



MINUTES

ORDINARY MEETING OF COUNCIL HELD AT
YARRAWONGA TOWN HALL, BELMORE STREET
YARRAWONGA,
MONDAY 24 AUGUST 2015

The meeting commenced at 6:00 pm.

PRESENT

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

IN ATTENDANCE:

Mark Henderson	Chief Executive Officer
Leanne Mulcahy	General Manager Corporate
Andrew Close	General Manager Infrastructure
Linda Nieuwenhuizen	Manager Communication and Governance

1. CALLING TO ORDER – CEO

RECORDING

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

2. PRAYER

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

Amen

3. ACKNOWLEDGEMENT OF COUNTRY

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

4. APOLOGIES & REQUESTS FOR LEAVE OF ABSENCE

- Cr Wendy Buck requested leave for the month of September
- Cr Brian Keenan is on leave of absence
- Cr Don McPhee was an apology

MOTION

CRS ALEX MONK / WENDY BUCK

That Cr Buck's leave of absence be granted and Cr McPhee's apology noted.

(CARRIED)

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

NIL

6. DECLARATION OF ANY INTEREST OR CONFLICT OF INTEREST

Nil

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

MOTION:

CRS PETER MANSFIELD / WENDY BUCK

"That the minutes of the Ordinary Council Meeting held on Monday, 27 July 2015, as prepared and circulated, be confirmed."

(CARRIED)

8. COUNCILLOR REPORTS

Cr Peter Mansfield reported on his attendance at the Murray River Group of Council's meeting.

Cr Wendy Buck reported on her attendance at the North Eastern Australian Local Government Women's Association Luncheon.

MOTION

CRS KEVIN BOURKE / GARY CLEVELAND

That the Councillor reports be accepted.

(CARRIED)

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NIL

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NIL

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20. URGENT OR GENERAL CONFIDENTIAL BUSINESS

21. CLOSE OF MEETING

A handwritten signature in black ink, appearing to read 'Mark Henderson', is written over a faint, light-colored rectangular stamp or watermark.

MARK HENDERSON
CHIEF EXECUTIVE OFFICER

FILE NO: 180.11.0002
3. OUR COMMUNICATIONS AND PROCESSES

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

FINANCIAL POSITION REPORT AS AT 31 JULY 2015

1. Executive Summary

This Financial Report is subject to the completion of the 2014/15 financial year transactions, which requires the finance system being closed to new transactions during early July 2015. This impacts the volume of commitments and actuals in July 2015.

The July 2015 monthly finance report includes Rates and Charges totalling \$33.11 million (\$26.44 million in general rates and municipal charges, and \$6.67 million in garbage collection and recycling charges and environmental levy) which is recognised as income at the time of being levied.

The Adopted Budget 15/16 contains the Operating Grant budget of \$10.9 million. This budget includes \$4.85 million for the 2015/16 Financial Assistance Grant which was received in the 2014/15 financial year.

The impact of receipt of the Financial Assistance Grant in 2014/15 will mean the Adopted Budget surplus of \$1.85 million will now be an estimated deficit of \$3 million. This change will be reflected at the September 2015 Quarterly Budget Review.

For the month of July a total of \$0.65 million worth of Rate Debtor receipts were collected. Payments of outstanding rates are being actively managed and any rate payers who are experiencing difficulty are encouraged to contact Council officers to discuss options.

Sundry debtors are within acceptable levels with 6.1% of sundry debtors in excess of 30 days and under active management. This represents a figure of \$17,761 out of the total of \$289,204.

Cash and Cash Equivalents balance as at 31 July 2015 is \$22.28 million which includes the 50% (\$4.85 million) of the 2015/16 Financial Assistance Grant received in advance.

Council's financial position as at 31 July 2015 is satisfactory.

FILE NO: 180.11.0002
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(TEAM LEADER - FINANCIAL
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(GENERAL MANAGER - CORPORATE,
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FINANCIAL POSITION REPORT AS AT 31 JULY 2015 (cont'd)

Moirā Shire Council Funding Analysis Summary - July 2015			
Operating Income Statement	Ref	Budget 15/16	Actuals 15/16 YTD
Income			
Operating Grant		(10,932,084)	(106,635)
Operating Contributions		(86,962)	(1,252)
Reimbursements		(62,859)	(7,054)
Statutory Fees & Fines		(831,920)	(98,187)
User Charges		(2,731,290)	(196,060)
Other Revenues (incl. Waste Charges & Environmental Levy)		(7,035,256)	(6,695,073)
Interest Income		(350,000)	(33,315)
Net Proceeds - Land for resale		(42,000)	-
Total Income		(22,072,371)	(7,137,575)
Expenditure			
Employee Costs		19,699,169	2,228,322
Contractors		6,345,181	136,049
Materials & Services		11,002,863	718,706
Utilities		967,359	21,799
Other Expenses		4,458,926	532,377
Interest on Borrowings		464,541	41,322
Bad & Doubtful Debts		5,000	-
WDV of Disposal of Assets		60,000	-
Total Expenditure		43,003,039	3,678,576
Net Operational (Inflow) / Outflow		20,930,668	(3,458,999)
Net Operational (Inflow) / Outflow		20,930,668	(3,458,999)
Funding available through			
Rates and charges		26,863,347	26,444,290
Rate funds available for Capital Projects	A	5,932,679	29,903,289
Capital Expenditure		11,571,406	135,938
Capital External funding		(5,313,117)	(50,000)
Net Council Funding of Capital Projects	B	6,258,289	85,938
Surplus of Rate Funds after funding Capital Projects	A - B	(325,610)	29,817,351
Equity Inflow / (Outflow)		(829,560)	(829,560)
Net Rate Funds Surplus / (Shortfall)		(1,155,170)	28,987,791

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FINANCIAL POSITION REPORT AS AT 31 JULY 2015 (cont'd)

Reconciliation with Income Statement	Budget 15/16	Actuals YTD 15/16
Net Rate Funds Surplus / (Shortfall)	(1,155,170)	28,987,791
Eliminate Balance Sheet items		
Repayment of Loans	829,560	829,560
Fund from Equity reserves for Capital carryover	-	-
Capital Expenditure Capitalised as Assets	11,571,406	138,809
Accounting for Non-cash items		
Depreciation Expense and amortisation	(8,886,214)	(740,518)
Share Profit/Loss Associated Entity	(20,000)	-
Landfill - Interest Unwinding Discount	(491,346)	-
WDV of Infrastructure Replaced	(200,000)	-
Contributions - Non-Monetary Assets	200,000	-
Income Statement Surplus / (Deficit)	1,848,236	29,215,642

Rates & Other Debtors Report - July 2015			
General Rates & Charges	Jul-14	Jul-15	Year on Year Variance
Rate Debtors Outstanding previous month plus new levied	31,760,807	35,426,003	3,665,196
Collection for month	478,728	647,919	169,191
Rate Debtors Outstanding as at end of month	31,282,079	34,778,084	3,496,005
No. of Rateable Assessments	17,440	17,673	233
Rateable Valuation C.I.V	4,967,973,600	5,052,394,100	84,420,500
Special Scheme Debtors	Jun-15	Jul-15	Monthly Variance
Balance Outstanding	21,903	21,763	140
Sundry Debtors	Jun-15	Jul-15	Monthly Variance
Current	436,718	189,434	247,284
30 Days	48,524	82,009	(33,485)
60 Days	13,551	3,293	10,258
90 Days	1,126	8,582	(7,456)
> 90 Days	3,865	5,886	(2,021)
Total	503,784	289,204	214,580
Infringements	Jun-15	Jul-15	Monthly Variance
Balance Outstanding	153,476	153,954	(478)

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FINANCIAL POSITION REPORT AS AT 31 JULY 2015 (cont'd)

Quarterly Cash Position - Projection as at 30 September 2015	
	\$
Cash and Cash equivalents as per Balance Sheet - 31 July 2015	22,278,827
Confirmed inflow/(outflow) recorded in the books of accounts as of date	
Creditors - invoices registered in the system	(792,572)
Payroll	(2,600,000)
Fire Services levy - due to SRO [net of Creditors & Debtors]	(177,859)
Loan installment due for the quarter	(143,530)
Estimated future (outflows) and inflows up to 30 September 2015	
Creditors - estimated quarterly payout	(5,000,000)
Rates	6,445,264
Capital Grants	-
Operating Grants	1,509,247
Projected Cash Balance as at 30 June 2015	21,519,377
Following restrictions imposed on Cash and cash equivalents by regulations or other externally imposed restrictions or by commitments made by Council	
Restricted reserves - Open Space, Car Parking & Net Gain Native	
Vegetation reserves	(1,337,837)
Long Service leave	
Current	(2,007,902)
Non-current	(348,235)
Trust Funds and Deposits	(661,649)
Unexpended Grants [estimated for the year end]	(500,000)
Projected Cash Balance (less Restricted Cash) as at 30 Sep 2015	16,663,754

2. Financial Implications

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

3. Risk Management

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

4. Internal and External Consultation

The following members of staff were consulted:

- General Manager – Corporate;

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FINANCIAL POSITION REPORT AS AT 31 JULY 2015 (cont'd)

- Acting Finance Manager;
- Finance Analysts;
- Team Leader, Revenue & Property Services;
- Business Support Officer, Safety Amenity & Environment

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

5. Regional Context

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

6. Council Plan Strategy

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

7. Legislative / Policy Implications

The report complies with:

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

8. Environmental Impact

There are no environmental impacts associated with this report.

9. Conflict of Interest Considerations

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

10. Conclusion

Council's financial position as at 31 July 2015 is satisfactory, but it must continue to be managed prudently, particularly in the areas of capital income, capital expenditure and operational growth, for this situation to be maintained.

Attachments

Nil

RECOMMENDATION

That Council receives and notes the Financial Position Report as at 31 July 2015.

**FILE NO: 180.11.0002
3. OUR COMMUNICATIONS AND PROCESSES**

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

FINANCIAL POSITION REPORT AS AT 31 JULY 2015 (cont'd)

MOTION

CRS ALEX MONK / WENDY BUCK

That Council receives and notes the Financial Position Report as at 31 July 2015.

(CARRIED)

FILE NO: F15/50
6. GOVERNANCE

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

REVIEW OF AUDIT COMMITTEE CHARTER

1. Executive Summary

Created by Council in accordance with Section 139 of the Local Government Act 1989, the Audit Committee is an advisory committee whose role is to report to Council and provide appropriate advice and recommendations on matters relevant to its Charter.

The Audit Committee Charter was last adopted by Moira Shire Council on 19 August 2013. It is appropriate to conduct a periodical review of the Charter to ensure that the document suits Council's needs and remains compliant with the -Audit Committees Guide to Good Practice for Audit Committees.

A review undertaken by the Audit Committee recommends 11 changes to the Charter for clarity and alignment to the Guidelines.

2. Background and Options

The Audit Committee is an independent advisory Committee to Council. The primary objective of the Audit Committee is to assist Council in the effective conduct of its responsibilities in regard to financial reporting, management of risk, maintaining reliable systems of internal control and facilitating the organisation's ethical development.

A review of the Charter has been undertaken with regard to the 'Audit Committees Guide to Good Practise for Local Government' (the Guidelines), published in January 2011 by the Department of Planning and Community Development.

The following amendments to the Charter are recommended:

Clause	Suggestion	Explanation
1.1	Amended to include reference to s139 LGA.	No reference to the relevant section of the Act.
2.2	Amended to clarify that Mayor does not have a vote.	Not clearly specified in current charter.
2.3	Amended to include reference to Local Government knowledge.	Adds additional skill options.
2.3	Amended to add 1 external member to new member evaluation panel.	Provides external contribution.
2.4	Amended to clarify term.	Provides consistency with other clauses.
2.5	New clause to limit external membership to 2 consecutive terms.	Provides external input.
2.6	New clause to allow extension of external member for 1 year.	Provides flexibility to ensure timely rotation.
2.13	Amended to allow members to attend meetings by telephone or video conference.	Provides flexibility if members not able to attend personally.
2.14	Amended General Manager title reference.	Correct title reference.
3.3	New clause to require Audit Committee to meet with internal and external auditors without management.	Recommended by Guidelines.
5.3.10	New clause to include focus on mandatory	Confirms current task.

FILE NO: F15/50
6. GOVERNANCE

ITEM NO: 9.1.2
(MANAGER PROPERTY, RISK AND
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(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

REVIEW OF AUDIT COMMITTEE CHARTER (cont'd)

	reporting and performance statement requirements.	
6	Amended to ensure Charter is reviewed annually.	Ensures Charter is up to date.

3. Financial Implications

The implementation of the recommended changes will have no additional financial implications for Council.

4. Risk Management

The Audit Committee is a critical component of Council's overall risk management framework and is required under the LGA. In order to ensure the Audit Committee continues to effectively operate in accordance with the LGA and the Guidelines, a review of the Charter is appropriate.

5. Internal and External Consultation

The draft charter was reviewed by Council's Audit Committee on 31 July 2015. Council's Internal Auditors, AFS Chartered Accountants were consulted and contributed to the review.

Internal consultation has been undertaken with Council's Corporate Management Team.

6. Regional Context

There are no issues of regional significance.

7. Council Plan Strategy

The subject matter of this report supports the Council Plan Strategy to provide sound governance and risk management.

8. Legislative / Policy Implications

The Audit Committee is an advisory committee of Council, created under Section 139 of the Local Government Act 1989. The Charter is developed and reviewed against the Guide to Good Practice for Local Government Audit Committees January 2011.

9. Environmental Impact

There are no identified Environmental risks associated with this report.

10. Conflict of Interest Considerations

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

11. Conclusion

A review of the current audit charter has been undertaken having regard to the 'Audit Committees Guide to Good Practice for Local Government', published by the Department of Planning and Community Development in January 2011.

The review by the Audit Committee recommends 11 changes as provided in the report which aim to ensure clarity and compliance to the Guidelines.

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REVIEW OF AUDIT COMMITTEE CHARTER (cont'd)

Attachments

- 1 Audit Committee Charter - 2015 Review - Tracked changes
- 2 Audit Committee Charter - 2015 Review - Final Draft

RECOMMENDATION

That:

1. Council adopt the Audit Committee Charter.

MOTION

CRS ALEX MONK / ED COX

That:

1. Council adopt the Audit Committee Charter.

(CARRIED)

Cr Alex Monk called for a division.

FOR

Cr Buck
Cr Cleveland
Cr Cox
Cr Monk

AGAINST

Cr Bourke
Cr Mansfield
Cr Martin

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REVIEW OF AUDIT COMMITTEE CHARTER (cont'd)

ATTACHMENT No [1] - Audit Committee Charter - 2015 Review - Tracked changes



Moir Shire Council

Audit Committee Charter

Review 31 July 2015 Endorsed by Council 19 August 2013



FILE NO: F15/50
6. GOVERNANCE

ITEM NO: 9.1.2
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REVIEW OF AUDIT COMMITTEE CHARTER (cont'd)

ATTACHMENT No [1] - Audit Committee Charter - 2015 Review - Tracked changes

**Moira Shire Council
Audit Committee Charter**



PART 1 - CHARTER

The Audit Committee is an independent advisory Committee to Council. The primary objective of the Audit Committee is to assist Council in the effective conduct of its responsibilities for financial reporting, management of risk, maintaining a reliable system of internal controls and facilitating the organisation's ethical development.

The Audit Committee is established to assist the co-ordination of relevant activities of management, the internal audit function and the external auditor to facilitate achieving overall organisational objectives in an efficient and effective manner. As part of Council's governance obligations to its community, Council has constituted an Audit Committee to facilitate:

Objectives

- the enhancement of the credibility and objectivity of internal and external financial reporting;
- effective management of financial and other risks and the protection of Council assets;
- compliance with laws and regulations as well as use of best practice guidelines;
- the effectiveness of the internal audit function;
- the provision of an effective means of communication between the external auditor, internal audit, management and the Council.

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REVIEW OF AUDIT COMMITTEE CHARTER (cont'd)

ATTACHMENT No [1] - Audit Committee Charter - 2015 Review - Tracked changes

Moira Shire Council Audit Committee Charter



PART 2 - TERMS OF REFERENCE

1. General

- 1.1. The Audit Committee is an advisory committee of Council as set out in Section 139 of the Local Government Act 1989 a formally appointed committee of the Council and is responsible to that body. The Audit Committee does not have executive powers or authority to implement actions in areas over which management has responsibility and does not have any delegated financial responsibility. The Audit Committee does not have any management functions and is therefore independent of management.
- 1.2. The Committee's role is to report to Council and provide appropriate advice and recommendations on matters relevant to its Charter in order to facilitate decision making by Council in relation to the discharge of its responsibilities.

2. Membership

- 2.1. The Audit Committee will comprise a minimum of four members – two Councillors, and a minimum of two and a maximum of three external independent members, with the Chairperson having a casting vote. All members shall have full voting rights.
- 2.2. The Mayor of the Moira Shire Council will be an ex-officio member of the Audit Committee but shall not have voting rights.
- 2.2.2.3. External independent persons will have senior business experience, be a qualified accountant or have significant financial and/or risk management/reporting knowledge and experience, and be conversant with the Local Government financial and other reporting requirements. The evaluation of potential members will be undertaken by the Mayor, and Chief Executive Officer and one independent member of the Audit Committee taking account of the experience of candidates and their likely ability to apply appropriate analytical and strategic management skills, and a recommendation for appointment put to Council.
- 2.3.2.4. Appointments of external persons shall be made by Council by way of a public advertisement and be for a maximum term of three years. The terms of the appointment should be arranged to ensure an orderly rotation and continuity of membership despite changes to Council's elected representatives.
- 2.5. External members may serve two consecutive terms. After the second term additional terms may be served provided a period of at least 12 months has elapsed since their last term.
- 2.4.2.6. The term of an external member may be extended by Council on recommendation from the Audit Committee for up to 1 year. The extension period shall be added to the existing term and considered as part of that term.

D15/38787 Endorsed by Council 19 August 2013

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FILE NO: F15/50
6. GOVERNANCE

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REVIEW OF AUDIT COMMITTEE CHARTER (cont'd)

ATTACHMENT No [1] - Audit Committee Charter - 2015 Review - Tracked changes

**Moir Shire Council
Audit Committee Charter**



2.5.2.7. If the Council proposes to remove a member of the Committee, it must give written notice to the member of its intention to do so and provide that member with the opportunity to be heard at a Council meeting which is open to the public, if that member so requests.

2.6. In addition, the Council may remove a member of the committee if he/she fails to attend three (3) consecutive meetings without leave of the Committee by resolution duly passed, or on the recommendation of the Committee.

DRAFT

FILE NO: F15/50
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REVIEW OF AUDIT COMMITTEE CHARTER (cont'd)

ATTACHMENT No [1] - Audit Committee Charter - 2015 Review - Tracked changes

**Moirai Shire Council
Audit Committee Charter**



2.8

2.7.2.9. Remuneration will be paid to each independent member of the Committee at a rate determined by Council.

2.8.2.10. The Chairperson shall be appointed annually from the external members of the Committee by the Audit Committee for a term of one year. The appointment of the Chairperson is subject to Council's approval.

2.9.2.11. A member appointed as Chairperson shall be entitled to serve as Chairperson for multiple terms provided that no more than two terms shall be served consecutively.

2.12. In the absence of the appointed Chairperson from a meeting, the meeting will appoint an acting Chairperson from the external members present.

2.13. A quorum will be a majority of the Committee membership comprising at least equal representation of internal and external members. Members may attend meetings in person, by telephone or by video conference or equivalent.

2.11.2.14. The Director General Manager - Corporate Governance and internal auditor (whether a member of staff or contractor) should attend all meetings. Other members of Council or Council staff may be invited to attend at the discretion of the Committee to advise and provide information when required.

2.12.2.15. Representatives of the external auditor should be invited to attend at the discretion of the Committee but **must** attend meetings considering the draft annual financial report and results of the external audit.

2.13.2.16. Council shall provide secretarial and administrative support to the Committee.

3. Meetings

3.1. The Committee shall meet at least quarterly. A schedule of meetings will be developed and agreed to by the members. As an indicative guide, meetings would be arranged to coincide with relevant Council reporting deadlines, for example in June to coincide with the approval of Council Plans, business plans and budgets and in August to coincide with the finalisation of the financial statements and the draft annual report to the Minister.

3.2. Additional meetings shall be convened at the discretion of the Chairperson, the General Manager Corporate Services or at the written request of any member of the Committee, internal or external auditor.

3.2.3.3. The Audit Committee, without the presence of the Council management, shall meet with the Internal and External Auditors at least annually.

D15/38787 Endorsed by Council 19 August 2013

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FILE NO: F15/50
6. GOVERNANCE

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REVIEW OF AUDIT COMMITTEE CHARTER (cont'd)

ATTACHMENT No [1] - Audit Committee Charter - 2015 Review - Tracked changes

**Moirra Shire Council
Audit Committee Charter**



4. Reporting

- 4.1. The Audit Committee shall after every meeting forward the minutes of that meeting to the next ordinary meeting of the Council, including a report explaining any specific recommendations and key outcomes.
- 4.2. The Committee shall report annually to the Council summarising the activities of the Committee during the previous financial year.
- 4.3. The Committee shall annually conduct evaluation of the satisfaction of the internal audit function and report to Council.
- 4.4. The committee shall conduct an annual evaluation of the Audit Committee's performance and report to Council.
- 4.5. The Committee shall conduct an annual review and assessment of the adequacy of the Charter and request Council approval for proposed changes.

5. Duties and Responsibilities

- 5.3. The following are the duties and responsibilities of the Audit Committee in pursuing its Charter:
 - 5.3.1. To review the scope of the internal audit plan and programme and the effectiveness of the function. This review should consider whether, over a period of years the internal audit plan systematically addresses:
 - internal controls over significant areas of risk, including non-financial management control systems;
 - internal controls over revenue, expenditure, assets and liability processes;
 - the efficiency, effectiveness and economy of significant Council programmes; and
 - compliance with regulations, policies, best practice guidelines, instructions and contractual arrangements.
 - 5.3.2. Review the appropriateness of special internal audit assignments undertaken by internal audit at the request of Council or Chief Executive Officer.
 - 5.3.3. Review the level of resources allocated to internal audit and the scope of its authority.
 - 5.3.4. Review reports of internal audit and the extent to which Council and management react to matters raised by internal audit, by monitoring the implementation of recommendations made by internal audit.
 - 5.3.5. Facilitate liaison between the internal and external auditor to promote compatibility, to the extent appropriate, between their audit programmes.

D15/38787 Endorsed by Council 19 August 2013

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FILE NO: F15/50
6. GOVERNANCE

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

REVIEW OF AUDIT COMMITTEE CHARTER (cont'd)

ATTACHMENT No [1] - Audit Committee Charter - 2015 Review - Tracked changes

Moirai Shire Council Audit Committee Charter



5.3.6. Critically analyse and follow up any internal or external audit report that raises significant issues relating to risk management, internal control, financial reporting and other accountability or governance issues, and any other matters relevant under the Committee's terms of reference. Review management's response to, and actions taken as a result of the issues raised.

5.3.7. Monitor the risk exposure of Council by determining if management has appropriate risk management processes and adequate management information systems.

5.3.8. Monitor ethical standards and related party transactions by determining whether the systems of control are adequate.

5.3.9. Review Council's draft annual financial report, focusing on:

- accounting policies and practices;
- changes to accounting policies and practices;
- the process used in making significant accounting estimates;
- significant adjustments to the financial report (if any) arising from the audit process;
- compliance with accounting standards and other reporting requirements;
- significant variances from prior years.

5.3.10. To review Council's draft annual performance statement focusing on mandatory reporting and annual performance statement requirements.

~~5.3.10.~~ 5.3.11. Recommend adoption of the annual financial report to Council. Review any significant changes that may arise subsequent to any such recommendation but before the financial report is signed.

~~5.3.11.~~ 5.3.12. Discuss with the external auditor the scope of the audit and the planning of the audit.

~~5.3.12.~~ 5.3.13. Discuss with the external auditor issues arising from the audit, including any management letter issued by the auditor and the resolution of such matters.

~~5.3.13.~~ 5.3.14. Review tendering arrangements and advise Council.

~~5.3.14.~~ 5.3.15. Review the annual performance statement and recommend its adoption to Council.

~~5.3.15.~~ 5.3.16. Review issues relating to Council's Business Continuity Plan, Information Technology Disaster Plan, National Competition Policy, financial reporting by Council business units and comparative performance indicators.

D15/38787 Endorsed by Council 19 August 2013

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REVIEW OF AUDIT COMMITTEE CHARTER (cont'd)

ATTACHMENT No [1] - Audit Committee Charter - 2015 Review - Tracked changes

**Moir Shire Council
Audit Committee Charter**



5.4. The Audit Committee, through the Chief Executive Officer and following authorisation from the Council, and within the scope of its responsibilities, may seek information or obtain expert advice on matters of concern.

6. Review

5.4.6. This Charter shall be reviewed annually.

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ITEM NO: 9.1.2
(MANAGER PROPERTY, RISK AND
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REVIEW OF AUDIT COMMITTEE CHARTER (cont'd)

ATTACHMENT No [2] - Audit Committee Charter - 2015 Review - Final Draft



Moir Shire Council

Audit Committee Charter

Review 31 July 2015



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(GENERAL MANAGER - CORPORATE,
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REVIEW OF AUDIT COMMITTEE CHARTER (cont'd)

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Moirai Shire Council Audit Committee Charter



PART 1 - CHARTER

The Audit Committee is an independent advisory Committee to Council. The primary objective of the Audit Committee is to assist Council in the effective conduct of its responsibilities for financial reporting, management of risk, maintaining a reliable system of internal controls and facilitating the organisation's ethical development.

The Audit Committee is established to assist the co-ordination of relevant activities of management, the internal audit function and the external auditor to facilitate achieving overall organisational objectives in an efficient and effective manner. As part of Council's governance obligations to its community, Council has constituted an Audit Committee to facilitate:

Objectives

- the enhancement of the credibility and objectivity of internal and external financial reporting;
- effective management of financial and other risks and the protection of Council assets;
- compliance with laws and regulations as well as use of best practice guidelines;
- the effectiveness of the internal audit function;
- the provision of an effective means of communication between the external auditor, internal audit, management and the Council.

PART 2 - TERMS OF REFERENCE

1. General

- 1.1. The Audit Committee is an advisory committee of Council as set out in Section 139 of the Local Government Act 1989. The Audit Committee does not have executive powers or authority to implement actions in areas over which management has responsibility and does not have any delegated financial responsibility. The Audit Committee does not have any management functions and is therefore independent of management.
- 1.2. The Committee's role is to report to Council and provide appropriate advice and recommendations on matters relevant to its Charter in order to facilitate decision making by Council in relation to the discharge of its responsibilities.

2. Membership

- 2.1. The Audit Committee will comprise a minimum of four members – two Councillors, and a minimum of two and a maximum of three external independent members, with the Chairperson having a casting vote. All members shall have full voting rights.
- 2.2. The Mayor of the Moirai Shire Council will be an ex-officio member of the Audit Committee but shall not have voting rights.

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(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

REVIEW OF AUDIT COMMITTEE CHARTER (cont'd)

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**Moirai Shire Council
Audit Committee Charter**



- 2.3. External independent persons will have senior business experience, be a qualified accountant or have significant financial and/or risk management/reporting knowledge and experience, or be conversant with the Local Government financial reporting requirements. The evaluation of potential members will be undertaken by the Mayor, Chief Executive Officer and one independent member of the Audit Committee taking account of the experience of candidates and their likely ability to apply appropriate analytical and strategic management skills, and a recommendation for appointment put to Council.
- 2.4. Appointments of external persons shall be made by Council by way of a public advertisement and be for a term of three years. The terms of the appointment should be arranged to ensure an orderly rotation and continuity of membership despite changes to Council's elected representatives.
- 2.5. External members may serve two consecutive terms. After the second term additional terms may be served provided a period of at least 12 months has elapsed since their last term.
- 2.6. The term of an external member may be extended by Council on recommendation from the Audit Committee for up to 1 year. The extension period shall be added to the existing term and considered as part of that term.
- 2.7. If the Council proposes to remove a member of the Committee, it must give written notice to the member of its intention to do so and provide that member with the opportunity to be heard at a Council meeting which is open to the public, if that member so requests.
- 2.8. In addition, the Council may remove a member of the committee if he/she fails to attend three (3) consecutive meetings without leave of the Committee by resolution duly passed, or on the recommendation of the Committee.
- 2.9. Remuneration will be paid to each independent member of the Committee at a rate determined by Council.
- 2.10. The Chairperson shall be appointed annually from the external members of the Committee by the Audit Committee for a term of one year. The appointment of the Chairperson is subject to Council's approval.
- 2.11. A member appointed as Chairperson shall be entitled to serve as Chairperson for multiple terms provided that no more than two terms shall be served consecutively.
- 2.12. In the absence of the appointed Chairperson from a meeting, the meeting will appoint an acting Chairperson from the external members present.
- 2.13. A quorum will be a majority of the Committee membership comprising at least equal representation of internal and external members. Members may attend meetings in person, by telephone or by video conference or equivalent.

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REVIEW OF AUDIT COMMITTEE CHARTER (cont'd)

ATTACHMENT No [2] - Audit Committee Charter - 2015 Review - Final Draft

Moirai Shire Council Audit Committee Charter



- 2.14. The General Manager - Corporate and internal auditor (whether a member of staff or contractor) should attend all meetings. Other members of Council or Council staff may be invited to attend at the discretion of the Committee to advise and provide information when required.
- 2.15. Representatives of the external auditor should be invited to attend at the discretion of the Committee but **must** attend meetings considering the draft annual financial report and results of the external audit.
- 2.16. Council shall provide secretarial and administrative support to the Committee.

3. Meetings

- 3.1. The Committee shall meet at least quarterly. A schedule of meetings will be developed and agreed to by the members. As an indicative guide, meetings would be arranged to coincide with relevant Council reporting deadlines; for example in June to coincide with the approval of Council Plans, business plans and budgets and in August to coincide with the finalisation of the financial statements and the draft annual report to the Minister.
- 3.2. Additional meetings shall be convened at the discretion of the Chairperson, the General Manager Corporate Services or at the written request of any member of the Committee, internal or external auditor.
- 3.3. The Audit Committee, without the presence of the Council management, shall meet with the Internal and External Auditors at least annually.

4. Reporting

- 4.1. The Audit Committee shall after every meeting forward the minutes of that meeting to the next ordinary meeting of the Council, including a report explaining any specific recommendations and key outcomes.
- 4.2. The Committee shall report annually to the Council summarising the activities of the Committee during the previous financial year.
- 4.3. The Committee shall annually conduct evaluation of the satisfaction of the internal audit function and report to Council.
- 4.4. The committee shall conduct an annual evaluation of the Audit Committee's performance and report to Council.
- 4.5. The Committee shall conduct an annual review and assessment of the adequacy of the Charter and request Council approval for proposed changes.

5. Duties and Responsibilities

- 5.3. The following are the duties and responsibilities of the Audit Committee in pursuing its Charter:

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6. GOVERNANCE

ITEM NO: 9.1.2
(MANAGER PROPERTY, RISK AND
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REVIEW OF AUDIT COMMITTEE CHARTER (cont'd)

ATTACHMENT No [2] - Audit Committee Charter - 2015 Review - Final Draft

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- 5.3.1. To review the scope of the internal audit plan and programme and the effectiveness of the function. This review should consider whether, over a period of years the internal audit plan systematically addresses:
- internal controls over significant areas of risk, including non-financial management control systems;
 - internal controls over revenue, expenditure, assets and liability processes;
 - the efficiency, effectiveness and economy of significant Council programmes; and
 - compliance with regulations, policies, best practice guidelines, instructions and contractual arrangements.
- 5.3.2. Review the appropriateness of special internal audit assignments undertaken by internal audit at the request of Council or Chief Executive Officer.
- 5.3.3. Review the level of resources allocated to internal audit and the scope of its authority.
- 5.3.4. Review reports of internal audit and the extent to which Council and management react to matters raised by internal audit, by monitoring the implementation of recommendations made by internal audit.
- 5.3.5. Facilitate liaison between the internal and external auditor to promote compatibility, to the extent appropriate, between their audit programmes.
- 5.3.6. Critically analyse and follow up any internal or external audit report that raises significant issues relating to risk management, internal control, financial reporting and other accountability or governance issues, and any other matters relevant under the Committee's terms of reference. Review management's response to, and actions taken as a result of the issues raised.
- 5.3.7. Monitor the risk exposure of Council by determining if management has appropriate risk management processes and adequate management information systems.
- 5.3.8. Monitor ethical standards and related party transactions by determining whether the systems of control are adequate.
- 5.3.9. Review Council's draft annual financial report, focusing on:
- accounting policies and practices;
 - changes to accounting policies and practices;
 - the process used in making significant accounting estimates;
 - significant adjustments to the financial report (if any) arising from the audit process;

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REVIEW OF AUDIT COMMITTEE CHARTER (cont'd)

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**Moir Shire Council
Audit Committee Charter**



- compliance with accounting standards and other reporting requirements;
- significant variances from prior years.

5.3.10. To review Council's draft annual performance statement focusing on mandatory reporting and annual performance statement requirements.

5.3.11. Recommend adoption of the annual financial report to Council. Review any significant changes that may arise subsequent to any such recommendation but before the financial report is signed.

5.3.12. Discuss with the external auditor the scope of the audit and the planning of the audit.

5.3.13. Discuss with the external auditor issues arising from the audit, including any management letter issued by the auditor and the resolution of such matters.

5.3.14. Review tendering arrangements and advise Council.

5.3.15. Review the annual performance statement and recommend its adoption to Council.

5.3.16. Review issues relating to Council's Business Continuity Plan, Information Technology Disaster Plan, National Competition Policy, financial reporting by Council business units and comparative performance indicators.

5.4. The Audit Committee, through the Chief Executive Officer and following authorisation from the Council, and within the scope of its responsibilities, may seek information or obtain expert advice on matters of concern.

6. Review

6. This Charter shall be reviewed annually.

FILE NO: F13/858
5. INFRASTRUCTURE

ITEM NO: 9.2.1
(MANAGER CONSTRUCTION AND
ASSETS, GRAHAM HENDERSON)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

PROPOSAL TO DISCONTINUE POWER STREET NATHALIA

1. Executive Summary

At the Ordinary Council Meeting held on 27 July 2015, Council considered the original Officers Report for the discontinuation of Power Street, Nathalia and passed the following motion:

–That this report lay on the table and Council Officers provide a comprehensive report on the discontinuation of Power Street, Nathalia”.

Since the Council meeting a revised comprehensive report has been prepared by Council Officers. This revised comprehensive report replaces the original report that was presented to Council at its Ordinary Meeting held on 27 July 2015.

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

Traffic counts show that traffic volume in Power Street is very low with school buses making up 30% of traffic volume. This demonstrates that the closure of Power Street is unlikely to have a negative impact upon the surrounding road network. There is some Council infrastructure within the road reserve which will be able to be protected by a drainage easement as a condition to the road being discontinued if it is closed.

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

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

2. Background and Options

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

Further consultation was undertaken with the College to clarify their submission for the proposed road closure. The College has confirmed that they currently park their fleet during the day between the hours of 9am to 3.30pm within the road reserve as

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PROPOSAL TO DISCONTINUE POWER STREET NATHALIA (cont'd)

there is insufficient space within the school grounds to store the bus fleet and also to avoid parking congestion in Robertson Street with the Nathalia Primary School. The College plan to construct a permanent shelter to provide shade cover for their bus fleet and for students waiting to board their buses. The Shelter area will also serve as the college's main bus stop for picking up and dropping off students and improve safety to both students and bus drivers.

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

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

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PROPOSAL TO DISCONTINUE POWER STREET NATHALIA (cont'd)

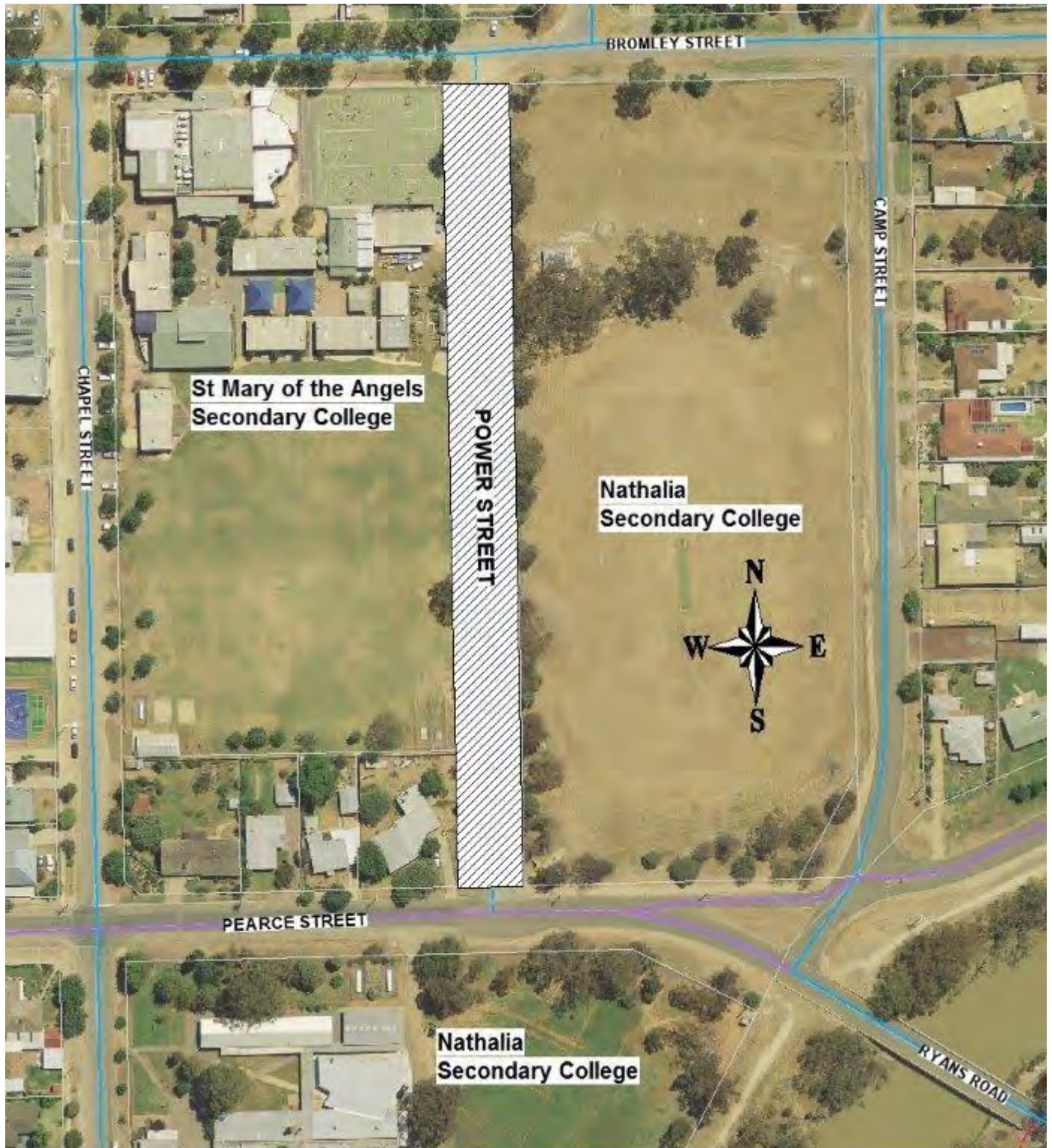


Figure showing location of Power Street with respect to St Mary's of the Angels College.

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PROPOSAL TO DISCONTINUE POWER STREET NATHALIA (cont'd)

3. Financial Implications

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

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

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

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

4. Risk Management

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

5. Internal and External Consultation

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

Council's Planning Department has advised that the land (Power Street road reserve) is contained within the Public Use Zone – Education. (PUZ2). In PUZ2 the use must be for the purpose of Education and the use must be carried out by or on behalf of the public land manager. As St Mary's of the Angels is a College owned by the Catholic Church they cannot not be considered as a "public land manager". Therefore, where a use is not carried out by the public land manager albeit it is for education purposes, a planning permit will be required for both use and development.

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

6. Regional Context

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

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PROPOSAL TO DISCONTINUE POWER STREET NATHALIA (cont'd)

7. Council Plan Strategy

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

8. Legislative / Policy Implications

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

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

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

9. Environmental Impact

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

10. Conflict of Interest Considerations

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

11. Conclusion

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

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

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

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5. INFRASTRUCTURE

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PROPOSAL TO DISCONTINUE POWER STREET NATHALIA (cont'd)

Attachments

Nil

RECOMMENDATION ONE

That Council:

1. Remove the Report 'Proposal to Discontinue Power Street Nathalia' from the table for consideration, and,
2. Receive this revised Officer Report 'Proposal to Discontinue Power Street Nathalia' to replace the original report that was tabled at the Ordinary Council Meeting held on 27 July 2015.

RECOMMENDATION TWO

That Council, subject to Recommendation One being adopted:

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

MOTION

CRS KEVIN BOURKE / PETER MANSFIELD

That the application be rejected at this time, and that the applicant (St Mary's of the Angels College) work with Council Staff Officers to work out a medium to long term strategy for the future development of the School.

(LOST)

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5. INFRASTRUCTURE

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

PROPOSAL TO DISCONTINUE POWER STREET NATHALIA (cont'd)

Cr Bourke called for a division.

FOR

Cr Bourke
Cr Mansfield
Cr Martin

AGAINST

Cr Buck
Cr Cleveland
Cr Cox
Cr Monk

(LOST)

MOTION ONE

CRS ED COX / ALEX MONK

That Council:

1. Remove the Report Proposal to Discontinue Power Street Nathalia from the table for consideration, and,
2. Receive this revised Officer Report Proposal to Discontinue Power Street Nathalia to replace the original report that was tabled at the Ordinary Council Meeting held on 27 July 2015.

(CARRIED)

MOTION

CRS PETER MANSFIELD / ALEX MONK

That Council,

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

(CARRIED)

FILE NO: 52015122
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.2
(TOWN PLANNER, MARTINA FOLEY)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

**52015122 - BUILDINGS AND WORKS: ALTERATIONS TO PROCESS
INCLUDING EXTRACTION PLANT AND ANCILLARY CHANGES AND A
REDUCTION IN THE NUMBER OF CAR PARKING SPACES REQUIRED AT
46-50 MCDONALD STREET, NUMURKAH**

1. Executive Summary

Planning permit application 5/2015/112 is for buildings and works at 46-50 McDonald Street, Numurkah for the development of the land by the addition of:

- new extraction plant,
- new seed storage silo,
- new pump house,
- new water tanks,
- new external conveyer belts,
- increase in size of the existing biofilter, and
- a reduction in car parking requirement.

There are 3 triggers for the permit:

- Buildings and works in the Industrial 1 Zone,
- Buildings and works in the Land Subject to Inundation Overlay, and
- A reduction in car parking requirements.

The application was referred and extensively advertised. Advertising consisted of newspaper notices, site notices and a large letter drop to all properties within a 300m cordon. Two objections have been received from nearby residents and business owners.

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

2. Background and Options

Application Details

Applicant: BECA
Owner: GrainCorp Oilseed PTY. LTD.
Land Address: 46-50 McDonald Street, Numurkah
Title Details: Crown Allotment 2016, Township of Numurkah, Parish of Katunga
Crown Allotments 1, 2, 3 & 4, Section 10, Township of Numurkah,
Parish of Katunga
Crown Allotments 8A & 8B, Section 11, Township of Numurkah,
Parish of Katunga
Crown Allotment 1, Section 11A, Township of Numurkah, Parish of
Katunga
Crown Allotment 2007, Township of Numurkah, Parish of Katunga
PC 368898
Site Area: 2.9 ha approximately (affected lots)
File No: 52015122
Zone: Industrial 1 Zone
Overlays: Land Subject to Inundation

Key Issues

- State Planning Policy
- Local Planning Policy

FILE NO: 52015122
3. DEVELOPMENT AND LIVEABILITY

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INFRASTRUCTURE, ANDREW CLOSE)

**52015122 - BUILDINGS AND WORKS: ALTERATIONS TO PROCESS
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- Industrial 1 Zone
- Land Subject to Inundation Overlay
- Protection of Residential Amenity

The subject land is located in Numurkah on the eastern side of the railway line, it is a large property with frontages onto McDonald Street, Orchard Street, Bank Street and Station Street.

The total GrainCorp property is irregular in shape. There are a total of 21 lots associated with the land holding. The subject application affects 10 lots, which collectively covers a site area of approximately 2.9ha.

GrainCorp:- Total Land Holding

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The site was originally used as a butter factory, established in 1907, and was converted into an oil crushing plant following a change of ownership in 1978. Since that time the site has been used to make canola oils. The business has grown over time and there are 13 planning permit applications associated with the site since 2002. The business has previously been known as Riverland Oilseeds but has become part of the GrainCorp Oilseed group. This report, in the interest of convenience and continuity will continue to refer to the Applicant and site as GrainCorp.

The surrounding area is largely commercial in use but there are a significant number of dwellings in the vicinity. Of note here is 10 Orchard Street, which is effectively surrounded on 3 sides by the development. Also there are a number of residences to the west, along Railway Place.

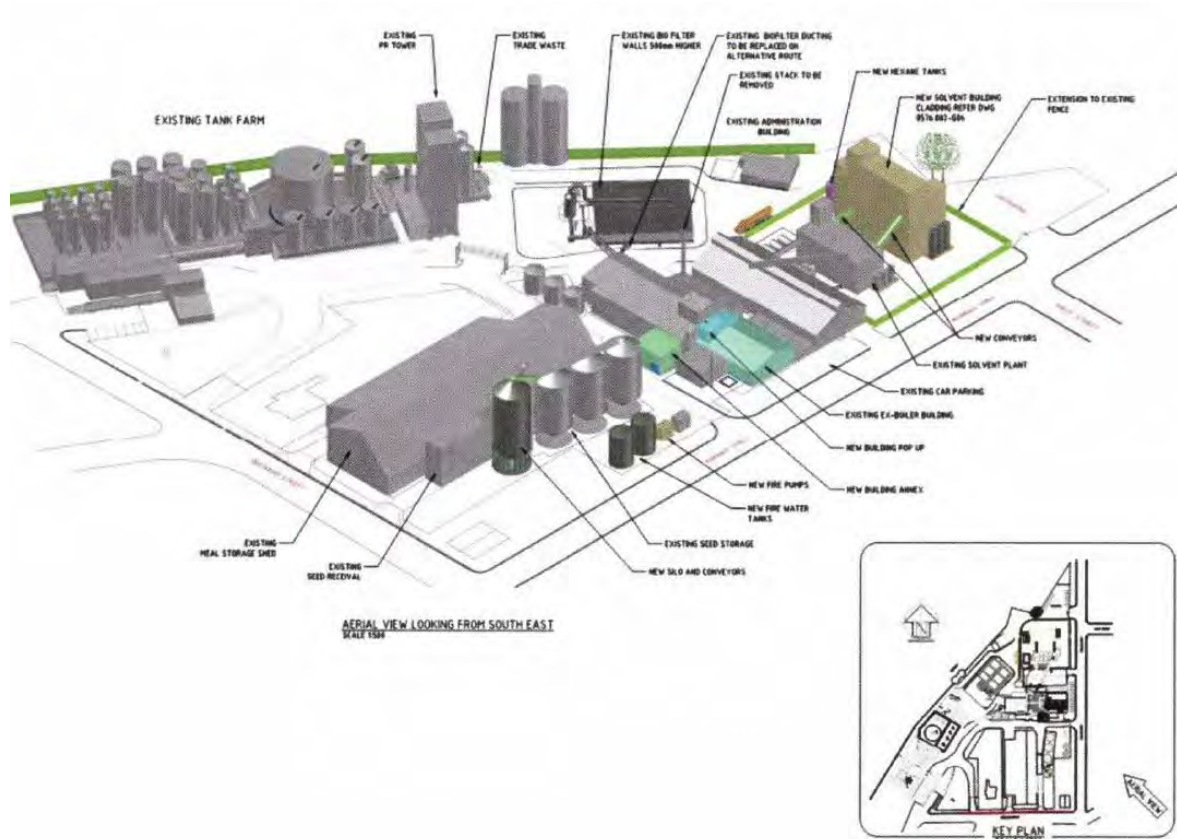
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There is a long planning history associated with the site. Most relevant here however is Permit 5/2014/299, which was issued in 2014 for Buildings & Works – Alteration to refining process, increase in storage capacity and ancillary development. This was a large application and the decision to issue a notice of decision to grant a permit was made at the Ordinary Council Meeting on 21 July 2014.

There were 51 conditions associated with this permit associated with protecting amenity, controlling traffic and ensuring adequate drainage among other issues. A number of these conditions will be replicated on this new permit in order to ensure continuity.



Proposal

The proposal is for the development of the land by the addition of:

- new extraction plant,
- new seed storage silo,
- new pump house,
- new water tanks,
- new external conveyer belts,
- increase in size of the existing biofilter, and
- a reduction in car parking requirement.

The new extraction plant will be constructed at the northern end of GrainCorp's property. This will be the biggest change on the site. It is to be located to the north of the existing

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extraction plant. The existing plant building will no longer be used but the applicant has stated that it is to remain on site.

Other changes including the addition of a new silo, construction of new pump house water tanks etc. are located throughout the site. The proposed changes will increase the overall capacity of production at the site. This will upgrade the current existing limit of 720 tonnes per day to 1000 tonnes, an increase of 39%.

Options

Council has the option to defer its decision for further assessment, issue a notice of refusal or issue a Notice to Grant a Permit.

3. Financial Implications

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

4. Risk Management

If Council decides to grant a permit and conditions are not fulfilled, it may become a compliance issue. Given that it is the conclusion of this report that there is no planning reason to refuse this application it should be noted, in terms of risk that a refusal could have a negative economic impact, with the Shire missing out on growth potential.

5. Internal and External Consultation

Pre-Lodgement Consultation

Prior to lodgement of the subject application the Applicant met, on the 9 April 2015, with the Planning Coordinator and a Town Planner.

The applicant hosted a community consultation event in Numurkah on 28 April 2015. The Manager of Town Planning and Building attended the event.

Internal Consultation

The application was referred to the Shire's Infrastructure Planning, Environmental Health and Building Departments. No objections have been raised however a number of conditions have been recommended if any permit is issued.

External Consultation

The application was also referred, externally, to VicTrack, Goulburn Valley Water and the Country Fire Authority, under Section 52 of the *Planning and Environment Act 1987*.

Further the application was referred, externally, to the Goulburn Broken Catchment Management Authority (GBCMA) and the Environmental Protection Agency under Section 55 of the *Planning and Environment Act 1987*.

No authority has objected to the issuing of a permit. Most, but not all, responses set out conditions to be attached to any permit issued.

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Public Consultation

Public Notice of the application was given under Section 52 of the *Planning and Environment Act 1987*. Notice took the form of an extensive letter drop, advertisements in the Numurkah Leader and site notices. Over 300 letters were issued to property owners and occupants within a 300m radius of the proposed development.

In total 2 objections were received. All of the objections received are attached to this report in the appendices. One objection was lodged in the name of 4 local residents. Their concerns relate to the proposed storage on site of hexane, the biofilter and truck movements.

The other objection was lodged on behalf of two individuals who are business owners whose concerns relate not to the proposed development itself but off-site impacts on the condition of Station Street to the south.

Following receipt of the objections Council provided copies to the Applicant who, on 16 July 2015 provided a written response. This is attached as an appendix. The response was provided to the objectors along with a pro-forma asking them to indicate whether they wished to withdraw or arrange a meeting to discuss their issues.

The first group of objectors, in an email response on 29 July 2015 the objector indicated that they did not wish to withdraw or attend a meeting. The email is attached here in the appendices. Their objection therefore still stands at the time of writing this report.

As the second objection related to the status of a Moira Shire road a meeting was held on site, on 28 July 2015, with the objectors and Council's Superintendent of Works and Services. At their meeting they discussed the current condition of the road and the impact of heavy traffic which is affecting the edge of the bitumen. The Superintendent will follow up in terms of remedial works to ensure that the road remains safe.

It is considered that this objection is in effect not directly related to the proposed development. However the condition of the road could potentially be exacerbated with the increase in traffic that would result from the proposal.

Currently GrainCorp trucks pull onto their property from Station Street. This area is not sealed and there is no official vehicular crossing. A separate application has been lodged by GrainCorp to asphalt this area (Planning Permit Application 5/2015/197). The objector has been informed of this application as it could reduce concerns relating to dust generation.

On 29 July 2015 Council's Town Planner contacted the objector via phone and they indicated that they did not wish their objection to be withdrawn.

6. Regional Context

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

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7. Council Plan Strategy

It is considered that the subject development is consistent with the following strategic goal set out in the Council Plan: *Driving economic growth – agriculture, manufacturing and tourism*

Approving GrainCorp's proposal will help a manufacturing business with strong links to agriculture.

8. Legislative / Policy Implications

Zoning

The subject lands are located in the Industrial 1 Zone (IN1Z). The purpose of the IN1Z, amongst others, is:

"To provide for manufacturing industry, the storage and distribution of goods and associated uses in a manner which does not affect the safety and amenity of local communities."

Clause 33.01-4 states that in the IN1Z a permit is required ~~to~~ *construct a building or carry out works.* This is one of the triggers for this permit application.

Clause 33.01-4 also sets out the decision guidelines for developments in the IN1Z as follows:

"Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- *The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *Any natural or cultural values on or near the land.*
- *Streetscape character.*
- *Built form.*
- *Landscape treatment.*
- *Interface with non-industrial areas.*
- *Parking and site access.*
- *Loading and service areas.*
- *Outdoor storage.*
- *Lighting.*
- *Stormwater discharge."*

It is considered that the proposed development accords with the guidelines, subject to compliance with the conditions set out.

Overlays

The subject lot is located within the Land Subject to Inundation Overlay (LSIO). The purpose of the LSIO is, amongst others:

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To identify land in a flood storage or flood fringe area affected by the 1 in 100 year flood or any other area determined by the floodplain management authority.

To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.

Clause 44.04-1 states that a planning permit is required for any buildings and works in the LSIO.

Accordingly the application was referred to the Goulburn Broken Catchment Management Authority. The response stated that they have no objection to the issuing of a permit subject to a single condition:

"The finished floor levels of the proposed solvent extraction plant and new silo must be constructed at least 300 millimetres above the 100-year ARI flood level of 107.8 metres AHD, i.e. 108.1 metres AHD, or higher level deemed necessary by the responsible authority."

It is considered that the proposed development, subject to compliance with GBCMA's condition, accords with the purpose and decision guidelines for development in the LSIO.

State Planning Policies

Clause 11.10-1 *Hume Region Growth* indicated that its state strategy to:

"Plan for a more diverse and sustainable regional economy by supporting existing economic activity and encouraging appropriate new and developing forms of industry, agriculture, tourism and alternative energy production."

The proposed development, as an improvement to an existing economic activity, accords with this strategy.

Clause 17.02-1 *Industrial Land Development* sets out that its state strategy to: *"Protect and carefully plan existing industrial areas to, where possible, facilitate further industrial development."* Facilitating further industrial development on the GrainCorp site therefore accords with this strategy.

Local Planning Policy and Municipal Strategic Statement

Clause 21.05-1 sets out that *"Facilitating the expansion of the Shire's value adding processing industries"* is one of the key issues and challenges relating to Moira Shire's Economic Development. The proposed development, expanding a processing industry's capacity and capability, therefore accords with Moira's policy.

Clause 21.05-1 further states that it is an economic development objective: *–To facilitate industrial development in areas which promote the most effective use of existing infrastructure and to protect industrial land from encroachment by incompatible land use*

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and development. It is considered that the proposed development accords with this objective, providing for improvements to an appropriately located industrial use.

Relevant Particular Provisions

Clause 52.06 *Car Parking* sets out that before the floor area of an existing use is increased *the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay must be provided to the satisfaction of the responsible authority in one or more of the following ways:*

- *on the land; or*
- *in accordance with a permit issued under Clause 52.06-3; or*
- *in accordance with a financial contribution requirement specified in a schedule to the Parking Overlay."*

The subject lots are not located within a Parking Overlay. The schedule at Clause 52.06-5 states that 2.9 spaces are required per 100m² of the net floor area.

The proposed development will increase the floor area by approximately 600m². This would result in an increase in the requirement for car parking on site of 18 spaces. Clause 52.06-3 states that where the required spaces are not being provided as part of the proposed development a planning permit is required for a reduction in the number of spaces.

The applicant has stated in their application that while the floor area is being increased the increase in capacity on the site will only result in an increase of 2 staff members. The applicant put forward that there is already enough car parking to provide for both existing staff and new staff members.

It should be noted however that the applicant counts 17 spaces along McDonald Street as part of their car parking provision. They have suggested that any requirements for disabled parking should be provided in this area. This is a Moira Shire road and while GrainCorp's staff and visitors can use them they are not exclusively for the use of GrainCorp. Accordingly a condition will set out that disabled parking must be provided on GrainCorp's own property.

It is noted that condition 4 of Planning Permit 5/2015/299 required a traffic, car parking and bicycle parking management plan be prepared. It is considered that this will need to be adapted or replaced to cater for the proposed development as the new extraction plant encroaches into an area previously set aside for parking. A condition requiring a new car parking layout will be set out. Further conditions will require that the car parking spaces are constructed and maintained.

Given the small increase in staffing that will result from the proposed development it is considered appropriate that the car parking required be reduced to 2 spaces. These will be incorporated into the new car parking layout and constructed on GrainCorp's lands.

Clause 52.07 *Loading and Unloading* states that no building may be constructed for the manufacture of goods unless *space is provided on the land for loading and unloading vehicles*". The proposed development is associated with a large factory facility where there is ample space and provision for the loading and unloading of vehicles.

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Clause 52.10 *Uses with Adverse Amenity Potential* indicates the industries that if not properly designed may cause offence or unacceptable risk to the local neighbourhood. The production of vegetable oils and fats using solvents is one of the uses listed. Accordingly the application was referred to the EPA for comment. The threshold distance, being 300m, was used as the radius for the advertising letter drop.

The decision guidelines of Clause 65

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

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

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

Other relevant adopted State policies/strategies – (e.g. Melbourne 2030.)

Nil

Relevant Planning Scheme amendments

The Planning Department is currently advancing the *C36 Heritage Overlay Amendment*. The amendment proposes to include a number of other places of significance in Numurkah including the Butter Factory element of the GrainCorp site, fronting onto McDonald Street and the grain silos along the western boundary.

The Amendment is currently on Exhibition and is expected to be gazetted in 2016.

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9. Environmental Impact

The proposed development is considered to be sustainable subject to compliance with the conditions recommended.

The application was referred externally to the Environmental Protection Agency who has set out conditions.

10. Conflict of Interest Considerations

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

11. Conclusion

The subject lot is located within the Industrial 1 Zone, in Numurkah. A planning permit is required for buildings and works under the zone provisions. A permit is also triggered under the Land Subject to Inundation Overlay (LSIO). The permit is also required for a reduction in car parking requirements.

The purpose of the Industrial 1 Zone (IN1Z) is to:

"To provide for manufacturing industry, the storage and distribution of goods and associated uses in a manner which does not affect the safety and amenity of local communities."

The proposed development accords with this purpose. Further it accords with the decision guidelines of both the IN1Z and the LSIO.

The application also accords with State and Local level policies, relevant provisions of the planning scheme, incorporated documents and with proposed planning scheme amendments.

It is considered that the proposed development will produce an acceptable planning outcome and will be of economic benefit to Numurkah and therefore it is recommended that Council approve the issue of a Notice of Decision to Grant a Permit subject to conditions.

Attachments

- 1 Objection A - Local Residents
- 2 Objection B - Local Business
- 3 Residents' Reply to Applicant's Response
- 4 Response to objections

RECOMMENDATION

That Council approve the issue of a Notice of Decision to Grant a Permit for Planning Application No. 52015122 for the use and development of Crown Allotment 2016,

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Township of Numurkah, Parish of Katunga, Crown Allotments 1, 2, 3 & 4, Section 10, Township of Numurkah, Parish of Katunga, Crown Allotments 8A & 8B, Section 11, Township of Numurkah, Parish of Katunga, Crown Allotment 1, Section 11A, Township of Numurkah, Parish of Katunga, Crown Allotment 2007, Township of Numurkah, Parish of Katunga and PC 368898 also known as 46-50 McDonald Street, Numurkah, for buildings and works – alteration to process including extraction plan and ancillary changes and a reduction in the number of car parking spaces required at 46-50 McDonald Street, Numurkah, subject to the following conditions:

1. Before the development starts, 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 show:
 - (a) Car parking bays as required by Condition 5
 - (b) Location of secure bicycle parking as required by Condition 7
 - (c) Stormwater drainage masterplan (in accordance with Condition 19).
2. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
3. In addition to the recommendations of the Traffic Impact Assessment Report endorsed as part of this permit the recommendations of the Traffic Impact Assessment Report endorsed under Permit 5/2015/299 form part of this permit.
4. The recommendations of the Traffic Impact Assessment endorsed under Permit 5/2015/299 and the Traffic Impact Assessment endorsed under this permit must be implemented prior to commencement.
5. No fewer than (25) car spaces must be provided on the land for the use and development, including (2) spaces (complying with the accessibility requirements of AS/NZS 2890.6) clearly marked for use by disabled persons.
6. Before the development starts car parking plan, to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. Once the plan is approved it must be implemented within 12 months. Three copies of the plan must be submitted. The plan must include plan of all car parking bays on GrainCorp's property with a total of 25 parking spaces, incorporating a minimum of:
 - (a) 18 staff parking bays,
 - (b) 5 visitor parking bays, and
 - (c) 2 disabled car parking bays.
7. No fewer than (7) secure bicycle parking spaces must be provided on the land for the use and development.
8. 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

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- (b) properly formed to such levels that they can be used in accordance with the plans
 - (c) surfaced with an all-weather-sealed 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.
9. A satisfactory landscape plan for the car parking area required by condition 5 must be submitted to and approved by the Responsible Authority. An endorsed copy of the plan must form part of this permit. The submitted plan must:
- (a) Include a survey of existing vegetation and landscaped area for the whole of the subject land.
 - (b) Include a plan of all proposed trees, shrubs, and ground cover, which will include the location, number and maturity of all plants and the botanical names of such plants. All trees, shrubs and plants to be local native in origin.
 - (c) the method of preparing, draining, watering and maintaining the landscaped area.
 - (d) the weed management program.
10. 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.
11. 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.*
12. The entrance to the main staff car park be sealed (or concreted) between the edge of seal in McDonald Street and the property line.
13. Employee parking at locations external to the plant should be discouraged with signing and physical means employed (bollards or barriers) to prevent parking between the street trees along McDonald Street.
14. The loading and unloading of goods from vehicles must only be carried out on the land (within designated loading bays / and must not disrupt the circulation and parking of vehicles on the land).
15. Before any of the works allowed by this permit can be started, a properly prepared drainage masterplan, including computations, for all of the developers land holding must be submitted to and approved by the Responsible Authority. The stormwater drainage system for the development must incorporate measures to enhance stormwater discharge quality from the site and protect downstream waterways.

The plan must give details of how the works on the land are to be drained to a legal

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point of discharge and retarded to the existing discharge rates for a 1 in 10 year ARI storm. An endorsed copy of the plan and computations will form part of this permit.

16. Before the development starts, a schedule of construction materials, external finishes and colours 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.
17. The development must be managed so that the amenity of the area is not detrimentally affected, through the:
 - (a) transport of materials, goods or commodities to or from the land,
 - (b) appearance of any building, works or materials,
 - (c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, and
 - (d) presence of vermin.
18. All roads and vacant areas must be maintained to avoid dust nuisance to the satisfaction of the Responsible Authority.
19. This permit will expire if one of the following circumstances applies:
 - The development and use is/are not started within two years of the date of this permit.
 - 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..

GMW Condition

20. The finished floor levels of all new buildings must be constructed at least 300 millimetres above the 100-year ARI flood level of 107.8 metres AHD, i.e. 108.1 metres AHD, or higher level deemed necessary by the responsible authority.

GVW Conditions

21. Discharge of trade waste from the development shall be subject to a Trade Waste 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.
22. The applicant shall be required to comply with the Corporation's policy for Structures Over Corporation Works' and the requirements of Section 148 of the Water Act 1989. It is recommended that the applicant contact the Corporation's Development Division to discuss sighting options to avoid the Corporation's existing sewerage assets.

EPA Conditions

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23. The proponent must apply for and be issued with a works approval from the Environment Protection Authority with respect to works which would trigger a works approval under S. 19A of the Environment Protection Act 1970, associated with scheduled activity D08 (edible oils) as defined in the Environment Protection (Scheduled Premises and Exemptions) Regulations 2007, prior to any works beginning.
24. Offensive odours must not be discharged beyond the boundaries of the premises.
25. Nuisance dust must not be discharged beyond the boundaries of the premises.
26. Noise emitted from the premises must not exceed the recommended levels as set out in Noise from Industry in Regional Victoria (NIRV; EPA Publication 1411, 2011) or as amended.
27. Noise attenuation measures must be installed to ensure that sensitive receptors are not negatively impacted, where deemed necessary by the referral authority.
28. Stormwater contaminated with waste oil, grease, chemicals, leachate and/or sediments, must not be discharged beyond the boundary of the premises.
29. Construction and post-construction activities must be in accordance with EPA Publication 275 Construction Techniques for Sediment Pollution Control 1991, or as amended.

VicTrack Conditions

30. No entry onto railway land is permitted without the written consent of the rail operator and the common boundary with VicTrack land must be fenced at the owner's expense to prohibit access to the rail corridor.
31. Plant and tree species must be of the type that will not cause any future overhang onto VicTrack land or disturbance of railway operations.
32. No lighting is to be erected (permanent or temporary) that spills light onto the railway tracks or which interferes with the visibility of signals and rail lines by train drivers.

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 undertaking of works planned within the Road Reserve.

FILE NO: 52015122
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.2
(TOWN PLANNER, MARTINA FOLEY)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

**52015122 - BUILDINGS AND WORKS: ALTERATIONS TO PROCESS
INCLUDING EXTRACTION PLANT AND ANCILLARY CHANGES AND A
REDUCTION IN THE NUMBER OF CAR PARKING SPACES REQUIRED AT
46-50 MCDONALD STREET, NUMURKAH (cont'd)**

MOTION

CRS PETER MANSFIELD / KEVIN BOURKE

1. That Council approve the issue of a Notice of Decision to Grant a Permit for Planning Application No. 52015122 for the use and development of Crown Allotment 2016, Township of Numurkah, Parish of Katunga, Crown Allotments 1, 2, 3 & 4, Section 10, Township of Numurkah, Parish of Katunga, Crown Allotments 8A & 8B, Section 11, Township of Numurkah, Parish of Katunga, Crown Allotment 1, Section 11A, Township of Numurkah, Parish of Katunga, Crown Allotment 2007, Township of Numurkah, Parish of Katunga and PC 368898 also known as 46-50 McDonald Street, Numurkah, for buildings and works – alteration to process including extraction plan and ancillary changes and a reduction in the number of car parking spaces required at 46-50 McDonald Street, Numurkah, subject to the following conditions:
 1. Before the development starts, 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 show:
 - (a) Car parking bays as required by Condition 5
 - (b) Location of secure bicycle parking as required by Condition 7
 - (c) Stormwater drainage masterplan (in accordance with Condition 19).
 2. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
 3. In addition to the recommendations of the Traffic Impact Assessment Report endorsed as part of this permit the recommendations of the Traffic Impact Assessment Report endorsed under Permit 5/2015/299 form part of this permit.
 4. The recommendations of the Traffic Impact Assessment endorsed under Permit 5/2015/299 and the Traffic Impact Assessment endorsed under this permit must be implemented prior to commencement.
 5. No fewer than (25) car spaces must be provided on the land for the use and development, including (2) spaces (complying with the accessibility requirements of AS/NZS 2890.6) clearly marked for use by disabled persons.
 6. Before the development starts car parking plan, to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. Once the plan is approved it must be implemented within 12 months. Three copies of the plan must be submitted. The plan must include plan of all car parking bays on GrainCorp's property with a total of 25 parking spaces, incorporating a minimum of:
 - (a) 18 staff parking bays,
 - (b) 5 visitor parking bays, and
 - (c) 2 disabled car parking bays.

FILE NO: 52015122
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.2
(TOWN PLANNER, MARTINA FOLEY)
(GENERAL MANAGER
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46-50 MCDONALD STREET, NUMURKAH (cont'd)**

7. No fewer than (7) secure bicycle parking spaces must be provided on the land for the use and development.
8. 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-sealed 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.
9. A satisfactory landscape plan for the car parking area required by condition 5 must be submitted to and approved by the Responsible Authority. An endorsed copy of the plan must form part of this permit. The submitted plan must:
 - (a) Include a survey of existing vegetation and landscaped area for the whole of the subject land.
 - (b) Include a plan of all proposed trees, shrubs, and ground cover, which will include the location, number and maturity of all plants and the botanical names of such plants. All trees, shrubs and plants to be local native in origin.
 - (c) the method of preparing, draining, watering and maintaining the landscaped area.
 - (d) the weed management program.
10. 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.
11. 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.*
12. The entrance to the main staff car park be sealed (or concreted) between the edge of seal in McDonald Street and the property line.
13. Employee parking at locations external to the plant should be discouraged with signing and physical means employed (bollards or barriers) to prevent parking between the street trees along McDonald Street.
14. The loading and unloading of goods from vehicles must only be carried out on the land (within designated loading bays / and must not disrupt the circulation and parking of vehicles on the land).

FILE NO: 52015122
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.2
(TOWN PLANNER, MARTINA FOLEY)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

**52015122 - BUILDINGS AND WORKS: ALTERATIONS TO PROCESS
INCLUDING EXTRACTION PLANT AND ANCILLARY CHANGES AND A
REDUCTION IN THE NUMBER OF CAR PARKING SPACES REQUIRED AT
46-50 MCDONALD STREET, NUMURKAH (cont'd)**

15. Before any of the works allowed by this permit can be started, a properly prepared drainage masterplan, including computations, for all of the developers land holding must be submitted to and approved by the Responsible Authority. The stormwater drainage system for the development must incorporate measures to enhance stormwater discharge quality from the site and protect downstream waterways.

The plan must give details of how the works on the land are to be drained to a legal point of discharge and retarded to the existing discharge rates for a 1 in 10 year ARI storm. An endorsed copy of the plan and computations will form part of this permit.

16. Before the development starts, a schedule of construction materials, external finishes and colours 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.
17. The development must be managed so that the amenity of the area is not detrimentally affected, through the:
- (a) transport of materials, goods or commodities to or from the land,
 - (b) appearance of any building, works or materials,
 - (c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, and
 - (d) presence of vermin.
18. All roads and vacant areas must be maintained to avoid dust nuisance to the satisfaction of the Responsible Authority.
19. This permit will expire if one of the following circumstances applies:
- The development and use is/are not started within two years of the date of this permit.
 - 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..

GMW Condition

20. The finished floor levels of all new buildings must be constructed at least 300 millimetres above the 100-year ARI flood level of 107.8 metres AHD, i.e. 108.1 metres AHD, or higher level deemed necessary by the responsible authority.

GVW Conditions

21. Discharge of trade waste from the development shall be subject to a Trade Waste 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.

FILE NO: 52015122
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.2
(TOWN PLANNER, MARTINA FOLEY)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

**52015122 - BUILDINGS AND WORKS: ALTERATIONS TO PROCESS
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REDUCTION IN THE NUMBER OF CAR PARKING SPACES REQUIRED AT
46-50 MCDONALD STREET, NUMURKAH (cont'd)**

22. The applicant shall be required to comply with the Corporation's policy for Structures Over Corporation Works' and the requirements of Section 148 of the Water Act 1989. It is recommended that the applicant contact the Corporation's Development Division to discuss sighting options to avoid the Corporation's existing sewerage assets.

EPA Conditions

23. The proponent must apply for and be issued with a works approval from the Environment Protection Authority with respect to works which would trigger a works approval under S. 19A of the Environment Protection Act 1970, associated with scheduled activity D08 (edible oils) as defined in the Environment Protection (Scheduled Premises and Exemptions) Regulations 2007, prior to any works beginning.
24. Offensive odours must not be discharged beyond the boundaries of the premises.
25. Nuisance dust must not be discharged beyond the boundaries of the premises.
26. Noise emitted from the premises must not exceed the recommended levels as set out in Noise from Industry in Regional Victoria (NIRV; EPA Publication 1411, 2011) or as amended.
27. Noise attenuation measures must be installed to ensure that sensitive receptors are not negatively impacted, where deemed necessary by the referral authority.
28. Stormwater contaminated with waste oil, grease, chemicals, leachate and/or sediments, must not be discharged beyond the boundary of the premises.
29. Construction and post-construction activities must be in accordance with EPA Publication 275 Construction Techniques for Sediment Pollution Control 1991, or as amended.

VicTrack Conditions

30. No entry onto railway land is permitted without the written consent of the rail operator and the common boundary with VicTrack land must be fenced at the owner's expense to prohibit access to the rail corridor.
31. Plant and tree species must be of the type that will not cause any future overhang onto VicTrack land or disturbance of railway operations.
32. No lighting is to be erected (permanent or temporary) that spills light onto the railway tracks or which interferes with the visibility of signals and rail lines by train drivers.

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

FILE NO: 52015122
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.2
(TOWN PLANNER, MARTINA FOLEY)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

**52015122 - BUILDINGS AND WORKS: ALTERATIONS TO PROCESS
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46-50 MCDONALD STREET, NUMURKAH (cont'd)**

appropriate building approval.

A Consent to Work Within Road Reserve Permit must be obtained from the Responsible Authority prior to the undertaking of works planned within the Road Reserve.

2. That Graincorp hold a public information session to explain the proposed works to Numurkah residents.

(CARRIED)

FILE NO: 52015122
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.2
(TOWN PLANNER, MARTINA FOLEY)
(GENERAL MANAGER
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**52015122 - BUILDINGS AND WORKS: ALTERATIONS TO PROCESS
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46-50 MCDONALD STREET, NUMURKAH (cont'd)**

ATTACHMENT No [1] - Objection A - Local Residents

Martina Foley

From: [REDACTED]
Sent: Wednesday, 10 June 2015 1:12 PM
To: Records/Webmaster
Subject: To Martina Foley. RE: Application for Planning Permit No: 5/2015/122.

Dear Martina,

We received notice of the application for a planning permit for buildings and works for the GrainCorp Oilseed factory, Numurkah, by mail dated 25 May 2015.

We would like to communicate with you, our concerns regarding the works proposed.

Firstly, while we acknowledge that noise and dust emissions will temporarily increase during construction, we are concerned that noise and dust will continue to be higher than current rates after works have ceased. The increase of truck activity by an additional 29 trucks per day, over an unsealed truck entrance/parking area will naturally heighten noise levels and dust emissions, thus impacting upon nearby residents. We also need to know, what time of day the trucks will be moving in and out of the plant, and that night time will be excluded. Secondly, we are extremely concerned about the instalment of 2 Vertical Hexane storage tanks on the site, we would like to be informed of GrainCorp's existing safety procedures regarding the use and storage of Hexane on their plant, and how procedure will be upgraded, regarding any emissions of Hexane Gasses into the air, that may affect the health of residents surrounding the plant. Given that Hexane is a highly hazardous and dangerous air-pollutant, that can cause numerous short, and long term health issues, you can understand our concerns.

We thank you for the opportunity to lodge our concerns and objections, and trust all our concerns will be acknowledged, and acted upon prior to the commencement of the proposed building works at GrainCorp Numurkah.

Yours Faithfully,

[REDACTED]

Sent from Windows Mail

FILE NO: 52015122
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.2
(TOWN PLANNER, MARTINA FOLEY)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

**52015122 - BUILDINGS AND WORKS: ALTERATIONS TO PROCESS
INCLUDING EXTRACTION PLANT AND ANCILLARY CHANGES AND A
REDUCTION IN THE NUMBER OF CAR PARKING SPACES REQUIRED AT
46-50 MCDONALD STREET, NUMURKAH (cont'd)**

ATTACHMENT No [1] - Objection A - Local Residents

RESIDENTS CONCERNS, RE: APPLICATION FOR PLANNING PERMIT
NO: 5/2015/122 29/6/15

ADDITIONAL HEXANE STORAGE: The residents require written information on the following points:

- 1: Current SAFETY MEASURES in place to detect Hexane residue, either airborne, or in finished product.
- 2: As Hexane will be stored above ground under this application, how will SAFETY PROCEDURE AND POLICY be upgraded?
- 3: Type of storage tanks to be used for HEXANE, and SAFETY FEATURES of the tanks.
- 4: SAFETY PROCEDURES relating to the unloading of HEXANE from truck to tank.

FILTRATION SYSTEM :(written response required)

- 1: Do current SAFETY PROCEDURES include testing of steam omitted from the Biofilter system, and the composition of the steam omitted.
- 2: A copy of the report of the capability of the biofilter system to handle any increase in capacity.

TRUCK VOLUME AND TIMES: (written response required)

Under the heading 4.7 TRAFFIC MANAGEMENT, IS 4.4.3 Dust: Existing and proposed operations on site do not create dust. The residents disagree with this, as in winter great pools of water lay at the entrance of the truck parking area which over the space of daily operations creates a mud base to form over the top of the light stone screenings that is the only surface of the whole truck entrance/ parking area. This mud is surely dragged through the whole plant on the wet tyres of the trucks, once the mud dries, it leaves dust that is picked up by the Houghton fans fitted to the trucks engines, and carried through the air.

In summer the dust is picked up by the trucks as soon as they leave the bitumen road and enter GrainCorp. Given the 48% increase in truck movement, this will only add to the mud, dust and noise the residents will have to endure.

Residents also request a timetable or format on truck movements in and around the Graincorp site, as soon as this information is available.

Regards :

FILE NO: 52015122
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.2
(TOWN PLANNER, MARTINA FOLEY)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

**52015122 - BUILDINGS AND WORKS: ALTERATIONS TO PROCESS
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46-50 MCDONALD STREET, NUMURKAH (cont'd)**

ATTACHMENT No [2] - Objection B - Local Business

Martina Foley

From: [REDACTED]
Sent: Monday, 8 June 2015 11:20 AM
To: Martina Foley
Subject: RE: Robyn Coonan

We are objecting to planning permit 5/2015/122
On the bases of the up keep of Station street with extra vehicle travelling on it

[REDACTED]

FILE NO: 52015122
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.2
(TOWN PLANNER, MARTINA FOLEY)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

**52015122 - BUILDINGS AND WORKS: ALTERATIONS TO PROCESS
INCLUDING EXTRACTION PLANT AND ANCILLARY CHANGES AND A
REDUCTION IN THE NUMBER OF CAR PARKING SPACES REQUIRED AT
46-50 MCDONALD STREET, NUMURKAH (cont'd)**

ATTACHMENT No [3] - Residents' Reply to Applicant's Response

Martina Foley

From: [REDACTED]
Sent: Wednesday, 29 July 2015 10:53 AM
To: Martina Foley
Subject: Response to applicants letter.

G'day Martina,
The objectors have had a discussion with all concerned residents on the western side of GrainCorp, in regards to the applicants letter of response to our concerns.
All present agree that BECAs letter does not answer any of our requests, and has left us confused, as we have no concerns with Station st, as it was not mentioned in our letter .
We feel our letter of objection is quite clear, and we don't feel a meeting with the applicant is warranted at this stage.
Thankyou, [REDACTED]
Sent from: Windows Mail

FILE NO: 52015122
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.2
(TOWN PLANNER, MARTINA FOLEY)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

**52015122 - BUILDINGS AND WORKS: ALTERATIONS TO PROCESS
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46-50 MCDONALD STREET, NUMURKAH (cont'd)**

ATTACHMENT No [4] - Response to objections



16th July 2015

Moirā Shire Council
PO Box 578
Cobram VIC 3643

Attention: Martina Foley, Senior Planner

Re: GrainCorp Oilseeds Pty Ltd ("GrainCorp Oilseeds") - Development Application
5/2015/122

Dear Ms Foley

Beca acts on behalf of GrainCorp Oils in relation to the above application.

We understand that through the notification process a total of two objections have been received from nearby residents / businesses.

In regards to these objections we understand that the nature of the concerns can be summarised as follows:

1. The impact of increased truck traffic on the condition of Station Street
2. Noise and amenity impacts on nearby residential areas as a result of increased traffic
3. Storage conditions and safe management of new Hexane tanks
4. Safety performance of the Biofilter

In regards to the above issues/concerns we would advise the Council of the following/:

Item 1 – Impacts on truck / traffic on Station Street

Station Street is a Council managed road which GrainCorp utilises for access to its site. In particular the southern end of the site next to the Bunker.

In reference to the condition of Station Street itself GrainCorp instructs its drivers to take care using this road. GrainCorp is not responsible the management or upkeep of the road so can only instruct its drivers to ensure care is taken when using it and to avoid taking any risks when traveling along it or turning on or from it.

Our understanding is that Council remains responsible for its upkeep and that GrainCorp will readily assist Council in any assessment of traffic using it if the condition of the street were to change for any reason.

Item 2 – Noise/amenity impacts from increased vehicles

Our understanding from the issues raised is that the primary issue here is the potential adverse impacts created when vehicles access the area to the south of the site. This

as a condition of approval, the applicant is required to provide a copy of the approved design

FILE NO: 10481
1. ENVIRONMENT

ITEM NO: 9.2.3
(ENVIRONMENT SERVICES TECHNICAL
OFFICER, JACKSON TENNANT)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

COBRAM BAROOGA REGIONAL FRUIT FLY ACTION PLAN 2015-2016
(cont'd)

ATTACHMENT No [1] - Cobram Barooga Regional Fruit Fly Action Plan 2015-2016

1. Executive Summary

The horticultural industry in the Cobram region is highly valued for its contribution to the jobs sector and local economy. In recent times, however, the establishment of Queensland fruit fly (QFF) has caused lower yields and threatened the viability of this industry. QFF is now endemic in this region.

In view of these circumstances, in July 2015 a QFF forum was held by the Department of Economic Development, Jobs, Transport and Resources (DEDJTR) in Attwood, Victoria. As a result, a statewide action plan is to be released in October of this year detailing the roles and responsibilities of relevant stakeholders.

For the local industry this release date is considered too late to commence planning for the 2015/2016 horticultural season. As such, a meeting was held between the Cobram District Fruit Growers Association (CDFGA) and Council to discuss the potential for locally driven action for this coming season.

This report provides background and context to the QFF issue in Moira Shire and seeks endorsement for a local action plan. The Cobram Barooga Region Fruit Fly Action Plan (the Local Action Plan) brings together industry, the Community and Council in an effort to manage QFF populations for the upcoming 2015/2016 season.

2. Background and Options

Horticulture within the Cobram region is highly valued for its contribution towards both the local economy and employment sector. Fruit and vegetable growing employs 344 people within the district. More than 87,000 tonnes of fruit and vegetables is produced every year. This sector generates \$90 million per annum, \$25 million in local expenditure and \$34 million in value added activity.

The viability of this industry, however, has been threatened in recent years due to an outbreak of QFF. Since 2012 QFF populations have established and become endemic throughout northern Victoria and in particular, Cobram. QFF is thought to have moved further south during the breaking of the drought which brought hotter, wetter conditions to northern Victoria. These climatic conditions also coincided with possible species evolution and the suspension of dimethoate which is a chemical used to control QFF.

In view of these circumstances, a QFF forum was facilitated by the Department of Economic Development, Jobs, Transport and Resources (DEDJTR) in Attwood, Vic on the 1st of July 2015. The purpose of the forum was to combine the ideas and opinions of all relevant stakeholders and formalize it into an action plan.

In attendance at the meeting in Attwood were:

- Victorian Minister for Agriculture Jaala Pulford;
- industry representatives from various regions of Victoria including CDFGA;
- agribusinesses including Cobrams IK Caldwell;
- local government representatives including from Moira, Mildura, Loddon and Swan Hill;

FILE NO: 10481
1. ENVIRONMENT

ITEM NO: 9.2.3
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OFFICER, JACKSON TENNANT)
(GENERAL MANAGER
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COBRAM BAROOGA REGIONAL FRUIT FLY ACTION PLAN 2015-2016
(cont'd)

ATTACHMENT No [1] - Cobram Barooga Regional Fruit Fly Action Plan 2015-2016

- State and Federal Government representatives with expertise in entomology, research and development, trade and policy.

The forum consisted of a number of discussions regarding national, state and industry perspectives as well as a facilitated workshop. The workshop involved a group brainstorming session to understand what success looks like and what is needed to get there. This session proved successful with feedback from all stakeholders assigned to a relevant action area. To close the day the roles and responsibilities of industry, community, and all levels of government were discussed with regards to QFF management. DEDJTR officers are currently compiling all of this information into an action plan which is to be released in October this year.

Although the forum was very productive and will provide a good framework for future QFF management, the October release date is considered too late to commence planning for successful management for the upcoming fruit season.

Following the statewide QFF meeting, MSC Officers, the CDFGA and other industry representatives held a meeting on Thursday 23rd July in Cobram. From the discussions held at this meeting a proposed Local Action Plan was developed. At this meeting it was clear that the most suitable approach to dealing with QFF is from an industry perspective. Berrigan Shire Council has been active in supporting their communities to manage fruit fly for a number of years. They have participated fully in the recent discussions about a Local Action Plan.

The Local Action Plan for the 2015/16 fruit growing season contains priorities, strategies and task groups (Attachment 1: Cobram Barooga Region Fruit fly Action Plan 2015-16). The priorities include Community Education, Control/Monitoring, Abandoned Orchards, Street Fruit Trees, and the Statewide Action Plan. The strategies describe individual activities that will aid in the successful implementation of a given priority and the task groups' subheading identifies the key players in each strategy.

Community Education involves a media campaign, community events and signage on the three major roadways into Cobram. This priority aims to educate the residents of Moira Shire about the value of horticulture to the region, life cycles and host plants for QFF and management options. Task groups involved will be the CDFGA, local government, industry, DEDJTR and the community.

Control/Monitoring involves a large scale trapping and monitoring program in the Cobram and Barooga Townships. The aim is to reduce the population of QFF and importantly understand the size and behavior of QFF populations.

There are two methods of control/ monitoring proposed:

1. Protein baits attract and kill female QFF are suitable for monitoring populations; and
2. Amulets which release a pheromone to attract male QFFs as well as an insecticide which kills the males on contact. These are effective in killing QFFs however are not a way of monitoring populations.

Based on a pilot trapping program in 2012, the CDFGA recommend that traps be subsidized rather than given out for free to eliminate complacency and high expectations

FILE NO: 10481
1. ENVIRONMENT

ITEM NO: 9.2.3
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COBRAM BAROOGA REGIONAL FRUIT FLY ACTION PLAN 2015-2016
(cont'd)

ATTACHMENT No [1] - Cobram Barooga Regional Fruit Fly Action Plan 2015-2016

among residents. This priority will be led by the CDFGA with support from local government, industry and the community.

Abandoned Orchards have been identified as a significant threat to horticulture within the region. The aim is to work with industry to identify orchards that have been abandoned and lobby for their removal. This priority involves MSC working with the CDFGA to lobby DEDJTR to act in relation to these abandoned orchards.

Street Fruit Trees that may be hosts to QFF are present throughout some of the older areas of the Cobram Township. Regardless of if they are actually harboring QFF they are certainly perceived to by some community members and therefore should be considered for alternative management or replacement. Specific targets are the *Prunus* trees in Cobram. A replacement plan has been identified as a way to gain the support of the community and commence a proactive pest management culture within Cobram and Barooga. This priority will require involvement from MSC and Berrigan Shire Council (BSC) as well as the community.

The Statewide Action Plan is yet to be released however this will be relevant to everyone within the region for future management of QFF. The release of the Statewide Action Plan will provide information on the future roles and responsibilities of all stakeholders involved in fruit fly management as well as give an indication of the resources that may be available to support action.

The Local Action Plan aims to educate the residents of Moira Shire on the roles and responsibilities of everyone, the importance of horticulture within the region and QFF identification and management.

3. Financial Implications

The Local Action Plan has been developed in consultation with the Berrigan Shire and CDFGA. The estimated cost for this program is \$43,250 with a budget breakdown as follows:

Income

Moira Shire Council	\$20,000
Berrigan Shire Council	\$10,000
Cobram District Fruit Growers Association	\$ 5,000
Sales of subsidised amulets	\$ 8,250
Total	<u>\$43,250</u>

Expenditure

Traps and monitoring	\$15,500
Brochure	\$ 2,500
Community forums (6)	\$ 2,000
You Tube Videos (reusable)	\$ 2,500
Social media	\$ nil
Media/ Community Education program	\$ 15,750
Signage on prominent farms entry points to shires (reusable)	\$ 5,000
Total	<u>\$43,250</u>

FILE NO: 10481
1. ENVIRONMENT

ITEM NO: 9.2.3
(ENVIRONMENT SERVICES TECHNICAL
OFFICER, JACKSON TENNANT)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

COBRAM BAROOGA REGIONAL FRUIT FLY ACTION PLAN 2015-2016
(cont'd)

ATTACHMENT No [1] - Cobram Barooga Regional Fruit Fly Action Plan 2015-2016

Note: it is likely that MSC will contribute a significant amount of in-kind support to this program. This will be through officer time to work with industry and the community in delivering the Local Action Plan. Using the Swan Hill Rural City response as a guide it is reasonable to assume that implementation of the Local Action Plan may equate to a 0.2 EFT or ~ \$15,000 additional support from MSC.

This program was not included as part of the Moira Shire Council 2015/2016 budget. Therefore any commitment to this program will need to be funded through the September review.

4. Risk Management

The Local Action Plan is proposed as a one year program after which time the State Government Action Plan will be in place. There is a risk of the community expecting this one year program to become ongoing and for council to continue to resource it if the State Government decides not to.

Additionally, there is the risk that residents outside of the Cobram Township are disgruntled by not receiving the same level of service regarding QFF management. The Local Action Plans primary purpose is to support the significant horticultural industry in Moira Shire; this industry is concentrated around Cobram. Therefore in an effort to contain the cost of the program the Local Action Plan focuses on the Cobram region. Information made available through the community education priority will be available to all residents of the Moira Shire and QFF traps are readily available for purchase at outdoor supply stores.

The overall risk associated with QFF in Moira Shire will be lessened as a result of implementing the Local Action Plan.

5. Internal and External Consultation

MSC has consulted directly with local and state governments, industry and the community in order to gain information and understand the needs of everyone involved. Berrigan Shire Council, in particular, will provide a valuable contribution and allow this project the best chance of success.

6. Regional Context

MSC has been involved in the development of the Statewide action plan and will continue to work with neighbouring councils both in Victoria and NSW and industry.

The QFF issue was discussed at the Murray River Group of Councils (MRGoC) on the 6 August 2016. This issue is considered a priority for all members and therefore a MRGoC Action Plan is currently in preparation. That document is compatible with the Local Action Plan this report presents for endorsement.

As a direct result of the August meeting the MRGoC committed to;

- develop a working group to finalise the MRGoC QFF Action Plan;
- implement the MRGoC QFF Action Plan;
- lobby for financial assistance; and
- lobby for industry and stakeholder support.

FILE NO: 10481
1. ENVIRONMENT

ITEM NO: 9.2.3
(ENVIRONMENT SERVICES TECHNICAL
OFFICER, JACKSON TENNANT)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

COBRAM BAROOGA REGIONAL FRUIT FLY ACTION PLAN 2015-2016
(cont'd)

ATTACHMENT No [1] - Cobram Barooga Regional Fruit Fly Action Plan 2015-2016

Council officers have also been working with members of the Goulburn Valley Fruit Fly Task Force which is also looking to respond to this issue.

7. Council Plan Strategy

The Local Action Plan supports the Moira Shire Council Plan through the “*strong regional partnerships*” and “*building on our economic strengths in agriculture, manufacturing and tourism*” strategic goals.

8. Legislative / Policy Implications

Council has no legislative obligations in relation to this matter.

9. Environmental Impact

The Local Action Plan has the goal of reducing QFF populations within the region. This could lead to less fruit being spoiled and therefore a reduction in the amount of fruit that is disposed of. It could also result in fewer chemicals being used which would reduce the risk of contaminated soil and water.

10. Conflict of Interest Considerations

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

11. Conclusion

Horticulture in the Cobram region is highly valued for its contributions towards both the local economy and employment sector providing 344 jobs and \$90 million per annum.

Since QFF established in Northern Victoria, the future of this industry has been threatened. As the State Governments proposed action plan is unlikely to be enacted until 2016 it is recommended that MSC endorse the Cobram Barooga Fruit Fly Action Plan for the 2015/2016 fruit growing season.

Attachments

- 1 Cobram Barooga Regional Fruit Fly Action Plan 2015-2016

RECOMMENDATION

That:

1. Council endorse the Cobram Barooga Region Fruit Fly Action Plan for the 2015/2016 fruit growing season.

MOTION

CRS KEVIN BOURKE / ED COX

That Council endorse the Cobram Barooga Region Fruit Fly Action Plan for the 2015/2016 fruit growing season.

(CARRIED)

FILE NO: 10481
1. ENVIRONMENT

ITEM NO: 9.2.3
(ENVIRONMENT SERVICES TECHNICAL
OFFICER, JACKSON TENNANT)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

COBRAM BAROOGA REGIONAL FRUIT FLY ACTION PLAN 2015-2016
(cont'd)

ATTACHMENT No [1] - Cobram Barooga Regional Fruit Fly Action Plan 2015-2016

Cobram Barooga Region Fruit Fly Action Plan – 2015/2016

Priority	Strategies	Description	Details	Stakeholders	Timeframe	Task groups	Price
1	Establish Committee	Establish a committee who revises and implements the Cobram Barooga Region Fruit Fly Action Plan.	Involve various members from Council, Industry etc. with industry being the face of the committee.	Industry BSC, MSC	August 2015	CDFGA, MSC, Industry	No Cost
2	Community Education	Detail – host plants, FF life cycle, industry facts (\$ value/ export/ employment), management options (chain, natural, tree removal, hygiene), product suppliers and further information sources Message options – 'avoid spoilt fruit', statistics, support local industry, tree management messages	Media release in conjunction with both Councils and the Cobram and District Fruit growers Cooperative opportunity for double page spread in newspapers. Develop Facebook page Called 'QFF Action – Cobram-Barooga & District	Cobram Courier Southern Riverina News Tocumwal Flyer Community Radio Country hour ABC Radio ABC Goulburn Murray Community announcement s through local television stations	28 th August 2 nd or 9 th September July 2015	CDFGA, MSC, BSC, Agronomy, businesses/ industry	\$15,750
	Signage	Signs are placed in strategic positions to draw attention to the QFF issues. Signs would not be permanent and would be reminders to people as the season for QFF was approaching. Signs are to be 1.8 metres by 1.5 metres.	Investigate through Council the possibility of erecting signage in prominent positions to remind people that they have a responsibility to address the QFF issue in their backyard.	MSC, BSC and Community	September 18 th	MSC, BSC	\$5K
	Brochure	A3 folded to DL – pictorial and factual with a mix of DPI information and local content. Current brochure produced by DEDJTR (Victoria) needs to be upgraded to reflect new information	Distribute throughout: • identified towns (mail out) • hardware stores. • Local Agricultural Show Finley, Yarrawonga,	Communities of Yarrawongah, Cobram, Barooga, Koonoomoo, Numurkah, Tocumwal and	1 st September	MSC, BSC, DEDJTR, VPAGA, IK Caldwell	\$2.5K

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COBRAM BAROOGA REGIONAL FRUIT FLY ACTION PLAN 2015-2016
(cont'd)

ATTACHMENT No [1] - Cobram Barooga Regional Fruit Fly Action Plan 2015-2016

Cobram Barooga Region Fruit Fly Action Plan – 2015/2016

	and products.	Berrigan, Numurkah Cobram	Strathmerton IK Caldwell Hardware stores. Cobram Show	Forums to be held week commencing 14 th of September	Local Garden, Clubs, MSC, BSC, CDFGA	\$2K
	Develop Community Forums to help disseminate control information for gardeners.	Develop a calendar of forums and contact speakers	Markets and Shows	TBA	MSC, BSC	\$2,500
	Develop a series of video clips on how to manage QFF in your back yard. Series to be called Mr Browns Garden	Film a series of video clips that will assist the community in gardening to eliminate the effects of QFF	MSC, BSC and Mr Brown			
3	Control	Undertake control strategy – Trapping and Monitoring	Trapping program: Amulets available for subsidised price via CDFGA and community events. Monitoring program: Protein Traps available to fully engaged and trained volunteers who report monitoring results to a centralised site for collation and analysis Feedback from the monitoring program would be posted on Facebook.	Amulets ~\$4.50 each Protein Traps ~\$7.8 each 1 Amulet per household in Cobram- Barooga 60 Protein traps throughout Cobram- Barooga	CDFGA, Cobram community, householders, service clubs, industry, BSC	\$15,500
4	Abandoned Orchards	Identify and lobby for removal	Lobby, in partnership with the industry group for these orchards to be removed	From August 2015	DEDJTR, Industry, MSC	No Cost

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COBRAM BAROOGA REGIONAL FRUIT FLY ACTION PLAN 2015-2016
(cont'd)

ATTACHMENT No [1] - Cobram Barooga Regional Fruit Fly Action Plan 2015-2016

Cobram Barooga Region Fruit Fly Action Plan – 2015/2016

5	Street Fruit Trees	Develop and implement an action plan	Develop an action plan for the short and medium term to manage street trees in the townships of MSC and BSC.	Specific targets are the prunus trees in Cobram. Develop replacement plan using non-host species.	MSC and BSC Environment & Operations Departments	Ongoing	MSC, BSC, Community	No Cost
6	Participate in State Government Action Plan	Input into the long term strategic vision for QFF control in Victoria.	To be determined on release of Action Plan in Oct 2015	Participate as required in activities of the Goulburn and Murray Valleys QFF Taskforce	MSC, BSC	Ongoing	BSC, MSC	Time

List of acronyms

- QFF Queensland Fruit Fly
- MSC Moira Shire Council
- BSC Berrigan Shire Council
- DEDJTR Department of Economic Development, Jobs, Transport and Resources
- CDFGA Cobram and District Fruit Growers Association

Market and Agricultural Show information

Finley Agricultural Show	6 September
Yarrawonga Agricultural Show	3 October
Nathalia Agricultural Show	3 October
Berrigan Agricultural Show	4 October
Nurmarkah Agricultural Show	21 October
Cobram Agricultural Show	24 and 25 October
Finley Farmers Market	1 st Saturday of the month
Nathalia Market	1 st Saturday of the month
Tocumwal Farmers Market	3 rd Saturday of the month
Nurmarkah Lions Broken Creek Market	3 rd Saturday of the month
Yarrawonga Rotary Market	3 rd Sunday of the month
Yarrawonga Farmers Market	4 th Sunday of the month
Cobram Lions Log Cabin market	Last Sunday of the month

FILE NO: F13/457
1. ENVIRONMENT

ITEM NO: 9.2.4
(MANAGER SAFETY AMENITY AND
ENVIROMENT, SALLY RICE)
(MANAGER SAFETY AMENITY AND
ENVIROMENT, SALLY RICE)

GOULBURN BROKEN GREENHOUSE ALLIANCE - MEMORANDUM OF UNDERSTANDING 2015-16, 2016-17

1. Executive Summary

The Goulburn Broken Greenhouse Alliance (GBGA) is a partnership of 8 councils in the Goulburn Broken region and the Goulburn Broken CMA working on regional responses to climate change.

Moira Shire Council has a long history of commitment to the GBGA and is a founding member.

The GBGA was formalised in 2010 under the auspice of the now Goulburn Valley Waste and Resource Recovery Group (GVWRRG) (formally Resource GV). In 2012 Moira Shire committed to a four year membership Memorandum of Understanding (MoU) with the GBGA.

The GVWRRG has been established due to recent changes in State legislation. This has caused the GBGA to review its organizational structure and existing auspice arrangement with GVWRRG.

This review has resulted in updates to the existing GBGA MoU and Rules of Operation, new auspicings arrangements, improved governance and no change to the financial implications for Councils membership to the Alliance.

The attached updated MoU will enable the GBGA to continue to function and remain effective over the next two years, and enable transition to a new structure beyond 2017.

2. Background and Options

The GBGA was established in 2005 to promote and support regional action on climate change. Members are currently the Goulburn Broken Catchment Management Authority and eight municipalities including Benalla Rural City Council, Greater Shepparton City Council, Mansfield Shire Council, Mitchell Shire Council, Moira Shire Council, Murrindindi Shire Council, Strathbogie Shire Council and Campaspe Shire Council.

The seven founding councils and supporting agencies have worked together to establish the GBGA. Such cooperation is typical of the way that environmental management has been approached in the Goulburn Broken catchment for many years and contributes to what makes it a distinct and renowned area of Victoria.

Over the past 5 years (2010-15) the GBGA has developed into a highly effective and well governed organisation which has consistently achieved regional scale action on climate change. Major projects fully or partially delivered:

- Regional Climate Change Adaptation Plan;
- Goulburn Broken Regional Sustainability Training;
- Watts Working Better; and
- Climate Smart Agricultural Development.

Total value of the above projects is over \$5.5 million dollars. When contrasted to the cumulative value of membership contributions of ~\$390,000 of the last 5 years the return to members on every \$1 dollar invested in the GBGA has been \$14.

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**GOULBURN BROKEN GREENHOUSE ALLIANCE - MEMORANDUM OF
UNDERSTANDING 2015-16, 2016-17 (cont'd)**

To date the GBGA has operated as a special committee of the now defunct Resource GV, with executive support from an Executive Officer and corporate oversight from the board of Resource GV. Membership to the GBGA is governed by a 4 year MoU and a set of operational rules. Collectively this arrangement has functioned well and provided appropriate structure and guidance for the GBGA to deliver on its strategic plan.

Changes to the Victorian State legislation, EPA Act 1970, governing the Victorian Waste Groups including the former Resource GV fundamentally changed the operating environment of the state waste groups. For the GBGA this meant that its auspicing body Resource GV ceased to exist.

In response to the winding up of Resource GV and the establishment of its successor the GVWRRG, the GBGA undertook a series of investigations to determine future governance arrangements. The two reports 'Future Directions Paper' of May 2014 and the 'Nolan Report' of October 2014 have both helped define the future direction of the GBGAs governance.

The outcome of these investigations and deliberations at GBGA meetings has determined the response to the above actions and defined a new operating model for the GBGA for the next two years to 2017. This new operating model will provide the necessary frame work for the GBGA to transition away from GVWRRG towards the end of 2017.

Effective from the endorsement date of the updated rules of operation and MoU's the GBGA will operate as a membership based unincorporated association with ongoing auspicing support from the GVWRRG. In line with the recommendations of the Nolan report, State Government advice and directions from the GVWRRG Board the GBGA will also adopt an increased level of independent governance separate from GVWRRG.

The principle change to the governance structure of the GBGA is the creation of a non-executive committee of management (the Alliance Committee). The Alliance Committee will provide high level governance guidance to the GBGA including management of funds, staff, and endorsement of strategic and business plans. Committee members will be elected by the GBGA members from nominations received from individual members.

3. Financial Implications

Moira Shire committed to the original GBGA MoU in 2012 which defined the financial implications. Moira Shires membership contribution is included in the Safety, Amenity and Environment operational budget each year.

There are no changes to Councils financial commitments.

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GOULBURN BROKEN GREENHOUSE ALLIANCE - MEMORANDUM OF UNDERSTANDING 2015-16, 2016-17 (cont'd)

4. Risk Management

The updated memorandum of understanding (MoU) has been reviewed by Shepparton based legal firm Dawes & Vary Riordan.

The operational and governance elements of the MoU have been reviewed against relevant legislation (including EPA Act 1970) and departmental advice.

Recommendations from Dawes & Vary Riordan Legal have been incorporated into the MoU to satisfy risk elements associated with indemnity of members, insurance and roles and responsibilities of the auspicing body.

This legal review was commissioned by the GBGA on behalf of all members as the structure of the MoU and rules are common across all GBGA members.

5. Internal and External Consultation

Extensive consultation has occurred between all GBGA members, GWRRG, Department of Environment Land Water and Planning in the re-writing of the updated MoU.

6. Regional Context

The GBGA is a regional alliance of local governments in the Goulburn Broken Region working in partnership on responses to climate change. Across Victoria there are 7 active Greenhouse Alliance working towards action on climate change. Collectively these Alliances are representative of nearly every local government in the state.

The updated MoU will be ratified by all Alliance members (Goulburn Broken Catchment Management Authority, Benalla Rural City Council, Greater Shepparton City Council, Mansfield Shire Council, Mitchell Shire Council, Moira Shire Council, Murrindindi Shire Council, Strathbogie Shire Council and Campaspe Shire Council).

7. Council Plan Strategy

Maintaining membership with the GBGA directly supports the Moira Shire Council Plan Strategic Goal 1 - Strong Regional Partnerships. The GBGA has been working formally as a regional partnership since 2010. During this time the GBGA has been successful in attracting funding from both state and federal governments to deliver regional action on Climate Change. The partnership approach has also contributed to the professional development of member representatives.

Contribution to the Council Plan Strategic Goal – 2 Improving Moira's Liveability is achieved through the support of Strategic Performance Indicator 9. Engage and empower the community in working towards a sustainable future. Multiple current and past projects delivered by the Alliance have engaged the wider community in the Goulburn Broken region.

Project delivery by the GBGA is additionally supportive of the Council Plan Strategic Goal 3 – Build on our economic strengths in agriculture, manufacturing and tourism. In

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**GOULBURN BROKEN GREENHOUSE ALLIANCE - MEMORANDUM OF
UNDERSTANDING 2015-16, 2016-17 (cont'd)**

particular delivery of the Victorian Government funded Climate Smart Agricultural Development project seeks to actively support the regions agricultural sector to respond to the impacts of climate change.

8. Legislative / Policy Implications

Although there are no direct legislative implications in relation to Council's membership of the GBGA this membership positions and enables council to respond to legislative/policy changes.

The Victorian Government has announced a review of the Victorian Climate Change Act 2010, which is due for completion by December 2015. This review combined with the language of Minister for Environment, Climate Change and Water Lisa Neville, is indicating a renewed focus from the State on climate change in both mitigation and adaptation.

Given this policy stance of the Victorian Government and the potential of an early Federal election, maintaining active GBGA membership will enable Council to leverage maximum benefit from any future legislative/policy changes.

9. Environmental Impact

Endorsing the updated GBGA MoU will enable council to support multiple objectives in Councils Environmental Sustainability Strategy 2012.

10. Conflict of Interest Considerations

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

While not a Conflict of Interest it should be noted that Councils Environment Sustainability Officer is currently seconded 3 days a week to the GBGA as Executive Officer. This arrangement is in place for 2 year period ending in April 2017.

Within Moira Shire Council the Environmental Sustainability Officer is the key contact for GBGA related activities however this is done in collaboration with other members of the Environmental Services Unit and under the direction of the departmental Manager and directorate General Manager.

All members of the Alliance are required to re-endorse the updated MoU. The terms in the attached MoU are the same for all members, with the exception of the Goulburn Broken CMA.

11. Conclusion

Re-endorsement of the updated GBGA MoU will enable the GBGA to continue to function and remain effective over the next two years, and enable transition to a new structure beyond 2017.

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**GOULBURN BROKEN GREENHOUSE ALLIANCE - MEMORANDUM OF
UNDERSTANDING 2015-16, 2016-17 (cont'd)**

Attachments

- 1 Goulburn Broken Greenhouse Alliance - Memorandum of Understanding
- 2 Goulburn Broken Greenhouse Alliance - Rules of Operation

RECOMMENDATION

That Council:

1. Council endorse the updated Memorandum of Understanding between the Goulburn Broken Greenhouse Alliance, Goulburn Valley Waste and Resource Recovery Group and Moira Shire Council; and
2. authorise the CEO to endorse the MoU on behalf of Council.

MOTION

CRS WENDY BUCK / ALEX MONK

That Council:

1. Council endorse the updated Memorandum of Understanding between the Goulburn Broken Greenhouse Alliance, Goulburn Valley Waste and Resource Recovery Group and Moira Shire Council; and
2. authorise the CEO to endorse the MoU on behalf of Council.

(CARRIED)

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**GOULBURN BROKEN GREENHOUSE ALLIANCE - MEMORANDUM OF
UNDERSTANDING 2015-16, 2016-17 (cont'd)**

**ATTACHMENT No [1] - Goulburn Broken Greenhouse Alliance - Memorandum of
Understanding**

**Memorandum of Understanding
Goulburn Broken Greenhouse Alliance**



MEMORANDUM OF UNDERSTANDING dated the day of 2015

BETWEEN

Moira Shire Council ("Member")

and

Goulburn Broken Greenhouse Alliance of 30 Benalla Road, Shepparton, 3630 ("Alliance")

and

Goulburn Valley Waste and Resource Recovery Group of 30 Benalla Road, Shepparton, 3630 ("GVWRR Group")

being the parties to this Memorandum of Understanding (MoU).

1. Introduction

The Goulburn Broken Greenhouse Alliance (The Alliance) was established in 2007 to promote regional action on climate change. Members are currently drawn from the Goulburn Broken Catchment Management Authority and the eight municipalities of Greater Shepparton City Council, Moira Shire Council, Benalla Rural City Council, Strathbogie Shire Council, Mitchell Shire Council, Mansfield Shire Council, Murrindindi Shire Council and Campaspe Shire Council. The Alliance has a skills based committee of management, the Alliance Committee, which acts on behalf of the Alliance.

The Goulburn Valley Waste and Resource Recovery Group (GVWRR Group) is also a member of the Alliance and has agreed to auspice the Alliance. The GVWRR Group will hold the Alliance's funds and applies those funds in accordance with directions received from the Alliance Committee. The Group will also employ an Executive Officer and project officers (as required) on the Alliance's behalf and provides various in-kind contributions to the Alliance's operations.

The Alliance's mission is to raise awareness and capacity of the region to respond to mitigate and adapt to climate change.

Purpose

The purpose of this MoU is to provide a framework for cooperation between the parties in the planning, development and delivery of projects as agreed by the members involved in the Alliance.

Specifically, this MoU has been prepared to establish:

- Members' funding commitment to the Alliance; and

GBGA MoU – Between Moira Shire Council, Goulburn Broken Greenhouse Alliance and Goulburn Valley Waste and Resource Recovery Group

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**GOULBURN BROKEN GREENHOUSE ALLIANCE - MEMORANDUM OF
UNDERSTANDING 2015-16, 2016-17 (cont'd)**

**ATTACHMENT No [1] - Goulburn Broken Greenhouse Alliance - Memorandum of
Understanding**

2

- The roles and responsibilities of members.

2. Key Principles

The key principles of the MoU are as follows:

- The members will work collaboratively to achieve the agreed outcomes;
- The members will monitor the success or otherwise of initiatives entered into as a result of the MoU; and
- The members will work collaboratively to solve problems as they arise.

3. Member Contribution

All Alliance members provide funding to maintain the Alliance's operational functions, as undertaken by the Alliance Executive Officer. The GVVRR Group have received these funds on behalf of all GBGA members, and allocate the funds to the agreed activities of the Alliance.

Member contributions have been agreed at \$0.30 per head of population (with the Goulburn Broken Catchment Management Authority having an individual arrangement). Future contributions will include a 2.5% increase.

Moirā Shire Council's annual member contribution

Year	Contribution Amount
2015/16	\$9,293
2016/17	\$9,523

5. GVVRRG Obligations

GVVRR Group will act as the auspicing member of the Alliance and will:

- a) receive Alliance funds (consisting of member contributions, grants and funds from other sources) and hold Alliance funds in a bank account;
- b) allocate Alliance funds to in accordance with the projects approved by the Alliance Committee;
- c) employ the Alliance Executive Officer and Project Officers as required and manage all Human Resource requirements including payroll;
- d) provide the relevant insurances to cover the activities of the Alliance staff;
- e) pay the Alliance Executive Officer and Project Officers using Alliance funds; and
- f) provide support to the Executive Officer in the resolution of organisational disputes and issues and they may arise.

GBGA MoU – Between Moira Shire Council, Goulburn Broken Greenhouse Alliance and Goulburn Valley Regional Waste Management Group

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**GOULBURN BROKEN GREENHOUSE ALLIANCE - MEMORANDUM OF
UNDERSTANDING 2015-16, 2016-17 (cont'd)**

**ATTACHMENT No [1] - Goulburn Broken Greenhouse Alliance - Memorandum of
Understanding**

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6. Alliance Committee Obligations

The parties authorise the Alliance Committee to:

- a) Appoint and manage the Executive Officer of the Alliance;
- b) Appoint Project Officers as required;
- c) Endorse the Annual Report;
- d) Endorse the Annual Business Plan including detailed Budget;
- e) Endorse the rolling three year Strategic Plan for Alliance member endorsement;
- f) Ensure the Alliance is complying with its legal and financial obligations;
- g) Ensure the Alliance is adequately resourced to meet its obligations;
- h) Appoint and operate Working Groups;
- i) Monitor Alliance performance against the Annual Business Plan including Budget;
- j) Ensure the Alliance is financially solvent at all times;
- k) Seek any information it requires from:
 - Any employee;
 - Internal and external audit; or
 - External parties; and
- l) Obtain outside legal, financial or other professional advice to assist in undertaking its oversight responsibilities.

7. Common Obligations

All members undertake to cooperate with each other in carrying out the work of the Alliance and to use their best endeavors to ensure that work is carried out.

Each of the members agrees to nominate a representative, substitute representative and councillor representative for the Alliance.

The Rules for the operation of the Alliance are attached as Appendix 1.

8. Operational Arrangements

The operation and conduct of the Alliance Executive Officer will be in accordance with the policy the GVVRR Group as amended from time to time.

GBGA MoU – Between Moira Shire Council, Goulburn Broken Greenhouse Alliance and Goulburn Valley Regional Waste Management Group

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**GOULBURN BROKEN GREENHOUSE ALLIANCE - MEMORANDUM OF
UNDERSTANDING 2015-16, 2016-17 (cont'd)**

**ATTACHMENT No [1] - Goulburn Broken Greenhouse Alliance - Memorandum of
Understanding**

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9. Conduct of Members

Members acknowledge that they have a mutual interest in the successful planning, development and delivery of Alliance projects.

10. Sharing of Information

Members will, where reasonably possible, share information relevant to the Alliance with each other. In the normal course of events, the members will work on the assumption that information should be freely exchanged.

11. Confidentiality

Members must keep confidential and not allow, make or cause any disclosure of, or in relation to confidential information to which they have access as members of the Alliance, without the prior written consent of the party which owns the rights to the confidential information. Such consent may be given or withheld, or given with directions, at the owning party's sole discretion.

12. Concern Arising from Action or Inaction of the GBGA Executive Officer

Where there is a concern as a result of action or inaction of the Alliance Executive Officer, notice will be provided to the Alliance Committee.

13. Dispute Resolution

Members agree to resolve disputes quickly to minimise any delay to the work of the Alliance. If any dispute arises between members and cannot be resolved they will be referred to the Alliance Committee. If the dispute is not adequately addressed at the Alliance Committee the matter may be referred to an Extra-ordinary General Meeting of the Alliance and or the Auspicing organisation.

14. Termination of MoU

A member may with the consent of the Alliance resign from the Alliance, provided at least 12 months notice of intention (setting out the reasons) has been given to the Alliance Committee and the date of effect such resignation coincides with the end of financial year.

15. Indemnity

The member agrees to indemnify and to keep indemnified the GVVRR Group and the Alliance, their servants and agents, and each of them from and against all actions, costs, claims, charges, expenses, penalties, demands and damages whatsoever which may be brought or made or claimed against them, or any of them, in connection with the member's performance or purported performance of its obligations under this MoU, and which is directly related to the negligent acts, errors or omissions of the members.

GBGA MoU – Between Moira Shire Council, Goulburn Broken Greenhouse Alliance and Goulburn Valley Regional Waste Management Group

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**GOULBURN BROKEN GREENHOUSE ALLIANCE - MEMORANDUM OF
UNDERSTANDING 2015-16, 2016-17 (cont'd)**

**ATTACHMENT No [1] - Goulburn Broken Greenhouse Alliance - Memorandum of
Understanding**

5

The member's liability to indemnify:

- a) GVWRR Group, its servants and agents shall be reduced proportionately to the extent that any act or omission of GVWRR Group, its servants or agents, contributed to the loss or liability; and
- b) the Alliance, its servants and agents shall be reduced proportionately to the extent that any act or omission of the Alliance, its servants or agents, contributed to the loss or liability.

16. Representatives of Members

Members shall each nominate a representative and a substitute representative who are responsible for any consultation and monitoring required under this MoU and to whom all notices and communications are to be sent. These representatives are:

Alliance Representative to be nominated by

Alliance Substitute Representative to be nominated by

Alliance Councillor Representative to be nominated by

17. Review of this MoU

This MoU will be reviewed at regular intervals and following a number of triggering events which may include:

- The expiry of this MoU, in which case the review will occur at six months prior to this expiry; and
- Members have decided and advised not to continue with the Alliance.

18. Expiry of MoU

The MoU will expire on 30 June 2017.

19. Associated documents

Appendix 1 – Rules for the Operation of the Alliance

FILE NO: F13/457
1. ENVIRONMENT

ITEM NO: 9.2.4
(MANAGER SAFETY AMENITY AND
ENVIROMENT, SALLY RICE)
(MANAGER SAFETY AMENITY AND
ENVIROMENT, SALLY RICE)

**GOULBURN BROKEN GREENHOUSE ALLIANCE - MEMORANDUM OF
UNDERSTANDING 2015-16, 2016-17 (cont'd)**

**ATTACHMENT No [1] - Goulburn Broken Greenhouse Alliance - Memorandum of
Understanding**

6

EXECUTED as an agreement:

SIGNED by for and on behalf of Moira Shire Council

.....
Authorised signatory

under an instrument of delegation dated
In the presence of:

.....
Witness

.....
Name of witness (PRINT)

SIGNED by Nicholas Nagle for and on behalf of Goulburn Valley Waste and Resource
Recovery Group,



.....
Authorised signatory

under an instrument of delegation dated ...20/07/15..
In the presence of:



.....
Witness

Thomas Brown

.....
Name of witness (PRINT)

SIGNED by Thomas Brown for and on behalf of Goulburn Broken Greenhouse Alliance,



.....
Authorised signatory

GBGA MoU – Between Moira Shire Council, Goulburn Broken Greenhouse Alliance and Goulburn Valley Regional
Waste Management Group

FILE NO: F13/457
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**GOULBURN BROKEN GREENHOUSE ALLIANCE - MEMORANDUM OF
UNDERSTANDING 2015-16, 2016-17 (cont'd)**

ATTACHMENT No [2] - Goulburn Broken Greenhouse Alliance - Rules of Operation



Rules for the operation of the

***Goulburn Broken
Greenhouse Alliance***

Final – 15/07/15

FILE NO: F13/457
1. ENVIRONMENT

ITEM NO: 9.2.4
(MANAGER SAFETY AMENITY AND
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**GOULBURN BROKEN GREENHOUSE ALLIANCE - MEMORANDUM OF
UNDERSTANDING 2015-16, 2016-17 (cont'd)**

ATTACHMENT No [2] - Goulburn Broken Greenhouse Alliance - Rules of Operation

Rules for the operation of the Goulburn Broken Greenhouse Alliance

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**GOULBURN BROKEN GREENHOUSE ALLIANCE - MEMORANDUM OF
UNDERSTANDING 2015-16, 2016-17 (cont'd)**

ATTACHMENT No [2] - Goulburn Broken Greenhouse Alliance - Rules of Operation

Rules for the operation of the Goulburn Broken Greenhouse Alliance

WHEREAS:

- A The Goulburn Broken Greenhouse Alliance is an unincorporated association auspiced by the Goulburn Valley Waste and Resource Recovery Group.
- B The members of the Alliance have developed these Rules to govern the operation and activities of the Alliance.

OPERATIVE PROVISIONS

DEFINITIONS

In the Rules:

"AGM" means Annual General Meeting of Alliance members.

"Alliance" means the Goulburn Broken Greenhouse Alliance including its members.

"Alliance Committee" means the committee of management of the Alliance

"Associate Member" means an organisation included in Schedule 2 as an Associate Member of the Alliance for the time being which does not contribute financially to the operations of the Alliance.

"Annual Business Plan" means the Annual Business Plan prepared by the Alliance.

"the Board" means the board of the Group.

"Group Nominee" means a person nominated from the Group.

"Charter of Corporate Governance" means the Charter of Corporate Governance of the Group

"Committee Member" means a member of the Alliance Committee

"Councillor Representative" means a councillor appointed by a member to attend meetings of the Alliance.

"EGM" means Extra-ordinary General Meeting of Alliance members.

"Executive Officer" means an officer appointed to execute or oversee the execution of all Alliance decisions and to ensure that Alliance affairs are conducted in compliance with these Rules, any adopted plans, and the law.

"the Group" means the Goulburn Valley Waste and Resource Recovery Group.

"Member" means an organisation included in Schedule 1 as a Member of the Alliance.

"Member Contribution" means a financial contribution made by a member to the Alliance.

"Memorandum of Understanding (MoU)" means a document that provides framework for cooperation between the Alliance members in the planning, development and delivery of projects.

"Project Partner" means an organization that is not a Member but which is prepared to contribute financially, in kind or by grant preparation, for a specified duration and purpose, to a project approved by the Alliance.

"Projects" means all activities and initiatives undertaken by the Alliance.

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Rules for the operation of the Goulburn Broken Greenhouse Alliance

"Region" means the area generally covered by but not exclusively geographically defined by the Goulburn Broken Catchment in Victoria, including those local government areas which straddle or are associated with the regional boundaries.

"Representative" means the person appointed by a Member to attend meetings of the Alliance.

"Substitute Representative" means the person appointed by a Member to attend meetings of the Alliance in the absence of the Representative or Councillor Representative.

1. PRELIMINARY MATTERS

Name

- 1.1 The Goulburn Broken Greenhouse Alliance is an unincorporated association with a skill based committee of management, the 'Alliance Committee' which acts on behalf of the Alliance.

Commencement Date

- 1.2 These Rules take effect on the date they are approved by the Alliance in general meeting.

Alliance Mission

- 1.3 The mission of the Alliance, is to, raise awareness in, and capacity of, the Region to mitigate and adapt to climate change.

Status of Rules

- 1.4 These Rules have effect as a contract, individually and severally, between the following entities:

- (a) the Alliance including its Members and Associate Members
- (b) the Alliance Committee including its members
- (c) each Project Partner
- (d) each Representative
- (e) the Executive Officer

Under which each entity, including officers, person agrees to observe and perform its obligations under these Rules so far as they apply to that entity, including officers, person.

2. ALLIANCE MEMBERSHIP

Composition

- 2.1 Members of the Alliance are listed in Schedule 1. Each Member has entered into a Memorandum of Understanding (MoU) with the Alliance and the Group.

Appointment

- 2.2 Each Member is entitled to appoint a Representative, a Councillor Representative and a Substitute Representative.

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**GOULBURN BROKEN GREENHOUSE ALLIANCE - MEMORANDUM OF
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ATTACHMENT No [2] - Goulburn Broken Greenhouse Alliance - Rules of Operation

Rules for the operation of the Goulburn Broken Greenhouse Alliance

- 2.3 The Executive Officer shall be advised in writing of the names and titles of appointees within the MoU.

Amendments to the MoU appointments shall be made within 21 days of the change occurring.

Failure to Appoint Representative

- 2.4 The failure of a Member or Members to appoint a Representative or to participate in the appointment of additional Representatives within the time prescribed in clause 2.4 does not preclude the remaining Representatives from acting.

Tenure of Office of Representative

- 2.5 A Representative shall hold office until:
- (a) the Representative resigns; or
 - (b) the Representative is replaced by the appointing Member(s); or
 - (c) the Representative's appointment is revoked by the appointing Member(s); or
 - (d) the office of the Representative becomes vacant if the Representative is absent from three consecutive meetings without the prior leave.

Admission of New Members

- 2.6 Any organisation which is not a Member of the Alliance and agrees to be bound by these Rules may be appointed as a Member at an AGM or EGM.
- 2.7 New Members shall be required to enter into a Memorandum of Understanding with the Alliance and the Group prior to the date of admission.
- 2.8 New Members may be required to make a financial contribution to the Alliance as determined by the Alliance Committee prior to the date of admission.
- 2.9 New Members shall be required to comply with any other conditions determined by resolution of the Alliance Committee.

Resignation of Existing Members

- 2.10 A Member may, with the consent of the Alliance, resign from the Alliance, provided at least 12 months' notice of its intention (setting out the reasons) has been given to the Alliance Committee, and the date of effect of such resignation coincides with the end of financial year.

Meetings

- 2.11 Members shall meet at Annual General Meetings (AGMs) for the following purposes:
- (a) to appoint Alliance Committee member(s);
 - (b) to amend these rules;
 - (c) to appoint new members;
 - (d) to accept resignations of existing members;
 - (e) determine member contributions; and
 - (f) dissolve the Alliance.

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ATTACHMENT No [2] - Goulburn Broken Greenhouse Alliance - Rules of Operation

Rules for the operation of the Goulburn Broken Greenhouse Alliance

2.12 Members shall meet at Extra-ordinary General Meetings (EGMs) for the following purposes:

- (a) to appoint Alliance Committee member(s);
- (b) to amend these rules;
- (c) to appoint new members;
- (d) to accept resignations of existing members;
- (e) determine member contributions;
- (f) to resolve disputes; and
- (g) dissolve the Alliance.

Members shall meet informally at Regular Meetings in accordance with the Alliance objectives and the Annual Business Plan.

3. ALLIANCE COMMITTEE MEMBERSHIP

Composition

- 3.1 The Alliance Committee will consist of at least four(4) but no more than nine (9) members.
- 3.2 Members should be skill based and capable of making a valuable contribution to the Alliance Committee.
- 3.3 The Alliance Committee must include a nominee of the Group ("the Group Nominee").
- 3.4 The Alliance Committee may include one (1) person who is independent of the Alliance membership.
- 3.5 The Executive Officer is not to be a member of the Alliance Committee.

Authority

- 3.6 The Alliance Committee is authorised to:
 - (a) Appoint and manage the Executive Officer;
 - (b) Appoint project officers as required;
 - (c) Endorse the Annual Report;
 - (d) Endorse the Annual Business Plan including detailed Budget;
 - (e) Endorse the rolling three year Strategic Plan for Alliance member endorsement;
 - (f) Ensure the Alliance is complying with its legal and financial obligations;
 - (g) Ensure the Alliance is adequately resourced to meet its obligations;
 - (h) Comply with its legal and financial obligations;
 - (i) Appoint and operate Working Groups (as required);
 - (j) Monitor Alliance performance against the Annual Business Plan including Budget;
 - (k) Ensure the Alliance is financially solvent at all times;
 - (l) Seek any information it requires from:
 - any employee
 - internal and external audit
 - external parties;

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**GOULBURN BROKEN GREENHOUSE ALLIANCE - MEMORANDUM OF
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ATTACHMENT No [2] - Goulburn Broken Greenhouse Alliance - Rules of Operation

Rules for the operation of the Goulburn Broken Greenhouse Alliance

- (m) Obtain outside legal, financial or other professional advice to assist in undertaking its oversight responsibilities.

Appointment

- 3.7 Except for the Group Nominee, members of the Alliance Committee will be appointed by the Alliance Members at the Annual General Meeting.
- 3.8 The Group Nominee will be appointed by the Group's Board.
- 3.9 The Chairperson of the Alliance Committee will be selected by the Alliance Committee at least every three years.
- 3.10 Members of the Alliance Committee will be appointed for a two year term of office.
- 3.11 Each new member is required to complete the Alliance Committee induction requirements. This induction functions to equip committee members with operational knowledge of their role, organisational structure and organisational documents.

Tenure of Office of Alliance Committee Member

- 3.12 A member of the Alliance Committee shall hold office until:
- (a) the member resigns; or
 - (b) the Group Nominee is replaced by the Group; or
 - (c) the member's appointment is revoked by the Alliance at an AGM or an EGM; or
 - (d) the member is absent from three consecutive Alliance Committee meetings without the prior leave of the Alliance Committee.

Appointment of Skilled Persons to Attend Meetings

- 3.13 The Alliance Committee may by agreement appoint persons with appropriate skills and expertise to provide their skills and expertise at meetings of the Alliance Committee for such period or periods as the members shall decide from time to time. Such persons do not have the right to vote at Alliance Committee meetings.

Appointment of Working Groups

- 3.14 The Alliance Committee may by agreement establish Working Groups to consider and develop recommendations on technical and operational matters for consideration by the Alliance Committee. Operation and membership of Working Groups will be subject to terms of reference developed and approved by the Alliance Committee. At least one Alliance Committee member will attend all Working Group meetings. Membership of Working Groups may be comprised of Members, Associate Members and Project Partners and others as determined by the Alliance Committee.

Secretarial services

- 3.15 The Executive Officer will act as the secretary of the Alliance Committee. The secretary will assist the Chairperson to develop and distribute agendas, papers, minutes and calendar.

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ATTACHMENT No [2] - Goulburn Broken Greenhouse Alliance - Rules of Operation

Rules for the operation of the Goulburn Broken Greenhouse Alliance

4. ALLIANCE COMMITTEE MEETINGS

Chairing of Meetings

- 4.1 In the absence of the Chairperson, Alliance Committee members at the Meeting will choose an Alliance Committee member to chair that particular Meeting.

Conduct of Meetings

- 4.2 In the event of the voting on a motion being tied, the Chairperson has the option of a second vote or to defer the decision to a vote at the next Alliance Committee meeting.

Voting

- 4.3 Each Alliance Committee member shall have one vote except for the Chairperson who may exercise a second vote if voting on a motion is tied.

Meeting Place

- 4.4 The Alliance Committee shall meet at any place nominated by resolution of the Alliance Committee.

Frequency of Meetings

- 4.5 The Alliance shall hold at least one meeting each quarter.

Notice of Meetings

- 4.6 The Executive Officer must give to all Alliance Committee members at least fourteen (14) days' notice for a meeting.
- 4.7 Such notice shall be deemed to have been sufficiently given if forwarded by prepaid post or email or facsimile.

Quorum

- 4.8 A quorum of the Alliance Committee shall be three members and no business shall be conducted unless a quorum is present.

Minutes

- 4.9 The Chairperson must arrange for minutes of each meeting to be kept. These minutes must be submitted to the next meeting of the Alliance Committee for confirmation. The minutes must also be submitted to the Board.
- 4.10 When the minutes are confirmed the Chairperson at the meeting must sign the minutes and certify that they have been confirmed. The minutes of a meeting must:
- (a) contain details of the proceedings and resolutions made;
 - (b) be clearly expressed and self-explanatory;
 - (c) be a true and balanced reflection of the discussion and decisions of participants;
 - (d) in relation to resolutions recorded in the minutes, incorporate relevant reports or a summary of the relevant reports considered in the decision making process; and
 - (e) be available to Representatives within two weeks of the meeting.

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**GOULBURN BROKEN GREENHOUSE ALLIANCE - MEMORANDUM OF
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ATTACHMENT No [2] - Goulburn Broken Greenhouse Alliance - Rules of Operation

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- 4.11 The draft minutes must be submitted to Alliance Members and the Board within 21 days of the date of the meeting. The final minutes must be submitted to Alliance Members and the Board within two weeks of the meeting at which the minutes were confirmed.

Conflicts of Interest

- 4.12 Alliance Committee members will be invited to disclose conflicts of interest at the commencement of each meeting. Ongoing conflicts of interest need not be disclosed at each meeting once acknowledged. Where members or invitees are deemed to have a real or perceived conflict of interest, they will be excused from the Alliance Committee discussions on the issue where conflict exists.

Meeting Allowances and Reimbursement of Alliance Committee Member Expenses

- 4.13 Meeting allowances or fees may be provided for Alliance Committee members, subject to applicable Government guidelines.

Attendance by Observers

- 4.14 Each Member may appoint an observer who may attend Alliance Committee meetings, but may not participate in discussions on resolutions or vote on resolutions.

5. CONDUCT OF ALLIANCE MEMBER AGM AND EGM MEETINGS

Calling of EGM

- 5.1 Members with at least 30% of the votes at a general meeting may call, and arrange to hold, an EGM. The members calling the meeting must pay the expenses of calling and holding the meeting.

Chairperson

- 5.2 Meetings of members must be chaired by a Chairperson who must be a Representative and shall be elected by the Alliance Members from time to time.
- 5.3 This is pursuant to the Chairperson holding office until:
- (a) he/she resigns; or
 - (b) his/her tenure of office as a Representative expires; or
 - (c) the election of a replacement Chairperson.

Chairing of Meetings

- 5.4 In the absence of the Chairperson, Representatives present at the meeting will choose a Representative to chair that particular meeting.
- 5.5 The person chairing the meeting shall have the casting vote if voting on a motion is tied.

Voting

- 5.6 Each Alliance Member shall have two votes which may be exercised by its Representative and Councillor Representative or, in the absence of its Representative or Councillor Representative, by its Substitute Representative.
- 5.7 In the event of the voting on a motion being tied, the Chairperson shall have a casting vote.

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Rules for the operation of the Goulburn Broken Greenhouse Alliance

Meeting Place

- 5.8 AGMs and EGMs shall meet at any place nominated by resolution of the Alliance Committee.

Frequency of Meetings

- 5.9 The AGM shall be held no later than the 30th September each year.
5.10 EGMs shall be held no earlier than 21 days after notice is given and no later than 30 days after notice is given.

Notice of Meetings

- 5.11 The Executive Officer must give to all Members and Representatives at least twenty one (21) days' notice for the AGM and EGMs;
5.12 Such notice shall be deemed to have been sufficiently given if forwarded by prepaid post or email or facsimile.

Quorum

- 5.13 A quorum at AGMs and EGMs shall be 5 members or a majority of members, whichever is greater, and no business shall be conducted unless a quorum is present.

Minutes

- 5.14 The Chairperson must arrange for minutes of each AGM and EGM meeting to be kept. These minutes must be submitted to the next AGM or EGM meeting for confirmation.
5.15 The draft minutes must be submitted to the Alliance Committee and the Board within 21 days of the date of the meeting. The final minutes must be submitted to the Alliance Committee and the Board within two weeks of the meeting at which the minutes were confirmed.
5.16 When the minutes are confirmed the Chairperson at the meeting must sign the minutes and certify that they have been confirmed. The minutes of a meeting of the Alliance must:
- (a) contain details of the proceedings and resolutions made;
 - (b) be clearly expressed and self-explanatory;
 - (c) be a true and balanced reflection of the discussion and decisions of participants;
 - (d) in relation to resolutions recorded in the minutes, incorporate relevant reports or a summary of the relevant reports considered in the decision making process; and
 - (e) be available to Representatives within two weeks of the meeting.

Meeting Allowances and Reimbursement of Representative Expenses

- 5.17 The Alliance may provide AGM and EGM meeting allowances or fees for Councillor Representatives, and reimburse Councillor Representatives for expenses that they incur as a result of their duties as Councillor Representatives, subject to applicable Government guidelines or instructions and prior board approval.

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6. CONDUCT OF REGULAR ALLIANCE MEMBER MEETINGS

Chairing of Meetings

- 6.1 Regular meetings will be conducted by the Executive Officer.
- 6.2 In the absence of the Executive Officer, Representatives present at the meeting will choose a Representative to chair that particular meeting.

Dispute resolution

- 6.3 Regular meetings will be based upon consensus decisions.
- 6.4 Disputes will be referred to the Alliance Committee.
- 6.5 If the dispute is not adequately addressed by the Alliance Committee the matter may be referred to an EGM.

Meeting Place

- 6.6 Regular meetings shall meet at any place nominated by resolution of the Members.

Frequency of Meetings

- 6.7 Regular meetings shall be held at least once every six months.

Notice of Meetings

- 6.8 The Executive Officer must give to all Members and Representatives at least seven days' notice for the Regular meetings.
- 6.9 Such notice shall be deemed to have been sufficiently given if forwarded by prepaid post or email or facsimile.

Quorum

- 6.10 No quorum is set.

Minutes

- 6.11 The Chairperson must arrange for minutes to be kept. These minutes must be submitted to the next Regular Meeting for confirmation.
- 6.12 The draft minutes must be submitted to the Alliance Committee within 21 days of the date of the meeting. The final minutes must be submitted to the Alliance Committee within two weeks of the meeting in which the minutes are confirmed.
- 6.13 When the minutes are confirmed the Chairperson must sign the minutes and certify that they have been confirmed.

Meeting Allowances and Reimbursement of Representative Expenses

- 6.14 No meeting allowances will be provided for Regular Meetings.

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ATTACHMENT No [2] - Goulburn Broken Greenhouse Alliance - Rules of Operation

Rules for the operation of the Goulburn Broken Greenhouse Alliance

7. CHARTER OF CORPORATE GOVERNANCE

- 7.1 The Alliance including Members and the Alliance Committee will comply with the GVVRRG Charter of Corporate Governance except for when specific clauses are inconsistent with the Rules of Operation in which case the Rules of Operation will apply or when specific clauses are not relevant to the activities and operation of the Alliance.

8. INSURANCES

- 8.1 The Alliance will maintain relevant insurances to cover the activities of the Alliance (Professional Indemnity, Professional Liability, Workcover, Committee Members and Officers).

9. FINANCIAL

- 9.1 The Alliance must prepare and maintain its own financial accounts. This includes the preparation of monthly accounts and the operation of a bank account.
- 9.2 These financial accounts must be transparent, segment individual project income and expenses, and declare and accounted for all sources of income including in-kind support from members.
- 9.3 The Alliance shall be responsible for all its operational costs including employment, bookkeeping and accounting, legal, office, IT, insurances, travel and accommodation.
- 9.4 The financial affairs of the Alliance will be managed by the Alliance Committee in accordance with policy and procedures and audit requirements of the Group. The financial health of the Alliance must be an agenda item at each Alliance Committee meeting. Each meeting agenda must be accompanied by a balance sheet and profit and loss statement for the year to date.
- 9.3 The methods by which Member contributions will be calculated will be determined or varied by resolution of the Alliance members passed by a simple majority at an AGM or EGM. Member contributions will be documented in each Member's Memorandum of Understanding with the Alliance.
- 9.4 Costs associated with any projects undertaken by the Alliance shall be funded from a contribution or contributions from Members and project partners as apportioned by the Alliance or from external project funds.
- 9.5 Contributions pursuant to clause 9.3 must be approved by the Alliance Committee on the basis of an assessment of the benefit to be derived by each Member and project partners from the projects undertaken.
- 9.6 The Alliance must use any money it receives for the purposes and in the ways set out in the Annual Budget approved by the Alliance Committee.

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**GOULBURN BROKEN GREENHOUSE ALLIANCE - MEMORANDUM OF
UNDERSTANDING 2015-16, 2016-17 (cont'd)**

ATTACHMENT No [2] - Goulburn Broken Greenhouse Alliance - Rules of Operation

Rules for the operation of the Goulburn Broken Greenhouse Alliance

10. PAYMENT OF MEMBER CONTRIBUTIONS

- 10.1 A Member must pay to the Alliance on or before 31st July (or such date agreed by it and the Alliance) the amount set out in the budget as the amount the Alliance will require from the Member.
- 10.2 Failure of any Member to pay the amount set out in the budget within three months of the amount falling due will result in the Member being suspended from the Alliance.

11. ANNUAL BUSINESS PLAN AND BUDGET

- 11.1 The Alliance Committee must endorse and submit the Alliance's Annual Business Plan to its Members.
- 11.2 The Annual Business Plan is for the July to June Financial year.
- 11.3 The Annual Business Plan for the forthcoming year must be approved by the Alliance Committee by 31st May of the previous financial year.
- 11.4 The Business Plan will include a detailed budget for the financial year and a three year rolling Strategic Plan that sets out the intended budget and that the amounts to be requested from Members. The detailed budget should include committed external funding to give effect to projects agreed by Members.
- 11.5 The detailed budget must show how the Alliance proposes to finance its expenditure, the source of its funds and the amount of money it will require from each of its Members.

12. DISSOLUTION OF THE ALLIANCE

- 12.1 The Alliance may be wound up voluntarily if the Alliance resolves accordingly by at least two-thirds of the Members at an AGM or EGM.

13. AMENDING THESE RULES

- 13.1 The provisions of these Rules may be varied, added to or deleted at an AGM or EGM by resolution of the Alliance passed by at least two-thirds of the Members.

FILE NO: F13/457
1. ENVIRONMENT

ITEM NO: 9.2.4
(MANAGER SAFETY AMENITY AND
ENVIROMENT, SALLY RICE)
(MANAGER SAFETY AMENITY AND
ENVIROMENT, SALLY RICE)

**GOULBURN BROKEN GREENHOUSE ALLIANCE - MEMORANDUM OF
UNDERSTANDING 2015-16, 2016-17 (cont'd)**

ATTACHMENT No [2] - Goulburn Broken Greenhouse Alliance - Rules of Operation

Rules for the operation of the Goulburn Broken Greenhouse Alliance

SCHEDULE 1

Members of the Goulburn Broken Greenhouse Alliance

Organisations which are members of the Goulburn Broken Greenhouse Alliance are:

Campaspe Shire Council;
Moirā Shire Council;
Murrindindi Shire Council;
Mitchell Shire Council;
Mansfield Shire Council;
Strathbogie Shire Council;
Greater Shepparton City Council;
Benalla Rural City Council;
Goulburn Broken Catchment Management Authority; and
Goulburn Valley Waste and Resource Recovery Group

Associate Members of the Goulburn Broken Greenhouse Alliance

None

FILE NO: F14/321
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.5
(STATUTORY PLANNING
COORDINATOR, PETER STENHOUSE)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

AMENDMENT TO COBRAM DEVELOPMENT PLAN FOR CAMPING AND CARAVAN PARK - 143 CAMPBELL ROAD, COBRAM

1. Executive Summary

A request has been received to amend the Cobram Development Plan by making minor changes to the layout for the Camping and Caravan Park at 143 Campbell Road Cobram.

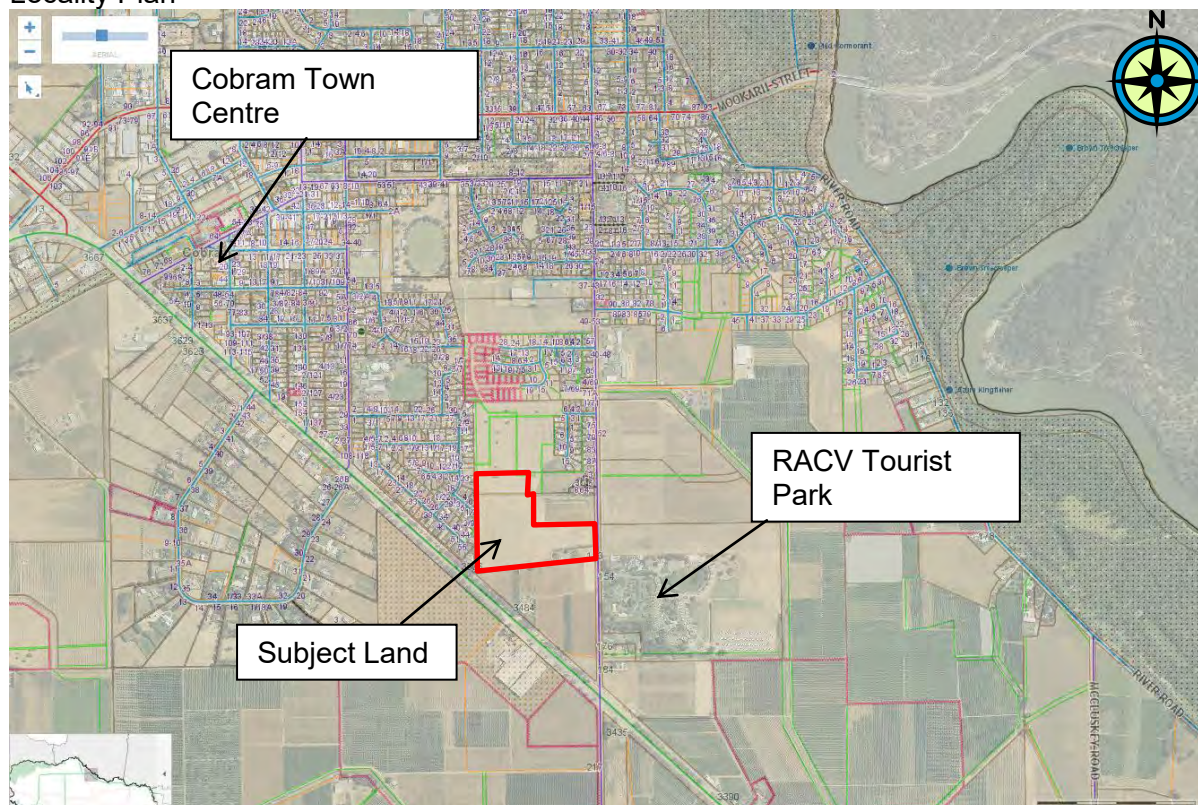
An application has also been lodged for secondary consent to the Planning Permit for the Camping and Caravan Park. Secondary consent cannot be granted until the Development Plan has been approved.

The amended Development Plan was not required to be referred or advertised.

The integrity of the approved Development Plan will not be undermined as a result of this amendment.

It is recommended that the Cobram Development Plan be amended to allow for the changes to the Camping and Caravan Park layout.

Locality Plan



2. Background and Options

The Cobram Development Plan was approved on 19 March 2007 to guide future residential development at various densities, co-ordinate road networks between properties and provide for encumbered (drainage/wetlands) and unencumbered open space.

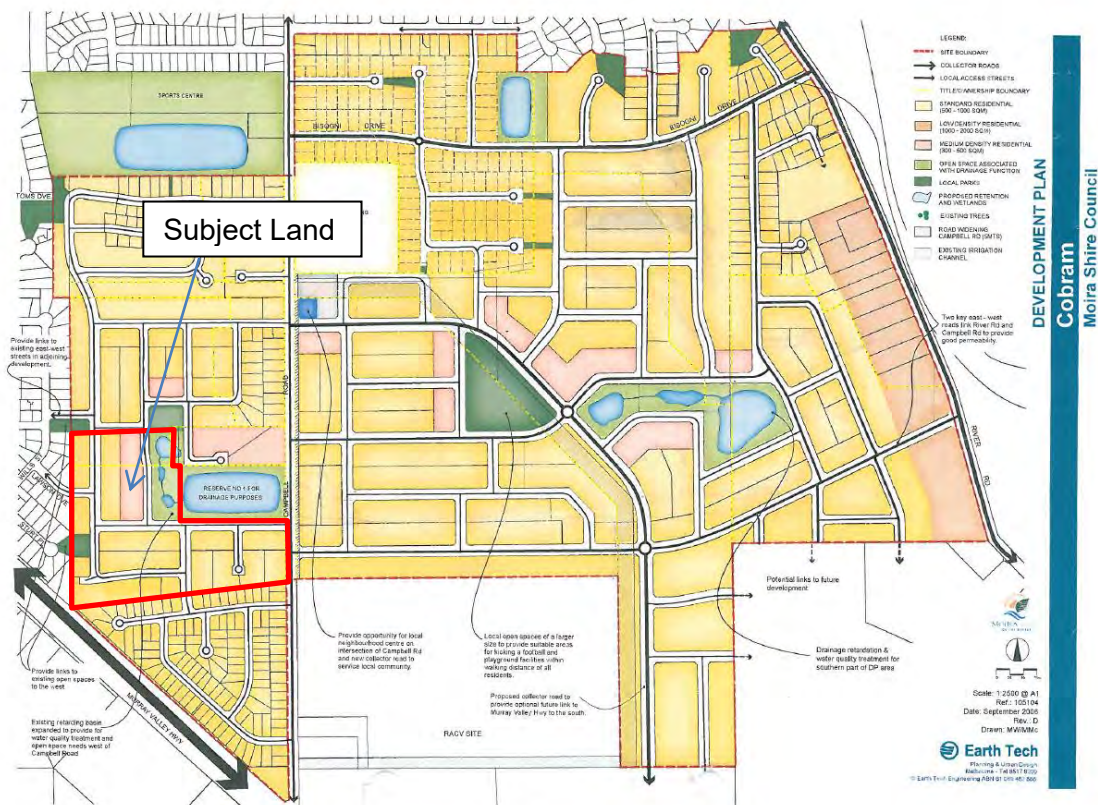
FILE NO: F14/321
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.5
(STATUTORY PLANNING
COORDINATOR, PETER STENHOUSE)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

**AMENDMENT TO COBRAM DEVELOPMENT PLAN FOR CAMPING AND
CARAVAN PARK - 143 CAMPBELL ROAD, COBRAM (cont'd)**

The Development Plan has subsequently been amended on three occasions:

1. To allow a Camping and Caravan Park (cabin development/village) to establish opposite the RACV tourist park. Amended by Council on 19 July 2010.
2. To modify street layout to accommodate for a different subdivisional layout south of Bisogni Drive in the Murray Rise Estate. Amended by Council on 17 July 2012.
3. To allow for the expansion of the RACV tourist park to the north. Amended by Council on 8 December 2014.



Planning Permit 5/2008/453 (TP0800453) was approved on 19 October 2010 for the use and development of land for the purpose of a camping and caravan park with associated facilities, following the approval of the amendment to the Cobram Development Plan.

The proposal involved 148 sites for registered movable dwellings, a community centre, sports building, bowling green, maintenance building, open space reserve, car parking and RV parking areas, walkways and passive open spaces. Access is gained from Campbell Road, with linkages to the Lawson Drive and Sturt Street to the west and a future road in a conventional residential subdivision to the north.

The proposed changes to the Camping and Caravan Park include:

- Reconfiguration of the site layout;
- Minor relocation of the community facilities;
- A reduction in the number of sites from 148 to 138;
- Slight increase in the site area to the north;
- Reorientation of sites along the western boundary to improve traffic flow;

FILE NO: F14/321
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.5
(STATUTORY PLANNING
COORDINATOR, PETER STENHOUSE)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

**AMENDMENT TO COBRAM DEVELOPMENT PLAN FOR CAMPING AND
CARAVAN PARK - 143 CAMPBELL ROAD, COBRAM (cont'd)**

- Incorporation of CFA, engineering and building requirements;
- Alteration to visitor car parking.

An application for secondary consent has been lodged to amend the plan endorsed as part of Planning Permit 5/2008/483. This will accord with the proposed amended Development Plan, if approved.

3. Financial Implications

There are no financial implications in approving this amended Development Plan. There is no statutory prescribed fee for consideration of a proposed amendment to a Development Plan.

4. Risk Management

The amended Development Plan does not present a risk to the future development of the Cobram as the integrity of the approved amended Development Plan will not be compromised.

5. Internal and External Consultation

The proposed amended Development Plan was not required to be referred either internally or externally as the original intent and concept layout plans are not substantially being altered. However, the application for secondary consent was referred to Council's Construction and Asset Department and to CFA in relation to the permit conditions.

6. Community Consultation

In 2010 an amended Development Plan for the Camping and Caravan Park was advertised attracting a number of objections. This Plan was modified however it did not result in all the objections being withdrawn. Regardless of the objections, Council still decided to approve the modified amendment to the Development Plan at its meeting on 19 July 2010, basically indicating that it would not undermine the intent of the Plan.

Since the previous amendment, Council has been informed that there is no statutory process to amend a Development Plan, that is, no statutory requirement to give notice, ability to consider objections and no specific right of review. The process is simply to amend a Development Plan to the satisfaction of the Responsible Authority. On this basis the current proposed amendment has not been advertised.

7. Regional Context

There is no regional context associated with this proposed amendment to the Cobram Development Plan, given its scale and location.

8. Council Plan Strategy

It is considered that the proposed development is consistent with the following updated strategic theme set out in the Council Plan:

- Improve Moira's Liveability.

9. Legislative / Policy Implications

Clause 43.04-1 applies to land affected by the Development Plan Overlay and states that:

"A permit granted must:

FILE NO: F14/321
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.5
(STATUTORY PLANNING
COORDINATOR, PETER STENHOUSE)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

**AMENDMENT TO COBRAM DEVELOPMENT PLAN FOR CAMPING AND
CARAVAN PARK - 143 CAMPBELL ROAD, COBRAM (cont'd)**

- *Be generally in accordance with the development plan.*
- *Include any conditions or requirements specified in a schedule to this overlay.*

At Clause 43.04-3 it states:

"The development plan may be amended to the satisfaction of the responsible authority".

10. Environmental Impact

The approval of the revised Development Plan is unlikely to result in an adverse effect on the environment.

11. Conflict of Interest Considerations

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

12. Conclusion

The proposed amendment to the Cobram Development Plan involving the area for the Camping and Caravan Park is considered to be minor and should not undermine the integrity of the plan to provide for future residential development.

Connectivity with surrounding land is being maintained with linkages to the west and north.

The planning permit for the Camping and Caravan Park has been issued and conditions must be complied with.

Given the minor nature of the changes to the Camping and Caravan Park layout, it is considered that the Cobram Development Plan be further amended to accommodate for these changes.

Attachments

- 1 Original Cobram Development Plan - 19 March 2007
- 2 Amended Cobram Development Plan - 19 July 2010
- 3 Proposed Amended Cobram Development Plan

RECOMMENDATION

That Council:

1. Approve the amendment to the Cobram Development Plan to allow for changes to the layout of the Camping and Caravan Park at 143 Campbell Road Cobram.

FILE NO: F14/321
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.5
(STATUTORY PLANNING
COORDINATOR, PETER STENHOUSE)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

**AMENDMENT TO COBRAM DEVELOPMENT PLAN FOR CAMPING AND
CARAVAN PARK - 143 CAMPBELL ROAD, COBRAM (cont'd)**

MOTION

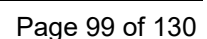
CRS ED COX / GARY CLEVELAND

That Council approve the amendment to the Cobram Development Plan to allow for changes to the layout of the Camping and Caravan Park at 143 Campbell Road Cobram.

(LOST)

ITEM NO: 9.2.5
(STATUTORY PLANNING
COORDINATOR, PETER STENHOUSE)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

ATTACHMENT No [1] - Original Cobram Development Plan - 19 March 2007



ITEM NO: 9.2.5
(STATUTORY PLANNING
COORDINATOR, PETER STENHOUSE)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

ATTACHMENT No [2] - Amended Cobram Development Plan - 19 July 2010

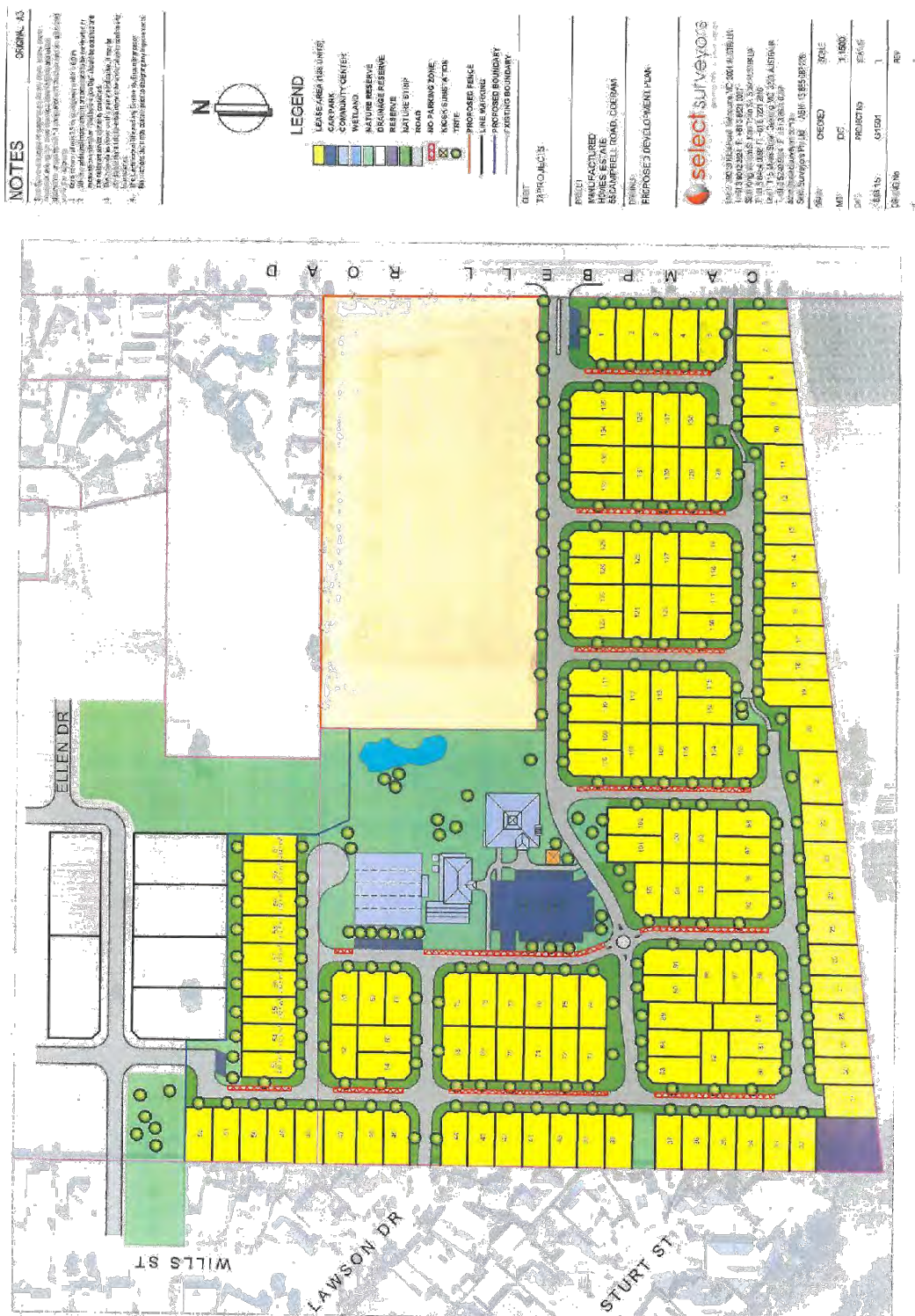


FILE NO: F14/321
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.2.5
(STATUTORY PLANNING
COORDINATOR, PETER STENHOUSE)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

**AMENDMENT TO COBRAM DEVELOPMENT PLAN FOR CAMPING AND
CARAVAN PARK - 143 CAMPBELL ROAD, COBRAM (cont'd)**

ATTACHMENT No [3] - Proposed Amended Cobram Development Plan



FILE NO: F13/105
2. COMMUNITY

ITEM NO: 10.1.1
(EXECUTIVE ASSISTANT TO CEO,
ROBYN BONADDIO)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

ACHIEVERS AWARD ASSISTANCE PROGRAM

1. Executive Summary

The purpose of this report is to advise Council of the recipients of the Achievers Award Assistance Program for the financial year 2014/2015.

2. Background and Options

The Achievers Award Assistance Program provides a diverse program to assist Moira Shire citizens participating in a leadership, sporting or cultural activity.

The policy for the Achievers Award Assistance Program states that a report must be presented to Council by October each year for the previous financial year, listing the applications received and what donations were made.

For the financial year 2014/15 there was nine Achievers Award Assistance applications received. Of the nine, one application was unsuccessful due to their ineligibility as they have been previously funded under the award. The eight successful applications are as follows;

Name	Event	Amount
Brea Roadley	2014 ICF World Marathon Canoe Championships	\$300
Jemma Walsh	The Rural Youth Ambassador Program	\$300
Brayden Wilson	World Showski Championship	\$300
Yarrawonga Mulwala U12 boys Representative Basketball team	Basketball Victoria Country Junior State Championships	\$300
Yarrawonga Mulwala U12girls Representative Basketball team	Basketball Victoria Country Junior State Championships	\$300
Yarrawonga Mulwala U14 girls Representative Basketball team	Basketball Victoria Country Junior State Championships	\$300
Yarrawonga Mulwala U14 girls Representative Basketball team	Basketball Victoria Country Junior State Championships	\$300
Cobram District Pony Club Team	2015 Pony Club Association of Victoria State Games	\$500
Total		\$2,600

3. Financial Implications

Budget allocation for the award program is determined annually by Council and allocated from the Office of the CEO Administration ledger.

The amount awarded is up to \$300 per person, whether competing as an individual or as a member of a team or group. A limit of up to \$500 per team applies.

FILE NO: F13/105
2. COMMUNITY

ITEM NO: 10.1.1
(EXECUTIVE ASSISTANT TO CEO,
ROBYN BONADDIO)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

ACHIEVERS AWARD ASSISTANCE PROGRAM (cont'd)

4. Risk Management

The Achievers Award Assistance Program policy and its implementation address risk management by:

- Council's and the applicant's responsibilities being clearly identified in the Achievers Award Program's guidelines and terms and conditions.

5. Internal and External Consultation

Applications are evaluated, as they are received, by the Mayor and Chief Executive Officer, with the process being administered by the Executive Assistant of the Chief Executive Officer.

6. Regional Context

Applicants to the program must be competing at a regional, state or national level, or representing Australia at a National event.

7. Council Plan Strategy

Strategic Goal: Improving Moira's Liveability, Strategic Performance Indicator: Encourage healthy and active communities.

8. Legislative / Policy Implications

On 15 July 2013 Council adopted the Achievers Award Program policy, which resulted from reviewing and modifying the Young Achievers Award Program policy.

9. Environmental Impact

There are no direct environmental implications associated within the report. Achievement in an environment field can be recognised through this program.

10. Conflict of Interest Considerations

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

11. Conclusion

The Achievers Award Assistance Program policy states that a report must be presented to Council by October each year for the previous financial year, listing the applications received and what donations were made.

Attachments

Nil

RECOMMENDATION

That:

1. Council note the Achievers Award Assistance Program applications received and donations made for the financial year 2014/2015.

FILE NO: F13/105
2. COMMUNITY

ITEM NO: 10.1.1
(EXECUTIVE ASSISTANT TO CEO,
ROBYN BONADDIO)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

ACHIEVERS AWARD ASSISTANCE PROGRAM (cont'd)

MOTION

CRS PETER MANSFIELD / KEVIN BOURKE

That Council note the Achievers Award Assistance Program applications received and donations made for the financial year 2014/2015.

(CARRIED)

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

ITEM NO: 10.1.2
(GOVERNANCE RECORDS OFFICER,
MARGARET HINCK)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

ASSEMBLIES OF COUNCILLORS

1. Executive Summary

The records of the Assembly of Councillors reported during the month of July 2015 are attached to this report.

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

2. Background and Options

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

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

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

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

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

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

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

3. Financial Implications

There are no financial implications with this report.

4. Risk Management

There are no risk implications with this report.

5. Internal and External Consultation

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

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

ITEM NO: 10.1.2
(GOVERNANCE RECORDS OFFICER,
MARGARET HINCK)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

ASSEMBLIES OF COUNCILLORS (cont'd)

6. Regional Context

There are no regional contexts associated with this report.

7. Council Plan Strategy`

Ensuring Good Governance to meet legislative obligations

8. Legislative / Policy Implications

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

9. Environmental Impact

There are no environmental impacts with this report.

10. Conflict of Interest Considerations

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

11. Conclusion

The Assembly of Councillors records attached to this report are a true and accurate record of all assemblies of Councillors reported during July 2015. Their recording into the Council Minutes ensures Council meets its statutory obligations under section 80A of the Act.

Attachments

- 1 Attachment 13
- 2 Attachment 20
- 3 Attachment 27

RECOMMENDATION

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

MOTION

CRS GARY CLEVELAND / KEVIN BOURKE

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

(CARRIED)

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

ITEM NO: 10.1.2
(GOVERNANCE RECORDS OFFICER,
MARGARET HINCK)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

ASSEMBLIES OF COUNCILLORS (cont'd)

ATTACHMENT No [1] - Attachment 13



RECORD OF ASSEMBLY OF COUNCILLORS

Date held	Monday 13 July 2015	
Name of meeting	Councillor Briefing	
Councillors attending	Councillors Marie Martin, (depart 12:30 return 3:55pm), Ed Cox, Gary Cleveland, Peter Mansfield, Don McPhee, Brian Keenan, Kevin Bourke, Alex Monk (arrived 11:06)	
Council staff attending	Chief Executive Officer, Mark Henderson, General Manager Corporate, Leanne Mulcahy, General Manager Infrastructure, Andrew Close, Manager Governance and Communications, Linda Nieuwenhuizen Manager Strategic Projects, Mark Foord Manager Community Development, David Booth Manager Safety & Amenity, Sally Rice Environmental Services Technical Officer, Jackson Tennant	
Matters discussed	<ol style="list-style-type: none"> 1. Yarrawonga All Abilities Playground 2. Private jetty at Yarrawonga Yacht Club 3. Wood collection from Barmah – island outside the park 4. Natural Gas delay to Nathalia 5. Numurkah Flood Study – Consultation plan 6. Bendigo Bank Community Banking presentation 7. Management report 8. Belmore Street Bypass Concept plan 9. Road to Recovery funding 10. Fruit Fly Mitigation program 11. Floodplain Management Strategy 12. Councillor issues 	
Conflict of Interest Disclosures (indicate below if Nil or complete details)		
Matter No:	Councillor	Did Councillor leave meeting
2.	Cr Martin	Yes

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

ITEM NO: 10.1.2
(GOVERNANCE RECORDS OFFICER,
MARGARET HINCK)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

ASSEMBLIES OF COUNCILLORS (cont'd)

ATTACHMENT No [2] - Attachment 20



RECORD OF ASSEMBLY OF COUNCILLORS

Date held	20 July 2015
Name of meeting	Councillor / CEO Discussion
Councillors attending	Councillor Marie Martin, Kevin Bourke, Don McPhee, Ed Cox, Alex Monk, Gary Cleveland
Council staff attending	Chief Executive Officer, Mark Henderson
Matters discussed	
	1. Yarrawonga Holiday Park Lease 2. Cobram Library Project
Conflict of Interest Disclosures (indicate below if Nil or complete details)	
	Nil

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

ITEM NO: 10.1.2
(GOVERNANCE RECORDS OFFICER,
MARGARET HINCK)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)

ASSEMBLIES OF COUNCILLORS (cont'd)

ATTACHMENT No [3] - Attachment 27



RECORD OF ASSEMBLY OF COUNCILLORS

Date held	27 July 2015
Name of meeting	Councillor Briefing
Councillors attending	Councillor Marie Martin, Ed Cox, Gary Cleveland, Peter Mansfield, Don McPhee, Brian Keenan, Kevin Bourke, Wendy Buck
Council staff attending	Acting Chief Executive Officer, Leanne Mulcahy Acting General Manager Corporate, Brant Doyle General Manager Infrastructure, Andrew Close Manager Governance and Communications, Linda Nieuwenhuizen
Matters discussed	
	1. Murray Goulburn Briefing 2. Agenda review
Conflict of Interest Disclosures (indicate below if Nil or complete details)	
	Nil

FILE NO: 11.1
6. GOVERNANCE

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

ACTION OFFICERS LIST**Attachments**

- 1 Action officer's list - August 2015

RECOMMENDATION

That Council receive and note the Action Officers List.

MOTION

CRS GARY CLEVELAND / KEVIN BOURKE

That Council receive and note the Action Officers List.

(CARRIED)

FILE NO: 11.1
6. GOVERNANCEITEM NO: 11.1
(EXECUTIVE ASSISTANT TO CEO,
ROBYN BONADDIO)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)**ACTION OFFICERS LIST (cont'd)****ATTACHMENT No [1] - Action officer's list - August 2015**

Action Officers List –July 2015

Meeting: Ordinary Council Meeting 27 July 2015	
Subject: Road Naming - Martin St Wilby	
MOTION	
CRS KEVIN BOURKE / BRIAN KEENAN	
That Council:	
1. Adopt Smith St as the interim name for the section of Martin St Wilby west of the Hall St Wilby and seek an exemption from the Registrar of Geographic Names to Principle 1 (D) of the Guidelines for Geographic Names 2010.	
2. Adopt Malloes St as the interim name of Martin St Wilby east of Hall St Wilby.	
3. Place advertisements in local papers seeking comments on the proposed names within 30 days.	
4. write to owners of properties adjoining this road seeking comments within 30 days, and	
5. Adopt the interim names if no objections are received and submit them to the Office of Geographic Names.	
ACTIVITY	(CARRIED)
Letter being drafted to the Registrar of Geographic Names seeking exemption.	

1

FILE NO: 11.1
6. GOVERNANCE

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

ACTION OFFICERS LIST (cont'd)

ATTACHMENT No [1] - Action officer's list - August 2015

Action Officers List –July 2015

Meeting: Ordinary Council Meeting 27 July 2015	
Subject: Lott Street Yarrowonga	
MOTION	
CRS WENDY BUCK / BRIAN KEENAN	
That:	
1. Council consult with the Yarrowonga community about the Lott Street residents proposal to remove semi mature spotted gum trees from Lott Street, Yarrowonga and replant the street with Griffith Pink Brachychiton trees, and that consultation be done in conjunction with seeking a Town Planning Permit to undertake the works.	
2. Council consider the project as part of future budget reviews and capital programs, subject to the outcome of a wider consultation program to be done as part of the Town Planning process.	
3. Council thank the residents who participated in the consultation program, and advise them of Council's decision.	
ACTIVITY	(CARRIED)
A town planning permit will be sort over the coming months.	
Meeting: Ordinary Council Meeting 27 July 2015	
Subject: General Business	
MOTION	
CRS ED COX / DON MCPHEE	
That the Murray Darling Corporation be requested to negotiate with the relevant authorities in Queensland, New South Wales, Victoria, Australia Capital Territory and South Australia to erect signs on all the highways and main roads at the edge of the Murray Darling Basin indicating, "you are now entering the Murray Darling Basin".	
COMPLETED	(CARRIED)
Motion submitted to the Murray Darling Association for inclusion at their Annual General Meeting.	

FILE NO: 11.1
6. GOVERNANCE

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

ACTION OFFICERS LIST (cont'd)

ATTACHMENT No [1] - Action officer's list - August 2015

Action Officers List –July 2015

Meeting: Ordinary Council Meeting 27 July 2015
Subject: General Business
CRS KEVIN BOURKE / BRIAN KEENAN
That Council work with St Mary's of the Angels and Nathalia Secondary College to erect a school crossing in Pearce Street Nathalia.
(CARRIED)
ACTIVITY
<ul style="list-style-type: none"> Traffic and pedestrian counts will be undertaken during August Discussions will be held with both schools on the proposed location of the crossing and the needs for the crossing. The criteria for the crossing will be discussed with Vicroads at the next Local Traffic Liaison Committee meeting schedule for the first week in September
Meeting: Ordinary Council Meeting 27 July 2015
Subject: General Business
MOTION
CRS WENDY BUCK / DON MCPHEE
That Council Officers investigate and report to Council on options relating to all ability playground equipment in Yarrawonga.
(CARRIED)
ACTIVITY
Report to be presented regarding the all ability playground equipment in Yarrawonga.

FILE NO: 11.1
6. GOVERNANCE

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

ACTION OFFICERS LIST (cont'd)

ATTACHMENT No [1] - Action officer's list - August 2015

Action Officers List - July 2015

Meeting: Ordinary Council Meeting 27 July 2015	
Subject: General Business	
MOTION	
CRS ALEX MONK / WENDY BUCK	
That Council Officers provide a comprehensive report on the status of the Cobram truck wash.	(CARRIED)
COMPLETED	
A detailed briefing note was distributed to Councillors on 30 July 2015.	
Meeting: Ordinary Council Meeting 27 July 2015	
Subject: Discontinuation of Power Street Nathalia.	
MOTION	
CRS KEVIN BOURKE / WENDY BUCK	
That this report lay on the table and Council Officers provide a comprehensive report on the discontinuation of Power Street Nathalia.	(CARRIED)
ACTIVITY	
A report to be included in the August agenda.	

FILE NO: 11.1
6. GOVERNANCE

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

ACTION OFFICERS LIST (cont'd)

ATTACHMENT No [1] - Action officer's list - August 2015

Action Officers List – July 2015

Meeting: Ordinary Council Meeting 27 July 2015	
Subject: Council seal	
MOTION	
CRS DON MCPHEE / WENDY BUCK	
That Council authorise the Chief Executive Officer to finalise and to sign and affix the Council seal to a suitable licence agreement that provides Council with permission to construct and operate a public Walking/Cycling track within the Silverwoods development, along Hogans Road in Yarrawonga.	
(CARRIED)	
ACTIVITY	
Seal to be affix. Works to follow completion of the licence agreement.	

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FILE NO: 11.1
6. GOVERNANCE

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

ACTION OFFICERS LIST (cont'd)

ATTACHMENT No [1] - Action officer's list - August 2015

Action Officers List - July 2015

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

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

ACTION OFFICERS LIST (cont'd)

ATTACHMENT No [1] - Action officer's list - August 2015

Action Officers List –July 2015

Meeting: Ordinary Council Meeting 23 February 2015	Subject: Lease to National Broadband Network - Wunghnu	<p>MOTION</p> <p>CRS KEVIN BOURKE / DON MCPHEE</p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Resolve to enter into a lease with the National Broadband Network Company to occupy land within the Wunghnu Recreation Reserve in Carlisle St Wunghnu for the construction of a telecommunications tower. 2. Authorise the CEO to sign and seal the lease documents. <p>(CARRIED)</p>	<p>ACTIVITY</p> <p>Paper work completed at this end, waiting return of lease agreement.</p>
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FILE NO: 11.1
6. GOVERNANCE

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

ACTION OFFICERS LIST (cont'd)

ATTACHMENT No [1] - Action officer's list - August 2015

Action Officers List –July 2015

Meeting: Ordinary Council Meeting 23 February 2015	Subject: Lease to Optus Mobile Pty Ltd – Cobram, Numurkah and Yarrawonga	<p>MOTION</p> <p>CRS BRIAN KEENAN / ED COX</p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Resolve to enter into separate leases with Optus Mobile Pty Ltd to occupy an area on each of the Moira Shire Council telecommunication towers and land located at 44 Station St Cobram, 97-99 Melville St Numurkah and 28-30 Belmore St Yarrawonga. 2. Authorise the CEO to sign and seal the lease documents. <p>(CARRIED)</p>	<p>ACTIVITY</p> <p>Paper work completed at this end, waiting return of lease agreement.</p>
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FILE NO: 11.1
6. GOVERNANCE

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

ACTION OFFICERS LIST (cont'd)

ATTACHMENT No [1] - Action officer's list - August 2015

Action Officers List - July 2015

Meeting: Ordinary Council Meeting 23 February 2015	
Subject: Lease to Telstra Corporation Limited - Nathalia Telecommunications Tower	
MOTION	
CRS KEVIN BOURKE / DON MCPHEE	
That Council:	
1. Resolve to enter into a lease with Telstra Corporation to occupy part of the Moira Shire Council telecommunications tower and land located at 77 Blake St Nathalia.	
2. Authorise the CEO to sign and seal the lease proposal and lease documents.	(CARRIED)
ACTIVITY	
Paper work completed at this end, waiting return of lease agreement.	

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FILE NO: 11.1
6. GOVERNANCE

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

ACTION OFFICERS LIST (cont'd)

ATTACHMENT No [1] - Action officer's list - August 2015

Action Officers List – July 2015

Meeting: Ordinary Council Meeting 15 September 2014	
Subject: General Business – VCAT orders.	
MOTION	
CRS KEVIN BOURKE / MARIE MARTIN	
That Council authorise the Chief Executive Officer to seek enforcement of the recent VCAT orders on the tyre storage facilities at Numurkah and Katunga (CARRIED)	
ACTIVITY	
The matter has progressed in the Supreme Court. The next hearing date is scheduled for 11 August. With respect to the unpaid infringement order brought to the Magistrates court, the matter was heard for the first time on 29 July 2015. The Respondent were absent at the hearing and the matter was therefore referred for an ex parte hearing scheduled for 24 August. It is at this instance where Council will be expected to appear in the witness box to present our witness statements.	

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FILE NO: 11.1
6. GOVERNANCEITEM NO: 11.1
(EXECUTIVE ASSISTANT TO CEO,
ROBYN BONADDIO)
(GENERAL MANAGER - CORPORATE,
LEANNE MULCAHY)**ACTION OFFICERS LIST (cont'd)****ATTACHMENT No [1] - Action officer's list - August 2015**

Action Officers List - July 2015

Meeting: Ordinary Council Meeting 09 December 2013	Subject: Cobram Library	<p>MOTION</p> <p>CRS GARY CLEVELAND / MARIE MARTIN</p> <p>That:</p> <ol style="list-style-type: none"> 1. Council approve the Cobram Civic Centre as the location for the new Cobram Library/Community Hub. 2. Authorise Council Officers to seek the services of a suitably qualified Architect to undertake the detailed design of a multiple staged 'Civic Centre Precinct' in order to meet with the projected future needs of the community, with Stage 1 of the project being a new Library facility and associated works. <p>(CARRIED)</p>	<p>ACTIVITY</p> <p>The Library's Technical Sub Committee and Steering Committee met with the Architect on the 23rd June to review the preliminary design plans. Design plans have been revised to incorporate the Goulburn Valley Regional Library Group's requirements for installation of Radio Frequency Identification Digital Scanner equipment.</p> <p>A councillor briefing paper showing latest design plans will be presented at the next Councillor Briefing scheduled for 13th July.</p> <p>Detail design plans and specifications are on track for completion in September.</p>
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FILE NO: 11.1
6. GOVERNANCE

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

ACTION OFFICERS LIST (cont'd)

ATTACHMENT No [1] - Action officer's list - August 2015

Action Officers List –July 2015

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

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FILE NO: 102.003
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 12.1
(EXECUTIVE ASSISTANT TO CEO,
ROBYN BONADDIO)
(CHIEF EXECUTIVE OFFICER, MARK
HENDERSON)

REPORT ON YARRAWONGA LIBRARY

TAKE NOTICE that at the Council Meeting to be held on 24 August 2015, it is my intention to move the following motion:

CR PETER MANSFIELD

Date: 13 August 2015

That:

1. Council do a study into the Yarrawonga Library addressing future requirements on space, trends etc to report back to Council in November 2015 with options for the future.

CRS PETER MANSFIELD / WENDY BUCK

That Council do a study into the Yarrawonga Library addressing future requirements on space, trends etc to report back to Council in November 2015 with options for the future.

(CARRIED)

FILE NO: F13/2401
5. INFRASTRUCTURE

ITEM NO: 14.1
(MANAGER CONSTRUCTION AND
ASSETS, GRAHAM HENDERSON)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

GOULBURN MURRAY WATER CONNECTIONS AGREEMENT FOR RURAL WATER SUPPLY TO FLORIDAN PARK RECREATION RESERVE

1. The proposed Connections Agreement with Goulburn Murray Rural Water Corporation is for the reconnection of water supply to the Floridan Park Recreation Reserve. As part of Goulburn Murray Rural Water Corporation's Connections Project, the existing irrigation supply channel known as MV No. 1A/1/2/5 Channel that supplies water to the Floridan Park Recreation Reserve is planned to be decommissioned by the Corporation. The Corporation propose to reconnect water supply to the recreation reserve by relocating the existing meter outlet to the backbone channel known as MV No. 1/2/5.
2. The Connections Agreement was negotiated between the Corporation's Officers, Council Officers and the Floridan Park Recreation Reserve Committee of Management. Under the Agreement, Goulburn Murray Rural Water Corporation will provide to Council a compensation payment of \$12,919.50 GST Inclusive in three installments to cover Council's costs for works to reconnect the water supply to the recreation reserve from the relocated meter outlet. The reconnection works include installation of a small Stock & Domestic pump and a 75mm pipeline from the meter outlet to inside the reserve.
3. As part of the Connections Agreement, Goulburn Murray Rural Water Corporation will appoint CAF Consulting Services Pty Ltd at its own cost to project management the reconnection works on behalf of Council. To facilitate this agreement, Council is required to enter into a tripartite agreement with both the Corporation and CAF Consulting Services Pty Ltd.
4. The purpose of the Private Works License Agreement - License Number MVDS 5072 with Goulburn Murray Rural Water Corporation is to allow access for members of Council staff to enter within the Corporation's channel reserve at the supply meter outlet to undertake any required maintenance works on the pipeline inlet.
5. It is recommended that Council authorise the CEO to sign and seal the above Connections Agreement documents with Goulburn Murray Rural Water Corporation.

Attachments

Nil

RECOMMENDATION

That Council authorise the Chief Executive Officer to sign and seal the following Connections Agreement documents with Goulburn Murray Rural Water Corporation for the reconnection of rural water supply for the Floridan Park Recreation Reserve.

1. Connections Agreement
2. Private Works License Agreement – License Number MVDS 5072
3. Connections Project – Project Manager Engagement Agreement (tripartite agreement with Goulburn Murray Rural Water Corporation and CAF Consulting Services Pty Ltd)
4. Goulburn Murray Rural Water Corporation Form for Bank Account Declaration for Electronic Funds Transfer

FILE NO: F13/2401
5. INFRASTRUCTURE**ITEM NO: 14.1**
(MANAGER CONSTRUCTION AND
ASSETS, GRAHAM HENDERSON)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)**GOULBURN MURRAY WATER CONNECTIONS AGREEMENT FOR RURAL
WATER SUPPLY TO FLORIDAN PARK RECREATION RESERVE (cont'd)****MOTION**

CRS KEVIN BOURKE / ED COX

That Council authorise the Chief Executive Officer to sign and seal the following Connections Agreement documents with Goulburn Murray Rural Water Corporation for the reconnection of rural water supply for the Floridan Park Recreation Reserve.

1. Connections Agreement
2. Private Works License Agreement – License Number MVDS 5072
3. Connections Project – Project Manager Engagement Agreement (tripartite agreement with Goulburn Murray Rural Water Corporation and CAF Consulting Services Pty Ltd)
4. Goulburn Murray Rural Water Corporation Form for Bank Account Declaration for Electronic Funds Transfer

(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 WENDY BUCK / PETER MANSFIELD

That General and Urgent business be considered.

(CARRIED)

MOTION

CRS KEVIN BOURKE / WENDY BUCK

That Council Officers try and coordinate with Section 86 Committees of Management to achieve better outcomes of management and operation of Council Facilities.

(CARRIED)

MOTION

CRS WENDY BUCK / KEVIN BOURKE

That Council officers try and coordinate with Numurkah Recreation Reserve Committee of Management to achieve better outcomes of management and operation of Council Facilities.

(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 to reply should be so given and, unless Council resolves to the contrary the reply to such question must be so given.

FILE NO: VARIOUS

ITEM NO: 16

QUESTIONS FROM THE PUBLIC GALLERY

16.1 **John Hay Koonoomoo**

Question: Employment ads in local papers for Moira Shire – Are they new jobs or replacing existing jobs, or doubling up?

Answer: The CEO advised the advertised positions are necessary and balanced against overall EFT positions, so any advertised position has to be justified and the position referred to in the question is required in order to comply with regulatory legislation. Whilst recruitments are seen through advertising, the general public doesn't see positions that leave the organization.

FILE NO: VARIOUS

ITEM NO: 17

MEETING ADJOURNMENT**MOTION**

CRS ALEX MONTH / KEVIN BOURKE

That the meeting be adjourned.

(CARRIED)

The meeting adjourned at 7.10pm

MOTION

CRS PETER MANSFIELD / WENDY BUCK

That the meeting be resumed.

(CARRIED)

The meeting resumed at 7.25pm

MOTION

CRS ED COX / ALEX MONK

That pursuant to Section 89(2) (a) (b) (d) and (h) of the Local Government Act, 1989, this meeting of Council be closed to members of the public in order for Council to discuss contractual, industrial and any other matters which the Council or Special Committee considers would prejudice the Council or any person.

(CARRIED)

RECOMMENDATION

That pursuant to Section 89(2) of the Local Government Act 1989, Council resolve to resume the Ordinary meeting.

FILE NO: VARIOUS**ITEM NO: 17****MEETING ADJOURNMENT****MOTION**

CRS PETER MANSFIELD / ALEX MONK

That pursuant to Section 89(2) of the Local Government Act 1989, Council resolve to resume the Ordinary meeting.

(CARRIED)

RECOMMENDATION

That the recommendations of the "Closed" Meeting of Council with regard to contractual, industrial and any other matters which the Council considers would prejudice the Council or any person be adopted.

MOTION

CRS PETER MANSFIELD / ALEX MONK

That the recommendations of the "Closed" Meeting of Council with regard to contractual, industrial and any other matters which the Council considers would prejudice the Council or any person be adopted.

(CARRIED)