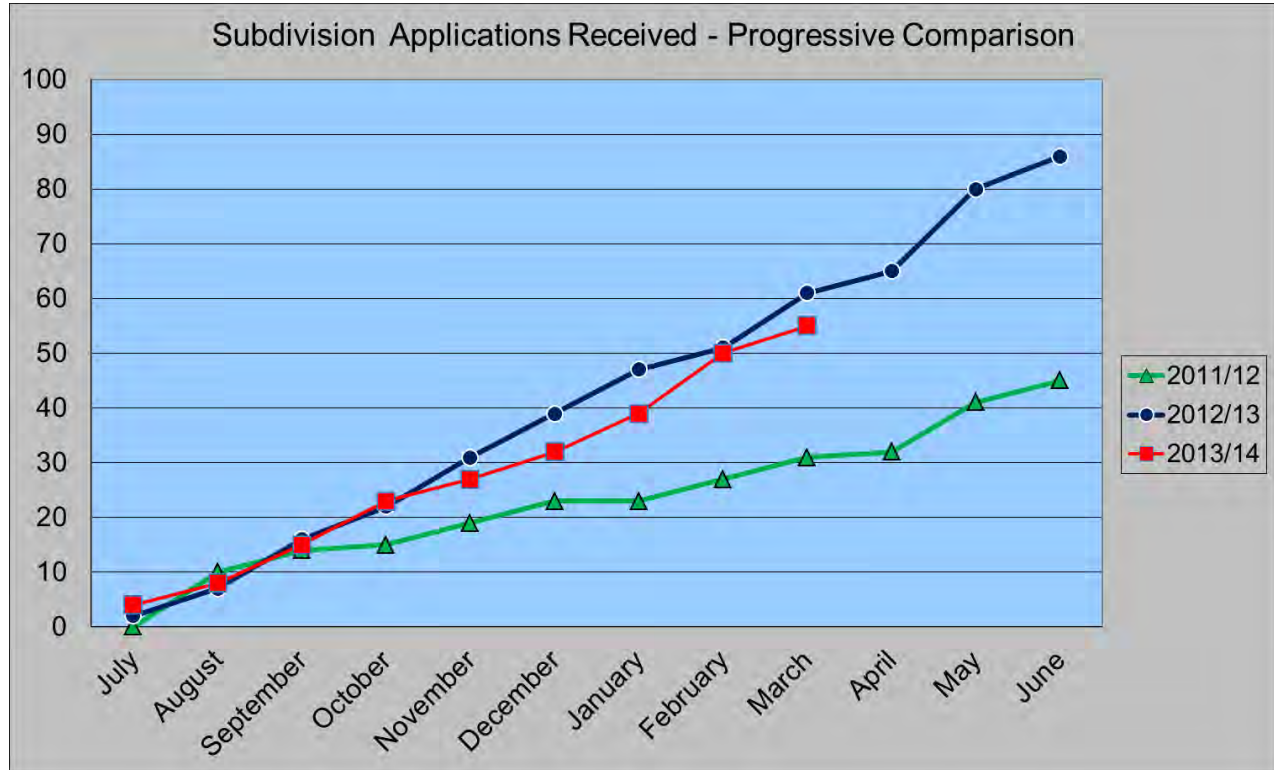
In March 2014, twenty-two (22) planning permits were issued to the value of \$370,789.00 and applications received for the month totalled twenty-one (21).



FILE NO: 250.08.0004
3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 10.3.1
(ADMINISTRATION SUPPORT OFFICER,
AMANDA MATHERS)
(ACTING DIRECTOR, DEVELOPMENT AND
LIVEABILITY, MARK FOORD)

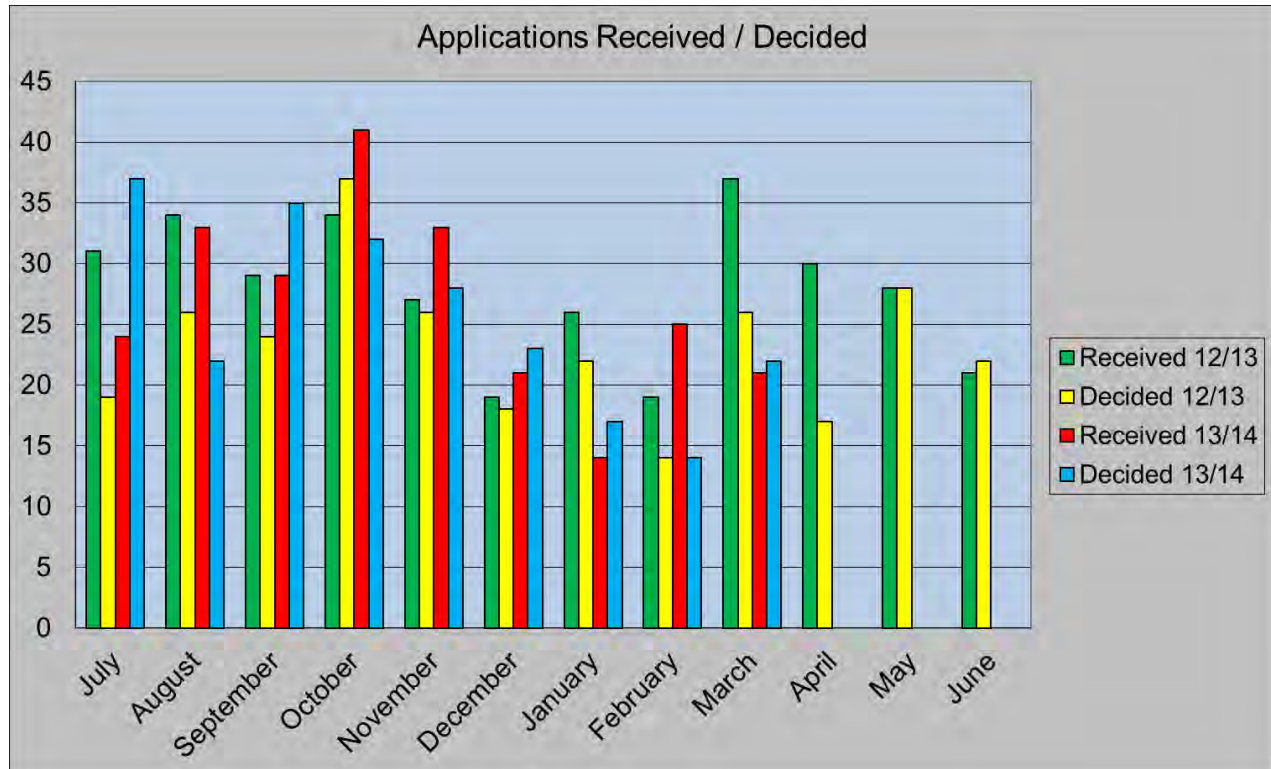
BUILDING AND PLANNING PERMIT ACTIVITY REPORTS (cont'd)



FILE NO: 250.08.0004
3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 10.3.1
(ADMINISTRATION SUPPORT OFFICER,
AMANDA MATHERS)
(ACTING DIRECTOR, DEVELOPMENT AND
LIVEABILITY, MARK FOORD)

BUILDING AND PLANNING PERMIT ACTIVITY REPORTS (cont'd)



Attachments

1 Planning Permits Issued

RECOMMENDATION

That Council receive and note the combined Building and Planning Permit Activity Reports for the month of March 2014.

MOTION

CRS WENDY BUCK / DON MCPHEE

That Council receive and note the combined Building and Planning Permit Activity Reports for the month of March 2014.

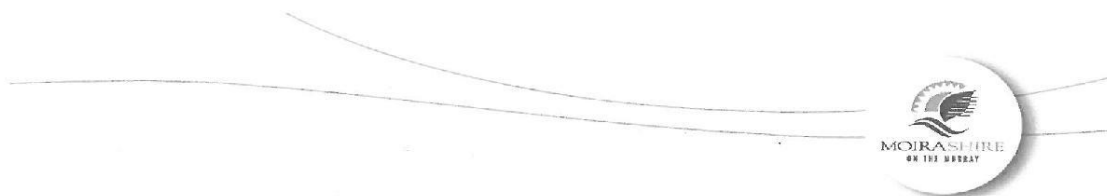
(CARRIED)

FILE NO: 250.08.0004
3. OUR COMMUNICATIONS AND
PROCESSES

ITEM NO: 10.3.1
(ADMINISTRATION SUPPORT OFFICER,
AMANDA MATHERS)
(ACTING DIRECTOR, DEVELOPMENT
AND LIVEABILITY, MARK FOORD)

BUILDING AND PLANNING PERMIT ACTIVITY REPORTS (cont'd)

ATTACHMENT No [1] - Planning Permits Issued



Planning Permits issued - March 2014

<u>Appl. No.</u>	<u>Date Received</u>	<u>Property Address</u>	<u>Use or Development</u>	<u>Date of Decision</u>	<u>Estimated Cost of Proposed Works</u>
005.2013.00000488.001	1/08/2013	26 Francis Elliott CT BUNDALONG	Twenty-two (22) lot subdivision	18/03/2014	\$ 0
005.2013.00000612.001	11/09/2013	54-58 Punt RD COBRAM	Two (2) Lot Subdivision (Boundary Re-alignment), variation to easement	6/03/2014	\$ 0
005.2013.00000758.001	25/10/2013	7419A Murray Valley HWY BUNDALONG	Liquor Licences	26/03/2014	\$ 0
005.2013.00000905.001	16/12/2013	2026 Boothroyds RD NUMURKAH	Buildings & Works - Domestic Shed	11/03/2014	\$ 20,000
005.2013.00000913.001	23/12/2013	1388 Angle RD WILBY	Dwelling - Single	11/03/2014	\$ 150,000
005.2014.00000001.001	7/01/2014	2920 Murray Valley HWY COBRAM EAST	Two (2) Lot Re-subdivision (boundary re-alignment)	4/03/2014	\$ 0
005.2014.00000002.001	9/01/2014	176 Paynes RD NATHALIA	Native Vegetation Removal - (3 Trees)	6/03/2014	\$ 0
005.2014.00000023.001	23/01/2014	1600 Invergordon RD INVERGORDON	Re-subdivision of land into two (2) lots	31/03/2014	\$ 0
005.2014.00000040.001	30/01/2014	1 Ashley CT NUMURKAH	Two (2) Lot Subdivision	26/03/2014	\$ 0
005.2014.00000051.001	3/02/2014	49 Cobrawonga RD COBRAM EAST	Building & Works - Shed	25/03/2014	\$ 15,000
005.2014.00000078.001	12/02/2014	60 Sharp ST YARRAWONGA	Two (2) Lot Subdivision	31/03/2014	\$ 0

FILE NO: 250.08.0004
3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 10.3.1
(ADMINISTRATION SUPPORT OFFICER, AMANDA MATHERS)
(ACTING DIRECTOR, DEVELOPMENT AND LIVEABILITY, MARK FOORD)

BUILDING AND PLANNING PERMIT ACTIVITY REPORTS (cont'd)

ATTACHMENT No [1] - Planning Permits Issued

<u>Appl. No.</u>	<u>Date Received</u>	<u>Property Address</u>	<u>Use or Development</u>	<u>Date of Decision</u>	<u>Estimated Cost of Proposed Works</u>
005.2014.00000080.001	13/02/2014	774 Campbell RD MUCKATAH	Buildings & Works - Machinery Shed	12/03/2014	\$ 72,600
005.2014.00000081.001	13/02/2014	2957 Goulburn Valley HWY NUMURKAH	Buildings & Works - Patio	11/03/2014	\$ 9,999
005.2014.00000085.001	14/02/2014	3685 Labuan RD STRATHMERTON	Buildings & Works - Domestic Shed	24/03/2014	\$ 53,100
005.2014.00000088.001	17/02/2014	1 Elma ST WILBY	USE & Development - Storage Shed	31/03/2014	\$ 35,580
005.2014.00000089.001	14/02/2014	9 Cottons RD COBRAM	Easements, Restrictions & Reserves	11/03/2014	\$ 0
005.2014.00000126.001	21/02/2014	467 Orams RD KATUNGA	Remove that part of the condition in the nature of an easement in Crow	11/03/2014	\$ 0
005.2014.00000127.001	26/02/2014	1015 Rendells RD KATUNGA	Remove that part of the condition in the nature of an easement in Crow	11/03/2014	\$ 0
005.2014.00000141.001	4/03/2014	228 Kaarimba Hall RD KAARIMBA	Native Vegetation Removal (7 Trees)	31/03/2014	\$ 10,000
005.2014.00000143.001	5/03/2014	51 Piper ST YARRAWONGA	Advertising Sign	18/03/2014	\$ 500
005.2014.00000150.001	11/03/2014	5/29-33 Telford ST YARRAWONGA	Buildings & Works - verandah	13/03/2014	\$ 4,000
005.2014.00000198.001	20/03/2014	88 Singapore RD YARROWEYAH	To remove the condition in the nature of an easement in favour of Stat	31/03/2014	\$ 0
Applications Decided:			22	Total Estimated Value of Works:	
Permits Approved under Delegation (APPD):			22	\$ 370,789.00	
Notice of Decision to Approve (AAPC):			0		
Notice of Decision to Refuse (APPR):			0		

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

**ITEM NO: 11.1
(PERSONAL ASSISTANT TO CEO, ROBYN
BONADDIO)
(DIRECTOR CORPORATE GOVERNANCE,
ALISON COE)**

ACTION OFFICERS LIST

Attachments

1 Action Officers List April 2014

RECOMMENDATION

That Council receive and note the Action Officers List.

MOTION

CRS ED COX / GARY CLEVELAND

That Council receive and note the Action Officers List.

(CARRIED)

FILE NO: 100.01.0001
3. OUR COMMUNICATIONS AND
PROCESSES

ITEM NO: 11.1
(PERSONAL ASSISTANT TO CEO,
ROBYN BONADDIO)
(DIRECTOR CORPORATE GOVERNANCE,
ALISON COE)

ACTION OFFICERS LIST (cont'd)**ATTACHMENT No [1] - Action Officers List April 2014****ACTION OFFICERS LIST – APRIL 2014**

Meeting		Subject
Ordinary Council Meeting 17 March 2014		New Goulburn Valley Local Government Waste Forum
MOTION		
CRS KEVIN BOURKE / DON MCPHEE		
That:		
1. Council nominate Moira Shire Council Councillor Wendy Buck as Moira Shire Council's representative on the Goulburn Valley Local Government Waste Forum.		
(CARRIED)		
ACTIVITY		
Letter sent to Department of Environment and Primary Industries advising that Cr Buck is Moira Shire Council's representative.		
Meeting		Subject
Ordinary Council Meeting 17 March 2014		NON SUBMISSION OF REGISTER OF INTEREST RETURNS
MOTION		
CRS ALEX MONK / ED COX		
That:		
1. Council suspend the five Committee Members from their Section 86 Committee of Management advising them in writing of their suspension and,		
2. Advise those committee members that if their outstanding Returns are lodged within 14 days from date of the letter they would be reinstated and if not they would be terminated from the Committee		
(CARRIED)		
ACTIVITY		
Since Council report was submitted one Committee Member returned their outstanding return Another member was verbally advised of the Council Report at a meeting and has since submitted the outstanding return. Letters were sent to the remaining 3 Committee Members on 26 March 2014. Returns are required to be lodged by 9 April 2014		

FILE NO: 100.01.0001
3. OUR COMMUNICATIONS AND
PROCESSES

ITEM NO: 11.1
(PERSONAL ASSISTANT TO CEO,
ROBYN BONADDIO)
(DIRECTOR CORPORATE GOVERNANCE,
ALISON COE)

ACTION OFFICERS LIST (cont'd)

ATTACHMENT No [1] - Action Officers List April 2014

ACTION OFFICERS LIST – APRIL 2014

Meeting	Subject
Ordinary Council Meeting 17 March 2014	(DET) Corporate Governance Yarrawonga Caravan Park– Renewal of Lease
MOTION	
CRS ED COX / DON MCPHEE	
That Council approach the Minister with a view of gaining the permission of the Minister to extend the lease with the current operators of the Yarrawonga Holiday Park for a period to be determined	
(CARRIED)	
ACTIVITY	
Letter sent to the Minister 19 March 2014.	

FILE NO: 100.01.0001
3. OUR COMMUNICATIONS AND
PROCESSES

ITEM NO: 11.1
(PERSONAL ASSISTANT TO CEO,
ROBYN BONADDIO)
(DIRECTOR CORPORATE GOVERNANCE,
ALISON COE)

ACTION OFFICERS LIST (cont'd)

ATTACHMENT No [1] - Action Officers List April 2014

ACTION OFFICERS LIST – APRIL 2014

Meeting	Subject
Ordinary Council Meeting 17 February 2014	(INF) Community Municipal Flood Emergency Plan
MOTION	
CRS ED COX / KEVIN BOURKE	
That Council:	
<ol style="list-style-type: none"> 1. Accept the Municipal Flood Emergency Plan as a draft document 2. Provide the opportunity for members of the community to make a submission regarding the proposed Municipal Flood Emergency Plan in February / March 2014 under Section 223 of the Local Government Act 1989 3. Publish a notice in respect of the Section 223 process of the Local Government Act in the Yarrowonga Chronicle, Cobram Courier, Strathmerton Standard, Numurkah Leader, Redgum Courier and Shepparton News, these newspapers being those that circulate most widely across Moira Shire. 4. Conduct public information sessions in partnership with VicSES and GBCMA in Yarrowonga, Cobram, Numurkah and Nathalia during the section 223 process period. 5. Consider any submissions received up until 5:00pm on 28 March 2014 6. Appoint a Committee of the Council (whole of Council) to consider submissions and hear any person who wishes to be heard in support of their submission 7. Hear submissions on 14 April 2014 at the Cobram Civic Centre 	
<p>Authorise the Chief Executive Officer, or his delegate, to administer the Section 223 process, arrange times, places and dates for meetings, arrange for notices to be placed in newspapers and to carry out other administrative functions to enable the Council to carry out the Section 223 process</p>	
(CARRIED)	
ACTIVITY	
<p>Section 223 process is underway. Copies of the MFEP distributed to service centres. Copy posted to Councils website and community groups advised Copies available on request</p>	

FILE NO: 100.01.0001
3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 11.1
(PERSONAL ASSISTANT TO CEO,
ROBYN BONADDIO)
(DIRECTOR CORPORATE GOVERNANCE,
ALISON COE)

ACTION OFFICERS LIST (cont'd)

ATTACHMENT No [1] - Action Officers List April 2014

ACTION OFFICERS LIST – APRIL 2014

Meeting	Subject
Ordinary Council Meeting 17 February 2014	(DET) Shire Development and Liveability Disused Channel land, Cobram
MOTION	
CRS GARY CLEVELAND / ED COX	
That:	
<ol style="list-style-type: none"> Council authorise the Chief Executive Officer to purchase the disused channel land in Cobram, adjacent to Punt Road, as offered by Goulburn Murray Water for the sum of \$45,000. The land being known as Lot 1 on TP880739 Volume 8269 Folio 631. An additional \$45,000 be added to the Cobram Library project to meet the cost of the land purchase. Council authorise the Chief Executive Officer to affix the Council Seal to the Contract of Sale, transfer documents and any other documents necessary to realise the purchase of the land. 	
(CARRIED)	
ACTIVITY	
Goulburn Murray Water have been asked for settlement terms	
Ordinary Council Meeting 17 February 2014	New Melville Street Numurkah Pedestrian Crossing (DET) Community
MOTION	
CRS MARIE MARTIN / KEVIN BOURKE	
That:	
<ol style="list-style-type: none"> Council construct a new pedestrian crossing mid-block between Quinn and Saxton Streets Numurkah with funds provided through the Vic Roads "Black spot" program. Council recognises the interest shown by the local community as reflected in the large number of respondents to the consultation programme. Council welcome the flexibility shown by Vic Roads who have allowed Council to use unexpended funding to deliver this important facility. 	
(CARRIED)	
ACTIVITY	
Infrastructure Planning under taking detail design work.	

FILE NO: 100.01.0001
3. OUR COMMUNICATIONS AND
PROCESSES

ITEM NO: 11.1
(PERSONAL ASSISTANT TO CEO,
ROBYN BONADDIO)
(DIRECTOR CORPORATE GOVERNANCE,
ALISON COE)

ACTION OFFICERS LIST (cont'd)**ATTACHMENT No [1] - Action Officers List April 2014****ACTION OFFICERS LIST – APRIL 2014**

Meeting	Section	Subject
Ordinary Council Meeting 17 February 2014	(DET) Community	2013 Numurkah Agricultural & pastoral Society Show Day Public Holiday Request
MOTION		
CRS MARIE MARTIN / KEVIN BOURKE		
That Council in accordance with section 8A of the <i>Public Holidays Act 1993</i> , request the Minister to declare a full day public holiday within the Numurkah district, as defined on the attached map, on Wednesday 22 October 2014 for the Numurkah Show as a substitute public holiday for the appointed Melbourne Cup Day holiday in 2014. (The Numurkah district is defined by the Numurkah Agricultural and Pastoral Society Inc as the area within the Shire boundaries prior to amalgamation.)		
(CARRIED)		
ACTIVITY		
Letter sent to the Minister for Innovation, Services and Small Business requesting approval for the show day		
Meeting	Section	Subject
Ordinary Council Meeting 17 February 2014	General Business	
MOTION		
CRS MARIE MARTIN / WENDY BUCK		
That Council investigate:		
1. If the separation between tyre stacks at Numurkah make them impassable		
2. If more tyres have been delivered and unloaded		
3. Have there been any changes to the operation and management of the business.		
(CARRIED)		
ACTIVITY		
Councillors have received a memo update on the Numurkah tyres as well as the answers to the questions raised.		

FILE NO: 100.01.0001
3. OUR COMMUNICATIONS AND
PROCESSES

ITEM NO: 11.1
(PERSONAL ASSISTANT TO CEO,
ROBYN BONADDIO)
(DIRECTOR CORPORATE GOVERNANCE,
ALISON COE)

ACTION OFFICERS LIST (cont'd)

ATTACHMENT No [1] - Action Officers List April 2014

ACTION OFFICERS LIST – APRIL 2014

Meeting	Section	Subject
Ordinary Council Meeting 09 December 2013	(DET) Shire Development and Livability	Cobram Library
MOTION		
CRS GARY CLEVELAND / MARIE MARTIN		
That:		
1. Council approve the Cobram Civic Centre as the location for the new Cobram Library/Community Hub. 2. Authorise Council Officers to seek the services of a suitably qualified Architect to undertake the detailed design of a multiple staged 'Civic Centre Precinct' in order to meet with the projected future needs of the community, with Stage 1 of the project being a new Library facility and associated works.		
(CARRIED)		
ACTIVITY		
Specification being developed. The architectural services will be tendered.		

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FILE NO: 100.01.0001
3. OUR COMMUNICATIONS AND
PROCESSES

ITEM NO: 11.1
(PERSONAL ASSISTANT TO CEO,
ROBYN BONADDIO)
(DIRECTOR CORPORATE GOVERNANCE,
ALISON COE)

ACTION OFFICERS LIST (cont'd)**ATTACHMENT No [1] - Action Officers List April 2014****ACTION OFFICERS LIST – APRIL 2014**

Meeting	Subject
Ordinary Council Meeting 24 June 2013	Lease to National Broadband Network - Strathmerton
MOTION	
That Council:	
1. Resolve to enter into a lease with the National Broadband Network Company to occupy part of the telecommunications tower and land located at 44 Station St Cobram.	(CARRIED)
2. Authorise the Chief Executive Officer to sign and seal the lease documents.	
ACTIVITY	
NBN Co, DSE and Strathmerton Golf Club advised of council resolution. Awaiting draft lease to be prepared.	
Meeting	Subject
Ordinary Council Meeting 20 May 2013	Lease to National Broadband Network Cobram
MOTION	
That Council:	
1. Resolve to enter into a lease with the National Broadband Network Company to occupy part of the telecommunications tower and land located at 44 Station St Cobram.	(CARRIED)
2. Authorise the Chief Executive Officer to sign and seal the lease documents	
ACTIVITY	
NBN Co advised of Council approval. Awaiting lease document.	
Meeting	Subject
Ordinary Council Meeting 17 September 2012	Bus Terminus - old Railway Station precinct
MOTION	
That Council:	
1. Explore feasibility of establishing a bus terminus and lighted car parking area near the old railway station precinct, and	
2. Seek funding from the appropriate authority for a sided bus shelter at corner of Orr and Belmore Streets to protect people from the weather (CARRIED)	
ACTIVITY	
The area available at the old Railway Station will be dependent upon the option and alignment that VicRoads adopt for the new bridge at Yarrowonga. Current indications are that there will be no space available to develop the site.	

FILE NO: 100.01.0001
3. OUR COMMUNICATIONS AND
PROCESSES

ITEM NO: 11.1
(PERSONAL ASSISTANT TO CEO,
ROBYN BONADDIO)
(DIRECTOR CORPORATE GOVERNANCE,
ALISON COE)

ACTION OFFICERS LIST (cont'd)**ATTACHMENT No [1] - Action Officers List April 2014****ACTION OFFICERS LIST – APRIL 2014**

Meeting	Subject
Ordinary Council Meeting 12 December 2011	Local Law 2007 Meeting Procedure
MOTION That Council review the Local Law 2007 Meeting Procedure.	(CARRIED)
ACTIVITY Currently awaiting legal advice following which a report will be submitted to Council.	
Meeting	Subject
Ordinary Council Meeting 20 June 2011	RV Friendly Shire
MOTION That Council endorse the establishment of a Community Stakeholder Steering Committee to explore the adoption of a RV friendly position and set a timeframe of 12 months for the Committee to develop a RV Friendly implementation Framework and Plan	(CARRIED)
ACTIVITY Report for Terms of Reference Working Group went to Council Briefing 4 February 2013. In the process of establishing the working group, using the agreed Terms of Reference.	
Meeting	Subject
Ordinary Council Meeting 10 December 2012	Transfer Station operating hours
MOTION That a review of Transfer Station operating hours be undertaken and presented to Council.	(CARRIED)
ACTIVITY A report to Council will be presented after the 2012/2013 Financial year yearly review.	

FILE NO: 100.01.0001
1. OUR COMMUNITIES

ITEM NO: 12.1
(PERSONAL ASSISTANT TO CEO, ROBYN
BONADDIO)
(ACTING, CHIEF EXECUTIVE OFFICER,
PETER BERTOLUS)

TWENTY FOUR HOUR, SEVEN DAY WEEK POLICE STATION AT COBRAM

TAKE NOTICE that at the Council Meeting to be held on 22 April 2014, it is my intention to move the following motion:

By way of background the Cobram Police Station is currently only open during business hours.

Cr Wendy Buck

Date: 22 April 2014

That:

Council lobby the State Government for a twenty four hour, seven day week police station at Cobram.

That:

CRS WENDY BUCK / MARIE MARTIN

Council lobby the State Government for a twenty four hour, seven day week police station at Cobram by writing to the Minister for Police and Emergency Services The Hon Kim Wells MLA.

(CARRIED)

FILE NO: VARIOUS

ITEM NO: 15

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

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

MOTION

CRS BRIAN KEENAN / GARY CLEVELAND

That items of general business be received.

(CARRIED)

MOTION

CRS BRIAN KEENAN / WENDY BUCK

That Cr Keenan be granted a leave of absence commencing this Friday for ten days.

(CARRIED)

FILE NO: VARIOUS

ITEM NO: 16

QUESTIONS FROM THE PUBLIC GALLERY

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

63. Question Time

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

No question must be so read unless:

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

A question may be disallowed by the Chairperson if it:

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

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

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

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

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

16.1 John Haye - Koonoomoo

Question: Would Council lobby Parks Victoria to improve the river front tracks near Ulupna

FILE NO: VARIOUS

ITEM NO: 16

QUESTIONS FROM THE PUBLIC GALLERY

Island?

Answer: The Mayor responding by saying that Council is in close contact with Parks Victoria regarding grading of the tracks and will continue to do so?

16.2 Stephen Faulkner - Cobram

Question: Will the new Chief Executive Officer change the environment at Moira Shire Council as he was upset by the way he was treated by an officer.

Answer: The Mayor responded by saying that he would talk to Mr Faulkner during the suspension or orders to ascertain what has transpired.

FILE NO: VARIOUS

ITEM NO: 17

STANDING ORDERS**RECOMMENDATION**

That standing orders be suspended for 10 minutes.

MOTION

CRS ED COX / GARY CLEVELAND

That standing orders be suspended for 5 minutes.

(CARRIED)

RECOMMENDATION

That standing orders be resumed.

MOTION

CRS ED COX / GARY CLEVELAND

That standing orders be resumed.

(CARRIED)

RECOMMENDATION

That pursuant to Section 89(2) of the Local Government Act, 1989, this meeting of Council be closed to members of the public in order for Council to discuss contractual, industrial and any other matters which the Council or Special Committee considers would prejudice the Council or any person.

MOTION

CRS ALEX MONK / BRIAN KEENAN

That pursuant to Section 89(2) of the Local Government Act, 1989, this meeting of Council be closed to members of the public in order for Council to discuss contractual, industrial and any other matters which the Council or Special Committee considers would prejudice the Council or any person.

(CARRIED)

FILE NO: VARIOUS

ITEM NO: 17

STANDING ORDERS**RECOMMENDATION**

That pursuant to Section 89(2) of the Local Government Act 1989, Council resolve to resume the Ordinary meeting.

MOTION

CRS ED COX / GARY CLEVELAND

That pursuant to Section 89(2) of the Local Government Act 1989, Council resolve to resume the Ordinary meeting.

(CARRIED)

RECOMMENDATION

That the recommendations of the "Closed" Meeting of Council with regard to contractual, industrial and any other matters which the Council or Special Committee considers would prejudice the Council or any person be adopted.

MOTION

CRS MARIE MARTIN / ALEX MONK

That the recommendations of the "Closed" Meeting of Council with regard to contractual, industrial and any other matters which the Council or Special Committee considers would prejudice the Council or any person be adopted.

(CARRIED)